



CITY OF SURPRISE
Regular City Council Meeting
16000 N. Civic Center Plaza
Surprise, AZ 85374
Tuesday, October 15, 2019 @ 6:00 PM
COUNCIL CHAMBERS

A. Call To Order

Any prayer or invocation that may be offered before the start of the Regular Council Meeting is a voluntary offering by a private resident of Surprise; has not been previously reviewed or approved by City Council or City staff; should not be considered an endorsement of any particular religion by the City or its officials, as the beliefs, viewpoint, and content are personal to the speaker; and no participation by any person in attendance is required. A list of volunteers is maintained by the office of the City Clerk and interested persons should contact the Clerk's Office for further information.

B. Roll Call

C. Pledge of Allegiance

D. Proclamation and Community Acknowledgements

Mayor, Council and Staff from Senator McSally's office will acknowledge Larry Brown, recipient of the 4th Annual Congressional Veterans of Distinction Award.

E. City Manager Report

F. City Clerk Report

G. Call To The Public

INSTRUCTIONS: In order to address the City Council, you will need to fill out a Call to the Public Form available at the front counter, and then turn it in to the City Clerk before the meeting begins.

[Download the Call to the Public form](#) (PDF download requires Adobe Acrobat Reader)

[Fill out the Call to the Public form online](#) If submitting form electronically, please submit to City Clerk at least one hour before the meeting start time.

The Call to the Public form is also available at the front counter.

Note: A.R.S. 38-431.01(H)- During this time members of the public may address City Council only on issues within the jurisdiction of the City Council which are not an item on the agenda. At the conclusion of the open call, City Council may respond to criticism, may ask staff to review the matter or may ask that the matter be put on a future agenda. No discussion or action shall take place on any item raised.

Approval of items on the Consent Agenda – all items with an asterisk (*) are considered to be routine matters and will be enacted by one motion and one roll call vote to the City Council. There will be no separate discussion on these items unless a Councilmember requests, in which event the item will be removed from the consent agenda and considered in its normal sequence on the agenda.

Please be aware that Council Members may not discuss or respond to matters raised during call to the public that are not specifically identified on the agenda. Council Members may however, in their discretion, discuss or respond to relevant matters raised during a noticed public hearing or agenda item.

H. Regular City Council Meeting Agenda

CONSENT AGENDA:

- | | | | |
|----|------------|--|---|
| 1. | District 1 | Consideration and action pertaining to approval of the Final Plat entitled "Fulton Homes Escalante – Parcel 5" and dated July 25, 2019, located on the southeast corner of 163rd Avenue and Asante Boulevard in the Verdugo PAD. | None
Sergio Angulo
Community
Development |
| 2. | District 1 | Consideration and action pertaining to approval with stipulations of the Final Plat entitled "Desert Oasis – Baer Parcel B9" and dated August 23, 2019, generally located south of Jomax Road and west of 163rd Avenue; Resolution # 2019-124. | None
Sergio Angulo
Community
Development |
| 3. | District 5 | Consideration and action pertaining to approval of the Replat entitled "Thompson Thrift at Surprise Center" and dated September 24, 2019, located in the Surprise Center Planned Area Development ("PAD"). | Hobart Wingard
Community
Development |
| 4. | District 1 | Consideration and action pertaining to a dedication of a right-of-way to the Maricopa County Department of Transportation at 163rd avenue and Pinnacle Peak Road. | Chris Boyd
Community
Development |

5.	District 5	Consideration and action declaring the intent to establish a street light improvement district entitled, "City of Surprise, Arizona, SU-Surprise Center 190 Lighting Improvement District" pursuant to A.R.S. § 48-616 for the purpose of purchasing facilities and energy for lighting the public streets and parks; Resolution #2019-112.	None Mike Gent Public Works
6.	District 1	Consideration and action pertaining to deleting a portion of the territory within Fulton Homes at Escalante 154 Street Lighting Improvement District; Resolution #2019-109.	None Mike Gent Public Works
7.	District 6	Consideration and action pertaining to the approval of a Replat entitled, "Lots 6140 through 6142 and tract I6 of Marley Park Parcel 6" and dated August 22, 2019, a property generally located northeast of the corner of Reems Road and Cactus Road.	Robert Kuhfuss Community Development
8.	District 3	Consideration and action to approve a request by Howard Everett Magee (Agent) for a Series 10 (Beer & Wine Store) liquor license for Carioca Shell #3 located at 16520 W. Greenway Road, Surprise, AZ 85388.	None Sherry Aguilar City Clerk
9.	District 5	Consideration and action to approve a request by Sheila M. Ford (Agent) for a Series 12 (Restaurant liquor license for the Chicken Ranch located at 14051 W. Grand Avenue, Surprise, AZ 85374	None Sherry Aguilar City Clerk
10.	District 3	Consideration and action to approve a request by Andrea Lewkowicz (Agent) for a Series 09 (Liquor Store) liquor license for Costco Wholesale located at 16385 W. Waddell Road, Surprise, AZ 85388.	None Sherry Aguilar City Clerk
11.	Internal	Consideration and action pertaining to an amendment of the Fiscal Year 2020 budget by reallocating appropriations of \$161,600 within the personnel lines of the Human Service & Community Vitality Department to increase the full time equivalent count by 1.5 while having no financial impact to the General Fund; Resolution # 2019-116.	None Seth Dyson Human Svcs and Comm Vitality
12.	Citywide	Consideration and action on the October 1, 2019 Regular City Council Work Session and Regular City Council Meeting.	None Sherry Aguilar City Clerk
13.	Citywide	Consideration and action pertaining to approval of an amendment to the Fiscal Year 2020 budget by reallocating appropriations in the amount of \$154,300 within the Grants Fund and authorizing acceptance of (7) grant awards from the AZ Governor's Office of Highway Safety (GOHS) to support impaired driving enforcement overtime, education, materials and supplies, and equipment; Resolution # 2019-123.	None Terry Young Police

- | | | | |
|-----|------------|--|---------------------------------------|
| 14. | District 1 | Consideration and action declaring the intention to consolidate several Rancho Mercado lighting improvement districts pursuant to A.R.S. § 48-616 for the purpose of purchasing facilities and energy for lighting the public streets and parks; Resolution #2019-126. | None

Mike Gent
Public Works |
| 15. | Citywide | Consideration and action pertaining to authorizing submission of the Request for Exemption from posting deposit to the Industrial Commission of Arizona. | Robert Wingo
Legal |

REGULAR AGENDA ITEM - PUBLIC HEARING:

- | | | | |
|-----|------------|--|---|
| 16. | District 3 | Consideration and action regarding the Revised Preliminary Plat entitled "Units F & C – Toll at Prasada" and dated July 25, 2019, approximately 37 acres located generally Cotton Lane, between Cactus Road and Peoria Avenue. Planning case # FS19-184. | None

Robert Kuhfuss
Community Development |
| 17. | Citywide | Consideration and action declaring as a public record the 2018 International Building, Residential, Mechanical, Plumbing, Fuel Gas, Energy Conservation, Existing Building, Green Construction, and Fire Codes; the 2017 National Electrical Code; and the Local Amendments thereto; Resolution # 2019-108. | None

Chris Boyd
Community Development |
| 18. | Citywide | Consideration and action pertaining to adoption of the 2018 International Building, Residential, Mechanical, Plumbing, Fuel Gas, Energy Conservation, Existing Building, Green Construction, and Fire Codes; and The 2017 National Electrical Code; and the corresponding Local Amendments thereto; Ordinance # 2019-25. | None

Chris Boyd
Community Development |

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

- | | | | |
|-----|----------|---|--|
| 19. | Citywide | Consideration and action pertaining to the selection of Logan Simpson for the Public Works Operations Facility art project. | Danielle Osborne
City Manager Office |
| 20. | Citywide | Presentation of Completed Internal Audit Reports presented and approved by the City of Surprise Audit Committee on September 25, 2019. | None

City Manager Office |
| 21. | Citywide | Consideration and action pertaining to approval of an amendment to the Fiscal Year 2020 Budget by reallocating appropriations in the amount of \$513,000 within the Grants Fund and General Fund and accepting a grant from the Federal Emergency Management Agency for Adequate Fire and Emergency Response (SAFER) grant program to hire eight firefighters; Resolution # 2019-127. | None

Tom Abbott
Fire - Medical |

- I. Other Business and Future Agenda Items
- J. City Council Reports
- K. Executive Session

For information Purposes; Upon a public majority vote of a quorum of the City Council, the Council may hold an executive session, which will not be open to the public, but for only the following purposes:

- discussion or consideration of personnel matters (A.R.S. §38-431.03 (A)(1));
- discussion or consideration of records exempt by law from public inspection (A.R.S. §38-401.03 (A)(2));
- discussion or consultation for legal advice with the city's attorneys (A.R.S. §38-431.03 (A)(3));
- discussion or consultation with the city's attorneys regarding the city's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation, or in settlement discussions conducted in order to avoid or resolve litigation (A.R.S. §38-431.03 (a)(4));
- discussion or consultation with designated representatives of the city in order to consider its position and instruct its representatives regarding negotiations with employee organizations (A.R.S. §38-431.03 (A)(5)); or
- discussion, consultation or consideration for international and interstate negotiations or for negotiations by a city or town, or its designated representatives, with members of a tribal council, or its designated representatives, of an Indian reservation located within or adjacent to the city or town. A.R.S. §38-401.03 (A)(6)).
- discussing or consulting with designated representatives of the city in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property (A.R.S. §38-431.03 (A)(7)).

Confidentiality Requirements Pursuant to A.R.S. §38-431.03(C)(D): Any person receiving executive session information pursuant to A.R.S. §38-431.02 shall not disclose that information except to the Attorney General or County Attorney by agreement of the City Council, or as otherwise ordered by a court of competent jurisdiction.

The council may vote to hold an executive session for the purpose of obtaining legal advice from the Board's attorney on any matter listed on the agenda pursuant to A.R.S. § 38-431.03(A)(3).

L. Adjournment

SHERRY ANN AGUILAR, CITY CLERK, MMC

POSTED: October 10, 2019 at 11:20 AM

SPECIAL NOTE: PERSONS WITH SPECIAL ACCESSIBILITY NEEDS, INCLUDING LARGE PRINT MATERIALS OR INTERPRETER, SHOULD CONTACT THE CITY CLERK'S OFFICE @ 623.222.1200 OR TTY 623.222.1002, BY NO LATER THAN 24 HOURS IN ADVANCE OF THE REGULAR SCHEDULED MEETING TIME.



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: October 15, 2019
Submitting Department: City Clerk
Staff Recommendations:

Contact Person:
District: Internal

Consent: No Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Invocation

Motion:

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: October 15, 2019
Submitting Department: Mayor and Council
Staff Recommendations:

Contact Person:
District: Citywide

Consent: No Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Mayor, Council and Staff from Senator McSally's office will acknowledge Larry Brown, recipient of the 4th Annual Congressional Veterans of Distinction Award.

Motion:

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: October 15, 2019 Contact Person: Sergio Angulo
Submitting Department: Community Development District: District 1
Staff Recommendations: None

Consent: Yes Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action pertaining to approval of the Final Plat entitled “Fulton Homes Escalante – Parcel 5” and dated July 25, 2019, located on the southeast corner of 163rd Avenue and Asante Boulevard in the Verdugo PAD.

Motion:

I move to approve the Final Plat entitled “Final Plat of Fulton Homes Escalante – Parcel 5” and July 25, 2019.

Background:

Cardno Inc., on behalf of Fulton Homes Corporation, seeks approval of a Final Plat for a 146-lot single-family residential subdivision in Parcel 5 of the Verdugo PAD.

Objective Analysis:

This Final Plat will create 146 lots and a total density of 5.34 dwelling units per acre which is consistent with the approved Verdugo PAD and the approved preliminary plat.

Policy Compliant:

The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Character Area, which supports uses such as that proposed.

Financial Impact:

This item does not have a direct financial impact, however all activity related to ongoing development of the City of Surprise has an economic and fiscal impact on the city and the region.

Budget Impact:

There is no anticipated budget impact related to this item.

FTE Impact:

This item does not have an impact on current staffing levels.

ATTACHMENTS:

1. 19.10.02 EVR Escalante Parcel 5 - Staff Report
2. 01 - FS19-358 - Escalante Parcel 5 - Final Plat

3. FS19-358 - Escalante Parcel 5 - PowerPoint

1 **Case:** FS19-358
2
3 **Project Name:** Fulton Homes at Escalante Parcel 5
4
5 **Council District:** 1 – Acacia
6
7 **Meeting Date:** October 15, 2019
8
9 **Planner:** Sergio Angulo
10
11
12 **Owner:** Fulton Homes Corporation
13
14 **Applicant:** Cardno Inc.
15
16 **Request:** Final Plat for 146 Lots.
17
18 **Site Location:** Southeast corner of Asante Boulevard and 163rd Avenue.
19
20 **Site Size:** 27.32 Acres (approx.)
21
22 **Density:** 5.34 Dwelling Units per Acre
23
24 **General Plan Conformance:** The proposal is consistent with the Surprise General Plan 2035 as
25 proposed under case FS19-358.
26
27 **Support/Opposition:** None known.
28
29 **Recommendation:** None.

30 **Background:**

31
32 **January 22, 2004:** The subject property was annexed into the City of Surprise by the Mayor and City
33 Council.

34
35 **February 12, 2004:** The Mayor and City Council approved the Pinnacle Peak Country Estates PAD
36 under case PAD03-110. This PAD was subsequently amended by virtue of the Verdugo PAD
37 approved in 2008.

38
39 **April 22, 2008:** The Mayor and City Council approved the Verdugo PAD under case PAD08-171.

40
41 **December 15, 2015:** The Mayor and City Council approved a Major Amendment to the Verdugo
42 PAD under case FS14-159.

43
44 **October 3, 2017:** The Mayor and City Council approved the Master Plat for Verdugo under case
45 FS16-471.

46
47 **December 4, 2018:** The Community Development Director approved a Minor Amendment to the
48 Verdugo PAD, case FS18-487, to enhance the landscape and open space requirements for the
49 Fulton Homes at Escalante Development.

50
51 **April 2, 2019:** The Mayor and City Council approved the Preliminary Plat for Fulton Homes Escalante
52 Parcel 5 under case FS18-496.

53
54 **May 15, 2019:** The applicant filed a request for a Final Plat under case FS19-358, the subject case.

55
56 **Project Description:**

57
58 Cardno Inc., on behalf of Fulton Homes Corporation, requests approval of a Final Plat to allow for
59 the development of a single-family residential subdivision in Parcel 5 of Fulton Homes Escalante in
60 the Verdugo PAD, located in the southeast corner of Asante Boulevard and 163rd Avenue. Onsite
61 the applicant proposes 146 residential lots and landscape tracts for retention, recreation, and open
62 space amenities.

63
64 The subject site is 27.32 acres and zoned PAD – Medium Density Residential. The PAD allows a
65 maximum density of 8 dwelling units per acre and this development proposes a total density of 5.34
66 dwelling units per acre on the subject property. The proposed Final Plat is in conformance with the
67 approved preliminary plat and the Verdugo PAD.

68 **Findings:**

69

- 70 • The proposed Final Plat is consistent with the Surprise General Plan 2035.
- 71 • The proposed Final Plat is consistent with the Verdugo PAD and the SUDC.
- 72 • The proposed Final Plat is in substantial conformance with the Preliminary Plat case FS18-
- 73 496.

74

75 **Attachments:**

76 01 Final Plat

77

78 **Enclosure:**

79 Sealed mylars

FINAL PLAT OF
"FULTON HOMES ESCALANTE - PARCEL 5"
A SUBDIVISION OF PARCEL 5 OF VERDUGO MASTER PLAT
RECORDED IN BOOK 1362, PAGE 45, M.C.R.,
LOCATED IN A PORTION OF THE WEST HALF OF SECTION 7,
TOWNSHIP 4 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN,
CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA
OWNER/DEVELOPER: FULTON HOMES CORPORATION

DEDICATION AND DECLARATION

STATE OF ARIZONA)
COUNTY OF MARICOPA) SS

KNOW ALL PERSONS BY THESE PRESENTS: THAT FULTON HOMES CORPORATION, AN ARIZONA CORPORATION, AS OWNER, HAS SUBDIVIDED UNDER THE NAME "FULTON HOMES ESCALANTE - PARCEL 5", A SUBDIVISION OF PARCEL 5 OF "VERDUGO MASTER PLAT" AS RECORDED IN BOOK 1362, PAGE 45 OF OFFICIAL RECORDS OF THE MARICOPA COUNTY RECORDER AND BEING LOCATED IN A PORTION OF THE WEST HALF OF SECTION 7, TOWNSHIP 4 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA AS SHOWN AND PLATTED HEREON AND DOES HEREBY PUBLISH THIS PLAT AS AND FOR THE PLAT OF "FULTON HOMES ESCALANTE - PARCEL 5" AND DECLARES THAT THIS PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF EACH LOT, TRACT, STREET, AND EASEMENT CONSTITUTING SAME, AND THAT EACH LOT, TRACT, STREET, AND EASEMENT SHALL BE KNOWN BY THE NUMBER, LETTER, AND/OR NAME GIVEN TO EACH RESPECTIVELY AS SHOWN ON THIS PLAT.

OWNER HEREBY DEDICATES TO THE CITY OF SURPRISE FEE TITLE TO ALL PUBLIC RIGHTS-OF-WAY AS SHOWN ON THE PLAT.

OWNER HEREBY GRANTS TO THE PUBLIC A PERPETUAL NONEXCLUSIVE EASEMENT IN, UPON, OVER, UNDER, THROUGH, AND ACROSS THE AREAS DESIGNATED AS PUBLIC UTILITY EASEMENTS AS SHOWN ON THE PLAT FOR THE PURPOSE OF ACCESSING, INSTALLING, CONSTRUCTING, MAINTAINING, REPAIRING, REPLACING AND UTILIZING PUBLIC UTILITIES.

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE A PERPETUAL NONEXCLUSIVE EASEMENT OVER, UPON, AND ACROSS THE AREAS DESIGNATED AS SIGHT VISIBILITY TRIANGLES FOR THE PURPOSE OF ENSURING THAT THESE AREAS REMAIN FREE OF SIGHT VISIBILITY OBSTRUCTIONS.

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE AND THE FULTON HOMES ESCALANTE HOMEOWNERS ASSOCIATION NON-EXCLUSIVE VEHICULAR NON-ACCESS EASEMENTS OVER, UPON AND ACROSS THE AREAS DESIGNATED AS "VEHICULAR NON-ACCESS EASEMENT" AS SHOWN ON THE PLAT.

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE A PERPETUAL CROSS ACCESS EASEMENT ACROSS THE PLAT INCLUDING ROADS AND STREETS, OPEN SPACES, COMMUNITY FACILITIES, TRACTS, SIDEWALKS, DRAINAGE BASINS AND ANY PROPERTY WITHIN THE PLAT OWNED BY THE HOMEOWNERS ASSOCIATION FOR THE PURPOSES OF PROVIDING CONTINUOUS AND UNINTERRUPTED INGRESS AND EGRESS FOR EMERGENCY VEHICLES.

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE A PERPETUAL EASEMENT ACROSS THE PLAT INCLUDING ROADS AND STREETS, OPEN SPACES, COMMUNITY FACILITIES, TRACTS, SIDEWALKS, DRAINAGE BASINS AND ANY PROPERTY WITHIN THE PLAT OWNED BY THE HOMEOWNERS ASSOCIATION FOR THE PURPOSE OF PROVIDING CONTINUOUS AND UNINTERRUPTED INGRESS AND EGRESS FOR TRASH COLLECTION VEHICLES.

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE AN ODOR EASEMENT OVER, UPON AND ACROSS THIS PLAT AND EVERY LOT AND PARCEL THEREOF, WHICH EASEMENT SHALL INCLUDE, BUT NOT BE LIMITED TO, THE RIGHT TO INVADE WITH ODORS, FUMES, SMELLS, AND PHYSICAL AIRBORNE PARTICULATES CAUSED BY THE OPERATION AND MAINTENANCE OF THE CITY'S WATER RECLAMATION FACILITIES.

OWNER HEREBY GRANTS TO THE UNITED STATES OF AMERICA DEPARTMENT OF THE AIR FORCE ("USAF") AN AVIATION EASEMENT OVER AND ACROSS THIS PLAT AND EVERY LOT AND PARCEL THEREOF, WHICH EASEMENT SHALL INCLUDE, BUT NOT BE LIMITED TO, THE RIGHT OF FLIGHT OF AIRCRAFT OVER THIS PLAT, TOGETHER WITH ITS ATTENDANT NOISE, VIBRATIONS, FUMES, DUST, FUEL AND LUBRICANT PARTICLES, AND ALL OTHER EFFECTS THAT MAY BE CAUSED BY THE OPERATION OF AIRCRAFT LANDING AT, OR TAKING OFF FROM, OR OPERATING AT OR ON LUKE AIR FORCE BASE AND AUXILIARY FIELD.

THE MAINTENANCE OF LANDSCAPING WITHIN THE OPEN SPACES, LANDSCAPED TRACTS, RETENTION BASINS AND PARKS SHALL BE THE RESPONSIBILITY OF THE OWNER OR THE HOMEOWNERS' ASSOCIATION FORMED BY THE OWNER.

THE MAINTENANCE OF LANDSCAPING WITHIN THE ADJACENT PUBLIC RIGHTS-OF-WAY, INCLUDING LANDSCAPED MEDIANS WITHIN COLLECTORS AND LOCAL STREETS AND LANDSCAPED AREAS BETWEEN THE CURB AND THE DETACHED SIDEWALK, SHALL BE THE RESPONSIBILITY OF THE ADJACENT PROPERTY OWNER OR THE HOMEOWNERS' ASSOCIATION FORMED BY THE ADJACENT PROPERTY.

LANDSCAPE MAINTENANCE WITHIN THE MEDIANS WITHIN THE PUBLIC RIGHT-OF-WAY WITHIN ANY ARTERIAL OR PARKWAY STREET CLASSIFICATION SHALL BE RESPONSIBILITY OF THE CITY OF SURPRISE AFTER ACCEPTANCE.

ALL IMPROVEMENTS, FOR STREETS AND PUBLIC UTILITIES OWNED AND OPERATED BY THE CITY, INSTALLED OR CONSTRUCTED BY OWNER WITHIN THE PUBLIC RIGHTS-OF-WAY, THE EASEMENTS, OR ANY TRACTS OR PARCELS HEREBY DEDICATED TO THE CITY OF SURPRISE SHALL BE DEEMED TO HAVE BEEN DEDICATED BY OWNER TO THE CITY UPON THEIR COMPLETION; HOWEVER, SUCH TRANSFER SHALL NOT OCCUR UNTIL THE CITY COUNCIL FOR THE CITY OF SURPRISE MANIFESTS ITS ACCEPTANCE BY SEPARATE FORMAL COUNCIL ACTION.

THE EASEMENTS GRANTED WITHIN THIS DEDICATION ARE PERMANENT AND PERPETUAL AND SHALL RUN WITH THE LAND AND BE BINDING UPON OWNER AND ITS HEIRS, ASSIGNS, AND SUCCESSORS IN INTEREST TO THIS PLAT OR ANY PARCEL OR LOT THEREOF.

IN WITNESS WHEREOF, OWNER HAS HEREUNTO CAUSED ITS CORPORATE NAME TO BE SIGNED AND ITS CORPORATE SEAL TO BE AFFIXED BY THE UNDERSIGNED, DULY AUTHORIZED OFFICER THIS

_____, DAY OF _____, 20____.

FULTON HOMES CORPORATION, AN ARIZONA CORPORATION:

BY _____

ITS _____

ACKNOWLEDGMENT

STATE OF ARIZONA)
COUNTY OF MARICOPA) SS

ON THIS THE ____ DAY OF _____, 20____, BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY

APPEARED BY _____, WHO ACKNOWLEDGED HIMSELF TO BE

_____, OF FULTON HOMES CORPORATION, AN ARIZONA CORPORATION, AND
ACKNOWLEDGED THAT HE, AS SUCH OFFICER, BEING AUTHORIZED TO DO SO, EXECUTED THE FOREGOING INSTRUMENT
FOR THE PURPOSES THEREIN CONTAINED.

IN WITNESS WHEREOF: I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

BY _____

MY COMMISSION EXPIRES: _____

DEVELOPER

FULTON HOMES CORPORATION,
AN ARIZONA CORPORATION
NORM NICHOLLS
9140 S. KYRENE ROAD, SUITE 202
TEMPE, AZ 85284
PHONE: (480) 753-6789

ENGINEER

DANIEL J. POTTINGER, P.E.
CARDNO INC.
19621 N. 23RD DRIVE, SUITE 150
PHOENIX, AZ 85027
PHONE: (602) 977-8000
FAX: (602) 977-8099

SURVEYOR

JAMES M. HART, R.L.S.
CARDNO INC.
19621 N. 23RD DRIVE, SUITE 150
PHOENIX, AZ 85027
PHONE: (602) 977-8000
FAX: (602) 977-8099

LEGAL DESCRIPTION

PARCEL 5 OF VERDUGO MASTER PLAT AS RECORDED IN BK. 1362, PG. 45 M.C.R.

ASSURED WATER SUPPLY

CERTIFICATE OF 100 YEAR ASSURED WATER SUPPLY NO. 86-002344.0001 PURSUANT TO SECTION 45-576, A.R.S. ISSUED BY THE ARIZONA DEPARTMENT OF WATER RESOURCES ON SEPTEMBER 29, 2010.

SHEET INDEX

SHEET 1 - DEDICATIONS, APPROVALS, CERTIFICATIONS AND NOTES
SHEET 2 - KEY MAP AND TYPICAL LOT SETBACK DETAIL
SHEET 3 - 5 FINAL PLAT PLAN SHEETS
SHEET 6 - TRACT USE, RIGHT OF WAY AND LOT AREA TABLES

RELEASE OF LIABILITY

FULTON HOMES CORPORATION, AN ARIZONA CORPORATION, ("OWNER") DOES HEREBY (1) RELEASE AND DISCHARGE THE UNITED STATES OF AMERICA DEPARTMENT OF THE AIR FORCE (USAF) AND THE CITY OF SURPRISE, AND (2) INDEMNIFY, DEFEND, AND HOLD HARMLESS THE USAF AND THE CITY OF SURPRISE, OF AND FROM ANY LIABILITY FOR ANY AND ALL CLAIMS FOR DAMAGES OF ANY KIND TO PERSONS OR PROPERTY THAT MAY ARISE AT ANY TIME IN THE FUTURE OVER, OR IN CONNECTION WITH AIRCRAFT OVERFLIGHTS FROM AIRCRAFT UTILIZING LUKE AIR FORCE BASE, WHETHER SUCH DAMAGE SHALL ORIGINATE FROM NOISE, VIBRATION, FUMES, DUST, FUEL AND LUBRICANT PARTICLES, AND ALL OTHER EFFECTS THAT MAY BE CAUSED BY THE OPERATION OF AIRCRAFT LANDING AT, OR TAKING OFF FROM, OR OPERATING AT OR ON LUKE AIR FORCE BASE AND ITS AUXILIARY FIELDS. THIS INSTRUMENT SHALL RUN WITH THE LAND AND BE BINDING UPON OWNER AND ITS HEIRS, ASSIGNS, AND SUCCESSORS IN INTEREST TO THIS PLAT OR ANY PARCEL OR LOT THEREOF. THIS INSTRUMENT DOES NOT RELEASE THE USAF FROM LIABILITY FOR DAMAGE OR INJURY TO PERSON OR PROPERTY CAUSED BY FALLING AIRCRAFT OR FALLING PHYSICAL OBJECTS FROM AIRCRAFT, EXCEPT AS STATED HEREIN WITH RESPECT TO NOISE, FUMES, DUST, FUEL, AND LUBRICANT PARTICLES.

FULTON HOMES CORPORATION, AN ARIZONA CORPORATION, ("OWNER") DOES HEREBY (1) RELEASE AND DISCHARGE THE CITY OF SURPRISE, AND (2) INDEMNIFY, DEFEND, AND HOLD HARMLESS THE CITY OF SURPRISE, OF AND FROM ANY LIABILITY FOR ANY AND ALL CLAIMS FOR DAMAGES OF ANY KIND TO PERSONS OR PROPERTY THAT MAY ARISE AT ANY TIME IN THE FUTURE OVER, OR IN CONNECTION WITH THE AREAS LOCATED WITHIN THE NEWLY DEDICATED RIGHT-OF-WAY AS DEPICTED ON THIS PLAT UNTIL SUCH TIME THE RIGHT-OF-WAY IS IMPROVED TO CITY STANDARDS AND THOSE IMPROVEMENTS ARE APPROVED AND ACCEPTED BY THE CITY COUNCIL. THE MAINTENANCE OF THE AREA WITHIN ANY NEWLY DEDICATED RIGHT-OF-WAY AS SHOWN ON THIS PLAT SHALL BE THE RESPONSIBILITY OF THE ADJACENT OWNER/OR SUBSEQUENT ADJACENT OWNERS WITHIN THE BOUNDARY OF SAID PLAT UNTIL SUCH TIME THAT THE AREA WITHIN THE RIGHT-OF-WAY IS IMPROVED TO CITY STANDARD AND ACCEPTED BY THE CITY OF SURPRISE.

OWNER HEREBY FURTHER AGREES TO INDEMNIFY, DEFEND, AND HOLD HARMLESS THE CITY OF SURPRISE FROM ANY AND ALL CLAIMS FOR DAMAGES OF ANY KIND TO PERSONS OR PROPERTY LOCATED WITHIN THE RIGHT OF WAY THAT MAY ARISE IN CONNECTION WITH THE USE OF THE SIDEWALKS LOCATED WITHIN THE RIGHT-OF-WAY, UNTIL SUCH TIME THE CITY OF SURPRISE HAS ACCEPTED THE SIDEWALKS.

SOUND ATTENUATION AND OVERFLIGHT LANGUAGE PUBLIC NOTICE

THE LOTS DEPICTED ON THIS PLAT ARE LOCATED WITHIN THE VICINITY OF LUKE AIR FORCE BASE AND MAY BE SUBJECT TO OVERFLIGHTS BY JET AIRCRAFT. ALL STRUCTURES WITHIN THIS PLAT SHALL BE CONSTRUCTED IN COMPLIANCE WITH THE SOUND ATTENUATION STANDARDS ADOPTED BY THE CITY OF SURPRISE. A MAP DEPICTING THE MOST CURRENT ADOPTED MAG NOISE CONTOURS IN RELATION TO THIS PLAT SHALL BE DISPLAYED IN ALL SALES OFFICES. ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE CITY OF SURPRISE COMMUNITY DEVELOPMENT DEPARTMENT.

HOMEOWNERS ASSOCIATION RATIFICATION

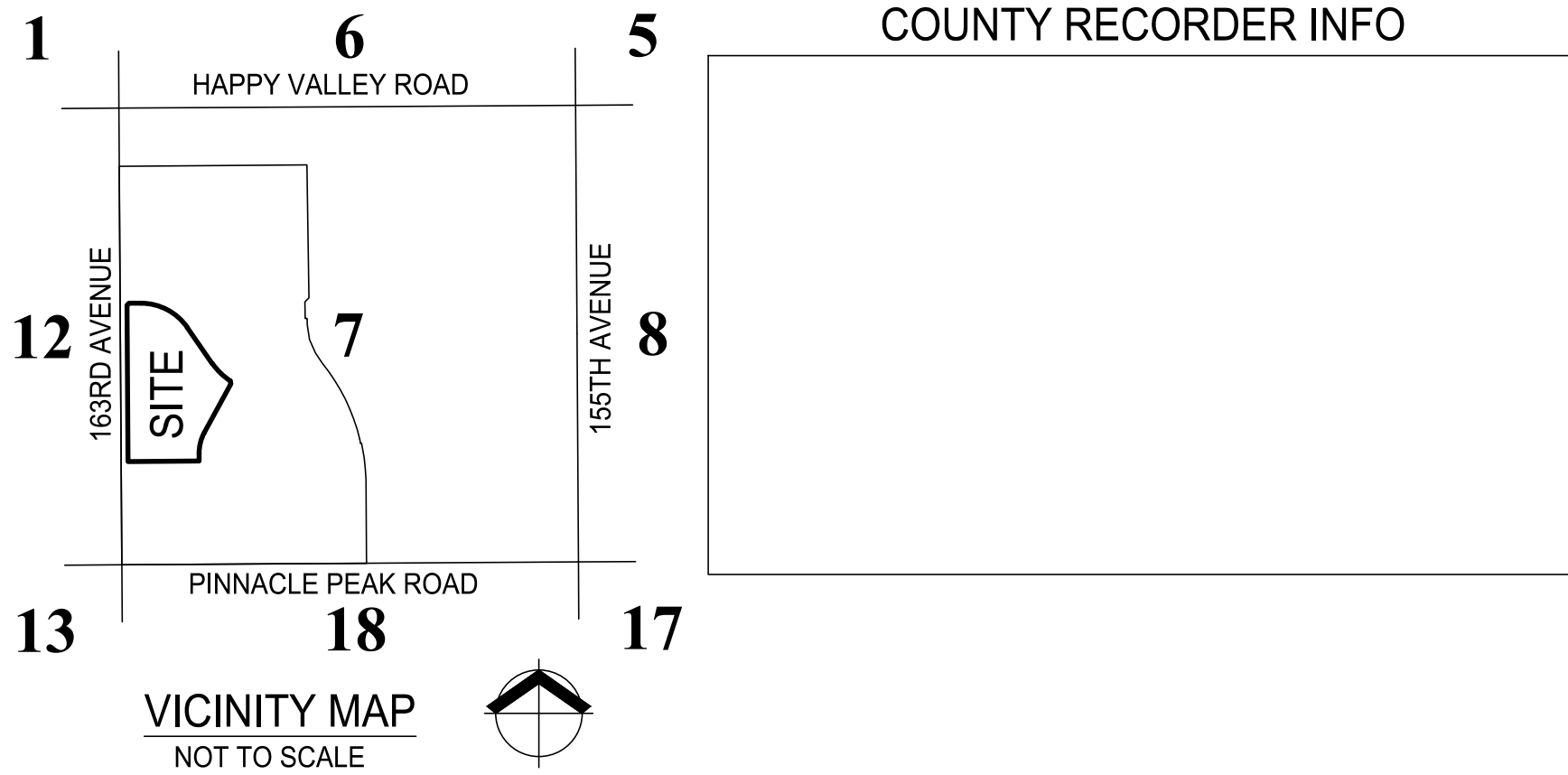
KNOW ALL PERSON BY THESE PRESENTS:

THE UNDERSIGNED, DULY AUTHORIZED OF THE FULTON HOMES ESCALANTE HOMEOWNERS ASSOCIATION, AN ARIZONA NON-PROFIT ORGANIZATION, HEREBY RATIFIES THE RECORDATION OF THIS PLAT FOR "FULTON HOMES ESCALANTE - PARCEL 5" AND ACKNOWLEDGES THE RESPONSIBILITIES SET FORTH THEREIN.

FULTON HOMES ESCALANTE HOMEOWNERS ASSOCIATION,
AN ARIZONA NON-PROFIT ORGANIZATION

BY: _____ DATE: _____

ITS: _____



NOTES

- SPRINKLERS ARE REQUIRED IN ALL ONE AND TWO FAMILY DWELLINGS BUILT IN AREAS WHICH DO NOT HAVE AN ADEQUATE WATER SUPPLY.
- THE PROPERTY OWNER AT THE TIME WHEN CITY OF SURPRISE WATER, AND/OR SEWER INFRASTRUCTURE IS AVAILABLE AT THE PROPERTY, SHALL BE REQUIRED TO CONNECT IN ACCORDANCE WITH SURPRISE MUNICIPAL CODE AND PAY ALL APPLICABLE FEES. ANY OWNER OF THE PROPERTY SHALL NOTIFY PROSPECTIVE BUYERS AND THE PUBLIC OF THIS NOTE, AND SALES CONTRACT, REPORT SHALL CONTAIN SUCH NOTE.
- NO ON-SITE GRADING OR EXCAVATION SHALL OCCUR WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE.
- THE AREA PLATTED HEREON LIES WITHIN THE DOMESTIC WATER SERVICE AREA OF CITY OF SURPRISE WHICH IS DESIGNATED AS HAVING AN ASSURED WATER SUPPLY PURSUANT A.R.S. § 45-576.
- THE PROPERTY IS LOCATED WITHIN AN AREA HAVING FLOOD ZONE "A" AND ZONE "X"," BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE RATE MAP NO. 04013C1210L, WITH A DATE OF IDENTIFICATION OF OCTOBER 16, 2013, FOR COMMUNITY NO. 040053, IN MARICOPA COUNTY, STATE OF ARIZONA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED.
ZONE "A" AS DEFINED BY FEMA IS:
SPECIAL FLOOD HAZARD AREAS INUNDATED BY THE 1% ANNUAL CHANCE FLOOD, NO BASE FLOOD ELEVATIONS DETERMINED.
ZONE "X" AS DEFINED BY FEMA IS:
AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD.
- IN ACCORDANCE WITH ARS § 9-461.07, THE CITY OF SURPRISE HAS DETERMINED THAT ALL DEDICATIONS OCCURRING WITH THIS PLAT ARE IN CONFORMANCE WITH THE SURPRISE GENERAL PLAN.
- PURSUANT TO A.R.S. § 42-11102, THE CITY OF SURPRISE, A POLITICAL SUBDIVISION OF THE STATE OF ARIZONA, IS EXEMPT FROM ALL TAXES AND ASSESSMENTS BASED ON ASSESSED VALUE EXCEPT FOR SPECIAL DISTRICTS #14751 AND 14710, WHEN APPLICABLE.
- THIS FINAL PLAT IS IN SUBSTANTIAL CONFORMANCE WITH PRELIMINARY PLAT APPROVED UNDER CASE FS18-496.
- MINIMUM LOT WIDTH= 44'
- DEVELOPMENT STANDARDS ARE PER THE VERDUGO PAD CASE FS14-159 OR AS SUBSEQUENTLY AMENDED.

BASIS OF BEARING

THE BASIS OF BEARING FOR THIS SURVEY IS NORTH 00°21'11" EAST ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 4 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, PER UNRECORDED A.L.T.A./N.S.P.S. LAND TITLE SURVEY FOR VERDUGO SURPRISE, ARIZONA PERFORMED BY COE & VAN LOO CONSULTANTS, INC., DATED 06-08-2016

CITY OF SURPRISE ENGINEER APPROVAL

DATA ON THIS PLAT REVIEWED AND APPROVED THIS _____ DAY OF _____, 20____, BY
THE CITY ENGINEER OF SURPRISE, ARIZONA.

APPROVED _____
CITY ENGINEER DATE

CITY OF SURPRISE COUNCIL APPROVAL

APPROVED BY THE CITY COUNCIL OF THE CITY OF SURPRISE, ARIZONA. THIS _____ DAY
OF _____, 20____.

MAYOR DATE

ATTEST: _____
CITY CLERK DATE

CERTIFICATION

THIS IS TO CERTIFY THAT THE SURVEY OF THE PREMISES DESCRIBED AND PLATTED HEREON WAS COMPLETED UNDER MY DIRECTION DURING THE MONTH OF JULY 2019 AND THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN; THAT THE MONUMENTS SHOWN ACTUALLY EXIST OR WILL BE SET AS SHOWN; THAT THEIR POSITIONS ARE CORRECTLY SHOWN; AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

JAMES HART, R.L.S. #57999

SEE SHEET 2 FOR TYPICAL LOT
SETBACK DETAIL AND KEY MAP

SEE SHEET 6 FOR TRACT USE, RIGHT
OF WAY AND LOT AREA TABLES

GROSS SITE AREA:

TOTAL LOTS: 146
TOTAL AREA: 1,190,174 SQ. FT. OR
27.3226 ACRES MORE OR LESS



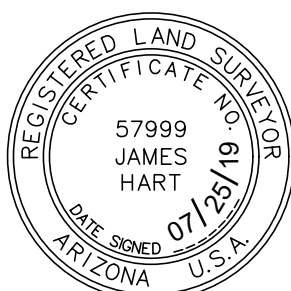
FULTON HOMES ESCALANTE - PARCEL 5

FULTON HOMES CORPORATION,

AN ARIZONA CORPORATION

SURPRISE, AZ

DATE	DESCRIPTION	BY

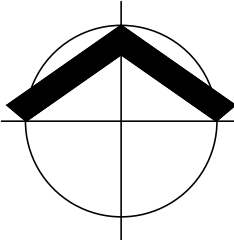


DATE | JULY 2019
DRAWN | T.L.B.
SURVEYED | MAS
CHECKED | ALS
PROJECT # | 4161214100
SHEET TITLE
COVER
SHEET NUMBER

1 of 6

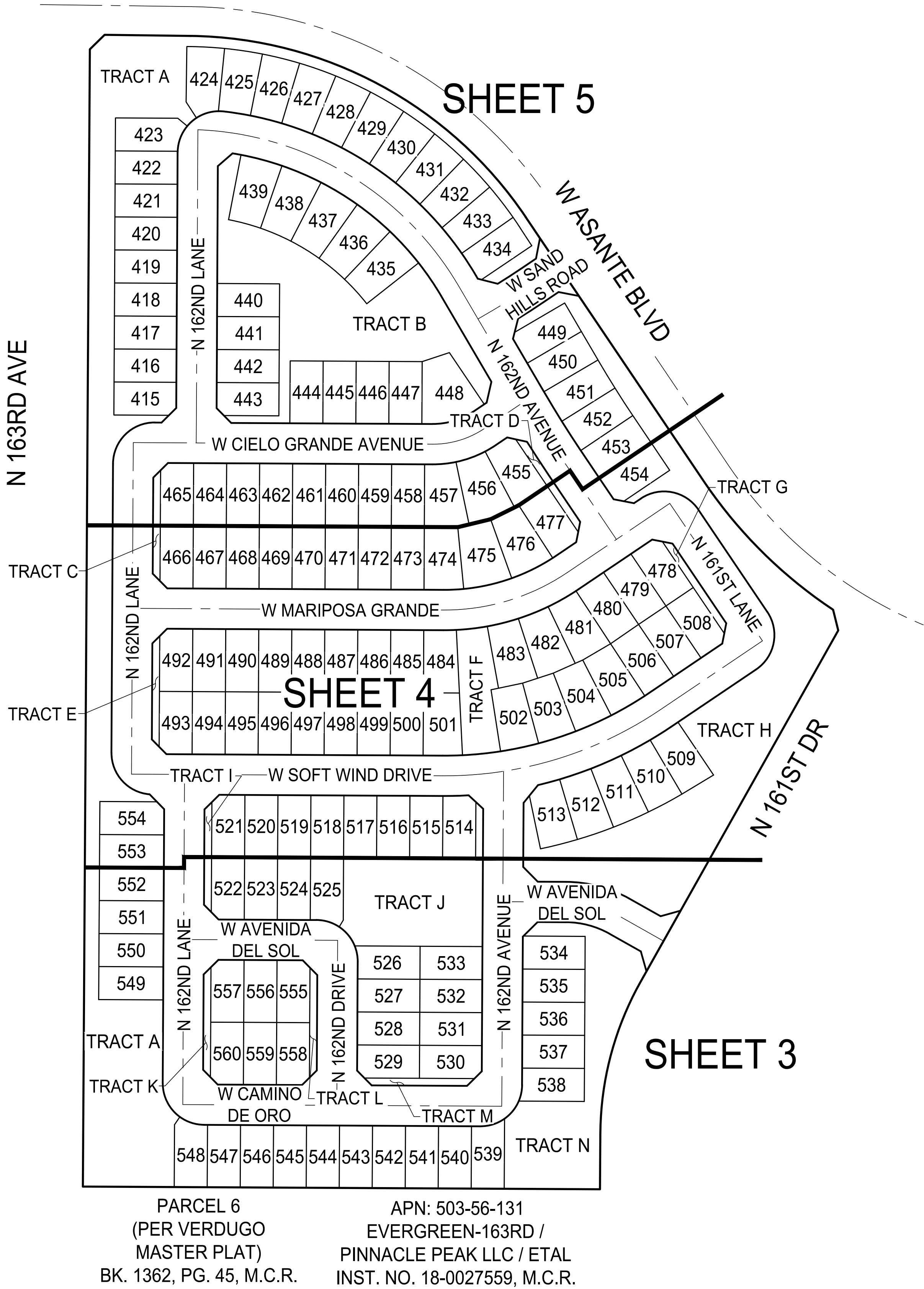
FINAL PLAT CASE: FS19-358

"FULTON HOMES ESCALANTE - PARCEL 5"



LEGEND

- ⊕ SURVEY MONUMENT (FOUND AS NOTED)
- CORNER OF THIS SUBDIVISION SET 1/2" REBAR WITH CAP RLS #57999 UNLESS OTHERWISE STATED
- INTERIOR MONUMENT SET BRASS CAP PER MAG STD DET 120
- C1 CURVE NUMBER
- L1 LINE NUMBER
- P.U.E. PUBLIC UTILITY EASEMENT
- V.N.A.E. VEHICULAR NON-ACCESS EASEMENT
- S.W.E. SIDEWALK EASEMENT
- R= INDICATES RADIUS
- C.O.S. CITY OF SURPRISE
- R.O.W. RIGHT OF WAY
- M.C.R. MARICOPA COUNTY RECORDER
- (A) 30'x30' SIGHT VISIBILITY TRIANGLE PER SURPRISE EDS DETAIL 4-02
- (B) 8' P.U.E.



KEYMAP

COUNTY RECORDER INFO

DATE	JULY 2019
DRAWN	TLB
SURVEYED	MAS
CHECKED	ALS
PROJECT #	4161214100
SHEET TITLE	
SHEET NUMBER	2 of 6

SEE SHEET 6 FOR TRACT USE, RIGHT OF WAY AND LOT AREA TABLES



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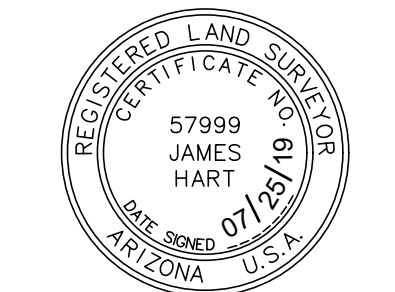
PHOENIX
18321 N. 23RD DRIVE, SUITE 150,
PHOENIX, AZ 85027
TEL: (602) 977-8000 FAX: (602) 977-8099 www.cardno.com

FULTON HOMES ESCALANTE - PARCEL 5

FULTON HOMES CORPORATION,
AN ARIZONA CORPORATION

SURPRISE, AZ

#	DATE	DESCRIPTION	BY



James Hart

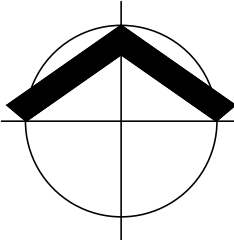
DATE	JULY 2019
DRAWN	TLB
SURVEYED	MAS
CHECKED	ALS
PROJECT #	4161214100
SHEET TITLE	

SHEET NUMBER

2 of 6

"FULTON HOMES ESCALANTE - PARCEL 5"

SCALE: 1"=40'



NORTHWEST CORNER OF SECTION 7,
TOWNSHIP 4 NORTH, RANGE 1 WEST,
FOUND CITY OF SURPRISE ALUMINUM CAP,
RLS #36562

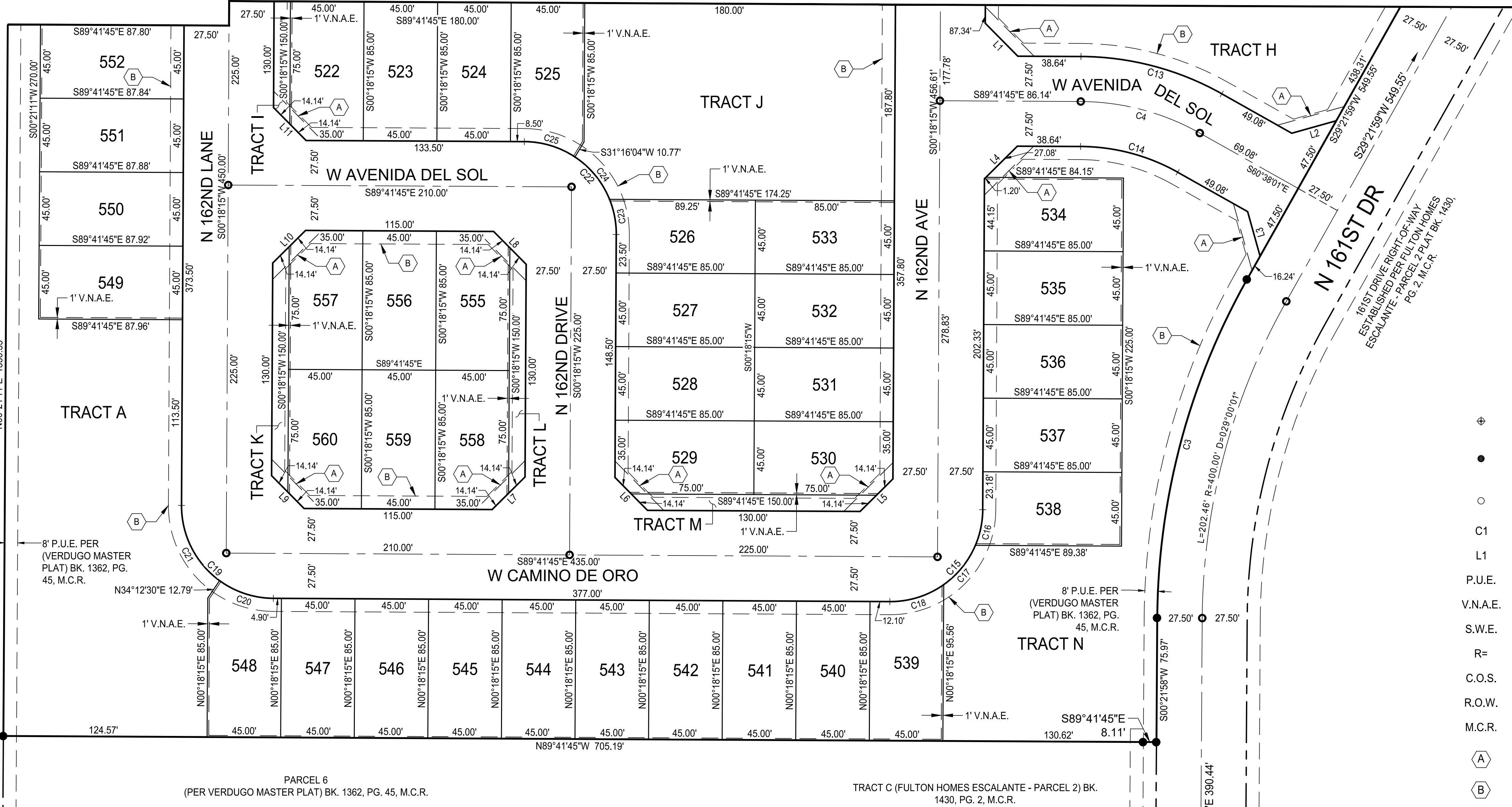
WEST QUARTER CORNER OF SECTION 7, TOWNSHIP
4 NORTH, RANGE 1 WEST,
FOUND CITY OF SURPRISE BRASS CAP FLUSH

N 163RD AVE
163RD AVENUE RIGHT-OF-WAY
ESTABLISHED PER VERDUGO MASTER
PLAT BK. 1362, PG. 45, M.C.R.

1610.84'

1023.20'

SOUTHWEST CORNER OF SECTION 7,
TOWNSHIP 4 NORTH, RANGE 1 WEST,
FOUND CITY OF SURPRISE BRASS CAP FLUSH, RLS
#33307



LEGEND

- ⊕ SURVEY MONUMENT (FOUND AS NOTED)
- CORNER OF THIS SUBDIVISION SET 1/2" REBAR WITH CAP RLS #57999 UNLESS OTHERWISE STATED
- INTERIOR MONUMENT SET BRASS CAP PER MAG STD DET 120
- C1 CURVE NUMBER
- L1 LINE NUMBER
- P.U.E. PUBLIC UTILITY EASEMENT
- V.N.A.E. VEHICULAR NON-ACCESS EASEMENT
- S.W.E. SIDEWALK EASEMENT
- R= INDICATES RADIUS
- C.O.S. CITY OF SURPRISE
- R.O.W. RIGHT OF WAY
- M.C.R. MARICOPA COUNTY RECORDER
- (A) 30'x30' SIGHT VISIBILITY TRIANGLE PER SURPRISE EDS DETAIL 4-02
- (B) 8' P.U.E.

CURVE TABLE			
NO.	DELTA	RADIUS	LENGTH
C3	29°00'01"	427.50'	216.38'
C4	29°03'44"	150.00'	76.08'
C13	29°03'44"	177.50'	90.03'
C14	29°03'44"	122.50'	62.14'
C15	90°00'00"	56.50'	88.75'
C16	22°43'00"	56.50'	22.40'
C17	31°40'32"	56.50'	31.24'
C18	35°36'28"	56.50'	35.11'
C19	90°00'00"	56.50'	88.75'
C20	35°41'54"	56.50'	35.20'
C21	54°18'06"	56.50'	53.55'
C22	90°00'00"	56.50'	88.75'
C23	22°22'00"	56.50'	22.06'
C24	34°24'30"	56.50'	33.93'
C25	33°13'31"	56.50'	32.76'

LINE TABLE		
NO.	BEARING	LENGTH
L1	N44°41'45"W	28.28'
L2	N74°21'59"E	28.28'
L3	S15°38'01"E	28.28'
L4	S45°18'15"W	28.28'
L5	N45°18'15"E	28.28'
L6	S44°41'45"E	28.28'
L7	N45°18'15"E	28.28'
L8	N44°41'45"W	28.28'
L9	S44°41'45"E	28.28'
L10	S45°18'15"W	28.28'
L11	S44°41'45"E	28.28'

SEE SHEET 2 FOR TYPICAL LOT
SETBACK DETAIL AND KEY MAP

SEE SHEET 6 FOR TRACT USE, RIGHT OF
WAY AND LOT AREA TABLES

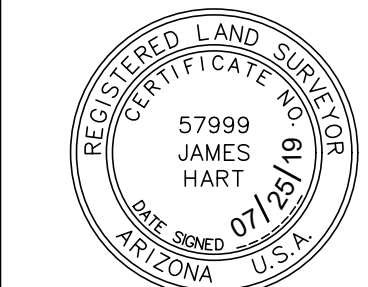


COUNTY RECORDER INFO

FULTON HOMES ESCALANTE - PARCEL 5

FULTON HOMES CORPORATION,
AN ARIZONA CORPORATION

SURPRISE, AZ



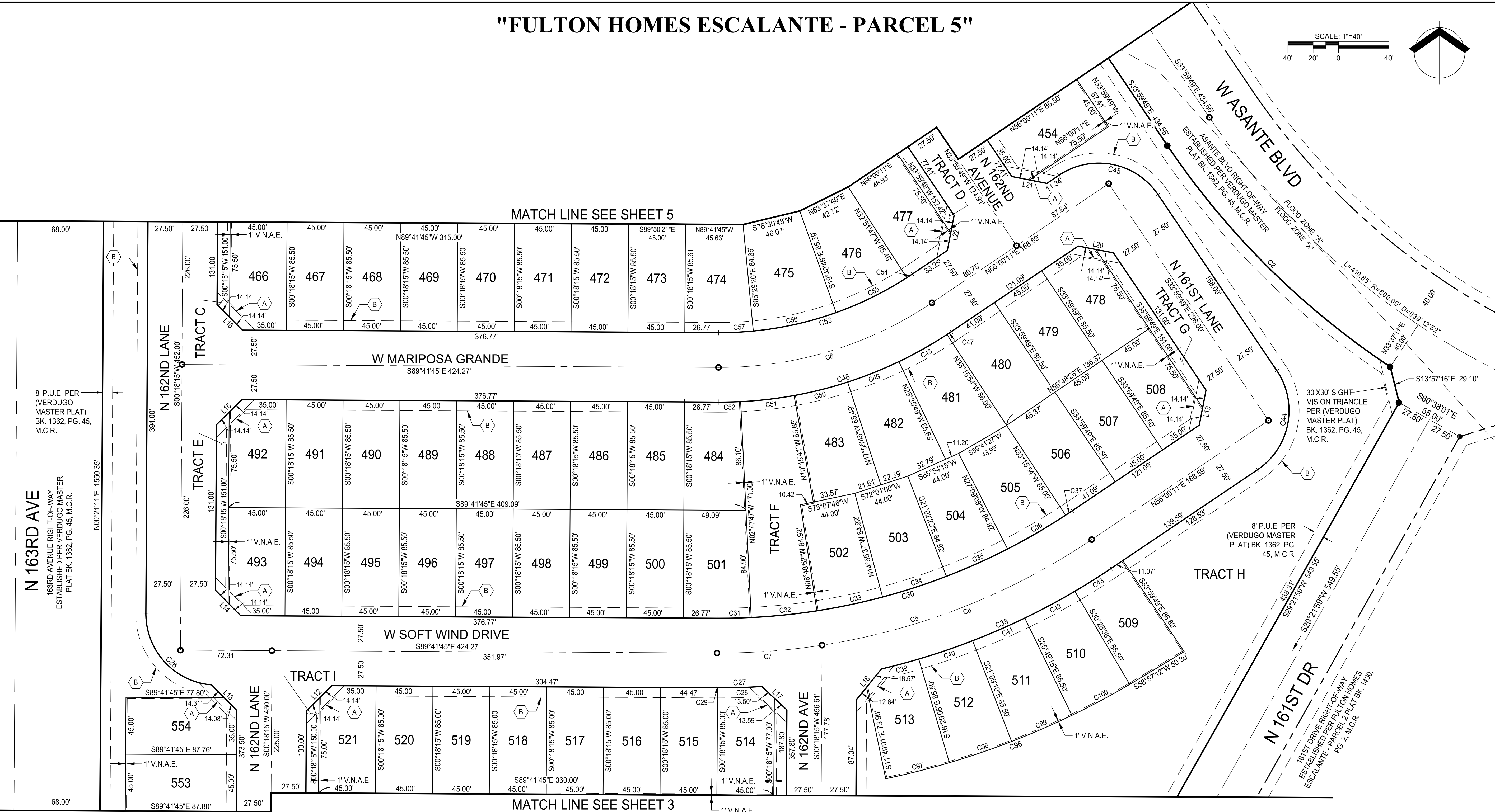
DATE | JULY 2019
DRAWN | TLB
SURVEYED | MAS
CHECKED | ALS
PROJECT # | 4161214100
SHEET TITLE

SHEET NUMBER

3 of 6



"FULTON HOMES ESCALANTE - PARCEL 5"



CURVE TABLE			
NO.	DELTA	RADIUS	LENGTH
C2	22°22'59"	640.00'	250.02'
C5	34°18'04"	525.00'	314.30'
C6	25°12'04"	525.00'	230.92'
C7	9°06'00"	525.00'	83.38'
C8	34°18'04"	299.00'	179.00'
C26	85°44'37"	56.50'	84.55'
C27	3°41'41"	552.50'	35.63'
C28	3°38'21"	552.50'	35.09'
C29	0°03'19"	552.50'	0.53'
C30	34°18'04"	497.50'	297.84'
C31	3°06'02"	497.50'	26.92'
C32	6°01'04"	497.50'	52.25'
C33	6°06'45"	497.50'	53.08'
C34	6°06'45"	497.50'	53.08'

CURVE TABLE			
NO.	DELTA	RADIUS	LENGTH
C35	6°06'45"	497.50'	53.08'
C36	6°06'45"	497.50'	53.08'
C37	0°43'56"	497.50'	6.36'
C38	20°41'11"	552.50'	199.48'
C39	3°10'28"	552.50'	30.61'
C40	4°40'04"	552.50'	45.01'
C41	4°40'04"	552.50'	45.01'
C42	4°39'23"	552.50'	44.90'
C43	3°31'12"	552.50'	33.94'
C44	90°00'00"	56.50'	88.75'
C45	90°00'00"	56.50'	88.75'
C46	34°18'04"	326.50'	195.47'
C47	0°43'56"	326.50'	4.17'
C48	7°40'04"	326.50'	43.70'

CURVE TABLE			
NO.	DELTA	RADIUS	LENGTH
C49	7°40'04"	326.50'	43.70'
C50	7°40'04"	326.50'	43.70'
C51	7°27'53"	326.50'	42.54'
C52	3°06'02"	326.50'	17.67'
C53	34°18'04"	271.50'	162.54'
C54	1°08'02"	271.50'	5.37'
C55	13°11'01"	271.50'	62.47'
C56	14°11'26"	271.50'	67.24'
C57	5°47'35"	271.50'	27.45'
C96	18°39'36"	638.00'	207.78'
C97	4°40'04"	638.00'	51.98'
C98	4°40'04"	638.00'	51.98'
C99	4°40'04"	638.00'	51.98'
C100	4°39'23"	638.00'	51.85'

LINE TABLE		
NO.	BEARING	LENGTH
L12	S45°18'15"W	28.28'
L13	S44°28'22"E	28.39'
L14	S44°41'45"E	28.28'
L15	S45°18'15"W	28.28'
L16	S44°41'45"E	28.28'
L17	N47°03'42"W	27.09'
L18	S39°00'55"W	31.21'
L19	S11°00'11"W	28.28'
L20	S78°59'49"E	28.28'
L21	N78°59'49"W	28.28'
L22	N11°00'11"E	28.28'

- LEGEND**
- ⊕ SURVEY MONUMENT (FOUND AS NOTED)
 - CORNER OF THIS SUBDIVISION SET 1/2" REBAR WITH CAP RLS #57999 UNLESS OTHERWISE STATED
 - INTERIOR MONUMENT SET BRASS CAP PER MAG STD DET 120
 - C1 CURVE NUMBER
 - L1 LINE NUMBER
 - P.U.E. PUBLIC UTILITY EASEMENT
 - V.N.A.E. VEHICULAR NON-ACCESS EASEMENT
 - S.W.E. SIDEWALK EASEMENT
 - R= INDICATES RADIUS
 - C.O.S. CITY OF SURPRISE
 - R.O.W. RIGHT OF WAY
 - M.C.R. MARICOPA COUNTY RECORDER
 - (A) 30'X30' SIGHT VISIBILITY TRIANGLE PER SURPRISE EDS DETAIL 4-02
 - (B) 8' P.U.E.

SEE SHEET 2 FOR TYPICAL LOT SETBACK DETAIL AND KEY MAP

SEE SHEET 6 FOR TRACT USE, RIGHT OF WAY AND LOT AREA TABLES



COUNTY RECORDER INFO

DATE | JULY 2019

DRAWN | TLB

SURVEYED | MAS

CHECKED | ALS

PROJECT # | 4161214100

SHEET TITLE

SHEET NUMBER

4 of 6

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PHOENIX
18321 N. 23RD DRIVE, SUITE 150,
PHOENIX, AZ 85027
TEL: (602) 977-8000 FAX: (602) 977-8099 www.cardno.com

FULTON HOMES ESCALANTE - PARCEL 5

FULTON HOMES CORPORATION,
AN ARIZONA CORPORATION

SURPRISE, AZ

DATE	DESCRIPTION

REGISTERED LAND SURVEYOR
57999 JAMES HART
JULY 19/2019
ARIZONA U.S.A.

DATE | JULY 2019

DRAWN | TLB

SURVEYED | MAS

CHECKED | ALS

PROJECT # | 4161214100

SHEET TITLE

SHEET NUMBER

4 of 6

SCALE: 1"=40'

A graphic scale bar showing distances of 40', 20', 0, 20', and 40'. To the right is a north arrow pointing towards the top right of the page.

CURVE TABLE			
NO.	DELTA	RADIUS	LENGTH
C102	0°06'22"	1387.00'	2.57'
C103	1°50'44"	1387.00'	44.68'
C104	1°40'51"	1387.00'	40.69'
C105	56°02'38"	545.50'	533.58'
C106	1°45'53"	545.50'	16.80'
C107	5°29'16"	545.50'	52.25'
C108	5°29'16"	545.50'	52.25'
C109	5°29'16"	545.50'	52.25'
C110	5°29'16"	545.50'	52.25'
C111	5°29'16"	545.50'	52.25'
C112	5°29'16"	545.50'	52.25'
C113	5°29'16"	545.50'	52.25'
C114	5°29'16"	545.50'	52.25'
C115	5°29'16"	545.50'	52.25'
C116	4°53'18"	545.50'	46.54'
C117	40°57'38"	315.00'	225.19'
C118	8°11'32"	315.00'	45.04'
C119	8°11'32"	315.00'	45.04'
C120	8°11'32"	315.00'	45.04'
C121	8°11'32"	315.00'	45.04'
C122	8°11'32"	315.00'	45.04'

+	SURVEY MONUMENT (FOUND AS NOTED)
●	CORNER OF THIS SUBDIVISION SET 1/2" REBAR WITH CAP RLS #57999 UNLESS OTHERWISE STATED
○	INTERIOR MONUMENT SET BRASS CAP PER MAG STD DET 120
C1	CURVE NUMBER
L1	LINE NUMBER
P.U.E.	PUBLIC UTILITY EASEMENT
V.N.A.E.	VEHICULAR NON-ACCESS EASEMENT
S.W.E.	SIDEWALK EASEMENT
R=	INDICATES RADIUS
C.O.S.	CITY OF SURPRISE
R.O.W.	RIGHT OF WAY
M.C.R.	MARICOPA COUNTY RECORDER
(A)	30'x30' SIGHT VISIBILITY TRIANGLE PER SURPRISE EDS DETAIL 4-02
(B)	8' P.U.E.

Circumstance	Percentage of respondents (%)
(a) self-defense	95
(b) defense of others	90
(c) defense of property	85
(d) defense of a business	80
(e) defense of a country	65

SEE SHEET 6 FOR TRACT USE, RIGHT OF WAY AND LOT AREA TABLES



"FULTON HOMES ESCALANTE - PARCEL 5"

LOT SUMMARY TABLE	
LOT #	AREA (SF)
415	3775
416	3825
417	3825
418	3825
419	3825
420	3825
421	3825
422	3825
423	4041
424	4242
425	4118
426	4117
427	4117
428	4117
429	4117
430	4117
431	4117
432	4117
433	4117
434	3898
435	4633
436	4633
437	4633
438	4633
439	4633
440	3825
441	3825
442	3825
443	3775
444	3825
445	3825
446	3825
447	3825
448	5736
449	3827
450	3847
451	3930
452	3938
453	3853
454	3798
455	4124
456	4726
457	4503
458	3845
459	3847
460	3848
461	3847
462	3847
463	3847
464	3847

LOT SUMMARY TABLE	
LOT #	AREA (SF)
465	3798
466	3798
467	3847
468	3847
469	3848
470	3847
471	3847
472	3848
473	3850
474	4266
475	4866
476	4532
477	4035
478	3798
479	3848
480	3928
481	4235
482	4234
483	4234
484	4002
485	3847
486	3848
487	3848
488	3847
489	3847
490	3848
491	3847
492	3797
493	3797
494	3847
495	3848
496	3847
497	3847
498	3848
499	3848
500	3848
501	4389
502	4140
503	4140
504	4140
505	4142
506	4000
507	3847
508	3798
509	4093
510	4136
511	4146
512	4146
513	4064
514	3805

LOT SUMMARY TABLE	
LOT #	AREA (SF)
515	3825
516	3825
517	3825
518	3825
519	3825
520	3825
521	3775
522	3775
523	3825
524	3825
525	3943
526	3855
527	3825
528	3825
529	3775
530	3775
531	3825
532	3825
533	3825
534	3825
535	3825
536	3825
537	3825
538	3856
539	3936
540	3825
541	3825
542	3825
543	3825
544	3825
545	3825
546	3825
547	3825
548	3975
549	3957
550	3955
551	3954
552	3952
553	3950
554	3899
555	3775
556	3825
557	3775
558	3775
559	3825
560	3775

TOTAL LOT AREA = 578370 SQ. FT. OR 13.278 ACRES MORE OR LESS

TRACT USE AND AREA TABLE			
TRACT	PRIMARY USE	SQ. FT.	ACRE
TRACT A	LANDSCAPE/RETENTION/PUE	95238	2.186
TRACT B	LANDSCAPE/RETENTION/PUE	40819	0.937
TRACT C	LANDSCAPE/PUE	1410	0.032
TRACT D	LANDSCAPE/PUE	1439	0.033
TRACT E	LANDSCAPE/PUE	1410	0.032
TRACT F	LANDSCAPE/PUE	8201	0.188
TRACT G	LANDSCAPE/PUE	1410	0.032
TRACT H	LANDSCAPE/RETENTION/PUE	71124	1.633
TRACT I	LANDSCAPE/PUE	1400	0.032
TRACT J	LANDSCAPE/RETENTION/PUE	23362	0.536
TRACT K	LANDSCAPE/PUE	1400	0.032
TRACT L	LANDSCAPE/PUE	1400	0.032
TRACT M	LANDSCAPE/PUE	1400	0.032
TRACT N	LANDSCAPE/RETENTION/PUE	28855	0.662
TOTAL TRACT AREA = 278868 SQ. FT. OR 6.399 ACRES MORE OR LESS			

RIGHT OF WAY AREA TABLE			
TRACT	PRIMARY USE	SQ. FT.	ACRE
N 161ST LANE	RIGHT OF WAY	15667	0.360
N 162ND AVE (NORTH)	RIGHT OF WAY	42759	0.982
N 162ND AVE (SOUTH)	RIGHT OF WAY	25738	0.591
N 162ND DRIVE	RIGHT OF WAY	9159	0.210
N 162ND LANE (MIDDLE)	RIGHT OF WAY	27981	0.642
N 162ND LANE (NORTH)	RIGHT OF WAY	24042	0.552
N 162ND LANE (SOUTH)	RIGHT OF WAY	25262	0.580
W AVENIDA DEL SOL (EAST)	RIGHT OF WAY	12009	0.276
W AVENIDA DEL SOL (WEST)	RIGHT OF WAY	12056	0.277
W CAMINO DE ORO	RIGHT OF WAY	19718	0.453
W CIELO GRANDE AVE	RIGHT OF WAY	27115	0.622
W MARIPOSA GRANDE	RIGHT OF WAY	39236	0.901
W SAND HILLS ROAD	RIGHT OF WAY	6532	0.150
W SOFT WIND DRIVE	RIGHT OF WAY	45665	1.048
TOTAL RIGHT OF WAY AREA = 332939 SQ. FT. OR 7.644 ACRES MORE OR LESS			

SEE SHEET 2 FOR TYPICAL LOT SETBACK DETAIL AND KEY MAP



COUNTY RECORDER INFO



PHOENIX
18321 N. 23RD DRIVE, SUITE 150,
PHOENIX, AZ 85027
TEL: (602) 977-8000 FAX: (602) 977-8099 www.cardno.com

FULTON HOMES ESCALANTE - PARCEL 5

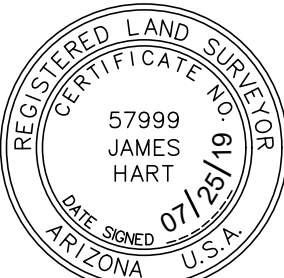
FULTON HOMES CORPORATION,
AN ARIZONA CORPORATION

SURPRISE, AZ

DATE

DESCRIPTION

BY



DATE

JULY 2019

DRAWN

TLB

SURVEYED

MAS

CHECKED

ALS

PROJECT #

4161214100

SHEET TITLE

SHEET NUMBER

6 of 6

Page 18 of 733



Fulton Homes at Escalante Parcel 5 Final Plat

City Council
October 15, 2019



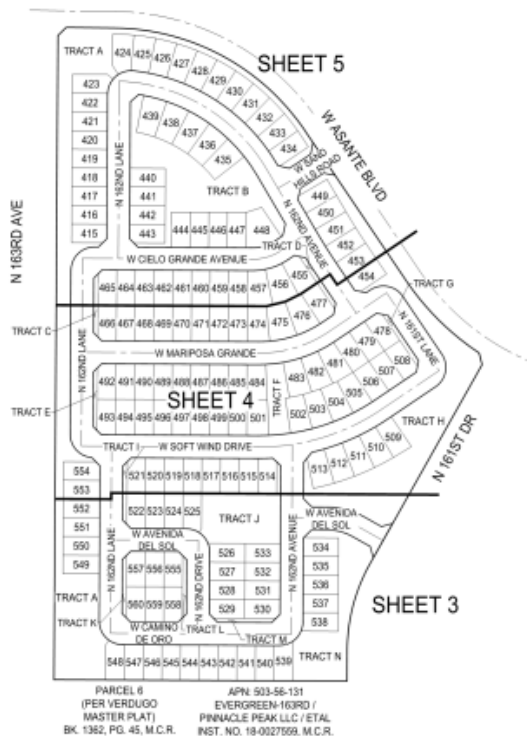
VICINITY MAP

"FULTON HOMES ESCALANTE - PARCEL 5"



LEGEND

- SURVEY MONUMENT (POUND AS NOTED)
- CORNER OF THIS SURVEY (SET 12" REBAR WITH CAP PULS IN-TO-10' UNLESS OTHERWISE STATED)
- INTERIOR MANAGEMENT SET (BRASS CAP PER MAG. 100-200' 100)
- Q1 CURVE NUMBER
- L1 LINE NUMBER
- P.U.E. PUBLIC UTILITY EASEMENT
- V.N.A.E. VEHICULAR NON-ACCESS EASEMENT
- S.W.E. SIDEWALK EASEMENT
- R+ INDICATED RADIUS
- C.O.S. CITY OF SURPRISE
- R.O.W. RIGHT OF WAY
- M.C.R. MARICOPA COUNTY RECORDER
- (A) 30' VIS. SIG. VISIBILITY TRIANGLE PER SURPRISE EDS (SICAL 4-0)
- (B) IF P.U.E.



KEYMAP

COUNTY RECORDER INFO



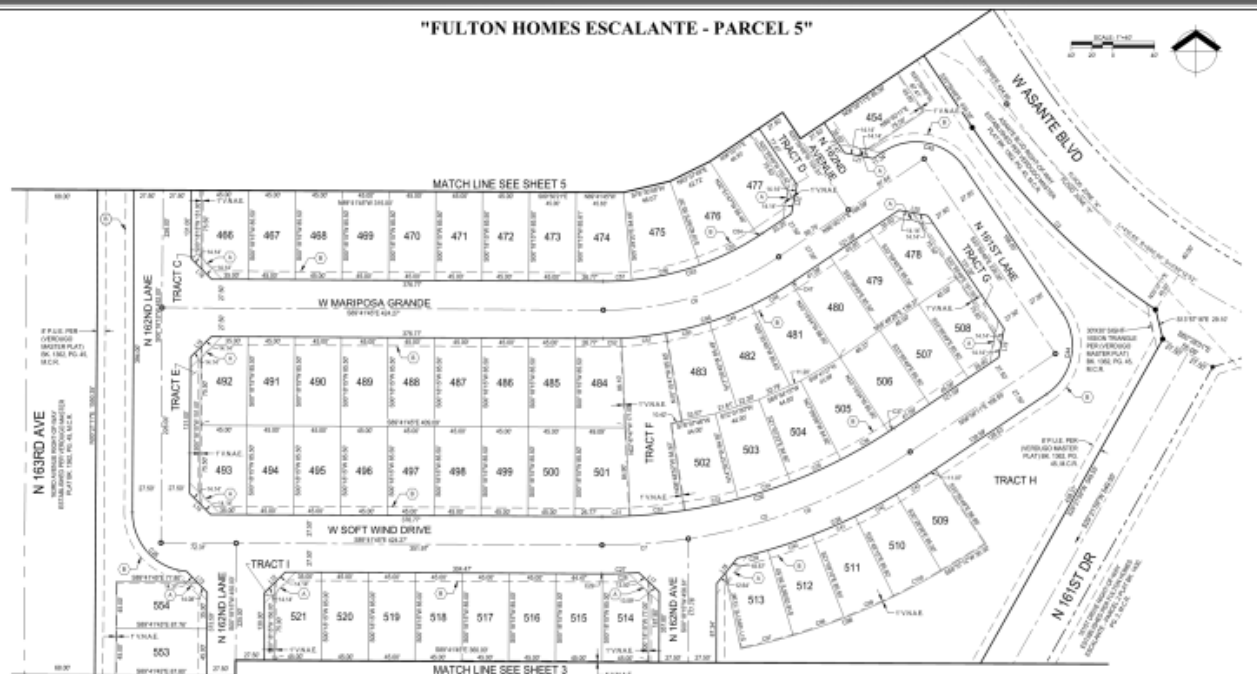
SEE SHEET 4 FOR TRACT LBL. RIGHT
OF WAY AND LOT AREA TABLES



FINAL PLAT



"FULTON HOMES ESCALANTE - PARCEL 5"



CURVE TABLE			
NO.	DELT.A	ARCLEN	LENGTH
C1	22°22'30"	585.00'	280.02'
C2	24°19'30"	520.00'	274.20'
C3	26°12'30"	520.00'	255.00'
C4	28°12'30"	520.00'	235.00'
C5	30°12'30"	520.00'	215.00'
C6	32°12'30"	520.00'	195.00'
C7	34°12'30"	520.00'	175.00'
C8	36°12'30"	520.00'	155.00'
C9	38°12'30"	520.00'	135.00'
C10	40°12'30"	520.00'	115.00'
C11	42°12'30"	520.00'	95.00'
C12	44°12'30"	520.00'	75.00'
C13	46°12'30"	520.00'	55.00'
C14	48°12'30"	520.00'	35.00'
C15	50°12'30"	520.00'	15.00'

CURVE TABLE			
NO.	DELT.A	ARCLEN	LENGTH
C16	52°12'30"	520.00'	0.00'
C17	54°12'30"	520.00'	0.00'
C18	56°12'30"	520.00'	0.00'
C19	58°12'30"	520.00'	0.00'
C20	60°12'30"	520.00'	0.00'
C21	62°12'30"	520.00'	0.00'
C22	64°12'30"	520.00'	0.00'
C23	66°12'30"	520.00'	0.00'
C24	68°12'30"	520.00'	0.00'
C25	70°12'30"	520.00'	0.00'
C26	72°12'30"	520.00'	0.00'
C27	74°12'30"	520.00'	0.00'
C28	76°12'30"	520.00'	0.00'
C29	78°12'30"	520.00'	0.00'
C30	80°12'30"	520.00'	0.00'

CURVE TABLE			
NO.	DELT.A	ARCLEN	LENGTH
C31	82°12'30"	520.00'	0.00'
C32	84°12'30"	520.00'	0.00'
C33	86°12'30"	520.00'	0.00'
C34	88°12'30"	520.00'	0.00'
C35	90°12'30"	520.00'	0.00'
C36	92°12'30"	520.00'	0.00'
C37	94°12'30"	520.00'	0.00'
C38	96°12'30"	520.00'	0.00'
C39	98°12'30"	520.00'	0.00'
C40	100°12'30"	520.00'	0.00'
C41	102°12'30"	520.00'	0.00'
C42	104°12'30"	520.00'	0.00'
C43	106°12'30"	520.00'	0.00'
C44	108°12'30"	520.00'	0.00'
C45	110°12'30"	520.00'	0.00'

LINE TABLE		
NO.	BEARING	LENGTH
L1	S 89°10'00" E	30.00'
L2	S 89°10'00" E	30.00'
L3	S 89°10'00" E	30.00'
L4	S 89°10'00" E	30.00'
L5	S 89°10'00" E	30.00'
L6	S 89°10'00" E	30.00'
L7	S 89°10'00" E	30.00'
L8	S 89°10'00" E	30.00'
L9	S 89°10'00" E	30.00'
L10	S 89°10'00" E	30.00'
L11	S 89°10'00" E	30.00'
L12	S 89°10'00" E	30.00'
L13	S 89°10'00" E	30.00'
L14	S 89°10'00" E	30.00'
L15	S 89°10'00" E	30.00'
L16	S 89°10'00" E	30.00'
L17	S 89°10'00" E	30.00'
L18	S 89°10'00" E	30.00'
L19	S 89°10'00" E	30.00'
L20	S 89°10'00" E	30.00'
L21	S 89°10'00" E	30.00'
L22	S 89°10'00" E	30.00'
L23	S 89°10'00" E	30.00'
L24	S 89°10'00" E	30.00'
L25	S 89°10'00" E	30.00'
L26	S 89°10'00" E	30.00'
L27	S 89°10'00" E	30.00'
L28	S 89°10'00" E	30.00'
L29	S 89°10'00" E	30.00'
L30	S 89°10'00" E	30.00'
L31	S 89°10'00" E	30.00'
L32	S 89°10'00" E	30.00'
L33	S 89°10'00" E	30.00'
L34	S 89°10'00" E	30.00'
L35	S 89°10'00" E	30.00'
L36	S 89°10'00" E	30.00'
L37	S 89°10'00" E	30.00'
L38	S 89°10'00" E	30.00'
L39	S 89°10'00" E	30.00'
L40	S 89°10'00" E	30.00'
L41	S 89°10'00" E	30.00'
L42	S 89°10'00" E	30.00'
L43	S 89°10'00" E	30.00'
L44	S 89°10'00" E	30.00'
L45	S 89°10'00" E	30.00'
L46	S 89°10'00" E	30.00'
L47	S 89°10'00" E	30.00'
L48	S 89°10'00" E	30.00'
L49	S 89°10'00" E	30.00'
L50	S 89°10'00" E	30.00'
L51	S 89°10'00" E	30.00'
L52	S 89°10'00" E	30.00'
L53	S 89°10'00" E	30.00'
L54	S 89°10'00" E	30.00'
L55	S 89°10'00" E	30.00'
L56	S 89°10'00" E	30.00'
L57	S 89°10'00" E	30.00'
L58	S 89°10'00" E	30.00'
L59	S 89°10'00" E	30.00'
L60	S 89°10'00" E	30.00'
L61	S 89°10'00" E	30.00'
L62	S 89°10'00" E	30.00'
L63	S 89°10'00" E	30.00'
L64	S 89°10'00" E	30.00'
L65	S 89°10'00" E	30.00'
L66	S 89°10'00" E	30.00'
L67	S 89°10'00" E	30.00'
L68	S 89°10'00" E	30.00'
L69	S 89°10'00" E	30.00'
L70	S 89°10'00" E	30.00'
L71	S 89°10'00" E	30.00'
L72	S 89°10'00" E	30.00'
L73	S 89°10'00" E	30.00'
L74	S 89°10'00" E	30.00'
L75	S 89°10'00" E	30.00'
L76	S 89°10'00" E	30.00'
L77	S 89°10'00" E	30.00'
L78	S 89°10'00" E	30.00'
L79	S 89°10'00" E	30.00'
L80	S 89°10'00" E	30.00'
L81	S 89°10'00" E	30.00'
L82	S 89°10'00" E	30.00'
L83	S 89°10'00" E	30.00'
L84	S 89°10'00" E	30.00'
L85	S 89°10'00" E	30.00'
L86	S 89°10'00" E	30.00'
L87	S 89°10'00" E	30.00'
L88	S 89°10'00" E	30.00'
L89	S 89°10'00" E	30.00'
L90	S 89°10'00" E	30.00'
L91	S 89°10'00" E	30.00'
L92	S 89°10'00" E	30.00'
L93	S 89°10'00" E	30.00'
L94	S 89°10'00" E	30.00'
L95	S 89°10'00" E	30.00'
L96	S 89°10'00" E	30.00'
L97	S 89°10'00" E	30.00'
L98	S 89°10'00" E	30.00'
L99	S 89°10'00" E	30.00'
L100	S 89°10'00" E	30.00'

LEGEND

- SURVEY MONUMENT (FOUND AS NOTED)
- CORNER OF THIS SUBDIVISION SET 1/2' DEEP
- WITH CAP PLS. 457599 UNLESS OTHERWISE NOTED
- INTERIOR MONUMENT SET BRASS CAP PER WAG 370 SET 100
- CURVE NUMBER
- L1 LINE NUMBER
- P.U.E. PUBLIC UTILITY EASEMENT
- V.N.A. VEHICULAR NON-ACCESS EASEMENT
- S.N.E. SIDEWALK EASEMENT
- R-• INDICATES RADIIUS
- C.O.B. CITY OF BURBANK
- R.O.A. RIGHT OF WAY
- S.C.A. SANJOSE COUNTY RECORDER
- 30'x30' DEPT. VISIBILITY TRIANGLE PER SURPRISE SIZE DETAIL A-10
- 8" P.U.E.

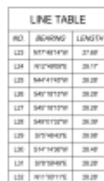
COUNTY RECORDER INFO



SEE SHEET 3 FOR TYPICAL LOT
WITH CAP PLS. 457599 UNLESS
OTHERWISE NOTED



FINAL PLAT



NO.	ANGLE	KNOWLS	LENGTH
C1	37°30'30"	100.00	100.00
C2	37°30'30"	130.00	76.62
C3	37°30'30"	1300.00	76.62
C4	37°30'30"	1300.00	42.82
C5	37°30'30"	420.00	42.82
C6	36°50'30"	36.00	36.72
C7	24°16'30"	37.20	38.27
C8	24°16'30"	158.00	91.20
C9	17°10'30"	158.00	32.27
C10	17°10'30"	133.00	32.27
C11	17°10'30"	133.00	13.86
C12	23°00'21"	1587.30	73.92
C13	23°00'21"	1415.30	83.30
C14	30°00'21"	1415.30	21.21
C15	17°30'44"	1415.30	47.82
C16	14°01'14"	1415.30	47.82
C17	21°12'21"	1524.30	31.26
C18	21°12'21"	351.30	47.98
C19	50°00'38"	400.00	308.97
C20	50°00'38"	400.00	154.97
C21	81°17'32"	400.00	50.97
C22	81°17'32"	400.00	50.97

NO.	SECTION	LENGTH
276	1713'32"	59.000
276	1713'32"	59.000
276	1713'32"	59.000
276	1730'56"	57.777
276	1730'56"	59.000
280	1730'56"	59.000
281	1732'31"	59.000
282	1732'31"	59.000
283	1732'31"	59.000
284	1732'31"	59.000
285	1732'31"	59.000
286	1732'31"	59.000
287	1732'31"	59.000
288	1732'31"	59.000
289	1732'31"	59.000
290	1732'31"	59.000
291	1732'31"	59.000
292	1732'31"	59.000
293	1732'31"	59.000
294	1732'31"	59.000
295	1732'31"	59.000
296	1732'31"	59.000
297	1732'31"	59.000
298	1732'31"	59.000
299	1732'31"	59.000
300	1732'31"	59.000
301	1732'31"	59.000
302	1732'31"	59.000
303	1732'31"	59.000
304	1732'31"	59.000
305	1732'31"	59.000
306	1732'31"	59.000
307	1732'31"	59.000
308	1732'31"	59.000
309	1732'31"	59.000
310	1732'31"	59.000
311	1732'31"	59.000
312	1732'31"	59.000
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318	1732'31"	59.000
319	1732'31"	59.000
320	1732'31"	59.000
321	1732'31"	59.000
322	1732'31"	59.000
323	1732'31"	59.000
324	1732'31"	59.000
325	1732'31"	59.000
326	1732'31"	59.000
327	1732'31"	59.000
328	1732'31"	59.000
329	1732'31"	59.000
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340	1732'31"	59.000
341	1732'31"	59.000
342	1732'31"	59.000
343	1732'31"	59.000
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365	1732'31"	59.000
366	1732'31"	59.000
367	1732'31"	59.000
368	1732'31"	59.000
369	1732'31"	59.000
370	1732'31"	59.000
371	1732'31"	59.000
372	1732'31"	59.000

CURVE TABLE			
NO.	DELTA	RANGE	LENGTH
C102	1700/27	100/30	30.00
C103	1700/49	100/30	44.68
C104	1700/71	100/30	45.68
C105	1675/28	100/30	33.83
C106	1700/27	100/30	30.00
C107	1700/49	100/30	44.68
C108	1700/71	100/30	45.68
C109	1700/27	100/30	30.00
C110	1700/49	100/30	44.68
C111	1700/71	100/30	45.68
C112	1700/27	100/30	30.00
C113	1700/49	100/30	44.68
C114	1700/71	100/30	45.68
C115	1700/27	100/30	30.00
C116	1700/49	100/30	44.68
C117	1700/71	100/30	45.68
C118	1700/27	100/30	30.00
C119	1700/49	100/30	44.68
C120	1700/71	100/30	45.68
C121	1700/27	100/30	30.00
C122	1700/49	100/30	44.68

* SURVEY MONUMENT (FOUND & NOTED)
 * CORNER OF THIS SUBDIVISION SET 1/40' BEHIND
 * WITH CAP & LBS #57688 UNLESS OTHERWISE
 * STATED
 C. PLAIN MONUMENT SET BRASS CAP PER MAG
 D. CURB NUMBER
 L. LINE NUMBER
 P.U. PUBLIC UTILITY EASEMENT
 V.A.R. VEHICULAR NON-ACCESS EASEMENT
 S.A.E. SIDEWALK EASEMENT
 R.A. INDICATES RADIUS
 C.O.S. CITY OF SURPRISE
 R.O. RIGHT OF WAY
 M.C.R. MARICOPA COUNTY RECORDS
 (A) 20'00" SIGHT VISIBILITY TRIANGLE PER SURPRISE
 (B) 30'00" SIGHT VISIBILITY TRIANGLE PER SURPRISE
 (C) 40'00" SIGHT VISIBILITY TRIANGLE PER SURPRISE
 COUNTY RECORDER INFO

SEE SHEET 3 FOR THING LOTS
SETBACK DETAIL, AND RHY NAD

SEE SHEET 5 FOR TRACT USE, RIGHT
WAY AND LOT AREA TABLES



FINAL PLAT



QUESTIONS OR COMMENTS?

Thank You



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: October 15, 2019 Contact Person: Sergio Angulo
Submitting Department: Community Development District: District 1
Staff Recommendations: None

Consent: Yes Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action pertaining to approval with stipulations of the Final Plat entitled "Desert Oasis – Baer Parcel B9" and dated August 23, 2019, generally located south of Jomax Road and west of 163rd Avenue; Resolution # 2019-124.

Motion:

I move to approve Resolution # 2019-124.

Background:

Dan Pottinger with Cardno, Inc., on behalf of Centex Homes, seeks approval of a Final Plat for a 141-lot single-family residential subdivision in Parcel B9 of the Desert Oasis at Surprise PAD. On May 7, 2019 the Mayor and City Council approved the Preliminary Plat for the subject property.

Objective Analysis:

This Final Plat will create 141 lots and a total density of 3.32 dwelling units per acre which is consistent with the approved Desert Oasis at Surprise PAD and the approved preliminary plat. This development also includes the construction of two additional travel lanes (one northbound, one southbound) for 163rd Avenue along the frontage of Desert Oasis Parcels B9 and B10.

Policy Compliant:

The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Character Area, which supports uses such as that proposed.

Financial Impact:

This item does not have a direct financial impact, however all activity related to ongoing development of the City of Surprise has an economic and fiscal impact on the city and the region.

Budget Impact:

There is no anticipated budget impact related to this item.

FTE Impact:

This item does not have an impact on current staffing levels.

ATTACHMENTS:

1. 00 - FS19-310 - DOAS B9 - Staff Report
 2. 01 - FS19-310 - DOAS B9 - Final Plat
 3. FS19-310 - DOAS B9 - PowerPoint
 4. FS19-310 - DOAS B9 - Resolution 2019-124
-

Final Plat

REPORT TO THE CITY COUNCIL

1 **Case:** **FS19-310**
2
3 **Project Name:** Desert Oasis Parcel B9
4
5 **Council District:** **1 – ACACIA**
6
7 **Meeting Date:** **October 15, 2019**
8
9 **Planner:** Sergio Angulo
10
11
12 **Owner:** Centex Homes
13
14 **Applicant:** Dan Pottinger with Cardno, Inc.
15
16 **Request:** Final Plat for Desert Oasis Parcel B9
17
18 **Site Location:** Generally south of Jomax Road and west of 163rd Avenue in
19 Desert Oasis.
20
21 **Site Size:** 42.466 Acres (approx.)
22
23 **Density:** 3.32 Dwelling Units per Acre
24
25 **General Plan**
26 **Conformance:** The proposal is consistent with the Surprise General Plan 2035
27 as proposed under case FS19-310.
28
29 **Support/Opposition:** None known.
30
31 **Recommendation:** None

32 **Background:**

33
34 **November 3, 1988:** The subject parcel was annexed into the City.

35
36 **September 14, 2000:** The Mayor and City Council approved The Desert Oasis at Surprise
37 Planned Area Development (PAD).

38
39 **May 7, 2019:** The Mayor and City Council approved the Preliminary Plat for Desert Oasis
40 Parcel B9, the subject property.

41 **April 24, 2019:** The applicant filed a related request for a Final Plat under case FS19-310,
42 the subject case.

43 **Project Description:**

44
45 Dan Pottinger with Cardno, Inc., on behalf of Centex Homes, requests approval of a Final
46 Plat to allow for the development of a single-family residential subdivision on approximately
47 42.466 acres in parcel B9 of the Desert Oasis at Surprise Planned Area Development (PAD)
48 generally located south of Jomax Road and west of 163rd Avenue. The applicant proposes
49 141 residential lots and landscape tracts for open space recreation and retention which
50 includes an amenity tot lot.

51
52 Onsite the applicant proposes a total of 141 single-family lots. The typical lot proposed is 50'
53 x 115'. The site dedicated approximately 15.9 acres (43%) for open space which includes a
54 tot lot with playground equipment, BBQ facilities, shaded seating, and a multi-use trail along
55 the drainage channel that runs through the center of the site.

56
57 This development will include the construction of two additional travel lanes (one northbound,
58 one southbound) for 163rd Avenue along the frontage of Desert Oasis Parcels B9 and B10.

59
60 The Preliminary Plat for the subject site was approved by the Mayor and City Council with
61 the following stipulations:

- 62
63 A. Development and use of the site shall be consistent with the Preliminary Plat entitled
64 "Preliminary Plat Desert Oasis – Parcel B9" consisting of three (3) sheets prepared
65 by Cardno and stamped received February 15, 2019, except as otherwise modified
66 by these stipulations.
67 B. Landscaping, walls, and amenities associated with the site shall be consistent with
68 the Preliminary Landscape Plan entitled "Landscape and Wall Plan Desert Oasis –
69 Parcel B9" consisting of five (5) sheets prepared by CollectiV landscape architects
70 and stamped received February 15, 2019, except as otherwise modified by these
71 stipulations.
72 C. Per the approved Traffic Impact Analysis for Desert Oasis Parcel B10, the following
73 required improvements shall be constructed by Pulte:

1. Southbound left turn lane on 163rd Avenue at Desert Oasis Blvd to be expanded from 75' to 160'.
 2. Southbound left turn lane on 163rd Avenue at Access 1/Prickly Pear Trail to be lengthened from 90' to 160'.
 3. Provide a northbound right turn lane on 163rd Avenue at Prickly Pear Trail. The turn lane shall be at least 160' with 100' taper.
 4. The asphalt will be widened from Prickly Pear Trail to the northern boundary of Parcel B10 to accommodate two through traffic lanes. The second lane will be tapered down with striping to a single lane north of Prickly Pear Trail to match existing conditions.
- D. The existing culverts (3x6'x3') under 163rd Ave will be extended to accommodate the 163rd Avenue Improvements as shown on the 163rd Avenue exhibit that was submitted with the Preliminary Plat as shown on the Culvert Extension – 2 Lanes exhibit. The Culverts shall be extended as part of the 163rd Avenue Improvements as shown on the 163rd Avenue exhibit and concurrent with the completion of Parcel B9. In addition, per the City's Engineering Development Standards (EDS) Section 5.5.1., culverts for collector and arterial streets are to be designed to convey the peak discharge with no flow crossing over the roadway. The existing culverts shall be expanded to accommodate any updated regulated peak flow to meet City of Surprise EDS 5.5.1 requirement. However, because there is currently no existing drainage infrastructure downstream of the existing box culvert (east of 163rd Ave) to support the increased box culvert capacity without adversely impacting downstream property, an in-lieu payment agreement shall be executed prior to issuance of the first residential home permit within Parcel B09. The agreement shall address the regional nature of the box culvert expansion and provide a regional distribution of costs in which Pulte shall contribute an allocable share of future box culvert improvement costs based on consideration of Pulte's proportionate share of the following: a). regional drainage flow contribution, b). the overall projected lot count within the regional drainage area, c). or the total acreage of the regional drainage area.
- E. Final design of the drainage channel in Tract A and Tract B shall meet the requirements of the Army Corp of Engineers, Flood Control District of Maricopa County, City of Surprise Engineering Design Standards, and City of Surprise Unified Development Code.
- F. Non-compliance with the stipulations of approval of this case will be treated as a violation in accordance with the provisions of Article XIV of the Surprise Unified Development Code.

This Final Plat complies with the above stipulations with the exception of stipulation 'D'. Stipulation 'D' requires the developer to submit an in-lieu payment for the extension of the existing culverts under 163rd Avenue. The developer shall provide an in-lieu payment for this improvement prior to the issuance of the first residential home permit within Parcel B9, the subject parcel. This same stipulation will be attached to this Final Plat.

The approval of this Final Plat, case FS19-310, is subject to the stipulation outlined below:

- 119
- 120 A. The existing culverts (3x6'x3') under 163rd Ave will be extended to
- 121 accommodate the 163rd Avenue Improvements as shown on the 163rd Avenue
- 122 exhibit that was submitted with the Preliminary Plat as shown on the Culvert
- 123 Extension – 2 Lanes exhibit. The Culverts shall be extended as part of the
- 124 163rd Avenue Improvements as shown on the 163rd Avenue exhibit and
- 125 concurrent with the completion of Parcel B9. In addition, per the City's
- 126 Engineering Development Standards (EDS) Section 5.5.1., culverts for
- 127 collector and arterial streets are to be designed to convey the peak discharge
- 128 with no flow crossing over the roadway. The existing culverts shall be expanded
- 129 to accommodate any updated regulated peak flow to meet City of Surprise EDS
- 130 5.5.1 requirement. However, because there is currently no existing drainage
- 131 infrastructure downstream of the existing box culvert (east of 163rd Ave) to
- 132 support the increased box culvert capacity without adversely impacting
- 133 downstream property, an in-lieu payment agreement shall be executed prior to
- 134 issuance of the first residential home permit within Parcel B9. The agreement
- 135 shall address the regional nature of the box culvert expansion and provide a
- 136 regional distribution of costs in which Pulte shall contribute an allocable share
- 137 of future box culvert improvement costs based on consideration of Pulte's
- 138 proportionate share of the following: a). regional drainage flow contribution,
- 139 b). the overall projected lot count within the regional drainage area, c). or the
- 140 total acreage of the regional drainage area.
- 141 B. Non-compliance with the stipulations of approval of this case will be treated as
- 142 a violation in accordance with the provisions of Article XIV of the Surprise
- 143 Unified Development Code.

144

145 **Findings:**

146

- 147 • The proposed Final Plat is consistent with the Surprise General Plan 2035.
- 148 • The proposed Final Plat is consistent with the Desert Oasis PAD and the SUDC.
- 149 • The proposed Final Plat is in substantial conformance with the approved Preliminary
- 150 Plat under case FS18-144.
- 151

152 **Attachments:**

153

154 01 Final Plat

155

156 **Enclosure:**

157

158 Sealed mylars

DEDICATION OF DECLARATION

STATE OF ARIZONA)
) SS
COUNTY OF MARICOPA)

KNOW ALL PERSONS BY THESE PRESENTS:

THAT CENTEX HOMES, A NEVADA GENERAL PARTNERSHIP, ("OWNER") HAS SUBDIVIDED UNDER THE NAME "DESERT OASIS - BAER PARCEL B9", A SUBDIVISION LOCATED IN THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 4 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA AS SHOWN AND PLATTED HEREON AND DOES HEREBY PUBLISH THIS PLAT AS AND FOR THE PLAT OF "DESERT OASIS - BAER PARCEL B9" AND DECLARES THAT THIS PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF EACH LOT, TRACT, STREET, AND EASEMENT CONSTITUTING SAME, AND THAT EACH LOT, TRACT, STREET, AND EASEMENT SHALL BE KNOWN BY THE NUMBER, LETTER, AND/OR NAME GIVEN TO EACH RESPECTIVELY AS SHOWN ON THIS PLAT.

OWNER HEREBY DEDICATES TO THE CITY OF SURPRISE FEE TITLE TO ALL PUBLIC RIGHTS-OF-WAY AS SHOWN ON THIS PLAT.

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE A PERPETUAL NON-EXCLUSIVE EASEMENT OVER, UNDER, UPON, AND ACROSS ALL AREAS DESIGNATED ON THE PLAT AS "WATER EASEMENT" AND "WATER AND SEWER EASEMENT" FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, MAINTAINING, REPAIRING, REPLACING, AND UTILIZING THE WATER LINES AND SEWER LINES.

OWNER HEREBY GRANTS TO THE PUBLIC A PERPETUAL NON-EXCLUSIVE EASEMENT IN, UPON, OVER, UNDER, THROUGH, AND ACROSS THE AREAS DESIGNATED AS PUBLIC UTILITY EASEMENTS AS SHOWN ON THE PLAT FOR THE PURPOSE OF ACCESSING, INSTALLING, CONSTRUCTING, MAINTAINING, REPAIRING, REPLACING AND UTILIZING PUBLIC UTILITIES.

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE A PERPETUAL NON-EXCLUSIVE EASEMENT OVER, UPON, AND ACROSS THE AREAS DESIGNATED AS SIGHT VISIBILITY TRIANGLES FOR THE PURPOSE OF ENSURING THAT THESE AREAS REMAIN FREE OF SIGHT VISIBILITY OBSTRUCTIONS.

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE AND THE DESERT OASIS OF SURPRISE MASTER ASSOCIATION VEHICULAR NON-ACCESS EASEMENTS OVER, UPON AND ACROSS THE AREAS DESIGNATED AS "VEHICULAR NON-ACCESS EASEMENT" AS SHOWN ON THIS PLAT.

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE A PERPETUAL EASEMENT ACROSS THE PLAT INCLUDING ROADS AND STREETS, OPEN SPACES, COMMUNITY FACILITIES, TRACTS, SIDEWALKS, DRAINAGE BASINS AND ANY PROPERTY WITHIN THE PLAT OWNED BY THE HOMEOWNERS ASSOCIATION FOR THE PURPOSES OF PROVIDING CONTINUOUS AND UNINTERRUPTED INGRESS AND EGRESS FOR TRASH COLLECTION VEHICLES.

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE A PERPETUAL CROSS ACCESS EASEMENT ACROSS THE PLAT INCLUDING ROADS AND STREETS, OPEN SPACES, COMMUNITY FACILITIES, TRACTS, SIDEWALKS, DRAINAGE BASINS AND ANY PROPERTY WITHIN THE PLAT OWNED BY THE HOMEOWNERS ASSOCIATION FOR THE PURPOSE OF PROVIDING CONTINUOUS AND UNINTERRUPTED INGRESS AND EGRESS FOR EMERGENCY VEHICLES.

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE AN ODOR EASEMENT OVER, UPON AND ACROSS THIS PLAT AND EVERY LOT AND PARCEL THEREOF, WHICH EASEMENT SHALL INCLUDE, BUT NOT BE LIMITED TO, THE RIGHT TO INVADE WITH ODORS, FUMES, SMELLS, AND PHYSICAL AIRBORNE PARTICULATES CAUSED BY THE OPERATION AND MAINTENANCE OF THE CITY'S WATER RECLAMATION FACILITIES.

OWNER HEREBY GRANTS TO THE UNITED STATES OF AMERICA DEPARTMENT OF THE AIR FORCE ("USAF") AN AVIGATION EASEMENT OVER AND ACROSS THIS PLAT AND EVERY LOT AND PARCEL THEREOF, WHICH EASEMENT SHALL INCLUDE, BUT NOT BE LIMITED TO, THE RIGHT OF FLIGHT OF AIRCRAFT OVER THIS PLAT, TOGETHER WITH ITS ATTENDANT NOISE, VIBRATIONS, FUMES, DUST, FUEL AND LUBRICANT PARTICLES, AND ALL OTHER EFFECTS THAT MAY BE CAUSED BY THE OPERATION OF AIRCRAFT LANDING AT, OR TAKING OFF FROM, OR OPERATING AT OR ON LUKE AIR FORCE BASE AND AUXILIARY FIELD.

THE MAINTENANCE OF LANDSCAPING WITHIN THE OPEN SPACES, LANDSCAPED TRACTS, RETENTION BASINS AND PARKS SHALL BE THE RESPONSIBILITY OF THE OWNER OR THE HOMEOWNERS' ASSOCIATION FORMED BY THE OWNER.

THE MAINTENANCE OF LANDSCAPING WITHIN THE ADJACENT PUBLIC RIGHTS-OF-WAY, INCLUDING LANDSCAPED MEDIANS WITHIN COLLECTORS AND LOCAL STREETS, AND LANDSCAPED AREAS BETWEEN THE CURB AND THE DETACHED SIDEWALK, SHALL BE THE RESPONSIBILITY OF THE ADJACENT PROPERTY OWNER OR THE HOMEOWNERS' ASSOCIATION FORMED BY THE ADJACENT PROPERTY.

LANDSCAPING MAINTENANCE OF THE MEDIANS WITHIN THE PUBLIC RIGHT-OF-WAY WITHIN ANY ARTERIAL OR PARKWAY STREET CLASSIFICATION SHALL BE RESPONSIBILITY OF THE CITY OF SURPRISE AFTER ACCEPTANCE.

ALL IMPROVEMENTS FOR STREETS AND PUBLIC UTILITIES OWNED AND OPERATED BY THE CITY, INSTALLED OR CONSTRUCTED BY OWNER WITHIN THE PUBLIC RIGHTS-OF-WAY, THE EASEMENTS OR ANY TRACTS OR PARCELS HEREBY DEDICATED TO THE CITY OF SURPRISE SHALL BE DEEMED TO HAVE BEEN DEDICATED BY OWNER TO THE CITY UPON THEIR COMPLETION; HOWEVER, SUCH TRANSFER SHALL NOT OCCUR UNTIL THE CITY COUNCIL FOR THE CITY OF SURPRISE MANIFESTS ITS ACCEPTANCE BY SEPARATE FORMAL COUNCIL ACTION.

THE EASEMENTS GRANTED WITHIN THIS DEDICATION ARE PERMANENT AND PERPETUAL AND SHALL RUN WITH THE LAND AND BE BINDING UPON THE OWNER AND ITS HEIRS, ASSIGNS, AND SUCCESSORS IN INTEREST TO THIS PLAT OR ANY PARCEL OR LOT THEREOF.

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE A PERPETUAL NON-EXCLUSIVE PEDESTRIAN ACCESS AND SIDEWALK CONSTRUCTION AND MAINTENANCE EASEMENT OVER, UPON AND ACROSS THE AREAS DESIGNATED AS SIDEWALK EASEMENT AS SHOWN ON THE PLAT.

IN WITNESS WHEREOF, OWNER HAS HEREUNTO CAUSED ITS CORPORATE NAME TO BE SIGNED AND ITS CORPORATE SEAL TO BE AFFIXED BY THE UNDERSIGNED, DULY AUTHORIZED OFFICER THIS

_____ DAY OF _____, 20_____.

CENTEX HOMES, A NEVADA GENERAL PARTNERSHIP:

BY: CENTEX REAL ESTATE COMPANY, LLC, A NEVADA LIMITED LIABILITY COMPANY THE SUCCESSOR UPON THE CONVERSION OF CENTEX REAL ESTATE CORPORATION, A NEVADA CORPORATION, ITS GENERAL PARTNER

BY: _____

NAME: _____

NAME: _____

ACKNOWLEDGMENT

STATE OF ARIZONA)
) SS
COUNTY OF MARICOPA)

ON THIS THE ____ DAY OF _____, 20_____, BY _____

THE _____ OF CENTEX REAL ESTATE COMPANY, LLC, A NEVADA LIMITED LIABILITY COMPANY THE SUCCESSOR UPON THE CONVERSION OF CENTEX REAL ESTATE CORPORATION, A NEVADA CORPORATION, ITS GENERAL PARTNER

IN WITNESS WHEREOF: I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

BY _____

MY COMMISSION EXPIRES _____

NOTARY PUBLIC _____

FINAL PLAT OF

"DESERT OASIS - BAER PARCEL B9"

A SUBDIVISION LOCATED IN THE SOUTHEAST QUARTER OF SECTION 1,
TOWNSHIP 4 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER MERIDIAN,
CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA

DEVELOPER/OWNER

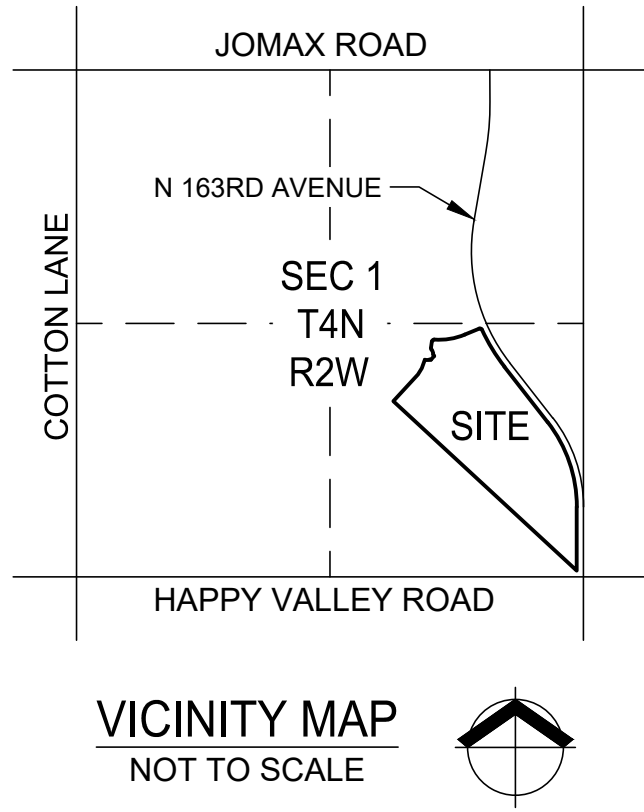
RICHARD LOPEZ
CENTEX HOMES
16767 N. PERIMETER DR, SUITE 100
SCOTTSDALE, ARIZONA 85260
PHONE: (480) 391-6000
FAX: (480) 391-6100

SURVEYOR

JAMES M. HART, R.L.S.
CARDNO INC.
19621 N. 23RD DRIVE, STE 150,
PHOENIX, AZ 85027
PHONE: (602) 977-8000
FAX: (602) 977-8099

ENGINEER

DANIEL J. POTTINGER, P.E.
CARDNO INC.
19621 N. 23RD DRIVE, STE 150,
PHOENIX, AZ 85027
PHONE: (602) 977-8000
FAX: (602) 977-8099



ASSURED WATER SUPPLY

CERTIFICATE OF 100 YEAR ASSURED WATER SUPPLY NO. 86-002344.0001 PURSUANT TO SECTION 45-576, A.R.S. ISSUED BY THE ARIZONA DEPARTMENT OF WATER RESOURCES ON SEPTEMBER 29, 2010.

SHEET INDEX

SHEET 1	DEDICATIONS, APPROVALS, CERTIFICATIONS AND NOTES
SHEET 2	KEY MAP AND TYPICAL LOT SETBACK DETAIL
SHEET 3	OVERALL SUBDIVISION BOUNDARY AND LEGAL DESCRIPTION
SHEET 4 - 9	FINAL PLAT PLAN SHEETS
SHEET 10	TRACT USE, LOT AREA TABLES

NOTES

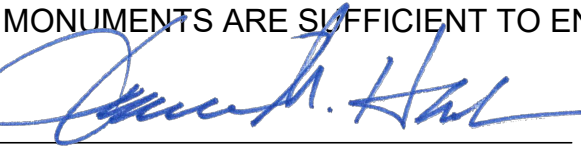
- IF REQUIRED FIRE FLOW IS NOT AVAILABLE, ALL RESIDENTIAL UNITS SHALL BE EQUIPPED WITH A FIRE SPRINKLING SYSTEM.
- NO ON-SITE GRADING OR EXCAVATION SHALL OCCUR WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE.
- THE AREA PLATTED HEREON LIES WITHIN THE DOMESTIC WATER SERVICE AREA OF CITY OF SURPRISE WHICH IS DESIGNATED AS HAVING AN ASSURED WATER SUPPLY PURSUANT A.R.S. § 45-576.
- THE PROPERTY IS LOCATED WITHIN AN AREA HAVING FLOOD ZONE "AE" PLAIN AND ZONE "X", BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE RATE MAP NO. 04013C1210L, WITH A DATE OF IDENTIFICATION OF OCTOBER 16, 2013, FOR COMMUNITY NO. 040053, IN MARICOPA COUNTY, STATE OF ARIZONA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR COMMUNITY IN WHICH SAID PROPERTY IS SITUATED.
- IN ACCORDANCE WITH ARS § 9-461.07, THE CITY OF SURPRISE HAS DETERMINED THAT ALL DEDICATIONS OCCURRING WITH THIS PLAT ARE IN CONFORMANCE WITH THE CITY OF SURPRISE GENERAL PLAN.
- PURSUANT TO A.R.S. § 42-11102, THE CITY OF SURPRISE, A POLITICAL SUBDIVISION OF THE STATE OF ARIZONA, IS EXEMPT FROM ALL TAXES AND ASSESSMENTS BASED ON ASSESSED VALUE EXCEPT FOR SPECIAL DISTRICTS #14751 AND 14710, WHEN APPLICABLE.
- MINIMUM LOT WIDTH= 50', AVERAGE LOT WIDTH= 50.01'
- THIS PLAT IS IN SUBSTANTIAL CONFORMANCE WITH THE PRELIMINARY PLAT APPROVED BY THE CITY COUNCIL UNDER CASE FS18-144.
- DEVELOPMENT STANDARDS ARE PER THE APPROVED DESERT OASIS OF SURPRISE PAD.

BASIS OF BEARING

BASIS OF BEARINGS IS THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 4 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER MERIDIAN AS MEASURED BETWEEN THE FOUND MONUMENTS SHOWN HEREON MONUMENTING THE SOUTHEAST CORNER AND THE EAST QUARTER CORNER OF SAID SECTION 1, HAVING A BEARING OF SOUTH 00°23'20" WEST.

CERTIFICATION

THIS IS TO CERTIFY THAT THE SURVEY OF THE PREMISES DESCRIBED AND PLATTED HEREON WAS COMPLETED UNDER MY DIRECTION DURING THE MONTH OF JULY, 2019 AND THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN; THAT THE MONUMENTS SHOWN ACTUALLY EXIST OR WILL BE SET AS SHOWN; THAT THEIR POSITIONS ARE CORRECTLY SHOWN; AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.


JAMES M. HART R.L.S. #57999

RELEASE OF LIABILITY

CENTEX HOMES, A NEVADA GENERAL PARTNERSHIP, ("OWNER") DOES HEREBY (1) RELEASE AND DISCHARGE THE UNITED STATES OF AMERICA DEPARTMENT OF THE AIR FORCE (USAF) AND THE CITY OF SURPRISE, OF AND FROM ANY LIABILITY FOR ANY AND ALL CLAIMS FOR DAMAGES OF ANY KIND TO PERSONS OR PROPERTY THAT MAY ARISE AT ANY TIME IN THE FUTURE OVER, OR IN CONNECTION WITH AIRCRAFT OVERFLIGHTS FROM AIRCRAFT UTILIZING LUKE AIR FORCE BASE, WHETHER SUCH DAMAGE SHALL ORIGINATE FROM NOISE, VIBRATION, FUMES, DUST, FUEL AND LUBRICANT PARTICLES, AND OTHER EFFECTS THAT MAY BE CAUSED BY THE OPERATION OF AIRCRAFT LANDING AT, OR TAKING OFF FROM, OR OPERATING AT OR ON LUKE AIR FORCE BASE AND ITS AUXILIARY FIELDS. THIS INSTRUMENT SHALL RUN WITH THE LAND AND BE BINDING UPON OWNER AND ITS HEIRS, ASSIGNS, AND SUCCESSORS IN INTEREST TO THIS PLAT OR ANY PARCEL OR LOT THEREOF. THIS INSTRUMENT DOES NOT RELEASE THE USAF FROM LIABILITY FOR DAMAGE OR INJURY TO PERSON OR PROPERTY CAUSED BY FALLING AIRCRAFT OR FALLING PHYSICAL OBJECTS FROM AIRCRAFT, EXCEPT AS STATED HEREIN WITH RESPECT TO NOISE, FUMES, DUST, FUEL, AND LUBRICANT PARTICLES.

CENTEX HOMES, A NEVADA GENERAL PARTNERSHIP, ("OWNER") DOES HEREBY (1) RELEASE AND DISCHARGE THE CITY OF SURPRISE, AND (2) INDEMNIFY, DEFEND, AND HOLD HARMLESS THE CITY OF SURPRISE, OF AND FROM ANY LIABILITY FOR ANY AND ALL CLAIMS FOR DAMAGES OF ANY KIND TO PERSONS OR PROPERTY THAT MAY ARISE AT ANY TIME IN THE FUTURE OVER, OR IN CONNECTION WITH THE AREAS LOCATED WITHIN THE NEWLY DEDICATED RIGHT-OF-WAY AS DEPICTED ON THIS PLAT UNTIL SUCH TIME THE RIGHT-OF-WAY IS IMPROVED TO CITY STANDARDS AND THOSE IMPROVEMENTS ARE APPROVED AND ACCEPTED BY THE CITY COUNCIL. THE MAINTENANCE OF THE AREA WITHIN ANY NEWLY DEDICATED RIGHT-OF-WAY AS SHOWN ON THIS PLAT SHALL BE THE RESPONSIBILITY OF THE ADJACENT OWNER/OR SUBSEQUENT ADJACENT OWNERS WITHIN THE BOUNDARY OF SAID PLAT UNTIL SUCH TIME THAT THE AREA WITHIN THE RIGHT-OF-WAY IS IMPROVED TO CITY STANDARD AND ACCEPTED BY THE CITY OF SURPRISE.

OWNER HEREBY FURTHER AGREES TO INDEMNIFY, DEFEND, AND HOLD HARMLESS THE CITY OF SURPRISE FROM ANY AND ALL CLAIMS FOR DAMAGES OF ANY KIND TO PERSONS OR PROPERTY LOCATED WITHIN THE RIGHT OF WAY THAT MAY ARISE IN CONNECTION WITH THE USE OF THE SIDEWALKS LOCATED WITHIN THE RIGHT-OF-WAY, UNTIL SUCH TIME THE CITY OF SURPRISE HAS ACCEPTED THE SIDEWALKS.

PUBLIC NOTICE

THE LOTS DEPICTED ON THIS PLAT ARE LOCATED WITHIN THE VICINITY OF LUKE AIR FORCE BASE AND MAY BE SUBJECT TO OVERFLIGHTS BY JET AIRCRAFT. ALL STRUCTURES WITHIN THIS PLAT SHALL BE CONSTRUCTED IN COMPLIANCE WITH THE SOUND ATTENUATION STANDARDS ADOPTED BY THE CITY OF SURPRISE. A MAP DEPICTING THE MOST CURRENT ADOPTED MAG NOISE CONTOURS IN RELATION TO THIS PLAT SHALL BE DISPLAYED IN ALL SALES OFFICES. ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE CITY OF SURPRISE COMMUNITY DEVELOPMENT DEPARTMENT.

HOMEOWNERS ASSOCIATION RATIFICATION

KNOW ALL PERSONS BY THESE PRESENTS:

THE UNDERSIGNED, DULY AUTHORIZED OF THE DESERT OASIS OF SURPRISE MASTER ASSOCIATION, AN ARIZONA NON-PROFIT ORGANIZATION, HEREBY RATIFIES THE RECORDATION OF THIS PLAT FOR "DESERT OASIS - BAER PARCEL B9" AND ACKNOWLEDGES THE RESPONSIBILITIES SET FORTH THEREIN.

DESERT OASIS OF SURPRISE MASTER ASSOCIATION,
AN ARIZONA NON-PROFIT CORPORATION

BY: _____ DATE: _____

ITS: _____

CITY OF SURPRISE ENGINEER APPROVAL

DATA ON THIS PLAT REVIEWED AND APPROVED THIS _____ DAY OF _____, 20_____,
BY THE CITY ENGINEER OF SURPRISE, ARIZONA.

APPROVED _____
CITY ENGINEER DATE

CITY OF SURPRISE COUNCIL APPROVAL

APPROVED BY THE CITY COUNCIL OF THE CITY OF SURPRISE, ARIZONA ON

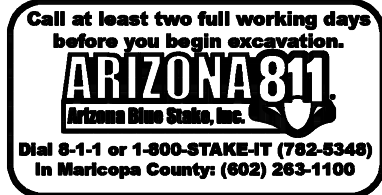
THIS _____ DAY OF _____, 20_____,

BY: _____
MAYOR DATE

ATTEST: _____
CITY CLERK DATE

GROSS SITE AREA:

TOTAL LOTS: 141
TOTAL ACREAGE: 1,849,823 SQ. FT. OR
42.466 ACRES MORE OR LESS



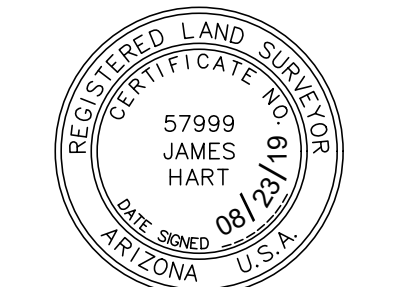
DESERT OASIS - BAER PARCEL B9 FINAL PLAT

DESERT OASIS - BAER PARCEL B9

CENTEX HOMES

SURPRISE, AZ

DATE	DESCRIPTION	BY



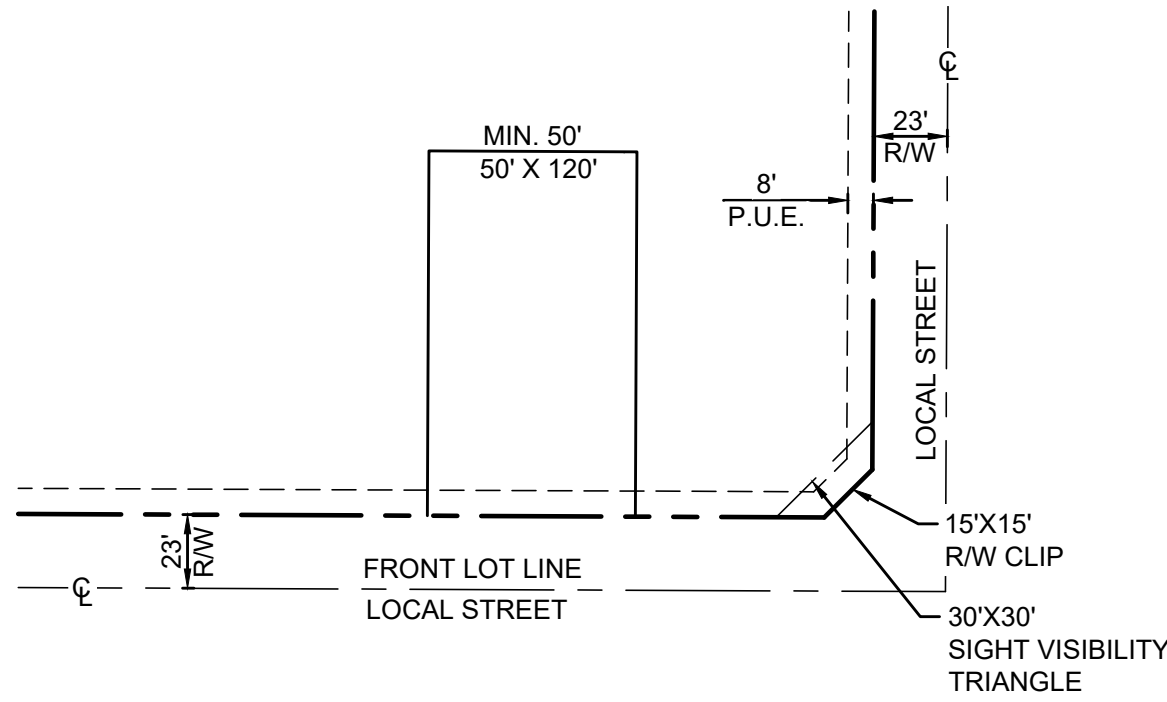


DATE | 08/23/19
DRAWN | LPJ
SURVEYED | JMH
CHECKED | JMH
PROJECT # | 4171321000
SHEET TITLE
COVER
SHEET NUMBER

1 OF 10

FS19-310

"DESERT OASIS - BAER PARCEL B9"

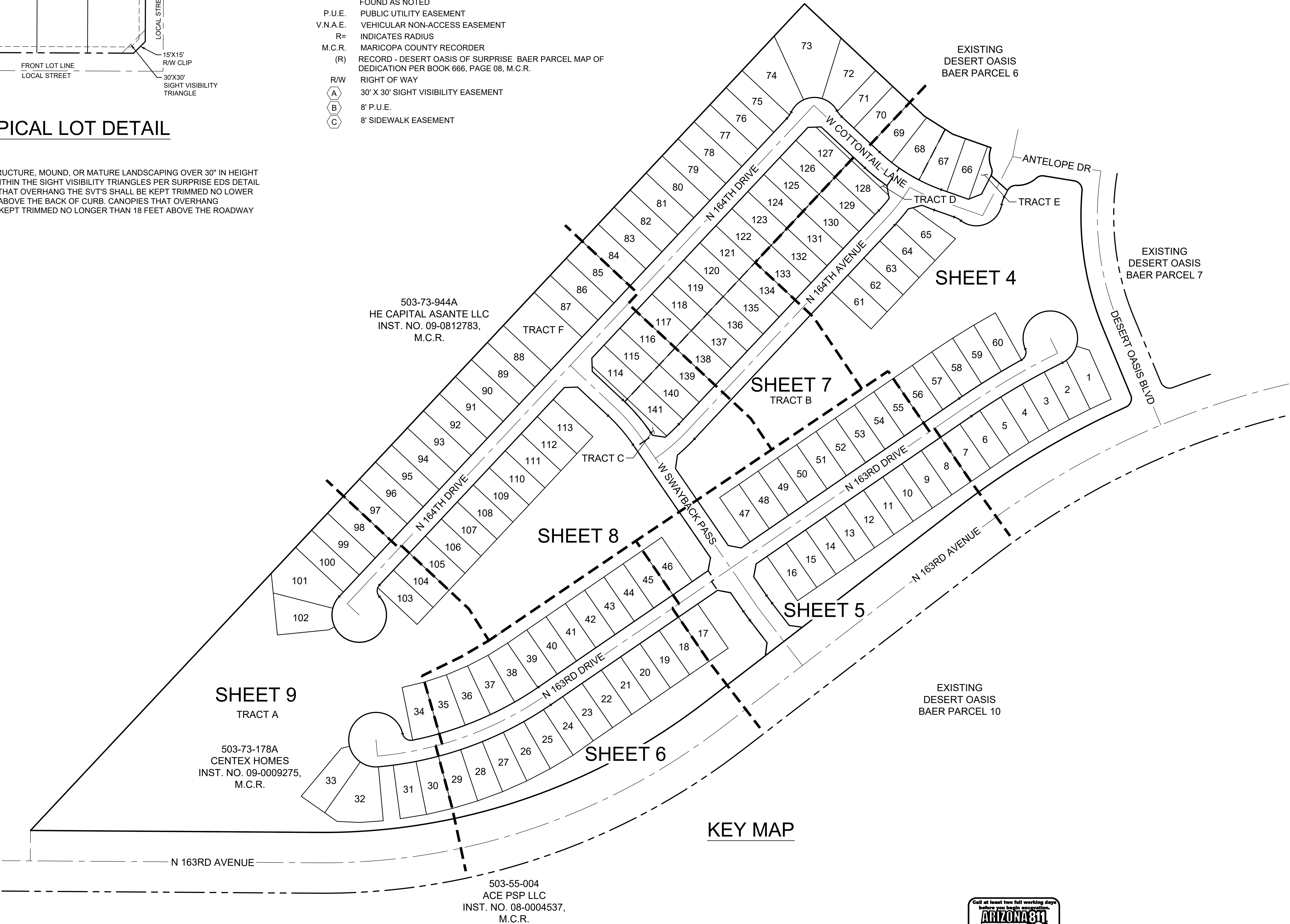


TYPICAL LOT DETAIL

- LEGEND
- ⊕ SURVEY MONUMENT (FOUND AS NOTED)
 - CORNER OF THIS SUBDIVISION SET 1/2" REBAR WITH CAP RLS #19846 UNLESS OTHERWISE STATED
 - SET BRASS CAP PER MAG DETAIL 120-1 TYPE B OR FOUND AS NOTED
 - P.U.E. PUBLIC UTILITY EASEMENT
 - V.N.A.E. VEHICULAR NON-ACCESS EASEMENT
 - R= INDICATES RADIUS
 - M.C.R. MARICOPA COUNTY RECORDER
 - (R) RECORD - DESERT OASIS OF SURPRISE BAER PARCEL MAP OF DEDICATION PER BOOK 666, PAGE 08, M.C.R.
 - R/W RIGHT OF WAY
 - (A) 30' X 30' SIGHT VISIBILITY EASEMENT
 - (B) 8' P.U.E.
 - (C) 8' SIDEWALK EASEMENT

NOTES:

1. NO OBJECT, WALL, STRUCTURE, MOUND, OR MATURE LANDSCAPING OVER 30" IN HEIGHT SHALL BE ALLOWED WITHIN THE SIGHT VISIBILITY TRIANGLES PER SURPRISE EDS DETAIL 4-02. TREE CANOPIES THAT OVERHANG THE SVT'S SHALL BE KEPT TRIMMED NO LOWER THAN SEVEN (7) FEET ABOVE THE BACK OF CURB. CANOPIES THAT OVERHANG ROADWAYS SHALL BE KEPT TRIMMED NO LONGER THAN 18 FEET ABOVE THE ROADWAY



KEY MAP



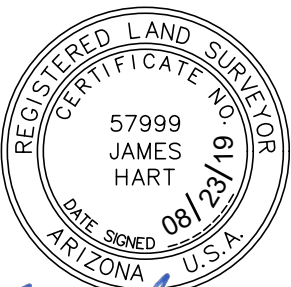
DESERT OASIS - BAER PARCEL B9 FINAL PLAT

DESERT OASIS - BAER PARCEL B9

CENTEX HOMES

SURPRISE, AZ

DATE	DESCRIPTION	BY



DATE	08/23/19
DRAWN	LPJ
SURVEYED	JMH
CHECKED	JMH
PROJECT #	4171321000
SHEET TITLE	KEY MAP
SHEET NUMBER	

LEGAL DESCRIPTION
DESERT OASIS - BAER PARCEL 9

A PORTION OF SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 4 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A MARICOPA COUNTY HIGHWAY DEPARTMENT BRASS CAP IN HANDHOLE MARKING THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER, FROM WHICH A MARICOPA COUNTY ALUMINUM CAP MARKING THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER BEARS NORTH 89°19'20" WEST 2636.30 FEET, AND FROM WHICH A MARICOPA COUNTY ALUMINUM CAP MARKING THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER BEARS NORTH 00°23'20" EAST 2635.07 FEET AS THE BASIS OF BEARING;

THENCE NORTH 46°52'53" WEST ALONG THE LINE BETWEEN SAID SOUTHEAST CORNER AND THE NORTHWEST CORNER OF SAID SECTION 1, A DISTANCE OF 88.49 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF 163RD AVENUE AS SHOWN ON DESERT OASIS OF SURPRISE BAER PARCEL MAP OF DEDICATION AS RECORDED IN BOOK 666 OF MAPS, PAGE 8 OF OFFICIAL RECORDS OF THE MARICOPA COUNTY RECORDER'S OFFICE AND THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 46°52'53" WEST ALONG SAID LINE, 2421.29 FEET TO THE WEST CORNER OF THE PROPERTY DESCRIBED IN INSTRUMENT NUMBER 2005-1367449 OF SAID OFFICIAL RECORDS;

THENCE NORTH 43°07'09" EAST, 136.59 FEET TO THE SOUTH CORNER OF SAID PROPERTY AND THE SOUTH CORNER OF LOT 38 OF DESERT OASIS SURPRISE PARCEL B6 FINAL PLAT AS RECORDED IN BOOK 665, PAGE 36 OF SAID OFFICIAL RECORDS;

THENCE ALONG THE EASTERLY SUBDIVISION LINES OF SAID DESERT OASIS SURPRISE PARCEL B6 FINAL PLAT THE FOLLOWING ELEVEN COURSES:

1. NORTH 43°07'09" EAST, 214.62 FEET;
2. NORTH 32°30'49" EAST, 72.14 FEET;
3. NORTH 19°27'02" EAST, 86.70 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHERLY AND HAVING A RADIUS POINT WHICH BEARS NORTH 20°08'54" EAST 60.00 FEET AND A CENTRAL ANGLE OF 42°00'05";
4. EASTERLY ALONG THE ARC OF SAID CURVE, 43.98 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS POINT WHICH BEARS SOUTH 21°52'17" EAST 20.01 FEET AND A CENTRAL ANGLE OF 48°57'48";
5. EASTERLY ALONG THE ARC OF SAID CURVE, 17.10' FEET;
6. NORTH 42°05'29" EAST, 47.62 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS POINT WHICH BEARS NORTH 27°07'00" EAST 20.00 FEET AND A CENTRAL ANGLE OF 65°15'46";
7. NORTHERLY ALONG THE ARC OF SAID CURVE, 22.78 FEET TO THE BEGINNING OF A CURVE CONCAVE WESTERLY AND HAVING A RADIUS POINT WHICH BEARS NORTH 87°38'17" WEST 60.00 FEET AND A CENTRAL ANGLE OF 44°20'05";
8. NORTHERLY ALONG THE ARC OF SAID CURVE, 46.57 FEET TO THE BEGINNING OF A CURVE CONCAVE EASTERLY AND HAVING A RADIUS POINT WHICH BEARS NORTH 47°53'43" EAST 20.00 FEET AND A CENTRAL ANGLE OF 44°28'00";
9. NORTHERLY ALONG THE ARC OF SAID CURVE, 17.92 FEET;
10. NORTH 09°13'48" EAST, 65.45 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS POINT WHICH BEARS SOUTH 80°46'12" EAST 20.00 FEET AND A CENTRAL ANGLE OF 85°37'19";
11. NORTHEASTERLY ALONG THE ARC OF SAID CURVE, 29.89 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS POINT WHICH BEARS NORTH 04°51'07" EAST 635.00 FEET AND A CENTRAL ANGLE OF 27°23'15", SAID BEGINNING OF A CURVE IS A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF DESERT OASIS BOULEVARD AS SHOWN ON SAID DESERT OASIS OF SURPRISE BAER PARCEL MAP OF DEDICATION;

THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE OF DESERT OASIS BOULEVARD THE FOLLOWING THREE COURSES:

1. EASTERLY ALONG THE ARC OF SAID CURVE, 303.53 FEET;
2. NORTH 67°27'52" EAST, 150.79 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS POINT WHICH BEARS SOUTH 22°32'08" EAST 20.00 FEET AND A CENTRAL ANGLE OF 88°17'01";
3. EASTERLY ALONG THE ARC OF SAID CURVE, 30.82 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS POINT WHICH BEARS NORTH 65°44'54" EAST 1815.00 FEET AND A CENTRAL ANGLE 13°20'10", SAID BEGINNING OF A CURVE IS A POINT ON SAID WEST RIGHT-OF-WAY LINE OF 163RD AVENUE;

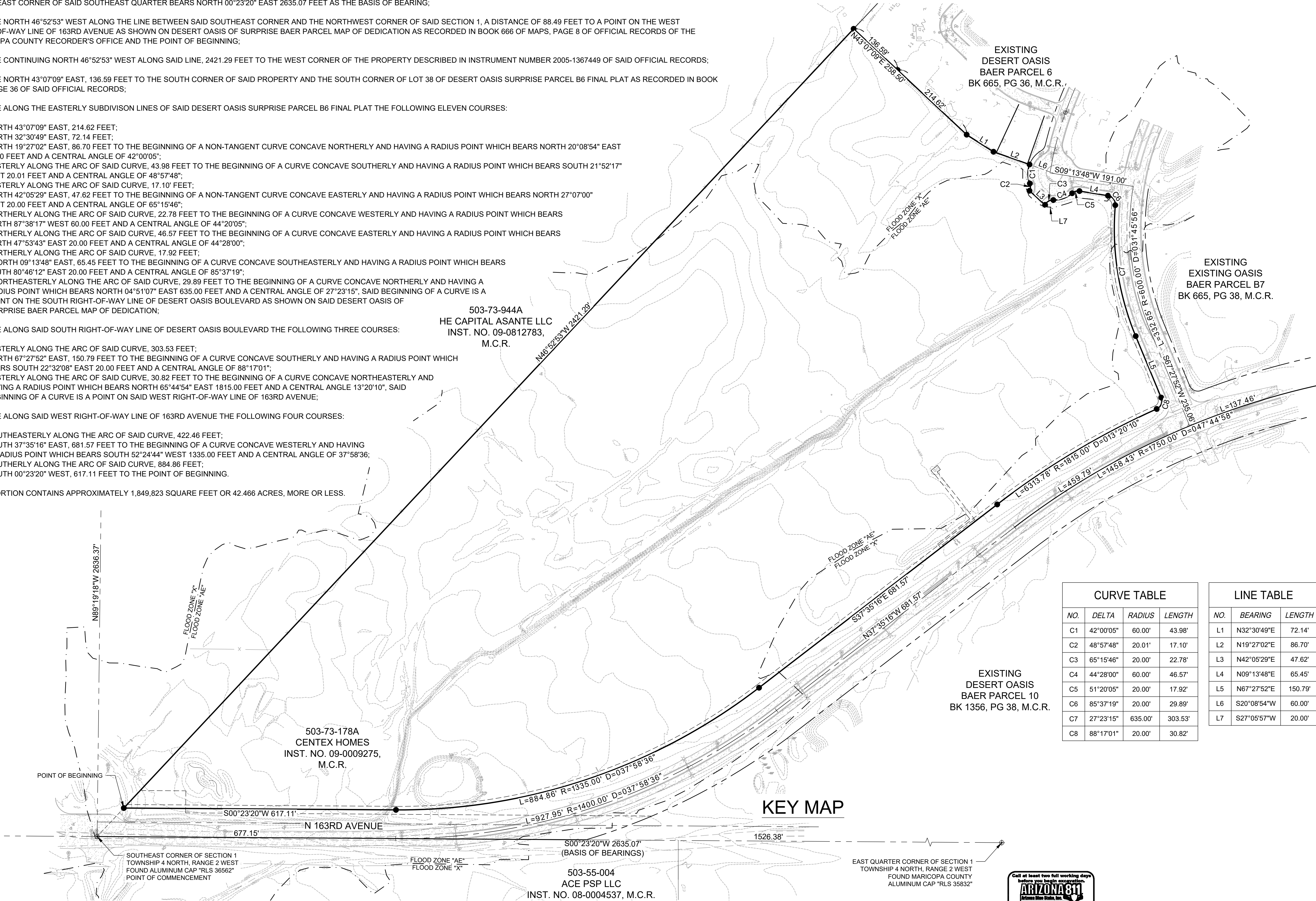
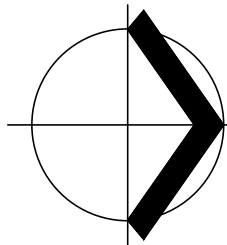
THENCE ALONG SAID WEST RIGHT-OF-WAY LINE OF 163RD AVENUE THE FOLLOWING FOUR COURSES:

1. SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, 422.46 FEET;
2. SOUTH 37°35'16" EAST, 681.57 FEET TO THE BEGINNING OF A CURVE CONCAVE WESTERLY AND HAVING A RADIUS POINT WHICH BEARS SOUTH 52°24'44" WEST 1335.00 FEET AND A CENTRAL ANGLE OF 37°58'36;
3. SOUTHERLY ALONG THE ARC OF SAID CURVE, 884.86 FEET;
4. SOUTH 00°23'20" WEST, 617.11 FEET TO THE POINT OF BEGINNING.

SAID PORTION CONTAINS APPROXIMATELY 1,849,823 SQUARE FEET OR 42.466 ACRES, MORE OR LESS.

"DESERT OASIS - BAER PARCEL B9"

SCALE: 1"=100'



CURVE TABLE			
NO.	DELTA	RADIUS	LENGTH
C1	42°00'05"	60.00'	43.98'
C2	48°57'48"	20.01'	17.10'
C3	65°15'46"	20.00'	22.78'
C4	44°28'00"	60.00'	46.57'
C5	51°20'05"	20.00'	17.92'
C6	85°37'19"	20.00'	29.89'
C7	27°23'15"	635.00'	303.53'
C8	88°17'01"	20.00'	30.82'

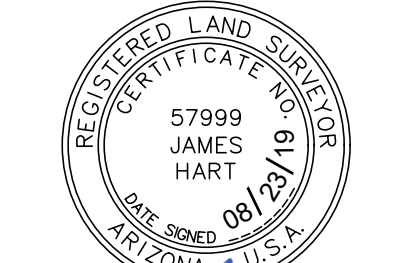
LINE TABLE		
NO.	BEARING	LENGTH
L1	N32°30'49"E	72.14'
L2	N19°27'02"E	86.70'
L3	N42°05'29"E	47.62'
L4	N09°13'48"E	65.45'
L5	N67°27'52"E	150.79'
L6	S20°08'54"W	60.00'
L7	S27°05'57"W	20.00'



PHOENIX
19621 N. 23RD DRIVE, STE 150,
PHOENIX, AZ 85027
TEL: (602) 977-5000 FAX: (602) 977-5099 www.cardno.com

DESERT OASIS - BAER PARCEL B9 FINAL PLAT
DESERT OASIS - BAER PARCEL B9
CENTEX HOMES
SURPRISE, AZ

DATE	DESCRIPTION

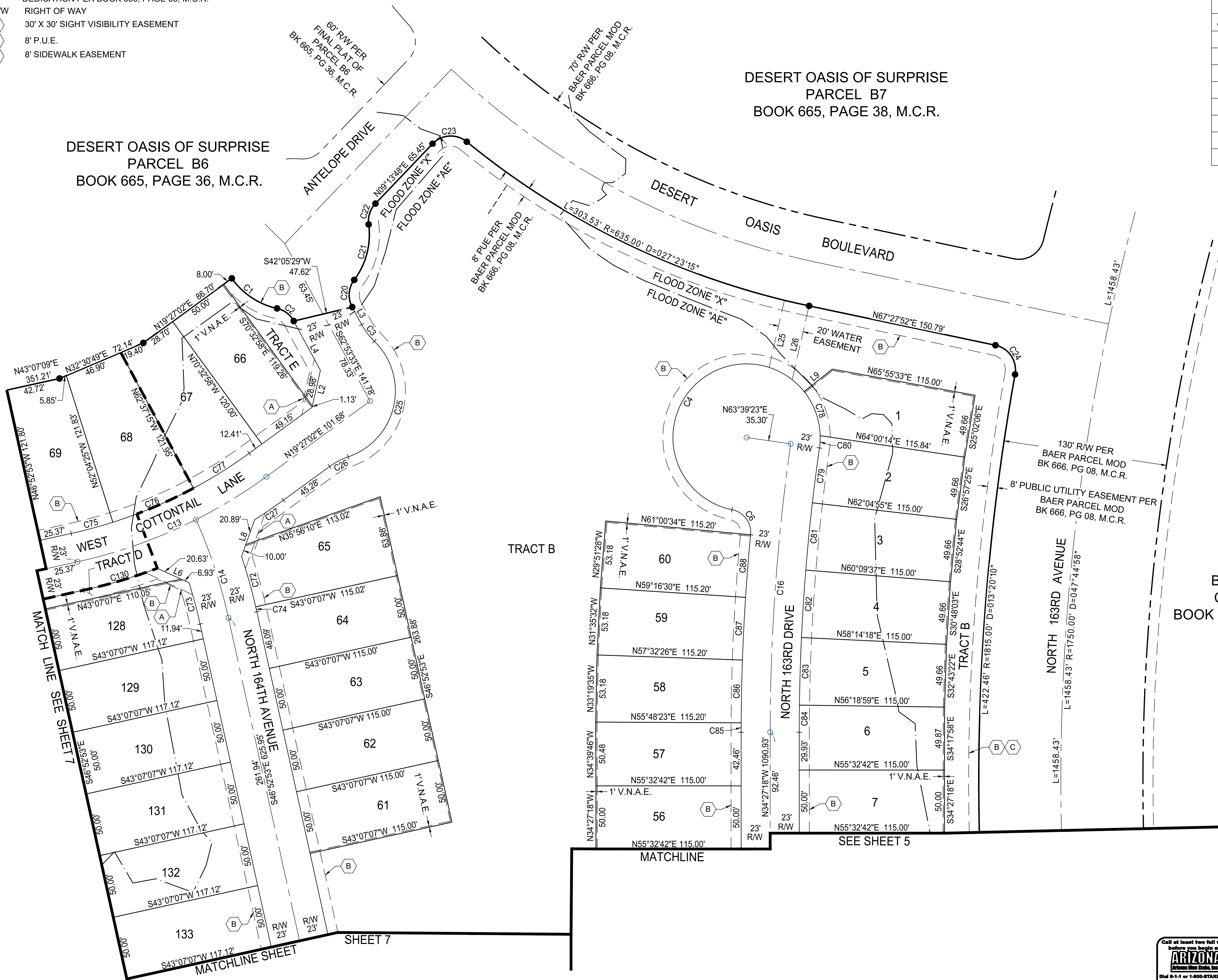


DATE | 08/23/19
DRAWN | LPJ
SURVEYED | JMH
CHECKED | JMH
PROJECT # | 4171321000
SHEET TITLE | KEY MAP
SHEET NUMBER

⊕	SURVEY MONUMENT (FOUND AS NOTED)
●	CORNER OF THIS SUBDIVISION SET 1/2" REBAR WITH CAP RLS #19846 UNLESS OTHERWISE STATED
○	SET BRASS CAP PER MAG DETAIL 120-1 TYPE B OR FOUND AS NOTED
P.U.E.	PUBLIC UTILITY EASEMENT
V.N.A.E.	VEHICULAR NON-ACCESS EASEMENT
R=	INDICATES RADIUS
M.C.R.	MARICOPA COUNTY RECORDER
(R)	RECORD - DESERT OASIS OF SURPRISE MAP OF BAER PARCEL DEDICATION PER BOOK 666, PAGE 08, M.C.R.
R/W	RIGHT OF WAY
A	30' X 30' SIGHT VISIBILITY EASEMENT
B	8' P.U.E.
C	8' SIDEWALK EASEMENT

LINE TABLE		
NO	BEARING	LENGTH
L2	S21°43'20"E	28.98'
L3	N62°53'30"W	15.77'
L4	S62°53'30"E	44.37'
L6	N79°58'40"E	27.55'
L8	N14°54'40"W	30.88'
L9	N16°57'40"E	28.53'
L25	N21°38'10"W	54.53'
L26	N21°38'10"W	59.99'

CURVE TABLE			
NO	DELTA	RADIUS	LENGTH
C1	42°00'00"	60.00'	43.98'
C2	48°57'50"	20.01'	17.10'
C3	17°20'30"	55.00'	16.65'
C4	219°59'50"	58.30'	223.85'
C6	84°02'50"	18.50'	27.14'
C13	23°40'00"	400.00'	165.23'
C14	11°45'10"	400.00'	82.04'
C16	8°06'40"	1618.65'	229.16'
C20	65°15'50"	20.00'	22.78'
C21	44°28'00"	60.00'	46.57'
C22	51°20'10"	20.00'	17.92'
C23	85°37'20"	20.00'	29.89'
C24	88°17'00"	20.00'	30.82'
C25	117°01'30"	55.00'	112.34'
C26	17°20'30"	55.00'	16.65'
C27	3°44'20"	423.00'	27.61'
C72	5°36'10"	423.00'	41.36'
C73	5°09'30"	377.00'	33.95'
C74	0°31'50"	423.00'	3.91'
C75	5°11'30"	377.00'	34.17'
C76	10°32'50"	377.00'	69.40'
C77	7°55'40"	377.00'	52.17'
C78	37°08'10"	58.30'	37.79'
C79	1°34'30"	1595.65'	43.85'
C80	9°33'40"	58.30'	9.73'
C81	1°55'20"	1595.65'	53.52'
C82	1°55'20"	1595.65'	53.52'
C83	1°55'20"	1595.65'	53.52'
C84	0°46'20"	1595.65'	21.48'
C85	0°15'40"	1641.65'	7.49'
C86	1°44'00"	1641.65'	49.69'
C87	1°44'00"	1641.65'	49.69'
C88	1°44'00"	1641.65'	49.69'



Call at least two full working days
before you begin excavation.

ARIZONA 811
Arizona One Stop, Inc.

Dial 8-1-1 or 1-800-STAKE-IT (782-8348)
In Maricopa County: (602) 263-1100

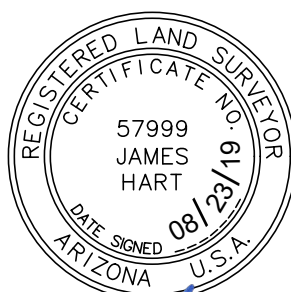
PHOENIX
19621 N. 23RD DRIVE, STE 150,
PHOENIX, AZ 85027
TEL: (602) 977-8000 FAX: (602) 977-8001

DESERT OASIS - BAER PARCEL B9 FINAL PLAT

DESERT OASIS - BAER PARCEL B9

CENTEX HOMES

SURPRISE, AZ

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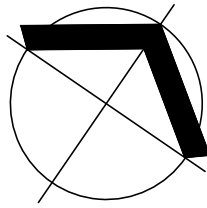
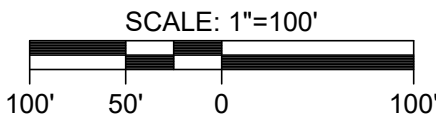
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DRAWN	LPJ
SURVEYED	JMH
CHECKED	JMH
PROJECT #	4171321000
SHEET TITLE	
PLAN SHEET	
SHEET NUMBER	

4 OF 10

LEGEND

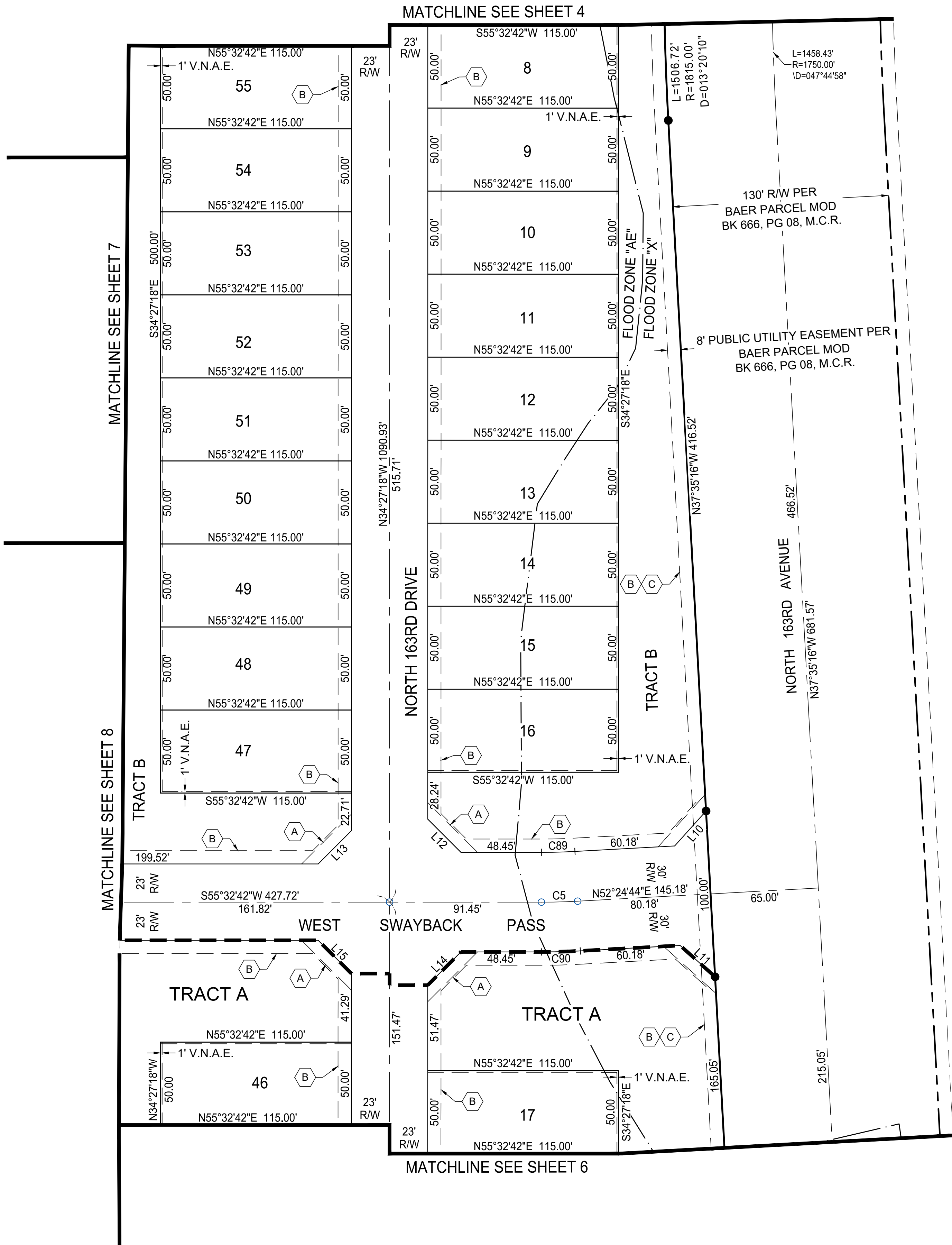
- ⊕ SURVEY MONUMENT (FOUND AS NOTED)
● CORNER OF THIS SUBDIVISION SET 1/2" REBAR WITH CAP
○ SET BRASS CAP PER MAG DETAIL 120-1 TYPE B OR FOUND AS NOTED
P.U.E. PUBLIC UTILITY EASEMENT
V.N.A.E. VEHICULAR NON-ACCESS EASEMENT
R= INDICATES RADIUS
M.C.R. MARICOPA COUNTY RECORDER
(R) RECORD - DESERT OASIS OF SURPRISE MAP OF BAER PARCEL
RIGHT OF WAY
30' X 30' SIGHT VISIBILITY EASEMENT
8' P.U.E.
8' SIDEWALK EASEMENT

"DESERT OASIS - BAER PARCEL B9"



LINE TABLE		
NO	BEARING	LENGTH
L10	S7°24'40"W	28.28'
L11	S82°35'20"E	28.28'
L12	N79°27'20"W	28.28'
L13	S10°32'40"W	28.28'
L14	N10°32'40"E	28.28'
L15	S79°27'20"E	28.28'

CURVE TABLE			
NO	DELTA	RADIUS	LENGTH
C5	3°08'00"	400.00'	21.87'
C89	3°08'00"	370.00'	20.23'
C90	3°08'00"	430.00'	23.51'



DESERT OASIS
BAER PARCEL 10
CENTEX HOMES
BOOK 1356, PAGE 38, M.C.R.



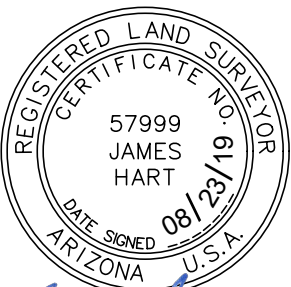
DESERT OASIS - BAER PARCEL B9 FINAL PLAT

DESERT OASIS - BAER PARCEL B9

CENTEX HOMES

SURPRISE, AZ

DATE	DESCRIPTION	BY

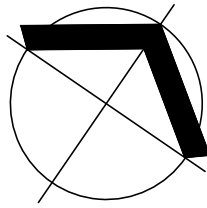
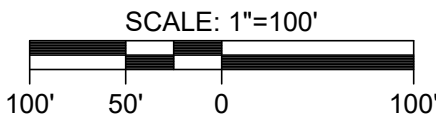


DATE	08/23/19
DRAWN	LPJ
SURVEYED	JMH
CHECKED	JMH
PROJECT #	4171321000
SHEET TITLE	PLAN SHEET
SHEET NUMBER	

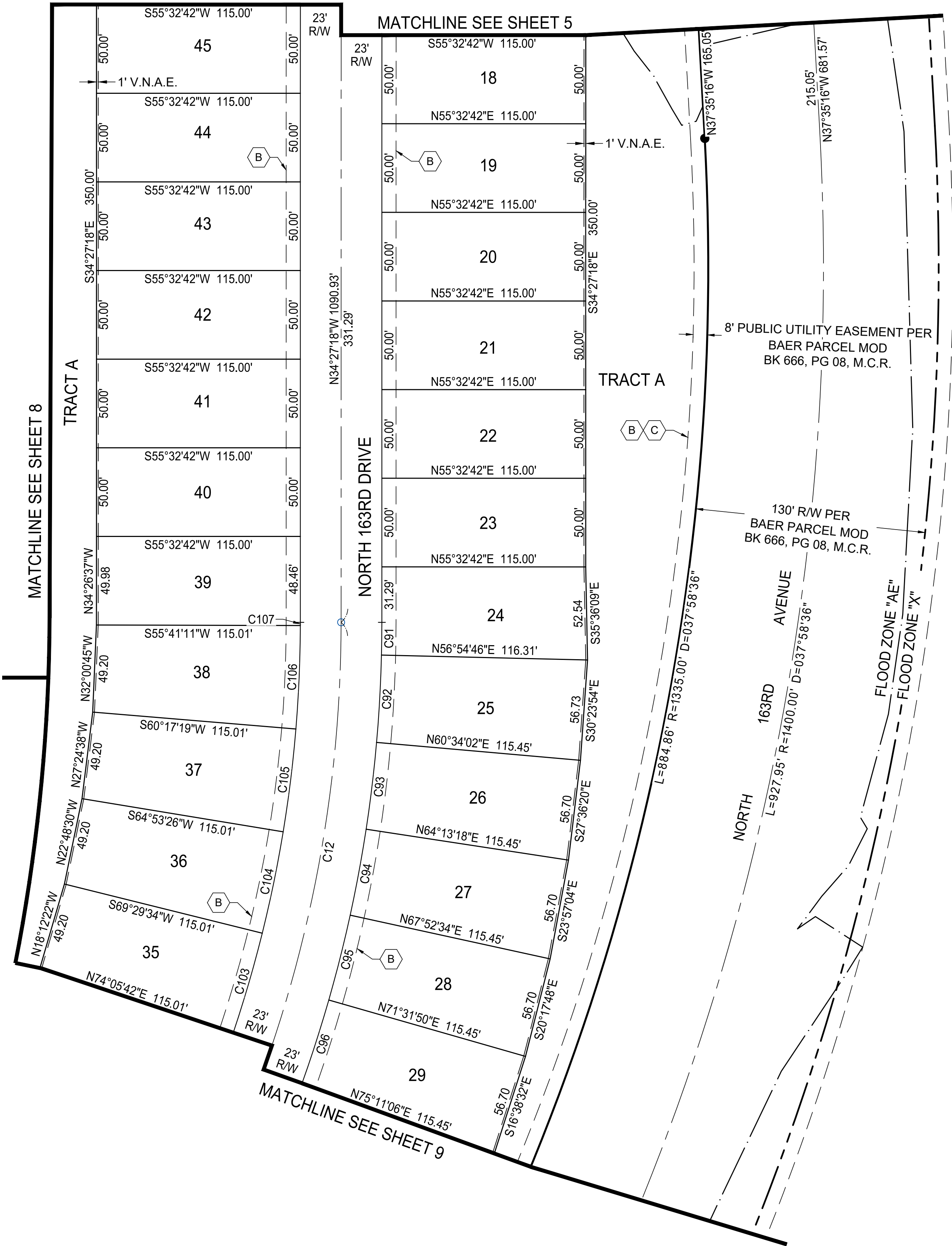
LEGEND

- ⊕ SURVEY MONUMENT (FOUND AS NOTED)
- CORNER OF THIS SUBDIVISION SET 1/2" REBAR WITH CAP RLS #19846 UNLESS OTHERWISE STATED
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- R= INDICATES RADIUS
- M.C.R. MARICOPA COUNTY RECORDER
- (R) RECORD - DESERT OASIS OF SURPRISE MAP OF BAER PARCEL DEDICATION PER BOOK 666, PAGE 08, M.C.R.
- R/W RIGHT OF WAY
- A 30' X 30' SIGHT VISIBILITY EASEMENT
- B 8' P.U.E.
- C 8' SIDEWALK EASEMENT

"DESERT OASIS - BAER PARCEL B9"



CURVE TABLE			
NO	DELTA	RADIUS	LENGTH
C12	29°18'50"	750.66'	384.04'
C91	1°22'00"	773.66'	18.47'
C92	3°39'20"	773.66'	49.35'
C93	3°39'20"	773.66'	49.35'
C94	3°39'20"	773.66'	49.35'
C95	3°39'20"	773.66'	49.35'
C96	3°39'20"	773.66'	49.35'
C103	4°36'10"	727.66'	58.45'
C104	4°36'10"	727.66'	58.45'
C105	4°36'10"	727.66'	58.45'
C106	4°36'10"	727.66'	58.45'
C107	0°08'30"	727.66'	1.80'



DESERT OASIS
BAER PARCEL 10
CENTEX HOMES
BOOK 1356, PAGE 38, M.C.R.

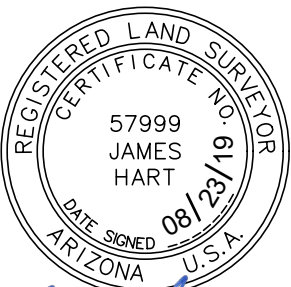


DESERT OASIS - BAER PARCEL B9 FINAL PLAT

DESERT OASIS - BAER PARCEL B9
CENTEX HOMES

SURPRISE, AZ

DATE	DESCRIPTION	BY

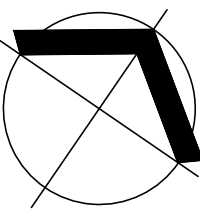
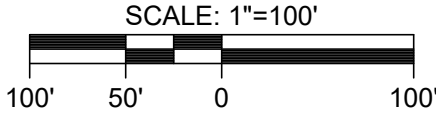


DATE	08/23/19
DRAWN	LPJ
SURVEYED	JMH
CHECKED	JMH
PROJECT #	4171321000
SHEET TITLE	PLAN SHEET
SHEET NUMBER	

LEGEND

- ⊕ SURVEY MONUMENT (FOUND AS NOTED)
- CORNER OF THIS SUBDIVISION SET 1/2" REBAR WITH CAP RLS #19846 UNLESS OTHERWISE STATED
- SET BRASS CAP PER MAG DETAIL 120-1 TYPE B OR FOUND AS NOTED
- P.U.E. PUBLIC UTILITY EASEMENT
- V.N.A.E. VEHICULAR NON-ACCESS EASEMENT
- R= INDICATES RADIUS
- M.C.R. MARICOPA COUNTY RECORDER
- (R) RECORD - DESERT OASIS OF SURPRISE MAP OF BAER PARCEL DEDICATION PER BOOK 666, PAGE 08, M.C.R.
- R/W RIGHT OF WAY
- A 30' X 30' SIGHT VISIBILITY EASEMENT
- B 8' P.U.E.
- C 8' SIDEWALK EASEMENT

"DESERT OASIS - BAER PARCEL B9"



LINE TABLE		
NO	BEARING	LENGTH
L7	N1°52'50"W	28.28'

CURVE TABLE			
NO	DELTA	RADIUS	LENGTH
C17	17°20'30"	55.00'	16.65'
C18	17°20'30"	55.00'	16.65'
C28	42°04'30"	55.00'	40.39'
C97	3°39'20"	773.66'	49.35'
C98	3°39'20"	773.66'	49.35'
C99	2°21'50"	773.66'	31.92'
C100	40°12'30"	58.30'	40.91'
C101	40°56'30"	58.30'	41.66'
C102	4°36'10"	727.66'	58.45'
C108	9°33'50"	55.00'	9.18'
C109	7°46'40"	55.00'	7.47'
C110	39°24'30"	55.00'	37.83'
C111	42°04'30"	55.00'	40.39'
C112	43°12'00"	55.00'	41.47'
C113	2°16'50"	55.00'	2.19'
C114	15°03'40"	55.00'	14.46'

503-73-944A
HE CAPITAL ASANTE LLC
INST. NO. 09-0812783,
M.C.R.

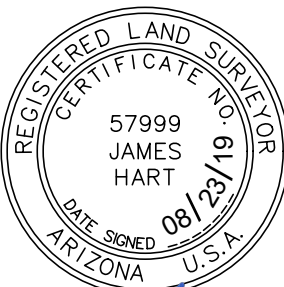


DESERT OASIS - BAER PARCEL B9 FINAL PLAT

DESERT OASIS - BAER PARCEL B9
CENTEX HOMES

SURPRISE, AZ

DATE	DESCRIPTION	BY

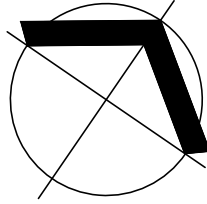
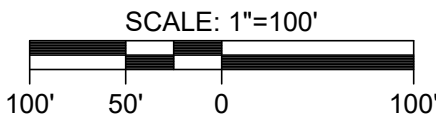


DATE | 08/23/19
DRAWN | LPJ
SURVEYED | JMH
CHECKED | JMH
PROJECT # | 4171321000
SHEET TITLE | PLAN SHEET
SHEET NUMBER |

LEGEND

- ⊕ SURVEY MONUMENT (FOUND AS NOTED)
● CORNER OF THIS SUBDIVISION SET 1/2" REBAR WITH CAP
○ SET BRASS CAP PER MAG DETAIL 120-1 TYPE B OR FOUND AS NOTED
P.U.E. PUBLIC UTILITY EASEMENT
V.N.A.E. VEHICULAR NON-ACCESS EASEMENT
R= INDICATES RADIUS
M.C.R. MARICOPA COUNTY RECORDER
(R) RECORD - DESERT OASIS OF SURPRISE MAP OF BAER PARCEL
RIGHT OF WAY
30' X 30' SIGHT VISIBILITY EASEMENT
8' P.U.E.
8' SIDEWALK EASEMENT

"DESERT OASIS - BAER PARCEL B9"



LINE TABLE		
NO	BEARING	LENGTH
L16	N81°36'00"W	29.32'
L17	S8°08'20"W	27.07'
L19	N1°52'50"W	28.28'
L20	N88°07'10"E	28.28'
L22	S46°52'50"E	14.01'

CURVE TABLE			
NO	DELTA	RADIUS	LENGTH
C7	12°25'30"	400.00'	86.75'
C15	12°37'10"	400.00'	88.11'
C115	6°47'00"	423.00'	50.09'
C116	5°28'40"	377.00'	36.04'
C117	0°37'00"	377.00'	4.06'
C118	12°25'30"	423.00'	91.74'
C119	12°25'30"	377.00'	81.76'

503-73-944A
HE CAPITAL ASANTE LLC
INST. NO. 09-0812783,
M.C.R.



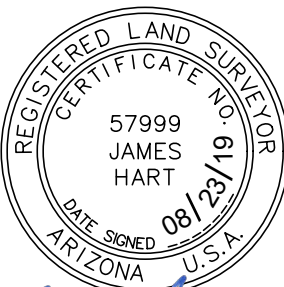
DESERT OASIS - BAER PARCEL B9 FINAL PLAT

DESERT OASIS - BAER PARCEL B9

CENTEX HOMES

SURPRISE, AZ

DATE	DESCRIPTION	BY

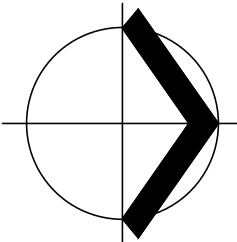


DATE	08/23/19
DRAWN	LPJ
SURVEYED	JMH
CHECKED	JMH
PROJECT #	4171321000
SHEET TITLE	PLAN SHEET
SHEET NUMBER	

LEGEND

- ⊕ SURVEY MONUMENT (FOUND AS NOTED)
● CORNER OF THIS SUBDIVISION SET 1/2" REBAR WITH CAP
○ SET BRASS CAP PER MAG DETAIL 120-1 TYPE B OR FOUND AS NOTED
P.U.E. PUBLIC UTILITY EASEMENT
V.N.A.E. VEHICULAR NON-ACCESS EASEMENT
R= INDICATES RADIUS
M.C.R. MARICOPA COUNTY RECORDER
(R) RECORD - DESERT OASIS OF SURPRISE MAP OF BAER PARCEL DEDICATION PER BOOK 666, PAGE 08, M.C.R.
R/W RIGHT OF WAY
A 30' X 30' SIGHT VISIBILITY EASEMENT
B 8' P.U.E.
C 8' SIDEWALK EASEMENT

"DESERT OASIS - BAER PARCEL B9"



LINE TABLE		
NO	BEARING	LENGTH
L5	S25°47'50"E	14.43'
L21	N13°59'30"W	18.00'
L23	S25°47'50"E	21.51'

CURVE TABLE			
NO	DELTA	RADIUS	LENGTH
C8	262°17'40"	58.30'	266.89'
C9	88°27'20"	18.50'	28.56'
C10	85°22'10"	18.50'	27.56'
C11	265°22'10"	58.30'	270.02'
C97	3°39'20"	773.66'	49.35'
C98	3°39'20"	773.66'	49.35'
C99	2°21'50"	773.66'	31.92'
C100	40°12'30"	58.30'	40.91'
C101	40°56'30"	58.30'	41.66'
C102	4°36'10"	727.66'	58.45'
C122	28°42'30"	58.30'	29.21'
C123	40°12'30"	58.30'	40.91'
C124	20°03'50"	58.30'	20.41'
C125	176°23'20"	58.30'	179.48'
C126	64°09'50"	18.50'	20.72'
C127	21°12'20"	18.50'	6.85'

503-73-944A
HE CAPITAL ASANTE LLC
INST. NO. 09-0812783,
M.C.R.

503-73-178A
CENTEX HOMES
INST. NO. 09-0009275,
M.C.R.

503-55-004
ACE PSP LLC
INST. NO. 08-0004537,
M.C.R.

TRACT A

8' PUBLIC UTILITY EASEMENT PER
BAER PARCEL MOD
BK 666, PG 08, M.C.R.

130' R/W PER
BAER PARCEL MOD
BK 666, PG 08, M.C.R.

FLOOD ZONE "AE"
FLOOD ZONE "X"



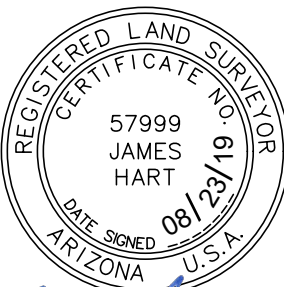
DESERT OASIS - BAER PARCEL B9 FINAL PLAT

DESERT OASIS - BAER PARCEL B9

CENTEX HOMES

SURPRISE, AZ

DATE	DESCRIPTION	BY



DATE	08/23/19
DRAWN	LPJ
SURVEYED	JMH
CHECKED	JMH
PROJECT #	4171321000
SHEET TITLE	PLAN SHEET
SHEET NUMBER	

"DESERT OASIS - BAER PARCEL B9"

LOT SUMMARY TABLE		LOT SUMMARY TABLE		LOT SUMMARY TABLE		LOT SUMMARY TABLE		LOT SUMMARY TABLE		LOT SUMMARY TABLE	
LOT #	AREA (SF)	LOT #	AREA (SF)	LOT #	AREA (SF)	LOT #	AREA (SF)	LOT #	AREA (SF)	LOT #	AREA (SF)
1	6381.40'	26	6105.00'	51	5750.00'	76	7000.00'	101	10961.63'	126	5750.00'
2	5943.17'	27	6105.00'	52	5750.00'	77	7000.00'	102	8229.37'	127	5678.00'
3	5940.47'	28	6105.00'	53	5750.00'	78	7000.00'	103	5809.88'	128	5820.65'
4	5940.47'	29	6105.00'	54	5750.00'	79	7000.00'	104	5812.63'	129	5855.76'
5	5940.47'	30	6105.00'	55	5750.00'	80	7000.00'	105	5812.63'	130	5855.76'
6	5826.09'	31	6105.00'	56	5750.00'	81	7000.00'	106	5812.63'	131	5855.76'
7	5750.00'	32	10608.41'	57	5779.59'	82	7000.00'	107	5812.63'	132	5855.76'
8	5750.00'	33	7647.34'	58	5918.48'	83	7000.00'	108	5812.63'	133	5855.76'
9	5750.00'	34	6206.91'	59	5918.48'	84	7000.00'	109	5812.63'	134	5855.76'
10	5750.00'	35	6206.91'	60	5918.48'	85	7000.00'	110	5812.63'	135	5855.76'
11	5750.00'	36	6206.91'	61	5750.00'	86	7000.00'	111	5812.63'	136	5855.76'
12	5750.00'	37	6206.91'	62	5750.00'	87	7000.00'	112	5812.63'	137	5855.76'
13	5750.00'	38	6206.91'	63	5750.00'	88	7000.00'	113	5812.63'	138	5855.76'
14	5750.00'	39	5763.74'	64	5750.02'	89	7000.00'	114	5678.00'	139	5855.76'
15	5750.00'	40	5750.00'	65	6548.31'	90	7000.00'	115	5750.00'	140	5855.76'
16	5750.00'	41	5750.00'	66	5999.68'	91	7000.00'	116	5750.00'	141	5835.12'
17	5750.00'	42	5750.00'	67	6766.88'	92	7000.00'	117	5750.00'	TOTAL LOT AREA = 890,003 SQ. FT. OR 20.432 ACRES MORE OR LESS	
18	5750.00'	43	5750.00'	68	7125.35'	93	7000.00'	118	5750.00'		
19	5750.00'	44	5750.00'	69	6574.56'	94	7000.00'	119	5750.00'		
20	5750.00'	45	5750.00'	70	6090.18'	95	7000.00'	120	5750.00'		
21	5750.00'	46	5750.00'	71	6081.27'	96	7000.00'	121	5750.00'		
22	5750.00'	47	5750.00'	72	8650.34'	97	7000.00'	122	5750.00'		
23	5750.00'	48	5750.00'	73	17062.19'	98	7000.00'	123	5750.00'		
24	5909.42'	49	5750.00'	74	9966.00'	99	7000.00'	124	5750.00'		
25	6129.19'	50	5750.00'	75	6997.68'	100	7000.00'	125	5750.00'		

TRACT USE AND AREA TABLE			
TRACT	PRIMARY USE	SQ. FT.	ACRE
Tract A	LANDSCAPE, OPEN SPACE, P.U.E., SEWER/WATER ESMT, DRAINAGE, RETENTION	430401	9.88
Tract B	LANDSCAPE, OPEN SPACE, P.U.E., WATER ESMT, DRAINAGE, RETENTION	242964	5.58
Tract C	LANDSCAPE, OPEN SPACE, P.U.E.	2177	0.05
Tract D	LANDSCAPE, OPEN SPACE, P.U.E.	1731	0.04
Tract E	LANDSCAPE, OPEN SPACE, P.U.E.	2228	0.05
Tract F	LANDSCAPE, OPEN SPACE, P.U.E.	13523	0.31
TOTAL TRACT AREA = 693,024 SQ. FT. OR 15.91 ACRES MORE OR LESS			

RIGHT-OF-WAY AREA TABLE			
STREET	PRIMARY USE	SQ. FT.	ACRE
N 163RD DRIVE	RIGHT-OF-WAY	91683	2.105
N 164TH AVENUE	RIGHT-OF-WAY	32690	0.750
N 164TH DRIVE	RIGHT-OF-WAY	74903	1.720
W COTTONTAIL LANE	RIGHT-OF-WAY	27988	0.643
W SWAYBACK PASS	RIGHT-OF-WAY	39535	0.908
TOTAL RIGHT OF WAY AREA = 266,799 SQ. FT. OR 6.12 ACRES MORE OR LESS			



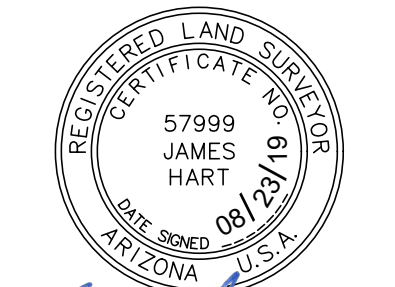
DESERT OASIS - BAER PARCEL B9 FINAL PLAT

DESERT OASIS - BAER PARCEL B9

CENTEX HOMES

SURPRISE, AZ

DATE	DESCRIPTION	BY



James M. Hart

DATE	08/23/19
DRAWN	LPJ
SURVEYED	JMH
CHECKED	JMH
PROJECT #	4171321000
SHEET TITLE	PLAN SHEET
SHEET NUMBER	



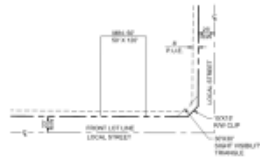
Desert Oasis Parcel B9 Final Plat

City Council
October 15, 2019



VICINITY MAP

"DESERT OASIS - BAER PARCEL B9"

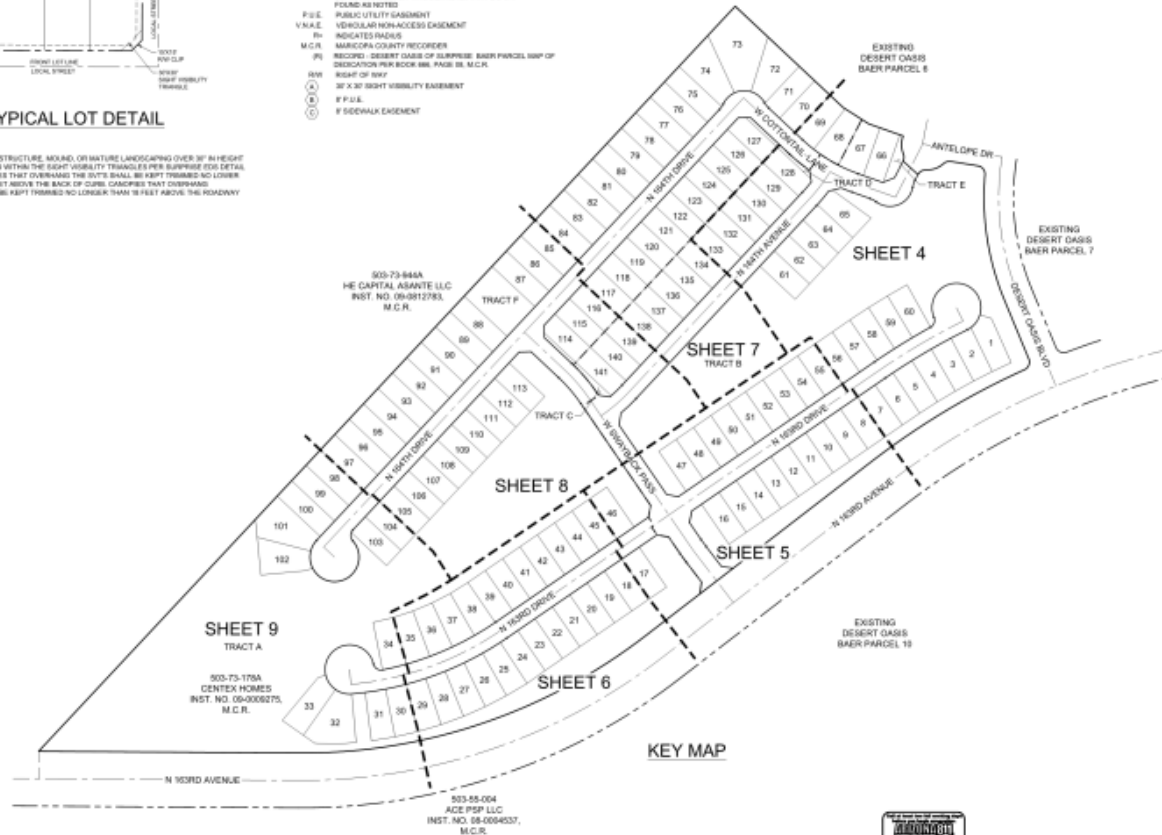


TYPICAL LOT DETAIL

NOTES
1. NO OBJECT, WALL, STRUCTURE, MOUND, OR NATURE LANDSCAPING OVER 8' IN HEIGHT SHALL BE ALLOWED WITHIN THE RIGHT-OF-WAY TRIMMING PER SUPPLEMENTAL DETAIL 4.03. TREE CANOPIES THAT OVERHANG THE R/W'S SHALL BE KEPT TRIMMED NO LOWER THAN 10 FEET ABOVE THE BACK OF CURB. CANOPIES THAT OVERHANG ROADWAYS SHALL BE KEPT TRIMMED NO LONGER THAN 18 FEET ABOVE THE ROADWAY.

LEGEND

- SURVEY MONUMENT (FOUND AS NOTED)
- CORNER OF THIS SUBDIVISION SET 12" PRESH WITH CAP
- SET IMAGE CAP PER MAG DETAIL 120-1 TYPE B OR FOUND AS NOTED
- P.U.E. PUBLIC UTILITY EASEMENT
- V.N.A.E. VEHICULAR NON-ACCESS EASEMENT
- Rn INDICATES RADIUS
- M.C.R. MARICOPA COUNTY RECORDER
- RECORDED - DESERT OASIS OF SURPRISE, BAER PARCEL MAP OF DEDICATION PER BOOK 886, PAGE 38, M.C.R.
- RIGHT OF WAY
- 30' X 30' RIGHT VISIBILITY EASEMENT
- P.D.E. P.D.E.
- SIDEWALK EASEMENT



FINAL PLAT



LEGEND

- SURVEY MONUMENT (FOUND AS NOTED)
- ▲ CORNER OF THIS SUBDIVISION SET 1/2" BEARING WITH CAP
- ▲ ALL BEARS UNLESS OTHERWISE STATED
- SET BEARS CAP FOR 1/2" BEARING, 1/2" TYPE B OR
- FOUND AS NOTED
- P.U.E. PUBLIC UTILITY EASEMENT
- V.N.A.E. VEHICULAR NON-ACCESS EASEMENT
- R- INDICATES RADIUS
- M.C.R. MARICOPA COUNTY RECORDS
- PO. RECORD - DESERT OASIS OF SURPRISE MAP OF BAER PARCEL
- DESIGNATION FOR BOOK 665, PAGE 38, M.C.R.
- NW RIGHT OF WAY
- 30' X 30' ROAD VISIBILITY EASEMENT
- A B C F P.U.E.
- IF SIDEWALK EASEMENT

"DESERT OASIS - BAER PARCEL B9"



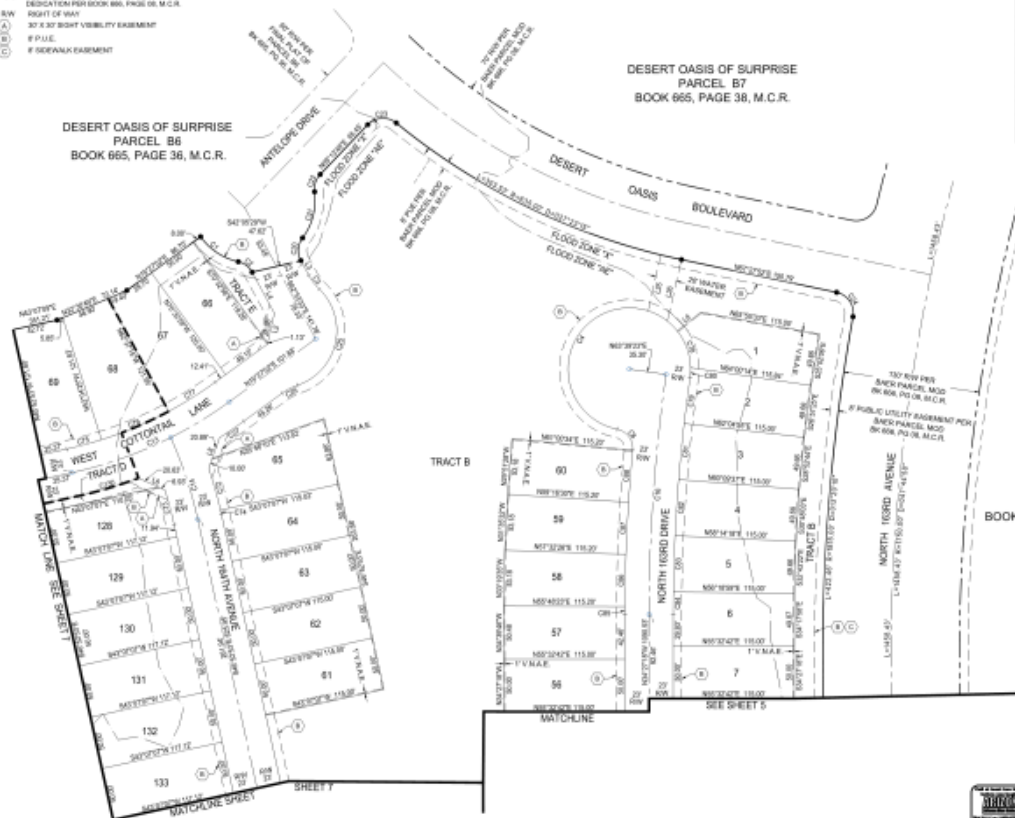
DESERT OASIS OF SURPRISE
PARCEL B8
BOOK 665, PAGE 38, M.C.R.

DESERT OASIS OF SURPRISE
PARCEL B7
BOOK 665, PAGE 38, M.C.R.

LINE TABLE	
NO	BEARING LENGTH
12	S21°12'30"E 28.98'
13	S67°30'30"E 15.77'
14	S62°12'30"E 46.27'
15	S87°18'00"E 27.30'
16	S47°30'30"E 36.00'
17	S45°12'30"E 28.98'
18	S27°30'30"E 36.00'
19	S27°30'30"E 36.00'

CURVE TABLE			
NO	DEG. TA	RADIUS	LENGTH
01	52°30'30"	60.00'	43.98'
02	48°12'30"	250.1'	17.40'
03	17°30'30"	55.00'	9.85'
04	21°30'30"	55.00'	23.85'
05	54°12'30"	14.00'	27.14'
06	25°45'30"	40.00'	38.25'
07	11°12'30"	40.00'	62.34'
08	9°30'30"	144.00'	228.45'
09	50°15'30"	250.0'	22.78'
10	44°28'30"	60.00'	46.97'
11	51°30'30"	250.0'	17.38'
12	50°12'30"	250.0'	28.88'
13	50°17'30"	250.0'	38.32'
14	11°12'30"	60.00'	13.34'
15	17°30'30"	55.00'	9.85'
16	21°30'30"	40.00'	27.61'
17	50°12'30"	40.00'	41.38'
18	50°00'30"	271.80'	33.85'
19	21°30'30"	40.00'	1.39'
20	21°12'30"	271.80'	34.17'
21	47°32'30"	271.80'	68.40'
22	7°58'30"	271.80'	52.17'
23	57°30'30"	55.00'	27.79'
24	17°30'30"	155.00'	43.85'
25	9°30'30"	55.00'	5.75'
26	1°50'30"	155.00'	63.52'
27	1°50'30"	155.00'	63.52'
28	1°50'30"	155.00'	63.52'
29	21°54'30"	184.00'	7.40'
30	14°12'30"	184.00'	48.80'
31	14°12'30"	184.00'	48.80'
32	14°12'30"	184.00'	48.80'

DESERT OASIS
BAER PARCEL 10
CENTEX HOMES
BOOK 1356, PAGE 38, M.C.R.



FINAL PLAT

LEGEND

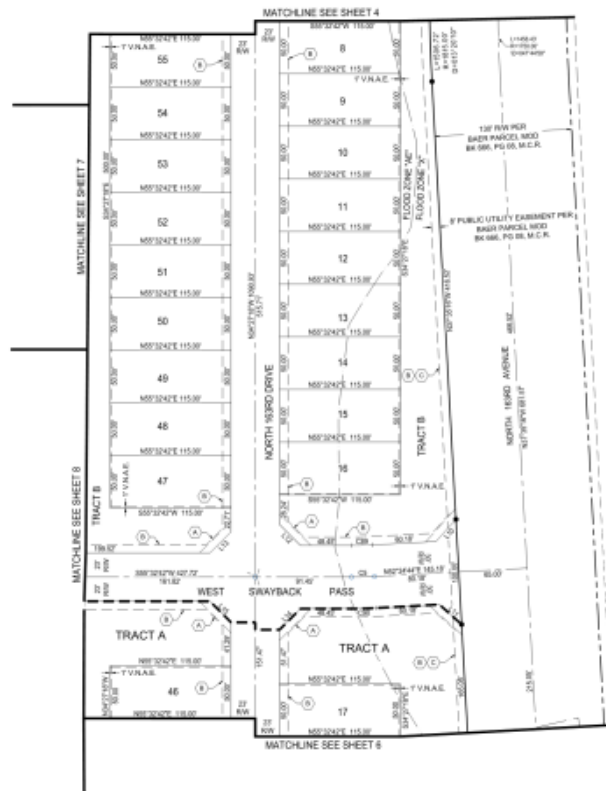
- ⊕ SURVEY MONUMENT (FOUND AS NOTED)
- ▣ CORNER OF THIS SUBDIVISION SET 1/2" DEEP WITH CAP
- ▣ SUB PINS UNLESS OTHERWISE STATED
- SET BRASS CAP PINS MAG. DETAIL 1/2" TYPE B OR FOUND AS NOTED
- P.U.E. PUBLIC UTILITY EASEMENT
- V.N.A.E. VEHICULAR NON-ACCESS EASEMENT
- R.V. INDICATES ROAD
- M.C.R. MARICOPA COUNTY RECORDS
- PG. RECORD - DESERT OASIS OF SUBURSE: MAP OF BAER PARCEL SEPARATION PER BOOK 96, PAGE 38, M.C.R.
- RIGHT OF WAY
- (A) 30' X 30' SIGHT VISIBILITY EASEMENT
- (B) F.P.U.E.
- (C) F SIDEWALK EASEMENT

"DESERT OASIS - BAER PARCEL B9"



LINE TABLE		
NO.	BEARING	LENGTH
110	S70°30'15"W	28.35'
111	S87°32'27"E	28.35'
112	N70°32'37"W	28.35'
113	S70°32'37"W	28.35'
114	S87°32'27"E	28.35'
115	S70°32'27"E	28.35'

CURVE TABLE			
NO.	CHORD	MID-CHORD	LENGTH
CS	71.950'	60.000'	21.87'
CS	71.950'	60.000'	21.87'
CS	71.950'	60.000'	21.87'



DESERT OASIS
BAER PARCEL 10
CENTEX HOMES
BOOK 1356, PAGE 38, M.C.R.



FINAL PLAT

LEGEND

- ⊕ SURVEY MONUMENT (FOUND AS NOTED)
- ✦ CORNER OF THIS SUBDIVISION 12" IRON PIPE WITH CAP
- ILB 3" IRON UNLESS OTHERWISE STATED
- SET (ROAD CAP PER MAG. DISTAL 125-1 TYPE 3 OR FOUND AS NOTED)
- P.U.E. PUBLIC UTILITY EASEMENT
- V.A.A.R. VEHICULAR NON-ACCESS EASEMENT
- R- INDICATES RADIUS
- M.C.R. MARICOPA COUNTY RECORDS
- REC'D - ROBERT OASIS OF SUBURSE. MAP OF BAER PARCEL
- DEDICATION PER BOOK 1356, PAGE 38, M.C.R.
- R/W RIGHT OF WAY
- 30' X 30' SIGHT VISIBILITY EASEMENT
- Ⓐ IF P.U.E.
- Ⓒ IF SIDEWALK EASEMENT

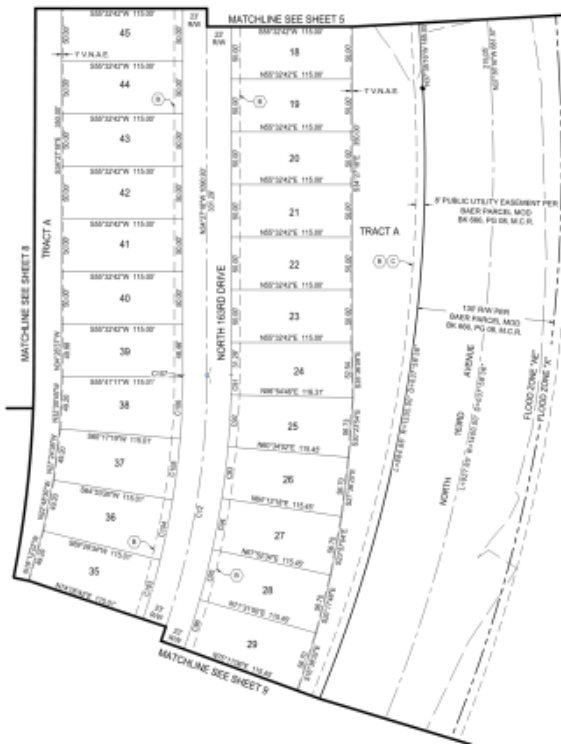
"DESERT OASIS - BAER PARCEL B9"

SCALE 1"=40'



CURVE TABLE

NO.	DEG. TA	RADIUS	LENGTH
C10	28.1830°	176.00'	360.00'
C11	17.0230°	173.00'	364.7
C12	3.9020°	173.00'	40.30'
C13	3.9020°	173.00'	40.30'
C14	3.9020°	173.00'	40.30'
C15	3.9020°	173.00'	40.30'
C16	3.9020°	173.00'	40.30'
C17	3.9020°	173.00'	40.30'
C18	3.9020°	173.00'	40.30'
C19	3.9020°	173.00'	40.30'
C20	3.9020°	173.00'	40.30'
C21	3.9020°	173.00'	40.30'
C22	3.9020°	173.00'	40.30'
C23	3.9020°	173.00'	40.30'
C24	3.9020°	173.00'	40.30'
C25	3.9020°	173.00'	40.30'
C26	3.9020°	173.00'	40.30'
C27	3.9020°	173.00'	40.30'
C28	3.9020°	173.00'	40.30'
C29	3.9020°	173.00'	40.30'
C30	3.9020°	173.00'	40.30'



DESERT OASIS
BAER PARCEL 10
CENTEX HOMES
BOOK 1356, PAGE 38, M.C.R.



FINAL PLAT

LEGEND

- SURVEY MONUMENT (FOUND AS NOTED)
- ★ CORNER OF THIS SURVEY BEING SET UP BEHIND WITH CAP
- ✱ PLUS STRIKE UNLESS OTHERWISE STATED
- SET BRASS CAP PER MASS DETAIL 120-1 TYPE B OR FOUND AS NOTED
- P.U.E. PUBLIC UTILITY EASEMENT
- V.M.A.C. VEHICULAR NON-ACCESS EASEMENT
- R= INDICATES RADIUS
- M.C.R. MARICOPA COUNTY RECORDS
- (R) RECORD - EXISTENT CHAIN OR SURPRISE MAP OF BAKER PARCEL
- DEDICATION PER BOOK 668, PAGE 38, M.C.R.
- RDW RIGHT OF WAY
- 30' X 3' SEE SIGN VISIBILITY REQUIREMENT
- Ⓐ P.U.E.
- Ⓒ 5' SIDEWALK EASEMENT

"DESERT OASIS - BAER PARCEL B9"



LINE TABLE		
NO.	BEARING	LENGTH
17	N 71° 00' 00" W	38.30'

CURVE TABLE			
NO.	DEPT. TO	ADJUST	LENGTH
C17	17° 00' 00"	55.50	16.85
C18	17° 00' 00"	55.50	16.85
C19	42° 00' 00"	55.50	46.39
C20	3° 00' 00"	75.90	46.39
C21	3° 00' 00"	75.90	46.39
C22	17° 00' 00"	55.50	16.85
C23	42° 00' 00"	55.50	46.39
C24	42° 00' 00"	55.50	46.39
C25	42° 00' 00"	55.50	46.39
C26	42° 00' 00"	55.50	46.39
C27	42° 00' 00"	55.50	46.39
C28	42° 00' 00"	55.50	46.39
C29	42° 00' 00"	55.50	46.39
C30	42° 00' 00"	55.50	46.39
C31	42° 00' 00"	55.50	46.39
C32	42° 00' 00"	55.50	46.39
C33	42° 00' 00"	55.50	46.39
C34	42° 00' 00"	55.50	46.39
C35	42° 00' 00"	55.50	46.39
C36	42° 00' 00"	55.50	46.39
C37	42° 00' 00"	55.50	46.39
C38	42° 00' 00"	55.50	46.39
C39	42° 00' 00"	55.50	46.39
C40	42° 00' 00"	55.50	46.39
C41	42° 00' 00"	55.50	46.39
C42	42° 00' 00"	55.50	46.39
C43	42° 00' 00"	55.50	46.39
C44	42° 00' 00"	55.50	46.39
C45	42° 00' 00"	55.50	46.39
C46	42° 00' 00"	55.50	46.39
C47	42° 00' 00"	55.50	46.39
C48	42° 00' 00"	55.50	46.39
C49	42° 00' 00"	55.50	46.39
C50	42° 00' 00"	55.50	46.39
C51	42° 00' 00"	55.50	46.39
C52	42° 00' 00"	55.50	46.39
C53	42° 00' 00"	55.50	46.39
C54	42° 00' 00"	55.50	46.39
C55	42° 00' 00"	55.50	46.39
C56	42° 00' 00"	55.50	46.39
C57	42° 00' 00"	55.50	46.39
C58	42° 00' 00"	55.50	46.39
C59	42° 00' 00"	55.50	46.39
C60	42° 00' 00"	55.50	46.39
C61	42° 00' 00"	55.50	46.39
C62	42° 00' 00"	55.50	46.39
C63	42° 00' 00"	55.50	46.39
C64	42° 00' 00"	55.50	46.39
C65	42° 00' 00"	55.50	46.39
C66	42° 00' 00"	55.50	46.39
C67	42° 00' 00"	55.50	46.39
C68	42° 00' 00"	55.50	46.39
C69	42° 00' 00"	55.50	46.39
C70	42° 00' 00"	55.50	46.39
C71	42° 00' 00"	55.50	46.39
C72	42° 00' 00"	55.50	46.39
C73	42° 00' 00"	55.50	46.39
C74	42° 00' 00"	55.50	46.39
C75	42° 00' 00"	55.50	46.39
C76	42° 00' 00"	55.50	46.39
C77	42° 00' 00"	55.50	46.39
C78	42° 00' 00"	55.50	46.39
C79	42° 00' 00"	55.50	46.39
C80	42° 00' 00"	55.50	46.39
C81	42° 00' 00"	55.50	46.39
C82	42° 00' 00"	55.50	46.39
C83	42° 00' 00"	55.50	46.39
C84	42° 00' 00"	55.50	46.39
C85	42° 00' 00"	55.50	46.39
C86	42° 00' 00"	55.50	46.39
C87	42° 00' 00"	55.50	46.39
C88	42° 00' 00"	55.50	46.39
C89	42° 00' 00"	55.50	46.39
C90	42° 00' 00"	55.50	46.39
C91	42° 00' 00"	55.50	46.39
C92	42° 00' 00"	55.50	46.39
C93	42° 00' 00"	55.50	46.39
C94	42° 00' 00"	55.50	46.39
C95	42° 00' 00"	55.50	46.39
C96	42° 00' 00"	55.50	46.39
C97	42° 00' 00"	55.50	46.39
C98	42° 00' 00"	55.50	46.39
C99	42° 00' 00"	55.50	46.39
C100	42° 00' 00"	55.50	46.39

503-73-944A
HE CAPITAL ASANTE LLC
INST. NO. 09-0812783,
M.C.R.



FINAL PLAT

LEGEND

- ⊙ SURVEY MONUMENT (FOUND AS NOTED)
- CORNER OF THIS SUBDIVISION SET 1" OF REPORT WITH CAP
RULE #1008 UNLESS OTHERWISE STATED
- SET BRASS CAP PER PAR 1008 DETAIL 100-1 TYPE B OR
FOUND AS NOTED
- P.U.E. PUBLIC UTILITY EASEMENT
- V.A.E. VEHICULAR ACCESS EASEMENT
- R- INDICATES RADUS
- M.C.R. MARICOPA COUNTY RECORDER
- REC'D - DEED CASE OF SURPRISE MAP OF BAER PARCEL
DEDICATION PER BOOK 886, PAGE 88, M.C.R.
- SW RIGHT OF WAY
- 30' X 30' RIGHT VISIONITY EASEMENT
- Ⓐ IF P.U.E.
- Ⓑ IF SIDEWALK EASEMENT

"DESERT OASIS - BAER PARCEL B9"



LINE TABLE		
NO.	ABSCISSA	LENGTH
116	847.00' 00"	28.32'
117	847.00' 00"	21.07'
118	847.00' 00"	28.28'
120	847.00' 00"	28.28'
121	847.00' 00"	16.07'

CURVE TABLE			
NO.	DELT.	ANGLE	LENGTH
116	12.00°	400.00'	86.70'
117	12.00°	400.00'	86.70'
118	12.00°	400.00'	86.70'
119	12.00°	400.00'	86.70'
120	12.00°	400.00'	86.70'
121	12.00°	400.00'	86.70'

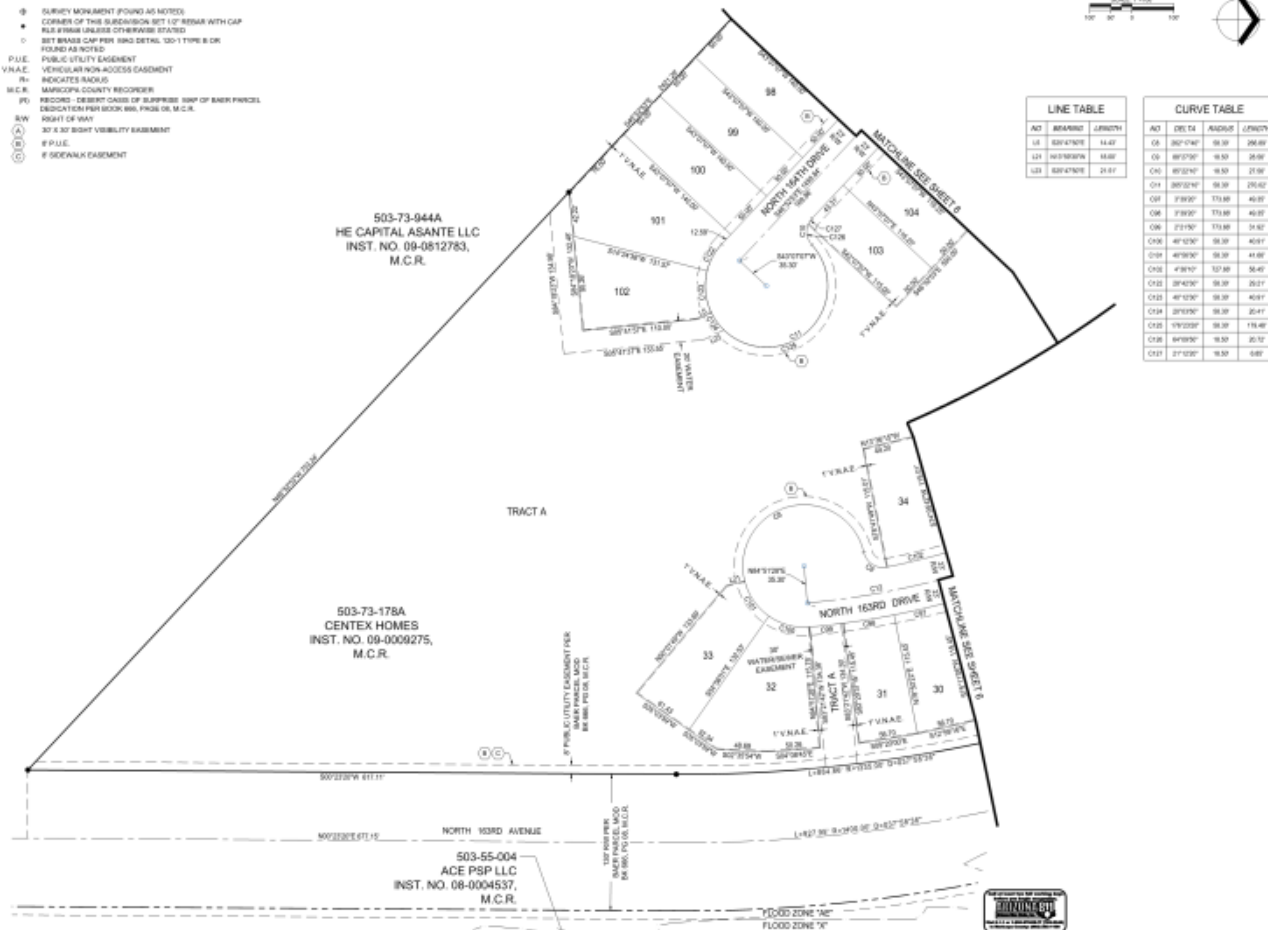
503-73-944A
HE CAPITAL ASANTE LLC
INST. NO. 09-0612783,
M.C.R.



FINAL PLAT

FINAL PLAT

9	SURVEY MONUMENT FOUND AS NOTED
10	CORNER OF THIS SUBDIVISION SET 1/2" REBAR WITH CAP RUST FREE UNLESS OTHERWISE STATED
11	SET BRASS CAP PER SURV. DETAIL 100-1 TYPE B OR FOUND AS NOTED
P.U.E.	PUBLIC UTILITY EASEMENT
V.N.A.C.	VEHICULAR NON-ACCESS EASEMENT
R.I.	INDICATES RAILROAD
M.C.R.	MARIPOSA COUNTY RECORDER
R.C.	RECORD - DESERT CANYON OF SUPRISE: MAP OF BAKER PARCEL DEDICATION PER BOOK 868, PAGE 68, M.C.R.
R/W	RIGHT OF WAY
A	30' X 30' BIGHT VISIBILITY EASEMENT
B	# P.U.E.
C	# SIDEWALK EASEMENT





QUESTIONS OR COMMENTS?

Thank You

RESOLUTION #2019-124

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, APPROVING A FINAL PLAT ENTITLED “FINAL PLAT OF DESERT OASIS – BAER PARCEL B9,” LOCATED AT THE SOUTHWEST CORNER OF 163RD AVENUE AND DESERT OASIS BOULEVARD IN THE DESERT OASIS AT SURPRISE PAD.

WHEREAS, on September 14, 2000, the Mayor and City Council approved the Desert Oasis at Surprise Planned Area Development (“PAD”);

WHEREAS, on May 7, 2019, the Mayor and City Council approved the Preliminary Plat for Desert Oasis Parcel B9 dated January 2019;

WHEREAS, the proposed Final Plat conforms with the Preliminary Plat approved by the Mayor and City Council, on May 7, 2019;

WHEREAS, the proposed Final Plat does not create any substandard or nonconforming lots; and

WHEREAS, the proposed Final Plat complies with the Surprise General Plan and Municipal Code.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Surprise, Arizona, as follows:

Section 1. The Final Plat entitled “FINAL PLAT OF DESERT OASIS – BAER PARCEL B9,” dated August 23, 2019 is approved subject to the following conditions.

- A. The existing culverts (3x6'x3') under 163rd Ave will be extended to accommodate the 163rd Avenue Improvements as shown on the 163rd Avenue exhibit that was submitted with the Preliminary Plat as shown on the Culvert Extension – 2 Lanes exhibit. The culverts shall be extended as part of the 163rd Avenue Improvements as shown on the 163rd Avenue exhibit and concurrent with the completion of Parcel B9. In addition, per the City's Engineering Development Standards (EDS) Section 5.5.1., culverts for collector and arterial streets are to be designed to convey the peak discharge with no flow crossing over the roadway. The existing culverts shall be expanded to accommodate any updated regulated peak flow to meet the City of Surprise EDS 5.5.1 requirement. However, because there is currently no existing drainage infrastructure downstream of the existing box culvert (east of 163rd Ave) to support the increased box culvert capacity without adversely impacting downstream property, an in-lieu payment agreement shall be executed prior to issuance of the first residential home permit within Parcel B9. The agreement shall address the regional nature of the box culvert

expansion and provide a regional distribution of costs in which Pulte/Centex Homes shall contribute an allocable share of future box culvert improvement costs based on consideration of Pulte's/Centex Homes' proportionate share of the following: a). regional drainage flow contribution, b). the overall projected lot count within the regional drainage area, or c). the total acreage of the regional drainage area.

- B. Non-compliance with the stipulations of approval of this case will be treated as a violation in accordance with the provisions of Article XIV of the Surprise Unified Development Code.

APPROVED AND ADOPTED this _____ day of _____ 2019.

Skip Hall, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: October 15, 2019 Contact Person: Hobart Wingard, PLANNER II
Submitting Department: Community Development District: District 5
Staff Recommendations:

Consent: Yes Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action pertaining to approval of the Replat entitled "Thompson Thrift at Surprise Center" and dated September 24, 2019, located in the Surprise Center Planned Area Development ("PAD").

Motion:

I move to approve the Replat entitled "Thompson Thrift at Surprise Center" and dated September 24, 2019.

Background:

Thompson Thrift Development, Inc. seeks approval of a Replat to accommodate a Tire Shop facility within the Surprise Center PAD.

Objective Analysis:

The proposed Replat will provide a 0.86 acre parcel for the proposed Tireworks at Surprise Center, 2.22 acres for the development of Lot five (5), and dedication of 1.12 acres for Elm Street.

Policy Compliant:

The Surprise General Plan 2035 shows the subject property as lying within the Commerce and Office Character Area within the Surprise Center District, which supports commercial uses such as that proposed.

Financial Impact:

This item does not have a direct financial impact, however all activity related to ongoing development of the City of Surprise has an economic and fiscal impact on the city and the region.

Budget Impact:

There is no anticipated budget impact related to this item.

FTE Impact:

This item does not have an impact on current staffing levels.

ATTACHMENTS:

1. 19.10.02 EVR Thompson Thrift FP - CC Staff Report

2. 01 - FS19-363 - Thompson Thrift FP - Vicinity - 100119
 3. FS19-363 - Thompson Thrift Replat - Final Plat - 101519
 4. 03 - FS19-363 - Thompson Thrift FP - PowerPoint - 100119
-

REPLAT

REPORT TO THE MAYOR AND CITY COUNCIL

Case: FS19-363

Project Name: Thompson Thrift at Surprise Center Replat

Council District: 5 – Palm

Meeting Date: October 15, 2019

Planner: Hobart Wingard, Planner II

Owner: Thompson Thrift Development, Inc.

Applicant: Thompson Thrift Development, Inc.

Request: Replat approval for Thompson Thrift at Surprise Center Planned Area Development (“PAD”).

Site Location: Generally, the southwest corner of Civic Center Drive and Bell Road within the Surprise Center PAD.

Site Size: Approximately 146.65 acres of the 150.74 acre Thompson Thrift Plat.

General Plan Conformance: The proposal is consistent with the Surprise General Plan 2035.

Support/Opposition: None received by staff.

PROJECT DESCRIPTION:

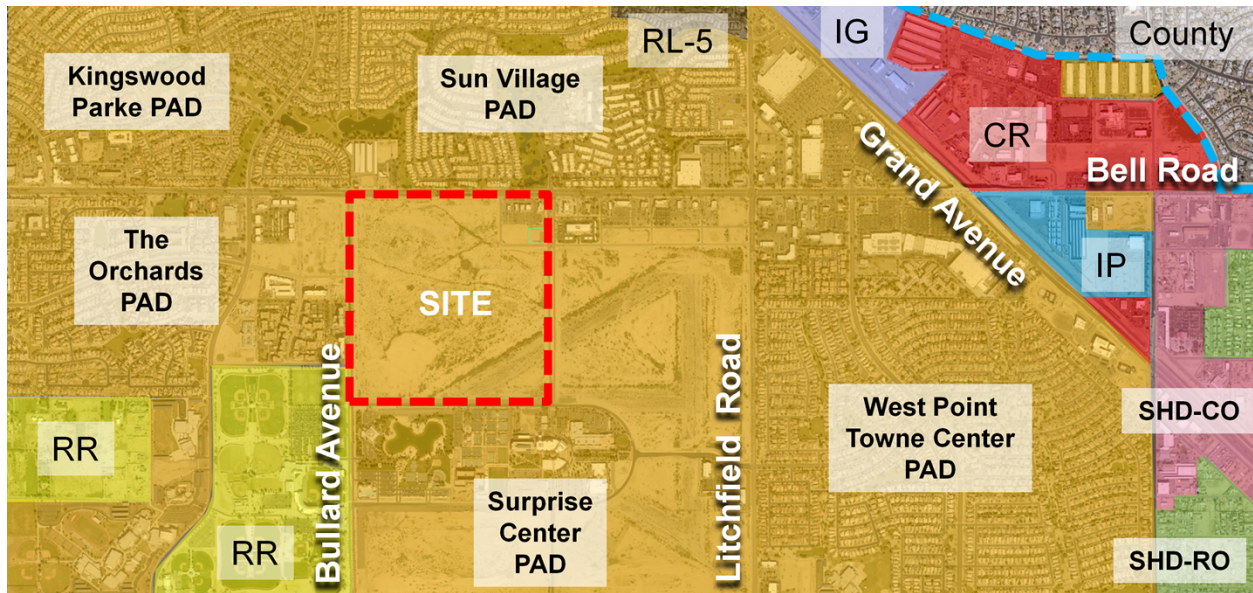
Thompson Thrift Development, Inc. seeks approval of a Replat to accommodate a Tire Shop facility within the Surprise Center PAD.

FINDINGS:

- The proposed Replat demonstrates compliance with the General Plan.
- The proposed Replat demonstrates compliance with the Surprise Center PAD.
- The reviewing agencies have indicated no objections to the request.

EXISTING ZONING:

The following map and chart depicts the existing zoning of the subject site and its surroundings:



Kingswood Parke PAD (R1-5-PAD)	Surprise Village PAD (R1-5-PAD)	Surprise Village PAD (R1-5-PAD)
The Orchards / Stadium Village PAD (MU-PAD)	Surprise Center PAD (MU-PAD)	Surprise Center PAD (MU-PAD)
Residential Ranch (RR) Surprise Stadium	Surprise Center PAD (MU-PAD)	Surprise Center PAD (MU-PAD)

BACKGROUND:

June 12, 1980: The Mayor and City Council approved an Annexation for the subject property under Ordinance 80-03.

January 25, 2001: The Mayor and City Council approved a PAD for Surprise Center, under case PAD00-105.

December 15, 2016: The Planning and Zoning Commission approved a Site Plan for the Thompson Thrift Commercial Center under case FS16-429.

December 20, 2016: The Mayor and City Council approved a Final Plat for the Thompson Thrift Commercial Center under case FS16-429.

March 16, 2017: The Planning and Zoning Commission approved a Site Plan for Raising Cane's at the Thompson Thrift Commercial Center under Case FS16-547.

August 7, 2017: The Planning and Zoning Commission approved a Site Plan for an In N Out Burger at the Thompson Thrift Commercial Center under Case FS17-253.

June 20, 2019: The Planning and Zoning Commission approved a Site Plan for Tireworks under case FS16-106.

May 17, 2019: The applicant submitted for a Final Plat for Thompson Thrift at Surprise Center under Case FS19-363, the subject case.

ANALYSIS AND DISCUSSION:

The subject request involves a replat of the Thompson Thrift plat on a 146.65 acre property located on the southwest corner of Civic Center Drive and Bell Road within the Surprise Center PAD. The proposal is to accommodate the development of a Tire Shop facility.

While Lots one (1) through four (4) will remain unchanged, the proposed Replat will provide:

- Lot five (5) - Reduce from 2.33 acres to 2.22 acres.
- Lot six (6) - Reduce from 0.92 acres to 0.86 acres.
- Lot seven (7) - Reduce from 142.63 acres to 142.45 acres.
- Provide 1.12 acres for the dedication of Elm Street.

UTILITY AND SERVICES TABLE:

Electric:	APS
Water:	City of Surprise
Wastewater:	City of Surprise
Internet:	Cox/Century Link
Refuse:	Private Collector
Natural Gas:	SWG

CONFORMANCE WITH ADOPTED PLANS:

The Surprise General Plan 2035 shows the subject properties as lying within the Commerce and Office Character Area within the Surprise Center District, which supports commercial and service uses such as that proposed.

REVIEWING AGENCIES:

All City reviewing departments have reviewed the request and expressed no objections. The subject Replat was also routed to the standard external reviewing agencies, which provided no other comments.

SUMMARY:

Staff believes the proposed Replat is consistent with the manner and intent of the Surprise Center District in which it occupies. Approval will allow the site to be developed in accordance with the requirements of the City of Surprise.

94 **FINDINGS:**

- 95 • The proposed Replat demonstrates compliance with the General Plan.
- 96 • The proposed Replat demonstrates compliance with the Surprise Center PAD.
- 97 • The reviewing agencies have indicated no objections to the request.
- 98

99 **ATTACHMENTS:**

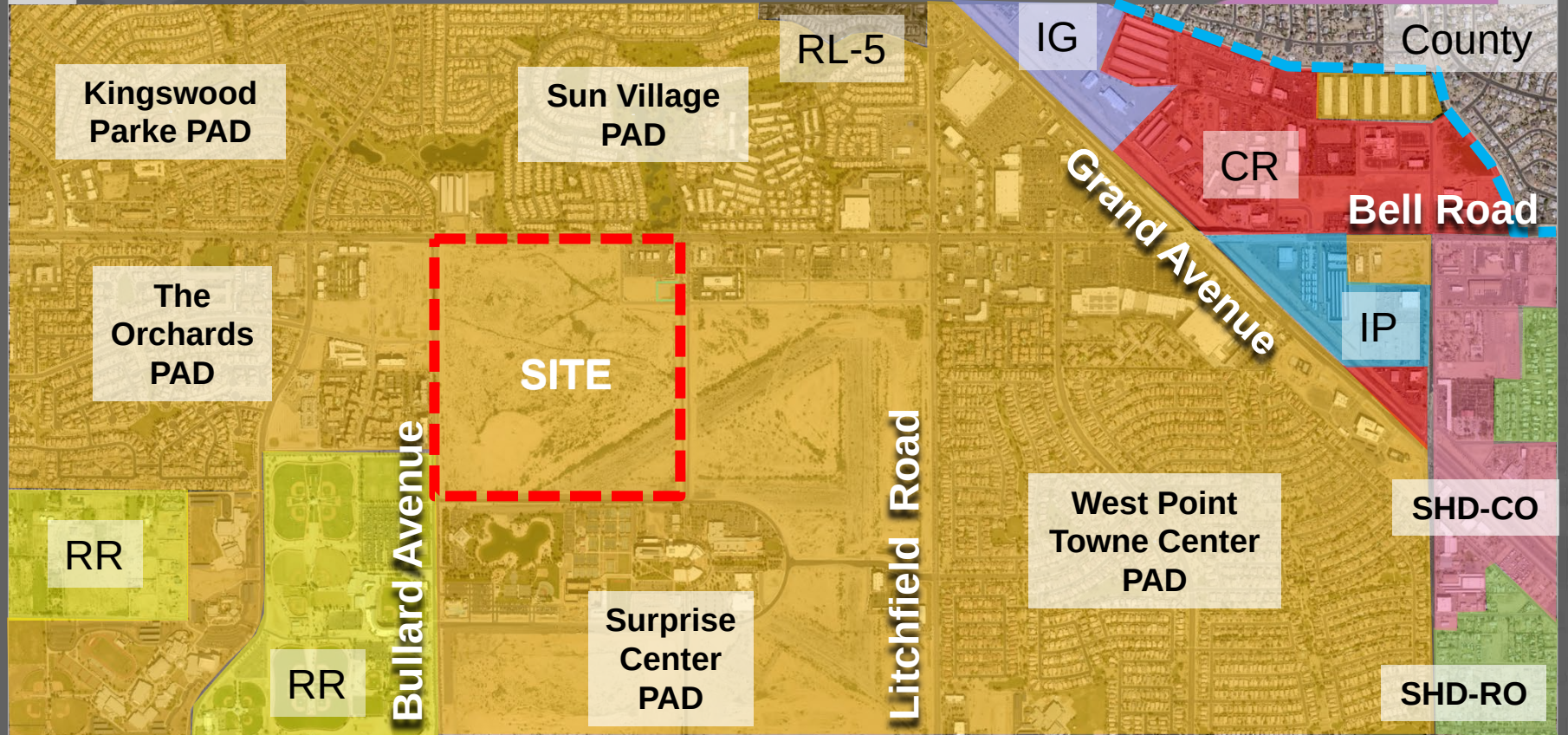
- 100 01 - Vicinity Maps
- 101 02 - Replat
- 102 03 - PowerPoint

VICINITY MAP

FS19-106
Thompson Thrift



Thompson Thrift



DEDICATIONS

STATE OF ARIZONA }
COUNTY OF MARICOPA } SS

KNOW ALL PERSONS BY THESE PRESENTS: THAT SURPRISE CENTER DEVELOPMENT COMPANY, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNER, HAS SUBDIVIDED UNDER THE NAME OF "THOMPSON THRIFT AT SURPRISE CENTER", SAID PLAT BEING A PART OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY ARIZONA, AS SHOWN AND PLATTED HEREON, AND DOES HEREBY PUBLISH THIS PLAT AND DECLARES THAT THIS PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF EACH LOT, TRACT, STREET, AND EASEMENT CONSTITUTING SAME, AND THAT EACH LOT, TRACT, STREET, AND EASEMENT SHALL BE KNOWN BY THE NUMBER, LETTER, AND/OR NAME GIVEN TO EACH RESPECTIVELY AS SHOWN ON THIS PLAT.

OWNER HEREBY DEDICATES TO THE CITY OF SURPRISE FEE TITLE TO ALL PUBLIC RIGHTS-OF-WAY AS SHOWN ON THE PLAT.

OWNER HEREBY GRANTS TO THE ULTIMATE OWNER OF EACH PARCEL CREATED BY THIS PLAT A "CROSS-DRAINAGE EASEMENT" OVER, UPON AND ACROSS THE ENTIRE PLAT FOR THE PURPOSE OF PROVIDING SHARED COLLECTION AND CONVEYANCE OF STORMWATER RUNOFF.

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE A PERPETUAL CROSS ACCESS EASEMENT ACROSS THE PLAT INCLUDING ROADS AND STREETS, OPEN SPACES, COMMUNITY FACILITIES, TRACTS, SIDEWALKS, DRAINAGE BASINS AND ANY PROPERTY WITHIN THE PLAT OWNED BY THE HOMEOWNERS ASSOCIATION FOR THE PURPOSE OF PROVIDING CONTINUOUS AND UNINTERRUPTED INGRESS AND EGRESS FOR EMERGENCY VEHICLES.

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE A PERPETUAL EASEMENT ACROSS THE PLAT INCLUDING ROADS AND STREETS, OPEN SPACES, COMMUNITY FACILITIES, TRACTS, SIDEWALKS, DRAINAGE BASINS AND ANY PROPERTY WITHIN THE PLAT OWNED BY THE HOMEOWNERS ASSOCIATION FOR THE PURPOSE OF PROVIDING CONTINUOUS AND UNINTERRUPTED INGRESS AND EGRESS FOR TRASH COLLECTION VEHICLES.

OWNER HEREBY GRANTS TO THE PUBLIC A PERPETUAL NON-EXCLUSIVE EASEMENT IN, UPON, OVER, UNDER, THROUGH, AND ACROSS THE AREAS DESIGNATED AS PUBLIC UTILITY EASEMENTS AS SHOWN ON THE PLAT FOR THE PURPOSE OF ACCESSING, INSTALLING, CONSTRUCTING, MAINTAINING, REPAIRING, REPLACING AND UTILIZING PUBLIC UTILITIES.

OWNER HEREBY GRANTS TO THE ULTIMATE OWNER OF EACH PARCEL CREATED BY THIS PLAT AN EASEMENT OVER, UPON AND ACROSS THE ENTIRE PLAT FOR THE PURPOSE OF PROVIDING CONTINUOUS AND UNINTERRUPTED INGRESS AND EGRESS TO EACH PARCEL CREATED BY THIS PLAT.

OWNER HEREBY GRANTS TO THE UNITED STATES OF AMERICA DEPARTMENT OF THE AIR FORCE ("USAF"), ITS SUCCESSORS AND ASSIGNS, A NON-EXCLUSIVE PERPETUAL AND PERMANENT AVIGATION EASEMENT, OVER AND ACROSS THIS PLAT AND EVERY LOT AND PARCEL THEREOF, WHICH EASEMENT WILL INCLUDE, BUT NOT BE LIMITED TO, THE RIGHT TO FLY AIRCRAFT OVER THE PLAT, TOGETHER WITH ITS ATTENDANT NOISE, VIBRATIONS, FUMES, DUST, FUEL, AND LUBRICANT PARTICLES, AND ALL OTHER EFFECTS THAT MAY BE CAUSED BY THE OPERATION OF AIRCRAFT LANDING AT OR TAKING OFF FROM OR OPERATING AT LUKE AIR FORCE BASE AND THE AUXILIARY FIELD. OWNER WILL NOT ALLOW ANYTHING OCCURRING ON THE PLAT TO IMPEDE THE USAF'S USE OF THIS AVIGATION EASEMENT.

THE MAINTENANCE OF LANDSCAPING WITHIN THE OPEN SPACES, LANDSCAPED TRACTS, RETENTION BASINS AND PARKS SHALL BE THE RESPONSIBILITY OF THE OWNER OR THE ASSOCIATION FORMED BY THE OWNER.

THE MAINTENANCE OF LANDSCAPING WITHIN THE ADJACENT PUBLIC RIGHTS-OF-WAY, INCLUDING LANDSCAPED MEDIANS WITHIN COLLECTORS AND LOCAL STREETS AND LANDSCAPED AREAS BETWEEN THE CURB AND THE DETACHED SIDEWALK, SHALL BE THE RESPONSIBILITY OF THE ADJACENT PROPERTY OWNER OR THE PROPERTY ASSOCIATION FORMED BY THE ADJACENT PROPERTY.

LANDSCAPING MAINTENANCE WITHIN THE MEDIANS WITHIN THE PUBLIC RIGHT-OF-WAY WITHIN ANY ARTERIAL OR PARKWAY STREET CLASSIFICATION SHALL BE RESPONSIBILITY OF THE CITY OF SURPRISE AFTER ACCEPTANCE.

ALL IMPROVEMENTS, FOR STREETS AND PUBLIC UTILITIES OWNED AND OPERATED BY THE CITY, INSTALLED OR CONSTRUCTED BY OWNER WITHIN THE PUBLIC RIGHTS-OF-WAY, THE EASEMENTS, OR ANY TRACTS OR PARCELS HEREBY DEDICATED TO THE CITY OF SURPRISE SHALL BE DEEMED TO HAVE BEEN DEDICATED BY OWNER TO THE CITY UPON THEIR COMPLETION; HOWEVER, SUCH TRANSFER SHALL NOT OCCUR UNTIL THE CITY COUNCIL FOR THE CITY OF SURPRISE MANIFESTS ITS ACCEPTANCE BY SEPARATE FORMAL COUNCIL ACTION.

GRANTOR HEREBY GRANTS AND CONVEY TO THE CITY OF SURPRISE A PERPETUAL, EXCLUSIVE EASEMENT OVER THE EASEMENT AREAS FOR INSTALLATION AND MAINTENANCE OF WATER METERS.

THE EASEMENTS GRANTED WITHIN THIS DEDICATION ARE PERMANENT AND PERPETUAL AND SHALL RUN WITH THE LAND AND BE BINDING UPON OWNER AND ITS HEIRS, ASSIGNS, AND SUCCESSORS IN INTEREST TO THIS PLAT OR ANY PARCEL OR LOT THEREOF.

IN WITNESS WHEREOF, OWNER HAS HEREUNTO CAUSED ITS CORPORATE NAME TO BE SIGNED AND ITS CORPORATE SEAL TO BE AFFIXED BY THE UNDERSIGNED, DULY AUTHORIZED OFFICER THIS

DATED THIS 27 DAY OF September 2019

BY: SURPRISE CENTER DEVELOPMENT COMPANY, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY
ITS: SOLE MEMBER AND MANAGER

ITS: AIRFIELD CAPITAL PARTNERS, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY
ITS: MANAGING MEMBER

BY: AIRFIELD MANAGEMENT ASSOCIATES, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY
ITS: MANAGING MEMBER

BY: TRW PARTNERS L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY
ITS: MEMBER

BY: WEST MANAGEMENT LIMITED PARTNERSHIP, AN ARIZONA LIMITED PARTNERSHIP
ITS: MANAGING MEMBER

BY: RICHARD WEST CO., AN ARIZONA CORPORATION
ITS: GENERAL MANAGER

BY: Richard B. West III
RICHARD B. WEST, III, PRESIDENT

ITS: Authorized Representative

BY: BELL ROAD SURPRISE AZ, L.L.C., AN INDIANA LIABILITY COMPANY

BY: Paul M. Thrift
PAUL M. THRIFT

ITS: Manager

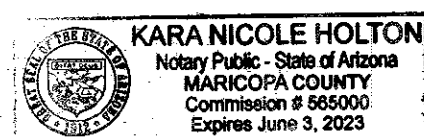
ACKNOWLEDGEMENT

STATE OF ARIZONA }
COUNTY OF MARICOPA } SS

THIS DOCUMENT WAS ACKNOWLEDGED BEFORE ME THIS 3rd DAY OF October 2019, SURPRISE CENTER DEVELOPMENT COMPANY, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, IN WITNESS WHEREOF, I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

Kara Nicole Holton
NOTARY PUBLIC

MY COMMISSION EXPIRES: June 3, 2023



PUBLIC NOTICE

THE LOTS DEPICTED ON THIS PLAT ARE LOCATED WITHIN THE VICINITY OF LUKE AIR FORCE BASE AND MAY BE SUBJECT TO OVERFLIGHTS BY JET AIRCRAFT. ALL STRUCTURES WITHIN THIS PLAT SHALL BE CONSTRUCTED IN COMPLIANCE WITH THE SOUND ATTENUATION STANDARDS ADOPTED BY THE CITY OF SURPRISE. A MAP DEPICTING THE MOST CURRENT ADOPTED MAG NOISE CONTOURS IN RELATION TO THIS PLAT SHALL BE DISPLAYED IN ALL SALES OFFICES. ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE CITY OF SURPRISE COMMUNITY DEVELOPMENT DEPARTMENT.

REPLAT
OF
THOMPSON THRIFT AT SURPRISE CENTER
LOTS 5, 6 AND 7, OF "THOMPSON THRIFT AT SURPRISE CENTER"
AS RECORDED IN BOOK 1303 AT PAGE 48 LOCATED IN THE
NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 3 NORTH, RANGE 1 WEST,
OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA

SURVEYOR

INFINITY ENGINEERING SERVICES, LTD.
P.O. BOX 88034
PHOENIX, AZ 88034
CONTACT: BRETT NOWACKI, R.L.S.
PH: (602) 670-8635

OWNER

SURPRISE CENTER DEVELOPMENT
COMPANY, L.L.C.
11811 N. TATUM BLVD., STE. 4052
PHOENIX, AZ 85028
CONTACT: SCOTT PHILLIPS
PH: (602) 953-8708

OWNER

BELL ROAD SURPRISE AZ, L.L.C.
901 WABASH AVE., STE. 300
TERRE HAUTE, IN 47807
CONTACT: ANGIE GRENDLAHL
PH: (602) 313-6635

RELEASE OF LIABILITY

SURPRISE CENTER DEVELOPMENT COMPANY, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNER, DOES HEREBY (1) RELEASE AND DISCHARGE THE USAF AND THE CITY OF SURPRISE, AND (2) INDEMNIFY, DEFEND, AND HOLD HARMLESS THE CITY OF SURPRISE, OF AND FROM ANY LIABILITY FOR ANY AND ALL CLAIMS FOR DAMAGES OF ANY KIND TO PERSONS OR PROPERTY THAT MAY ARISE AT ANY TIME IN THE FUTURE OVER, OR IN CONNECTION WITH AIRCRAFT OVERFLIGHTS FROM AIRCRAFT UTILIZING LUKE AIR FORCE BASE, WHETHER SUCH DAMAGE SHALL ORIGINATE FROM NOISE, VIBRATION, FUMES, DUST, FUEL AND LUBRICANT PARTICLES, AND ALL OTHER EFFECTS THAT MAY BE CAUSED BY THE OPERATION OF AIRCRAFT LANDING AT, OR TAKING OFF FROM, OR OPERATING AT OR ON LUKE AIR FORCE BASE. THIS INSTRUMENT SHALL RUN WITH THE LAND AND BE BINDING UPON OWNER AND ITS HEIRS, ASSIGNS, AND SUCCESSORS IN INTEREST TO THIS PLAT OR ANY PARCEL OR LOT THEREOF. THIS INSTRUMENT DOES NOT RELEASE THE USAF FROM LIABILITY FOR DAMAGE OR INJURY TO PERSON OR PROPERTY CAUSED BY FALLING AIRCRAFT OR FALLING PHYSICAL OBJECTS FROM AIRCRAFT, EXCEPT AS STATED HEREIN WITH RESPECT TO NOISE, FUMES, DUST, FUEL, AND LUBRICANT PARTICLES.

OWNER DOES HEREBY (1) RELEASE AND DISCHARGE THE CITY OF SURPRISE, AND (2) INDEMNIFY, DEFEND, AND HOLD HARMLESS THE CITY OF SURPRISE, OF AND FROM ANY LIABILITY FOR ANY AND ALL CLAIMS FOR DAMAGES OF ANY KIND TO PERSONS OR PROPERTY THAT MAY ARISE AT ANY TIME IN THE FUTURE OVER, OR IN CONNECTION WITH THE AREAS LOCATED WITHIN THE NEWLY DEDICATED RIGHT-OF-WAY AS DEPICTED ON THIS PLAT UNTIL SUCH TIME THE RIGHT-OF-WAY IS IMPROVED TO CITY STANDARDS AND THOSE IMPROVEMENTS ARE APPROVED AND ACCEPTED BY THE CITY COUNCIL. THE MAINTENANCE OF THE AREA WITHIN ANY NEWLY DEDICATED RIGHT-OF-WAY AS SHOWN ON THIS PLAT SHALL BE THE RESPONSIBILITY OF THE ADJACENT OWNER/OR SUBSEQUENT ADJACENT OWNERS WITHIN THE BOUNDARY OF SAID PLAT UNTIL SUCH TIME THAT THE AREA WITHIN THE RIGHT-OF-WAY IS IMPROVED TO CITY STANDARD AND ACCEPTED BY THE CITY OF SURPRISE.

OWNER HEREBY FURTHER AGREES TO INDEMNIFY, DEFEND, AND HOLD HARMLESS THE CITY OF SURPRISE FROM ANY AND ALL CLAIMS FOR DAMAGES OF ANY KIND TO PERSONS OR PROPERTY LOCATED WITHIN THE RIGHT OF WAY THAT MAY ARISE IN CONNECTION WITH THE USE OF THE SIDEWALKS LOCATED WITHIN THE RIGHT-OF-WAY, UNTIL SUCH TIME THE CITY OF SURPRISE HAS ACCEPTED THE SIDEWALKS.

BY: Richard B. West III
DATE: 09/27/19

STATE OF ARIZONA }
COUNTY OF MARICOPA } SS

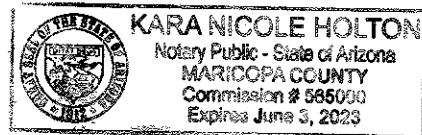
ON THIS 27th DAY OF September 2019, BEFORE ME PERSONALLY

APPEARED Richard West, THE Authorized rep, AN

FOR AND ON BEHALF THEREOF, WHOSE IDENTITY WAS PROVEN TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHO HE OR SHE CLAIMS TO BE, AND ACKNOWLEDGED THAT HE OR SHE SIGNED THE ABOVE DOCUMENT.

Kara Nicole Holton
NOTARY PUBLIC

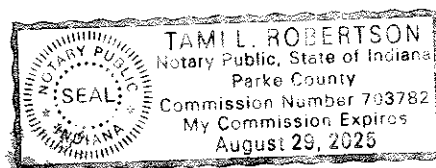
MY COMMISSION EXPIRES: June 3, 2023



ACKNOWLEDGEMENT

STATE OF INDIANA }
COUNTY OF VIGO } SS

THIS DOCUMENT WAS ACKNOWLEDGED BEFORE ME THIS 2nd DAY OF October 2019, BELL ROAD SURPRISE AZ, L.L.C., AN INDIANA LIMITED LIABILITY COMPANY, IN WITNESS WHEREOF, I HEREUNTO SET MY HAND AND OFFICIAL SEAL.



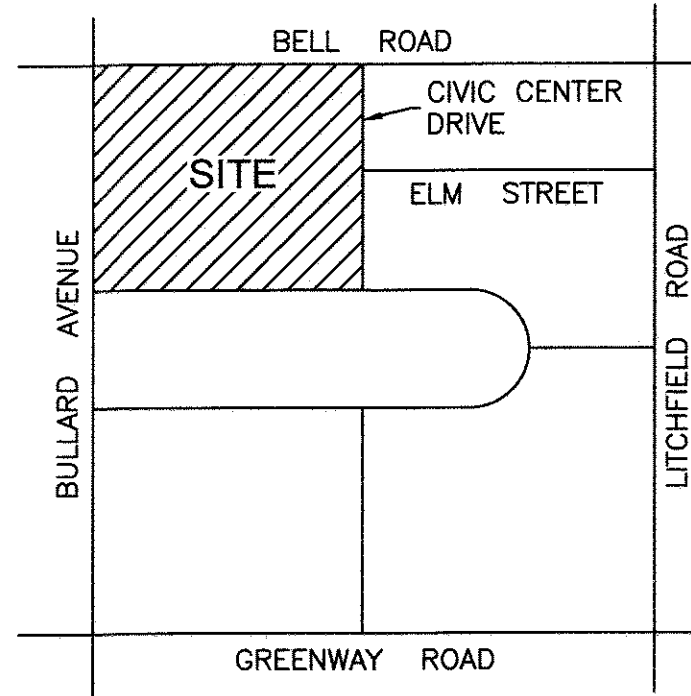
Tammy L. Robertson
NOTARY PUBLIC

MY COMMISSION EXPIRES: 8-29-25

RECORDER

LOT AREA SUMMARY TABLE

LOT 5: 96,568.23 S.F. OR 2.22 ACRES
LOT 6: 37,363.76 S.F. OR 0.86 ACRES
LOT 7: 6,205,248.42 S.F. OR 142.45 ACRES
ELM ST. R.O.W.: 48,686.26 OR 1.12 ACRES



VICINITY MAP

SCALE: N.T.S. SEC. 4 T.3N, R.1W.



GENERAL NOTES

1. FIRE SPRINKLERS ARE REQUIRED IN ALL ONE AND TWO FAMILY DWELLINGS BUILT IN AREAS WHICH DO NOT HAVE AN ADEQUATE WATER SUPPLY.
2. NO ON-SITE GRADING OR EXCAVATION SHALL OCCUR WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE.
3. THE AREA PLATTED HEREON LIES WITHIN THE DOMESTIC WATER SERVICE AREA OF THE CITY OF SURPRISE WHICH IS DESIGNATED AS HAVING AN ASSURED WATER SUPPLY PURSUANT A.R.S. § 45-576.
4. THE ROADS DESIGNATED AS "PRIVATE" AND ANY APPURTENANCES INCLUDING BUT NOT LIMITED TO ROAD SIGNS, STRIPING, CURB AND GUTTER, AND SIDEWALKS ARE PRIVATE; SUCH ROADS AND APPURTENANCES ARE OWNED, MAINTAINED AND REPAIRED BY OWNER OR THE HOMEOWNER'S ASSOCIATION FORMED BY OWNER. THE CITY OF SURPRISE SHALL NOT MAINTAIN OR REPAIR ANY ROAD DESIGNATED AS "PRIVATE".
5. IN ACCORDANCE WITH ARS § 9-461.07, THE CITY OF SURPRISE HAS DETERMINED THAT ALL DEDICATIONS OCCURRING WITH THIS PLAT ARE IN CONFORMANCE WITH THE SURPRISE GENERAL PLAN.
6. PURSUANT TO A.R.S. § 42-11102, THE CITY OF SURPRISE, A POLITICAL SUBDIVISION OF THE STATE OF ARIZONA, IS EXEMPT FROM ALL TAXES AND ASSESSMENTS BASED ON ASSESSED VALUE EXCEPT FOR SPECIAL DISTRICTS #14751 AND 14710, WHEN APPLICABLE.

FLOOD ZONE

THE PROPERTY IS LOCATED WITHIN AN AREA HAVING FLOOD ZONE "X," BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE RATE MAP NO. 04013C1240L, WITH A DATE OF IDENTIFICATION OF OCTOBER 16, 2013, FOR COMMUNITY NO. 040053, IN MARICOPA COUNTY, STATE OF ARIZONA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED.

BASIS OF BEARING

NORTH 89 DEGREES 47 MINUTES 06 SECONDS WEST (MEASURED), NORTH 89 DEGREES 47 MINUTES 08 SECONDS WEST (RECORD, AS SHOWN ON BOOK 1049 OF MAPS, PAGE 26, RECORDS OF MARICOPA COUNTY, ARIZONA), ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN. MEASURED BEARINGS SHOWN REFERENCE GRID NORTH, ARIZONA STATE PLANE CENTRAL ZONE AS MEASURED DURING THE COURSE OF THIS SURVEY USING PRECISE GPS EQUIPMENT AND TECHNIQUES.

REFERENCE DOCUMENTS

- (R) BOOK 688 OF MAPS, PAGE 41 MCR
- (R1) BOOK 1049 OF MAPS, PAGE 26 MCR
- (R2) BOOK 1125 OF MAPS, PAGE 42 MCR
- (R3) BOOK 1186 OF MAPS, PAGE 21 MCR
- (R4) BOOK 1303 OF MAPS, PAGE 48 MCR

CITY OF SURPRISE ENGINEER APPROVAL

DATA ON THIS PLAT REVIEWED AND APPROVED THIS _____ DAY OF _____, 2019, BY CITY ENGINEER OF SURPRISE, ARIZONA.

APPROVED _____ CITY ENGINEER _____ DATE _____

CITY OF SURPRISE COUNCIL APPROVAL

APPROVED BY THE CITY COUNCIL OF THE CITY OF SURPRISE, ARIZONA. THIS _____ DAY OF _____, 2019,

ATTEST: _____

MAYOR

CITY CLERK

CITY CLERK

CITY CLERK

LAND SURVEYOR'S CERTIFICATION:

THE IS TO CERTIFY THAT THE SURVEY AND PLAT OF THE PREMISES DESCRIBED HEREON WERE MADE UNDER MY DIRECTION AND THIS PLAT IS CORRECT AND ACCURATE AND THE FOUND MONUMENTS SHOWN HEREON HAVE BEEN LOCATED AND ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

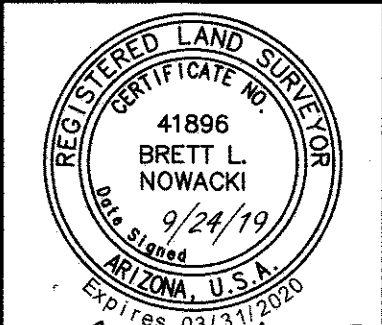
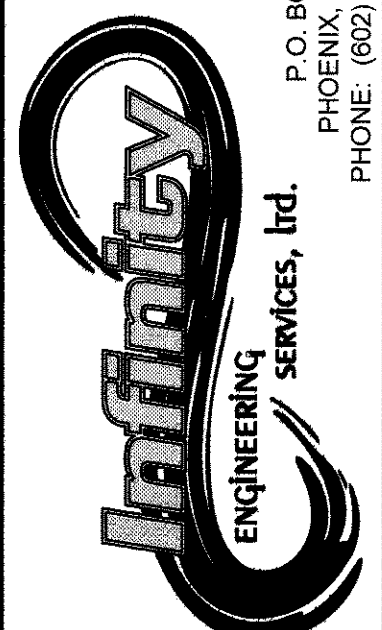
BY: Brett Nowacki
BRETT NOWACKI
REGISTERED LAND SURVEYOR # 41896

FS19-363

OWNER
SURPRISE CENTER DEVELOPMENT 11811 NORTH TATUM BLVD. SUITE 4052 PHOENIX, AZ 85028
PREPARED FOR
BECK CONSULTING ENGINEERS 2942 N. 24TH STREET #114 PHOENIX, AZ 85016
PROPERTY INFO
APN: 501-18-556 APN: 501-18-557 APN: 501-18-558 ELM ST. R/W, BK.1303, PG.48

REPLAT OF
THOMPSON THRIFT AT SURPRISE CENTER
NOTES AND CERTIFICATION
A PART OF THE NORTHWEST 1/4 OF SECTION 4, T-3N, R-1W
MARICOPA COUNTY, ARIZONA

DRAWN BY:	JRE
CHECKED BY:	BLN
DATE:	5/7/19
SCALE:	AS SHOWN
PROJECT #:	16042
LAST MODIFIED:	8/4/19
LAST MODIFIED BY:	BLN



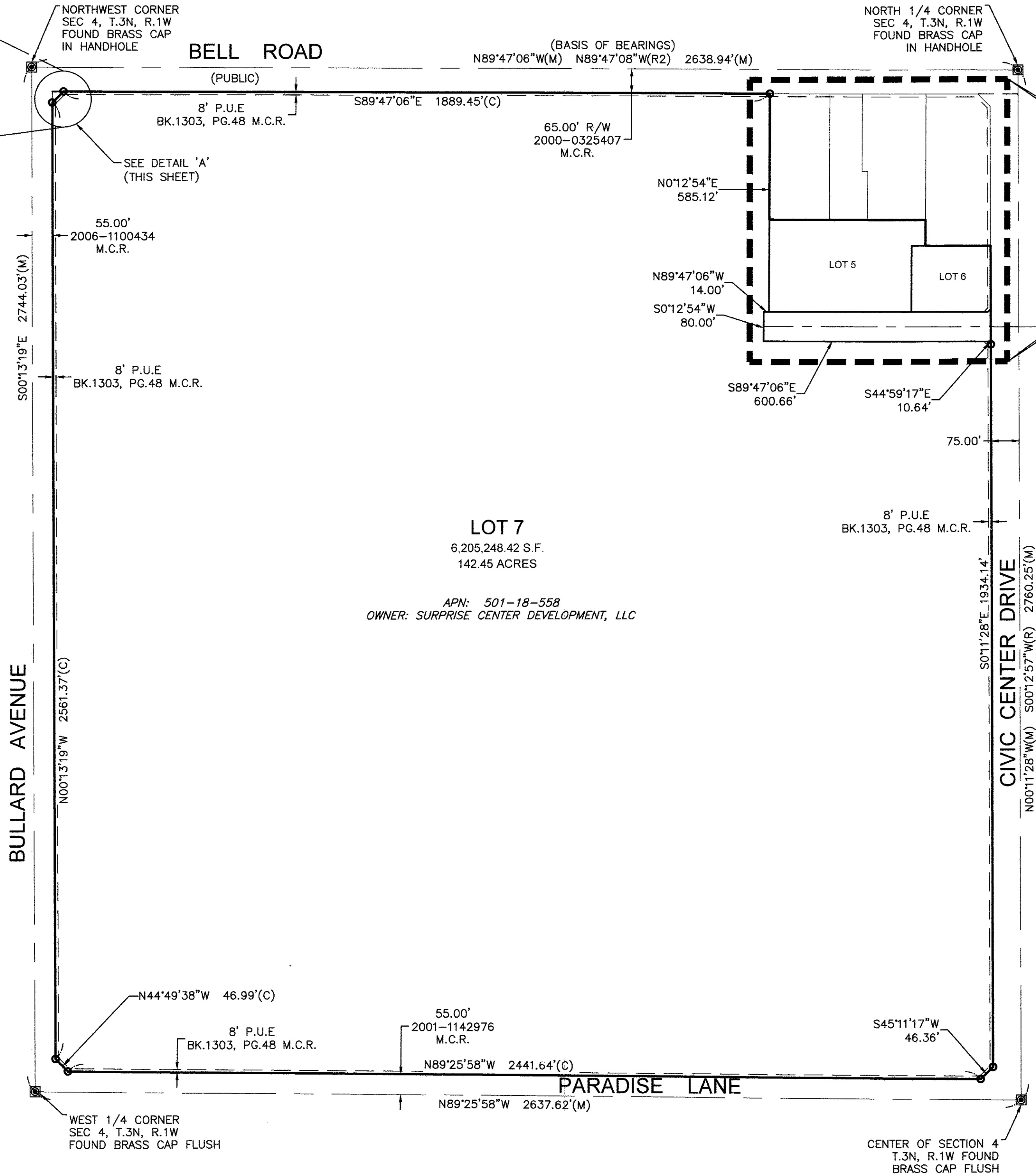
SHEET 1 OF 3

PL1

CITY OF SURPRISE

LEGAL DESCRIPTION (REPLAT BOUNDARY)

A PORTION OF THE FOLLOWING DESCRIBED PROPERTY:
ALL OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;
EXCEPT THAT PORTION OF THE WEST HALF OF SECTION 4, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHWEST QUARTER CORNER OF SAID SECTION 4;
THENCE SOUTH 00 DEGREES 11 MINUTES 00 SECONDS WEST, ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 4, A DISTANCE OF 65.00 FEET, TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF BELL ROAD AND THE POINT OF BEGINNING;
THENCE SOUTH 89 DEGREES 22 MINUTES 39 SECONDS EAST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE OF BELL ROAD, A DISTANCE OF 55.00 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF BULLARD AVENUE;
THENCE SOUTH 00 DEGREES 11 MINUTES 00 SECONDS WEST, ALONG SAID EASTERLY RIGHT OF WAY LINE OF BULLARD AVENUE, PARALLEL WITH AND 55.00 FEET EAST OF THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 2679.08 FEET TO A POINT ON THE EAST-WEST MID SECTION LINE OF SAID SECTION 4;
THENCE CONTINUING SOUTH 00 DEGREES 11 MINUTES 00 SECONDS WEST, ALONG SAID EASTERLY RIGHT OF WAY LINE OF BULLARD AVENUE, PARALLEL WITH AND 55.00 FEET EAST OF THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 4, A DISTANCE OF 2605.46 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF GREENWAY ROAD;
THENCE NORTH 89 DEGREES 09 MINUTES 02 SECONDS WEST, ALONG SAID NORTHERLY RIGHT OF WAY LINE OF GREENWAY ROAD, A DISTANCE OF 55.00 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 4;
THENCE NORTH 00 DEGREES 11 MINUTES 00 SECONDS EAST, ALONG SAID WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 4, A DISTANCE OF 2605.59 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 4;
THENCE CONTINUING NORTH 00 DEGREES 11 MINUTES 00 SECONDS EAST, ALONG SAID WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 4, A DISTANCE OF 2678.74 FEET TO THE POINT OF BEGINNING; AND EXCEPT THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 4;
THENCE SOUTH 00 DEGREES 12 MINUTES 57 SECONDS WEST, ALONG THE WEST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 65.00 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF BELL ROAD;
THENCE NORTH 89 DEGREES 22 MINUTES 39 SECONDS WEST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF BELL ROAD, A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING;
THENCE SOUTH 44 DEGREES 34 MINUTES 51 SECONDS EAST, A DISTANCE OF 28.39 FEET;
THENCE SOUTH 00 DEGREES 12 MINUTES 57 SECONDS WEST, PARALLEL WITH AND 40.00 FEET WEST OF SAID EAST LINE OF THE NORTHWEST QUARTER, A DISTANCE OF 37.61 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE NORTHWEST THE CENTER OF WHICH BEARS NORTH 89 DEGREES 47 MINUTES 03 SECONDS WEST A DISTANCE OF 30.00 FEET;
THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 77 DEGREES 21 MINUTES 51 SECONDS AN ARC LENGTH OF 40.51 FEET TO THE BEGINNING OF A TANGENT REVERSE CURVE CONCAVE TO THE SOUTHEAST THE CENTER OF WHICH BEARS SOUTH 12 DEGREES 25 MINUTES 12 SECONDS EAST A DISTANCE OF 290.00 FEET;
THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 02 DEGREES 21 MINUTES 09 SECONDS AN ARC LENGTH OF 11.91 FEET;
THENCE NORTH 00 DEGREES 12 MINUTES 57 SECONDS EAST, PARALLEL WITH AND 75.00 FEET WEST OF SAID EAST LINE OF THE NORTHWEST QUARTER, A DISTANCE OF 56.97 FEET;
THENCE NORTH 44 DEGREES 34 MINUTES 51 SECONDS WEST, A DISTANCE OF 46.83 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF BELL ROAD;
THENCE SOUTH 89 DEGREES 22 MINUTES 39 SECONDS EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF BELL ROAD, A DISTANCE OF 48.00 FEET TO THE POINT OF BEGINNING; AND EXCEPT THAT PORTION OF THE NORTHWEST AND SOUTHWEST QUARTERS OF SECTION 4, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 4;
THENCE NORTH 00 DEGREES 12 MINUTES 57 SECONDS EAST, ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 2654.49 FEET;
THENCE NORTH 89 DEGREES 01 MINUTES 06 SECONDS WEST, ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER A DISTANCE OF 125.30 FEET;
THENCE NORTH 00 DEGREES 58 MINUTES 54 SECONDS EAST A DISTANCE OF 21.77 FEET TO THE POINT OF BEGINNING;
THENCE NORTH 88 DEGREES 34 MINUTES 01 SECONDS WEST A DISTANCE OF 497.55 FEET;
THENCE SOUTH 00 DEGREES 12 MINUTES 57 SECONDS WEST, PARALLEL WITH AND 622.43 FEET WEST OF THE EAST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 1298.56 FEET;
THENCE NORTH 89 DEGREES 05 MINUTES 13 SECONDS WEST A DISTANCE OF 1926.36 FEET;
THENCE NORTH 44 DEGREES 27 MINUTES 07 SECONDS WEST A DISTANCE OF 46.97 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF BULLARD AVENUE;
THENCE NORTH 00 DEGREES 11 MINUTES 00 SECONDS EAST, PARALLEL WITH AND 55.00 FEET EAST OF THE WEST LINE OF SAID SOUTHWEST QUARTER, SAID LINE ALSO BEING THE EASTERLY RIGHT-OF-WAY OF BULLARD AVENUE, A DISTANCE OF 1330.23 FEET;
THENCE SOUTH 44 DEGREES 25 MINUTES 03 SECONDS EAST A DISTANCE OF 46.99 FEET;
THENCE SOUTH 89 DEGREES 01 MINUTES 06 SECONDS EAST, PARALLEL WITH AND 55.00 FEET NORTH OF THE NORTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 2424.62 FEET;
THENCE SOUTH 00 DEGREES 12 MINUTES 57 SECONDS WEST, PARALLEL WITH AND 125.00 FEET WEST OF THE EAST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 33.23 FEET TO THE POINT OF BEGINNING, AND EXCEPT THE NORTH 65 FEET,
AND EXCEPT ANY PORTION OF THE EAST 125 FEET OF SAID NORTHWEST QUARTER THAT WAS NOT CONVEYED TO SURPRISE CENTER DEVELOPMENT COMPANY L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY BY DED RECORDED DECEMBER 4, 2001 AS 2001-1142975 OF OFFICIAL RECORDS, AND EXCEPT LOTS 1 THRU 4 AS RECORDED IN BOOK 1303, PAGE 48, M.C.R.



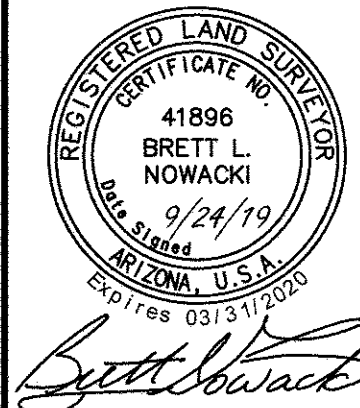
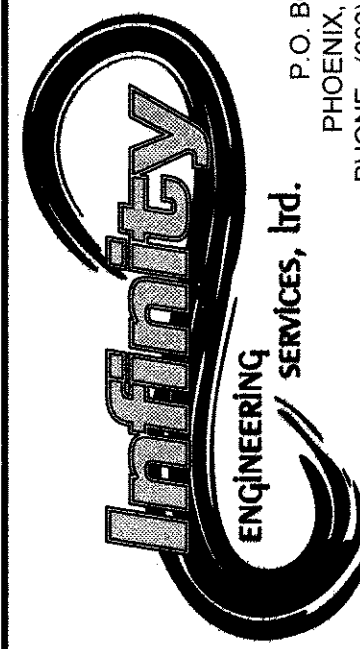
LEGEND

APN	ASSESSORS PARCEL NUMBER
FND	FOUND
(C)	CALCULATED
(R)	RECORDED
(M)	MEASURED
R/W	RIGHT OF WAY
R.L.S.	REGISTERED LAND SURVEYOR
M.C.R.	MARICOPA COUNTY RECORDER
P.U.E.	PUBLIC UTILITY EASEMENT
BK. PG.	BOOK AND PAGE
■	FND MONUMENT AS NOTED
○	FND REBAR W/CAP RLS41896
●	SET MAG NAIL W/TAG, RLS41896
—	SUBDIVISION PROPERTY LINE
—	LOT LINE
---	EASEMENT LINE
- - -	EXISTING PROPERTY LINE
---	CENTER LINE

OWNER
SURPRISE CENTER DEVELOPMENT 11811 NORTH TATUM BLVD. SUITE 4052 PHOENIX, AZ 85028
PREPARED FOR
BECK CONSULTING ENGINEERS 2842 N. 24TH STREET #114 PHOENIX, AZ 85016
PROPERTY INFO
APN: 501-18-556 APN: 501-18-557 APN: 501-18-558 ELM ST. R/W, BK.1303, PG.48

REPLAT OF
THOMPSON THRIFT AT SURPRISE CENTER
LOT 7
A PART OF THE NORTHWEST 1/4 OF SECTION 4, T-3N, R-1W
MARICOPA COUNTY, ARIZONA

DRAWN BY:	URE
CHECKED BY:	BLN
DATE:	5/7/19
SCALE:	AS SHOWN
PROJECT #:	16042
LAST MODIFIED:	8/4/19
LAST MODIFIED BY:	BLN



SHEET	OF
2	3

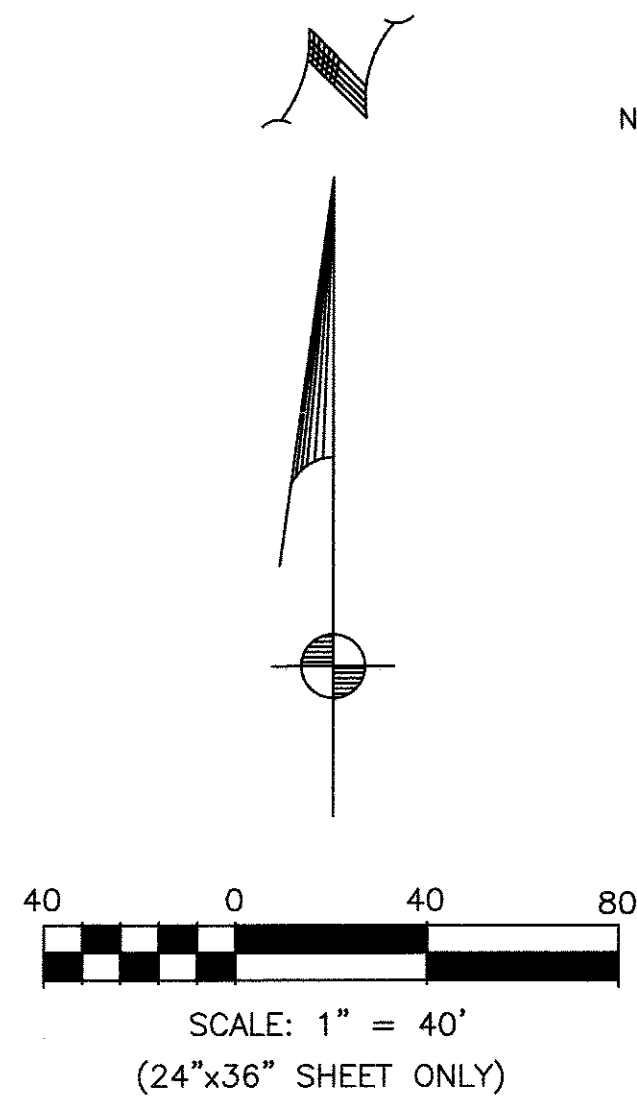
PL2

FS19-363

CITY OF SURPRISE

16042

- LEGEND
- | | |
|---------|------------------------------|
| APN | ASSESSORS PARCEL NUMBER |
| FND | FOUND |
| (C) | CALCULATED |
| (R) | RECORDED |
| (M) | MEASURED |
| R/W | RIGHT OF WAY |
| R.L.S. | REGISTERED LAND SURVEYOR |
| M.C.R. | MARICOPA COUNTY RECORDER |
| P.U.E. | PUBLIC UTILITY EASEMENT |
| BK. PG. | BOOK AND PAGE |
| ■ | FND MONUMENT AS NOTED |
| ○ | FND REBAR W/CAP RLS41896 |
| ● | SET MAG NAIL W/TAG, RLS41896 |
| — | SUBDIVISION PROPERTY LINE |
| — | LOT LINE |
| - - - | EASEMENT LINE |
| - - - | EXISTING PROPERTY LINE |
| - - - | CENTER LINE |



LOT 7
6,205,248.42 S.F.
142.45 ACRES
APN: 501-18-558
OWNER: SURPRISE CENTER
DEVELOPMENT, LLC

LOT 5
96,568.23 S.F.
2.22 ACRES
APN: 501-18-556
OWNER: BELL ROAD SURPRISE
AZ, LLC

LOT 6
37,363.76 S.F.
0.86 ACRES
APN: 501-18-557
OWNER: BELL ROAD SURPRISE
AZ, LLC

LOT 7
6,205,248.42 S.F.
142.45 ACRES
APN: 501-18-558
OWNER: SURPRISE CENTER DEVELOPMENT, LLC

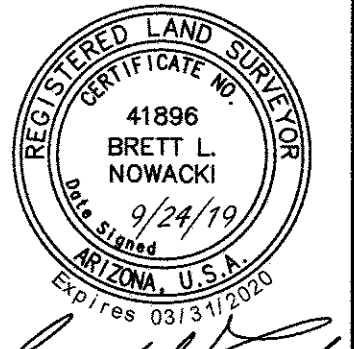
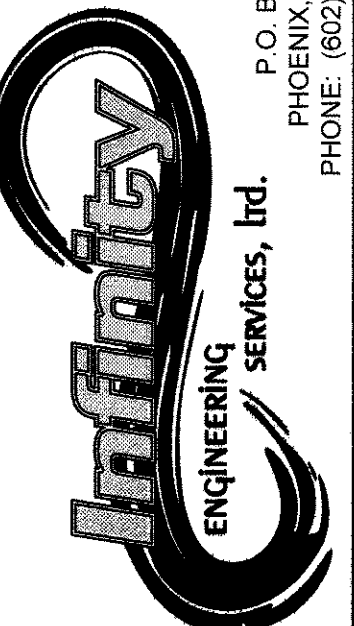
OWNER
SURPRISE CENTER DEVELOPMENT
11811 NORTH TATUM BLVD.
SUITE 4052
PHOENIX, AZ 85028

PREPARED FOR
BECK CONSULTING ENGINEERS
2942 N. 24TH STREET #114
PHOENIX, AZ 85016

PROPERTY INFO
APN: 501-18-556
APN: 501-18-557
APN: 501-18-558
ELM ST. R/W, BK.1303, PG.48

REPLAT OF
THOMPSON THRIFT AT SURPRISE CENTER
DETAIL 'A' - ENLARGED
A PART OF THE NORTHWEST 1/4 OF SECTION 4, T-3N, R-1W
MARICOPA COUNTY, ARIZONA

DRAWN BY: JRE
CHECKED BY: BLN
DATE: 5/7/19
SCALE: AS SHOWN
PROJECT #: 16042
LAST MODIFIED: 8/4/19
LAST MODIFIED BY: BLN



SHEET 3 OF 3
PL3

FS19-363

CITY OF SURPRISE



FS19-106

Thompson Thrift at Surprise Center

Mayor and City Council – October 1, 2019

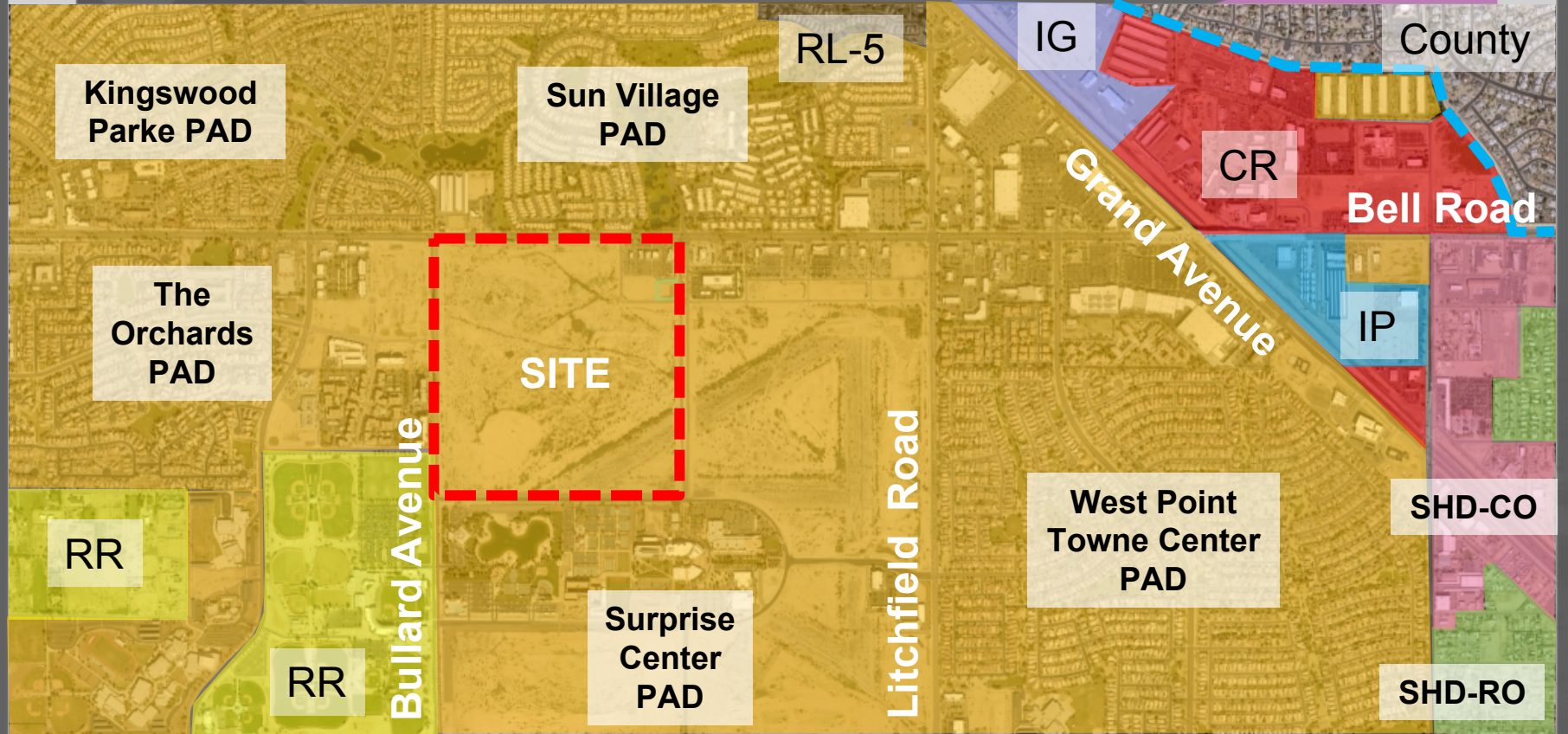
VICINITY MAP

FS19-106
Thompson Thrift



ZONING MAP

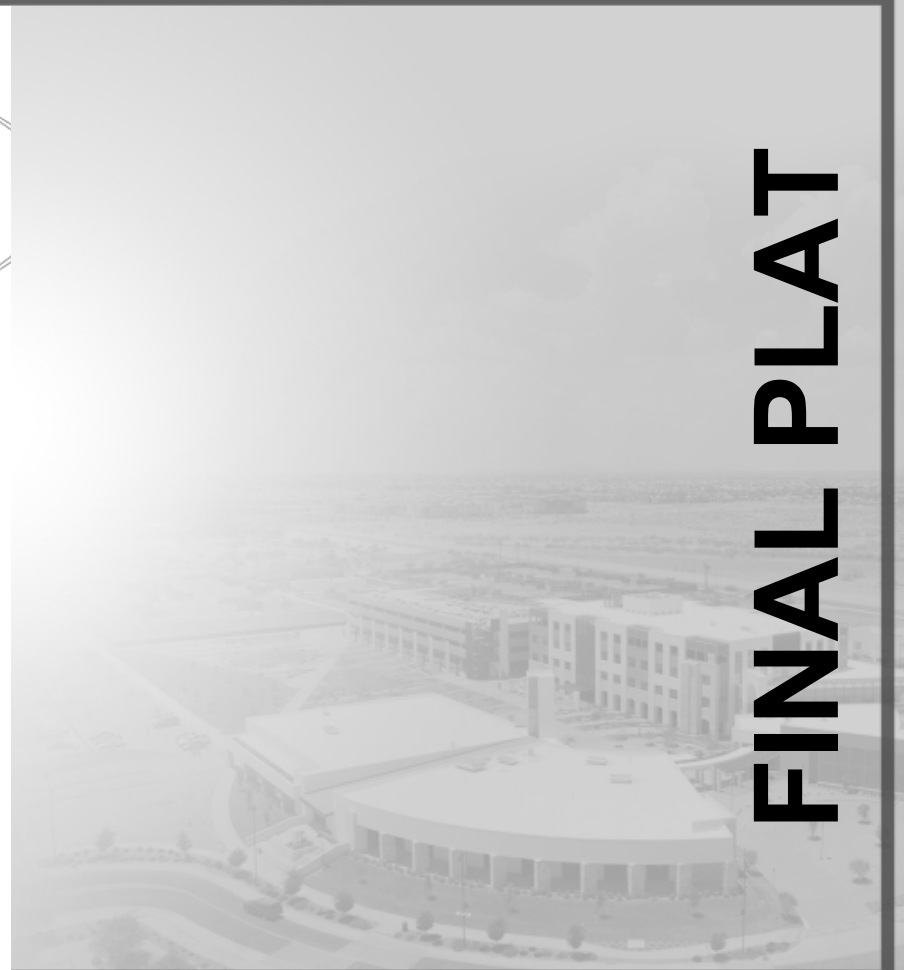
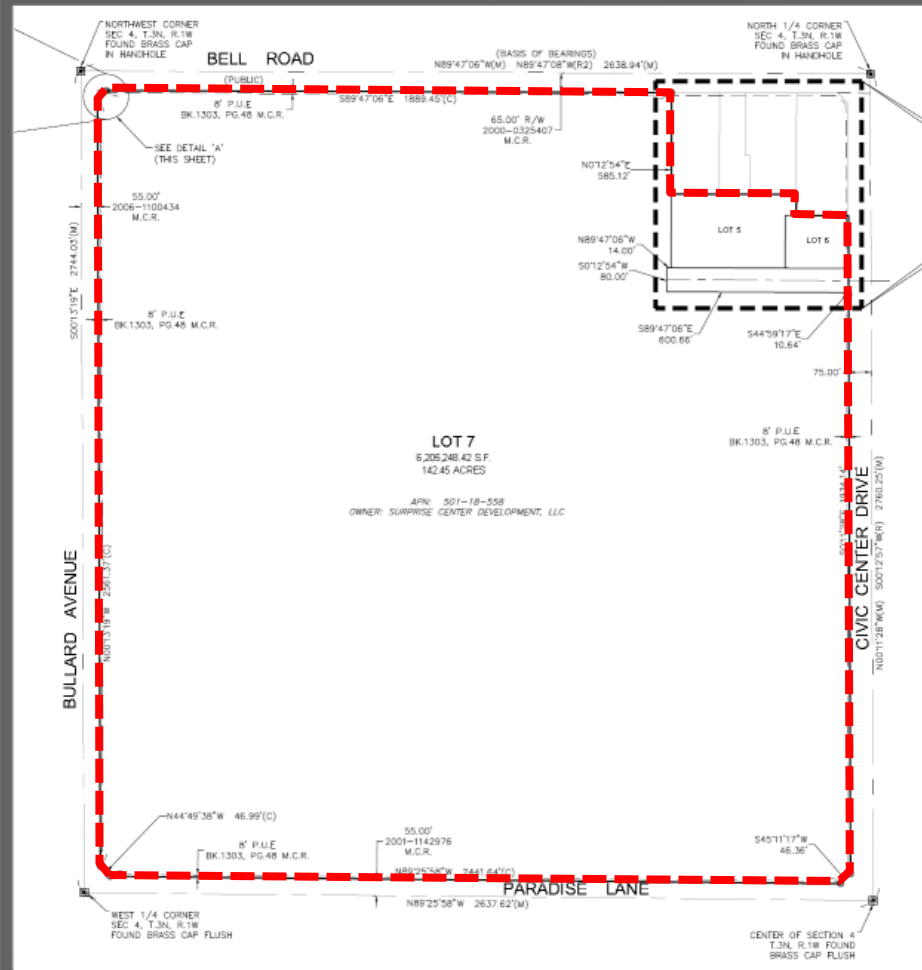
FS19-106
Thompson Thrift



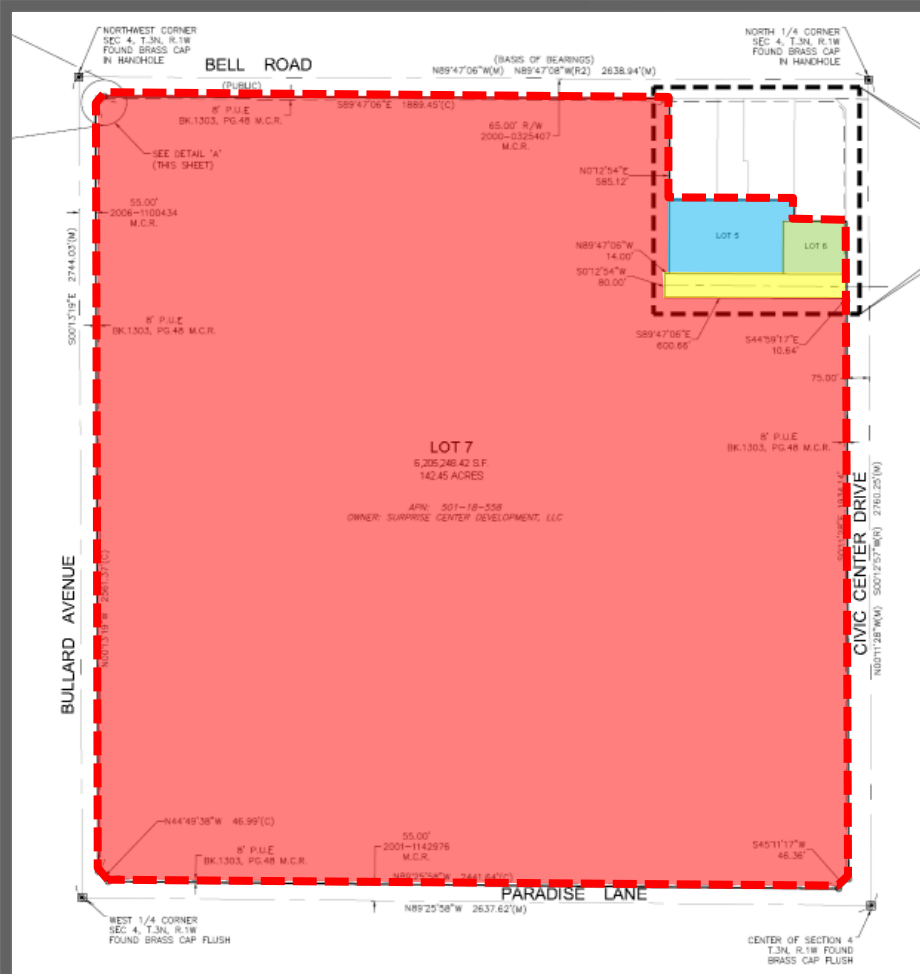


- A - Raising Cane's
- B - Starbucks
- C - Shops
- D - In N Out Burger
- E - Proposed Tire Shop

MASTER SITE



FINAL PLAT



Lot 5 – Vacant 2.22 acres

Lot 6 – Tire Works 0.86 acre

Lot 7 – Vacant 142.45 acres

Elm Street – 1.12 acres

FINAL PLAT



QUESTIONS OR COMMENTS?

Thank You



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: October 15, 2019

Contact Person: Chris Boyd, AD - BS DV & CD
ENF

Submitting Department: Community Development District: District 1

Staff Recommendations:

Consent: Yes	Regular: No	Public Hearing: No	Report/Discussion: No
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Agenda Wording:

Consideration and action pertaining to a dedication of a right-of-way to the Maricopa County Department of Transportation at 163rd avenue and Pinnacle Peak Road.

Motion:

I move to approve the dedication of right of way identified in the Warranty Deed to the Maricopa County.

Background:

The City of Surprise acquired needed right of way at Pinnacle Peak and 163rd Avenue for improvements at the intersection. This area is still in the County. In order to bring the right of way into the City legally, the City needs to dedicate the right of way to Maricopa County and then annex the right of way into the City of Surprise. This will allow the City to work in and on the roadway without having to ask the County for permission.

Objective Analysis:

Approving the dedication to Maricopa County, will allow the City to legally annex the right of way back into the City and work with the developer to ensure the roadway is up to City Standards. This Roadway will serve further serve the citizens in this area.

Policy Compliant:

The dedication of right of way will advance the goals and policies of the Surprise General Plan and the City Council's Strategic Plan allowing the City to expand the City limits.

Financial Impact:

All activity related to ongoing development of the City of Surprise has an economic and fiscal impact on the City and region. Maricopa County will pay the City \$10.00 for the dedicated right of way.

Budget Impact:

There is currently no budgetary impact related to approval of this item. The City will plan for future O&M when the road is in place and is accepted by the City.

FTE Impact:

This item does not have an impact on current staff levels.

ATTACHMENTS:

1. Purchase_Agreement_and_ExhibitB_Dedication
 2. Warranty Deed
 3. Warranty Deed exhibit A
-



Maricopa County Department of Transportation

Dedication Purchase Agreement and Escrow Instructions

Title Company		Date	8/28/19
Address		Phone	
City, State, Zip		Fax	
Escrow Officer		Email	
Escrow No.			
Grantor:	City of Surprise, a municipal corporation	Phone:	623-222-3025
Contact:	Lari Beth Kirkendall	Cell:	
Mailing Address:	16000 N. Civic Center Plaza	Email:	Laribeth.kirkendall@surpriseaz.gov
City, State, Zip	Surprise, AZ 85374	Fax:	

Grantee: Maricopa County, a political subdivision of the State of Arizona	
Mailing Address:	Maricopa County Real Estate Department, 2801 W. Durango Street, Phoenix, Arizona 85009

MARICOPA COUNTY shall pay directly to the Grantor, or deposit with the Title Company if escrowed, the purchase price plus all lawful costs incidental to closing as follows:	Charges and Disbursements to be paid from Grantor's funds as follows (check all that apply):		
Escrow Fees	☐ Total Acquisition of Grantor's Property: Full release of all monetary liens and encumbrances, and leases of any kind. Pay in full all due and delinquent real property taxes and general and special improvement assessments. Prorate the current year's real property taxes on closings that occur on or After the 3rd Monday of August each year. Escrow Agent shall withhold the prorated amounts from each party and pay the lien of the current year's taxes in full.		
Title Policy Fees			

Total Escrow & Title Fees 0.00			
Recording Fees:	☒ Partial Acquisition of Grantor's Property: Partial release of all monetary liens and encumbrances, and leases of any kind. At the discretion of Maricopa County, pay due and delinquent property taxes and general and special improvement assessments, including full payment of taxes and assessments on individual assessor parcels within the Maricopa County's partial acquisition, and any Certificate(s) of Purchase. The current year's taxes shall not be prorated regardless of the closing date.		
Deed			
Easement			
Mortgage Release			
Release of Lease			
Total Recording Fees	☐ Easement(s): Consent to easement(s) by secured party (ies).		
Other Charges:			
Release Fees			
S.R.V.W.U.A.	☐ Other Disbursements:		
Taxes - Prorated			

Total Other Charges			
Sub Total 0.00			
Title Report Credit			
Land & Improvements*	\$10.00		
Severance Damages			
TCE			
Cost to Cure			
_____	Special Conditions Right of Way Contract	Yes ☒ No ☐	
	Exhibit "B"		
Total Closing Costs***	0.00	Entry Agreement	Yes ☐ No ☒
Total Purchase Price	\$10.00	Addendum attached hereto and made a	Yes ☐ No ☒
TOTAL WARRANT**	\$10.00	part hereof	

*Escrow and title policy fees based on this amount only.
 **Sum of "Total Purchase Price" only.
 *** All Closing Costs to be paid by Seller.

Project:	Pinnacle Peak Rd.	PCN:	TT0008
Assessor Parcel No.:	(Formerly) 503-57-008-A	Item No	DD-10870
Right of Way Agent:	Dennis Smith	Telephone #	(602)506-1034

The GRANTOR, having executed a conveyance of certain real property rights to the GRANTEE as described in the Exhibit(s) attached hereto and made a part hereof, and having delivered same to the above Title Company as Escrow Agent, said agent is directed to deliver said conveyance to MARICOPA COUNTY, title to said property to be transferred upon execution of the conveyance by the MARICOPA COUNTY BOARD OF SUPERVISORS.

The Escrow Agent shall first apply the purchase price on deposit to satisfy such taxes, Deed of Trusts, leasehold interests, special assessments, and other encumbrances as may be authorized for payment, and the balance thereof shall be paid in accordance with the terms herein.

Instructions to Escrow Agent: Deposit all escrowed funds in escrow account and disburse same by check; pay encumbrances in accordance with this agreement; prorate all agreed items; record such escrowed instruments as are necessary or proper in the issuance of title insurance; and pay the balance of the escrowed funds to the party or parties entitled thereto. It is further understood and agreed that the Title Company shall not be responsible for any liens or encumbrances not of record at the closing of escrow.

The Right of Way Agent or MARICOPA COUNTY - Real Estate Division will be furnished a copy of the Grantor's closing statement with the following certification signed by an authorized officer: "This is to certify this is a true and correct statement of disbursement of funds collected from MARICOPA COUNTY."

The Escrow Agent is to request the Grantor acknowledge receipt of the amount shown on the closing statement as due Grantor. Either a copy of this request or a copy of a signed receipt is to be retained in the escrow file.

The property owner will pay the costs of the owner's title insurance policy; fees associated with lender releases or loan pay-offs, including endorsements, document preparation, and other expenses related thereto; escrow fees and other charges by escrow companies incidental to the closing of escrow. In the alternative, Maricopa County may, at its option, waive escrow and/or title insurance. Upon such waiver, the references to Title Company, Escrow Agent and title insurance herein are not applicable.

The property owner/applicant is responsible for all title and escrow cancellation fees if the closing/recording process is not completed.

If this transaction is not handled through a title company, the conveyance will be delivered directly to MARICOPA COUNTY and payment will be made direct from the Grantee to the Grantor after approval and acceptance by the MARICOPA COUNTY BOARD OF SUPERVISORS and the final filing and recording of the documents.

It is understood and agreed the consideration expressed herein is accepted by the Grantor as full and complete compensation for the interest being acquired. If the acquisition is a partial acquisition from a larger parcel, the consideration expressed herein is likewise; full and complete compensation for all injury or damage to the Grantor's remaining lands by reason of their severance from the part being acquired and the construction of the improvements in the manner proposed by MARICOPA COUNTY.

If MARICOPA COUNTY is acquiring only a portion of Grantor's property, then Grantor grants to MARICOPA COUNTY, its agents, employees and contractors, the right to enter Grantor's remaining property as necessary for utility reconnection, driveway reconnection and to facilitate construction on adjacent County owned right of way, if required. MARICOPA COUNTY shall be responsible to the extent that damage occurs out of MARICOPA COUNTY's occupation of the Grantor's property caused by MARICOPA COUNTY's negligence, or by the negligent acts or conduct of its agents, employees, or contractors during the term of MARICOPA COUNTY's temporary occupancy of the property. All claims shall be submitted in accordance with the requirements of ARS 12-821. It is further understood and agreed that this temporary right will expire and terminate thirty (30) days after completion of the above referenced project.

It is further agreed settlement is being made in lieu of condemnation, and therefore not admissible as evidence of value, nor for any other evidentiary purpose, in conjunction with any judicial or administrative proceeding.

GRANTOR: City of Surprise, a municipal corporation				RECOMMENDED FOR APPROVAL:		ACCEPTED AND APPROVED:	
By: _____ City Manager				MARICOPA COUNTY DEPARTMENT		MARICOPA COUNTY BOARD OF	
				OF TRANSPORTATION		SUPERVISORS	
By: _____ City Clerk							
				Real Property Manager		Chairman of the Board	
						ATTEST:	
				Date			
				Approved as to form within the			
				powers and authority of the Board of			
				Supervisors		Clerk of the Board of Supervisors	
Accepted		Date					
	ESCROW OFFICER			_____		_____	

					Deputy County Attorney Date	Date
--	--	--	--	--	--------------------------------	------

KGR Revised 4/11/2018

Exhibit "B"

RIGHT OF WAY AGREEMENT

Parcel No.: (Formerly) 503-57-008-A
Project No.: TT0008– Pinnacle Peak Rd
Item No.: DD-10870 (DS)

WHEREAS in consideration hereinafter set forth, it is agreed, that this instrument contains the entire agreement between the Grantor and Maricopa County. No further consideration is being paid than described in this contract.

THE COUNTY OF MARICOPA AGREES:

- A. To use the real property described in Exhibit "A" for the general welfare and benefit of the public.
- B. To pay the Grantor the sum TEN and no/100 dollars (\$10.00) as payment in full for the property described herein.
- C. That, if in the opinion of the Transportation Director it becomes necessary, private structures will be relocated in kind to the Grantor's property, clear of the property described herein, at no expense to the County.

THE GRANTOR AGREES:

1. To grant a Warranty Deed for the real property described in Exhibit "A" to the County of Maricopa for the general welfare and benefit of the public.
2. To accept the sum of TEN and no/100 dollars (\$10.00) as payment in full for the property described herein.
3. That acceptance of this property in no way obligates Maricopa County to construct or maintain a roadway within the Right of Way granted by this document.
4. To be responsible for maintenance of the dedicated right of way until such time if and when a roadway is built, to minimum county standards, and the roadway is open and declared into the Maricopa County Transportation System.

WHEN RECORDED RETURN TO:
Maricopa County
Real Estate Department

EXEMPT ARS 11-1134, A3

_____/____

WARRANTY DEED

Parcel No.: (Formerly) 503-57-008-A
Project No.: TT0008
Project Name: Pinnacle Peak Rd.
Item No.: DD-10870(DS)

For the consideration of **Ten and No/100 DOLLARS (\$10.00)**, **City of Surprise, a municipal corporation**, does hereby convey to **Maricopa County, a political subdivision of the State of Arizona**, the following real property situated in Maricopa County, Arizona:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION

Subject to current taxes and other assessments, reservations in patents and all easements, rights of way, encumbrances, liens, covenants, restrictions, obligations and liabilities as may appear of record, the GRANTOR warrants the title against all persons whomsoever.

Parcel No.: (Formerly) 503-57-008-A
Project No.: TT0008
Project Name: Pinnacle Peak Rd.
Item No.: DD-10870 (DS)

RECOMMENDED FOR APPROVAL:

Right-of-Way Agent

Real Property Manager

ACCEPTED:

MARICOPA COUNTY BOARD OF SUPERVISORS:

By _____
Chairman of the Board

ATTEST:

Clerk of the Board of Supervisors

Date _____

**Approved as to form and within the powers
and authority of the Board of Supervisors**

Deputy County Attorney

Date

///
///
///
///
///
///
///

IN WITNESS WHEREOF, CITY OF SURPRISE, a municipal corporation, has caused its name to be executed by its duly authorized representative, this _____ day of _____, 20 ____.

By: _____
CITY MANAGER

STATE OF ARIZONA)
COUNTY OF MARICOPA) §

My Commission Expires _____

Notary Public (signature)

Page 81 of 733

Exhibit A

Right-of-Way Dedication Pinnacle Peak Road

A portion of the North Half of the Northwest Quarter of Section 18, Township 4 North, Range 1 West of the Gila and Salt River Meridian, Maricopa County, Arizona described as follows:

COMMENCING at the Northwest Corner of said Section 18, from which the North Quarter Corner of said Section 18 lies South 89°37'50" East 1893.34 feet;

Thence along the north line of said Northwest Quarter South 89°37'50" East 100.00 feet to the POINT OF BEGINNING;

Thence continuing along said north line South 89°37'50" East 474.70 feet to the northeast corner of that real property as described in Warranty Deed 1996-0040121 records of said County;

Thence along the east line of said property South 00°01'05" East 40.00 feet to a point on the south line of the North 40.00 feet of said Northwest Quarter;

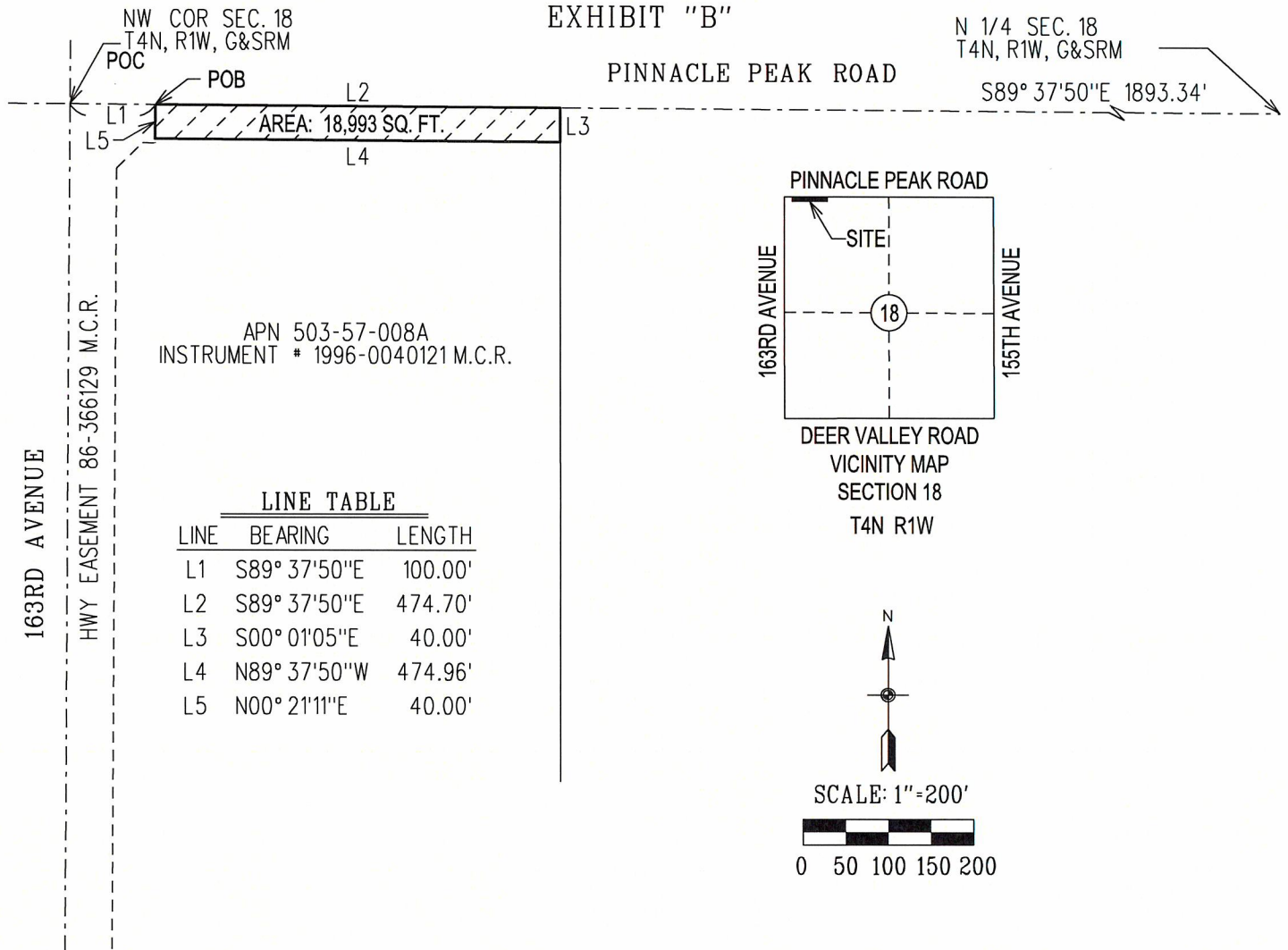
Thence along said south line North 89°37'50" West 474.96 feet:

Thence North 00°21'11" East 40.00 feet to the POINT OF BEGINNING.

Containing 18,993 square feet or 0.44 acres, more or less.



EXHIBIT "B"



LEGEND

POC	POINT OF COMMENCEMENT
POB	POINT OF BEGINNING
M.C.R.	MARICOPA COUNTY RECORDER
APN	ASSESSORS PARCEL NUMBER
G&SRM	GILA AND SALT RIVER MERIDIAN
	RIGHT OF WAY DEDICATION AREA



PINNACLE PEAK ROAD
RIGHT OF WAY DEDICATION



CITY OF SURPRISE
LAND SURVEY DEPARTMENT

PROJECT # 19032

DRAWN BY RCD

DATE 07-30-19

SHEET 1 OF 1



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: October 15, 2019
Submitting Department: Public Works
Staff Recommendations: None

Contact Person: Mike Gent, DIRECTOR - PW
District: District 5

Consent: Yes	Regular: No	Public Hearing: No	Report/Discussion: No
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Agenda Wording:

Consideration and action declaring the intent to establish a street light improvement district entitled, "City of Surprise, Arizona, SU-Surprise Center 190 Lighting Improvement District" pursuant to A.R.S. § 48-616 for the purpose of purchasing facilities and energy for lighting the public streets and parks; Resolution #2019-112.

Motion:

I move to approve Resolution No. 2019-112

Background:

The City has verified that the Petition for the proposed street light improvement district contains the signatures of all of the real property owners in the district, exclusive of mortgages and other lien holders.

The City and Arizona Public Service Company ("APS") have approved the street layout and facilities design. The electric rates are established by APS tariff.

The lighting improvements are more than local or ordinary public benefit and the expenses of the district will be paid for by the levy and collection of equal apportionment taxes based on the number and classification of properties within the district.

Objective Analysis:

A SLID is a neighborhood partnership and very common practice in which property owners in a defined area agree to pay the costs to operate and maintain their immediate area's street lights through a property tax. All new developments in the City of Surprise require a SLID. This action will form the SLID boundary for the Tireworks development.

Policy Compliant:

Surprise Municipal Code requires that street lighting that serves a defined area be paid for through revenues obtained from the specific area being served by such street lighting. In these instances, a Street Light Improvement District (SLID) is formed. The city strives to assure that residents are subject to

only one SLID and that the boundaries of each SLID accurately reflect the service area. This item is consistent with these objectives.

Financial Impact:

Any financial impact on the City is anticipated to be minimal, as the Developer and District will be bearing the costs and expenses of the District and street light improvement facilities.

Budget Impact:

Funding was not included as part of the FY2020 adopted budget. A separate fund will be created to track revenue and expenses once the city starts receiving electric bills from APS for this particular SLID. If the SLID incurs expenses during FY2020, staff will return to request a budget amendment to appropriate the new fund. Regardless, the city will be unable to collect property taxes for this SLID until FY2021, at the earliest.

FTE Impact:

This action does not change the full time equivalent count.

ATTACHMENTS:

1. 01 Res 2019-112 SLID for Surprise Center 190.final
 2. 02 SLID Petition - Approved
 3. 03 Streetlight Plan - Approved
 4. 04 Tirework Council Map
-

RESOLUTION # 2019-112

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, DECLARING ITS INTENTION TO ESTABLISH A STREET LIGHT IMPROVEMENT DISTRICT TO PURCHASE ENERGY FOR LIGHTING THE PUBLIC STREETS AND PARKS IN THE AREA WITHIN THE CORPORATE LIMITS OF THE CITY OF SURPRISE, ARIZONA DESCRIBED ON EXHIBIT A, ATTACHED HERETO; DECLARING SUCH IMPROVEMENTS TO BE OF MORE THAN LOCAL OR ORDINARY PUBLIC BENEFIT AND THAT THE EXPENSES THEREOF BE PAID FOR BY THE LEVY AND COLLECTION OF EQUAL APPORTIONMENT OF TAXES BASED ON THE NUMBER AND CLASSIFICATION OF PROPERTIES WITHIN THE DISTRICT TO BE KNOWN AS "CITY OF SURPRISE, ARIZONA, SU-SURPRISE CENTER 190 LIGHTING IMPROVEMENT DISTRICT"; AND ORDERING THAT SUCH IMPROVEMENTS BE PROVIDED FOR UNDER THE PROVISIONS OF SECTION 48-572, ARIZONA REVISED STATUTES.

WHEREAS, the owners, exclusive of mortgagees and other lienholders, of all of the real property (hereinafter referred to as "Petitioner") in the hereinafter described District, acting pursuant to the provisions of Sections 48-615(A) and 48-617(A), Arizona Revised Statutes, have petitioned the Mayor and Council of the City of Surprise, Arizona (hereinafter referred to as "City"), to adopt a resolution of intention (hereinafter referred to as "Resolution") ordering the purchase of energy for the lighting of the public streets and parks (hereinafter referred to as "Improvements") for the real property legally described in Exhibit A (such area hereinafter referred to as the "District") with such boundaries as shown in the map in Exhibit B attached hereto pursuant to the provisions of Section 48-576, Arizona Revised Statutes, giving the City immediate jurisdiction to order the Improvements pursuant to the provisions of Section 48-581, Arizona Revised Statutes, without the necessity of the publications or posting of this Resolution provided for in Sections 48-578, Arizona Revised Statutes;

WHEREAS, the City has verified that Petitioner is the owner, exclusive of mortgagees and other lienholders, of all of the real property included within the boundaries of the District, and;

WHEREAS, the Mayor and Council of the City hereby find and determine that they have jurisdiction to adopt this Resolution to order the Improvements pursuant to the provisions of Section 48-576, Arizona Revised Statutes, and have immediate jurisdiction to adopt this Resolution ordering the Improvements pursuant to the provisions of Section 48-581, Arizona Revised Statutes without the necessity of publications and posting of this Resolution as provided for in Section 48-578, Arizona Revised Statutes;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Surprise, Arizona, as follows.

Section 1. The City, after verifying ownership of the real property included within the boundaries of the District, hereby finds the Petitioner is the owner, exclusive of mortgagees and other lienholders, of all of the real property included within the boundaries of the District.

Section 2. The name of the District shall be "CITY OF SURPRISE, ARIZONA, SU-SURPRISE CENTER 190 LIGHTING IMPROVEMENT DISTRICT."

Section 3. The District is formed, and shall exist, pursuant to the provisions of Title 48, Chapter 4, Article 2, Arizona Revised Statutes, and Section 48-616, Arizona Revised Statutes.

Section 4. The public interest or convenience requires, and it is the intention of the Mayor and Council of the City to order the Improvements as so described above.

Section 5. The Improvements, in the opinion of the Mayor and Council of the City, are of more than local or ordinary public benefit and are of special benefit to the respective lots, pieces and parcels of real property in the District, and the Mayor and Council of the City hereby make and order the expense of the Improvements payable from the levying and collection of an equal apportionment of taxes based on the number and classification of properties within the District to be known and designated as "City of Surprise, Arizona SU-Surprise Center 190 Lighting Improvement District" and hereby declare that the District is as legally described on Exhibit A attached hereto with the boundaries as shown in the map in Exhibit B attached hereto. Any public street or alley within the District shall be omitted from the assessment. Any lot belonging to the United States, the State, a county, city, school district or political subdivision or institution of the state or county within the District shall be omitted from the assessment.

Section 6. The Superintendent of Streets or equivalent of the City shall not be required to post or cause to be posted notices of the Resolution of Intention. The Clerk of the City shall certify to the passage of this Resolution of Intention but shall not be required to cause the same to be published in a newspaper published and of general circulation in the City.

Section 7. The Mayor and Council of the City shall make annual statements and estimates of the expenses of the district, which shall be provided for by the levy and collection of equal apportionment of taxes based on the number and classification of properties within the District; shall publish notice thereof; shall have hearings thereon; and shall adopt them at the times and in the manner provided for incorporated cities and towns by the applicable portions of Section 42-17101, et seq., 42-17152, Arizona Revised Statutes. The Mayor and Council of the City shall, on or before the third Monday in August of each year, fix, levy and assess the amount to be raised by an equal apportionment of taxes based on the number and classification of the properties within the District and collect, as Maricopa County, Arizona (the "County") taxes are collected, the amounts shown by the statements and estimates as adopted by the Mayor and Council of the City. All statutes providing for the levy and collection of State of Arizona and County taxes, shall be applicable to District taxes as provided to be levied under Section 48-616, Arizona Revised Statutes.

Section 8. The District shall not be authorized to issue bonds and no assessment for District purposes against the property within the District shall exceed One Dollar and Twenty Cents (\$1.20) per each hundred dollars of taxable valuation thereof in any year.

Section 9. The District shall not engage in any activity other than as provided in Section 48-616, Arizona Revised Statutes, i.e., contracting for and purchasing of energy for street and public park lighting.

Section 10. The formation of the District shall not be considered as preventing the subsequent establishment of improvement districts for any other purpose authorized by law, including improvement districts for the purpose of construction street lighting facilities within any part or all of the same territory as the District.

Section 11. The type of lighting facilities to be installed in the District and the locations thereof shall consist of those lighting facilities and locations described in the petition submitted by Petitioner, or as may be approved by the City.

Section 12. The rate to be paid for purchasing the energy for the District shall be the rate described in the petition submitted by Petitioner, or as may be approved by the Arizona Public Service Company.

Section 13. Any resolutions or parts of resolutions in conflict with the provisions of this Resolution are hereby repealed.

APPROVED AND ADOPTED this ____ day of _____, 2019.

Skip Hall, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

LEGAL DESCRIPTION
FOR
STREET LIGHT IMPROVEMENT DISTRICT (SLID)

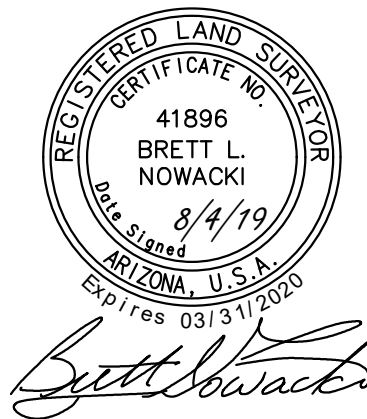
A PORTION OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 3 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

COMMENCING AT A BRASS CAP MARKING THE NORTH QUARTER CORNER OF SAID SECTION 4, FROM WHICH THE BRASS CAP MARKING THE CENTER QUARTER CORNER OF SAID SECTION 4 BEARS SOUTH 00°11'28" EAST, 2,760.25 FEET;

THENCE SOUTH 00°11'28" EAST, ALONG THE NORTH-SOUTH MIDSECTION LINE OF SAID SECTION 4 A DISTANCE OF 473.54 FEET TO THE POINT OF BEGINNING (P.O.B.);

THENCE SOUTH 00°11'28" EAST, 216.60 FEET;
THENCE NORTH 89°47'06" WEST, 682.88 FEET;
THENCE NORTH 00°12'54" EAST, 40.00 FEET;
THENCE SOUTH 89°47'06" EAST, 14.00 FEET;
THENCE NORTH 00°12'54" EAST, 246.56 FEET;
THENCE SOUTH 89°47'06" EAST, 417.98 FEET;
THENCE SOUTH 00°12'54" WEST, 69.97 FEET;
THENCE SOUTH 89°47'06" EAST, 249.36 FEET TO THE POINT OF BEGINNING.

CONTAINING 174,514.57 SQUARE FEET OR 4.00 ACRES, MORE OR LESS.



TITLE: SU-SURPRISE CENTER 190
SLID - Legal Description

PROJECT #: FS19-363
DATE: 8-4-19
PAGE: 1 OF 2

EXHIBIT

NORTH 1/4 CORNER SEC 4, T.3N, R.1W
BRASS CAP IN HANDHOLE

BELL ROAD

89°47'06"W 2638.94'

BASIS OF BEARING

NORTHWEST CORNER SEC. 4, T.3N,
R.1W. BRASS CAP IN HANDHOLE

P.O.C.

CIVIC CTR

473.54'
S01°1'28"E 2760.25'

75'

P.O.B.

APN: 501-17-001Q
OWNER: CITY OF SURPRISE

216.60'

S01°1'28"E

417.98'

S89°47'06"E

S0°12'54"W
69.97'

249.36'

S89°47'06"E

APN: 501-18-556
OWNER: BELL ROAD
SURPRISE AZ, LLC

APN: 501-18-557
OWNER: BELL ROAD
SURPRISE AZ, LLC

S89°47'06"E
14.00'

N0°12'54"E
40.00'

ELM STREET
(PUBLIC)

682.88'

N89°47'06"W

ELM STREET CENTERLINE



CENTER OF SECTION 4
T.3N, R.1W FOUND
BRASS CAP FLUSH

SCALE: 1"=100'

TITLE: SU-SURPRISE CENTER 190
SLID - EXHIBIT

PROJECT #: FS19-363
DATE: 8-4-19
PAGE: 2 OF 2

STREET LIGHT IMPROVEMENT DISTRICT PETITION

TO THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE:

We, the undersigned, are all or a majority of the real property owners, exclusive of mortgagees and other lienholders, within the district named below. We petition the City Council of the City of Surprise, Arizona, to establish a street light improvement district under Arizona Revised Statutes (A.R.S.) §48-571 to 48-622, and any amendments, and specifically A.R.S. §48-615 to 48-617, to purchase electricity for lighting the public streets and/or parks within the district whose boundaries and area is described in Exhibits A and B attached hereto. This petition includes a charge for maintaining the lighting facilities.

It is hereby requested that, in compliance with the Arizona Revised Statutes, the City Council adopt a Resolution of Intention to order the proposed improvements, and that unless protests are received pursuant to A.R.S. §48-579 sufficient to bar further proceedings, the City Council proceed with the improvements petitioned for herein.

Expenses of the District shall be paid by the levy and collection of an equal apportionment of taxes based on the number and classification of properties within the District.

Public convenience, necessity and welfare will be promoted by the establishment of the District and the real property within the District will be benefited by the District. Additional street lighting facilities may be installed and included in the District, at no investment cost to the District, as directed by the City and as approved by Arizona Public Service and the City Engineer.

WHEREFORE, we respectfully ask that this Petition be properly filed and that the Mayor and Council of the City adopt the Resolution and take such other action as is proper, necessary and appropriate to form the District and to fulfill the purposes for which the District is organized, as the Mayor and Council believe is proper and necessary.

The name of the proposed street light improvements district shall be:

SU-SURPRISE CENTER 190

PETITIONERS: Please print and sign your name

PRINT BUSINESS/ PETITIONER'S NAME	ADDRESS OF PROPERTY OWNED WITHIN DISTRICT	ASSESSOR PARCEL #	SIGNATURE
Bell Road Surprise AZ, LLC / Paul Thrift	Elm St and Civic Ctr Dr	501-18-557	
Bell Road Surprise AZ, LLC / Paul Thrift	Elm St and Civic Ctr Dr	501-18-556	
City of Surprise	Civic Ctr Dr	501-17-001Q	



**RATE SCHEDULE E-58
CLASSIFIED SERVICE
STREET LIGHTING SERVICE**

AVAILABILITY

This rate schedule is applicable to those portions of cities, towns and unincorporated communities in which the Company does a general retail electric business and where the Company has installed a multiple or series street lighting system of adequate capacity for the service to be rendered.

DESCRIPTION

E-58 is a rate that is applicable for lighting public streets, alleys, thoroughfares, public parks and playgrounds from dusk to dawn by use of Company's facilities.

TIME PERIODS

Dusk: Time between sunset and full night when photocontrol senses the lack of sufficient sunlight and turns on the lights.
Dawn: The time between full night and sunrise when a photocontrol senses sufficient sunlight to turn off lights.

CHARGES

The monthly bill will consist of the following charges, plus adjustments.

I. FIXTURES (Includes Mounting Arm, if Applicable)

	Lumen	Watts	kWh	CHARGES	
				Investment by Company	Investment by Others
A. Acorn	3,835 LED	75	26	\$21.63	\$7.59
	4,796 LED	75	26	\$17.38	\$6.46
	5,003 LED	100	35	\$23.45	\$8.71
	5,904 LED	100	35	\$23.03	\$8.60
	6000 IND	85	29	\$19.24	\$5.14
B. Architectural	6,200 IND	85	29	\$10.13	\$3.93
	8,400 IND	100	34	\$10.69	\$4.36
	10,200 IND	120	41	\$11.75	\$4.99
	13,000 IND	150	52	\$12.98	\$5.93
	20,500 IND	200	69	\$14.78	\$7.37
	22,500 IND	265	91	\$17.63	\$9.28
	3,300 LED	43	15	\$10.24	\$3.79
	3,800 LED	32	12	\$7.73	\$2.92
	3,900 LED	32	12	\$9.96	\$3.51
	4,050 LED	63	22	\$18.63	\$6.52
	4,100 LED	45	16	\$10.34	\$3.89
	4,800 LED	41	15	\$8.27	\$3.27
	5,000 LED	41	15	\$9.61	\$3.62



**RATE SCHEDULE E-58
CLASSIFIED SERVICE
STREET LIGHTING SERVICE**

	CHARGES				
	Lumen	Watts	kWh	Investment by Company	Investment by Others
	5,100 LED	60	21	\$10.18	\$4.19
	5,300 LED	67	24	\$10.47	\$4.48
	5,800 LED	94	32	\$17.81	\$5.16
	5,890 LED	89	31	\$20.56	\$7.66
	6,000 LED	62	22	\$18.63	\$6.52
	6,000 LED	67	24	\$19.89	\$6.99
	6,400 LED	89	31	\$17.89	\$5.10
	6,810 LED	101	35	\$18.89	\$7.50
	7,100 LED	62	22	\$19.70	\$6.80
	7,400 LED	127	44	\$20.42	\$6.34
	7,500 LED	73	26	\$20.08	\$7.18
	7,700 LED	86	30	\$18.41	\$7.02
	8,200 LED	88	31	\$10.45	\$4.97
	8,200 LED	95	33	\$11.87	\$5.48
	8,300 LED	72	25	\$17.93	\$6.54
	8,300 LED	106	37	\$12.45	\$5.91
	8,500 LED	88	31	\$11.69	\$5.30
	9,020 LED	139	48	\$22.94	\$9.47
	9,200 LED	139	48	\$25.60	\$7.30
	9,900 LED	130	45	\$13.82	\$6.84
	10,000 LED	93	32	\$21.43	\$7.96
	10,000 LED	113	39	\$13.26	\$6.28
	10,600 LED	126	44	\$22.56	\$9.09
	11,100 LED	108	38	\$12.76	\$6.07
	11,500 LED	108	38	\$13.16	\$6.18
	12,300 LED	203	70	\$25.48	\$8.85
	12,900 LED	119	41	\$22.31	\$8.82
	13,260 LED	202	70	\$27.11	\$12.12
	13,620 LED	202	70	\$28.49	\$9.24
	14,000 LED	171	59	\$26.07	\$11.08
	15,000 LED	136	47	\$24.93	\$9.94
	15,400 LED	144	50	\$25.21	\$10.22
	18,300 LED	162	56	\$16.13	\$8.22
	19,200 LED	257	89	\$26.87	\$13.38
	20,000 LED	258	89	\$26.87	\$13.38
	20,300 LED	193	67	\$17.17	\$9.26
	21,000 LED	193	67	\$24.77	\$11.28
C. Cobra	6,200 IND	75	26	\$10.54	\$3.77
	6,400 IND	85	29	\$8.97	\$3.78
	8,000 IND	88	30	\$10.47	\$4.04
	8,400 IND	100	34	\$9.70	\$4.24
	10,200 IND	120	41	\$10.44	\$4.81



**RATE SCHEDULE E-58
CLASSIFIED SERVICE
STREET LIGHTING SERVICE**

				CHARGES				
				Investment by Company	Investment by Others			
				Lumen	Watts	kWh		
C. Cobra				13,000 IND	150	52	\$11.50	\$5.73
				15,250 IND	200	69	\$13.86	\$7.25
				22,500 IND	250	86	\$18.55	\$9.06
		Gray / Bronz		3,500 IND	55	19	\$10.50	\$3.27
				6,000 LED	95	33	\$17.05	\$5.13
				8,700 LED	142	49	\$19.17	\$6.53
				9,600 LED	157	54	\$20.40	\$7.04
				11,600 B-LED	181	62	\$19.03	\$7.44
		Gray / Bronz		3,300 LED	43	15	\$9.00	\$2.79
		Gray / Bronz		5,300 LED	67	23	\$10.45	\$3.54
		Gray / Bronz		8,300 LED	106	37	\$13.55	\$4.94
		Gray / Bronz		10,500 LED	130	45	\$15.08	\$5.69
		Gray / Bronz		20,000 LED	258	89	\$26.21	\$10.27
D. Decorative Transit				5,300 LED	75	26	\$28.44	\$6.12
				8,300 LED	100	34	\$30.45	\$6.97
				8,147 LED	75	26	\$35.76	\$11.36
				9,522 LED	100	35	\$36.14	\$12.09
				10,500 LED	150	52	\$32.69	\$8.52
				14,896 LED	150	52	\$39.98	\$14.29
		Double		8,147 LED	75	26	\$64.74	\$18.96
		Double		9,522 LED	100	35	\$64.67	\$19.58
		Double		14,896 LED	100	52	\$70.67	\$22.32
		Copper		6,000 IND	85	29	\$18.87	\$5.09
		Gray / Black		8,000 IND	88	30	\$14.86	\$4.62
		Gray / Black		4,350 LED	86	30	\$13.48	\$4.44
E. Flood				14,470 LED	148	51	\$23.93	\$9.95
				16,000 LED	125	43	\$23.17	\$9.19
F. Pendant				8,678 LED	75	26	\$26.36	\$8.85
				13,964 LED	100	35	\$27.84	\$9.88
G. Post Top				4,350 LED	86	30	\$13.43	\$5.69
				6,400 LED	30	30	\$13.43	\$5.69
				6,600 LED	83	29	\$13.33	\$5.59
H. Roadway				3,300 LED	43	15	\$9.46	\$3.58
				3,800 LED	32	12	\$7.24	\$2.79
				3,900 LED	32	12	\$9.18	\$3.30
				4,100 LED	45	16	\$9.56	\$3.68
				4,800 LED	41	15	\$7.76	\$3.13
				5,000 LED	41	15	\$9.12	\$3.49
				5,100 LED	60	21	\$9.69	\$4.06
				5,300 LED	67	24	\$9.98	\$4.35
				8,200 LED	88	31	\$9.72	\$4.77



RATE SCHEDULE E-58
CLASSIFIED SERVICE
STREET LIGHTING SERVICE

	8,200 LED	95	33	\$11.36	\$5.34
	8,300 LED	106	37	\$11.74	\$5.72
	8,500 LED	88	31	\$11.18	\$5.16
	9,900 LED	130	45	\$13.31	\$6.70
	10,000 LED	113	39	\$12.75	\$6.14
	11,100 LED	108	38	\$12.03	\$5.88
	11,500 LED	108	38	\$12.65	\$6.04
	18,300 LED	162	56	\$15.23	\$7.98
	19,200 LED	257	89	\$19.11	\$11.32
	20,000 LED	258	89	\$19.11	\$11.32
	20,300 LED	193	67	\$16.27	\$9.02
	21,000 LED	193	67	\$17.01	\$9.22

FROZEN	4,000 INC	295	103	\$10.54	\$5.89
	7,000 MV	175	73	\$13.65	\$7.83
	11,000 MV	250	96	\$17.09	\$10.43
	20,000 MV	400	150	\$26.84	\$15.21
FROZEN ACORN	9,500 HPS	100	41	\$29.14	\$9.93
	16,000 HPS	150	69	\$32.35	\$12.55
FROZEN ARCHITECTURAL	9,500 HPS	100	41	\$16.56	\$7.90
	16,000 HPS	150	69	\$19.77	\$19.34
	30,000 HPS	250	99	\$22.95	\$13.57
	50,000 HPS	400	153	\$28.32	\$19.53
	14,000 MH	175	72	\$23.17	\$12.70
	21,000 MH	250	101	\$26.31	\$15.66
	36,000 MH	400	159	\$32.89	\$21.54
	8,000 LPS	55	30	\$24.08	\$10.58
	13,500 LPS	90	50	\$28.39	\$12.76
	22,500 LPS	135	72	\$32.43	\$15.56
FROZEN COBRA ROADWAY	33,000 LPS	180	90	\$39.01	\$18.33
	5,800 HPS	70	29	\$9.40	\$5.56
	9,500 HPS	100	41	\$11.07	\$6.81
	16,000 HPS	150	69	\$13.86	\$9.50
FROZEN COBRA ROADWAY	30,000 HPS	250	99	\$16.72	\$12.35
	50,000 HPS	400	153	\$22.69	\$17.63
	14,000 MH	175	72	\$16.12	\$10.99
	21,000 MH	250	101	\$18.84	\$13.67
	36,000 MH	400	159	\$24.81	\$18.99
FROZEN DECORATIVE TRANSIT	8,000 FL	100	38	\$18.53	\$5.43
	9,500 HPS	100	41	\$39.95	\$11.96
	16,000 HPS	150	69	\$39.72	\$13.36
FROZEN FLOOD	30,000 HPS	250	99	\$45.74	\$17.26
	30,000 HPS	250	99	\$22.20	\$13.79
	50,000 HPS	400	153	\$27.53	\$19.14
	21,000 MH	250	101	\$23.69	\$14.58
FROZEN Colonial Gray	36,000 MH	400	159	\$28.89	\$19.76
	8,000 FL	100	38	\$19.97	\$5.64



**RATE SCHEDULE E-58
CLASSIFIED SERVICE
STREET LIGHTING SERVICE**

POST TOP	Colonial Gray	9,500 HPS	100	41	\$11.42	\$7.16
	Colonial Black	9,500 HPS	100	41	\$13.15	\$7.41
	Decorative	9,500 HPS	100	41	\$34.97	\$11.03

NOTES:

1. Investment by Company. These rates are applicable where the Company provides the initial investment to purchase and install all facilities necessary for street lighting service. The Company will own, operate, and maintain the street lighting system.
2. Investment by Others. These rates are applicable in those instances where the requesting entity or individual purchases and installs the street lighting facilities at their own expense and in accordance with Company specifications. These rates will also apply in the instance where the Customer provides a non-refundable advance to the Company to cover the Company's cost of purchasing and installing the street lighting system. The Company retains ownership of the street lighting system and provides operation and maintenance for all facilities.
3. Listed kWhs reflect the assigned monthly energy usage for each type of fixture and are used to determine any applicable transmission, system benefit, distribution, energy, and adjustment charges.
4. HPS = High Pressure Sodium
5. MH = Metal Halide
6. LPS = Low Pressure Sodium
7. FL = Fluorescent
8. INC = Incandescent. Incandescent lighting charges are applicable and available only to those Customers being served and those installations in service on November 1, 1986.
9. MV = Mercury Vapor. Mercury Vapor lighting charges are applicable and available only to those Customers being served and those installation in service on November 1, 1986 in accordance with A.R.S. §49-1104(A).
10. LED = Light Emitting Diode
11. IND = Induction



**RATE SCHEDULE E-58
CLASSIFIED SERVICE
STREET LIGHTING SERVICE**

II. POLES

				CHARGES		
				Investment by Company	Investment by Others	
A. Anchor Base Mounted (Flush)	Round Steel	1 Simplex Adapter	Height			
			12 ft.	\$13.11	\$1.81	
			22 ft.	\$14.75	\$2.03	
			25 ft.	\$15.97	\$2.21	
			30 ft.	\$18.34	\$2.52	
		32 ft.	\$19.27	\$2.55		
		2 Simplex Adapters	12 ft.	\$13.98	\$1.93	
			22 ft.	\$16.06	\$2.22	
			25 ft.	\$16.75	\$2.31	
			30 ft.	\$19.47	\$2.68	
	32 ft.		\$20.77	\$2.87		
	Square Steel	5"	13 ft.	\$15.03	\$2.06	
			15 ft.	\$13.43	\$1.85	
			23 ft.	\$15.93	\$2.19	
			25 ft.	\$17.51	\$2.41	
			28 ft.	\$19.44	\$2.67	
			32 ft.	\$19.33	\$2.66	
	Concrete		12 ft.	\$44.79	\$6.17	
	Fiberglass		12 ft.	\$37.93	\$5.22	
	Decorative Transit		4"	16 ft.	\$36.98	\$5.10
	Decorative Transit		6"	30 ft.	\$71.39	\$9.83
	Hinged Poles		Square	15 ft.	\$14.21	\$1.16
Round			19 ft.	\$12.85	\$1.05	
B. Anchor Base Mounted (Pedestal)	Round Steel	1 Simplex Adapter	12 ft.	\$12.61	\$1.73	
			22 ft.	\$14.26	\$1.96	
			25 ft.	\$15.46	\$2.13	
			30 ft.	\$17.85	\$2.47	
			32 ft.	\$18.75	\$2.58	
		2 Simplex Adapters	12 ft.	\$13.47	\$1.85	
			22 ft.	\$15.05	\$2.06	
			25 ft.	\$16.24	\$2.23	
			30 ft.	\$18.97	\$2.60	
			32 ft.	\$20.26	\$2.79	
		3 Bolt	32 ft.	\$23.28	\$3.20	
		Square Steel	5"	13 ft.	\$14.54	\$2.01
				15 ft.	\$14.86	\$2.03
				23 ft.	\$15.43	\$2.13
	25 ft.			\$17.02	\$2.36	
	28 ft.			\$18.91	\$2.60	
	32 ft.			\$19.63	\$2.69	



**RATE SCHEDULE E-58
CLASSIFIED SERVICE
STREET LIGHTING SERVICE**

II POLES (cont)

		CHARGES		
		Height	Investment by Company	Investment by Others
C. Direct Bury	Round Steel	19 ft.	\$19.84	\$2.74
		30 ft.	\$15.49	\$2.87
		38 ft.	\$18.90	\$2.94
		Self 40 ft.	\$23.28	\$3.69
		Stepped 25 ft.	\$53.55	\$4.37
		32 ft.	\$56.40	\$4.60
		49 ft.	\$70.00	\$9.65
	Square Steel	4" 34 ft.	\$17.09	\$2.96
		5" 20 ft.	\$16.23	\$2.68
		30 ft.	\$16.92	\$2.79
		38 ft.	\$18.36	\$3.19
		8" 28 ft.	\$30.64	\$2.49
		32 ft.	\$32.03	\$2.62
		Decorative Transit 41 ft 6	\$22.05	\$3.24
	Decorative Transit	47 ft.	\$27.47	\$4.04
	Steel Distribution Pole (for lighting only)	35 ft.	\$25.36	\$3.34
D. Post Top	Decorative Transit Anchor Base	16 ft.	\$37.77	\$5.19
	Gray Steel/Fiberglass	23 ft.	\$13.10	\$2.15
	Black Steel	23 ft.	\$14.44	\$2.38
E. Existing distribution pole suitable for streetlight use			\$1.59	--
F. FROZEN	Wood Poles	30 ft.	\$9.64	\$1.67
		35 ft.	\$9.64	\$1.59

NOTE: The monthly rate for all new poles includes up to 300 feet of overhead secondary wire, or up to 300 feet of underground secondary wire if the Customer provides earthwork and conduit (excluding the underground to overhead transition).

III. ANCHOR BASE

		CHARGES		
		Height	Investment by Company	Investment by Others
A. Flush		4 ft.	\$10.67	\$1.47
		6 ft.	\$12.73	\$2.21
B. Pedestal		8 ft.	\$14.59	\$2.54
	For 32' Round Steel Pole only	4 ft. 6"	\$10.12	\$1.75



**RATE SCHEDULE E-58
CLASSIFIED SERVICE
STREET LIGHTING SERVICE**

IV. CHARGES FOR OPTIONAL OR ADDITIONAL EQUIPMENT

		CHARGE
		Company Owned
FROZEN		
Underground Circuit Charges:		
a.	Per foot of cable, installed under paving	\$0.17000
b.	Per foot of cable, not installed under paving	\$0.06000

V. DETERMINATION OF CHARGES FOR NEW EQUIPMENT

Monthly charges for new lighting fixtures, poles and other equipment not included in Sections I, II, or III above will be determined by the Company using the following method:

Step 1 Determination of Charges for each Charge Type							Monthly Fixed Charge Rate
Charge Type	Monthly Charge		Cost Inputs Equipment Cost		PV Factor		
1	Carrying Cost (fixtures)	=	(installed)	x	NA	x	1.518%
			Equipment Cost				
2	Carrying Cost (poles)	=	(installed)	x	NA	x	1.296%
			Equipment Cost				
3	Fixture Replacement Cost	=	Equipment Cost (installed)	x	0.257	x	1.518%
4	Pole, Anchor Replacement Cost	=	Equipment Cost (installed)	x	0.110	x	1.296%
5	Lighting O&M	=	O&M Cost (lifecycle)	x	0.427	x	1.518%
Charge Type	Monthly Charge		kWh Input		\$/kWh		
6	Generation	=	kWh per month	x	0.06760		
7	T&D, RCS, SB	=	kWh per month	x	0.02738		



**RATE SCHEDULE E-58
CLASSIFIED SERVICE
STREET LIGHTING SERVICE**

Step 2 **Determination of Total Monthly Charge**
The total monthly charge will be the summation of the charges for each applicable charge type

<u>Equipment</u>	<u>Charge Type</u>
Fixture - IBC	1,5,6,7
Fixture - IBO	3,5,6,7
Pole, Anchor Base - IBC	2
Pole, Anchor Base - IBO	4

TRIP CHARGE

A \$100.00 trip charge per light will be charged when a Customer requests a disconnect or reconnect of service in order to accommodate the maintenance activities of the Customer or its designee(s) on their street lighting equipment.

ADJUSTMENTS

The bill will include the following adjustments:

1. The Renewable Energy Standard charge, Adjustment Schedule REAC-1.
2. The Power Supply Adjustment charges, Adjustment Schedule PSA-1.
3. The Transmission Cost Adjustment charge, Adjustment Schedule TCA-1.
4. The Environmental Improvement Surcharge, Adjustment Schedule EIS.
5. The Demand Side Management Adjustment charge, Adjustment Schedule DSMAC-1.
6. The Lost Fixed Cost Recovery Adjustment charge, Adjustment Schedule LFCR.
7. Direct Access Customers returning to Standard Offer service may be subject to a Returning Customer Direct Access Charge, Adjustment Schedule RCDAC-1.
8. Any applicable taxes and governmental fees that are assessed on APS's revenues, prices, sales volume, or generation volume.

SERVICE DETAILS

1. Street lighting facilities installed under this rate schedule are of the type currently being furnished by Company as standard at the time service is initially requested. Standard facilities are those listed in the Company's Transmission and Distribution Construction Standards book.

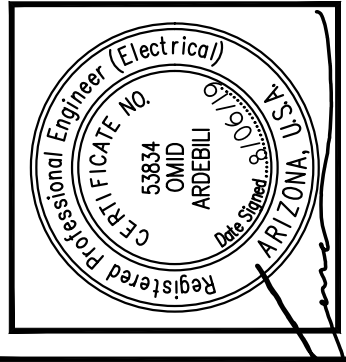


**RATE SCHEDULE E-58
CLASSIFIED SERVICE
STREET LIGHTING SERVICE**

2. The Customer will be responsible for notifying the Company when the streetlighting facilities are not operating as intended. The Company will use reasonable efforts to complete normal maintenance (replacement of lamps, photocontrols or fixtures) within ten (10) working days from notification by Customer. If the maintenance requires cable replacement or repairs, the Company will use reasonable efforts to complete said repairs within twenty (20) working days.
3. The Customer's bill will not be reduced due to lamp, photocontrol or cable repair or replacement outages.
4. Lighting equipment which is not specified in this rate schedule will be billed at the rates corresponding to the most similar equipment, as determined by the Company.
5. Non-standard facilities (non-standard being defined as any facility not listed in the Company's Transmission and Distribution Construction Standards book) do not qualify for this rate schedule. At the Company's discretion, such facilities may be served under another of the Company's rate schedules.
6. The Company will extend its standard street lighting system up to a distance of 300 feet for each additional lighting installation without cost at the request of the Customer. When the extension is underground the customer will provide earthwork as specified in the Company's Service Schedule 3, Conditions Governing Extensions of Electric Distribution Lines and Services; or, at the applicant's request, the Company will provide such earthwork and the applicant will be required to pay a non-refundable contribution in aid of construction equal to the cost of such earthwork. Any additional extension required (over and above the first 300 feet) will be provided by Company for a contribution in aid of construction equal to the cost of the additional extension.
 - a. Extensions to isolated areas requiring a substantial extension of the electric distribution system, as opposed to an extension of the street lighting system, will require a special study to determine the terms and conditions under which the Company will undertake such an extension.
7. APS provides electric service under the Company's Service Schedules. These schedules provide details about how the Company serves its Customers, and they have provisions and charges that may affect the Customer's bill. In addition, service may be subject to special terms and conditions as provided for in a Customer contract or service agreement.

TIRE WORKS

STREET LIGHTING



F.H.W.A. REGION

XX

STATE

ARIZ.

PROJ. NO.

DATE

5.22.19

DON TULEY PE

(480) 626-1841

ARIZONA ENGINEERING, LLC

8100 E INDIAN SCHOOL ROAD., STE 205

SCOTTSDALE, AZ 85251

STREET LIGHTING GENERAL NOTES

THE FOLLOWING INFORMATION IS PROVIDED TO EMPHASIZE CRITICAL WORK AND IS INTENDED TO SUPPLEMENT THE SPECIFICATIONS.

- THE CONTRACTOR SHALL COMPLY WITH STATE AND CITY STATUTES AND ORDINANCES.
- PRIOR TO SUBMITTAL, THE STREET LIGHT DESIGNER SHALL EXAMINE ALL GENERAL CONSTRUCTION DRAWINGS AND VISIT THE CONSTRUCTION SITE TO BECOME FAMILIAR WITH EXISTING CONDITIONS UNDER WHICH HE WILL OPERATE AND WHICH WILL IN ANY WAY AFFECT THE WORK UNDER THE CONTRACT.
- THE STREET LIGHT DESIGNER SHOULD VERIFY DIMENSIONS AT THE SITE AND IMMEDIATELY REPORT DIFFERENCES TO THE DEVELOPER'S CONSTRUCTION MANAGER AND NOT PROCEED WITH WORK UNTIL THE CONSTRUCTION MANAGER RENDERS A DECISION.
- THE ELECTRICAL CONTRACTOR SHALL COMPLY WITH ALL LICENSING REQUIREMENTS SET FORTH BY THE STATE REGISTRAR OF CONTRACTORS OFFICE TO PERFORM WORK RELATING TO STREET LIGHT INSTALLATION IN CITY OF PHOENIX RIGHT-OF-WAY.
- ONE DRY UTILITY PERMIT FOR EACH CITY OF SURPRISE STREET LIGHT PROJECT SHALL BE OBTAINED BY THE CONTRACTOR PRIOR TO CONSTRUCTION.
- LIGHT POLES SHALL BE INSTALLED PLUMB, BE ADJUSTED TO PROVIDE PROPER ALIGNMENT TO THE ROADWAY BEING LIGHTED AND BE PROPERLY GROUNDED WHEN THE INSTALLATION IS COMPLETED.
- STREET LIGHTS ARE INSPECTED BY THE CITY OF SURPRISE STREET LIGHTING INSPECTOR. WHEN ACCEPTED AND ENERGIZED THE CONTRACTOR WILL INSTALL POLE NUMBERS PRIOR TO INSPECTION.
- LUMINAIRES SHALL BE INSTALLED LEVEL AND INCLUDE A LAMP AND PHOTOCELL. THE LUMINAIRES SHALL BE FREE OF DUST, DIRT OR ANYTHING THAT WOULD IMPAIR THE OUTPUT OF THE LIGHT.
- LUMINAIRES FURNISHED WITH MULTI-TAP DIMMERS SHALL BE REWIRED OR RECONNECTED TO MATCH THE VOLTAGE SUPPLIED BY THE ELECTRIC UTILITY COMPANY.
- POLE SHALL BE SET PLUMB IN TWO DIRECTIONS, NINETY (90) DEGREES APART.
- SURPLUS EXCAVATION SHALL BE DISPOSED OF BY THE CONTRACTOR.

Luminaire Schedule

Symbol	Qty	Label	Arrangement	Total Lamp Lumens	LLF	Description
	1	EX	SINGLE	29000	0.810	SIGNIFY LUMEC 250HPS-TR20-SCB3M (EXISTING)
	1	NW	SINGLE	N.A.	0.950	SIGNIFY LUMEC TR20-80W48LED4K-G2-LB2F

Calculation Summary

Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
ELM ST	Illuminance	Fc	0.80	2.8	0.2	4.00	14.00

NOTE

THE ELECTRICAL/MAINTENANCE COSTS OF ALL STREET LIGHTS, ON LOCAL AND COLLECTOR STREETS, ARE PAID BY THE PROJECT PROPRIETOR. THE ADJACENT DEVELOPMENT'S STREET LIGHT IMPROVEMENT DISTRICT (SID). THE ELECTRICAL/MAINTENANCE COSTS OF ALL STREET LIGHTS ON ARTERIAL STREETS ARE TO BE BILLED TO THE CITY OF SURPRISE'S ENERGY BILL.

CLEARANCE NOTE

ENSURE THERE IS A 1' CLEARANCE FROM THE EDGE OF THE SIDEWALK TO THE FACE OF THE POLE.

LED NOTE

LED TECHNOLOGY IS CHANGING RAPIDLY. THE FIXTURES SHOWN ON THESE PLANS MAY NOT BE APPLICABLE AT TIME OF CONSTRUCTION. CONTRACTOR TO COORDINATE WITH APS AND UTILIZE THEIR CURRENT SPECIFICATION AT THE TIME OF BIDDING AND CONSTRUCTION.

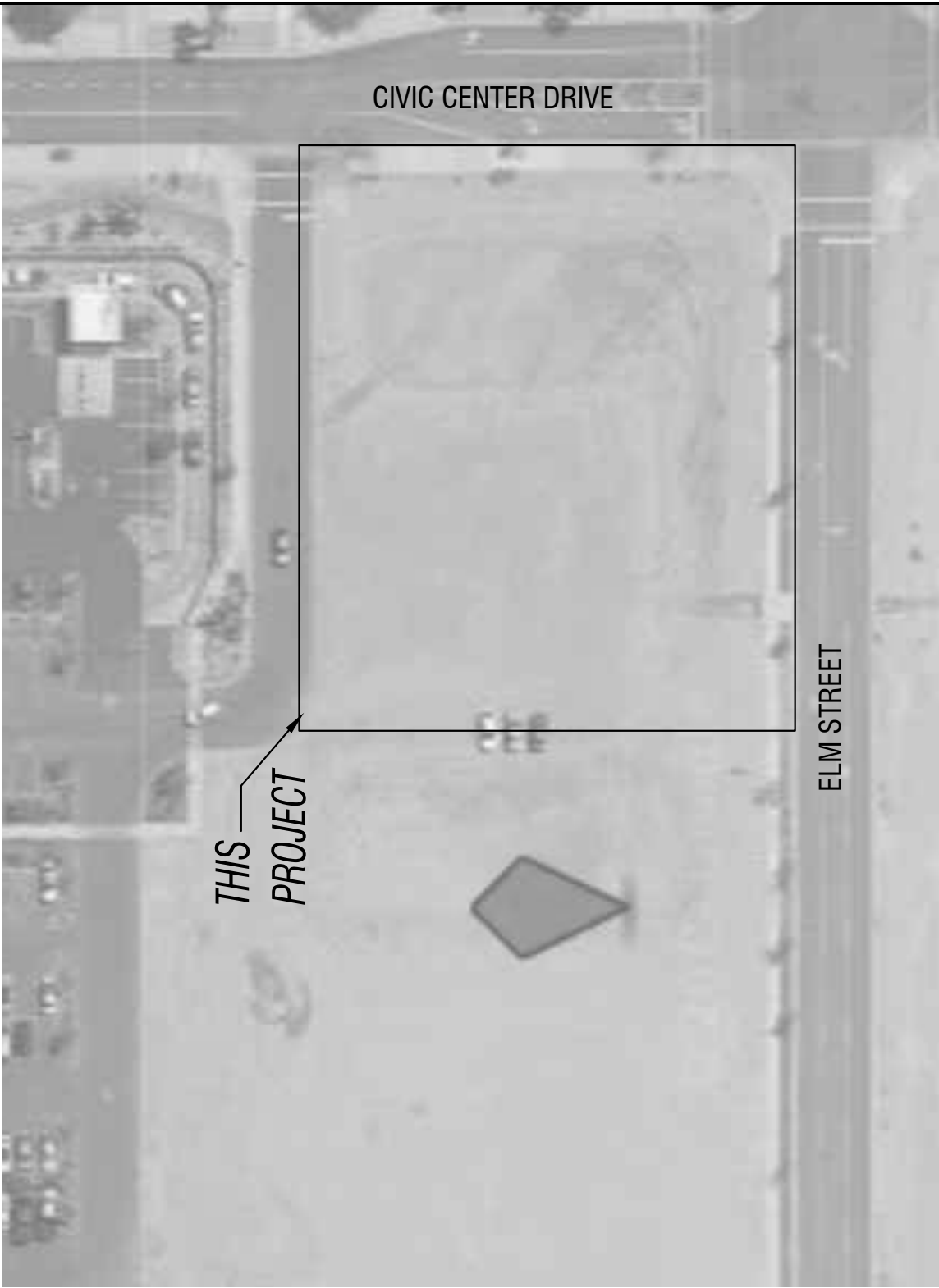
ARIZONA PUBLIC SERVICE (APS) NOTES

- CONTRACTOR SHALL CONTACT APS INSPECTOR DEFINED ON THE APS CONSTRUCTION DRAWING FOR PRE-CONSTRUCTION MEETING PRIOR TO ANY EXCAVATION.
- CONTRACTOR TO SUPPLY ALL TRENCH AND CONDUIT, PER APS REQUIREMENTS, UNLESS OTHERWISE NOTED.
- GRADE STAKE WILL BE SET WITHIN 2' OF J-BOX LOCATION.
- CONTRACTOR WILL COORDINATE WITH APS AND CITY OF SURPRISE FOR DE-ENERGIZING OF STREETLIGHT CONDUCTOR.
- GROUND ROD TO BE PROVIDED AND INSTALLED BY CONTRACTOR IN APS J-BOX AT EACH STREETLIGHT LOCATION.
- IF THE CONTRACTOR INSTALLS THE POLE, THE BARE #6 COPPER GROUND WIRE SHALL BE CONNECTED FROM THE GROUND ROD IN THE APS J-BOX TO THE GROUND CONNECTION IN THE HAND-HOLE.
- ALL TRENCH AND CONDUIT TO BE INSPECTED BY APS. DO NOT BACKFILL UNTIL INSPECTED.
- APS CONSTRUCTION PRINT MUST BE USED AS A TRENCHING REFERENCE. TRENCHING VARIATIONS MUST HAVE WRITTEN APS CSR APPROVAL. FOLLOW DETAILS FOR CONSTRUCTION. VARIATIONS IN TRENCH ROUTE MAY RESULT IN A REDESIGN FEE.
- CONTACT APS FOR ALL TRENCH AND CONDUIT SPECIFICATIONS AND REQUIREMENTS.
- CONTRACTOR IS RESPONSIBLE FOR INTEGRITY OF ALL CONDUITS UNTIL APS HAS INSTALLED CONDUCTORS.
- CONTRACTOR IS RESPONSIBLE FOR OBTAINING REQUIRED VARIANCES PRIOR TO SUBMITTING CIP DRAWINGS TO THE UTILITIES.
- CONTRACTOR IS RESPONSIBLE FOR VERIFYING VERTICAL AND HORIZONTAL CLEARANCES TO EXISTING OVERHEAD LINES AND POLES WHEN PLACING NEW STREETLIGHTS.

LED STREETLIGHT NOTES

COLLECTOR

- INSTALL ONE 80W LED (8,964 LUMEN) FIXTURE WITH PHOTOELECTRIC CONTROL ON A 38'-6" POLE WITH A 6' MAST ARM PER APS DETAIL AND SPECIFICATIONS. FOUNDATION AND GROUNDING PER APS STANDARDS AND SPECIFICATIONS. POLE SHALL BE CENTERED 1'-0" BEHIND BACK OF SIDEWALK OR 4" BEHIND BACK OF CURB. INSTALL (2) #12 THINWALL FROM LUMINAIRE TO FUSE HOLDER IN POLE. INSTALL APS PULL BOX ADJACENT POLE WITH 1" FLEX CONDUIT TO POLE PER APS SPECIFICATIONS AND REQUIREMENTS. ALL WIRING, FUSING, AND GROUNDING PER APS DETAILS AND SPECIFICATIONS.



VICINITY MAP

N.T.S.

OWNER

THOMAS THRIFT
3131 E. CAMELBACK RD. SUITE 115
PHOENIX, CA 85018
CONTACT ANGIE GRENDAHL
PHONE: 602.313.8635
AGREND AHL@THOMPSONTHRIFT.COM

CIVIL ENGINEER

BECK CONSULTING ENGINEER, INC.
JUSTIN EVINGER
DESK: (602) 810.2975
JUSTIN.EVINGER@BECKCON.COM

DEVELOPER'S INFORMATION

THOMPSON THRIFT RETAIL GROUP
ANGIE GRENDAHL
DESK: (602) 313.8635
CELL: (602) 478.4236

SHEET INDEX

COVER SHEET	SL-1
PHOTOMETRIC PLAN SHEET	SL-2
DETAIL SHEET	SL-3
ELECTRICAL SITE PLAN SHEET	SL-4

LEGEND

 NEW LED LUMINAIRE

 STAND ALONE STREET LIGHT POLE

 NEW #45 PULL BOX

CITY OF SURPRISE APPROVAL

THIS SET OF PLANS HAS BEEN REVIEWED FOR COMPLIANCE WITH CITY REQUIREMENTS PRIOR TO ISSUANCE OF PERMITS. THE CITY, NEITHER, ACCEPTS NOR ASSUMES ANY LIABILITY FOR ERRORS OR OMISSIONS. THIS COMPLIANCE APPROVAL SHALL NOT PREVENT THE CITY ENGINEER FROM REQUIRING CORRECTIONS OF ERRORS OR OMISSIONS IN PLANS FOUND TO BE IN VIOLATION OF LAWS OR ORDINANCES

CITY OF SURPRISE ENGINEER _____ DATE _____



Contact Arizona 811 at least two full working days before you begin excavation

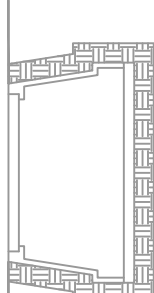


Call 811 or click Arizona811.com

F.H.W.A. REGION	STATE	PROJ. NO.	NO.	TOTAL
XX	ARIZ.			
DON TULEY PE (480) 626-1841 AIRCRAFT MAINTENANCE, LLC 8100 E INDIAN SCHOOL ROAD., STE 205 SCOTTSDALE, AZ 85251				
DR:	DES:	OK:	DATE: 5/22/19	

The image shows the LUMEC by signify logo at the top, followed by three lamp models: Urban, Transit, and TR20 Pendant. Each model is shown in a separate, light gray rectangular box. The Urban model is a modern, minimalist lamp with a long, thin arm and a small, cylindrical head. The Transit model is a classic-style lamp with a glass globe and a decorative metal frame. The TR20 Pendant model is a modern, minimalist lamp with a long, thin arm and a small, cylindrical head.

The versatility and character of Lumec **Transit** LED post top and pendant luminaires is clear. Combining stunning industrial looks with outstanding photometric performance, the Transit luminaires blend modern and traditional style with leading-edge engineering that have made Lumec luminaires the perfect choice for effective urban area lighting.

DESCRIPTION: 15" x 2 1/2" x 12" JUNCTION BOX WITH 3/8" CAPTIVE PENTA HEAD BOLTS WORD "ELECTRIC" ON COVER BOX TO BE POLYMER CONCRETE MATERIAL WITH POLYMER CONCRETE BOLT DOWN (NON-CONDUCTIVE COVER).		FLUSH MOUNTED-BOLT ON COMPOSITE LUD PART NUMBER PC1118B513 BOX SEEP APPROVED SUPPLIERS PC1118C504-17/JH0390A COVER WITH ELECTRIC STROMWELL AB001429A ARMORCAST PRODUCTS CMR SYSTEMS PM40-1018-12 CAHSON & ASSOCIATES HLW118-12 BOX HLW118-12 LUD
---	---	--

J-BOX SECTION

Diagram illustrating the foundation and installation details for a street light pole. The drawing shows a cross-section of the ground and the pole structure.

Key components and labels:

- STREET LIGHT POLE
- POLE HOLE WITH TAMPER RESISTANT SCREWS SEE DETAIL RIGHT
- FLUSH MOUNTED JUNCTION BOX SEE JUNCTION BOX INSTALLATION DETAIL
- CONDUITS FOR CABLE CONDUITS FOR APS TO MAKE CONNECTIONS TO FINAL LANDSCAPE GRAVEL
- 1" CARLEX LIQUIDTIGHT CONDUIT OR APPROVED EQUAL
- PVC CONDUIT TO NEXT UTILITY PLANS
- 5/8" DIA. X 8' COPPER CLAD GROUND ROD
- * SEE POLE DETAILS FOR DIMENSION
- ** SEE PLANS FOR POLE SETBACK
- 1" AUGURED HOLE AGAINST NATIVE SOIL
- NATIVE SOIL OR ABC BACKFILL COMPACTED
- STREET LIGHT CONDUIT TO SOURCE PER UTILITY PLANS
- STREET

POLE HAND HOLE FUSING DETAIL

(3) #12 CU THHN / THWN TO LUMINAIRE

#12 WHITE NEUTRAL

#12 GREEN EQUIPMENT GROUND - THHN / THWN

BARE #6 CU FROM GROUND THROUGH METAL POLE MOUNT

POLE GROUND

POLE MOUNT

#12 CU FROM GROUND THROUGH METAL POLE MOUNT

#12 BLACK 120V

INLINE FUSE HOLDER WITH 10A RNT FUSE

USE SHRINK TUBE ON EACH END OF FUSE

120V / 240V HOT / COLD BLACK - HOT TO JUNCTION BOX - THHN / THWN

WHITE NEUTRAL #12 THHN

#12 THHN UNDER WIRE NUT

#12 WHITE 240V = WHITE, 240V = RED

NOTE: HOT LEG SHALL HAVE AN INLINE FUSE HOLDER EX. 240 VOLTS NO NEUTRAL NEEDED INSIDE 240 VOLT POLE

GROUNDING DETAIL

8043.

IF APPLICABLE:
 D = DUSK-TO-DAWN
 1 = 120 VOLT
 2 = 277 VOLT
 4 = 240 VOLT
 7 = 277 VOLT

ARM CODE
 S2 = SINGLE 2' ARM
 D2 = DOUBLE 2' ARM
 R = PEDESTRIAN 6' POLE
 S = STREET LIGHT 6' POLE

NOTE 4

NOTE 5

41'-6" 20'-6"
 47'-6" 25'-6"

15"

10" NOTE 5

15"

30"

8153

8153 S

8153

8153

15'-0"

13'-9"

SEE CHART

1943

NOTE 3

8130

8130

42"

8140

8155

24" MIN. TO TOP OF CONDUIT

NOTE 2

1

TABLE 1

LIGHT CODE	LIGHT POLE DIA	APN	WATTS	K	TYPE	VOLTS	MOUNTING HEIGHT	
							INITIAL LUMENS	41'-6"
DL60	6"	00133081	37	3000			3,720	41'-6"
DL61	6"	00133082	55				5,580	13'-9"
DL65	6"	00135384	75		LED	120/208/240/277	8,147	
DL67	6"	00135385	100	4000			9,522	
DL62	6"	00133083	135				14,900	38'-5"
DL69	6"	00135386	150				14,896	

3. SIGN "NOTICE THIS POLE IS OWNED AND MAINTAINED BY APS. DISCONNECT INSIDE" IS REQUIRED ON ALL DUSK-TO-DAWN AND AREA LIGHTING APPLICATIONS.

4. POLES THAT HAVE MORE THAN ONE LUMINAIRE REQUIRE A SEPARATE CIRCUIT WITH FUSING FROM THE J-BOX TO EACH LUMINAIRE.

5. THERE ARE (2) 1-1/2" DIA HOLES 180 DEG APART 1' DOWN FROM THE TOP OF THE POLE FOR SINGLE AND DOUBLE STREET LIGHT ARM MOUNTING. FOR PEDESTRIAN LIGHT WIRE ENTRANCE DRILL A 1-1/2" DIA HOLE DOWN FROM TOP OF POLE AT 20'-6" FOR THE 41'-6" POLE AND 25'-6" FOR THE 47'-0" POLE.

6. THE LIGHT CODE PROVIDES TWO SAME WATTAGE LUMINAIRES WHEN DOUBLE ARM IS SPECIFIED.

7. THE BROWN PHOTO CONTROL IS A FAIL OFF CONTROL AND SHALL BE USED WITH ALL INDOOR AND LED LUMINAIRES.

8. SEE SPEC 8130-8140 FOR IN-LINE FUSE FOR UNDERGROUND FEEDS.

9. ON 277 VOLT STREET LIGHT CIRCUITS, INSTALL A "277 VOLT" MICARTYA TAG ON CABLE IN J-BOX. TAG PROVIDED BY SPEC 8129.

MATERIAL LIST

ITEM	QTY	QTY	DESCRIPTION	APN
8043.SD2	1	10	CONDUIT 1" PVC FLEX CORR	32900891
8043.SS2	2	VAR	VAR CONTROL PHOTO MULTI BR-20	00073241
8043.RS2	3	1	LUMINAIRE - SEE TABLE 1	
	4	1	MAST ARM S/LT 1/2" TRANSIT 6'S	00074496
	5	1	SIGN POLE OWNED BY APS	00050092

NOTES:

- ADJUST PHOTO EYE TO FACE NORTH.
- A GROUND ROD IS PROVIDED WITH EACH STREET LIGHT POLE. WHERE A GROUND ROD CANNOT BE DRIVEN, ALTERNATE GROUND SHALL BE USED. SEE 2449 THRU 2460 FOR APPROVED ALTERNATES.

 ARIZONA PUBLIC SERVICE COMPANY T&D CONSTRUCTION STANDARDS	LIGHTS DECORATIVE TRANSIT LUMINAIRE ON 41'-0" AND 47'-0" STEEL DIRECT BURIED POLES WITH 2'-0" ARM WITH PEDESTRIAN OPTION				SH 1 OF 1
	BY	LDR	MGR.	DATE	REV.
KLS	J. HORMELL	R. CANDRA	11/2018	7	8043

1. CONCRETE GROUND SHALL BE PREFIX, APN 71307280 OR EQUIVALENT.
2. PENTA-HEAD BOLTS SHALL BE INSTALLED PRIOR TO ENERGIZING NEW UNDERGROUND SYSTEMS. LOST OR MISPLACED PENTA-HEAD BOLTS SHALL BE REPLACED WITH APN 71402608.
3. BRINGING ALL CABLE CONDUITS AND GROUND ROD INTO THE SAME END OF THE BOX TO ENABLE CABLES TO BE RAISED AND LOWERED EASILY. CONDUIT SHALL BE POSITIONED AND SECURED SO THAT WHEN TWO, SECONDARY AND SERVICE CONDUITS ARE ALIGNED, THE ST L.T. SECONDARY AND SERVICE CONDUITS SHALL BE INSTALLED AS SHOWN IN DETAIL "A". POSITION JUNCTION BARS AS SPECIFIED. THE ST L.T. SECONDARY, SECONDARY AND SERVICE CONDUITS SHALL BE INSTALLED AS SHOWN IN DETAIL "B".
4. COMPACTATION BEHIND AND AROUND JUNCTION BOX SHALL BE A MINIMUM OF 86 PERCENT.
5. REPLACEMENT LD FOR MEDIUM PLASTIC JUNCTION BOX IS S310081. PENTA-HEAD BOLTS AND END MARKER MUST BE REUSED FROM OLD LD.
6. ADDITIONAL TRENCH DEPTH IS USUALLY REQUIRED AT ALL EQUIPMENT LOCATIONS. SEE 8848 FOR THE MINIMUM TRENCH DEPTHS AND THE DEGREE OF SLOPE ALLOWED AS THE TRENCH DEPTH CHANGES.
7. ON 277 VOLT STREET LIGHT CIRCUITS, INSTALL "277 VOLT" RED MARIATA TAG (AN 00800 50) PROVIDED BY SPEC 0125.
8. TORQUE BOLTS TO 5 FT.- LBS. (60 IN.- LBS).

APS J-BOX DETAIL

aps

Contact Arizona 811 at least two full working days before you begin excavation

ARIZONA 811

Call 811 or click Arizona811.com

F.H.W.A.
REGION

XX

STATE
ARIZ.

PROJ. NO.

TOTAL
NO.

Registered Professional Engineer (Electrical)

CERTIFICATE NO. 5384

ARDEBLI

ARIZONA

Don Tuley PE

(480) 626-1841

ARDEBLI ENGINEERING, LLC.

8100 E INDIAN SCHOOL ROAD, STE 205

SCOTTSDALE, AZ 85251

DR:

DES:

CK:

DATE: 5.22.19

PROJ. NO.		TOTAL	
STATE	ARIZ.		
REGION	XX		
F.H.W.A.			

Registered Professional Engineer (Electrical)

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SCOTTSDALE, AZ 85251

DR:

DES:

CK:

DATE: 5.22.19

The site plan illustrates a proposed tire store and associated parking area. The store, labeled 'PROPOSED TIRE STORE', has a footprint of 5,762 S.F. and a finished floor elevation of 1212.87'. It is situated adjacent to a parking lot with 17 stalls. The plan includes property lines with bearings and distances, such as S01°28'E 174.36' and S01°28'E 169.10'. A north arrow is located in the upper right corner. The plan also shows existing and proposed street poles, with one pole labeled 'EXISTING STREET POLE' and another 'NEW STREET POLE'. The street layout includes 'ELM STREET' and 'CIVIC CENTER DRIVE'. A scale bar indicates 1" = 20'-0".

1 PARTIAL ELECTRICAL SITE PLAN

SCALE: 1" = 20'-0"

A graphic scale bar showing distances in feet. The scale is marked from 0 to 40 feet, with increments of 10 feet. The text 'GRAPHIC SCALE (IN FEET)' is printed above the scale.

aps

ARIZONA811

Contact Arizona 811 at least two full working days before you begin excavation

Call 811 or click Arizona811.com

STREET LIGHTS	
CITY OF SURPRISE, ARIZONA	
TIRE WORKS-SURPRISE ELM ST. NEAR NWC OF BELL AND CIVIC CENTER DR. SURPRISE, ARIZONA APN 501-18-557 MARICOPA COUNTY, ARIZONA	
PROJECT #:	FILE NO:
DES:	CK:
DATE:	DATE:
OS #:	TOTAL SHEETS
4	4

Page 105 of 733

SURPRISE CENTER 190

Street Lights:

Street Light Pole

- 1 new poles
- 1 existing poles
- SLID Boundary





CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: October 15, 2019
Submitting Department: Public Works
Staff Recommendations: None

Contact Person: Mike Gent, DIRECTOR - PW
District: District 1

Consent: Yes	Regular: No	Public Hearing: No	Report/Discussion: No
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Agenda Wording:

Consideration and action pertaining to deleting a portion of the territory within Fulton Homes at Escalante 154 Street Lighting Improvement District; Resolution #2019-109.

Motion:

I move to approve Resolution # 2019-109.

Background:

The City of Surprise, Arizona, Fulton Homes Escalante 154 Lighting Improvement District was formed by Council Resolution # 2019-06 on February 5, 2019. It has been determined that due to a clerical error, Exhibits A and B to Resolution 2019-06 inadvertently included and incorporated a parcel(s) of real property within District No 154 that should have been excluded.

In order to correct the clerical error, it is necessary for City Council to amend the previously adopted Resolution Exhibits A and B to delete the inadvertently included real property and to properly redefine District 154.

Objective Analysis:

Pursuant to Title 48, Chapter 4, Article 2, including §48-616, the City orders that District 154 be redefined and re-illustrated as set forth in Exhibit A and Exhibit B hereto.

Policy Compliant:

In order to correct the clerical error, the City Council finds, as a matter of law and City policy that it is necessary to amend Exhibits A and B to Resolution 2019-06 to summarily delete the inadvertently included real property and to properly redefine District 154.

Financial Impact:

Any financial impact on the City is anticipated to be minimal, as the Developer and District bear the

costs and expenses of the District and street light improvement facilities.

Budget Impact:

Any impact on funding is anticipated to be minimal, as the impacted SLIDs were formed in 2019. Separate funds for the District are currently in place to track the revenue and expenses.

FTE Impact:

This action does not change the full time equivalent count.

ATTACHMENTS:

1. 01 Res. 2019-109 Fulton Homes at Escalante
-

RESOLUTION # 2019-109

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, DELETING A PORTION OF THE TERRITORY WITHIN THE CITY OF SURPRISE, SU-FULTON HOMES AT ESCALANTE 154 AND REDEFINING THE LEGAL BOUNDARIES OF THE STREET LIGHTING DISTRICT.

WHEREAS, the City of Surprise, Arizona, SU-Fulton Homes at Escalante 154 was formed by Council Resolution 2019-06 on February 5, 2019;

WHEREAS, it has been determined that due to a clerical error, Exhibits A and B to Resolution 2019-06 inadvertently included and incorporated a parcel(s) of real property within District No 154 that should have been excluded.

WHEREAS, in order to correct the clerical error, the City Council finds, as a matter of law and City policy that it is necessary to amend Exhibits A and B to Resolution 2019-06 to summarily delete the inadvertently included real property and to properly redefine District 154.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Surprise, Arizona, as follows.

Section 1. Pursuant to A.R.S Title 48, Chapter 4, Article 2, including §48-616, the City orders that District 154 be redefined as set forth in Exhibit A hereto.

Section 2. Pursuant to A.R.S Title 48, Chapter 4, Article 2, including §48-616, the City further orders that District 154 be re-illustrated as set forth in Exhibit B hereto.

Section 3. Exhibits A and B attached hereto shall be recorded and maintained according to law in order to accurately define and illustrate the corrected legal boundaries of District 154.

APPROVED AND ADOPTED this ____ day of _____, 2019.

Skip Hall, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

Exhibit A

SU-FULTON HOMES AT ESCALANTE 154

STREET LIGHT IMPROVEMENT DISTRICT

LEGAL DESCRIPTION

A portion of Section 7, Township 4 North, Range 1 West, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, comprised of Parcel 1, Parcel 2, Parcel 3, Parcel 4, Parcel 5, Parcel 6, Tract A, Tract B, Tract C, Tract D, Tract E, Tract F, and Tract G of Verdugo Master Plat as recorded in Book 1362, Page 45, Records of the Maricopa County, described as follows:

BEGINNING at the Southwest corner of said Section 7, from which the West Quarter Corner of said Section 7 bears North 00°21'11" East 2634.04 feet;

Thence along the west line of the southwest quarter of said Section 7 North 00°21'11" East 2634.04 feet to said West Quarter Corner;

Thence along the west line of the northwest quarter of said Section 7 North 00°20'48" East 1317.10 feet;

Thence South 89°43'33" East 1861.22 feet;

Thence South 00°07'00" East 1318.12 feet;

Thence South 45°02'20" West 56.36 feet;

Thence South 00°03'41" East 164.35 feet;

Thence South 89°38'19" East 19.82 feet;

Thence South 00°15'23" West 60.09 feet;

Thence South 07°54'47" East 151.35 feet;

Thence South 23°35'26" East 148.04 feet;

Thence South 33°13'12" East 121.34 feet;

Thence South 36°30'31" East 106.11 feet;

Thence South 33°20'42" East 105.47 feet;

Thence South 30°10'41" East 105.48 feet;

Thence South 27°04'20" East 105.49 feet;

Thence South 23°56'19" East 105.61 feet;

Thence South 20°49'00" East 105.33 feet;

Thence South 17°40'11" East 105.57 feet;

Thence South 14°31'26" East 108.72 feet;

(DESCRIPTION CONTINUED ON SHEET 2 OF 2)

DESCRIPTION CONTINUED FROM SHEET 1 OF 2

Thence South 09°27'10" East 39.94 feet to the beginning of a non-tangent curve, concave southerly the center of which lies South 09°12'37" East 480.00 feet;

Thence easterly along the arc of said curve through a central angle of 01°04'45" a distance of 9.04 feet;

Thence South 09°33'40" East 143.86 feet;

Thence South 05°43'43" East 113.45 feet;

Thence South 02°23'34" East 113.41 feet;

Thence South 00°12'16" East 36.17 feet;

Thence South 00°21'39" West 731.48 feet;

Thence North 89°38'52" West 533.54 feet to the South Quarter Corner of said Section 7;

Thence North 89°37'50" West 1893.34 feet to the POINT OF BEGINNING.

EXCEPT for PARCEL 6 of said VERDUGO MASTER PLAT described as follows:

A portion of the southwest quarter of the southwest quarter of Section 7, Township 4 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona described as follows:

Commencing at the Southwest Corner of said Section 7;

Thence along the south line of said Section 7 South 89°37'50" East 68.00 feet;

Thence leaving said south line North 00°21'11" East 75.00 feet to the POINT OF BEGINNING;

Thence North 00°21'11" East 948.22 feet;

Thence South 89°41'45" East 697.08 feet;

Thence South 00°21'36" West 957.01 feet;

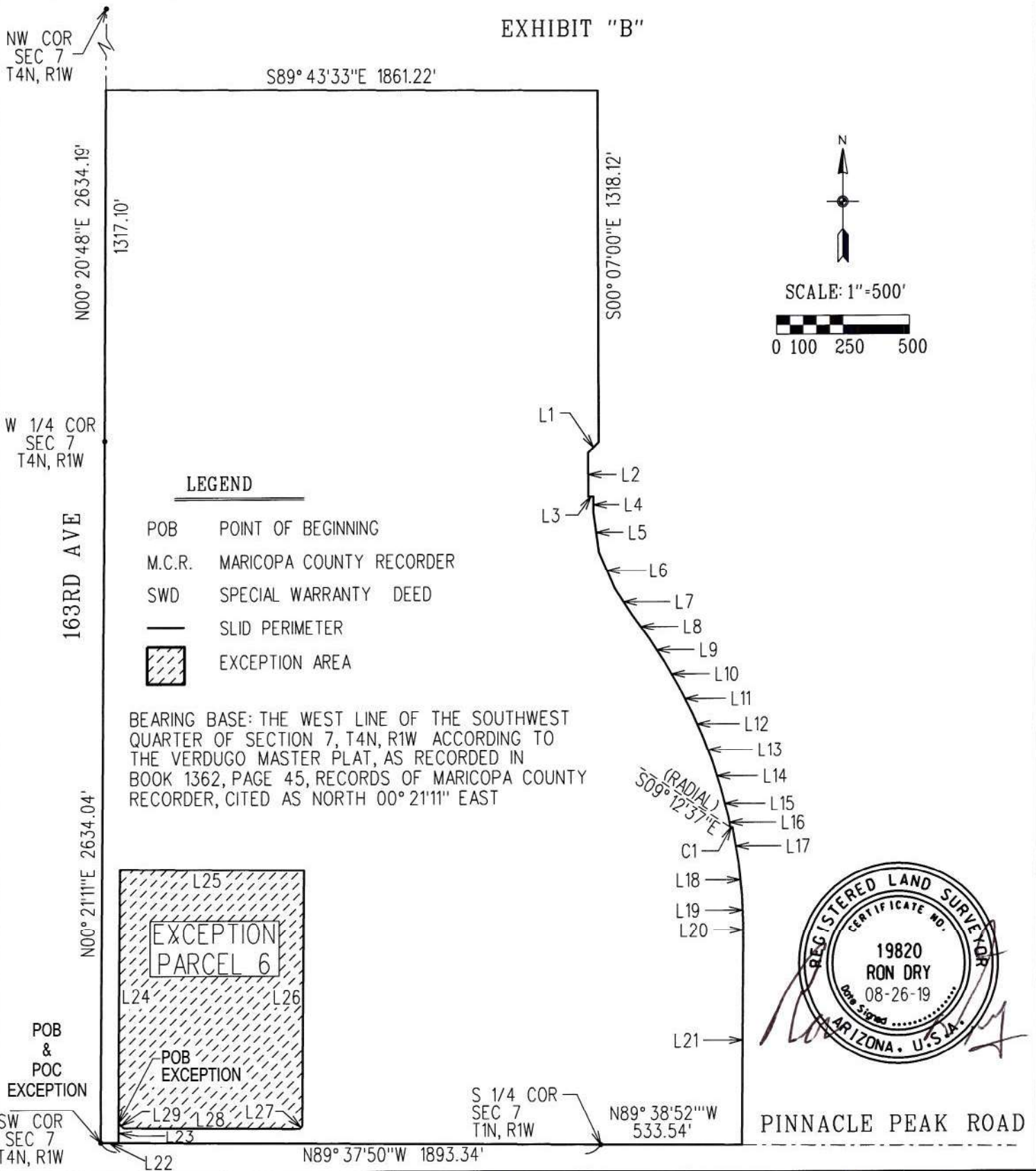
Thence South 45°22'04" West 16.96 feet;

Thence North 89°37'50" West 664.97 feet;

Thence North 44°38'19" West 28.29 feet to the POINT OF BEGINNING.



EXHIBIT "B"



STREET LIGHT IMPROVEMENT DISTRICT
SU-FULTON HOMES AT ESCALANTE *154



CITY OF SURPRISE
LAND SURVEY DEPARTMENT

PROJECT # 19037

DRAWN BY RCD

DATE 08-26-19

SHEET 1 OF 2

EXHIBIT "B"

LINE TABLE

LINE	BEARING	LENGTH
L1	S45° 02'20"W	56.36'
L2	S00° 03'41"E	164.35'
L3	S89° 38'19"E	19.82'
L4	S00° 15'23"W	60.09'
L5	S07° 54'47"E	151.35'
L6	S23° 35'26"E	148.04'
L7	S33° 13'12"E	121.34'
L8	S36° 30'31"E	106.11'
L9	S33° 20'42"E	105.47'
L10	S30° 10'41"E	105.48'
L11	S27° 04'20"E	105.49'
L12	S23° 56'19"E	105.61'
L13	S20° 49'00"E	105.33'
L14	S17° 40'11"E	105.57'
L15	S14° 31'26"E	108.72'
L16	S09° 27'10"E	39.94'
L17	S09° 33'40"E	143.86'
L18	S05° 43'43"E	113.45'
L19	S02° 23'34"E	113.41'
L20	S00° 12'16"E	36.17'
L21	S00° 21'39"W	786.48'
L22	S89° 37'50"E	68.00'
L23	N00° 21'11"E	75.00'
L24	N00° 21'11"E	948.22'
L25	S89° 41'45"E	697.08'

LINE TABLE

LINE	BEARING	LENGTH
L26	S00° 21'36"W	957.01'
L27	S45° 22'04"W	16.96'
L28	N89° 37'50"W	664.97'
L29	N44° 38'19"W	28.29'

CURVE TABLE

CURVE	△	RADIUS	LENGTH
C1	01° 04'45"	480.00'	9.04'



STREET LIGHT IMPROVEMENT DISTRICT
SU-FULTON HOMES AT ESCALANTE #154



CITY OF SURPRISE
LAND SURVEY DEPARTMENT

PROJECT # 19037

DRAWN BY RCD

DATE 08-26-19

SHEET 2 OF 2



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: October 15, 2019 Contact Person: Robert Kuhfuss
Submitting Department: Community Development District: District 6
Staff Recommendations:

Consent: Yes Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action pertaining to the approval of a Replat entitled, "Lots 6140 through 6142 and tract I6 of Marley Park Parcel 6" and dated August 22, 2019, a property generally located northeast of the corner of Reems Road and Cactus Road.

Motion:

I move to approve the Replay entitled, "Lots 6140 through 6142 and tract I6 of Marley Park Parcel 6" and dated August 22, 2019.

Background:

Thomas Gettings of Wood Patel and Associates, on behalf of Marley Park Phase III, LLC, seeks approval of a Re-Plat of Lots 6140 through 6142 and Tract I6 of Marley Park Parcel 6 for the purpose of correcting an access issue inadvertently created by the original Final Plat.

Objective Analysis:

The original Final Plat included a landscape tract between Lots 6138 through 6142 and the adjacent street thereby effectively cutting off legal access to these lots. The intent of the subject Re-Plat is to vacate a portion of Tract I6 and convey said portion to Lots 6140, 6141, and 6142, while creating two additional tracts that may be conveyed to the owners of Lots 6138 and 6139 at a later date.

Policy Compliant:

The requested Re-Plat is consistent with the Marley Park PAD and advances the goals and policies of the General Plan.

Financial Impact:

This item does not have a direct financial impact. However, all activity related to ongoing development of the City of Surprise has an economic and fiscal impact on the city and the region.

Budget Impact:

There is no anticipated budget impact related to this item.

FTE Impact:

This item does not have an impact on current staff levels.

ATTACHMENTS:

1. 00 FS19-446 Marley Park Lots 6140-6142 & Tract I6 Replat 10-15-19 CC Staff Report
 2. 01 FS19-466 Marley Park Lots 6140-6142 & Tract I6 Replat Vicinity Map
 3. 02 FS19-466 Marley Park Lots 6140-6142 & Tract I6 Replat Case Map
 4. 03 FS19-466 Marley Park Lots 6140-6142 & Tract I6 Replat
 5. 04 FS19-466 Marley Park Lots 6140-6142 & Tract I6 Replat
-

FINAL RE-PLAT

REPORT TO THE CITY COUNCIL

Case: FS19-466

Project Name: Marley Park Parcel 6, Lots 6140-6142 & Tract I6 Re-Plat

Council District: 6 – Palo Verde

City Council Date: October 15, 2019

Planner: Robert H. Kuhfuss, AICP

Owner: Marley Park Phase III, LLC

Applicant: Wood Patel and Associates

Request: Re-Plat of Lots 6140-6142 & Tract I6 of Marley Park Parcel 6

Site Location: North of Windrose Drive and east of Founders Park Boulevard in Marley Park

Site Size: 1.685 acres (approx.)

Density: 1.78 DU/Ac.

General Plan Conformance: The proposal is consistent with the Surprise General Plan 2035

Support/Opposition: None known

Findings:

- The proposed Re-Plat is consistent with the Marley Park PAD.
- The proposed Re-Plat is consistent with the applicable City of Surprise regulations.
- The reviewing agencies have indicated no objections to the request.

Alternative Actions: **Approval** of the requested Re-Plat will correct an access issue relating to Lots 6140 through 6142, while facilitating the future correction of a similar access issue for Lots 6138 and 6139.

Denial of the requested Re-Plat will prevent the applicant from correcting the access issue as proposed.

44 **Project Description:**

45
46 Thomas Gettings of Wood Patel and Associates, on behalf of Marley Park Phase III, LLC, seeks
47 approval of a Re-Plat of Lots 6140 through 6142 and Tract I6 of Marley Park Parcel 6 for the purpose
48 of correcting an access issue inadvertently created by the original Final Plat.
49

50 **Background:**

51
52 **August 24, 2004:** The City Council approved the original Final Plat for Marley Park Parcel 6, which
53 was subsequently recorded in Book 702 Page 26 MCR.
54

55 **December 13, 2017:** The applicant filed a request for a Re-Plat of Lots 6138 through 6142 of Marley
56 Park Parcel 6 under case FS17-712. Said case was withdrawn on July 1, 2019
57

58 **July 1, 2019:** The applicant filed a request for a Re-Plat of Lots 6140-6142 & Tract I6 of Marley Park
59 Parcel 6 under FS19-466, the subject case.
60

61 **Reviewing Agencies:**

62
63 The subject request was routed to the standard internal and external reviewing agencies who
64 indicated no objections to the requests.
65

66 **Discussion:**

67
68 The original Final Plat included a landscape tract between Lots 6138 through 6142 and the adjacent
69 street thereby effectively cutting off legal access to these lots. The intent of the subject Re-Plat is to
70 vacate a portion of Tract I6 and convey said portion to Lots 6140, 6141, and 6142, while creating
71 two additional tracts that may be conveyed to the owners of Lots 6138 and 6139 at a later date.
72

73 **Summary:**

74
75 The proposed Re-Plat meets the requirements of the Marley Park PAD and the Municipal Code.
76 The Re-Plat will also remedy an access issue in advertently created by the original Final Plat. The
77 reviewing agencies have expressed no objections to the approval of the Re-Plat.
78

79 **Findings:**

- 80
81
 - The proposed Re-Plat is consistent with the Marley Park PAD.
 - The proposed Re-Plat is consistent with the applicable City of Surprise regulations.
 - The reviewing agencies have indicated no objections to the request.

82
83
84
85
86

87 **Alternative Actions:**

88

89 **Approval** of the requested Re-Plat will correct an access issue relating to Lots 6140 through
90 6142, while facilitating the future correction of a similar access issue for Lots 6138 and 6139.

91

92 **Denial** of the requested Re-Plat will prevent the applicant from correcting the access issue as
93 proposed.

94

95 **Attachments:**

96

97 01 Vicinity Map

98 02 Case Map

99 03 Re-Plat

**FS19-466
Marley Park
Lots 6140 – 6142 & Tract 16 Re-Plat
Vicinity Map**



**SUBJECT
SITE**

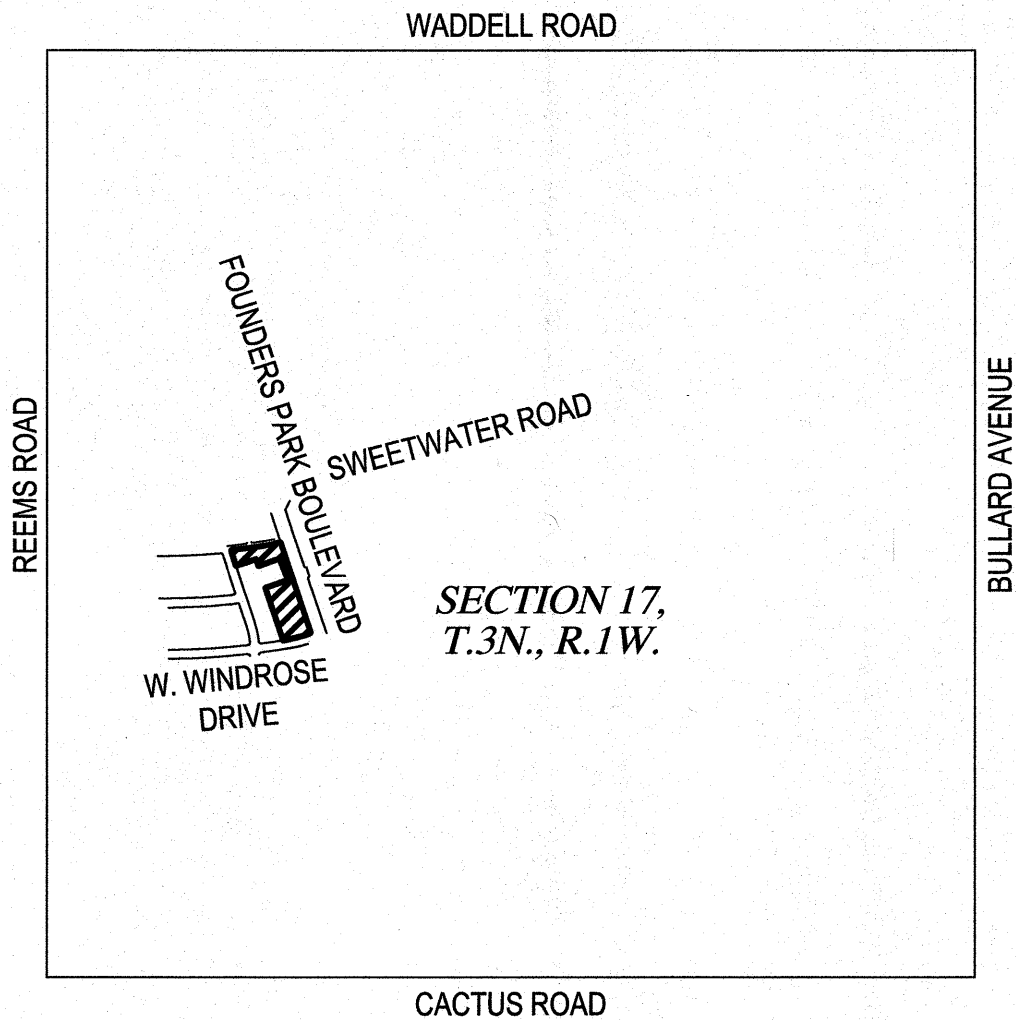
FS19-466
Marley Park
Lots 6140 – 6142 & Tract 16 Re-Plat
Case Map



**SUBJECT
SITE**

DRAWINGS AND SPECIFICATIONS AS INSTRUMENTS OF SERVICE ARE THE PROPERTY OF MARLEY PARK PHASE II LLC AND MAY NOT BE REPRODUCED WITHOUT THE WRITTEN PERMISSION OF MARLEY PARK PHASE II LLC

REPLAT
OF
LOTS 6140 THROUGH 6142 AND TRACT I6 OF MARLEY PARK PARCEL 6
A REPLAT OF LOTS 6140 THROUGH 6142 AND TRACT I6
OF MARLEY PARK PARCEL 6 RECORDED IN BOOK 702, PAGE 26, MARICOPA COUNTY RECORDS,
BEING A PORTION OF SECTION 17, TOWNSHIP 3 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER
MERIDIAN, MARICOPA COUNTY, ARIZONA.



VICINITY MAP
N.T.S.

DEDICATION

STATE OF ARIZONA)
COUNTY OF MARICOPA) SS.

THAT MARLEY PARK PHASE I LLC, AN ARIZONA LIMITED LIABILITY COMPANY AS TO LOTS 6140 THROUGH 6142; AND MARLEY PARK COMMUNITY ASSOCIATION, INC. AN ARIZONA NON-PROFIT CORPORATION AS TO TRACT I6, AS OWNERS, HAVE SUBDIVIDED UNDER THE NAME OF "LOTS 6140 THROUGH 6142 AND TRACT I6 OF MARLEY PARK PARCEL 6", A REPLAT OF LOTS 6140 THROUGH 6142 AND TRACT I6 OF MARLEY PARK PARCEL 6 RECORDED IN BOOK 702, PAGE 26, MARICOPA COUNTY RECORDS, BEING A PORTION OF SECTION 17, TOWNSHIP 3 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, AS SHOWN HEREON AND HEREBY PUBLISHES THIS PLAT AS AND FOR THE PLAT OF SAID "LOTS 6140 THROUGH 6142 AND TRACT I6 OF MARLEY PARK PARCEL 6", AND DECLARES THAT THIS PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF EACH LOT AND TRACT CONSTITUTING SAME, AND THAT EACH LOT AND TRACT SHALL BE KNOWN BY THE NUMBER OR NAME GIVEN TO EACH, RESPECTIVELY, AS SHOWN ON THIS PLAT AND INCLUDED IN THE ABOVE-DESCRIBED PREMISES.

OWNERS HEREBY GRANT TO THE CITY OF SURPRISE AN ODOR EASEMENT OVER, UPON AND ACROSS, THIS PLAT AND EVERY LOT AND PARCEL THEREOF, WHICH EASEMENT SHALL INCLUDE, BUT NOT BE LIMITED TO, THE RIGHT TO INVADE WITH ODORS, FUMES, SMELLS, AND PHYSICAL AIRBORNE PARTICULATES CAUSED BY THE LAWFUL OPERATION AND MAINTENANCE OF THE CITY'S WASTEWATER TREATMENT PLANT LOCATED SOUTH OF CACTUS ROAD APPROXIMATELY ONE-HALF (1/2) MILE EAST OF LITCHFIELD ROAD.

OWNERS HEREBY GRANT TO THE UNITED STATES OF AMERICA DEPARTMENT OF THE AIR FORCE ("USAF") AN AVIGATION EASEMENT OVER AND ACROSS THIS PLAT AND EVERY LOT AND PARCEL THEREOF, WHICH EASEMENT SHALL INCLUDE, BUT NOT BE LIMITED TO, THE RIGHT OF FLIGHT OF AIRCRAFT OVER THIS PLAT, TOGETHER WITH ITS ATTENDANT NOISE, VIBRATIONS, FUMES, DUST, FUEL AND LUBRICANT PARTICLES, AND ALL OTHER EFFECTS THAT MAY BE CAUSED BY THE OPERATION OF AIRCRAFT LANDING AT, OR TAKING OFF FROM, OR OPERATING AT OR ON LUKE AIR FORCE BASE AND AUXILIARY FIELD.

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE A PERPETUAL CROSS ACCESS EASEMENT ACROSS THE PLAT INCLUDING ROADS AND STREETS, OPEN SPACES, COMMUNITY FACILITIES, TRACTS, SIDEWALKS, DRAINAGE BASINS AND ANY PROPERTY WITHIN THE PLAT OWNED BY THE HOMEOWNERS ASSOCIATION FOR THE PURPOSE OF PROVIDING CONTINUOUS AND UNINTERRUPTED INGRESS AND EGRESS FOR EMERGENCY VEHICLES.

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE PERPETUAL NON-EXCLUSIVE EASEMENT OVER, UPON AND ACROSS THE AREAS DESIGNATED AS SIGHT VISIBILITY TRIANGLES FOR THE PURPOSES OF ENSURING THAT THESE AREAS REMAIN FREE OF SIGHT VISIBILITY OBSTRUCTIONS.

MARLEY PARK PHASE I LLC, AN ARIZONA LIMITED LIABILITY COMPANY AS TO LOTS 6140 THROUGH 6142; AND MARLEY PARK COMMUNITY ASSOCIATION, INC. AN ARIZONA NON-PROFIT CORPORATION AS TO TRACT I6, WARRANTS AND REPRESENTS TO THE CITY OF SURPRISE THAT THEY ARE THE SOLE OWNERS OF THE PROPERTY COVERED BY THIS PLAT, THAT MARLEY PARK COMMUNITY ASSOCIATION, INC., HAS RATIFIED THIS PLAT AS SHOWN HEREON, AND THAT EVERY LENDER, EASEMENT HOLDER OR OTHER PERSON OR ENTITY HAVING ANY INTEREST THAT IS ADVERSE TO OR INCONSISTENT WITH THE FOREGOING DEDICATION, OR ANY OTHER REAL PROPERTY INTEREST CREATED OR TRANSFERRED BY THIS PLAT, HAS CONSENTED TO OR JOINED IN THIS PLAT AS EVIDENCED BY INSTRUMENTS WHICH ARE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE OR WHICH MARLEY PARK PHASE I LLC WILL RECORD NOT LATER THAN THE DATE ON WHICH THIS PLAT IS RECORDED.

IN WITNESS WHEREOF, MARLEY PARK PHASE I LLC, AN ARIZONA LIMITED LIABILITY COMPANY AS THE OWNER OF LOTS 6140 THROUGH 6142 HAS CAUSED ITS NAME TO BE AFFIXED BY THE UNDERSIGNED, DULY AUTHORIZED PERSONS AND ENTITIES,

THIS ____ DAY OF _____, 2019.

MARLEY PARK PHASE I LLC, AN ARIZONA LIMITED LIABILITY COMPANY

BY: DMB ASSOCIATES, INC., AN ARIZONA CORPORATION, ITS MANAGER

BY: _____

ITS: _____

IN WITNESS WHEREOF, MARLEY PARK COMMUNITY ASSOCIATION, INC. AN ARIZONA NON-PROFIT CORPORATION AS THE OWNER OF TRACT I6 HAS CAUSED ITS NAME TO BE AFFIXED BY THE UNDERSIGNED, DULY AUTHORIZED PERSONS AND ENTITIES,

THIS ____ DAY OF _____, 2019.

MARLEY PARK COMMUNITY ASSOCIATION, INC. AN ARIZONA NON-PROFIT CORPORATION .

BY: _____

ITS: _____

NOTES

SEE SHEET 2

DEVELOPER/OWNER

MARLEY PARK PHASE I LLC
7600 E. DOUBLETREE RANCH ROAD
SUITE 300
SCOTTSDALE, AZ 85258
CONTACT: DAVID NILSEN
PHONE: (480)-367-7000

OWNER

MARLEY PARK COMMUNITY ASSOCIATION, INC.

KEY MAP

SEE SHEET 2

APPROVALS

DATA ON THIS PLAT REVIEWED AND APPROVED THIS ____ DAY OF

_____, 2019 BY THE CITY ENGINEER OF SURPRISE, ARIZONA.

CITY ENGINEER

APPROVED BY THE CITY COUNCIL OF THE CITY OF SURPRISE, ARIZONA.

THIS ____ DAY OF _____, 2019.

MAYOR

ATTEST:

CITY CLERK

PUBLIC NOTICE

THE LOTS DEPICTED ON THIS PLAT ARE LOCATED WITHIN THE VICINITY OF LUKE AIR FORCE BASE AND MAY BE SUBJECT TO OVERFLIGHTS BY JET AIRCRAFT. ALL STRUCTURES WITHIN THIS PLAT SHALL BE CONSTRUCTED IN COMPLIANCE WITH THE SOUND ATTENUATION STANDARDS ADOPTED BY THE CITY OF SURPRISE. A MAP DEPICTING THE MOST CURRENT ADOPTED MAG NOISE CONTOURS IN RELATION TO THIS PLAT SHALL BE DISPLAYED IN ALL SALES OFFICES. ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE CITY OF SURPRISE COMMUNITY DEVELOPMENT DEPARTMENT.

RELEASE OF LIABILITY

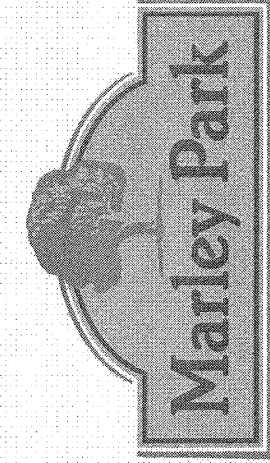
MARLEY PARK PHASE I LLC, AN ARIZONA LIMITED LIABILITY COMPANY AS TO LOTS 6140 THROUGH 6142; AND MARLEY PARK COMMUNITY ASSOCIATION, INC. AN ARIZONA NON-PROFIT CORPORATION AS TO TRACT I6, DOES HEREBY (1) RELEASE AND DISCHARGE THE UNITED STATES AIR FORCE (USAF) AND THE CITY OF SURPRISE, AND (2) INDEMNIFY, DEFEND, AND HOLD HARMLESS THE CITY OF SURPRISE, OF AND FROM ANY LIABILITY FOR ANY AND ALL CLAIMS FOR DAMAGES OF ANY KIND TO PERSONS OR PROPERTY THAT MAY ARISE AT ANY TIME IN THE FUTURE OVER, OR IN CONNECTION WITH AIRCRAFT OVERFLIGHTS FROM AIRCRAFT UTILIZING LUKE AIR FORCE BASE, WHETHER SUCH DAMAGE SHALL ORIGINATE FROM NOISE, VIBRATION, FUMES, DUST, FUEL AND LUBRICANT PARTICLES, AND ALL OTHER EFFECTS THAT MAY BE CAUSED BY THE OPERATION OF AIRCRAFT LANDING AT, OR TAKING OFF FROM, OR OPERATING AT OR ON LUKE AIR FORCE BASE AND ITS AUXILIARY FIELDS. THIS INSTRUMENT SHALL RUN WITH THE LAND AND BE BINDING UPON OWNER AND ITS HEIRS, ASSIGNS, AND SUCCESSORS IN INTEREST TO THIS PLAT OR ANY PARCEL OR LOT THEREOF. THIS INSTRUMENT DOES NOT RELEASE THE USAF FROM LIABILITY FOR DAMAGE OR INJURY TO PERSON OR PROPERTY CAUSED BY FALLING AIRCRAFT OR FALLING PHYSICAL OBJECTS FROM AIRCRAFT, EXCEPT AS STATED HEREIN WITH RESPECT TO NOISE, FUMES, DUST, FUEL AND LUBRICANT PARTICLES.

CERTIFICATION

THIS IS TO CERTIFY THAT THE SURVEY AND SUBDIVISION OF THE PREMISES DESCRIBED AND PLATTED HEREON WAS MADE UNDER MY DIRECTION DURING THE MONTH OF AUGUST, 2017; THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN; THAT THE MONUMENTS SHOWN ACTUALLY EXIST OR WILL BE SET AS SHOWN; THAT THEIR POSITIONS ARE CORRECTLY SHOWN; AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

THOMAS R. GETTINGS
WOOD, PATEL & ASSOCIATES, INC.
2051 WEST NORTHERN AVENUE - SUITE 100
PHOENIX, ARIZONA 85021
(602) 335-8500
SURVEYOR@WOODPATEL.COM

BOUNDARY AREA = 1.6853 AC.
NUMBER OF LOTS = 3
NUMBER OF TRACTS = 3



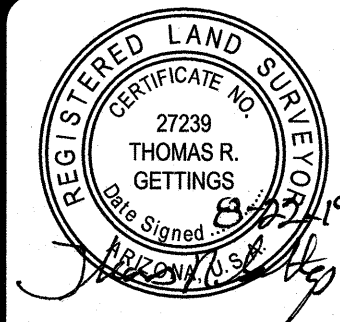
WOOD/PATEL

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WATER / WASTEWATER • SURVEYING
CONSTRUCTION MANAGEMENT

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MARLEY PARK
SURPRISE, AZ.
RE-PLAT OF LOTS 6140 THROUGH 6142 AND TRACT I6 OF MARLEY PARK PARCEL 6



EXPIRES 06-30-20

DRAWN	JKP/JRM
CHECKED	TRG/BJD
DATE	08/22/2019
SCALE	N.T.S.
JOB NO.	WP#174691
SHEET	1 OF 3

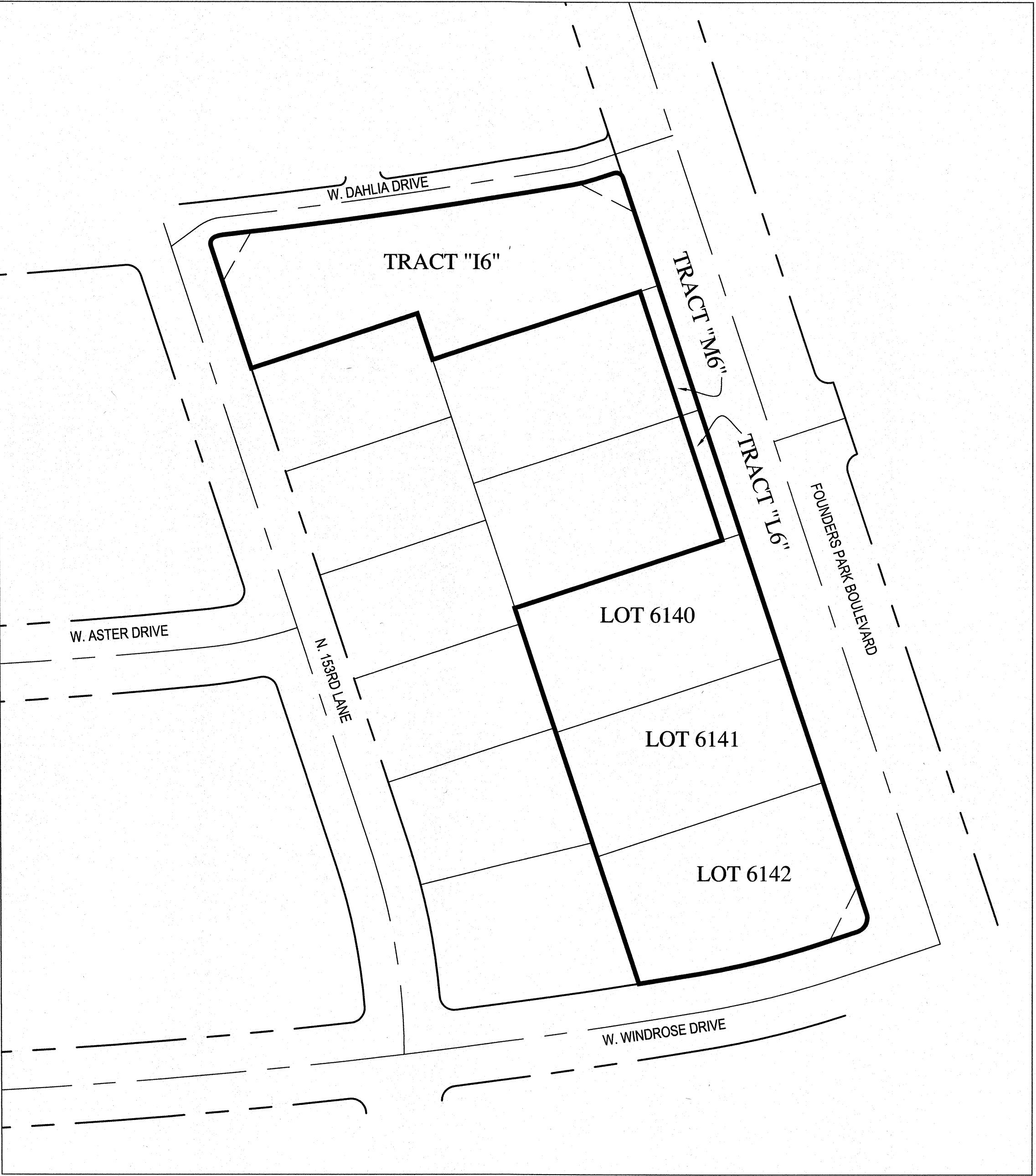
Z:\2017\174691\SURVEY\PLAT\641-FORC01.dwg

DRAWINGS AND SPECIFICATIONS AS INSTRUMENTS OF SERVICE ARE THE PROPERTY OF MARLEY PARK PHASE II LLC AND MAY NOT BE REPRODUCED WITHOUT THE WRITTEN PERMISSION OF MARLEY PARK PHASE II LLC

REPLAT
OF
LOTS 6140 THROUGH 6142 AND TRACT I6 OF MARLEY PARK PARCEL 6

KEY MAP

N.T.S.



100 YEAR ASSURED WATER SUPPLY LANGUAGE

1. THE AREA PLATTED HEREON LIES WITHIN THE DOMESTIC WATER SERVICE AREA OF CITY OF SURPRISE, AWS No. 2010-012, SIGNED ON 9-29-2010, DECISION AND ORDER NUMBER 86-002344.001, WHICH IS DESIGNATED AS HAVING AN ASSURED WATER SUPPLY PURSUANT A.R.S. § 45-576.

NOTES

2. ALL NEW OR RELOCATED UTILITIES WILL BE PLACED UNDERGROUND.
3. NO STRUCTURE OF ANY KIND MAY BE CONSTRUCTED ON, OVER, OR PLACED WITHIN THE EASEMENTS EXCEPT WOOD, WIRE, OR REMOVABLE SECTION FENCING AND OR PAVING. IT SHALL BE FURTHER UNDERSTOOD THAT THE CITY OF SURPRISE SHALL NOT BE REQUIRED TO REPLACE ANY OBSTRUCTION THAT MUST BE REMOVED DURING THE COURSE OF MAINTENANCE, CONSTRUCTION, OR RECONSTRUCTION OF CITY OWNED IMPROVEMENTS OR UTILITIES, OTHER THAN THE EXCEPTIONS LISTED ABOVE.
4. DEVELOPMENT AND USE OF THIS SITE WILL CONFORM TO ALL APPLICABLE CODES AND ORDINANCES IN ACCORDANCE WITH THE WADDELL P.A.D., AS AMENDED.
5. RIGHTS-OF-WAY AND EASEMENTS OUTSIDE THE PLATTED BOUNDARY ARE FROM AVAILABLE PUBLIC RECORDS AND ARE SHOWN FOR INFORMATIONAL PURPOSES ONLY; NO WARRANTY IS EXPRESSED OR IMPLIED.
6. PURSUANT TO A.R.S. § 42-11102, THE CITY OF SURPRISE, A POLITICAL SUBDIVISION OF THE STATE OF ARIZONA, IS EXEMPT FROM ALL TAXES AND ASSESSMENTS BASED ON ASSESSED VALUE EXCEPT FOR SPECIAL DISTRICTS #14751 AND 14710, WHEN APPLICABLE.
7. THE MAINTENANCE OF LANDSCAPING WITHIN THE ADJACENT PUBLIC RIGHTS-OF-WAY, INCLUDING LANDSCAPED MEDIANS WITHIN COLLECTORS AND LOCAL STREETS AND LANDSCAPED AREAS BETWEEN THE CURB AND THE DETACHED SIDEWALK, SHALL BE THE RESPONSIBILITY OF THE ADJACENT PROPERTY OWNER OR THE PROPERTY ASSOCIATION FORMED BY THE ADJACENT PROPERTY.
8. THE MAINTENANCE OF LANDSCAPING WITHIN THE OPEN SPACES, LANDSCAPED TRACTS, RETENTION BASINS AND PARKS SHALL BE THE RESPONSIBILITY OF THE OWNER OR THE ASSOCIATION FORMED BY THE OWNER, UNTIL THE ASSOCIATION CONVEYS TRACTS L6 AND M6 TO A THIRD PARTY.
9. MARLEY PARK PHASE I LLC HEREBY AGREES TO INDEMNIFY, DEFEND, AND HOLD HARMLESS THE CITY OF SURPRISE FROM ANY AND ALL CLAIMS FOR DAMAGES OF ANY KIND TO PERSONS OR PROPERTY THAT MAY ARISE IN CONNECTION WITH THE USE OF THE SIDEWALKS LOCATED WITHIN THIS PLAT, UNTIL SUCH TIME THE CITY OF SURPRISE HAS ACCEPTED THE SIDEWALKS.
10. THE PROPERTY OWNERS, OR ANY SUBSEQUENT OWNERS SHALL NOT PROCEED WITH ANY ON SITE GRADING OR EXCAVATION WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE ENGINEERING DEPARTMENT.
11. THE PROPERTY DEPICTED ON THE PLAT IS LOCATED WITHIN AN AREA DESIGNATED AS OTHER FLOOD AREAS ZONE "X" BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE RATE MAP NO. 04013C1660 L, WITH A DATE OF IDENTIFICATION OF OCTOBER 16, 2013, FOR COMMUNITY NO. 040053, IN MARICOPA COUNTY, STATE OF ARIZONA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED.
12. ANY EASEMENT RIGHTS RESERVED HEREIN TO MARLEY PARK PHASE I LLC MAY BE ASSIGNED, IN WHOLE OR IN PART, TO MARLEY PARK COMMUNITY ASSOCIATION, INC. UPON ANY SUCH ASSIGNMENT, MARLEY PARK PHASE I LLC SHALL BE FULLY RELEASED FROM ANY LIABILITIES OR OBLIGATIONS THEREAFTER ARISING WITH RESPECT TO THE EXERCISE OF OR FAILURE TO EXERCISE SUCH EASEMENT RIGHTS, AND ALL ASSOCIATED LIABILITIES AND OBLIGATIONS.
13. ALL LOT CORNERS SHALL BE MONUMENTED WITH 1/2 INCH REBAR AND CAP OR TAG BEARING THE REGISTRATION NUMBER OF THE SURVEYOR RESPONSIBLE FOR THE PLACEMENT.
14. THE LOTS AND TRACTS OF THIS RE-PLAT ARE SUBJECT TO THAT CERTAIN NOTICE OF INTERGOVERNMENTAL AGREEMENT AND NOTICE OF MARLEY PARK DEVELOPMENT AND WATER DELIVERY AGREEMENT SHOWN ON THE FINAL PLAT FOR MARLEY PARK PARCEL 6, RECORDED IN BOOK 702, PAGE 26, MARICOPA COUNTY RECORDS, TO THE SAME EFFECT AND EXTENT AS PRIOR TO THIS RE-PLAT BEING RECORDED.

BASIS OF BEARING

THE BASIS OF BEARING IS THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 3 NORTH, RANGE 1 WEST HAVING A BEARING OF SOUTH 00 DEGREES 04 MINUTES 59 SECONDS WEST AS SHOWN ON THE MAP OF DEDICATION FOR WADDELL ROAD, LITCHFIELD ROAD AND CACTUS ROAD, RECORDED IN BOOK 839, PAGE 39, M.C.R.

NARRATIVE

THE PURPOSE OF THIS RE-PLAT IS TO ABANDON A PORTION OF TRACT "I6" OF "MARLEY PARK PARCEL 6" FINAL PLAT RECORDED IN BOOK 702, PAGE 26, M.C.R., CONVEY A PORTION OF THE ABANDONED PORTION TO ADJOINING LOTS 6140 THROUGH 6142 OF "MARLEY PARK PARCEL 6" FINAL PLAT RECORDED IN BOOK 702, PAGE 26, M.C.R., AND CREATE TRACTS L6 AND M6 FROM REMAINING PORTION OF ABANDONED PORTION WITH THE INTENT TO CONVEY TRACTS L6 AND M6 IN THE FUTURE.

EASEMENTS AND RIGHTS-OF-WAY OF SAID PLAT ARE TO REMAIN, EXCEPT THOSE SPECIFICALLY RELEASED AND ABANDONED BY SEPARATE INSTRUMENT WITHIN THE "ABANDONED" PORTION OF SAID TRACT I6.

DESCRIPTION

PARCEL NO. 1:

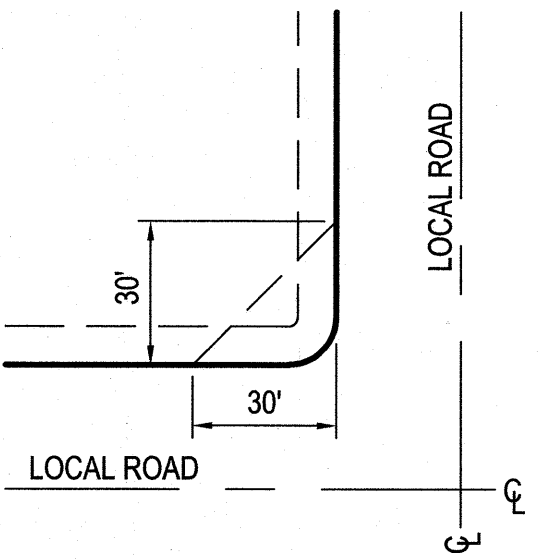
LOTS 6140 THROUGH 6142, INCLUSIVE, AND TRACT I6 AS SHOWN ON THE FINAL PLAT FOR MARLEY PARK PARCEL 6, RECORDED IN BOOK 702 OF MAPS, PAGE 26, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA.

AREA TABLE

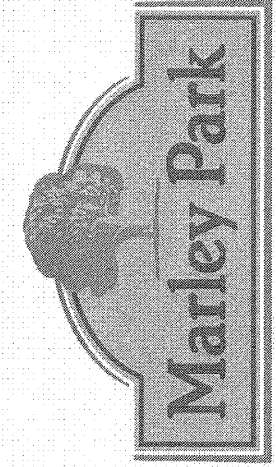
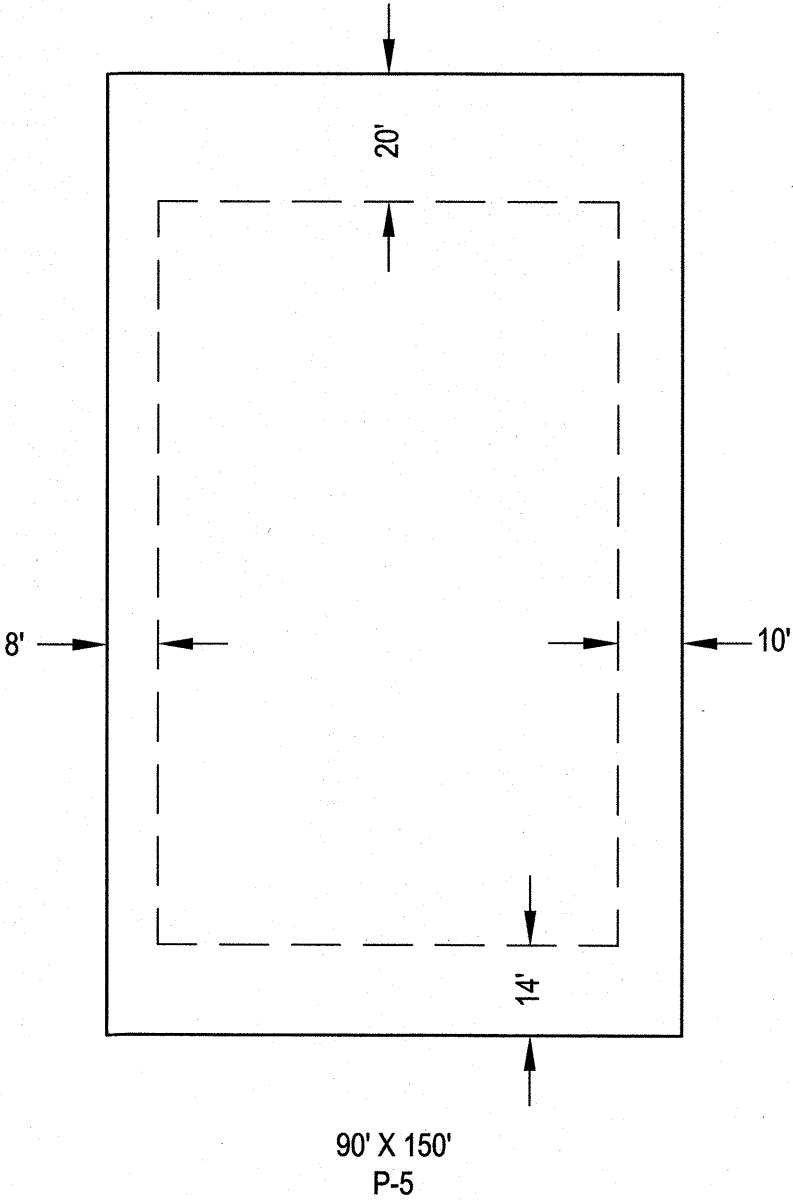
LOT AREA TABLE		
LOT NO.	LOT AREA SQUARE FEET	LOT AREA ACRES
LOT 6140	14,715	0.3378
LOT 6141	14,715	0.3378
LOT 6142	16,550	0.3799

TRACT AREA TABLE

TRACT NO.	TRACT AREA SQUARE FEET	TRACT AREA ACRES	USE
TRACT I6	25,003	0.5740	O.S., P.U.E., S.D.E., S.F.E.
TRACT L6	1,215	0.0279	P.U.E., FUTURE CONVEYANCE
TRACT M6	1,215	0.0279	P.U.E., FUTURE CONVEYANCE

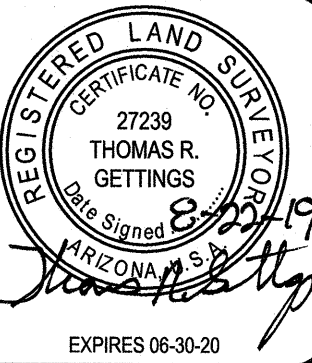


SIGHT VISIBILITY DETAIL
REFER TO SURPRISE EDS DETAIL 4-02



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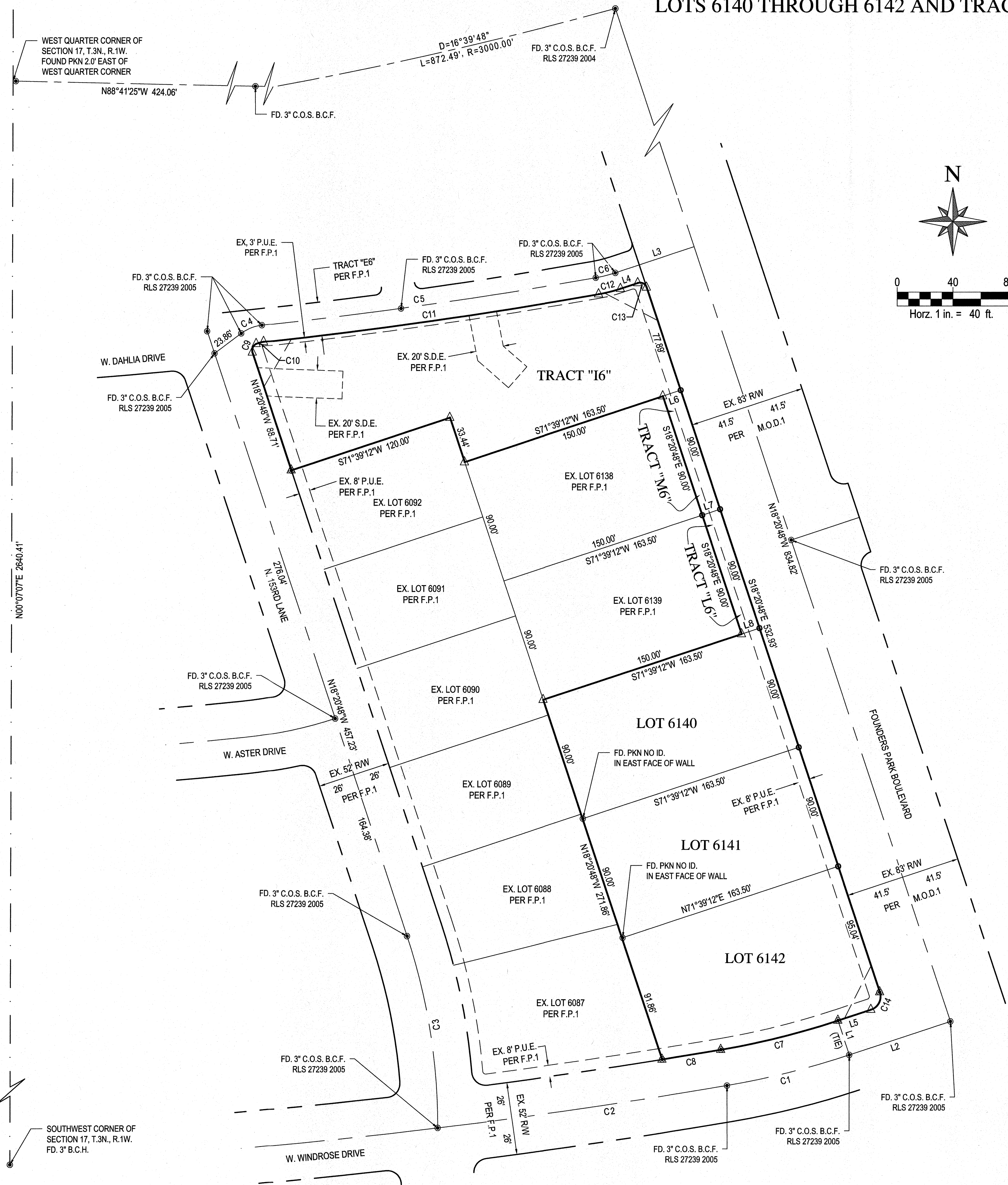
MARLEY PARK
SURPRISE, AZ.
RE-PLAT OF LOTS 6140 THROUGH 6142 AND TRACT I6 OF MARLEY PARK PARCEL 6



DRAWN
JKP/JRM
CHECKED
TRG/BJD
DATE
08/22/2019
SCALE
N.T.S.
JOB NO.
WP#174691
SHEET
2 OF 3

Z:\2019\174691\Survey\Plat\174691-FOI01.dwg

REPLAT
OF
LOTS 6140 THROUGH 6142 AND TRACT I6 OF MARLEY PARK PARCEL 6



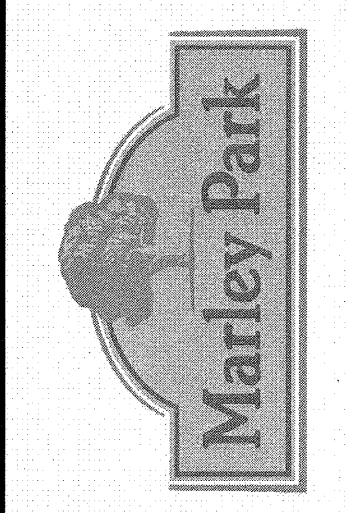
LEGEND

- △ CORNER OF SUBDIVISION
- SURVEY MONUMENT FOUND AS NOTED
- SURVEY MONUMENT WITH RLS TAG OR CAP TO BE SET UNLESS OTHERWISE NOTED
- B.C.F. BRASS CAP FLUSH
- B.C.H. BRASS CAP IN HANDHOLE
- C.O.S. CITY OF SURPRISE
- EX. EXISTING
- FD. FOUND
- ID. IDENTIFICATION
- P.U.E. PUBLIC UTILITY EASEMENT
- S.F.E. SUBDIVISION FACILITIES EASEMENT
- PKN PK NAIL
- R/W RIGHT-OF-WAY
- S.D.E. STORM DRAIN EASEMENT
- M.O.D.1 MAP OF DEDICATION MARLEY PARK PHASE 1A RECORDED IN BOOK 699, PAGE 29, M.C.R.
- M.C.R. MARICOPA COUNTY RECORDS
- F.P.1 FINAL PLAT FOR MARLEY PARK PARCEL 6 RECORDED IN BOOK 702, PAGE 26, M.C.R.
- BOUNDARY LINE
- - - EASEMENT LINE
- - - RIGHT-OF-WAY
- - - SECTION LINE

LINE & CURVE TABLES

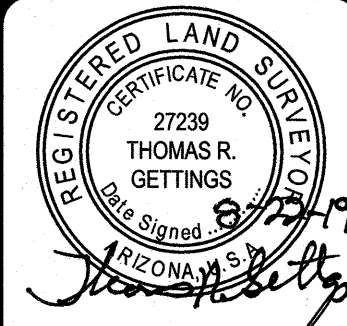
LINE TABLE		
LINE	BEARING	DISTANCE
L1	S18°20'48"E	26.00'
L2	S71°39'12"W	76.41'
L3	N71°39'12"E	59.54'
L4	N71°39'12"E	13.04'
L5	S71°39'12"W	24.91'
L6	S71°39'12"W	13.50'
L7	S71°39'12"W	13.50'
L8	S71°39'12"W	13.50'

CURVE TABLE			
CURVE	DELTA	RADIUS	ARC
C1	8°38'57"	600.00'	90.57'
C2	2°46'16"	4340.00'	209.91'
C3	18°27'55"	433.62'	139.75'
C4	30°19'48"	30.50'	16.15'
C5	3°41'46"	3756.00'	242.29'
C6	8°16'54"	100.00'	14.45'
C7	8°38'57"	574.00'	86.65'
C8	0°34'06"	4314.00'	42.78'
C9	84°41'14"	5.00'	7.39'
C10	17°17'25"	18.50'	5.58'
C11	3°41'46"	3768.00'	243.06'
C12	8°16'54"	112.00'	16.19'
C13	89°59'59"	5.00'	7.85'
C14	90°00'00"	10.00'	15.71'



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MARLEY PARK
SURPRISE, AZ.
RE-PLAT OF LOTS 6140 THROUGH 6142 AND TRACT I6 OF MARLEY PARK PARCEL 6



DRAWN	JKP/JRM
CHECKED	TRG/BJD
DATE	08/22/2019
SCALE	1" = 40'
JOB NO.	WPM174691
SHEET	3 OF 3



City Council
October 15, 2019

FS19-466 Marley Park Lots 6140-6142 & Tract I6 Re-plat

An aerial photograph of a city street, likely in Los Angeles, showing a multi-lane road with traffic, buildings, and trees. A semi-transparent white rectangular box is overlaid on the right side of the image, containing text. The text is arranged vertically, with 'FS19-446' at the top, followed by 'Marley Park', then 'Lots 6140 - 6142 & Tract 16 Re-Plat', and finally 'Vicinity Map' at the bottom in a larger font. The background image is slightly faded to make the text stand out.

FS19-446
Marley Park
Lots 6140 - 6142 & Tract 16 Re-Plat
Vicinity Map

An aerial photograph of a city street, likely in Los Angeles, showing a multi-lane road with traffic, surrounding buildings, and greenery. A semi-transparent white rectangular box is overlaid on the right side of the image, containing text. The text is arranged vertically, with 'FS19-446' at the top, followed by 'Marley Park', then 'Lots 6140 - 6142 & Tract 16 Re-Plat', and finally 'Vicinity Map' at the bottom in a larger font. The background image is slightly faded to make the text legible.

FS19-446
Marley Park
Lots 6140 - 6142 & Tract 16 Re-Plat
Vicinity Map

An aerial photograph of a city street, likely in Los Angeles, showing a multi-lane road with traffic, buildings, and trees. A semi-transparent white rectangular box is overlaid on the right side of the image, containing text. The text is arranged vertically, with 'FS19-446' at the top, followed by 'Marley Park', then 'Lots 6140 - 6142 & Tract 16 Re-Plat', and finally 'Vicinity Map' at the bottom in a larger font. The background image is slightly faded to make the text stand out.

FS19-446
Marley Park
Lots 6140 - 6142 & Tract 16 Re-Plat
Vicinity Map

An aerial photograph of a city street, likely in Los Angeles, showing a multi-lane road with traffic, buildings, and trees. A semi-transparent white rectangular box is overlaid on the right side of the image, containing text. The text is arranged vertically, with 'FS19-446' at the top, followed by 'Marley Park', then 'Lots 6140 - 6142 & Tract 16 Re-Plat', and finally 'Vicinity Map' at the bottom in a larger font. The background image is slightly faded to make the text legible.

FS19-446
Marley Park
Lots 6140 - 6142 & Tract 16 Re-Plat
Vicinity Map



**SUBJECT
SITE**

FS19-466
Marley Park
Lots 6140 – 6142 & Tract 16 Re-Plat
Case Map



SUBJECT
SITE

NY 2

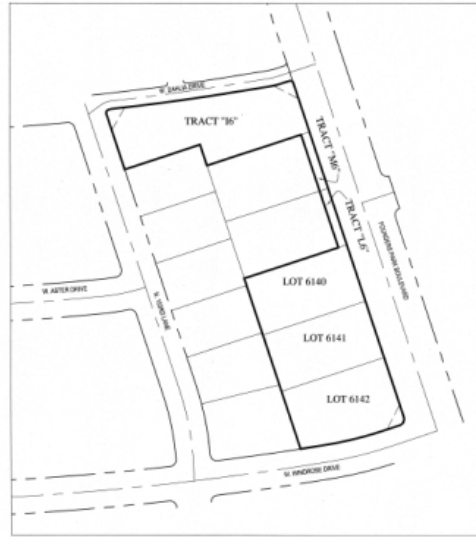
1. THE AREA PLATTED HEREON LIES WITHIN THE DOMESTIC WATER SERVICE AREA OF CITY OF SURPRISE, ARIZ. NO. 2010-012, SIGNED ON 6-29-2010, DECISION AND ORDER NUMBER 06-032344.001, WHICH IS DESIGNATED AS HAVING AN ASSURED WATER SUPPLY PURSUANT ARIZ. § 40-579.

[illegible]

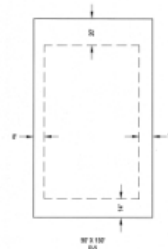
THE BASIS OF BEARING IS THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 3 NORTH, RANGE 1 WEST HAVING A BEARING OF SOUTH 86 DEGREES 54 MINUTES 58 SECONDS WEST AS SHOWN ON THE MAP OF DEDICATION FOR WAGGILL ROAD, LITCHFIELD ROAD AND CACTUS ROAD, RECORDED IN BOOK 838, PAGE 30, N.C.R.

THE PURPOSE OF THIS RE-PLAY IS TO ABANDON A PORTION OF TRACT "B" OF "HINLEY PARK FENCE" IF FINAL PLAT RECORDED IN BOOK 28, PAGE 26, M.C.R. CONVEY A PORTION OF THE ABANDONED PORTION TO ADJOINING LOTS E140 THROUGH E142 OF "HINLEY PARK FENCE" IF FINAL PLAT RECORDED IN BOOK 78, PAGE 26, M.C.R., AND CREATE TRACTS "LA" AND "MB" FROM REMAINING PORTION OF ABANDONED PORTION WITH THE INTENT TO CONVEY TRACTS "LA" AND "MB" IN THE FUTURE.

LOTS 6140 THROUGH 6142, INCLUSIVE, AND TRACT 8 AS SHOWN ON THE FINAL PLAT FOR MARLEY PARK
PARCEL 4, RECORDED IN BOOK 750 OF MAPS, PAGE 28, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA



SIGHT VISIBILITY DETAIL



LOT NO.	LOT AREA SQUARE FEET	LOT AREA ACRES
LOT 6140	14,715	0.3336
LOT 6141	14,715	0.3336
LOT 6142	16,840	0.3798

TRACT NO.	TRACT AREA SQUARE FEET	TRACT AREA ACRES	USE
TRACT H	25,393	0.5740	O.S., P.U.E., S.D.E., S.F.E.
TRACT L6	1,215	0.0279	P.U.E., FUTURE CONVEYANCES
TRACT M6	1,215	0.0279	P.U.E., FUTURE CONVEYANCES



Marley Park
ESTABLISHED 1964

WOOD/PATEL
 LAND DEVELOPMENT • REAL ESTATE BROKERS
 10000 WILLOW PARK DRIVE • SUITE 100
 CHICAGO, ILLINOIS 60655
 (800) 556-8800
 FAX (800) 556-8800

MARLEY PARK SURPRISE, AZ.

RE-PLAT OF LOTS 6840 THROUGH 6842 AND TRACT # 6 OF MARLEY PARK PARCEL # 6



CITY OF SURPRISE
 OFFICIAL CERTIFICATE OF APPROVAL
 FOR THE
 RE-PLAT OF LOTS 6840 THROUGH 6842 AND TRACT # 6 OF MARLEY PARK PARCEL # 6
 PREPARED BY
 WOOD/PATEL

APPROVED FOR THE CITY OF SURPRISE DATE: 08/22/2018 BY: N.T.S.	APPROVED FOR THE CITY OF SURPRISE DATE: 08/22/2018 BY: N.T.S.
---	---

CITY OF SURPRISE, ARIZONA
 2 OF 2

FS19-446
Marley Park
Lots 6140 – 6142 & Tract 16 Re-Plat

Marley Park

FS19-446
Marley Park
Lots 6140 – 6142 & Tract 16 Re-Plat

REPLAT
OF

* CORNER OF SUBDIVISION
 SURVEY MONUMENT FOUND AS NOTED
 O SURVEY MONUMENT WITH PLUG TAG OR CAP
 TO BE SET UNLESS OTHERWISE NOTED
 B.C.T. BRASS CAP PLUMB
 B.C.H. BRASS CAP IN HOLE
 C.O.S. CITY OF SUFPRIDE
 E.A. EXISTING
 F.C. FOUND
 I.D. IDENTIFICATION
 P.U.E. PUBLIC UTILITY EASEMENT
 S.F.F.E. SUBDIVISION/UTILITY EASEMENT
 P.W. P.W.A.
 R.O. RIGHT-OF-WAY
 S.O.E. STOPPED DRAIN EASEMENT
 M.D.G.1 50% OF DEDICATION MAPLEY PARK PHASE 1A
 M.D.G.2 50% OF DEDICATION 400, PASE 2B, M.C.A.R.
 M.C.A.R.1 MARICOPA COUNTY RECORDS
 F.P.1 FINAL PLAT FOR MAPLEY PARK PHASE 1
 & RECORDED IN BOOK 752, PAGE 28, M.C.A.R.

_____ BOUNDARY LINE
 ----- EASEMENT LINE
 - - - - - RIGHT-OF-WAY

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 81°29'48"E	26.30'
L2	S 71°38'29"W	36.41'
L3	N 7°38'12"E	88.56'
L4	N 7°38'12"E	13.04'
L5	S 71°38'29"W	24.91'
L6	S 71°38'29"W	13.50'
L7	S 71°38'29"W	13.50'
L8	S 71°38'29"W	13.50'

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 69° 29' 00" E	26.30'
L2	S 71° 50' 00" W	79.41'
L3	N 67° 50' 12" E	69.56'
L4	N 71° 50' 12" E	10.50'
L5	S 71° 50' 00" W	26.30'
L6	S 71° 50' 00" W	10.50'
L7	S 71° 50' 00" W	10.50'
L8	S 71° 50' 00" W	10.50'



**QUESTIONS OR
COMMENTS?**

Thank You



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: October 15, 2019
Submitting Department: City Clerk
Staff Recommendations: None

Contact Person: Sherry Aguilar, City Clerk
District: District 3

Consent: Yes Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action to approve a request by Howard Everett Magee (Agent) for a Series 10 (Beer & Wine Store) liquor license for Carioca Shell #3 located at 16520 W. Greenway Road, Surprise, AZ 85388.

Motion:

I move to approve a request by Howard Everett Magee (Agent) for a Series 10 (Beer & Wine Store) liquor license for Carioca Shell #3 located at 16520 W. Greenway Road, Surprise, AZ. 85388.

Background:

This request is of a routine nature and no concerns noted for this request. New construction.

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. Carioca Shell #3
2. Carioca Shell #3_Memo to Clerk_20190924
3. CARIOCA SHELL Letter
4. CARIOCA SHELL MAP
5. 16520 W Greenway Carioca SHELL Liquor License

S U R P R I S E P O L I C E D E P A R T M E N T
L I Q U O R L I C E N S E A P P L I C A T I O N R E V I E W

REFERENCE:

DATE: February 4, 2019

LICENSE NUMBER – 48700
Series #10 – New License

APPLICANT:

Carioca Shell #3

16520 W. Greenway Rd
Surprise, Arizona 85388

FINDINGS:

- 1) *Evidence concerning the nature of the proposed business, its potential market and its likely customers.*
This store is a brand new build. Shell will have a primary function of selling gasoline. However, they will have a small store with soda and snack type items. Surprise residence and travelers from the Interstate 303 should be the primary customers.
- 2) *Effect of vehicular traffic in close proximity.*
This entire area has been in the process of expanding. The roadways in the area are currently under construction to handle an increased traffic load. The current roadways handle the current traffic load well.
- 3) *The history for the past five years of liquor violations and reported criminal activity at the proposed premises provided that the applicant has received a detailed report of such activity at least 20 days before the hearing.*
N/A. New construction.
- 4) *Comparison of hours of operation of the proposed premises to the existing businesses in close proximity.*
There are several other businesses in the area and they all have different hours of operation. The proposed hours for Shell will be 24 hours as are other stores of this type. Based on the other businesses in the area this should not have an effect on them.
- 5) *Appropriateness of series license requested.*
A series 10 license is appropriate and applicable for the Carioca Shell #3 per state guidelines for liquor retailers to sell beer & wine in their unopened packages.

Submitted by Master Officer Jason Washburn #2043



MEMO

Date: 09/24/2019

To: Sherry Aguilar, City Clerk
Linda Stevens, Deputy City Clerk
From: Stacie McQuarrie, Fiscal Support Specialist

RE: Liquor License Application – Carioca Shell #3 – 16520 W Greenway Rd

Business License Status:

Application packet to be mailed on 9/25/19.

Mailing to:

Carioca Shell #3
2601 W Dunlap Ave #10
Phoenix AZ 85021



Date: September 30, 2019
To: Sherry Aguilar, City Clerk
From: Chris Boyd, Acting Community Development Director
By: James Stewart, Zoning Specialist
Re: Liquor License Application for-

**Carioca Shell # 3
Series #10 Beer and Wine Store – Jod # Non Assinged
16520 W. Greenway Rd.
Surprise, Arizona 85388
(UNDER CONSTRUCTION)**

The number and series of licenses in close proximity to the subject site are:

1. Leo's Pizza (Series 12) – 16630 W. Greenway Rd. #
2. Big Buddha (Series 12) – 16572 W Greenway Rd #115
3. CVS Pharmacy (Series 9) – 15300 N Cotton Ln
4. Fry's Marketplace #680 (Series 9) – 15215 N Cotton Ln
5. 1 Brothers Pizza (Series 12) – 16995 W Greenway Rd
6. Federico's Mexican Food (Series 12) – 16995 W Greenway Rd #100

The immediate area is composed of commercial establishments. The property is zoned PAD Northwest Ranch which is consistent with the proposed use.

Residential population will most likely increase with the build out of Surprise Farms. Commercial growth will likely increase with the development of Prasada.

If managed properly, the effects of granting this liquor license on surrounding residences will be minimal. The business is located on a major arterial street and attracts many customers who are passing through the area. Staff believes that granting this liquor license will not directly impact the surrounding business and residential areas in a negative way.

CARIOCA SHELL # 3

PAD
NORTHWEST
RANCH

PAD
MOUNTAIN
VISTA
RANCH

PAD
SURPRISE FARMS

RR, R1-43

SITE

PAD
PRASADA

PAD
PRASADA

PAD
LEGACY
PARC

UNINCORPORATED
MARICOPA COUNTY



Surprise Fire-Medical Department
14250 W. Statler Plaza Ste. 101
Surprise, AZ 85374-7479
Phone: 623-222-5000
Fax: 623-222-5001



September 23, 2019

To: Sherry Ann Aguilar, City Clerk

From: Keith Tanner, Fire Marshal

Subject: Liquor License Application

Applicant: Carioca Shell #3
Series 10 – Beer and Wine Store
16520 W Greenway

The above referenced location is currently under construction and therefore the Surprise Fire – Medical Department is unable to conduct a general fire safety inspection to ensure compliance with the applicable fire codes within the tenant space and building. There are no known fire code violations at this time.

Therefore fire has no comment on the application at this time.

If you have any questions feel free to contact me.

Keith Tanner
Keith Tanner, Fire Marshal
Fire Prevention Division
Surprise Fire-Medical Department



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: October 15, 2019
Submitting Department: City Clerk
Staff Recommendations: None

Contact Person: Sherry Aguilar, City Clerk
District: District 5

Consent: Yes Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action to approve a request by Sheila M. Ford (Agent) for a Series 12 (Restaurant liquor license for the Chicken Ranch located at 14051 W. Grand Avenue, Surprise, AZ 85374

Motion:

I move to approve a request by Sheila M. Ford (Agent) for a Series 12 (Restaurant liquor license for the Chicken Ranch located at 14051 W. Grand Avenue, Surprise, AZ. 85374

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. Chicken Ranch LL Report
 2. Chicken Ranch LLC_Memo to Clerk_20190924
 3. Chicken Ranch Map
 4. 14051 W Grand Chicken Ranch Liquor License
 5. Chicken Dinner
-

Date: September 30, 2019

To: Sherry Aguilar, City Clerk

From: Chris Boyd, Acting Community Development Director

By: James Stewart, Zoning Specialist

Re: Liquor License Application for:

CHICKEN RANCH, LLC
Series 12 – RESTAURANT – Job # 76977
14051 W. Grand Avenue, Surprise, Arizona 85374

The number and series of licenses in close proximity to the subject site are:

1. Hampton Inn & Suites (Series 7) – 14783 W. Grand Avenue
2. The Colonnade (Series 12) – 19116 N. Colonnade Way
3. Circle K Store #1712 (Series 10) – 14559 W. Grand Avenue
4. Safeway #977 (Series 9) – 14551 W. Grand Avenue
5. Ray's Pizza (Series 12) – 14545 W. Grand Avenue
6. Fuzzy's Sports Bar & Grill (Series 12) – 18795 N. Reems Rd. #107 - 109
7. China City Super Buffet (Series 12) – 18885 N. Reems Rd. #101 (EXPIRED)
8. Safeway #1520 (Series 9) – 14505 W. Grand Avenue (EXPIRED)
9. Chevron Food Mart (Series 10) – 14445 W. Grand Avenue
10. Outback Steakhouse #0323 (Series 12) – 14225 W. Grand Avenue
11. Texas Roadhouse (Series 12) – 14175 W. Grand Avenue
12. Trader Joe's #92 (Series 10) – 14095 W. Grand Avenue
13. Quik Trip #410 (Series 10) – 14007 W. Grand Avenue
14. Wal-Mart Supercenter #2777 (Series 9) – 13770 W. Bell Road
15. Applebee's (Series 12) – 13756 W. Bell Road
16. Streets of New York #23 (Series 12) – 13736 W. Bell Road #4
17. Tom Yum Thai Restaurant (Series 12) – 13736 W. Bell Road #2
18. Rubio's Restaurant # 102 (Series 12) – 13736 W Bell Rd. # 2 (EXPIRED)
19. Tacos Calafia (Series 12) – 17239 N. Litchfield Road #68
20. Richi's Diner (Series 12) – 17221 N. Litchfield Road #50
21. Uni Sushi & Steak (Series 12) – 17191 N. Litchfield Rd. # 40
22. China Buffet #17119 (Series 12) – 17119 N. Litchfield Road #20
23. Buffalo Wild Wings Grill & Bar (Series 12) – 13882 W. Bell Road
24. Circle K Store # 2741641 (Series 10) – 13908 W. Bell Road
25. New York Pizza Dept (Series 12) – 13980 W. Bell Road
26. Sun Village Community Association (Series 14) – 17300 N Sun Village Pkwy. # A (EXPIRED)
27. Chef Peter's Bistro (Series 12) – 17300 N. Sun Village Parkway #D

The immediate area is composed of commercial establishments. The property is zoned CC, C-2 which is consistent with the proposed use.

Residential population will most likely increase. Commercial growth will likely remain static.

If managed properly, the effects of granting this liquor license on surrounding residences will be minimal. This license will have little to no effect on parking in the area. Staff believes that granting this liquor license will not directly impact the surrounding business and residential areas in a negative way.



MEMO

Date: 09/24/2019

To: Sherry Aguilar, City Clerk
Linda Stevens, Deputy City Clerk
From: Stacie McQuarrie, Fiscal Support Specialist

RE: Liquor License Application – Chicken Ranch – 14501 W Grand Ave

Business License Status:

Application packet to be mailed on 9/25/19.

Mailing to:

Chicken Ranch LLC
c/o Sheila Lord
12722 W Edgemont Ave
Avondale AZ 85392

CHICKEN RANCH, LLC

The Colonnade

PAD
SUN CITY GRAND

PAD
PARK PLACE

RR, R1-43

SITE

CC,C-2

RL-5, R1-5

RL-5, R1-5

UNINCORPORATED
MARICOPA COUNTY

CR, C-3

PAD
KINGSWOOD PARK/SUN VILLAGE

PAD
WEST PIONT
TOWN CENTER



Surprise Fire-Medical Department
14250 W. Statler Plaza Ste. 101
Surprise, AZ 85374-7479
Phone: 623-222-5000
Fax: 623-222-5001



September 30, 2019

To: Sherry Ann Aguilar, City Clerk

From: Keith Tanner, Fire Marshal

Subject: Liquor License Application

Applicant: Chicken Ranch, LLC
14051 W Grand Ave
Surprise, AZ 85374

The Surprise Fire-Medical Department recently conducted a fire inspection at the above referenced location to ensure compliance with the applicable fire codes within the tenant space and building. There are no known fire code violations at this time.

Therefore fire has no comment on the application at this time.

If you have any questions feel free to contact me.

Keith Tanner
Keith Tanner, Fire Marshal
Fire Prevention Division
Surprise Fire-Medical Department

S U R P R I S E P O L I C E D E P A R T M E N T
L I Q U O R L I C E N S E A P P L I C A T I O N R E V I E W

REFERENCE:

DATE: September 26, 2019

JOB NUMBER - 76977
NEW LICENSE Series #12

APPLICANT:

Chicken Ranch, LLC
14051 W. Grand Avenue
Surprise, Arizona 85374

FINDINGS:

- 1) ***Evidence concerning the nature of the proposed business, its potential market and its likely customers.***
Chicken Ranch will be occupying the existing building located at 14051 W. Grand Ave. The Chicken Ranch is a restaurant that will serve American cuisine. The likely customers will come from the city of Surprise and surrounding community.
- 2) ***Effect of vehicular traffic in close proximity.***
The change of establishments should have no altering effect on vehicular traffic. There is adequate parking for the restaurant, with main access to Grand Avenue.
- 3) ***The history for the past five years of liquor violations and reported criminal activity at the proposed premises provided that the applicant has received a detailed report of such activity at least 20 days before the hearing.***
In the last five years, there have been several calls for service. History at this location goes back to 2008, however in the last five years these are no listed liquor violations. In 01-2014 there was a theft of a license plate from a vehicle. In 04-2014 and 07-2014 back flow preventers were removed from the water supply line outside of the restaurant. In 12-2015 an assault took place between two customers. No one was willing to aid in prosecution and no arrests were made. In 06-2016 an ex-employee entered the building and removed items. In 11-2017 a physical altercation occurred and a subject was cited and released from the premises. In 04-2017 a vehicle was broken into and items were removed.
- 4) ***Comparison of hours of operation of the proposed premises to the existing businesses in close proximity.***
There are other business in the area however, this building has always been a restaurant and had restaurant type hours. The other businesses in the area should be well aware of the type of hours kept by a restaurant. The hours for this business should not be an issue for the surrounding business.

S U R P R I S E P O L I C E D E P A R T M E N T
L I Q U O R L I C E N S E A P P L I C A T I O N R E V I E W

5) *Appropriateness of series license requested.*

A series 12 license is appropriate and applicable for The Chicken Ranch, LLC, per state guidelines for restaurants.

Submitted by Master Officer J. Washburn #2043



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: October 15, 2019
Submitting Department: City Clerk
Staff Recommendations: None

Contact Person: Sherry Aguilar, City Clerk
District: District 3

Consent: Yes Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action to approve a request by Andrea Lewkowitz (Agent) for a Series 09 (Liquor Store) liquor license for Costco Wholesale located at 16385 W. Waddell Road, Surprise, AZ 85388.

Motion:

I move to approve a request by Andrea Lewkowitz (Agent) for a Series 09 (Liquor Store) liquor license for Costco Wholesale located at 16385 W. Waddell Road, Surprise, AZ. 85388.

Background:

This request is of a routine nature and no concerns noted for this request. New construction.

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. Costco Wholesale MAP
 2. Costco Wholesale REPORT
 3. Costco Wholesale
 4. Costco Wholesale_Memo to Clerk_20190924
 5. 16385 W Waddell Costco Liquor License
-

W GREENWAY RD

COSTCO WHOLESALE

PAD
COUNTRYSIDE

RM,
R-2

PAD
LEGACY
PARC

RL-5,
R1-5

RR

UNINCORPORATED
MARICOPA COUNTY

PAD
PRASADA

PAD
PRASADA

W WADDELL RD

W WADDELL RD

RR

PAD
TRUMAN
RANCH

RM-9

RH-15

RM-6

RM-9

PAD
SYCAMORE
FARMS

PAD
SYCAMORE
FARMS

PAD
PRASADA

PAD
GREER RANCH

CC, C-2

PAD
MARLEY PARK

W CACTUS RD

W CACTUS RD

Page 147 of 733

SITE



COMMUNITY DEVELOPMENT DEPARTMENT

Date: September 27, 2019

To: Sherry Aguilar, City Clerk

From: Chris Boyd, Acting Community Development Director
James Stewart, Zoning Specialist

Re: Liquor License Application for:

Costco Wholesale
Series 09 - LIQUOR STORE - Job # 09071013
16385 W. Waddell Road
Surprise, Arizona 85388
(UNDER CONSTRUCTION)

The number and series of licenses in close proximity to the subject site are:

1. Walmart # 5429 (Series 9) – 14111 N. Prasad Gateway Ave.
2. CVS Pharmacy (Series 9) – 15300 N. Cotton Ln.
3. Fry's Marketplace # 680 (Series 9) – 15215 n. Cotton Ln.
4. 1 Brothers Pizza (Series 12) – 16995 W. Greenway Rd.
5. Frederico's Mexican Food (Series 12) – 16995 W Greenway Rd. #100
6. Leo's Pizza (Series 12) – 16630 W. Greenway Rd. # 326 (EXPIRED)
7. Big Buddha (Series 12) – 16572 W. Greenway Rd. #115
8. CVS Pharmacy # 5477 (Series # 9) – 15474 W Greenway Rd.
9. Barro's Pizza (Series 12) – 15403 W. Greenway Rd. #104
10. Wal-Mart Neighborhood Market # 4218 (Series 9) – 15431 W. Greenway Rd.
11. Walgreens # 7933 (Series 9) – 15514 W. Waddell Rd.
12. 4 Sons Food Store (Series 10) – 15445 W. Waddell Rd.
13. Bashas' # 137 (Series 9) – 15367 W. Waddell Rd.
14. Vogue Bistro (Series 12) – 15411 W. Waddell Rd. # 108
15. ARCO AM/PM (Series 10) – 15433 W. Cactus Rd. (EXPIRED)

The immediate area is comprised of commercial establishments. The property is zoned PAD, Surprise Farms (Commercial) which is consistent with the proposed use.

Commercial and residential growth is expected to remain static.

If managed properly, the effects of granting this liquor license on surrounding residences will be minimal. This license will have little to no affect on parking in the area. Staff believes that granting this liquor license will not directly impact the surrounding business and residential areas in a negative way.

S U R P R I S E P O L I C E D E P A R T M E N T
L I Q U O R L I C E N S E A P P L I C A T I O N R E V I E W

REFERENCE:

DATE: September 26, 2019

JOB NUMBER – 09071013
Series #9 – Liquor Store

APPLICANT:

Costco Wholesale
16385 W. Waddell Road
Surprise, Arizona 85388

FINDINGS:

- 1) ***Evidence concerning the nature of the proposed business, its potential market and its likely customers.***
Costco is a Wholesale store that sells food and products. The market should be primarily Surprise residents in the nearby geographical area.
- 2) ***Effect of vehicular traffic in close proximity.***
This new license should have no effect on vehicular traffic.
- 3) ***The history for the past five years of liquor violations and reported criminal activity at the proposed premises provided that the applicant has received a detailed report of such activity at least 20 days before the hearing.***
This is a new build and there is no history at this location.
- 4) ***Comparison of hours of operation of the proposed premises to the existing businesses in close proximity.***
Costco Wholesale has normal store hours from 10am to 830pm at all other location in the phoenix area. This is the first business to go in at this location.
- 5) ***Appropriateness of series license requested.***
A series 9 license is appropriate and applicable for Costco Wholesale, per state guidelines for liquor stores.

Submitted by Master Officer Jason Washburn #2043



MEMO

Date: 09/24/2019

To: Sherry Aguilar, City Clerk
Linda Stevens, Deputy City Clerk
From: Stacie McQuarrie, Fiscal Support Specialist

RE: Liquor License Application – Costco Wholesale – 16385 W Waddell Rd

Business License Status:

Application packet to be mailed on 9/25/19.

Mailing to:

Costco Wholesale
c/o Lewkowitz Law Office PLC
Attn: Ms Andrea Lewkowitz
2600 N Central Dr Ste 1775
Phoenix AZ 85004



Surprise Fire-Medical Department
14250 W. Statler Plaza Ste. 101
Surprise, AZ 85374-7479
Phone: 623-222-5000
Fax: 623-222-5001



September 23, 2019

To: Sherry Ann Aguilar, City Clerk
From: Keith Tanner, Fire Marshal
Subject: Liquor License Application
Applicant: Costco Wholesale
16385 W Waddell Rd

The above referenced location is currently under construction and therefore the Surprise Fire – Medical Department is unable to conduct a general fire safety inspection to ensure compliance with the applicable fire codes within the tenant space and building. There are no known fire code violations at this time.

Therefore fire has no comment on the application at this time.

If you have any questions feel free to contact me.

Keith Tanner
Keith Tanner, Fire Marshal
Fire Prevention Division
Surprise Fire-Medical Department



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: October 15, 2019
Submitting Department: Human Svcs and Comm
Vitality
Staff Recommendations: None

Contact Person: Seth Dyson, DIRECTOR - HSCV
District: Internal

Consent: Yes	Regular: No	Public Hearing: No	Report/Discussion: No
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Agenda Wording:

Consideration and action pertaining to an amendment of the Fiscal Year 2020 budget by reallocating appropriations of \$161,600 within the personnel lines of the Human Service & Community Vitality Department to increase the full time equivalent count by 1.5 while having no financial impact to the General Fund; Resolution # 2019-116.

Motion:

I move to approve Resolution # 2019-116.

Background:

The Neighborhood Services Division of HSCV is seeing a growing demand for projects and housing rehabilitation utilizing the CDBG and HOME grant programs. HSCV has found additional staff support is needed in order to meet the needs of our residents while ensuring compliance with the program regulations. Additional staff will be funded with a combination of grant service delivery, grant administration and general fund budgets.

Objective Analysis:

This action will provide additional staff support to meet the growing demands on the Neighborhood Services Division.

Policy Compliant:

This action is compliant with City and Council policies.

Financial Impact:

Approval of this item will result in a full-time salary expense of \$161,600. In order to eliminate any ongoing impact to the General Fund, HSCV will utilize \$38,600 in part-time salary savings and \$89,900 in existing Community Development Block Grant (CDBG) Project G51680 administrative and program grant funding.

In future years, the amount required from CDBG Project G51680 will be equal to \$123,000.

Budget Impact:

This action will reallocate appropriations in the amount of \$38,600 within the HSCV General Fund operating budget from part-time to full-time personnel. This action does not represent an actual transfer of funds, but only a transfer of budget authority and does not increase or decrease the total budget.

FTE Impact:

This action will increase the full time equivalent count in the HSCV department by 1.5 with the new total equal to 25.6 FTE.

ATTACHMENTS:

1. 19.8.28 Res 2019-116 BA for Increase FTE
-

RESOLUTION # 2019-116

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AMENDING THE FISCAL YEAR 2020 BUDGET BY REALLOCATING APPROPRIATIONS OF \$38,600 WITHIN THE PERSONNEL LINES OF THE HUMAN SERVICE & COMMUNITY VITALITY DEPARTMENT AND USING EXISTING CDBG GRANT FUNDING TO INCREASE THE FULL TIME EQUIVALENT COUNT BY 1.5 WHILE HAVING NO FINANCIAL IMPACT TO THE GENERAL FUND.

WHEREAS, the FY2020 budget was adopted including funding for part-time personnel within the Neighborhood Services Division of the Human Service & Community Vitality (HSCV) Department;

WHEREAS, HSCV would like to convert a current part-time position to full-time and add one more full-time equivalent (FTE) for a total of 1.5 additional FTE. These positions will be funded by reallocating \$38,600 within the General Fund from part time salaries to full time salaries;

WHEREAS, the remaining \$89,900 required to support the additional 1.5 FTE will be paid from existing Community Development Block Grant Project G51680 administrative and program grant funding, in ongoing years this amount is \$123,000;

WHEREAS, the additional FTE being requested will not have an impact to the General Fund;

WHEREAS, the additional FTE will be used to support the growing demands of our Neighborhood Services grant programs;

WHEREAS, the FY2020 budget was adopted by Council Resolution #2019-75 on June 4, 2019;

WHEREAS, this action will necessitate a budget amendment; and

WHEREAS, the City of Surprise Administrative Policies requires the approval of the Mayor and Council for budget amendments of this nature.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Surprise, Arizona, as follows.

Section 1. That the statements and schedules attached as *Exhibit A* and incorporated by reference are adopted, amending the budget of the City of Surprise, Arizona for the fiscal year July 1, 2019 through June 30, 2020.

APPROVED AND ADOPTED this ____ day of _____, 2019.

Skip Hall, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

RESOLUTION # 2019-116
Exhibit A

1. Appropriation - The allocation below represents a reallocation of appropriation in the amount of \$38,600 from part-time services to full-time services. Additional personnel costs of \$89,900 will be covered by existing CBDG grant G51680. This amendment will increase FTE by 1.5 by converting a part-time position to full-time and adding one additional FTE to support the growing demands of the Neighborhood Services Division. These allocations do not represent an actual transfer of funds, but only a transfer of spending authority. Additionally, these allocations do not increase or decrease the total budget.

Fund	Department	Project/Category	Rev/ Exp	Current Budget	Increase/ (Decrease)	Amended Budget
General Fund	Human Svcs and Comm Vitality	Personnel Services Full-Time	E	1,751,000	38,600	1,789,600
General Fund	Human Svcs and Comm Vitality	Neighborhood Services Personnel Services Part-Time	E	38,600	(38,600)	-
Expense Total				1,789,600	-	1,789,600
Revenue Total				-	-	-

2. Full-Time Equivalent (FTE) - The growing demands of the Neighborhood Services Division requires the addition of 1.5 new FTEs.

Fund	Department	Current FTEs	Increase/ (Decrease)	Amended FTEs
General Fund	Human Svcs and Comm Vitality	24.1	1.5	25.6



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: October 15, 2019
Submitting Department: City Clerk
Staff Recommendations: None

Contact Person: Sherry Aguilar, City Clerk
District: Citywide

Consent: Yes Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action on the October 1, 2019 Regular City Council Work Session and Regular City Council Meeting.

Motion:

I move to approve the meeting minutes.

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. Oct 1 REG
 2. 10119 WKS
-

CITY OF SURPRISE
Regular City Council Meeting Minutes
16000 North Civic Center Plaza
Surprise, AZ 85374

Tuesday, October 1, 2019 @ 6:21PM

Call To Order

Invocation

Invocation led by Shawna Daigle.

Roll Call

Mayor Hall called the Regular City Council Meeting to order at 06:21 PM at Surprise City Hall Council Chamber, 16000 North Civic Center Plaza Surprise, Arizona 85374, on Tuesday, October 1, 2019. Also in attendance with Mayor Hall were Vice Mayor Winters, Council Member Duffy; Council Member Hayden, Council Member Sanders; Council Member Judd and Council Member Remley.

Staff present:

City Manager, Michael Frazier, City Attorney, Robert Wingo and City Clerk, Sherry Ann Aguilar.

Pledge of Allegiance

Proclamation and Community Acknowledgements

Proclamation: Domestic Violence Awareness

City Manager Report

1. Youth Council member's report pertaining to current Youth Council events and projects.

Youth Council statements

City Clerk Report

Call To The Public

Jim Grieshaber - Thanked Assistant Fire Chief Espie and Chief Abbott for donating a fire truck to Valley Vista High School. Also thanked Council for attending the grand opening of the stable today at Shadow Ridge High School.

Regular City Council Meeting Agenda

CONSENT AGENDA:

Vice Mayor Winters made the motion to approve the consent agenda. Council Member Sanders seconded the motion. Seven yes votes, motion carried.

2. Consideration and action pertaining to approval of a Ground Lease Agreement with the United States Postal Service for 17,600 square feet for the continued use as a post office location at Dysart Road and Grand Avenue - APPROVED

3. Consideration and action declaring the intent to establish a street light improvement district entitled, "City of Surprise, Arizona, SU-City Center 02 188 Lighting Improvement District" pursuant to A.R.S. § 48-616 for the purpose of purchasing facilities and energy for lighting the public streets and parks; Resolution #2019-122 - APPROVED

4. Consideration and action pertaining to conditional acceptance of certain streets and public utility improvements at Desert Oasis – Baer Parcel B10, generally located at Happy Valley Road and 163rd Avenue. Resolution # 2019-117 - APPROVED

5. Consideration and action pertaining to approval of an amendment to the fiscal year 2020 budget by reallocating appropriations of \$19,100 within the Grants Fund in order to accept two grants from the Arizona Governor's Office of Highway Safety (GOHS) to support Fire-Medical's Youth Alcohol Awareness Campaign and Car Seat Program; Resolution #2019-119 - APPROVED

6. Consideration and action on the minutes of September 17, 2019 Regular City Council Work Session, Regular City Council Meeting and Executive Session - APPROVED

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

11. Consideration and action pertaining to approval of an amendment to the Fiscal Year 2020 budget by reallocating appropriations of \$43,000 from Contingency within the Grants Fund to Services within the General Fund and amending the Capital and Operating List of items over \$50,000 for the additional funding to increase the hours at Hollyhock Library; Resolution #2019-125 - APPROVED

Mayor Hall asked that this item be brought forward. CRS Director, Donna Miller gave a brief powerpoint presentation on this item.

Vice Mayor Winters - Thanked staff for bringing this forward.

Council Member Remley - Thanked staff for finding a place in the budget to expand the Hollyhock library that is located in the original townsite.

Public comments:

Doc Sullivan - What price do we put on education, this is something that the students need this opportunity just like the rest of the City. I hope you approve this.

Alyson Cline - I hope you approve this item. We have talked about this for the last year on how we can help the kids in the original townsite and have more access. Education has been my number one priority since I have been here in Surprise.

Council Member Remley made the motion to approve Resolution 2019-25. Vice Mayor Winters seconded the motion. Seven yes votes, motion carried.

REGULAR AGENDA ITEM - PUBLIC HEARING:

7. Consideration and action pertaining to approval of a re-zone of approximately 20 acres from Greer Ranch Community Commercial (C2-PAD) to Greer Ranch Low Density Residential (R1-5-PAD) for Stonefield at Greer Ranch generally located at the northwest corner of Peoria Avenue and Reems Road; Ordinance 2019-25 - APPROVED

City Planner, Hobart Wingard gave a brief powerpoint presentation on this item.

Council Member Duffy - referred to the park, back homes 15-20 and walk-way.

Council Member Sanders - I feel the same way as Council Member Duffy. Give me some idea as to the scale, the remaining 20?

Public comments:

Dragos Neagu - Resident of Greer Ranch, addressed the maps PAD and amended PAD.

Council Member Duffy made the motion to approve Ordinance 2019-25. Council Member Sanders seconded the motion. Six yes votes, one no vote (Hall), motion carried.

8. Consideration and action pertaining to approval of the Preliminary Plat entitled, "Stonefield Subdivision," dated July 25, 2019, a property generally located west of the northwest corner of Peoria Avenue and Reems Road - APPROVED

City Planner, Hobart Wingard gave a powerpoint presentation on this item.

No public comments were made.

Council Member Duffy made the motion to approve the Preliminary Plat entitled Stonefield Subdivision. Council Member Sanders seconded the motion. Six yes votes, one no vote (Hall), motion carried.

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

9. Consideration and action pertaining to the recording of a blank petition for annexation pursuant to ARS § 9-471, pertaining to a certain 30.84 acres of property that is contiguous to the City of Surprise located on the east side of 175th Avenue, one-quarter mile north of Cactus Road, Maricopa County, Arizona; Resolution # 2019-115 - APPROVED

City planner, Hobart Wingard gave a brief powerpoint presentation on this item.

Youth question - Why do we want to annex a parcel of County land?

Council Member Judd - Why did they not want to annex earlier before building?

Council Member Duffy made the motion to approve Resolution 2019-115. Council Member Hayden seconded the motion. Six yes votes, one no vote (Judd), motion carried.

10. Consideration and action pertaining to approval of an amendment to Surprise Municipal Code by adding Chapter 54, Article III, Section 54-58, establishing a temporary pilot program for shared active transportation vehicles (e-bicycles and e-scooters); Ordinance #2019-26 - APPROVED WITH AMENDMENTS.

Attorney Harold Brady gave a brief powerpoint presentation on this item.

1st vote: Council Member Remley made the motion to postpone this item until the 2nd meeting in November. Council Member Duffy seconded the motion. Three yes votes, four no votes (Hall, Judd, Sanders and Winters). Motion failed.

2nd vote: Council Member Judd made the motion to approve with the following amendment; Amend sections F-3 and F9. Vice Mayor Winters seconded the motion. Five yes votes, two no votes (Hall and Remley). Motion passed to approve the amendments.

3rd vote: Council Member Judd made the motion to approve Ordinance 2019-26 as amended. Vice Mayor Winters seconded the motion. Five yes votes, two no votes (Hall and Remley). Motion carried.

Other Business and Future Agenda Items

City Council Reports

Executive Session

Adjournment

Council Member Sanders made the motion to adjourn the Regular City Council Meeting of October 1, 2019 at 8:01 PM. Vice Mayor Winters seconded the motion. Seven yes votes, motion carried.

Skip Hall, Mayor

ATTEST:

Sherry Ann Aguilar, City Clerk, MMC

CERTIFICATION:

I, Sherry Ann Aguilar, City Clerk for the City of Surprise, Maricopa County, Arizona, do hereby verify that these are the true and correct minutes of the Regular City Council Meeting of **Tuesday, October 1, 2019.**

Sherry Ann Aguilar, City Clerk, MMC

CITY OF SURPRISE
Regular City Council Work Session Minutes
16000 North Civic Center Plaza
Surprise, AZ 85374

Tuesday, October 1, 2019 @ 4:00PM

Call To Order

Roll Call

Mayor Hall called to order the Regular City Council Work Session of October 1, 2019 at 4:00 PM at Surprise City Hall Council Chambers, 16000 N Civic Center Plaza, Surprise, Arizona 85374. Also in attendance with Mayor Hall were Vice Mayor Winters, Council Members; Duffy, Hayden, Judd, Sanders and Remley.

Staff Present: City Manager, Michael Frazier; City Attorney, Robert Wingo and City Clerk, Sherry Ann Aguilar.

Pledge of Allegiance

Call To The Public

Regular City Council Work Session Agenda

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

1. Presentation and discussion pertaining to Community Pools in Medium Density Zoning - NO ACTION

City Planner, Robert Kuhfuss gave a powerpoint presentation on this item.

Council Member Remley - Why can't we follow the code that are established already? It seems like we are selling out to the developer.

Council Member Sanders - Can you work in he amenities then work the density around this? I think it requires the developer to put in density that they can make money on.

Council Member Remley - \$800,000. over 900 homes, if they each put in a pool at \$30,000. would exceed this amount. Depending on the size of the project would have something to do with the size of the pool.

Mayor Hall - Questioned the amount of cost per pool for maintenance. Commented on

the costs associated with the pool at Sun Village.

Mayor Hall - Maybe we should have handled this like a wastewater development for some of the developments.

Council Member Judd - Asked for clarification on funding, requirements, etc.

Council Member Remley - Litchfield and Greenway, I look at that little community, they have a pool and other amenities. Looking at the neighborhoods moving forward, we should recommend pools and other amenities for their communities.

Council Member Judd - We do care about the cost, we don't want to price the developers out of the market. I like having community amenities. Should the government even be requiring that a pool is put in. Ask for clarification on the various zones RL vs. RM zoning.

Mayor Hall - Some of our developments have a variety of lot sizes.

Council Member Sanders - finding that number is not going to be that easy, depending on products, etc., I am glad we have brought this up, if its not economically feasible for the builder and buyer, then adjustments need to be made.

2. Presentation and discussion pertaining to Arizona state legislation on electric scooters and Shared Active Transportation Vehicle pilot program within the City limits - NO ACTION

Sr. Transportation Planner, Stephen Chang gave a powerpoint presentation on this item.

Vice Mayor Winters - Do we have some inquiries to use scooters in Surprise?

Mr. Chang - Yes we do have a company that has approached us. Aren't there some cities that have stopped using this program so to problems.

Council Member Remley - At what age can a person rent one of these?

Mr. Chang - 18 years old.

Council Member Remley - I am concerned we are going to have kids riding up and down the sidewalks all the time. Are they subject to a traffic ticket?

City Attorney Wingo - Our intention is to regulate the age at which the company would be able to rent a scooter. We would require the app some kind of verification of age.

Council Member Remley - Have we had any public outreach meetings? This is the first I have heard about this. If my kid is 6 years old, he has to ride a helmet to ride a bike. Will there be any safety requirements for scooters?

Council Member Sanders - My concern is insurance, what if they get hurt, where does the liability fall? After the pilot program, so we see the fee structure staying the same?

City Attorney Wingo - The ordinance has a requirement for riding with both hands.

Council Member Judd - The biggest push back I have had is the clutter, how specifically can we address this? Do we have a mechanism set up already?

Clayton Bedoya - As of the usage, we had them out for 4 days, several people interested. They were quite extensively used in the stadium area. Arizona law requires someone under the age of 16 to wear a helmet. I have ridden the scooters at various speeds, getting into the bike lane is very slow at 12 mph.

Council Member Judd - Have you done any outreach with the local businesses?

Yes the hotels.

Council Member Judd - who is going to be in charge of the program? Will we have some flexibility to make changes as we need to?

Community Development Director Boyd will oversee the pilot program. The ordinance will have very specific criteria.

Council Member Judd - Parking areas, how are we managing this without parking areas. The owner of the program lives close by so I don't see these issues happening.

Council Member Duffy - What it sounds like for me is we will need to deal with this for 6 months. if someone rides it and drops it, then this is what we will have to deal with. The reason I bring this up we can't even put shopping carts away.

Council Member Hayden - On your app, do you have a statement of what is going on and they have to approve this?

Yes correct, this is all part of the initial responsibilities.

Council Member Hayden - You mentioned you have 30 scooters but then you commented you would like to see 100 scooters. Is this correct? How do we keep kids from using this? Can the City be sued for this program?

Vice Mayor Winters - Have you had any experience previous to this?

Council Member Remley - I know you are sincere, don't take our comments too negative, we want to do this right the first time.

3. Presentation and discussion pertaining to a Sports and Tourism department update - NO ACTION

Tourism Director, Kendra Pettis gave a brief powerpoint presentation on this item.

Council Member Judd - I love tourism and love what you are doing. The baseball stadium, when we are not having baseball games, what could we do there in the off season. We need to sue the grass areas.

Council Member Judd - Have you looked at the economics around soccer games?

Council Member Duffy - Looks like you are going in the right direction. I agree that we need to have more events at the stadium. We are putting too much pressure on the 4 fields. Why do we not do the Special Olympics event any longer?

Council Member Remley - You have made a lot of progress in the last couple of years. One of the things that have been a barrier for you, how is it going with the hotels? How can we as a council help you?

Mayor Hall - We need a signature event in Surprise. We just put out a campaign for a signature event. Working with 10 different events groups right now.

Mayor Hall - Asante Park, that is a 50-acre park out there, it seems like this could be a real potential for soccer fields. We have heard we are limited with soccer capacity this could generate a lot of revenue for the City.

Adjournment

Council Member Remley made the motion to adjourn the Regular City Council Work Session of October 1, 2019 at 6:05 PM. Council Member Hayden seconded the motion. Seven yes votes, motion carried.

Skip Hall, Mayor

ATTEST:

Sherry Ann Aguilar, City Clerk, MMC

CERTIFICATION:

I, Sherry Ann Aguilar, City Clerk for the City of Surprise, Maricopa County, Arizona, do hereby verify that these are the true and correct minutes of the Regular City Council Work Session of **Tuesday, October 1, 2019.**

Sherry Ann Aguilar, City Clerk, MMC



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: October 15, 2019
Submitting Department: Police
Staff Recommendations: None

Contact Person: Terry Young, POLICE CHIEF
District: Citywide

Consent: Yes Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action pertaining to approval of an amendment to the Fiscal Year 2020 budget by reallocating appropriations in the amount of \$154,300 within the Grants Fund and authorizing acceptance of (7) grant awards from the AZ Governor's Office of Highway Safety (GOHS) to support impaired driving enforcement overtime, education, materials and supplies, and equipment; Resolution # 2019-123.

Motion:

I move to approve Resolution # 2019-123.

Background:

The City of Surprise Police Department applied for FFY2020 grant funding from the Arizona Governor's Office of Highway Safety (AZGOHS) and was awarded the following seven (7) grants totaling \$154,219.60: 1) Accident Investigation Equipment; 2) DUI Enforcement OT and Intox 9000 Equipment; 3) Know Your Limit OT; 4) Motorcycle Safety Awareness OT; 5) Occupant Protection Enforcement OT; 6) Pedestrian and Bicycle Safety Enforcement OT; and 7) Selective Traffic Enforcement (STEP) OT. The grant funds will support expenses for personnel overtime, materials and supplies and equipment.

Objective Analysis:

Acceptance of these seven grants will produce many positive impacts. DUI driving will be prosecuted and discouraged by traffic task force operations and awareness programs and will support improved enforcement of impaired driving, speeding, distracted driving, bicycle and pedestrian safety, seat belt usage, child safety seat usage, motorcycle safety, and citizen education regarding these matters. The one negative to obtaining any grant funding is the employee time spent in overseeing the grant and making regular reports back to the grantor.

Policy Compliant:

These grants are consistent with the City's practice of discouraging DUIs and successfully discovering and prosecuting DUIs. They are also consistent with the City educating the public about safe driving practices and then taking steps to implement and encourage safe driving practices.

Financial Impact:

These seven (7) one-time grant awards provide \$99,000 in overtime for DUI/Impaired driving, speeding

and distracted driving enforcement throughout the City of Surprise; \$10,000 for an Intox 9000; \$3,000 for the purchase of bicycle safety helmets, and \$42,219.60 for accident investigation software and equipment. There is no City match requirement.

Budget Impact:

The FY2020 adopted budget includes appropriations in the amount of \$211,100 for various grants from GOHS. Acceptance of this grant will reallocate appropriations in the amount of \$154,300 from the FFY20 GOHS Master Grant Project within the Grants Fund to FFY20 GOHS DUI OT and Equipment (\$40,000); FFY20 GOHS STEP OT (\$20,000), FFY20 Know Your Limit OT (\$10,000), FFY20 GOHS Ped & Bike OT and Supplies (\$10,000); FFY20 GOHS Occupant Protection Enforcement OT (\$12,000); FFY20 Accident Investigation Equipment (\$42,300), and FFY20 GOHS Motorcycle OT (\$20,000) within the Grants Fund to cover the projected expenditures associated with the equipment and overtime expenses for additional DUI impairment and traffic enforcement, occupant protection enforcement, motorcycle safety education and enforcement, accident investigation, and pedestrian and bike safety enforcement. This action also amends the List of Operating and Capital Items Over \$50,000 by establishing Reference #20164 in the amount of \$75,000 for grant related expenses. This does not represent an actual transfer of funds, but only a transfer of budget authority and does not increase or decrease the total budget.

FTE Impact:

The number of full-time equivalents (FTE) is not impacted by this item.

ATTACHMENTS:

1. Resolution 2019-123 (7) FFY2020 GOHS Grants-19.10.3
 2. 2020-405b-009
 3. 2020-405d-040
 4. 2020-405h-017
 5. 2020-AI-011
 6. 2020-II-006
 7. 2020-MC-003
 8. 2020-PTS-061
-

RESOLUTION # 2019-123

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AUTHORIZING THE CITY TO ACCEPT AND ENTER INTO SEVEN GRANT AGREEMENTS WITH THE ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY FOR ENFORCEMENT AND EDUCATION ACTIVITIES AND AMENDING THE FISCAL YEAR 2020 BUDGET BY REALLOCATING APPROPRIATIONS OF \$154,300 WITHIN THE GRANTS FUND FOR THE RECEIPT OF GRANT FUNDING AND TO AMEND THE FISCAL YEAR 2020 CAPITAL AND OPERATING LIST OF ITEMS OVER \$50,000 BY ADDING A GOHS GRANT CAPITAL ITEM IN THE AMOUNT OF \$75,000.

WHEREAS, the Arizona Governor's Office of Highway Safety (GOHS) annually awards grants to local agencies to focus upon various areas of safety enforcement,

WHEREAS, the City of Surprise Police Department has applied for and been awarded the following seven grants:

- Two Driving Under the Influence (DUI) Enforcement grants including one grant in the amount of \$10,000 for overtime to support the Know Your Limit Education program (which is focused on impaired driving education) and the other grant in the amount of \$40,000 including \$30,000 for overtime for impaired driving enforcement and \$10,000 for the purchase of an Intox 9000;
- A Selective Traffic Enforcement Program (STEP) grant in the amount of \$20,000 for overtime for speeding and distracted driving enforcement;
- A Bicycle and Pedestrian Safety Enforcement grant for the total amount of \$10,000 which includes both \$7,000 for overtime for bicycle and pedestrian safety enforcement and an additional \$3,000 to purchase bike helmets to support bicycle safety;
- An Occupant Protection Enforcement grants in the amount of \$12,000 for overtime to conduct Car Seat Installation Clinics and enforce seat belt and child safety seat laws;
- A Federal 402 Motorcycle Safety Enforcement and Education grant in the amount of \$20,000 for overtime to enhance motorcycle safety enforcement and education including hosting a Motorcycle Rodeo Event.
- A Federal 402 grant program award to allow the purchase of a Total Station accident investigation software package in the amount of \$42,219.60

WHEREAS, accepting these seven grants will support improved enforcement of

impaired driving, speeding, distracted driving, bicycle and pedestrian safety, child safety seat usage, and motorcycle safety, as well as improve the quality of accident investigations;

WHEREAS, the City of Surprise Police Department desires to accept these grant awards;

WHEREAS, the FY2020 budget was adopted by Council Resolution #2019-75 on June 4, 2019;

WHEREAS, this action will necessitate a budget amendment; and

WHEREAS, the City of Surprise Administrative Policies requires the approval of the Mayor and Council for budget amendments of this nature; and

WHEREAS, the City of Surprise Procurement Code §2-338 (d) requires the authority of the Mayor and Council when the cost to the city is greater than \$50,000.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Surprise, Arizona, as follows.

Section 1. That the statements and schedules attached as *Exhibit A* and incorporated by reference are adopted, amending the budget of the City of Surprise, Arizona for the fiscal year July 1, 2019 through June 30, 2020.

Section 2. The City of Surprise is authorized to accept and enter into the following seven grant agreements with the Arizona Governor's Office for Highway Safety for receipt of grant funding in the amounts of:

- \$10,000 for overtime to support the Know Your Limit Education program and \$30,000 for overtime for impaired driving enforcement and \$10,000 for the purchase of an Intox 9000; the grants are attached as *Exhibits B and C*;
- \$20,000 for overtime for speeding and distracted driving enforcement thru the Selective Traffic Enforcement Program (STEP); attached as *Exhibit D*;
- \$7,000 for overtime for bicycle and pedestrian safety enforcement and an additional \$3,000 to purchase bike helmets to support bicycle safety; this grant is attached as *Exhibit E*;
- \$12,000 for overtime to conduct Car Seat Installation Clinics and to enforce seat belt and child safety seat laws; this grant is attached as *Exhibit F*;
- \$20,000 for overtime to enhance motorcycle safety enforcement and education; this grant is attached as *Exhibit G*; and
- \$42,219.60 to allow the purchase of a Total Station accident investigation software package; attached as *Exhibit H*.

Section 3. The City Manager, or his designee, is hereby authorized to execute and submit all documents and other necessary or desirable instruments in connection with said agreements.

Section 4. That the statements and schedules attached as *Exhibit I* and incorporated by reference are adopted, the Fiscal Year 2020 Capital and Operating List of Items Over \$50,000 of the City of Surprise, Arizona for the fiscal year July 1, 2019 through June 30, 2020.

APPROVED AND ADOPTED this ____ day of _____, 2019.

Skip Hall, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

RESOLUTION # 2019-123 **Exhibit A**

1. Appropriation - The allocation below represents a reallocation of appropriations in the amount of \$154,300 from the FFY20 GOHS Master Grant Project within the Grants Fund to FFY20 GOHS DUI OT and Equipment (\$40,000), FFY20 GOHS STEP OT (\$20,000), FFY20 GOHS Know Your Limit OT (\$10,000), FFY20 GOHS Ped & Bike OT and Supplies (\$10,000), FFY20 GOHS Occupant Protection Enforcement OT (\$12,000), FFY20 Accident Investigation Equipment (\$42,300), and FFY20 GOHS Motorcycle OT (\$20,000) within the Grants Fund to cover the projected expenditures associated with the equipment and overtime expenses for additional DUI impairment and traffic enforcement, as well as occupant protection enforcement, motorcycle safety education and enforcement, accident investigation, and pedestrian and bike safety enforcement. These allocations do not represent an actual transfer of funds, but only a transfer of spending authority. Additionally, these allocations do not increase or decrease the total budget.

Fund	Department	Project/Category	Rev/ Exp	Current Budget	Increase/ (Decrease)	Amended Budget
Grants	Police	#G31273 FFY20 GOHS Know Your Limit	E		10,000	10,000
Grants	Police	#G31273 FFY20 GOHS Know Your Limit	R		10,000	10,000
Grants	Police	#G31263 FFY20 GOHS DUI OT	E		40,000	40,000
Grants	Police	#G31263 FFY20 GOHS DUI OT	R		40,000	40,000
Grants	Police	#G31391 FFY20 GOHS Motorcycle OT	E		20,000	20,000
Grants	Police	#G31391 FFY20 GOHS Motorcycle OT	R		20,000	20,000
Grants	Police	#G31353 FFY20 GOHS OP Enforcement OT	E		12,000	12,000
Grants	Police	#G31353 FFY20 GOHS OP Enforcement OT	R		12,000	12,000
Grants	Police	#G31322 FFY20 GOHS Ped & Bike	E		10,000	10,000
Grants	Police	#G31322 FFY20 GOHS Ped & Bike	R		10,000	10,000
Grants	Police	#G31312 FFY20 GOHS STEP OT	E		20,000	20,000
Grants	Police	#G31312 FFY20 GOHS STEP OT	R		20,000	20,000
Grants	Police	#G31410 FFY20 AI Equip	E		42,300	42,300
Grants	Police	#G31410 FFY20 AI Equip	R		42,300	42,300
Grants	Police	#G31262 FFY20 GOHS Master Grant	R	196,100	(154,300)	41,800
Grants	Police	#G31262 FFY20 GOHS Master Grant	E	196,100	(154,300)	41,800
Expense Total				196,100	-	196,100
Revenue Total				196,100	-	196,100

RESOLUTION # 2019-123

Exhibit B

INTERGOVERNMENTAL AGREEMENT BETWEEN
THE CITY OF SURPRISE AND ARIZONA GOVERNOR'S OFFICE OF HIGHWAY
SAFETY

RESOLUTION # 2019-123

Exhibit C

INTERGOVERNMENTAL AGREEMENT BETWEEN
THE CITY OF SURPRISE AND ARIZONA GOVERNOR'S OFFICE OF HIGHWAY
SAFETY

RESOLUTION # 2019-123
Exhibit D
INTERGOVERNMENTAL AGREEMENT BETWEEN
THE CITY OF SURPRISE AND ARIZONA GOVERNOR'S OFFICE OF HIGHWAY
SAFETY

RESOLUTION # 2019-123

Exhibit E

INTERGOVERNMENTAL AGREEMENT BETWEEN
THE CITY OF SURPRISE AND ARIZONA GOVERNOR'S OFFICE OF HIGHWAY
SAFETY

RESOLUTION # 2019-123

Exhibit F

INTERGOVERNMENTAL AGREEMENT BETWEEN
THE CITY OF SURPRISE AND ARIZONA GOVERNOR'S OFFICE OF HIGHWAY
SAFETY

RESOLUTION # 2019-123

Exhibit G

INTERGOVERNMENTAL AGREEMENT BETWEEN
THE CITY OF SURPRISE AND ARIZONA GOVERNOR'S OFFICE OF HIGHWAY
SAFETY

RESOLUTION # 2019-123

Exhibit H

INTERGOVERNMENTAL AGREEMENT BETWEEN
THE CITY OF SURPRISE AND *ARIZONA GOVERNOR'S OFFICE OF HIGHWAY
SAFETY*

RESOLUTION # 2019-123
Exhibit I

4. List of Operating Items Over \$50,000 – This Resolution provides authorization to add item 20164 on the current FY2020 Operating List of Items Over \$50,000.

Reference #	Description	Current Amount	Increase/ (Decrease)	Amended Amount
20164	GOHS Grant Purchases	\$0	\$75,000	\$75,000

GOVERNOR'S OFFICE OF
HIGHWAY SAFETY

STATE OF ARIZONA

HIGHWAY SAFETY CONTRACT

This page, the Project Director's Manual and attached hereto and incorporated herein by reference, constitute the entire Contract between the parties hereto unless the Governor's Highway Safety Representative authorizes deviation in writing.

FAIN: 69A3752030000405bAZL		Assistance Listings: 20.616
1. APPLICANT AGENCY Surprise Police Department	GOHS CONTRACT NUMBER: 2020-405b-009	
ADDRESS 14250 W. Statler Plaza, Ste. 103, Surprise, AZ 85374	PROGRAM AREA: 405b	
2. GOVERNMENTAL UNIT City of Surprise	AGENCY CONTACT: Michael Robbins	
ADDRESS 16000 N. Civic Center Drive, Surprise, AZ 85374	3. PROJECT TITLE: Occupant Protection Enforcement Overtime	
4. GUIDELINES: 405b		
5. BRIEFLY STATE PURPOSE OF PROJECT: Federal 405b funds will support Personnel Services (Overtime) to enhance Occupant Protection Enforcement throughout the City of Surprise.		
6. BUDGET COST CATEGORY	Project Period FFY 2020	
I. Personnel Services	\$12,000.00	
II. Employee Related Expenses	\$0.00	
III. Professional and Outside Services	\$0.00	
IV. Travel In-State	\$0.00	
V. Travel Out-of-State	\$0.00	
VI. Materials and Supplies	\$0.00	
VII. Capital Outlay	\$0.00	
TOTAL ESTIMATED COSTS	\$12,000.00	
PROJECT PERIOD	FROM: Effective Date (Date of GOHS Director Signature)	TO: 09-30-2020
CURRENT GRANT PERIOD	FROM: 10-01-2019	TO: 09-30-2020
TOTAL FEDERAL FUNDS OBLIGATED THIS FFY: \$12,000.00		
A political subdivision or State agency that is mandated to provide a certified resolution or ordinance authorizing entry into this Contract must do so prior to incurring any expenditures. Failure to do so may result in termination of the awarded Contract.		

PROBLEM IDENTIFICATION AND RESOLUTION:**Agency Background:**

Number of sworn officers: 141

Total Population in city/town or county: 130,000

Total Road Mileage: Highway: 39 Local: 857 Total: 896

	2017	2016	2015
Total Crashes	1951	1973	1791
Total Serious Injury Crashes	251	239	253
Total Fatal Crashes	5	3	0
Total Unrestrained Occupant Crashes	35	55	46
Total Unrestrained Serious Injuries	8	8	7
Total Unrestrained Occupant Fatalities	1	7	2

The data above represents: County ☐ City/Town ☒

Agency Problem/Attempts to Solve Problem:

As a result of the population increase, the City has seen a consistent increase in the number of traffic collisions occurring every year. The majority of collisions within the City can be attributed to speed and inattention. To bring awareness to this issue and to create a culture of safe driving, they have begun a "Drive Wise, Surprise" campaign. In addition to street signs, the campaign includes community and media engagement, social media messaging, ads, public service announcements and various other marketing tools.

One of those marketing tools has been the joint Surprise Police/Fire Car Seat installation Clinics. Currently, they host three clinics a month, reoccurring on the 1st and 3rd Tuesday and 3rd Saturday every month. The clinics are held out of a Surprise Fire Station 303 and are primarily staffed with Surprise Police Department Citizen's Patrol staff (volunteer). With the support of GOHS, they are now hosting Car Seat Clinics throughout the City at the Traffic Safety Events.

Agency Funding:

Federal 405b funds will support Personnel Services (Overtime) to enhance Occupant Protection Enforcement throughout the City of Surprise.

How Agency Will Solve Problem with Funding:

The City of Surprise Police Department is requesting funding from the Governor's Office of Highway Safety to promote the Occupant Protection (OP) program to continue the commitment to child passenger safety through hosting Car Seat Installation Clinics. The granted funding will be used to further the mission of GOHS and the Surprise Police Department by supporting the overtime expenditures used for educating citizens on the proper installation of child safety seats.

PROJECT MEASURES:**Agency Goals:**

To decrease unrestrained occupant fatalities 100% from 1 in calendar year 2017 to 0 by December 31, 2020.

To decrease unrestrained occupant serious injuries 50% from 8 in calendar year 2017 to 4 by December 31, 2020.

Contract Objectives:

To increase seatbelt citations 10 % from 127 during calendar year 2018 to 140 during FFY 2020.

To increase child safety seat citations 50 % from 23 during calendar year 2018 to 35 during FFY 2020.

Conduct/participate in 12 occupant restraint outreach/educational events each quarter during FFY 2020.

Additional Contract Objectives:

1. Host 1 occupant restraint outreach/educational event somewhere other than Fire Station 303 each quarter during FFY 2020
2. Release a social media occupant restraint related message each quarter during FFY 2020.

GOALS/OBJECTIVES:

Federal 405b funds will support Personnel Services (Overtime) to enhance Occupant Protection Enforcement throughout the City of Surprise.

Expenditures of funding pertaining to the OP/Occupant Protection Program including Personnel Services and ERE, Materials and Supplies, Capital Equipment, and/or Travel In and Out-of-State shall comply with the Occupant Protection Program goals provided by the Arizona Governor's Office of Highway Safety. The Occupant Protection Program goal is to improve the use of seatbelts and child safety seats to reduce the number of fatalities and injuries due to vehicular crashes throughout the State of Arizona.

MEDIA RELEASE:

To prepare complete press release information for media (television, radio, print, and on-line) during each campaign period including a main press release, schedule of events, departmental plans, and relevant data. The material will emphasize the campaign's purpose, aggressive enforcement, and the high cost of Occupant Protection in terms of money, criminal, and human consequences.

PLEASE NOTE: Failure to submit Statistics, Quarterly Reports, and/or Report of Costs Incurred (RCIs) timely and correctly may delay reimbursement for expenditures to your Agency.

METHOD OF PROCEDURE:

The Surprise Police Department will make expenditures, as follows, to meet the outlined Program Goals/Objectives:

Personnel Services - To support Overtime for Occupant Protection Enforcement Activities

PRESS RELEASE:

Agencies are **required** to develop and distribute a press release announcing this grant award **upon receipt** of the executed Contract. A copy of this press release shall be sent to the GOHS Director for approval prior to being sent to the media. This press release shall include the objective and specify that the funding is from the Governor's Office of Highway Safety.

METHOD OF PROCUREMENT:

The application of 2 CFR Part 200 "Procurement Standards" requires that:

Grantees and sub-grantees will use their own procurement procedures which reflect applicable State and local laws and regulations, provided the procurement procedures conform to applicable Federal laws and standards. The most stringent purchasing requirement at each level must be met. If the Agency does not have a procurement process, the Agency may use the State procurement process.

A clear audit trail must be established to determine costs charged against this Contract. Substantiation of costs shall, where possible, be made utilizing the Surprise Police Department documentation consisting of, but not limited to, copies of time sheets, purchase orders, copies of invoices, and proof of payment.

The Agency shall retain copies of all documentation in the project file.

State Contract:

Procurement may be made using an open State contract award. Documents submitted to substantiate purchases using an open State contract must bear the contract number.

PROJECT EVALUATION:

This project shall be administratively evaluated to ensure the objectives have been met.

Quarterly Report

The purpose of the Quarterly Report is to provide information on contracted grant activities conducted at the conclusion of each active quarter. The information provided is used to review progress of the funded project and the successfulness in meeting outlined goals and objectives. The information, photos, highlights, obstacles, and mandatory statistical data provided in this report are analyzed by the assigned Project Coordinator. It is critical the report contains the following information:

- **Original signatures on all Quarterly Reports and RCIs**
 - **All Quarterly Reports and RCIs shall include the signature of the Project Director unless prior authorization for another is on file with GOHS.**

Report Schedule

Reporting Period	Due Date
1st Quarterly Report and RCI (October 1 to December 31, 2019)	January 30, 2020
2nd Quarterly Report and RCI (January 1 to March 31, 2020)	April 20, 2020
3rd Quarterly Report and RCI (April 1 to June 30, 2020)	July 20, 2020
4th Quarterly Report and RCI (July 1 to September 30, 2020)	October 15, 2020
Final Statement of Accomplishments	October 15, 2020

The Quarterly Report **shall be completed on the form available on-line and can be submitted by email** to the Governor's Office of Highway Safety.

NOTE: IT IS REQUIRED THAT ALL LAW ENFORCEMENT AGENCIES MUST ENTER STATISTICAL AND ENFORCEMENT ACTIVITY INTO THE ON-LINE GOHS DUI REPORTING SYSTEM, IN ADDITION TO SUBMITTING THE QUARTERLY ENFORCEMENT REPORT.

Final Statement of Accomplishments

The Project Director shall submit a Final Statement of Accomplishments Report to the GOHS **no later than fifteen (15) days after the conclusion of each Federal Fiscal Year (September 30th)**. All agencies receiving funding are required to submit a Final Statement of Accomplishments Report.

Note: Failure to comply with the outlined GOHS reporting requirements may result in withholding of Federal funds or termination of the Contract.

PROFESSIONAL AND TECHNICAL PERSONNEL:

Terry Young, Chief, Surprise Police Department, shall serve as Project Director.

Michael Robbins, Sergeant, Surprise Police Department, shall serve as Project Administrator.

Gabriela Gallegos, Governor's Office of Highway Safety, shall serve as Project Coordinator.

REPORT OF COSTS INCURRED (RCI):

The Agency shall submit a Report of Costs Incurred (RCI), with supporting documentation attached, to the Governor's Office of Highway Safety on a quarterly basis, for each active quarter, in conjunction with the required report. Agencies may submit additional RCI forms for expenditures when funds have been expended for which reimbursement is being requested.

Accepted supporting documentation to submit with a Report of Cost Incurred (RCI) includes, but is not limited to; scanned copies of timesheets, payroll records, paid invoices/purchase orders, and other account records.

RCIs shall be typed and delivered via mail or hand delivered with appropriate supporting documentation to the Governor's Office of Highway Safety. **Electronically submitted RCIs will not be accepted.** Final RCIs will not be accepted fifteen (15) days after the conclusion of each Federal Fiscal Year (September 30th). **Expenditures submitted after the expiration date may not be reimbursed and the Agency will accept fiscal responsibility.**

PROJECT MONITORING:

Highway safety grant project monitoring is used by GOHS project coordinators to track the progress of project objectives, performance measures, and compliance with applicable procedures, laws, and regulations.

The process is used throughout the duration of the contracted project and serves as a continuous management tool. Project monitoring also presents an opportunity to develop partnerships, share information, and provide assistance to contracted agencies. Additionally, project monitoring outlines a set of procedures for project review and documentation.

Project monitoring serves as a management tool for:

- Detecting and preventing problems
- Helping to identify needed changes
- Identifying training or assistance needed
- Obtaining data necessary for planning and evaluation
- Identifying exemplary projects

Types of Monitoring

Monitoring is formal and informal, financial and operational. The most common types of monitoring are:

- Ongoing contact with the contracted grantee through phone calls, e-mails, correspondence, and meetings
- On-Site and/or In-House monitoring reviews of project operations, management, and financial records and systems
- Review of project Quarterly Reports
- Review and approval of Report of Costs Incurred (RCIs)
- Desk review of other documents in the project grant files for timely submission and completeness

Monitoring Schedule	
Total Awarded Amount:	Type of Monitoring:
Under \$50,000	Desk Review/Phone Conference
\$50,000 and over	May have an In-House GOHS Review
\$100,000+	May have an On-Site Review
Capital Outlay Greater than \$25,000 (combined)	May have an On-Site Review
Desk Review and Phone Conference	Internal review of all written documentation related to contractual project including, but not limited to the Contract, Quarterly Reports, enforcement data, financial data, e-mails, letters, notes, press releases, photographs, inventories, and other written correspondence. A phone conference call conducted during the course of the project which includes the date and time of the call, the person(s) contacted, and the results. It serves as an informational review to determine progress of programmatic/financial activities. Both the designated project administrator and fiscal contact should be present, if possible, during the phone conference. If identified financial or operational problems are present, GOHS reserves the right to bring the grantee in for an in-house meeting at GOHS. Monitoring form written by Project Coordinator, any findings, areas of improvement, concern, or recognition will be provided to the grantee.
In-House Review	Documents performance review results including project activities, reimbursement claims review, equipment purchases, approvals, and other information. Reviews applicable information related to the project(s) including, but not limited to the Contract, Quarterly Reports, enforcement data, financial data, e-mails, letters, notes, press releases, photographs, inventories, and other written correspondence. Completed at GOHS in a meeting with appropriate operational and financial personnel. Monitoring form written by Project Coordinator, any findings, areas of improvement, concern, or recognition will be provided to the grantee.
On-Site Monitoring	Documents performance review results including project activities, reimbursement claims review, equipment purchases, and other information. Reviews applicable information related to the project(s) including, but not limited to the Contract, Quarterly Reports, enforcement data, financial data, e-mails, letters, notes, press releases, photographs, inventories, and other written correspondence. Conducted on-site at the grantee's Agency with monitoring form completed on-site by Project Coordinator. Any findings, areas of improvement, concern, or recognition, will be provided to the grantee.

On-site and/or in-house monitoring for grantees of designated projects with large Capital Outlay purchases, personnel services, and complex projects must be completed within the second or third quarter of the fiscal year. Contracted projects displaying any problems may need on-site monitoring more than once during the fiscal year.

On-site and/or In-house monitoring includes a review and discussion of all issues related to ensure the effective administration of the contracted project. The following are the most important items to review:

- Progress toward meeting goals/objectives and performance measures
- Adherence to the contract specifications, timely submission of complete and correct reports, including required documentation
- Quarterly Reports
- Status of expenditures related to the outlined budget
- Accounting records and RCI's
- Supporting documentation (training documentation, inventory sheets, photographs, press releases, etc.)

In addition, the designated Agency will ensure that any equipment purchased will be available for inspection and is being used for the purpose for which it was bought under the outlined contractual agreement.

Documentation

The Governor's Office of Highway Safety will retain all findings documented on the GOHS Monitoring Form in the Agency's respective Federal file. Findings will be discussed with the designated contract representative (Project Administrator, fiscal specialist) by phone and/or e-mail. All noted deficiencies will be provided to the grantee with guidance for improvement and solutions to problems. Grantees that exhibit significantly poor performance may be placed on a performance plan as outlined by the GOHS Director. Grantee monitoring information will additionally provide documentation for potential funding in subsequent fiscal year grant proposal review.

PROJECT PERIOD:

The project period shall commence on the date the GOHS Director signs the Highway Safety Contract and terminate on September 30th of that or subsequent year as indicated on the Highway Safety Contract.

DURATION:

Contracts shall be effective on the date the Governor's Office of Highway Safety Director signs the Contract and expire at the end of the project period.

If the Agency is unable to expend the funds in the time specified, the Agency will submit notification on the Agency's letterhead and hand deliver or submit via regular mail to the Director of the Governor's Office of Highway Safety a minimum of sixty days (60) prior to the end of the project period.

The Agency shall address all requests to modify the Contract to the Director of the Governor's Office of Highway Safety on Agency's official letterhead and either hand deliver or submit the request via regular mail. All requests for modification must bear the signature of the Project Director.

Failure to comply may result in cancellation of the Contract. Any unexpended funds remaining at the termination of the Contract shall be released back to the Governor's Office of Highway Safety.

ESTIMATED COSTS:

I.	Personnel Services (overtime)	\$12,000.00
II.	Employee Related Expenses (ERE)	\$0.00
III.	Professional and Outside Services	\$0.00
IV.	Travel In-State	\$0.00
V.	Travel Out-of-State	\$0.00
VI.	Materials and Supplies	\$0.00
VII.	Capital Outlay	\$0.00
TOTAL ESTIMATED COSTS		*\$12,000.00

*Includes all applicable training, tax, freight, and advertising costs. The GOHS reserves the right to limit reimbursement of Employee Related Expenses from zero (0) to a maximum rate of forty (40) percent. This is the maximum ERE amount to be reimbursed. It is agreed and understood that the Surprise Police Department shall absorb any and all expenditures in excess of \$12,000.00.

**QUARTERLY ENFORCEMENT REPORT
(Submitted to GOHS)**

Reporting Period

DESCRIPTION	CONTRACT ACTIVITY	AGENCY ACTIVITY
Total Contacts (Traffic Stops)		
Total Sober Designated Drivers Contacted		
Total Know Your Limit Contacts		
TOTAL DUI ARRESTS		
Total DUI Aggravated		
Total DUI Misdemeanor		
Total DUI Extreme (.15 or Above)		
Under 21 DUI Arrests		
Average BAC		
Minor Consumption / Possession Citations		
Total DUI Drug Arrests		
30-Day Vehicle Impounds		
Seat Belt Citations		
Child Restraint Citations		
Criminal Speed Citations		
Reckless Driving Citations		
Civil Speed Citations		
Other Citations (Except Speed)		
Other Arrests		
Participating Officer/Deputies (Cumulative)		

CERTIFICATIONS AND AGREEMENTS

This CONTRACT, is made and entered into by and between the STATE OF ARIZONA, by and through the Governor's Office of Highway Safety (GOHS) hereinafter referred to as "STATE", and the agency named in this Contract, hereinafter referred to as "AGENCY".

WHEREAS, the National Highway Safety Act of 1966, as amended (23 USC §§401-404), provides Federal funds to STATE for approved highway safety projects; and

WHEREAS, STATE may make said funds available to various state, county, tribal, or municipal agencies, governments, or political subdivisions upon application and approval by STATE and the United States Department of Transportation (USDOT); and

WHEREAS, AGENCY must comply with the requirements listed herein to be eligible for Federal funds for approved highway safety projects; and

WHEREAS, AGENCY has submitted an application for Federal funds for highway safety projects;

NOW, THEREFORE, IN CONSIDERATION OF MUTUAL PROMISES AND OTHER GOODS AND VALUABLE CONSIDERATION, it is mutually agreed that AGENCY will strictly comply with the following terms and conditions and the following Federal and State Statutes, Rules, and Regulations:

I. Project Monitoring, Reports, and Inspections

- A. AGENCY agrees to fully cooperate with representatives of STATE monitoring the project, either on-site or by telephone, during the life of the Contract.
- B. AGENCY will submit Quarterly Reports (one for each three-month period of the project year) to STATE in the form and manner prescribed by STATE. Notice of the specific requirements for each report will be given in this Contract or at any time thereafter by giving thirty (30) days written notice to AGENCY by ordinary mail at the address listed on the Contract. Failure to comply with Quarterly Report requirements may result in withholding of Federal funds or termination of this Contract.
- C. AGENCY will submit a Final Report/Statement of Accomplishment at completion of the Contract to include all financial, performance, and other reports required as a condition of the grant to STATE within thirty (30) days of the completion of the Contract.
- D. Representatives authorized by STATE and the National Highway Traffic Safety Administration (NHTSA) will have the right to visit the site and inspect the work under this Contract whenever such representatives may determine such inspection is necessary.

II. Reimbursement of Eligible Expenses

- A. AGENCY's Project Director, or Finance Personnel, will submit a Report of Costs Incurred Form (RCI) to STATE each time there have been funds expended for which reimbursement is being requested. Failure to meet this requirement may be cause to terminate the project under Section XX herein, "Termination and Abandonment".

- B. AGENCY will reimburse STATE for any ineligible or unauthorized expenses for which Federal funds have been claimed and reimbursement received, as may have been determined by a State or Federal audit.
- C. STATE will have the right to withhold any installments equal to the reimbursement received by AGENCY for prior installments which have been subsequently determined to be ineligible or unauthorized.

III. Property Agreement

- A. AGENCY will immediately notify STATE if any equipment purchased under this Contract ceases to be used in the manner as set forth by this Contract. In such event, AGENCY further agrees to either give credit to the project cost or to another active highway safety project for the residual value of such equipment in an amount to be determined by STATE or to transfer or otherwise dispose of such equipment as directed by STATE.
- B. No equipment will be conveyed, sold, salvaged, transferred, etc., without the express written approval of STATE, or unless otherwise provided elsewhere in this Contract.
- C. AGENCY will maintain or cause to be maintained for its useful life, any equipment purchased under this Contract.
- D. AGENCY will incorporate any equipment purchased under this Contract into its inventory records.
- E. AGENCY will insure any equipment purchased under this Contract for the duration of its useful life. Self-insurance meets the requirements of this section.

IV. Travel

In-State and Out-of-State Travel

In state and out-of-state travel claims will be reimbursed at rates provided by AGENCY's regulations, provided that such regulations are as restrictive as those of STATE. Where they are less restrictive, ARS §38-624 will apply.

The State must approve all out-of-state travel in writing and in advance.

V. Standard of Performance

AGENCY hereby agrees to perform all work and services herein required or set forth, and to furnish all labor, materials, and equipment, except that labor, material, and equipment as STATE agrees to furnish pursuant to this Contract.

VI. Hold Harmless Agreement

Neither party to this agreement agrees to indemnify the other party or hold harmless the other party from liability hereunder. However, if the common law or a statute provides for either a right to indemnify and/or a right to contribution to any party to this agreement then the right to pursue one or both of these remedies is preserved.

VII. Non-Assignment and Sub-Contracts

This Contract is not assignable nor may any portion of the work to be performed be subcontracted unless specifically agreed to in writing by STATE. No equipment purchased hereunder may be assigned or operated by other than AGENCY unless agreed to in writing by STATE.

VIII. Work Products and Title to Commodities and Equipment

- A. The work product and results of the project are the property of STATE, unless otherwise specified elsewhere in this Contract. All property, instruments, non-consumable materials, supplies, and the like, which are furnished or paid for by STATE under the terms of this Contract, unless otherwise provided for elsewhere in this Contract, are and remain the property of STATE and will be returned at the completion of this project upon request of STATE. The work product and results of the project will be furnished to STATE upon request, if no provision is otherwise made by this Contract.
- B. The provisions of subparagraph A apply whether or not the project contracted for herein is completed.

IX. Copyrights and Patents

Any copyrightable materials, patentable discovery, or invention produced in the course of this project may be claimed by STATE and a copyright or patent obtained by it at its expense. In the event STATE does not wish to obtain such copyright or patent, AGENCY may do so, but in any event, provision will be made by AGENCY for royalty-free, nonexclusive, nontransferable, and irrevocable licenses to be given the United States Government and STATE and its political subdivisions to use such copyrightable material, patented discoveries, or inventions in any manner they see fit. The STATE reserves the right to impose such other terms and conditions upon the use of such copyrights or patents as may be deemed in the best interest of STATE in the event AGENCY is allowed to obtain a copyright or patent.

X. Uniform Administrative Requirements

(2 CFR Part 1201): *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*:

The application of 2 CFR Part 200 "Procurement Standards" Requires that:

AGENCY and sub-grantees will use their own procurement procedures, which reflect applicable State and local laws and regulations, provided that the procurements conform to applicable Federal law. The most stringent purchasing requirement at each level must be met.

The Arizona Procurement Code (ARS §41-2501, et. seq.) and promulgated rules (A.A.C. Title 2, Chapter 7) are a part of this Contract as if fully set forth herein and AGENCY agrees to fully comply with these requirements for any procurement using grant monies from this Contract.

XI. Non-Discrimination

During the performance of this contract/funding agreement, the contractor/funding recipient agrees—

- A. To comply with all Federal nondiscrimination laws and regulations, as may be amended from time to time;
- B. Not to participate directly or indirectly in the discrimination prohibited by any Federal non-discrimination law or regulation, as set forth in Appendix B of 49 CFR part 21 and herein;
- C. To permit access to its books, records, accounts, other sources of information, and its facilities as required by the State highway safety office, US DOT or NHTSA;
- D. That, in event a contractor/funding recipient fails to comply with any nondiscrimination provisions in this contract/funding agreement, the State highway safety agency will have the right to impose such contract/agreement sanctions as it or NHTSA determine are appropriate, including, but not limited to, withholding payments to the contractor/funding recipient under the contract/agreement until the contractor/funding recipient complies; and/or cancelling, terminating, or suspending a contract or funding agreement, in whole or in part; and
- E. To insert this clause, including paragraphs A through E, in every subcontract and subagreement and in every solicitation for a subcontract or sub-agreement, that receives Federal funds under this program.

XII. Executive Order 2009-09

It is mutually agreed that AGENCY will comply with the terms and conditions of Executive Order 2009-09, *Non-Discrimination in Employment by Government Contractors and Subcontractors*. Executive Order 2009-09 is located in Part II of the Project Director's Manual.

XIII. Application of Hatch Act

The AGENCY will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508), which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

XIV. Minority Business Enterprises (MBE) Policy and Obligation

- A. Policy: It is the policy of the USDOT that minority business enterprises as defined in 49 CFR Part 23, will have the maximum opportunity to participate in the performance of contracts financed in whole or in part with Federal funds under this Contract. Consequently, the minority business enterprises requirements of 49 CFR Part 23 apply to this Contract.
- B. Obligation: The recipient or its contractor agrees to ensure that minority business enterprises, as defined in 49 CFR Part 23, have the subcontracts financed in whole or in part with Federal funds provided under this Contract. In this regard, all recipients or contractors will take all necessary and reasonable steps in accordance with 49 CFR, Part 23 to ensure that minority business enterprises have the maximum opportunity to compete for and perform contracts. Recipients and their contractors will not discriminate on the basis of race, color, creed, sex, or national origin in the award and performance of USDOT-assigned contracts.

XV. Arbitration Clause, ARS §12-1518

Pursuant to ARS §12-1518, the parties agree to use arbitration, after exhausting applicable administrative reviews, to resolve disputes arising out of this Contract where the provisions of mandatory arbitration apply.

XVI. Inspection and Audit, ARS §35-214

Pursuant to ARS §35-214, all books, accounts, reports, files, and other records relating to this Contract will be subject at all reasonable times to inspection and audit by STATE for five (5) years after completion of this Contract. The records will be produced at the Governor's Office of Highway Safety.

XVII. Appropriation of Funds by U.S. Congress

It is agreed that in no event will this Contract be binding on any party hereto unless and until such time as funds are appropriated and authorized by the U.S. Congress and specifically allocated to the project submitted herein and then only for the fiscal year for which such allocation is made. In the event no funds are appropriated by the U.S. Congress or no funds are allocated for the project proposed herein for subsequent fiscal years, this Contract will be null and void, except as to that portion for which funds have then been appropriated or allocated to this project, and no right of action or damages will accrue to the benefit of the parties hereto as to that portion of the Contract or project that may so become null and void.

XVIII. Continuation of Highway Safety Program

It is the intention of AGENCY to continue the Highway Safety Program identified in this Contract once Federal funding is completed. This intended continuation will be based upon cost effectiveness and an evaluation by AGENCY of the program's impact on highway safety.

XIX. E-Verify

Both parties acknowledge that immigration laws require them to register and participate with the E-Verify Program (employment verification program administered by the United States Department of Homeland Security and the Social Security Administration or any successor program) as they both employ one or more employees in this State. Both parties warrant that they have registered with and participate with E-Verify. If either party later determines that the other non-compliant party has not complied with E-Verify, it will notify the non-compliant party by certified mail of the determination and of the right to appeal the determination.

XX. Termination and Abandonment

- A. The STATE and AGENCY hereby agree to the full performance of the covenants contained herein, except that STATE reserves the right, at its discretion, to terminate or abandon any portion of the project for which services have not been already performed by AGENCY.
- B. In the event STATE abandons the services or any part of the services as herein provided, STATE will notify AGENCY in writing and within twenty-four (24) hours after receiving such notice, AGENCY will discontinue advancing the work under this Contract and proceed to close said operations under the Contract.

- C. The appraisal value of work performed by AGENCY to the date of such termination or abandonment shall be made by STATE on a basis equitable to STATE and AGENCY and a final reimbursement made to AGENCY on the basis of costs incurred. Upon termination or abandonment, AGENCY will deliver to STATE all documents, completely or partially completed, together with all unused materials supplied by STATE.
- D. AGENCY may terminate or abandon this Contract upon thirty (30) days written notice to STATE, provided there is subsequent concurrence by STATE. Termination or abandonment by AGENCY will provide that costs can be incurred against the project up to and including sixty (60) days after notice is given to STATE.
- E. Any equipment or commodities which have been purchased as a part of this Contract and which have not been consumed or reached the end of its useful life will be returned to STATE upon its written request.

XXI. Cancellation Statute

All parties are hereby put on notice that this Contract is subject to cancellation pursuant to ARS §38-511, the provisions of which are stated below.

In accordance with ARS §38-511, this Contract may be cancelled without penalty or further obligation if any person significantly involved in initiating, negotiating, securing, drafting, or creating the Contract on behalf of the STATE, its political subdivisions or any department or agency of either, is at any time while the Contract or any extension of the Contract is in effect, an employee of any other party to the Contract in any capacity or a consultant to any other party of the Contract with respect to the subject matter or the Contract.

The cancellation shall be effective when written notice from the Governor or Chief Executive Officer or governing body of the political subdivision is received by all other parties to the Contract unless the notice specifies a later time.

AGREEMENT OF UNDERSTANDING AND CERTIFICATION OF COMPLIANCE

Acceptance of Condition

It is understood and agreed by the undersigned that a grant received as a result of this Contract is subject to the Highway Safety Act of 1966, as amended (23 U.S.C.A. §§401-404), ARS §28-602, and all administrative regulations governing grants established by the USDOT and STATE. It is expressly agreed that this Highway Safety Project constitutes an official part of the STATE's Highway Safety Program and that AGENCY will meet the requirements as set forth in the accompanying Project Director's Manual, which are incorporated herein and made a part of this Contract. All State and Federal Statutes, Rules, Regulations, and Circulars referenced in this Contract are a part of this document as if fully set forth herein. It is also agreed that no work will be performed nor any obligation incurred until AGENCY is notified in writing that this project has been approved by the Governor's Highway Safety Representative.

Certificate of Compliance

This is to certify that AGENCY will comply with all of the State and Federal Statutes, Rules and Regulations identified in this Contract.

Certification of Non-Duplication of Grant Funds Expenditure

This is to certify that AGENCY has no ongoing nor completed projects under contract with other Federal fund sources which duplicate or overlap any work contemplated or described in this Contract. It is further certified that any pending or proposed request for other Federal grant funds which would duplicate or overlap work described in the Contract will be revised to exclude any such duplication of grant fund expenditures. It is understood that any such duplication of Federal funds expenditures subsequently determined by audit will be subject to recovery by STATE.

Single Audit Act

If your political subdivision has had an independent audit meeting the requirements of the Single Audit Act of 1984, (31 U.S.C.A. §7501 et. seq.), please forward a copy to GOHS, Attention: Fiscal Services Officer, within thirty (30) days of the effective date of this Contract. If such audit has not been performed, please advise when it is being scheduled.

Buy America Act

The State and each subrecipient will comply with the Buy America requirement (23 U.S.C. 313) when purchasing items using Federal funds. Buy America requires a State, or subrecipient, to purchase with Federal funds only steel, iron, and manufactured products produced in the United States, unless the Secretary of Transportation determines that such domestically produced items would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than twenty-five (25) percent. In order to use Federal funds to purchase foreign produced items, the State must submit a waiver request that provides an adequate basis and justification to and approved by the Secretary of Transportation.

Prohibition on Using Grant Funds to Check for Helmet Usage

The State and each subrecipient will not use 23 U.S.C. Chapter 4 grant funds for programs to check helmet usage or to create checkpoints that specifically target motorcyclists.

Certification Regarding Debarment and Suspension

- A. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.
- B. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective primary tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary tier participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
- C. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary tier participant knowingly rendered an erroneous certification, in

addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default or may pursue suspension or debarment.

- D. The prospective primary tier participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary tier participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- E. The terms *covered transaction, civil judgment, debarment, suspension, ineligible, participant, person, principal, and voluntarily excluded, as used* in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
- F. The prospective primary tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
- G. The prospective primary tier participant further agrees by submitting this proposal that it will include the clause titled Instructions for Lower Tier Certification including the Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion—Lower Tier Covered Transaction, provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1200.
- H. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov>).
- I. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- J. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency may terminate the transaction for cause or default.

Certification Regarding Debarment, Suspension, and Other Responsibility Matter

- A. The prospective primary tier participant certifies to the best of its knowledge and belief, that it and its principal:
1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency;
 2. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of record, making false statements, or receiving stolen property;
 3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 4. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.
- B. Where the prospective primary tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Instructions for Lower Tier Certification

- A. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.
- B. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.
- C. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- D. The terms covered transaction, debarment, suspension, ineligible, lower tier, participant, person, primary tier, principal, and voluntarily excluded, as used in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.
- E. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4,

debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

- F. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion- Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1200.
- G. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions Website (<https://www.sam.gov>).
- H. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- I. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion

- A. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency.
- B. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

REIMBURSEMENT INSTRUCTIONS**1. Agency Official preparing the Report of Costs Incurred:**Name: Lisa Alexander-FroslandTitle: Accountant PrincipalTelephone Number: (623) 222-1847 Fax Number: (623) 222-1801E-mail Address: lisa.alexander@surpriseaz.gov**2. Agency's Fiscal Contact:**Name: Lisa Alexander-FroslandTitle: Accountant PrincipalTelephone Number: (623) 222-1847 Fax Number: (623) 222-1801E-mail Address: lisa.alexander@surpriseaz.govFederal Identification Number: 86-6007796**3. *REIMBURSEMENT INFORMATION:***

Warrant/Check to be made payable to:

City of Surprise

Warrant/Check to be mailed to:

City of Surprise

(Agency)

16000 N Civic Center Plaza

(Address)

Surprise, AZ 85374

(City, State, Zip Code)

4. *DUNS Number:*021 64 8936

(DUNS #)

16000 N Civic Center Plaza, Surprise, AZ 85374

(Registered Address & Zip Code)

Restriction on State Lobbying

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

Certification for Contracts, Grant, Loans, and Cooperative Agreements (Federal Lobbying)

The undersigned certifies, to the best of his or her knowledge and belief, that:

- A. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- B. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- C. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients will certify and disclose accordingly.
- D. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Signature of Project Director:

Terry Young, Chief
Surprise Police Department

Date Telephone

***Signature of Authorized Official of
Governmental Unit:***

Michael Frazier, City Manager
City of Surprise

Date Telephone

GOVERNOR'S OFFICE OF
HIGHWAY SAFETY

STATE OF ARIZONA

HIGHWAY SAFETY CONTRACT

This page, the Project Director's Manual and attached hereto and incorporated herein by reference, constitute the entire Contract between the parties hereto unless the Governor's Highway Safety Representative authorizes deviation in writing.

FAIN: 69A3752030000405dAZM		Assistance Listings: 20.616
1. APPLICANT AGENCY Surprise Police Department	GOHS CONTRACT NUMBER: 2020-405d-040	
ADDRESS 14250 W. Statler Plaza, Ste. 103, Surprise, AZ 85374	PROGRAM AREA: 405d	
2. GOVERNMENTAL UNIT City of Surprise	AGENCY CONTACT: Michael Robbins	
ADDRESS 16000 N. Civic Center Drive, Surprise, AZ 85374	3. PROJECT TITLE: Know Your Limit Awareness Program	
4. GUIDELINES: 405d		
5. BRIEFLY STATE PURPOSE OF PROJECT: Federal 405d funds will support Personnel Services (Overtime) to enhance Know Your Limit Awareness Program throughout the City of Surprise.		
6. BUDGET COST CATEGORY	Project Period FFY 2020	
I. Personnel Services	\$10,000.00	
II. Employee Related Expenses	\$0.00	
III. Professional and Outside Services	\$0.00	
IV. Travel In-State	\$0.00	
V. Travel Out-of-State	\$0.00	
VI. Materials and Supplies	\$0.00	
VII. Capital Outlay	\$0.00	
TOTAL ESTIMATED COSTS	\$10,000.00	
PROJECT PERIOD	FROM: Effective Date (Date of GOHS Director Signature)	TO: 09-30-2020
CURRENT GRANT PERIOD	FROM: 10-01-2019	TO: 09-30-2020
TOTAL FEDERAL FUNDS OBLIGATED THIS FFY: \$10,000.00		
A political subdivision or State agency that is mandated to provide a certified resolution or ordinance authorizing entry into this Contract must do so prior to incurring any expenditures. Failure to do so may result in termination of the awarded Contract.		

PROBLEM IDENTIFICATION AND RESOLUTION:**Agency Background:**

Number of sworn officers: 141

Total Population in city/town or county: 130,000

Total Road Mileage: Highway: 39 Local: 857 Total: 896

	2017	2016	2015
Total Crashes	1951	1973	1791
Total Injury Crashes	251	239	253
Total Fatal Crashes	5	3	0
Total Alcohol-related Crashes	13	20	37
Total Alcohol-related Serious Injuries	0	1	6
Total Alcohol-related Fatalities	0	3	0
Total Speed-related Crashes	346	348	306
Total Speed-related Serious Injuries	23	35	41
Total Speed-related Fatalities	0	2	0

The data above represents: County ☐ City/Town ☒

Agency Problem/Attempts to Solve Problem:

In total, the Surprise Police Department is responsible for patrolling approximately 857 miles of roadway. The population and infrastructure growth of the City of Surprise has caused heavy traffic loads resulting in an increase of traffic collisions. The Surprise Police Department is committed to reducing traffic collisions through strategic, intensive enforcement, community education, the use of improved technology and equipment, and training.

With the increase in population, the city has seen a growth in the alcohol serving establishment industry, to include: bars, restaurants, movie theaters, spring training and minor league baseball facility, bowling alley/night club, golf courses/clubhouses, etc. The growth of the industry has increased opportunities for drivers to consume alcohol prior to driving. Similarly to the growth of the alcohol serving establishments, the legalization of medical marijuana has sprouted several medical marijuana dispensaries in the City of Surprise. The increased access to the impairing drug has increased the likelihood a driver will operate a motor vehicle while impaired by marijuana. The need to inform and educate citizens on the dangers and consequences of alcohol and drug impaired driving has never been greater.

Agency Funding:

Federal 405d funds will support Personnel Services (Overtime) to enhance Know Your Limit Awareness Program throughout the City of Surprise..

How Agency Will Solve Problem with Funding:

The City of Surprise Police Department is requesting funding from the Governor's Office of Highway Safety to promote the Impaired Driving (AL) program to continue the commitment to DUI/Impaired Driving Education through the Know Your Limit program. The granted funding will be used to further the mission of GOHS and the City of Surprise Police Department by educating citizens on the dangers and consequences of alcohol and drug impaired driving through highly effective citizen contacts consistent with GOHS's Know Your Limit program.

PROJECT MEASURES:**Agency Goals:**

To decrease the number of impaired driving-related crashes 10% from 13 during calendar year 2017 to 11 by December 31, 2020.

To decrease fatalities in impaired driving-related crashes 0% from 0 in calendar year 2017 to 0 by December 31, 2020.

To decrease injuries in impaired driving-related crashes 0 % from 0 in calendar year 2017 to 0 by December 31, 2020.

Contract Objectives:

To participate in a minimum of 2 DUI saturation patrols per quarter during FFY 2020.

To participate in a minimum of 4 DUI task force operations per quarter during FFY 2020.

Additional Contract Objectives:

1. To host a Know Your Limit program event at the Surprise Stadium during each of the Major League Baseball Stadium's Spring Training games (28 -32 games).
2. To host a minimum of 2 Know Your Limit Events outside of the MLB Spring Training Season during FFY 2020.

GOALS/OBJECTIVES:

Federal 405d funds will support Personnel Services (Overtime) to enhance Know Your Limit Awareness Program throughout the City of Surprise.

Expenditures of funding pertaining to Impaired Driving Enforcement including Personnel Services and ERE, Materials and Supplies, Capital Equipment, and/or Travel In and Out-of-State shall comply with the Impaired Driving Program goals provided by the Arizona Governor's Office of Highway Safety. The Impaired Driving Program goal is to reduce the incidences of alcohol and drug related driving fatalities and injuries through enforcement, education, and public awareness throughout the State of Arizona. Law enforcement personnel participating in Impaired Driving Enforcement/DUI activities including, DUI Task Force details under this program, shall be HGN/SFST certified.

MEDIA RELEASE:

To prepare complete press release information for media (television, radio, print, and on-line) during each campaign period including a main press release, schedule of events, departmental plans, and relevant data. The material will emphasize the campaign's purpose, aggressive enforcement, and the high cost of DUI/Impaired Driving in terms of money, criminal, and human consequences.

The Surprise Police Department will maintain responsibility for **reporting sustained enforcement** activity in a timely manner. Additionally, it is the responsibility of the Surprise Police Department to report all holiday task force enforcement statistics to GOHS on-line at the GOHS website **no later than 10:00 a.m. the morning following each day of the event.**

The holidays and special events include but not limited to: Super Bowl Sunday, Valentine's Day, President's Day, St. Patrick's Day, Spring Break, Easter, Cinco de Mayo, Prom Night, Memorial Day, Graduation Day, Independence Day, Labor Day, Columbus Day, Halloween, and the Thanksgiving through New Year's details.

PLEASE NOTE: Failure to submit Statistics, Quarterly Reports, and/or Report of Costs Incurred (RCIs) timely and correctly may delay reimbursement for expenditures to your Agency.

METHOD OF PROCEDURE:

The Surprise Police Department will make expenditures, as follows, to meet the outlined Program Goals/Objectives:

Personnel Services - To support Overtime for Know Your Limit Awareness Program Activities

PRESS RELEASE:

Agencies are **required** to develop and distribute a press release announcing this grant award **upon receipt** of the executed Contract. A copy of this press release shall be sent to the GOHS Director for approval prior to being sent to the media. This press release shall include the objective and specify that the funding is from the Governor's Office of Highway Safety.

METHOD OF PROCUREMENT:

The application of 2 CFR Part 200 "Procurement Standards" requires that:

Grantees and sub-grantees will use their own procurement procedures which reflect applicable State and local laws and regulations, provided the procurement procedures conform to applicable Federal laws and standards. The most stringent purchasing requirement at each level must be met. If the Agency does not have a procurement process, the Agency may use the State procurement process.

A clear audit trail must be established to determine costs charged against this Contract. Substantiation of costs shall, where possible, be made utilizing the Surprise Police Department documentation consisting of, but not limited to, copies of time sheets, purchase orders, copies of invoices, and proof of payment.

The Agency shall retain copies of all documentation in the project file.

State Contract:

Procurement may be made using an open State contract award. Documents submitted to substantiate purchases using an open State contract must bear the contract number.

PROJECT EVALUATION:

This project shall be administratively evaluated to ensure the objectives have been met.

Quarterly Report

The purpose of the Quarterly Report is to provide information on contracted grant activities conducted at the conclusion of each active quarter. The information provided is used to review progress of the funded project and the successfulness in meeting outlined goals and objectives. The information, photos, highlights, obstacles, and mandatory statistical data provided in this report are analyzed by the assigned Project Coordinator. It is critical the report contains the following information:

- **Original signatures on all Quarterly Reports and RCIs**
 - **All Quarterly Reports and RCIs shall include the signature of the Project Director unless prior authorization for another is on file with GOHS.**

Report Schedule

Reporting Period	Due Date
1st Quarterly Report and RCI (October 1 to December 31, 2019)	January 30, 2020
2nd Quarterly Report and RCI (January 1 to March 31, 2020)	April 20, 2020
3rd Quarterly Report and RCI (April 1 to June 30, 2020)	July 20, 2020
4th Quarterly Report and RCI (July 1 to September 30, 2020)	October 15, 2020
Final Statement of Accomplishments	October 15, 2020

The Quarterly Report **shall be completed on the form available on-line and can be submitted by email** to the Governor's Office of Highway Safety.

NOTE: IT IS REQUIRED THAT ALL LAW ENFORCEMENT AGENCIES MUST ENTER STATISTICAL AND ENFORCEMENT ACTIVITY INTO THE ON-LINE GOHS DUI REPORTING SYSTEM, IN ADDITION TO SUBMITTING THE QUARTERLY ENFORCEMENT REPORT.

Final Statement of Accomplishments

The Project Director shall submit a Final Statement of Accomplishments Report to the GOHS **no later than fifteen (15) days after the conclusion of each Federal Fiscal Year (September 30th)**. All agencies receiving funding are required to submit a Final Statement of Accomplishments Report.

Note: Failure to comply with the outlined GOHS reporting requirements may result in withholding of Federal funds or termination of the Contract.

PROFESSIONAL AND TECHNICAL PERSONNEL:

Terry Young, Chief, Surprise Police Department, shall serve as Project Director.

Michael Robbins, Sergeant, Surprise Police Department, shall serve as Project Administrator.

Gabriela Gallegos, Governor's Office of Highway Safety, shall serve as Project Coordinator.

REPORT OF COSTS INCURRED (RCI):

The Agency shall submit a Report of Costs Incurred (RCI), with supporting documentation attached, to the Governor's Office of Highway Safety on a quarterly basis, for each active quarter, in conjunction with the required report. Agencies may submit additional RCI forms for expenditures when funds have been expended for which reimbursement is being requested.

Accepted supporting documentation to submit with a Report of Cost Incurred (RCI) includes, but is not limited to; scanned copies of timesheets, payroll records, paid invoices/purchase orders, and other account records.

RCIs shall be typed and delivered via mail or hand delivered with appropriate supporting documentation to the Governor's Office of Highway Safety. **Electronically submitted RCIs will not be accepted.** Final RCIs will not be accepted fifteen (15) days after the conclusion of each Federal Fiscal Year (September 30th). **Expenditures submitted after the expiration date may not be reimbursed and the Agency will accept fiscal responsibility.**

PROJECT MONITORING:

Highway safety grant project monitoring is used by GOHS project coordinators to track the progress of project objectives, performance measures, and compliance with applicable procedures, laws, and regulations.

The process is used throughout the duration of the contracted project and serves as a continuous management tool. Project monitoring also presents an opportunity to develop partnerships, share information, and provide assistance to contracted agencies. Additionally, project monitoring outlines a set of procedures for project review and documentation.

Project monitoring serves as a management tool for:

- Detecting and preventing problems
- Helping to identify needed changes
- Identifying training or assistance needed
- Obtaining data necessary for planning and evaluation
- Identifying exemplary projects

Types of Monitoring

Monitoring is formal and informal, financial and operational. The most common types of monitoring are:

- Ongoing contact with the contracted grantee through phone calls, e-mails, correspondence, and meetings
- On-Site and/or In-House monitoring reviews of project operations, management, and financial records and systems
- Review of project Quarterly Reports
- Review and approval of Report of Costs Incurred (RCIs)
- Desk review of other documents in the project grant files for timely submission and completeness

Monitoring Schedule	
Total Awarded Amount:	Type of Monitoring:
Under \$50,000	Desk Review/Phone Conference
\$50,000 and over	May have an In-House GOHS Review
\$100,000+	May have an On-Site Review
Capital Outlay Greater than \$25,000 (combined)	May have an On-Site Review
Desk Review and Phone Conference	Internal review of all written documentation related to contractual project including, but not limited to the Contract, Quarterly Reports, enforcement data, financial data, e-mails, letters, notes, press releases, photographs, inventories, and other written correspondence. A phone conference call conducted during the course of the project which includes the date and time of the call, the person(s) contacted, and the results. It serves as an informational review to determine progress of programmatic/financial activities. Both the designated project administrator and fiscal contact should be present, if possible, during the phone conference. If identified financial or operational problems are present, GOHS reserves the right to bring the grantee in for an in-house meeting at GOHS. Monitoring form written by Project Coordinator, any findings, areas of improvement, concern, or recognition will be provided to the grantee.
In-House Review	Documents performance review results including project activities, reimbursement claims review, equipment purchases, approvals, and other information. Reviews applicable information related to the project(s) including, but not limited to the Contract, Quarterly Reports, enforcement data, financial data, e-mails, letters, notes, press releases, photographs, inventories, and other written correspondence. Completed at GOHS in a meeting with appropriate operational and financial personnel. Monitoring form written by Project Coordinator, any findings, areas of improvement, concern, or recognition will be provided to the grantee.
On-Site Monitoring	Documents performance review results including project activities, reimbursement claims review, equipment purchases, and other information. Reviews applicable information related to the project(s) including, but not limited to the Contract, Quarterly Reports, enforcement data, financial data, e-mails, letters, notes, press releases, photographs, inventories, and other written correspondence. Conducted on-site at the grantee's Agency with monitoring form

	completed on-site by Project Coordinator. Any findings, areas of improvement, concern, or recognition, will be provided to the grantee.
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On-site and/or in-house monitoring for grantees of designated projects with large Capital Outlay purchases, personnel services, and complex projects must be completed within the second or third quarter of the fiscal year. Contracted projects displaying any problems may need on-site monitoring more than once during the fiscal year.

On-site and/or In-house monitoring includes a review and discussion of all issues related to ensure the effective administration of the contracted project. The following are the most important items to review:

- Progress toward meeting goals/objectives and performance measures
- Adherence to the contract specifications, timely submission of complete and correct reports, including required documentation
- Quarterly Reports
- Status of expenditures related to the outlined budget
- Accounting records and RCI's
- Supporting documentation (training documentation, inventory sheets, photographs, press releases, etc.)

In addition, the designated Agency will ensure that any equipment purchased will be available for inspection and is being used for the purpose for which it was bought under the outlined contractual agreement.

Documentation

The Governor's Office of Highway Safety will retain all findings documented on the GOHS Monitoring Form in the Agency's respective Federal file. Findings will be discussed with the designated contract representative (Project Administrator, fiscal specialist) by phone and/or e-mail. All noted deficiencies will be provided to the grantee with guidance for improvement and solutions to problems. Grantees that exhibit significantly poor performance may be placed on a performance plan as outlined by the GOHS Director. Grantee monitoring information will additionally provide documentation for potential funding in subsequent fiscal year grant proposal review.

PROJECT PERIOD:

The project period shall commence on the date the GOHS Director signs the Highway Safety Contract and terminate on September 30th of that or subsequent year as indicated on the Highway Safety Contract.

DURATION:

Contracts shall be effective on the date the Governor's Office of Highway Safety Director signs the Contract and expire at the end of the project period.

If the Agency is unable to expend the funds in the time specified, the Agency will submit notification on the Agency's letterhead and hand deliver or submit via regular mail to the Director of the Governor's Office of Highway Safety a minimum of sixty days (60) prior to the end of the project period.

The Agency shall address all requests to modify the Contract to the Director of the Governor's Office of Highway Safety on Agency's official letterhead and either hand deliver or submit the request via regular mail. All requests for modification must bear the signature of the Project Director.

Failure to comply may result in cancellation of the Contract. Any unexpended funds remaining at the termination of the Contract shall be released back to the Governor's Office of Highway Safety.

ESTIMATED COSTS:

I.	Personnel Services (overtime)	\$10,000.00
II.	Employee Related Expenses (ERE)	\$0.00
III.	Professional and Outside Services	\$0.00
IV.	Travel In-State	\$0.00
V.	Travel Out-of-State	\$0.00
VI.	Materials and Supplies	\$0.00
VII.	Capital Outlay	\$0.00
TOTAL ESTIMATED COSTS		*\$10,000.00

*Includes all applicable training, tax, freight, and advertising costs. The GOHS reserves the right to limit reimbursement of Employee Related Expenses from zero (0) to a maximum rate of forty (40) percent. This is the maximum ERE amount to be reimbursed. It is agreed and understood that the Surprise Police Department shall absorb any and all expenditures in excess of \$10,000.00.

**QUARTERLY ENFORCEMENT REPORT
(Submitted to GOHS)**

Reporting Period

DESCRIPTION	CONTRACT ACTIVITY	AGENCY ACTIVITY
Total Contacts (Traffic Stops)		
Total Sober Designated Drivers Contacted		
Total Know Your Limit Contacts		
TOTAL DUI ARRESTS		
Total DUI Aggravated		
Total DUI Misdemeanor		
Total DUI Extreme (.15 or Above)		
Under 21 DUI Arrests		
Average BAC		
Minor Consumption / Possession Citations		
Total DUI Drug Arrests		
30-Day Vehicle Impounds		
Seat Belt Citations		
Child Restraint Citations		
Criminal Speed Citations		
Reckless Driving Citations		
Civil Speed Citations		
Other Citations (Except Speed)		
Other Arrests		
Participating Officer/Deputies (Cumulative)		

CERTIFICATIONS AND AGREEMENTS

This CONTRACT, is made and entered into by and between the STATE OF ARIZONA, by and through the Governor's Office of Highway Safety (GOHS) hereinafter referred to as "STATE", and the agency named in this Contract, hereinafter referred to as "AGENCY".

WHEREAS, the National Highway Safety Act of 1966, as amended (23 USC §§401-404), provides Federal funds to STATE for approved highway safety projects; and

WHEREAS, STATE may make said funds available to various state, county, tribal, or municipal agencies, governments, or political subdivisions upon application and approval by STATE and the United States Department of Transportation (USDOT); and

WHEREAS, AGENCY must comply with the requirements listed herein to be eligible for Federal funds for approved highway safety projects; and

WHEREAS, AGENCY has submitted an application for Federal funds for highway safety projects;

NOW, THEREFORE, IN CONSIDERATION OF MUTUAL PROMISES AND OTHER GOODS AND VALUABLE CONSIDERATION, it is mutually agreed that AGENCY will strictly comply with the following terms and conditions and the following Federal and State Statutes, Rules, and Regulations:

I. Project Monitoring, Reports, and Inspections

- A. AGENCY agrees to fully cooperate with representatives of STATE monitoring the project, either on-site or by telephone, during the life of the Contract.
- B. AGENCY will submit Quarterly Reports (one for each three-month period of the project year) to STATE in the form and manner prescribed by STATE. Notice of the specific requirements for each report will be given in this Contract or at any time thereafter by giving thirty (30) days written notice to AGENCY by ordinary mail at the address listed on the Contract. Failure to comply with Quarterly Report requirements may result in withholding of Federal funds or termination of this Contract.
- C. AGENCY will submit a Final Report/Statement of Accomplishment at completion of the Contract to include all financial, performance, and other reports required as a condition of the grant to STATE within thirty (30) days of the completion of the Contract.
- D. Representatives authorized by STATE and the National Highway Traffic Safety Administration (NHTSA) will have the right to visit the site and inspect the work under this Contract whenever such representatives may determine such inspection is necessary.

II. Reimbursement of Eligible Expenses

- A. AGENCY's Project Director, or Finance Personnel, will submit a Report of Costs Incurred Form (RCI) to STATE each time there have been funds expended for which reimbursement is being requested. Failure to meet this requirement may be cause to terminate the project under Section XX herein, "Termination and Abandonment".

- B. AGENCY will reimburse STATE for any ineligible or unauthorized expenses for which Federal funds have been claimed and reimbursement received, as may have been determined by a State or Federal audit.
- C. STATE will have the right to withhold any installments equal to the reimbursement received by AGENCY for prior installments which have been subsequently determined to be ineligible or unauthorized.

III. Property Agreement

- A. AGENCY will immediately notify STATE if any equipment purchased under this Contract ceases to be used in the manner as set forth by this Contract. In such event, AGENCY further agrees to either give credit to the project cost or to another active highway safety project for the residual value of such equipment in an amount to be determined by STATE or to transfer or otherwise dispose of such equipment as directed by STATE.
- B. No equipment will be conveyed, sold, salvaged, transferred, etc., without the express written approval of STATE, or unless otherwise provided elsewhere in this Contract.
- C. AGENCY will maintain or cause to be maintained for its useful life, any equipment purchased under this Contract.
- D. AGENCY will incorporate any equipment purchased under this Contract into its inventory records.
- E. AGENCY will insure any equipment purchased under this Contract for the duration of its useful life. Self-insurance meets the requirements of this section.

IV. Travel

In-State and Out-of-State Travel

In state and out-of-state travel claims will be reimbursed at rates provided by AGENCY's regulations, provided that such regulations are as restrictive as those of STATE. Where they are less restrictive, ARS §38-624 will apply.

The State must approve all out-of-state travel in writing and in advance.

V. Standard of Performance

AGENCY hereby agrees to perform all work and services herein required or set forth, and to furnish all labor, materials, and equipment, except that labor, material, and equipment as STATE agrees to furnish pursuant to this Contract.

VI. Hold Harmless Agreement

Neither party to this agreement agrees to indemnify the other party or hold harmless the other party from liability hereunder. However, if the common law or a statute provides for either a right to indemnify and/or a right to contribution to any party to this agreement then the right to pursue one or both of these remedies is preserved.

VII. Non-Assignment and Sub-Contracts

This Contract is not assignable nor may any portion of the work to be performed be subcontracted unless specifically agreed to in writing by STATE. No equipment purchased hereunder may be assigned or operated by other than AGENCY unless agreed to in writing by STATE.

VIII. Work Products and Title to Commodities and Equipment

- A. The work product and results of the project are the property of STATE, unless otherwise specified elsewhere in this Contract. All property, instruments, non-consumable materials, supplies, and the like, which are furnished or paid for by STATE under the terms of this Contract, unless otherwise provided for elsewhere in this Contract, are and remain the property of STATE and will be returned at the completion of this project upon request of STATE. The work product and results of the project will be furnished to STATE upon request, if no provision is otherwise made by this Contract.
- B. The provisions of subparagraph A apply whether or not the project contracted for herein is completed.

IX. Copyrights and Patents

Any copyrightable materials, patentable discovery, or invention produced in the course of this project may be claimed by STATE and a copyright or patent obtained by it at its expense. In the event STATE does not wish to obtain such copyright or patent, AGENCY may do so, but in any event, provision will be made by AGENCY for royalty-free, nonexclusive, nontransferable, and irrevocable licenses to be given the United States Government and STATE and its political subdivisions to use such copyrightable material, patented discoveries, or inventions in any manner they see fit. The STATE reserves the right to impose such other terms and conditions upon the use of such copyrights or patents as may be deemed in the best interest of STATE in the event AGENCY is allowed to obtain a copyright or patent.

X. Uniform Administrative Requirements

(2 CFR Part 1201): *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*:

The application of 2 CFR Part 200 "Procurement Standards" Requires that:

AGENCY and sub-grantees will use their own procurement procedures, which reflect applicable State and local laws and regulations, provided that the procurements conform to applicable Federal law. The most stringent purchasing requirement at each level must be met.

The Arizona Procurement Code (ARS §41-2501, et. seq.) and promulgated rules (A.A.C. Title 2, Chapter 7) are a part of this Contract as if fully set forth herein and AGENCY agrees to fully comply with these requirements for any procurement using grant monies from this Contract.

XI. Non-Discrimination

During the performance of this contract/funding agreement, the contractor/funding recipient agrees—

- A. To comply with all Federal nondiscrimination laws and regulations, as may be amended from time to time;
- B. Not to participate directly or indirectly in the discrimination prohibited by any Federal non-discrimination law or regulation, as set forth in Appendix B of 49 CFR part 21 and herein;
- C. To permit access to its books, records, accounts, other sources of information, and its facilities as required by the State highway safety office, US DOT or NHTSA;
- D. That, in event a contractor/funding recipient fails to comply with any nondiscrimination provisions in this contract/funding agreement, the State highway safety agency will have the right to impose such contract/agreement sanctions as it or NHTSA determine are appropriate, including, but not limited to, withholding payments to the contractor/funding recipient under the contract/agreement until the contractor/funding recipient complies; and/or cancelling, terminating, or suspending a contract or funding agreement, in whole or in part; and
- E. To insert this clause, including paragraphs A through E, in every subcontract and subagreement and in every solicitation for a subcontract or sub-agreement, that receives Federal funds under this program.

XII. Executive Order 2009-09

It is mutually agreed that AGENCY will comply with the terms and conditions of Executive Order 2009-09, *Non-Discrimination in Employment by Government Contractors and Subcontractors*. Executive Order 2009-09 is located in Part II of the Project Director's Manual.

XIII. Application of Hatch Act

The AGENCY will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508), which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

XIV. Minority Business Enterprises (MBE) Policy and Obligation

- A. Policy: It is the policy of the USDOT that minority business enterprises as defined in 49 CFR Part 23, will have the maximum opportunity to participate in the performance of contracts financed in whole or in part with Federal funds under this Contract. Consequently, the minority business enterprises requirements of 49 CFR Part 23 apply to this Contract.
- B. Obligation: The recipient or its contractor agrees to ensure that minority business enterprises, as defined in 49 CFR Part 23, have the subcontracts financed in whole or in part with Federal funds provided under this Contract. In this regard, all recipients or contractors will take all necessary and reasonable steps in accordance with 49 CFR, Part 23 to ensure that minority business enterprises have the maximum opportunity to compete for and perform contracts. Recipients and their contractors will not discriminate on the basis of race, color, creed, sex, or national origin in the award and performance of USDOT-assigned contracts.

XV. Arbitration Clause, ARS §12-1518

Pursuant to ARS §12-1518, the parties agree to use arbitration, after exhausting applicable administrative reviews, to resolve disputes arising out of this Contract where the provisions of mandatory arbitration apply.

XVI. Inspection and Audit, ARS §35-214

Pursuant to ARS §35-214, all books, accounts, reports, files, and other records relating to this Contract will be subject at all reasonable times to inspection and audit by STATE for five (5) years after completion of this Contract. The records will be produced at the Governor's Office of Highway Safety.

XVII. Appropriation of Funds by U.S. Congress

It is agreed that in no event will this Contract be binding on any party hereto unless and until such time as funds are appropriated and authorized by the U.S. Congress and specifically allocated to the project submitted herein and then only for the fiscal year for which such allocation is made. In the event no funds are appropriated by the U.S. Congress or no funds are allocated for the project proposed herein for subsequent fiscal years, this Contract will be null and void, except as to that portion for which funds have then been appropriated or allocated to this project, and no right of action or damages will accrue to the benefit of the parties hereto as to that portion of the Contract or project that may so become null and void.

XVIII. Continuation of Highway Safety Program

It is the intention of AGENCY to continue the Highway Safety Program identified in this Contract once Federal funding is completed. This intended continuation will be based upon cost effectiveness and an evaluation by AGENCY of the program's impact on highway safety.

XIX. E-Verify

Both parties acknowledge that immigration laws require them to register and participate with the E-Verify Program (employment verification program administered by the United States Department of Homeland Security and the Social Security Administration or any successor program) as they both employ one or more employees in this State. Both parties warrant that they have registered with and participate with E-Verify. If either party later determines that the other non-compliant party has not complied with E-Verify, it will notify the non-compliant party by certified mail of the determination and of the right to appeal the determination.

XX. Termination and Abandonment

- A. The STATE and AGENCY hereby agree to the full performance of the covenants contained herein, except that STATE reserves the right, at its discretion, to terminate or abandon any portion of the project for which services have not been already performed by AGENCY.
- B. In the event STATE abandons the services or any part of the services as herein provided, STATE will notify AGENCY in writing and within twenty-four (24) hours after receiving such notice, AGENCY will discontinue advancing the work under this Contract and proceed to close said operations under the Contract.

- C. The appraisal value of work performed by AGENCY to the date of such termination or abandonment shall be made by STATE on a basis equitable to STATE and AGENCY and a final reimbursement made to AGENCY on the basis of costs incurred. Upon termination or abandonment, AGENCY will deliver to STATE all documents, completely or partially completed, together with all unused materials supplied by STATE.
- D. AGENCY may terminate or abandon this Contract upon thirty (30) days written notice to STATE, provided there is subsequent concurrence by STATE. Termination or abandonment by AGENCY will provide that costs can be incurred against the project up to and including sixty (60) days after notice is given to STATE.
- E. Any equipment or commodities which have been purchased as a part of this Contract and which have not been consumed or reached the end of its useful life will be returned to STATE upon its written request.

XXI. Cancellation Statute

All parties are hereby put on notice that this Contract is subject to cancellation pursuant to ARS §38-511, the provisions of which are stated below.

In accordance with ARS §38-511, this Contract may be cancelled without penalty or further obligation if any person significantly involved in initiating, negotiating, securing, drafting, or creating the Contract on behalf of the STATE, its political subdivisions or any department or agency of either, is at any time while the Contract or any extension of the Contract is in effect, an employee of any other party to the Contract in any capacity or a consultant to any other party of the Contract with respect to the subject matter or the Contract.

The cancellation shall be effective when written notice from the Governor or Chief Executive Officer or governing body of the political subdivision is received by all other parties to the Contract unless the notice specifies a later time.

AGREEMENT OF UNDERSTANDING AND CERTIFICATION OF COMPLIANCE

Acceptance of Condition

It is understood and agreed by the undersigned that a grant received as a result of this Contract is subject to the Highway Safety Act of 1966, as amended (23 U.S.C.A. §§401-404), ARS §28-602, and all administrative regulations governing grants established by the USDOT and STATE. It is expressly agreed that this Highway Safety Project constitutes an official part of the STATE's Highway Safety Program and that AGENCY will meet the requirements as set forth in the accompanying Project Director's Manual, which are incorporated herein and made a part of this Contract. All State and Federal Statutes, Rules, Regulations, and Circulars referenced in this Contract are a part of this document as if fully set forth herein. It is also agreed that no work will be performed nor any obligation incurred until AGENCY is notified in writing that this project has been approved by the Governor's Highway Safety Representative.

Certificate of Compliance

This is to certify that AGENCY will comply with all of the State and Federal Statutes, Rules and Regulations identified in this Contract.

Certification of Non-Duplication of Grant Funds Expenditure

This is to certify that AGENCY has no ongoing nor completed projects under contract with other Federal fund sources which duplicate or overlap any work contemplated or described in this Contract. It is further certified that any pending or proposed request for other Federal grant funds which would duplicate or overlap work described in the Contract will be revised to exclude any such duplication of grant fund expenditures. It is understood that any such duplication of Federal funds expenditures subsequently determined by audit will be subject to recovery by STATE.

Single Audit Act

If your political subdivision has had an independent audit meeting the requirements of the Single Audit Act of 1984, (31 U.S.C.A. §7501 et. seq.), please forward a copy to GOHS, Attention: Fiscal Services Officer, within thirty (30) days of the effective date of this Contract. If such audit has not been performed, please advise when it is being scheduled.

Buy America Act

The State and each subrecipient will comply with the Buy America requirement (23 U.S.C. 313) when purchasing items using Federal funds. Buy America requires a State, or subrecipient, to purchase with Federal funds only steel, iron, and manufactured products produced in the United States, unless the Secretary of Transportation determines that such domestically produced items would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than twenty-five (25) percent. In order to use Federal funds to purchase foreign produced items, the State must submit a waiver request that provides an adequate basis and justification to and approved by the Secretary of Transportation.

Prohibition on Using Grant Funds to Check for Helmet Usage

The State and each subrecipient will not use 23 U.S.C. Chapter 4 grant funds for programs to check helmet usage or to create checkpoints that specifically target motorcyclists.

Certification Regarding Debarment and Suspension

- A. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.
- B. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective primary tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary tier participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
- C. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary tier participant knowingly rendered an erroneous certification, in

addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default or may pursue suspension or debarment.

- D. The prospective primary tier participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary tier participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- E. The terms *covered transaction, civil judgment, debarment, suspension, ineligible, participant, person, principal, and voluntarily excluded, as used* in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
- F. The prospective primary tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
- G. The prospective primary tier participant further agrees by submitting this proposal that it will include the clause titled Instructions for Lower Tier Certification including the Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion—Lower Tier Covered Transaction, provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1200.
- H. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov>).
- I. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- J. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency may terminate the transaction for cause of default.

Certification Regarding Debarment, Suspension, and Other Responsibility Matter

- A. The prospective primary tier participant certifies to the best of its knowledge and belief, that it and its principal:
1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency;
 2. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of record, making false statements, or receiving stolen property;
 3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 4. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.
- B. Where the prospective primary tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Instructions for Lower Tier Certification

- A. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.
- B. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.
- C. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- D. The terms covered transaction, debarment, suspension, ineligible, lower tier, participant, person, primary tier, principal, and voluntarily excluded, as used in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.
- E. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4,

debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

- F. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion- Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1200.
- G. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions Website (<https://www.sam.gov>).
- H. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- I. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion

- A. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency.
- B. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

REIMBURSEMENT INSTRUCTIONS**1. Agency Official preparing the Report of Costs Incurred:**Name: Lisa Alexander-FroslandTitle: Accountant PrincipalTelephone Number: (623) 222-1847 Fax Number: (623) 222-1801E-mail Address: lisa.alexander@surpriseaz.gov**2. Agency's Fiscal Contact:**Name: Lisa Alexander-FroslandTitle: Accountant PrincipalTelephone Number: (623) 222-1847 Fax Number: (623) 222-1801E-mail Address: lisa.alexander@surpriseaz.govFederal Identification Number: 86-6007796**3. *REIMBURSEMENT INFORMATION:***

Warrant/Check to be made payable to:

City of Surprise

Warrant/Check to be mailed to:

City of Surprise

(Agency)

16000 N Civic Center Plaza

(Address)

Surprise, AZ 85374

(City, State, Zip Code)

4. *DUNS Number:*021 64 8936

(DUNS #)

16000 N Civic Center Plaza, Surprise, AZ 85374

(Registered Address & Zip Code)

Restriction on State Lobbying

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

Certification for Contracts, Grant, Loans, and Cooperative Agreements (Federal Lobbying)

The undersigned certifies, to the best of his or her knowledge and belief, that:

- A. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- B. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- C. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients will certify and disclose accordingly.
- D. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Signature of Project Director:

Terry Young, Chief
Surprise Police Department

Date

Telephone

***Signature of Authorized Official of
Governmental Unit:***

Michael Frazier, City Manager
City of Surprise

Date

Telephone

GOVERNOR'S OFFICE OF
HIGHWAY SAFETY

STATE OF ARIZONA

HIGHWAY SAFETY CONTRACT

This page, the Project Director's Manual and attached hereto and incorporated herein by reference, constitute the entire Contract between the parties hereto unless the Governor's Highway Safety Representative authorizes deviation in writing.

FAIN: 69A3752030000405hAZ0		Assistance Listings: 20.616
1. APPLICANT AGENCY Surprise Police Department	GOHS CONTRACT NUMBER: 2020-405h-017	
ADDRESS 14250 W. Statler Plaza, Ste. 103, Surprise, AZ 85374	PROGRAM AREA: 405h	
2. GOVERNMENTAL UNIT City of Surprise	AGENCY CONTACT: Michael Robbins	
ADDRESS 16000 N. Civic Center Drive, Surprise, AZ 85374	3. PROJECT TITLE: Pedestrian and Bicycle Safety Enforcement Overtime, and Related Materials and Supplies- Bicycle Helmets	
4. GUIDELINES: 405h		
5. BRIEFLY STATE PURPOSE OF PROJECT: Federal 405h funds will support Personnel Services (Overtime), and Materials and Supplies: Bicycle Helmets to enhance Pedestrian and Bicycle Safety Enforcement throughout the City of Surprise.		
6. BUDGET	Project Period	
COST CATEGORY	FFY 2020	
I. Personnel Services	\$7,000.00	
II. Employee Related Expenses	\$0.00	
III. Professional and Outside Services	\$0.00	
IV. Travel In-State	\$0.00	
V. Travel Out-of-State	\$0.00	
VI. Materials and Supplies	\$3,000.00	
VII. Capital Outlay	\$0.00	
TOTAL ESTIMATED COSTS	\$10,000.00	
PROJECT PERIOD	FROM: Effective Date (Date of GOHS Director Signature)	TO: 09-30-2020
CURRENT GRANT PERIOD	FROM: 10-01-2019	TO: 09-30-2020
TOTAL FEDERAL FUNDS OBLIGATED THIS FFY: \$10,000.00		
A political subdivision or State agency that is mandated to provide a certified resolution or ordinance authorizing entry into this Contract must do so prior to incurring any expenditures. Failure to do so may result in termination of the awarded Contract.		

PROBLEM IDENTIFICATION AND RESOLUTION:**Agency Background:**

Number of sworn officers: 141

Total Population in city/town or county: 130,000

Total Road Mileage: Highway: 39 Local: 857 Total: 896

	2017	2016	2015
Total Crashes	1951	1973	1791
Total Injury Crashes	251	239	253
Total Fatal Crashes	5	3	0
Total Pedestrian-related Crashes	2	4	3
Total Pedestrian-related Serious Injuries	2	3	2
Total Pedestrian-related Fatalities	0	0	0
Total Bicycle-related Crashes	15	9	5
Total Bicycle-related Serious Injuries	1	3	4
Total Bicycle-related Fatalities	0	0	0

The data above represents: County ☐ City/Town ☒

Agency Problem/Attempts to Solve Problem:

In total, the Surprise Police Department is responsible for patrolling approximately 857 miles of roadway. The population and infrastructure growth of the City of Surprise has caused heavy traffic loads resulting in an increase of traffic collisions. The Surprise Police Department is committed to reducing traffic collisions through Strategic, intensive enforcement, community education, the use of improved technology and equipment, and training.

The City of Surprise is home to 23+ grade schools, all of which create a significant volume of pedestrian and bicycle traffic. As mentioned above, they are also home to the fourth largest 65+ population in the nation (per-capita), whom also significantly increase their volume of pedestrian and bicycle traffic. The pedestrian and bicycle traffic volume will also be effected by the welcoming of Ottawa University into the city, a university which anticipates 10,000 residential students within the next 10 years. A great opportunity exists for the Surprise Police Department to reach out to the community and positively impact the safety of pedestrians through education and enforcement.

Agency Funding:

Federal 405h funds will support Personnel Services (Overtime), and Materials and Supplies: Bicycle Helmets to enhance Pedestrian and Bicycle Safety Enforcement throughout the City of Surprise.

How Agency Will Solve Problem with Funding:

The City of Surprise Police Department is requesting funding from the Governor's Office of Highway Safety to promote the Pedestrian and Bicycle Safety (PS) program to continue the commitment to increasing safety awareness and skills. The granted funding will support the purchase of equipment and overtime expenditures used when hosting bicycle rodeos within the City and aiding neighboring cities with their rodeos.

PROJECT MEASURES:

To decrease fatalities in pedestrian traffic-related fatalities 100% from 0 in calendar year 2017 to 0 by December 31, 2020.

To decrease the number of pedestrian traffic-related serious injuries 100% from 2 in calendar year 2017 to 0 by December 31, 2020.

Contract Objectives:

Conduct/participate in 1 outreach/educational bicycle and pedestrian safety events each quarter during FFY 2020.

Additional Contract Objectives:

1. Conduct targeted pedestrian and bicycle traffic law enforcement efforts a minimum of 1 time per quarter during the FFY 2020.
2. Release a pedestrian and bicycle safety related social media/press release message each quarter during FFY 2020.

GOALS/OBJECTIVES:

Federal 405h funds will support Personnel Services (Overtime), and Materials and Supplies: Bicycle Helmets to enhance Pedestrian and Bicycle Safety Enforcement throughout the City of Surprise.

Expenditures of funding pertaining to the PS/Pedestrian and Bicyclist Safety Program including Personnel Services and ERE, Materials and Supplies, Capital Equipment, and/or Travel In and Out-of-State shall comply with the Pedestrian and Bicyclist Safety Program goals provided by the Arizona Governor's Office of Highway Safety. The Pedestrian and Bicyclist Safety Program goal is to reduce the incidences of pedestrian and bicyclist fatalities and injuries on roadways and in School Zones through enforcement, education, and public awareness throughout the State of Arizona.

MEDIA RELEASE:

To prepare complete press release information for media (television, radio, print, and on-line) during each campaign period including a main press release, schedule of events, departmental plans, and relevant data. The material will emphasize the campaign's purpose, aggressive enforcement, and the high cost of Pedestrian/Bicyclist Safety in terms of money, criminal, and human consequences.

PLEASE NOTE: Failure to submit Statistics, Quarterly Reports, and/or Report of Costs Incurred (RCIs) timely and correctly may delay reimbursement for expenditures to your Agency.

METHOD OF PROCEDURE:

The Surprise Police Department will make expenditures, as follows, to meet the outlined Program Goals/Objectives:

Personnel Services - To support Overtime for Pedestrian/Bicyclist Safety Enforcement Activities

Materials and Supplies - To purchase/procure the following Materials and Supplies for Pedestrian/Bicyclist Safety Enforcement Activities: Bicycle Helmets

PRESS RELEASE:

Agencies are **required** to develop and distribute a press release announcing this grant award **upon receipt** of the executed Contract. A copy of this press release shall be sent to the GOHS Director for approval prior to being sent to the media. This press release shall include the objective and specify that the funding is from the Governor's Office of Highway Safety.

METHOD OF PROCUREMENT:

The application of 2 CFR Part 200 "Procurement Standards" requires that:

Grantees and sub-grantees will use their own procurement procedures which reflect applicable State and local laws and regulations, provided the procurement procedures conform to applicable Federal laws and standards.

The most stringent purchasing requirement at each level must be met. If the Agency does not have a procurement process, the Agency may use the State procurement process.

A clear audit trail must be established to determine costs charged against this Contract. Substantiation of costs shall, where possible, be made utilizing the Surprise Police Department documentation consisting of, but not limited to, copies of time sheets, purchase orders, copies of invoices, and proof of payment.

The Agency shall retain copies of all documentation in the project file.

State Contract:

Procurement may be made using an open State contract award. Documents submitted to substantiate purchases using an open State contract must bear the contract number.

PROJECT EVALUATION:

This project shall be administratively evaluated to ensure the objectives have been met.

Quarterly Report

The purpose of the Quarterly Report is to provide information on contracted grant activities conducted at the conclusion of each active quarter. The information provided is used to review progress of the funded project and the successfulness in meeting outlined goals and objectives. The information, photos, highlights, obstacles, and mandatory statistical data provided in this report are analyzed by the assigned Project Coordinator. It is critical the report contains the following information:

- **Original signatures on all Quarterly Reports and RCIs**
 - **All Quarterly Reports and RCIs shall include the signature of the Project Director unless prior authorization for another is on file with GOHS.**

Report Schedule

Reporting Period	Due Date
1st Quarterly Report and RCI (October 1 to December 31, 2019)	January 30, 2020
2nd Quarterly Report and RCI (January 1 to March 31, 2020)	April 20, 2020
3rd Quarterly Report and RCI (April 1 to June 30, 2020)	July 20, 2020
4th Quarterly Report and RCI (July 1 to September 30, 2020)	October 15, 2020
Final Statement of Accomplishments	October 15, 2020

The Quarterly Report **shall be completed on the form available on-line and can be submitted by email** to the Governor's Office of Highway Safety.

NOTE: IT IS REQUIRED THAT ALL LAW ENFORCEMENT AGENCIES MUST ENTER STATISTICAL AND ENFORCEMENT ACTIVITY INTO THE ON-LINE GOHS DUI REPORTING SYSTEM, IN ADDITION TO SUBMITTING THE QUARTERLY ENFORCEMENT REPORT.

Final Statement of Accomplishments

The Project Director shall submit a Final Statement of Accomplishments Report to the GOHS **no later than fifteen (15) days after the conclusion of each Federal Fiscal Year (September 30th)**. All agencies receiving funding are required to submit a Final Statement of Accomplishments Report.

Note: Failure to comply with the outlined GOHS reporting requirements may result in withholding of Federal funds or termination of the Contract.

PROFESSIONAL AND TECHNICAL PERSONNEL:

Terry Young, Chief, Surprise Police Department, shall serve as Project Director.

Michael Robbins, Sergeant, Surprise Police Department, shall serve as Project Administrator.

Gabriela Gallegos, Governor's Office of Highway Safety, shall serve as Project Coordinator.

REPORT OF COSTS INCURRED (RCI):

The Agency shall submit a Report of Costs Incurred (RCI), with supporting documentation attached, to the Governor's Office of Highway Safety on a quarterly basis, for each active quarter, in conjunction with the required report. Agencies may submit additional RCI forms for expenditures when funds have been expended for which reimbursement is being requested.

Accepted supporting documentation to submit with a Report of Cost Incurred (RCI) includes, but is not limited to; scanned copies of timesheets, payroll records, paid invoices/purchase orders, and other account records.

RCIs shall be typed and delivered via mail or hand delivered with appropriate supporting documentation to the Governor's Office of Highway Safety. **Electronically submitted RCIs will not be accepted.** Final RCIs will not be accepted fifteen (15) days after the conclusion of each Federal Fiscal Year (September 30th). **Expenditures submitted after the expiration date may not be reimbursed and the Agency will accept fiscal responsibility.**

PROJECT MONITORING:

Highway safety grant project monitoring is used by GOHS project coordinators to track the progress of project objectives, performance measures, and compliance with applicable procedures, laws, and regulations.

The process is used throughout the duration of the contracted project and serves as a continuous management tool. Project monitoring also presents an opportunity to develop partnerships, share information, and provide assistance to contracted agencies. Additionally, project monitoring outlines a set of procedures for project review and documentation.

Project monitoring serves as a management tool for:

- Detecting and preventing problems
- Helping to identify needed changes
- Identifying training or assistance needed
- Obtaining data necessary for planning and evaluation
- Identifying exemplary projects

Types of Monitoring

Monitoring is formal and informal, financial and operational. The most common types of monitoring are:

- Ongoing contact with the contracted grantee through phone calls, e-mails, correspondence, and meetings
- On-Site and/or In-House monitoring reviews of project operations, management, and financial records and systems
- Review of project Quarterly Reports
- Review and approval of Report of Costs Incurred (RCIs)
- Desk review of other documents in the project grant files for timely submission and completeness

Monitoring Schedule	
Total Awarded Amount:	Type of Monitoring:
Under \$50,000	Desk Review/Phone Conference
\$50,000 and over	May have an In-House GOHS Review
\$100,000+	May have an On-Site Review
Capital Outlay Greater than \$25,000 (combined)	May have an On-Site Review
Desk Review and Phone Conference	Internal review of all written documentation related to contractual project including, but not limited to the Contract, Quarterly Reports, enforcement data, financial data, e-mails, letters, notes, press releases, photographs, inventories, and other written correspondence. A phone conference call conducted during the course of the project which includes the date and time of the call, the person(s) contacted, and the results. It serves as an informational review to determine progress of programmatic/financial activities. Both the designated project administrator and fiscal contact should be present, if possible, during the phone conference. If identified financial or operational problems are present, GOHS reserves the right to bring the grantee in for an in-house meeting at GOHS. Monitoring form written by Project Coordinator, any findings, areas of improvement, concern, or recognition will be provided to the grantee.
In-House Review	Documents performance review results including project activities, reimbursement claims review, equipment purchases, approvals, and other information. Reviews applicable information related to the project(s) including, but not limited to the Contract, Quarterly Reports, enforcement data, financial data, e-mails, letters, notes, press releases, photographs, inventories, and other written correspondence. Completed at GOHS in a meeting with appropriate operational and financial personnel. Monitoring form written by Project Coordinator, any findings, areas of improvement, concern, or recognition will be provided to the grantee.
On-Site Monitoring	Documents performance review results including project activities, reimbursement claims review, equipment purchases, and other information. Reviews applicable information related to the project(s) including, but not limited to the Contract, Quarterly Reports, enforcement data, financial data, e-mails, letters, notes, press releases, photographs, inventories, and other written correspondence. Conducted on-site at the grantee's Agency with monitoring form completed on-site by Project Coordinator. Any findings, areas of improvement, concern, or recognition, will be provided to the grantee.

On-site and/or in-house monitoring for grantees of designated projects with large Capital Outlay purchases, personnel services, and complex projects must be completed within the second or third quarter of the fiscal year. Contracted projects displaying any problems may need on-site monitoring more than once during the fiscal year.

On-site and/or In-house monitoring includes a review and discussion of all issues related to ensure the effective administration of the contracted project. The following are the most important items to review:

- Progress toward meeting goals/objectives and performance measures
- Adherence to the contract specifications, timely submission of complete and correct reports, including required documentation
- Quarterly Reports
- Status of expenditures related to the outlined budget
- Accounting records and RCI's
- Supporting documentation (training documentation, inventory sheets, photographs, press releases, etc.)

In addition, the designated Agency will ensure that any equipment purchased will be available for inspection and is being used for the purpose for which it was bought under the outlined contractual agreement.

Documentation

The Governor's Office of Highway Safety will retain all findings documented on the GOHS Monitoring Form in the Agency's respective Federal file. Findings will be discussed with the designated contract representative (Project Administrator, fiscal specialist) by phone and/or e-mail. All noted deficiencies will be provided to the grantee with guidance for improvement and solutions to problems. Grantees that exhibit significantly poor performance may be placed on a performance plan as outlined by the GOHS Director. Grantee monitoring information will additionally provide documentation for potential funding in subsequent fiscal year grant proposal review.

PROJECT PERIOD:

The project period shall commence on the date the GOHS Director signs the Highway Safety Contract and terminate on September 30th of that or subsequent year as indicated on the Highway Safety Contract.

DURATION:

Contracts shall be effective on the date the Governor's Office of Highway Safety Director signs the Contract and expire at the end of the project period.

If the Agency is unable to expend the funds in the time specified, the Agency will submit notification on the Agency's letterhead and hand deliver or submit via regular mail to the Director of the Governor's Office of Highway Safety a minimum of sixty days (60) prior to the end of the project period.

The Agency shall address all requests to modify the Contract to the Director of the Governor's Office of Highway Safety on Agency's official letterhead and either hand deliver or submit the request via regular mail. All requests for modification must bear the signature of the Project Director.

Failure to comply may result in cancellation of the Contract. Any unexpended funds remaining at the termination of the Contract shall be released back to the Governor's Office of Highway Safety.

ESTIMATED COSTS:

I.	Personnel Services (overtime)	\$7,000.00
II.	Employee Related Expenses (ERE)	\$0.00
III.	Professional and Outside Services	\$0.00
IV.	Travel In-State	\$0.00
V.	Travel Out-of-State	\$0.00
VI.	Materials and Supplies Bicycle Helmets	\$3,000.00
VII.	Capital Outlay	\$0.00
TOTAL ESTIMATED COSTS		*\$10,000.00

*Includes all applicable training, tax, freight, and advertising costs. The GOHS reserves the right to limit reimbursement of Employee Related Expenses from zero (0) to a maximum rate of forty (40) percent. This is the maximum ERE amount to be reimbursed. It is agreed and understood that the Surprise Police Department shall absorb any and all expenditures in excess of \$10,000.00.

2020 Pedestrian / Bicycle 405H Grant	
Quarterly Report Enforcement Data Addendum	
Agency Name:	
Contract #:	
Quarter: (1 - 4)	
Description	Activity
Pedestrian Contacts	
Citations	
Warnings	
Total Pedestrian Contacts	
Bicyclist Contacts	
Citations	
Warnings	
Total Bicyclist Contacts	
Vehicle Contacts	
Pedestrian-related Traffic Stops	
Pedestrian-related Traffic Citations	
Pedestrian-related Traffic Warnings	
Bicyclist-related Traffic Stops	
Bicyclist-related Traffic Citations	
Bicyclist-related Traffic Warnings	
Total Vehicle Contacts	
Other Activities	
Back to School Deployments	
Other Deployments	
Bicycle Rodeos	
Educational Materials Distributed	
Presentations or Educational Meetings	
Task Force Events	
Education through Social Media	
Collaboration with Local Advocacy Groups	
Other: (add below)	

CERTIFICATIONS AND AGREEMENTS

This CONTRACT, is made and entered into by and between the STATE OF ARIZONA, by and through the Governor's Office of Highway Safety (GOHS) hereinafter referred to as "STATE", and the agency named in this Contract, hereinafter referred to as "AGENCY".

WHEREAS, the National Highway Safety Act of 1966, as amended (23 USC §§401-404), provides Federal funds to STATE for approved highway safety projects; and

WHEREAS, STATE may make said funds available to various state, county, tribal, or municipal agencies, governments, or political subdivisions upon application and approval by STATE and the United States Department of Transportation (USDOT); and

WHEREAS, AGENCY must comply with the requirements listed herein to be eligible for Federal funds for approved highway safety projects; and

WHEREAS, AGENCY has submitted an application for Federal funds for highway safety projects;

NOW, THEREFORE, IN CONSIDERATION OF MUTUAL PROMISES AND OTHER GOODS AND VALUABLE CONSIDERATION, it is mutually agreed that AGENCY will strictly comply with the following terms and conditions and the following Federal and State Statutes, Rules, and Regulations:

I. Project Monitoring, Reports, and Inspections

- A. AGENCY agrees to fully cooperate with representatives of STATE monitoring the project, either on-site or by telephone, during the life of the Contract.
- B. AGENCY will submit Quarterly Reports (one for each three-month period of the project year) to STATE in the form and manner prescribed by STATE. Notice of the specific requirements for each report will be given in this Contract or at any time thereafter by giving thirty (30) days written notice to AGENCY by ordinary mail at the address listed on the Contract. Failure to comply with Quarterly Report requirements may result in withholding of Federal funds or termination of this Contract.
- C. AGENCY will submit a Final Report/Statement of Accomplishment at completion of the Contract to include all financial, performance, and other reports required as a condition of the grant to STATE within thirty (30) days of the completion of the Contract.
- D. Representatives authorized by STATE and the National Highway Traffic Safety Administration (NHTSA) will have the right to visit the site and inspect the work under this Contract whenever such representatives may determine such inspection is necessary.

II. Reimbursement of Eligible Expenses

- A. AGENCY's Project Director, or Finance Personnel, will submit a Report of Costs Incurred Form (RCI) to STATE each time there have been funds expended for which reimbursement is being requested. Failure to meet this requirement may be cause to terminate the project under Section XX herein, "Termination and Abandonment".

- B. AGENCY will reimburse STATE for any ineligible or unauthorized expenses for which Federal funds have been claimed and reimbursement received, as may have been determined by a State or Federal audit.
- C. STATE will have the right to withhold any installments equal to the reimbursement received by AGENCY for prior installments which have been subsequently determined to be ineligible or unauthorized.

III. Property Agreement

- A. AGENCY will immediately notify STATE if any equipment purchased under this Contract ceases to be used in the manner as set forth by this Contract. In such event, AGENCY further agrees to either give credit to the project cost or to another active highway safety project for the residual value of such equipment in an amount to be determined by STATE or to transfer or otherwise dispose of such equipment as directed by STATE.
- B. No equipment will be conveyed, sold, salvaged, transferred, etc., without the express written approval of STATE, or unless otherwise provided elsewhere in this Contract.
- C. AGENCY will maintain or cause to be maintained for its useful life, any equipment purchased under this Contract.
- D. AGENCY will incorporate any equipment purchased under this Contract into its inventory records.
- E. AGENCY will insure any equipment purchased under this Contract for the duration of its useful life. Self-insurance meets the requirements of this section.

IV. Travel

In-State and Out-of-State Travel

In state and out-of-state travel claims will be reimbursed at rates provided by AGENCY's regulations, provided that such regulations are as restrictive as those of STATE. Where they are less restrictive, ARS §38-624 will apply.

The State must approve all out-of-state travel in writing and in advance.

V. Standard of Performance

AGENCY hereby agrees to perform all work and services herein required or set forth, and to furnish all labor, materials, and equipment, except that labor, material, and equipment as STATE agrees to furnish pursuant to this Contract.

VI. Hold Harmless Agreement

Neither party to this agreement agrees to indemnify the other party or hold harmless the other party from liability hereunder. However, if the common law or a statute provides for either a right to indemnify and/or a right to contribution to any party to this agreement then the right to pursue one or both of these remedies is preserved.

VII. Non-Assignment and Sub-Contracts

This Contract is not assignable nor may any portion of the work to be performed be subcontracted unless specifically agreed to in writing by STATE. No equipment purchased hereunder may be assigned or operated by other than AGENCY unless agreed to in writing by STATE.

VIII. Work Products and Title to Commodities and Equipment

- A. The work product and results of the project are the property of STATE, unless otherwise specified elsewhere in this Contract. All property, instruments, non-consumable materials, supplies, and the like, which are furnished or paid for by STATE under the terms of this Contract, unless otherwise provided for elsewhere in this Contract, are and remain the property of STATE and will be returned at the completion of this project upon request of STATE. The work product and results of the project will be furnished to STATE upon request, if no provision is otherwise made by this Contract.
- B. The provisions of subparagraph A apply whether or not the project contracted for herein is completed.

IX. Copyrights and Patents

Any copyrightable materials, patentable discovery, or invention produced in the course of this project may be claimed by STATE and a copyright or patent obtained by it at its expense. In the event STATE does not wish to obtain such copyright or patent, AGENCY may do so, but in any event, provision will be made by AGENCY for royalty-free, nonexclusive, nontransferable, and irrevocable licenses to be given the United States Government and STATE and its political subdivisions to use such copyrightable material, patented discoveries, or inventions in any manner they see fit. The STATE reserves the right to impose such other terms and conditions upon the use of such copyrights or patents as may be deemed in the best interest of STATE in the event AGENCY is allowed to obtain a copyright or patent.

X. Uniform Administrative Requirements

(2 CFR Part 1201): *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*:

The application of 2 CFR Part 200 "Procurement Standards" Requires that:

AGENCY and sub-grantees will use their own procurement procedures, which reflect applicable State and local laws and regulations, provided that the procurements conform to applicable Federal law. The most stringent purchasing requirement at each level must be met.

The Arizona Procurement Code (ARS §41-2501, et. seq.) and promulgated rules (A.A.C. Title 2, Chapter 7) are a part of this Contract as if fully set forth herein and AGENCY agrees to fully comply with these requirements for any procurement using grant monies from this Contract.

XI. Non-Discrimination

During the performance of this contract/funding agreement, the contractor/funding recipient agrees—

- A. To comply with all Federal nondiscrimination laws and regulations, as may be amended from time to time;
- B. Not to participate directly or indirectly in the discrimination prohibited by any Federal non-discrimination law or regulation, as set forth in Appendix B of 49 CFR part 21 and herein;
- C. To permit access to its books, records, accounts, other sources of information, and its facilities as required by the State highway safety office, US DOT or NHTSA;
- D. That, in event a contractor/funding recipient fails to comply with any nondiscrimination provisions in this contract/funding agreement, the State highway safety agency will have the right to impose such contract/agreement sanctions as it or NHTSA determine are appropriate, including, but not limited to, withholding payments to the contractor/funding recipient under the contract/agreement until the contractor/funding recipient complies; and/or cancelling, terminating, or suspending a contract or funding agreement, in whole or in part; and
- E. To insert this clause, including paragraphs A through E, in every subcontract and subagreement and in every solicitation for a subcontract or sub-agreement, that receives Federal funds under this program.

XII. Executive Order 2009-09

It is mutually agreed that AGENCY will comply with the terms and conditions of Executive Order 2009-09, *Non-Discrimination in Employment by Government Contractors and Subcontractors*. Executive Order 2009-09 is located in Part II of the Project Director's Manual.

XIII. Application of Hatch Act

The AGENCY will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508), which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

XIV. Minority Business Enterprises (MBE) Policy and Obligation

- A. Policy: It is the policy of the USDOT that minority business enterprises as defined in 49 CFR Part 23, will have the maximum opportunity to participate in the performance of contracts financed in whole or in part with Federal funds under this Contract. Consequently, the minority business enterprises requirements of 49 CFR Part 23 apply to this Contract.
- B. Obligation: The recipient or its contractor agrees to ensure that minority business enterprises, as defined in 49 CFR Part 23, have the subcontracts financed in whole or in part with Federal funds provided under this Contract. In this regard, all recipients or contractors will take all necessary and reasonable steps in accordance with 49 CFR, Part 23 to ensure that minority business enterprises have the maximum opportunity to compete for and perform contracts. Recipients and their contractors will not discriminate on the basis of race, color, creed, sex, or national origin in the award and performance of USDOT-assigned contracts.

XV. Arbitration Clause, ARS §12-1518

Pursuant to ARS §12-1518, the parties agree to use arbitration, after exhausting applicable administrative reviews, to resolve disputes arising out of this Contract where the provisions of mandatory arbitration apply.

XVI. Inspection and Audit, ARS §35-214

Pursuant to ARS §35-214, all books, accounts, reports, files, and other records relating to this Contract will be subject at all reasonable times to inspection and audit by STATE for five (5) years after completion of this Contract. The records will be produced at the Governor's Office of Highway Safety.

XVII. Appropriation of Funds by U.S. Congress

It is agreed that in no event will this Contract be binding on any party hereto unless and until such time as funds are appropriated and authorized by the U.S. Congress and specifically allocated to the project submitted herein and then only for the fiscal year for which such allocation is made. In the event no funds are appropriated by the U.S. Congress or no funds are allocated for the project proposed herein for subsequent fiscal years, this Contract will be null and void, except as to that portion for which funds have then been appropriated or allocated to this project, and no right of action or damages will accrue to the benefit of the parties hereto as to that portion of the Contract or project that may so become null and void.

XVIII. Continuation of Highway Safety Program

It is the intention of AGENCY to continue the Highway Safety Program identified in this Contract once Federal funding is completed. This intended continuation will be based upon cost effectiveness and an evaluation by AGENCY of the program's impact on highway safety.

XIX. E-Verify

Both parties acknowledge that immigration laws require them to register and participate with the E-Verify Program (employment verification program administered by the United States Department of Homeland Security and the Social Security Administration or any successor program) as they both employ one or more employees in this State. Both parties warrant that they have registered with and participate with E-Verify. If either party later determines that the other non-compliant party has not complied with E-Verify, it will notify the non-compliant party by certified mail of the determination and of the right to appeal the determination.

XX. Termination and Abandonment

- A. The STATE and AGENCY hereby agree to the full performance of the covenants contained herein, except that STATE reserves the right, at its discretion, to terminate or abandon any portion of the project for which services have not been already performed by AGENCY.
- B. In the event STATE abandons the services or any part of the services as herein provided, STATE will notify AGENCY in writing and within twenty-four (24) hours after receiving such notice, AGENCY will discontinue advancing the work under this Contract and proceed to close said operations under the Contract.

- C. The appraisal value of work performed by AGENCY to the date of such termination or abandonment shall be made by STATE on a basis equitable to STATE and AGENCY and a final reimbursement made to AGENCY on the basis of costs incurred. Upon termination or abandonment, AGENCY will deliver to STATE all documents, completely or partially completed, together with all unused materials supplied by STATE.
- D. AGENCY may terminate or abandon this Contract upon thirty (30) days written notice to STATE, provided there is subsequent concurrence by STATE. Termination or abandonment by AGENCY will provide that costs can be incurred against the project up to and including sixty (60) days after notice is given to STATE.
- E. Any equipment or commodities which have been purchased as a part of this Contract and which have not been consumed or reached the end of its useful life will be returned to STATE upon its written request.

XXI. Cancellation Statute

All parties are hereby put on notice that this Contract is subject to cancellation pursuant to ARS §38-511, the provisions of which are stated below.

In accordance with ARS §38-511, this Contract may be cancelled without penalty or further obligation if any person significantly involved in initiating, negotiating, securing, drafting, or creating the Contract on behalf of the STATE, its political subdivisions or any department or agency of either, is at any time while the Contract or any extension of the Contract is in effect, an employee of any other party to the Contract in any capacity or a consultant to any other party of the Contract with respect to the subject matter or the Contract.

The cancellation shall be effective when written notice from the Governor or Chief Executive Officer or governing body of the political subdivision is received by all other parties to the Contract unless the notice specifies a later time.

AGREEMENT OF UNDERSTANDING AND CERTIFICATION OF COMPLIANCE

Acceptance of Condition

It is understood and agreed by the undersigned that a grant received as a result of this Contract is subject to the Highway Safety Act of 1966, as amended (23 U.S.C.A. §§401-404), ARS §28-602, and all administrative regulations governing grants established by the USDOT and STATE. It is expressly agreed that this Highway Safety Project constitutes an official part of the STATE's Highway Safety Program and that AGENCY will meet the requirements as set forth in the accompanying Project Director's Manual, which are incorporated herein and made a part of this Contract. All State and Federal Statutes, Rules, Regulations, and Circulars referenced in this Contract are a part of this document as if fully set forth herein. It is also agreed that no work will be performed nor any obligation incurred until AGENCY is notified in writing that this project has been approved by the Governor's Highway Safety Representative.

Certificate of Compliance

This is to certify that AGENCY will comply with all of the State and Federal Statutes, Rules and Regulations identified in this Contract.

Certification of Non-Duplication of Grant Funds Expenditure

This is to certify that AGENCY has no ongoing nor completed projects under contract with other Federal fund sources which duplicate or overlap any work contemplated or described in this Contract. It is further certified that any pending or proposed request for other Federal grant funds which would duplicate or overlap work described in the Contract will be revised to exclude any such duplication of grant fund expenditures. It is understood that any such duplication of Federal funds expenditures subsequently determined by audit will be subject to recovery by STATE.

Single Audit Act

If your political subdivision has had an independent audit meeting the requirements of the Single Audit Act of 1984, (31 U.S.C.A. §7501 et. seq.), please forward a copy to GOHS, Attention: Fiscal Services Officer, within thirty (30) days of the effective date of this Contract. If such audit has not been performed, please advise when it is being scheduled.

Buy America Act

The State and each subrecipient will comply with the Buy America requirement (23 U.S.C. 313) when purchasing items using Federal funds. Buy America requires a State, or subrecipient, to purchase with Federal funds only steel, iron, and manufactured products produced in the United States, unless the Secretary of Transportation determines that such domestically produced items would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than twenty-five (25) percent. In order to use Federal funds to purchase foreign produced items, the State must submit a waiver request that provides an adequate basis and justification to and approved by the Secretary of Transportation.

Prohibition on Using Grant Funds to Check for Helmet Usage

The State and each subrecipient will not use 23 U.S.C. Chapter 4 grant funds for programs to check helmet usage or to create checkpoints that specifically target motorcyclists.

Certification Regarding Debarment and Suspension

- A. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.
- B. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective primary tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary tier participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
- C. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary tier participant knowingly rendered an erroneous certification, in

addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default or may pursue suspension or debarment.

- D. The prospective primary tier participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary tier participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- E. The terms *covered transaction*, *civil judgment*, *debarment*, *suspension*, *ineligible*, *participant*, *person*, *principal*, and *voluntarily excluded*, as used in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
- F. The prospective primary tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
- G. The prospective primary tier participant further agrees by submitting this proposal that it will include the clause titled Instructions for Lower Tier Certification including the Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion—Lower Tier Covered Transaction, provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1200.
- H. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov>).
- I. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- J. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency may terminate the transaction for cause of default.

Certification Regarding Debarment, Suspension, and Other Responsibility Matter

- A. The prospective primary tier participant certifies to the best of its knowledge and belief, that it and its principal:
1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency;
 2. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of record, making false statements, or receiving stolen property;
 3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 4. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.
- B. Where the prospective primary tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Instructions for Lower Tier Certification

- A. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.
- B. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.
- C. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- D. The terms covered transaction, debarment, suspension, ineligible, lower tier, participant, person, primary tier, principal, and voluntarily excluded, as used in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.
- E. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4,

debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

- F. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion- Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1200.
- G. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions Website (<https://www.sam.gov>).
- H. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- I. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion

- A. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency.
- B. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

REIMBURSEMENT INSTRUCTIONS**1. Agency Official preparing the Report of Costs Incurred:**Name: Lisa Alexander-FroslandTitle: Accountant PrincipalTelephone Number: (623) 222-1847 Fax Number: (623) 222-1801E-mail Address: lisa.alexander@surpriseaz.gov**2. Agency's Fiscal Contact:**Name: Lisa Alexander-FroslandTitle: Accountant PrincipalTelephone Number: (623) 222-1847 Fax Number: (623) 222-1801E-mail Address: lisa.alexander@surpriseaz.govFederal Identification Number: 86-6007796**3. *REIMBURSEMENT INFORMATION:***

Warrant/Check to be made payable to:

City of Surprise

Warrant/Check to be mailed to:

City of Surprise

(Agency)

16000 N Civic Center Plaza

(Address)

Surprise, AZ 85374

(City, State, Zip Code)

4. *DUNS Number:*021 64 8936

(DUNS #)

16000 N Civic Center Plaza, Surprise, AZ 85374

(Registered Address & Zip Code)

Restriction on State Lobbying

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

Certification for Contracts, Grant, Loans, and Cooperative Agreements (Federal Lobbying)

The undersigned certifies, to the best of his or her knowledge and belief, that:

- A. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- B. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- C. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients will certify and disclose accordingly.
- D. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Signature of Project Director:

Terry Young, Chief
Surprise Police Department

Date Telephone

***Signature of Authorized Official of
Governmental Unit:***

Michael Frazier, City Manager
City of Surprise

Date Telephone

GOVERNOR'S OFFICE OF
HIGHWAY SAFETY

STATE OF ARIZONA

HIGHWAY SAFETY CONTRACT

This page, the Project Director's Manual and attached hereto and incorporated herein by reference, constitute the entire Contract between the parties hereto unless the Governor's Highway Safety Representative authorizes deviation in writing.

FAIN: 69A37520300004020AZ0

Assistance Listings: 20.600

1. APPLICANT AGENCY Surprise Police Department	GOHS CONTRACT NUMBER: 2020-AI-011
--	--

ADDRESS
14250 W. Statler Plaza, Ste. 103, Surprise, AZ 85374

PROGRAM AREA:
402-AI

2. GOVERNMENTAL UNIT
City of Surprise

AGENCY CONTACT:
Michael Robbins

ADDRESS
16000 N. Civic Center Drive, Surprise, AZ 85374

3. PROJECT TITLE:
Accident Investigation Related Equipment-
Total Station Package

4. GUIDELINES:
402-Accident Investigation (AI)

5. BRIEFLY STATE PURPOSE OF PROJECT:
Federal 402 funds will support Capital Outlay: Total Station Package to enhance Accident Investigation Enforcement throughout the City of Surprise.

6. BUDGET COST CATEGORY	Project Period FFY 2020
I. Personnel Services	\$0.00
II. Employee Related Expenses	\$0.00
III. Professional and Outside Services	\$0.00
IV. Travel In-State	\$0.00
V. Travel Out-of-State	\$0.00
VI. Materials and Supplies	\$0.00
VII. Capital Outlay	\$42,219.60
TOTAL ESTIMATED COSTS	\$42,219.60

PROJECT PERIOD	FROM: Effective Date (Date of GOHS Director Signature)	TO: 09-30-2020
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CURRENT GRANT PERIOD	FROM: 10-01-2019	TO: 09-30-2020
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TOTAL FEDERAL FUNDS OBLIGATED THIS FFY: \$42,219.60

A political subdivision or State agency that is mandated to provide a certified resolution or ordinance authorizing entry into this Contract must do so prior to incurring any expenditures. Failure to do so may result in termination of the awarded Contract.

PROBLEM IDENTIFICATION AND RESOLUTION:**Agency Background:**

Number of sworn officers: 141

Total Population in city/town or county: 130,000

Total Road Mileage: Highway: 39 Local: 857 Total: 896

	2017	2016	2015
Total Crashes	1951	1973	1791
Total Serious Injury Crashes	251	239	253
Total Fatal Crashes	5	3	0
Total Traffic Accident Investigations	1951	1973	1791
Total Traffic Serious Injury Investigations	251	239	253
Total Traffic Fatality Investigations	5	3	0

The data above represents: County ☐ City/Town ☒

Agency Problem/Attempts to Solve Problem:

The population and infrastructure growth of the City of Surprise has caused heavy traffic loads resulting in an increase of traffic collisions. The Surprise Police Department is committed to reducing traffic collisions through strategic, intensive enforcement, community education, the use of improved technology and equipment, and training.

The Surprise Traffic Unit is responsible for investigating and charging all serious injury and fatal collisions. Also, the Surprise Police Department has partnered with the El Mirage Police Department to provide mutual aid for all serious injury and fatal collisions. Unfortunately, the laser measuring system currently used is out-dated and in need of repair and the reconstruction software is out-dated and no longer serviced by the manufacturer. An up to date measuring system and software would increase the efficiency of investigations on scene and require fewer personnel to be pulled from traffic enforcement details. The investigations would be completed sooner and they could submit charges to the prosecutor's office quicker.

Agency Funding:

Federal 402 funds will support Capital Outlay: Total Station Package to enhance Accident Investigation Enforcement throughout the City of Surprise.

How Agency Will Solve Problem with Funding:

The City of Surprise Police Department is requesting funding from the Governor's Office of Highway Safety to promote the Accident Investigation (AI) program to improve the vehicular crimes investigator's ability to investigate fatality and serious injury collisions. The granted funding will be used to purchase advanced measuring equipment and a documentation system to reconstruct collisions for causation for subsequent criminal prosecution.

PROJECT MEASURES:**Contract Objectives:**

1. Complete on scene measurements of serious injury or fatal collisions in under 1 hour, on average.
2. Use the measurement system and software at a minimum of 8 times during the FFY 2020.
3. Train on and put the Equipment into use for collision reconstruction within the City of Surprise and offer to aid other West Valley agencies with its use during the FFY 2020.
4. Use the Equipemnt a minimum of 8 times during the FFY 2020 to reconstruct a collision.

GOALS/OBJECTIVES:

Federal 402 funds will support Capital Outlay: Total Station Package to enhance Accident Investigation Enforcement throughout the City of Surprise.

Expenditures of funding pertaining to the AI/Accident Investigation Program including Personnel Services and ERE, Materials and Supplies, Capital Equipment, and/or Travel In and Out-of-State shall comply with the Accident Investigation Program goals provided by the Arizona Governor's Office of Highway Safety. The Accident Investigation Program goal is to provide training and resources for Vehicular Crimes Units to aide in the investigation and prosecution of fatal traffic crashes throughout the State of Arizona.

MEDIA RELEASE:

To prepare complete press release information for media (television, radio, print, and on-line) during each campaign period including a main press release, schedule of events, departmental plans, and relevant data. The material will emphasize the campaign's purpose, aggressive enforcement, and the high cost of Accident Investigations in terms of money, criminal, and human consequences.

The Surprise Police Department will maintain responsibility for **reporting sustained enforcement** activity in a timely manner. Additionally, it is the responsibility of the Surprise Police Department to report all holiday task force enforcement statistics to GOHS on-line at the GOHS website **no later than 10:00 a.m. the morning following each day of the event.**

The holidays and special events include but not limited to: Super Bowl Sunday, Valentine's Day, President's Day, St. Patrick's Day, Spring Break, Easter, Cinco de Mayo, Prom Night, Memorial Day, Graduation Day, Independence Day, Labor Day, Columbus Day, Halloween, and the Thanksgiving through New Year's details.

PLEASE NOTE: Failure to submit Statistics, Quarterly Reports, and/or Report of Costs Incurred (RCIs) timely and correctly may delay reimbursement for expenditures to your Agency.

METHOD OF PROCEDURE:

The Surprise Police Department will make expenditures, as follows, to meet the outlined Program Goals/Objectives:

Capital Outlay - To purchase/procure the following Capital Outlay for Accident Investigations Activities: **Total Station Package**

PRESS RELEASE:

Agencies are **required** to develop and distribute a press release announcing this grant award **upon receipt** of the executed Contract. A copy of this press release shall be sent to the GOHS Director for approval prior to being sent to the media. This press release shall include the objective and specify that the funding is from the Governor's Office of Highway Safety.

EQUIPMENT:**Total Station Package**

Agencies receiving funding for Capital Outlay (major equipment) such as DUI processing vans, marked and unmarked enforcement sedans, and marked enforcement motorcycles shall schedule a press conference

acknowledging the grant award from the Governor's Office of Highway Safety. The purpose of this press conference is for the Agency to present the equipment to their community.

The Surprise Police Department shall immediately notify GOHS if any equipment purchased under this Contract ceases to be used in the manner described in this Contract. In such event, the Surprise Police Department further agrees to dispose of this equipment using the Surprise Police Department's, city, town, or county ordinance, code, or rule regarding disposal of equipment.

In the absence of an ordinance, code, or rule regarding the disposal of the property, the Surprise Police Department may refer to that of the State. The Surprise Police Department shall maintain or cause to be maintained for its useful life, any equipment purchased under this Contract. The Surprise Police Department shall incorporate any equipment purchased under this Contract into its inventory records. The Surprise Police Department shall insure any equipment purchased under this Contract for the duration of its useful life. Self-insurance meets this requirement.

Administrative and Maintenance Costs:

The Surprise Police Department shall be responsible for all administrative, maintenance, operational costs, and the costs of any damage relating to the Total Station Package.

Decals:

The Governor's Office of Highway Safety shall provide the Surprise Police Department with decals depicting the Governor's Office of Highway Safety logo. These decals shall be affixed to the equipment before being placed in service.

Equipment Purchase:

The equipment purchased under this Contract shall be ordered, received, training completed, and placed in service prior to the end of the project period.

If the Agency cannot meet this requirement, the Agency must submit a letter of explanation signed by the Project Director on the Agency's letterhead via mail or hand delivered to the Director of the Governor's Office of Highway Safety within sixty (60) days before the end of the project period.

The application of 2 CFR Part 200 "Procurement Standards" requires that:

Grantees and sub-grantees will use their own procurement procedures, which reflect applicable State and local laws and regulations, provided that the procurement procedures conform to applicable Federal and State laws and standards. The most stringent purchasing requirement at each level must be met. If the Agency does not have a procurement process, the Agency shall use the State procurement process.

Original Purpose of Equipment:

Pursuant to 23 CFR §1300.31, all equipment purchased under this Contract is to be used for the original purpose intended under this Contract. All equipment shall be used for the originally authorized grant purposes for as long as needed for those purposes. Neither the State nor the Agency (sub-grantees) or contractors shall encumber the title or interest while such need exists.

The Governor's Office of Highway Safety shall reserve the right to transfer title of equipment acquired under the Section 402 program to the Federal government or to a third party when such third party is otherwise eligible under existing statutes.

Furthermore, 2 CFR §200.313 states that equipment (acquired under this grant) shall be used by the grantee in the program or project for which it was acquired as long as needed, whether or not the project or program continues to be supported by Federal funds. When no longer needed for the original program or project, the equipment may be used in other activities currently or previously supported by a Federal agency.

Insurance:

It is agreed that the Surprise Police Department shall adequately insure all capital equipment purchased under this Contract for repair or replacement.

SPECIFIC REQUIREMENTS:**EQUIPMENT –****Requirements for Equipment:**

The Surprise Police Department shall provide a high quality color photograph of all equipment purchased under this Contract. The Surprise Police Department shall complete the attached **Capital Outlay Equipment** form for all individual equipment purchases of \$5,000.00 or more. The form is to be attached and submitted with the next quarterly report subsequent to the delivery of the equipment.

METHOD OF PROCUREMENT:

The application of 2 CFR Part 200 "Procurement Standards" requires that:

Grantees and sub-grantees will use their own procurement procedures which reflect applicable State and local laws and regulations, provided the procurement procedures conform to applicable Federal laws and standards. The most stringent purchasing requirement at each level must be met. If the Agency does not have a procurement process, the Agency may use the State procurement process.

A clear audit trail must be established to determine costs charged against this Contract. Substantiation of costs shall, where possible, be made utilizing the Surprise Police Department documentation consisting of, but not limited to, copies of time sheets, purchase orders, copies of invoices, and proof of payment.

The Agency shall retain copies of all documentation in the project file.

State Contract:

Procurement may be made using an open State contract award. Documents submitted to substantiate purchases using an open State contract must bear the contract number.

PROJECT EVALUATION:

This project shall be administratively evaluated to ensure the objectives have been met.

Quarterly Report

The purpose of the Quarterly Report is to provide information on contracted grant activities conducted at the conclusion of each active quarter. The information provided is used to review progress of the funded project and the successfulness in meeting outlined goals and objectives. The information, photos, highlights, obstacles, and mandatory statistical data provided in this report are analyzed by the assigned Project Coordinator. It is critical the report contains the following information:

- **Original signatures on all Quarterly Reports and RCIs**
 - **All Quarterly Reports and RCIs shall include the signature of the Project Director unless prior authorization for another is on file with GOHS.**

Report Schedule

Reporting Period	Due Date
1st Quarterly Report and RCI (October 1 to December 31, 2019)	January 30, 2020
2nd Quarterly Report and RCI (January 1 to March 31, 2020)	April 20, 2020
3rd Quarterly Report and RCI (April 1 to June 30, 2020)	July 20, 2020
4th Quarterly Report and RCI (July 1 to September 30, 2020)	October 15, 2020
Final Statement of Accomplishments	October 15, 2020

The Quarterly Report **shall be completed on the form available on-line and can be submitted by email** to the Governor's Office of Highway Safety.

NOTE: IT IS REQUIRED THAT ALL LAW ENFORCEMENT AGENCIES MUST ENTER STATISTICAL AND ENFORCEMENT ACTIVITY INTO THE ON-LINE GOHS DUI REPORTING SYSTEM, IN ADDITION TO SUBMITTING THE QUARTERLY ENFORCEMENT REPORT.

Final Statement of Accomplishments

The Project Director shall submit a Final Statement of Accomplishments Report to the GOHS **no later than fifteen (15) days after the conclusion of each Federal Fiscal Year (September 30th)**. All agencies receiving funding are required to submit a Final Statement of Accomplishments Report.

Note: Failure to comply with the outlined GOHS reporting requirements may result in withholding of Federal funds or termination of the Contract.

PROFESSIONAL AND TECHNICAL PERSONNEL:

Terry Young, Chief, Surprise Police Department, shall serve as Project Director.

Michael Robbins, Sergeant, Surprise Police Department, shall serve as Project Administrator.

Gabriela Gallegos, Governor's Office of Highway Safety, shall serve as Project Coordinator.

REPORT OF COSTS INCURRED (RCI):

The Agency shall submit a Report of Costs Incurred (RCI), with supporting documentation attached, to the Governor's Office of Highway Safety on a quarterly basis, for each active quarter, in conjunction with the

required report. Agencies may submit additional RCI forms for expenditures when funds have been expended for which reimbursement is being requested.

Accepted supporting documentation to submit with a Report of Cost Incurred (RCI) includes, but is not limited to; scanned copies of timesheets, payroll records, paid invoices/purchase orders, and other account records.

RCIs shall be typed and delivered via mail or hand delivered with appropriate supporting documentation to the Governor's Office of Highway Safety. **Electronically submitted RCIs will not be accepted.** Final RCIs will not be accepted fifteen (15) days after the conclusion of each Federal Fiscal Year (September 30th). **Expenditures submitted after the expiration date may not be reimbursed and the Agency will accept fiscal responsibility.**

PROJECT MONITORING:

Highway safety grant project monitoring is used by GOHS project coordinators to track the progress of project objectives, performance measures, and compliance with applicable procedures, laws, and regulations.

The process is used throughout the duration of the contracted project and serves as a continuous management tool. Project monitoring also presents an opportunity to develop partnerships, share information, and provide assistance to contracted agencies. Additionally, project monitoring outlines a set of procedures for project review and documentation.

Project monitoring serves as a management tool for:

- Detecting and preventing problems
- Helping to identify needed changes
- Identifying training or assistance needed
- Obtaining data necessary for planning and evaluation
- Identifying exemplary projects

Types of Monitoring

Monitoring is formal and informal, financial and operational. The most common types of monitoring are:

- Ongoing contact with the contracted grantee through phone calls, e-mails, correspondence, and meetings
- On-Site and/or In-House monitoring reviews of project operations, management, and financial records and systems
- Review of project Quarterly Reports
- Review and approval of Report of Costs Incurred (RCIs)
- Desk review of other documents in the project grant files for timely submission and completeness

Monitoring Schedule	
Total Awarded Amount:	Type of Monitoring:
Under \$50,000	Desk Review/Phone Conference
\$50,000 and over	May have an In-House GOHS Review
\$100,000+	May have an On-Site Review
Capital Outlay Greater than \$25,000 (combined)	May have an On-Site Review

Desk Review and Phone Conference	Internal review of all written documentation related to contractual project including, but not limited to the Contract, Quarterly Reports, enforcement data, financial data, e-mails, letters, notes, press releases, photographs, inventories, and other written correspondence. A phone conference call conducted during the course of the project which includes the date and time of the call, the person(s) contacted, and the results. It serves as an informational review to determine progress of programmatic/financial activities. Both the designated project administrator and fiscal contact should be present, if possible, during the phone conference. If identified financial or operational problems are present, GOHS reserves the right to bring the grantee in for an in-house meeting at GOHS. Monitoring form written by Project Coordinator, any findings, areas of improvement, concern, or recognition will be provided to the grantee.
In-House Review	Documents performance review results including project activities, reimbursement claims review, equipment purchases, approvals, and other information. Reviews applicable information related to the project(s) including, but not limited to the Contract, Quarterly Reports, enforcement data, financial data, e-mails, letters, notes, press releases, photographs, inventories, and other written correspondence. Completed at GOHS in a meeting with appropriate operational and financial personnel. Monitoring form written by Project Coordinator, any findings, areas of improvement, concern, or recognition will be provided to the grantee.
On-Site Monitoring	Documents performance review results including project activities, reimbursement claims review, equipment purchases, and other information. Reviews applicable information related to the project(s) including, but not limited to the Contract, Quarterly Reports, enforcement data, financial data, e-mails, letters, notes, press releases, photographs, inventories, and other written correspondence. Conducted on-site at the grantee's Agency with monitoring form completed on-site by Project Coordinator. Any findings, areas of improvement, concern, or recognition, will be provided to the grantee.

On-site and/or in-house monitoring for grantees of designated projects with large Capital Outlay purchases, personnel services, and complex projects must be completed within the second or third quarter of the fiscal year. Contracted projects displaying any problems may need on-site monitoring more than once during the fiscal year.

On-site and/or In-house monitoring includes a review and discussion of all issues related to ensure the effective administration of the contracted project. The following are the most important items to review:

- Progress toward meeting goals/objectives and performance measures
- Adherence to the contract specifications, timely submission of complete and correct reports, including required documentation
- Quarterly Reports
- Status of expenditures related to the outlined budget
- Accounting records and RCI's
- Supporting documentation (training documentation, inventory sheets, photographs, press releases, etc.)

In addition, the designated Agency will ensure that any equipment purchased will be available for inspection and is being used for the purpose for which it was bought under the outlined contractual agreement.

Documentation

The Governor's Office of Highway Safety will retain all findings documented on the GOHS Monitoring Form in the Agency's respective Federal file. Findings will be discussed with the designated contract representative (Project Administrator, fiscal specialist) by phone and/or e-mail. All noted deficiencies will be provided to the grantee with guidance for improvement and solutions to problems. Grantees that exhibit significantly poor performance may be placed on a performance plan as outlined by the GOHS Director. Grantee monitoring information will additionally provide documentation for potential funding in subsequent fiscal year grant proposal review.

PROJECT PERIOD:

The project period shall commence on the date the GOHS Director signs the Highway Safety Contract and terminate on September 30th of that or subsequent year as indicated on the Highway Safety Contract.

DURATION:

Contracts shall be effective on the date the Governor's Office of Highway Safety Director signs the Contract and expire at the end of the project period.

If the Agency is unable to expend the funds in the time specified, the Agency will submit notification on the Agency's letterhead and hand deliver or submit via regular mail to the Director of the Governor's Office of Highway Safety a minimum of sixty days (60) prior to the end of the project period.

The Agency shall address all requests to modify the Contract to the Director of the Governor's Office of Highway Safety on Agency's official letterhead and either hand deliver or submit the request via regular mail. All requests for modification must bear the signature of the Project Director.

Failure to comply may result in cancellation of the Contract. Any unexpended funds remaining at the termination of the Contract shall be released back to the Governor's Office of Highway Safety.

ESTIMATED COSTS:

I.	Personnel Services (overtime)	\$0.00
II.	Employee Related Expenses (ERE)	\$0.00
III.	Professional and Outside Services	\$0.00
IV.	Travel In-State	\$0.00
V.	Travel Out-of-State	\$0.00
VI.	Materials and Supplies	\$0.00
VII.	Capital Outlay	\$42,219.60
	Total Station Package	
	TOTAL ESTIMATED COSTS	*\$42,219.60

*Includes all applicable training, tax, freight, and advertising costs. The GOHS reserves the right to limit reimbursement of Employee Related Expenses from zero (0) to a maximum rate of forty (40) percent. This is the maximum ERE amount to be reimbursed. It is agreed and understood that the Surprise Police Department shall absorb any and all expenditures in excess of \$42,219.60.

**Arizona Governor's Office of Highway Safety
Capital Outlay Equipment Record
Equipment \$5,000.00 or more**

Equipment Description	Make/Model	Serial Number	Date Ordered	Date Received	Cost Per Unit

Note: Photographs of all Capital Outlay Equipment must be submitted with form

CERTIFICATIONS AND AGREEMENTS

This CONTRACT, is made and entered into by and between the STATE OF ARIZONA, by and through the Governor's Office of Highway Safety (GOHS) hereinafter referred to as "STATE", and the agency named in this Contract, hereinafter referred to as "AGENCY".

WHEREAS, the National Highway Safety Act of 1966, as amended (23 USC §§401-404), provides Federal funds to STATE for approved highway safety projects; and

WHEREAS, STATE may make said funds available to various state, county, tribal, or municipal agencies, governments, or political subdivisions upon application and approval by STATE and the United States Department of Transportation (USDOT); and

WHEREAS, AGENCY must comply with the requirements listed herein to be eligible for Federal funds for approved highway safety projects; and

WHEREAS, AGENCY has submitted an application for Federal funds for highway safety projects;

NOW, THEREFORE, IN CONSIDERATION OF MUTUAL PROMISES AND OTHER GOODS AND VALUABLE CONSIDERATION, it is mutually agreed that AGENCY will strictly comply with the following terms and conditions and the following Federal and State Statutes, Rules, and Regulations:

I. Project Monitoring, Reports, and Inspections

- A. AGENCY agrees to fully cooperate with representatives of STATE monitoring the project, either on-site or by telephone, during the life of the Contract.
- B. AGENCY will submit Quarterly Reports (one for each three-month period of the project year) to STATE in the form and manner prescribed by STATE. Notice of the specific requirements for each report will be given in this Contract or at any time thereafter by giving thirty (30) days written notice to AGENCY by ordinary mail at the address listed on the Contract. Failure to comply with Quarterly Report requirements may result in withholding of Federal funds or termination of this Contract.
- C. AGENCY will submit a Final Report/Statement of Accomplishment at completion of the Contract to include all financial, performance, and other reports required as a condition of the grant to STATE within thirty (30) days of the completion of the Contract.
- D. Representatives authorized by STATE and the National Highway Traffic Safety Administration (NHTSA) will have the right to visit the site and inspect the work under this Contract whenever such representatives may determine such inspection is necessary.

II. Reimbursement of Eligible Expenses

- A. AGENCY's Project Director, or Finance Personnel, will submit a Report of Costs Incurred Form (RCI) to STATE each time there have been funds expended for which reimbursement is being requested. Failure to meet this requirement may be cause to terminate the project under Section XX herein, "Termination and Abandonment".

- B. AGENCY will reimburse STATE for any ineligible or unauthorized expenses for which Federal funds have been claimed and reimbursement received, as may have been determined by a State or Federal audit.
- C. STATE will have the right to withhold any installments equal to the reimbursement received by AGENCY for prior installments which have been subsequently determined to be ineligible or unauthorized.

III. Property Agreement

- A. AGENCY will immediately notify STATE if any equipment purchased under this Contract ceases to be used in the manner as set forth by this Contract. In such event, AGENCY further agrees to either give credit to the project cost or to another active highway safety project for the residual value of such equipment in an amount to be determined by STATE or to transfer or otherwise dispose of such equipment as directed by STATE.
- B. No equipment will be conveyed, sold, salvaged, transferred, etc., without the express written approval of STATE, or unless otherwise provided elsewhere in this Contract.
- C. AGENCY will maintain or cause to be maintained for its useful life, any equipment purchased under this Contract.
- D. AGENCY will incorporate any equipment purchased under this Contract into its inventory records.
- E. AGENCY will insure any equipment purchased under this Contract for the duration of its useful life. Self-insurance meets the requirements of this section.

IV. Travel

In-State and Out-of-State Travel

In state and out-of-state travel claims will be reimbursed at rates provided by AGENCY's regulations, provided that such regulations are as restrictive as those of STATE. Where they are less restrictive, ARS §38-624 will apply.

The State must approve all out-of-state travel in writing and in advance.

V. Standard of Performance

AGENCY hereby agrees to perform all work and services herein required or set forth, and to furnish all labor, materials, and equipment, except that labor, material, and equipment as STATE agrees to furnish pursuant to this Contract.

VI. Hold Harmless Agreement

Neither party to this agreement agrees to indemnify the other party or hold harmless the other party from liability hereunder. However, if the common law or a statute provides for either a right to indemnify and/or a right to contribution to any party to this agreement then the right to pursue one or both of these remedies is preserved.

VII. Non-Assignment and Sub-Contracts

This Contract is not assignable nor may any portion of the work to be performed be subcontracted unless specifically agreed to in writing by STATE. No equipment purchased hereunder may be assigned or operated by other than AGENCY unless agreed to in writing by STATE.

VIII. Work Products and Title to Commodities and Equipment

- A. The work product and results of the project are the property of STATE, unless otherwise specified elsewhere in this Contract. All property, instruments, non-consumable materials, supplies, and the like, which are furnished or paid for by STATE under the terms of this Contract, unless otherwise provided for elsewhere in this Contract, are and remain the property of STATE and will be returned at the completion of this project upon request of STATE. The work product and results of the project will be furnished to STATE upon request, if no provision is otherwise made by this Contract.
- B. The provisions of subparagraph A apply whether or not the project contracted for herein is completed.

IX. Copyrights and Patents

Any copyrightable materials, patentable discovery, or invention produced in the course of this project may be claimed by STATE and a copyright or patent obtained by it at its expense. In the event STATE does not wish to obtain such copyright or patent, AGENCY may do so, but in any event, provision will be made by AGENCY for royalty-free, nonexclusive, nontransferable, and irrevocable licenses to be given the United States Government and STATE and its political subdivisions to use such copyrightable material, patented discoveries, or inventions in any manner they see fit. The STATE reserves the right to impose such other terms and conditions upon the use of such copyrights or patents as may be deemed in the best interest of STATE in the event AGENCY is allowed to obtain a copyright or patent.

X. Uniform Administrative Requirements

(2 CFR Part 1201): *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*:

The application of 2 CFR Part 200 "Procurement Standards" Requires that:

AGENCY and sub-grantees will use their own procurement procedures, which reflect applicable State and local laws and regulations, provided that the procurements conform to applicable Federal law. The most stringent purchasing requirement at each level must be met.

The Arizona Procurement Code (ARS §41-2501, et. seq.) and promulgated rules (A.A.C. Title 2, Chapter 7) are a part of this Contract as if fully set forth herein and AGENCY agrees to fully comply with these requirements for any procurement using grant monies from this Contract.

XI. Non-Discrimination

During the performance of this contract/funding agreement, the contractor/funding recipient agrees—

- A. To comply with all Federal nondiscrimination laws and regulations, as may be amended from time to time;
- B. Not to participate directly or indirectly in the discrimination prohibited by any Federal non-discrimination law or regulation, as set forth in Appendix B of 49 CFR part 21 and herein;
- C. To permit access to its books, records, accounts, other sources of information, and its facilities as required by the State highway safety office, US DOT or NHTSA;
- D. That, in event a contractor/funding recipient fails to comply with any nondiscrimination provisions in this contract/funding agreement, the State highway safety agency will have the right to impose such contract/agreement sanctions as it or NHTSA determine are appropriate, including, but not limited to, withholding payments to the contractor/funding recipient under the contract/agreement until the contractor/funding recipient complies; and/or cancelling, terminating, or suspending a contract or funding agreement, in whole or in part; and
- E. To insert this clause, including paragraphs A through E, in every subcontract and subagreement and in every solicitation for a subcontract or sub-agreement, that receives Federal funds under this program.

XII. Executive Order 2009-09

It is mutually agreed that AGENCY will comply with the terms and conditions of Executive Order 2009-09, *Non-Discrimination in Employment by Government Contractors and Subcontractors*. Executive Order 2009-09 is located in Part II of the Project Director's Manual.

XIII. Application of Hatch Act

The AGENCY will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508), which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

XIV. Minority Business Enterprises (MBE) Policy and Obligation

- A. Policy: It is the policy of the USDOT that minority business enterprises as defined in 49 CFR Part 23, will have the maximum opportunity to participate in the performance of contracts financed in whole or in part with Federal funds under this Contract. Consequently, the minority business enterprises requirements of 49 CFR Part 23 apply to this Contract.
- B. Obligation: The recipient or its contractor agrees to ensure that minority business enterprises, as defined in 49 CFR Part 23, have the subcontracts financed in whole or in part with Federal funds provided under this Contract. In this regard, all recipients or contractors will take all necessary and reasonable steps in accordance with 49 CFR, Part 23 to ensure that minority business enterprises have the maximum opportunity to compete for and perform contracts. Recipients and their contractors will not discriminate on the basis of race, color, creed, sex, or national origin in the award and performance of USDOT-assigned contracts.

XV. Arbitration Clause, ARS §12-1518

Pursuant to ARS §12-1518, the parties agree to use arbitration, after exhausting applicable administrative reviews, to resolve disputes arising out of this Contract where the provisions of mandatory arbitration apply.

XVI. Inspection and Audit, ARS §35-214

Pursuant to ARS §35-214, all books, accounts, reports, files, and other records relating to this Contract will be subject at all reasonable times to inspection and audit by STATE for five (5) years after completion of this Contract. The records will be produced at the Governor's Office of Highway Safety.

XVII. Appropriation of Funds by U.S. Congress

It is agreed that in no event will this Contract be binding on any party hereto unless and until such time as funds are appropriated and authorized by the U.S. Congress and specifically allocated to the project submitted herein and then only for the fiscal year for which such allocation is made. In the event no funds are appropriated by the U.S. Congress or no funds are allocated for the project proposed herein for subsequent fiscal years, this Contract will be null and void, except as to that portion for which funds have then been appropriated or allocated to this project, and no right of action or damages will accrue to the benefit of the parties hereto as to that portion of the Contract or project that may so become null and void.

XVIII. Continuation of Highway Safety Program

It is the intention of AGENCY to continue the Highway Safety Program identified in this Contract once Federal funding is completed. This intended continuation will be based upon cost effectiveness and an evaluation by AGENCY of the program's impact on highway safety.

XIX. E-Verify

Both parties acknowledge that immigration laws require them to register and participate with the E-Verify Program (employment verification program administered by the United States Department of Homeland Security and the Social Security Administration or any successor program) as they both employ one or more employees in this State. Both parties warrant that they have registered with and participate with E-Verify. If either party later determines that the other non-compliant party has not complied with E-Verify, it will notify the non-compliant party by certified mail of the determination and of the right to appeal the determination.

XX. Termination and Abandonment

- A. The STATE and AGENCY hereby agree to the full performance of the covenants contained herein, except that STATE reserves the right, at its discretion, to terminate or abandon any portion of the project for which services have not been already performed by AGENCY.
- B. In the event STATE abandons the services or any part of the services as herein provided, STATE will notify AGENCY in writing and within twenty-four (24) hours after receiving such notice, AGENCY will discontinue advancing the work under this Contract and proceed to close said operations under the Contract.

- C. The appraisal value of work performed by AGENCY to the date of such termination or abandonment shall be made by STATE on a basis equitable to STATE and AGENCY and a final reimbursement made to AGENCY on the basis of costs incurred. Upon termination or abandonment, AGENCY will deliver to STATE all documents, completely or partially completed, together with all unused materials supplied by STATE.
- D. AGENCY may terminate or abandon this Contract upon thirty (30) days written notice to STATE, provided there is subsequent concurrence by STATE. Termination or abandonment by AGENCY will provide that costs can be incurred against the project up to and including sixty (60) days after notice is given to STATE.
- E. Any equipment or commodities which have been purchased as a part of this Contract and which have not been consumed or reached the end of its useful life will be returned to STATE upon its written request.

XXI. Cancellation Statute

All parties are hereby put on notice that this Contract is subject to cancellation pursuant to ARS §38-511, the provisions of which are stated below.

In accordance with ARS §38-511, this Contract may be cancelled without penalty or further obligation if any person significantly involved in initiating, negotiating, securing, drafting, or creating the Contract on behalf of the STATE, its political subdivisions or any department or agency of either, is at any time while the Contract or any extension of the Contract is in effect, an employee of any other party to the Contract in any capacity or a consultant to any other party of the Contract with respect to the subject matter or the Contract.

The cancellation shall be effective when written notice from the Governor or Chief Executive Officer or governing body of the political subdivision is received by all other parties to the Contract unless the notice specifies a later time.

AGREEMENT OF UNDERSTANDING AND CERTIFICATION OF COMPLIANCE

Acceptance of Condition

It is understood and agreed by the undersigned that a grant received as a result of this Contract is subject to the Highway Safety Act of 1966, as amended (23 U.S.C.A. §§401-404), ARS §28-602, and all administrative regulations governing grants established by the USDOT and STATE. It is expressly agreed that this Highway Safety Project constitutes an official part of the STATE's Highway Safety Program and that AGENCY will meet the requirements as set forth in the accompanying Project Director's Manual, which are incorporated herein and made a part of this Contract. All State and Federal Statutes, Rules, Regulations, and Circulars referenced in this Contract are a part of this document as if fully set forth herein. It is also agreed that no work will be performed nor any obligation incurred until AGENCY is notified in writing that this project has been approved by the Governor's Highway Safety Representative.

Certificate of Compliance

This is to certify that AGENCY will comply with all of the State and Federal Statutes, Rules and Regulations identified in this Contract.

Certification of Non-Duplication of Grant Funds Expenditure

This is to certify that AGENCY has no ongoing nor completed projects under contract with other Federal fund sources which duplicate or overlap any work contemplated or described in this Contract. It is further certified that any pending or proposed request for other Federal grant funds which would duplicate or overlap work described in the Contract will be revised to exclude any such duplication of grant fund expenditures. It is understood that any such duplication of Federal funds expenditures subsequently determined by audit will be subject to recovery by STATE.

Single Audit Act

If your political subdivision has had an independent audit meeting the requirements of the Single Audit Act of 1984, (31 U.S.C.A. §7501 et. seq.), please forward a copy to GOHS, Attention: Fiscal Services Officer, within thirty (30) days of the effective date of this Contract. If such audit has not been performed, please advise when it is being scheduled.

Buy America Act

The State and each subrecipient will comply with the Buy America requirement (23 U.S.C. 313) when purchasing items using Federal funds. Buy America requires a State, or subrecipient, to purchase with Federal funds only steel, iron, and manufactured products produced in the United States, unless the Secretary of Transportation determines that such domestically produced items would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than twenty-five (25) percent. In order to use Federal funds to purchase foreign produced items, the State must submit a waiver request that provides an adequate basis and justification to and approved by the Secretary of Transportation.

Prohibition on Using Grant Funds to Check for Helmet Usage

The State and each subrecipient will not use 23 U.S.C. Chapter 4 grant funds for programs to check helmet usage or to create checkpoints that specifically target motorcyclists.

Certification Regarding Debarment and Suspension

- A. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.
- B. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective primary tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary tier participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
- C. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary tier participant knowingly rendered an erroneous certification, in

addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default or may pursue suspension or debarment.

- D. The prospective primary tier participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary tier participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- E. The terms *covered transaction, civil judgment, debarment, suspension, ineligible, participant, person, principal, and voluntarily excluded, as used* in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
- F. The prospective primary tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
- G. The prospective primary tier participant further agrees by submitting this proposal that it will include the clause titled Instructions for Lower Tier Certification including the Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion—Lower Tier Covered Transaction, provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1200.
- H. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov>).
- I. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- J. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency may terminate the transaction for cause or default.

Certification Regarding Debarment, Suspension, and Other Responsibility Matter

- A. The prospective primary tier participant certifies to the best of its knowledge and belief, that it and its principal:
1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency;
 2. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of record, making false statements, or receiving stolen property;
 3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 4. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.
- B. Where the prospective primary tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Instructions for Lower Tier Certification

- A. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.
- B. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.
- C. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- D. The terms covered transaction, debarment, suspension, ineligible, lower tier, participant, person, primary tier, principal, and voluntarily excluded, as used in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.
- E. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4,

debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

- F. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion- Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1200.
- G. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions Website (<https://www.sam.gov>).
- H. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- I. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion

- A. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency.
- B. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

REIMBURSEMENT INSTRUCTIONS**1. Agency Official preparing the Report of Costs Incurred:**Name: Lisa Alexander-FroslandTitle: Accountant PrincipalTelephone Number: (623) 222-1847 Fax Number: (623) 222-1801E-mail Address: lisa.alexander@surpriseaz.gov**2. Agency's Fiscal Contact:**Name: Lisa Alexander-FroslandTitle: Accountant PrincipalTelephone Number: (623) 222-1847 Fax Number: (623) 222-1801E-mail Address: lisa.alexander@surpriseaz.govFederal Identification Number: 86-6007796**3. *REIMBURSEMENT INFORMATION:***

Warrant/Check to be made payable to:

City of Surprise

Warrant/Check to be mailed to:

City of Surprise

(Agency)

16000 N Civic Center Plaza

(Address)

Surprise, AZ 85374

(City, State, Zip Code)

4. *DUNS Number:*021 64 8936

(DUNS #)

16000 N Civic Center Plaza, Surprise, AZ 85374

(Registered Address & Zip Code)

Restriction on State Lobbying

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

Certification for Contracts, Grant, Loans, and Cooperative Agreements (Federal Lobbying)

The undersigned certifies, to the best of his or her knowledge and belief, that:

- A. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- B. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- C. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients will certify and disclose accordingly.
- D. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Signature of Project Director:

Terry Young, Chief
Surprise Police Department

Date Telephone

***Signature of Authorized Official of
Governmental Unit:***

Michael Frazier, City Manager
City of Surprise

Date Telephone

GOVERNOR'S OFFICE OF
HIGHWAY SAFETY

STATE OF ARIZONA

HIGHWAY SAFETY CONTRACT

This page, the Project Director's Manual and attached hereto and incorporated herein by reference, constitute the entire Contract between the parties hereto unless the Governor's Highway Safety Representative authorizes deviation in writing.

FAIN: 69A3752030000405dAZM

Assistance Listings: 20.616

1. APPLICANT AGENCY Surprise Police Department	GOHS CONTRACT NUMBER: 2020-II-006
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ADDRESS
14250 W. Statler Plaza, Ste. 103, Surprise, AZ 85374

PROGRAM AREA:
405d

2. GOVERNMENTAL UNIT
City of Surprise

AGENCY CONTACT:
Michael Robbins

ADDRESS
16000 N. Civic Center Drive, Surprise, AZ 85374

4. GUIDELINES:
405d

3. PROJECT TITLE:
DUI/Impaired Driving Enforcement
Overtime, and Related Equipment- Intox 9000

5. BRIEFLY STATE PURPOSE OF PROJECT:

Federal 405d funds will support Personnel Services (Overtime), and Capital Outlay: Intox 9000 to enhance DUI/Impaired Driving Enforcement throughout the City of Surprise.

6. BUDGET COST CATEGORY	Project Period FFY 2020
I. Personnel Services	\$30,000.00
II. Employee Related Expenses	\$0.00
III. Professional and Outside Services	\$0.00
IV. Travel In-State	\$0.00
V. Travel Out-of-State	\$0.00
VI. Materials and Supplies	\$0.00
VII. Capital Outlay	\$10,000.00
TOTAL ESTIMATED COSTS	\$40,000.00

PROJECT PERIOD	FROM: Effective Date (Date of GOHS Director Signature)	TO: 09-30-2020
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CURRENT GRANT PERIOD	FROM: 10-01-2019	TO: 09-30-2020
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TOTAL FEDERAL FUNDS OBLIGATED THIS FFY: \$40,000.00

A political subdivision or State agency that is mandated to provide a certified resolution or ordinance authorizing entry into this Contract must do so prior to incurring any expenditures. Failure to do so may result in termination of the awarded Contract.

PROBLEM IDENTIFICATION AND RESOLUTION:**Agency Background:**

Number of sworn officers: 141

Total Population in city/town or county: 130,000

Total Road Mileage: Highway: 39 Local: 857 Total: 896

	2017	2016	2015
Total Crashes	1951	1973	1791
Total Injury Crashes	251	239	253
Total Fatal Crashes	5	3	0
Total Alcohol-related Crashes	13	20	37
Total Alcohol-related Serious Injuries	0	1	6
Total Alcohol-related Fatalities	0	3	0
Total Speed-related Crashes	346	348	306
Total Speed-related Serious Injuries	23	35	41
Total Speed-related Fatalities	0	2	0

The data above represents: County ☐ City/Town ☒

Agency Problem/Attempts to Solve Problem:

In total, the Surprise Police Department is responsible for patrolling approximately 857 miles of roadway. The population and infrastructure growth of the City of Surprise has caused heavy traffic loads resulting in an increase of traffic collisions. The Surprise Police Department is committed to reducing traffic collisions through strategic, intensive enforcement, community education, the use of improved technology and equipment, and training.

With the increase in population, the city has seen a growth in the alcohol serving establishment industry, to include: bars, restaurants, movie theaters, spring training and minor league baseball facility, bowling alley/night club, golf courses/clubhouses, etc. The growth of the industry has increased opportunities for drivers to consume alcohol prior to driving. Similarly to the growth of the alcohol serving establishments, the legalization of medical marijuana has sprouted several medical marijuana dispensaries in the City of Surprise. The increased access to the impairing drug has increased the likelihood a driver will operate a motor vehicle while impaired by marijuana. The need to be intensively patrolling the streets for alcohol impaired drivers has never been greater.

Agency Funding:

Federal 405d funds will support Personnel Services (Overtime), and Capital Outlay: Intox 9000 to enhance DUI/Impaired Driving Enforcement throughout the City of Surprise.

How Agency Will Solve Problem with Funding:

The City of Surprise Police Department is requesting funding from the Governor's Office of Highway Safety to promote the Impaired Driving (AL) program to continue the commitment to the West Valley DUI Task Force. The granted funding will be used to further the mission of GOHS and the City of Surprise Police Department by removing alcohol and drug impaired drivers from the road through highly effective enforcement.

PROJECT MEASURES:**Agency Goals:**

To decrease the number of impaired driving-related crashes 10% from 13 during calendar year 2017 to 11 by December 31, 2020.

To decrease fatalities in impaired driving-related crashes 0% from 0 in calendar year 2017 to 0 by December 31, 2020.

To decrease injuries in impaired driving-related crashes 0 % from 0 in calendar year 2017 to 0 by December 31, 2020.

Contract Objectives:

To participate in a minimum of 2 DUI saturation patrols per quarter during FFY 2020.

To participate in a minimum of 4 DUI task force operations per quarter during FFY 2020.

Additional Contract Objectives:

1. To host a minimum of 4 DUI task force operations during FFY 2020.
2. To increase the number of DUI arrests by 3% from 330 during calendar year 2017 to 340 by December 31, 2020

GOALS/OBJECTIVES:

Federal 405d funds will support Personnel Services (Overtime), and Capital Outlay: Intox 9000 to enhance DUI/Impaired Driving Enforcement throughout the City of Surprise.

Expenditures of funding pertaining to Impaired Driving Enforcement including Personnel Services and ERE, Materials and Supplies, Capital Equipment, and/or Travel In and Out-of-State shall comply with the Impaired Driving Program goals provided by the Arizona Governor's Office of Highway Safety. The Impaired Driving Program goal is to reduce the incidences of alcohol and drug related driving fatalities and injuries through enforcement, education, and public awareness throughout the State of Arizona. Law enforcement personnel participating in Impaired Driving Enforcement/DUI activities including, DUI Task Force details under this program, shall be HGN/SFST certified.

MEDIA RELEASE:

To prepare complete press release information for media (television, radio, print, and on-line) during each campaign period including a main press release, schedule of events, departmental plans, and relevant data. The material will emphasize the campaign's purpose, aggressive enforcement, and the high cost of DUI/Impaired Driving in terms of money, criminal, and human consequences.

The Surprise Police Department will maintain responsibility for **reporting sustained enforcement** activity in a timely manner. Additionally, it is the responsibility of the Surprise Police Department to report all holiday task force enforcement statistics to GOHS on-line at the GOHS website **no later than 10:00 a.m. the morning following each day of the event.**

The holidays and special events include but not limited to: Super Bowl Sunday, Valentine's Day, President's Day, St. Patrick's Day, Spring Break, Easter, Cinco de Mayo, Prom Night, Memorial Day, Graduation Day, Independence Day, Labor Day, Columbus Day, Halloween, and the Thanksgiving through New Year's details.

PLEASE NOTE: Failure to submit Statistics, Quarterly Reports, and/or Report of Costs Incurred (RCIs) timely and correctly may delay reimbursement for expenditures to your Agency.

METHOD OF PROCEDURE:

The Surprise Police Department will make expenditures, as follows, to meet the outlined Program Goals/Objectives:

Personnel Services - To support Overtime for DUI/Impaired Driving Enforcement Activities

Capital Outlay - To purchase/procure the following Capital Outlay for DUI/Impaired Driving Enforcement Activities: **Intox 9000**

PRESS RELEASE:

Agencies are **required** to develop and distribute a press release announcing this grant award **upon receipt** of the executed Contract. A copy of this press release shall be sent to the GOHS Director for approval prior to being sent to the media. This press release shall include the objective and specify that the funding is from the Governor's Office of Highway Safety.

BAC TESTING AND REPORTING REQUIREMENTS:

Alcohol impairment is a major contributing factor in fatality and serious injury motor vehicle collisions. Accurate data on alcohol involvement is essential to understanding the full extent of the role of alcohol and to assess progress toward reducing impaired driving.

Each law enforcement agency that receives an enforcement-related grant is required to ensure that accurate data on all drivers involved is reported. Failure to comply may result in withholding funds and cancellation of the enforcement contract until this requirement is met.

PURSUIT POLICY:

All law enforcement agencies receiving Federal funds are encouraged to follow the guidelines established for vehicular pursuits issued by the International Association of Chiefs of Police (IACP) that are currently in effect.

EQUIPMENT:**Intox 9000**

Agencies receiving funding for Capital Outlay (major equipment) such as DUI processing vans, marked and unmarked enforcement sedans, and marked enforcement motorcycles shall schedule a press conference acknowledging the grant award from the Governor's Office of Highway Safety. The purpose of this press conference is for the Agency to present the equipment to their community.

The Surprise Police Department shall immediately notify GOHS if any equipment purchased under this Contract ceases to be used in the manner described in this Contract. In such event, the Surprise Police Department further agrees to dispose of this equipment using the Surprise Police Department's, city, town, or county ordinance, code, or rule regarding disposal of equipment.

In the absence of an ordinance, code, or rule regarding the disposal of the property, the Surprise Police Department may refer to that of the State. The Surprise Police Department shall maintain or cause to be maintained for its useful life, any equipment purchased under this Contract. The Surprise Police Department shall incorporate any equipment purchased under this Contract into its inventory records. The Surprise Police Department shall insure any equipment purchased under this Contract for the duration of its useful life. Self-insurance meets this requirement.

Administrative and Maintenance Costs:

The Surprise Police Department shall be responsible for all administrative, maintenance, operational costs, and the costs of any damage relating to the Intox 9000.

Decals:

The Governor's Office of Highway Safety shall provide the Surprise Police Department with decals depicting the Governor's Office of Highway Safety logo. These decals shall be affixed to the equipment before being placed in service.

Equipment Purchase:

The equipment purchased under this Contract shall be ordered, received, training completed, and placed in service prior to the end of the project period.

If the Agency cannot meet this requirement, the Agency must submit a letter of explanation signed by the Project Director on the Agency's letterhead via mail or hand delivered to the Director of the Governor's Office of Highway Safety within sixty (60) days before the end of the project period.

The application of 2 CFR Part 200 "Procurement Standards" requires that:

Grantees and sub-grantees will use their own procurement procedures, which reflect applicable State and local laws and regulations, provided that the procurement procedures conform to applicable Federal and State laws and standards. The most stringent purchasing requirement at each level must be met. If the Agency does not have a procurement process, the Agency shall use the State procurement process.

Original Purpose of Equipment:

Pursuant to 23 CFR §1300.31, all equipment purchased under this Contract is to be used for the original purpose intended under this Contract. All equipment shall be used for the originally authorized grant purposes for as long as needed for those purposes. Neither the State nor the Agency (sub-grantees) or contractors shall encumber the title or interest while such need exists.

The Governor's Office of Highway Safety shall reserve the right to transfer title of equipment acquired under the Section 405 program to the Federal government or to a third party when such third party is otherwise eligible under existing statutes.

Furthermore, 2 CFR §200.313 states that equipment (acquired under this grant) shall be used by the grantee in the program or project for which it was acquired as long as needed, whether or not the project or program continues to be supported by Federal funds. When no longer needed for the original program or project, the equipment may be used in other activities currently or previously supported by a Federal agency.

Insurance:

It is agreed that the Surprise Police Department shall adequately insure all capital equipment purchased under this Contract for repair or replacement.

SPECIFIC REQUIREMENTS:**BREATH TESTING DEVICES –****Requirements for Intoxilyzers (Evidentiary Breath Testing Instruments):**

The successful vendor must certify that the devices purchased are on the National Highway Traffic Safety Administration (NHTSA) Conforming Products List and must meet, or exceed, NHTSA model specifications.

In addition, the devices must be certified and approved by the Arizona Department of Public Safety per Arizona Administrative Code R9-14-403.

The Surprise Police Department will be responsible for providing all personnel the appropriate training for using the Intoxilyzers purchased under this Contract implementing a NHTSA approved training course.

The Surprise Police Department will maintain written documentation (copy of the training certificates) which will be available upon request for review by GOHS.

Intoxilyzers will be operated, calibrated under the standard quality assurance procedures per the appropriate outlined procedures listed in the Arizona Administrative Code.

EQUIPMENT –

Requirements for Equipment:

The Surprise Police Department shall provide a high quality color photograph of all equipment purchased under this Contract. The Surprise Police Department shall complete the attached **Capital Outlay Equipment** form for all individual equipment purchases of \$5,000.00 or more. The form is to be attached and submitted with the next quarterly report subsequent to the delivery of the equipment.

METHOD OF PROCUREMENT:

The application of 2 CFR Part 200 "Procurement Standards" requires that:

Grantees and sub-grantees will use their own procurement procedures which reflect applicable State and local laws and regulations, provided the procurement procedures conform to applicable Federal laws and standards. The most stringent purchasing requirement at each level must be met. If the Agency does not have a procurement process, the Agency may use the State procurement process.

A clear audit trail must be established to determine costs charged against this Contract. Substantiation of costs shall, where possible, be made utilizing the Surprise Police Department documentation consisting of, but not limited to, copies of time sheets, purchase orders, copies of invoices, and proof of payment.

The Agency shall retain copies of all documentation in the project file.

State Contract:

Procurement may be made using an open State contract award. Documents submitted to substantiate purchases using an open State contract must bear the contract number.

PROJECT EVALUATION:

This project shall be administratively evaluated to ensure the objectives have been met.

Quarterly Report

The purpose of the Quarterly Report is to provide information on contracted grant activities conducted at the conclusion of each active quarter. The information provided is used to review progress of the funded project and the successfulness in meeting outlined goals and objectives. The information, photos, highlights, obstacles,

and mandatory statistical data provided in this report are analyzed by the assigned Project Coordinator. It is critical the report contains the following information:

- **Original signatures on all Quarterly Reports and RCIs**
 - **All Quarterly Reports and RCIs shall include the signature of the Project Director unless prior authorization for another is on file with GOHS.**

Report Schedule

Reporting Period	Due Date
1st Quarterly Report and RCI (October 1 to December 31, 2019)	January 30, 2020
2nd Quarterly Report and RCI (January 1 to March 31, 2020)	April 20, 2020
3rd Quarterly Report and RCI (April 1 to June 30, 2020)	July 20, 2020
4th Quarterly Report and RCI (July 1 to September 30, 2020)	October 15, 2020
Final Statement of Accomplishments	October 15, 2020

The Quarterly Report **shall be completed on the form available on-line and can be submitted by email** to the Governor's Office of Highway Safety.

NOTE: IT IS REQUIRED THAT ALL LAW ENFORCEMENT AGENCIES MUST ENTER STATISTICAL AND ENFORCEMENT ACTIVITY INTO THE ON-LINE GOHS DUI REPORTING SYSTEM, IN ADDITION TO SUBMITTING THE QUARTERLY ENFORCEMENT REPORT.

Final Statement of Accomplishments

The Project Director shall submit a Final Statement of Accomplishments Report to the GOHS **no later than fifteen (15) days after the conclusion of each Federal Fiscal Year (September 30th)**. All agencies receiving funding are required to submit a Final Statement of Accomplishments Report.

Note: Failure to comply with the outlined GOHS reporting requirements may result in withholding of Federal funds or termination of the Contract.

PROFESSIONAL AND TECHNICAL PERSONNEL:

Terry Young, Chief, Surprise Police Department, shall serve as Project Director.

Michael Robbins, Sergeant, Surprise Police Department, shall serve as Project Administrator.

Gabriela Gallegos, Governor's Office of Highway Safety, shall serve as Project Coordinator.

REPORT OF COSTS INCURRED (RCI):

The Agency shall submit a Report of Costs Incurred (RCI), with supporting documentation attached, to the Governor's Office of Highway Safety on a quarterly basis, for each active quarter, in conjunction with the required report. Agencies may submit additional RCI forms for expenditures when funds have been expended for which reimbursement is being requested.

Accepted supporting documentation to submit with a Report of Cost Incurred (RCI) includes, but is not limited to; scanned copies of timesheets, payroll records, paid invoices/purchase orders, and other account records.

RCIs shall be typed and delivered via mail or hand delivered with appropriate supporting documentation to the Governor's Office of Highway Safety. **Electronically submitted RCIs will not be accepted.** Final RCIs will not be accepted fifteen (15) days after the conclusion of each Federal Fiscal Year (September 30th). **Expenditures submitted after the expiration date may not be reimbursed and the Agency will accept fiscal responsibility.**

PROJECT MONITORING:

Highway safety grant project monitoring is used by GOHS project coordinators to track the progress of project objectives, performance measures, and compliance with applicable procedures, laws, and regulations.

The process is used throughout the duration of the contracted project and serves as a continuous management tool. Project monitoring also presents an opportunity to develop partnerships, share information, and provide assistance to contracted agencies. Additionally, project monitoring outlines a set of procedures for project review and documentation.

Project monitoring serves as a management tool for:

- Detecting and preventing problems
- Helping to identify needed changes
- Identifying training or assistance needed
- Obtaining data necessary for planning and evaluation
- Identifying exemplary projects

Types of Monitoring

Monitoring is formal and informal, financial and operational. The most common types of monitoring are:

- Ongoing contact with the contracted grantee through phone calls, e-mails, correspondence, and meetings
- On-Site and/or In-House monitoring reviews of project operations, management, and financial records and systems
- Review of project Quarterly Reports
- Review and approval of Report of Costs Incurred (RCIs)
- Desk review of other documents in the project grant files for timely submission and completeness

Monitoring Schedule	
Total Awarded Amount:	Type of Monitoring:
Under \$50,000	Desk Review/Phone Conference
\$50,000 and over	May have an In-House GOHS Review
\$100,000+	May have an On-Site Review
Capital Outlay Greater than \$25,000 (combined)	May have an On-Site Review
Desk Review and Phone Conference	Internal review of all written documentation related to contractual project including, but not limited to the Contract, Quarterly Reports, enforcement data, financial data, e-mails, letters, notes, press releases, photographs, inventories, and other written correspondence. A phone conference call conducted during the course of the project which includes the date and time of the call, the person(s) contacted, and the results. It serves as an informational review to determine progress of programmatic/financial activities. Both the designated project administrator and fiscal contact should be present, if possible, during the phone conference. If identified financial or operational problems are present, GOHS reserves the right to bring

	the grantee in for an in-house meeting at GOHS. Monitoring form written by Project Coordinator, any findings, areas of improvement, concern, or recognition will be provided to the grantee.
In-House Review	Documents performance review results including project activities, reimbursement claims review, equipment purchases, approvals, and other information. Reviews applicable information related to the project(s) including, but not limited to the Contract, Quarterly Reports, enforcement data, financial data, e-mails, letters, notes, press releases, photographs, inventories, and other written correspondence. Completed at GOHS in a meeting with appropriate operational and financial personnel. Monitoring form written by Project Coordinator, any findings, areas of improvement, concern, or recognition will be provided to the grantee.
On-Site Monitoring	Documents performance review results including project activities, reimbursement claims review, equipment purchases, and other information. Reviews applicable information related to the project(s) including, but not limited to the Contract, Quarterly Reports, enforcement data, financial data, e-mails, letters, notes, press releases, photographs, inventories, and other written correspondence. Conducted on-site at the grantee's Agency with monitoring form completed on-site by Project Coordinator. Any findings, areas of improvement, concern, or recognition, will be provided to the grantee.

On-site and/or in-house monitoring for grantees of designated projects with large Capital Outlay purchases, personnel services, and complex projects must be completed within the second or third quarter of the fiscal year. Contracted projects displaying any problems may need on-site monitoring more than once during the fiscal year.

On-site and/or In-house monitoring includes a review and discussion of all issues related to ensure the effective administration of the contracted project. The following are the most important items to review:

- Progress toward meeting goals/objectives and performance measures
- Adherence to the contract specifications, timely submission of complete and correct reports, including required documentation
- Quarterly Reports
- Status of expenditures related to the outlined budget
- Accounting records and RCI's
- Supporting documentation (training documentation, inventory sheets, photographs, press releases, etc.)

In addition, the designated Agency will ensure that any equipment purchased will be available for inspection and is being used for the purpose for which it was bought under the outlined contractual agreement.

Documentation

The Governor's Office of Highway Safety will retain all findings documented on the GOHS Monitoring Form in the Agency's respective Federal file. Findings will be discussed with the designated contract representative (Project Administrator, fiscal specialist) by phone and/or e-mail. All noted deficiencies will be provided to the grantee with guidance for improvement and solutions to problems. Grantees that exhibit significantly poor performance may be placed on a performance plan as outlined by the GOHS Director. Grantee monitoring information will additionally provide documentation for potential funding in subsequent fiscal year grant proposal review.

PROJECT PERIOD:

The project period shall commence on the date the GOHS Director signs the Highway Safety Contract and terminate on September 30th of that or subsequent year as indicated on the Highway Safety Contract.

DURATION:

Contracts shall be effective on the date the Governor's Office of Highway Safety Director signs the Contract and expire at the end of the project period.

If the Agency is unable to expend the funds in the time specified, the Agency will submit notification on the Agency's letterhead and hand deliver or submit via regular mail to the Director of the Governor's Office of Highway Safety a minimum of sixty days (60) prior to the end of the project period.

The Agency shall address all requests to modify the Contract to the Director of the Governor's Office of Highway Safety on Agency's official letterhead and either hand deliver or submit the request via regular mail. All requests for modification must bear the signature of the Project Director.

Failure to comply may result in cancellation of the Contract. Any unexpended funds remaining at the termination of the Contract shall be released back to the Governor's Office of Highway Safety.

ESTIMATED COSTS:

I.	Personnel Services (overtime)	\$30,000.00
II.	Employee Related Expenses (ERE)	\$0.00
III.	Professional and Outside Services	\$0.00
IV.	Travel In-State	\$0.00
V.	Travel Out-of-State	\$0.00
VI.	Materials and Supplies	\$0.00
VII.	Capital Outlay Intox 9000	\$10,000.00

TOTAL ESTIMATED COSTS***\$40,000.00**

*Includes all applicable training, tax, freight, and advertising costs. The GOHS reserves the right to limit reimbursement of Employee Related Expenses from zero (0) to a maximum rate of forty (40) percent. This is the maximum ERE amount to be reimbursed. It is agreed and understood that the Surprise Police Department shall absorb any and all expenditures in excess of \$40,000.00.

**QUARTERLY ENFORCEMENT REPORT
(Submitted to GOHS)**

Reporting Period

DESCRIPTION	CONTRACT ACTIVITY	AGENCY ACTIVITY
Total Contacts (Traffic Stops)		
Total Sober Designated Drivers Contacted		
Total Know Your Limit Contacts		
TOTAL DUI ARRESTS		
Total DUI Aggravated		
Total DUI Misdemeanor		
Total DUI Extreme (.15 or Above)		
Under 21 DUI Arrests		
Average BAC		
Minor Consumption / Possession Citations		
Total DUI Drug Arrests		
30-Day Vehicle Impounds		
Seat Belt Citations		
Child Restraint Citations		
Criminal Speed Citations		
Reckless Driving Citations		
Civil Speed Citations		
Other Citations (Except Speed)		
Other Arrests		
Participating Officer/Deputies (Cumulative)		

**Arizona Governor's Office of Highway Safety
Capital Outlay Equipment Record
Equipment \$5,000.00 or more**

Equipment Description	Make/Model	Serial Number	Date Ordered	Date Received	Cost Per Unit

Note: Photographs of all Capital Outlay Equipment must be submitted with form

CERTIFICATIONS AND AGREEMENTS

This CONTRACT, is made and entered into by and between the STATE OF ARIZONA, by and through the Governor's Office of Highway Safety (GOHS) hereinafter referred to as "STATE", and the agency named in this Contract, hereinafter referred to as "AGENCY".

WHEREAS, the National Highway Safety Act of 1966, as amended (23 USC §§401-404), provides Federal funds to STATE for approved highway safety projects; and

WHEREAS, STATE may make said funds available to various state, county, tribal, or municipal agencies, governments, or political subdivisions upon application and approval by STATE and the United States Department of Transportation (USDOT); and

WHEREAS, AGENCY must comply with the requirements listed herein to be eligible for Federal funds for approved highway safety projects; and

WHEREAS, AGENCY has submitted an application for Federal funds for highway safety projects;

NOW, THEREFORE, IN CONSIDERATION OF MUTUAL PROMISES AND OTHER GOODS AND VALUABLE CONSIDERATION, it is mutually agreed that AGENCY will strictly comply with the following terms and conditions and the following Federal and State Statutes, Rules, and Regulations:

I. Project Monitoring, Reports, and Inspections

- A. AGENCY agrees to fully cooperate with representatives of STATE monitoring the project, either on-site or by telephone, during the life of the Contract.
- B. AGENCY will submit Quarterly Reports (one for each three-month period of the project year) to STATE in the form and manner prescribed by STATE. Notice of the specific requirements for each report will be given in this Contract or at any time thereafter by giving thirty (30) days written notice to AGENCY by ordinary mail at the address listed on the Contract. Failure to comply with Quarterly Report requirements may result in withholding of Federal funds or termination of this Contract.
- C. AGENCY will submit a Final Report/Statement of Accomplishment at completion of the Contract to include all financial, performance, and other reports required as a condition of the grant to STATE within thirty (30) days of the completion of the Contract.
- D. Representatives authorized by STATE and the National Highway Traffic Safety Administration (NHTSA) will have the right to visit the site and inspect the work under this Contract whenever such representatives may determine such inspection is necessary.

II. Reimbursement of Eligible Expenses

- A. AGENCY's Project Director, or Finance Personnel, will submit a Report of Costs Incurred Form (RCI) to STATE each time there have been funds expended for which reimbursement is being requested. Failure to meet this requirement may be cause to terminate the project under Section XX herein, "Termination and Abandonment".

- B. AGENCY will reimburse STATE for any ineligible or unauthorized expenses for which Federal funds have been claimed and reimbursement received, as may have been determined by a State or Federal audit.
- C. STATE will have the right to withhold any installments equal to the reimbursement received by AGENCY for prior installments which have been subsequently determined to be ineligible or unauthorized.

III. Property Agreement

- A. AGENCY will immediately notify STATE if any equipment purchased under this Contract ceases to be used in the manner as set forth by this Contract. In such event, AGENCY further agrees to either give credit to the project cost or to another active highway safety project for the residual value of such equipment in an amount to be determined by STATE or to transfer or otherwise dispose of such equipment as directed by STATE.
- B. No equipment will be conveyed, sold, salvaged, transferred, etc., without the express written approval of STATE, or unless otherwise provided elsewhere in this Contract.
- C. AGENCY will maintain or cause to be maintained for its useful life, any equipment purchased under this Contract.
- D. AGENCY will incorporate any equipment purchased under this Contract into its inventory records.
- E. AGENCY will insure any equipment purchased under this Contract for the duration of its useful life. Self-insurance meets the requirements of this section.

IV. Travel

In-State and Out-of-State Travel

In state and out-of-state travel claims will be reimbursed at rates provided by AGENCY's regulations, provided that such regulations are as restrictive as those of STATE. Where they are less restrictive, ARS §38-624 will apply.

The State must approve all out-of-state travel in writing and in advance.

V. Standard of Performance

AGENCY hereby agrees to perform all work and services herein required or set forth, and to furnish all labor, materials, and equipment, except that labor, material, and equipment as STATE agrees to furnish pursuant to this Contract.

VI. Hold Harmless Agreement

Neither party to this agreement agrees to indemnify the other party or hold harmless the other party from liability hereunder. However, if the common law or a statute provides for either a right to indemnify and/or a right to contribution to any party to this agreement then the right to pursue one or both of these remedies is preserved.

VII. Non-Assignment and Sub-Contracts

This Contract is not assignable nor may any portion of the work to be performed be subcontracted unless specifically agreed to in writing by STATE. No equipment purchased hereunder may be assigned or operated by other than AGENCY unless agreed to in writing by STATE.

VIII. Work Products and Title to Commodities and Equipment

- A. The work product and results of the project are the property of STATE, unless otherwise specified elsewhere in this Contract. All property, instruments, non-consumable materials, supplies, and the like, which are furnished or paid for by STATE under the terms of this Contract, unless otherwise provided for elsewhere in this Contract, are and remain the property of STATE and will be returned at the completion of this project upon request of STATE. The work product and results of the project will be furnished to STATE upon request, if no provision is otherwise made by this Contract.
- B. The provisions of subparagraph A apply whether or not the project contracted for herein is completed.

IX. Copyrights and Patents

Any copyrightable materials, patentable discovery, or invention produced in the course of this project may be claimed by STATE and a copyright or patent obtained by it at its expense. In the event STATE does not wish to obtain such copyright or patent, AGENCY may do so, but in any event, provision will be made by AGENCY for royalty-free, nonexclusive, nontransferable, and irrevocable licenses to be given the United States Government and STATE and its political subdivisions to use such copyrightable material, patented discoveries, or inventions in any manner they see fit. The STATE reserves the right to impose such other terms and conditions upon the use of such copyrights or patents as may be deemed in the best interest of STATE in the event AGENCY is allowed to obtain a copyright or patent.

X. Uniform Administrative Requirements

(2 CFR Part 1201): *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*:

The application of 2 CFR Part 200 "Procurement Standards" Requires that:

AGENCY and sub-grantees will use their own procurement procedures, which reflect applicable State and local laws and regulations, provided that the procurements conform to applicable Federal law. The most stringent purchasing requirement at each level must be met.

The Arizona Procurement Code (ARS §41-2501, et. seq.) and promulgated rules (A.A.C. Title 2, Chapter 7) are a part of this Contract as if fully set forth herein and AGENCY agrees to fully comply with these requirements for any procurement using grant monies from this Contract.

XI. Non-Discrimination

During the performance of this contract/funding agreement, the contractor/funding recipient agrees—

- A. To comply with all Federal nondiscrimination laws and regulations, as may be amended from time to time;
- B. Not to participate directly or indirectly in the discrimination prohibited by any Federal non-discrimination law or regulation, as set forth in Appendix B of 49 CFR part 21 and herein;
- C. To permit access to its books, records, accounts, other sources of information, and its facilities as required by the State highway safety office, US DOT or NHTSA;
- D. That, in event a contractor/funding recipient fails to comply with any nondiscrimination provisions in this contract/funding agreement, the State highway safety agency will have the right to impose such contract/agreement sanctions as it or NHTSA determine are appropriate, including, but not limited to, withholding payments to the contractor/funding recipient under the contract/agreement until the contractor/funding recipient complies; and/or cancelling, terminating, or suspending a contract or funding agreement, in whole or in part; and
- E. To insert this clause, including paragraphs A through E, in every subcontract and subagreement and in every solicitation for a subcontract or sub-agreement, that receives Federal funds under this program.

XII. Executive Order 2009-09

It is mutually agreed that AGENCY will comply with the terms and conditions of Executive Order 2009-09, *Non-Discrimination in Employment by Government Contractors and Subcontractors*. Executive Order 2009-09 is located in Part II of the Project Director's Manual.

XIII. Application of Hatch Act

The AGENCY will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508), which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

XIV. Minority Business Enterprises (MBE) Policy and Obligation

- A. Policy: It is the policy of the USDOT that minority business enterprises as defined in 49 CFR Part 23, will have the maximum opportunity to participate in the performance of contracts financed in whole or in part with Federal funds under this Contract. Consequently, the minority business enterprises requirements of 49 CFR Part 23 apply to this Contract.
- B. Obligation: The recipient or its contractor agrees to ensure that minority business enterprises, as defined in 49 CFR Part 23, have the subcontracts financed in whole or in part with Federal funds provided under this Contract. In this regard, all recipients or contractors will take all necessary and reasonable steps in accordance with 49 CFR, Part 23 to ensure that minority business enterprises have the maximum opportunity to compete for and perform contracts. Recipients and their contractors will not discriminate on the basis of race, color, creed, sex, or national origin in the award and performance of USDOT-assigned contracts.

XV. Arbitration Clause, ARS §12-1518

Pursuant to ARS §12-1518, the parties agree to use arbitration, after exhausting applicable administrative reviews, to resolve disputes arising out of this Contract where the provisions of mandatory arbitration apply.

XVI. Inspection and Audit, ARS §35-214

Pursuant to ARS §35-214, all books, accounts, reports, files, and other records relating to this Contract will be subject at all reasonable times to inspection and audit by STATE for five (5) years after completion of this Contract. The records will be produced at the Governor's Office of Highway Safety.

XVII. Appropriation of Funds by U.S. Congress

It is agreed that in no event will this Contract be binding on any party hereto unless and until such time as funds are appropriated and authorized by the U.S. Congress and specifically allocated to the project submitted herein and then only for the fiscal year for which such allocation is made. In the event no funds are appropriated by the U.S. Congress or no funds are allocated for the project proposed herein for subsequent fiscal years, this Contract will be null and void, except as to that portion for which funds have then been appropriated or allocated to this project, and no right of action or damages will accrue to the benefit of the parties hereto as to that portion of the Contract or project that may so become null and void.

XVIII. Continuation of Highway Safety Program

It is the intention of AGENCY to continue the Highway Safety Program identified in this Contract once Federal funding is completed. This intended continuation will be based upon cost effectiveness and an evaluation by AGENCY of the program's impact on highway safety.

XIX. E-Verify

Both parties acknowledge that immigration laws require them to register and participate with the E-Verify Program (employment verification program administered by the United States Department of Homeland Security and the Social Security Administration or any successor program) as they both employ one or more employees in this State. Both parties warrant that they have registered with and participate with E-Verify. If either party later determines that the other non-compliant party has not complied with E-Verify, it will notify the non-compliant party by certified mail of the determination and of the right to appeal the determination.

XX. Termination and Abandonment

- A. The STATE and AGENCY hereby agree to the full performance of the covenants contained herein, except that STATE reserves the right, at its discretion, to terminate or abandon any portion of the project for which services have not been already performed by AGENCY.
- B. In the event STATE abandons the services or any part of the services as herein provided, STATE will notify AGENCY in writing and within twenty-four (24) hours after receiving such notice, AGENCY will discontinue advancing the work under this Contract and proceed to close said operations under the Contract.

- C. The appraisal value of work performed by AGENCY to the date of such termination or abandonment shall be made by STATE on a basis equitable to STATE and AGENCY and a final reimbursement made to AGENCY on the basis of costs incurred. Upon termination or abandonment, AGENCY will deliver to STATE all documents, completely or partially completed, together with all unused materials supplied by STATE.
- D. AGENCY may terminate or abandon this Contract upon thirty (30) days written notice to STATE, provided there is subsequent concurrence by STATE. Termination or abandonment by AGENCY will provide that costs can be incurred against the project up to and including sixty (60) days after notice is given to STATE.
- E. Any equipment or commodities which have been purchased as a part of this Contract and which have not been consumed or reached the end of its useful life will be returned to STATE upon its written request.

XXI. Cancellation Statute

All parties are hereby put on notice that this Contract is subject to cancellation pursuant to ARS §38-511, the provisions of which are stated below.

In accordance with ARS §38-511, this Contract may be cancelled without penalty or further obligation if any person significantly involved in initiating, negotiating, securing, drafting, or creating the Contract on behalf of the STATE, its political subdivisions or any department or agency of either, is at any time while the Contract or any extension of the Contract is in effect, an employee of any other party to the Contract in any capacity or a consultant to any other party of the Contract with respect to the subject matter or the Contract.

The cancellation shall be effective when written notice from the Governor or Chief Executive Officer or governing body of the political subdivision is received by all other parties to the Contract unless the notice specifies a later time.

AGREEMENT OF UNDERSTANDING AND CERTIFICATION OF COMPLIANCE

Acceptance of Condition

It is understood and agreed by the undersigned that a grant received as a result of this Contract is subject to the Highway Safety Act of 1966, as amended (23 U.S.C.A. §§401-404), ARS §28-602, and all administrative regulations governing grants established by the USDOT and STATE. It is expressly agreed that this Highway Safety Project constitutes an official part of the STATE's Highway Safety Program and that AGENCY will meet the requirements as set forth in the accompanying Project Director's Manual, which are incorporated herein and made a part of this Contract. All State and Federal Statutes, Rules, Regulations, and Circulars referenced in this Contract are a part of this document as if fully set forth herein. It is also agreed that no work will be performed nor any obligation incurred until AGENCY is notified in writing that this project has been approved by the Governor's Highway Safety Representative.

Certificate of Compliance

This is to certify that AGENCY will comply with all of the State and Federal Statutes, Rules and Regulations identified in this Contract.

Certification of Non-Duplication of Grant Funds Expenditure

This is to certify that AGENCY has no ongoing nor completed projects under contract with other Federal fund sources which duplicate or overlap any work contemplated or described in this Contract. It is further certified that any pending or proposed request for other Federal grant funds which would duplicate or overlap work described in the Contract will be revised to exclude any such duplication of grant fund expenditures. It is understood that any such duplication of Federal funds expenditures subsequently determined by audit will be subject to recovery by STATE.

Single Audit Act

If your political subdivision has had an independent audit meeting the requirements of the Single Audit Act of 1984, (31 U.S.C.A. §7501 et. seq.), please forward a copy to GOHS, Attention: Fiscal Services Officer, within thirty (30) days of the effective date of this Contract. If such audit has not been performed, please advise when it is being scheduled.

Buy America Act

The State and each subrecipient will comply with the Buy America requirement (23 U.S.C. 313) when purchasing items using Federal funds. Buy America requires a State, or subrecipient, to purchase with Federal funds only steel, iron, and manufactured products produced in the United States, unless the Secretary of Transportation determines that such domestically produced items would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than twenty-five (25) percent. In order to use Federal funds to purchase foreign produced items, the State must submit a waiver request that provides an adequate basis and justification to and approved by the Secretary of Transportation.

Prohibition on Using Grant Funds to Check for Helmet Usage

The State and each subrecipient will not use 23 U.S.C. Chapter 4 grant funds for programs to check helmet usage or to create checkpoints that specifically target motorcyclists.

Certification Regarding Debarment and Suspension

- A. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.
- B. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective primary tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary tier participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
- C. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary tier participant knowingly rendered an erroneous certification, in

addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default or may pursue suspension or debarment.

- D. The prospective primary tier participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary tier participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- E. The terms *covered transaction*, *civil judgment*, *debarment*, *suspension*, *ineligible*, *participant*, *person*, *principal*, and *voluntarily excluded*, as used in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
- F. The prospective primary tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
- G. The prospective primary tier participant further agrees by submitting this proposal that it will include the clause titled Instructions for Lower Tier Certification including the Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion—Lower Tier Covered Transaction, provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1200.
- H. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov>).
- I. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- J. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency may terminate the transaction for cause or default.

Certification Regarding Debarment, Suspension, and Other Responsibility Matter

- A. The prospective primary tier participant certifies to the best of its knowledge and belief, that it and its principal:
1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency;
 2. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of record, making false statements, or receiving stolen property;
 3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 4. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.
- B. Where the prospective primary tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Instructions for Lower Tier Certification

- A. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.
- B. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.
- C. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- D. The terms covered transaction, debarment, suspension, ineligible, lower tier, participant, person, primary tier, principal, and voluntarily excluded, as used in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.
- E. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4,

debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

- F. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion- Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1200.
- G. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions Website (<https://www.sam.gov>).
- H. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- I. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion

- A. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency.
- B. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

REIMBURSEMENT INSTRUCTIONS**1. Agency Official preparing the Report of Costs Incurred:**Name: Lisa Alexander-FroslandTitle: Accountant PrincipalTelephone Number: (623) 222-1847 Fax Number: (623) 222-1801E-mail Address: lisa.alexander@surpriseaz.gov**2. Agency's Fiscal Contact:**Name: Lisa Alexander-FroslandTitle: Accountant PrincipalTelephone Number: (623) 222-1847 Fax Number: (623) 222-1801E-mail Address: lisa.alexander@surpriseaz.govFederal Identification Number: 86-6007796**3. *REIMBURSEMENT INFORMATION:***

Warrant/Check to be made payable to:

City of Surprise

Warrant/Check to be mailed to:

City of Surprise

(Agency)

16000 N Civic Center Plaza

(Address)

Surprise, AZ 85374

(City, State, Zip Code)

4. *DUNS Number:*021 64 8936

(DUNS #)

16000 N Civic Center Plaza, Surprise, AZ 85374

(Registered Address & Zip Code)

Restriction on State Lobbying

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

Certification for Contracts, Grant, Loans, and Cooperative Agreements (Federal Lobbying)

The undersigned certifies, to the best of his or her knowledge and belief, that:

- A. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- B. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- C. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients will certify and disclose accordingly.
- D. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Signature of Project Director:

Terry Young, Chief
Surprise Police Department

Date Telephone

***Signature of Authorized Official of
Governmental Unit:***

Michael Frazier, City Manager
City of Surprise

Date Telephone

GOVERNOR'S OFFICE OF
HIGHWAY SAFETY

STATE OF ARIZONA

HIGHWAY SAFETY CONTRACT

This page, the Project Director's Manual and attached hereto and incorporated herein by reference, constitute the entire Contract between the parties hereto unless the Governor's Highway Safety Representative authorizes deviation in writing.

FAIN: 69A37520300004020AZ0		Assistance Listings: 20.600
1. APPLICANT AGENCY Surprise Police Department	GOHS CONTRACT NUMBER: 2020-MC-003	
ADDRESS 14250 W. Statler Plaza, Ste. 103, Surprise, AZ 85374	PROGRAM AREA: 402-MC	
2. GOVERNMENTAL UNIT City of Surprise	AGENCY CONTACT: Michael Robbins	
ADDRESS 16000 N. Civic Center Drive, Surprise, AZ 85374	3. PROJECT TITLE: Motorcycle Safety Awareness	
4. GUIDELINES: 402–Motorcycle Safety (MC)		
5. BRIEFLY STATE PURPOSE OF PROJECT: Federal 402 funds will support Personnel Services (Overtime) to enhance Motorcycle Safety Awareness throughout the City of Surprise.		
6. BUDGET COST CATEGORY	Project Period FFY 2020	
I. Personnel Services	\$20,000.00	
II. Employee Related Expenses	\$0.00	
III. Professional and Outside Services	\$0.00	
IV. Travel In-State	\$0.00	
V. Travel Out-of-State	\$0.00	
VI. Materials and Supplies	\$0.00	
VII. Capital Outlay	\$0.00	
TOTAL ESTIMATED COSTS	\$20,000.00	
PROJECT PERIOD	FROM: Effective Date (Date of GOHS Director Signature)	TO: 09-30-2020
CURRENT GRANT PERIOD	FROM: 10-01-2019	TO: 09-30-2020
TOTAL FEDERAL FUNDS OBLIGATED THIS FFY: \$20,000.00		
A political subdivision or State agency that is mandated to provide a certified resolution or ordinance authorizing entry into this Contract must do so prior to incurring any expenditures. Failure to do so may result in termination of the awarded Contract.		

PROBLEM IDENTIFICATION AND RESOLUTION:**Agency Background:**

Number of sworn officers: 141

Total Population in city/town or county: 130,000

Total Road Mileage: Highway: 39 Local: 857 Total: 896

	2017	2016	2015
Total Crashes	1951	1973	1791
Total Injury Crashes	251	239	253
Total Fatal Crashes	5	3	0
Total Alcohol-related Crashes	13	20	37
Total Alcohol-related Serious Injuries	0	1	6
Total Alcohol-related Fatalities	0	3	0
Total Speed-related Crashes	346	348	306
Total Speed-related Serious Injuries	23	35	41
Total Speed-related Fatalities	0	2	0

The data above represents: County ☐ City/Town ☒

Agency Problem/Attempts to Solve Problem:

As a result of the population increase, the City has seen a consistent increase in the number of traffic collisions occurring every year. The majority of collisions within the City can be attributed to speed and inattention. To bring awareness to this issue and to create a culture of safe driving, they have begun a "Drive Wise, Surprise" campaign. In addition to street signs, the campaign includes community and media engagement, social media messaging, ads, public service announcements and various other marketing tools. However, brining awareness to the issue alone will not create the culture of safe driving they are pursuing. An increase in intensive enforcement must exist.

An increase percentage of injury and non-injury collisions with the City involve motorcycles. Recognizing this increase, the City of Surprise will be dedicating enforcement efforts to days and times where these collisions most frequently occur. During these times, they will be enforcing laws most critical to the safety of motorcycle riders. The agency will also be hosting two Basic Motorcycle Courses to educate and train motorcycle riders in the City on safe driving habits and emergency collision avoidance practices.

Agency Funding:

Federal 402 funds will support Personnel Services (Overtime) to enhance Motorcycle Safety Awareness throughout the City of Surprise.

How Agency Will Solve Problem with Funding:

The City of Surprise Police Department is requesting funding from the Governor's Office of Highway Safety to promote the Police Traffic Services (PT) program to enforce traffic safety laws with the greatest impact on motorcycle safety and to host a Motorcycle Rodeo Event within the City of Surprise. The granted funding will be used to further the mission of GOHS and the City of Surprise Police Department by removing aggressive drivers from the roadway and ensuring traffic law compliance through highly effective enforcement and by educating/training motorcycle riders within the City.

PROJECT MEASURES:**Agency Goals:**

To decrease the number of speeding-related crashes 5% from 346 during calendar year 2017 to 328 by December 31, 2020.

To decrease fatalities in speeding-related crashes 100% from 0 in calendar year 2017 to 0 by December 31, 2020.

To decrease serious injuries in speeding-related crashes 10% from 23 in calendar year 2017 to 20 by December 31, 2020.

Contract Objectives:

To increase the number of speeding and aggressive driving citations 10% from 4621 during Calendar Year 2018 to 5084 during FFY 2020.

Conduct targeted speed enforcement efforts a minimum of 2 times per month during FFY 2020.

Additional Contract Objectives:

1. Host 2 Basic Motorcycle Operation Courses for citizens during FFY 2020.
2. Release a motorcycle safety related social media message each quarter during FFY 2020.

GOALS/OBJECTIVES:

Federal 402 funds will support Personnel Services (Overtime) to enhance Motorcycle Safety Awareness throughout the City of Surprise.

Expenditures of funding pertaining to Motorcycle Safety including Personnel Services and ERE, Materials and Supplies, Capital Equipment, and/or Travel In and Out-of-State shall comply with the Motorcycle Safety Program goals provided by the Arizona Governor's Office of Highway Safety. The Motorcycle Safety Program goals include increasing public awareness using campaigns focused on motorcyclist behavior, providing information for the driving public, and enhanced enforcement to remind the public to watch for, and be careful around motorcycles throughout the State of Arizona.

MEDIA RELEASE:

To prepare complete press release information for media (television, radio, print, and on-line) during each campaign period including a main press release, schedule of events, departmental plans, and relevant data. The material will emphasize the campaign's purpose, aggressive enforcement, and the high cost of Motorcycle Safety Awareness in terms of money, criminal, and human consequences.

METHOD OF PROCEDURE:

The Surprise Police Department will make expenditures, as follows, to meet the outlined Program Goals/Objectives:

Personnel Services - To support Overtime for Motorcycle Safety Awareness Activities

PRESS RELEASE:

Agencies are **required** to develop and distribute a press release announcing this grant award **upon receipt** of the executed Contract. A copy of this press release shall be sent to the GOHS Director for approval prior to being sent to the media. This press release shall include the objective and specify that the funding is from the Governor's Office of Highway Safety.

METHOD OF PROCUREMENT:

The application of 2 CFR Part 200 "Procurement Standards" requires that:

Grantees and sub-grantees will use their own procurement procedures which reflect applicable State and local laws and regulations, provided the procurement procedures conform to applicable Federal laws and standards. The most stringent purchasing requirement at each level must be met. If the Agency does not have a procurement process, the Agency may use the State procurement process.

A clear audit trail must be established to determine costs charged against this Contract. Substantiation of costs shall, where possible, be made utilizing the Surprise Police Department documentation consisting of, but not limited to, copies of time sheets, purchase orders, copies of invoices, and proof of payment.

The Agency shall retain copies of all documentation in the project file.

State Contract:

Procurement may be made using an open State contract award. Documents submitted to substantiate purchases using an open State contract must bear the contract number.

PROJECT EVALUATION:

This project shall be administratively evaluated to ensure the objectives have been met.

Quarterly Report

The purpose of the Quarterly Report is to provide information on contracted grant activities conducted at the conclusion of each active quarter. The information provided is used to review progress of the funded project and the successfulness in meeting outlined goals and objectives. The information, photos, highlights, obstacles, and mandatory statistical data provided in this report are analyzed by the assigned Project Coordinator. It is critical the report contains the following information:

- **Original signatures on all Quarterly Reports and RCIs**
 - **All Quarterly Reports and RCIs shall include the signature of the Project Director unless prior authorization for another is on file with GOHS.**

Report Schedule

Reporting Period	Due Date
1st Quarterly Report and RCI (October 1 to December 31, 2019)	January 30, 2020
2nd Quarterly Report and RCI (January 1 to March 31, 2020)	April 20, 2020
3rd Quarterly Report and RCI (April 1 to June 30, 2020)	July 20, 2020
4th Quarterly Report and RCI (July 1 to September 30, 2020)	October 15, 2020
Final Statement of Accomplishments	October 15, 2020

The Quarterly Report **shall be completed on the form available on-line and can be submitted by email** to the Governor's Office of Highway Safety.

NOTE: IT IS REQUIRED THAT ALL LAW ENFORCEMENT AGENCIES MUST ENTER STATISTICAL AND ENFORCEMENT ACTIVITY INTO THE ON-LINE GOHS DUI REPORTING SYSTEM, IN ADDITION TO SUBMITTING THE QUARTERLY ENFORCEMENT REPORT.

Final Statement of Accomplishments

The Project Director shall submit a Final Statement of Accomplishments Report to the GOHS **no later than fifteen (15) days after the conclusion of each Federal Fiscal Year (September 30th)**. All agencies receiving funding are required to submit a Final Statement of Accomplishments Report.

Note: Failure to comply with the outlined GOHS reporting requirements may result in withholding of Federal funds or termination of the Contract.

PROFESSIONAL AND TECHNICAL PERSONNEL:

Terry Young, Chief, Surprise Police Department, shall serve as Project Director.

Michael Robbins, Sergeant, Surprise Police Department, shall serve as Project Administrator.

Gabriela Gallegos, Governor's Office of Highway Safety, shall serve as Project Coordinator.

REPORT OF COSTS INCURRED (RCI):

The Agency shall submit a Report of Costs Incurred (RCI), with supporting documentation attached, to the Governor's Office of Highway Safety on a quarterly basis, for each active quarter, in conjunction with the required report. Agencies may submit additional RCI forms for expenditures when funds have been expended for which reimbursement is being requested.

Accepted supporting documentation to submit with a Report of Cost Incurred (RCI) includes, but is not limited to; scanned copies of timesheets, payroll records, paid invoices/purchase orders, and other account records.

RCIs shall be typed and delivered via mail or hand delivered with appropriate supporting documentation to the Governor's Office of Highway Safety. **Electronically submitted RCIs will not be accepted.** Final RCIs will not be accepted fifteen (15) days after the conclusion of each Federal Fiscal Year (September 30th). **Expenditures submitted after the expiration date may not be reimbursed and the Agency will accept fiscal responsibility.**

PROJECT MONITORING:

Highway safety grant project monitoring is used by GOHS project coordinators to track the progress of project objectives, performance measures, and compliance with applicable procedures, laws, and regulations.

The process is used throughout the duration of the contracted project and serves as a continuous management tool. Project monitoring also presents an opportunity to develop partnerships, share information, and provide assistance to contracted agencies. Additionally, project monitoring outlines a set of procedures for project review and documentation.

Project monitoring serves as a management tool for:

- Detecting and preventing problems
- Helping to identify needed changes
- Identifying training or assistance needed
- Obtaining data necessary for planning and evaluation
- Identifying exemplary projects

Types of Monitoring

Monitoring is formal and informal, financial and operational. The most common types of monitoring are:

- Ongoing contact with the contracted grantee through phone calls, e-mails, correspondence, and meetings
- On-Site and/or In-House monitoring reviews of project operations, management, and financial records and systems
- Review of project Quarterly Reports
- Review and approval of Report of Costs Incurred (RCIs)
- Desk review of other documents in the project grant files for timely submission and completeness

Monitoring Schedule	
Total Awarded Amount:	Type of Monitoring:
Under \$50,000	Desk Review/Phone Conference
\$50,000 and over	May have an In-House GOHS Review
\$100,000+	May have an On-Site Review
Capital Outlay Greater than \$25,000 (combined)	May have an On-Site Review
Desk Review and Phone Conference	Internal review of all written documentation related to contractual project including, but not limited to the Contract, Quarterly Reports, enforcement data, financial data, e-mails, letters, notes, press releases, photographs, inventories, and other written correspondence. A phone conference call conducted during the course of the project which includes the date and time of the call, the person(s) contacted, and the results. It serves as an informational review to determine progress of programmatic/financial activities. Both the designated project administrator and fiscal contact should be present, if possible, during the phone conference. If identified financial or operational problems are present, GOHS reserves the right to bring the grantee in for an in-house meeting at GOHS. Monitoring form written by Project Coordinator, any findings, areas of improvement, concern, or recognition will be provided to the grantee.
In-House Review	Documents performance review results including project activities, reimbursement claims review, equipment purchases, approvals, and other information. Reviews applicable information related to the project(s) including, but not limited to the Contract, Quarterly Reports, enforcement data, financial data, e-mails, letters, notes, press releases, photographs, inventories, and other written correspondence. Completed at GOHS in a meeting with appropriate operational and financial personnel. Monitoring form written by Project Coordinator, any findings, areas of improvement, concern, or recognition will be provided to the grantee.
On-Site Monitoring	Documents performance review results including project activities, reimbursement claims review, equipment purchases, and other information. Reviews applicable information related to the project(s) including, but not limited to the Contract, Quarterly Reports, enforcement data, financial data, e-mails, letters, notes, press releases, photographs, inventories, and other written correspondence. Conducted on-site at the grantee's Agency with monitoring form completed on-site by Project Coordinator. Any findings, areas of improvement, concern, or recognition, will be provided to the grantee.

On-site and/or in-house monitoring for grantees of designated projects with large Capital Outlay purchases, personnel services, and complex projects must be completed within the second or third quarter of the fiscal year. Contracted projects displaying any problems may need on-site monitoring more than once during the fiscal year.

On-site and/or In-house monitoring includes a review and discussion of all issues related to ensure the effective administration of the contracted project. The following are the most important items to review:

- Progress toward meeting goals/objectives and performance measures
- Adherence to the contract specifications, timely submission of complete and correct reports, including required documentation
- Quarterly Reports
- Status of expenditures related to the outlined budget
- Accounting records and RCI's
- Supporting documentation (training documentation, inventory sheets, photographs, press releases, etc.)

In addition, the designated Agency will ensure that any equipment purchased will be available for inspection and is being used for the purpose for which it was bought under the outlined contractual agreement.

Documentation

The Governor's Office of Highway Safety will retain all findings documented on the GOHS Monitoring Form in the Agency's respective Federal file. Findings will be discussed with the designated contract representative (Project Administrator, fiscal specialist) by phone and/or e-mail. All noted deficiencies will be provided to the grantee with guidance for improvement and solutions to problems. Grantees that exhibit significantly poor performance may be placed on a performance plan as outlined by the GOHS Director. Grantee monitoring information will additionally provide documentation for potential funding in subsequent fiscal year grant proposal review.

PROJECT PERIOD:

The project period shall commence on the date the GOHS Director signs the Highway Safety Contract and terminate on September 30th of that or subsequent year as indicated on the Highway Safety Contract.

DURATION:

Contracts shall be effective on the date the Governor's Office of Highway Safety Director signs the Contract and expire at the end of the project period.

If the Agency is unable to expend the funds in the time specified, the Agency will submit notification on the Agency's letterhead and hand deliver or submit via regular mail to the Director of the Governor's Office of Highway Safety a minimum of sixty days (60) prior to the end of the project period.

The Agency shall address all requests to modify the Contract to the Director of the Governor's Office of Highway Safety on Agency's official letterhead and either hand deliver or submit the request via regular mail. All requests for modification must bear the signature of the Project Director.

Failure to comply may result in cancellation of the Contract. Any unexpended funds remaining at the termination of the Contract shall be released back to the Governor's Office of Highway Safety.

ESTIMATED COSTS:

I.	Personnel Services (overtime)	\$20,000.00
II.	Employee Related Expenses (ERE)	\$0.00
III.	Professional and Outside Services	\$0.00
IV.	Travel In-State	\$0.00
V.	Travel Out-of-State	\$0.00
VI.	Materials and Supplies	\$0.00
VII.	Capital Outlay	\$0.00
TOTAL ESTIMATED COSTS		*\$20,000.00

*Includes all applicable training, tax, freight, and advertising costs. The GOHS reserves the right to limit reimbursement of Employee Related Expenses from zero (0) to a maximum rate of forty (40) percent. This is the maximum ERE amount to be reimbursed. It is agreed and understood that the Surprise Police Department shall absorb any and all expenditures in excess of \$20,000.00.

CERTIFICATIONS AND AGREEMENTS

This CONTRACT, is made and entered into by and between the STATE OF ARIZONA, by and through the Governor's Office of Highway Safety (GOHS) hereinafter referred to as "STATE", and the agency named in this Contract, hereinafter referred to as "AGENCY".

WHEREAS, the National Highway Safety Act of 1966, as amended (23 USC §§401-404), provides Federal funds to STATE for approved highway safety projects; and

WHEREAS, STATE may make said funds available to various state, county, tribal, or municipal agencies, governments, or political subdivisions upon application and approval by STATE and the United States Department of Transportation (USDOT); and

WHEREAS, AGENCY must comply with the requirements listed herein to be eligible for Federal funds for approved highway safety projects; and

WHEREAS, AGENCY has submitted an application for Federal funds for highway safety projects;

NOW, THEREFORE, IN CONSIDERATION OF MUTUAL PROMISES AND OTHER GOODS AND VALUABLE CONSIDERATION, it is mutually agreed that AGENCY will strictly comply with the following terms and conditions and the following Federal and State Statutes, Rules, and Regulations:

I. Project Monitoring, Reports, and Inspections

- A. AGENCY agrees to fully cooperate with representatives of STATE monitoring the project, either on-site or by telephone, during the life of the Contract.
- B. AGENCY will submit Quarterly Reports (one for each three-month period of the project year) to STATE in the form and manner prescribed by STATE. Notice of the specific requirements for each report will be given in this Contract or at any time thereafter by giving thirty (30) days written notice to AGENCY by ordinary mail at the address listed on the Contract. Failure to comply with Quarterly Report requirements may result in withholding of Federal funds or termination of this Contract.
- C. AGENCY will submit a Final Report/Statement of Accomplishment at completion of the Contract to include all financial, performance, and other reports required as a condition of the grant to STATE within thirty (30) days of the completion of the Contract.
- D. Representatives authorized by STATE and the National Highway Traffic Safety Administration (NHTSA) will have the right to visit the site and inspect the work under this Contract whenever such representatives may determine such inspection is necessary.

II. Reimbursement of Eligible Expenses

- A. AGENCY's Project Director, or Finance Personnel, will submit a Report of Costs Incurred Form (RCI) to STATE each time there have been funds expended for which reimbursement is being requested. Failure to meet this requirement may be cause to terminate the project under Section XX herein, "Termination and Abandonment".

- B. AGENCY will reimburse STATE for any ineligible or unauthorized expenses for which Federal funds have been claimed and reimbursement received, as may have been determined by a State or Federal audit.
- C. STATE will have the right to withhold any installments equal to the reimbursement received by AGENCY for prior installments which have been subsequently determined to be ineligible or unauthorized.

III. Property Agreement

- A. AGENCY will immediately notify STATE if any equipment purchased under this Contract ceases to be used in the manner as set forth by this Contract. In such event, AGENCY further agrees to either give credit to the project cost or to another active highway safety project for the residual value of such equipment in an amount to be determined by STATE or to transfer or otherwise dispose of such equipment as directed by STATE.
- B. No equipment will be conveyed, sold, salvaged, transferred, etc., without the express written approval of STATE, or unless otherwise provided elsewhere in this Contract.
- C. AGENCY will maintain or cause to be maintained for its useful life, any equipment purchased under this Contract.
- D. AGENCY will incorporate any equipment purchased under this Contract into its inventory records.
- E. AGENCY will insure any equipment purchased under this Contract for the duration of its useful life. Self-insurance meets the requirements of this section.

IV. Travel

In-State and Out-of-State Travel

In state and out-of-state travel claims will be reimbursed at rates provided by AGENCY's regulations, provided that such regulations are as restrictive as those of STATE. Where they are less restrictive, ARS §38-624 will apply.

The State must approve all out-of-state travel in writing and in advance.

V. Standard of Performance

AGENCY hereby agrees to perform all work and services herein required or set forth, and to furnish all labor, materials, and equipment, except that labor, material, and equipment as STATE agrees to furnish pursuant to this Contract.

VI. Hold Harmless Agreement

Neither party to this agreement agrees to indemnify the other party or hold harmless the other party from liability hereunder. However, if the common law or a statute provides for either a right to indemnify and/or a right to contribution to any party to this agreement then the right to pursue one or both of these remedies is preserved.

VII. Non-Assignment and Sub-Contracts

This Contract is not assignable nor may any portion of the work to be performed be subcontracted unless specifically agreed to in writing by STATE. No equipment purchased hereunder may be assigned or operated by other than AGENCY unless agreed to in writing by STATE.

VIII. Work Products and Title to Commodities and Equipment

- A. The work product and results of the project are the property of STATE, unless otherwise specified elsewhere in this Contract. All property, instruments, non-consumable materials, supplies, and the like, which are furnished or paid for by STATE under the terms of this Contract, unless otherwise provided for elsewhere in this Contract, are and remain the property of STATE and will be returned at the completion of this project upon request of STATE. The work product and results of the project will be furnished to STATE upon request, if no provision is otherwise made by this Contract.
- B. The provisions of subparagraph A apply whether or not the project contracted for herein is completed.

IX. Copyrights and Patents

Any copyrightable materials, patentable discovery, or invention produced in the course of this project may be claimed by STATE and a copyright or patent obtained by it at its expense. In the event STATE does not wish to obtain such copyright or patent, AGENCY may do so, but in any event, provision will be made by AGENCY for royalty-free, nonexclusive, nontransferable, and irrevocable licenses to be given the United States Government and STATE and its political subdivisions to use such copyrightable material, patented discoveries, or inventions in any manner they see fit. The STATE reserves the right to impose such other terms and conditions upon the use of such copyrights or patents as may be deemed in the best interest of STATE in the event AGENCY is allowed to obtain a copyright or patent.

X. Uniform Administrative Requirements

(2 CFR Part 1201): *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*:

The application of 2 CFR Part 200 "Procurement Standards" Requires that:

AGENCY and sub-grantees will use their own procurement procedures, which reflect applicable State and local laws and regulations, provided that the procurements conform to applicable Federal law. The most stringent purchasing requirement at each level must be met.

The Arizona Procurement Code (ARS §41-2501, et. seq.) and promulgated rules (A.A.C. Title 2, Chapter 7) are a part of this Contract as if fully set forth herein and AGENCY agrees to fully comply with these requirements for any procurement using grant monies from this Contract.

XI. Non-Discrimination

During the performance of this contract/funding agreement, the contractor/funding recipient agrees—

- A. To comply with all Federal nondiscrimination laws and regulations, as may be amended from time to time;
- B. Not to participate directly or indirectly in the discrimination prohibited by any Federal non-discrimination law or regulation, as set forth in Appendix B of 49 CFR part 21 and herein;
- C. To permit access to its books, records, accounts, other sources of information, and its facilities as required by the State highway safety office, US DOT or NHTSA;
- D. That, in event a contractor/funding recipient fails to comply with any nondiscrimination provisions in this contract/funding agreement, the State highway safety agency will have the right to impose such contract/agreement sanctions as it or NHTSA determine are appropriate, including, but not limited to, withholding payments to the contractor/funding recipient under the contract/agreement until the contractor/funding recipient complies; and/or cancelling, terminating, or suspending a contract or funding agreement, in whole or in part; and
- E. To insert this clause, including paragraphs A through E, in every subcontract and subagreement and in every solicitation for a subcontract or sub-agreement, that receives Federal funds under this program.

XII. Executive Order 2009-09

It is mutually agreed that AGENCY will comply with the terms and conditions of Executive Order 2009-09, *Non-Discrimination in Employment by Government Contractors and Subcontractors*. Executive Order 2009-09 is located in Part II of the Project Director's Manual.

XIII. Application of Hatch Act

The AGENCY will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508), which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

XIV. Minority Business Enterprises (MBE) Policy and Obligation

- A. Policy: It is the policy of the USDOT that minority business enterprises as defined in 49 CFR Part 23, will have the maximum opportunity to participate in the performance of contracts financed in whole or in part with Federal funds under this Contract. Consequently, the minority business enterprises requirements of 49 CFR Part 23 apply to this Contract.
- B. Obligation: The recipient or its contractor agrees to ensure that minority business enterprises, as defined in 49 CFR Part 23, have the subcontracts financed in whole or in part with Federal funds provided under this Contract. In this regard, all recipients or contractors will take all necessary and reasonable steps in accordance with 49 CFR, Part 23 to ensure that minority business enterprises have the maximum opportunity to compete for and perform contracts. Recipients and their contractors will not discriminate on the basis of race, color, creed, sex, or national origin in the award and performance of USDOT-assigned contracts.

XV. Arbitration Clause, ARS §12-1518

Pursuant to ARS §12-1518, the parties agree to use arbitration, after exhausting applicable administrative reviews, to resolve disputes arising out of this Contract where the provisions of mandatory arbitration apply.

XVI. Inspection and Audit, ARS §35-214

Pursuant to ARS §35-214, all books, accounts, reports, files, and other records relating to this Contract will be subject at all reasonable times to inspection and audit by STATE for five (5) years after completion of this Contract. The records will be produced at the Governor's Office of Highway Safety.

XVII. Appropriation of Funds by U.S. Congress

It is agreed that in no event will this Contract be binding on any party hereto unless and until such time as funds are appropriated and authorized by the U.S. Congress and specifically allocated to the project submitted herein and then only for the fiscal year for which such allocation is made. In the event no funds are appropriated by the U.S. Congress or no funds are allocated for the project proposed herein for subsequent fiscal years, this Contract will be null and void, except as to that portion for which funds have then been appropriated or allocated to this project, and no right of action or damages will accrue to the benefit of the parties hereto as to that portion of the Contract or project that may so become null and void.

XVIII. Continuation of Highway Safety Program

It is the intention of AGENCY to continue the Highway Safety Program identified in this Contract once Federal funding is completed. This intended continuation will be based upon cost effectiveness and an evaluation by AGENCY of the program's impact on highway safety.

XIX. E-Verify

Both parties acknowledge that immigration laws require them to register and participate with the E-Verify Program (employment verification program administered by the United States Department of Homeland Security and the Social Security Administration or any successor program) as they both employ one or more employees in this State. Both parties warrant that they have registered with and participate with E-Verify. If either party later determines that the other non-compliant party has not complied with E-Verify, it will notify the non-compliant party by certified mail of the determination and of the right to appeal the determination.

XX. Termination and Abandonment

- A. The STATE and AGENCY hereby agree to the full performance of the covenants contained herein, except that STATE reserves the right, at its discretion, to terminate or abandon any portion of the project for which services have not been already performed by AGENCY.
- B. In the event STATE abandons the services or any part of the services as herein provided, STATE will notify AGENCY in writing and within twenty-four (24) hours after receiving such notice, AGENCY will discontinue advancing the work under this Contract and proceed to close said operations under the Contract.

- C. The appraisal value of work performed by AGENCY to the date of such termination or abandonment shall be made by STATE on a basis equitable to STATE and AGENCY and a final reimbursement made to AGENCY on the basis of costs incurred. Upon termination or abandonment, AGENCY will deliver to STATE all documents, completely or partially completed, together with all unused materials supplied by STATE.
- D. AGENCY may terminate or abandon this Contract upon thirty (30) days written notice to STATE, provided there is subsequent concurrence by STATE. Termination or abandonment by AGENCY will provide that costs can be incurred against the project up to and including sixty (60) days after notice is given to STATE.
- E. Any equipment or commodities which have been purchased as a part of this Contract and which have not been consumed or reached the end of its useful life will be returned to STATE upon its written request.

XXI. Cancellation Statute

All parties are hereby put on notice that this Contract is subject to cancellation pursuant to ARS §38-511, the provisions of which are stated below.

In accordance with ARS §38-511, this Contract may be cancelled without penalty or further obligation if any person significantly involved in initiating, negotiating, securing, drafting, or creating the Contract on behalf of the STATE, its political subdivisions or any department or agency of either, is at any time while the Contract or any extension of the Contract is in effect, an employee of any other party to the Contract in any capacity or a consultant to any other party of the Contract with respect to the subject matter or the Contract.

The cancellation shall be effective when written notice from the Governor or Chief Executive Officer or governing body of the political subdivision is received by all other parties to the Contract unless the notice specifies a later time.

AGREEMENT OF UNDERSTANDING AND CERTIFICATION OF COMPLIANCE

Acceptance of Condition

It is understood and agreed by the undersigned that a grant received as a result of this Contract is subject to the Highway Safety Act of 1966, as amended (23 U.S.C.A. §§401-404), ARS §28-602, and all administrative regulations governing grants established by the USDOT and STATE. It is expressly agreed that this Highway Safety Project constitutes an official part of the STATE's Highway Safety Program and that AGENCY will meet the requirements as set forth in the accompanying Project Director's Manual, which are incorporated herein and made a part of this Contract. All State and Federal Statutes, Rules, Regulations, and Circulars referenced in this Contract are a part of this document as if fully set forth herein. It is also agreed that no work will be performed nor any obligation incurred until AGENCY is notified in writing that this project has been approved by the Governor's Highway Safety Representative.

Certificate of Compliance

This is to certify that AGENCY will comply with all of the State and Federal Statutes, Rules and Regulations identified in this Contract.

Certification of Non-Duplication of Grant Funds Expenditure

This is to certify that AGENCY has no ongoing nor completed projects under contract with other Federal fund sources which duplicate or overlap any work contemplated or described in this Contract. It is further certified that any pending or proposed request for other Federal grant funds which would duplicate or overlap work described in the Contract will be revised to exclude any such duplication of grant fund expenditures. It is understood that any such duplication of Federal funds expenditures subsequently determined by audit will be subject to recovery by STATE.

Single Audit Act

If your political subdivision has had an independent audit meeting the requirements of the Single Audit Act of 1984, (31 U.S.C.A. §7501 et. seq.), please forward a copy to GOHS, Attention: Fiscal Services Officer, within thirty (30) days of the effective date of this Contract. If such audit has not been performed, please advise when it is being scheduled.

Buy America Act

The State and each subrecipient will comply with the Buy America requirement (23 U.S.C. 313) when purchasing items using Federal funds. Buy America requires a State, or subrecipient, to purchase with Federal funds only steel, iron, and manufactured products produced in the United States, unless the Secretary of Transportation determines that such domestically produced items would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than twenty-five (25) percent. In order to use Federal funds to purchase foreign produced items, the State must submit a waiver request that provides an adequate basis and justification to and approved by the Secretary of Transportation.

Prohibition on Using Grant Funds to Check for Helmet Usage

The State and each subrecipient will not use 23 U.S.C. Chapter 4 grant funds for programs to check helmet usage or to create checkpoints that specifically target motorcyclists.

Certification Regarding Debarment and Suspension

- A. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.
- B. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective primary tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary tier participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
- C. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary tier participant knowingly rendered an erroneous certification, in

addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default or may pursue suspension or debarment.

- D. The prospective primary tier participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary tier participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- E. The terms *covered transaction, civil judgment, debarment, suspension, ineligible, participant, person, principal, and voluntarily excluded, as used* in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
- F. The prospective primary tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
- G. The prospective primary tier participant further agrees by submitting this proposal that it will include the clause titled Instructions for Lower Tier Certification including the Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion—Lower Tier Covered Transaction, provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1200.
- H. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov>).
- I. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- J. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency may terminate the transaction for cause of default.

Certification Regarding Debarment, Suspension, and Other Responsibility Matter

- A. The prospective primary tier participant certifies to the best of its knowledge and belief, that it and its principal:
1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency;
 2. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of record, making false statements, or receiving stolen property;
 3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 4. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.
- B. Where the prospective primary tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Instructions for Lower Tier Certification

- A. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.
- B. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.
- C. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- D. The terms covered transaction, debarment, suspension, ineligible, lower tier, participant, person, primary tier, principal, and voluntarily excluded, as used in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.
- E. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4,

debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

- F. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion- Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1200.
- G. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions Website (<https://www.sam.gov>).
- H. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- I. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion

- A. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency.
- B. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

REIMBURSEMENT INSTRUCTIONS**1. Agency Official preparing the Report of Costs Incurred:**Name: Lisa Alexander-FroslandTitle: Accountant PrincipalTelephone Number: (623) 222-1847 Fax Number: (623) 222-1801E-mail Address: lisa.alexander@surpriseaz.gov**2. Agency's Fiscal Contact:**Name: Lisa Alexander-FroslandTitle: Accountant PrincipalTelephone Number: (623) 222-1847 Fax Number: (623) 222-1801E-mail Address: lisa.alexander@surpriseaz.govFederal Identification Number: 86-6007796**3. *REIMBURSEMENT INFORMATION:***

Warrant/Check to be made payable to:

City of Surprise

Warrant/Check to be mailed to:

City of Surprise

(Agency)

16000 N Civic Center Plaza

(Address)

Surprise, AZ 85374

(City, State, Zip Code)

4. *DUNS Number:*021 64 8936

(DUNS #)

16000 N Civic Center Plaza, Surprise, AZ 85374

(Registered Address & Zip Code)

Restriction on State Lobbying

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

Certification for Contracts, Grant, Loans, and Cooperative Agreements (Federal Lobbying)

The undersigned certifies, to the best of his or her knowledge and belief, that:

- A. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- B. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- C. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients will certify and disclose accordingly.
- D. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Signature of Project Director:

Terry Young, Chief
Surprise Police Department

Date

Telephone

***Signature of Authorized Official of
Governmental Unit:***

Michael Frazier, City Manager
City of Surprise

Date

Telephone

GOVERNOR'S OFFICE OF
HIGHWAY SAFETY

STATE OF ARIZONA

HIGHWAY SAFETY CONTRACT

This page, the Project Director's Manual and attached hereto and incorporated herein by reference, constitute the entire Contract between the parties hereto unless the Governor's Highway Safety Representative authorizes deviation in writing.

FAIN: 69A37520300004020AZ0		Assistance Listings: 20.600
1. APPLICANT AGENCY Surprise Police Department	GOHS CONTRACT NUMBER: 2020-PTS-061	
ADDRESS 14250 W. Statler Plaza, Ste. 103, Surprise, AZ 85374	PROGRAM AREA: 402-PTS	
2. GOVERNMENTAL UNIT City of Surprise	AGENCY CONTACT: Michael Robbins	
ADDRESS 16000 N. Civic Center Drive, Surprise, AZ 85374	3. PROJECT TITLE: STEP Enforcement Overtime	
4. GUIDELINES: 402-Police Traffic Services (PTS)		
5. BRIEFLY STATE PURPOSE OF PROJECT: Federal 402 funds will support Personnel Services (Overtime) to enhance STEP Enforcement throughout the City of Surprise.		
6. BUDGET COST CATEGORY	Project Period FFY 2020	
I. Personnel Services	\$20,000.00	
II. Employee Related Expenses	\$0.00	
III. Professional and Outside Services	\$0.00	
IV. Travel In-State	\$0.00	
V. Travel Out-of-State	\$0.00	
VI. Materials and Supplies	\$0.00	
VII. Capital Outlay	\$0.00	
TOTAL ESTIMATED COSTS	\$20,000.00	
PROJECT PERIOD	FROM: Effective Date (Date of GOHS Director Signature)	TO: 09-30-2020
CURRENT GRANT PERIOD	FROM: 10-01-2019	TO: 09-30-2020
TOTAL FEDERAL FUNDS OBLIGATED THIS FFY: \$20,000.00		
A political subdivision or State agency that is mandated to provide a certified resolution or ordinance authorizing entry into this Contract must do so prior to incurring any expenditures. Failure to do so may result in termination of the awarded Contract.		

PROBLEM IDENTIFICATION AND RESOLUTION:**Agency Background:**

Number of sworn officers: 141

Total Population in city/town or county: 130,000

Total Road Mileage: Highway: 39 Local: 857 Total: 895

	2017	2016	2015
Total Crashes	1951	1973	1791
Total Injury Crashes	251	239	253
Total Fatal Crashes	5	3	0
Total Alcohol-related Crashes	13	20	37
Total Alcohol-related Serious Injuries	0	1	6
Total Alcohol-related Fatalities	0	3	0
Total Speed-related Crashes	346	348	306
Total Speed-related Serious Injuries	23	35	41
Total Speed-related Fatalities	0	2	0

The data above represents: County ☐ City/Town ☒

Agency Problem/Attempts to Solve Problem:

In total, the Surprise Police Department is responsible for patrolling approximately 857 miles of roadway. The population and infrastructure growth of the City of Surprise has caused heavy traffic loads resulting in an increase of traffic collisions. The Surprise Police Department is committed to reducing traffic collisions through strategic, intensive enforcement, community education, the use of improved technology and equipment, and training.

As a result of the population increase, the City has seen a consistent increase in the number of traffic collisions occurring every year. The majority of collisions within the City can be attributed to speed and inattention. To bring awareness to this issue and to create a culture of safe driving, they have begun a "Drive Wise, Surprise" campaign. In addition to street signs, the campaign includes community and media engagement, social media messaging, ads, public service announcements and various other marketing tools. However, bringing awareness to the issue alone will not create the culture of safe driving they are pursuing. An increase in intensive enforcement must exist.

Agency Funding:

Federal 402 funds will support Personnel Services (Overtime) to enhance STEP Enforcement throughout the City of Surprise.

How Agency Will Solve Problem with Funding:

The City of Surprise Police Department is requesting funding from the Governor's Office of Highway Safety to promote the Police Traffic Services (PT) program to enforce speed and aggressive driving within the City of Surprise. The granted funding will be used to further the mission of GOHS and the City of Surprise Police Department by removing aggressive drivers from the roadway and ensuring traffic law compliance through highly effective enforcement.

PROJECT MEASURES:**Agency Goals:**

To decrease the number of speeding-related crashes 5% from 346 during calendar year 2017 to 328 by December 31, 2020.

To decrease fatalities in speeding-related crashes 100% from 0 in calendar year 2017 to 0 by December 31, 2020.

To decrease serious injuries in speeding-related crashes 10% from 23 in calendar year 2017 to 20 by December 31, 2020.

Contract Objectives:

To increase the number of speeding and aggressive driving citations 10% from 4621 during Calendar Year 2018 to 5084 during FFY 2020.

Conduct targeted speed enforcement efforts a minimum of 2 times per month during FFY 2020.

Additional Contract Objectives:

1. To increase the total contacts (Traffic Stops) 5% from 21512 during calendar year 2018 to 22588 during FFY 2020.
2. To increase the number of other citations (except speed) 5% from 4295 during calendar year 2018 to 4510 during FFY 2020.

GOALS/OBJECTIVES:

Federal 402 funds will support Personnel Services (Overtime) to enhance STEP Enforcement throughout the City of Surprise.

Expenditures of funding pertaining to the PTS/Selective Traffic Enforcement Program including Personnel Services and ERE, Materials and Supplies, Capital Equipment, and/or Travel In and Out-of-State shall comply with the PTS/Selective Traffic Enforcement Program goals provided by the Arizona Governor's Office of Highway Safety. The PTS/Selective Traffic Enforcement Program goal is to reduce the incidences of traffic fatalities and injuries resulting from speeding, aggressive driving, red light running, and other forms of risky driving behavior through enforcement, education, and public awareness throughout the State of Arizona.

MEDIA RELEASE:

To prepare complete press release information for media (television, radio, print, and on-line) during each campaign period including a main press release, schedule of events, departmental plans, and relevant data. The material will emphasize the campaign's purpose, aggressive enforcement, and the high cost of Speeding in terms of money, criminal, and human consequences.

The Surprise Police Department will maintain responsibility for **reporting sustained enforcement** activity in a timely manner. Additionally, it is the responsibility of the Surprise Police Department to report all holiday task force enforcement statistics to GOHS on-line at the GOHS website **no later than 10:00 a.m. the morning following each day of the event.**

The holidays and special events include but not limited to: Super Bowl Sunday, Valentine's Day, President's Day, St. Patrick's Day, Spring Break, Easter, Cinco de Mayo, Prom Night, Memorial Day, Graduation Day, Independence Day, Labor Day, Columbus Day, Halloween, and the Thanksgiving through New Year's details.

PLEASE NOTE: Failure to submit Statistics, Quarterly Reports, and/or Report of Costs Incurred (RCIs) timely and correctly may delay reimbursement for expenditures to your Agency.

METHOD OF PROCEDURE:

The Surprise Police Department will make expenditures, as follows, to meet the outlined Program Goals/Objectives:

Personnel Services - To support Overtime for STEP/Speed Enforcement Activities

PRESS RELEASE:

Agencies are **required** to develop and distribute a press release announcing this grant award **upon receipt** of the executed Contract. A copy of this press release shall be sent to the GOHS Director for approval prior to being sent to the media. This press release shall include the objective and specify that the funding is from the Governor's Office of Highway Safety.

BAC TESTING AND REPORTING REQUIREMENTS:

Alcohol impairment is a major contributing factor in fatality and serious injury motor vehicle collisions. Accurate data on alcohol involvement is essential to understanding the full extent of the role of alcohol and to assess progress toward reducing impaired driving.

Each law enforcement agency that receives an enforcement-related grant is required to ensure that accurate data on all drivers involved is reported. Failure to comply may result in withholding funds and cancellation of the enforcement contract until this requirement is met.

METHOD OF PROCUREMENT:

The application of 2 CFR Part 200 "Procurement Standards" requires that:

Grantees and sub-grantees will use their own procurement procedures which reflect applicable State and local laws and regulations, provided the procurement procedures conform to applicable Federal laws and standards. The most stringent purchasing requirement at each level must be met. If the Agency does not have a procurement process, the Agency may use the State procurement process.

A clear audit trail must be established to determine costs charged against this Contract. Substantiation of costs shall, where possible, be made utilizing the Surprise Police Department documentation consisting of, but not limited to, copies of time sheets, purchase orders, copies of invoices, and proof of payment.

The Agency shall retain copies of all documentation in the project file.

State Contract:

Procurement may be made using an open State contract award. Documents submitted to substantiate purchases using an open State contract must bear the contract number.

PROJECT EVALUATION:

This project shall be administratively evaluated to ensure the objectives have been met.

Quarterly Report

The purpose of the Quarterly Report is to provide information on contracted grant activities conducted at the conclusion of each active quarter. The information provided is used to review progress of the funded project and the successfulness in meeting outlined goals and objectives. The information, photos, highlights, obstacles, and mandatory statistical data provided in this report are analyzed by the assigned Project Coordinator. It is critical the report contains the following information:

- **Original signatures on all Quarterly Reports and RCIs**
 - **All Quarterly Reports and RCIs shall include the signature of the Project Director unless prior authorization for another is on file with GOHS.**

Report Schedule

Reporting Period	Due Date
1 st Quarterly Report and RCI (October 1 to December 31, 2019)	January 30, 2020
2 nd Quarterly Report and RCI (January 1 to March 31, 2020)	April 20, 2020
3 rd Quarterly Report and RCI (April 1 to June 30, 2020)	July 20, 2020
4 th Quarterly Report and RCI (July 1 to September 30, 2020)	October 15, 2020
Final Statement of Accomplishments	October 15, 2020

The Quarterly Report **shall be completed on the form available on-line and can be submitted by email** to the Governor's Office of Highway Safety.

NOTE: IT IS REQUIRED THAT ALL LAW ENFORCEMENT AGENCIES MUST ENTER STATISTICAL AND ENFORCEMENT ACTIVITY INTO THE ON-LINE GOHS DUI REPORTING SYSTEM, IN ADDITION TO SUBMITTING THE QUARTERLY ENFORCEMENT REPORT.

Final Statement of Accomplishments

The Project Director shall submit a Final Statement of Accomplishments Report to the GOHS **no later than fifteen (15) days after the conclusion of each Federal Fiscal Year (September 30th)**. All agencies receiving funding are required to submit a Final Statement of Accomplishments Report.

Note: Failure to comply with the outlined GOHS reporting requirements may result in withholding of Federal funds or termination of the Contract.

PROFESSIONAL AND TECHNICAL PERSONNEL:

Terry Young, Chief, Surprise Police Department, shall serve as Project Director.

Michael Robbins, Sergeant, Surprise Police Department, shall serve as Project Administrator.

Gabriela Gallegos, Governor's Office of Highway Safety, shall serve as Project Coordinator.

REPORT OF COSTS INCURRED (RCI):

The Agency shall submit a Report of Costs Incurred (RCI), with supporting documentation attached, to the Governor's Office of Highway Safety on a quarterly basis, for each active quarter, in conjunction with the required report. Agencies may submit additional RCI forms for expenditures when funds have been expended for which reimbursement is being requested.

Accepted supporting documentation to submit with a Report of Cost Incurred (RCI) includes, but is not limited to; scanned copies of timesheets, payroll records, paid invoices/purchase orders, and other account records.

RCIs shall be typed and delivered via mail or hand delivered with appropriate supporting documentation to the Governor's Office of Highway Safety. **Electronically submitted RCIs will not be accepted.** Final RCIs will not be accepted fifteen (15) days after the conclusion of each Federal Fiscal Year (September 30th). **Expenditures submitted after the expiration date may not be reimbursed and the Agency will accept fiscal responsibility.**

PROJECT MONITORING:

Highway safety grant project monitoring is used by GOHS project coordinators to track the progress of project objectives, performance measures, and compliance with applicable procedures, laws, and regulations.

The process is used throughout the duration of the contracted project and serves as a continuous management tool. Project monitoring also presents an opportunity to develop partnerships, share information, and provide assistance to contracted agencies. Additionally, project monitoring outlines a set of procedures for project review and documentation.

Project monitoring serves as a management tool for:

- Detecting and preventing problems
- Helping to identify needed changes
- Identifying training or assistance needed
- Obtaining data necessary for planning and evaluation
- Identifying exemplary projects

Types of Monitoring

Monitoring is formal and informal, financial and operational. The most common types of monitoring are:

- Ongoing contact with the contracted grantee through phone calls, e-mails, correspondence, and meetings
- On-Site and/or In-House monitoring reviews of project operations, management, and financial records and systems
- Review of project Quarterly Reports
- Review and approval of Report of Costs Incurred (RCIs)
- Desk review of other documents in the project grant files for timely submission and completeness

Monitoring Schedule	
Total Awarded Amount:	Type of Monitoring:
Under \$50,000	Desk Review/Phone Conference
\$50,000 and over	May have an In-House GOHS Review
\$100,000+	May have an On-Site Review
Capital Outlay Greater than \$25,000 (combined)	May have an On-Site Review
Desk Review and Phone Conference	Internal review of all written documentation related to contractual project including, but not limited to the Contract, Quarterly Reports, enforcement data, financial data, e-mails, letters, notes, press releases, photographs, inventories, and other written correspondence. A phone conference call conducted during the course of the project which includes the date and time of the call, the person(s) contacted, and the results. It serves as an informational review to determine progress of programmatic/financial activities. Both the designated project administrator and fiscal contact should be present, if possible, during the phone conference. If identified financial or operational problems are present, GOHS reserves the right to bring the grantee in for an in-house meeting at GOHS. Monitoring form written by Project Coordinator, any findings, areas of improvement, concern, or recognition will be provided to the grantee.
In-House Review	Documents performance review results including project activities, reimbursement claims review, equipment purchases, approvals, and other information. Reviews applicable information related to the project(s) including, but not limited to the Contract, Quarterly

	Reports, enforcement data, financial data, e-mails, letters, notes, press releases, photographs, inventories, and other written correspondence. Completed at GOHS in a meeting with appropriate operational and financial personnel. Monitoring form written by Project Coordinator, any findings, areas of improvement, concern, or recognition will be provided to the grantee.
On-Site Monitoring	Documents performance review results including project activities, reimbursement claims review, equipment purchases, and other information. Reviews applicable information related to the project(s) including, but not limited to the Contract, Quarterly Reports, enforcement data, financial data, e-mails, letters, notes, press releases, photographs, inventories, and other written correspondence. Conducted on-site at the grantee's Agency with monitoring form completed on-site by Project Coordinator. Any findings, areas of improvement, concern, or recognition, will be provided to the grantee.

On-site and/or in-house monitoring for grantees of designated projects with large Capital Outlay purchases, personnel services, and complex projects must be completed within the second or third quarter of the fiscal year. Contracted projects displaying any problems may need on-site monitoring more than once during the fiscal year.

On-site and/or In-house monitoring includes a review and discussion of all issues related to ensure the effective administration of the contracted project. The following are the most important items to review:

- Progress toward meeting goals/objectives and performance measures
- Adherence to the contract specifications, timely submission of complete and correct reports, including required documentation
- Quarterly Reports
- Status of expenditures related to the outlined budget
- Accounting records and RCI's
- Supporting documentation (training documentation, inventory sheets, photographs, press releases, etc.)

In addition, the designated Agency will ensure that any equipment purchased will be available for inspection and is being used for the purpose for which it was bought under the outlined contractual agreement.

Documentation

The Governor's Office of Highway Safety will retain all findings documented on the GOHS Monitoring Form in the Agency's respective Federal file. Findings will be discussed with the designated contract representative (Project Administrator, fiscal specialist) by phone and/or e-mail. All noted deficiencies will be provided to the grantee with guidance for improvement and solutions to problems. Grantees that exhibit significantly poor performance may be placed on a performance plan as outlined by the GOHS Director. Grantee monitoring information will additionally provide documentation for potential funding in subsequent fiscal year grant proposal review.

PROJECT PERIOD:

The project period shall commence on the date the GOHS Director signs the Highway Safety Contract and terminate on September 30th of that or subsequent year as indicated on the Highway Safety Contract.

DURATION:

Contracts shall be effective on the date the Governor's Office of Highway Safety Director signs the Contract and expire at the end of the project period.

If the Agency is unable to expend the funds in the time specified, the Agency will submit notification on the Agency's letterhead and hand deliver or submit via regular mail to the Director of the Governor's Office of Highway Safety a minimum of sixty days (60) prior to the end of the project period.

The Agency shall address all requests to modify the Contract to the Director of the Governor's Office of Highway Safety on Agency's official letterhead and either hand deliver or submit the request via regular mail. All requests for modification must bear the signature of the Project Director.

Failure to comply may result in cancellation of the Contract. Any unexpended funds remaining at the termination of the Contract shall be released back to the Governor's Office of Highway Safety.

ESTIMATED COSTS:

I.	Personnel Services (overtime)	\$20,000.00
II.	Employee Related Expenses (ERE)	\$0.00
III.	Professional and Outside Services	\$0.00
IV.	Travel In-State	\$0.00
V.	Travel Out-of-State	\$0.00
VI.	Materials and Supplies	\$0.00
VII.	Capital Outlay	\$0.00
TOTAL ESTIMATED COSTS		*\$20,000.00

*Includes all applicable training, tax, freight, and advertising costs. The GOHS reserves the right to limit reimbursement of Employee Related Expenses from zero (0) to a maximum rate of forty (40) percent. This is the maximum ERE amount to be reimbursed. It is agreed and understood that the Surprise Police Department shall absorb any and all expenditures in excess of \$20,000.00.

**QUARTERLY ENFORCEMENT REPORT
(Submitted to GOHS)**

Reporting Period

DESCRIPTION	CONTRACT ACTIVITY	AGENCY ACTIVITY
Total Contacts (Traffic Stops)		
Total Sober Designated Drivers Contacted		
Total Know Your Limit Contacts		
TOTAL DUI ARRESTS		
Total DUI Aggravated		
Total DUI Misdemeanor		
Total DUI Extreme (.15 or Above)		
Under 21 DUI Arrests		
Average BAC		
Minor Consumption / Possession Citations		
Total DUI Drug Arrests		
30-Day Vehicle Impounds		
Seat Belt Citations		
Child Restraint Citations		
Criminal Speed Citations		
Reckless Driving Citations		
Civil Speed Citations		
Other Citations (Except Speed)		
Other Arrests		
Participating Officer/Deputies (Cumulative)		

CERTIFICATIONS AND AGREEMENTS

This CONTRACT, is made and entered into by and between the STATE OF ARIZONA, by and through the Governor's Office of Highway Safety (GOHS) hereinafter referred to as "STATE", and the agency named in this Contract, hereinafter referred to as "AGENCY".

WHEREAS, the National Highway Safety Act of 1966, as amended (23 USC §§401-404), provides Federal funds to STATE for approved highway safety projects; and

WHEREAS, STATE may make said funds available to various state, county, tribal, or municipal agencies, governments, or political subdivisions upon application and approval by STATE and the United States Department of Transportation (USDOT); and

WHEREAS, AGENCY must comply with the requirements listed herein to be eligible for Federal funds for approved highway safety projects; and

WHEREAS, AGENCY has submitted an application for Federal funds for highway safety projects;

NOW, THEREFORE, IN CONSIDERATION OF MUTUAL PROMISES AND OTHER GOODS AND VALUABLE CONSIDERATION, it is mutually agreed that AGENCY will strictly comply with the following terms and conditions and the following Federal and State Statutes, Rules, and Regulations:

I. Project Monitoring, Reports, and Inspections

- A. AGENCY agrees to fully cooperate with representatives of STATE monitoring the project, either on-site or by telephone, during the life of the Contract.
- B. AGENCY will submit Quarterly Reports (one for each three-month period of the project year) to STATE in the form and manner prescribed by STATE. Notice of the specific requirements for each report will be given in this Contract or at any time thereafter by giving thirty (30) days written notice to AGENCY by ordinary mail at the address listed on the Contract. Failure to comply with Quarterly Report requirements may result in withholding of Federal funds or termination of this Contract.
- C. AGENCY will submit a Final Report/Statement of Accomplishment at completion of the Contract to include all financial, performance, and other reports required as a condition of the grant to STATE within thirty (30) days of the completion of the Contract.
- D. Representatives authorized by STATE and the National Highway Traffic Safety Administration (NHTSA) will have the right to visit the site and inspect the work under this Contract whenever such representatives may determine such inspection is necessary.

II. Reimbursement of Eligible Expenses

- A. AGENCY's Project Director, or Finance Personnel, will submit a Report of Costs Incurred Form (RCI) to STATE each time there have been funds expended for which reimbursement is being requested. Failure to meet this requirement may be cause to terminate the project under Section XX herein, "Termination and Abandonment".

- B. AGENCY will reimburse STATE for any ineligible or unauthorized expenses for which Federal funds have been claimed and reimbursement received, as may have been determined by a State or Federal audit.
- C. STATE will have the right to withhold any installments equal to the reimbursement received by AGENCY for prior installments which have been subsequently determined to be ineligible or unauthorized.

III. Property Agreement

- A. AGENCY will immediately notify STATE if any equipment purchased under this Contract ceases to be used in the manner as set forth by this Contract. In such event, AGENCY further agrees to either give credit to the project cost or to another active highway safety project for the residual value of such equipment in an amount to be determined by STATE or to transfer or otherwise dispose of such equipment as directed by STATE.
- B. No equipment will be conveyed, sold, salvaged, transferred, etc., without the express written approval of STATE, or unless otherwise provided elsewhere in this Contract.
- C. AGENCY will maintain or cause to be maintained for its useful life, any equipment purchased under this Contract.
- D. AGENCY will incorporate any equipment purchased under this Contract into its inventory records.
- E. AGENCY will insure any equipment purchased under this Contract for the duration of its useful life. Self-insurance meets the requirements of this section.

IV. Travel

In-State and Out-of-State Travel

In state and out-of-state travel claims will be reimbursed at rates provided by AGENCY's regulations, provided that such regulations are as restrictive as those of STATE. Where they are less restrictive, ARS §38-624 will apply.

The State must approve all out-of-state travel in writing and in advance.

V. Standard of Performance

AGENCY hereby agrees to perform all work and services herein required or set forth, and to furnish all labor, materials, and equipment, except that labor, material, and equipment as STATE agrees to furnish pursuant to this Contract.

VI. Hold Harmless Agreement

Neither party to this agreement agrees to indemnify the other party or hold harmless the other party from liability hereunder. However, if the common law or a statute provides for either a right to indemnify and/or a right to contribution to any party to this agreement then the right to pursue one or both of these remedies is preserved.

VII. Non-Assignment and Sub-Contracts

This Contract is not assignable nor may any portion of the work to be performed be subcontracted unless specifically agreed to in writing by STATE. No equipment purchased hereunder may be assigned or operated by other than AGENCY unless agreed to in writing by STATE.

VIII. Work Products and Title to Commodities and Equipment

- A. The work product and results of the project are the property of STATE, unless otherwise specified elsewhere in this Contract. All property, instruments, non-consumable materials, supplies, and the like, which are furnished or paid for by STATE under the terms of this Contract, unless otherwise provided for elsewhere in this Contract, are and remain the property of STATE and will be returned at the completion of this project upon request of STATE. The work product and results of the project will be furnished to STATE upon request, if no provision is otherwise made by this Contract.
- B. The provisions of subparagraph A apply whether or not the project contracted for herein is completed.

IX. Copyrights and Patents

Any copyrightable materials, patentable discovery, or invention produced in the course of this project may be claimed by STATE and a copyright or patent obtained by it at its expense. In the event STATE does not wish to obtain such copyright or patent, AGENCY may do so, but in any event, provision will be made by AGENCY for royalty-free, nonexclusive, nontransferable, and irrevocable licenses to be given the United States Government and STATE and its political subdivisions to use such copyrightable material, patented discoveries, or inventions in any manner they see fit. The STATE reserves the right to impose such other terms and conditions upon the use of such copyrights or patents as may be deemed in the best interest of STATE in the event AGENCY is allowed to obtain a copyright or patent.

X. Uniform Administrative Requirements

(2 CFR Part 1201): *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*:

The application of 2 CFR Part 200 "Procurement Standards" Requires that:

AGENCY and sub-grantees will use their own procurement procedures, which reflect applicable State and local laws and regulations, provided that the procurements conform to applicable Federal law. The most stringent purchasing requirement at each level must be met.

The Arizona Procurement Code (ARS §41-2501, et. seq.) and promulgated rules (A.A.C. Title 2, Chapter 7) are a part of this Contract as if fully set forth herein and AGENCY agrees to fully comply with these requirements for any procurement using grant monies from this Contract.

XI. Non-Discrimination

During the performance of this contract/funding agreement, the contractor/funding recipient agrees—

- A. To comply with all Federal nondiscrimination laws and regulations, as may be amended from time to time;
- B. Not to participate directly or indirectly in the discrimination prohibited by any Federal non-discrimination law or regulation, as set forth in Appendix B of 49 CFR part 21 and herein;
- C. To permit access to its books, records, accounts, other sources of information, and its facilities as required by the State highway safety office, US DOT or NHTSA;
- D. That, in event a contractor/funding recipient fails to comply with any nondiscrimination provisions in this contract/funding agreement, the State highway safety agency will have the right to impose such contract/agreement sanctions as it or NHTSA determine are appropriate, including, but not limited to, withholding payments to the contractor/funding recipient under the contract/agreement until the contractor/funding recipient complies; and/or cancelling, terminating, or suspending a contract or funding agreement, in whole or in part; and
- E. To insert this clause, including paragraphs A through E, in every subcontract and subagreement and in every solicitation for a subcontract or sub-agreement, that receives Federal funds under this program.

XII. Executive Order 2009-09

It is mutually agreed that AGENCY will comply with the terms and conditions of Executive Order 2009-09, *Non-Discrimination in Employment by Government Contractors and Subcontractors*. Executive Order 2009-09 is located in Part II of the Project Director's Manual.

XIII. Application of Hatch Act

The AGENCY will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508), which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

XIV. Minority Business Enterprises (MBE) Policy and Obligation

- A. Policy: It is the policy of the USDOT that minority business enterprises as defined in 49 CFR Part 23, will have the maximum opportunity to participate in the performance of contracts financed in whole or in part with Federal funds under this Contract. Consequently, the minority business enterprises requirements of 49 CFR Part 23 apply to this Contract.
- B. Obligation: The recipient or its contractor agrees to ensure that minority business enterprises, as defined in 49 CFR Part 23, have the subcontracts financed in whole or in part with Federal funds provided under this Contract. In this regard, all recipients or contractors will take all necessary and reasonable steps in accordance with 49 CFR, Part 23 to ensure that minority business enterprises have the maximum opportunity to compete for and perform contracts. Recipients and their contractors will not discriminate on the basis of race, color, creed, sex, or national origin in the award and performance of USDOT-assigned contracts.

XV. Arbitration Clause, ARS §12-1518

Pursuant to ARS §12-1518, the parties agree to use arbitration, after exhausting applicable administrative reviews, to resolve disputes arising out of this Contract where the provisions of mandatory arbitration apply.

XVI. Inspection and Audit, ARS §35-214

Pursuant to ARS §35-214, all books, accounts, reports, files, and other records relating to this Contract will be subject at all reasonable times to inspection and audit by STATE for five (5) years after completion of this Contract. The records will be produced at the Governor's Office of Highway Safety.

XVII. Appropriation of Funds by U.S. Congress

It is agreed that in no event will this Contract be binding on any party hereto unless and until such time as funds are appropriated and authorized by the U.S. Congress and specifically allocated to the project submitted herein and then only for the fiscal year for which such allocation is made. In the event no funds are appropriated by the U.S. Congress or no funds are allocated for the project proposed herein for subsequent fiscal years, this Contract will be null and void, except as to that portion for which funds have then been appropriated or allocated to this project, and no right of action or damages will accrue to the benefit of the parties hereto as to that portion of the Contract or project that may so become null and void.

XVIII. Continuation of Highway Safety Program

It is the intention of AGENCY to continue the Highway Safety Program identified in this Contract once Federal funding is completed. This intended continuation will be based upon cost effectiveness and an evaluation by AGENCY of the program's impact on highway safety.

XIX. E-Verify

Both parties acknowledge that immigration laws require them to register and participate with the E-Verify Program (employment verification program administered by the United States Department of Homeland Security and the Social Security Administration or any successor program) as they both employ one or more employees in this State. Both parties warrant that they have registered with and participate with E-Verify. If either party later determines that the other non-compliant party has not complied with E-Verify, it will notify the non-compliant party by certified mail of the determination and of the right to appeal the determination.

XX. Termination and Abandonment

- A. The STATE and AGENCY hereby agree to the full performance of the covenants contained herein, except that STATE reserves the right, at its discretion, to terminate or abandon any portion of the project for which services have not been already performed by AGENCY.
- B. In the event STATE abandons the services or any part of the services as herein provided, STATE will notify AGENCY in writing and within twenty-four (24) hours after receiving such notice, AGENCY will discontinue advancing the work under this Contract and proceed to close said operations under the Contract.

- C. The appraisal value of work performed by AGENCY to the date of such termination or abandonment shall be made by STATE on a basis equitable to STATE and AGENCY and a final reimbursement made to AGENCY on the basis of costs incurred. Upon termination or abandonment, AGENCY will deliver to STATE all documents, completely or partially completed, together with all unused materials supplied by STATE.
- D. AGENCY may terminate or abandon this Contract upon thirty (30) days written notice to STATE, provided there is subsequent concurrence by STATE. Termination or abandonment by AGENCY will provide that costs can be incurred against the project up to and including sixty (60) days after notice is given to STATE.
- E. Any equipment or commodities which have been purchased as a part of this Contract and which have not been consumed or reached the end of its useful life will be returned to STATE upon its written request.

XXI. Cancellation Statute

All parties are hereby put on notice that this Contract is subject to cancellation pursuant to ARS §38-511, the provisions of which are stated below.

In accordance with ARS §38-511, this Contract may be cancelled without penalty or further obligation if any person significantly involved in initiating, negotiating, securing, drafting, or creating the Contract on behalf of the STATE, its political subdivisions or any department or agency of either, is at any time while the Contract or any extension of the Contract is in effect, an employee of any other party to the Contract in any capacity or a consultant to any other party of the Contract with respect to the subject matter or the Contract.

The cancellation shall be effective when written notice from the Governor or Chief Executive Officer or governing body of the political subdivision is received by all other parties to the Contract unless the notice specifies a later time.

AGREEMENT OF UNDERSTANDING AND CERTIFICATION OF COMPLIANCE

Acceptance of Condition

It is understood and agreed by the undersigned that a grant received as a result of this Contract is subject to the Highway Safety Act of 1966, as amended (23 U.S.C.A. §§401-404), ARS §28-602, and all administrative regulations governing grants established by the USDOT and STATE. It is expressly agreed that this Highway Safety Project constitutes an official part of the STATE's Highway Safety Program and that AGENCY will meet the requirements as set forth in the accompanying Project Director's Manual, which are incorporated herein and made a part of this Contract. All State and Federal Statutes, Rules, Regulations, and Circulars referenced in this Contract are a part of this document as if fully set forth herein. It is also agreed that no work will be performed nor any obligation incurred until AGENCY is notified in writing that this project has been approved by the Governor's Highway Safety Representative.

Certificate of Compliance

This is to certify that AGENCY will comply with all of the State and Federal Statutes, Rules and Regulations identified in this Contract.

Certification of Non-Duplication of Grant Funds Expenditure

This is to certify that AGENCY has no ongoing nor completed projects under contract with other Federal fund sources which duplicate or overlap any work contemplated or described in this Contract. It is further certified that any pending or proposed request for other Federal grant funds which would duplicate or overlap work described in the Contract will be revised to exclude any such duplication of grant fund expenditures. It is understood that any such duplication of Federal funds expenditures subsequently determined by audit will be subject to recovery by STATE.

Single Audit Act

If your political subdivision has had an independent audit meeting the requirements of the Single Audit Act of 1984, (31 U.S.C.A. §7501 et. seq.), please forward a copy to GOHS, Attention: Fiscal Services Officer, within thirty (30) days of the effective date of this Contract. If such audit has not been performed, please advise when it is being scheduled.

Buy America Act

The State and each subrecipient will comply with the Buy America requirement (23 U.S.C. 313) when purchasing items using Federal funds. Buy America requires a State, or subrecipient, to purchase with Federal funds only steel, iron, and manufactured products produced in the United States, unless the Secretary of Transportation determines that such domestically produced items would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than twenty-five (25) percent. In order to use Federal funds to purchase foreign produced items, the State must submit a waiver request that provides an adequate basis and justification to and approved by the Secretary of Transportation.

Prohibition on Using Grant Funds to Check for Helmet Usage

The State and each subrecipient will not use 23 U.S.C. Chapter 4 grant funds for programs to check helmet usage or to create checkpoints that specifically target motorcyclists.

Certification Regarding Debarment and Suspension

- A. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.
- B. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective primary tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary tier participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
- C. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary tier participant knowingly rendered an erroneous certification, in

addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default or may pursue suspension or debarment.

- D. The prospective primary tier participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary tier participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- E. The terms *covered transaction, civil judgment, debarment, suspension, ineligible, participant, person, principal, and voluntarily excluded, as used* in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
- F. The prospective primary tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
- G. The prospective primary tier participant further agrees by submitting this proposal that it will include the clause titled Instructions for Lower Tier Certification including the Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion—Lower Tier Covered Transaction, provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1200.
- H. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov>).
- I. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- J. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency may terminate the transaction for cause or default.

Certification Regarding Debarment, Suspension, and Other Responsibility Matter

- A. The prospective primary tier participant certifies to the best of its knowledge and belief, that it and its principal:
1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency;
 2. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of record, making false statements, or receiving stolen property;
 3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 4. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.
- B. Where the prospective primary tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Instructions for Lower Tier Certification

- A. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.
- B. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.
- C. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- D. The terms covered transaction, debarment, suspension, ineligible, lower tier, participant, person, primary tier, principal, and voluntarily excluded, as used in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.
- E. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4,

debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

- F. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion- Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1200.
- G. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions Website (<https://www.sam.gov>).
- H. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- I. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion

- A. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency.
- B. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

REIMBURSEMENT INSTRUCTIONS**1. Agency Official preparing the Report of Costs Incurred:**Name: Lisa Alexander-FroslandTitle: Accountant PrincipalTelephone Number: (623) 222-1847 Fax Number: (623) 222-1801E-mail Address: lisa.alexander@surpriseaz.gov**2. Agency's Fiscal Contact:**Name: Lisa Alexander-FroslandTitle: Accountant PrincipalTelephone Number: (623) 222-1847 Fax Number: (623) 222-1801E-mail Address: lisa.alexander@surpriseaz.govFederal Identification Number: 86-6007796**3. *REIMBURSEMENT INFORMATION:***

Warrant/Check to be made payable to:

City of Surprise

Warrant/Check to be mailed to:

City of Surprise

(Agency)

16000 N Civic Center Plaza

(Address)

Surprise, AZ 85374

(City, State, Zip Code)

4. *DUNS Number:*021 64 8936

(DUNS #)

16000 N Civic Center Plaza, Surprise, AZ 85374

(Registered Address & Zip Code)

Restriction on State Lobbying

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

Certification for Contracts, Grant, Loans, and Cooperative Agreements (Federal Lobbying)

The undersigned certifies, to the best of his or her knowledge and belief, that:

- A. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- B. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- C. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients will certify and disclose accordingly.
- D. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Signature of Project Director:

Terry Young, Chief
Surprise Police Department

Date Telephone

***Signature of Authorized Official of
Governmental Unit:***

Michael Frazier, City Manager
City of Surprise

Date Telephone



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: October 15, 2019
Submitting Department: Public Works
Staff Recommendations: None

Contact Person: Mike Gent, DIRECTOR - PW
District: District 1

Consent: Yes	Regular: No	Public Hearing: No	Report/Discussion: No
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Agenda Wording:

Consideration and action declaring the intention to consolidate several Rancho Mercado lighting improvement districts pursuant to A.R.S. § 48-616 for the purpose of purchasing facilities and energy for lighting the public streets and parks; Resolution #2019-126.

Motion:

I move to approve Resolution # 2019-126.

Background:

The following Streetlight Improvement Districts were previously formed by other resolutions: SU-Rancho Mercado North 181 Lighting Improvement District; Rancho Mercado Parcel A14 160 Lighting Improvement District; Rancho Mercado Parcel A11 Lighting Improvement District; Rancho Mercado Parcel A12 164 Lighting Improvement District; Rancho Mercado Parcel A19 Lighting Improvement District; Rancho Mercado Parcel A17 Lighting Improvement District. Brookfield Holdings Mercado, LLC, ("Brookfield") is currently the only owner of each and all of the above referenced Lighting Improvement Districts. Brookfield has petitioned the City to consolidate all of the above-listed Districts into "Rancho Mercado North 181". All Districts are contiguous and upon consolidation will form one contiguous and cohesive District for convenience and economy of maintenance and administration.

The City has verified that the Petition for the proposed street light improvement district contains the signatures of all of the real property owners in the district, exclusive of mortgages and other lien holders.

The City and Arizona Public Service Company ("APS") have approved the street layout and facilities design. The electric rates are established by APS tariff.

The lighting improvements are more than local or ordinary public benefit and the expenses of the district will be paid for by the levy and collection of equal apportionment taxes based on the number and classification of properties within.

Objective Analysis:

A SLID is a neighborhood partnership and very common practice in which property owners in a defined area agree to pay the costs to operate and maintain their immediate area's street lights through a property tax. All new developments in the City of Surprise require a SLID. This action will consolidate the SLID boundaries for SU-Rancho Mercado North 181 Lighting Improvement District; Rancho Mercado Parcel A14 160 Lighting Improvement District; Rancho Mercado Parcel A11 Lighting Improvement District; Rancho Mercado Parcel A12 164 Lighting Improvement District; Rancho Mercado Parcel A19 Lighting Improvement District; and Rancho Mercado Parcel A17 Lighting Improvement District into one District (Rancho Mercado North 181).

Policy Compliant:

Surprise Municipal Code requires that street lighting that serves a defined area be paid for through revenues obtained from the specific area being served by such street lighting. In these instances, a Street Light Improvement District (SLID) is formed. The city strives to assure that residents are subject to only one SLID and that the boundaries of each SLID accurately reflect the service area. This item is consistent with these objectives.

Financial Impact:

Any financial impact on the City is anticipated to be minimal, as the Developer and District will be bearing the costs and expenses of the District and street light improvement facilities.

Budget Impact:

Funding was not included as part of the FY2020 adopted budget. A separate fund will be created to track revenue and expenses once the city starts receiving electric bills from APS for this particular SLID. If the SLID incurs expenses during FY2020, staff will return to request a budget amendment to appropriate the new fund. Regardless, the city will be unable to collect property taxes for this SLID until FY2021, at the earliest.

FTE Impact:

This action does not change the full time equivalent count.

ATTACHMENTS:

1. Res 2019-126 Rancho Mercado North 181-final Exh
 2. 02 SLID petition RM North 181-2
-

RESOLUTION # 2019-126

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, DECLARING ITS INTENTION TO CONSOLIDATE THE FOLLOWING RANCHO MERCADO LIGHTING IMPROVEMENT DISTRICTS: PARCELS A11, A12, A14, A17 AND A19 WITH “RANCHO MERCADO NORTH 181 LIGHTING IMPROVEMENT DISTRICT.”

WHEREAS, on June 18, 2019, the Mayor and Council of the City of Surprise, Arizona (“City”) passed and adopted Resolution No. 2019-77, ordering the formation of the “City of Surprise, Arizona SU-Rancho Mercado North 181 Lighting Improvement District” (“North 181”), for the purpose of purchasing energy and electricity for the lighting of the public streets and parks within the District;

WHEREAS, Brookfield Holdings Mercado, LLC, (“Brookfield”) exclusive of mortgagees and other lienholders, is currently the only owner of each and all of the following Lighting Improvement Districts: SU-Rancho Mercado North 181 Lighting Improvement District; Rancho Mercado Parcel A14 160 Lighting Improvement District; Rancho Mercado Parcel A11 Lighting Improvement District; Rancho Mercado Parcel A12 164 Lighting Improvement District; Rancho Mercado Parcel A19 Lighting Improvement District; Rancho Mercado Parcel A17 Lighting Improvement District;

WHEREAS, the City has verified that Petitioner Brookfield is the only owner, exclusive of mortgagees and other lienholders, of all of the real property in each of the above-listed six (6) Districts;

WHEREAS, pursuant to A.R.S. § 48-616(K), Brookfield has petitioned the City to consolidate all of the above-listed Districts into North 181;

WHEREAS, as illustrated in Exhibit A, all Districts are contiguous and upon consolidation will form one contiguous and cohesive District for convenience and economy of maintenance and administration;

WHEREAS, Notice of the Public Hearing to consider this petition for consolidation was provided in accordance with A.R.S. § 48-616(K)(2); and

WHEREAS, in accordance with A.R.S. § 48-616(K), the City hereby finds and determines that it has jurisdiction to adopt this Resolution consolidating all of the Districts into SU-Rancho Mercado North 181 as shown in Exhibit B.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Surprise, Arizona, as follows:

Section 1. *District Consolidation.* The City of Surprise, Arizona hereby consolidates the following six (6) Lighting Improvement Districts: Rancho Mercado Parcel A 11, Parcel A 12, Parcel A 14, Parcel A 17 and Parcel A 19 with and into SU-Rancho Mercado North 181 Lighting Improvement District. (Exhibits B and C). The annual tax levied upon the District will remain in full force and effect, and, commencing in fiscal year 2020/2021 will apply to the District as consolidated by this Resolution.

Section 2. *Recording and Filing of this Resolution.* A certified copy of this Resolution shall be recorded in the office of the Maricopa County Recorder. Certified copies of this Resolution shall also be filed with the Arizona Department of Revenue and the Maricopa County Assessor's office pursuant to Arizona Revised Statutes 42-17257.

APPROVED AND ADOPTED this ____ day of _____, 2019.

Skip Hall, Mayor

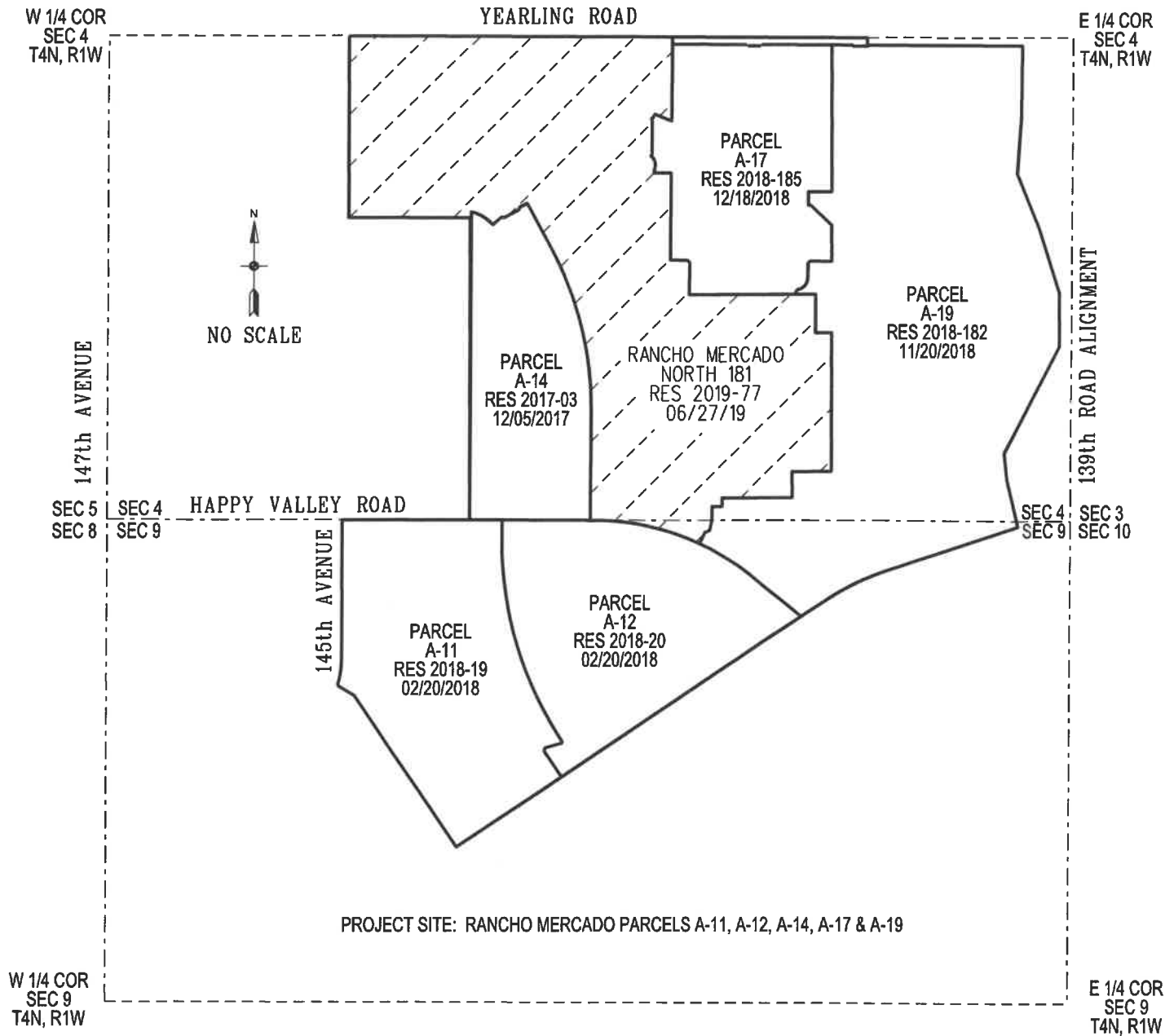
Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

EXHIBIT "A"



SLID BOUNDARY
RANCHO MERCADO
PARCELS A-11, A-12, A-14, A-17 & A-19



CITY OF SURPRISE
LAND SURVEY DEPARTMENT

PROJECT # 19027

DRAWN BY RCD

DATE 09-25-19

SHEET 1 OF 1

EXHIBIT "B"

W 1/4 COR
SEC 4
T4N, R1W

YEARLING ROAD

E 1/4 COR
SEC 4
T4N, R1W



147th AVENUE

139th ROAD ALIGNMENT

SEC 5
SEC 8

SEC 4
SEC 9

HAPPY VALLEY ROAD

SEC 4
SEC 9

SEC 3
SEC 10

145th AVENUE

PROJECT SITE: RANCHO MERCADO NORTH 181

W 1/4 COR
SEC 9
T4N, R1W

E 1/4 COR
SEC 9
T4N, R1W

SLID BOUNDARY
RANCHO MERCADO NORTH 181



CITY OF SURPRISE
LAND SURVEY DEPARTMENT

PROJECT # 19027

DRAWN BY RCD

DATE 09-30-19

SHEET 1 OF 1

EXHIBIT "C"

LEGAL DESCRIPTION

A PORTION OF THE SOUTH HALF OF SECTION 4, TOWNSHIP 4 NORTH, RANGE 1 WEST, AND A PORTION OF THE NORTH HALF OF SECTION 9, TOWNSHIP 4 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 4, FROM WHICH THE EAST QUARTER CORNER OF SAID SECTION 4, BEARS SOUTH 89°46'48" EAST 5255.54 FEET;

THENCE, ALONG THE WEST-EAST MID-SECTION LINE OF SAID SECTION 4, SOUTH 89°46'48" EAST 1313.95 FEET TO THE POINT OF BEGINNING;

THENCE, CONTINUING ALONG SAID MID-SECTION LINE, SOUTH 89°46'48" EAST 2817.74 FEET;

THENCE SOUTH 00°13'12" WEST 46.50 FEET;

THENCE SOUTH 89°46'48" EAST 1.00 FEET;

THENCE NORTH 45°13'12" EAST 9.19 FEET;

THENCE SOUTH 89°46'48" EAST 835.18 FEET;

THENCE SOUTH 00°20'02" WEST 389.96 FEET;

THENCE SOUTH 03°48'26" WEST 309.80 FEET;

THENCE SOUTH 22°35'30" EAST 323.81 FEET;

THENCE SOUTH 17°53'24" EAST 369.95 FEET;

THENCE SOUTH 00°17'03" EAST 295.67 FEET;

THENCE SOUTH 27°17'41" WEST 656.11 FEET;

THENCE SOUTH 06°09'55" EAST 148.77 FEET;

THENCE SOUTH 13°42'47" EAST 262.81 FEET;

THENCE SOUTH 71°32'55" WEST 739.82 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1419.68 FEET;

THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 15°28'26" A DISTANCE OF 383.41 FEET;

THENCE SOUTH 56°04'29" WEST 2189.35 FEET;

THENCE NORTH 33°55'32" WEST 1001.03 FEET;

THENCE NORTH 58°13'12" WEST 104.72 FEET TO A POINT ON A NON-TANGENT CURVE, CONCAVE WESTERLY, THE CENTER OF WHICH LIES NORTH 73°21'23" WEST 500.01 FEET;

THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 16°44'26" A DISTANCE OF 146.09 FEET;

THENCE NORTH 00°05'44" WEST 762.96 FEET;

THENCE SOUTH 89°49'20" EAST 687.90 FEET;

THENCE NORTH 00°10'38" WEST 1652.32 FEET,

THENCE NORTH 89°46'48" WEST 657.32 FEET;

THENCE NORTH 00°09'27" WEST 991.52 FEET

TO THE POINT OF BEGINNING.



STREET LIGHT IMPROVEMENT DISTRICT PETITION

TO THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE:

We, the undersigned, are all or a majority of the real property owners, exclusive of mortgagees and other lienholders, within the district named below. We petition the City Council of the City of Surprise, Arizona, to establish a street light improvement district under Arizona Revised Statutes (A.R.S.) §48-571 to 48-622, and any amendments, and specifically A.R.S. §48-615 to 48-617, to purchase electricity for lighting the public streets and/or parks within the district whose boundaries and area is described in Exhibits A and B attached hereto. This petition includes a charge for maintaining the lighting facilities.

It is hereby requested that, in compliance with the Arizona Revised Statutes, the City Council adopt a Resolution of Intention to order the proposed improvements, and that unless protests are received pursuant to A.R.S. §48-579 sufficient to bar further proceedings, the City Council proceed with the improvements petitioned for herein.

Expenses of the District shall be paid by the levy and collection of an equal apportionment of taxes based on the number and classification of properties within the District.

Public convenience, necessity and welfare will be promoted by the establishment of the District and the real property within the District will be benefited by the District. Additional street lighting facilities may be installed and included in the District, at no investment cost to the District, as directed by the City and as approved by Arizona Public Service and the City Engineer.

WHEREFORE, we respectfully ask that this Petition be properly filed and that the Mayor and Council of the City adopt the Resolution and take such other action as is proper, necessary and appropriate to form the District and to fulfill the purposes for which the District is organized, as the Mayor and Council believe is proper and necessary.

The name of the proposed street light improvements district shall be:

SU-Rancho Mercado North 181

PETITIONERS: Please print and sign your name

PRINT BUSINESS/ PETITIONER'S NAME	ADDRESS OF PROPERTY OWNED WITHIN DISTRICT	ASSESSOR PARCEL #	SIGNATURE
Brookfield Holdings Mercado LLC	Rancho Mercado Parcels A11, A12, A14, A17, and A19		



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: October 15, 2019

Contact Person: Robert Wingo, CITY
ATTORNEY

Submitting Department: Legal

District: Citywide

Staff Recommendations:

Consent: Yes	Regular: No	Public Hearing: No	Report/Discussion: No
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Agenda Wording:

Consideration and action pertaining to authorizing submission of the Request for Exemption from posting deposit to the Industrial Commission of Arizona.

Motion:

I move to approve and authorize submission of the Request for Exemption from Requirement to Post Statutory Deposit to the Industrial Commission of Arizona.

Background:

On January 30, 2017, Council approved by Resolution # 2017-003 the funding of a self-insured workers' Compensation program. With approval comes certain regulatory compliance measures in addition to an annual application to the Industrial Commission of Arizona requesting authority to self-insure. In lieu of posting securities for outstanding worker's compensation liabilities, Arizona Administrative Code R-20-5-1114, affords public entities the opportunity to request waiver of a security deposit. This waiver is considered by application to the Industrial Commission of Arizona and requires signature from the majority of Council, requesting such exemption be granted.

Objective Analysis:

This action is to obtain consent from Council to submit an exemption letter to the Industrial Commission of Arizona, seeking approval to waive the requirement to post a security deposit for outstanding workers' compensation liabilities.

Policy Compliant:

This action complies with all applicable statutes and codes and furthers the City Council's continuing agenda to be fiscally responsible and proactive.

Financial Impact:

The action aims to avoid posting of statutory securities; thus preserving contingency funds held within the Workers' Compensation Trust.

Budget Impact:

The action aims to avoid posting of statutory securities; thus preserving contingency funds held within

the Workers' Compensation Trust.

FTE Impact:

No FTE impact associated with this action.

ATTACHMENTS:

1. Request for Exemption form
-

Request for Exemption from Requirement to Post Statutory Deposit

Pursuant to the Arizona Administrative Code subsection R20-5-1114 (A & B), this document constitutes a certified statement from the City of Surprise, an Arizona Municipal Corporation, duly qualified and authorized Arizona Workers Compensation self-insurer.

The City of Surprise hereby requests the Industrial Commission of Arizona (ICA) approve an alternate (exemption) from the posting of a statutory deposit, of which the current approved types are as follows: Letter of credit; a surety bond; U.S. Treasury notes or establishing a local government investment pool (LGIP) account. This request is made in accordance with A.A.C § R20-5-1114 and shall cover the City of Surprise unpaid Workers Compensation claims liability, as outlined in the foregoing statement.

The City of Surprise, Arizona States:

- 1) The City of Surprise has established a self insurance trust pursuant to A.R.S. § 11-981 (A-F), Section 4-4 of the Surprise Municipal Code, and expressly authorized by the Surprise City Council.
- 2) The City of Surprise shall conduct an actuary report on an annual basis. The confidence level shall be no less than fifty-five percent. The discount for investments shall be no more than 3.0% annually.
- 3) The Workers Compensation Trust Fund is sufficient to cover actuarial liabilities for workers compensation' as determined by the self-insurer in accordance with Government Accounting Standards Board Statement #10 (replaced by GASB No. 30); and
- 4) The City of Surprise provides funding to the Worker's Compensation Trust Fund established pursuant to A.R.S. § 11-981 (A-F) each year. The amount held for workers' compensation purposes within the trust is sufficient to cover actuarial liabilities for workers compensation claims as determined by the self-insurer's actuary in accordance with Government Accounting Standards Board Statement #10 (replaced by GASB No. 30), as well as workers' compensation reserves multiplied by 125% pursuant to the A.A.C.
- 5) The City of Surprise governing body, or designee, shall immediately notify the ICA and provide security as provided by and in this Article, if the governing body, or designate, learns that the risk management internal service fund and/or trust has insufficient funds to cover all workers compensation liabilities of the City of Surprise.
- 6) Pursuant to items 1 through 4, the City of Surprise meets the conditions required under A.R.S. § 11-981 (A-F) and the Arizona Administrative Code, subsection R20-5-1114 (A&B).
- 7) The signatures below represent a majority of the City of Surprise City Council members.

Signed _____	Date _____
Signed _____	Date _____
Signed _____	Date _____
Signed _____	Date _____
Signed _____	Date _____
Signed _____	Date _____
Signed _____	Date _____



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: October 15, 2019 Contact Person: Robert Kuhfuss
Submitting Department: Community Development District: District 3
Staff Recommendations: None

Consent: No Regular: No Public Hearing: Yes Report/Discussion: No

Agenda Wording:

Consideration and action regarding the Revised Preliminary Plat entitled “Units F & C – Toll at Prasada” and dated July 25, 2019, approximately 37 acres located generally Cotton Lane, between Cactus Road and Peoria Avenue. Planning case # FS19-184.

Motion:

I move to approve the Revised Preliminary Plat entitled, “Units F & C – Toll at Prasada” subject to stipulations “a” through “c” as contained in the P&Z Commission Recommendation.

Background:

The subject request involves a revised Preliminary Plat for Units F and C of the Toll at Prasada project. Units F and C were included in the original Toll at Prasada Preliminary Plat processed under case FS17-394, and was subsequently platted as two separate parcels under the Phase 1 Infrastructure Plat processed under case FS18-290. The applicant now seeks to further subdivide the subject parcels into 174 lots and 24 tracts, collectively.

Objective Analysis:

The subject Preliminary Plat meets the requirements of the Prasada PAD, in addition to other requirements as set forth in the SUDC. All city reviewing departments have reviewed the request and expressed no concerns.

Policy Compliant:

The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac or more, provided appropriate transitions are made between the various Neighborhood types included within the character area. At 4.73 DU/Ac, the project most closely aligns with the Suburban Neighborhood type and is consistent with the General Plan in this regard. The site also lies with the 0-6 DU/Ac. ribbon of the Luke Air Force Base Graduated Density Concept and is consistent with the GDC.

Financial Impact:

This item does not have a direct financial impact. However, all activity related to ongoing development of the City of Surprise has an economic and fiscal impact on the city and the region.

Budget Impact:

There is no anticipated budget impact related to this item.

FTE Impact:

This item does not have an impact on current staff levels.

ATTACHMENTS:

1. 00 FS19-184 Toll at Prasada Unit F & C Revised Preliminary Plat 10-15-19 CC Staff Report
 2. 01 FS19-184 Toll at Prasada Unit F & C Revised Preliminary Plat Vicinity Map
 3. 02 FS19-184 Toll at Prasada Unit F & C Revised Preliminary Plat Case Map
 4. 03 FS19-184 Toll at Prasada Unit F & C Revised Preliminary Plat
 5. 04 FS19-184 Toll at Prasada Unit F & C Preliminary Landscape Plans
 6. 05 FS19-184 FCDMC Comments
 7. 06 FS19-184 LAFB Comments
 8. 07 FS19-184 Toll at Prasada Unit F & C Revised Preliminary Plat 10-15-19 CC Presentation
-

PRELIMINARY PLAT

REPORT TO THE CITY COUNCIL

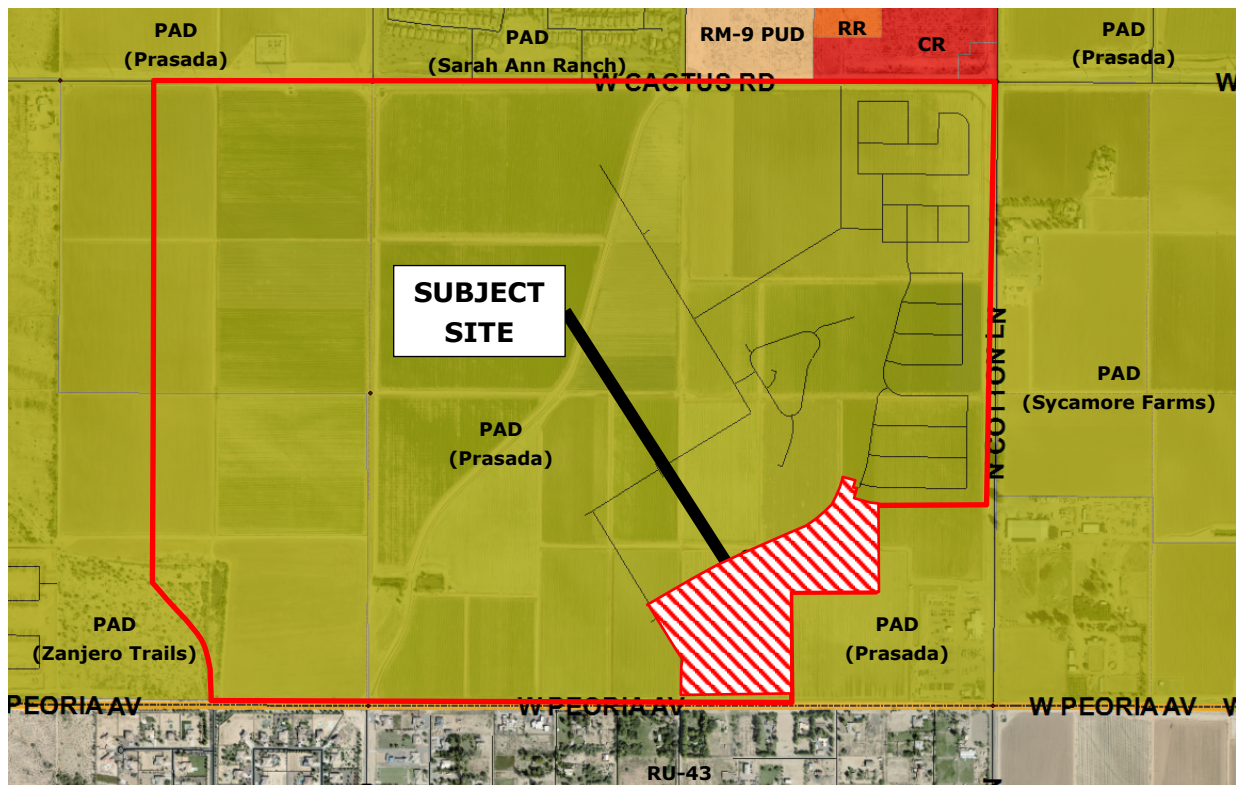
1 **Case:** **FS19-184**
2
3 **Project Name:** Toll at Prasada Unit F & C Revised Preliminary Plat
4
5 **Council District:** 3 - Mesquite
6
7 **Meeting Date:** **October 15, 2019**
8
9 **Planner:** Robert H. Kuhfuss, AICP
10
11
12 **Owner:** Toll Prasada, LLC
13
14 **Applicant:** Aaron Insco of Toll Bros, Inc.
15
16 **Request:** Revised Preliminary Plat for Toll at Prasada Units F & C in the Prasada
17 PAD
18
19 **Site Location:** Generally located west of Cotton Lane, between Cactus Road and
20 Peoria Avenue
21
22 **Area:** Parcel C – 12.7 acres (approx.)
23 Parcel F – 24.1 acres (approx.)
24 Total – 36.8 acres (approx.)
25
26 **Density:** Parcel C – 4.72 DU/Ac. (approx.)
27 Parcel F – 4.73 DU/Ac. (approx.)
28 Overall – 4.73 DU/Ac. (approx.)
29
30 **General Plan Conformance:** The proposal is consistent with the Surprise General Plan 2035
31
32 **Support/Opposition:** None known
33
34 **Commission**
35 **Recommendation:** **Approve**, subject to stipulations “a” through “c”
36
37
38
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40

PROJECT DESCRIPTION:

The subject request involves a revised Preliminary Plat for Units F and C of the Toll at Prasada project. Units F and C were included in the original Toll at Prasada Preliminary Plat processed under case FS17-394, and was subsequently platted as a two separate parcels under the Phase 1 Infrastructure Plat processed under case FS18-290. The applicant now seeks to further subdivide the subject parcels into 174 lots and 24 tracts, collectively. This revised Preliminary Plat is the first step in that process.

EXISTING ZONING:

The following map depicts the existing zoning of the subject site and its surrounds.



BACKGROUND:

June 22, 2006: The City Council approved the original Prasada PAD under case PAD05-465.

December 21, 2016: Staff approved a Minor Amendment to the Lake Village portion of the Prasada PAD under case FS16-400 for the purpose of revising the Lake Village land plan and development standards.

62 **February 12, 2018:** Staff approved a Minor Amendment to the Toll Brothers' portion of the Prasada
63 Lake Village under case FS17-587 for the purpose of revising specific development standards
64 related to the Toll Brothers development.
65
66 **April 17, 2018:** The City Council approved the Toll at Prasada Preliminary Plat under case FS17-394.
67
68 **December 18, 2018:** Staff approved a Minor PAD Amendment to allow a Temporary Long Term
69 Construction Office, Temporary Nursery, and Stay-and-Play Cottages w/ associated parking under
70 case FS18-514.
71
72 **December 20, 2018:** Staff met with the developer to discuss revised Preliminary Plats and related
73 Final Plats for Parcels C, E, F, and P during a regularly scheduled Concept Review meeting under
74 CR18-665.
75
76 **January 15, 2019:** The City Council approved the Toll at Prasada Phase 1 Infrastructure Plat under
77 case FS18-290.
78
79 **January 18, 2019:** The applicant filed a request for the Phase 2 Master Plat under case FS19-061.
80
81 **February 14, 2019:** The applicant submitted a request for a revised Preliminary Plat for Unit P
82 under case FS19-110.
83
84 **March 4, 2019:** The applicant submitted a request for a revised Preliminary Plat for Unit E under
85 case FS19-145.
86
87 **March 5, 2019:** The Council approved Final Plats for Units A, B, and D, under cases FS18-260, FS17-
88 700, and FS18-289, respectively.
89
90 **March 25, 2019:** The applicant submitted a request for a revised Preliminary Plat for Units C and P
91 under case FS19-184, the subject case.
92
93 **August 6, 2019:** The City Council approved the Phase 1 Cactus Road Final Plat under case FS18-342.
94
95 **August 6, 2019:** The City Council approved the Phase 1 Peoria Avenue Map of Dedication under
96 case FS18-343.
97
98 **August 6, 2019:** The City Council approved the Phase 2 Peoria Avenue Map of Dedication under
99 case FS18-691.
100
101 **August 6, 2019:** The City Council approved the Revised Preliminary Plat for Unit P under case FS19-
102 110.
103
104 **August 6, 2019:** The City Council approved the Revised Preliminary Plat for Unit E under case FS19-
105 145.

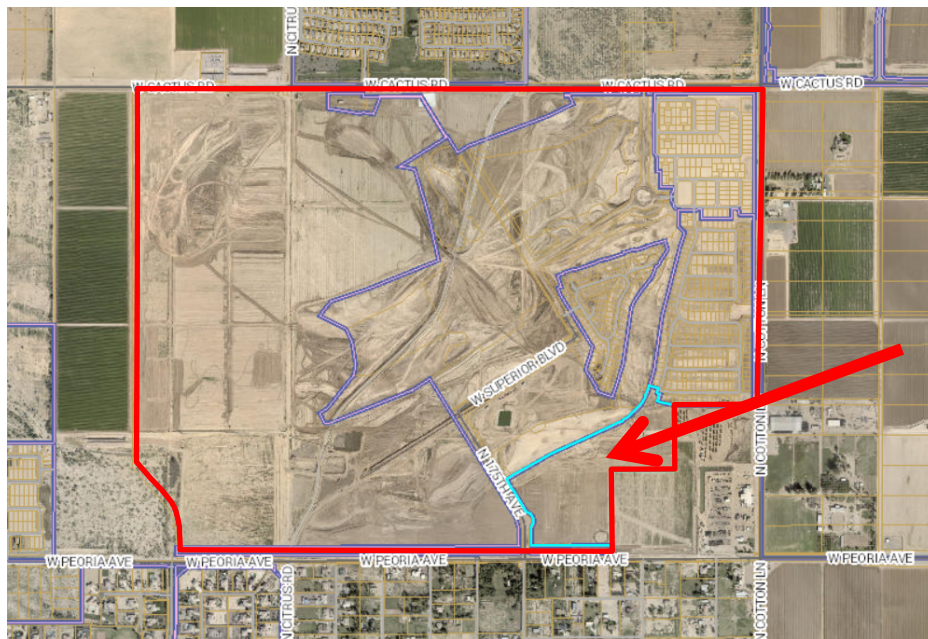
August 6, 2019: The City Council continued the Phase 2 Master Plat being processed under case FS19-061 to a date-certain of September 5, 2019.

September 5, 2019: The City Council took no action on the Phase 2 Master Plat being processed under case FS19-061.

September 19, 2019: The Commission recommended approval of the subject Preliminary Plat subject to staff-recommended stipulations “a” through “c”.

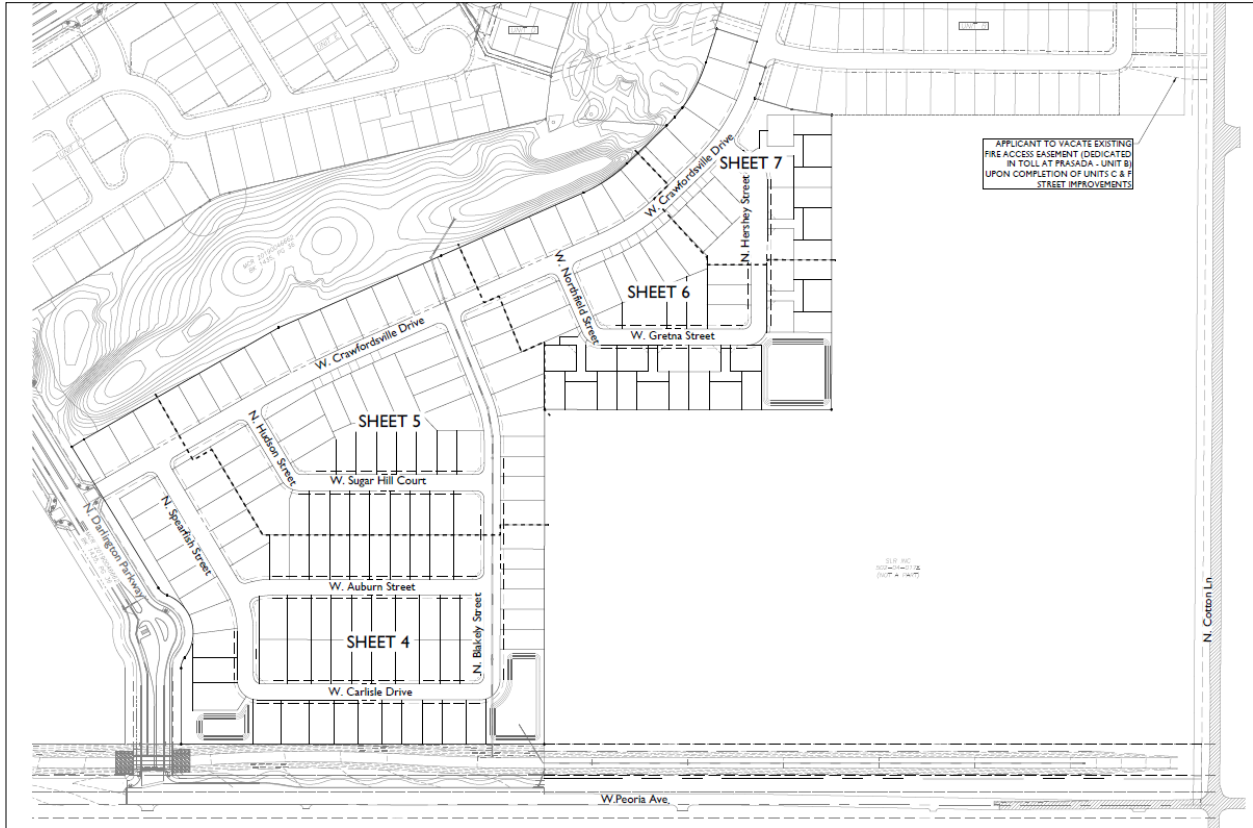
ANALYSIS AND DISCUSSION:

The original Preliminary Plat approved under FS17-394 anticipated a total of 2,207 lots for the larger Toll at Prasada project; however, the exact configuration of the lots outside of the initial phase of development had not been finalized by the time the related Phase 1 Infrastructure Plat (FS18-290) was ready to move forward. In order to keep the project moving forward, the Phase 1 Infrastructure Plat was approved with Units F and C shown as two separate units.



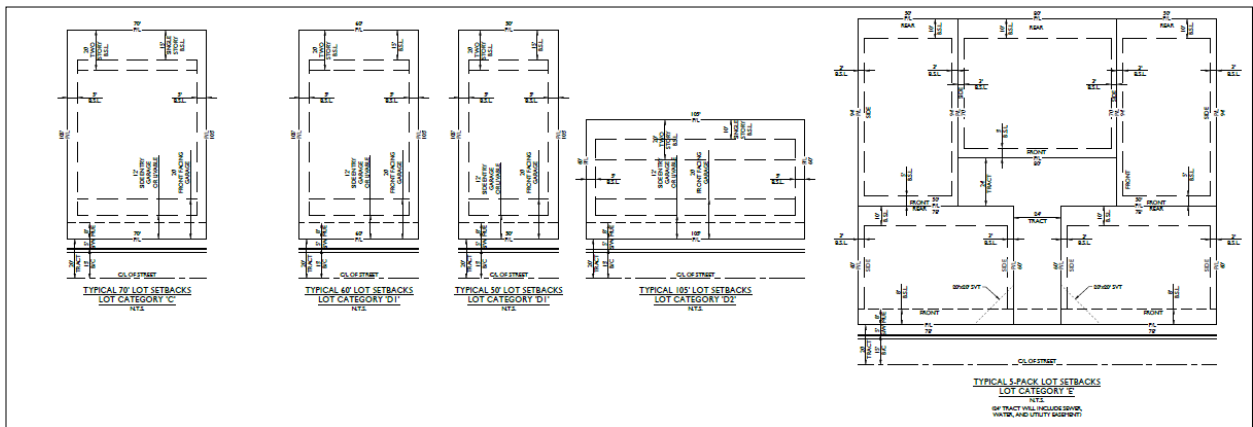
The applicant wishes to proceed with subdividing Units F and C; however, since no lotting was approved for either Unit with the original Preliminary Plat or subsequent Final Infrastructure Plat, a revised Preliminary Plat is required. The following image depicts the layout as proposed under the subject Preliminary Plat.

[Continued on following page.]



136
137

138 The proposed subdivision anticipates four (4) Lot Categories. These include two (2) configurations
139 of Lot Category D1, plus five (5) cluster configurations, which are consistent with the approved PAD
140 zoning as follows:
141



142
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148

[Continued on following page]

UTILITY AND SERVICES TABLE:

Electric:	Arizona Public Service
Water:	EPCOR
Wastewater:	City of Surprise
Refuse:	City of Surprise
Natural Gas:	Southwest Gas
Irrigation:	Maricopa Water District
Schools:	Dysart USD

CONFORMANCE WITH ADOPTED PLANS:

Surprise General Plan 2035: The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac or more, provided appropriate transitions are made between the various Neighborhood types included within the character area. At 4.73 DU/Ac, the project most closely aligns with the Suburban Neighborhood type and is consistent with the General Plan in this regard. The site also lies with the 0-6 DU/Ac. ribbon of the Luke Air Force Base Graduated Density Concept and is consistent with the GDC.

REVIEWING AGENCIES:

The subject request was routed to the standard reviewing agencies, who offered the following comments:

Flood Control District of Maricopa County (FCDMC): In an email dated March 19, 2019, FCDMC stated that prior to obtaining a building permit, either a floodplain use permit or a CLOMR/LOMR would be required by the District.

Arizona Department of Transportation (ADOT): ADOT did not respond to this specific request; however, in other similar related cases ADOT indicated no concerns and stated they were neither an opponent nor a proponent to the project.

Luke Air Force Base (LAFB): In a letter dated March 25, 2019, LAFB stated the request will not negatively impact flight operations.

[Continued on following page.]

Summary:

The subject Preliminary Plat meets the requirements of the Prasada PAD, in addition to other requirements as set forth in the SUDC. All city reviewing departments have reviewed the request and expressed no concerns.

Findings:

- The proposed Preliminary Plat is consistent with the Surprise General Plan.
- The proposed Preliminary Plat is consistent with the Prasada PAD.
- The reviewing agencies have indicated no objections.

Commission Recommendation:

Based on the findings noted above, the Commission moved to recommend **approval** of the subject Preliminary Plat request to the City Council, subject to stipulations 'a' through 'c' as outlined below:

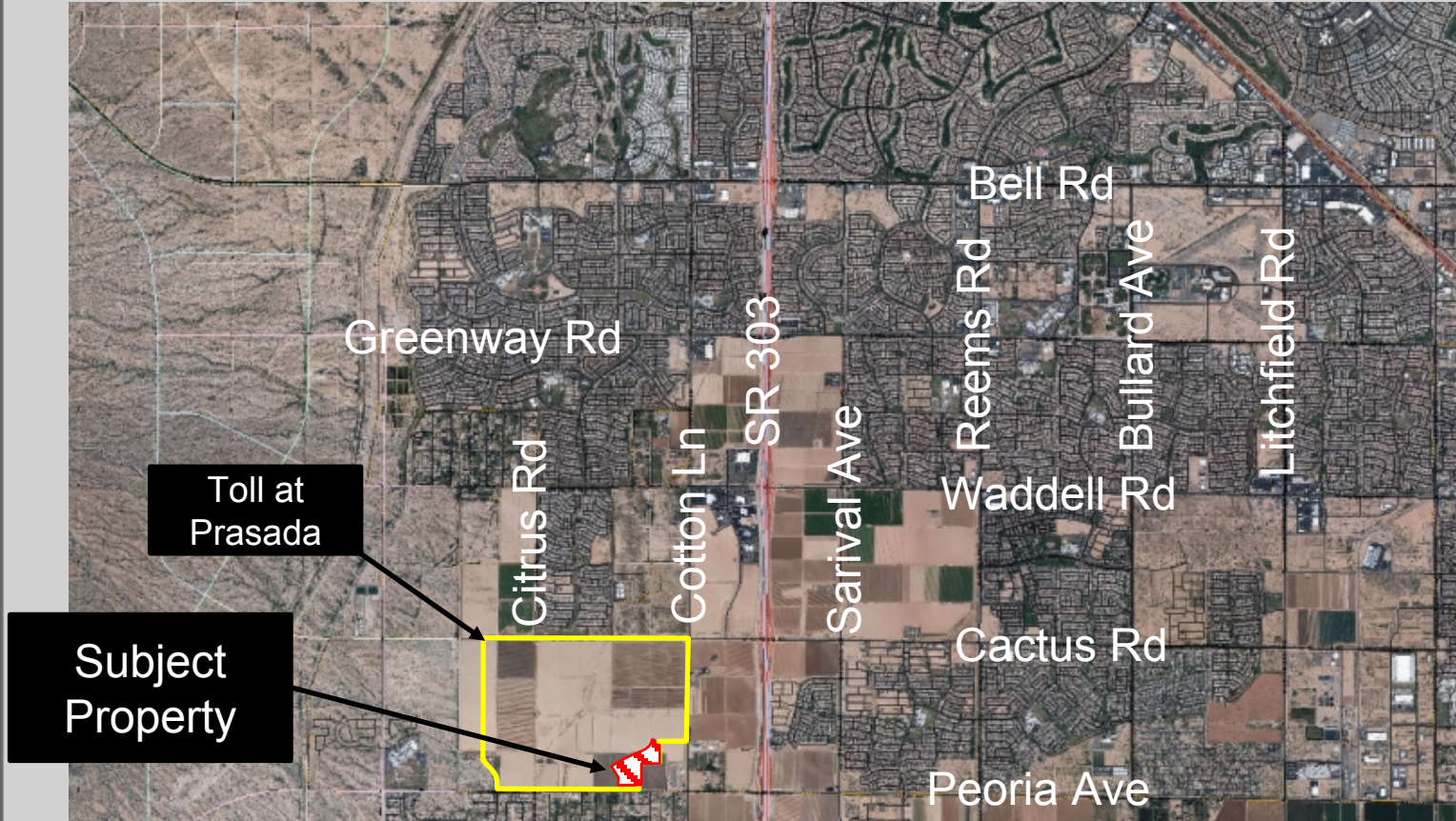
- a. Development and use of the site shall be consistent with the Preliminary Plat entitled "Preliminary Plat for Units F & C - Toll at Prasada", consisting of eight (8) sheets prepared by EPS Group and stamped received August 2, 2019.
- b. Landscaping of the site shall be consistent with the Landscape Plan entitled "Prasada Unit F & C", consisting of seven (7) sheets prepared by Greey|Pickett and stamped received August 2, 2019.
- c. Non-compliance with the stipulations of approval of this case will be treated as a violation in accordance with the provisions of Article XIV of the Surprise Unified Development Code.

However, should the Council wish to deny of the request, the Commission should make its own findings and base its decision on those alternative findings.

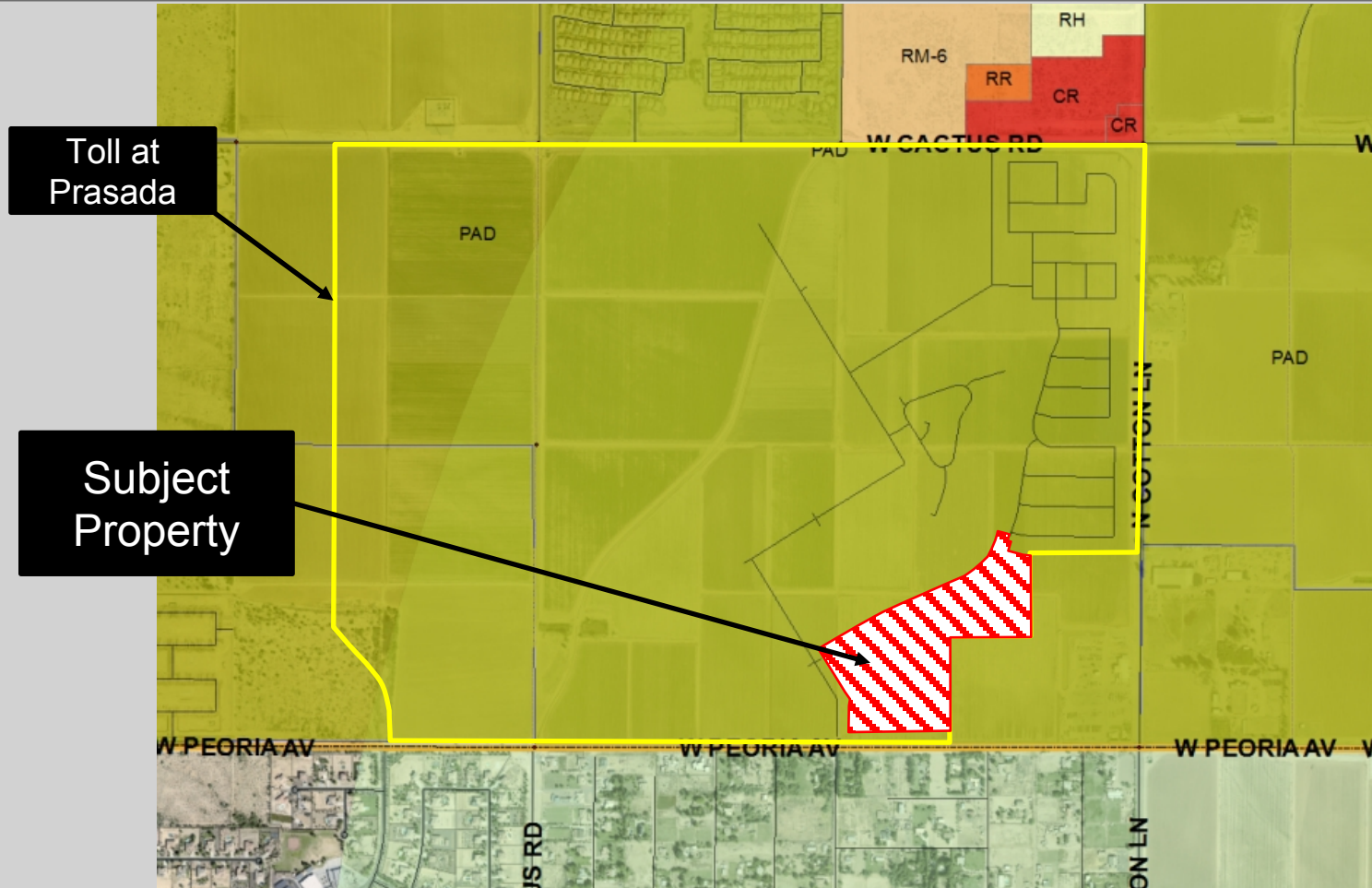
Attachments:

- 01 Toll at Prasada Unit F & C Vicinity Map
- 02 Toll at Prasada Unit F & C Case Map
- 03 Toll at Prasada Unit F & C Revised Preliminary Plat
- 04 Toll at Prasada Unit F & C Preliminary Landscape Plans
- 05 FCDMC comments
- 06 Luke AFB comments

Units F & C Vicinity Map



Units F & C Case Map



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A PORTION OF THE EAST HALF OF SECTION 23, TOWNSHIP 3 NORTH, RANGE 2 WEST, GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA.

W. CACTUS RD.

N. CITRUS RD. (ALIGNMENT)

T.3 N., R.2 W.
SEC. 23

PROJECT SITE

N. COTTON LANE

W. PEORIA AVE.

TOLL AT PRASADA
BOUNDARY LINE

NORTH
N.T.S.

DEVELOPER:	CIVIL ENGINEER:
TOLL BROTHERS	EPS GROUP, INC.
8767 E VIA DE VENTURA, SUITE 390	1130 N. ALMA SCHOOL RD, SUITE 120
SCOTTSDALE, AZ 85258	MESA, AZ 85201
TEL: (480) 314-6711	TEL: (480)-503-2250
CONTACT: OSCAR DOMINGUEZ	FAX: (480)-503-2258
	CONTACT: RICH HOPPE, P.E.

A.P.N.	502-04-017D
EXISTING GENERAL PLAN: EXISTING ZONING PLAN:	NEIGHBORHOOD CHARACTER AREA PLANNED AREA DEVELOPMENT (PAD) (ORDINANCE NO. 06-26)
GROSS AREA:	+/- 36.80 ACRES
NET AREA:	+/- 36.80 ACRES
PRIVATE STREET TRACT AREA:	+/- 6.03 ACRES
LOT AREA	+/- 25.63 ACRES
TRACT/OPEN SPACE:	+/- 5.14 ACRES

Parcel	Net Acreage	Lot Yield	Net Density
A	32.74	141	4.31
B	47.99	230	4.79
D	21.94	90	4.10
P	17.60	49	2.78
E	18.96	81	4.27
F	24.10	114	4.73
C	12.70	60	4.72
Total	176.03	765	4.35

THE TOLL AT PRASADA PROJECTS IS PLANNED FOR A MAXIMUM OF 2207 UNITS. THE CHART SHALL BE UPDATED TO MAINTAIN A RECORD OF THE REMAINING UNIT COUNT AT EACH PHASE OF THE DEVELOPMENT.

1. THIS PLAN IS NOT A CONSTRUCTION DOCUMENT.
2. LOT DIMENSIONS ARE APPROXIMATE. FINAL LOT DIMENSIONS SHALL BE PER THE FINAL PLAT.
3. ALL PUBLIC STREETS WILL BE CONSTRUCTED TO CITY OF SURPRISE MINIMUM STANDARDS AS PROVIDED HEREIN.
4. DEVELOPMENT SHALL BE MODIFIED FOR INSTALLATION OF REQUIRED STREET LIGHTS.
5. THE HOMEOWNERS' ASSOCIATION WILL BE RESPONSIBLE FOR MAINTENANCE OF ALL LANDSCAPE TRACTS.
6. THE AREA PLATTED HEREON LIES WITHIN THE DOMESTIC WATER SERVICE AREA OF CITY OF SURPRISE WHICH IS DESIGNATED AS HAVING AN ASSURED WATER SUPPLY PURSUANT A.R.S. § 45-576.
7. THE TRACTS SHALL BE MAINTAINED BY THE HOA. ADDITIONALLY, HOA TO GOVERN ALL PARKING GUIDELINES. CCR'S TO STATE THAT THERE IS NO PARKING ALLOWED ON TRASH PICKUP DAYS.

THIS DEVELOPMENT SHALL CONFORM TO THE DEVELOPMENT STANDARDS
APPROVED IN PRASADA, CASE FS17-587.

UTILITIES

WATER
SEWER
GAS
ELECTRIC
TELEPHONE
CABLE TV
FIRE
POLICE

EPCOR WATER
 CITY OF SURPRISE
 SOUTHWEST GAS
 ARIZONA PUBLIC SERVICE
 CENTURYLINK / COX
 CENTURYLINK / COX
 CITY OF SURPRISE
 CITY OF SURPRISE

SHEET 1	CS01	COVERSHEET
SHEET 2	ID01	INDEX SHEET
SHEET 3	DT01	LOT DIAGRAMS & DEVELOPMENT STANDARDS
SHEET 4-7	PP01-PP04	PRELIMINARY PLAT
SHEET 8	TB01	DATA TABLES

N.T.S.

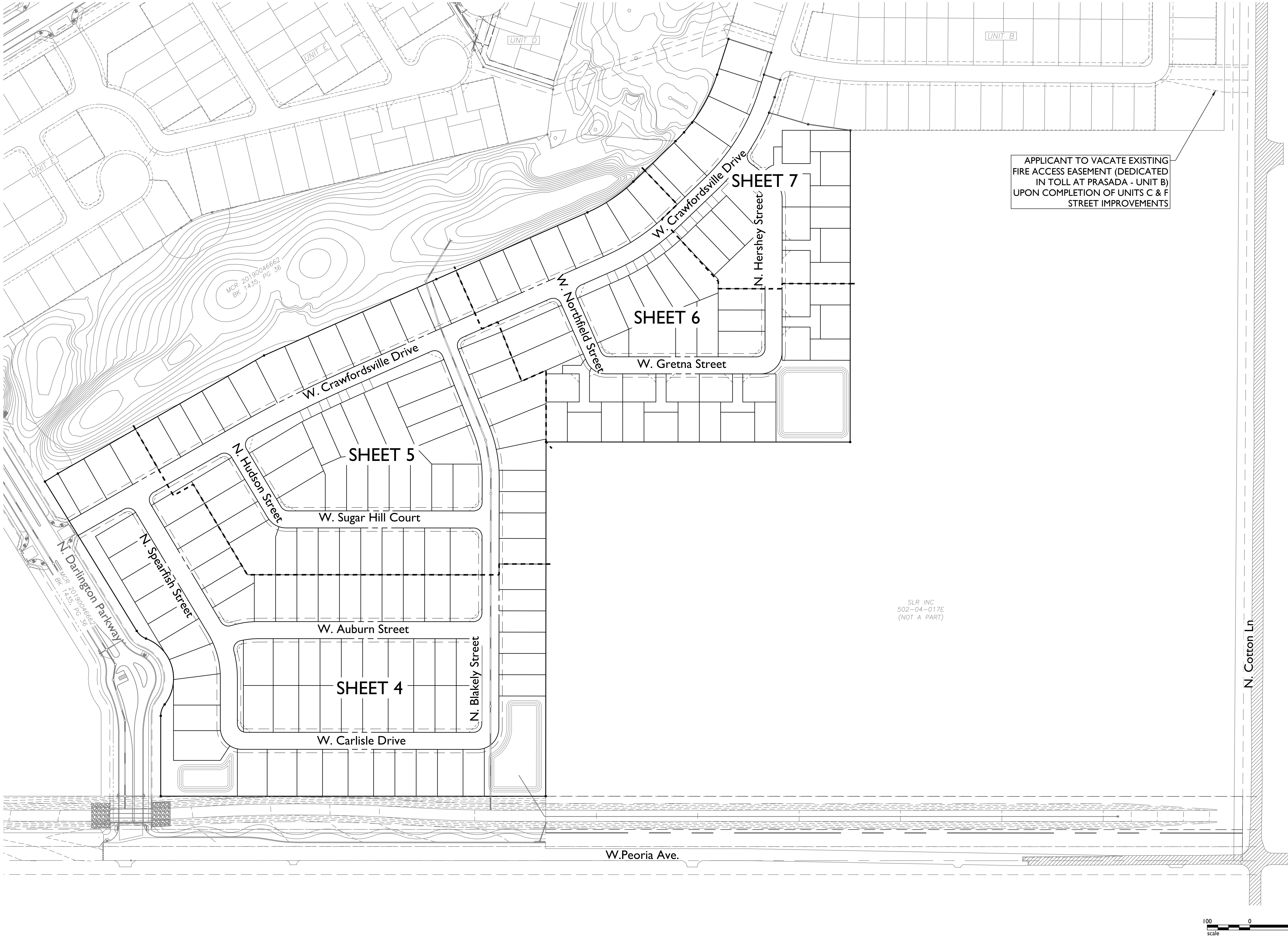
BASIS OF BEARING:

THE BASIS OF BEARING IS THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 3 NORTH, RANGE 2 WEST. BEARING SOUTH 00 DEGREES 24 MINUTES 11 SECONDS WEST.

I6-339 - UNITS F & C PRELIMINARY PLAT

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yesquivel

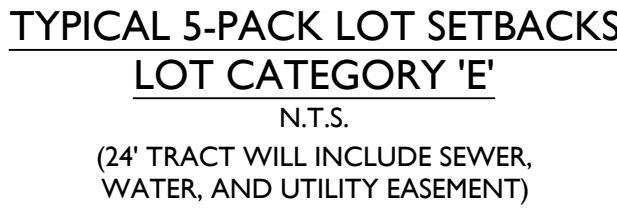


KEY MAP



1130 N Alma School Road Suite 120 Mesa, AZ 85201 T:480.503.2250 F:480.503.2258 www.epsgroupinc.com	
TOLL AT PRASADA UNITS F & C PRELIMINARY PLAT SURPRISE, ARIZONA	
Index Sheet	
Project:	Revisions:
Call at least one full working day before your begin excavation. Division of Land Stewardship (DLS) (2016-0548) in Maricopa County (802063-1100)	
Designer: YE	Drawn by: JK
Job No. 16-339	
ID01	
Sheet No. 2 of 8	

yesquel Aug 01, 2019 10:44am S:\Projects\2016\16-339\Civil\Phase 2\CEFP PrePlat\Unit F & Unit C\Pre Plat\16-339.1 - F&C - PrePlat - DT01.dwg

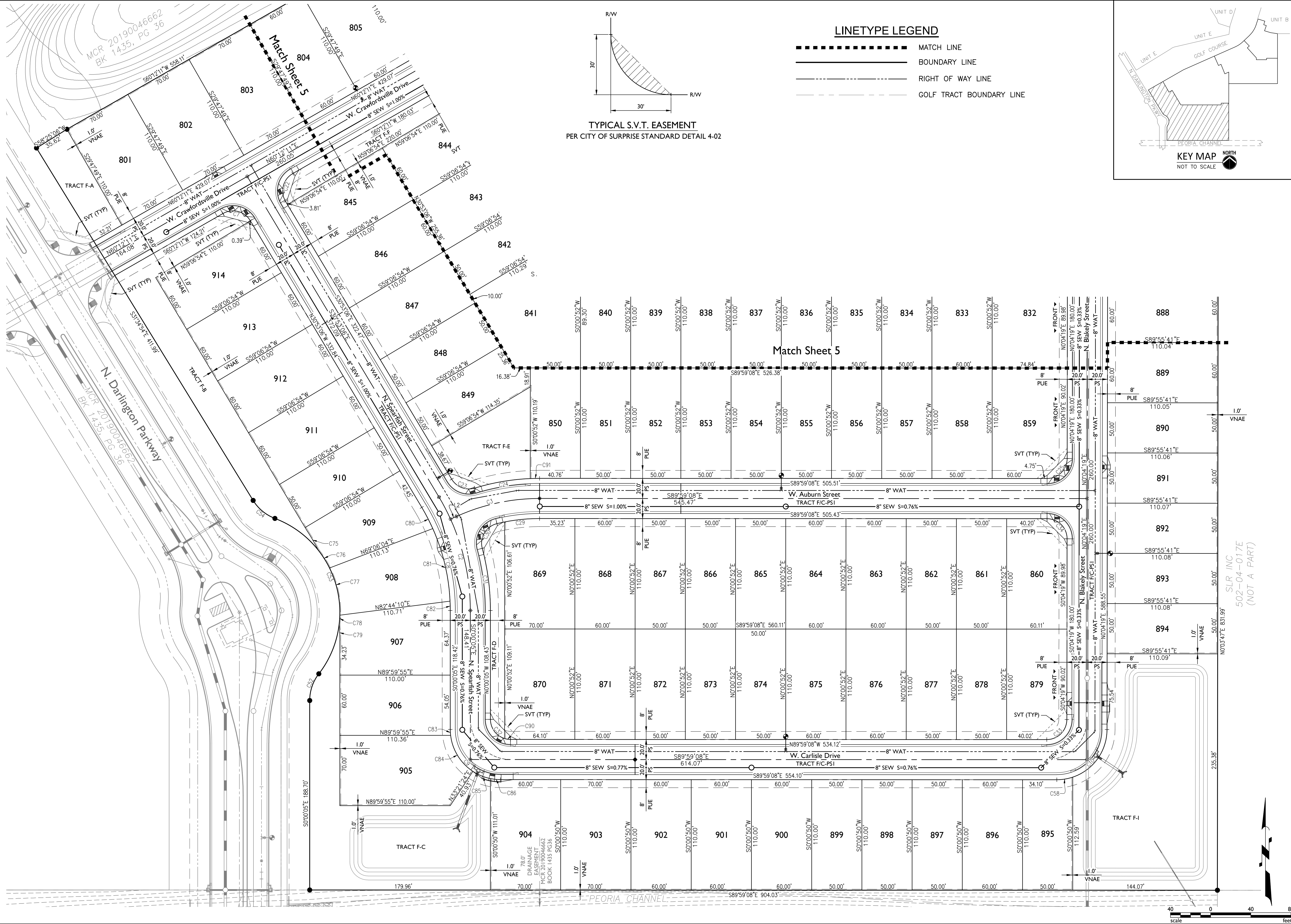
Development Standard C - FS16-400Development Standard D1 - FS17-587

Development Standard D2 - FS17-587

Development Standard E - FS17-587

		1130 N Alma School Road Suite 120 Mesa, AZ 85201 T-480.503.2250 F-480.503.2258 www.epsgroupinc.com	
TOLL AT PRASADA UNITS F & C PRELIMINARY PLAT SURPRISE, ARIZONA			
Project:		Lot Diagrams & Development Standards	
Revisions:			
Call at least two full working days before you begin construction.  (Call 8-1-1 or 1-800-STAKE-IT (724-6248) in Maricopa County - (602)450-1100)			
Designer: YE		Drawn by: JK	
			
Job No. 16-339			
DT0I			
Sheet No. 3 of 8			

Aug 01, 2019 10:44am S:\Projects\2016\16-339\Civil\Phase 2_CEFP PrePlat_Unit F & Unit C_Pre Plat\16-339.1 - F&C - PrePlat - PP01.dwg

jkluce

Revisions:

Designer: Y
Drawn by: J

Job No.
16-33

PP01

Sheet No.
4
of 8

**TOLL AT PRASADA
UNITS F & C PRELIMINARY PLAT
SURPRISE, ARIZONA**

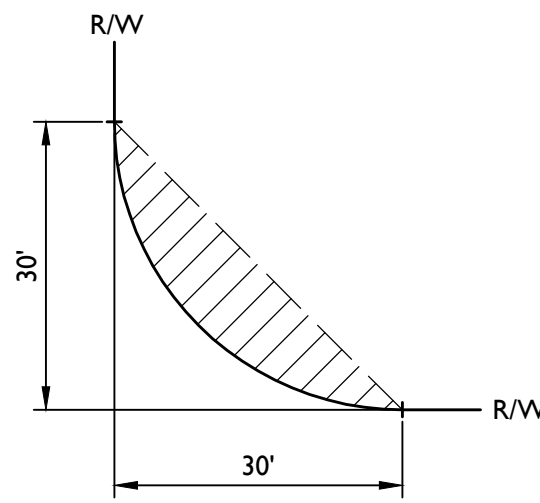
Preliminary Plat

1130 N Alma School Road



I6-339 - UNITS F & C PRELIMINARY PLAT

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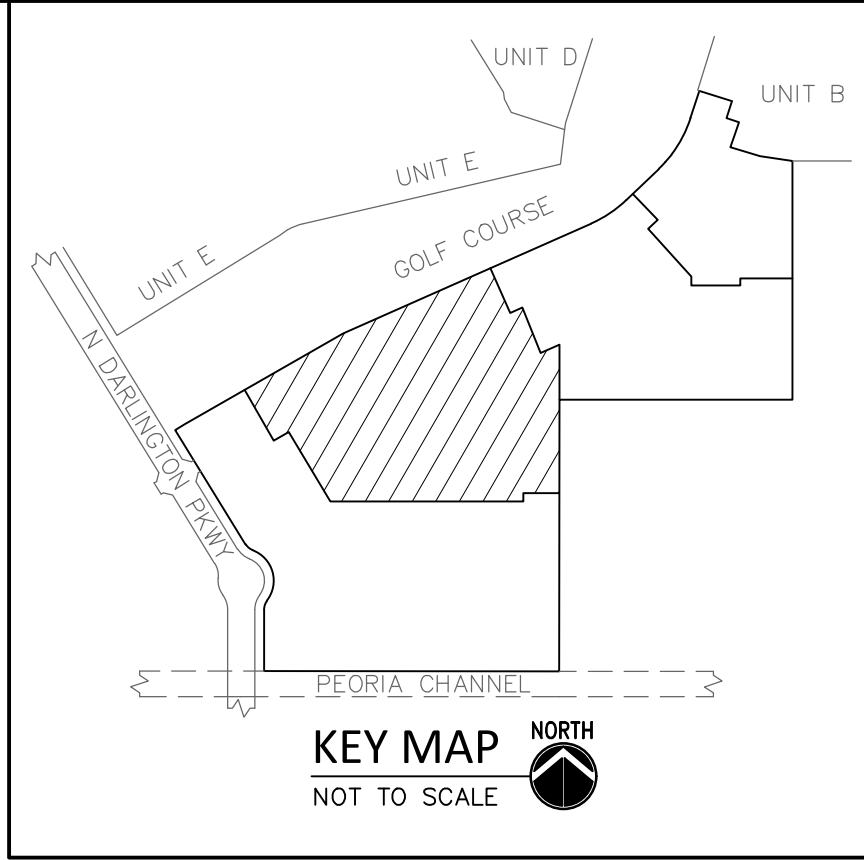


TYPICAL S.V.T. EASEMENT

PER CITY OF SURPRISE STANDARD DETAIL 4-02

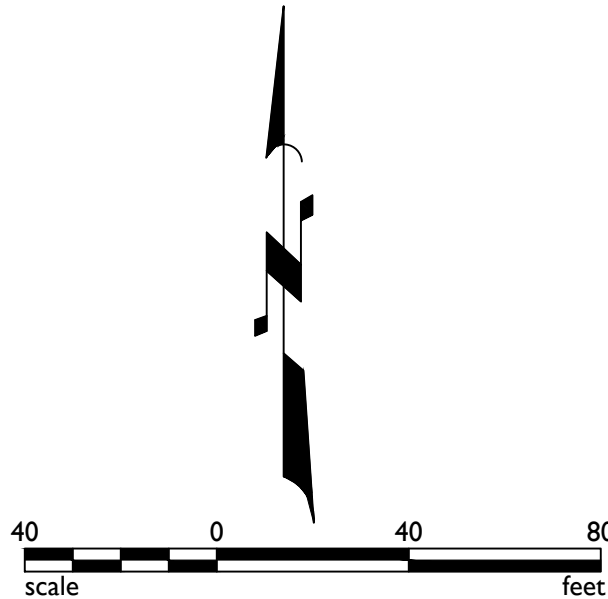
LINETYPE LEGEND

- MATCH LINE
- BOUNDARY LINE
- RIGHT OF WAY LINE
- GOLF TRACT BOUNDARY LINE



KEY MAP
NOT TO SCALE

* LOTS ARE TO HAVE INDIVIDUAL DRIVEWAY EASEMENTS. EACH EASEMENT TO PROVIDE FOR VEHICULAR ACCESS, PEDESTRIAN ACCESS, PUBLIC UTILITIES, WATER UTILITIES, AND SEWER UTILITIES. EXACT EASEMENT LOCATION TO BE REFINED AT FINAL PLAT.



1130 N Alma School Road
Suite 120
Mesa, AZ 85201
T:480.503.2250 | F:480.503.2258
www.epsgroupinc.com

EPS
GROUP

TOLL AT PRASADA
UNITS F & C PRELIMINARY PLAT
SURPRISE, ARIZONA

Preliminary Plat

Project:

Revisions:

Call at least five business days before your hearing date.
ARIZONA
State of Arizona
Maricopa County (802063-1100)

Designer:
Drawn by:

Registered Professional Engineer (PE)
JAMES ROGERS
64616
07/24/19

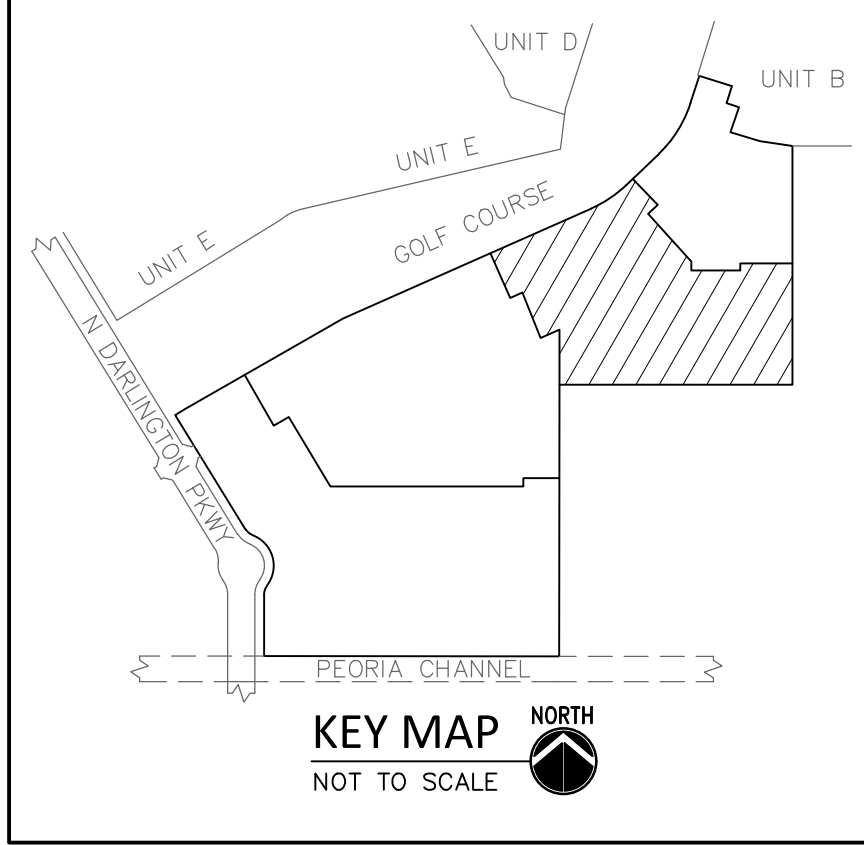
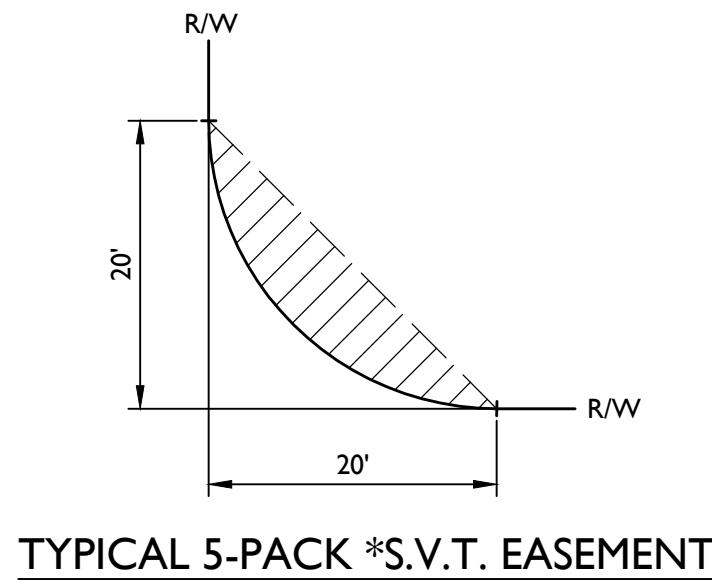
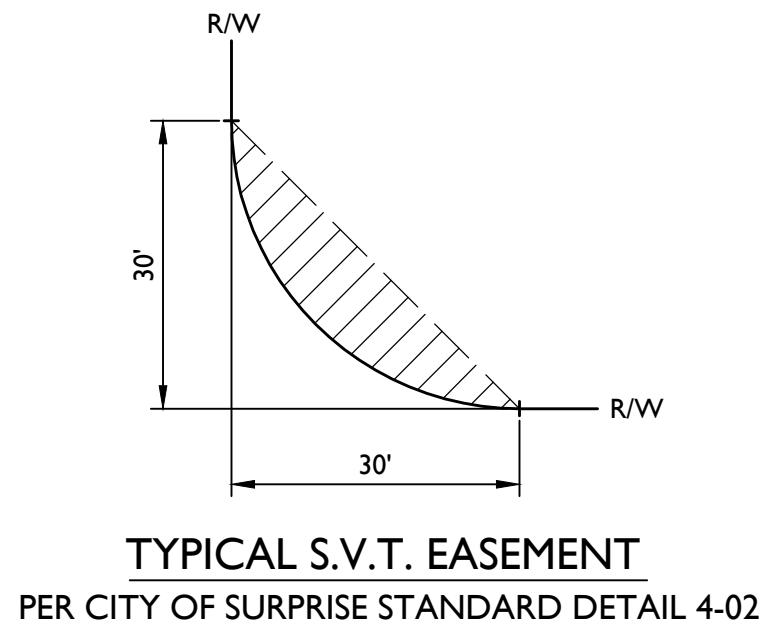
Job No.
16-339
PP02

Sheet No.
5
of 8

16-339 - UNITS F & C PRELIMINARY PLAT

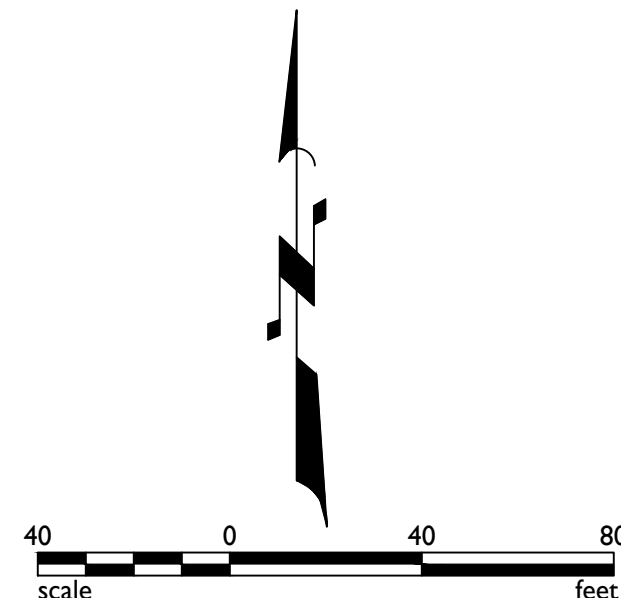
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ikluce



- LINETYPE LEGEND**
- MATCH LINE
 - BOUNDARY LINE
 - RIGHT OF WAY LINE
 - GOLF TRACT BOUNDARY LINE

* LOTS ARE TO HAVE INDIVIDUAL DRIVEWAY EASEMENTS. EACH EASEMENT TO PROVIDE FOR VEHICULAR ACCESS, PEDESTRIAN ACCESS, PUBLIC UTILITIES, WATER UTILITIES, AND SEWER UTILITIES. EXACT EASEMENT LOCATION TO BE REFINED AT FINAL PLAT.



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Suite 120
Mesa, AZ 85201
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Project:

TOLL AT PRASADA
UNITS F & C PRELIMINARY PLAT
SURPRISE, ARIZONA

Preliminary Plat

Revisions:

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Call at least 48 hours before working days before your begin excavation.

Design: YE
Drawn by: JK

Job No.
16-339
PP03
Sheet No.
6
of 8

16-339 - UNITS F & C PRELIMINARY PLAT

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ikluce

UNIT F LOT AREA TABLE			
LOT #	AREA (SF)	AREA (AC)	LOT CATEGORY
801	7,700	0.1768	C
802	7,700	0.1768	C
803	7,700	0.1768	C
804	6,600	0.1515	D1
805	6,600	0.1515	D1
806	6,600	0.1515	D1
807	7,714	0.1771	C
808	8,085	0.1856	C
809	8,247	0.1893	C
810	6,665	0.1530	D1
811	7,707	0.1769	C
812	7,702	0.1768	C
813	7,702	0.1768	C
814	7,703	0.1768	C
815	9,131	0.2096	D1
816	5,704	0.1309	D1
817	6,142	0.1410	D1
818	8,364	0.1920	D1
819	9,403	0.2159	D1

UNIT F LOT AREA TABLE			
LOT #	AREA (SF)	AREA (AC)	LOT CATEGORY
858	6,600	0.1515	D1
859	8,141	0.1869	D2
860	6,532	0.1500	D2
861	5,500	0.1263	D1
862	5,500	0.1263	D1
863	6,600	0.1515	D1
864	6,600	0.1515	D1
865	5,500	0.1263	D1
866	5,500	0.1263	D1
867	5,500	0.1263	D1
868	6,600	0.1515	D1
869	7,661	0.1759	C
870	7,698	0.1767	C
871	6,600	0.1515	D1
872	5,500	0.1263	D1
873	5,500	0.1263	D1
874	5,500	0.1263	D1
875	6,600	0.1515	D1
876	6,600	0.1515	D1

UNIT C LOT AREA TABLE			
LOT #	AREA (SF)	AREA (AC)	LOT CATEGORY
1001	6,603	0.1516	D1
1002	6,602	0.1516	D1
1003	6,602	0.1516	D1
1004	7,702	0.1768	C
1005	7,701	0.1768	C
1006	7,700	0.1768	C
1007	7,130	0.1637	D1
1008	7,371	0.1692	D1
1009	6,899	0.1584	D1
1010	7,775	0.1785	C
1011	8,545	0.1962	C
1012	8,370	0.1922	C
1013	7,939	0.1822	C
1014	7,677	0.1762	C
1015	5,750	0.1320	D1
1016	5,750	0.1320	D1
1017	5,751	0.1320	D1
1018	8,323	0.1911	D1
1019	7,297	0.1675	D1
1020	6,629	0.1522	D1

UNIT F LOT AREA TABLE			
LOT #	AREA (SF)	AREA (AC)	LOT CATEGORY
820	9,337	0.2144	D1
821	7,066	0.1622	D1
822	6,982	0.1603	D1
823	9,193	0.2110	D1
824	7,418	0.1703	D2
825	5,500	0.1263	D1
826	6,736	0.1546	D1
827	7,261	0.1667	D1
828	6,917	0.1588	D1
829	6,573	0.1509	D1
830	6,136	0.1409	D1
831	7,968	0.1829	D1
832	8,152	0.1872	D2
833	6,600	0.1515	D1
834	5,500	0.1263	D1
835	5,500	0.1263	D1
836	5,500	0.1263	D1
837	5,500	0.1263	D1
838	5,500	0.1263	D1

UNIT F LOT AREA TABLE			
LOT #	AREA (SF)	AREA (AC)	LOT CATEGORY
877	5,500	0.1263	D1
878	5,500	0.1263	D1
879	6,520	0.1497	D2
880	7,154	0.1642	D1
881	6,600	0.1515	D1
882	11,159	0.2562	C
883	8,854	0.2033	D1
884	6,968	0.1600	D1
885	5,503	0.1263	D1
886	5,501	0.1263	D1
887	6,602	0.1516	D1
888	6,602	0.1516	D1
889	6,603	0.1516	D1
890	5,503	0.1263	D1
891	5,503	0.1263	D1
892	5,504	0.1263	D1
893	5,504	0.1264	D1
894	5,504	0.1264	D1
895	5,514	0.1266	D1

UNIT C LOT AREA TABLE			
LOT #	AREA (SF)	AREA (AC)	LOT CATEGORY
1021	6,115	0.1404	D1
1022	9,355	0.2148	D2
1023	9,673	0.2221	D2
1024	6,001	0.1378	D1
1025	7,006	0.1608	D1
1026	5,500	0.1263	D1
1027	5,499	0.1262	D1
1028	6,514	0.1495	D2
1029	5,148	0.1182	E
1030	4,700	0.1079	E
1031	5,600	0.1286	E
1032	4,700	0.1079	E
1033	5,724	0.1314	E
1034	5,148	0.1182	E
1035	4,700	0.1079	E
1036	5,600	0.1286	E
1037	4,700	0.1079	E
1038	5,148	0.1182	E
1039	5,148	0.1182	E
1040	4,700	0.1079	E

UNIT F LOT AREA TABLE			
LOT #	AREA (SF)	AREA (AC)	LOT CATEGORY
839	5,500	0.1263	D1
840	5,442	0.1249	D1
841	10,017	0.2300	D1
842	5,501	0.1263	D1
843	6,600	0.1515	D1
844	6,600	0.1515	D1
845	6,600	0.1515	D1
846	6,600	0.1515	D1
847	6,600	0.1515	D1
848	5,500	0.1263	D1
849	5,708	0.1310	D1
850	5,501	0.1263	D1
851	5,500	0.1263	D1
852	5,500	0.1263	D1
853	5,500	0.1263	D1
854	5,500	0.1263	D1
855	5,500	0.1263	D1
856	5,500	0.1263	D1
857	5,500	0.1263	D1

UNIT F LOT AREA TABLE			
LOT #	AREA (SF)	AREA (AC)	LOT CATEGORY
896	6,600	0.1515	D1
897	5,500	0.1263	D1
898	5,500	0.1263	D1
899	5,500	0.1263	D1
900	6,600	0.1515	D1
901	6,600	0.1515	D1
902	6,600	0.1515	D1
903	7,700	0.1768	C
904	7,703	0.1768	C
905	8,362	0.1920	C
906	6,601	0.1515	D1
907	7,346	0.1686	D1
908	6,782	0.1557	D1
909	6,223	0.1429	D1
910	5,500	0.1263	D1
911	6,600	0.1515	D1
912	6,600	0.1515	D1
913	6,600	0.1515	D1
914	6,600	0.1515	D1

UNIT C LOT AREA TABLE			
LOT #	AREA (SF)	AREA (AC)	LOT CATEGORY
1041	5,600	0.1286	E
1042	4,700	0.1079	E
1043	5,148	0.1182	E
1044	5,148	0.1182	E
1045	4,700	0.1079	E
1046	5,600	0.1286	E
1047	4,700	0.1079	E
1048	5,148	0.1182	E
1049	5,148	0.1182	E
1050	4,700	0.1079	E
1051	5,600	0.1286	E
1052	4,700	0.1079	E
1053	5,148	0.1182	E
1054	5,334	0.1224	E
1055	4,700	0.1079	E
1056	5,600	0.1286	E
1057	4,700	0.1079	E
1058	5,148	0.1182	E
1059	9,439	0.2167	D1
1060	10,091	0.2317	D1

TRACT USE TABLE			
TRACT	USE	AREA (SF)	AREA (AC)
PS1	PRIVATE STREET TRACT, PUBLIC UTILITIES, WET UTILITIES EASEMENT	262559	6.028
TRACT C-K	LANDSCAPE, OPEN SPACE, PUBLIC UTILITIES EASEMENT	6226	0.143
TRACT C-L	LANDSCAPE, OPEN SPACE, PUBLIC UTILITIES EASEMENT	1449	0.033
TRACT C-M	SHARED DRIVEWAY, PUBLIC UTILITIES EASEMENT	4939	0.113
TRACT C-N	LANDSCAPE, OPEN SPACE, PUBLIC UTILITIES EASEMENT	3356	0.077
TRACT C-O	SHARED DRIVEWAY, PUBLIC UTILITIES EASEMENT	3504	0.080
TRACT C-P	SHARED DRIVEWAY, PUBLIC UTILITIES EASEMENT	3504	0.080
TRACT C-Q	LANDSCAPE, OPEN SPACE, ACCESS FOR ADJACENT LOTS, PUBLIC UTILITIES, WET UTILITIES EASEMENT	28134	0.646
TRACT C-R	LANDSCAPE, OPEN SPACE, DRAINAGE BASIN, PUBLIC UTILITIES EASEMENT	33531	0.770
TRACT C-S	SHARED DRIVEWAY, PUBLIC UTILITIES EASEMENT	3504	0.080
TRACT C-T	SHARED DRIVEWAY, PUBLIC UTILITIES EASEMENT	3504	0.080
TRACT C-U	SHARED DRIVEWAY, PUBLIC UTILITIES EASEMENT	5290	0.121
TRACT C-V	LANDSCAPE, OPEN SPACE, PUBLIC UTILITIES EASEMENT	8861	0.203
TRACT C-W	LANDSCAPE, OPEN SPACE, PUBLIC UTILITIES EASEMENT	2750	0.063
TRACT F-A	LANDSCAPE, OPEN SPACE, PUBLIC UTILITIES EASEMENT	3712	0.085
TRACT F-B	LANDSCAPE, OPEN SPACE, PUBLIC UTILITIES EASEMENT	11826	0.271
TRACT F-C	LANDSCAPE, OPEN SPACE, DRAINAGE BASIN, PUBLIC UTILITIES EASEMENT	20292	0.466
TRACT F-D	LANDSCAPE, OPEN SPACE, PUBLIC UTILITIES	3263	0.075
TRACT F-E	LANDSCAPE, OPEN SPACE, PUBLIC UTILITIES EASEMENT	6141	0.141
TRACT F-F	LANDSCAPE, OPEN SPACE, PUBLIC UTILITIES EASEMENT	4691	0.108

BACK OF CURB AND CENTERLINE CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD	DELTA
C1	308.74'	2980.00'	308.61'	005°56'10"
C2	118.58'	220.00'	117.15'	030°53'01"
C3	85.34'	200.00'	84.70'	024°26'56"
C4	115.22'	300.00'	114.51'	022°00'16"
C5	175.60'	504.99'	174.71'	019°55'22"
C6	174.30'	505.00'	173.43'	019°46'30"
C7	31.04'	20.00'	28.01'	088°54'43"
C8	107.80'	200.00'	106.50'	030°53'01"
C9	78.53'	50.00'	70.70'	089°59'03"
C10	78.49'	50.00'	70.68'	089°56'33"
C11	122.90'	320.00'	122.14'	022°00'16"
C12	30.74'	20.00'	27.80'	088°04'19"
C13	31.42'	20.00'	28.28'	090°00'00"
C14	57.70'	50.00'	54.56'	066°07'29"
C15	78.52'	50.00'	70.70'	089°58'56"
C16	45.81'	50.00'	44.23'	052°29'53"
C17	29.95'	20.00'	27.23'	085°47'28"
C18	103.96'	525.00'	103.79'	011°20'43"
C19	76.45'	505.00'	76.38'	008°40'27"
C20	168.64'	484.98'	167.79'	019°55'22"

BACK OF CURB AND CENTERLINE CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD	DELTA
C61	68.43'	375.00'	68.34'	010°23'21"
C62	54.18'	375.00'	54.13'	008°16'39"
C63	22.13'	485.00'	22.13'	002°36'52"
C64	66.10'	485.00'	66.05'	007°48'31"
C65	7.33'	485.00'	7.33'	000°51'55"
C66	167.39'	485.00'	166.56'	019°46'30"
C67	28.49'	484.70'	28.48'	003°22'02"
C68	75.58'	484.96'	75.51'	008°55'48"
C69	64.57'	484.98'	64.52'	007°37'41"
C70	48.21'	3000.00'	48.21'	000°55'15"
C71	60.02'	3000.00'	60.02'	001°08'47"
C72	69.53'	3000.00'	69.53'	001°19'41"
C73	69.91'	3000.00'	69.91'	001°20'07"
C74	63.14'	3000.00'	63.14'	001°12'21"
C75	21.29'	200.00'	21.28'	006°05'52"
C76	21.11'	100.00'	21.08'	012°05'52"
C77	48.53'	100.00'	48.06'	027°48'26"
C78	8.94'	100.00'	8.94'	005°07'18"
C79	16.59'	200.00'	16.59'	004°45'10"
C80	23.77'	200.00'	23.76'	006°48'36"

BACK OF CURB AND CENTERLINE CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD	DELTA
C21	310.82'	3000.00'	310.68'	005°56'10"
C22	31.80'	20.00'	28.55'	091°05'17"
C23	26.58'	20.00'	24.67'	076°08'36"
C24	65.44'	220.00'	65.20'	017°02'34"
C25	31.40'	20.00'	28.27'	089°56'33"
C26	31.44'	20.00'	28.30'	090°03'27"
C27	51.57'	50.00'	49.32'	059°06'02"
C28	31.04'	20.00'	28.01'	088°54'43"
C29	42.83'	180.00'	42.73'	013°38'02"
C30	31.88'	20.00'	28.61'	091°19'51"
C31	62.62'	240.00'	62.44'	014°56'56"
C32	31.41'	20.00'	28.28'	089°59'03"
C33	31.40'	20.00'	28.27'	089°56'33"
C34	31.44'	20.00'	28.30'	090°03'27"
C35	31.40'	20.00'	28.27'	089°56'33"
C36	107.53'	280.00'	106.87'	022°00'16"
C37	32.09'	20.00'	28.76'	091°55'41"
C38	269.98'	2960.00'	269.88'	005°13'33"
C39	32.04'	20.00'	28.72'	091°47'54"
C40	20.63'	20.00'	19.73'	059°06'02"

Prasada - Phase 1 Unit F&C

WEST OF COTTON LANE , SOUTH OF CACTUS ROAD.

CITY OF SURPRISE PRE-PLAT LANDSCAPE PLANS

GENERAL NOTES:

- THESE CONSTRUCTION DOCUMENTS, INCLUDING ALL PLANS, NOTES, DETAILS AND SPECIFICATIONS ARE INTENDED TO FACILITATE THE INSTALLATION CONTRACTOR BY PROVIDING GENERAL GUIDELINES FOR DESIGN INTENT. IT IS THE GOAL OF THE DOCUMENTS THAT THE WORK IS TO BE COMPLETED WITHOUT CHANGE ORDERS. ALL CONDITIONS SHOWN IN THE DOCUMENTS ARE ESTIMATES ONLY AND ARE NOT GUARANTEED. THE CONTRACTOR SHALL SUPPLY ALL MATERIALS, LABOR AND EQUIPMENT IN ORDER TO FULFILL THE INTENT OF THE DESIGN DRAWINGS.
- INTERPRETATION OF THE PLANS AND SPECIFICATIONS SHALL BE MADE BY THE "AUTHOR" OR "ARCHITECT/ENGINEER-OF-RECORD" OF THE RESPECTIVE DOCUMENT AND SHALL BE CONSIDERED FINAL. ANY POSSIBLE AMBIGUITY SHALL BE SUBMITTED IN WRITING BY THE CONTRACTOR PRIOR TO SUBMITTING FORMAL BIDS. ALL CLARIFICATIONS SHALL BE PREPARED IN WRITING BY THE "ARCHITECT/ENGINEER-OF-RECORD" PRIOR TO BIDDING. THE CONTRACTOR SHALL ACCEPT THE INTERPRETATION OF THE "ARCHITECT/ENGINEER-OF-RECORD" AS THE CORRECT AND FINAL INTERPRETATION.
- ANY INCIDENTAL INSTALLATION PROCEDURE, MATERIAL OR EQUIPMENT, NOT MENTIONED IN THESE CONSTRUCTION DOCUMENTS, THE SPECIFICATIONS NOR SHOWN ON THE PLANS, WHICH MAY BE NECESSARY FOR COMPLETION AND SATISFACTORY OPERATION OF THE DESIGN SYSTEM SHALL BE FURNISHED AND INSTALLED (AS BASED ON INDUSTRY STANDARDS) AS THOUGH SHOWN OR PROVIDED FOR.
- EXISTING CONDITIONS AND BASE INFORMATION ARE BASED ON PLANS PREPARED BY: CIVIL ENGINEER. THE CONTRACTOR SHALL BECOME FAMILIAR WITH THE LOCATION OF EXISTING AND FUTURE UNDERGROUND SERVICES AND IMPROVEMENTS WHICH MAY CONFLICT WITH THE WORK TO BE DONE. NOTIFY THE OWNER'S AUTHORIZED REPRESENTATIVE IMMEDIATELY SHOULD A CONFLICT ARISE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR SECURING ALL NECESSARY PERMITS AND SHALL NOTIFY ALL UTILITY COMPANIES WITH UTILITIES ON SITE PRIOR TO THE CONSTRUCTION OF THE PROJECT.
- FOR UNDERGROUND UTILITY COORDINATION AND 48 HOURS PRIOR TO START OF CONSTRUCTION (DEPENDING ON AREA OR JURISDICTION), THE CONTRACTOR SHALL CONTACT:
A) BLUE STAKE (ARIZONA) 1-800-792-5348
B) UNDERGROUND SERVICES ALERT (USA) 1-800-227-2600
C) ARIZONA PUBLIC SERVICE 1-800-240-2014
- THESE NOTES ARE TO BE USED FOR GENERAL REFERENCE IN CONJUNCTION WITH AND AS A SUPPLEMENT TO THE WRITTEN SPECIFICATIONS, APPROVED ADDENDUMS, AND THE CHANGE ORDERS AS ASSOCIATED WITH THESE CONSTRUCTION DOCUMENTS.
- SHOULD THE CONTRACTOR HAVE ANY QUESTIONS REGARDING THESE CONSTRUCTION DOCUMENTS OR SHOULD THERE BE ANY DISCREPANCIES, HE SHALL CONTACT THE LANDSCAPE ARCHITECT FOR CLARIFICATION BEFORE PROCEEDING FURTHER.
- ALL WORK SHALL CONFORM TO THE CONTRACT DOCUMENTS AND PER GOVERNING CODES AND/OR ORDINANCES.
- THE CONTRACTOR SHALL PROVIDE BARRICADES AND TRAFFIC CONTROL ALONG PUBLIC STREETS, IF REQUIRED, DURING INSTALLATION.
- IT IS THE CONTRACTOR'S RESPONSIBILITY TO REPORT TO THE LANDSCAPE ARCHITECT AND/OR THE OWNER'S AUTHORIZED REPRESENTATIVE ANY DISCREPANCIES BETWEEN THE CONSTRUCTION DOCUMENTS AND FIELD CONDITIONS PRIOR TO THE START OF WORK.
- BEFORE WORK BEGINS ON THE PROJECT, THE CONTRACTOR SHALL REVIEW THE PROJECT WITH THE LANDSCAPE ARCHITECT AND/OR THE OWNER'S AUTHORIZED REPRESENTATIVE.
- THE LANDSCAPE ARCHITECT AND/OR THE OWNER'S AUTHORIZED REPRESENTATIVE SHALL APPROVE ANY OR ALL CHANGES PRIOR TO THE START OF WORK.
- THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING AND COORDINATING EXISTING SITE CONDITIONS.
- THE CONTRACTOR SHALL ADHERE TO ALL APPLICABLE LOCAL, STATE, AND/OR FEDERAL LAWS AND/OR REGULATIONS PERTAINING TO THE PROJECT.
- THE CONTRACTOR SHALL PROPERLY COORDINATE HIS WORK WITH OTHER CONTRACTOR'S WORK PRIOR TO INSTALLATION.
- THE CONTRACTOR SHALL TAKE PRECAUTIONARY MEASURES TO PROTECT EXISTING IMPROVEMENTS AND THE PUBLIC FROM DAMAGE THROUGHOUT CONSTRUCTION.
- THE CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR ANY DAMAGES IMPOSED, UNINTENTIONALLY OR ACCIDENTALLY TO EXISTING UTILITIES, STRUCTURES, WALLS, OR OTHER AMENITIES, DUE TO THE ACTION OF THE CONTRACTOR, CONTRACTOR'S EMPLOYEES AND/OR THE CONTRACTOR'S SUBCONTRACTORS. DAMAGE OCCURRED DURING THE CONTRACTOR'S OPERATION SHALL BE REPAIRED. AT THE EXPENSE OF THE CONTRACTOR, TO THE SATISFACTION OF THE OWNER'S AUTHORIZED REPRESENTATIVE.
- MATCH GRADES, LAYOUT AND ELEVATIONS OF ADJOINING LANDSCAPE WORK BY OTHERS. NOTIFY THE LANDSCAPE ARCHITECT OF CONFLICTS BEFORE PROCEEDING WITH CONSTRUCTION.

PLANTING GENERAL NOTES:

- THE CONTRACTOR SHALL REVIEW PLANTING PLAN WITH LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
- THE LANDSCAPE ARCHITECT OR HIS REPRESENTATIVE RESERVES THE RIGHT TO REFUSE ANY PLANT MATERIALS HE DEEMS UNACCEPTABLE. SEE SPECIFICATIONS.
- THE CONTRACTOR SHALL SUPPLY AND INSTALL ALL PLANT MATERIAL AS SPECIFIED ON THE PLANTING PLANS. HOWEVER, SHOULD THE PLANT MATERIAL BE TEMPORARILY UNAVAILABLE, THE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT AND INSTALL 5 GALLON NURSERY BUCKETS WITH IRRIGATION AT EACH PLANT LOCATION. AS THE PLANT MATERIAL BECOMES AVAILABLE, THE 5 GALLON BUCKETS SHALL BE REMOVED AND PLANT MATERIAL INSTALLED.
- ANY AND ALL SUBSTITUTIONS TO BE APPROVED BY DESIGN/BUILDER AND/OR THE LANDSCAPE ARCHITECT.
- LOCATE PLANTS AWAY FROM SPRINKLER HEADS, LIGHT FIXTURES AND OTHER OBSTRUCTIONS.
- FINAL LOCATION OF ALL PLANT MATERIAL SHALL BE SUBJECT TO THE APPROVAL OF THE OWNER'S AUTHORIZED REPRESENTATIVE.
- PLANTING AND IRRIGATION DESIGN MAY BE MODIFIED TO ADAPT TO WALK CONFIGURATIONS THAT DIFFER FROM THESE PLANS, OR BECAUSE OF GRADE LIMITATIONS ON SITE.
- WATER TEST ALL TREE PLANTING HOLES PRIOR TO PLANTING. IF TREE HOLE DOES NOT DRAIN, DO NOT PLANT. SEE HARDPAN DETAIL.
- REFER TO THE SPECIFICATIONS FOR ADDITIONAL REQUIREMENTS NOT SHOWN ON DRAWINGS.
- TREES SHALL BE PLANTED A MINIMUM OF 10'-0" FROM STREET LIGHTS / FIRE HYDRANTS, 6'-0" FROM EDGE OF UNDERGROUND PIPELINES AND A MINIMUM OF 4'-0" FROM WALKS, CURBS AND WALLS. SHRUBS SHALL BE PLANTED A MINIMUM OF 2'-0" FROM CURB AND WALLS.
- ALL SPECIMEN TREES, SHRUBS AND CACTI SHALL BE FIELD LOCATED BY LANDSCAPE ARCHITECT OR OWNER'S AUTHORIZED REPRESENTATIVE.
- THE CONTRACTOR SHALL INSTALL "SHAWTOWN ROOT BARRIER PANELS" (OR APPROVED EQUAL) AT ALL TREES WITHIN 7'-0" FEET OF HARDCAPE ELEMENTS INCLUDING (BUT NOT LIMITED TO) SIDEWALKS, ASPHALT, CONCRETE SLABS / FOOTINGS AND STRUCTURES. CONTRACTOR SHALL SUBMIT SPECIFICATION SHEETS OF PROPOSED ROOT BARRIER PANELS TO THE LANDSCAPE ARCHITECT FOR APPROVAL PRIOR TO INSTALLATION.
- THE CONTRACTOR SHALL INSTALL ARBOR GUARDS AT ALL TREES LOCATED IN TURF AREAS.
- ON-SITE AND OFF-SITE TOPSOIL SHALL CONFORM TO CONTENT REQUIREMENTS AS SPECIFIED IN PART 2 OF THE PLANTING SPECIFICATIONS. AGRONOMY TEST SUBMITTALS ARE REQUIRED FOR ALL MATERIAL USED FOR TOPSOIL AND BACKFILL. SUBMIT REPORT TO LANDSCAPE ARCHITECT FOR REVIEW.
- ALL PLANT MATERIAL SHALL BE IN COMPLIANCE WITH THE AMERICAN STANDARDS FOR NURSERY STOCK, LATEST EDITION.
- THE CONTRACTOR SHALL PROVIDE MAINTENANCE FOR ALL ALL PLANT MATERIAL FROM THE TIME OF INSTALLATION THROUGH SUBSTANTIAL COMPLETION.
- CACTI SHALL BE PLANTED A MINIMUM OF 3'-0" AWAY FROM ALL PEDESTRIAN ROUTES.
- CACTI SHALL BE WELL ROOTED AND NON-SCARRED.
- PLANT MATERIAL MARKED "SALVAGE" SHALL BE SELECTED FROM ON-SITE SALVAGE INVENTORY. ALL MATERIAL SELECTIONS SHALL BE APPROVED BY LANDSCAPE ARCHITECT AND/OR OWNER'S AUTHORIZED REPRESENTATIVE.
- IN DISTURBED AREAS INDICATED TO RECEIVE REVEGETATION HYDROSEED AND/OR PLANTING, THE CONTRACTOR SHALL MATCH EXISTING NATURAL DESERT STONE GROUND COVER CONDITIONS ADJACENT TO THE PROJECT.
- NATIVE REVEGETATION AREAS AND PLANTER BEDS SHALL BE TREATED WITH PRE-EMERGENT AS PER MANUFACTURER'S INSTRUCTIONS. RE-APPLY AS NECESSARY TO ELIMINATE INVASIVE WEEDS. REMOVE ALL DEAD DEBRIS.
- THE CONTRACTOR SHALL PROVIDE A 50'-0" BY 50'-0" TYPICAL MOCK-UP OF NATIVE REVEGETATION AREAS FOR REVIEW BY THE LANDSCAPE ARCHITECT OR OWNER'S AUTHORIZED REPRESENTATIVE.
- ALL TREE STAKING SHALL CONFORM TO THE PLANS AND DETAILS OR AS NOTED IN THE SPECIFICATIONS. THE LANDSCAPE ARCHITECT OR OWNER'S AUTHORIZED REPRESENTATIVE SHALL REVIEW TYPICAL TREE STAKING PRIOR TO FINAL ACCEPTANCE.

INERT GENERAL NOTES:

ANGULAR GRANITE RIP-RAP

- INSTALL GRANITE RIP-RAP IN ALL DRAINAGE SWALES, AND WHERE INDICATED ON PLANS (TYPICAL). REFER TO MATERIALS SCHEDULE / PLANTING LEGEND FOR COLOR AND SIZE OF GRANITE RIP-RAP.
- THE CONTRACTOR SHALL SUBMIT SAMPLES TO LANDSCAPE ARCHITECT FOR REVIEW AND APPROVAL PRIOR TO INSTALLATION.
- THE CONTRACTOR SHALL REFER TO CIVIL PLANS FOR ADDITIONAL INFORMATION.

DECOMPOSED GRANITE

- DECOMPOSED GRANITE IS REQUIRED IN ALL PLANTING AREAS, EXCEPT AREAS OF TURF AND GRANITE RIP-RAP, AND SHALL EXTEND UNDER PLANT MATERIAL UNLESS NOTED OTHERWISE ON PLANS. REFER TO MATERIALS SCHEDULE / PLANTING LEGEND.
- ALL PLANTING AREAS SHALL RECEIVE A 2" MINIMUM LAYER OF DECOMPOSED GRANITE, THROUGHOUT (TYPICAL).
- CONTRACTOR SHALL SUBMIT SAMPLES TO LANDSCAPE ARCHITECT FOR REVIEW AND APPROVAL PRIOR TO INSTALLATION.

IRRIGATION GENERAL NOTES:

- THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR FULL IRRIGATION COVERAGE OF ALL PLANT MATERIAL.
- THE LANDSCAPE CONTRACTOR SHALL SUBMIT FULL PIPING PLANS, AFTER FIELD VERIFICATION, INDICATING POINT OF CONNECTION AND SIZE, BACKFLOW PREVENTER LOCATION AND SIZE, AND PIPE ROUTING AND SIZES.
- THE LANDSCAPE CONTRACTOR SHALL INSTALL THE SPECIFIED SYSTEM IN ACCORDANCE WITH THE ATTACHED SCHEDULES, NOTES, DETAILS, AND SPECIFICATIONS.
- THE LANDSCAPE CONTRACTOR TO SITE VERIFY PRESSURE AND NOTIFY LANDSCAPE ARCHITECT OF ANY DIFFERENCES PRIOR TO INSTALLATION OR ORDERING OF MATERIALS. IF CONTRACTOR FAILS TO NOTIFY LANDSCAPE ARCHITECT, HE IS FINANCIALLY RESPONSIBLE FOR ANY NECESSARY SYSTEM ALTERATIONS THAT RESULT.
- THE LANDSCAPE CONTRACTOR SHALL FIELD VERIFY EXISTING TAP LOCATIONS. INSTALL NEW METERS PER THE ATTACHED IRRIGATION SCHEDULE.
- THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR CUTTING AND PATCHING OF ASPHALT AND CONCRETE AS REQUIRED FOR SLEEVE INSTALLATION ACCORDING TO THE IRRIGATION SCHEDULE.
- CONTROLLER TO BE INSTALLED AS PER MANUFACTURER'S SPECIFICATIONS. CONTROLLER SIZE AND QUANTITIES TO BE DETERMINED BY THE VALVE REQUIREMENTS AND POINTS OF CONNECTION. INSTALL ONE (1) CONTROLLER AT EACH POINT OF CONNECTION.
- INSTALL PVC MAINLINE AND LATERALS ACCORDING TO THE IRRIGATION AND PIPING SCHEDULES.
- ALL VALVE FLOWS SHALL NOT EXCEED MANUFACTURER'S SPECIFICATIONS.
- VALVE BOXES SHALL BE SQUARE TO ADJACENT WALKS OR CURBS AND FLUSH WITH THE FINAL GRADE.
- WORK SHALL CONFORM TO ALL CONSTRUCTION CODES AND REGULATIONS.
- THE LANDSCAPE CONTRACTOR SHALL INSTALL GREEN VALVE BOXES IN TURF AREAS AND TAN VALVE BOXES IN DECOMPOSED GRANITE AREAS (TYPICAL).
- REFER TO THE IRRIGATION NOTES FOR THE CALCULATED PRESSURE AT THE WATER METER. REFER TO NOTE #4 IF PRESSURE DIFFERS FROM THAT NOTED.
- THE LANDSCAPE CONTRACTOR SHALL VISIT SITE PRIOR TO BIDDING ON PROJECT TO VERIFY INSTALLATION CONDITIONS.
- PRIOR TO COMMENCEMENT OF ANY WORK, THE CONTRACTOR SHALL CONTACT BLUE STAKE TO VERIFY LOCATIONS AND DEPTHS OF UNDERGROUND UTILITIES THAT MAY BE EFFECTED BY HIS WORK, AND HE SHALL BE RESPONSIBLE FOR DAMAGES TO SUCH UTILITIES CAUSED AS A RESULT OF HIS IRRIGATION INSTALLATION.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR COMPENSATING THE OWNER AND/OR THE OWNER'S REPRESENTATIVE FOR ANY DESIGN CHANGES MADE AS A RESULT OF DEVIATION BY THE CONTRACTOR FROM THE PLANS AND SPECIFICATIONS OR DUE TO ERRORS, FAULTY MATERIAL OR FAULTY WORKMANSHIP.
- INSTALL ALL MAINLINES WITH A MINIMUM OF 20' OF COVER.
- INSTALL ALL LATERALS WITH A MINIMUM OF 12" OF COVER.
- ALL PIPE TO BE INSTALLED PER THE MANUFACTURER'S SPECIFICATIONS AND ASTM STANDARD D 2774.
- ALL THREADED JOINTS TO BE COATED WITH TEFLON TAPE UNLESS OTHERWISE SPECIFIED BY THE MANUFACTURER. USE LIQUID TEFLON ON METAL PIPE THREADS ONLY.
- FLUSHING OF ALL LINES PRIOR TO INSTALLATION OF SPRINKLERS AND EMITTERS IS REQUIRED.
- INSTALL ALL SPRINKLERS, EMITTERS, AND RELATED MATERIAL PER IRRIGATION SYSTEM SPECIFICATIONS AND DETAILS.
- INSTALL ALL ELECTRICAL JOINTS WITH 3-M WATERPROOF CONNECTORS.
- ALL ELECTRICAL CONNECTIONS SHALL BE MADE AT THE REMOTE CONTROL VALVE BOXES. CONTROLLER ENCLOSURES AND VALVE BOXES SPECIFICALLY FOR ELECTRICAL CONNECTIONS.
- A CERTIFIED ELECTRICIAN SHALL BE RESPONSIBLE FOR INSTALLING ALL WIRING FROM THE CIRCUIT BREAKER AT THE 120 VOLT SOURCE LOCATION TO AUTOMATIC CONTROLLER.
- ALL 120 VOLT VOLT POWER WIRE TO BE INSTALLED PER LOCAL CODE AND THE N.E.C.
- THE CONTRACTOR SHALL PROVIDE ALL MAINLINE TRENCH AS DETAILED.
- INSTALL ALL REMOTE CONTROL VALVES AT HEIGHT INDICATED ON DETAILS, AS HIGH AS POSSIBLE BUT ALLOWING CLEARANCE BETWEEN VALVE BOX LID AND FLOW CONTROL HANDLE ON REMOTE CONTROL VALVE.
- INSTALL ALL MAINLINE GATE VALVES IN A ROUND PLASTIC VALVE BOX PER DETAILS.
- ALL PVC SOLVENT WELD FITTINGS SHALL BE LASCO OR APPROVED EQUAL.
- THE MAINLINE LATERAL PIPE, AND VALVES ARE SHOWN SCHEMATICALLY AND SHALL BE INSTALLED WITHIN THE LANDSCAPE AREA, OUTSIDE R.O.W. AND P.U.E., ADJACENT TO SIDEWALK OR CURB AND OFFSET 18" WHEREVER POSSIBLE.
- SUPPLY THE FOLLOWING MATERIAL TO THE OWNER:
A) TWO WRENCHES FOR DISASSEMBLY AND ADJUSTING OF EACH TYPE OF SPRINKLER HEAD AND VALVE SUPPLIED.
B) TWO KEYS FOR EACH OF THE CONTROLLERS.
C) TWO COUPLERS WITH MATCHING HOSE BIBS AND SHUT-OFF VALVE.
D) TWO VALVE BOX KEYS.
- ALL MAINLINE FITTINGS FOR PIPE 3" AND LARGER SHALL BE CAST OR DUCTILE IRON FOR PVC, SCHEDULE 80 PVC FOR 2 1/2" AND SMALLER.
- ALL MAINLINE PIPE SHALL BE A MINIMUM OF SCHEDULE 40.
- SLEEVES SHALL BE A MINIMUM OF TWO TIMES THE DIAMETER OF THE LINE SIZE.
- ALL MAINLINE AND IRRIGATION EQUIPMENT SHALL BE PLACED IN THE LANDSCAPED AREAS.
- CONTROLLER WIRES THAT ARE DIRECT BURIED SHALL BE #14 OR BETTER, BUNDLED OR WRAPPED A MINIMUM OF EVERY TWELVE (12) FEET. DURING INSTALLATION WIRES SHALL HAVE A 24" LOOP TIED IN ALL DIRECTION CHANGES GREATER THAN 30 DEGREES AND BE UNITED PRIOR TO TRENCH FILL IN.
- DRIP SYSTEM FLUSH CAPS SHALL BE PLACED IN A VALVE BOX AT THE END OF ALL DRIP LATERAL RUNS, AS DESCRIBED ON THE DRAWINGS.
- ALL VALVES, PRESSURE REGULATORS AND OTHER DEVICES SHALL BE PLACED IN AN APPROPRIATELY SIZED VALVE BOX WITH A MINIMUM OF TWO (2) INCHES OF PEA GRAVEL.
- PRIOR TO PLACING ANY IRRIGATION SYSTEM IN SERVICE, AN ARIZONA CERTIFIED BACKFLOW DEVICE TESTER SHALL TEST THE BACKFLOW PREVENTION DEVICE AND GIVE A COPY OF THE PASSED TEST RESULTS TO THE MARICOPA COUNTY INSPECTOR OR MAIL IT TO THE MARICOPA COUNTY DEPARTMENT OF PUBLIC WORKS' INSPECTION STATION.
- AFTER INITIAL TESTING, ALL BACKFLOW DEVICES SHALL BE TESTED ANNUALLY.
- BACKFLOW DEVICES SHALL BE A MINIMUM OF TWO (2) FEET FROM THE WATER METER AND BE THE SAME SIZE AS THE METER SERVICE LINE.
- ALL BACKFLOW PREVENTION DEVICES SHALL HAVE A MINIMUM 24"x36"x4" CLASS B CONCRETE SLAB WITH PIPE SLEEVES. IF A SECURITY CAGE IS INSTALLED, CONCRETE SHALL BE SIX (6) INCHES LARGER ON ALL SIDES THAN THE SECURITY CAGE.
- ALL PIPE CROSSINGS IN THE RIGHT-OF-WAY SHALL BE MARKED ON EACH SIDE OF THE CURB WITH A NON-DESTRUCTIBLE MARKING.

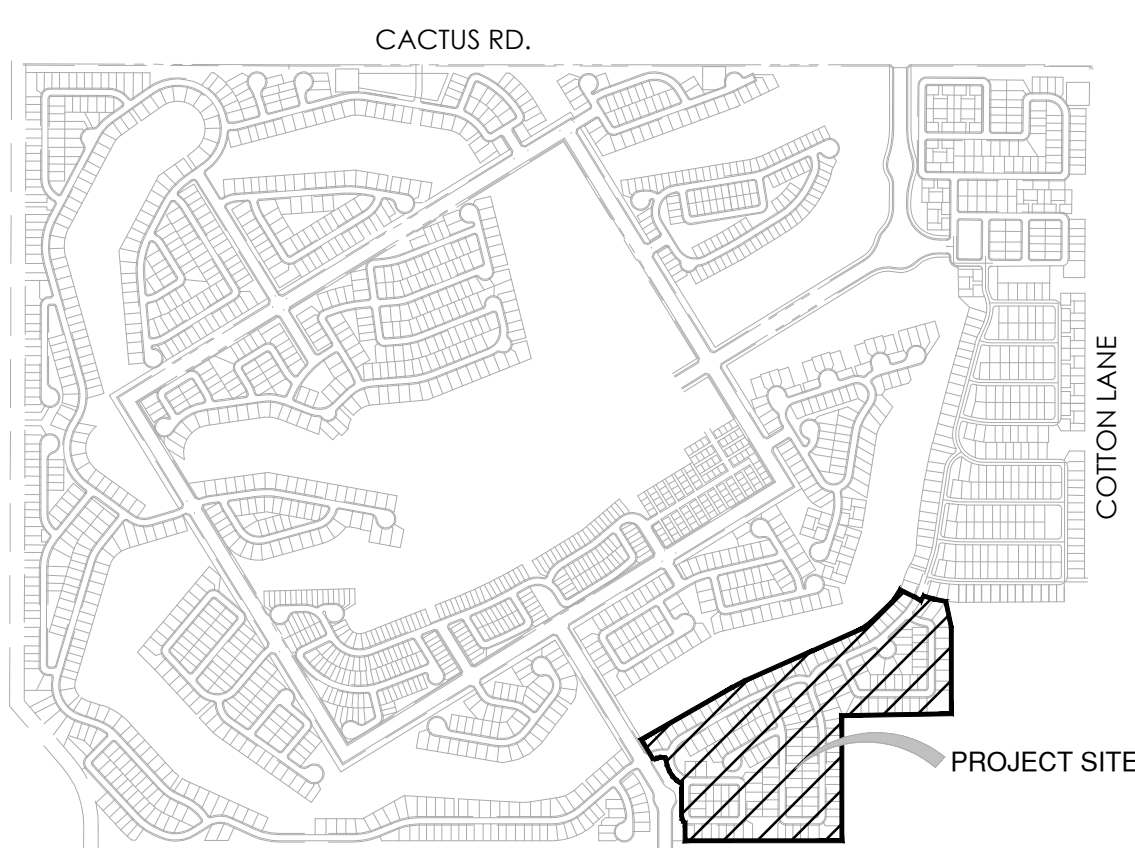
GRADING GENERAL NOTES:

- CONTRACTOR SHALL GRADE TO MAINTAIN POSITIVE DRAINAGE AWAY FROM ALL STRUCTURES. REVIEW ENGINEERS PLAN FOR DRAINAGE.
- FINISH GRADING SHALL BE BY THE DIRECTION OF THE LANDSCAPE ARCHITECT.
- LANDSCAPE ARCHITECT SHALL APPROVE GRADING PRIOR TO PLANTING.
- GRADING FOR THIS PROJECT INCLUDES THE FOLLOWING:
A) FINE GRADING OF EXISTING ROUGH GRADE IS REQUIRED TO PROVIDE SMOOTH, EVEN GRADE TRANSITION IN LANDSCAPE AREA.
B) IMPORTING AND PLACING "OFF-SITE 3/8" MINUS TOPSOIL" IN THE FOLLOWING AREAS:
i) TURF AND ANNUAL AREAS (6" DEPTH).
ii) PLANT BACKFILL (CAN BE SCREENED ON-SITE SOIL).
- THE CONTRACTOR IS RESPONSIBLE FOR REMOVING ANY CALICHE ENCOUNTERED ON SITE AT NO ADDITIONAL COST TO THE OWNER. THE OWNER AND CONTRACTOR SHALL COORDINATE A SUITABLE LOCATION ON SITE TO DISPOSE OF THE CALICHE MATERIAL. SHOULD A SUITABLE LOCATION ON SITE NOT EXIST, THE OWNER SHALL BE RESPONSIBLE FOR ALL FEES ASSOCIATED WITH REMOVAL AND DISPOSAL OF THE CALICHE.
- FINISH GRADE OF ALL PLANTING AREAS IS TO BE 1.5" BELOW ADJACENT PAVING UNLESS NOTED OTHERWISE.
- REFERENCE CIVIL ENGINEERING DRAWINGS FOR GRADING AND DRAINAGE FLOWS. THE CONTRACTOR SHALL BE RESPONSIBLE THAT THESE ARE PROVIDED FOR AND NOT IMPAIRED WITH OBSTRUCTIONS.
- THE CONTRACTOR IS RESPONSIBLE FOR GRADING ALL AREAS AT THE DIRECTION OF THE LANDSCAPE ARCHITECT TO CREATE A NATURALLY UNDULATING GROUND PLANE.

CITY OF SURPRISE ENGINEERING NOTES:

- ALL SVTS WILL COMPLY WITH EDS DETAIL 4-01 AND 4-02
- THE LOCATION AND HEIGHT OF PLANTS AND TREES SHALL COMPLY WITH COS EDS DETAIL 4-01 AND 4-02
- THE LANDSCAPE AND IRRIGATION DESIGN WILL COMPLY WITH CITY OF SURPRISE EDS PER CHAPTER 8.

SITE MAP:



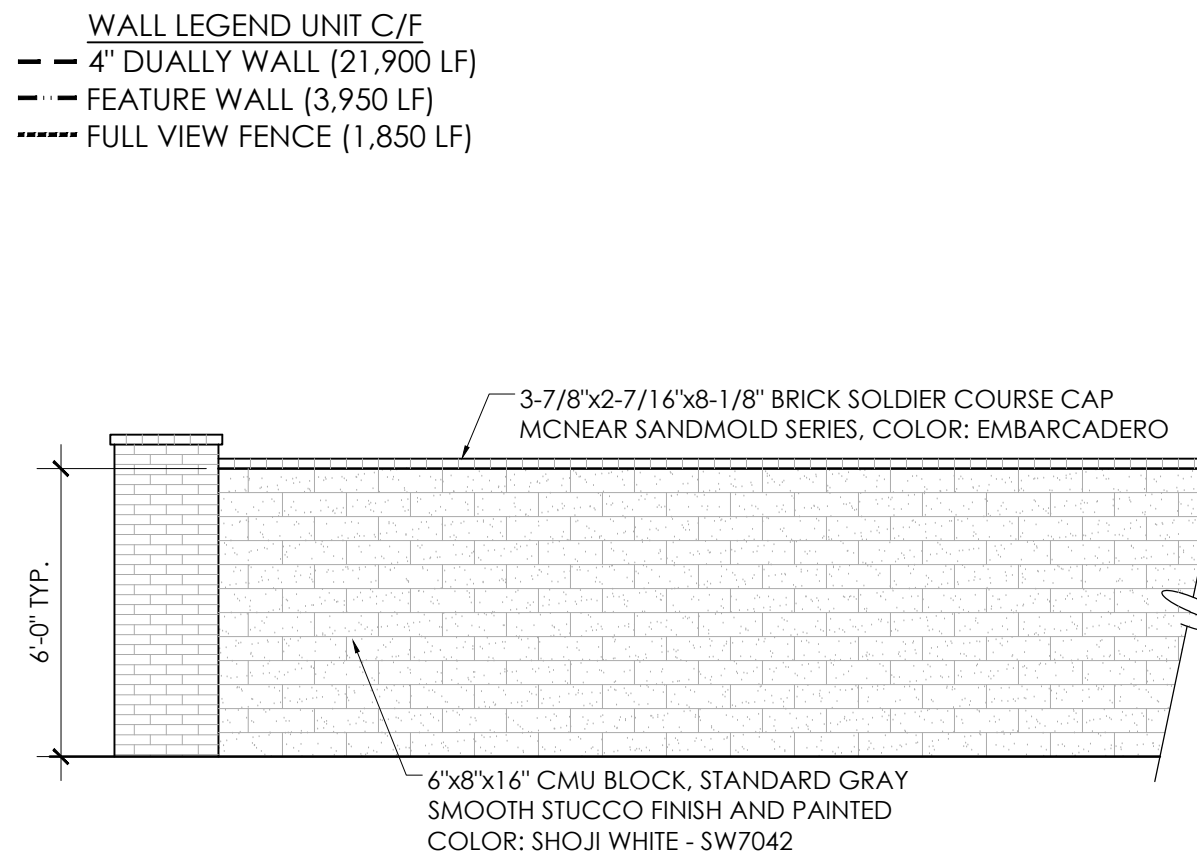
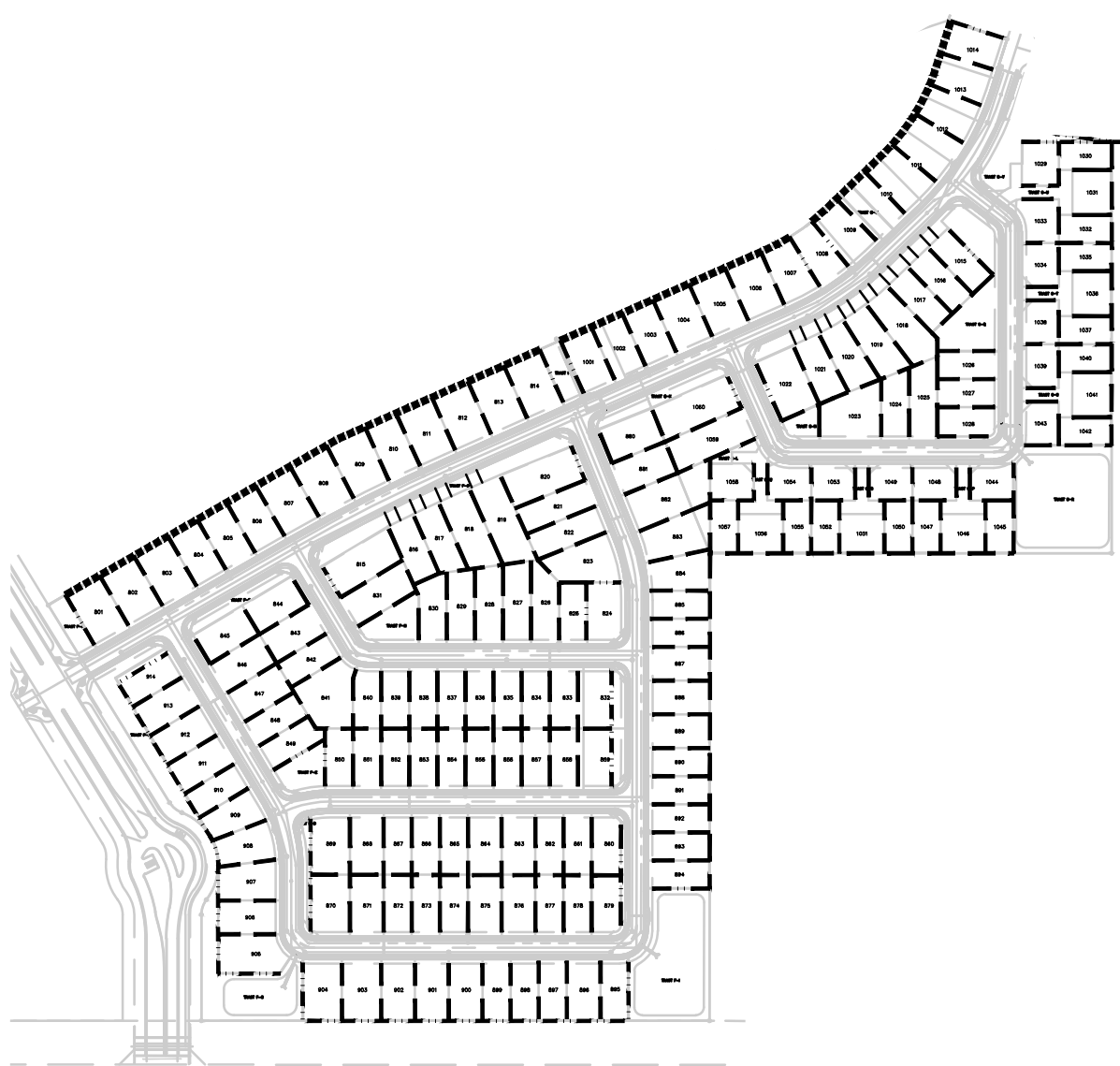
CITY OF SURPRISE LANDSCAPE NOTES:

- SIGHT DISTANCE REQUIREMENTS ON ARTERIALS AND COLLECTORS WILL ADHERE TO CITY OF SURPRISE DETAIL 4-01.
- SIGHT VISIBILITY WITHIN THE UNOBTSTRUCTED VIEW EASEMENT AREA AND IN FRONT OF STOP SIGNS MUST MEET OR EXCEED REQUIREMENTS IN SURPRISE DETAILS 4-01 AND 4-02.
- ALL IRRIGATION LINES, 1 INCH OR GREATER, WITHIN THE RIGHT-OF-WAY SHALL BE SHOWN ON THE WATER PLANS. A PERMIT IS REQUIRED FOR THIS WORK AND IS SUBJECT TO INSPECTION BY THE CITY OF SURPRISE CIVIL INSPECTOR.
- ONLY PLANTS ON THE ARIZONA DEPARTMENT OF WATER RESOURCES (ADWR) PHOENIX ACTIVE MANAGEMENT AREA LOW WATER USE DROUGHT TOLERANT PLANT LIST ARE TO BE USED WITHIN CITY RIGHTS-OF-WAY.
- ALL TREES WILL BE MEASURED AND HAVE A MINIMUM CALIPER SIZE AS DEFINED IN THE ARIZONA NURSERY ASSOCIATION'S CONTAINER GROWN TREE GUIDE. IN NO CASE WILL THE CALIPER BE LESS THAN 2 INCHES (MEASURED 18 INCHES FROM THE GROUND). THE HEIGHT OF THE TREE SHALL BE A MINIMUM OF 7 FEET.
- THE COMMUNITY DEVELOPMENT PLANNING DIVISION AND PUBLIC WORKS LANDSCAPE DIVISION MAY SELECT AND TAG TREES AT THE NURSERY LOCATION AND WILL REVIEW AT PROJECT SITE PRIOR TO INSTALLATION.
- ALL MEDIANS ARE TO BE DECOMPOSED GRANITE, UNLESS OTHERWISE APPROVED; AND SHALL BE FINISH GRADED TO SLOPE FROM THE CURB LINE TO THE PLANTS. MEDIAN NOSES LESS THAN 3-FOOT WIDE ARE TO HAVE 1 1/2" - 3" DECOMPOSED GRANITE (PIT RUN ROCK) MIX.
- TREE ROOT BARRIERS ARE REQUIRED WHEN TREES ARE WITHIN THREE FEET OF SIDEWALKS, CURBS, PAVEMENT OR WALLS. REFERENCE EDS 8-14
- ALL TREES ARE TO BE LOCATED A MINIMUM OF 12 FEET FROM THE WALLS FOR WELL SITES, WATER SUPPLY FACILITIES, LIFT STATIONS, AND WATER RECLAMATION FACILITIES.
- TREES LOCATED IN MEDIANS MAY BE ALLOWED A MINIMUM OF SEVEN FEET FROM THE CURB. TREES MUST BE CENTERED IN MEDIANS LESS THAN 14' WIDE.
- ALL LANDSCAPING SHALL BE LOCATED A MINIMUM OF FIVE FEET FROM ANY FIRE HYDRANT, WATER METER, OR VAULT.
- LANDSCAPING, AT FULL GROWTH, SHALL NOT IMPEDE PEDESTRIAN OR VEHICULAR TRAFFIC. ALL LANDSCAPING SHOWN ON PLANS SHALL BE SHOWN MATURE SIZE.
- TREES CANNOT BE REMOVED FROM THE RIGHT-OF-WAY WITHOUT WRITTEN AUTHORIZATION FROM THE PUBLIC WORKS AND COMMUNITY DEVELOPMENT DEPARTMENTS.
- THE TYPE, COLOR, AND SIZE OF BRICK PAVERS THAT MAY BE USED FOR CITY MEDIANS IN THE CITY OF SURPRISE RIGHT-OF-WAY SHALL BE APPROVED BY THE COMMUNITY DEVELOPMENT PLANNING DIVISION.
- UTILITY BOXES, METERS, VAULTS, ETC. ARE TO BE LOCATED IN THE RIGHT-OF-WAY OR UTILITY EASEMENT ALONG THE SIDES OF THE ROADS AND NEVER IN THE MEDIAN. HOWEVER, IRRIGATION VALVE BOXES MAY BE LOCATED IN THE MEDIAN PLANTING AREA. DEVELOPERS SHALL USE ONLY IRRIGATION EQUIPMENT THAT IS COMPATIBLE WITH THE EXISTING EQUIPMENT. THE DEVELOPER SHALL REFER TO THE CITY OF SURPRISE FOR THE APPROVED LIST OF EQUIPMENT. EQUIPMENT MANUFACTURED BY HUNTER INDUSTRIES, IS COMPATIBLE WITH THE CITY'S INVENTORY AND HUNTER EQUIPMENT, OR AN APPROVED EQUAL, SHALL BE USED. SOLAR CONTROLLERS ARE NOT ALLOWED. SHALL BE DIG, LEFT SERIES, POST MOUNTED SOLAR CONTROLLER OR AN APPROVED EQUAL.
- ALL CONTROLLERS, METERS, ETC. MUST BE ENCLOSED BY LOCKING PROTECTIVE COVERS AND SCREENED FROM VIEW.
- ALL IRRIGATION SYSTEMS WILL BE INSTALLED WITH PURPLE PIPE.
- MARKING TAPE LABELED AS "RECLAIMED WATER" IS REQUIRED ON IRRIGATION SYSTEMS THAT USE OR MAY USE RECLAIMED WATER IN THE FUTURE.
- PURPLE MARKER BALLS SHALL BE INSTALLED ON ALL IRRIGATION MAINLINES FOUR INCHES AND LARGER WITHIN THE PUBLIC RIGHT-OF-WAY AT ALL FITTINGS AND EVERY 200 FEET IF THE DISTANCE BETWEEN FITTINGS IS GREATER THAN 200 FEET.
- LANDSCAPE AREAS THAT ARE TO BE MAINTAINED BY THE CITY SHALL HAVE SEPARATE WATER METERS AND ELECTRIC OR SOLAR CONTROLLERS, AS APPROVED BY THE CITY. A CITY APPROVED BACKFLOW PREVENTER IS REQUIRED FOR IRRIGATION SERVICES. FOR POTABLE WATER, NON-POTABLE WATER AND RECLAIMED WATER AND SHALL MEET EPA LOW LEAD STANDARDS.
- ALL IRRIGATION MAINLINES AND LATERALS SHALL BE SCHEDULE 40, ALL RISERS, TEES, AND OTHER FITTURES SHALL BE SCHEDULE 80 IN THE RIGHT-OF-WAY. ALL IRRIGATION MAINLINES IN THE RIGHT-OF-WAY SHALL BE SLEEVED. THE MINIMUM SLEEVE SIZE IS 6 INCHES.
- ALL TREES WITH AN UPRIGHT GROWTH HABIT, SUCH AS OAK AND ELM TREES, WHICH ARE INSTALLED WITHIN THE PUBLIC RIGHT-OF-WAY OR ADJACENT TO A PEDESTRIAN PATH, SHALL HAVE THEIR MAIN LEADERS INTACT.

HARDCAPE GENERAL NOTES:

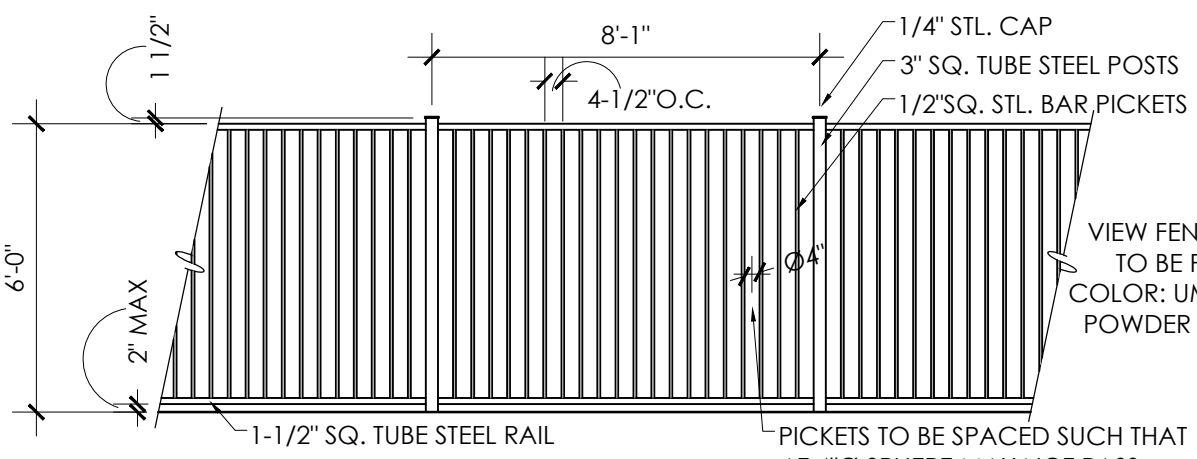
- FOOTINGS, WALLS AND FENCES SHALL BE PLACED OUTSIDE OF THE PUBLIC RIGHT-OF-WAY.
- REFER TO CIVIL PLANS PREPARED BY COUNTRY ENGINEERS FOR ALL INFORMATION REGARDING HORIZONTAL AND VERTICAL CONTROLS.
- ALL DETAILS SHALL BE REVIEWED BY A STRUCTURAL ENGINEER AND MODIFIED (IF NECESSARY) PRIOR TO CONSTRUCTION.
- ALL DIMENSIONS SHOWN ON THIS PLAN ARE BASED ON THE CIVIL PLAN SUBMITTED BY COUNTRY ENGINEERS. SHOULD DISCREPANCIES OCCUR, FIELD REVISIONS SHALL BE REQUIRED.
- THE CONTRACTOR SHALL HAVE SIDEWALK SURVEYED AND STAKED FOR REVIEW BY THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
- IN ADDITION TO SUBMITTING MATERIAL SAMPLES OF ALL SITE RELATED MATERIALS, THE CONTRACTOR SHALL PREPARE A 4'X4' SAMPLE PANEL FOR EACH TYPE OF CONSTRUCTION, I.E., A) CONCRETE PAVING, B) EXPOSED AGGREGATE PAVING, C) INTEGRAL COLORED CONCRETE, ETC., FOR APPROVAL BY THE LANDSCAPE ARCHITECT AND OWNER'S AUTHORIZED REPRESENTATIVE PRIOR TO FINAL CONSTRUCTION.
- UNLESS NOTED OTHERWISE ON CONSTRUCTION DOCUMENTS OR NOTED IN DETAILS, SIDEWALKS SHALL BE 5'-0" WIDE, 4" THICK, 3,000 PSI CONCRETE ON COMPACTED BASE WITH CONSTRUCTION JOINTS AT 5'-0" ON CENTER AND EXPANSION JOINTS AT 20'-0" ON CENTER. SIDEWALKS SHALL HAVE A MEDIUM BROOM, NON-SKID FINISH WITH 1/2" RADIUS TOOLED EDGES.
- RADIUS AT SIDEWALK INTERSECTIONS SHALL BE 5'-0" (TYPICAL), UNLESS NOTED OTHERWISE.
- THE CONTRACTOR SHALL LAYOUT AND VERIFY ALL HARDCAPE ELEMENTS PRIOR TO CONSTRUCTION FOR REVIEW BY THE LANDSCAPE ARCHITECT OR OWNER'S AUTHORIZED REPRESENTATIVE. SHOULD DISCREPANCIES EXIST, CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT OR OWNER'S AUTHORIZED REPRESENTATIVE BEFORE PROCEEDING FURTHER.

WALL PLAN:



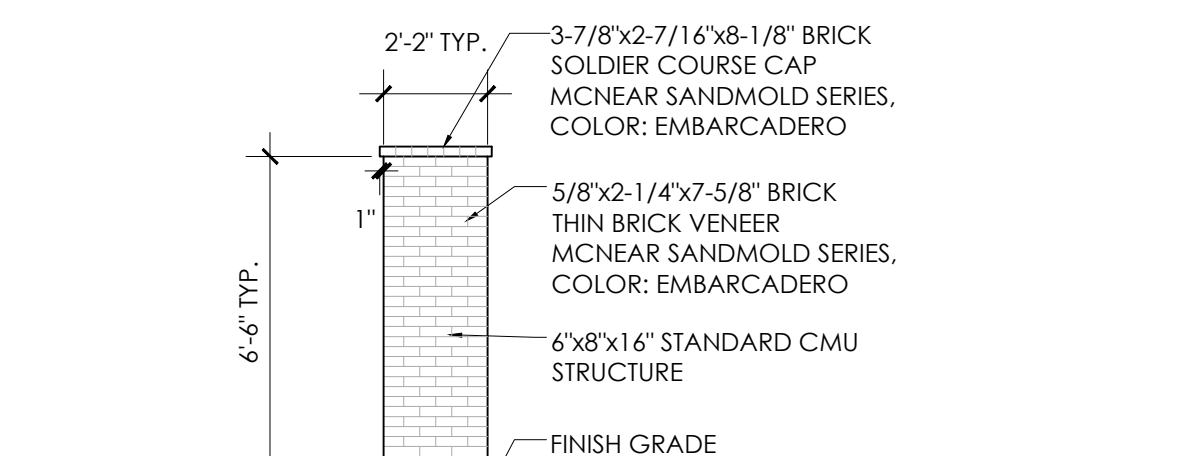
Feature Wall Details

Scale: 1/4" = 1'-0"



View Fence Details

Scale: 1/4" = 1'-0"



Dually Wall Feature Column

Scale: 1/4" = 1'-0"

PLAT NOTE:

INDIVIDUAL DRIVEWAY EASEMENTS SERVING LOTS 813-820 ARE FOR ACCESS TO THOSE LOTS ONLY. NO PARKING WITHIN THE EASEMENT IS ALLOWED

CONSULTANT TEAM

DEVELOPER:

TOLL BROTHERS
8767 E VIA DE VENTURA, SUITE 390
SCOTTSDALE, AZ 85258
TEL: (480) 314-6711
CONTACT: OSCAR DOMINGUEZ

LANDSCAPE ARCHITECT/PLANNER:

GREY | PICKETT
7144 E. STETSON DRIVE, SUITE 205
MESA, AZ 85201
PHONE: (480) 609-0009
CONTACT: WENDELL PICKETT

CIVIL ENGINEER:

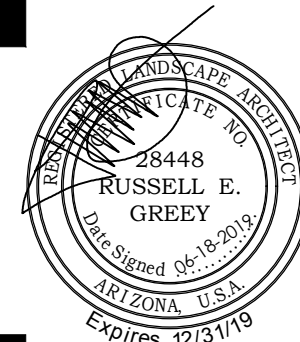
EPS GROUP
1130 N Alma School Road, Suite 120
MESA, AZ 85201
PHONE: (480) 503-2250
CONTACT: RICH HOPPE, P.E.

SHEET INDEX:

LANDSCAPE PLANS

COVER SHEET	L0.0
LANDSCAPE PLANS	L3.1-L3.4
PLANTING DETAILS	L7.1
LANDSCAPE SPECIFICATIONS	L8.1

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PRASADA
Parcel F&C
Landscape Plans
SURPRISE, ARIZONA
Toll Brothers
AMERICA'S LUXURY HOME BUILDER

revisions:

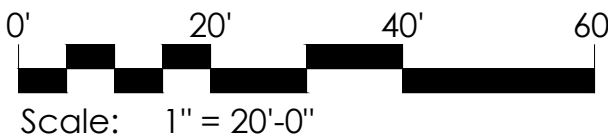
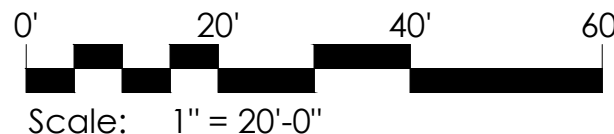


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issued for:
REVIEW
drawn by:
TEAM
date:
06.18.2019
drawing:
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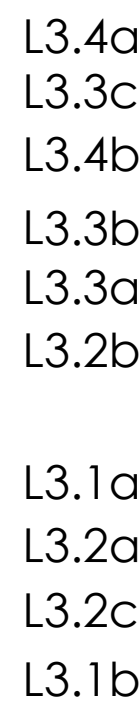
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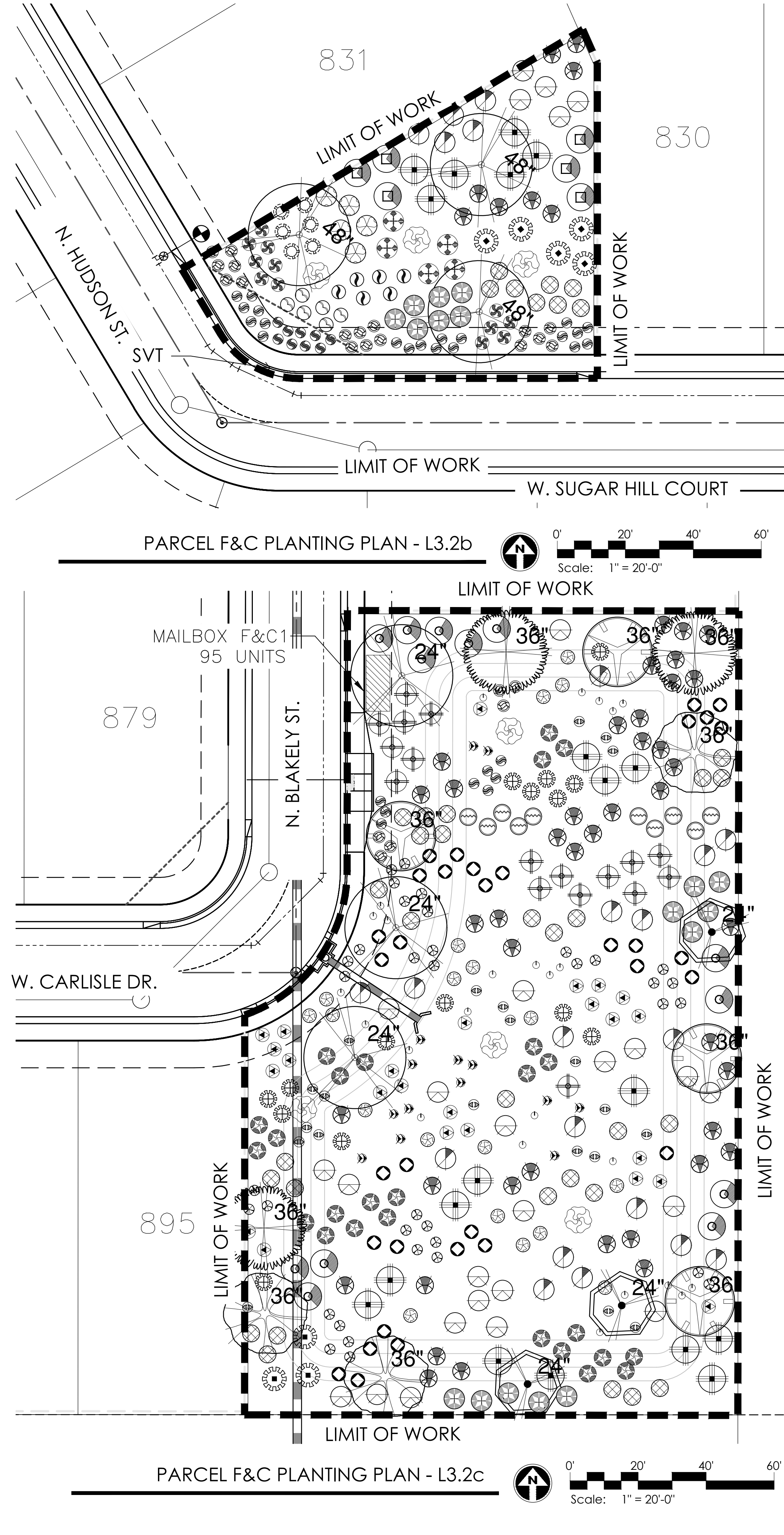
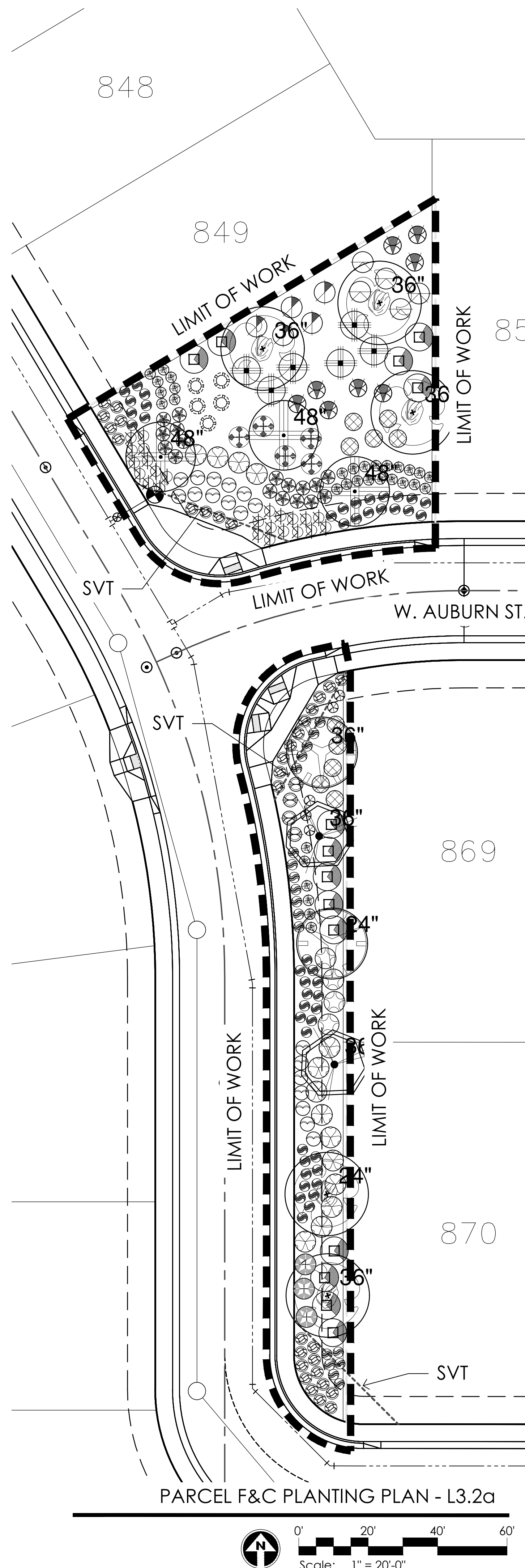


DECOMPOSED GRANITE.

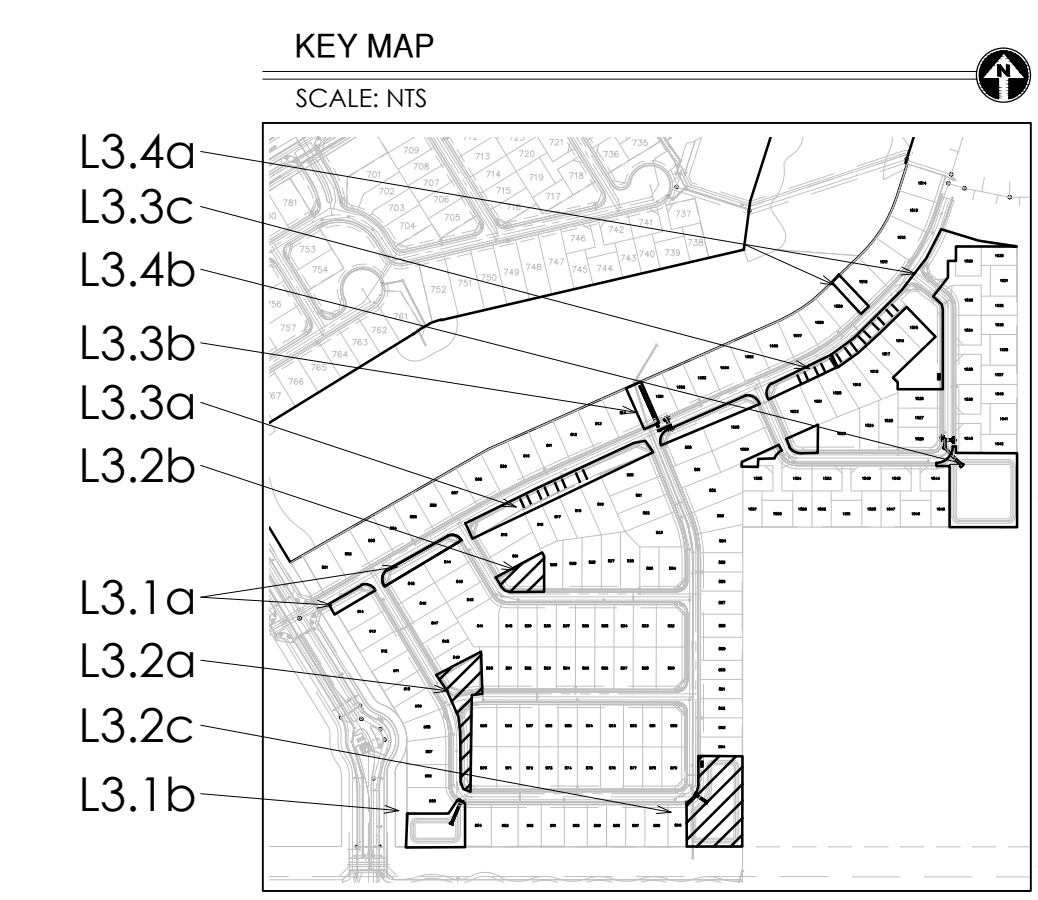
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AMERICA'S LUXURY HOME BUILDER®

sheet #
1
of 07



PLANT MATERIALS LEGEND				
Sym.	Plant Name	Size	Qty	
Trees				
	<i>Lantana 'New Gold'</i>	1 gal.	155	
	<i>Rasmannia officinalis 'Prostratus'</i>	1 gal.	22	
	<i>Viguiera deltoidea</i>	1 gal.	48	
Accents				
	<i>Asclepias subulata</i>	1 gal.	48	
	<i>Hesperaloe parviflora</i>	5 gal.	33	
	<i>Hesperaloe parviflora-red</i>	5 gal.	64	
	<i>Hesperaloe parviflora-yellow</i>	5 gal.	35	
	<i>Muhlenbergia capillaris 'Regal Mist'</i>	5 gal.	66	
	<i>Muhlenbergia lindheimeri 'Autumn Glow'</i>	5 gal.	77	
	<i>Muhlenbergia rigens</i>	5 gal.	53	
	<i>Penstemon parryi</i>	1 gal.	43	
	<i>Yucca elata</i>	5 gal.	16	
MASS PLANTING				
	SODDED GRASS			
INERTS				
Sym.	Description			
	DECOMPOSED GRANITE.			
Shrubs				
	<i>Bougainvillea 'Temple Fire'</i>	5 gal.	85	
	<i>Calliandra californica</i>	5 gal.	128	
	<i>Calliandra eriophylla</i>	5 gal.	26	
	<i>Callistemon viminalis 'Little John'</i>	5 gal.	29	
	<i>Convolvulus cneorum</i>	1 gal.	25	
	<i>Cordia parvifolia</i>	5 gal.	65	
	<i>Dalea frutescens</i>	5 gal.	64	
	<i>Dodonaea viscosa</i>	5 gal.	11	
	<i>Ephedra trifurca</i>	5 gal.	52	
	<i>Eremophila maculata 'Valentine'</i>	5 gal.	96	
	<i>Eremophila hygrophana 'Blue Bells'</i>	5 gal.	91	
	<i>Ericameria laricifolia</i>	5 gal.	51	
	<i>Euryops pectinatus 'Viridis'</i>	5 gal.	93	
	<i>Justicia californica</i>	5 gal.	133	
	<i>Justicia spicigera</i>	5 gal.	24	
	<i>Larrea tridentata</i>	5 gal.	69	
	<i>Leucophyllum candidum 'Thunder Cloud'</i>	5 gal.	45	
	<i>Leucophyllum frutescens 'White Cloud'</i>	5 gal.	34	
	<i>Leucophyllum langmaniae 'Lynn's Legacy'</i>	5 gal.	113	
	<i>Nerium oleander 'Petite Pink'</i>	15 gal.	11	
	<i>Ruellia brittoniana</i>	5 gal.	51	
	<i>Salvia clevelandii</i>	5 gal.	58	
	<i>Salvia greggii</i>	5 gal.	28	
	<i>Simmondsia chinensis</i>	5 gal.	98	
	<i>Tecoma alata 'Orange Jubilee'</i>	5 gal.	17	
	<i>Tecoma stans</i>	5 gal.	77	
Groundcovers				
	<i>Acacia redolens 'Low Boy'</i>	1 gal.	38	
	<i>Chrysanthemum mexicanum</i>	1 gal.	62	
	<i>Lantana camara 'Dallas Red'</i>	5 gal.	126	
	<i>Lantana montevidensis</i>	1 gal.	124	



GREY PICKETT

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PRASADA

Parcel F&C

Landscape Plans

SURPRISE, ARIZONA

Toll Brothers

AMERICA'S LUXURY HOME BUILDER

project #:
TOL 202

scale:
1" = 20'-0"

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REVIEW

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TEAM

date:
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Planting Plan

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L3.2

03 of 07

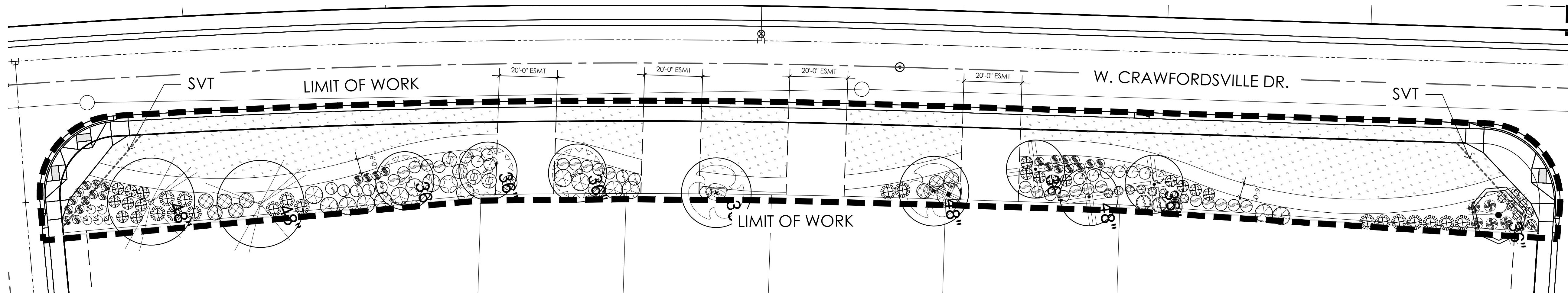
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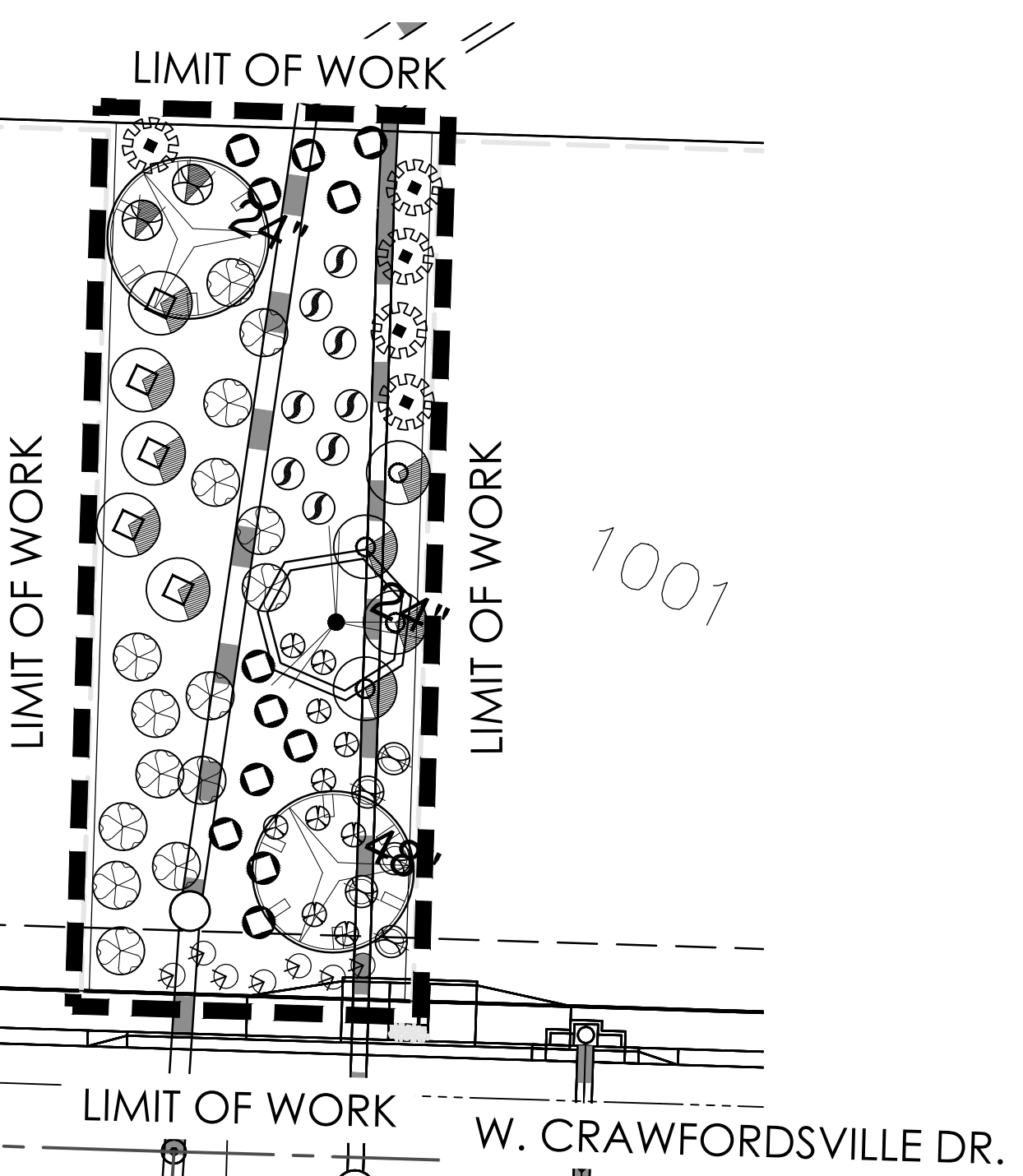
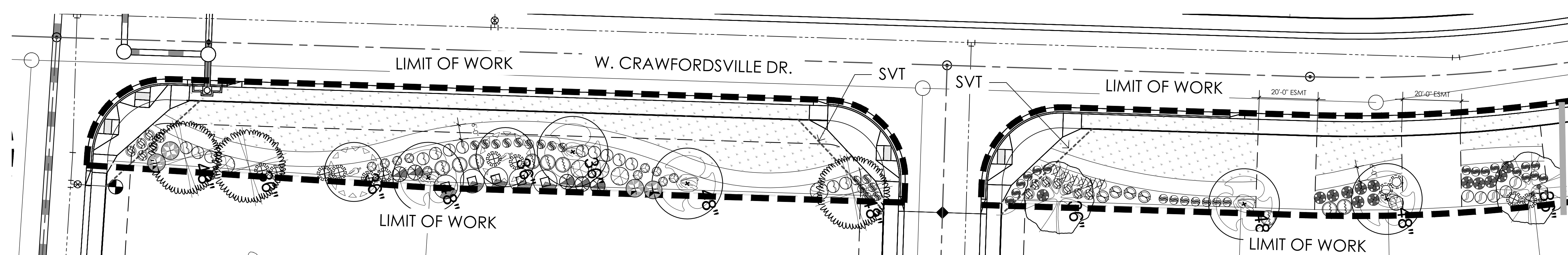
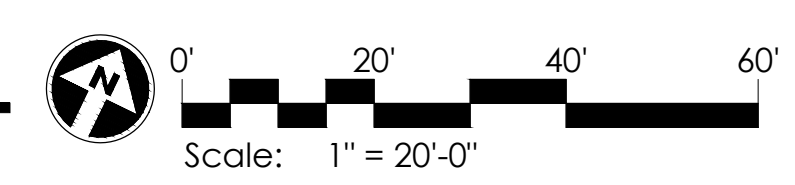
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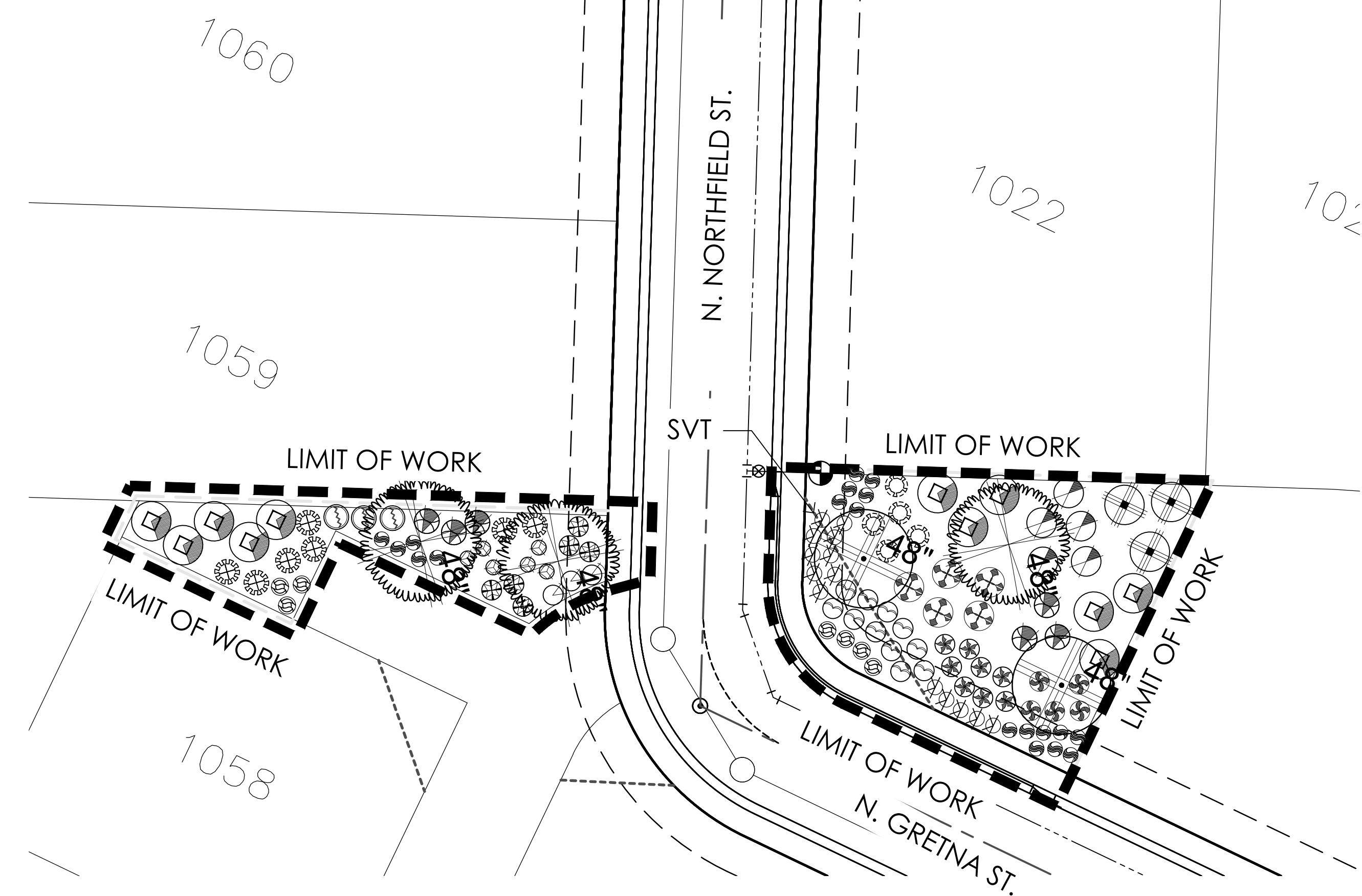
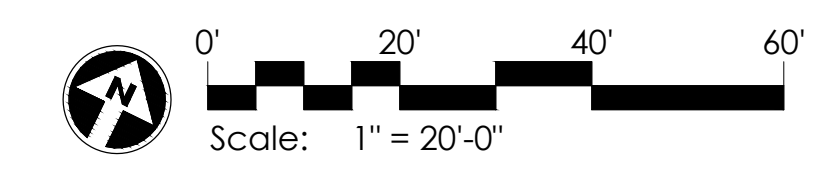
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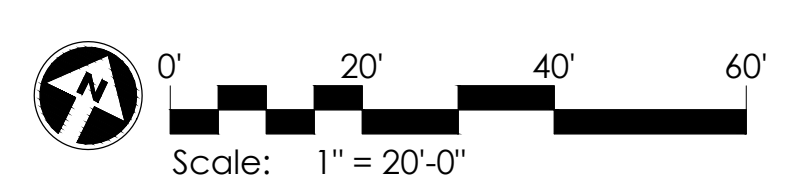
PARCEL F&C PLANTING PLAN - L3.3a



PARCEL F&C PLANTING PLAN - L3.3b



PARCEL F&C PLANTING PLAN - L3.3c



PLANT MATERIALS LEGEND			
Sym.	Plant Name	Size	Qty
Trees			
	Fraxinus velutina 'Rio-Grande'	48" Box	5
	Tan-Tex Ash	36" Box	4
	Olea europaea 'Swan Hill'	48" Box	7
	Swan Hill Olive	36" Box	2
	Parkinsonia hybrid 'Desert Museum'	36" Box	8
	Desert Museum Palo Verde	24" Box	10
	Pistacia x 'Red Push'	48" Box	13
	Red Push Pistache	36" Box	6
		24" Box	7
	Prosopis velutina	48" Box	2
	Native Mesquite	36" Box	9
		24" Box	10
	Quercus virginiana	48" Box	2
	Southern Live Oak	36" Box	10
	Schinus terebinthifolius	36" Box	5
	Brazilian Pepper Tree		
	Sophora secundiflora	36" Box	6
	Texas Mountain Laurel		
	Tipuana tipu	48" Box	7
	Tipu Tree	24" Box	6
	Vitex agnus-castus	36" Box	2
	Chaste Tree		
Shrubs			
	Bougainvillea 'Temple Fire'	5 gal.	85
	Bougainvillea		
	Calliandra californica	5 gal.	128
	Red Fairy Duster		
	Calliandra eriophylla	5 gal.	26
	Pink Fairy Duster		
	Callistemon viminalis 'Little John'	5 gal.	29
	Bottlebrush		
	Convolvulus cneorum	1 gal.	25
	Bush Morning Glory		
	Cordia parvifolia	5 gal.	65
	Little Leaf Cordia		
	Dalea frutescens	5 gal.	64
	Black Dalea		
	Dodonaea viscosa	5 gal.	11
	Hop Bush		
	Ephedra trifurca	5 gal.	52
	Mormon Tea		
	Eremophila maculata 'Valentine'	5 gal.	96
	Valentine Shrub		
	Eremophila hygrophana 'Blue Bells'	5 gal.	91
	Blue Bells Eremophila		
	Ericameria laricifolia	5 gal.	51
	Turpentine Bush		
	Euryops pectinatus 'Viridis'	5 gal.	93
	Euryops Daisy		
	Justicia californica	5 gal.	133
	Chuparosa		
	Justicia spicigera	5 gal.	24
	Mexican Honeysuckle		
	Larrea tridentata	5 gal.	69
	Cresote		
	Leucophyllum candidum 'Thunder Cloud'	5 gal.	45
	Thunder Cloud Sage		
	Leucophyllum frutescens 'White Cloud'	5 gal.	34
	White Cloud Sage		
	Leucophyllum langmaniae 'Lynn's Legacy'	5 gal.	113
	Lynn's Legacy Sage		
	Nerium oleander 'Petite Pink'	15 gal.	11
	Petite Pink Oleander		
	Ruellia brittoniana	5 gal.	51
	Ruellia		
	Salvia clevelandii	5 gal.	58
	Chaparral Sage		
	Salvia greggii	5 gal.	28
	Autumn Sage		
	Simmondsia chinensis	5 gal.	98
	Josoba		
	Tecoma alata 'Orange Jubilee'	5 gal.	17
	Orange Jubilee		
	Tecoma stans	5 gal.	77
	Yellow Bells		
Groundcovers			
	Acacia redolens 'Low Boy'	1 gal.	38
	Trailing Acacia		
	Chrysactinia mexicana	1 gal.	62
	Damianita		
	Lantana camara 'Dallas Red'	5 gal.	126
	Dallas Red Lantana		
	Lantana montevidensis	1 gal.	124
	Purple Trailing Lantana		

	Lantana 'New Gold'	1 gal.	155
	New Gold Lantana		
	Rosmarinus officinalis 'Prostratus'	1 gal.	22
	Dwarf Rosemary		
	Viguiera deltoidea	1 gal.	48
	Goldeneye		
Accents			
	Asclepias subulata	1 gal.	48
	Desert Milkweed		
	Hesperaloe funifera	5 gal.	33
	Giant Hesperaloe		
	Hesperaloe parviflora-red	5 gal.	64
	Red Yucca		
	Hesperaloe parviflora-yellow	5 gal.	35
	Yellow Hesperaloe		
	Muhlenbergia capillaris 'Regal Mist'	5 gal.	66
	Regal Mist TM		
	Muhlenbergia lindheimeri 'Autumn Glow'	5 gal.	77
	Autumn Glow TM		
	Muhlenbergia rigens	5 gal.	53
	Deer Grass		
	Penstemon parryi	1 gal.	43
	Perry's Penstemon		
	Yucca elata	5 gal.	16
	Soapfree Yucca		

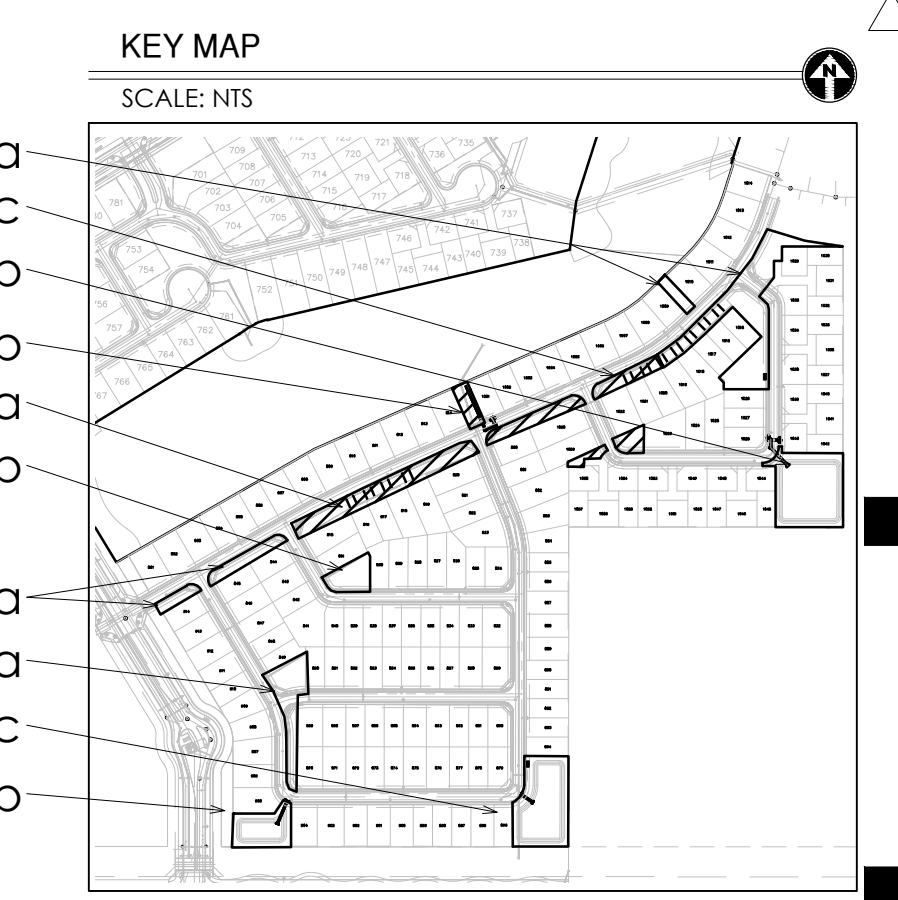
MASS PLANTING

	SODDED GRASS
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INERTS

Sym.	Description
	DECOMPOSED GRANITE.

	Bougainvillea 'Temple Fire'	5 gal.	85
	Bougainvillea		
	Calliandra californica	5 gal.	128
	Red Fairy Duster		
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	White Cloud Sage		
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	Lynn's Legacy Sage		
	Nerium oleander 'Petite Pink'	15 gal.	11
	Petite Pink Oleander		
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	Ruellia		
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	Orange Jubilee		
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PRASADA
Parcel F&C
Landscape Plans
SURPRISE, ARIZONA

Toll Brothers
AMERICA'S LUXURY HOME BUILDER

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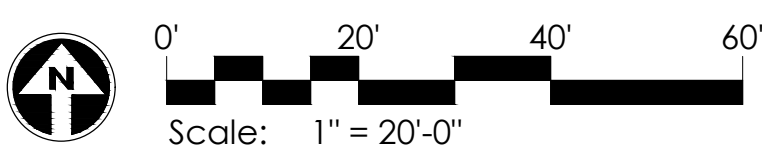
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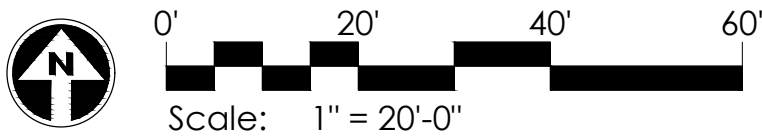
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PARCEL F&C PLANTING PLAN - L3.4a



PARCEL F&C PLANTING PLAN - L3.4b



Accents	<i>Lantana 'New Gold'</i> New Gold Lantana	1 gal.	155
	<i>Rosmarinus officinalis 'Prostratus'</i> Dwarf Rosemary	1 gal.	22
	<i>Figuera deltoidea</i> Goldeneye	1 gal.	48
	<i>Asclepias subulata</i> Desert Milkweed	1 gal.	48
Accents	<i>Hesperaloe funifera</i> Giant Hesperaloe	5 gal.	33
	<i>Hesperaloe parviflora-red</i> Red Yucca	5 gal.	64
	<i>Hesperaloe parviflora-yellow</i> Yellow Hesperaloe	5 gal.	35

MASS PLANTING	<i>Muhlenbergia capillaris 'Regal Mist'</i> Regal Mist TM	1 gal.	66
	<i>Muhlenbergia lindheimeri 'Autumn Glow'</i> Autumn Glow TM	1 gal.	77
	<i>Muhlenbergia rigens</i> Deer Grass	5 gal.	53
	<i>Pennisetum parryi</i> Perry's Pennstemon	1 gal.	43
MASS PLANTING	<i>Yucca elata</i> Soap Tree Yucca	5 gal.	16

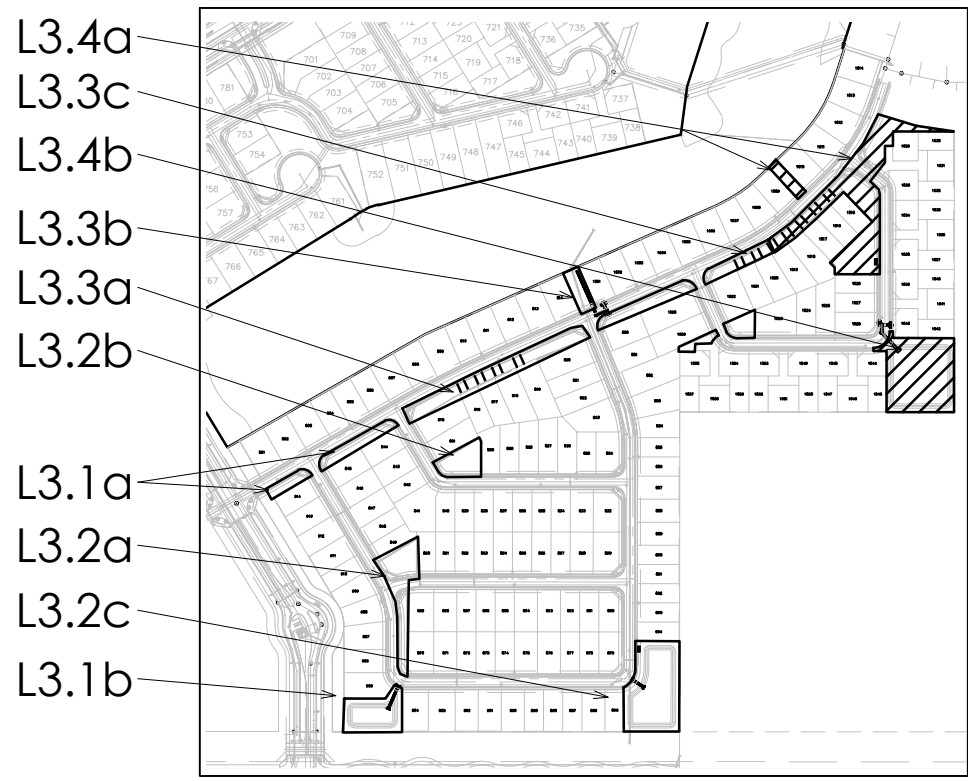
MASS PLANTING	SODDED GRASS		
	INERTS		
MASS PLANTING	DECOMPOSED GRANITE.		

PLANT MATERIALS LEGEND

Sym.	Plant Name	Size	Qty
Trees	<i>Fraxinus velutina 'Rio-Grande'</i> Pan-Tex Ash	48" Box	5
	<i>Olea europaea 'Swan Hill'</i> Swan Hill Olive	48" Box	7
	<i>Parkinsonia hybrid 'Desert Museum'</i> Desert Museum Palo Verde	36" Box	8
	<i>Pistacia x 'Red Push'</i> Red Push Pistache	48" Box	13
	<i>Prosopis velutina</i> Native Mesquite	36" Box	6
	<i>Quercus virginiana</i> Southern Live Oak	48" Box	2
	<i>Schinus terebinthifolius</i> Brazilian Pepper Tree	36" Box	5
	<i>Sophora secundiflora</i> Texas Mountain Laurel	36" Box	6
	<i>Tipuana tipu</i> Tipu Tree	48" Box	7
	<i>Vitex agnus-castus</i> Chaste Tree	36" Box	2
Shrubs	<i>Bougainvillea 'Temple Fire'</i> Bougainvillea	5 gal.	85
	<i>Calliandra californica</i> Red Fairy Duster	5 gal.	128
	<i>Calliandra eriophylla</i> Pink Fairy Duster	5 gal.	26
	<i>Callistemon viminalis 'Little John'</i> Bottlebrush	5 gal.	29
	<i>Convolvulus cneorum</i> Bush Morning Glory	1 gal.	25
	<i>Cordia parvifolia</i> Little Leaf Cordia	5 gal.	65
	<i>Dalea frutescens</i> Black Dalea	5 gal.	64
	<i>Dodonaea viscosa</i> Hop Bush	5 gal.	11
	<i>Ephedra trifurca</i> Mormon Tea	5 gal.	52
	<i>Eremophila maculata 'Valentine'</i> Valentine Shrub	5 gal.	96
	<i>Eremophila hygrophana 'Blue Bells'</i> Blue Bells Eremophila	5 gal.	91
	<i>Ericameria laricifolia</i> Turpentine Bush	5 gal.	51
	<i>Euryops pectinatus 'Viridis'</i> Euryops Daisy	5 gal.	93
	<i>Justicia californica</i> Chuparosa	5 gal.	133
	<i>Justicia spicigera</i> Mexican Honeysuckle	5 gal.	24
	<i>Larrea tridentata</i> Creosote	5 gal.	69
	<i>Leucophyllum candidum 'Thunder Cloud'</i> Thunder Cloud Sage	5 gal.	45
	<i>Leucophyllum frutescens 'White Cloud'</i> White Cloud Sage	5 gal.	34
	<i>Leucophyllum langmaniae 'Lynn's Legacy'</i> Lynn's Legacy Sage	5 gal.	113
	<i>Nerium oleander 'Petite Pink'</i> Petite Pink Oleander	15 gal.	11
	<i>Ruellia brittoniana</i> Ruellia	5 gal.	51
	<i>Salvia clevelandii</i> Chaparral Sage	5 gal.	58
	<i>Salvia greggii</i> Autumn Sage	5 gal.	28
	<i>Simmondsia chinensis</i> Jojoba	5 gal.	98
	<i>Tecoma alata 'Orange Jubilee'</i> Orange Jubilee	5 gal.	17
	<i>Tecoma stans</i> Yellow Bells	5 gal.	77
Groundcovers	<i>Acacia redolens 'Low Boy'</i> Trailing Acacia	1 gal.	38
	<i>Chrysactinia mexicana</i> Damianita	1 gal.	62
	<i>Lantana camara 'Dallas Red'</i> Dallas Red Lantana	5 gal.	126
	<i>Lantana montevidensis</i> Purple Trailing Lantana	1 gal.	124

KEY MAP

SCALE: NTS



GREY PICKETT
landscape architecture community design
7144 e stetson drive, suite 205
scottsdale, arizona 85251
480.609.0009 480.609.0001

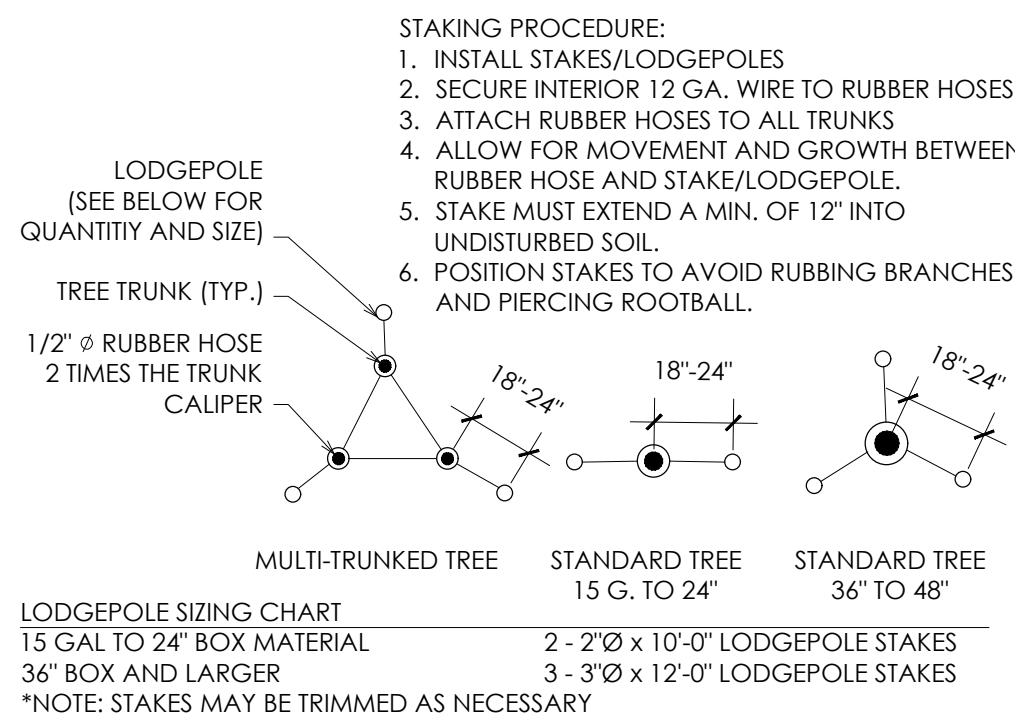


PRASADA
Parcel F&C
Landscape Plans
SURPRISE, ARIZONA

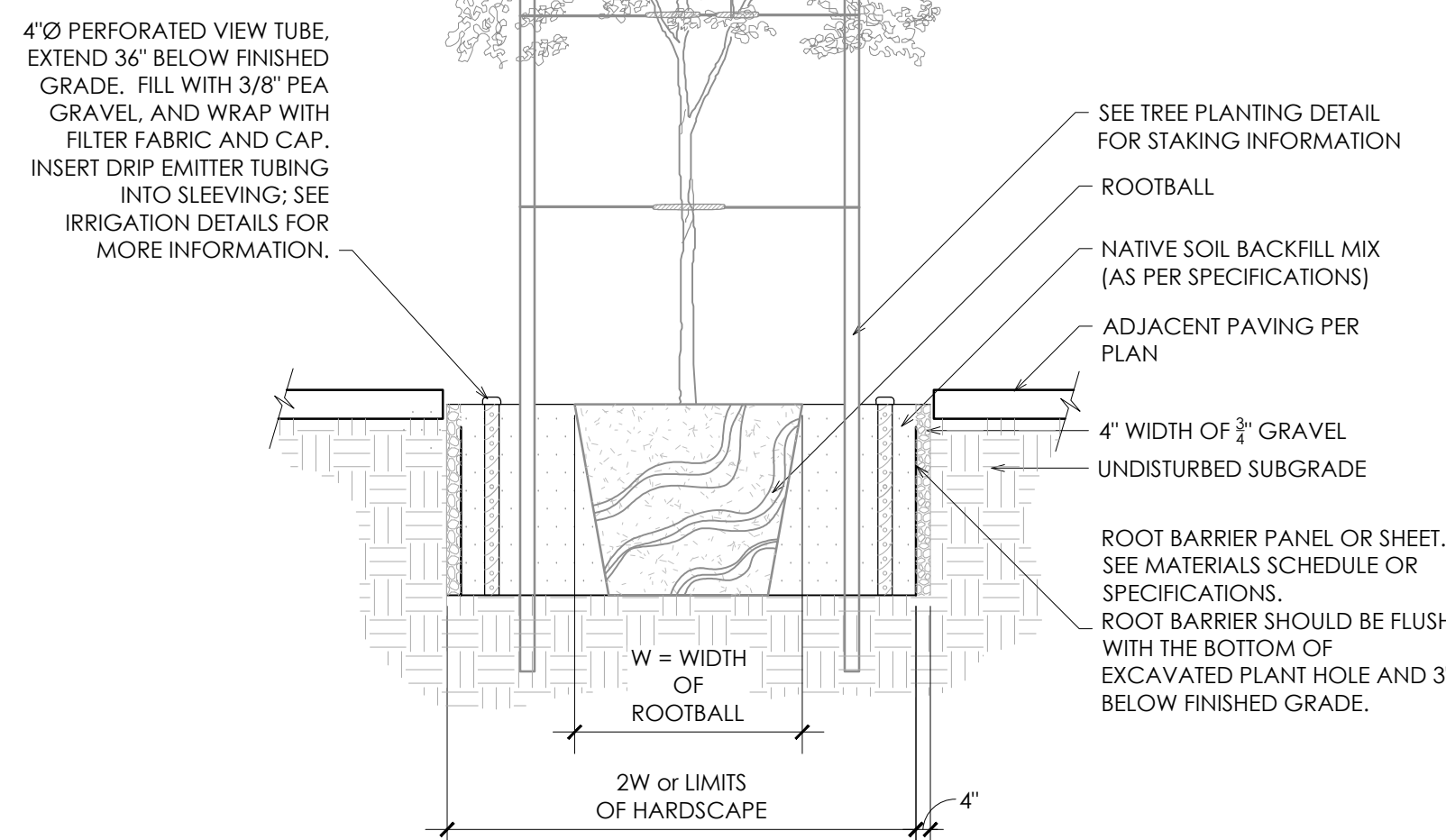
Toll Brothers
AMERICA'S LUXURY HOME BUILDER

project #:
TOL 202
scale:
1" = 20'-0"
issued for:
REVIEW
drawn by:
TEAM
date:
06.18.2019
drawing:
Planting Plan

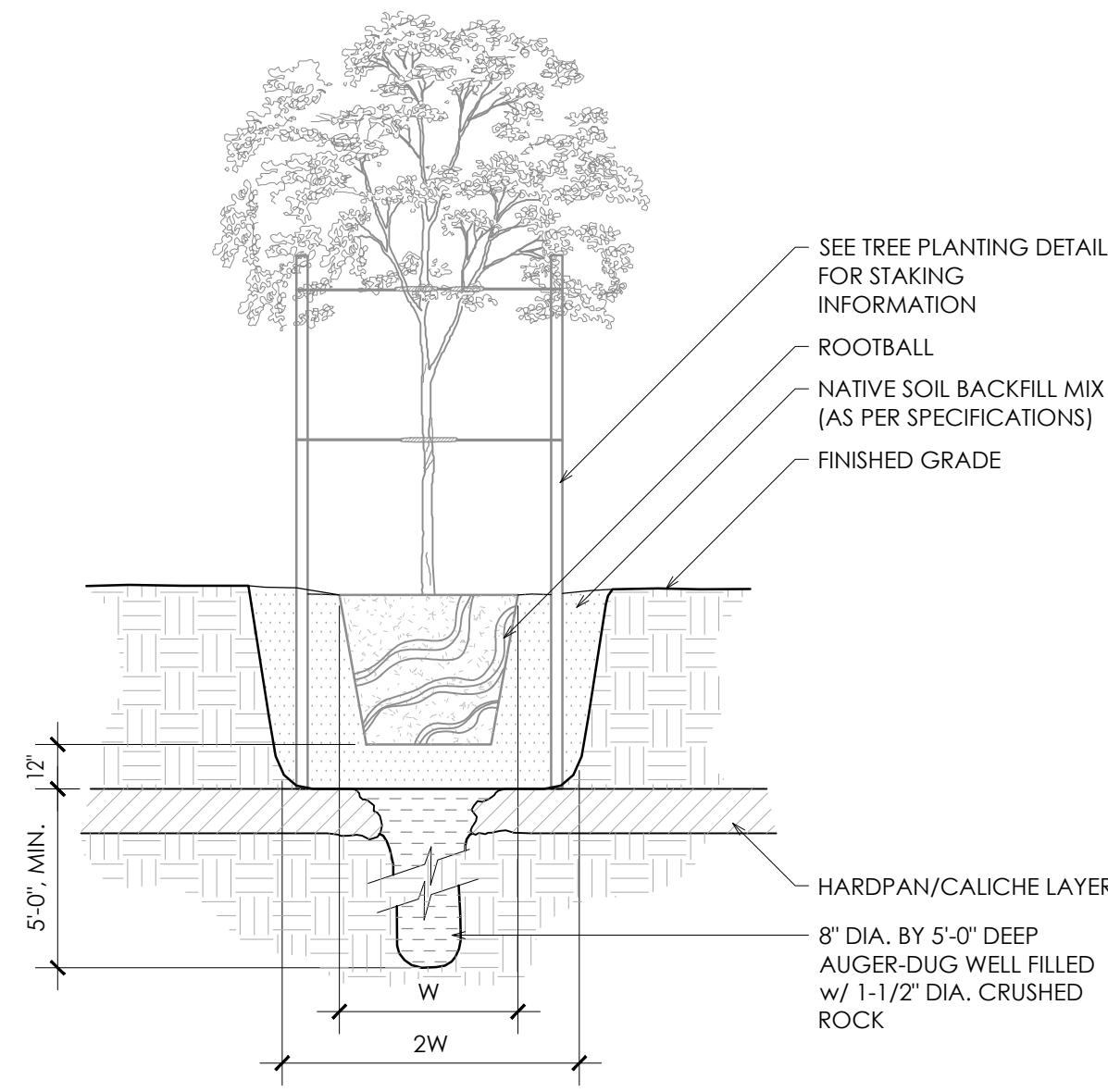
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L3.4
05 of 07



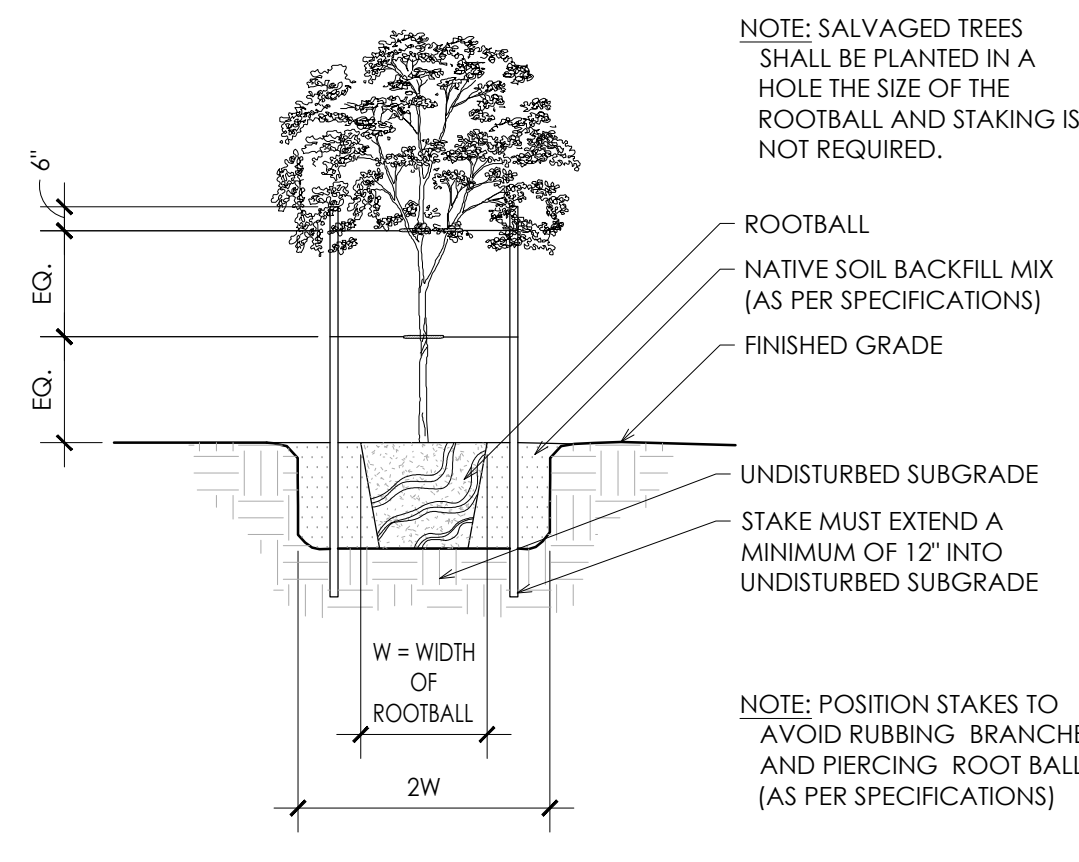
4 Tree Staking Diagram
Scale: NTS



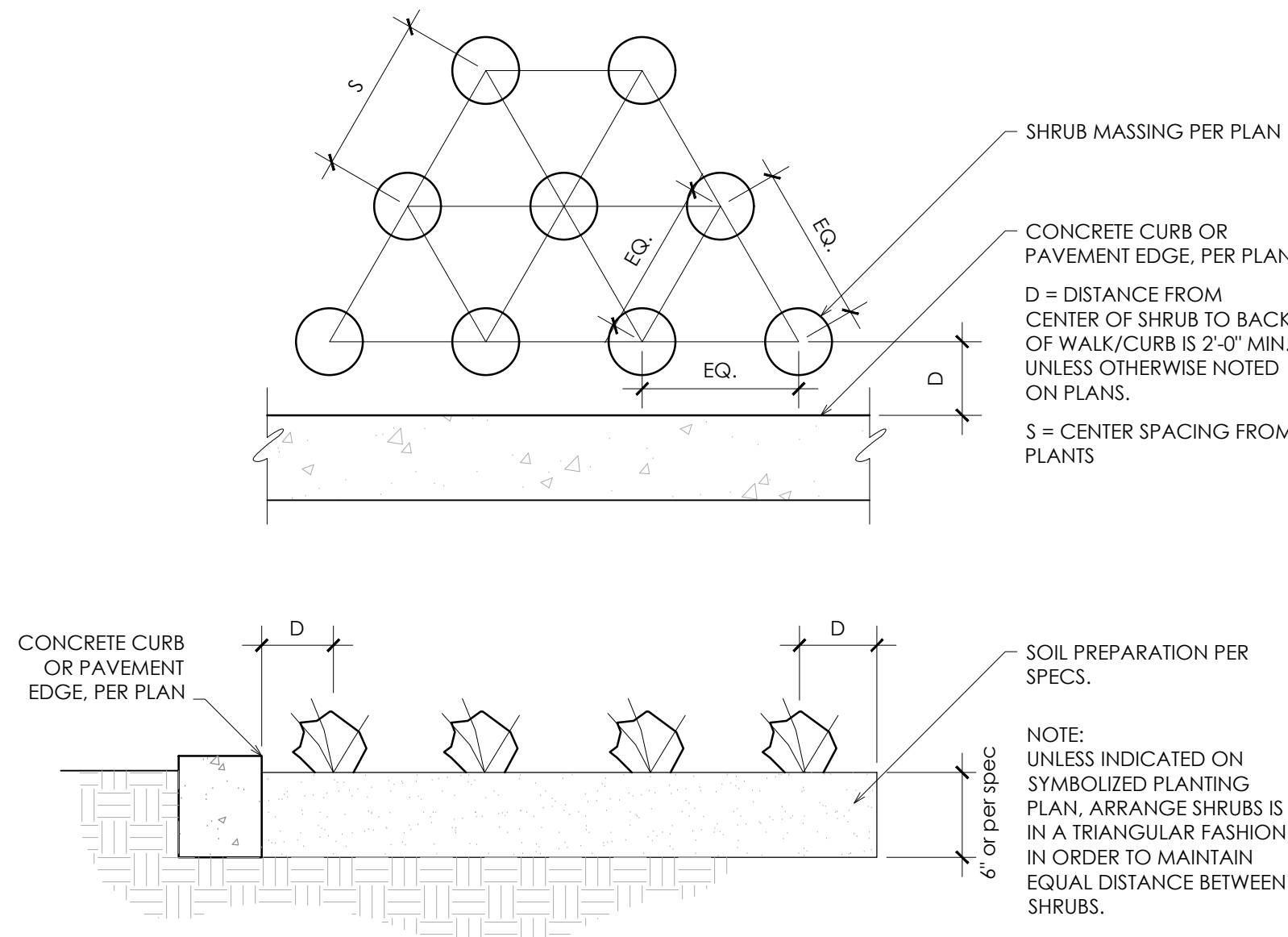
3 Deep Watering Detail
Scale: NTS



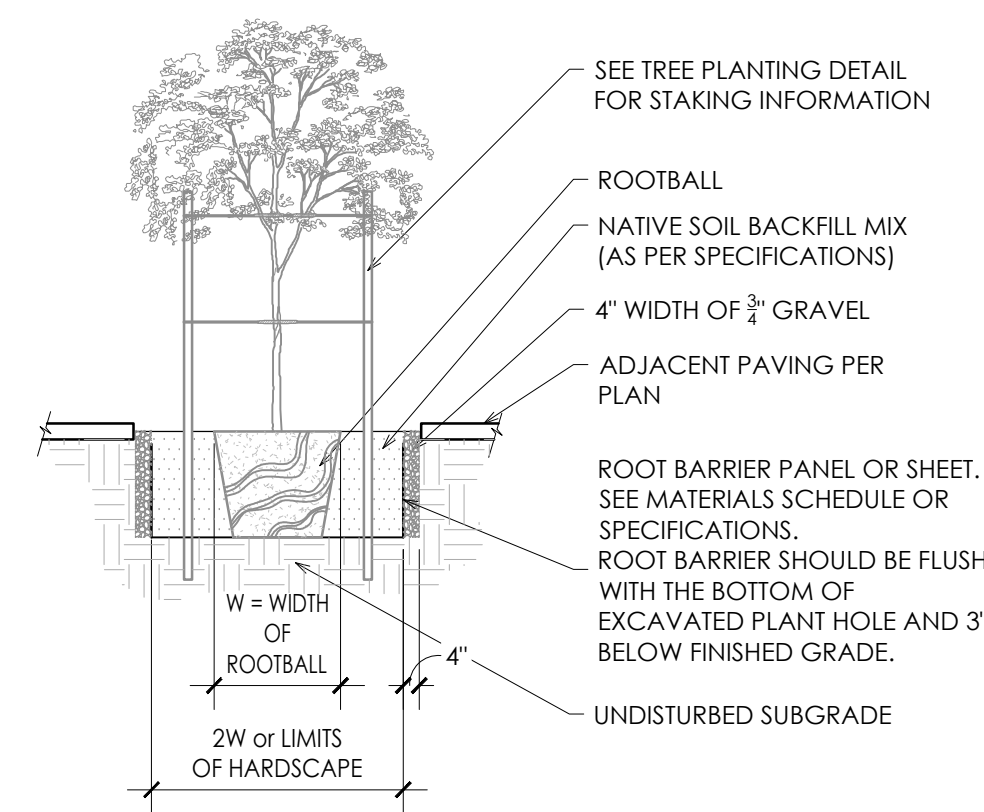
2 Hard Pan Planting
Scale: NTS



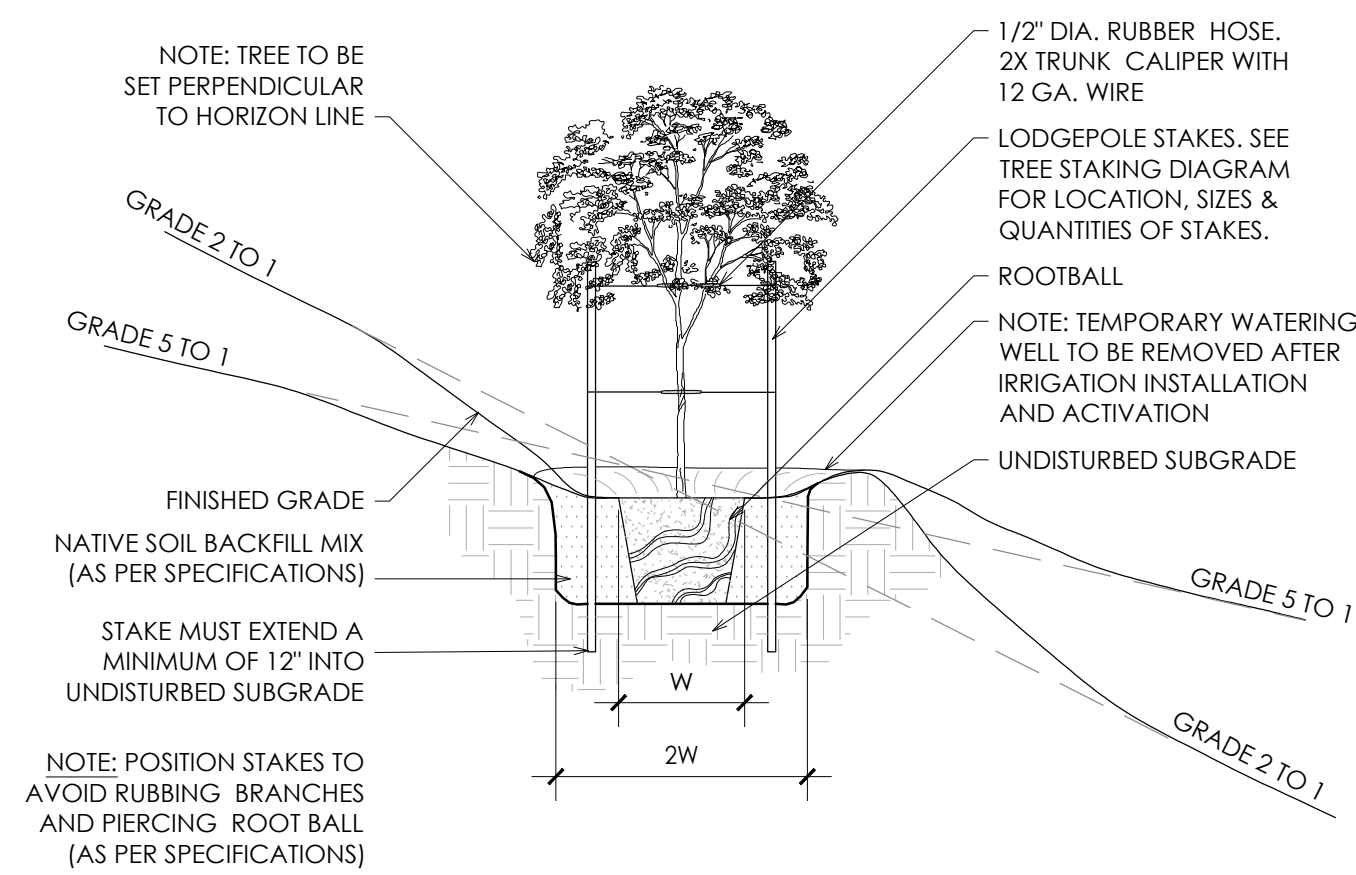
1 Tree Planting Detail
Scale: NTS



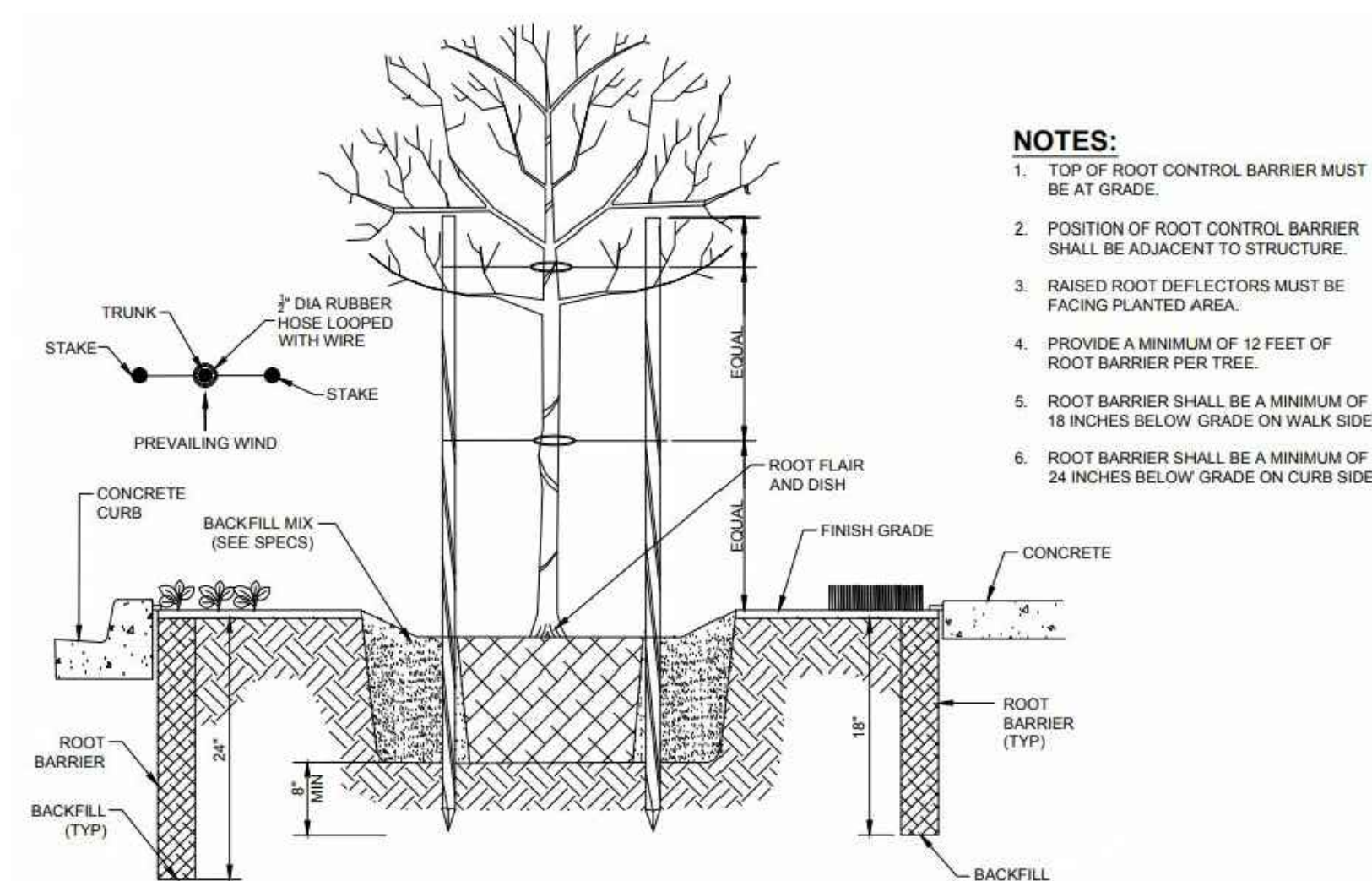
7 Plant Spacing Detail
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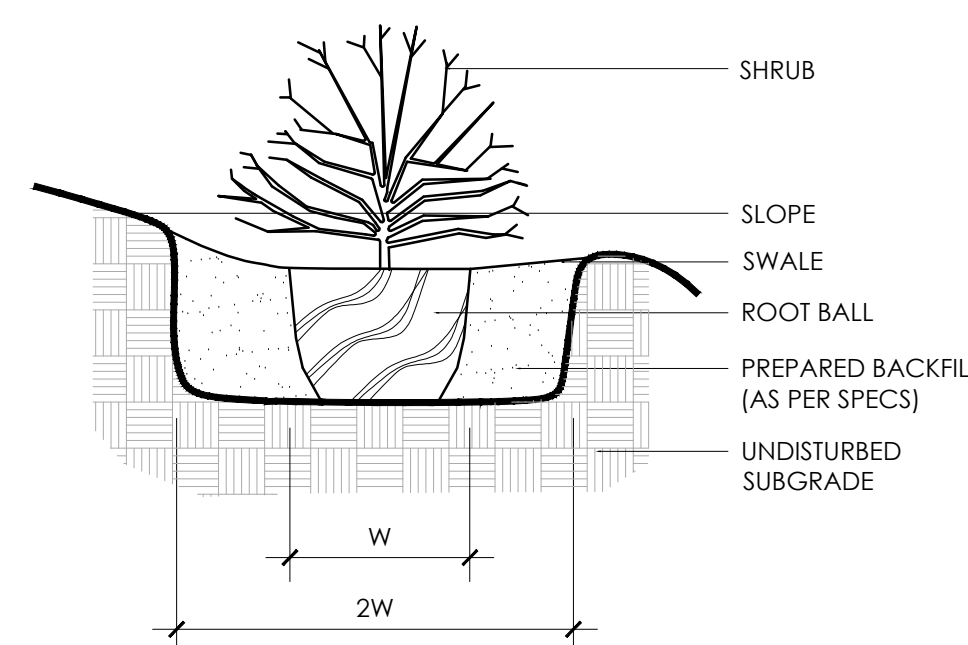
6 Root Barrier Detail
Scale: NTS



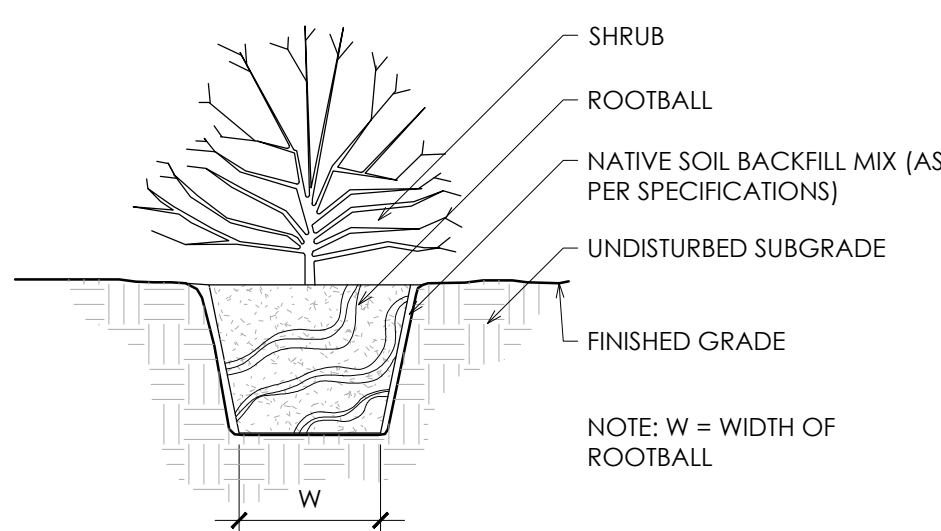
5 Tree Planting on Slope Detail
Scale: NTS



10 Root Barrier Detail
Scale: NTS



9 Shrub Planting on Slope
Scale: NTS



8 Shrub Planting Detail
Scale: NTS

SECTION - 02900 LANDSCAPE

PART 1 - GENERAL

1.01 WORK INCLUDED

*Landscape finish grading.

* Soil preparation

*Tree supports

*Planting

*Watering

*Maintenance

Definitions:

Owner's representative - an authorized agent determined by owner to act on their behalf, in some cases the Landscape Architect may be the owner representative as outlined in these specs.

Plants - all shrubs and cacti other than trees, saguaros, ocotillos, palms and turf.

Plant Material - all trees, saguaros, ocotillos, palms, shrubs, cacti, ground cover, and other plants.

1.02 RELATED WORK

Contractor : Minimum 5 years experience in supply and installation of landscape materials. A Foreman with a minimum of 5 years experience in related work shall be on site at all times.

1.03 SOURCE QUALITY CONTROL

Provide certificates of inspection for all materials as required by law or regulation.

Package standard materials with manufacturers certified analysis. Provide analysis by recognized laboratory made in accordance with methods established by the Association of Official Chemists for all other material.

Provide trees and shrubs grown in a recognized nursery in accordance with good horticultural practice. Provide healthy, undamaged, vigorous stock grown under climatic conditions similar to conditions at project site and free of disease, insects, eggs, larvae and defects such as sun-scald, knots, injuries, abrasions or disfigurements. Provide trees and shrubs of the sizes indicated. Trees and shrubs of sizes larger than those indicated may be used provided roots, root ball, staking and planting pits are increased proportionately.

1.04 REFERENCE STANDARDS

ANSI 60.1 - American Standards for Nursery Stock.

1.05 SAMPLES

Submit the following material samples to Owner's Representative a minimum of 48 hours prior to start of work.

- a. Topsoil for backfill mix (trees and shrubs).
- b. Wood Shavings/Mulch.
- c. Tree supports.
- d. Decomposed granite.
- e. Boulders.

The Owner's Representative reserves the right to take and analyze samples of materials for conformity to Specification at any time. Furnish samples upon request by Owner's Representative. Rejected materials shall be immediately removed from the site and replaced at the contractors additional expense.

Submit samples of decomposed granite for approval of gradation and color. Sample shall be representative of variations within size and color to be provided.

1.06 PRODUCT DATA

Submit to Owner's Representative a minimum of 48 hours prior to start of work manufacturers comprehensive product description, including specifications and installation instructions.

1.07 CERTIFICATES AND TEST REPORTS

Provide and pay for all materials testing. Testing agency shall be acceptable to the Landscape Architect. Submit to Owner's Representative a minimum of 48 hours prior to start of work 2 copies of certificates of inspection as required by governmental authorities, and manufacturers' vendors certified analysis for soil amendments, fertilizer materials, and chemicals. Submit other data substantiation that materials comply with specified requirements. Certificates are required to determine the quality and quantity of all specified soil amendments.

Materials certification to be submitted include, but are not limited to: Topsoil source and nutrient analysis, mulch, fertilizers/soil amendments/chemicals. Test representative material samples proposed for use. Provide the following data:

- a. Topsoil and planting backfill.
- b. Soil PH.
- c. Particle size, percentage soil texture.
- d. Percentage organic material.
- e. Percolation rate.
- f. Nutrient level analysis.
- g. All macro, secondary and micro nutrient salinity.
- h. ESP.
- i. Free lime.

Recommendations on type and quantity of amendments required to bring levels into acceptable ranges as detailed in Part 2 - Products of Materials of these specifications.

Separate recommendations to be submitted for each crop. Crop to be identified as:

- a. Irrigated trees and shrubs.
- b. Turf.

1.08 MAINTENANCE DATA

Submit to Owner's Representative 2 copies of typewritten instructions, prior to expiration of the initial maintenance period, recommending procedures to be followed by the Owner for the maintenance of landscape work for one full year.

1.09 PRODUCT DELIVERY, STORAGE AND HANDLING

Deliver packaged material in containers showing weight, analysis and identification of manufacturer. Protect materials from deterioration at all times.

Provide protective covers to plant life and trees during delivery. Do not prune trees prior to delivery. Do not bend-tie trees or shrubs in such a manner as to cause damage or destroy shape. Deliver materials after preparation for planting have been completed. Plant immediately. If planting is delayed for more than 6 hours after delivery, set plant material in shade, protect from weather and mechanical damage and keep roots moist.

Do not remove container grown stock including ground cover, from containers until planting time.

1.10 SITE CONDITIONS

Determine location of underground utilities. Execute work as required to prevent damage.

Maintain grade stakes set by others until directed otherwise.

Protect all existing plant life not scheduled for removal. If any plant material that is to remain is damaged, the Contractor, at his expense, will pay for a replacement plant of the same size and species (to be approved by Owner's Representative).

Protect existing utilities, paving and other facilities from damage during landscaping operation.

Coordinate with other contractors.

1.11 WARRANTY

Submit warranty to Owner's Representative.

Trees, Palm Trees, Saguaros and Ocotillos:

Warrant that trees, palm trees, saguaros and ocotillos will be alive and in good health for a period of 1 year after acceptance except for defects resulting from neglect by Owner, abuse or damage by others.

Owner must follow Contractors maintenance schedule and provide current maintenance log to Owner's Representative.

Remove and replace dead, unhealthy or girdled trees, palm trees, saguaros and ocotillos that lose original form and size during warranty period with material equal to that specified. Replace any material which does not meet requirements within fifteen days of notification. All replacement trees, palm trees, saguaros and ocotillos shall be subject to an additional one year maintenance period.

Shrubs and Other Plantings:

Guarantee all other planting will be alive and in satisfactory condition for a period of 90 days from date of acceptance or will be replaced at no additional cost to the Owner. All plant material shall be maintained in a healthy, sturdy condition during the warranty period by the Contractor.

All replacement plants, including shrubs, cacti, groundcovers, vines and perennials shall be subject to an additional 90 day maintenance period.

PART 2 - PRODUCTS AND MATERIALS

2.01 FILL MATERIALS

Provide dry, loose material for fill, backfill, planting backfill and topsoil for planter beds. Frozen or muddy soils are not acceptable. Salts not to exceed 1500 ppm, and material shall be free of debris, noxious weeds, ingredients or objects detrimental to healthy plant growth. Topsoil: Screened, fertile, friable, from well drained arable land, free of nut grass, refuse, roots, heavy clay, noxious weeds or any material toxic to plant growth; contents as follows:

- a. Silt: 20-45 %
- b. Clay: 15-20 %
- c. Sand: 30-60 %
- d. Organic Material (natural or otherwise): 2 % minimum
- e. pH: 7.0-8.3
- f. Soluble salts: 1,500 ppm,
- g. Nutrients: enough to bring levels up to acceptable plant growth.

Percolation rate shall be between 3 to 4 inches per hour.

Existing top soil may be used provided it meets these requirements.

2.02 COMMERCIAL GRADE FERTILIZERS

Agri-Sul, Disperul - use only for sulfur

Agriculture grade gypsum

2.03 SOIL AMENDMENTS

Wood shavings: nitrogen stabilized fir or pine shavings containing 0.75% total nitrogen and 0.1 to 0.15% total iron, and under 60 ppm total manganese; composted, leached and aged for a minimum of 10 to 12 months; pH factor, 4.0 to 4.5, no soil amendments are required for salvaged plant material and cacti unless otherwise specified.

2.04 TREE SUPPORTS

Tree Stakes: Copper naphthenate impregnated lodge pole 10 feet in length for 5 gallon and 15 gallon, and 12 feet in length for 24 inch box and larger. No tree stakes are required for salvaged plant material.

Tree Ties: Provide a minimum of two per tree; No. 10 gauge, pliable, zinc coated iron wire. Cover wire with hose, cover as specified, where it contacts tree.

Hose Covering: 1/2 inch minimum diameter; 2-ply reinforced rubber, new garden hose.

Tree Guards: 'ArborGard+' by Deep Root, or equal.

Tree Guys: Minimum 3 per tree; No. 10 galvanized wire. Cover wire with hose where it contacts tree for 24, 30 and 36 box tree.

Anchors (Deadmen): 2 inch x 4 inch x 3 feet long; construction grade redwood.

Signals (Flags): For guy wires, 1/2 inch diameter, white or orange plastic tubing 5 feet long over each guy used.

2.05 HERBICIDES

Pre-emergent and contact Herbicides:

Pre-emergent herbicide shall be Surflan as manufactured by Dow/Elanco Chemical Company.

Contact herbicide shall be Round-up as manufactured by Monsanto.

2.06 PLANTING MATERIAL

Plant Material: Healthy, shapely and well rooted. Roots shall show no evidence of having been restricted or deformed at any time. All plants shall be representative of their normal species and variety. They shall have normally developed branch systems. Plants shall be free from disfiguring knots, sun scald injuries and abrasions of bark. Plants not meeting these requirements shall be considered defective and shall be replaced immediately. All plants shall be true to name and shall be tagged, one of each variety. All plant material shall be grown in nurseries inspected by the State Department of Agriculture unless otherwise approved by the Owner's Representative.

Provide 'Specimen' plants with a special height, shape or character. Tag at the source of supply prior to notifying Landscape Architect for inspection. The Landscape Architect shall inspect selections at source of supply for suitability and adaptability to selected location. When specimen plants cannot be purchased locally, provide sufficient photographs of proposed material for approval.

Plants may be inspected and approved at place of growth for compliance with specification requirements for quality, size, and variety. Such approval shall not impair the right of inspection and rejection upon delivery at the site or during the progress of the work.

2.07 TURF SOD

As noted on plans.

2.08 DECOMPOSED GRANITE

Decomposed granite coverage shall be a minimum 2-inch thickness unless noted otherwise on plans. Decomposed granite shall be the size and color as specified on plans, and shall be taken from a single quarry.

2.09 BOULDERS

Boulders are to be Surface Select or as noted on the plans. Boulder size as noted on the plans and approved by the Owner's Representative. Boulders are to be harvested, delivered and placed in a manner to avoid marking, scraping or damaging the natural condition of the boulder. All scarred boulders are to be treated with Pemco (or equal) to provide a natural appearance of the desert varnish.

2.09 SEED MIXTURE

As noted on plans.

PART 3 - EXECUTION

3.01 GENERAL

Install in accordance with the methods, techniques and specifications of each representative manufacturer. If a conflict occurs between manufacturers and these specifications, consult with Owner's Representative for a decision.

Do not begin planting until the irrigation system is completely installed, is adjusted for full coverage and is completely operational.

3.02 BACKFILL, IMPORTED FILL OR ARTIFICIAL SOIL AND GRAVEL

Inspect the integrity of all damp-proofing and water-proofing membranes which occur over, on or against any construction to be fully or partially concealed by earthwork prior to the placement of any imported soil, backfill, gravel fill or sub-base.

Correct defects prior to proceeding with the work.

3.03 TOPSOIL

Import additional topsoil only as required to bring planting areas up to finish grade. Spread and cultivate soil so that no settling takes place at any time.

3.04 LANDSCAPE FINE GRADING

Allow for the addition of soil amendments, conditioners and any specified top dressing when determining and executing finish grade.

Set finish grade 1-1/2 inches below adjacent paving, curb and headers for shrubs and ground cover beds and areas or as required for installation of decomposed granite or turf sod.

At all planting areas, make entire area smooth and even to finish grade. Cultivate all areas so that there are no bumps or hollows, and the area drains as indicated. Grade and maintain all flow lines, designated or not, to allow free flow of surface water. Cultivate entire area to a depth of 6 inches minimum and remove all rock in excess of 1-1/2 inches diameter, all building rubble, building construction material, waste and any other material that will impair satisfactory growth.

3.05 DECOMPOSED GRANITE

Place 2-inches unless otherwise noted, in all planting areas. Decomposed granite shall extend below all plant material, trees, and cactus. Decomposed granite finish grade 1-1/4-inch below adjacent paving, curbs, and headers.

3.06 HERBICIDE APPLICATION

Apply pre-emergent herbicides in accordance with manufacturer's instructions.

Apply contact herbicides in accordance with manufacturer's recommendations. Prior to application, moisten areas for fourteen days to encourage weed germination and growth. Apply before weeds attain a height of 6 inches. Remove taller weeds manually.

Areas to be landscaped shall be maintained in a weed-free condition at all times during construction and maintenance period.

Do not apply pre-emergent herbicides at locations of revegetation seeding. The contractor shall manually remove invasive weeds within these areas.

3.07 TREE SUPPORT

Guyed Trees: Guy trees as shown immediately after planting as shown on the drawings.

Staked Trees: Stake trees as shown on the drawings within 48-hours of planting.

Tree supports shall be installed to prevent lodging, yet allow for trunk movement. Hoses that encircle trunks shall be large enough to allow for normal growth of the trunk during the first year without girdling.

3.08 TREES, SHRUBS, AND VINES

Layout locations with stakes or gypsum. Coordinate with Owner's Representative to assure appropriate location, prior to installation.

Test drainage of plant beds and pits by filling with water. Notify Owner's Representative of areas where water is retained more than 24 hours.

Where rock, underground construction or other detrimental conditions are encountered at plant pits, Owner's Representative may select alternate location.

Do not expose roots to air except during transplanting. Set up of plants at same level when planted as in the container. Cut plant containers on 2 sides without injuring root ball and carefully remove plant. Do not cut container with spade. Damaged plants will be rejected.

Dig pits with perpendicular sides to a minimum of 2 to 3 times the width (see details) of the root ball for containerized trees and shrubs. Dig pits only as deep as the root ball to prevent settling of the tree or shrub.

Place rootball of vines as close to structure or support system as possible. If rootball can't be placed closer than 12" notify Owner's Representative of situation for inspection and remedy.

Tie vines to trellis supports if applicable with green plant tape and remove any staking supplied with plant material.

Planting Mixture: One part wood shavings Two parts excavated soil amended to meet standards in Part 2.

Mix thoroughly outside the hole before start of backfilling.

Tree Guard: Install tree guard on all trees located in turf areas per manufacturer's recommendations.

3.09 BACKFILLING

Backfill plant pits and form shallow basin around the plant to hold enough water to saturate the root ball and backfill (only form basins if specified on detail). Water plants immediately after planting and allow backfill to settle in plant pit. Do not water saguaros after planting. Do not raise basin rim above surrounding grade.

Puddle planting mixture when pit is 2/3 full of plant mix. Continue back filling to within 1 inch of surrounding grade.

Finish grade to 2 inches below headers or concrete work.

Top dress planting areas with 2 inches of top dressing after planting.

Treat all planting areas with a pre-emergent.

3.10 GROUND COVER

At time of transplanting, soil in flats shall be sufficient so as not to fall apart when lifting plants. Plant each plant with its proportionate amount of the flat soil in a manner that will ensure a minimum disturbance to the root structure.

Plant flat material sufficiently deep to cover all roots. Firmly tamp the earth around each plant to force out large air pockets.

3.11 TURF SOD

Soil Preparation: Provide soil with an organic matter content of 25-percent to 30-percent. Cultivate entire area to a depth of 6" minimum and remove all rock in excess of 1 1/2", all building rubble, building construction material waste and any other material that will impair satisfactory growth. This top 6" must meet the topsoil requirements noted in Section 2.01.

Soil Amendments: Prior to rototilling, apply gypsum at a rate of 100 lbs per 1,000 sf, phosphate at a rate of 2 lbs per 1,000 sf., and soil sulfur at 5 lbs per 1,000 sf. Rototill into soil.

Install sod along the straightest edge of turf area. Stagger joints in a brick-like pattern. Avoid gaps and overlapping. Place sod diagonally across, to avoid sliding. Water sod at least every 30 min. during installation. Finish by watering lightly and roll in two directions w/sod roller.

3.12 WATERING

Water all plants immediately after planting, except for saguaros, with hose in planting hole until material about the roots is completely saturated from the bottom of the hole to the top of the ground to avoid drying out until the entire planted area is thoroughly watered and the soil soaked to the full depth of each plant hole. Water stream shall not cause damage to planting hole or plant. Keep exposed roots wet by means of moist sawdust, peat moss or burlap at all times during planting operation. Repeat watering as often as necessary to keep the ground moist but not soaked, well below the root system of the plants.

3.13 CLEAN UP

Keep all areas clean and orderly during and after execution of work. Burning of trash is not permitted.

3.14 ADJUSTMENT

Prune each tree and shrub to preserve the natural character of the plant per American Standards for Nursery stock, as published by the American Association of Nurserymen. Prune only as directed by Owner's Representative and Landscape Architect to remove deadwood, suckers, or broken or badly bruised branches. Replace all plants damaged by excessive pruning, planting operations or construction damage.

3.15 MAINTENANCE PERIOD

When the Owner's Representative and Landscape Architect determine the work to be substantially complete in accordance with the Conditions of the Contract, Contractor will be advised, in writing, that the maintenance period is to begin.

Landscape contractor shall be responsible for maintenance of landscaped areas for a period of 90 days. Maintenance includes watering, trimming, weeding and cultivating of beds.

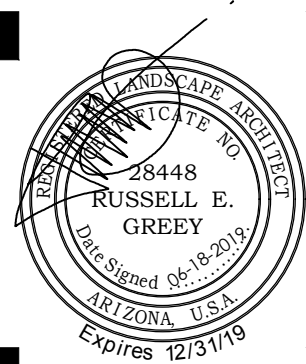
Landscape contractor, in order to protect his guarantee, shall give typewritten to Owner, a complete maintenance instruction booklet on the care and feeding of the landscape.

Contractor shall request, in writing, a Final Inspection with Landscape Architect at the completion of the maintenance period. If the Owner's Representative determines the work is satisfactory, the maintenance period will end on the date of the Final Inspection. If the maintenance is unsatisfactory, the maintenance period will be extended, at the Contractors expense, until such time as all corrections are made and the work is inspected and approved by the Owner's Representative and Landscape Architect. Retention will not be released until Final inspection is made and approval issued by the Owner's Representative.

3.16 FIELD QUALITY CONTROL

Notify Owner's Representative of the requirement for inspection at least 48 hours in advance. Inspections are required, but not limited to, the following:

- Inspection and acceptance of plant material prior to shipping.
- At completion of rough grade and boulder placement
- At completion of landscape finish grading and soil preparation, prior to planting.
- At installation of irrigation system, prior to backfilling trenches and planting.
- During installation of specimen tree, or other specimen plant material.
- After staking locations for plant holes, but prior to planting; for approval.
- During the planting process.
- During the placement and aiming of all light fixtures.
- At Substantial Completion of the Work.
- During warranty period to observe maintenance procedures.
- At final Completion of the Work.



revisions:

project #:
TOL 202
scale:
NTS
issued for:
REVIEW
drawn by:
TEAM
date:
06.18.2019
drawing:
Landscape Spec's

sheet #

L8.1
07 of 07

Robert Kuhfuss

From: Peter Hughes - FCDX <PeterHughes@mail.maricopa.gov>
Sent: Tuesday, March 19, 2019 10:06 AM
To: Allysa Robinson
Subject: RE: OUTSIDE AGENCIES FS19-184 Toll @ Prasada Phase 2 Unit F & C Preliminary Plat New Submittal 031919
Attachments: CityofSurprise_03_19_2019_FS19-184 Toll at Prasada Units F and C.pdf

****The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.****

Elsa,
The Flood Control District of Maricopa County has the following comments.

Project Name: FS19-184 Toll at Prasada Phase 2 Unit F and C. Project Location: SWC of Cotton and Cactus. APN(s): 502-04-018 (502-04-017D)

- Parcel 502-04-018 and the surrounding parcels were subdivided/replatted. The parcel the project is located on is 502-04-017D
- Parcel 502-04-017D is located partially in FEMA Zone X, which is not in the SFHA, and FEMA Zone A, which is in the SFHA.
 - See attached .pdf for aerial view of the parcels and the location of the FEMA FIRM Zones.
- The Project area is located on FEMA FIRM panel 1660L.
- FEMA Zone A are areas subject to inundation by the 1-percent-annual-chance flood event generally determined using approximate methodologies. Because detailed hydraulic analyses have not been performed, no Base Flood Elevations (BFEs) or flood depths are shown. Mandatory flood insurance purchase requirements and floodplain management standards apply.
- The delineated floodplain is composed of Cotton Lane Wash.
- Prior to obtaining a building permit, either a floodplain use permit or a CLOMR/LOMR would be required by the District for parcel 502-04-017D since there is a FEMA floodplain delineated on the parcel.

If there are any questions or concern please let me know.

Thanks,
Peter

Peter Hughes
Policy, Planning, and Coordination Branch
Planner



Flood Control District of Maricopa County

2801 W Durango St, Phoenix, AZ 85009

(O) 602-506-8725

peterhughes@mail.maricopa.gov

www.fcd.maricopa.gov



How are we doing? Click [here](#) to leave your feedback

From: Allysa Robinson [<mailto:Allysa.Robinson@surpriseaz.gov>]

Sent: Tuesday, March 19, 2019 8:57 AM

To: 'Bob Woodring - TEMPX' ; 'Brad Finke - EPCOR' ; 'Chris Cain - MWD' ; 'Chris Toale' ; Christina Betz ; Daniel Trujillo ; 'Debbie Trasancos - MWD' ; 'Don Romero - USPS' ; Donna Miller ; 'Douglas Kirkland - Epcor' ; 'Ernest (USPS)' ; 'Eva Pierce' ; Greg Welch ; 'Ibeth - USPS' ; 'Kevin Shipman' ; 'Leslie - MWD' ; Mark Frago - FCDX ; Peter Hughes - FCDX ; 'Project Coordinator' ; 'Richard Hammitt' ; Sandy Simmons ; 'Vern Wolfley - MAG' ; 'Victor.Schaum' ; 'Yvonne Aguirre'

Cc: Elsa DeMoss ; Lloyd Abrams

Subject: OUTSIDE AGENCIES FS19-184 Toll @ Prasada Phase 2 Unit F & C Preliminary Plat New Submittal 031919

Attached please find the **application**, **narrative**, and **preliminary plat** for the above referenced project.

Please feel free to contact us with any questions.

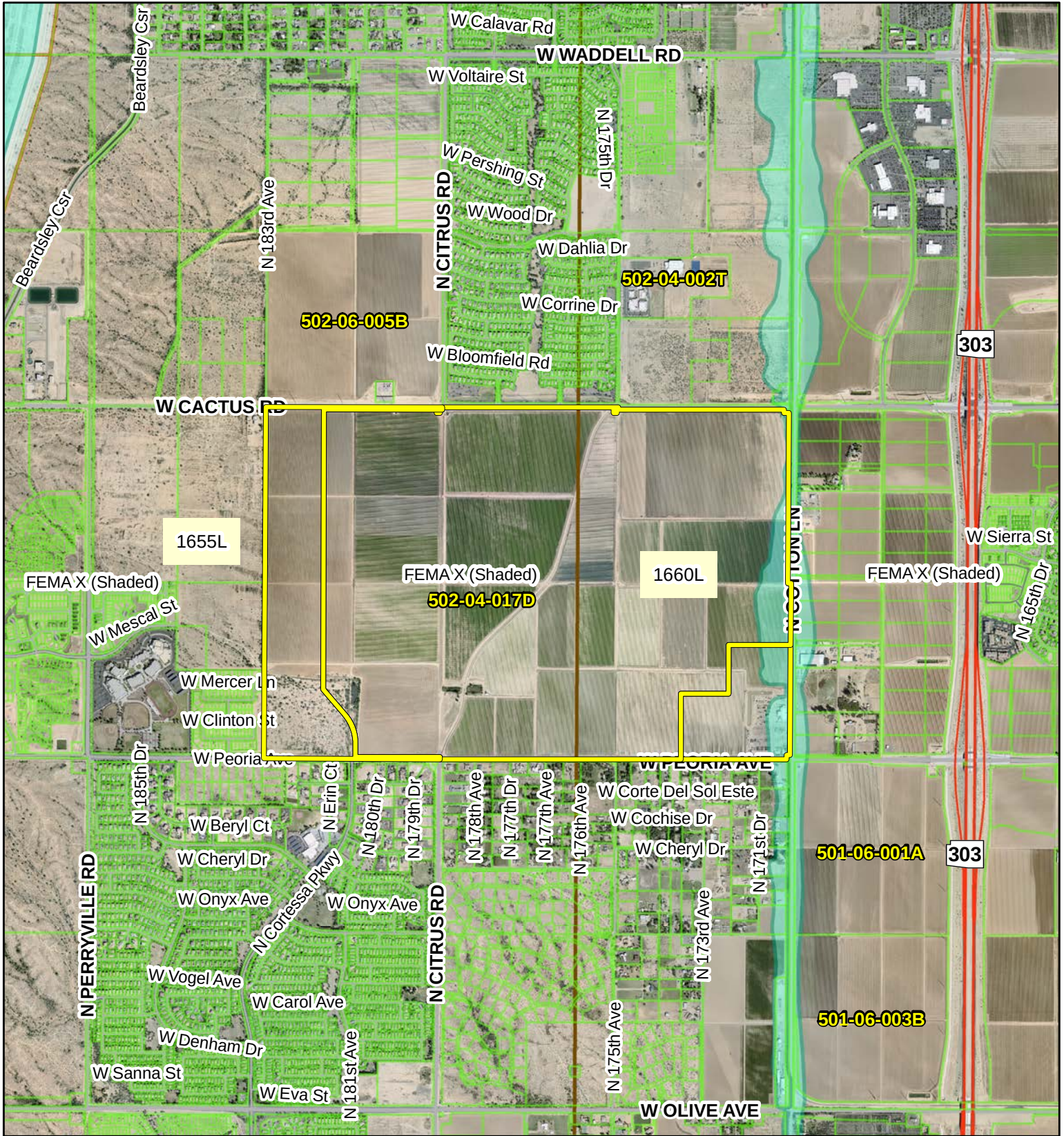
Best regards,

Allysa Robinson
Project Coordinator
City of Surprise | Community Development
16000 N. Civic Center Plaza | Surprise AZ | 85374
www.surpriseaz.gov
Phone: 623-222-3099
Fax: 623-222-3001
Allysa.Robinson@surpriseaz.gov

City of Surprise offices open at 8 a.m. and close at 5 p.m. Monday through Friday. More info at www.surpriseaz.gov.

This e-mail and any accompanying files transmitted are intended solely for the use of the individual or entity to whom they are addressed; if you have received this e-mail in error please delete it and notify the sender. In addition, under Arizona law, e-mail communications and e-mail addresses may be public records.
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19 Mar 2019 15:57:04 -0000



Current FEMA Flood Zones



Current Pending Flood Zones



0 1,000 2,000 4,000 Feet
 1 inch = 1,990 feet

Date: 3/19/2019
 Time: 9:52:55 AM
 User: hughesp



Floodplain Management & Services
 2801 West Durango Street
 Phoenix, Arizona 85009
 Phone: (602) 506-2419
 Fax: (602) 372-6232
<http://www.fcd.maricopa.gov/Floodplain/floodplain.aspx>



**DEPARTMENT OF THE AIR FORCE
AIR EDUCATION AND TRAINING COMMAND**

25 March 2019

Mr. James R. Mitchell
Director, Community Initiatives Team
56th Fighter Wing
14185 West Falcon Street
Luke AFB AZ 85309-1629

Ms. Alyssa Robinson
Project Coordinator
City of Surprise Planning Department
16000 N. Civic Center Plaza
Surprise AZ 85374

Re: FS19-184; Toll @ Prasada Phase 2 Units F&C (APN: 502-04-017D)

Dear Ms. Robinson

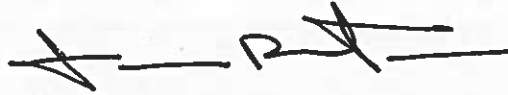
Thank you for the opportunity to provide comments on the Preliminary Plat Application for Toll at Prasada Phase 2 Units F&C. The site sits on vacant land located at Cotton Lane and Cactus Road in Surprise, AZ and is part of the larger 772.08 acre master planned community with an overall density of 2.86 du/ac. This request is for 175 single family residential units on 36.8 acres for an overall density of 4.75 du/ac. The site is approximately 1.8 miles outside the 1988 JLUS 65 Ldn, "high noise or accident potential zone" as defined by A.R.S. § 28-8461 and is within the "territory in the vicinity of a military airport" also defined by A.R.S. § 28-8461.

In an effort to promote a more compatible co-existence Luke AFB follows the guidelines in the Graduated Density Concept (GDC). The GDC proposes, in the absence of a more restrictive state, county or municipal general or comprehensive plan, graduating densities away from the 65 Ldn as follows: a maximum of 2 du/acre from the 65 Ldn to 1/2 mile, a maximum of 4 du/acre from 1/2 to 1 mile, and a maximum of 6 du/acre from 1 to 3 miles. Toll at Prasada Phase 2 Unit F&C fall within these guidelines.

This request will not have a negative impact on Luke AFB Flight Operations. The site will be located within the "territory in the vicinity of a military airport," it will be subjected to approximately 165 over flights a day, with some as low as 1,500 feet above ground level. If this development is approved, we recommend you review the sound attenuation requirements found in A.R.S. § 28-8482. In addition, a strong notification program on the part of the applicant would be essential to inform potential residents/tenants about Luke AFB operations.

If there are any questions, please contact my Community Planner, Mr. Christopher Toale at (623) 856-6175.

Sincerely

A handwritten signature in black ink, appearing to read 'J. R. Mitchell', with a stylized flourish at the end.

JAMES R. MITCHELL

cc:

Colonel Michael S. Richardson, Vice Commander, 56th Fighter Wing

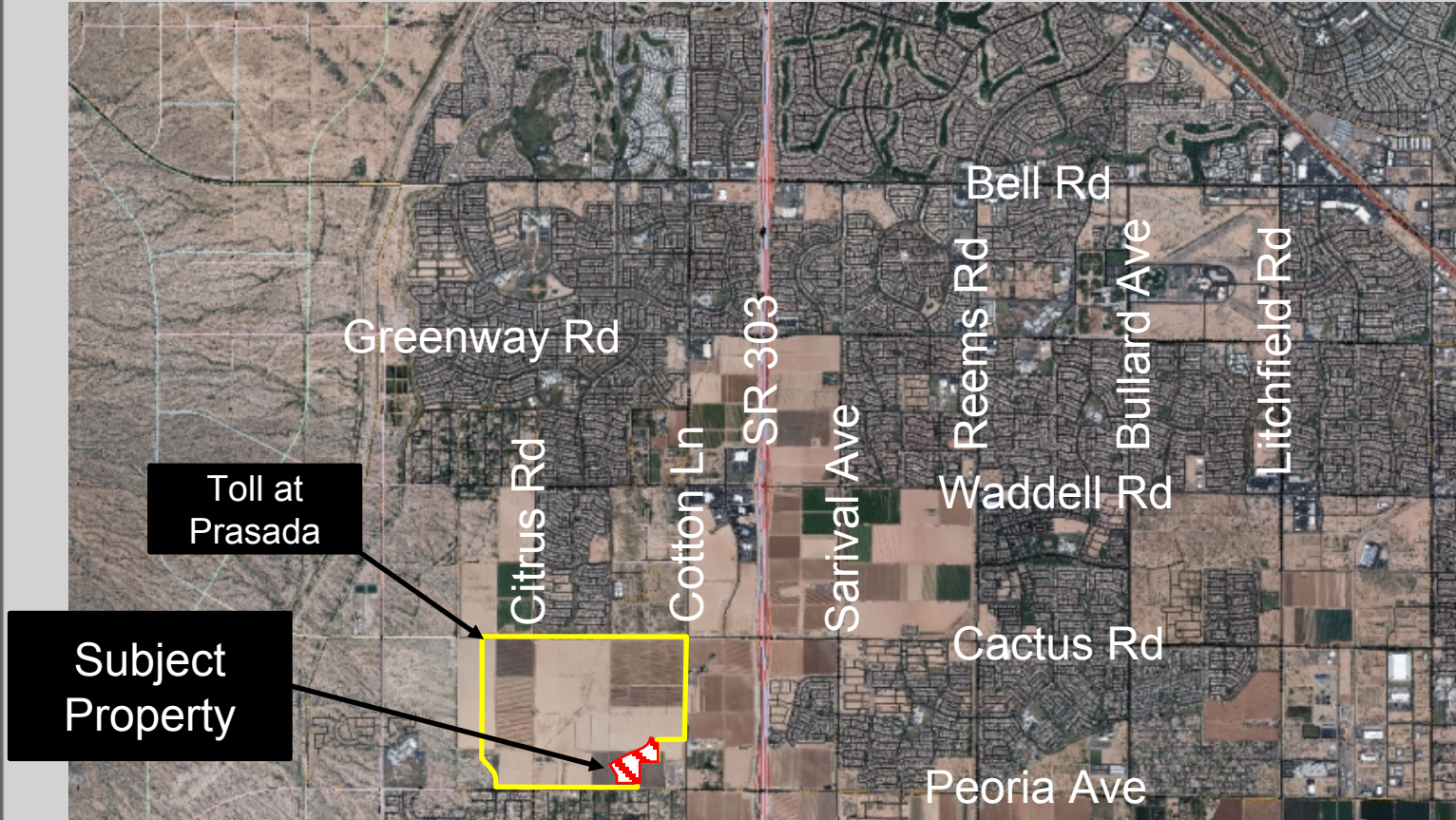
Ms. Cindy L. Allen, GS-13, General and Environmental Law Attorney, 56th Fighter Wing



City Council
October 15, 2019

Toll at Prasada Units F & C Revised Preliminary Plat

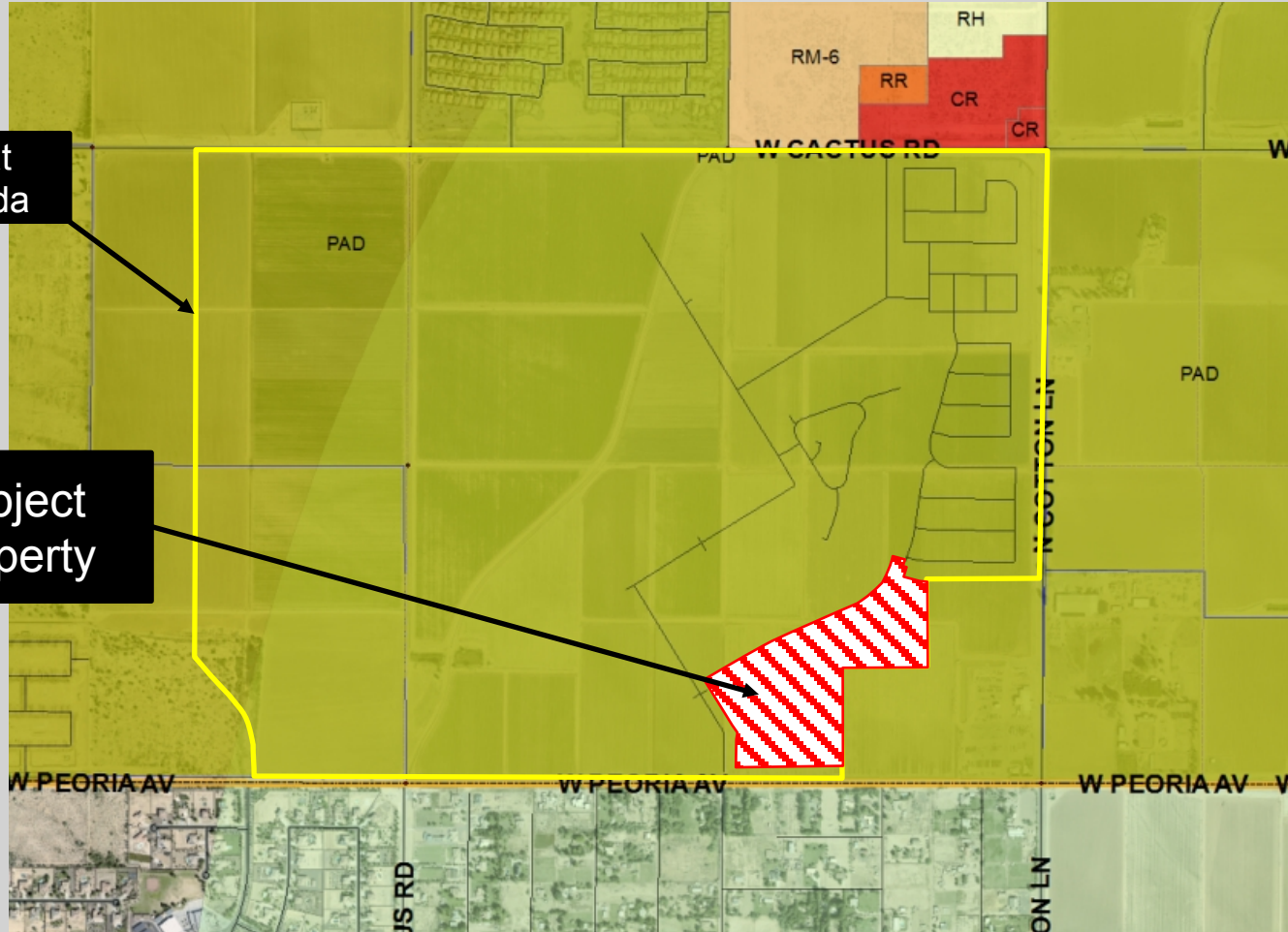
Units F & C Vicinity Map



Units F & C Case Map

Toll at
Prasada

Subject
Property



Units F & C Context



A PORTION OF THE EAST HALF OF SECTION 23, TOWNSHIP 3 NORTH, RANGE 2 WEST, GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA.

THE BASE OF BEARING IS THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 1 NORTH, RANGE 1 WEST, BEARING SOUTH-80 DEGREES 34 MINUTES 14 SECONDS WEST.



WATER	BROOK WATER
SEWER	CITY OF SURPRISE
GAS	SOUTHWEST GAS
LAND TRAC	ARIZONA PUBLIC SERVICE
TELEPHONE	CENTURIAL / COX
CABLE TV	CENTURIAL / COX
WPD	CITY OF SURPRISE
POLICE	CITY OF SURPRISE

SHEET 1	CSS	COVER SHEET
SHEET 2	ISO	INDEX SHEET
SHEET 3	OTM	LOT DIAGRAM & DEVELOPMENT STANDARDS
SHEET 4*	PRO-PRO	PRELIMINARY PLAN
SHEET 5	TRD	DATA TABLE



1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 26

DEVELOPER:
TOM SAWYERS
8507 E VIA DE VENTURA, SUITE 20
SCOTTSDALE, AZ 85258
TEL (480) 354-6771
CONTACT: OSCAR DOPPELHUT

CIVIL ENGINEER
BPE GROUP INC.
1130 N. ALPHEA SCHOOL RD SUITE 200
MESA, AZ 85201
TEL: (480) 963-2220
FAX: (480) 963-2220
CONTACT: RICH MORRIS, PE

PROJECT DATA

478 2018-07-17

EXISTING GENERAL PLAN EXISTING ZONING	MID-BOROUGH CHARACTER AREA PLANNED AREA DEVELOPMENT (PAU) (ORDINANCE NO. 96-2)
GROSS AREA	42.34 ACRES
NET AREA	42.34 ACRES
PARCELS (NET TRACT AREA)	16 LOTS/ACRES
LOT AREA	16.14 ACRES
TRACT OPEN SPACE	1.14 ACRES

Parcel	Max Acreage	Lot Yield	Max Density
A	32.74	141	431
B	47.49	200	679
B	31.84	96	410
E	17.60	49	176
E	18.76	61	427
F	24.01	136	470
G	12.70	44	470
Total	174.00	748	423

THE TOOL AT PRAGA PROJECTS IS PLANNED FOR A HANDBOOK OF 120 PAGES. THE CHART SHALL BE UPDATED TO MAINTAIN A RECORD OF THE REMAINING UNIT COUNT AT EACH PAGE OF THE DEVELOPMENT.

GENERAL NOTES

1. THIS PLAN IS NOT A CONTRACTED DOCUMENT
2. LOT DIMENSIONS ARE APPROXIMATE. FINAL LOT DIMENSIONS SHALL BE THE FINAL PLAT
3. ALL PUBLIC STREETS SHALL BE CONSTRUCTED TO A CITY OF SALT LAKE STANDARD 15' SIDEWALK AND 15' HIGH CURB
4. THIS DEVELOPMENT WILL PROVIDE FOR INSTALLATION OF REQUIRED STREET LIGHTS
5. THE PLANNED IMPROVEMENT SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL SIDEWALKS
6. THE ARMS FLATTENED AREA WITHIN THE DOMESTIC PLAZA, WHICH AREA OF CITY OF SALT LAKE WHICH IS DESIGNATED AS A PUBLIC USE, SHALL BE MAINTAINED BY THE CITY OF SALT LAKE
7. INTERIOR STREETS WILL BE MAINTAINED BY THE CITY OF SALT LAKE
8. ADDITIONALLY, HOW TO SCREEN ALL PARKING-GUARDED, CITY OF SALT LAKE, THERE IS NO PARKING ALLOWED ON TRAIL

DEVELOPMENT STANDARDS

THE DEVELOPMENT SHALL CONFORM TO THE DEVELOPMENT STANDARDS APPROVED IN PHASEA, CASE FE-1887.

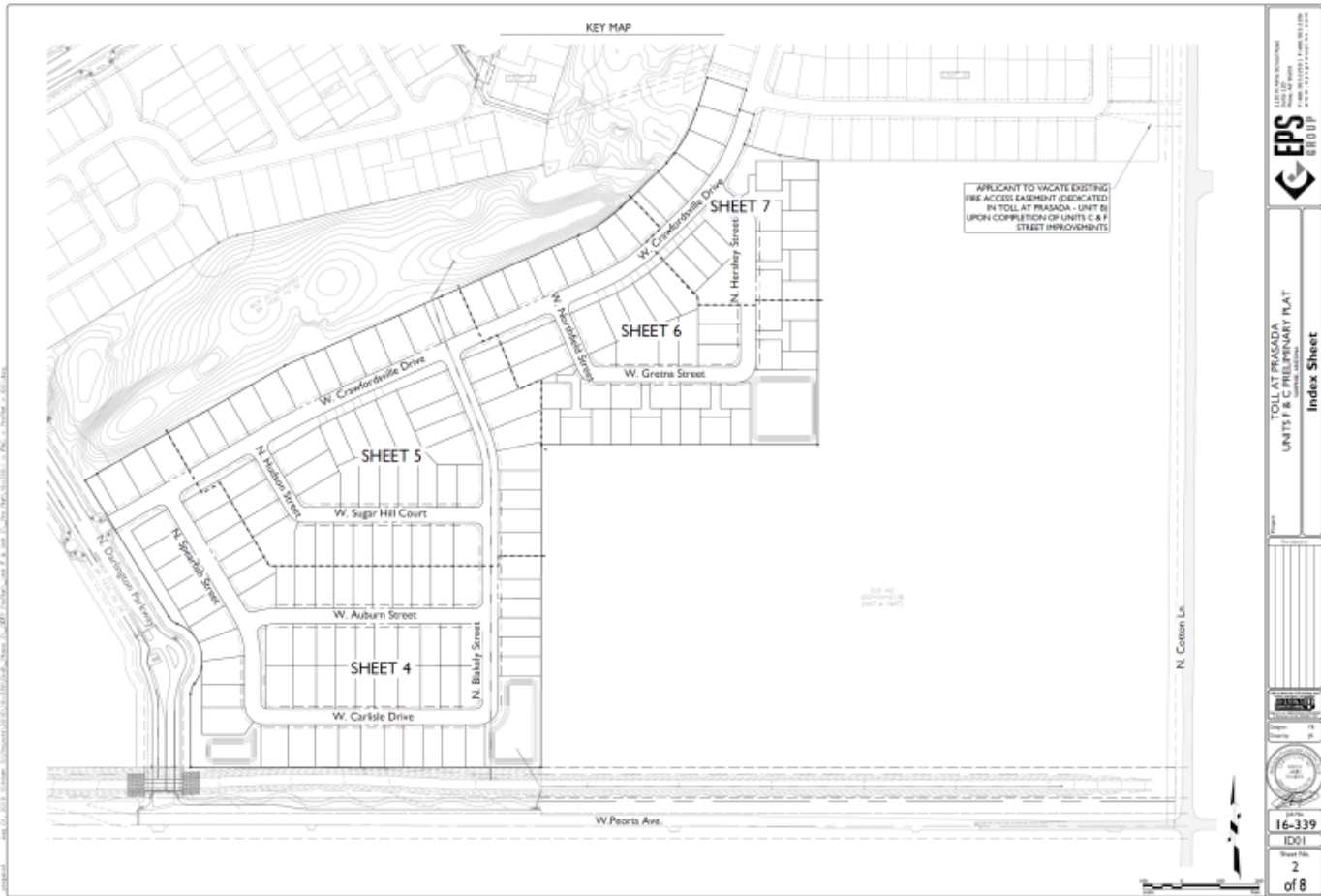
Cover Sheet



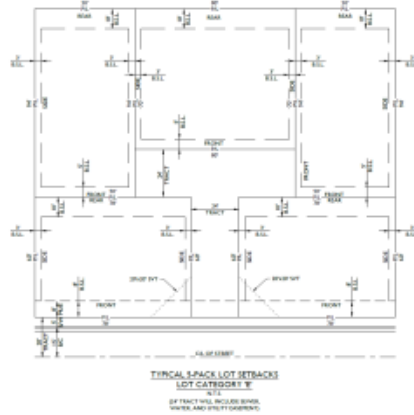
16-339
CS01

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of 8

dependent



Units F & C Revised Preliminary Plat

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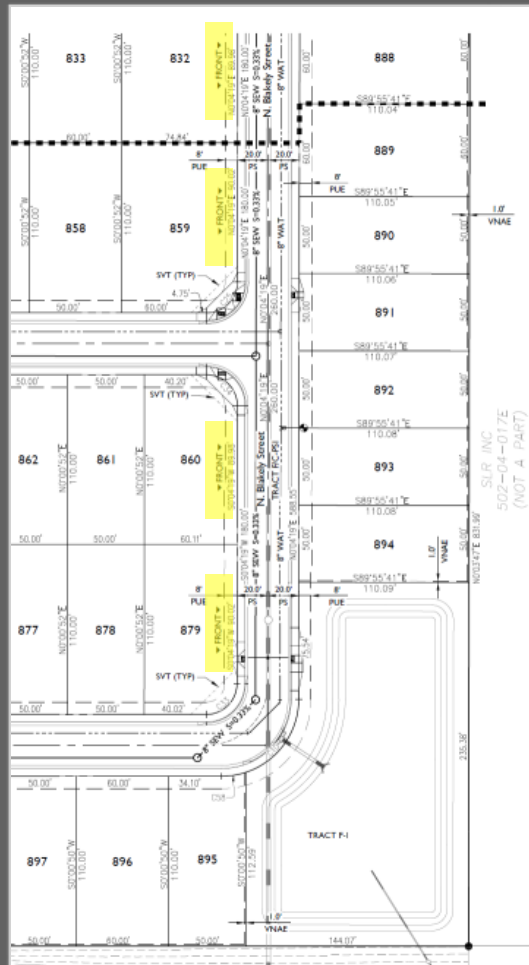
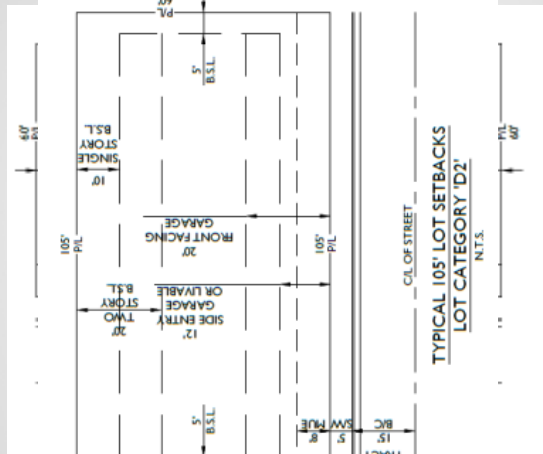
Development Standard E - E317-583 ¹		
Fencing District	E31.1-1	E31.2-1
Minimum Lot Size		5,000 Square Feet
Minimum Building Setback ²		
Front Yard		
Front Yard Fencing (measured from front of lot to edge of house)	5' (Front)	
Side or Back Yard	5' (Side)	
Side Yard	9' (Side) / 3' (Back)	
Back Yard	15' (Back)	
Minimum Building Height ³		10' (Back)
¹ District shall determine all setbacks as measured from the property line. All setbacks are subject to the requirements of the applicable Building Code and City Code adopted by the City Council. ² Architectural setbacks for lot area less than 10,000 sq. ft. are: side yards, 5 feet; back yards, 10 feet; and side yards, 10 feet, are measured as 1/2 lot area from side yard setback. ³ Height shall be "Q" and "W" shall be 1/2 "W" in 1/2 "W" of garage at side setback.		
⁴ If 2' setback from E31.2-1 is shared driveway to lot, garage. ⁵ Fencing height is measured from the finished grade to the top of the fence or highest part of the fence. ⁶ Fenced areas may be measured as 1/2 lot area the rear of lot.		

where



Page 404 of 733

Units F & C Revised Preliminary Plat



Manuscript to be reviewed



16-339 - UNITS F & C PRELIMINARY PLAT

DATE: APR 15, 2015, DRAWN: JENNIFER BECK, DESIGNED: JENNIFER BECK, CHECKED: JENNIFER BECK, APPROVED: JENNIFER BECK, SCALE: 1"=40'



Units F & C Revised Preliminary Plat

16-339 - UNITS F & C PRELIMINARY PLAT

DATE: 04-11-2018, 10:40 AM, C:\Users\j\Documents\16-339\16-339.dwg, Author: J, Plot Date: 04-11-2018, 10:40 AM, Plot User: J, Plot Device: HP DesignJet 500, Plot Size: 11x17, Plot Scale: 1"=100'



Units F & C Revised Preliminary Plat

Page 409 of 733

 EPS GROUP 1200 W. Shawnee Suite 100 P.O. Box 10000 • Kansas City, MO 64110 WWW.EPSGROUP.COM	TOLL AT PRASADA UNIT'S P & C PRELIMINARY PLAT SUBMITTAL ADDRESS	Data Tables
Project: _____ _____ _____	_____ _____ _____	_____ _____ _____
Designer: _____ Quantity: _____	 16-339 TB01	Sheet No. 8 of _____

WEST OF COTTON LANE , SOUTH OF CACTUS ROAD
CITY OF SURPRISE PRE-PLAT LANDSCAPE PLANS

[illegible]

1. **DESIGNATION:** This contract is for the construction of a _____.

2. **LOCATION:** The project is located at _____.

3. **SCOPE OF WORK:** The contractor shall be responsible for the design, construction, and installation of the _____.

4. **PERMITTING:** The contractor shall obtain all necessary permits for the construction of the project.

5. **CONSTRUCTION SCHEDULE:** The project shall be completed within _____ months of the start date.

6. **BIDDING:** The contractor shall submit a detailed bid including all materials, labor, and overhead costs.

7. **CONTRACT VALUE:** The total value of the contract is \$_____. The contractor shall provide a breakdown of costs for materials, labor, and overhead.

8. **PAYMENT SCHEDULE:** The contractor shall be paid in _____ installments of \$_____ each, upon completion of _____% of the work.

9. **WARRANTY:** The contractor shall provide a warranty of _____ years for the construction work.

10. **TERMINATION:** The contract may be terminated if the contractor fails to complete the project within the specified time frame.

11. **FORCE MAJEURE:** In the event of a force majeure event, the contractor shall be relieved of its obligations under the contract.

12. **ASSIGNMENT:** The contractor shall not assign its obligations under the contract without the written consent of the owner.

13. **ENTIRE AGREEMENT:** This contract represents the entire agreement between the parties and supersedes all previous negotiations.

14. **SIGNATURES:** The contract shall be signed by the authorized representatives of both parties.

15. **DATE:** The contract is dated _____.

16. **WITNESSES:** The contract shall be witnessed by two disinterested parties.

17. **COPIES:** Three copies of the contract shall be prepared, one for each party and one for the witnesses.

18. **REVISIONS:** Any revisions to the contract must be made in writing and signed by both parties.

19. **CONSTRUCTION SCHEDULE:** The contractor shall submit a detailed construction schedule to the owner for review.

20. **CONTRACT CLOSURE:** The contract shall be closed upon completion of the project and payment of the final invoice.

CACTUS RD

PROJECT

DEVELOPER
TOLL 800-798-9880
8747 S VIA DE VENTURA, SUITE
300 SCOTTSDALE, AZ 85258
TEL: (480) 314-6711
CONTACT: OSCAR DOMINGUEZ

LANDSCAPE ARCHITECT/PLANNING
GREY + PICKETT
7144 E. STETSON DRIVE, SUITE 20
SCOTTSDALE, AZ 85261
PHONE: (480) 409-0091
CONTACT: WENDY PICKETT

CIVIL ENGINEER
BPS GROUP
1130 N. ALMA SCHOOL ROAD, SUITE
105A, AZ 85201
PHONE: (480) 533-0250
CONTACT: BOB HOPPE, P.E.

10. The Contractor shall design, construct, install, maintain, and operate the project in accordance with the design and specifications of the project. The Contractor shall be responsible for obtaining all necessary permits and licenses for the project. The Contractor shall be responsible for obtaining all necessary insurance and bonding for the project. The Contractor shall be responsible for obtaining all necessary approvals and permits for the project. The Contractor shall be responsible for obtaining all necessary approvals and permits for the project.

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1. **PROPOSER'S OBLIGATIONS**
 - a. **PROPOSAL SUBMISSION** All proposals must be submitted by the deadline date and time specified in the Request for Proposal (RFP) and must be submitted to the address specified in the RFP.
 - b. **PROPOSAL EVALUATION** The proposer must submit a proposal that is complete and accurate. The proposer must submit a proposal that is complete and accurate. The proposer must submit a proposal that is complete and accurate.
 - c. **PROPOSAL EVALUATION** The proposer must submit a proposal that is complete and accurate. The proposer must submit a proposal that is complete and accurate. The proposer must submit a proposal that is complete and accurate.

5. CONTRACTOR SHALL SUBMIT SAMPLES TO LANDSCAPE ARCHITECT FOR REVIEW AND APPROVAL, PRIOR TO CONSTRUCTION.

[illegible][illegible]

8. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL PERMITS AND APPROVALS FROM THE LOCAL AND STATE AGENCIES IN ORDER TO CONDUCT THE WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE COST OF OBTAINING ALL PERMITS AND APPROVALS.

1. ALL FTEs WILL COMPLY WITH:
 - a. ALL POLICIES AND PROCEDURES
 - b. ALL STANDARDS AND REGULATIONS
 - c. ALL LAWS AND ORDINANCES
2. THE UNIVERSITY AND ITS FACULTY SHALL COMPLY WITH:
 - a. ALL POLICIES AND PROCEDURES
 - b. ALL STANDARDS AND REGULATIONS
 - c. ALL LAWS AND ORDINANCES
3. THE UNIVERSITY AND ITS FACULTY SHALL COMPLY WITH:
 - a. ALL POLICIES AND PROCEDURES
 - b. ALL STANDARDS AND REGULATIONS
 - c. ALL LAWS AND ORDINANCES

10. **RECORDS MANAGEMENT AND INFORMATION COLLECTIONS.** Records to be created by the Agency shall be maintained in accordance with the National Archives and Records Administration (NARA) and the Department of Defense (DoD) Records Management and Information Collections (RMIC) policies and procedures. The Agency shall ensure that all records are properly classified, stored, and disposed of in accordance with the NARA and DoD policies and procedures. The Agency shall also ensure that all records are properly maintained in accordance with the NARA and DoD policies and procedures.

[illegible]

7. MATERIAL: THE CONTRACTOR SHALL PREPARE A #100 SAMPLE PANEL FOR EACH TYPE OF CONSTRUCTION: (a) AS CONCRETE PAVING; (b) IMPROVED ASPHALT/GRANITE PAVING; (c) INTERLOCK COLORED CONCRETE PAV. - THE APPROVAL OF THE JURISDICTION AGENCY AND OWNER'S AUTHORIZED REPRESENTATIVE PRIOR TO FINAL CONSTRUCTION SHALL BE NOTED CONCERNING CONSTRUCTION OCCURRENCE OR NOT IN DETAIL. MATERIALS SHALL BE 4" THICK, 8' X 8' CONCRETE

1. THE CONTRACTOR SHALL NOTIFY AND REPORT ALL VIOLATIONS IMMEDIATELY TO THE CONSTRUCTION FOR MONITORING BY THE UNDERGROUND UTILITIES DEPARTMENT. VIOLATIONS WILL BE PENALIZED AS FOLLOWS:

[illegible]

Dually Wall Feature Column
Scale: 1/4" = 1'-0"

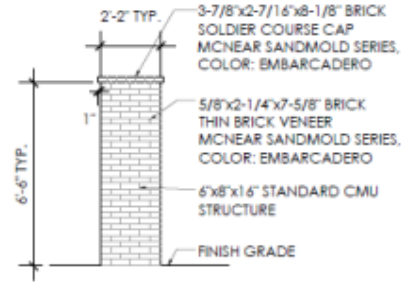
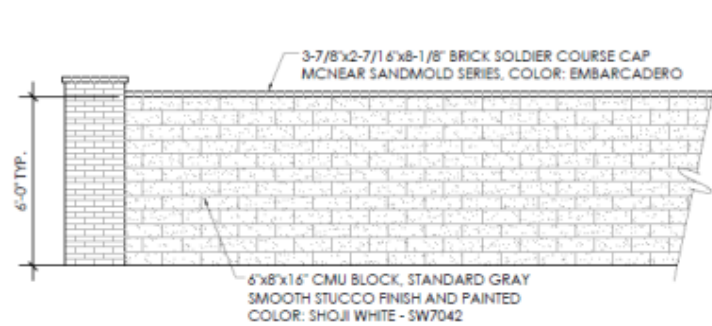
individuals. Different facilities offer different services and not all are open to the public. For example, some facilities are only for the use of the military and their families.

LANDSCAPE PLANS	
COVER SHEET	10.0
LANDSCAPE PLANS	13.1-13.4
PLANTING DETAILS	17.1
LANDSCAPE SPECIFICATIONS	18.1

Toll Brothers
IMAGINING LUXURY INTERIOR DECOR

LO.0

Units F & C Preliminary Landscape Plan



FW

Feature Wall Details

Scale: 1/4" = 1'-0"

PRASADA
Parcel F&C
Landscape Plans
TURPINE, ARIZONA

GREY | PICKETT
landscape architecture | commercial | design
7742 E. SUMMIT DRIVE, SUITE 202
TOLSONVILLE, ARIZONA 85121
TEL 480-808-7400 FAX 480-808-7409

Toll Brothers
AMERICAN'S LUXURY HOMES SINCE 1927

Project #
FOL 302
Title
17- 28-0
Keywords
RPT-089
Drawn by
TEAM
Date
06.18.2017
Drawing
Planting Plan

L3.2^{closed}



PRASADA
Parcel F&C
Landscape Plans
SUPRISE, ARIZONA

GREY|PICKETT
landscape architecture | community design
10444 N. 40th Drive, Suite 200
Scottsdale, Arizona 85251
480.450.4000 480.451.4000



GREY PICKETT
architecture | community design
7144 N. STEVEN DRIVE, SUITE 202
MERCED, CALIF. 95370
408.682.8000 FAX 408.682.8000

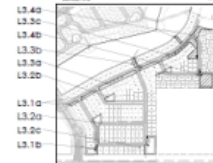


PRASADA
Parcel F&C
Landscape Plans

Toll Brothers

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L3.4



FS19-184 Toll at Prasada Units F & C Revised Preliminary Plat

Commission Recommendation:

Approve subject to Stipulations “a” through “c”



QUESTIONS OR COMMENTS?

Thank You



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: October 15, 2019

Contact Person: Chris Boyd, AD - BS DV & CD
ENF

Submitting Department: Community Development District: Citywide

Staff Recommendations: None

Consent: No	Regular: No	Public Hearing: Yes	Report/Discussion: No
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Agenda Wording:

Consideration and action declaring as a public record the 2018 International Building, Residential, Mechanical, Plumbing, Fuel Gas, Energy Conservation, Existing Building, Green Construction, and Fire Codes; the 2017 National Electrical Code; and the Local Amendments thereto; Resolution # 2019-108.

Motion:

I move to approve Resolution #2019-108, declaring certain codes and their local amendments a public record.

Background:

The 2006 Edition of the I-Codes was adopted by Mayor and City Council in 2007. The 2012 Edition of the I-Codes was adopted by the Mayor and City Council in 2014. This action is the first step to formally adopting updated versions of the City's building and Fire Codes. Arizona State law allows the City, when voluminous code adoptions or updates are necessary, to first declare the documents as a public record and three copies be on file with the City Clerk. These public records are then adopted by Ordinance.

Once City Council approves this item, i.e. declares the 2018 versions of Building, residential, mechanical, plumbing, fuel gas, energy conservation, existing building, green construction, and fire codes, as well as the 2017 version of the National Electrical codes (and all of their local amendments) to be public records, the Council may then adopt them as the official codes of the City of Surprise.

Objective Analysis:

Staff recommends approval of the 2018 I-Codes and Local Amendments as the adopted building code for the City of Surprise. Adoption of any new building code requires the approval of the City Council. If the City Council adopts the Ordinance to follow, the 2018 I-Codes and local amendments would then become effective in 30 days on November 14, 2019.

The only viable and efficient way of adopting codes which comprise tens of thousands of pages, is to first declare them a public record, require their maintenance by the City Clerk's Office, to alleviate the need to publish the proposed codes.

Policy Compliant:

This action is compliant with City and Council policy.

Financial Impact:

Approval of the 2018 I-Codes will not significantly impact costs for construction within the City or current permit and inspection projections.

Budget Impact:

This action does not have a budgetary impact.

FTE Impact:

This action does not impact FTE staffing levels.

ATTACHMENTS:

1. RES 2019-108 Declaring 2018 Intl codes and Amds a Public Record-final-4
 2. Local Amds 2018 Intl Codes, 2017 Natl Elec Code-final-6
-

RESOLUTION # 2019-108

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA DECLARING AS A PUBLIC RECORD THE FOLLOWING 2018 INTERNATIONAL CODES: BUILDING, RESIDENTIAL, MECHANICAL, PLUMBING, FUEL GAS, ENERGY CONSERVATION, EXISTING BUILDING, GREEN CONSTRUCTION, FIRE CODES, THE 2017 NATIONAL ELECTRICAL CODE; AND LOCAL AMENDMENTS TO THE 2018 INTERNATIONAL CODES AND THE 2017 NATIONAL ELECTRICAL CODE.

WHEREAS, pursuant to A.R.S. 9-802, the City Council may declare a document a public record and therefore enact same without setting forth the public record in the adopting ordinance;

WHEREAS, this is an efficient and cost effective procedure for adopting large text amendments; and,

WHEREAS, the City Council has previously declared as a public record the 2018 International Fire Code, Chapter 12 Energy Systems, and the 2019 Amendments to the 2018 International Fire Code, Chapter 12 Energy Systems and the 2006 International Property Maintenance Code.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Surprise, Arizona, as follows:

Section 1. That certain documents entitled 2018 International Building Code, 2018 International Residential Code, 2018 International Mechanical Code, 2018 International Plumbing Code, 2018 International Fuel Gas Code, 2018 International Energy Conservation Code, 2018 International Existing Building Code, 2017 National Electrical Code, 2018 International Green Construction Code, and the 2018 International Fire Code three copies of which are on file in the office of the City Clerk, are hereby declared to be public records, and said copies are ordered to remain on file with the City Clerk.

Section 2. That certain document entitled Local Amendments to the 2018 International Codes and the 2017 National Electrical Code, dated November 14, 2019, three copies of which are on file in the office of the City Clerk, is hereby declared to be a public record, and said copies are ordered to remain on file with the City Clerk.

SIGNATURES ON THE NEXT PAGE

APPROVED AND ADOPTED this ____ day of _____, 2019

Skip Hall, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney



**City of Surprise
Local Amendments to the
2018 International Codes and the
2017 National Electrical Code
November 14, 2019**

2018 International Building Code Local Amendments	2
2018 International Residential Code Local Amendments	12
2018 International Fire Code Local Amendments	28
Accessible and Usable Buildings and Facilities ICC/ANSI 117.1-2009 Local Amendments	95
2018 International Plumbing Code Local Amendments	96
2018 International Mechanical Code Local Amendments	99
2018 International Fuel Gas Code Local Amendments	105
2018 International Energy Conservation Code Local Amendments	108
2017 National Electrical Code Local Amendments	113
2018 International Existing Buildings Code Local Amendments	115
2018 International Green Construction Code Local Amendments	116

2018 International Building Code

Local Amendments

The following Appendices of the 2018 International Building Code are hereby adopted in their entirety: appendices C and H

The 2018 International Building Code Local Amendments are as follows:

101.1 Title. These regulations shall be known as the Building Code as amended by the City of Surprise, hereinafter referred to as “this code.”

105.2 Work exempt from permit. Exemptions from *permit* requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. *Permits* shall not be required for the following:

Building:

1. One-story detached accessory structures ~~used as tool and storage sheds, playhouses and similar uses,~~ provided the floor area is not greater than ~~120~~ 200 square feet (~~11~~ 18.58 m²).
2. Fences not over ~~7-6~~ feet (~~2134 mm~~ 1829 mm) high.
3. Oil derricks.
4. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids.
5. Water tanks supported directly on grade if the capacity is not greater than 5,000 gallons (18 925 L) and the ratio of height to diameter or width is not greater than 2:1.
6. Platforms, sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade, and not over any basement or *story* below and are not part of an *accessible route*.
7. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
8. Temporary motion picture, television, and theater stage sets and scenery.
9. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than ~~24-18~~ inches (610 mm) deep.
10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
11. Swings and other playground equipment accessory to detached one- and two-family *dwellings*.
12. Window awnings in Group R-3 and U occupancies, supported by an exterior wall that do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.

13. Non-fixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1753 mm) in height.
14. Re-roofing with the same type of material as the original roofing and provided not more than two layers of asphalt shingles are applied over an existing asphalt shingle roof.
15. Installation of a nonstructural weatherproof exterior covering over an existing weatherproof covering on an existing structure so long as the new covering will not affect the fire-resistive classification of the existing structure.

Exception: Installation of an Exterior Insulation and Finish System (EIFS).

105.5 Expiration. Every *permit* issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such *permit* is suspended or abandoned for a period of 180 days after the time the work is commenced. The *building official* is authorized to grant, in writing, one or more extension of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. A permit shall be considered expired if more than 180 days shall pass between approvals of inspections listed in Section 109. When a permit expires by limitations and has become null and void, and the *building official* has not been notified in writing by the permit applicant that no work was done under the permit, the *building official* may file a "Notice of Non-Compliance" with the Maricopa County Recorder's Office for failure of obtaining the required inspections.

105.5.1 Completing Work and Final Inspection. Every permit issued by the building official shall expire 24 months after the date of permit issuance. If the building or work authorized by such permit has not received final inspection approval prior to the permit expiration date, all work shall stop until a new permit is obtained for the value of the work remaining unfinished.

Exception: The building official may approve a period exceeding 24 months for completion of work when the permit holder can demonstrate that the complexity or size of the project makes completing the project within 24 months unreasonable. Any request shall be prior to expiration of the permit.

109.4 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall may be subject to a fee established by the building official that shall be in addition to the required permit fees.

111.3.1 Certificate of Completion. The Building Official is authorized to issue a Certificate of Completion as proof that a structure or system is complete and for certain types of permits is released for use and may be connected to a utility system. This certificate does not grant authority to occupy a building prior to the issuance of a Certificate of Occupancy.

SECTION 113 BOARD OF APPEALS

~~[A] 113.1 General. Appeals shall be in accordance with the Surprise Municipal Code. Whether to hear and decide appeals or orders, decisions or determinations made by the Building Official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeal shall be appointed by the applicable governing authority and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business.~~

~~[A] 113.2 Limitations on authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.~~

~~[A] 113.3 Qualifications. The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.~~

SECTION 202 DEFINITONS

ASSISTED LIVING CENTER An assisted living facility that provides resident rooms or residential units to eleven or more residents.

ASSISTED LIVING FACILITY A residential care institution, including adult foster care, that provides or contracts to provide supervisory care services, personal care services or directed care services on a continuing basis.

ASSISTED LIVING HOME An assisted living facility that provides resident rooms to ten or fewer residents.

DIRECTED CARE SERVICE Care of residents, including personal care services, who are incapable of recognizing danger, summoning assistance, expressing need, or making basic care decisions.

PERSONAL CARE SERVICE The care of persons who do not require medical care. Personal care involves responsibility for the safety of persons while inside the building. Assistance with activities of daily living that can be performed by persons without professional skills or professional training and includes the coordination or provision of intermittent nursing services and administration of medications or treatments.

SUPERVISORY CARE SERVICE General supervision, including daily awareness of resident functioning and continuing needs.

308.2 Institutional Group I-1. This occupancy shall include buildings, structures or portions thereof for more than 16 persons who reside on a 24-hour basis in a supervised environment, and receive *custodial care*, and the persons receiving care are

capable of self-preservation, except as provided for assisted living centers. This group shall include, but not be limited to, the following:

Alcohol and drug centers

~~Assisted living facilities~~ centers

Congregate care facilities

Convalescent facilities

Group homes

Halfway houses

Residential board and *custodial care* facilities

Social rehabilitation facilities

308.2.3 Six to sixteen persons receiving care. A facility such as above, housing not fewer than six and not more than 16 persons receiving such care, shall be classified as Group R-4, except as provided for assisted living homes.

308.3 Institutional Group I-2. This occupancy shall include buildings and structures used for *medical care* on a 24-hour basis for one or more ~~than five~~ persons who are *incapable of self-preservation*. This group shall include, but not be limited to, the following:

Foster care facilities

Detoxification facilities

Hospitals

Nursing homes

Assisted Living Centers

Psychiatric hospitals

~~**308.3.2 Five or fewer persons receiving care.** A facility such as the above with five or fewer persons receiving such care shall be classified as Group R-3 or shall comply with the *International Residential Code* provided an *automatic sprinkler system* is installed in accordance with Section 903.3.1.3 or with Section P2904 of the *International Residential Code*.~~

310.4.1 Care facilities within a dwelling. Licensed care facilities for five-10 or fewer persons receiving care that are within a single-family dwelling are permitted, to comply with the *International Residential Code* provided an *automatic sprinkler system* is installed in accordance with Section 903.1.3 or Section P2904 of the *International Residential Code* provided that the requirements of Section 425 of this code are met.

Exceptions:

1. Family Foster Homes and Foster Group Homes licensed by the State of Arizona

Department of Economic Security.

2. Group Homes for the Developmentally Disabled and Behavioral Health Group Homes which serve six or less residents and are licensed by the State of Arizona Department of Health Services.

310.5 Residential Group R-4. This occupancy shall include buildings, structures or portions thereof for more than five but not more than 16 persons, excluding staff, who reside on a 24-hour basis in a supervised residential environment and receive *custodial care*. The persons receiving care are capable of self-preservation, except as provided for assisted living homes. This group shall include, but not be limited to, the following:

Alcohol and drug centers

Assisted living ~~facilities~~ homes

Congregate care facilities

Convalescent facilities

Group homes

Halfway houses

Residential board and *custodial care* facilities

Social rehabilitation facilities

Group R-4 occupancies shall meet the requirements for construction as defined for Group R-3, except as otherwise provided for in this code and Section 429.

310.5.1 Condition 1. ~~This occupancy condition shall include buildings in which all person receiving custodial care, without any assistance, are capable of responding to an emergency situation to complete building evacuation.~~ This occupancy condition shall include facilities licensed to provide supervisory care services, in which occupants are capable of self-preservation by responding to an emergency situation without physical assistance from staff. Condition 1 facilities housing more than 10 persons shall be classified as Group I-1

310.5.2 Condition 2. ~~This occupancy condition shall include buildings in which there are any persons receiving custodial care who require limited verbal or physical assistance while responding to an emergency situation to complete building evacuation.~~ This occupancy condition shall include facilities licensed to provide personal or directed care services, in which occupants are incapable of self-preservation by responding to an emergency situation without physical assistance from staff. Condition 2 facilities housing more than 10 persons shall be classified as Group I-2.

Exceptions:

1. Family Foster Homes and Foster Group Homes licensed by the State of Arizona Department of Economic Security.

2. Group Homes for the Developmentally Disabled and Behavioral Health Group Homes which serve six or less residents and are licensed by the State of Arizona Department of Health Services.

SECTION 429 ASSISTED LIVING HOMES

429.1 Applicability. The provisions of this section shall apply to a building or part thereof housing not more than 10 persons, excluding staff, on a 24-hour basis, who because of age, mental disability or other reasons, live in a supervised residential environment, which provides licensed care services. Except as specifically required by this division, R-4 occupancies shall meet all the applicable provisions of Group R-3.

429.2 General. Building or portions of buildings classified as R-4 may be constructed of any materials allowed by this code, shall not exceed two stories in height nor be located above the second story in any building and shall not exceed two thousand square feet above the first story, except as provided in Section 506.

429.3 Special Provisions. R-4 occupancies having more than 2000 square feet above the first story shall be of not less than one-hour fire-resistive construction throughout.

429.3.1 Mixed Uses. R-4 occupancies shall be separated from other occupancies as provided in Table 508.4.

429.4 Access and Means of Egress Facilities

429.4.1 Accessibility. R-4 occupancies shall be provided with a concrete landing and ramp outside of the main entrance to comply with sections 1008.1.6, 1010.3, 1010.7.1 and 1010.10. Thresholds at the main entrance shall comply with section 1008.1.7.

429.4.2 Exits

429.4.2.1 Number of Exits. Every story, basement, or portion thereof shall have not less than two exits.

Exception: Basements and stories above the first floor containing no sleeping rooms used by residents may have only one means of egress as provided in Chapter 1.

429.4.2.2 Distance to Exits. The maximum travel distance shall comply with Section 1016, except that the maximum travel distance from the center point of any sleeping room to an exit shall not exceed 75 feet.

429.4.2.3 Emergency Exit Illumination. In event of a power failure, exit illumination shall be automatically provided from an emergency system powered by storage batteries or an onsite

generator set installed in accordance with the National Electric Code.

429.4.2.4 Emergency Escape and Rescue. R-4 occupancies shall comply with the requirements of Section 1029, except that Exception #1 to 1030.1 does not apply to R-4 occupancies.

429.4.2.5 Delayed Egress Locks. In R-4 Condition 2 occupancies, delayed egress locks shall be permitted in accordance with 1010.1.9.7, Items 1, 2, 4, 5, and 6.

429.5 Smoke Alarms and Sprinkler Systems.

429.5.1 Smoke Alarms. R-4 occupancies shall be provided with smoke alarms installed in accordance with IFC 907.2.11.2, and such alarms shall be installed in all habitable rooms.

429.5.2 Sprinkler Systems. R-4 occupancies shall be provided with a sprinkler system installed in accordance with IFC 903.3.1.3. Sprinkler systems installed under this section shall be installed throughout, including attached garages, and in Condition 2 facilities, shall include concealed spaces of or containing combustibles. Such systems may not contain unsupervised valves between the domestic water riser control valve and the sprinklers. In Condition 2 occupancies, such systems shall contain water flow switches electrically supervised by an approved supervising station, and shall sound an audible signal at a constantly attended location.

CHAPTER 9

FIRE PROTECTION SYSTEMS

DELETE the entire Chapter. All Fire Protection systems standards will be those stated in the 2018 International Fire Code Chapter 9 as amended by this ordinance.

1111.1 Signs. Required *accessible* elements shall be identified by the International Symbol of Accessibility at the following locations

1. *Accessible* parking spaces required by Section 1106.1.
 - a. *Accessible* parking spaces may also be identified by the use of the Accessibility Icon.

Exception: Where the total number of parking spaces provided is four or less, identification of *accessible* parking is not required.

2. *Accessible* parking spaces required by Section 1106.2.

Exception: In Group I-1, R-2, R-3 and R-4 facilities, where parking spaces are assigned to specific *dwelling units* or *sleeping units*, identification of *accessible* parking spaces is not required.

3. *Accessible* passenger loading zones.
4. *Accessible* rooms where multiple single-user toilet or bathing rooms are clustered at a single location.
5. *Accessible* entrances where not all entrances accessible.
6. *Accessible* check-out aisles where not all aisles are accessible. The sign, where provided, shall be above the check-out aisle in the same location as the check-out aisle number or type of check-out identification.
7. Family or assisted-use toilet and bathing rooms.
8. *Accessible* dressing, fitting and locker rooms where not all such rooms are *accessible*.
9. *Accessible* areas of refuge in accordance with Section 1009.9
10. Exterior areas for assisted rescue in accordance with Section 1009.9
11. In recreational facilities, lockers that are required to be *accessible* in accordance with Section 1109.9.

1111.2 Directional signage. Directional signage indicating the route to the nearest like *accessible* element shall be provided at the following locations. These directional signs shall include the International Symbol of Accessibility or the Accessibility Icon and sign characters shall meet the visual character requirements in accordance with ICC A117.1

1. Inaccessible building entrances.
2. Inaccessible public toilets and bathing facilities.
3. Elevators not serving an *accessible route*.
4. At each separate-sex toilet and bathing room indicating the location of the nearest family or assisted-use toilet or bathing room where provided in accordance with Section 1109.2.1
5. At *exits* and *exit stairways* serving a required *accessible* space, but not providing an *approved accessible means of egress*, signage shall be provided in accordance with Section 1009.10.
6. Where drinking fountains for persons using wheelchairs and drinking fountains for standing persons are not located adjacent to each other, directional signage shall be provided indicating the location of the other drinking fountains.

1203.1 Equipment and systems. ~~Habitable spaces~~ ~~Interior spaces~~ intended for human occupancy shall be provided with active or passive space-heating and space-cooling systems capable of maintaining a minimum indoor temperature between 70 °F (20°C) and 90°F (32°C) at a point 3 feet (914 mm) above the floor on the design heating day.

Exception: Space heating and cooling systems are not required for interior spaces where the primary purpose of the space is not associated with human comfort.

1607.2 Loads not specified.**TABLE 1607.1****MINIMUM UNIFORMLY DISTRIBUTED LIVE LOADS, L_o , AND MINIMUM CONCENTRATED LIVE LOADS^g**

OCCUPANCY OR USE	UNIFORM (psf)	CONCENTRATED (lbs.)
25. Residential		
One- and two-family dwellings		-
Uninhabitable attics with storage ^{i,j,k}	20 <u>40</u>	
Habitable attics and sleeping areas ^k	30 <u>40</u>	
(no other changes in item 25)		

1612.3 Establishment of flood hazard areas. To establish *flood hazard areas*, the applicable governing authority shall adopt a flood hazard map and supporting data. The flood hazard map shall include, at a minimum, areas of special flood hazard as identified by the Federal Emergency Management Agency in an engineering report entitled "The Flood Insurance Study for Maricopa County, Arizona and Incorporated Areas revised on July 19, 2001, as amended or revised with the accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM) and related supporting data along with any revisions thereto. The adopted flood hazard map and supporting data are hereby adopted by reference and declared to be part of this section.

1704.1 General. Special inspections and tests, statements of special inspections, responsibilities of contractors, submittals to the building official and structural observations shall meet the applicable requirements of this section. The building official may also require other special inspections not prescribed in this section as needed.

2106.1 Seismic design requirements for masonry. Masonry structures and components shall comply with the requirements in section 1.18 of TMS 402/ACI 530/ASCE 5 depending on the structure's seismic design category. All new masonry elements, regardless of seismic design category, shall meet the following minimum reinforcement requirements:

1. Connections to columns shall comply with Section 1.18.4.3.2.1 of TMS 402/ACI 530/ASCE 5.
2. Vertical wall reinforcement of at least 0.20 square inch (130 mm sq) in cross-sectional area shall
3. Be provided continuously from support to support at each corner, at each side of each opening, at the ends of walls and at maximum spacing of 4 feet (1219 mm) apart horizontally throughout the wall.
4. Horizontal wall reinforcement not less than 0.20 square inch (130 mm sq.) in

cross-sectional area shall be provided (1) at the bottom and top of wall openings and extend not less than 24 inches (610 mm) or less than 40 bar diameters past the opening, (2) continuously at structurally connected roof and floor levels and at the top of walls, (3) at the bottom of walls or in the top of foundations when doweled in walls, and (4) at maximum spacing of 10 feet (3048 mm) unless uniformly distributed joint reinforcement is provided.

5. Where anchor bolts are used to connect horizontal elements to the tops of columns, anchor bolts shall be placed within lateral ties. Lateral ties shall enclose both the vertical bars in the column and the anchor bolts. There shall be a minimum of two No. 4 (M #13) or three No. 3 (M #10) in the top 5 inches (127 mm) of the column.

SECTION 3109 SWIMMING POOLS, SPAS AND HOT TUBS

DELETE section in its entirety

Swimming pools, spas and hot tubs are governed by Maricopa County Environmental Services Department standards and by that entity.

2018 International Residential Code Local Amendments

The following Appendices of the 2018 International Residential Code are hereby adopted in their entirety: appendices A, B, C, H, N, P, Q, R, S and T.

The following Appendix of the 2018 International Residential Code, is hereby adopted in its entirety and amended per the Local Amendment: Appendix K

The 2018 International Residential Code Local Amendments are as follows:

101.1 Title.

These provisions shall be known as the Residential Code for One and Two-Family Dwellings ~~of as amended by the City of Surprise~~, and shall be cited as such and will be referred to herein as “this code.”

R105.2 Work exempt from permit. Exemption from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

1. One-story detached accessory structures, provided the floor area is not greater than 200 square feet (18.58 m²).
2. Fences not over ~~7-6~~ feet (~~2134 mm~~ 1829 mm) high.
3. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
4. Water tanks supported directly on grade if the capacity is not greater than 5,000 gallons
5. (18 925 L) and the ratio of height to diameter or width is not greater than 2:1.
6. Sidewalks and driveways.
7. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
8. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than ~~24~~18 inches (610 mm) deep.
9. Swings and other playground equipment.
10. Window awnings supported by an exterior wall that do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.
11. Decks not exceeding 200 square feet (18.58 m²) in area, that are not more than 30 inches (762 mm) above grade at any point, are not attached to a dwelling and do not serve the exit door required by Section R311.4.

12. Hot water re-circulators.
13. Water Softeners and Soft Water Loops.
14. Replacement of existing water heaters which are of the same size, type and method of operation and were previously installed with a valid building permit.
15. Re-roofing with the same type of material as the original roofing and provided not more than two layers of asphalt shingles are applied over an existing asphalt shingle roof.
16. Installation of a nonstructural weatherproof exterior covering over an existing weatherproof covering on an existing structure so long as the new covering will not affect the fire-resistive classification of the existing structure.

Exception: Installation of an Exterior Insulation and Finish System (EIFS).

105.5 Expiration. Every *permit* issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such *permit* is suspended or abandoned for a period of 180 days after the time the work is commenced. The *building official* is authorized to grant, in writing, one or more extension of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. A permit shall be considered expired if more than 180 days shall pass between approvals of inspections listed in Section 109. When a permit expires by limitations and has become null and void, and the *building official* has not been notified in writing by the permit applicant that no work was done under the permit, the *building official* may file a "Notice of Non-Compliance" with the Maricopa County Recorder's Office for failure of obtaining the required inspections.

105.5.1 Completing Work and Final Inspection. Every permit issued by the building official shall expire 24 months after the date of permit issuance. If the building or work authorized by such permit has not received final inspection approval prior to the permit expiration date, all work shall stop until a new permit is obtained for the value of the work remaining unfinished.

Exception: The building official may approve a period exceeding 24 months for completion of work when the permit holder can demonstrate that the complexity or size of the project makes completing the project within 24 months unreasonable. Any request shall be prior to expiration of the permit.

SECTION R112 BOARD OF APPEALS

R112.1 General. Appeals shall be in accordance with the Surprise Municipal Code. In order to hear and decide appeals of orders, decisions or determinations made by the *Building Official* relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The *Building Official* shall be an ex officio member of said board but shall have no vote on any matter before the board. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business, and

shall render all decisions and findings in writing to the appellant with a duplicate copy to the ~~Building Official~~.

~~**R112.2 Limitations on authority.** An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.~~

~~**R112.3 Qualifications.** The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.~~

~~**R112.4 Administration.** The Building Official shall take immediate action in accordance with the decision of the board.~~

R113.1.1 Occupying or maintaining a non-permitted structure. Any work on a property that has been done without a permit as required by sections R105.1 and R105.2 of this code shall be considered a violation by the current owner of the property regardless of when the work that required a permit was done or who owned the property at the time of construction.

Work shall be defined for this section alone as constructing, enlarging, altering, repairing, moving, demolishing, or changing the occupancy of a building or structure or erecting, installing, enlarging, altering, repairing, removing, converting or replacing any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code.

SECTION R202 DEFINITIONS

[RB] FIRE SEPARATION DISTANCE. The distance measured from the building face to one of the following:

1. To the closest interior lot line.
2. To the centerline of a street, an alley or a public way.
3. To an imaginary line between two buildings on the lot.

The distance shall be measured at the right angle from the face of the wall framing.

R301.2 Climatic and geographic design criteria. Buildings shall be constructed in accordance with the provisions of this code as limited by the provisions of this section. Additional criteria shall be established by the local jurisdiction and set forth in Table R301.2 (1).

Table R301.2 (1)

(Due to space limitations the table could not be reproduced; only the values are listed)

Ground snow load: 0

Wind speed (mph): 115 Exposure B (unless otherwise designated by the Building Official)

Topographic Effects: No

Special Wind Region: No

Windborne Debris Zone: No

Seismic design category: B

Weathering: Negligible

Frost line depth: 0"

Termite: Moderate to heavy

Decay: None to slight

Winter design temperature: None to slight

Ice shield underlayment required: No

Flood hazards: MCFCDD requirements

Air freezing index: N/A

Mean annual temperature: 72.3°F

R301.2.4 Floodplain Construction. Buildings and structures constructed in whole or in part in flood hazard areas (including A or V Zones) as established in Table R301.2(1) shall be designed and constructed in accordance with Section R322 the regulations of the Maricopa County Flood Control District. Buildings and structures located in whole or in part in identified floodways shall be designed and constructed in accordance with ASCE 24.

R301.5 Live Load. The minimum uniformly distributed live load shall be as provided in Table R301.5

TABLE R 301.5
MINIMUM UNIFORMLY DISTRIBUTED LIVE LOADS
(in pounds per square foot)

USE	LIVE LOAD
Uninhabitable attics with limited storage ^{b,g}	<u>20-40</u>
Habitable attics and attics served with fixed stairs	<u>30-40</u>
Sleeping rooms	<u>30-40</u>

(No other changes to Table)

R302.1 Exterior Walls. Construction, projections, openings and penetrations of exterior walls of dwellings and accessory buildings shall comply with Table R302.1 (1); or dwellings equipped throughout with an automatic sprinkler system installed in accordance with Section P2904 shall comply with Table R302.1 (2).

Exceptions:

1. Walls, projections, openings or penetrations in walls perpendicular to the lot line used to determine the *fire separation distance*.
2. Walls of dwellings and accessory structures located on the same lot.
3. Detached tool sheds and storage sheds, playhouses and similar structures exempted from permits are not required to provide wall protection based on location on the lot. Projections beyond the exterior wall shall not extend over the lot line.
4. Detached garages accessory to a dwelling located within 2 feet (610 mm) of a lot line are permitted to have roof eave projections not exceeding 4 inches (102 mm).
5. Foundation vents installed in compliance with the code are permitted
6. Metal patio covers that meet the following conditions:
 - 6.1 Attached to the dwelling.
 - 6.2 Cannot extend beyond the exterior wall when that wall is parallel to the lot line.
 - 6.3 The exterior wall is 5 feet (1 525 mm) or less from the adjacent lot line.

R302.6 Dwelling/garage fire separation. The garage shall be separated as required by Table R302.6. Openings in garage walls shall comply with Section R302.5. This provision does not apply to garage walls that are perpendicular to the adjacent dwelling unit wall.

**Table R302.6
DWELLING/GARAGE SEPARATION**

SEPARATION	MATERIAL
From the residence and attics	Not less than 1/2" gypsum board applied to the garage side <u>Minimum 5/8" Type X gypsum board applied to the garage side</u>

(No other changes to Table)

R303.10 Required heating and cooling. When the winter design temperature in Table R301.2 (1) is below 60°F (16°C). Every dwelling unit shall be provided with heating and

cooling facilities capable of maintaining a minimum room temperature between 70°F(21°C) 68°F (20°C) and 90°F (50°C) at a point 3 feet (914 mm) above the floor and 2 feet (610 mm) from exterior walls in all habitable rooms at the design temperature. The installation of one or more portable space heaters or portable space coolers shall not be used to achieve compliance with this section.

R309.5 Fire Sprinklers.

DELETE section in its entirety.

R310.4 Bars, grilles, covers and screens. Where bars, grilles, covers, screens or similar devices are placed over emergency escape and rescue openings, area wells, or window wells, the minimum net clear opening size shall comply with Sections R310.2.1 through R310.2.3 and such devices shall be releasable or removable from the inside without the use of a key, tool, special knowledge or force greater than that required for the normal operation of the escape and rescue opening. The dwelling shall be equipped with smoke alarms installed in accordance with Section R314.

SECTION R313 AUTOMATIC FIRE SPRINKLER SYSTEMS

DELETE section in its entirety.

SECTION R322 FLOOD-RESISTANT CONSTRUCTION

R322.1 General. Buildings and structures constructed in whole or in part in flood hazard areas ~~(including A or V Zones) as established in Table R301.2(1)~~ shall be designed and constructed in accordance with Section R322, the regulations of the Maricopa County Flood Control District. ~~Buildings and structures located in whole or in part in identified floodways shall be designed and constructed in accordance with ASCE 24.~~

SECTION R328 FIREPLACE RESTRICTIONS

DELETE section in its entirety.

Section R328 circumstances are governed by Maricopa County Air Quality Department Standards and by that entity.

R403.1.1 Minimum size. Minimum sizes for concrete and masonry footings shall be set forth in Table R403.1 and Figure R403.1 (1). The footing width, W, shall be based on the load-bearing value of the soil in accordance with Table R401.4.1. Spread footings shall be at least 6 inches (152 mm) in thickness, T. Footing projections, P, shall be at least 2 inches (51 mm) and shall not exceed the thickness of the footing. The size of footings supporting piers and columns shall be based on the tributary load and allowable soil pressure in accordance with Table R401.4.1. Footings for wood foundations shall be in accordance with the details set forth in Section R403.2 and Figures R403.1.(2) and R403.1 (3).

Exception: For enclosure of existing carport and patio covers, non-bearing wood framed exterior walls within the projection of the existing roof may be supported on an existing, uncracked concrete slab. The minimum slab thickness shall be 3.5 inches and the construction shall comply with the requirements of R317 for protection against decay.

R502.3.1 Sleeping areas and attic joists. Table R502.3.1(1 2) shall be used to determine the maximum allowable span of floor joists that support sleeping areas and attics that are accessed by means of a fixed stairway in accordance with Section R311.7 provided that the design live load does not exceed ~~30~~ **40** pounds per square foot (~~1.44~~ **1.92** kPa). The allowable span of ceiling joists that support attics used for limited storage or no storage shall be determined in accordance with Section R802.4.

N1101.1 Scope. This chapter regulates the energy efficiency for the design and construction of buildings regulated by this code. Group R-2 when defined as a Residential Building by section R202, shall have the option of complying under the Commercial Provisions of the code, regardless of height. Once defined as such on the submittal documents, all components of the Commercial Provisions shall be followed.

N1101.4.1 RESNET testing & inspection protocol. The Residential Energy Services Network (RESNET) Mortgage Industry National Home Energy Rating System, Standards Protocol for third party testing and inspections, shall be deemed to meet the requirements of sections R402.4.1.1, R402.4.1.2 and R403.2.2. and shall meet the following conditions:

1. Third Party Testing and Inspections shall be completed by RESNET certified Raters or Rating Field Inspectors and shall be subject to RESNET Quality Assurance Field Review procedures.
2. Sampling, in accordance with Chapter 6 of the RESNET Standards shall be performed by Raters or Rating Field Inspectors working under a RESNET Accredited Sampling Provider.
3. Third Party Testing is required for the following items:
 - a. N1102.4.1.1 – Building Envelope – Thermal and Air Barrier Checklist
 - b. N1102.4.1.2 – Testing – Air Leakage Rate
 - c. N1103.3.2 – Sealing – Duct Tightness
4. The other requirements identified as “mandatory” in Chapter 11 shall be met.
5. Alternate testing and inspection programs and protocols shall be allowed when approved by the Code Official.

N1102.4.1.2 (R402.4.1.2) Testing. The building or dwelling unit shall be tested and verified as having an air leakage rate of not exceeding five air changes per hour in *Climate Zones* 1 and 2, and three air changes per hour in Zones 3 through 8. Testing shall be conducted in accordance with RESNET/ICC 380, ASTM E779 or ASTM E1827 and reported as a pressure of 0.2 inches w.g. (50 Pascals). Where required by the *building*

official, testing shall be conducted by an *approved* third party. A written report of the results of the test shall be signed by the party conducting the test and provided to the *building official*. Testing shall be performed at any time after creation of all penetrations of the *building thermal envelope*.

During testing:

1. Exterior windows and doors, fireplace and stove doors shall be closed, but not sealed, beyond the intended weather stripping or other infiltration control measures;
2. Dampers including exhaust, intake, makeup air, backdraft and flue dampers shall be closed, but not sealed beyond intended infiltration control measures;
3. Interior doors, if installed at the time of the test, shall be open;
4. Exterior doors for continuous ventilation systems and heat recovery ventilators shall be closed and sealed;
5. Heating and cooling systems, if installed at the time of the test, shall be turned off; and
6. Supply and return registers, if installed at the time of the test, shall be fully open.

Exceptions:

1. Additions, alterations, renovations or repairs to existing structures.
2. Conditioned garages.

N1103.3 Ducts. Ducts and air handlers shall be in accordance with Sections N1103.2.1 through N1103.2.3.

N1103.3.1 Insulation (Prescriptive). Supply ducts in attics shall be insulated to a minimum of R-8. Ducts in floor trusses shall be insulated to a minimum of R-6.

Exceptions: Ducts or portions thereof located completely inside the building thermal envelope.

1. Ducts or portions thereof located completely inside the building thermal envelope.
2. Supply ducts may be insulated to a minimum of R-6 when one or more of the following conditions are met;
3. Minimum SEER rating of space heating/cooling system is increased to 15.
4. Maximum U-factor is decreased to 0.35 and maximum SHGC is decreased to 0.22 for all fenestration products.
5. Residential buildings that meet the requirements of sections R102.1.1 or R405.
6. Residential buildings with attic radiant barriers in accordance with ASTM C1313, installed in accordance with ASTM C1743.

Section N1103.10.3 ~~Covers~~ Variable Speed Pool Pumps. ~~Outdoor heated pools and outdoor permanent spas shall be provided with a vapor-resistant cover or other approved vapor-retardant means. Motors with a total horsepower of one or more for pools and in-ground permanently installed spas shall have the capability of operating at two or more speeds with a low speed having a rotation rate that is no more than one-half of the motor's maximum rotation rate and shall be operated with a pump control with the capability of operating the pump at two or more speeds. Residential pool pump motor controls that are sold for use with a two or more speed motor shall have a default circulation speed setting no more than one-half of the motor's maximum rotation rate. Any high speed override capability shall be for a temporary period not to exceed one twenty-four-hour cycle without resetting to the default setting.~~

Exception: ~~Where more than 75 percent of the energy for heating, computed over an operation season of not less than three months, is from a heat pump or an on-site renewable energy system, covers or other vapor-retardant means shall not be required.~~

N1106.4 ERI-based compliance. Compliance based on an ERI analysis requires that the *rated design* be shown to have an ERI less than or equal to the appropriate value indicated in Table N1106.4 when compared to the ERI *reference design*.

TABLE N1106.4 (R406.4)

MAXIMUM ENERGY RATING INDEX	
CLIMATE ZONE	ENERGY RATING INDEX
1	57
2	57 64
3	57
4	62
5	61
6	61
7	58
8	58

M1503.6 Makeup air required. Where one or more gas, liquid or solid fuel-burning appliance that is nether direct-vent nor uses a mechanical draft venting system is located within a dwelling unit's air barrier, each exhaust system capable of exhausting in excess of 400 cubic feet per minute (0.19 m³/s) shall be mechanically or passively provided with makeup air at a rate approximately equal to the difference between the exhaust air rate and 400 cubic feet per minute. Such makeup air systems shall be equipped with not fewer than one damper complying with Section M1503.6.2.

Exception: Make up air is not required for exhaust systems installed for the exclusive purpose of space cooling and intended to be operated only when windows or other air inlets are open.

E3908.8 Types of equipment grounding conductors.

The equipment grounding conductor run with or enclosing the circuit conductors shall be one or more or a combination of the following:

4. Electrical metallic tubing with an additional equipment grounding conductor sized in accordance with Table E3908.12.

Appendix E Local Amendment

DELETE this appendix in its entirety and REPLACE as follows:

Appendix E circumstances are governed by State of Arizona Office of Manufactured Housing Regulations and by that entity.

Appendix G Local Amendment

DELETE this Appendix G in its entirety and REPLACE it with the following:

SWIMMING POOLS, SPAS AND HOT TUBS

SECTION AG101 GENERAL

AG101.1 General.

The provisions of this appendix shall control the design and construction of swimming pools, spas and hot tubs installed in or on the lot of a one- and two-family dwelling.

SECTION AG102 DEFINITIONS

AG102.1 General.

For the purposes of these requirements, the terms used shall be defined as follows and as set forth in Chapter 2.

ABOVE-GROUND/ON-GROUND POOL. See "Swimming pool"

BARRIER. A fence, wall, building wall or combination thereof which completely surrounds the swimming pool and obstructs access to the swimming pool.

HOT TUB. See "Swimming pool."

IN-GROUND POOL. See "Swimming pool."

RESIDENTIAL. That which is situated on the premises of a detached one- or two-family dwelling or a one-family townhouse not more than three stories in height.

SPA, NONPORTABLE. See "Swimming pool."

SPA, PORTABLE. A nonpermanent structure intended for recreational bathing, in which all controls, water-heating and water-circulating equipment are an integral part of the product.

SWIMMING POOL. Any structure intended for swimming or recreational bathing that contains water over 18 inches (457 mm) deep at any point, and, other than hot tubs and spas is wider than 8 feet (2400 mm) at any point. This includes in-ground, above ground and on-ground swimming pools and, other than the width, hot tubs and spas.

SWIMMING POOL, INDOOR. A swimming pool which is totally contained within a structure and surrounded on all four sides by walls of said structure.

SWIMMING POOL, OUTDOOR. Any swimming pool which is not an indoor pool.

SECTION AG103 SWIMMING POOLS

AG103.1 In-ground pools.

In-ground pools shall be designed and constructed in conformance with ANSI/NSPI-5 as listed in Section AG107.

AG103.2 Above-ground and on-ground pools.

Aboveground and on-ground pools shall be designed and constructed in conformance with ANSI/NSPI-4 as listed in Section AG107.

SECTION AG104 SPAS AND HOT TUBS

AG104.1 Permanently installed spas and hot tubs.

Permanently installed spas and hot tubs shall be designed and constructed in conformance with ANSI/NSPI-3 as listed in Section AG107.

AG104.2 Portable spas and hot tubs.

Portable spas and hot tubs shall be designed and constructed in conformance with ANSI/NSPI-6 as listed in Section AG107.

SECTION AG105 BARRIER REQUIREMENTS

AG105.1 Application.

The provisions of this chapter shall control the design of barriers for residential swimming pools, spas and hot tubs. These design controls are intended to provide protection against potential drownings and near- drownings by restricting access to swimming pools, spas and hot tubs.

AG105.2 Outdoor swimming pool.

An outdoor swimming pool, including an in-ground, above-ground or on-ground pool, hot tub or spa shall be provided with a barrier which shall comply with the following:

1. The top of the barrier shall be at least 48 inches (1219 mm) above grade measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches (51

mm) measured on the side of the barrier which faces away from the swimming pool. Where the top of the pool structure is above grade, such as an aboveground pool, the barrier may be at ground level, such as the pool structure, or mounted on top of the pool structure. Where the barrier is mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be 4 inches (102 mm). Any decorative design work on a barrier located entirely upon the subject parcel, and on the side away from the swimming pool, such as protrusions, indentations, or cutouts or other fixed or moveable, attached or unattached objects within 24 inches of the pool barrier, which render the barrier easily climbable, are prohibited. The wall, fence, or barrier shall be at least 20 inches from the water's edge.

2. Openings in the barrier shall not allow passage of a 4-inch-diameter (102 mm) sphere.
3. Solid barriers which do not have openings, such as a masonry or stone wall, shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.
4. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches (1143 mm), the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed 1.75 inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1.75 inches (44 mm) in width.
5. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches (1143 mm) or more, spacing between vertical members shall not exceed 4 inches (102 mm). Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1.75 inches (44 mm) in width.
6. Chain link fencing shall not be used as a barrier.
7. Where the barrier is composed of diagonal members, such as a lattice fence, the maximum opening formed by the diagonal members shall not be more than 1.75 inches (44 mm).
8. Access gates shall comply with the requirements of Section AG105.2, Items 1 through 7, and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward away from the pool and shall be self-closing and have a self-latching device. Gates other than pedestrian access gates shall have a self-latching device. Where the release mechanism of the self-latching device is located less than 54 inches (1372 mm) from the bottom of the gate, the release mechanism and openings shall comply with the following:
 - 8.1 The release mechanism shall be located on the pool side of the gate at least 5 inches (125 mm) below the top of the gate, and
 - 8.2 The gate and barrier shall have no opening greater than 0.5 inch (12.7 mm) within 18 inches (457 mm) of the release mechanism.

- 8.3 All pedestrian access gates and any other access gates shall have a sign attached to both sides of the gate stating the following: "Protect your children, Keep Gate Closed". Details of minimum sign size, letter type, and color and other specifications of the sign shall be provided by the Building Safety Division.
- 9. Where a wall of a dwelling or garage serves as part of the barrier one of the following conditions shall be met:
 - 9.1 The pool shall be equipped with a powered safety cover in compliance with ASTM F1346; or
 - 9.2 Openings in the wall of the residence or living area which constitute part of the barrier will be protected in the following ways:
 - 9.2.1 Doors will be protected in one of the following ways:
 - 9.2.1.1 Add self-closing, self-latching devices installed on all doors with direct access to the pool area, with the release mechanism located minimum of 54 inches above the floor.
 - 9.2.1.2 An alarm shall be installed on all doors with direct access to the pool. The alarm shall sound continuously for a minimum of 30 seconds within seven seconds after the door is opened, and be capable of being heard throughout the house during normal household activities. The alarm shall automatically reset under all conditions. The alarm system shall be equipped with a manual means, such as touchpad or switch, to temporarily deactivate the alarm for a single opening. Such deactivation shall last for not more than 15 seconds. The deactivation switch(es) shall be located at least 54 inches (1372 mm) above the threshold of the door.
 - 9.2.1.3 Pet doors which provide direct access to the pool prohibited.
 - 9.2.2 Windows with access to the pool area shall be protected in the following ways:
 - 9.2.2.1 Emergency escape or rescue windows from sleeping areas with access to the swimming pool will be equipped with a latching device not less than 54 inches above the floor.
 - 9.2.2.2 All other openable windows with similar access will also be equipped with a latching device not less than 54 inches above the floor or shall be equipped with a key-lock device that prevents opening the window more than 4 inches.
 - 9.3 Other means of protection, such as self-closing doors with self-latching devices, which are approved by the governing body, shall be acceptable so long as the degree of protection afforded is not less than the protection afforded by Item 9.1 or 9.2 described above.
- 10. Where an aboveground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps,

then:

10.1 The ladder or steps shall be capable of being secured, locked or removed to prevent access, or 10.2. The ladder or steps shall be surrounded by a barrier which meets the requirements of Section AG105.2, Items 1 through 9. When the ladder or steps are secured, locked or removed, any opening created shall not allow the passage of a 4-inch- diameter (102 mm) sphere.

AG105.3 Indoor swimming pool. All walls surrounding an indoor swimming pool shall comply with Section AG105.2, Item 9.

AG105.4 Prohibited locations. Barriers shall be located so as to prohibit permanent structures, equipment or similar objects from being used to climb the barriers.

AG105.5 Barrier exceptions. Spas or hot tubs with a safety cover which complies with ASTM F 1346, as listed in Section AG107, shall be exempt from the provisions of this appendix.

AG 105.6 Retroactivity. The owner of every dwelling with an existing swimming pool or spa which was constructed prior to the effective date of this Appendix G (amended) and to which this Appendix would otherwise apply, must comply with this Appendix not later than one year after the effective date of this Appendix.

AG105.7 Duty to comply. Every person who owns, rents, occupies, or controls a swimming pool or spa to which this Appendix G (amended) applies, shall comply with all the provisions of this Appendix at all times.

AG105.7.1 No person shall construct a swimming pool or spa to which this Appendix applies in a manner, which is not in compliance with this Appendix. No person shall remove, alter, disable, render inoperable, or change, either temporarily or permanently, any device or structure installed or constructed in accordance with this Appendix, in such a manner that the device or structure or the barrier to which it is attached or of which it is a part, is no longer in compliance with this Appendix.

AG105.7.2 Every person who contracts to build a swimming pool or spa to which this Appendix applies, or who contracts to sell, lease or rent a dwelling with a swimming pool or spa to which this Appendix applies, shall, at the time of executing the contract, give to the buyer, lessee, or renter, a copy of this Appendix.

AG105.8 Violations and Penalties. Every person who violates any provision of this Appendix G (amended) is guilty of a misdemeanor, and upon conviction shall be punished by imprisonment for up to six months, or by a fine of not more than two thousand five hundred dollars, or both such fine and imprisonment.

Appendix I Local Amendment

DELETE this appendix in its entirety and REPLACE as follows:

Appendix I circumstances are governed by the State of Arizona Department of Environmental Quality Regulations and by that entity.

Appendix K Local Amendment

SOUND TRANSMISSION

AK102.2. Sound Attenuation - General. Construction outside the areas designated as having a day-night average sound level 65 decibels or higher as determined by the use of the 1988 noise contour lines developed by the Maricopa County Association of Governments (MAG) shall be deemed to have achieved the interior noise level of 45 decibels specified in ARS 28-8482 when the residences are constructed using one of the following methods:

1. Prescriptive Method:

- 1.1 Exterior wall penetrations by pipe ducts or conduits shall be sealed.
- 1.2 Mail boxes shall not be used through the door or wall.
- 1.3 Windows shall have 2 panes of glass and a sound transmission rating of STC-22. All operable windows shall be weather stripped and air tight in accordance with ASTM E-283-04 Standard. Perimeter window frames shall be sealed.
- 1.4 All exterior side hinge doors shall be solid core wood or insulated hollow metal, at least 1", inches thick and fully weather stripped. All exterior doors other than side hinge doors shall be solid wood, foam filled fiberglass or metal construction.
- 1.5 Fireplaces shall be provided with well-fitting dampers.
- 1.6 Exterior walls shall achieve a minimum overall thermal resistance rating of 18. (Exterior walls shall be at least four inches in nominal thickness and shall be finished on the outside with block, siding, sheathing, or stucco on one inch Styrofoam. A minimum of R-13 fiberglass or cellulose insulation shall be installed continuously throughout the cavity space within the wall.)
- 1.7 All roof spaces shall achieve a minimum overall thermal resistance rating of 30.

2. Performance Method:

- 2.1 A certified statement by a licensed architect or engineer certifying that the residence achieves the requirement of a maximum interior noise level of 45 decibels. The certified statement shall include testing and analysis

documentation supporting the statement.

AK102.2.1 Sound Attenuation within the 65 decibel contour. Construction inside the areas designated as having a day-night average sound level 65 decibels as determined by the use of the 1988 noise contour lines developed by the Maricopa County Association of Governments shall be deemed to have achieved the interior noise level of 45 decibels specified in ARS 28-8482 when the residences are constructed using one of the following methods:

1. Prescriptive Method:

Building systems and components that comply with the Maricopa County Association of Governments 2013 Building Code Amendments and Standards Manual, Section 1229, Appendix A

2. Performance Method:

A certified statement by a licensed architect or engineer certifying that the residence achieves the requirement of a maximum interior noise level of 45 decibels. The certified statement shall include testing and analysis documentation supporting the statement.

2018 International Fire Code Local Amendments

The following Appendices of the International Fire Code, 2018 Edition, are hereby adopted in their entirety:

- Appendix H - Hazardous Materials Management Plan (HMMP) and Hazardous Materials Inventory Statement (HMIS) Instructions
- Appendix I - Fire Protection Systems-Noncompliant Conditions
- Appendix J - Building Information Sign
- Appendix K - Construction Requirements for Existing Ambulatory Care Facilities
- Appendix L - Requirements for Fire Fighter Air Replenishment Systems
- Appendix M - High-Rise Buildings Retroactive Automatic Sprinkler Requirements
- Appendix N - Indoor Trade Shows and Exhibits

The following Appendices of the International Fire Code, 2018 Edition, are hereby adopted in their entirety and amended per the Local Amendments below:

- Appendix B - Fire-Flow Requirements for Buildings
- Appendix C - Fire Hydrant Location and Distribution
- Appendix D - Fire Apparatus Access Roads

The most recent Editions of the National Fire Codes and Standards published by the National Fire Protection Association (NFPA) as referenced in Chapter 80 of the International Fire Code 2018 edition and the most recent addition of the NFPA 101 Life Safety Code, together with all errata to those codes as adopted by NFPA from time to time.

The 2018 International Fire Code Local Amendments are as follows:

[A] 101.1 Title. These regulations shall be known as the *Fire Code* of the City of Surprise, hereinafter referred to as “this code”.

[A] 101.2 Scope. The provisions of this code shall supplement all adopted City of Surprise Ordinances relating to fire safety and shall apply to all persons without restriction, unless specifically exempted. This code establishes regulations affecting or relating to buildings, processes, premises and safeguards regarding all of the following:

1. The hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices.
2. Conditions hazardous to life, property or public welfare in the occupancy of buildings or premises.
3. Fire hazards in the buildings or on the premises from occupancy or operation.

4. Matters related to the construction, extension, repair, alteration or removal of fire suppression or alarm systems.
5. Conditions affecting the safety of fire fighters and emergency responders during emergency operations.

[A] 104.10.2 Suspicious Origin. If the origin is determined to be suspicious by the Fire Investigator or the fire involves a loss of life, the Fire Investigator shall notify the City of Surprise Police Department and shall secure the scene until the Police assume control of the scene and the investigation.

[A] 105.4.1.2 Plan certification for fire alarms, fire detection and occupancy notification. All fire alarm system plans submitted for review and approval shall be reviewed and bear a current review certification stamp and signature of an Arizona Professional Design Registrant or a person holding a Level III National Institute for the Certification of Engineering Technologies (NICET) in Fire Alarm Systems certification. Plan certification for all fire alarm systems shall be accompanied by a certification of competence when required. Shop drawings or a deferral application shall accompany construction documents at the time of submission.

[A] 105.4.1.3 Plan certification for fire sprinklers. Fire sprinkler plans submitted to the fire department for review and approval shall be reviewed and bear a current review certification stamp and signature of an Arizona Professional Design Registrant or a person holding a Level III National Institute for the Certification of Engineering Technologies (NICET) in Water-Based Systems Layout. Shop drawings or a deferral application shall accompany construction documents at the time of submission.

[A] 105.4.1.4 Plan certification for emergency responder radio coverage. All Emergency Responder Radio (ERR) plans submitted for review and approval shall be reviewed and bear a current review certification stamp and signature of an Arizona Professional Design Registrant or a person holding a Level IV National Institute for the Certification of Engineering Technologies (NICET) in Inspection and Testing of Fire Alarm Systems certification and FCC General Radio Operators License (GROL). Plan certification for all emergency responder radio coverage shall be accompanied by a certification of competence when required. Shop drawings or a deferral application shall accompany construction documents at the time of submission.

[A] 105.4.2 Information on construction documents. Construction documents shall be drawn to scale on suitable material and submitted in accordance with the requirements set forth in the Arizona State Board of Technical Registration. Electronic media documents are allowed to be submitted where approved by the fire code official. Re-submittals, modifications or revisions shall include; revision dates, identified by a Cloud Area and Delta, and a response letter addressing each item. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations as determined by the fire code official.

[A] 105.4.2.1 Fire protection system shop drawings. Shop drawings for the fire protection system(s) shall be submitted to indicate compliance with this code and the *construction documents*, and shall be *approved* prior to the start of any fire protection systems installation. Shop drawings shall contain all information as required by the referenced installation standards in Chapter 9.

[A] 105.4.2.2 Life safety evaluation report. A life safety evaluation report in accordance with NFPA 101, Section 12.4.1 shall be prepared by an Arizona Professional Design Registrant or a Level IV National Institute for Certification of Engineering Technologies (NICET), prior to submitting construction documents for:

1. High-rise buildings.
2. Covered mall buildings.
3. Buildings containing atriums, where the assembly occupant load exceeds 6000.
4. Storage height exceeding 40 feet (12 192 mm)
5. F and S group occupancies exceeding 400,000 square feet (37 161 216 m²), or other structures determined by the fire code official.

105.6 Required operational permits. The *fire code official* is authorized to issue operational permits for the operations set forth in Sections 105.6.1 through 105.6.50

Exception: The temporary Use Permit as required by Section 122-105 of the Surprise Unified Development Code (SUDC) for carnivals; circuses; festivals; fairs; holiday events; exhibitions; performances; grand openings; tent sales; sidewalk sales; temporary retail sales of arts, crafts, souvenirs, gifts, food, and seasonally related items; donation bins; or any event in a public or private street shall act as an operational permit.

[A] 105.7.7 Fire alarm and detection systems and related equipment. A construction permit is required for installation, removal, demolition of or modification to fire alarm and detection systems and related equipment. Maintenance performed in accordance with this code is not considered to be a modification and does not require a construction permit.

[A] 105.7.25 Temporary membrane structures and tents. A construction permit is required to erect an air-supported temporary membrane structure, a temporary stage canopy or a tent having an area in excess of 400 square feet (37 m²)

Exceptions:

1. Tents used exclusively for recreational camping purposes.
2. Funeral tents and curtains, or extensions attached thereto, when used for funeral services.
3. Tents and awnings open on all sides, which comply with all of the following:
 - ~~3.1. Individual tents shall have a maximum size of 700 square feet (65 m²).~~

- 3.2. ~~The aggregate area of multiple tents placed side by side without a fire break clearance of not less than 12 feet (3658 mm) shall not exceed 700 square feet (65 m) total.~~
- 3.3. A minimum clearance of 12 feet (3658 mm) to structures and other tents shall be maintained.

[A] 107.2.3 Required annual fire inspections. The following businesses shall have a fire inspection prior to initial licensing and annually thereafter with no more than 13 months between inspections:

1. Assisted living center
2. Assisted living facility
3. Assisted living home

[A] 107.5 Assisted living homes. The annual inspection for Assisted Living Homes shall be completed by August 31st for that year.

1. During the months of July and August the owners and/or managers of Assisted Living Homes shall apply for an annual fire inspection by filling out the inspection request and paying the inspection fee at the City of Surprise Cashier's Office.
2. During the first 5 days of September, the *fire code official* will provide the City of Surprise Finance Department Revenue Manager the list of all Assisted Living Homes with completed inspections.

[A] 107.6 Carbon dioxide gas detection and alarm systems. CO2 detection and alarm systems shall be inspected at installation and annually thereafter.

Exception:

1. CO2 detection and alarm systems shall be inspected immediately after any repair or equipment replacement and every 12 months thereafter.
2. CO2 detection and alarm systems following manufacturers' specifications on testing frequency.

[A] 109.1 Board of appeals established. ~~In order to hear and decide appeals of orders, decisions or determinations made by the *fire code official* relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The *fire code official* shall be an ex officio member of said board but shall not have a vote on any matter before the board. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the *fire code official*. Appeals shall be in accordance with the Surprise Municipal Code.~~

[A] 109.3 Qualifications. ~~The board of appeals shall consist of members who are~~

~~qualified by experience and training to pass on matters pertaining to hazards of fire, explosions, hazardous conditions or *fire protection systems*, and are not employees of the jurisdiction.~~

[A] 110.4 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the *approved construction documents* or directive of the *fire code official*, or of a permit or certificate used under provisions of this code, shall be guilty of a civil or criminal violation and could result in civil judgement or referral for a Class 1 misdemeanor charge. ~~, punishable by a fine of not more than [AMOUNT] dollars or by imprisonment not exceeding [NUMBER OF DAYS], or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense~~

111.4.1 Absence of the owner. If the *owner*, the owner's authorized agent, operator or occupant of a building or premises is absent.

1. When deemed necessary by the *fire code official*, emergency measures may be taken to provide for security of the property and its contents. The cost of such action shall be borne by the property *owner* or responsible party.
2. Upon notification by the *fire code official*, the *owner* or the owner's authorized agent, operator, or occupant may be required to provide for ongoing security of the property.

111.4.2 Emergency Abatement. When deemed necessary by the *fire code official*, emergency abatement measures shall be taken to provide for public safety, security and rapid mitigation of hazards to a property and its contents. When any resources, services, special equipment and/or materials are required for abatement, and these are not available onsite, the *owner*, owner's authorized agent or responsible party shall have a written agreement with a resource provider for the accessibility and use of the services, special equipment and materials sufficient to ensure rapid response and timely abatement.

114.1 When required. A *Fire Watch* shall be provided as follows:

1. When required by other sections of this code.
2. When the *fire code official* deems it is essential for public safety.
3. When the duty fire battalion chief determines that conditions may result in a rekindle.

114.2 Financial responsibility. The property *owner*, the tenant, operator or the occupant in control of the premises shall be responsible for the cost of providing a *fire watch*.

114.3 Requirements. Personnel assigned *fire watch* duties shall possess the following minimum qualifications:

1. Shall be at least 18 years of age.

2. Shall be able to speak, read and understand English.
3. Shall be capable of operating a mobile telephone or portable radio, or both.
4. Provide assistance with evacuation of people present in the area.
5. Continue fire watch until properly relieved or when the *fire code official* terminates the *fire watch* activity.
6. Personnel shall not be assigned or perform additional duties which impacts their fire watch tours.
7. Assigned personnel shall be trained in the use of portable fire extinguishers.

SECTION 202 GENERAL DEFINITIONS

ASSISTED LIVING CENTER. An assisted living facility that provides resident rooms or residential units to eleven or more residents.

ASSISTED LIVING FACILITY. A residential care institution, including adult foster care, that provides or contracts to provide supervisory care services, personal care services or directed care services on a continuing basis.

ASSISTED LIVING HOME. An assisted living facility that provides resident rooms to ten or fewer residents.

ATTENDANT. A person knowledgeable in the used of portable fire extinguishers, whose duty it is to maintain fire safety measures during public or private events.

AUTOMATED EXTERNAL DEFIBRILLATOR (AED). An automated external defibrillator (AED) is a portable automatic device used to restore normal heart rhythm to patients in cardiac arrest.

BEHAVIORAL HEALTH AND DEVELOPMENTALLY DISABLED GROUP HOMES. Residential housing which serves six or less developmentally disabled and/or behavioral health residents, and is licensed by the State of Arizona Department of Health Services.

CLASS A SIGNAL BOOSTER. A signal booster is considered to be 'Class A' when it has no passbands exceeding 75 kHz. Signals from these signal boosters are designed to transmit on one or more specific channels.

CLASS B SIGNAL BOOSTER. A signal booster is considered to be 'Class B' when it has passbands that exceed 75 kHz. These signal boosters are designed specifically to re-transmit signals within a wide frequency band. These boosters shall be registered with the FCC.

COLLAPSE ZONE. The area around the perimeter of a building that could contain debris if the building collapsed. Minimum established perimeter distance is:

1. Buildings not exceeding 35 feet in height – collapse zone is 30 feet.
2. Buildings exceeding 35 feet in height – collapse zone is 60 feet.

FIRE EQUIPMENT ROOM (FER). The Fire Equipment Room shall be located within the

building footprint and have direct exterior access. The fire equipment room shall be used for only fire protection equipment and controls consisting of:

1. Fire sprinkler riser assembly
2. Fire alarm control panel
3. Fire alarm manual pull station
4. Spare sprinklers storage cabinet
5. Documentation cabinet labeled 'System Record Documents'

FIRE FIGHTER AIR REPLENISHMENT SYSTEM (FARS). A permanently installed arrangement of piping, valves, fittings and equipment to facilitate the replenishment of breathing air in self-contained breathing apparatus (SCBA) for fire fighters engaged in emergency operations.

FAMILY FOSTER HOME AND FOSTER GROUP HOME. Residential housing licensed by the State of Arizona Department of Economic Security.

HOSE LAY. The maximum length of hand held fire hose extended from the fire apparatus 150 feet (45 720 mm) around the perimeter of a building to the furthest point.

LIFE SAFETY EVALUATION REPORT. A written review dealing with the adequacy of life safety features relative to fire, extreme weather conditions, building collapse, crowd behavior, and other related safety considerations.

MAZE. A network of paths to confuse persons in the passage from an entry point to an exit point for the purpose of entertainment and/or competition.

MODIFIED NFPA 13D SPRINKLER SYSTEM. In addition to NFPA 13D requirements, sprinkler heads shall be installed in bathrooms, closet areas containing any electrical or mechanical equipment, areas under interior stairs or landings, foyers, enclosed patios and porches, hidden spaces, attics, spaces under egress stairways, and in garages. A one-inch (25 mm) domestic water meter is required.

MODIFIED NFPA 13R SPRINKLER SYSTEM. In addition to NFPA 13R requirements, sprinkler heads shall be installed in bathrooms, closet areas containing any electrical or mechanical equipment, areas under interior stairs or landings, foyers, enclosed patios and porches, hidden spaces, attics, spaces under egress stairways, and in garages. A one-inch (25 mm) domestic water meter is required.

[BG] Institutional Group I-1. Institutional Group I-1 occupancy shall include buildings, or structures portions thereof for more than 16 persons, excluding staff, who reside on a 24-hour basis in a supervised environment and receive custodial care. Buildings of Group I-1 shall be classified as one of the occupancy conditions indicated below. This group shall include, but not be limited to, the following:

Alcohol and drug centers

Assisted living center

Assisted living facilities

Congregate care facilities
Group homes
Halfway houses
Residential board and care facilities
Residential board and custodial care facilities
Social rehabilitation facilities

[BG] Residential Group R-4. Residential Group R-4 shall include buildings, structures or portions thereof for more than five but not more than 16 persons, excluding staff, who reside on a 24-hour basis in a supervised residential environment and receive custodial care. Buildings of Group R-4 shall be classified as one of the occupancy conditions indicated below. This group shall include, but not be limited to, the following:

Alcohol and drug centers
Assisted living center
Assisted living facilities
Assisted living home
Congregate care facilities
Group homes
Halfway houses
Residential board and care facilities
Social rehabilitation facilities

Group R-4 occupancies shall meet the requirements for construction as defined for Group R-3, except as otherwise provided for in the *International Building Code*.

Exception:

1. Family Foster Homes and Foster Group Homes licensed by the State of Arizona Department of Economic Security.
2. Group Homes for the Developmentally Disabled and Behavioral Health Group Homes (BHG), which serve six or less residents and are licensed by the State of Arizona Department of Health Services.

SKY LANTERN. An unmanned device with a fuel source that incorporates an open flame in order to make the device airborne that is either tethered or released. Also known as but not limited to Kongming Lantern, Wish Lantern, Sky Candle, Fire Balloon

SPECULATIVE WAREHOUSE SHELL. Any type of shell building being designed for group occupancy F, group occupancy M or group occupancy S that is being constructed by an owner and/or developer for unknown tenant(s) at the time of application for a building permit shall be considered a speculative warehouse shell.

308.1.4 Open-flame cooking devices. Charcoal burners and other open-flame cooking devices shall not be operated on combustible balconies or within 10 feet (3048 mm) of combustible construction.

Exceptions:

1. One- and two-family *dwelling*s.
2. Where buildings, balconies and decks are protected by an *automatic sprinkler system*.
3. LP-gas cooking devices having LP-gas container with a water capacity not greater than 2 / pounds [nominal 1 pound (0.454 kg) LP-gas capacity].
4. Approved stationary fuel-fired barbecues complying with the following:
 - a. Permitted installation based on *approved* construction plans.
 - b. Used in accordance with the manufacturer's instruction.
 - c. Equipment designed for the fuel being utilized.

308.1.6.3 Sky lanterns. A person shall not utilize an open flame, tether, release or cause to be released an untethered a sky lantern.

308.1.8 Flaming food and beverage preparation. The preparation of flaming foods or beverages shall be limited only to places of assembly and drinking or dining establishments with an *approved* automatic sprinkler system. Preparation and serving shall be in accordance with Sections 308.1.8.1 through 308.1.8.5.

308.3 Group A occupancies. Open-flame devices shall not be used in a Group A occupancy.

Exceptions:

1. Open-flame device use shall be limited to Group A occupancy premises which have an *approved* fire sprinkler system and fire alarm system.
2. Open-flame devices are allowed to be used in the following situations, provided that *approved* precautions are taken to prevent ignition of a combustible material or injury to occupants:
 - 2.1 Where necessary for ceremonial or religious purposes in accordance with Section 308.1.7.
 - 2.2 On stages and platforms as a necessary part of a performance in accordance with Section 308.3.2.
 - 2.3 Where candles on tables are securely supported on substantial noncombustible bases and the candle flames are protected.
3. Heat-producing equipment complying with Chapter 6 and the *International Mechanical Code*.

4. Gas lights are allowed to be used provided that adequate precautions satisfactory to the *fire code official* are taken to prevent ignition of combustible materials.

308.3.2 Theatrical performances. Where *approved*, an open-flame device used by a performer or in conjunction with theatrical performances is allowed where adequate safety precautions have been taken in accordance with NFPA 160.

308.3.2.1 Audience control. The audience shall be at least 30 feet (9144 mm) away from the closest projection of an open flame device. Audience control shall be established by use of a physical barrier which can be easily moved or removed in the event of an emergency and shall remain in place throughout the entire performance.

308.3.2.2 Attendant. Performances involving open-flame devices shall have a person knowledgeable in the proper use of fire extinguishers assigned as an attendant. Each attendant will watch over no more than two (2) active flame devices. Attendants shall remain at the performance until all flames are extinguished and the attendant is dismissed

308.3.2.3 Clearance from combustibles. A 30-foot (9144 mm) safe zone in all directions from the open-flame device shall be established maintaining clearance from all combustibles.

314.4 Vehicles. Liquid-fueled or gaseous-fueled or electric vehicles, boats or other motorcraft shall only be located in an indoor garage except as follows:

1. Batteries are disconnected except where the *fire code official* requires that the batteries remain connected to maintain safety features.
2. Fuel in fuel tanks does not exceed one-quarter tank or 5 gallons (19 L) (whichever is least).
3. Fuel tanks and fill openings are closed and sealed to prevent tampering.
4. Vehicles, boats or other motorcraft equipment are not fueled or defueled whenever they are placed within the building.
5. Automobile dealerships designated showroom.

315.4.3 Stacking. Method of stacking shall be solid piles in an orderly array.

315.4.4 Separation from buildings. Outside storage of combustible materials or combustible waste shall not be located within 20 feet (6096 mm) of a building.

Exception: Commercial and municipal trash receptacles.

315.4.5 Size of pile footprint. Solid piles shall not exceed 20 feet (6096 mm) in width by 150 feet (45 700 mm) in length.

315.4.6 Aisles width. Aisles shall be a minimum of 26 feet (7925 mm) wide and shall be maintained clear and unobstructed at all times.

315.4.7 Dead ends. No dead-end aisles shall be allowed within the facility.

315.4.8 Fire hydrants and fire-flow. The minimum number of fire hydrants and fire-flow shall be based on the square footage of the combined total approved solid piles of storage. The maximum spacing between fire hydrants shall not exceed 350 feet.

315.4.9 Additional equipment. A reliable means of rotating the combustible materials shall be readily available on the property at all times (for example, pallet jack, front end loader or back hoe with bucket).

315.4.10 Clearance from ignition source. No heating equipment, including salamanders, braziers, portable heaters and other open fires, shall be located or used in the storage area. Potential sources of ignition such as hot work; warming or open fires and heating devices shall not be allowed within 30 feet (9144 mm) of storage piles.

SECTION 316 HAZARDS TO FIRE FIGHTERS FIRE PERSONNEL

316.3 Pitfalls.

The intentional design or *alteration* of buildings to disable, injure, maim or kill intruders is prohibited. A person shall not install and use firearms, sharp or pointed objects, razor wire, *explosives*, flammable or *combustible liquid* containers, or dispensers containing highly toxic, toxic, irritant or other hazardous materials in a manner that could passively or actively disable, injure, maim or kill:

1. A fire fighter who forcibly enters a building for the purpose of controlling or extinguishing a fire, rescuing trapped occupants or rendering other emergency assistance; or
2. A fire code official who enters a building or premise for the purpose of conducting inspections, or to perform the duties authorized by this code.

401.9 Fire or emergency alarm initiation. No person shall silence a fire or emergency alarm system, alarm-initiating device or component until the fire department arrives.

401.10 Monitoring stations. Monitoring stations shall immediately notify the fire department of alarm signals initiated by manual fire alarm boxes, automatic fire detectors, water flow from the automatic sprinkler system or actuation of other fire extinguishing or detection systems or equipment. The monitoring station shall notify the fire department of an alarm signal at the same time as or prior to contacting the subscriber.

403.5 Group E occupancies. An approved fire safety and evacuation plan in accordance with Section 404 shall be prepared and maintained for Group E occupancies

and for buildings containing both a Group E occupancy and an atrium. Group E occupancies shall comply with Sections 403.5.1 through ~~403.5.3~~ 403.5.4.

403.5.4 Fire Safety and Evacuation Plan. An approved fire safety and evacuation plan shall be submitted in an electronic PDF format to the fire code official for each school located within the City of Surprise on an annual basis prior to the first emergency evacuation drill of each school year.

403.7.1.1 Plans and diagrams. In addition to the requirements of Section 404 and Section 407.6, plans and diagrams shall be provided in an electronic PDF format to the fire code official and maintained in approved on-site locations indicating the approximate plan for each area, the amount and type of HPM stored, handled and used, locations of shutoff valves for HPM supply piping, emergency telephone locations and locations of exits.

403.12.1 Fire watch personnel. Where, in the opinion of the *fire code official*, it is essential for public safety in a place of assembly or any other place where people congregate, because of the number of persons, or the nature of the performance, exhibition, display, contest or activity, the *owner*, agent or lessee shall provide one or more fire watch personnel, as required and *approved*. Fire watch personnel shall comply with Sections 403.12.1.1 and 403.12.1.2. Such fire watch personnel shall not be required or permitted to perform other duties while on duty, other than those specified in this section or as required by the fire code official.

403.10.3 Group R-4 occupancies. An *approved* fire safety and evacuation plan in accordance with Section 404 shall be prepared and maintained for Group R-4 occupancies. Group R-4 occupancies shall comply with Sections 403.10.3.1 through ~~403.10.3.6~~ 403.10.3.7.

403.10.3.7 Fire inspections. Fire Code Official shall conduct a fire inspection of the premise on an annual basis and upon change of business ownership.

503.1.2.1. Maximum distance. If the hose lay distance measured from the fire apparatus to the farthest point on the building exceeds 150 feet (45 720 mm), additional fire apparatus access is required.

503.1.2.2. One- or two-family residential developments. Residential developments where the number of dwellings units exceed 30 shall provide two geographically separated unrestricted fire apparatus accesses from the public way and roads by complying with Appendix section D107.2.

503.1.2.2.1 Fire access. For the purposes of this code requirement the two types fire apparatus access is defined as:

1. Unrestricted fire apparatus access - entry is achieved by both right turn and left turn into the development from a public way or road.
2. Restricted fire apparatus access – entry is achieved by right only turn from a public way or road.

503.1.2.3 Multiple-family residential developments. Residential high density, as defined by the Surprise Unified Code, Section 122-52 where the number of dwelling units exceed 100 shall provide two unrestricted fire apparatus access from the public way and roads by complying with Appendix section D106.3.

Exception: The *fire code official* has the authority to require a third fire apparatus access which shall be restricted fire apparatus access.

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 26 feet (7925 mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 15 feet from grade (4572 mm).

503.2.4 Turning radius. The required turning radius of a fire apparatus access road shall be as specified by AASHTO SU-40, ~~determined by the *fire code official*.~~

503.2.5 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet (45720 mm) in length shall be provided with an *approved* area for turning around fire apparatus.

503.2.7 Grade. The grade of the fire apparatus access road shall be within the ~~limits established by the *fire code official* based on the fire department's apparatus~~ no more than a maximum of 10 percent.

Exception: The grade for fire apparatus access turnarounds shall have a maximum of 4 percent.

503.3 Marking. Where required by the *fire code official*, *approved City of Surprise 'No Parking – Fire Lane' signs with red curb markings* ~~or other *approved* notices or markings~~ that include the words NO PARKING—FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which *fire lanes* are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

Exception: Fire apparatus roads serving only Occupancy Group R-3 are required to have signs and red painted curbs installed when the road width is 20 feet (6096 mm) or less.

503.3.1 Fire lane sign. Fire lane signs shall be placed every 75 feet (22860 mm) and starting 15 feet (4572 mm) from street corners and intersections.

1. Signs shall be attached to an approved stationary pole, set in concrete at a minimum depth of 18 inches (457 mm).
2. The bottom of the sign shall be 7 feet (2137 mm) above grade.
3. Signs shall be plainly visible at all times and unobstructed with a minimum of 3 foot (914 mm) clearance along line of sight.
4. The signs shall face oncoming traffic.

503.3.2 Fire lane no parking-fire lane stencil. NO PARKING-FIRE LANE shall be spaced equal distance between the fire lanes no parking signs.

1. The curb shall be painted red with white lettering.
2. Lettering shall be a minimum of 3 inches (76mm) high with ½ inch (13 mm) brush stroke.

503.6 Security gates. The installation and location of security gates across a fire apparatus access road shall be *approved* by the *fire code official*. Where security gates are installed, they shall be electric with battery backup, and shall be provided with electronic preemption equipment, controls, electronic Knox key switch and manual release mechanism approved by the fire code official. ~~an approved means of emergency operation.~~ The security gates and the emergency operation shall be maintained operational at all times. Electric gate operators, ~~where provided,~~ shall be *listed* in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F2200.

Exceptions:

1. Where approved by the fire code official, manually operated gates and barricades may be used. They shall be installed with Knox Padlock and approved by the fire code official.
2. Construction site gates shall be manually operated and secured with the construction company's padlock. During construction operations, the gate shall be kept open at all times.
3. Fire apparatus access road serving three or fewer Occupancy Group R-3 one- and two-family dwellings.

503.6.1 Existing security gates. Existing gates at entry points into gated communities shall be electric with battery backup, and shall be provided with electronic preemption equipment, controls, electronic Knox key switch and manual release mechanism approved by the fire code official.

503.6.2 Gates setback. Minimum set back from the public way shall be 40 feet to allow fire apparatus the ability to safely operate the gate access.

503.6.3 Gate clear width. Clear width of the roadway shall be a minimum of 20 feet (6096 mm) clear width at all entrance gates. Exit Only roadways shall be a

minimum of 20 feet (6096 mm) clear width at all exit gates, unless otherwise required by the *fire code official*.

503.6.3.1 Exit only swing gates. Exit only swing gates shall be posted with a sign, 'Caution Gate Opens Out' and the pavement shall be painted with a 5 inch (127 mm) wide yellow strip showing the depth of the gate swing.

503.6.3.2 Turning radius. Gates shall be designed and installed so that the minimum turning radius of AASHTO SU-40 standard is not interfered with or obstructed by gate operations.

503.6.4 Location of access controls. The control pedestal shall be located on the approach (ingress) side of the gate and be located and designed for easy activation by the operator without leaving the vehicle. The height of the control box shall be 66 inches (1676 mm) measured from the finished grade.

503.6.5 Gate opening timing. Gates shall fully open within 15 seconds of activation and remain open until closed by operation of the control device.

503.6.6 Secondary fire apparatus access. In addition to the primary gates, secondary fire apparatus access gates, when required by the *fire code official*, shall be installed for additional emergency access and the *fire code official* must approve the location and installation.

505.1 Address identification. New and existing buildings shall be provided with *approved* address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 4 inches (102 mm) high with a minimum stroke width of 1/2 inch (12.7 mm). Where required by the *fire code official*, address identification shall be provided in additional *approved* locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the *public way*, a monument, or other sign or means shall be used to identify the structure. Address identification shall be maintained so that it is clearly visible and free from obstructions, including landscaping, and shall be kept current.

505.1.1 Commercial and public building or site address. Commercial and public building's address shall be a minimum of 12 inches (305 mm) high with a minimum stroke width of 3 inches (76 mm) on contrasting color, and clearly visible from the fire apparatus access road. The building address shall be internally or externally illuminated during hours of darkness.

Exception: For buildings located more than 100 feet from the public way centerline, the address shall be a minimum of 15 inches (381 mm) high with a minimum stroke width of 4 inches (102 mm) on contrasting color, and clearly visible from the fire apparatus access road. The building address shall be internally or externally illuminated during hours of darkness.

505.1.1.1 Multiple address location. Commercial and public buildings with multiple fire apparatus access points shall provide the address at each access point meeting the requirements of 505.1.1.

505.1.1.2 Multiple buildings with single street address. Each building shall display the alphabetic or numerical designation which shall be a minimum 18 inches (457 mm) high with a minimum 3 inch (76 mm) brush stroke on contrasting color. The building designation shall be visible from the fire apparatus access road. Where buildings have multiple fire apparatus access points, additional building designations shall be provided at each access point meeting the requirements of 5.5.1.1.

505.1.1.3 Unit or apartment numbers. Each unit or apartment shall have a numeric designation on or over the front door and rear door. The number shall be a minimum of 4 inches (102 mm) high with a minimum 3/8^{ths} inch (9.52 mm) brush stroke on a contrasting background.

505.1.1.4 Multi-unit address numbers. Adjacent to the building identification, spread numbers shall be provided to indicate the apartment or unit numbers by floors in the building. Spread numbers shall be a minimum of 7 inches (178 mm) high with a 1 inch (25 mm) brush stroke on contrasting background. They shall be internally or externally illuminated during hours of darkness.

505.1.1.4.1 Multi-unit address signs. Spread plates shall be required on properties containing any one of the following:

- 1. For unit identification at building entrances where more than one dwelling or unit is accessed from a single entrance.**
- 2. For residential unit identification at each unit cluster for residential high density rental complexes.**

505.1.1.5 Multi-tenant buildings. Individual tenant spaces shall have their business name and address or suite identification posted on a building directory at the front and rear building entrance. The building directory shall be kept current at all times.

505.1.2 Site address Directory. Where required, an approved address directory

shall be provided at sites containing one of the following:

1. More than one principal building.
2. Multiple buildings with unit identification numbers randomly sequenced.
3. Residential high density rental complexes.
4. Sites where there is a *fire code official* determination that emergency response may be delayed due to the physical layout of the site.

505.1.2.1 Dimensions. The site address directory minimum dimensions are determined by the number of buildings:

1. For complexes with a 12 or fewer buildings, shall have a minimum dimension of 3 by 3 feet (914 by 914 mm) site directory.
2. For complexes with 13 to 30 buildings shall have a minimum dimension 4 by 4 feet (1219 by 1219 mm) site directory.
3. For complexes with greater than 30 buildings shall have a minimum dimension of 5 by 5 feet (1524 by 1524 mm) site directory.
4. The site address directory frame shall not encroach upon the site address directory face by more than 1 ½ inches (38 mm).

505.1.2.3 Site address directory depiction. All depictions must be clear, easily understood and legible at a distance of eight (8) feet. The directory shall depict structures, building numbers, units, apartment space numbers, tennis courts, swimming pools, canals, waterfronts, driveways, streets, laundry rooms, fire hydrants, fire apparatus access road and other features as determined by the *fire code official*. The depictions shall comply with the following:

1. Directories shall be provided at all fire apparatus access entry points for all multiple dwelling developments, mobile home parks, or when required by the Fire Chief. Such directories shall be illuminated and conformed to the City of Surprise design standards, and be approved by the *fire code official*.
2. The name and address of the complex is required, but shall not exceed ten percent of the total size of the site directory.
3. Swimming pools, canals, and waterway areas shall be translucent blue.
4. Tennis courts shall be translucent green.
5. Fire hydrants shall be 1/4th inch (6.35 mm) diameter black circle filled with a translucent yellow center. The abbreviation "FH" must be affixed by the location of the fire hydrant on the directory.
6. The directory shall be properly oriented to the viewer with a red symbol one inch in diameter, with the words "You Are Here" affixed at the appropriate location on the directory.

7. There must be a north directional arrow affixed to the directory. This arrow must be a minimum of three (3) inches in size.
8. Interior fire apparatus access roads shall be marked on the address.

506.1 Where required. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or firefighting purposes, the *fire code official* is authorized to require a key box to be installed in an *approved* location. The key box shall be an approved Knox Box of an approved type listed in accordance with UL 1037, and shall contain keys to gain necessary access as required by the *fire code official*.

506.1.1 Key box. Key Box shall be either a Knox Box for less than 10 keys or a Knox Vault for 10 or more keys. The Knox Box shall be recessed mounted with the top of the box not exceeding 60 inches (1524 mm) above finished grade

506.1.1 506.1.2 Locks. An ~~approved~~ Knox Padlocks shall be installed on manual gates or similar barriers where required by the *fire code official*.

506.1.2 506.1.3 Key boxes for none standardized fire service elevator keys. Key boxes provided for none standardized fire service elevator keys shall comply with Section 506.1 and all of the following:

506.1.4 Swimming pool gates. All pedestrian gates in residential and commercial occupancies that provide access to swimming pools open to the public or controlled by Home Owner Associations shall have Knox Box mounted near the gate with a key providing access. If a card reader or fob system is used, a Knox Box with a toggle switch shall be installed.

507.1 Required water supply. An *approved* water supply capable of supplying the required fire flow for fire protection shall be provided to premises prior to combustibles being stored on site upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction. Where property is subdivided with or without the creation of public or private streets for the express purpose of providing said subdivided parcels for sale or otherwise permitting separate and/or individual development to occur, an approved water supply capable of supplying the projected fire flow for fire protection shall be provided and extended to serve directly any and all subdivided properties. The projected fire flow will be based on the greatest potential demand posed by any type of occupancy allowed by zoning laws on the proposed property. Required water supply shall not be interrupted, for any reason, without prior approval of the *fire code official*.

507.2.1 Private fire service mains. Private fire service mains and appurtenances shall be sized to accommodate the calculated fire flow but shall not be less than 6 inches (152 mm) in diameter. Dead-end fire mains shall be prohibited. Installation shall be installed in accordance with NFPA 24.

507.2.1.1 Fire service main use. Once a private fire service main has been approved and placed in operation, tapping into the fire service main for other than for fire control purposes is prohibited.

Exception: A written request shall be submitted to fire code official for approval to tap into a fire main for other than fire control purposes.

507.2.1.2 Fire hydrant maintenance and flushing. All fire hydrants shall be flushed and serviced and maintained annually in accordance with NFPA 25 and the American Water Works Association- Manual of Water Supply Practices, Installation Field Testing and Maintenance of Fire hydrants.

507.3.1 Exterior storage. When there is exterior storage of combustible or hazardous materials, the required fire flow to protect that exterior storage shall be determined by engineering analysis. If the fire flow required for the exterior storage exceeds the fire flow required to protect the building, the higher fire flow shall be used and provided.

1. The engineering analysis shall be included and submitted with the water flow test summary report to the *fire code official*.
2. A site plan showing the showing the exterior storage layout in relation to fire apparatus access road(s) and fire hydrants shall be submitted to the *fire code official*.

507.4.1 Water flow test. A water flow test shall be conducted for all new construction or for fire sprinkler installation in existing buildings which previously did not have a sprinkler system. With assistance from the water company, the *fire code official* shall determine the number of fire hydrants to be tested in accordance with test procedures outlined in the American Water Works Association Manual of Water Supply Practices, Distribution System Requirements for Fire Protection, AWWA M31. Results of the testing shall be provided to the fire department in an electronic format acceptable to the *fire code official*.

507.5.1 Where required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet (122 m) from a hydrant on a fire apparatus access road, as measured by an *approved* route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the *fire code official*.

Exceptions:

- ~~1. For Group R-3 and Group U occupancies, the distance requirement shall be 600 feet (183 m) shall have NFPA 13R or NFPA 13D sprinklers installed.~~
- ~~2. For buildings equipped throughout with an *approved automatic sprinkler system* installed in accordance with Section 903.3.1.1 or 903.3.1.2, the distance requirement shall be 600 feet (183 m).~~

507.5.1.2 R-3 high density developments. The distance between fire hydrants

shall not exceed 350 feet (106 680) with group R-3 occupancy dwelling units.

Exception: The distance between fire hydrants shall not exceed 500 feet (152 400 mm) when the group R-3 occupancy dwelling units with fire sprinkler systems.

510.1 Emergency responder radio coverage in new buildings. New buildings shall have *approved* radio coverage for emergency responders within the building based on the existing coverage levels of the public safety communication systems utilized by the jurisdiction, measured at the exterior of the building. This section shall not require improvement of the existing public safety communication systems. The requirements of Section 510 shall apply to all buildings and structures that satisfy any one of the following characteristics:

1. Buildings or structures that exceed 3 stories above finished grade;
2. The total building area is 10,000 square feet (929 0304 m²) or more;
3. One story below grade with an area of 5,000 square feet (464 5152 m²);
4. Where radio coverage signal strength levels are not consistent with minimum signal strength level requirement in Section 510.4.1.

Exceptions:

1. Where *approved* by the building official and the *fire code official*, a wired communication system in accordance with Section 907.2.12.2 shall be permitted to be installed or maintained instead of an *approved* radio coverage system.
2. Where it is determined by the *fire code official* that the radio coverage system is not needed.
3. In facilities where emergency responder radio coverage is required and such systems, components or equipment required could have a negative impact on the normal operations of that facility, the *fire code official* shall have the authority to accept an automatically activated emergency responder radio coverage system.
4. Building or structures greater than 10,000 square feet (929 0304 m²) which has a certificate of coverage provided, which certificate is based upon testing performed by a RF Engineer approved by the *fire code official*.
5. Buildings or structures which has a certificate of coverage provided, which certificate is based upon testing performed by a RF Engineer approved by the *fire code official*.
6. Residential occupancy group R-3 one- and two-family dwellings.

510.1.1 ERRC on-site location. The emergency responder radio coverage Bi-Directional Amplifier (BDA), battery backup system and annunciator panel shall be located either in the fire equipment room or the building IDF room.

1. The room housing ERRC equipment shall be separated from the rest of the building by 2 hour rated fire barriers.

2. There shall be an 'ERRC' *approved* sign on the door for the room with ERRC equipment.

510.1.2 Obstruction by new buildings or structures. No obstruction of the emergency responder radio coverage system backhaul shall be allowed without an *approved* mitigation plan. When the construction of a new building obstructs line of sight emergency radio communications to existing buildings or other locations, the developer of the new building shall develop an *approved* mitigating plan to correct the degraded radio coverage as necessary to restore communications capabilities in accordance with Section 510.

510.2 Emergency responder radio coverage in existing buildings. Existing buildings shall be provided with radio coverage for emergency responders as required in Chapter 11 and which is approved by the *fire code official*. Existing buildings without approved radio coverage, as determined by the *fire code official*, in accordance with Section 510.4.1 shall be equipped with such coverage in accordance with Section 510 within a time frame established by the *fire code official*. Building owners or designated representatives shall submit to the *fire code official* a radio signal strength study, technical opinion and report prepared in accordance with Section 104.7.2. The report shall identify the area(s) requiring an emergency responder radio coverage system to comply with Section 510.4.1.

Exception: Building or structures greater than 10,000 square feet (929 0304 m²) that have a certificate of coverage provided, which certificate is based upon testing performed by a RF Engineer approved by the *fire code official*.

510.3.1 Construction documents. Construction documents for emergency responder radio coverage systems shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant ordinances and regulations as determined by the *fire code official*.

510.3.2 Plans. Radio coverage system plans shall be submitted for review and approval prior to installation. Coordination and compliance with Regional Wireless Cooperative (RWC) radio system requirements and *the Code* is the responsibility of the owner and contractor.

510.3.2.1 Submittal process. Plans shall follow the same approval process as other fire protection plans. See sections 105.4.2.1.1 and 105.4.2.1.2. At time of plan submittal, the owner, contractor and designer for a new building or occupancy may choose one of the following options;

1. Install an emergency responder radio coverage system during construction per current code and standards.

2. Install a shell emergency responder radio coverage system backbone in accordance with requirements and procedures as determined by the fire code official.
3. Upon completion of the building have a current FCC General Radio Operator License (GROL) RF Engineer perform a radio signal test and provide a certificate of compliance and/or retrofit into the areas where the building failed to meet minimum adequate signal strength requirements.

510.3.2.2 Plan submittals. Plan submittals shall include, but not be limited to all of the following:

1. A floor plan that indicates the use of all rooms, emergency responder radio coverage system equipment locations, power panel connections, raceway routing layout, conduit and conductor types and sizes, compliance with survivability criteria and locations of building access to the equipment.
2. A roof plan showing the location of antenna(s) including a line of site plan to agency transmitting and receiving antenna(s).
3. Schematic drawings of the electrical system, backup power, antenna system and other associated equipment.
4. Rack and equipment cabinet plans showing arrangement and configuration of emergency responder radio coverage system equipment.
5. System riser diagram(s).

510.3.2.3 Data sheets. Manufacturer's data sheets shall be provided for equipment to be installed. Manufacturers' data sheets shall indicate model numbers and listing information for equipment, devices and materials.

510.4.1 Emergency responder communication enhancement system signal strength. The building shall be considered to have acceptable emergency responder communications enhancement system coverage when signal strength measurements in 95 percent of all areas on each floor of the building meet the signal strength requirements in Sections 510.4.1.1 through 510.4.1.3.

Exceptions: The following critical areas shall be provided with 99 percent of floor area radio coverage:

1. Fire command center(s)
2. Fire equipment room
3. Fire pump room
4. Elevator lobby
5. Interior exit stairways
6. Exit passageways

7. Standpipe locations
8. Rescue air filling stations
9. Sprinkler sectional valve locations
10. As required by the *fire code official*.

510.4.2 System design. The emergency responder radio coverage system shall be designed in accordance with Sections 510.4.2.1 through ~~510.4.2.8~~ 510.4.2.9, NFPA 1221 and UL2524.

510.4.2.1 Amplification systems and components.

Buildings and structures that cannot support the required level of radio coverage shall be equipped with Class A channelized public-safety grade signal boosters designed for the bands and frequencies covered by Regional Wireless Cooperative (RWC) and specified by the *fire code official*, and to ~~systems and components to enhance the public safety radio signals and~~ achieve the required level of radio coverage specified in Sections 510.4.1 through 510.4.1.3. Public safety communications enhancement systems utilizing radio-frequency-emitting devices and cabling shall be approved by the *fire code official*. Prior to installation, all RF-emitting devices shall have the certification of the radio licensing authority and be suitable for public safety use.

Exception: Where approved by the *fire code official*, a Class B signal booster may be installed.

510.4.2.3 Standby power. Emergency responder radio coverage systems shall be provided with dedicated standby batteries or provided with 2-hour standby batteries and connected to the facility generator power system in accordance with Section 1203. The standby power supply shall be capable of operating the emergency responder radio coverage system at 100-percent system capacity for a duration of not less than ~~12~~ 24 hours. When primary power is lost, the power supply to the emergency responder radio coverage system shall automatically transfer to the secondary power supply.

510.4.2.3.1 Emergency power off. The UPS system shall be equipped with an emergency power off (EPO) switch in a location approved by the *fire code official*. The EPO shall disconnect both the circuit breaker and secondary power supply simultaneously.

510.4.2.4 Signal booster requirements. If used, signal boosters shall meet the following requirements:

1. All signal booster components shall be contained in a National Electrical Manufacturer's Association (NEMA) 4-type waterproof cabinet.

2. Battery systems used for the emergency power source shall be contained in a NEMA 3R or higher-rated cabinet.
3. Equipment shall have FCC or other radio licensing authority certification and be suitable for public safety use prior to installation.
4. ~~Where a donor antenna exists, isolation shall be maintained between the donor antenna and all inside antennas to not less than 20dB greater than the system gain under all operating conditions.~~

Where a donor antenna exists:

- a. Isolation shall be maintained between the donor antenna and all inside antennas to not less than 20dB greater than the system gain under all operating conditions.
- b. There shall be only one donor antenna for a building
- c. Commercial repeater/DAS system shall not be co-located with Public Safety ERRC system.
5. Bi-Directional Amplifiers (BDAs) used in emergency responder radio coverage systems shall have oscillation prevention circuitry.
6. The installation of amplification systems or systems that operate on or provide the means to cause interference on any emergency responder radio coverage networks shall be coordinated and approved by the *fire code official*.

510.4.2.5 System monitoring. The emergency responder radio enhancement system shall be monitored by a listed *fire alarm control unit*. ~~or where approved by the fire code official, shall sound an audible signal at a constantly attended on-site location.~~ Automatic supervisory signals shall include the following:

1. Loss of normal AC power supply.
2. System battery charger(s) failure.
3. Malfunction of the donor antenna(s).
5. Failure of active RF-emitting device(s).
6. Low-battery capacity at 70-percent reduction of operating capacity.
7. Failure of critical system components.
8. The communications link between the *fire alarm system* and the emergency responder radio enhancement system.

510.4.2.9 Building conduit and pathway Survivability.

The system design shall provide pathway survivability in accordance with 2016 NFPA 72 Section 24.3.13.8 and NFPA 1221 Section 9.6.2.

510.4.2.9.1 Conduit and cable. All new buildings shall be constructed with not less than a 2 inch (51 mm) conduit having a minimum 2 hour fire

rating installed between the ground floor or the bottom of the lowest floor below grade to the roof.

Exception: In existing buildings, riser cable mechanically protected by metal conduit can be routed through a sprinkler-protected, 1hour rated enclose, including the door.

1. Installed riser cable shall be protected by a 2 hour rated enclosure.
2. Feeder cables shall be either protected by an automatic sprinkler system in accordance with 2016 NFPA 13 or installed within metal raceway.
3. Radio cables (riser and feeder) shall be plenum rated.
4. Only shielded cables that do not interfere with radio signals may be comingled with the radio cables.
5. Each floor shall have access to the conduit in either the form of a drop ceiling or access panels. The access shall be marked on 'As Built' plans.

510.5.2 Minimum qualifications of personnel. The minimum qualifications of the system designer, and lead installation personnel and personnel conducting emergency responder radio coverage tests and certification shall include both of the following have possession of:

1. A valid FCC-issued General Radio Operators License (GROL).
2. Certification of in-building system training issued by: ~~an approved organization or approved school, or a certificate issued by the manufacturer of the equipment being installed.~~
 - a. Associated Public Safety Communications Officials (APCO)
 - b. Personal Communications Industry Association (PCIA)
 - c. Land Mobile Radio manufacturers, or
 - d. the manufacturer of the equipment being installed.

All design documents and all tests and inspections shall be documented and signed by a person meeting the minimum qualifications noted in this section.

~~These qualifications shall not be required where demonstration of adequate skills and experience satisfactory to the fire code official is provided.~~

604.3.2 Electrical service shut off access. Where electrical service shut off controls are located inside a building, a door providing direct access from the exterior to the room containing such electrical shut off controls shall be provided, when required by fire code official.

607.1 General. Commercial kitchen exhaust hoods shall comply with the requirements of the *International Mechanical Code* and NFPA 96 *Standard for Ventilation Control and*

Fire Protection of Commercial Cooking Operations.

607.3.3.3.2 Certificate of inspection. A certificate of inspection/service shall be electronically forwarded to City of Surprise Fire-Medical Department within fifteen (15) days after completion of the six-month service, or upon service rendered after the activation of any fire suppression system. The submission of the certificate of inspection service is the responsibility of the contractor performing the service. The certificate shall include:

1. The name, address and phone number of the licensed contractor performing the service;
2. The name, address and phone number of the business for whom the service is being done;
3. Date and time of the service;
4. Provide description of entire exhaust system;
5. The cleanliness of the hood and associated appliances;
6. A detailed list of all work completed on the system;
7. State standard to which the hood system was cleaned;
8. Document any areas that were not cleaned and the reason why;
9. Specific date of the previous service on the system;
10. Alterations to the system or appliances that causes the system to be out of compliance with the manufacturer's specifications.

805.5 Group E classroom. The requirements in Sections 805.5.1 through 805.1.2 shall apply to classroom furniture.

1. The placement of and use of this furniture in classrooms shall be approved.
2. The facility manager shall maintain a record of all furniture.

805.5.1 Upholstered furniture. Newly introduced upholstered furniture shall meet the requirements of Sections 805.5.1.1 through 805.5.1.3.

805.5.1.1 Ignition by cigarettes. Newly introduced upholstered furniture shall be shown to resist ignition by cigarettes as determined by tests conducted in accordance with one of the following:

1. Mocked-up composites of the upholstered furniture shall have a char length not exceeding 1.5 inches (38 mm) when tested in accordance with NFPA 261.
2. The components of the upholstered furniture shall meet the requirements in accordance with NFPA 260.

805.5.1.2 Heat release rate. Newly introduced upholstered furniture shall have limited rates of heat release when tested in accordance with ASTM E1537 or California Technical Bulletin 133, as follows:

1. The peak rate of heat release for the single upholstered furniture item shall not exceed 80 kW.
2. The total heat released by the single upholstered furniture item during the first 10 minutes of the test shall not exceed 25 mega joules (MJ).

805.5.1.3 Identification. Upholstered furniture shall bear the label of an approved agency, confirming compliance with the requirements of Sections 805.5.1.1 and 805.5.1.2.

807.2 Combustible decorative materials. In Groups A, B, E, I, M and R-1 and in dormitories in Group R-2, curtains, draperies, fabric hangings and other similar combustible decorative materials suspended from walls or ceilings shall comply with Section 807.3 and shall not exceed 10 percent of the specific wall or ceiling area to which such materials are attached. Fixed or movable walls and partitions, paneling, wall pads and crash pads applied structurally or for decoration, acoustical correction, surface insulation or other purposes shall be considered to be *interior finish*, shall comply with Section 803 and shall not be considered *decorative materials* or furnishings.

Exceptions:

1. In auditoriums in Group A, the permissible amount of curtains, draperies, fabric hangings and similar combustible decorative material suspended from walls or ceilings shall not exceed 75 percent of the aggregate wall area where the building is equipped throughout with an *approved automatic sprinkler* system in accordance with Section 903.3.1.1, and where the material is installed in accordance with Section 803.15 of the *International Building Code*.
2. In Group R-2 dormitories, within sleeping units and dwelling units, the permissible amount of curtains, draperies, fabric hangings and similar decorative materials suspended from walls or ceilings shall not exceed 50 percent of the aggregate wall areas where the building is equipped throughout with an *approved automatic sprinkler system* installed in accordance with Section 903.3.1.
3. In Group B and M occupancies, the amount of combustible fabric partitions suspended from the ceiling and not supported by the floor shall comply with Section 807.3 and shall not be limited.
4. The 10-percent limit shall not apply to curtains, draperies, fabric hangings and similar combustible decorative materials used as window coverings.
5. In Group E occupancies, no combustible decorative material including streamers, banners, artwork and teaching materials may be suspended from the ceiling.

807.5.2 Group E. Group E occupancies shall comply with Sections 807.5.2.1 through 807.5.2.3.

807.5.2.2 Artwork in corridors. Artwork and teaching materials shall be limited on the walls of *corridors* to not more than 20 percent of the wall area. The artwork shall not exceed 1/4th inch (6 mm) thickness and will be affixed to the wall at four corners.

Exceptions:

1. Seasonal and cultural artwork specially prepared may be displayed for a maximum of 2 weeks, after which the artwork will be stored or sent home with the students.
2. Hallway alcoves leading into classrooms shall be free of artwork and teaching materials.
3. Combustible artwork which is three dimensional shall not be affixed to corridor walls.

807.5.2.3 Artwork in classrooms. Artwork and teaching materials shall be limited on walls of classrooms to not more than 50 percent of the specific wall area to which they are attached.

1. When the whiteboard or bulletin has teaching material or artwork on them, they shall be considered part of the 50 percent all area.
2. The artwork shall not exceed 1/4th inch (6 mm) thickness and will be affixed to the wall at four corners.

Exception: Combustible artwork which is three dimensional shall not be affixed to classroom walls.

807.5.2.4 Combustibles by classroom exit doors. A clear area of 36 inches (914 mm) shall be maintained around classroom doors.

1. No combustible material of any type may be placed within the clear area.
2. The clear area may not be obstructed in any way.
3. Classroom exit doors may not have any artwork, posters, and flags, pendants, teaching materials or any decorations on the door.

Exceptions:

1. Lockdown security curtain may be hung and will be kept rolled-up except during lockdown.
2. The emergency plan, fire exit map and signs about health matters shall be posted next to the door.
3. Teacher's name and grade level may be placed on the hallway side of the door.

808.5 Wastebaskets and other waste containers in Group E occupancy.

Wastebaskets and other waste containers, including their lids shall be constructed of noncombustible materials or of materials that meet a peak rate of heat release not exceeding 300 kW/m when tested in accordance with ASTM E1354 at an incident heat

flux of 50 kW/m in the horizontal orientation. Metal wastebaskets and other metal waste containers with a capacity of 20 gallons (75.7 L) or more shall be *listed* in accordance with UL 1315 and shall be provided with a noncombustible lid.

808.5.1 Location. Wastebaskets and other waste containers, including their lids shall be located outside the 36 inch (914 mm) unobstructed clear area around the classroom exit door.

901.2.1 Fire pre-incident Plan Parts of the construction plans are as follows:

901.2.1.1 SITE PLAN. From the below list of items, provide only the items which apply to this construction document:

1. Fire line with hydrant locations
2. Post Indicator Valve (PIV) and/or OS&Y valve locations
3. Gas line and Gas shutoff location
4. Water cutoff valves for potable and fire
5. Generator location & fuel type
6. Fire pump location
7. Knox Box locations
8. Standpipe locations
9. FDC location
10. Building Construction Type
11. Building roof type
12. Building height
13. Building Square Footage
14. Location of address directories
15. Fire apparatus access
16. Fire lanes
17. Gates (automatic or manual)

901.2.1.2 FLOOR PLAN. From the below list of items, provide only the items which apply to this construction document:

1. Room identifiers
2. Building Electrical panel locations
3. Building Electrical Main panel & building power cutoff location
4. Roof access location

5. CO2 bulk storage location
6. High Hazard Storage location
7. Fire alarm control panel location
8. Fire annunciator panel locations
9. Fire sprinkler riser assembly location
10. Other specialized Fire Protection Systems identifiers and location
11. AED station locations
12. MSDM and Emergency Plans location
13. Designated Emergency Egress locations
14. Occupancy Groups
15. Occupancy Load

901.4 Installation. *Fire protection systems* shall be maintained in accordance with the original installation standards for that system. Required systems shall be extended, altered or augmented as necessary to maintain and continue protection where the building is altered, remodeled or added to. *Alterations to fire protection systems* shall be done in accordance with applicable standards.

1. The fire sprinkler riser and standpipes shall be installed in an *approved* enclosed room within the building or structure footprint.
2. The fire alarm control panel shall be located in a controlled environment that meets the manufacturer's temperature requirements.

Exception: A NFPA 13R or 13D riser may be installed in the building wall with external access port.

901.4.6 Pump, and riser, fire equipment rooms size. ~~Where provided, fire pump rooms, and automatic sprinkler system riser rooms and fire equipment rooms shall be designed with adequate space for all equipment necessary for the installation, as defined by the manufacturer, with sufficient working space around the stationary equipment. Clearances around equipment to elements of permanent construction, including other installed equipment and appliances, shall be sufficient to allow inspection, service, repair or replacement without removing such elements of permanent construction or disabling the function of a required fire-resistance-rated assembly. Fire pump and automatic sprinkler system riser rooms shall be provided with doors and unobstructed passageways large enough to allow removal of the largest piece of equipment.~~

901.4.6.1 Access. ~~Automatic sprinkler system risers, fire pumps and controllers shall be provided with ready access. Where located in a fire pump room or automatic sprinkler system riser room, the door shall be permitted to be locked provided that the key is available at all times~~ Fire pump, fire equipment and automatic sprinkler system riser rooms shall be readily accessible from the

exterior of the building near a fire apparatus access road.

1. Fire equipment and automatic sprinkler system riser rooms shall have a 36 inches (914 mm) wide exterior door for direct access from the exterior.
2. The fire pump room shall be provided with doors and unobstructed passageways large enough to allow removal of the largest piece of equipment.

901.4.6.2 Marking on access doors. ~~Access doors for automatic sprinkler system riser rooms and fire pump rooms shall be labeled with an approved sign. The lettering shall be in contrasting color to the background. Letters shall have a minimum height of 2 inches (51 mm) with a minimum stroke of 1/8 inch (10 mm). Access doors for the fire protection equipment shall be labeled with an approved sign.~~

901.4.6.2.1 Fire equipment room sign. The approved sign shall have white reflective lettering and red non-reflective vinyl background with the following detail:

1. The sign plate shall be 12 inches (305 mm) by 12 inches (305 mm) with a thickness of .080 aluminum construction and 1 1/2 inch (38 mm) radius corners.
2. Font style is Handel Gothic capital or similar fonts.
3. Top centered on the sign face shall be 'F.A.C.P.' in 2 1/2 inch (64 mm) lettering and 1/2 inch (13 mm) stroke.
4. Middle center of the sign face shall be 'RISER' and beneath it 'ROOM' in 2 inch (51 mm) lettering and 3/8 inch (10 mm) stroke.
5. Bottom of the sign face shall be 'STORAGE PROHIBITED' in 11/16 inch (17 mm) lettering and 1/8 inch (3 mm) stroke.

901.4.6.2.2 Automatic sprinkler system riser room sign. The approved sign shall have white reflective lettering and red non-reflective vinyl background with the following detail:

1. The sign plate shall be 12 inches (305 mm) by 12 inches (305 mm) with a thickness of .080 aluminum construction and 1 1/2 inch (38 mm) radius corners.
2. Font style is Handel Gothic capital or similar fonts.
3. Top third centered on the sign face shall be 'FIRE DEPT.' in 1 1/2 inch (38 mm) lettering and 3/8 inch (10 mm) stroke.
4. Middle third center of the sign face shall be 'SPRINKLER' in 1 1/2 inch (38 mm) lettering and 3/8 inch (10 mm) stroke.
5. Bottom third center of the sign face shall be 'RISER RM.' in 1 1/2 inch (38 mm) lettering and 3/8 inch (10 mm) stroke.

6. Bottom of sign face shall be 'STORAGE PROHIBITED' in 11/16 inch (17 mm) lettering and 1/8 inch (3 mm) stroke.

901.4.6.2.3 Fire Pump room sign. The approved sign shall have white reflective lettering and red non-reflective vinyl background with the following detail:

1. The sign plate shall be 12 inches (305 mm) by 12 inches (305 mm) with a thickness of .080 aluminum construction and 1 1/2 inch (38 mm) radius corners.
2. Font style is Handel Gothic capital or similar fonts.
3. Top centered on the sign face shall be 'FIRE PUMP.' in 2 inch (51 mm) lettering and 3/8 inch (10 mm) stroke.
4. Middle third center of the sign face shall be 'ROOM' in 2 inch (51 mm) lettering and 3/8 inch (10 mm) stroke.
5. Bottom of sign face shall be 'STORAGE PROHIBITED' in 11/16 inch (17 mm) lettering and 1/8 inch (3 mm) stroke.

901.4.6.2.5 Fire equipment and riser rooms size. The fire equipment and automatic sprinkler system riser rooms shall be used for fire protection equipment only. The Fire sprinkler riser assembly shall have 36 inches (914 mm) of minimum clearance around three sides and must have a minimum of 18 inches (457 mm) from one wall.

901.5.2 Stocking and loading. No portion of the building may be stocked or loaded with combustible regular stock, furnishings or fixtures until:

1. The automatic sprinkler system has been tested and approved.
2. When a fire alarm system is required, it shall be approved and monitored or a fire watch shall be provided prior to stocking or loading.
3. A temporary certificate of occupancy has been issued.

901.6 Inspection, testing and maintenance. Fire detection and alarm systems, emergency alarm systems, gas detection systems, fire-extinguishing systems, smoke control systems, mechanical smoke exhaust systems and smoke and heat vents shall be maintained in an operative condition at all times, and shall be replaced or repaired where defective. Non-required fire protection systems and equipment shall be inspected, tested and maintained or removed. All fire protection systems shall be inspected and tested by a contractor licensed by the State of Arizona who has a current City of Surprise business license. The contractor's service personnel shall each hold a valid certificate of qualification issued by NFPA, Underwriters Laboratories, NICET or product specific industry manufacturers. It shall be the responsibility of the owner to ensure that these requirements are met prior to any work being performed on fire protection systems.

**TABLE 901.6.1
FIRE PROTECTION SYSTEM MAINTENANCE STANDARDS**

SYSTEM	STANDARD
Portable fire extinguishers	NFPA 10
Carbon dioxide fire-extinguishing system	NFPA 12
Halon 1301 fire extinguishing systems	NFPA 12A
Dry-chemical extinguishing systems	NFPA 17
Wet-chemical extinguishing systems	NFPA 17A
Water-based fire protection systems	NFPA 25
Fire alarm systems	NFPA 72
<u>Smoke control systems</u>	<u>NFPA 92</u>
Smoke and heat vents	NFPA 204
Water-mist systems	NFPA 750
Clean-agent extinguishing systems	NFPA 2001
Aerosol fire-extinguishing systems	NFPA 2010

901.6.3 Records. Records of all system inspection, tests, maintenance or repair required by the referenced standards shall be maintained on the premises for a minimum of three years and shall be electronically copied to the fire code official. All individuals/businesses performing inspection, tests, maintenance, and/or repair on any fire protection system shall electronically forward itemized reports of such work to the fire code official within 15 business days of the work performed. Reports required to be electronically copied or filed pursuant to this section shall be filed as directed by the Fire-Medical Department, which direction may include filing using software of a third-party.

901.6.3.2 Inspection and testing tags. Upon completion of inspections and testing of fire protection systems, a tag shall be attached to the system in a conspicuous location. The tag shall document the date of the inspection or test, the name of the qualified contractor company, the name of the qualified individual performing the inspection or tests, the contact telephone numbers for both the contractor and individual, and shall indicate each deficiency found or that no deficiencies were found.

901.8.3 Removal of fire protection system's equipment. No fire suppression, fire detection, fire appliance or fire alarm equipment will be removed from existing approved systems without obtaining a permit prior to commencing any work.

Exception: Fire suppression equipment that is being removed for purposes of maintenance, repair or like-for-like replacement shall comply with Section 901.7.

903.1.2 Inspectors' test valve. The Inspectors' Test Valve shall be located at the end of the most distant sprinkler pipe on each story and shall be equipped with a readily accessible brass shutoff valve and signage.

903.2 Where required. ~~Approved automatic sprinkler systems~~ in new buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.12. All new buildings and structures shall be provided with *Approved automatic sprinkler systems* as described in Sections 903.2.1 through 903.2.12.

Exception:

1. One- and two-family dwellings with adequate water supply for use of the fire protection service to suppress building and structure fires.
2. Spaces or areas in telecommunications buildings used exclusively for telecommunications equipment, associated electrical power distribution equipment, batteries and standby engines, provided that those spaces or areas are equipped throughout with an automatic smoke detection system in accordance with Section 907.2 and are separated from the remainder of the building by not less than 1-hour *fire barriers* constructed in accordance with Section 707 of the *International Building Code* or not less than 2-hour *horizontal assemblies* constructed in accordance with Section 711 of the *International Building Code*, or both.
3. Detached gazebos, Ramada's, bathroom buildings, guardhouses and utility vaults.
4. Detached non-combustible covered parking not exceeding 5,000 square feet (464 5152 m²) with a minimum of 26 feet (7925 mm) separation between covered structures.

Exception: Covered parking for RV and Boats shall have sprinkler systems.

5. Detached non-combustible, non-occupied water supply booster pump and pool equipment structures with smoke/heat detection and external audio and visual notification appliances.

903.2.1 Group A. ~~An automatic sprinkler system shall be provided throughout buildings and portions thereof used as Group A occupancies. as provided in this section~~

903.2.1.1 Group A-1. ~~An automatic sprinkler system shall be provided throughout stories containing Group A-1 occupancies and throughout all stories from the Group A-1 occupancy to and including the levels of exit discharge serving that occupancy. where one of the following conditions exists:~~

- ~~1. The *fire area* exceeds 12,000 square feet (1115 m).~~
- ~~2. The *fire area* has an *occupant load* of 300 or more.~~
- ~~3. The *fire area* is located on a floor other than a *level of exit discharge* serving such occupancies.~~
- ~~4. The *fire area* contains a multiple theater complex.~~

903.2.1.2 Group A-2. An *automatic sprinkler system* shall be provided throughout stories containing Group A-2 occupancies and throughout all stories from the Group A-2 occupancy to and including the levels of exit discharge serving that occupancy. ~~where one of the following conditions exists:~~

- ~~1. The *fire area* exceeds 5,000 square feet (464 m).~~
- ~~2. The *fire area* has an *occupant load* of 100 or more.~~
- ~~3. The *fire area* is located on a floor other than a *level of exit discharge* serving such occupancies.~~

903.2.1.3 Group A-3. An *automatic sprinkler system* shall be provided throughout stories containing Group A-3 occupancies and throughout all stories from the Group A-3 occupancy to and including the levels of exit discharge serving that occupancy. ~~where one of the following conditions exists:~~

- ~~1. The *fire area* exceeds 12,000 square feet (1115 m).~~
- ~~2. The *fire area* has an *occupant load* of 300 or more.~~
- ~~3. The *fire area* is located on a floor other than a *level of exit discharge* serving such occupancies.~~

903.2.1.4 Group A-4. An *automatic sprinkler system* shall be provided throughout stories containing Group A-4 occupancies and throughout all stories from the Group A-4 occupancy to and including the levels of exit discharge serving that occupancy. ~~where one of the following conditions exists:~~

- ~~1. The *fire area* exceeds 12,000 square feet (1115 m).~~
- ~~2. The *fire area* has an *occupant load* of 300 or more.~~
- ~~3. The *fire area* is located on a floor other than a *level of exit discharge* serving such occupancies.~~

903.2.1.5 Group A-5. An *automatic sprinkler system* shall be provided for all enclosed Group A-5 accessory use areas. ~~in excess of 1000 square feet (93 m).~~

903.2.1.5.1 Spaces under grandstands or bleachers. Enclosed spaces under *grandstands* or *bleachers* shall be equipped with an *automatic sprinkler system* in accordance with Section 903.3.1.1. ~~where either of the following exist:~~

- ~~1. The enclosed area is 1000 square feet (93 m) or less and is not constructed in accordance with Section 1029.1.1.1.~~
- ~~2. The enclosed area exceeds 1000 square feet (93 m).~~

903.2.1.7 Multiple fire areas. An *automatic sprinkler system* shall be provided where multiple fire areas of Group A-1, A-2, A-3 or A-4 occupancies share exit or exit access components. ~~and the combined *occupant load* of these fire areas is 300 or more.~~

903.2.2 Ambulatory care facilities. An *automatic sprinkler system* shall be installed throughout the entire floor containing an ambulatory care facility. ~~where either of the following conditions exist at any time:~~

- ~~1. Four or more care recipients are incapable of self-preservation.~~
- ~~2. One or more care recipients that are incapable of self-preservation are located at other than the level of exit discharge serving such a facility. In buildings where ambulatory care is provided on levels other than the level of exit discharge, an automatic sprinkler system shall be installed throughout the entire floor as well as all floors below where such care is provided, and all floors between the level of ambulatory care and the nearest level of exit discharge, the level of exit discharge, and all floors below the level of exit discharge.~~

Exception: ~~Floors classified as an open parking garage are not required to be sprinklered.~~

903.2.3 Group E. An *automatic sprinkler system* shall be provided for Group E occupancy. ~~as follows:~~

- ~~1. Throughout all Group E fire areas greater than 12,000 square feet (1115 m) in area.~~
- ~~2. The Group E fire area is located on a floor other than a level of exit discharge serving such occupancies.~~

Exception: ~~In buildings where every classroom has not fewer than one exterior exit door at ground level, an automatic sprinkler system is not required in any area below the lowest level of exit discharge serving that area.~~

- ~~3. The Group E fire area has an occupant load of 300 or more.~~

903.2.4 Group F-1. An *automatic sprinkler system* shall be provided throughout all buildings containing a Group F-1 occupancy. ~~where one of the following conditions exists:~~

- ~~1. A Group F-1 fire area exceeds 12,000 square feet (1115 m).~~
- ~~2. A Group F-1 fire area is located more than three stories above grade plane.~~
- ~~3. The combined area of all Group F-1 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m).~~
- ~~4. A Group F-1 occupancy used for the manufacture of upholstered furniture or mattresses exceeds 2,500 square feet (232 m).~~

903.2.4.1 Woodworking operations. An *automatic sprinkler system* shall be provided throughout all Group F-1 occupancy *fire areas* that contain woodworking operations in excess of 2,500 square feet (232 m) or in any area that generates finely divided combustible waste or uses finely divided combustible materials-

903.2.5.3 Pyroxylin plastics. An automatic sprinkler system shall be provided in buildings, or portions thereof, where cellulose nitrate film or pyroxylin plastics are manufactured, stored or handled in quantities exceeding 20 POUNDS (9 071 KG) ~~100 pounds (45 kg).~~

903.2.6 Group I. An automatic sprinkler system shall be provided throughout buildings with a Group I fire area.

Exceptions:

- ~~1. An automatic sprinkler system installed in accordance with Section 903.3.1.2 shall be permitted in Group I-1, Condition 1 facilities.~~
- ~~2. An automatic sprinkler system is not required where Group I-4 day care facilities are at the level of exit discharge and where every room where care is provided has not fewer than one exterior exit door.~~
- ~~3. In buildings where Group I-4 day care is provided on levels other than the level of exit discharge, an automatic sprinkler system in accordance with Section 903.3.1.1 shall be installed on the entire floor where care is provided, all floors between the level of care and the level of exit discharge and all floors below the level of exit discharge other than areas classified as an open parking garage.~~

903.2.8.1 Group R-3. An automatic sprinkler system installed in accordance with Section 903.3.1.3 shall be ~~permitted~~ provided in Group R-3 occupancies where there is the lack of adequate water supply for the use of the fire protection service to protect buildings and structures from an exterior fire source or to suppress structure fires within the wildland-urban interface area of the City of Surprise.

903.2.8.1.1 One- and two-family dwellings in areas without adequate water supply. Dwellings shall have approved automatic sprinkler systems.

Exceptions:

1. Dwellings not exceeding 3,600 square feet (334 m²) has a fire flow of 1000 gallons per minute (63.1 L/s) for a minimum duration of 30 minutes.
2. Dwellings in excess of 3,600 square feet (334 m²) have a fire flow of 1500 gallons per minute (95 L/s) for a minimum duration of 30 minutes.

903.2.8.4.1 Residential Group R-4. Modified NFPA 13D sprinkler system shall be required to be installed in accordance with section 903.3.1.3. If any portion of a patio has habitable space directly above the patio, all of the patio ceiling shall be equipped with sprinkler protection. Such system shall consist of an electronically supervised valve located between the domestic water riser control valve and the sprinklers, and shall be equipped with an electronically supervised water-flow switch and monitored by an approved monitoring, and shall sound an alarm at a constantly attended location inside the facility. The minimum listed electronic components for the alarm system shall consist of:

1. Auto Dialer
2. Primary and secondary phone line or wireless digital alarm communications transmitter with primary and secondary communications ports.
3. Interior horn-strobe and exterior horn-strobe connected to the fire sprinkler riser water-flow switch.
4. Interconnected smoke alarms.
5. Carbon monoxide devices with distinctive signal which is different from the smoke alarm signal.

Exceptions:

1. Family foster homes and foster group homes licensed by the State of Arizona Department of Economic Security.
2. Behavioral Health Group Homes (BHGH) which when serves six or fewer residents and is licensed by the State of Arizona Department of Health Services.

903.2.8.5 Special requirements for Group R-1 and R-2. Sprinklers shall be installed in bathrooms and closet areas containing any electrical or mechanical equipment, foyers, and attached garages, accessible areas under interior stairs or landings, exterior balconies and covered patios or landings which have habitable space directly above the balconies, patio or porch. In living spaces, sprinklers shall be the concealed type. For the purpose of inspection, testing, or maintenance, there shall be provided, at the time of construction, an exterior access door providing direct access to the fire sprinkler riser. The door shall be of adequate size to allow for valves and gauges to be accessed, repaired and viewed from the exterior for testing and maintenance purposes. The dimensions of the access door will depend on the design of the fire riser, controls and gauges. When necessary, access shall be provided through private dwellings or garages so service personnel can maintain the fire sprinkler riser and equipment.

903.2.9 Group S-1. An *automatic sprinkler system* shall be provided throughout all buildings containing a Group S-1 occupancy. ~~where one of the following conditions exists:~~

- ~~1. A Group S-1 fire area exceeds 12,000 square feet (1115 m).~~
- ~~2. A Group S-1 fire area is located more than three stories above grade plane.~~
- ~~3. The combined area of all Group S-1 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m).~~
- ~~4. A Group S-1 fire area used for the storage of commercial motor vehicles where the fire area exceeds 5,000 square feet (464 m).~~
- ~~5. A Group S-1 occupancy used for the storage of upholstered furniture or mattresses exceeds 2,500 square feet (232 m).~~

903.2.9.1 Repair garages. An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with Section 406.8 of the *International Building Code*, ~~as shown:~~

- ~~1. Buildings having two or more stories above grade plane, including basements, with a fire area containing a repair garage exceeding 10,000 square feet (929 m²).~~
- ~~2. Buildings not more than one story above grade plane, with a fire area containing a repair garage exceeding 12,000 square feet (1115 m²).~~
- ~~3. Buildings with repair garages servicing vehicles parked in basements.~~
- ~~4. A Group S-1 fire area used for the repair of commercial motor vehicles where the fire area exceeds 5,000 square feet (464 m²).~~

903.2.9.2 Bulk storage of tires. Buildings and structures where the area is used for the storage of tires exceeds ~~20,000 cubic feet (566 m³)~~ 5000 cubic feet (141,584 m³) be equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1

903.2.9.3 Speculative use warehouse. Where the occupant, tenant, use of the building, the storage commodity has not been determined, the building is a speculative shell warehouse, the automatic sprinkler system shall be designed and installed based upon high hazard commodity in accordance with the following:

1. The design area shall not be less than 2000 square feet (185 806 m²).
2. The density shall not be less than that of class IV commodities with 20 percent expanded group A plastics, and aisle width of a minimum of 8 feet (2 438 mm) and 20 feet (6 096).

903.3.1.1.1 Exempt locations. With approval of the fire code official, automatic sprinklers shall not be required in the following rooms or areas where such rooms or areas are protected with an *approved* automatic fire detection system in accordance with Section 907.2 that will respond to visible or invisible particles of combustion. Sprinklers shall not be omitted from a room merely because it is damp, of fire-resistance-rated construction or contains electrical equipment.

1. A room where the application of water, or flame and water, constitutes a serious life or fire hazard.
2. A room or space where sprinklers are considered undesirable because of the nature of the contents, where *approved* by the *fire code official*.
3. Generator and transformer rooms separated from the remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a *fire-resistance rating* of not less than 2 hours.

4. Rooms or areas that are of noncombustible construction with wholly noncombustible contents, where approved by the fire code official.
5. Fire service access elevator machine rooms and machinery spaces.
6. Machine rooms, machinery spaces, control rooms and control spaces associated with occupant evacuation elevators designed in accordance with Section 3008 of the *International Building Code*.

903.3.1.1.3 Mercantile and Industrial shade canopies. Industrial shade canopies shall be protected by an automatic sprinkler system.

Exceptions:

1. Detached awnings and shade canopies that do not exceed 2000 square feet (185 m²) in area.
2. Detached industrial shade canopies and awnings that are made of noncombustible material with a flame spread index no greater than 25 when tested in accordance with ASME E84 which does not exceed 2000 square feet (185 m²).
3. Where a slatted, lattice or louvered awnings or canopy roof system is 50 percent or more open to the sky.
4. Noncombustible shaded walkway or pedestrian entry area.

903.3.1.1.4 Nonresidential shade canopies. Nonresidential awnings, canopies and patio covers shall be protected by an automatic sprinkler system.

Exceptions:

1. Awnings, canopies and patio covers that do not exceed 400 square feet (37 m²)
2. Detached awnings and shade canopies that do not exceed 2000 square feet (185 m²) in area.
3. Detached industrial shade canopies and awnings that are made of noncombustible material with a flame spread index no greater than 25 when tested in accordance with ASME E84 which does not exceed 2000 square feet (185 m²).
4. Where a slatted, lattice or louvered awnings or canopy roof system is 50 percent or more open to the sky.
5. Awnings, canopies and patio covers that are made of noncombustible material with a flame spread index no greater than 25 when tested in accordance with ASME E84 that is used for covering play-ground equipment.
6. Noncombustible shaded walkway or pedestrian entry area.

907.1.1.1 Professional registrant activities. For fire alarm systems and other code regulated alarm systems, the following are considered to be professional registrant

activities in accordance with the requirements of the Arizona Board of Technical Registration:

1. Determine the system type.
2. Determine the applicable codes and standards and appropriate engineering practices.
3. Determine device types and locations.
4. Prepare generalized riser diagram.
5. Coordinate and interface with other systems.
6. Develop system specifications.

Exceptions:

1. Where the modification of fire alarm systems does not require mathematical calculations or hazard analysis.
2. Where items 1-6 are addressed in a stamped narrative or the fire alarm shop drawings are prepared by a NICET Level 3 or 4.

907.2 Where required—new buildings and structures. An *approved* fire alarm system installed in accordance with the provisions of this code and NFPA 72 shall be provided in new buildings and structures in accordance with Sections 907.2.1 through 907.2.23, and provide full area smoke detection coverage in accordance with Section 907.2.8.2 and occupant notification in accordance with Section 907.5, unless other requirements are provided by another section of this code. Not fewer than one manual fire alarm box shall be provided in an *approved* location to initiate a fire alarm signal for fire alarm systems employing automatic fire detectors or water-flow detection devices. Where other sections of this code allow elimination of fire alarm boxes due to sprinklers, a single fire alarm box shall be installed.

Exceptions:

1. The manual fire alarm box is not required for fire alarm systems dedicated to elevator recall control and supervisory service.
2. The manual fire alarm box is not required for Group R-2 occupancies unless required by the *fire code official* to provide a means for fire watch personnel to initiate an alarm during a sprinkler system impairment event. Where provided, the manual fire alarm box shall not be located in an area that is open to the public.

907.2.17.1 Smoke detectors. All new buildings shall have full smoke detection coverage to include ~~Not fewer than one smoke detector listed for the intended purpose-~~ shall be installed in all of the following areas:

1. Mechanical equipment, electrical, transformer, telephone equipment, elevator machine or similar rooms.
2. Elevator lobbies.

907.5.2.3 Visible alarms. Visible alarm notification appliances shall be provided in accordance with Sections 907.5.2.3.1 through 907.5.2.3.3.

Exceptions:

1. Visible alarm notification appliances are ~~not~~ required in *alterations*, ~~except~~ where an existing fire alarm system is upgraded or replaced, or a new fire alarm system is installed.
2. Visible alarm notification appliances shall not be required in *exits* as defined in Chapter 2.
3. Visible alarm notification appliances shall not be required in elevator cars.
4. Visual alarm notification appliances are not required in critical care areas of Group I-2, Condition 2 occupancies that are in compliance with Section 907.2.6, Exception 2.
5. Visible alarm notification appliances shall be required in all employee work areas except when the public use and common use area visible notification appliance can be seen with the employee work area door closed.

907.6.6.3 Automatic test signal. The generation of an automatic weekly test signal shall be required from each subscriber alarm system to the subscriber monitoring station.

1. The monitoring station shall verify the receipt of the test signal.
2. The monitoring station shall notify its subscriber if an automatic weekly test signal has not been received.

907.6.6.4 Multi-tenant buildings with different addresses. The alarm monitoring station shall identify all addresses of buildings, floors or suites protected by a *fire protection system* and be able to provide this information to Phoenix Alarm Center, any first responder and/or the *fire code official*.

912.1 Installation. Fire department connections shall be installed in accordance with the NFPA standard applicable to the system design and shall comply with Sections 912.2 through 912.7.

912.1.1 Siamese connection or splitter. The fire department connection pipe shall be a Siamese connection.

912.2 Location. With respect to hydrants, driveways, buildings and landscaping, fire department connections shall be so located that fire apparatus and hose connected to supply the system will not obstruct access to the buildings for other fire apparatus. The location of fire department connections shall be *approved* by the *fire code official*.

912.2.1 Wall mounted fire department connection. The fire department connection center height shall not be less than 24 inches (610 mm) nor greater than 48 inches (1 219 mm) above finished grade. There shall be a fire hydrant located within 100 feet based on hose lay.

912.2.2 Remote standalone fire department connection. The remote fire department connection 24 inches (610 mm) nor greater than 48 inches (1 219 mm) above finished grade. There shall be a fire hydrant located within 25 feet based on hose lay.

912.3 Fire hose threads. Fire hose threads used in connection with fire department connection shall be two 2½ inch (63.5 mm) National Standard Threads (NST).

912.5 FDC Signs. The sign shall be a 12x12 inches (305x305 mm) red reflective sign face with white lettering on an aluminum sign plate. The lettering shall be:

1. Top line – F.D.C. using 3 inch x ½ inch (76 mm x 13 mm) Handel Gothic capital fonts.
2. Bottom line – Address using 2 inch x ½ inch (51mm x 13 mm) Handel Gothic capital fonts.

912.5.1 Sign location. The sign shall facing the fire apparatus access road and shall be unobstructed.

1. The top of the wall mounted FDC sign shall be 7 feet (2134 mm) above finished grade.
2. The remote standalone FDC sign shall be secured at the highest point of the pipe.

918.1 Scope. The design, installation, and maintenance of *fire fighter replenishment systems (FARS)* shall be in accordance with this section.

918.2 Required installations. Effective 60 calendar days after the approval of this code, *fire fighter replenishment systems (FARS)* shall be installed in the following existing buildings, as well as any building constructed thereafter that fall within these categories:

1. Buildings classified as high-rise in accordance with the building code.
2. Underground structures that are two or more floors below grade with an area greater than 10,000 square feet (929 m²).

918.3 Construction documents and contractor qualifications. Construction documents and contractor qualifications shall be submitted prior to any *fire fighter replenishment systems (FARS)* installation related work being commenced.

918.3.1 Plans. A minimum of two sets of plans, specifications and manufacturer's documentation shall be submitted to City of Surprise Community Development, Development Services Building Permit Resource Center for reviews and approvals. The plans shall demonstrate compliance with the requirements of this section and Appendix L. Calculations shall be prepared by a registered professional engineer demonstrating that the design criteria for pressure containing components is satisfied with an additional minimum safety factor of 25 percent.

The plan submittal package shall include specifications for tubing, fittings, and manufacturer data sheets for valves, pressure regulators, pressure relief devices, gauges, Rapid Intervention Crew (RIC) universal air connections and cylinder filling hoses.

918.3.2 Contractor qualification. *The fire fighter replenishment systems (FARS)* shall be installed by an Arizona State licensed contractor. Proof of licensure shall be provided with the plan submittal.

918.4 Design criteria. The system shall be designed to fill at each interior cylinder filling panel, one 66 standard cubic foot compressed breathing air cylinder to a maximum pressure of 4,500 psig (31 028 kPa).

1. The filling operation shall be completed in not more than two minutes upon connection of the cylinder to the fill hose.
2. The minimum design flow of the breathing piping system shall be calculated using two interior cylinder filling panels operating simultaneously and located at the highest level above the most remote location from the base station exterior fire department connection panel and enclosure base.

918.5 Operating pressure. All components used in the system shall be rated to operate at a minimum pressure of 5,000 psig (34 475 kPa) at 70 degree Fahrenheit (21 Celsius).

918.6 Marking. System piping, gauges, valves and air outlets shall be clearly marked by means of steel or plastic labels or tags indicating their function.

1. Marking used for piping systems shall consist of the content's name and include a direction of flow arrow.
2. Markings shall be provided at each valve, at wall, floor or ceiling penetrations, at each change of direction, and at a minimum of every 20 feet (6096 mm) or fraction thereof throughout the piping system.

918.7 Base station exterior fire department connection panel and enclosure.

918.7.1 Location. The fire department connection panel shall be attached to the building or on a remote monument at the exterior of the building.

1. The panel shall be secured inside of a weather-resistant enclosure.
2. The panel shall be within 50 feet (15 240 mm) of an approved roadway or driveway, or other location approved by the *fire code official*.
3. The enclosure shall be visible and accessible on approach to the building.

918.7.2 Construction. The fire department connection panel shall be installed in a cabinet constructed of minimum 18 gauge carbon steel. When constructed of steel, the cabinet shall be provided with a coating to protect the cabinet from corrosion. When constructed of nonmetallic material, the cabinet shall be resistant to ultraviolet and infrared solar radiation.

918.7.3 Vehicle protection. When the fire department connection panel is located in an area subject to vehicular traffic, impact protection shall be provided in accordance with this code.

918.7.4 Base station enclosure marking. The front of the cabinet shall be marked 'FIREFIGHTER AIR SYSTEM' on securely attached steel, plastic engraved or painted plate. The lettering shall be in contrasting color with the cabinet front and in letters that are a minimum of 2 inches (51 mm) high with 3/8-inch (5 mm) brush stroke. The marking of the cabinet shall be unobstructed.

918.7.5 Base station components. The components in the base station panel shall consist of all necessary components to provide air to the air substations located on upper and/or lower building levels. The fire department air supply source shall be designed to connect to the base station panel. The following components shall be installed in the base station enclosure.

1. One male Rapid Intervention Crew (RIC) Universal Air Connection (UAC) fitting. When connected to a female fitting, the assembled UAC shall meet the construction, performance and dimensional requirements of NFPA 1981, Standard on Open-Circuit Self-Contained Breathing Apparatus for Fire and Emergency Services 2007 Edition.
2. One downstream shutoff valve.
3. One pressure gauge to check pressure of the piping distribution to air substations located on upper and lower building levels.
4. One pressure relief valve designed for 1.25 times the design discharge of the fire department air supply or air supply trucks. All fittings, hoses and hard piping in the base station supply panel and distribution piping to air substations supply panels shall be designed for an air pressure of 1.5 times the pressure of the fire department air delivery system.

5. Base station can be designed for an air pressure supply piping system for supply of air to air distribution. The air supply lines will require an intermediate regulator to provide air pressure for a 5,000 psi (34 473 kPa), for a 4.5 air pack system. The air supply lines will be fitted with separate pressure relief valves set at 1.25 times the working pressure of the air supply line and the operating pressure of the pressurized lines.
6. The relief valve, piping, pressure regulator, pressure gauges, fittings and connection hoses shall meet the requirement of the ASME Boiler and Pressure Code, 7 Section VIII, Unified Pressure Vessel Code. The installation of the piping system, as a minimum, will be based on ASME B31.3-2012.
7. Mechanical supports for piping, hoses, gauges and pressure components, will be designed and built to provide a solid rigid structure.

918.7.6 Security. The base station cabinet shall have a locking mechanism to prevent tampering with the system. The fire department connection panel cabinet shall remain locked at all times except for maintenance, testing, inspection or use by approved personnel.

918.7.7 Knox box. An approved Knox box shall be installed adjacent to the fire department connection panel cabinet. A key to the cabinet shall be placed in the Knox box.

918.8 Interior cylinder fill panels – air substation.

918.8.1 Location. Cylinder fill panels shall be installed in the interior of the building as follows:

Aboveground structure. An interior air substation cylinder fill panel and enclosure shall be installed on floor landings. In buildings classified as high-rise. In all stairwells regardless of height of the buildings commencing on the second floor landing above grade, below grade and every other floor thereafter.

Underground structure. An interior air substation cylinder fill panel and enclosure shall be installed in all stairwells on the floor landing on the third level below grade and every other below-grade level thereafter. Each panel shall be located a minimum of 36 inches (914 mm) but not more than 60 inches (1524 mm) above the finished floor on the stairway landing.

918.8.2 Cabinet requirements. Each air substation cylinder fill panel shall be installed in a cabinet constructed of minimum 18 gauge carbon steel. The depth of the cabinet shall not create an exit obstruction when installed in building stairways. All components, with the exception of the shutoff valve, pressure

gauges, fill hoses and ancillary components, shall be contained behind a minimum 18-gauge interior panel.

918.8.3 Cabinet door. The cabinet door hinges shall be located inside the cabinet. The opening of the door shall not reduce the required exit width or create an obstruction in the path of egress. A minimum of 80 percent of the door surface area shall be constructed of tempered glass. The thickness of the glass shall not be greater than 1/8 inch (3.17 mm).

918.8.4 Cabinet marking. The front of the cabinet shall be marked 'FIREFIGHTER AIR SYSTEM' on securely attached steel, plastic engraved or painted plate. The lettering shall be in contrasting color with the cabinet front and in letters that are a minimum of 2 inches (51 mm) high with 3/8-inch (5 mm) brush stroke. The marking of the cabinet shall be unobstructed.

918.8.5 Air substation components. The cabinet shall be of sufficient size to allow for installation of the following components:

1. One-isolation valve located between the air discharge line to the next substation and downstream line to the air base station supply or the air substation immediately below to the next substation above the air base station.
2. The fill hoses and isolation valves shall be installed between the air bottle connection line and the fresh air supply.
3. Excess bleed valves shall be located between the air bottle fill hose and the next air substation.
4. Four SCBA fill hoses are required at each single air substation, the air supply lines shall be identified as 4,500 psig (31 028 kPa) pressure and shall be controlled by a single valve between the air supply and air bottle. The SCBA fill hoses shall be designed with RIC UAC fittings. Protective cap shall be provided for each hose.

918.8.6 Cylinder filling hose. The cabinet design shall provide a means for storing the hose to prevent kinking. When the hose is coiled, the brackets shall be installed so that the hose bend radius is maintained at 4 inches (102 mm) or greater. The discharge outlet of each cylinder filling hose shall have a female RIC UAC. The female fitting shall be designed to connect to a male RIC UAC. The assembled RIC UAC shall meet the construction, performance and dimensional requirements of NFPA 1981, Standard on Open-Circuit Self-Contained Breathing Apparatus for Fire and Emergency Services 2007 Edition.

918.8.7 Security. To prevent tampering and unauthorized access to the system, each panel shall remain locked by an approved means.

918.9 Installation of components

918.9.1 Pressure monitoring switch. An electric low-pressure monitoring switch shall be installed in the piping system to monitor the air pressure. The pressure switch shall be connected to the building's *fire alarm system*. The pressure switch shall transmit a supervisory signal when the pressure of the breathing air system is less than 3,000 psig (20 685 kPa) at 70 degree Fahrenheit (21 Celsius). A weather resistant sign shall be placed adjacent to the notification appliance stating 'FIREFIGHTER AIR SYSTEM – LOW AIR PRESSURE ALARM'. The lettering shall be in contrasting color with the cabinet front and in letters that are a minimum of 2 inches (51 mm) high with 3/8-inch (5 mm) brush stroke.

918.9.2 Tubing. Piping shall be constructed of stainless steel or other *approved* materials that are compatible with breathing air. The use of nonmetallic materials shall be compatible with breathing air. When stainless steel tubing is used, it shall meet ASTM A-269, Grade 316 or an equal standard. Stainless steel fitting shall be Grade 316 and a minimum 0.375 inch (9.5 mm) outside diameter by .065 inch (1.6 mm) wall Grade 316 fully annealed seamless. Stainless steel fittings shall be at least Grade 316 and meet the requirements of ASTM A 479 or equal. Routing of tubing and bends shall be such as to protect the tubing from mechanical damage.

918.9.3 Support. Piping shall be supported at maximum intervals of 60 inches (1524 mm). Individual tubing clamps and mounting components shall be mechanically secured to the building support members in accordance with the manufacturer's specifications.

918.9.4 Fittings. Fittings shall be constructed of stainless steel or other materials that are compatible with breathing air. The use of nonmetallic materials shall be compatible with breathing air. Stainless steel fittings shall be at least Grade 316 and meet the requirements of ASTM A 479 or an equal standard.

918.9.5 Prohibition. The use of carbon steel, iron pipe, malleable iron, high-strength gray iron or alloy steel is prohibited.

918.10 System assembly requirements. The system shall be welded except where the tubing joints are readily accessible and at the individual air fill panels. When mechanical high-pressure tube fittings are used, they shall be *approved* for type of materials to be joined and rated for maximum pressure of the system. Welding procedures shall meet ASME B31.1-2010, Part 4 and Chapter V (Exhibit VI). Prior to and during the welding of sections of tubing, a continuous, regulated dry nitrogen or argon purge at 3 psig (20.68 kPa) shall be maintained to eliminate contamination with products of the oxidation or welding flux. The purge shall commence a minimum of 2 minutes prior to welding operations and continue until the welded joint is an ambient temperature between 60 degrees and 80 degree Fahrenheit (15.5 and 26.6 Celsius).

918.11 Prevention of contamination. The installing contractor shall ensure that, at all times, the system components are not exposed to contaminants, including, but not limited to, oils, solvents, dirt and construction materials. When contamination of system components has occurred, the effected component shall not be installed in the system.

918.12 Testing and inspection.

918.12.1 Testing. Following fabrication, assembly, and installation of the piping distribution system, exterior connection panel and interior cylinder fill panels, the *fire code official* shall witness the pneumatic testing of the complete system at a minimum test pressure of 5,500 psi (37 923 kPa) using oil-free dry air, nitrogen or argon. A minimum 24 hour pneumatic or hydrostatic test shall be performed. During this test all fittings, joints and system components shall be inspected for leaks. A solution compatible with the system component materials shall be used on each joint and fitting. Any defects in the system or leaks detected shall be documented on an inspection report, repaired or replaced. As an alternate, a pressure decay test in accordance with ASME B31.3 is allowed. A test of the low-pressure monitoring switch shall be performed. Each air fill panel shall be tested for compatibility with the SFMD SCBA RIC UAC. The pipe or tubing manufacturer mill report shall be provided to SFMD.

918.12.2 Air samples. A minimum of two samples shall be taken from separate air fill panels and submitted to an independent certified gas analysis laboratory to verify the system's cleanliness and that the air is certified as breathing air. The laboratory shall submit a written report, of the analysis documenting that the breathing air complies with this section, to the *fire code official*.

918.12.3 Quality analysis. During the period of quality analysis, the air fill panel inlet shall be secured so that no air can be introduced into the system and each air fill panel shall be provided with a sign stating "AIR QUALITY ANALYSIS IN PROGRESS, DO NOT FILL OR USE ANY AIR FROM THIS SYSTEM BY ORDER OF THE FIRE MARSHAL". This sign shall be a minimum of 8 ½ by 11 inches (215mm by 279 mm) with a minimum of 1 inch (25 mm) lettering.

918.12.4 Inspection. At a minimum, annually the breathing air within the system shall be inspected and an air sample shall be taken and certified as breathing air. The laboratory test results shall be made provided to the *fire code official*.

918.13 System acceptance and certification. As part of the Fire Final Acceptance of the air system, the building owner shall provide for the testing and certification of the system. As a minimum, this shall include:

- 1. The system's compatibility with the City of Surprise Fire-Medical Department (SFMD) SCBA apparatus**
- 2. The system's ability to maintain 5,000 psi (34 475 kPa) working pressure**

3. The operability of the low-pressure monitoring switch
4. That the system's air quality complies with the requirements of Section 918.12.
5. Providing written verification of testing and certification contract to the *fire code official*.

Upon satisfactory completion of all tests and verification of air quality and certification contract, the system shall be considered complete.

919.1 Scope. Increasingly, AEDs are being deployed in public facilities such as sports arenas, shopping malls, and airports, buildings housing medical and dental offices and municipal, county and state government buildings, thus potentially decreasing the time between cardiac arrest and access to defibrillation equipment. Public access defibrillation does not mean that any member of the public who witnesses an event should be able to use an AED. Public access defibrillation refers to the accessibility of the device itself. While AEDs are reasonably uncomplicated to use, the AED should be used only by persons who have received proper training and education and who have been certified by a competent authority. Persons without these basic credentials should not use the device.

919.2 Automated External Defibrillators (AED) use requirement. Use of AEDs within the City of Surprise shall meet the Arizona Revised Statute 36-2262.

Exception: Persons qualifying under Arizona Revised Statute 36-2264.

919.3 Automated External Defibrillators (AED). Only commercially available AEDs that have been cleared for marketing by the Food and Drug Administration (FDA) shall be considered for availability and use in a Public Access Defibrillation program.

919.3.1 AED prescription devices. Based on Arizona Revised Statutes public Access Defibrillation, related plans and protocols that are approved by a supervising physician are considered a prescription. Once the physician has approved and signed-off on AED selection and placement, this becomes the authorizing prescription.

919.3.2 AED response kit. An AED response kit shall be kept and maintained at each AED location. The response kit shall minimally contain:

- 1 pocket mask
- 1 set of examination glove (S,M,L,XL)
- Razor
- Scissors
- Absorbent gauze
- Hand towels

919.4 Training. Persons volunteering and designated to use *AEDs* shall be trained in Cardio Pulmonary Resuscitation (CPR) and the Use of the *AED* and Accessories. Formal refresher training shall be conducted at a minimum of every two years.

919.5 Automated External Defibrillators (AED) placement. The placement of *AEDs* shall be based on close proximity to the area(s) with a high volume of population density and/or areas of high-risk activities. The location shall be:

1. Easily accessible to the public and designated users
2. Secure location to minimize the potential for tampering or misuse
3. Location shall be well marked and unobstructed.

919.6 1 ½ minutes rule. In identifying and selecting the location for installing the *AED*, it should be centrally located by walking 1 ½ minutes in each direction of the compass. The 1 ½ minutes walking radius around the *AED* shall provide the maximum coverage for people volume and for high risk activities.

919.7 Inspection, testing and maintenance. As with any life safety equipment the *AED* shall be inspected, tested and maintained on a regular basis according to the manufacturer's recommended schedule.

1. Minimum inspection shall be monthly.
2. Minimum testing shall be quarterly.

919.8 Records. Records of each *AED* unit inspections, tests and maintenance shall be maintained on premise for the life of the unit.

919.8.1 Record information. Record shall include the manufacturer's name, date of purchase, unit serial number, location, dates of inspection, dates of testing and maintenance action and dates.

919.8.2 Inspection checklist. At a minimum the *AED* maintenance check list located on the City of Surprise Fire –Medical website shall be filled out and retained for a period of 1 year.

919.8.3 Record availability. Records shall be made available to the *fire code official* upon request.

1101.1 Scope. The provisions of this chapter shall apply to existing buildings constructed prior to the adoption of this code.

Exception: Unless specifically indicated in this chapter, all work involving the *fire protection systems* shall meet the requirements of the current adopted fire code and standards.

1103.1 Required construction. Existing buildings shall comply with not less than the minimum provisions specified in Table 1103.1 and as further enumerated in Sections 1103.2 through 1103.10.

The provisions of this chapter shall not be construed to allow the elimination of *fire protection systems* or a reduction in the level of fire safety provided in buildings constructed in accordance with previously adopted codes.

Exceptions:

1. Where a change in fire-resistance rating has been approved in accordance with Section 501.2 or 802.6 of the *International Existing Building Code*.
2. Group U occupancies.
3. Tenant Improvements and/or modifications that increase the building footprint or the suite footprint protected by a fire protection system by 50 percent, or a fire alarm control panel replacement shall be considered a new installation.
 - a. When the fire alarm control panel is replaced, the entire *fire alarm system* shall be brought to the current performance and installation standards in accordance with Section 907.5.

1103.2 Emergency responder radio coverage in existing buildings. Existing buildings other than Group R-3, that do not have approved radio coverage for emergency responders in the building based on existing coverage levels of the public safety communication systems, shall be equipped with such coverage according to one of the following:

1. Where an existing wired communication system cannot be repaired or is being replaced, or where not approved in accordance with Section 510.1, Exception 1.
2. Within a time frame established by the adopting authority.
3. Buildings meeting any one of the following conditions:
 - The total building area is 10,000 square feet (929 0304 m²) or more;
 - One story below grade with an area of 2,500 square feet (232,2576 m²);
 - Where radio coverage signal strength levels are not consistent with minimum signal strength level requirement in Section 510.4.1.

Exceptions:

1. Where it is determined by the fire code official that the radio coverage system is not needed.
2. Building or structures greater than 10,000 square feet (929 0304 m²) which has a certificate of coverage provided, which certificate is based upon testing performed by a current FCC General Radio Operator License (GROL) RF Engineer who is approved by the *fire code official*

3. Buildings or structures and areas of buildings and structures that have minimum emergency responder radio coverage signal strength levels of the Regional Wireless Cooperative (RWC) network within the building in accordance with IFC Section 510-4.1 without the use of indoor radio coverage system.

1103.4 Vertical openings. Interior vertical openings, including but not limited to stairways, elevator hoist ways, service and utility shafts, that connect two or more stories of a building, shall be enclosed or protected as specified in Sections 1103.4.1 through 1103.4.10. Modification to existing smoke control system shall be in accordance with Sections 901.6.2.1 and 901.6.2.2.

1103.5 Sprinkler systems. An automatic sprinkler system shall be provided in existing buildings in accordance with Sections 1103.5.1 through ~~1103.5.4~~ 1103.5.8.

1103.5.1 Group A-2. Where alcoholic beverages are consumed in a Group A-2 occupancy having an occupant load of ~~300~~ more than 50, the fire area containing the Group A-2 occupancy shall be equipped with an automatic sprinkler system in accordance with Section 903.3.1.1 and a fire alarm system in accordance with Section 907 based on current adopted fire code.

1103.5.5 Change of commodity classification. An automatic sprinkler system shall be installed when a building or part of a building, regardless of building area, undergoes an increase in commodity classification as identified in Table 3203.8.

1103.5.6 Change of occupancy over 2,500 square feet (232 m²). An automatic sprinkler system shall be installed in any building 2,500 square feet (232 m²) or greater that undergoes a change in occupancy.

Exception: Any Occupancy Group R-3 which becomes an occupancy Group R-4 shall have automatic sprinkler system installed throughout the building and attached structures.

1103.5.7 Partially sprinklered buildings.

When existing non-sprinklered buildings of mixed occupancy are required to install sprinklers based on change of occupancy classification, the sprinklers shall be installed throughout the fire area including the new occupancy.

Exception: Where the fire-resistance rating of fire barriers and/or horizontal assemblies separating the newly sprinklered fire area and non-sprinklered fire area is a minimum of 2-hour fire wall.

1103.5.8 Expansion of original building footprint. Buildings which increase the original square footage more than 49 per cent shall have automatic sprinkler system installed throughout the building.

3103.2 Approval required. Tents and membrane structures having an area in excess of 400 square feet (37 m²) shall not be erected, operated or maintained for any purpose

without first obtaining a permit and approval from the *fire code official*.

Exceptions:

1. Tents used exclusively for recreational camping purposes.
2. Tents open on all sides that comply with all of the following:
 - 2.1. Individual tents having a maximum size of 700 square feet (65 m²).
 - 2.2. The aggregate area of multiple tents placed side by side without a fire break clearance of 12 feet (3658 mm), not exceeding 700 square feet (65 m²) total.
 - 2.3. A minimum clearance of 12 feet (3658 mm) to all structures and other tents.
3. Tents and curtains or extensions attached thereto, when used for funeral services.

3103.3.2 Mazes. Mazes including, but not limited to corn stalks, hay bales or hedge mazes shall be in accordance with Section 3106.

3103.6 Construction documents. A detailed site and floor plan for tents or membrane structures with an *occupant load* of 50 or more shall be provided to the *fire code official* with each Temporary Use Permit (TUP) application for approval. The tent or membrane structure floor plan shall indicate details of the *means of egress* facilities, seating capacity, arrangement of the seating, location of fire extinguishers, emergency lighting, illuminated exit signs, no smoking signs and location and type of heating and electrical equipment. The *construction documents* shall include an analysis of structural stability.

3201.1.1 Speculative Building. Occupancy Groups S, F and M speculative building that having an interior clear height greater than 12 feet (3658 mm) where high pile storage may accrue shall comply with this section.

3201.3.2 Approved storage layout. A floor plan, of legible size, shall be provided, mounted on a wall and protected from damage. The floor plan shall be mounted in an *approved* location and show the following:

1. Locations, dimensions and rack layout of *high-piled storage areas*.
2. Design storage height for each storage area.
3. Types of commodities.
4. Commodity clearance between top of storage and the sprinkler deflector for each storage arrangement.
5. Aisle dimensions between each storage array.
6. For palletized and solid-piled storage, the maximum pile volume for each storage array.
7. Location and classification of commodities in accordance with Section 3203.
8. Location of required fire department access doors.

9. Location of valves controlling the water supply of ceiling and in-rack sprinklers.
10. Design criteria of the fire sprinkler system.

3206.2.2 Group F-1 and S-1 with a storage area greater than 400,000 square feet (37 161,216 m²). When storage areas in Group F-1 and S-1 are greater than 400,000 square feet (37 161,216 m²) a Technical Report prepared by an Arizona Professional shall be submitted for review and *approval* by the *fire code official*. Additional fire protection and/or life safety systems may be required by the *fire code official*.

3206.2.3 Storage height greater than 35 feet (10 668 mm). When the designated storage height is greater than 35 feet (10 668 mm), a Technical Report shall be prepared by an Arizona Professional and shall be submitted to the *fire code official* for *approval*.

3206.2.4 Additional hose connections. Additional fire department hose connections shall be provided when required by the *fire code official*.

3206.4.1 Pallets. ~~Automatic sprinkler system requirements based on the presence of pallets shall be in accordance with NFPA 13.~~

3206.4.1 General. The design of automatic sprinkler systems for the protection of Group M and S occupancies containing high pile storage or high challenge commodities over an area equal to or greater than 2,500 ft.² (232 2576 m²) and for the protection of hazardous materials stored more than one pallet high in Group M, S or H occupancies shall be in accordance with this section. This section does not apply to miscellaneous storage within the scope of Chapter 12 of the NFPA 13, 2016 edition.

3206.4.1.2 Plan submittal requirements. See Chapter 9 Design Documents for plan submittal requirements.

3206.4.1.3 Minimum design requirements for speculative shell warehouses. The design of the automatic sprinkler system for speculative warehouses shall be based on Class A non-expanded plastic to the available storage height. The storage height shall be determined by subtracting 48 inches (1219 mm) from the highest point of the roof above each system for ESFR and 30 inches (762 mm) for area density applications.

3206.4.1.4 Minimum requirements for client leased or occupant owned warehouses. The design of an automatic sprinkler system for client leased or occupant owned buildings containing high pile storage shall be based on the requirements of NFPA 13, Chapter 12. The responsible Fire Protection Engineer shall perform a survey of the building to determine commodity classification, storage configuration, building height and other information related to the development of an appropriate sprinkler system design. The Engineer shall also

make reasonable efforts to meet with the building owner or operator to understand seasonal or customer related fluctuations to the stored commodities, storage height, and configuration. The sprinkler design shall be based on the most demanding requirements determined through the on-site survey and discussions with the building owner or operator. Technical Report shall clearly define the basis for determining the commodity and sprinkler design selection, along with how the commodities will be isolated or separated, and the referenced design document(s), including NFPA13 or the current applicable FM Global Data sheet. If a specific fire test is used as the basis of design, a copy of the fire test report shall be provided at the time of plan review.

3206.4.1.5 Required plan submittal information. All plans, hydraulic calculations and technical reports shall be submitted with the plan submittal application in conjunction with or prior to the racking plan submittal.

3206.4.1.6 Minimum plan information. In addition to the requirements of NFPA 13, Chapter 14, the information specified in 3206.4.1.6.1 and 3206.4.1.6.2 shall be included in the plans or technical report.

3206.4.1.6.1 Class I-IV and Group A plastic commodities.

1. An owner's certificate in accordance with NFPA 13. The design criteria, e.g., NFPA 13, FM Global Data Sheets, or a specific fire test report.
2. Water Flow & Pressure Test Report performed within 90 days of the plan submittal
3. The type of design, e.g. Control Mode Density/Design area Method; Suppression Mode method, including appropriate code references.
4. A description of the stored commodities and how the commodity classification was determined.
5. A layout of the proposed storage arrangement. If the storage is in racks, a plan and elevation detail illustrating rack heights, flue dimensions and arrangement. This detail is not required for speculation warehouses.
6. The aisle dimensions between each storage array.
7. If a high challenge commodity is separated using fire-resistive construction, the boundary of the fire-resistive construction shall be illustrated.
8. A data sheet for the backflow preventer. If a data sheet is not available, the design professional shall include a statement addressing the minimum required pressure loss.
9. A data sheet for each installed automatic sprinkler.
10. A data sheet for each pipe hanger used to hang or support the sprinkler piping.

11. If a fire pump will be installed or used, the manufacturer's factory test curve shall be included in the submittal.
12. A cross-section view illustrating obstructions to the ceiling sprinklers, e.g., lights, structural members, cable trays, electrical bus ducts, HVAC ductwork.

3206.4.1.6.2 Hazardous materials. In addition to the requirements of this section, the following information shall be included in a hazardous materials technical report.

1. A hazardous materials inventory statement
2. For flammable & combustible liquids, an analysis of the miscibility of Class I liquids, the size and type of the packaging, the packaging materials of construction, and if the containers have a pressure relieving mechanism.
3. For Level 2 or 3 aerosols, a statement indicating that the aerosols are in cartons or individually stored.

3206.4.1.7 Identification of sprinkler system capabilities and limitations. An adhesive label shall be permanently installed at or adjacent to each sprinkler riser. When sprinkler risers are located outside of the building, the sign shall be stamped metal. The minimum sign dimension is 6-inches high by 4-inches wide. The sign shall specify the capabilities and limitations of the automatic sprinkler system. The sign shall include the following information:

1. The design base or basis, including the edition used.
2. A statement indicating if the sprinkler design is control mode density area method, control mode specific application, suppression mode, or any combination thereof.
3. When used, all of the storage conditions stipulated NFPA 13 for Special Designs.
4. The maximum storage height e. The minimum required aisle width f. If storage is in racks, the maximum rack width and minimum transverse and longitudinal flue widths.
5. Commodities that can be protected by the automatic sprinkler system h. Commodities that cannot be protected by the automatic sprinkler system
6. Limits on storage heights of idle wood and plastic storage
7. Limits on storage heights of miscellaneous Group A plastic, tire and rolled paper storage
8. Locations where in-rack sprinklers are required.
9. Locations where horizontal and/or vertical barriers are required.

10. Information explaining the manufacturer, sprinkler identification number, k-factor, and operating temperature of the overhead sprinklers protecting the high pile storage.

3206.4.2 Pallets. *Automatic sprinkler system* requirements based on the presence of pallets shall be in accordance with NFPA 13

3206.4.12.1 Plastic pallets.

Plastic pallets *listed* and *labeled* in accordance with FM 4996 or UL 2335 shall be treated as wood pallets for determining required sprinkler protection.

5301.1 Scope. Storage, use and handling of *compressed gases* in *compressed gas* containers, cylinders, tanks and systems shall comply with this chapter and NFPA 55, including those gases regulated elsewhere in this code. Partially full *compressed gas* containers, cylinders or tanks containing residual gases shall be considered as full for the purposes of the controls required. Liquefied natural gas for use as a vehicular fuel shall also comply with NFPA 52 and NFPA 59A. *Compressed gases* classified as hazardous materials shall also comply with Chapter 50 for general requirements and chapters addressing specific hazards, including Chapters 58 (Flammable Gases), 60 (Highly Toxic and Toxic Materials), 63 (Oxidizers, Oxidizing Gases and Oxidizing Cryogenic Fluids) and 64 (Pyrophoric Materials). Compressed hydrogen (CH) shall also comply with the applicable portions of Chapters 23 and 58 of this code, the *International Fuel Gas Code* and NFPA 2. Cutting and welding gases shall also comply with Chapter 35.

Exceptions:

1. Gases used as refrigerants in refrigeration systems (see Section 606).
2. Compressed natural gas (CNG) for use as a vehicular fuel shall comply with Chapter 23, NFPA 52 and the *International Fuel Gas Code*.
3. *Cryogenic fluids* shall comply with Chapter 55.
4. LP-gas shall comply with Chapter 61 and the *International Fuel Gas Code*
5. Insulated liquefied Carbon Dioxide systems shall comply with NFPA 55.

~~**5307.2 Ventilation.** Indoor storage and use areas and storage buildings shall be provided with ventilation in accordance with Section 5004.3. Where mechanical ventilation is provided, the systems shall be operational during such time as the building or space is occupied.~~

~~**Exceptions:**~~

- ~~1. A gas detection system complying with Section 5307.2.1 shall be permitted in lieu of mechanical ventilation.~~
- ~~2. Areas containing insulated liquid carbon dioxide systems used in beverage dispensing applications shall comply with Section 5307.3.~~

5307.2 General – simple asphyxiant gas systems.

Carbon dioxide and other simple asphyxiant gas systems with more than 50 pounds (22.7 kg) in use, per system shall comply with this section.

Exception: One (1) additional 50 pounds (22.7 kg) DOT 3AA cylinder of carbon dioxide may be connected to the same system provided an isolation valve is in place, and only one cylinder can be in use at a time.

5307.2.1 Gas detection system Permits. In rooms or areas not provided with ventilation in accordance with Section 5307.2, A gas detection system complying with Section 916 or, an oxygen depletion alarm system, either of which initiates audible and visible alarm signals in the room or area where sensors are installed, shall be provided require a permit as set forth in Section 105.7.11.

5307.2.1.1 Equipment. The storage, use, and handling of liquid carbon dioxide shall be in accordance with Chapter 53 and the applicable requirements of NFPA 55, Chapter 13. Insulated liquid carbon dioxide systems shall have pressure relief devices vented in accordance with NFPA 55.

5307.2.1.2 Protection from damage. Carbon dioxide and other simple asphyxiant gas systems shall be installed so the storage tanks, cylinders, piping fittings, detection and notification devices are protected from damage by occupants or equipment during normal facility operations, in accordance with Sections 5303.5 and 5303.6.

5307.2.2 Gas ventilation requirements. When any ASME vessels containing liquefied carbon dioxide and other simple asphyxiant gas or more than two 50-pound DOT AA3 gaseous carbon dioxide cylinders and other simple asphyxiant gas per system, are connected to a piping system and located within the structure, a mechanical exhaust ventilation system shall be provided in accordance with the International Mechanical Code. A separate plan submittal for the installation of this mechanical exhaust ventilation system is required.

5307.2.2.1 Exhaust. The mechanical exhaust ventilation system shall be designed at a rate not less than one cubic foot per minute, per square foot of floor area, within the area inside the structure where the ASME vessel or DOT cylinders are located. The ventilation system shall be designed to operate at a negative pressure in relation to the surrounding area.

5307.2.2.2 Exhaust intake. The exhaust intake shall be taken from a point within 12 inches (305 mm) of the floor. The exhaust system intake shall be located a minimum of 2 feet (610 mm) away from any gas detector or located on the opposite wall of any gas detector.

5307.2.2.3 Exhaust termination. The termination point of exhaust outlets

and ducts discharging to the outdoors shall be located a minimum of 10 feet (3048 mm) from property lines, a minimum of 3 feet (914 mm) above the roof line and a minimum of 10 feet (3048 mm) from operable openings into the building and a minimum of 10 feet (3048 mm) above adjoining grade.

5307.2.2.4 Automatic activation. The exhaust system shall automatically activate when:

1. The concentration of carbon dioxide reaches 3 percent ((30,000 ppm (54,000 mg/m³)), or
2. The concentration of oxygen reaches 19.5 percent in an oxygen deficient environment, or

Exception: Continuous ventilation.

5307.2.2.5 Manual activation. A manual activation switch shall be provided at the entrance of the area where the ASME vessel or DOT cylinders are located. This manual activation switch shall be red in color and be clearly marked with its function.

5307.2.3 Equipment venting. All new and existing installations, emergency relief vents, burst disks and pump vents shall be terminated outside the building and at least 10 feet (3048 mm) from openings into the building or property lines.

5307.2.4 Gas detection. Compressed gases such as Carbon Dioxide, Helium, Argon, Nitrogen and other compressed gases that are classified as an asphyxiant shall be provided with a gas detection and alarm systems. The gas detection and alarm systems shall be installed, inspected, tested, calibrated and maintained per the manufacturer's instructions.

5307.2.4.1 Gas detectors. Gas detectors shall be field tested at the time of final inspection and annually thereafter or more often if so required per the manufacturer. Testing, inspection, observation, and maintenance of detection devices shall be performed with an approved test gas. All test gas shall have a recognized certification that documents the type and percentage of gas.

5307.2.4.2 Records. Records of inspection, testing, and maintenance and observations of all gas detection, gas alarm systems, and sensor calibration shall be maintained on the premises for a minimum of three years and reports electronically provided within 15 days following inspection, test or maintenance completion. Reports required to be electronically copied or filed pursuant to this section shall be filed as directed by the *fire code official*, which direction may include using software of a third party.

5307.2.4.3 Specific gas detection. Where the gas is carbon dioxide, the gas detection systems shall be designed to detect carbon dioxide. All other simple asphyxiants shall use an oxygen sensor.

5307.2.4.4 Location. Gas detection shall be provided at each point of use and at vessels or cylinders inside structures. Basements and or subterranean spaces that could be physically entered and that have product lines shall have gas detection.

5307.2.4.5 Carbon dioxide two tier detection. The detection system shall be capable of two tier detection.

- 1. Tier one shall be set at 0.5 percent carbon dioxide or 5,000 ppm (9,000 mg/m³) .**
- 2. Tier two shall be set at 3 percent carbon dioxide or 30,000 ppm (54,000 mg/m³) .**

5307.2.4.6 Simple asphyxiant two tier detection. The detection system shall be capable of two tier detection.

- 1. Tier one shall be set at 19.5 percent oxygen in an oxygen deficient environment.**
- 2. Tier two shall be set at 18 percent in an oxygen deficient environment.**

5307.2.4.7 Installation. Asphyxiant gas detection systems or appropriate gas detection for the gas shall be installed per the manufacture's manual.

5307.2.4.8 Power. The power supply to the gas detection system shall be circuit locked and labeled. Approved backup power shall be provided.

5307.2.5 Supervisory signal. At 0.5 percent (5,000 ppm (9,000 mg/m³)) carbon dioxide or 19.5 percent oxygen, a local warning/supervisory signal with visible and audible indication shall occur at a constantly manned location and shall be transmitted off-site to a UL approved third party monitoring station as a supervisory signal alarm.

5307.2.6 Evacuation alarm. At 3 percent ((30,000 ppm (54,000 mg/m³)) carbon dioxide or 18 percent oxygen, an audio and visual evacuation alarm shall activate for the occupancy and shall transmit an alarm signal off-site to a UL approved third party monitoring station as a gas specific alarm.

Exception: When the facility does not have a system capable of transmitting signals off site then established approved protocols shall be in place to call 911 directly.

5307.2.6.1 Fire alarm connection. Connection to fire alarm control panel or monitoring panel shall be accomplished by a Fire Alarms Technician with a current NICET Level II Fire Alarm Systems Certification who is

employed by a fire protection company holding a current City of Surprise Business License. A separate *Tenant Improvement (TI)* permit obtained by an approved fire alarm contractor is required.

5307.2.7 Notification. Evacuation notification devices with audible and visual notification shall be provided:

1. Near every point-of-use.
2. In the area or room where the asphyxiant gas cylinders are located.
3. In the common area where public gathers.
4. At the entrance to the room with required detection.
5. It shall be clear to responders upon approach to the hazard that asphyxiant gas is present.
6. As required by the *fire code official*.

5307.2.7.1 Notification devices. Notification devices shall comply with the following:

1. The notification device shall be rated a minimum of 100 candela rating for a visual effect and 75 decibels for an audible effect.
2. The notification devices shall be identified and labeled for the gas being detected. Use of the building fire alarm notification devices for evacuation is acceptable, providing the asphyxiant gas detection has visible and audible clear indicators in the hazard area upon both the warning level and alarm level of the gas.

~~5307.3 Insulated liquid carbon dioxide systems used in beverage dispensing applications.~~

~~Insulated liquid carbon dioxide systems with more than 100 pounds (45.4 kg) of carbon dioxide used in beverage dispensing applications shall comply with Section 5307.3.1.~~

5307.3 Tank and piping requirements. Piping systems shall be designed and constructed and tested in accordance with ASME/ANSI B31.3 Process Piping Code.

~~5307.3.1 Ventilation.~~ ~~Where insulated liquid carbon dioxide storage tanks, cylinders, piping and equipment are located indoors, rooms or areas containing storage tanks, cylinders, piping and equipment, and other areas where a leak of carbon dioxide is expected to accumulate, shall be provided with mechanical ventilation in accordance with Section 5004.3 and designed to maintain the room containing carbon dioxide at a negative pressure in relation to the surrounding area.~~

~~Exception:~~ ~~A gas detection system complying with Section 5307.3.2 shall be permitted in lieu of mechanical ventilation.~~

5307.3.1 Piping and marking. Piping and tubing shall be identified in accordance with ASME A13.1 to indicate the material conveyed. Markings shall be provided at each valve, at wall, floor or ceiling penetrations, at each change of direction, and repeated at not less than every 20 feet (6096 mm) or fraction thereof throughout the piping run.

5307.3.2 Gas detection system. ~~Where ventilation is not provided in accordance with Section 5307.3.1, a gas detection system shall be provided in rooms or indoor areas and in below-grade outdoor locations with insulated carbon dioxide systems. Carbon dioxide sensors shall be provided within 12 inches (305 mm) of the floor in the area where the gas is expected to accumulate or other approved locations. The system shall be designed as follows:~~

- ~~1. Activates an audible and visible supervisory alarm at a normally attended location upon detection of a carbon dioxide concentration of 5,000 ppm (9000 mg/m).~~
- ~~2. Activates an audible and visible alarm within the room or immediate area where the system is installed upon detection of a carbon dioxide concentration of 30,000 ppm (54 000 mg/m).~~

5307.3.2 Piping design. Gas piping systems shall be designed as follows:

1. Piping systems shall be designed to a bursting pressure of at least four times the system design pressure.
2. All fittings used in the piping system shall be designed for a working pressure not to exceed 125 percent of designed pressure of the hose.

5307.3.3 Piping materials. Carbon dioxide gas piping systems shall be of listed and approved materials for each specific gas in use. Rigid plastic piping shall not be use or allowed.

Exception: Non-listed materials require a special report by an Arizona registered engineer specifically dealing with the suggested piping material and shall be submitted to the *fire code official* for *approval*. A special report on the piping material shall not be required if the piping material has been listed by a third-party testing group such as UL or FM for the intended use.

5307.3.4 Leak tests. All piping systems shall be leak tested in accordance with the following:

1. Piping systems shall be tested by a pneumatic pattern at a pressure equal to the working pressure for a minimum of 15 minutes or as long as it takes to check each joint; the test medium shall be carbon dioxide, and soap testing of all fittings shall be witnessed at time of inspection by the *fire code official*.

APPENDIX B FIRE-FLOW REQUIREMENTS FOR BUILDINGS

B105.2 Buildings other than one- and two-family dwellings, Group R-3 and R-4 buildings and townhouses. The minimum *fire-flow* and flow duration for buildings other than one- and two-family *dwellings*, Group R-3 and R-4 buildings and *townhouses* shall be as specified in Tables B105.2 and B105.1(2).

TABLE B105.2

REQUIRED FIRE FLOW FOR BUILDINGS OTHER THAN ONE- AND TWO-FAMILY DWELLINGS, GROUP R-3 AND R-4 BUILDINGS AND TOWNHOUSES

TABLE NOT COPIED

For SI: 1 gallon per minute = 3.785 L/m.

The reduced fire flow shall be not less than ~~1,000~~ 1,500 gallons per minute.

The reduced fire flow shall be not less than 1,500 gallons per minute.

APPENDIX C FIRE HYDRANT LOCATIONS AND DISTRIBUTION

C102.1 Minimum number of fire hydrants for a building. The number of fire hydrants available to a building shall be not less than the minimum specified in Table C102.1.

**TABLE C102.1
REQUIRED NUMBER AND SPACING OF FIRE HYDRANTS**

TABLE NOT COPIED

For SI: 1 foot = 304.8 mm, 1 gallon per minute = 3.785 L/m.

- a. Reduce by 100 feet for dead-end streets or roads.
- b. Where streets are provided with median dividers that cannot be crossed by fire fighters pulling hose lines, or where arterial streets are provided with four or more traffic lanes and have a traffic count of more than 30,000 vehicles per day, hydrant spacing shall average 500 feet on each side of the street and be arranged on an alternating basis.
- c. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, fire hydrants shall be provided at spacing not to exceed 1,000 feet to provide for transportation hazards.
- d. Reduce by 50 feet for dead-end streets or roads.
- e. One hydrant for each 1,000 gallons per minute or fraction thereof.
- ~~f. A 50-percent spacing increase shall be permitted where the building is equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1 of the *International Fire Code*.~~
- ~~g. A 25-percent spacing increase shall be permitted where the building is equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.2 or 903.3.1.3 of the *International Fire Code* or Section P2904 of the *International Residential Code*.~~
- h. The fire code official is authorized to modify the location, number and distribution of fire hydrants based on site-specific constraints and hazards.

APPENDIX D FIRE APPARATUS ACCESS ROADS

D102.1.1 Temporary fire apparatus access. Temporary fire apparatus access road shall be provided prior to delivery of combustible material and/or vertical construction of buildings.

D103.1.1 Temporary access road specifications. Temporary fire department apparatus access road shall be a temporary all weather surface (TAWS) and comply with all of the following criteria:

1. Have an unobstructed width of not less than 26 feet (7925 mm) with a vertical clearance of not less than 15 feet (4572 mm).
2. This access surface shall be ABC compacted to 90% and capable of supporting fire apparatus in excess of 75,000 pounds (34 050 kg) gross vehicle weight (GVW) under any weather condition.
3. The temporary all weather surface (TAWS) shall be continuously maintained by the builder during the construction process.
4. The minimum turning radius shall meet AASHTO SU-40 standard.
5. Temporary dead-end fire apparatus access roads in excess of 100 feet (45 720 mm) shall be provided with width and turnaround provisions in accordance with Table D103.4.

D103.6.3.1 Sign specifications. The temporary fire access sign shall comply with the following criteria:

1. The sign shall read FIRE DEPARTMENT ACCESS and shall include site address or range of addresses for all commercial construction sites and residential model homes site.
2. The sign shall be two sided 4 feet X 4 feet (1219 mm X 1219 mm) using ¾ inch (1.9 cm) graded plywood.
3. The sign shall have a red background with white FIRE DEPARTMENT ACCESS in 4 inch (10 cm) lettering.
4. The ADDRESS shall be white 2 ½ inches (6.3 cm) lettering.
5. A sign shall be installed at each point of entry.
6. The sign shall be 6 feet (1828 mm) above grade on posts set at a minimum of 2 feet (609 mm) below grade.

D106.1 Projects having more than 100 dwelling units. Multiple-family residential projects having more than 100 *dwelling units* shall be equipped throughout with three separate and *approved* fire apparatus access roads in accordance with Section 503.1.2.2.1.

Exception: ~~Projects having up to 200 dwelling units shall have not fewer than one approved fire apparatus access road where all buildings, including nonresidential occupancies, are equipped throughout with approved automatic sprinkler systems installed in accordance with Section 903.3.1.1 or 903.3.1.2.~~

D106.3 Remoteness. ~~Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.~~

The geographic separation of the three fire apparatus access roads shall be based on:

1. The two unrestricted fire apparatus access roads shall be placed a distance apart equal to but not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.
2. The third restricted apparatus access road shall be located based on fire code official approval.

Accessible and Usable Buildings and Facilities ICC/ANSI 117.1-2009

Local Amendments

The Accessible and Usable Buildings and Facilities ICC/ANSI 117.1-2009 Local Amendments are as follows:

SECTION 502 Parking Spaces

502.7 Identification. Where accessible parking spaces are required to be identified by signs, the signs shall include the International Symbol of Accessibility complying with Section 703.6.3.1 or the Accessibility Icon complying with Section 703.6.3.2. Signs identifying van parking spaces shall contain the designation "van accessible." Such signs shall be 60 inches (1525 mm) minimum above the floor of the parking space, measured to the bottom of the sign.

SECTION 703 Signs

703.6.3 Symbols.

703.6.3.1 International Symbol of Accessibility. The International⁹⁻ Symbol of Accessibility shall comply with Figure 703.6.3.1.



FIG. 703.6.3.1 INTERNATIONAL SYMBOL OF ACCESSIBILITY

703.6.3.2 Accessibility Icon. The Accessibility Icon shall comply with Figure 703.6.3.2.



FIG. 703.6.3.2 ACCESSIBILITY ICON

2018 International Plumbing Code Local Amendments

The following Appendices of the 2018 International Plumbing Code are hereby adopted in their entirety: appendices B, C and E

The 2018 International Plumbing Code Local Amendments are as follows:

SECTION 109 MEANS OF APPEAL

~~[A] 109.1 Application for appeal. **General.** Appeals shall be in accordance with the Surprise Municipal Code. A person shall have the right to appeal a decision of the code official to the board of appeals. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply; or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the code official within 20 days after the notice was served.~~

~~[A] 109.1.1 Limitation of authority. The board of appeals shall not have authority relative to interpretation of the administration of this code nor shall such board be empowered to waive requirements of this code.~~

~~[A] 109.2 Membership of board. The board of appeals shall consist of five members appointed by the chief appointing authority as follows: one for 5 years; one for 4 years; one for 3 years; one for 2 years; and one for 1 year. Thereafter, each new member shall serve for 5 years or until a successor has been appointed.~~

~~[A] 109.2.1 Qualifications. The board of appeals shall consist of five individuals, one from each of the following professions or disciplines:~~

- ~~1. Registered design professional who is a registered architect; or a builder or superintendent of building construction with not less than 10 years' experience, 5 of which shall have been in responsible charge of work.~~
- ~~2. Registered design professional with structural engineering or architectural experience.~~
- ~~3. Registered design professional with mechanical and plumbing engineering experience; or a mechanical contractor with not less than 10 years' experience, 5 of which shall have been in responsible charge of work.~~
- ~~4. Registered design professional with electrical engineering experience; or an electrical contractor with not less than 10 years' experience, 5 of which shall have been in responsible charge of work.~~
- ~~5. Registered design professional with fire protection engineering experience; or a fire protection contractor with not less than 10 years' experience, 5 of which shall have been in responsible charge of work.~~

~~[A] 109.2.2 Alternate members.~~ The chief appointing authority shall appoint two alternate members who shall be called by the board chairman to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership and shall be appointed for 5 years, or until a successor has been appointed.

~~[A] 109.2.3 Chairman.~~ The board shall annually select one of its members to serve as chairman.

~~[A] 109.2.4 Disqualification of member.~~ A member shall not hear an appeal in which that member has a personal, professional or financial interest.

~~[A] 109.2.5 Secretary.~~ The chief administrative officer shall designate a qualified clerk to serve as secretary to the board. The secretary shall file a detailed record of all proceedings in the office of the chief administrative officer.

~~[A] 109.2.6 Compensation of members.~~ Compensation of members shall be determined by law.

~~[A] 109.3 Notice of meeting.~~ The board shall meet upon notice from the chairman, within 10 days of the filing of an appeal, or at stated periodic meetings.

~~[A] 109.4 Open hearing.~~ Hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official and any person whose interests are affected shall be given an opportunity to be heard.

~~[A] 109.4.1 Procedure.~~ The board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be received.

~~[A] 109.5 Postponed hearing.~~ When five members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

~~[A] 109.6 Board decision.~~ The board shall modify or reverse the decision of the code official by a concurring vote of three members.

~~[A] 109.6.1 Resolution.~~ The decision of the board shall be by resolution. Certified copies shall be furnished to the appellant and to the code official.

~~[A] 109.6.2 Administration.~~ The code official shall take immediate action in accordance with the decision of the board.

~~[A] 109.7 Court review.~~ Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct

~~errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.~~

202 GENERAL DEFINITIONS

GREASE INTERCEPTOR

Gravity. Plumbing appurtenances of not less than 500 gallons (1893 L) capacity that are installed in the sanitary drainage system to intercept free-floating fats, oils and grease from waste water discharge. Separation is accomplished by gravity during a retention time ~~of not less than 30 minutes~~ approved by the Authority Having Jurisdiction.

GREASE REMOVAL DEVICE, AUTOMATIC (GRD). A plumbing appurtenance that is installed in the sanitary drainage system to intercept free-floating fats, oils and grease from waste water discharge. Such a device operates on a time-or event-controlled basis and has the ability to remove free-floating fats, oils and grease automatically without intervention from the user, except for maintenance. These devices must be able to perform as a gravity interceptor if mechanical or electrical power is lost, and provide continuous separation.

410.2 Small occupancies. Drinking fountains shall not be required for an occupant load of ~~15~~ 50 or fewer.

410.4 Substitution. Where restaurants provide drinking water in a container free of charge, drinking fountains shall not be required in those restaurants. ~~In other occupancies, where drinking fountains are required, water coolers or bottled water dispensers shall be permitted to be substituted for not more than 50 percent of the required number of drinking fountains.~~ In other occupancies, where drinking fountains are required, bottle water dispensers or water coolers shall be permitted to be substituted.

1003.2 Approval. The size, type and location of each interceptor and of each separator shall be designed and installed in accordance with the manufacturer's instructions and the requirements of this section ~~based on the anticipated conditions of use~~ the Authority Having Jurisdiction. Wastes that do not require treatment or separation shall not be discharged into any interceptor or separator.

1106.1 General. The size of the vertical conductors and leaders, building storm drains, building storm sewers, and any horizontal branches of such drains or sewers shall be based on the ~~100-year hourly rainfall rate indicated in Figure 1106.1 or on other rainfall rates determined from approved local weather data.~~ an hourly rainfall rate of three (3) inches per hour.

2018 International Mechanical Code

Local Amendments

The 2018 International Mechanical Code Local Amendments are as follows:

SECTION 109 MEANS OF APPEAL

[A] 109.1 Application for appeal. General. Appeals shall be in accordance with the Surprise Municipal Code. ~~A person shall have the right to appeal a decision of the code official to the board of appeals. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply; or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the code official within 20 days after the notice was served.~~

[A] 109.1.1 Limitation of authority. ~~The board of appeals shall not have authority relative to interpretation of the administration of this code nor shall such board be empowered to waive requirements of this code.~~

[A] 109.2 Membership of board. ~~The board of appeals shall consist of five members appointed by the chief appointing authority as follows: one for 5 years; one for 4 years; one for 3 years; one for 2 years; and one for 1 year. Thereafter, each new member shall serve for 5 years or until a successor has been appointed.~~

[A] 109.2.1 Qualifications. ~~The board of appeals shall consist of five individuals, one from each of the following professions or disciplines:~~

- ~~1. Registered design professional who is a registered architect; or a builder or superintendent of building construction with not less than 10 years' experience, 5 of which shall have been in responsible charge of work.~~
- ~~2. Registered design professional with structural engineering or architectural experience.~~
- ~~3. Registered design professional with mechanical and plumbing engineering experience; or a mechanical contractor with not less than 10 years' experience, 5 of which shall have been in responsible charge of work.~~
- ~~4. Registered design professional with electrical engineering experience; or an electrical contractor with not less than 10 years' experience, 5 of which shall have been in responsible charge of work.~~
- ~~5. Registered design professional with fire protection engineering experience; or a fire protection contractor with not less than 10 years' experience, 5 of which shall have been in responsible charge of work.~~

[A] 109.2.2 Alternate members. ~~The chief appointing authority shall appoint two alternate members who shall be called by the board chairman to hear~~

~~appeals during the absence or disqualification of a member.
Alternate members shall possess the qualifications required for board membership and shall be appointed for 5 years, or until a successor has been appointed.~~

~~**[A] 109.2.3 Chairman.** The board shall annually select one of its members to serve as chairman.~~

~~**[A] 109.2.4 Disqualification of member.** A member shall not hear an appeal in which that member has a personal, professional or financial interest.~~

~~**[A] 109.2.5 Secretary.** The chief administrative officer shall designate a qualified clerk to serve as secretary to the board. The secretary shall file a detailed record of all proceedings in the office of the chief **administrative** officer.~~

~~**[A] 109.2.6 Compensation of members.** Compensation of members shall be determined by law.~~

~~**[A] 109.3 Notice of meeting.** The board shall meet upon notice from the chairman, within 10 days of the filing of an appeal, or at stated periodic meetings.~~

~~**[A] 109.4 Open hearing.** Hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official and any person whose interests are affected shall be given an opportunity to be heard.~~

~~**[A] 109.4.1 Procedure.** The board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be received.~~

~~**[A] 109.5 Postponed hearing.** When five members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.~~

~~**[A] 109.6 Board decision.** The board shall modify or reverse the decision of the code official by a concurring vote of three members.~~

~~**[A] 109.6.1 Resolution.** The decision of the board shall be by resolution. Certified copies shall be furnished to the appellant and to the code official.~~

~~**[A] 109.6.2 Administration.** The code official shall take immediate action in accordance with the decision of the board.~~

~~**[A] 109.7 Court review.** Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by~~

~~law following the filing of the decision in the office of the chief administrative officer.~~

307.2.2 Drain pipe materials and sizes. Components of the condensate disposal system shall be cast iron, galvanized steel, copper, cross-linked polyethylene, polybutylene, polyethylene, ABS, CPVC or PVC pipe or tubing. Nonmetallic piping shall not be installed in exposed locations. All components shall be selected for the pressure and temperature rating of the installation. Joints and connections shall be made in accordance with the applicable provisions of Chapter 7 of the International Plumbing Code relative to the material type. Condensate waste and drain line size shall be not less than 3/4-inch (19 mm) internal diameter and shall not decrease in size from the drain pan connection to the place of condensate disposal. Where the drain pipes from more than one unit are manifolded together for condensate drainage, the pipe or tubing shall be sized in accordance with Table 307.2.2.

[B] 309.1 Space heating systems. Heating and Cooling systems. Habitable spaces ~~Interior spaces~~ intended for human occupancy shall be provided with active or passive space-heating and space-cooling systems capable of maintaining a minimum indoor temperature between 70 °F (20°C) and 90°F (32°C) ~~of 68°F (20°C) and 90°F (32°C)~~ at a point 3 feet (914 mm) above the floor on the design heating day. The installation of portable space heaters or coolers shall not be used to achieve compliance with this section.

403.3.1.5 Balancing. The *ventilation air* distribution system shall be provided with means to adjust the system to achieve at least the minimum ventilation airflow rate as required by Sections 403.3 and 403.4. Ventilation systems shall be balanced Sections 403.3 and 403.4. by an *approved* method. Such balancing shall verify that the ventilation system is capable of supplying and exhausting the airflow rates required by A final report shall be provided to the engineer of record and the mechanical inspector.

Exception: Residential occupancies shall be exempt from this provision.

407.1 General. Mechanical ventilation for ambulatory care facilities and Group I-2 occupancies shall be designed and installed in accordance with this code and ASHRAE 170.

407.1.1 Mechanical systems designed and installed in accordance with IMC 407.1 and ASHRAE 170-2017 shall be verified by a qualified third party Special Inspector. The Special Inspector/testing agency shall be an independent third party individual or firm and shall not be the installing contractor. A report shall be generated by the third party individual or firm showing compliance. Special inspections shall be as specified in Chapter 17 of the International Building Code as amended.

408 MARIJUANA RELATED OCCUPANCIES

408.1 General. Any building used to cultivate, produce, infuse or dispense marijuana shall be designed such that there shall be no emission of dust, fumes, vapors, or odors into the environment from the premise. A ventilation system shall be designed to

prevent the distribution of odors to other occupied parts of the building or adjacent properties. Design of the odor control system shall be based on accepted engineering practices. All equipment and filter media shall be listed and labeled for the application. Exhaust systems used in odor control systems shall meet the requirements of Section 501.

408.1.1 Exhaust outlets. The termination point for exhaust outlets shall be in accordance with Section 501.3. Exhaust from cultivation and production facilities shall be in accordance with Section 501.3.1(2) and for dispensaries in accordance with Section 501.3.1(3).

502.14 Motor vehicle operation. In areas where motor vehicles operate, mechanical ventilation shall be provided in accordance with Section 403. Additionally, areas in which stationary motor vehicles are operated shall be provided with a *source capture system* that connects directly to the motor vehicle exhaust systems. Makeup air for the required exhaust systems in areas where motor vehicles operate shall be provided through permanent unobstructed openings to the outdoors, such as louvers and grills. Mechanical equipment and louvers used for makeup air purposes shall be electrically interlocked with the exhaust system.

Exceptions:

1. This section shall not apply where the motor vehicles being operated or repaired are electrically powered.
2. This section shall not apply to one- and two-family dwellings.
3. This section shall not apply to motor vehicle service areas where engines are operated inside the building only for the duration necessary to move the motor vehicles in and out of the building.

928.1 General

Evaporative cooling equipment shall:

1. Be installed in accordance with the manufacturer's instructions.
2. Be installed on level platforms in accordance with Section 304.10. An evaporative cooler supported by the building structure shall be installed on a substantial level base and shall be secured directly or indirectly to the building structure by suitable means to prevent displacement of the cooler. Modifications made to the supporting framework of buildings as a result of the installation shall be made in accordance with the requirements of the International Building Code as amended.
3. Have openings in exterior walls or roofs flashed in accordance with the International Building Code as amended.
4. Be provided with potable water backflow protection in accordance with Section 608 of the International Building Code.
5. Have air intake opening locations in accordance with Section 401.4.
6. A permanent relief opening or other engineered design sufficient to assure positive

airflow shall balance intake air.

7. Outside air shall be provided as specified in Section 403.2.
8. Air ducts and dampers, which are a portion of an evaporative cooling system, shall comply with Chapter 6.
9. Overflow drains shall be provided that discharge to an approved disposal location.

SECTION 930 WOODSTOVE/FIREPLACE INSTALLATION

Definitions. For purposes of this section, the following words and terms shall have the meaning ascribed thereto:

Fireplace: A built-in-place masonry hearth and fire chamber or a factory-built appliance, designed to burn solid fuel or to accommodate gas or electric log insert or similar device, and which is intended for occasional recreational or aesthetic use, not for cooking, heating, or industrial processes.

Solid fuel: Includes, but is not limited to, wood, coal, or other non-gaseous or non-liquid fuels, including those fuels defined by the Maricopa County Air Pollution Control Officer as "inappropriate fuel" to burn in residential wood burning devices.

Woodstove: A solid-fuel burning heating appliance including a pellet stove, which is either freestanding or designed to be inserted into a fireplace.

930.2 General. In accordance with Maricopa County regulations, on or after December 31, 1998, no person, firm or corporation shall construct or install a fireplace or a wood stove, and the Building Official shall not approve or issue a permit to construct or install a fireplace or a wood stove, unless the fireplace or wood stove complies with one of the following:

1. A fireplace which has a permanently installed gas or electric log insert;
2. A fireplace, wood stove or other solid fuel burning appliance which has been certified by the United States Environmental Protection Agency as conforming to 40 Code of Federal Regulations part 60, subpart AAA;
3. A fireplace, woodstove or other solid fuel burning appliance that has been tested and listed by a nationally recognized testing agency to meet performance standards equivalent to those adopted by 40 Code of Federal Regulations part 60, subpart AAA;
4. A fireplace, wood stove or other solid fuel burning appliance which has been determined by the Maricopa County Air Pollution Control Officer to meet performance standards equivalent to those adopted by 40 Code of Federal Regulations part 60, subpart AAA, as in effect on July 1, 1990.
5. A fireplace which has a permanently installed wood stove insert which complies with subparagraph 2, 3, or 4 above.

Exceptions: The following installations are not regulated and are not prohibited by this section:

1. Furnaces, boilers, incinerators, kilns, and other similar space heating or industrial process equipment.
2. Cook stoves, barbecue grills, and similar appliances designed primarily for cooking.
3. Fire pits, barbecue grills, and other outdoor fireplaces

2018 International Fuel Gas Code

Local Amendments

The 2018 International Fuel Gas Code Local Amendments are as follows:

SECTION 109 MEANS OF APPEAL

[A] 109.1 Application for appeal. General. ~~Appeals shall be in accordance with the Surprise Municipal Code. A person shall have the right to appeal a decision of the code official to the board of appeals. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply; or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the code official within 20 days after the notice was served.~~

[A] 109.1.1 Limitation of authority. ~~The board of appeals shall not have authority relative to interpretation of the administration of this code nor shall such board be empowered to waive requirements of this code.~~

[A] 109.2 Membership of board. ~~The board of appeals shall consist of five members appointed by the chief appointing authority as follows: one for 5 years; one for 4 years; one for 3 years; one for 2 years; and one for 1 year. Thereafter, each new member shall serve for 5 years or until a successor has been appointed.~~

[A] 109.2.1 Qualifications. ~~The board of appeals shall consist of five individuals, one from each of the following professions or disciplines:~~

- ~~1. Registered design professional who is a registered architect; or a builder or superintendent of building construction with not less than 10 years' experience, 5 of which shall have been in responsible charge of work.~~
- ~~2. Registered design professional with structural engineering or architectural experience.~~
- ~~3. Registered design professional with mechanical and plumbing engineering experience; or a mechanical contractor with not less than 10 years' experience, 5 of which shall have been in responsible charge of work.~~
- ~~4. Registered design professional with electrical engineering experience; or an electrical contractor with not less than 10 years' experience, 5 of which shall have been in responsible charge of work.~~
- ~~5. Registered design professional with fire protection engineering experience; or a fire protection contractor with not less than 10 years' experience, 5 of which shall have been in responsible charge of work.~~

[A] 109.2.2 Alternate members. ~~The chief appointing authority shall appoint two alternate members who shall be called by the board chairman to hear~~

~~appeals during the absence or disqualification of a member.
Alternate members shall possess the qualifications required for board membership and shall be appointed for 5 years, or until a successor has been appointed.~~

~~**[A] 109.2.3 Chairman.** The board shall annually select one of its members to serve as chairman.~~

~~**[A] 109.2.4 Disqualification of member.** A member shall not hear an appeal in which that member has a personal, professional or financial interest.~~

~~**[A] 109.2.5 Secretary.** The chief administrative officer shall designate a qualified clerk to serve as secretary to the board. The secretary shall file a detailed record of all proceedings in the office of the chief administrative officer.~~

~~**[A] 109.2.6 Compensation of members.** Compensation of members shall be determined by law.~~

~~**[A] 109.3 Notice of meeting.** The board shall meet upon notice from the chairman, within 10 days of the filing of an appeal, or at stated periodic meetings.~~

~~**[A] 109.4 Open hearing.** Hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official and any person whose interests are affected shall be given an opportunity to be heard.~~

~~**[A] 109.4.1 Procedure.** The board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be received.~~

~~**[A] 109.5 Postponed hearing.** When five members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.~~

~~**[A] 109.6 Board decision.** The board shall modify or reverse the decision of the code official by a concurring vote of three members.~~

~~**[A] 109.6.1 Resolution.** The decision of the board shall be by resolution. Certified copies shall be furnished to the appellant and to the code official.~~

~~**[A] 109.6.2 Administration.** The code official shall take immediate action in accordance with the decision of the board.~~

~~**[A] 109.7 Court review.** Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by~~

~~law following the filing of the decision in the office of the chief administrative officer.~~

404.12 Minimum burial depth. Underground piping systems shall be installed a minimum depth of 12 inches (305 mm) below grade, ~~except as provided for in Section 404.12.1~~ for metal piping and 18 inches (457mm) for plastic piping.

~~**404.12.1 Individual outside appliances.** Individual lines to outside lights, grills or other appliances shall be installed a minimum of 8 inches (203 mm) below finished grade, provided that such installation is approved and is installed in locations not susceptible to physical damage.~~

2018 International Energy Conservation Code Local Amendments

The 2018 International Energy Conservation Code Local Amendments are as follows:

SECTION C101 SCOPE AND GENERAL REQUIREMENTS (COMMERCIAL)

C101.2 Scope. This code applies to *commercial buildings* and the building sites and associated systems and equipment. Group R-2 when defined as a *Commercial Building* by section C202, shall have the option of complying under the Residential Provisions of the code, regardless of height. Once defined as such on the submittal documents, all components of the Residential Provisions shall be followed.

C109.1 General. Appeals shall be in accordance with the Surprise Municipal Code. ~~In order to hear and decide appeals of orders, decisions or determinations made by the code official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The Code Official shall be an ex officio member of said board but shall have no vote on any matter before the board. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the Code Official.~~

C109.2 Limitations on authority. ~~An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The board shall have not have the authority to waive requirements of this code.~~

C109.3 Qualifications. ~~The board of appeals shall consist of members who are qualified by experience and training and are not employees of the jurisdiction.~~

C401.2 Application. Commercial buildings shall comply with one of the following:

1. The requirements of ANSI/ASHRAE/IESNA 90.1.
2. The requirements of Sections C402 through C405 and C408. In addition, commercial buildings shall comply with Section C406 and tenant spaces shall comply with Section C406.1.1.
3. The requirements of Sections C402.5, C403.2, C403.3 through C403.3.2, C403.4 through C403.4.2.3, C403.5.5, C403.7, C403.8.1 through C403.8.4, C403.10.1 through C403.10.3, C403.11, C403.12, C404, C405, and C407 ~~and C408~~. The building energy cost shall be equal to or less than 85 percent of the standard reference design building.
4. Compliance with the provisions of Section C408 are optional.

~~C404.9.3 Covers.~~ Outdoor heated pools and outdoor permanent spas shall be provided with a vapor-retardant cover or other approved vapor-retardant means.

~~Exception:~~ Where more than 75 percent of the energy for heating, computed over an operating season of not fewer than 3 calendar months, is from site-recovered energy such as from a heat pump or on-site renewable energy system, covers or other vapor-retardant means shall not be required.

~~C405.2.6.2 Decorative lighting shutoff.~~ Building façade and landscape lighting shall automatically shut off from not later than 1 hour after business closing to not earlier than 1 hour before business opening.

~~C405.2.6.3 Lighting setback.~~ Lighting that is not controlled in accordance with Section C405.2.6.2 shall be controlled so that the total wattage of such lighting is automatically reduced by not less than 30 percent by selectively switching off or dimming luminaries at one of the following times:

- ~~1. From not later than midnight to not earlier than 6 a.m.~~
- ~~2. From not later than one hour after business closing to not earlier than one hour before business opening.~~
- ~~3. During any time where activity has not been detected for 15 minutes or more.~~

R101.2 Scope. This code applies to *residential buildings* and the building sites and associated systems and equipment. Group R-2 when defined as a Residential Building by section R202, shall have the option of complying under the Commercial Provisions of the code, regardless of height. Once defined as such on the submittal documents, all components of the Commercial Provisions shall be followed.

R102.1.2 RESNET testing & inspection protocol. The Residential Energy Services Network (RESNET) Mortgage Industry National Home Energy Rating System, Standards Protocol for third party testing and inspections, shall be deemed to meet the requirements of sections R402.4.1.1, R402.4.1.2 and R403.2.2. and shall meet the following conditions:

1. Third Party Testing and Inspections shall be completed by RESNET certified Raters or Rating Field Inspectors and shall be subject to RESNET Quality Assurance Field Review procedures.
2. Sampling in accordance with Chapter 6 of the RESNET Standards shall be performed by Raters or Rating Field Inspectors working under a RESNET Accredited Sampling Provider.
3. Third Party Testing is required for the following items:
 - a. R402.4.1.1 – Building Envelope – Thermal and Air Barrier Checklist
 - b. R402.4.1.2 – Testing – Air Leakage Rate
 - c. R403.2.2 – Sealing – Duct Tightness

4. The other requirements identified as “mandatory” in Chapter 4 shall be met.
5. Alternate testing and inspection programs and protocols shall be allowed when approved by the Code Official.

R109.1 General. ~~Appeals shall be in accordance with the Surprise Municipal Code. In order to hear and decide appeals of orders, decisions or determinations made by the code official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The Code Official shall be an ex-officio member of said board but shall have no vote on any matter before the board. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the Code Official.~~

R109.2 Limitations on authority. ~~An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better from of construction is proposed. The board shall not have the authority to waive requirements of this code.~~

R109.3 Qualifications. ~~The board of appeals shall consist of members who are qualified by experience and training and are not employees of the jurisdiction.~~

R403.3 Ducts. Ducts and air handlers shall be in accordance with Sections R403.3.1 through R403.3.7.

R403.3.1 Insulation (Prescriptive). Supply ducts in attics shall be insulated to a minimum of R-8. Ducts in floor trusses shall be insulated to a minimum of R-6.

Exceptions: Ducts or portions thereof located completely inside the building thermal envelope.

1. Ducts or portions thereof located completely inside the building thermal envelope.
2. Supply ducts may be insulated to a minimum of R-6 when one or more of the following conditions are met:
 - 2.1 Minimum SEER rating of space heating/cooling system is increased to 15.
 - 2.2 Maximum U-factor is decreased to 0.35 and maximum SHGC is decreased to 0.22 for all fenestration products.
 - 2.3 Wall cavity insulation minimum R-value is increased to R-19.
 - 2.4 Residential buildings that meet the requirements of sections R102.1.1 or R405.

R402.4.1.2 Testing. The building or dwelling unit shall be tested and verified as

having an air leakage rate of not exceeding five air changes per hour in *Climate Zones* 1 and 2, and three air changes per hour in Zones 3 through 8. Testing shall be conducted in accordance with RESNET/ICC 380, ASTM E779 or ASTM E1827 and reported as a pressure of 0.2 inches w.g. (50 Pascals). Where required by the *building official*, testing shall be conducted by an *approved* third party. A written report of the results of the test shall be signed by the party conducting the test and provided to the *building official*. Testing shall be performed at any time after creation of all penetrations of the *building thermal envelope*.

During testing:

1. Exterior windows and doors, fireplace and stove doors shall be closed, but not sealed, beyond the intended weather stripping or other infiltration control measures;
2. Dampers including exhaust, intake, makeup air, backdraft and flue dampers shall be closed, but not sealed beyond intended infiltration control measures
3. Interior doors, if installed at the time of the test, shall be open;
4. Exterior doors for continuous ventilation systems and heat recovery ventilators shall be closed and sealed;
5. Heating and cooling systems, if installed at the time of the test, shall be turned off; and
6. Supply and return registers, if installed at the time of the test, shall be fully open.

Exceptions:

1. Additions, alterations, renovations or repairs to existing structures.
2. Conditioned garages.

Section R403.10.3 ~~Covers~~ Variable Speed Pool Pumps

R403.10.3 ~~Heated pools and in-ground permanently installed spas shall be provided with a vapor-resistant cover.~~

Exception: ~~Pools deriving over 70% of the energy for heating from site-recovered energy, such as a heat pump or solar energy source computed over an operating season.~~

Motors with a total horsepower of one or more for pools and in-ground permanently installed spas shall have the capability of operating at two or more speeds with a low speed having a rotation rate that is no more than one-half of the motor's maximum rotation rate and shall be operated with a pump control with the capability of operating the pump at two or more speeds. Residential pool pump motor controls that are sold for use with a two or more speed motor shall have a default circulation speed setting no more than one-half of the motor's maximum rotation rate. Any high speed override capability shall be for a temporary period not to exceed one twenty-four-hour cycle without resetting to the default setting.

R406.4 ERI-based compliance. Compliance based on an ERI analysis requires that the *rated design* be shown to have an ERI less than or equal to the appropriate value indicated in Table N1106.4 when compared to the ERI *reference design*.

TABLE R406.4

MAXIMUM ENERGY RATING INDEX	
CLIMATE ZONE	ENERGY RATING INDEX
1	57
2	57 <u>64</u>
3	57
4	62
5	61
6	61
7	58
8	58

2017 National Electrical Code Local Amendments

The 2017 National Electrical Code Local Amendments are as follows:

Article 250 – Grounding and Bonding

250.118 Types of Equipment Grounding Conductors.

The equipment grounding conductor run with or enclosing the circuit conductors shall be one or more or a combination of the following:

- (1) A copper, aluminum, or copper-clad aluminum conductor. This conductor shall be solid or stranded; insulated, covered, or bare; and in the form of a wire or a busbar of any shape.
- (2) Rigid metal conduit.
- (3) Intermediate metal conduit.
- (4) Electrical metallic tubing with an additional equipment grounding conductor.
- (5) Listed flexible metal conduit meeting all the following conditions:
 - a. The conduit is terminated in listed fittings.
 - b. The circuit conductors contained in the conduit are protected by overcurrent devices rated at 20 amperes or less.
 - c. The combined length of flexible metal conduit and flexible metallic tubing and liquid tight flexible metal conduit in the same ground-fault current path does not exceed 1.8 m (6 ft.).
 - d. If used to connect equipment where flexibility is necessary to minimize the transmission of vibration from equipment or to provide flexibility for equipment that requires movement after installation, an equipment grounding conductor shall be installed.
- (6) Listed liquid-tight flexible metal conduit meeting all the following conditions:
 - a. The conduit is terminated in listed fittings.
 - b. For metric designators 12 through 16 (trade sizes 3/8 through 1/2), the circuit conductors contained in the conduit are protected by overcurrent devices rated at 20 amperes or less.
 - c. For metric designators 21 through 35 (trade sizes 3/4 through 1-1/4), the circuit conductors contained in the conduit are protected by overcurrent devices rated not more than 60 amperes and there is no flexible metal conduit, flexible metallic tubing, or liquid-tight flexible metal conduit in trade sizes metric designators 12 through 16 (trade sizes 3/8 through 1/2) in the ground-fault current path.
 - d. The combined length of flexible metal conduit and flexible metallic tubing and

liquid-tight flexible metal conduit in the same ground-fault current path does not exceed 1.8 m (6 ft.).

- e. If used to connect equipment where flexibility is necessary to minimize the transmission of vibration from equipment or to provide flexibility for equipment that requires movement after installation, an equipment grounding conductor shall be installed.
- (7) Flexible metallic tubing where the tubing is terminated in listed fittings and meeting the following conditions:
 - a. The circuit conductors contained in the tubing are protected by overcurrent devices rated at 20 amperes or less.
 - b. The combined length of flexible metal conduit and flexible metallic tubing and liquid-tight flexible metal conduit in the same ground-fault current path does not exceed 1.8 m (6 ft.).
 - (8) Armor of Type AC cable as provided in 320.108.
 - (9) The copper sheath of mineral-insulated, metal-sheathed cable.
 - (10) Type MC cable that provides an effective ground-fault current path in accordance with one or more of the following:
 - a. It contains an insulated or uninsulated equipment grounding conductor in compliance with 250.118(1)
 - b. The combined metallic sheath and uninsulated equipment grounding/bonding conductor of interlocked metal tape-type MC cable that is listed and identified as an equipment grounding conductor
 - c. The metallic sheath or the combined metallic sheath and equipment grounding conductors of the smooth or corrugated tube-type MC cable that is listed and identified as an equipment grounding conductor
 - (11) Cable trays as permitted in 392.10 and 392.60.
 - (12) Cable bus framework as permitted in 370.3.
 - (13) Other listed electrically continuous metal raceways and listed auxiliary gutters.
 - (14) Surface metal raceways listed for grounding.

2018 International Existing Building Code Local Amendments

The 2018 International Existing Building Code Local Amendments are as follows:

SECTION 112 BOARD OF APPEALS

[A] 112.1 General. ~~Appeals shall be in accordance with the Surprise Municipal Code. In order to hear and decide appeals of orders, decisions, or determinations made by the Code Official relative to the application and interpretation of this Code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business.~~

[A] 112.2 Limitations on authority. ~~An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.~~

[A] 112.3 Qualifications. ~~The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.~~

2018 International Green Construction Code Local Amendments

The 2018 International Green Construction Code Local Amendments are as follows:

SECTION 101 GENERAL

101.2 General. The use of this code is optional, unless specifically required through ordinance by the City of Surprise. This code is an overlay document to be used in conjunction with the other codes and standards adopted by the jurisdiction. This code is not intended to be used as a standalone construction regulation document and permits are not to be issued under this code. This code is not intended to abridge or supersede safety, health or environmental requirements under other applicable codes or ordinances.



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: October 15, 2019

Contact Person: Chris Boyd, AD - BS DV & CD
ENF

Submitting Department: Community Development District: Citywide

Staff Recommendations: None

Consent: No	Regular: No	Public Hearing: Yes	Report/Discussion: No
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Agenda Wording:

Consideration and action pertaining to adoption of the 2018 International Building, Residential, Mechanical, Plumbing, Fuel Gas, Energy Conservation, Existing Building, Green Construction, and Fire Codes; and The 2017 National Electrical Code; and the corresponding Local Amendments thereto; Ordinance # 2019-25.

Motion:

I move to approve Ordinance #2019-25.

Background:

The 2006 Edition of the I-Codes was adopted by Mayor and City Council in 2007. The 2012 Edition of the I-Codes was adopted by the Mayor and City Council in 2014. This action will adopt the updated 2017 and 2018 International building and fire codes and will also adopt local amendments to those codes.

Objective Analysis:

Staff recommends approval of the 2018 I-Codes and Local Amendments as the adopted building code for the City of Surprise. Adoption of any new building code requires the approval of the City Council. If the City Council adopts the Ordinance, the 2018 I-Codes and local amendments would then become effective in 30 days on November 14, 2019.

Policy Compliant:

This action is compliant with City and Council policy.

Financial Impact:

Approval of the 2018 I-Codes will not significantly impact costs for construction within the City or current permit and inspection projections.

Budget Impact:

This action does not have a budgetary impact.

FTE Impact:

This action does not impact FTE staffing levels.

ATTACHMENTS:

1. Ord 2019-25 -2018 Intl Codes and Amdts to I codes-final4
 2. Local Amds 2018 Intl Codes, 2017 Natl Elec Code-final-6
-

ORDINANCE 2019-25

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, ADOPTING THE FOLLOWING 2018 INTERNATIONAL CODES: BUILDING, RESIDENTIAL, FIRE, MECHANICAL, PLUMBING, ENERGY CONSERVATION, FUEL GAS, EXISTING BUILDING, GREEN CONSTRUCTION CODES; THE 2017 NATIONAL ELECTRICAL CODE AND THE CORRESPONDING LOCAL AMENDMENTS TO THE 2018 INTERNATIONAL CODES AND THE 2017 NATIONAL ELECTRICAL CODE; AND AMENDING CHAPTER 105, ARTICLE II, DIVISION 1 SECTION 105-19; THEREBY ESTABLISHING THESE ADOPTIONS, INCLUDING SEVERABILITY, ESTABLISHING AN EFFECTIVE DATE AND REPEALING CONFLICTING ORDINANCES.

WHEREAS, the Mayor and Council deem it necessary, in order to protect the public health, safety and welfare and public and private property, to adopt certain rules and regulations to regulate the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings, structures, or premises;

WHEREAS, in 2007 the Mayor and City Council adopted the 2006 set of International Codes and in 2014 they adopted the 2012 International Codes and in 2016 they adopted an addendum to the original Ordinance;

WHEREAS, the 2018 International Codes are meant to replace the 2012 International Codes previously adopted by Mayor and Council;

WHEREAS, all the adopted 2012 International Codes are being updated to the 2018 versions, except the 2006 International Property Maintenance Code which will remain in effect until brought forward separately for adoption;

WHEREAS, the 2018 International Fire Code and the 2019 Amendments to the 2018 International Fire Code were adopted by Council on August 6, 2019;

WHEREAS, the Building Safety Division of Community Development and the Fire-Medical Department are recommending the adoption of the International Codes contained in the public records titled 2018 International Building, 2018 International Residential, 2018 International Mechanical, 2018 International Plumbing, 2018 International Energy Conservation, 2018 International Fuel Gas, 2018 Green Construction, 2018 International Existing Buildings, and the 2017 National Electrical Code; of which 3 copies are on file in the office of the Surprise City Clerk; and

WHEREAS, the Surprise staff is recommending amendments to these codes which amendments are contained in that certain public record entitled Local Amendments to the 2018 International Codes and the 2017 National Electrical Code dated November 14, 2019, three copies of which are on file in the office of the Surprise City Clerk,

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Surprise, Arizona, as follows:

Section 1. The International Codes and appendices as published by the International Code Council and as contained in the public records entitled 2018 International Building Code, 2018 International Residential Code, 2018 International Mechanical Code, 2018 International Plumbing Code, 2018 International Fuel Gas Code, 2018 International Energy Conservation Code, 2018 International Existing Buildings Code, 2018 International Green Construction Code, 2017 National Electrical Code, and the 2018 International Fire Code, and the local amendments to those codes, as contained in the public record entitled Local Amendments to the 2018 International Codes and the 2017 National Electrical Code all dated November 14, 2019 and 2019 Amendments to the 2018 International Fire Code, Chapter 12 Energy Systems, dated August 6, 2019, are hereby adopted by reference, as amended.

Section 2. Surprise Municipal Code, Chapter 105, Article II, Division 1, Section 105-19 shall be amended by and incorporate by reference those public records all dated November 14, 2019 and entitled 2018 International Building Code, 2018 International Residential Code, 2018 International Mechanical Code, 2018 International Plumbing Code, 2018 International Fuel Gas Code, 2018 International Energy Conservation Code, 2018 International Existing Buildings Code, 2018 International Green Construction Code and the 2017 National Electrical Code and Local Amendments to the 2018 International Codes and the 2017 National Electrical Code, three copies of each which are on file in the office of the Surprise City Clerk, and incorporated herein by this reference. Specifically, Surprise Municipal Code, Chapter 105, Article II, Division 1, Section 105-19 is amended to read as follows:

Sec. 105-19. - Construction codes.

- (a) 2018 International Building Code.
- (b) 2018 International Residential Code.
- (c) 2017 National Electrical Code.
- (d) 2018 International Mechanical Code.
- (e) 2018 International Plumbing Code.
- (f) 2018 International Fuel Gas Code.
- (g) 2018 International Energy Conservation Code.
- (h) 2006 International Property Maintenance Code.
- (i) 2018 International Existing Building Code.
- (j) 2018 International Fire Code.

(k) 2018 International Green Construction Code.

A certain public record entitled Local Amendments to the 2018 International Codes and the 2017 National Electrical Code dated November 14, 2019, specifically amends the 2018 building code, residential code, electrical code, mechanical code, plumbing code, fuel gas code, energy conservation code, Green Construction Code, existing building code and fire code. The 2018 International Fire Code is further amended by that certain public record entitled 2019 Amendments to the 2018 International Fire Code, Chapter 12 Energy Systems dated August 6, 2019.

Section 2. All ordinances, resolutions or codes in conflict with the provisions of this Ordinance or Code adopted by this Ordinance are repealed.

Section 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of these amendments to the municipal code adopted herein is for any reason held to be invalid or unconstitutional by decision of any court of competent jurisdiction, such decision will not be read to affect the validity of the remaining portions thereof.

Section 4. This ordinance will become effective at the time and manner prescribed by law.

PASSED AND ADOPTED this _____ day of _____, 2019.

Skip Hall, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney



**City of Surprise
Local Amendments to the
2018 International Codes and the
2017 National Electrical Code
November 14, 2019**

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2018 International Building Code

Local Amendments

The following Appendices of the 2018 International Building Code are hereby adopted in their entirety: appendices C and H

The 2018 International Building Code Local Amendments are as follows:

101.1 Title. These regulations shall be known as the Building Code as amended by the City of Surprise, hereinafter referred to as “this code.”

105.2 Work exempt from permit. Exemptions from *permit* requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. *Permits* shall not be required for the following:

Building:

1. One-story detached accessory structures ~~used as tool and storage sheds, playhouses and similar uses,~~ provided the floor area is not greater than ~~120~~ 200 square feet (~~11~~ 18.58 m²).
2. Fences not over ~~7-6~~ feet (~~2134 mm~~ 1829 mm) high.
3. Oil derricks.
4. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids.
5. Water tanks supported directly on grade if the capacity is not greater than 5,000 gallons (18 925 L) and the ratio of height to diameter or width is not greater than 2:1.
6. Platforms, sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade, and not over any basement or *story* below and are not part of an *accessible route*.
7. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
8. Temporary motion picture, television, and theater stage sets and scenery.
9. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than ~~24-18~~ inches (610 mm) deep.
10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
11. Swings and other playground equipment accessory to detached one- and two-family *dwellings*.
12. Window awnings in Group R-3 and U occupancies, supported by an exterior wall that do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.

13. Non-fixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1753 mm) in height.
14. Re-roofing with the same type of material as the original roofing and provided not more than two layers of asphalt shingles are applied over an existing asphalt shingle roof.
15. Installation of a nonstructural weatherproof exterior covering over an existing weatherproof covering on an existing structure so long as the new covering will not affect the fire-resistive classification of the existing structure.

Exception: Installation of an Exterior Insulation and Finish System (EIFS).

105.5 Expiration. Every *permit* issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such *permit* is suspended or abandoned for a period of 180 days after the time the work is commenced. The *building official* is authorized to grant, in writing, one or more extension of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. A permit shall be considered expired if more than 180 days shall pass between approvals of inspections listed in Section 109. When a permit expires by limitations and has become null and void, and the *building official* has not been notified in writing by the permit applicant that no work was done under the permit, the *building official* may file a "Notice of Non-Compliance" with the Maricopa County Recorder's Office for failure of obtaining the required inspections.

105.5.1 Completing Work and Final Inspection. Every permit issued by the building official shall expire 24 months after the date of permit issuance. If the building or work authorized by such permit has not received final inspection approval prior to the permit expiration date, all work shall stop until a new permit is obtained for the value of the work remaining unfinished.

Exception: The building official may approve a period exceeding 24 months for completion of work when the permit holder can demonstrate that the complexity or size of the project makes completing the project within 24 months unreasonable. Any request shall be prior to expiration of the permit.

109.4 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall may be subject to a fee established by the building official that shall be in addition to the required permit fees.

111.3.1 Certificate of Completion. The Building Official is authorized to issue a Certificate of Completion as proof that a structure or system is complete and for certain types of permits is released for use and may be connected to a utility system. This certificate does not grant authority to occupy a building prior to the issuance of a Certificate of Occupancy.

SECTION 113 BOARD OF APPEALS

~~[A] 113.1 General. Appeals shall be in accordance with the Surprise Municipal Code. Whether to hear and decide appeals or orders, decisions or determinations made by the Building Official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeal shall be appointed by the applicable governing authority and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business.~~

~~[A] 113.2 Limitations on authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.~~

~~[A] 113.3 Qualifications. The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.~~

SECTION 202 DEFINITONS

ASSISTED LIVING CENTER An assisted living facility that provides resident rooms or residential units to eleven or more residents.

ASSISTED LIVING FACILITY A residential care institution, including adult foster care, that provides or contracts to provide supervisory care services, personal care services or directed care services on a continuing basis.

ASSISTED LIVING HOME An assisted living facility that provides resident rooms to ten or fewer residents.

DIRECTED CARE SERVICE Care of residents, including personal care services, who are incapable of recognizing danger, summoning assistance, expressing need, or making basic care decisions.

PERSONAL CARE SERVICE The care of persons who do not require medical care. Personal care involves responsibility for the safety of persons while inside the building. Assistance with activities of daily living that can be performed by persons without professional skills or professional training and includes the coordination or provision of intermittent nursing services and administration of medications or treatments.

SUPERVISORY CARE SERVICE General supervision, including daily awareness of resident functioning and continuing needs.

308.2 Institutional Group I-1. This occupancy shall include buildings, structures or portions thereof for more than 16 persons who reside on a 24-hour basis in a supervised environment, and receive *custodial care*, and the persons receiving care are

capable of self-preservation, except as provided for assisted living centers. This group shall include, but not be limited to, the following:

Alcohol and drug centers

~~Assisted living facilities~~ centers

Congregate care facilities

Convalescent facilities

Group homes

Halfway houses

Residential board and *custodial care* facilities

Social rehabilitation facilities

308.2.3 Six to sixteen persons receiving care. A facility such as above, housing not fewer than six and not more than 16 persons receiving such care, shall be classified as Group R-4, except as provided for assisted living homes.

308.3 Institutional Group I-2. This occupancy shall include buildings and structures used for *medical care* on a 24-hour basis for one or more ~~than five~~ persons who are *incapable of self-preservation*. This group shall include, but not be limited to, the following:

Foster care facilities

Detoxification facilities

Hospitals

Nursing homes

Assisted Living Centers

Psychiatric hospitals

~~**308.3.2 Five or fewer persons receiving care.** A facility such as the above with five or fewer persons receiving such care shall be classified as Group R-3 or shall comply with the *International Residential Code* provided an *automatic sprinkler system* is installed in accordance with Section 903.3.1.3 or with Section P2904 of the *International Residential Code*.~~

310.4.1 Care facilities within a dwelling. Licensed care facilities for five-10 or fewer persons receiving care that are within a single-family dwelling are permitted, to comply with the *International Residential Code* provided an *automatic sprinkler system* is installed in accordance with Section 903.1.3 or Section P2904 of the *International Residential Code* provided that the requirements of Section 425 of this code are met.

Exceptions:

1. Family Foster Homes and Foster Group Homes licensed by the State of Arizona

Department of Economic Security.

2. Group Homes for the Developmentally Disabled and Behavioral Health Group Homes which serve six or less residents and are licensed by the State of Arizona Department of Health Services.

310.5 Residential Group R-4. This occupancy shall include buildings, structures or portions thereof for more than five but not more than 16 persons, excluding staff, who reside on a 24-hour basis in a supervised residential environment and receive *custodial care*. The persons receiving care are capable of self-preservation, except as provided for assisted living homes. This group shall include, but not be limited to, the following:

Alcohol and drug centers

Assisted living ~~facilities~~ homes

Congregate care facilities

Convalescent facilities

Group homes

Halfway houses

Residential board and *custodial care* facilities

Social rehabilitation facilities

Group R-4 occupancies shall meet the requirements for construction as defined for Group R-3, except as otherwise provided for in this code and Section 429.

310.5.1 Condition 1. ~~This occupancy condition shall include buildings in which all person receiving custodial care, without any assistance, are capable of responding to an emergency situation to complete building evacuation.~~ This occupancy condition shall include facilities licensed to provide supervisory care services, in which occupants are capable of self-preservation by responding to an emergency situation without physical assistance from staff. Condition 1 facilities housing more than 10 persons shall be classified as Group I-1

310.5.2 Condition 2. ~~This occupancy condition shall include buildings in which there are any persons receiving custodial care who require limited verbal or physical assistance while responding to an emergency situation to complete building evacuation.~~ This occupancy condition shall include facilities licensed to provide personal or directed care services, in which occupants are incapable of self-preservation by responding to an emergency situation without physical assistance from staff. Condition 2 facilities housing more than 10 persons shall be classified as Group I-2.

Exceptions:

1. Family Foster Homes and Foster Group Homes licensed by the State of Arizona Department of Economic Security.

2. Group Homes for the Developmentally Disabled and Behavioral Health Group Homes which serve six or less residents and are licensed by the State of Arizona Department of Health Services.

SECTION 429 ASSISTED LIVING HOMES

429.1 Applicability. The provisions of this section shall apply to a building or part thereof housing not more than 10 persons, excluding staff, on a 24-hour basis, who because of age, mental disability or other reasons, live in a supervised residential environment, which provides licensed care services. Except as specifically required by this division, R-4 occupancies shall meet all the applicable provisions of Group R-3.

429.2 General. Building or portions of buildings classified as R-4 may be constructed of any materials allowed by this code, shall not exceed two stories in height nor be located above the second story in any building and shall not exceed two thousand square feet above the first story, except as provided in Section 506.

429.3 Special Provisions. R-4 occupancies having more than 2000 square feet above the first story shall be of not less than one-hour fire-resistive construction throughout.

429.3.1 Mixed Uses. R-4 occupancies shall be separated from other occupancies as provided in Table 508.4.

429.4 Access and Means of Egress Facilities

429.4.1 Accessibility. R-4 occupancies shall be provided with a concrete landing and ramp outside of the main entrance to comply with sections 1008.1.6, 1010.3, 1010.7.1 and 1010.10. Thresholds at the main entrance shall comply with section 1008.1.7.

429.4.2 Exits

429.4.2.1 Number of Exits. Every story, basement, or portion thereof shall have not less than two exits.

Exception: Basements and stories above the first floor containing no sleeping rooms used by residents may have only one means of egress as provided in Chapter 1.

429.4.2.2 Distance to Exits. The maximum travel distance shall comply with Section 1016, except that the maximum travel distance from the center point of any sleeping room to an exit shall not exceed 75 feet.

429.4.2.3 Emergency Exit Illumination. In event of a power failure, exit illumination shall be automatically provided from an emergency system powered by storage batteries or an onsite

generator set installed in accordance with the National Electric Code.

429.4.2.4 Emergency Escape and Rescue. R-4 occupancies shall comply with the requirements of Section 1029, except that Exception #1 to 1030.1 does not apply to R-4 occupancies.

429.4.2.5 Delayed Egress Locks. In R-4 Condition 2 occupancies, delayed egress locks shall be permitted in accordance with 1010.1.9.7, Items 1, 2, 4, 5, and 6.

429.5 Smoke Alarms and Sprinkler Systems.

429.5.1 Smoke Alarms. R-4 occupancies shall be provided with smoke alarms installed in accordance with IFC 907.2.11.2, and such alarms shall be installed in all habitable rooms.

429.5.2 Sprinkler Systems. R-4 occupancies shall be provided with a sprinkler system installed in accordance with IFC 903.3.1.3. Sprinkler systems installed under this section shall be installed throughout, including attached garages, and in Condition 2 facilities, shall include concealed spaces of or containing combustibles. Such systems may not contain unsupervised valves between the domestic water riser control valve and the sprinklers. In Condition 2 occupancies, such systems shall contain water flow switches electrically supervised by an approved supervising station, and shall sound an audible signal at a constantly attended location.

CHAPTER 9

FIRE PROTECTION SYSTEMS

DELETE the entire Chapter. All Fire Protection systems standards will be those stated in the 2018 International Fire Code Chapter 9 as amended by this ordinance.

1111.1 Signs. Required *accessible* elements shall be identified by the International Symbol of Accessibility at the following locations

1. *Accessible* parking spaces required by Section 1106.1.
 - a. *Accessible* parking spaces may also be identified by the use of the Accessibility Icon.

Exception: Where the total number of parking spaces provided is four or less, identification of *accessible* parking is not required.

2. *Accessible* parking spaces required by Section 1106.2.

Exception: In Group I-1, R-2, R-3 and R-4 facilities, where parking spaces are assigned to specific *dwelling units* or *sleeping units*, identification of *accessible* parking spaces is not required.

3. *Accessible* passenger loading zones.
4. *Accessible* rooms where multiple single-user toilet or bathing rooms are clustered at a single location.
5. *Accessible* entrances where not all entrances accessible.
6. *Accessible* check-out aisles where not all aisles are accessible. The sign, where provided, shall be above the check-out aisle in the same location as the check-out aisle number or type of check-out identification.
7. Family or assisted-use toilet and bathing rooms.
8. *Accessible* dressing, fitting and locker rooms where not all such rooms are *accessible*.
9. *Accessible* areas of refuge in accordance with Section 1009.9
10. Exterior areas for assisted rescue in accordance with Section 1009.9
11. In recreational facilities, lockers that are required to be *accessible* in accordance with Section 1109.9.

1111.2 Directional signage. Directional signage indicating the route to the nearest like *accessible* element shall be provided at the following locations. These directional signs shall include the International Symbol of Accessibility or the Accessibility Icon and sign characters shall meet the visual character requirements in accordance with ICC A117.1

1. Inaccessible building entrances.
2. Inaccessible public toilets and bathing facilities.
3. Elevators not serving an *accessible route*.
4. At each separate-sex toilet and bathing room indicating the location of the nearest family or assisted-use toilet or bathing room where provided in accordance with Section 1109.2.1
5. At *exits* and *exit stairways* serving a required *accessible* space, but not providing an *approved accessible means of egress*, signage shall be provided in accordance with Section 1009.10.
6. Where drinking fountains for persons using wheelchairs and drinking fountains for standing persons are not located adjacent to each other, directional signage shall be provided indicating the location of the other drinking fountains.

1203.1 Equipment and systems. ~~Habitable spaces~~ ~~Interior spaces~~ intended for human occupancy shall be provided with active or passive space-heating and space-cooling systems capable of maintaining a minimum indoor temperature between 70 °F (20°C) and 90°F (32°C) at a point 3 feet (914 mm) above the floor on the design heating day.

Exception: Space heating and cooling systems are not required for interior spaces where the primary purpose of the space is not associated with human comfort.

1607.2 Loads not specified.**TABLE 1607.1****MINIMUM UNIFORMLY DISTRIBUTED LIVE LOADS, L_o , AND MINIMUM CONCENTRATED LIVE LOADS^g**

OCCUPANCY OR USE	UNIFORM (psf)	CONCENTRATED (lbs.)
25. Residential		
One- and two-family dwellings		-
Uninhabitable attics with storage ^{i,j,k}	20 <u>40</u>	
Habitable attics and sleeping areas ^k	30 <u>40</u>	
(no other changes in item 25)		

1612.3 Establishment of flood hazard areas. To establish *flood hazard areas*, the applicable governing authority shall adopt a flood hazard map and supporting data. The flood hazard map shall include, at a minimum, areas of special flood hazard as identified by the Federal Emergency Management Agency in an engineering report entitled "The Flood Insurance Study for Maricopa County, Arizona and Incorporated Areas revised on July 19, 2001, as amended or revised with the accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM) and related supporting data along with any revisions thereto. The adopted flood hazard map and supporting data are hereby adopted by reference and declared to be part of this section.

1704.1 General. Special inspections and tests, statements of special inspections, responsibilities of contractors, submittals to the building official and structural observations shall meet the applicable requirements of this section. The building official may also require other special inspections not prescribed in this section as needed.

2106.1 Seismic design requirements for masonry. Masonry structures and components shall comply with the requirements in section 1.18 of TMS 402/ACI 530/ASCE 5 depending on the structure's seismic design category. All new masonry elements, regardless of seismic design category, shall meet the following minimum reinforcement requirements:

1. Connections to columns shall comply with Section 1.18.4.3.2.1 of TMS 402/ACI 530/ASCE 5.
2. Vertical wall reinforcement of at least 0.20 square inch (130 mm sq) in cross-sectional area shall
3. Be provided continuously from support to support at each corner, at each side of each opening, at the ends of walls and at maximum spacing of 4 feet (1219 mm) apart horizontally throughout the wall.
4. Horizontal wall reinforcement not less than 0.20 square inch (130 mm sq.) in

cross-sectional area shall be provided (1) at the bottom and top of wall openings and extend not less than 24 inches (610 mm) or less than 40 bar diameters past the opening, (2) continuously at structurally connected roof and floor levels and at the top of walls, (3) at the bottom of walls or in the top of foundations when doweled in walls, and (4) at maximum spacing of 10 feet (3048 mm) unless uniformly distributed joint reinforcement is provided.

5. Where anchor bolts are used to connect horizontal elements to the tops of columns, anchor bolts shall be placed within lateral ties. Lateral ties shall enclose both the vertical bars in the column and the anchor bolts. There shall be a minimum of two No. 4 (M #13) or three No. 3 (M #10) in the top 5 inches (127 mm) of the column.

SECTION 3109 SWIMMING POOLS, SPAS AND HOT TUBS

DELETE section in its entirety

Swimming pools, spas and hot tubs are governed by Maricopa County Environmental Services Department standards and by that entity.

2018 International Residential Code Local Amendments

The following Appendices of the 2018 International Residential Code are hereby adopted in their entirety: appendices A, B, C, H, N, P, Q, R, S and T.

The following Appendix of the 2018 International Residential Code, is hereby adopted in its entirety and amended per the Local Amendment: Appendix K

The 2018 International Residential Code Local Amendments are as follows:

101.1 Title.

These provisions shall be known as the Residential Code for One and Two-Family Dwellings ~~of as amended by the City of Surprise~~, and shall be cited as such and will be referred to herein as “this code.”

R105.2 Work exempt from permit. Exemption from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

1. One-story detached accessory structures, provided the floor area is not greater than 200 square feet (18.58 m²).
2. Fences not over ~~7-6~~ feet (~~2134 mm~~ 1829 mm) high.
3. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
4. Water tanks supported directly on grade if the capacity is not greater than 5,000 gallons
5. (18 925 L) and the ratio of height to diameter or width is not greater than 2:1.
6. Sidewalks and driveways.
7. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
8. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than ~~24~~ 18 inches (610 mm) deep.
9. Swings and other playground equipment.
10. Window awnings supported by an exterior wall that do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.
11. Decks not exceeding 200 square feet (18.58 m²) in area, that are not more than 30 inches (762 mm) above grade at any point, are not attached to a dwelling and do not serve the exit door required by Section R311.4.

12. Hot water re-circulators.
13. Water Softeners and Soft Water Loops.
14. Replacement of existing water heaters which are of the same size, type and method of operation and were previously installed with a valid building permit.
15. Re-roofing with the same type of material as the original roofing and provided not more than two layers of asphalt shingles are applied over an existing asphalt shingle roof.
16. Installation of a nonstructural weatherproof exterior covering over an existing weatherproof covering on an existing structure so long as the new covering will not affect the fire-resistive classification of the existing structure.

Exception: Installation of an Exterior Insulation and Finish System (EIFS).

105.5 Expiration. Every *permit* issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such *permit* is suspended or abandoned for a period of 180 days after the time the work is commenced. The *building official* is authorized to grant, in writing, one or more extension of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. A permit shall be considered expired if more than 180 days shall pass between approvals of inspections listed in Section 109. When a permit expires by limitations and has become null and void, and the *building official* has not been notified in writing by the permit applicant that no work was done under the permit, the *building official* may file a "Notice of Non-Compliance" with the Maricopa County Recorder's Office for failure of obtaining the required inspections.

105.5.1 Completing Work and Final Inspection. Every permit issued by the building official shall expire 24 months after the date of permit issuance. If the building or work authorized by such permit has not received final inspection approval prior to the permit expiration date, all work shall stop until a new permit is obtained for the value of the work remaining unfinished.

Exception: The building official may approve a period exceeding 24 months for completion of work when the permit holder can demonstrate that the complexity or size of the project makes completing the project within 24 months unreasonable. Any request shall be prior to expiration of the permit.

SECTION R112 BOARD OF APPEALS

R112.1 General. Appeals shall be in accordance with the Surprise Municipal Code. In order to hear and decide appeals of orders, decisions or determinations made by the *Building Official* relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The *Building Official* shall be an ex officio member of said board but shall have no vote on any matter before the board. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business, and

shall render all decisions and findings in writing to the appellant with a duplicate copy to the *Building Official*.

~~R112.2 Limitations on authority.~~ An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.

~~R112.3 Qualifications.~~ The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the *jurisdiction*.

~~R112.4 Administration.~~ The Building Official shall take immediate action in accordance with the decision of the board.

R113.1.1 Occupying or maintaining a non-permitted structure. Any work on a property that has been done without a permit as required by sections R105.1 and R105.2 of this code shall be considered a violation by the current owner of the property regardless of when the work that required a permit was done or who owned the property at the time of construction.

Work shall be defined for this section alone as constructing, enlarging, altering, repairing, moving, demolishing, or changing the occupancy of a building or structure or erecting, installing, enlarging, altering, repairing, removing, converting or replacing any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code.

SECTION R202 DEFINITIONS

[RB] FIRE SEPARATION DISTANCE. The distance measured from the building face to one of the following:

1. To the closest interior lot line.
2. To the centerline of a street, an alley or a public way.
3. To an imaginary line between two buildings on the lot.

The distance shall be measured at the right angle from the face of the wall framing.

R301.2 Climatic and geographic design criteria. Buildings shall be constructed in accordance with the provisions of this code as limited by the provisions of this section. Additional criteria shall be established by the local jurisdiction and set forth in Table R301.2 (1).

Table R301.2 (1)

(Due to space limitations the table could not be reproduced; only the values are listed)

Ground snow load: 0

Wind speed (mph): 115 Exposure B (unless otherwise designated by the Building Official)

Topographic Effects: No

Special Wind Region: No

Windborne Debris Zone: No

Seismic design category: B

Weathering: Negligible

Frost line depth: 0"

Termite: Moderate to heavy

Decay: None to slight

Winter design temperature: None to slight

Ice shield underlayment required: No

Flood hazards: MCFCDD requirements

Air freezing index: N/A

Mean annual temperature: 72.3°F

R301.2.4 Floodplain Construction. Buildings and structures constructed in whole or in part in flood hazard areas (including A or V Zones) as established in ~~Table R301.2(1)~~ shall be designed and constructed in accordance with ~~Section R322~~ the regulations of the Maricopa County Flood Control District. ~~Buildings and structures located in whole or in part in identified floodways shall be designed and constructed in accordance with ASCE 24.~~

R301.5 Live Load. The minimum uniformly distributed live load shall be as provided in Table R301.5

TABLE R 301.5
MINIMUM UNIFORMLY DISTRIBUTED LIVE LOADS
(in pounds per square foot)

USE	LIVE LOAD
Uninhabitable attics with limited storage ^{b,g}	<u>20-40</u>
Habitable attics and attics served with fixed stairs	<u>30-40</u>
Sleeping rooms	<u>30-40</u>

(No other changes to Table)

R302.1 Exterior Walls. Construction, projections, openings and penetrations of *exterior walls* of *dwellings* and accessory buildings shall comply with Table R302.1 (1); or dwellings equipped throughout with an *automatic sprinkler system* installed in accordance with Section P2904 shall comply with Table R302.1 (2).

Exceptions:

1. Walls, projections, openings or penetrations in walls perpendicular to the lot line used to determine the *fire separation distance*.
2. Walls of *dwellings* and *accessory structures* located on the same *lot*.
3. Detached tool sheds and storage sheds, playhouses and similar structures exempted from permits are not required to provide wall protection based on location on the lot. Projections beyond the *exterior wall* shall not extend over the *lot line*.
4. Detached garages accessory to a *dwelling* located within 2 feet (610 mm) of a *lot line* are permitted to have roof eave projections not exceeding 4 inches (102 mm).
5. Foundation vents installed in compliance with the code are permitted
6. Metal patio covers that meet the following conditions:
 - 6.1 Attached to the *dwelling*.
 - 6.2 Cannot extend beyond the *exterior wall* when that wall is parallel to the *lot line*.
 - 6.3 The *exterior wall* is 5 feet (1 525 mm) or less from the adjacent *lot line*.

R302.6 Dwelling/garage fire separation. The garage shall be separated as required by Table R302.6. Openings in garage walls shall comply with Section R302.5. This provision does not apply to garage walls that are perpendicular to the adjacent *dwelling unit* wall.

**Table R302.6
DWELLING/GARAGE SEPARATION**

SEPARATION	MATERIAL
From the residence and attics	Not less than 1/2" gypsum board applied to the garage side <u>Minimum 5/8" Type X gypsum board applied to the garage side</u>

(No other changes to Table)

R303.10 Required heating and cooling. When the winter design temperature in Table R301.2 (1) is below 60°F (16°C). Every *dwelling unit* shall be provided with heating and

cooling facilities capable of maintaining a minimum room temperature between 70°F(21°C) 68°F (20°C) and 90°F (50°C) at a point 3 feet (914 mm) above the floor and 2 feet (610 mm) from exterior walls in all habitable rooms at the design temperature. The installation of one or more portable space heaters or portable space coolers shall not be used to achieve compliance with this section.

R309.5 Fire Sprinklers.

DELETE section in its entirety.

R310.4 Bars, grilles, covers and screens. Where bars, grilles, covers, screens or similar devices are placed over emergency escape and rescue openings, area wells, or window wells, the minimum net clear opening size shall comply with Sections R310.2.1 through R310.2.3 and such devices shall be releasable or removable from the inside without the use of a key, tool, special knowledge or force greater than that required for the normal operation of the escape and rescue opening. The dwelling shall be equipped with smoke alarms installed in accordance with Section R314.

SECTION R313 AUTOMATIC FIRE SPRINKLER SYSTEMS

DELETE section in its entirety.

SECTION R322 FLOOD-RESISTANT CONSTRUCTION

R322.1 General. Buildings and structures constructed in whole or in part in flood hazard areas ~~(including A or V Zones) as established in Table R301.2(1)~~ shall be designed and constructed in accordance with Section R322, the regulations of the Maricopa County Flood Control District. ~~Buildings and structures located in whole or in part in identified floodways shall be designed and constructed in accordance with ASCE 24.~~

SECTION R328 FIREPLACE RESTRICTIONS

DELETE section in its entirety.

Section R328 circumstances are governed by Maricopa County Air Quality Department Standards and by that entity.

R403.1.1 Minimum size. Minimum sizes for concrete and masonry footings shall be set forth in Table R403.1 and Figure R403.1 (1). The footing width, W, shall be based on the load-bearing value of the soil in accordance with Table R401.4.1. Spread footings shall be at least 6 inches (152 mm) in thickness, T. Footing projections, P, shall be at least 2 inches (51 mm) and shall not exceed the thickness of the footing. The size of footings supporting piers and columns shall be based on the tributary load and allowable soil pressure in accordance with Table R401.4.1. Footings for wood foundations shall be in accordance with the details set forth in Section R403.2 and Figures R403.1.(2) and R403.1 (3).

Exception: For enclosure of existing carport and patio covers, non-bearing wood framed exterior walls within the projection of the existing roof may be supported on an existing, uncracked concrete slab. The minimum slab thickness shall be 3.5 inches and the construction shall comply with the requirements of R317 for protection against decay.

R502.3.1 Sleeping areas and attic joists. Table R502.3.1(1 2) shall be used to determine the maximum allowable span of floor joists that support sleeping areas and attics that are accessed by means of a fixed stairway in accordance with Section R311.7 provided that the design live load does not exceed ~~30~~ **40** pounds per square foot (~~1.44~~ **1.92** kPa). The allowable span of ceiling joists that support attics used for limited storage or no storage shall be determined in accordance with Section R802.4.

N1101.1 Scope. This chapter regulates the energy efficiency for the design and construction of buildings regulated by this code. Group R-2 when defined as a Residential Building by section R202, shall have the option of complying under the Commercial Provisions of the code, regardless of height. Once defined as such on the submittal documents, all components of the Commercial Provisions shall be followed.

N1101.4.1 RESNET testing & inspection protocol. The Residential Energy Services Network (RESNET) Mortgage Industry National Home Energy Rating System, Standards Protocol for third party testing and inspections, shall be deemed to meet the requirements of sections R402.4.1.1, R402.4.1.2 and R403.2.2. and shall meet the following conditions:

1. Third Party Testing and Inspections shall be completed by RESNET certified Raters or Rating Field Inspectors and shall be subject to RESNET Quality Assurance Field Review procedures.
2. Sampling, in accordance with Chapter 6 of the RESNET Standards shall be performed by Raters or Rating Field Inspectors working under a RESNET Accredited Sampling Provider.
3. Third Party Testing is required for the following items:
 - a. N1102.4.1.1 – Building Envelope – Thermal and Air Barrier Checklist
 - b. N1102.4.1.2 – Testing – Air Leakage Rate
 - c. N1103.3.2 – Sealing – Duct Tightness
4. The other requirements identified as “mandatory” in Chapter 11 shall be met.
5. Alternate testing and inspection programs and protocols shall be allowed when approved by the Code Official.

N1102.4.1.2 (R402.4.1.2) Testing. The building or dwelling unit shall be tested and verified as having an air leakage rate of not exceeding five air changes per hour in *Climate Zones* 1 and 2, and three air changes per hour in Zones 3 through 8. Testing shall be conducted in accordance with RESNET/ICC 380, ASTM E779 or ASTM E1827 and reported as a pressure of 0.2 inches w.g. (50 Pascals). Where required by the *building*

official, testing shall be conducted by an *approved* third party. A written report of the results of the test shall be signed by the party conducting the test and provided to the *building official*. Testing shall be performed at any time after creation of all penetrations of the *building thermal envelope*.

During testing:

1. Exterior windows and doors, fireplace and stove doors shall be closed, but not sealed, beyond the intended weather stripping or other infiltration control measures;
2. Dampers including exhaust, intake, makeup air, backdraft and flue dampers shall be closed, but not sealed beyond intended infiltration control measures;
3. Interior doors, if installed at the time of the test, shall be open;
4. Exterior doors for continuous ventilation systems and heat recovery ventilators shall be closed and sealed;
5. Heating and cooling systems, if installed at the time of the test, shall be turned off; and
6. Supply and return registers, if installed at the time of the test, shall be fully open.

Exceptions:

1. Additions, alterations, renovations or repairs to existing structures.
2. Conditioned garages.

N1103.3 Ducts. Ducts and air handlers shall be in accordance with Sections N1103.2.1 through N1103.2.3.

N1103.3.1 Insulation (Prescriptive). Supply ducts in attics shall be insulated to a minimum of R-8. Ducts in floor trusses shall be insulated to a minimum of R-6.

Exceptions: Ducts or portions thereof located completely inside the building thermal envelope.

1. Ducts or portions thereof located completely inside the building thermal envelope.
2. Supply ducts may be insulated to a minimum of R-6 when one or more of the following conditions are met;
3. Minimum SEER rating of space heating/cooling system is increased to 15.
4. Maximum U-factor is decreased to 0.35 and maximum SHGC is decreased to 0.22 for all fenestration products.
5. Residential buildings that meet the requirements of sections R102.1.1 or R405.
6. Residential buildings with attic radiant barriers in accordance with ASTM C1313, installed in accordance with ASTM C1743.

Section N1103.10.3 ~~Covers~~ Variable Speed Pool Pumps. ~~Outdoor heated pools and outdoor permanent spas shall be provided with a vapor-resistant cover or other approved vapor-retardant means. Motors with a total horsepower of one or more for pools and in-ground permanently installed spas shall have the capability of operating at two or more speeds with a low speed having a rotation rate that is no more than one-half of the motor's maximum rotation rate and shall be operated with a pump control with the capability of operating the pump at two or more speeds. Residential pool pump motor controls that are sold for use with a two or more speed motor shall have a default circulation speed setting no more than one-half of the motor's maximum rotation rate. Any high speed override capability shall be for a temporary period not to exceed one twenty-four-hour cycle without resetting to the default setting.~~

Exception: ~~Where more than 75 percent of the energy for heating, computed over an operation season of not less than three months, is from a heat pump or an on-site renewable energy system, covers or other vapor-retardant means shall not be required.~~

N1106.4 ERI-based compliance. Compliance based on an ERI analysis requires that the *rated design* be shown to have an ERI less than or equal to the appropriate value indicated in Table N1106.4 when compared to the ERI *reference design*.

TABLE N1106.4 (R406.4)

MAXIMUM ENERGY RATING INDEX	
CLIMATE ZONE	ENERGY RATING INDEX
1	57
2	57 64
3	57
4	62
5	61
6	61
7	58
8	58

M1503.6 Makeup air required. Where one or more gas, liquid or solid fuel-burning appliance that is nether direct-vent nor uses a mechanical draft venting system is located within a dwelling unit's air barrier, each exhaust system capable of exhausting in excess of 400 cubic feet per minute (0.19 m³/s) shall be mechanically or passively provided with makeup air at a rate approximately equal to the difference between the exhaust air rate and 400 cubic feet per minute. Such makeup air systems shall be equipped with not fewer than one damper complying with Section M1503.6.2.

Exception: Make up air is not required for exhaust systems installed for the exclusive purpose of space cooling and intended to be operated only when windows or other air inlets are open.

E3908.8 Types of equipment grounding conductors.

The equipment grounding conductor run with or enclosing the circuit conductors shall be one or more or a combination of the following:

4. Electrical metallic tubing with an additional equipment grounding conductor sized in accordance with Table E3908.12.

Appendix E Local Amendment

DELETE this appendix in its entirety and REPLACE as follows:

Appendix E circumstances are governed by State of Arizona Office of Manufactured Housing Regulations and by that entity.

Appendix G Local Amendment

DELETE this Appendix G in its entirety and REPLACE it with the following:

SWIMMING POOLS, SPAS AND HOT TUBS

SECTION AG101 GENERAL

AG101.1 General.

The provisions of this appendix shall control the design and construction of swimming pools, spas and hot tubs installed in or on the lot of a one- and two-family dwelling.

SECTION AG102 DEFINITIONS

AG102.1 General.

For the purposes of these requirements, the terms used shall be defined as follows and as set forth in Chapter 2.

ABOVE-GROUND/ON-GROUND POOL. See "Swimming pool"

BARRIER. A fence, wall, building wall or combination thereof which completely surrounds the swimming pool and obstructs access to the swimming pool.

HOT TUB. See "Swimming pool."

IN-GROUND POOL. See "Swimming pool."

RESIDENTIAL. That which is situated on the premises of a detached one- or two-family dwelling or a one-family townhouse not more than three stories in height.

SPA, NONPORTABLE. See "Swimming pool."

SPA, PORTABLE. A nonpermanent structure intended for recreational bathing, in which all controls, water-heating and water-circulating equipment are an integral part of the product.

SWIMMING POOL. Any structure intended for swimming or recreational bathing that contains water over 18 inches (457 mm) deep at any point, and, other than hot tubs and spas is wider than 8 feet (2400 mm) at any point. This includes in-ground, above ground and on-ground swimming pools and, other than the width, hot tubs and spas.

SWIMMING POOL, INDOOR. A swimming pool which is totally contained within a structure and surrounded on all four sides by walls of said structure.

SWIMMING POOL, OUTDOOR. Any swimming pool which is not an indoor pool.

SECTION AG103 SWIMMING POOLS

AG103.1 In-ground pools.

In-ground pools shall be designed and constructed in conformance with ANSI/NSPI-5 as listed in Section AG107.

AG103.2 Above-ground and on-ground pools.

Aboveground and on-ground pools shall be designed and constructed in conformance with ANSI/NSPI-4 as listed in Section AG107.

SECTION AG104 SPAS AND HOT TUBS

AG104.1 Permanently installed spas and hot tubs.

Permanently installed spas and hot tubs shall be designed and constructed in conformance with ANSI/NSPI-3 as listed in Section AG107.

AG104.2 Portable spas and hot tubs.

Portable spas and hot tubs shall be designed and constructed in conformance with ANSI/NSPI-6 as listed in Section AG107.

SECTION AG105 BARRIER REQUIREMENTS

AG105.1 Application.

The provisions of this chapter shall control the design of barriers for residential swimming pools, spas and hot tubs. These design controls are intended to provide protection against potential drownings and near- drownings by restricting access to swimming pools, spas and hot tubs.

AG105.2 Outdoor swimming pool.

An outdoor swimming pool, including an in-ground, above-ground or on-ground pool, hot tub or spa shall be provided with a barrier which shall comply with the following:

1. The top of the barrier shall be at least 48 inches (1219 mm) above grade measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches (51

mm) measured on the side of the barrier which faces away from the swimming pool. Where the top of the pool structure is above grade, such as an aboveground pool, the barrier may be at ground level, such as the pool structure, or mounted on top of the pool structure. Where the barrier is mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be 4 inches (102 mm). Any decorative design work on a barrier located entirely upon the subject parcel, and on the side away from the swimming pool, such as protrusions, indentations, or cutouts or other fixed or moveable, attached or unattached objects within 24 inches of the pool barrier, which render the barrier easily climbable, are prohibited. The wall, fence, or barrier shall be at least 20 inches from the water's edge.

2. Openings in the barrier shall not allow passage of a 4-inch-diameter (102 mm) sphere.
3. Solid barriers which do not have openings, such as a masonry or stone wall, shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.
4. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches (1143 mm), the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed 1.75 inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1.75 inches (44 mm) in width.
5. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches (1143 mm) or more, spacing between vertical members shall not exceed 4 inches (102 mm). Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1.75 inches (44 mm) in width.
6. Chain link fencing shall not be used as a barrier.
7. Where the barrier is composed of diagonal members, such as a lattice fence, the maximum opening formed by the diagonal members shall not be more than 1.75 inches (44 mm).
8. Access gates shall comply with the requirements of Section AG105.2, Items 1 through 7, and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward away from the pool and shall be self-closing and have a self-latching device. Gates other than pedestrian access gates shall have a self-latching device. Where the release mechanism of the self-latching device is located less than 54 inches (1372 mm) from the bottom of the gate, the release mechanism and openings shall comply with the following:
 - 8.1 The release mechanism shall be located on the pool side of the gate at least 5 inches (125 mm) below the top of the gate, and
 - 8.2 The gate and barrier shall have no opening greater than 0.5 inch (12.7 mm) within 18 inches (457 mm) of the release mechanism.

- 8.3 All pedestrian access gates and any other access gates shall have a sign attached to both sides of the gate stating the following: "Protect your children, Keep Gate Closed". Details of minimum sign size, letter type, and color and other specifications of the sign shall be provided by the Building Safety Division.
- 9. Where a wall of a dwelling or garage serves as part of the barrier one of the following conditions shall be met:
 - 9.1 The pool shall be equipped with a powered safety cover in compliance with ASTM F1346; or
 - 9.2 Openings in the wall of the residence or living area which constitute part of the barrier will be protected in the following ways:
 - 9.2.1 Doors will be protected in one of the following ways:
 - 9.2.1.1 Add self-closing, self-latching devices installed on all doors with direct access to the pool area, with the release mechanism located minimum of 54 inches above the floor.
 - 9.2.1.2 An alarm shall be installed on all doors with direct access to the pool. The alarm shall sound continuously for a minimum of 30 seconds within seven seconds after the door is opened, and be capable of being heard throughout the house during normal household activities. The alarm shall automatically reset under all conditions. The alarm system shall be equipped with a manual means, such as touchpad or switch, to temporarily deactivate the alarm for a single opening. Such deactivation shall last for not more than 15 seconds. The deactivation switch(es) shall be located at least 54 inches (1372 mm) above the threshold of the door.
 - 9.2.1.3 Pet doors which provide direct access to the pool prohibited.
 - 9.2.2 Windows with access to the pool area shall be protected in the following ways:
 - 9.2.2.1 Emergency escape or rescue windows from sleeping areas with access to the swimming pool will be equipped with a latching device not less than 54 inches above the floor.
 - 9.2.2.2 All other openable windows with similar access will also be equipped with a latching device not less than 54 inches above the floor or shall be equipped with a key-lock device that prevents opening the window more than 4 inches.
 - 9.3 Other means of protection, such as self-closing doors with self-latching devices, which are approved by the governing body, shall be acceptable so long as the degree of protection afforded is not less than the protection afforded by Item 9.1 or 9.2 described above.
- 10. Where an aboveground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps,

then:

- 10.1 The ladder or steps shall be capable of being secured, locked or removed to prevent access, or 10.2. The ladder or steps shall be surrounded by a barrier which meets the requirements of Section AG105.2, Items 1 through 9. When the ladder or steps are secured, locked or removed, any opening created shall not allow the passage of a 4-inch- diameter (102 mm) sphere.

AG105.3 Indoor swimming pool. All walls surrounding an indoor swimming pool shall comply with Section AG105.2, Item 9.

AG105.4 Prohibited locations. Barriers shall be located so as to prohibit permanent structures, equipment or similar objects from being used to climb the barriers.

AG105.5 Barrier exceptions. Spas or hot tubs with a safety cover which complies with ASTM F 1346, as listed in Section AG107, shall be exempt from the provisions of this appendix.

AG 105.6 Retroactivity. The owner of every dwelling with an existing swimming pool or spa which was constructed prior to the effective date of this Appendix G (amended) and to which this Appendix would otherwise apply, must comply with this Appendix not later than one year after the effective date of this Appendix.

AG105.7 Duty to comply. Every person who owns, rents, occupies, or controls a swimming pool or spa to which this Appendix G (amended) applies, shall comply with all the provisions of this Appendix at all times.

AG105.7.1 No person shall construct a swimming pool or spa to which this Appendix applies in a manner, which is not in compliance with this Appendix. No person shall remove, alter, disable, render inoperable, or change, either temporarily or permanently, any device or structure installed or constructed in accordance with this Appendix, in such a manner that the device or structure or the barrier to which it is attached or of which it is a part, is no longer in compliance with this Appendix.

AG105.7.2 Every person who contracts to build a swimming pool or spa to which this Appendix applies, or who contracts to sell, lease or rent a dwelling with a swimming pool or spa to which this Appendix applies, shall, at the time of executing the contract, give to the buyer, lessee, or renter, a copy of this Appendix.

AG105.8 Violations and Penalties. Every person who violates any provision of this Appendix G (amended) is guilty of a misdemeanor, and upon conviction shall be punished by imprisonment for up to six months, or by a fine of not more than two thousand five hundred dollars, or both such fine and imprisonment.

Appendix I Local Amendment

DELETE this appendix in its entirety and REPLACE as follows:

Appendix I circumstances are governed by the State of Arizona Department of Environmental Quality Regulations and by that entity.

Appendix K Local Amendment

SOUND TRANSMISSION

AK102.2. Sound Attenuation - General. Construction outside the areas designated as having a day-night average sound level 65 decibels or higher as determined by the use of the 1988 noise contour lines developed by the Maricopa County Association of Governments (MAG) shall be deemed to have achieved the interior noise level of 45 decibels specified in ARS 28-8482 when the residences are constructed using one of the following methods:

1. Prescriptive Method:

- 1.1 Exterior wall penetrations by pipe ducts or conduits shall be sealed.
- 1.2 Mail boxes shall not be used through the door or wall.
- 1.3 Windows shall have 2 panes of glass and a sound transmission rating of STC-22. All operable windows shall be weather stripped and air tight in accordance with ASTM E-283-04 Standard. Perimeter window frames shall be sealed.
- 1.4 All exterior side hinge doors shall be solid core wood or insulated hollow metal, at least 1", inches thick and fully weather stripped. All exterior doors other than side hinge doors shall be solid wood, foam filled fiberglass or metal construction.
- 1.5 Fireplaces shall be provided with well-fitting dampers.
- 1.6 Exterior walls shall achieve a minimum overall thermal resistance rating of 18. (Exterior walls shall be at least four inches in nominal thickness and shall be finished on the outside with block, siding, sheathing, or stucco on one inch Styrofoam. A minimum of R-13 fiberglass or cellulose insulation shall be installed continuously throughout the cavity space within the wall.)
- 1.7 All roof spaces shall achieve a minimum overall thermal resistance rating of 30.

2. Performance Method:

- 2.1 A certified statement by a licensed architect or engineer certifying that the residence achieves the requirement of a maximum interior noise level of 45 decibels. The certified statement shall include testing and analysis

documentation supporting the statement.

AK102.2.1 Sound Attenuation within the 65 decibel contour. Construction inside the areas designated as having a day-night average sound level 65 decibels as determined by the use of the 1988 noise contour lines developed by the Maricopa County Association of Governments shall be deemed to have achieved the interior noise level of 45 decibels specified in ARS 28-8482 when the residences are constructed using one of the following methods:

1. Prescriptive Method:

Building systems and components that comply with the Maricopa County Association of Governments 2013 Building Code Amendments and Standards Manual, Section 1229, Appendix A

2. Performance Method:

A certified statement by a licensed architect or engineer certifying that the residence achieves the requirement of a maximum interior noise level of 45 decibels. The certified statement shall include testing and analysis documentation supporting the statement.

2018 International Fire Code Local Amendments

The following Appendices of the International Fire Code, 2018 Edition, are hereby adopted in their entirety:

- Appendix H - Hazardous Materials Management Plan (HMMP) and Hazardous Materials Inventory Statement (HMIS) Instructions
- Appendix I - Fire Protection Systems-Noncompliant Conditions
- Appendix J - Building Information Sign
- Appendix K - Construction Requirements for Existing Ambulatory Care Facilities
- Appendix L - Requirements for Fire Fighter Air Replenishment Systems
- Appendix M - High-Rise Buildings Retroactive Automatic Sprinkler Requirements
- Appendix N - Indoor Trade Shows and Exhibits

The following Appendices of the International Fire Code, 2018 Edition, are hereby adopted in their entirety and amended per the Local Amendments below:

- Appendix B - Fire-Flow Requirements for Buildings
- Appendix C - Fire Hydrant Location and Distribution
- Appendix D - Fire Apparatus Access Roads

The most recent Editions of the National Fire Codes and Standards published by the National Fire Protection Association (NFPA) as referenced in Chapter 80 of the International Fire Code 2018 edition and the most recent addition of the NFPA 101 Life Safety Code, together with all errata to those codes as adopted by NFPA from time to time.

The 2018 International Fire Code Local Amendments are as follows:

[A] 101.1 Title. These regulations shall be known as the *Fire Code* of the City of Surprise, hereinafter referred to as “this code”.

[A] 101.2 Scope. The provisions of this code shall supplement all adopted City of Surprise Ordinances relating to fire safety and shall apply to all persons without restriction, unless specifically exempted. This code establishes regulations affecting or relating to buildings, processes, premises and safeguards regarding all of the following:

1. The hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices.
2. Conditions hazardous to life, property or public welfare in the occupancy of buildings or premises.
3. Fire hazards in the buildings or on the premises from occupancy or operation.

4. Matters related to the construction, extension, repair, alteration or removal of fire suppression or alarm systems.
5. Conditions affecting the safety of fire fighters and emergency responders during emergency operations.

[A] 104.10.2 Suspicious Origin. If the origin is determined to be suspicious by the Fire Investigator or the fire involves a loss of life, the Fire Investigator shall notify the City of Surprise Police Department and shall secure the scene until the Police assume control of the scene and the investigation.

[A] 105.4.1.2 Plan certification for fire alarms, fire detection and occupancy notification. All fire alarm system plans submitted for review and approval shall be reviewed and bear a current review certification stamp and signature of an Arizona Professional Design Registrant or a person holding a Level III National Institute for the Certification of Engineering Technologies (NICET) in Fire Alarm Systems certification. Plan certification for all fire alarm systems shall be accompanied by a certification of competence when required. Shop drawings or a deferral application shall accompany construction documents at the time of submission.

[A] 105.4.1.3 Plan certification for fire sprinklers. Fire sprinkler plans submitted to the fire department for review and approval shall be reviewed and bear a current review certification stamp and signature of an Arizona Professional Design Registrant or a person holding a Level III National Institute for the Certification of Engineering Technologies (NICET) in Water-Based Systems Layout. Shop drawings or a deferral application shall accompany construction documents at the time of submission.

[A] 105.4.1.4 Plan certification for emergency responder radio coverage. All Emergency Responder Radio (ERR) plans submitted for review and approval shall be reviewed and bear a current review certification stamp and signature of an Arizona Professional Design Registrant or a person holding a Level IV National Institute for the Certification of Engineering Technologies (NICET) in Inspection and Testing of Fire Alarm Systems certification and FCC General Radio Operators License (GROL). Plan certification for all emergency responder radio coverage shall be accompanied by a certification of competence when required. Shop drawings or a deferral application shall accompany construction documents at the time of submission.

[A] 105.4.2 Information on construction documents. Construction documents shall be drawn to scale on suitable material and submitted in accordance with the requirements set forth in the Arizona State Board of Technical Registration. Electronic media documents are allowed to be submitted where approved by the fire code official. Re-submittals, modifications or revisions shall include; revision dates, identified by a Cloud Area and Delta, and a response letter addressing each item. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations as determined by the fire code official.

[A] 105.4.2.1 Fire protection system shop drawings. Shop drawings for the fire protection system(s) shall be submitted to indicate compliance with this code and the *construction documents*, and shall be *approved* prior to the start of any fire protection systems installation. Shop drawings shall contain all information as required by the referenced installation standards in Chapter 9.

[A] 105.4.2.2 Life safety evaluation report. A life safety evaluation report in accordance with NFPA 101, Section 12.4.1 shall be prepared by an Arizona Professional Design Registrant or a Level IV National Institute for Certification of Engineering Technologies (NICET), prior to submitting construction documents for:

1. High-rise buildings.
2. Covered mall buildings.
3. Buildings containing atriums, where the assembly occupant load exceeds 6000.
4. Storage height exceeding 40 feet (12 192 mm)
5. F and S group occupancies exceeding 400,000 square feet (37 161 216 m²), or other structures determined by the fire code official.

105.6 Required operational permits. The *fire code official* is authorized to issue operational permits for the operations set forth in Sections 105.6.1 through 105.6.50

Exception: The temporary Use Permit as required by Section 122-105 of the Surprise Unified Development Code (SUDC) for carnivals; circuses; festivals; fairs; holiday events; exhibitions; performances; grand openings; tent sales; sidewalk sales; temporary retail sales of arts, crafts, souvenirs, gifts, food, and seasonally related items; donation bins; or any event in a public or private street shall act as an operational permit.

[A] 105.7.7 Fire alarm and detection systems and related equipment. A construction permit is required for installation, removal, demolition of or modification to fire alarm and detection systems and related equipment. Maintenance performed in accordance with this code is not considered to be a modification and does not require a construction permit.

[A] 105.7.25 Temporary membrane structures and tents. A construction permit is required to erect an air-supported temporary membrane structure, a temporary stage canopy or a tent having an area in excess of 400 square feet (37 m²)

Exceptions:

1. Tents used exclusively for recreational camping purposes.
2. Funeral tents and curtains, or extensions attached thereto, when used for funeral services.
3. Tents and awnings open on all sides, which comply with all of the following:
 - ~~3.1. Individual tents shall have a maximum size of 700 square feet (65 m²).~~

- 3.2. ~~The aggregate area of multiple tents placed side by side without a fire break clearance of not less than 12 feet (3658 mm) shall not exceed 700 square feet (65 m) total.~~
- 3.3. A minimum clearance of 12 feet (3658 mm) to structures and other tents shall be maintained.

[A] 107.2.3 Required annual fire inspections. The following businesses shall have a fire inspection prior to initial licensing and annually thereafter with no more than 13 months between inspections:

1. Assisted living center
2. Assisted living facility
3. Assisted living home

[A] 107.5 Assisted living homes. The annual inspection for Assisted Living Homes shall be completed by August 31st for that year.

1. During the months of July and August the owners and/or managers of Assisted Living Homes shall apply for an annual fire inspection by filling out the inspection request and paying the inspection fee at the City of Surprise Cashier's Office.
2. During the first 5 days of September, the *fire code official* will provide the City of Surprise Finance Department Revenue Manager the list of all Assisted Living Homes with completed inspections.

[A] 107.6 Carbon dioxide gas detection and alarm systems. CO2 detection and alarm systems shall be inspected at installation and annually thereafter.

Exception:

1. CO2 detection and alarm systems shall be inspected immediately after any repair or equipment replacement and every 12 months thereafter.
2. CO2 detection and alarm systems following manufacturers' specifications on testing frequency.

[A] 109.1 Board of appeals established. ~~In order to hear and decide appeals of orders, decisions or determinations made by the *fire code official* relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The *fire code official* shall be an ex officio member of said board but shall not have a vote on any matter before the board. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the *fire code official*. Appeals shall be in accordance with the Surprise Municipal Code.~~

[A] 109.3 Qualifications. ~~The board of appeals shall consist of members who are~~

~~qualified by experience and training to pass on matters pertaining to hazards of fire, explosions, hazardous conditions or *fire protection systems*, and are not employees of the jurisdiction.~~

[A] 110.4 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the *approved construction documents* or directive of the *fire code official*, or of a permit or certificate used under provisions of this code, shall be guilty of a civil or criminal violation and could result in civil judgement or referral for a Class 1 misdemeanor charge. ~~, punishable by a fine of not more than [AMOUNT] dollars or by imprisonment not exceeding [NUMBER OF DAYS], or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense~~

111.4.1 Absence of the owner. If the *owner*, the owner's authorized agent, operator or occupant of a building or premises is absent.

1. When deemed necessary by the *fire code official*, emergency measures may be taken to provide for security of the property and its contents. The cost of such action shall be borne by the property *owner* or responsible party.
2. Upon notification by the *fire code official*, the *owner* or the owner's authorized agent, operator, or occupant may be required to provide for ongoing security of the property.

111.4.2 Emergency Abatement. When deemed necessary by the *fire code official*, emergency abatement measures shall be taken to provide for public safety, security and rapid mitigation of hazards to a property and its contents. When any resources, services, special equipment and/or materials are required for abatement, and these are not available onsite, the *owner*, owner's authorized agent or responsible party shall have a written agreement with a resource provider for the accessibility and use of the services, special equipment and materials sufficient to ensure rapid response and timely abatement.

114.1 When required. A *Fire Watch* shall be provided as follows:

1. When required by other sections of this code.
2. When the *fire code official* deems it is essential for public safety.
3. When the duty fire battalion chief determines that conditions may result in a rekindle.

114.2 Financial responsibility. The property *owner*, the tenant, operator or the occupant in control of the premises shall be responsible for the cost of providing a *fire watch*.

114.3 Requirements. Personnel assigned *fire watch* duties shall possess the following minimum qualifications:

1. Shall be at least 18 years of age.

2. Shall be able to speak, read and understand English.
3. Shall be capable of operating a mobile telephone or portable radio, or both.
4. Provide assistance with evacuation of people present in the area.
5. Continue fire watch until properly relieved or when the *fire code official* terminates the *fire watch* activity.
6. Personnel shall not be assigned or perform additional duties which impacts their fire watch tours.
7. Assigned personnel shall be trained in the use of portable fire extinguishers.

SECTION 202 GENERAL DEFINITIONS

ASSISTED LIVING CENTER. An assisted living facility that provides resident rooms or residential units to eleven or more residents.

ASSISTED LIVING FACILITY. A residential care institution, including adult foster care, that provides or contracts to provide supervisory care services, personal care services or directed care services on a continuing basis.

ASSISTED LIVING HOME. An assisted living facility that provides resident rooms to ten or fewer residents.

ATTENDANT. A person knowledgeable in the used of portable fire extinguishers, whose duty it is to maintain fire safety measures during public or private events.

AUTOMATED EXTERNAL DEFIBRILLATOR (AED). An automated external defibrillator (AED) is a portable automatic device used to restore normal heart rhythm to patients in cardiac arrest.

BEHAVIORAL HEALTH AND DEVELOPMENTALLY DISABLED GROUP HOMES. Residential housing which serves six or less developmentally disabled and/or behavioral health residents, and is licensed by the State of Arizona Department of Health Services.

CLASS A SIGNAL BOOSTER. A signal booster is considered to be 'Class A' when it has no passbands exceeding 75 kHz. Signals from these signal boosters are designed to transmit on one or more specific channels.

CLASS B SIGNAL BOOSTER. A signal booster is considered to be 'Class B' when it has passbands that exceed 75 kHz. These signal boosters are designed specifically to re-transmit signals within a wide frequency band. These boosters shall be registered with the FCC.

COLLAPSE ZONE. The area around the perimeter of a building that could contain debris if the building collapsed. Minimum established perimeter distance is:

1. Buildings not exceeding 35 feet in height – collapse zone is 30 feet.
2. Buildings exceeding 35 feet in height – collapse zone is 60 feet.

FIRE EQUIPMENT ROOM (FER). The Fire Equipment Room shall be located within the

building footprint and have direct exterior access. The fire equipment room shall be used for only fire protection equipment and controls consisting of:

1. Fire sprinkler riser assembly
2. Fire alarm control panel
3. Fire alarm manual pull station
4. Spare sprinklers storage cabinet
5. Documentation cabinet labeled 'System Record Documents'

FIRE FIGHTER AIR REPLENISHMENT SYSTEM (FARS). A permanently installed arrangement of piping, valves, fittings and equipment to facilitate the replenishment of breathing air in self-contained breathing apparatus (SCBA) for fire fighters engaged in emergency operations.

FAMILY FOSTER HOME AND FOSTER GROUP HOME. Residential housing licensed by the State of Arizona Department of Economic Security.

HOSE LAY. The maximum length of hand held fire hose extended from the fire apparatus 150 feet (45 720 mm) around the perimeter of a building to the furthest point.

LIFE SAFETY EVALUATION REPORT. A written review dealing with the adequacy of life safety features relative to fire, extreme weather conditions, building collapse, crowd behavior, and other related safety considerations.

MAZE. A network of paths to confuse persons in the passage from an entry point to an exit point for the purpose of entertainment and/or competition.

MODIFIED NFPA 13D SPRINKLER SYSTEM. In addition to NFPA 13D requirements, sprinkler heads shall be installed in bathrooms, closet areas containing any electrical or mechanical equipment, areas under interior stairs or landings, foyers, enclosed patios and porches, hidden spaces, attics, spaces under egress stairways, and in garages. A one-inch (25 mm) domestic water meter is required.

MODIFIED NFPA 13R SPRINKLER SYSTEM. In addition to NFPA 13R requirements, sprinkler heads shall be installed in bathrooms, closet areas containing any electrical or mechanical equipment, areas under interior stairs or landings, foyers, enclosed patios and porches, hidden spaces, attics, spaces under egress stairways, and in garages. A one-inch (25 mm) domestic water meter is required.

[BG] Institutional Group I-1. Institutional Group I-1 occupancy shall include buildings, or structures portions thereof for more than 16 persons, excluding staff, who reside on a 24-hour basis in a supervised environment and receive custodial care. Buildings of Group I-1 shall be classified as one of the occupancy conditions indicated below. This group shall include, but not be limited to, the following:

Alcohol and drug centers

Assisted living center

Assisted living facilities

Congregate care facilities
Group homes
Halfway houses
Residential board and care facilities
Residential board and custodial care facilities
Social rehabilitation facilities

[BG] Residential Group R-4. Residential Group R-4 shall include buildings, structures or portions thereof for more than five but not more than 16 persons, excluding staff, who reside on a 24-hour basis in a supervised residential environment and receive custodial care. Buildings of Group R-4 shall be classified as one of the occupancy conditions indicated below. This group shall include, but not be limited to, the following:

Alcohol and drug centers
Assisted living center
Assisted living facilities
Assisted living home
Congregate care facilities
Group homes
Halfway houses
Residential board and care facilities
Social rehabilitation facilities

Group R-4 occupancies shall meet the requirements for construction as defined for Group R-3, except as otherwise provided for in the *International Building Code*.

Exception:

1. Family Foster Homes and Foster Group Homes licensed by the State of Arizona Department of Economic Security.
2. Group Homes for the Developmentally Disabled and Behavioral Health Group Homes (BHG), which serve six or less residents and are licensed by the State of Arizona Department of Health Services.

SKY LANTERN. An unmanned device with a fuel source that incorporates an open flame in order to make the device airborne that is either tethered or released. Also known as but not limited to Kongming Lantern, Wish Lantern, Sky Candle, Fire Balloon

SPECULATIVE WAREHOUSE SHELL. Any type of shell building being designed for group occupancy F, group occupancy M or group occupancy S that is being constructed by an owner and/or developer for unknown tenant(s) at the time of application for a building permit shall be considered a speculative warehouse shell.

308.1.4 Open-flame cooking devices. Charcoal burners and other open-flame cooking devices shall not be operated on combustible balconies or within 10 feet (3048 mm) of combustible construction.

Exceptions:

1. One- and two-family *dwelling*s.
2. Where buildings, balconies and decks are protected by an *automatic sprinkler system*.
3. LP-gas cooking devices having LP-gas container with a water capacity not greater than 2 / pounds [nominal 1 pound (0.454 kg) LP-gas capacity].
4. Approved stationary fuel-fired barbecues complying with the following:
 - a. Permitted installation based on *approved* construction plans.
 - b. Used in accordance with the manufacturer's instruction.
 - c. Equipment designed for the fuel being utilized.

308.1.6.3 Sky lanterns. A person shall not utilize an open flame, tether, release or cause to be released an untethered a sky lantern.

308.1.8 Flaming food and beverage preparation. The preparation of flaming foods or beverages shall be limited only to places of assembly and drinking or dining establishments with an *approved* automatic sprinkler system. Preparation and serving shall be in accordance with Sections 308.1.8.1 through 308.1.8.5.

308.3 Group A occupancies. Open-flame devices shall not be used in a Group A occupancy.

Exceptions:

1. Open-flame device use shall be limited to Group A occupancy premises which have an *approved* fire sprinkler system and fire alarm system.
2. Open-flame devices are allowed to be used in the following situations, provided that *approved* precautions are taken to prevent ignition of a combustible material or injury to occupants:
 - 2.1 Where necessary for ceremonial or religious purposes in accordance with Section 308.1.7.
 - 2.2 On stages and platforms as a necessary part of a performance in accordance with Section 308.3.2.
 - 2.3 Where candles on tables are securely supported on substantial noncombustible bases and the candle flames are protected.
3. Heat-producing equipment complying with Chapter 6 and the *International Mechanical Code*.

4. Gas lights are allowed to be used provided that adequate precautions satisfactory to the *fire code official* are taken to prevent ignition of combustible materials.

308.3.2 Theatrical performances. Where *approved*, an open-flame device used by a performer or in conjunction with theatrical performances is allowed where adequate safety precautions have been taken in accordance with NFPA 160.

308.3.2.1 Audience control. The audience shall be at least 30 feet (9144 mm) away from the closest projection of an open flame device. Audience control shall be established by use of a physical barrier which can be easily moved or removed in the event of an emergency and shall remain in place throughout the entire performance.

308.3.2.2 Attendant. Performances involving open-flame devices shall have a person knowledgeable in the proper use of fire extinguishers assigned as an attendant. Each attendant will watch over no more than two (2) active flame devices. Attendants shall remain at the performance until all flames are extinguished and the attendant is dismissed

308.3.2.3 Clearance from combustibles. A 30-foot (9144 mm) safe zone in all directions from the open-flame device shall be established maintaining clearance from all combustibles.

314.4 Vehicles. Liquid-fueled or gaseous-fueled or electric vehicles, boats or other motorcraft shall only be located in an indoor garage except as follows:

1. Batteries are disconnected except where the *fire code official* requires that the batteries remain connected to maintain safety features.
2. Fuel in fuel tanks does not exceed one-quarter tank or 5 gallons (19 L) (whichever is least).
3. Fuel tanks and fill openings are closed and sealed to prevent tampering.
4. Vehicles, boats or other motorcraft equipment are not fueled or defueled whenever they are placed within the building.
5. Automobile dealerships designated showroom.

315.4.3 Stacking. Method of stacking shall be solid piles in an orderly array.

315.4.4 Separation from buildings. Outside storage of combustible materials or combustible waste shall not be located within 20 feet (6096 mm) of a building.

Exception: Commercial and municipal trash receptacles.

315.4.5 Size of pile footprint. Solid piles shall not exceed 20 feet (6096 mm) in width by 150 feet (45 700 mm) in length.

315.4.6 Aisles width. Aisles shall be a minimum of 26 feet (7925 mm) wide and shall be maintained clear and unobstructed at all times.

315.4.7 Dead ends. No dead-end aisles shall be allowed within the facility.

315.4.8 Fire hydrants and fire-flow. The minimum number of fire hydrants and fire-flow shall be based on the square footage of the combined total approved solid piles of storage. The maximum spacing between fire hydrants shall not exceed 350 feet.

315.4.9 Additional equipment. A reliable means of rotating the combustible materials shall be readily available on the property at all times (for example, pallet jack, front end loader or back hoe with bucket).

315.4.10 Clearance from ignition source. No heating equipment, including salamanders, braziers, portable heaters and other open fires, shall be located or used in the storage area. Potential sources of ignition such as hot work; warming or open fires and heating devices shall not be allowed within 30 feet (9144 mm) of storage piles.

SECTION 316 HAZARDS TO FIRE FIGHTERS ~~FIRE~~ PERSONNEL

316.3 Pitfalls.

The intentional design or *alteration* of buildings to disable, injure, maim or kill intruders is prohibited. A person shall not install and use firearms, sharp or pointed objects, razor wire, *explosives*, flammable or *combustible liquid* containers, or dispensers containing highly toxic, toxic, irritant or other hazardous materials in a manner that could passively or actively disable, injure, maim or kill:

1. A fire fighter who forcibly enters a building for the purpose of controlling or extinguishing a fire, rescuing trapped occupants or rendering other emergency assistance; or
2. A fire code official who enters a building or premise for the purpose of conducting inspections, or to perform the duties authorized by this code.

401.9 Fire or emergency alarm initiation. No person shall silence a fire or emergency alarm system, alarm-initiating device or component until the fire department arrives.

401.10 Monitoring stations. Monitoring stations shall immediately notify the fire department of alarm signals initiated by manual fire alarm boxes, automatic fire detectors, water flow from the automatic sprinkler system or actuation of other fire extinguishing or detection systems or equipment. The monitoring station shall notify the fire department of an alarm signal at the same time as or prior to contacting the subscriber.

403.5 Group E occupancies. An approved fire safety and evacuation plan in accordance with Section 404 shall be prepared and maintained for Group E occupancies

and for buildings containing both a Group E occupancy and an atrium. Group E occupancies shall comply with Sections 403.5.1 through ~~403.5.3.~~ 403.5.4.

403.5.4 Fire Safety and Evacuation Plan. An approved fire safety and evacuation plan shall be submitted in an electronic PDF format to the fire code official for each school located within the City of Surprise on an annual basis prior to the first emergency evacuation drill of each school year.

403.7.1.1 Plans and diagrams. In addition to the requirements of Section 404 and Section 407.6, plans and diagrams shall be provided in an electronic PDF format to the fire code official and maintained in approved on-site locations indicating the approximate plan for each area, the amount and type of HPM stored, handled and used, locations of shutoff valves for HPM supply piping, emergency telephone locations and locations of exits.

403.12.1 Fire watch personnel. Where, in the opinion of the *fire code official*, it is essential for public safety in a place of assembly or any other place where people congregate, because of the number of persons, or the nature of the performance, exhibition, display, contest or activity, the *owner*, agent or lessee shall provide one or more fire watch personnel, as required and *approved*. Fire watch personnel shall comply with Sections 403.12.1.1 and 403.12.1.2. Such fire watch personnel shall not be required or permitted to perform other duties while on duty, other than those specified in this section or as required by the fire code official.

403.10.3 Group R-4 occupancies. An *approved* fire safety and evacuation plan in accordance with Section 404 shall be prepared and maintained for Group R-4 occupancies. Group R-4 occupancies shall comply with Sections 403.10.3.1 through ~~403.10.3.6.~~ 403.10.3.7.

403.10.3.7 Fire inspections. Fire Code Official shall conduct a fire inspection of the premise on an annual basis and upon change of business ownership.

503.1.2.1. Maximum distance. If the hose lay distance measured from the fire apparatus to the farthest point on the building exceeds 150 feet (45 720 mm), additional fire apparatus access is required.

503.1.2.2. One- or two-family residential developments. Residential developments where the number of dwellings units exceed 30 shall provide two geographically separated unrestricted fire apparatus accesses from the public way and roads by complying with Appendix section D107.2.

503.1.2.2.1 Fire access. For the purposes of this code requirement the two types fire apparatus access is defined as:

1. Unrestricted fire apparatus access - entry is achieved by both right turn and left turn into the development from a public way or road.
2. Restricted fire apparatus access – entry is achieved by right only turn from a public way or road.

503.1.2.3 Multiple-family residential developments. Residential high density, as defined by the Surprise Unified Code, Section 122-52 where the number of dwelling units exceed 100 shall provide two unrestricted fire apparatus access from the public way and roads by complying with Appendix section D106.3.

Exception: The *fire code official* has the authority to require a third fire apparatus access which shall be restricted fire apparatus access.

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 26 feet (7925 mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 15 feet from grade (4572 mm).

503.2.4 Turning radius. The required turning radius of a fire apparatus access road shall be as specified by AASHTO SU-40, ~~determined by the *fire code official*.~~

503.2.5 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet (45720 mm) in length shall be provided with an *approved* area for turning around fire apparatus.

503.2.7 Grade. The grade of the fire apparatus access road shall be within the ~~limits established by the *fire code official* based on the fire department's apparatus~~ no more than a maximum of 10 percent.

Exception: The grade for fire apparatus access turnarounds shall have a maximum of 4 percent.

503.3 Marking. Where required by the *fire code official*, approved City of Surprise 'No Parking – Fire Lane' signs with red curb markings ~~or other *approved* notices or markings~~ that include the words NO PARKING—FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which *fire lanes* are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

Exception: Fire apparatus roads serving only Occupancy Group R-3 are required to have signs and red painted curbs installed when the road width is 20 feet (6096 mm) or less.

503.3.1 Fire lane sign. Fire lane signs shall be placed every 75 feet (22860 mm) and starting 15 feet (4572 mm) from street corners and intersections.

1. Signs shall be attached to an approved stationary pole, set in concrete at a minimum depth of 18 inches (457 mm).
2. The bottom of the sign shall be 7 feet (2137 mm) above grade.
3. Signs shall be plainly visible at all times and unobstructed with a minimum of 3 foot (914 mm) clearance along line of sight.
4. The signs shall face oncoming traffic.

503.3.2 Fire lane no parking-fire lane stencil. NO PARKING-FIRE LANE shall be spaced equal distance between the fire lanes no parking signs.

1. The curb shall be painted red with white lettering.
2. Lettering shall be a minimum of 3 inches (76mm) high with ½ inch (13 mm) brush stroke.

503.6 Security gates. The installation and location of security gates across a fire apparatus access road shall be *approved* by the *fire code official*. Where security gates are installed, they shall be electric with battery backup, and shall be provided with electronic preemption equipment, controls, electronic Knox key switch and manual release mechanism approved by the fire code official. ~~an approved means of emergency operation.~~ The security gates and the emergency operation shall be maintained operational at all times. Electric gate operators, ~~where provided,~~ shall be *listed* in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F2200.

Exceptions:

1. Where approved by the fire code official, manually operated gates and barricades may be used. They shall be installed with Knox Padlock and approved by the fire code official.
2. Construction site gates shall be manually operated and secured with the construction company's padlock. During construction operations, the gate shall be kept open at all times.
3. Fire apparatus access road serving three or fewer Occupancy Group R-3 one- and two-family dwellings.

503.6.1 Existing security gates. Existing gates at entry points into gated communities shall be electric with battery backup, and shall be provided with electronic preemption equipment, controls, electronic Knox key switch and manual release mechanism approved by the fire code official.

503.6.2 Gates setback. Minimum set back from the public way shall be 40 feet to allow fire apparatus the ability to safely operate the gate access.

503.6.3 Gate clear width. Clear width of the roadway shall be a minimum of 20 feet (6096 mm) clear width at all entrance gates. Exit Only roadways shall be a

minimum of 20 feet (6096 mm) clear width at all exit gates, unless otherwise required by the *fire code official*.

503.6.3.1 Exit only swing gates. Exit only swing gates shall be posted with a sign, 'Caution Gate Opens Out' and the pavement shall be painted with a 5 inch (127 mm) wide yellow strip showing the depth of the gate swing.

503.6.3.2 Turning radius. Gates shall be designed and installed so that the minimum turning radius of AASHTO SU-40 standard is not interfered with or obstructed by gate operations.

503.6.4 Location of access controls. The control pedestal shall be located on the approach (ingress) side of the gate and be located and designed for easy activation by the operator without leaving the vehicle. The height of the control box shall be 66 inches (1676 mm) measured from the finished grade.

503.6.5 Gate opening timing. Gates shall fully open within 15 seconds of activation and remain open until closed by operation of the control device.

503.6.6 Secondary fire apparatus access. In addition to the primary gates, secondary fire apparatus access gates, when required by the *fire code official*, shall be installed for additional emergency access and the *fire code official* must approve the location and installation.

505.1 Address identification. New and existing buildings shall be provided with *approved* address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 4 inches (102 mm) high with a minimum stroke width of 1/2 inch (12.7 mm). Where required by the *fire code official*, address identification shall be provided in additional *approved* locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the *public way*, a monument, or other sign or means shall be used to identify the structure. Address identification shall be maintained so that it is clearly visible and free from obstructions, including landscaping, and shall be kept current.

505.1.1 Commercial and public building or site address. Commercial and public building's address shall be a minimum of 12 inches (305 mm) high with a minimum stroke width of 3 inches (76 mm) on contrasting color, and clearly visible from the fire apparatus access road. The building address shall be internally or externally illuminated during hours of darkness.

Exception: For buildings located more than 100 feet from the public way centerline, the address shall be a minimum of 15 inches (381 mm) high with a minimum stroke width of 4 inches (102 mm) on contrasting color, and clearly visible from the fire apparatus access road. The building address shall be internally or externally illuminated during hours of darkness.

505.1.1.1 Multiple address location. Commercial and public buildings with multiple fire apparatus access points shall provide the address at each access point meeting the requirements of 505.1.1.

505.1.1.2 Multiple buildings with single street address. Each building shall display the alphabetic or numerical designation which shall be a minimum 18 inches (457 mm) high with a minimum 3 inch (76 mm) brush stroke on contrasting color. The building designation shall be visible from the fire apparatus access road. Where buildings have multiple fire apparatus access points, additional building designations shall be provided at each access point meeting the requirements of 5.5.1.1.

505.1.1.3 Unit or apartment numbers. Each unit or apartment shall have a numeric designation on or over the front door and rear door. The number shall be a minimum of 4 inches (102 mm) high with a minimum 3/8th inch (9.52 mm) brush stroke on a contrasting background.

505.1.1.4 Multi-unit address numbers. Adjacent to the building identification, spread numbers shall be provided to indicate the apartment or unit numbers by floors in the building. Spread numbers shall be a minimum of 7 inches (178 mm) high with a 1 inch (25 mm) brush stroke on contrasting background. They shall be internally or externally illuminated during hours of darkness.

505.1.1.4.1 Multi-unit address signs. Spread plates shall be required on properties containing any one of the following:

- 1. For unit identification at building entrances where more than one dwelling or unit is accessed from a single entrance.**
- 2. For residential unit identification at each unit cluster for residential high density rental complexes.**

505.1.1.5 Multi-tenant buildings. Individual tenant spaces shall have their business name and address or suite identification posted on a building directory at the front and rear building entrance. The building directory shall be kept current at all times.

505.1.2 Site address Directory. Where required, an approved address directory

shall be provided at sites containing one of the following:

1. More than one principal building.
2. Multiple buildings with unit identification numbers randomly sequenced.
3. Residential high density rental complexes.
4. Sites where there is a *fire code official* determination that emergency response may be delayed due to the physical layout of the site.

505.1.2.1 Dimensions. The site address directory minimum dimensions are determined by the number of buildings:

1. For complexes with a 12 or fewer buildings, shall have a minimum dimension of 3 by 3 feet (914 by 914 mm) site directory.
2. For complexes with 13 to 30 buildings shall have a minimum dimension 4 by 4 feet (1219 by 1219 mm) site directory.
3. For complexes with greater than 30 buildings shall have a minimum dimension of 5 by 5 feet (1524 by 1524 mm) site directory.
4. The site address directory frame shall not encroach upon the site address directory face by more than 1 ½ inches (38 mm).

505.1.2.3 Site address directory depiction. All depictions must be clear, easily understood and legible at a distance of eight (8) feet. The directory shall depict structures, building numbers, units, apartment space numbers, tennis courts, swimming pools, canals, waterfronts, driveways, streets, laundry rooms, fire hydrants, fire apparatus access road and other features as determined by the *fire code official*. The depictions shall comply with the following:

1. Directories shall be provided at all fire apparatus access entry points for all multiple dwelling developments, mobile home parks, or when required by the Fire Chief. Such directories shall be illuminated and conformed to the City of Surprise design standards, and be approved by the *fire code official*.
2. The name and address of the complex is required, but shall not exceed ten percent of the total size of the site directory.
3. Swimming pools, canals, and waterway areas shall be translucent blue.
4. Tennis courts shall be translucent green.
5. Fire hydrants shall be 1/4th inch (6.35 mm) diameter black circle filled with a translucent yellow center. The abbreviation "FH" must be affixed by the location of the fire hydrant on the directory.
6. The directory shall be properly oriented to the viewer with a red symbol one inch in diameter, with the words "You Are Here" affixed at the appropriate location on the directory.

7. There must be a north directional arrow affixed to the directory. This arrow must be a minimum of three (3) inches in size.
8. Interior fire apparatus access roads shall be marked on the address.

506.1 Where required. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or firefighting purposes, the *fire code official* is authorized to require a key box to be installed in an *approved* location. The key box shall be an approved Knox Box of an approved type listed in accordance with UL 1037, and shall contain keys to gain necessary access as required by the *fire code official*.

506.1.1 Key box. Key Box shall be either a Knox Box for less than 10 keys or a Knox Vault for 10 or more keys. The Knox Box shall be recessed mounted with the top of the box not exceeding 60 inches (1524 mm) above finished grade

506.1.1 506.1.2 Locks. An ~~approved~~ Knox Padlocks shall be installed on manual gates or similar barriers where required by the *fire code official*.

506.1.2 506.1.3 Key boxes for none standardized fire service elevator keys. Key boxes provided for none standardized fire service elevator keys shall comply with Section 506.1 and all of the following:

506.1.4 Swimming pool gates. All pedestrian gates in residential and commercial occupancies that provide access to swimming pools open to the public or controlled by Home Owner Associations shall have Knox Box mounted near the gate with a key providing access. If a card reader or fob system is used, a Knox Box with a toggle switch shall be installed.

507.1 Required water supply. An *approved* water supply capable of supplying the required fire flow for fire protection shall be provided to premises prior to combustibles being stored on site upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction. Where property is subdivided with or without the creation of public or private streets for the express purpose of providing said subdivided parcels for sale or otherwise permitting separate and/or individual development to occur, an approved water supply capable of supplying the projected fire flow for fire protection shall be provided and extended to serve directly any and all subdivided properties. The projected fire flow will be based on the greatest potential demand posed by any type of occupancy allowed by zoning laws on the proposed property. Required water supply shall not be interrupted, for any reason, without prior approval of the *fire code official*.

507.2.1 Private fire service mains. Private fire service mains and appurtenances shall be sized to accommodate the calculated fire flow but shall not be less than 6 inches (152 mm) in diameter. Dead-end fire mains shall be prohibited. Installation shall be installed in accordance with NFPA 24.

507.2.1.1 Fire service main use. Once a private fire service main has been approved and placed in operation, tapping into the fire service main for other than for fire control purposes is prohibited.

Exception: A written request shall be submitted to fire code official for approval to tap into a fire main for other than fire control purposes.

507.2.1.2 Fire hydrant maintenance and flushing. All fire hydrants shall be flushed and serviced and maintained annually in accordance with NFPA 25 and the American Water Works Association- Manual of Water Supply Practices, Installation Field Testing and Maintenance of Fire hydrants.

507.3.1 Exterior storage. When there is exterior storage of combustible or hazardous materials, the required fire flow to protect that exterior storage shall be determined by engineering analysis. If the fire flow required for the exterior storage exceeds the fire flow required to protect the building, the higher fire flow shall be used and provided.

1. The engineering analysis shall be included and submitted with the water flow test summary report to the *fire code official*.
2. A site plan showing the showing the exterior storage layout in relation to fire apparatus access road(s) and fire hydrants shall be submitted to the *fire code official*.

507.4.1 Water flow test. A water flow test shall be conducted for all new construction or for fire sprinkler installation in existing buildings which previously did not have a sprinkler system. With assistance from the water company, the *fire code official* shall determine the number of fire hydrants to be tested in accordance with test procedures outlined in the American Water Works Association Manual of Water Supply Practices, Distribution System Requirements for Fire Protection, AWWA M31. Results of the testing shall be provided to the fire department in an electronic format acceptable to the *fire code official*.

507.5.1 Where required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet (122 m) from a hydrant on a fire apparatus access road, as measured by an *approved* route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the *fire code official*.

Exceptions:

- ~~1. For Group R-3 and Group U occupancies, the distance requirement shall be 600 feet (183 m) shall have NFPA 13R or NFPA 13D sprinklers installed.~~
- ~~2. For buildings equipped throughout with an *approved automatic sprinkler system* installed in accordance with Section 903.3.1.1 or 903.3.1.2, the distance requirement shall be 600 feet (183 m).~~

507.5.1.2 R-3 high density developments. The distance between fire hydrants

shall not exceed 350 feet (106 680) with group R-3 occupancy dwelling units.

Exception: The distance between fire hydrants shall not exceed 500 feet (152 400 mm) when the group R-3 occupancy dwelling units with fire sprinkler systems.

510.1 Emergency responder radio coverage in new buildings. New buildings shall have *approved* radio coverage for emergency responders within the building based on the existing coverage levels of the public safety communication systems utilized by the jurisdiction, measured at the exterior of the building. This section shall not require improvement of the existing public safety communication systems. The requirements of Section 510 shall apply to all buildings and structures that satisfy any one of the following characteristics:

1. Buildings or structures that exceed 3 stories above finished grade;
2. The total building area is 10,000 square feet (929 0304 m²) or more;
3. One story below grade with an area of 5,000 square feet (464 5152 m²);
4. Where radio coverage signal strength levels are not consistent with minimum signal strength level requirement in Section 510.4.1.

Exceptions:

1. Where *approved* by the building official and the *fire code official*, a wired communication system in accordance with Section 907.2.12.2 shall be permitted to be installed or maintained instead of an *approved* radio coverage system.
2. Where it is determined by the *fire code official* that the radio coverage system is not needed.
3. In facilities where emergency responder radio coverage is required and such systems, components or equipment required could have a negative impact on the normal operations of that facility, the *fire code official* shall have the authority to accept an automatically activated emergency responder radio coverage system.
4. Building or structures greater than 10,000 square feet (929 0304 m²) which has a certificate of coverage provided, which certificate is based upon testing performed by a RF Engineer approved by the *fire code official*.
5. Buildings or structures which has a certificate of coverage provided, which certificate is based upon testing performed by a RF Engineer approved by the *fire code official*.
6. Residential occupancy group R-3 one- and two-family dwellings.

510.1.1 ERRC on-site location. The emergency responder radio coverage Bi-Directional Amplifier (BDA), battery backup system and annunciator panel shall be located either in the fire equipment room or the building IDF room.

1. The room housing ERRC equipment shall be separated from the rest of the building by 2 hour rated fire barriers.

2. There shall be an 'ERRC' *approved* sign on the door for the room with ERRC equipment.

510.1.2 Obstruction by new buildings or structures. No obstruction of the emergency responder radio coverage system backhaul shall be allowed without an *approved* mitigation plan. When the construction of a new building obstructs line of sight emergency radio communications to existing buildings or other locations, the developer of the new building shall develop an *approved* mitigating plan to correct the degraded radio coverage as necessary to restore communications capabilities in accordance with Section 510.

510.2 Emergency responder radio coverage in existing buildings. Existing buildings shall be provided with radio coverage for emergency responders as required in Chapter 11 and which is approved by the *fire code official*. Existing buildings without approved radio coverage, as determined by the *fire code official*, in accordance with Section 510.4.1 shall be equipped with such coverage in accordance with Section 510 within a time frame established by the *fire code official*. Building owners or designated representatives shall submit to the *fire code official* a radio signal strength study, technical opinion and report prepared in accordance with Section 104.7.2. The report shall identify the area(s) requiring an emergency responder radio coverage system to comply with Section 510.4.1.

Exception: Building or structures greater than 10,000 square feet (929 0304 m²) that have a certificate of coverage provided, which certificate is based upon testing performed by a RF Engineer approved by the *fire code official*.

510.3.1 Construction documents. Construction documents for emergency responder radio coverage systems shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant ordinances and regulations as determined by the *fire code official*.

510.3.2 Plans. Radio coverage system plans shall be submitted for review and approval prior to installation. Coordination and compliance with Regional Wireless Cooperative (RWC) radio system requirements and *the Code* is the responsibility of the owner and contractor.

510.3.2.1 Submittal process. Plans shall follow the same approval process as other fire protection plans. See sections 105.4.2.1.1 and 105.4.2.1.2. At time of plan submittal, the owner, contractor and designer for a new building or occupancy may choose one of the following options;

1. Install an emergency responder radio coverage system during construction per current code and standards.

2. Install a shell emergency responder radio coverage system backbone in accordance with requirements and procedures as determined by the fire code official.
3. Upon completion of the building have a current FCC General Radio Operator License (GROL) RF Engineer perform a radio signal test and provide a certificate of compliance and/or retrofit into the areas where the building failed to meet minimum adequate signal strength requirements.

510.3.2.2 Plan submittals. Plan submittals shall include, but not be limited to all of the following:

1. A floor plan that indicates the use of all rooms, emergency responder radio coverage system equipment locations, power panel connections, raceway routing layout, conduit and conductor types and sizes, compliance with survivability criteria and locations of building access to the equipment.
2. A roof plan showing the location of antenna(s) including a line of site plan to agency transmitting and receiving antenna(s).
3. Schematic drawings of the electrical system, backup power, antenna system and other associated equipment.
4. Rack and equipment cabinet plans showing arrangement and configuration of emergency responder radio coverage system equipment.
5. System riser diagram(s).

510.3.2.3 Data sheets. Manufacturer's data sheets shall be provided for equipment to be installed. Manufacturers' data sheets shall indicate model numbers and listing information for equipment, devices and materials.

510.4.1 Emergency responder communication enhancement system signal strength. The building shall be considered to have acceptable emergency responder communications enhancement system coverage when signal strength measurements in 95 percent of all areas on each floor of the building meet the signal strength requirements in Sections 510.4.1.1 through 510.4.1.3.

Exceptions: The following critical areas shall be provided with 99 percent of floor area radio coverage:

1. Fire command center(s)
2. Fire equipment room
3. Fire pump room
4. Elevator lobby
5. Interior exit stairways
6. Exit passageways

7. Standpipe locations
8. Rescue air filling stations
9. Sprinkler sectional valve locations
10. As required by the *fire code official*.

510.4.2 System design. The emergency responder radio coverage system shall be designed in accordance with Sections 510.4.2.1 through ~~510.4.2.8~~ 510.4.2.9, NFPA 1221 and UL2524.

510.4.2.1 Amplification systems and components.

Buildings and structures that cannot support the required level of radio coverage shall be equipped with Class A channelized public-safety grade signal boosters designed for the bands and frequencies covered by Regional Wireless Cooperative (RWC) and specified by the *fire code official*, and to ~~systems and components to enhance the public safety radio signals and~~ achieve the required level of radio coverage specified in Sections 510.4.1 through 510.4.1.3. Public safety communications enhancement systems utilizing radio-frequency-emitting devices and cabling shall be approved by the *fire code official*. Prior to installation, all RF-emitting devices shall have the certification of the radio licensing authority and be suitable for public safety use.

Exception: Where approved by the *fire code official*, a Class B signal booster may be installed.

510.4.2.3 Standby power. Emergency responder radio coverage systems shall be provided with dedicated standby batteries or provided with 2-hour standby batteries and connected to the facility generator power system in accordance with Section 1203. The standby power supply shall be capable of operating the emergency responder radio coverage system at 100-percent system capacity for a duration of not less than ~~12~~ 24 hours. When primary power is lost, the power supply to the emergency responder radio coverage system shall automatically transfer to the secondary power supply.

510.4.2.3.1 Emergency power off. The UPS system shall be equipped with an emergency power off (EPO) switch in a location approved by the *fire code official*. The EPO shall disconnect both the circuit breaker and secondary power supply simultaneously.

510.4.2.4 Signal booster requirements. If used, signal boosters shall meet the following requirements:

1. All signal booster components shall be contained in a National Electrical Manufacturer's Association (NEMA) 4-type waterproof cabinet.

2. Battery systems used for the emergency power source shall be contained in a NEMA 3R or higher-rated cabinet.
3. Equipment shall have FCC or other radio licensing authority certification and be suitable for public safety use prior to installation.
4. ~~Where a donor antenna exists, isolation shall be maintained between the donor antenna and all inside antennas to not less than 20dB greater than the system gain under all operating conditions.~~

Where a donor antenna exists:

- a. Isolation shall be maintained between the donor antenna and all inside antennas to not less than 20dB greater than the system gain under all operating conditions.
- b. There shall be only one donor antenna for a building
- c. Commercial repeater/DAS system shall not be co-located with Public Safety ERRC system.
5. Bi-Directional Amplifiers (BDAs) used in emergency responder radio coverage systems shall have oscillation prevention circuitry.
6. The installation of amplification systems or systems that operate on or provide the means to cause interference on any emergency responder radio coverage networks shall be coordinated and approved by the *fire code official*.

510.4.2.5 System monitoring. The emergency responder radio enhancement system shall be monitored by a listed *fire alarm control unit*. ~~or where approved by the fire code official, shall sound an audible signal at a constantly attended on-site location.~~ Automatic supervisory signals shall include the following:

1. Loss of normal AC power supply.
2. System battery charger(s) failure.
3. Malfunction of the donor antenna(s).
5. Failure of active RF-emitting device(s).
6. Low-battery capacity at 70-percent reduction of operating capacity.
7. Failure of critical system components.
8. The communications link between the *fire alarm system* and the emergency responder radio enhancement system.

510.4.2.9 Building conduit and pathway Survivability.

The system design shall provide pathway survivability in accordance with 2016 NFPA 72 Section 24.3.13.8 and NFPA 1221 Section 9.6.2.

510.4.2.9.1 Conduit and cable. All new buildings shall be constructed with not less than a 2 inch (51 mm) conduit having a minimum 2 hour fire

rating installed between the ground floor or the bottom of the lowest floor below grade to the roof.

Exception: In existing buildings, riser cable mechanically protected by metal conduit can be routed through a sprinkler-protected, 1hour rated enclose, including the door.

1. Installed riser cable shall be protected by a 2 hour rated enclosure.
2. Feeder cables shall be either protected by an automatic sprinkler system in accordance with 2016 NFPA 13 or installed within metal raceway.
3. Radio cables (riser and feeder) shall be plenum rated.
4. Only shielded cables that do not interfere with radio signals may be comingled with the radio cables.
5. Each floor shall have access to the conduit in either the form of a drop ceiling or access panels. The access shall be marked on 'As Built' plans.

510.5.2 Minimum qualifications of personnel. The minimum qualifications of the system designer, and lead installation personnel and personnel conducting emergency responder radio coverage tests and certification shall include both of the following have possession of:

1. A valid FCC-issued General Radio Operators License (GROL).
2. Certification of in-building system training issued by: ~~an approved organization or approved school, or a certificate issued by the manufacturer of the equipment being installed.~~
 - a. Associated Public Safety Communications Officials (APCO)
 - b. Personal Communications Industry Association (PCIA)
 - c. Land Mobile Radio manufacturers, or
 - d. the manufacturer of the equipment being installed.

All design documents and all tests and inspections shall be documented and signed by a person meeting the minimum qualifications noted in this section.

~~These qualifications shall not be required where demonstration of adequate skills and experience satisfactory to the fire code official is provided.~~

604.3.2 Electrical service shut off access. Where electrical service shut off controls are located inside a building, a door providing direct access from the exterior to the room containing such electrical shut off controls shall be provided, when required by fire code official.

607.1 General. Commercial kitchen exhaust hoods shall comply with the requirements of the *International Mechanical Code* and NFPA 96 Standard for Ventilation Control and

Fire Protection of Commercial Cooking Operations.

607.3.3.3.2 Certificate of inspection. A certificate of inspection/service shall be electronically forwarded to City of Surprise Fire-Medical Department within fifteen (15) days after completion of the six-month service, or upon service rendered after the activation of any fire suppression system. The submission of the certificate of inspection service is the responsibility of the contractor performing the service. The certificate shall include:

1. The name, address and phone number of the licensed contractor performing the service;
2. The name, address and phone number of the business for whom the service is being done;
3. Date and time of the service;
4. Provide description of entire exhaust system;
5. The cleanliness of the hood and associated appliances;
6. A detailed list of all work completed on the system;
7. State standard to which the hood system was cleaned;
8. Document any areas that were not cleaned and the reason why;
9. Specific date of the previous service on the system;
10. Alterations to the system or appliances that causes the system to be out of compliance with the manufacturer's specifications.

805.5 Group E classroom. The requirements in Sections 805.5.1 through 805.1.2 shall apply to classroom furniture.

1. The placement of and use of this furniture in classrooms shall be approved.
2. The facility manager shall maintain a record of all furniture.

805.5.1 Upholstered furniture. Newly introduced upholstered furniture shall meet the requirements of Sections 805.5.1.1 through 805.5.1.3.

805.5.1.1 Ignition by cigarettes. Newly introduced upholstered furniture shall be shown to resist ignition by cigarettes as determined by tests conducted in accordance with one of the following:

1. Mocked-up composites of the upholstered furniture shall have a char length not exceeding 1.5 inches (38 mm) when tested in accordance with NFPA 261.
2. The components of the upholstered furniture shall meet the requirements in accordance with NFPA 260.

805.5.1.2 Heat release rate. Newly introduced upholstered furniture shall have limited rates of heat release when tested in accordance with ASTM E1537 or California Technical Bulletin 133, as follows:

1. The peak rate of heat release for the single upholstered furniture item shall not exceed 80 kW.
2. The total heat released by the single upholstered furniture item during the first 10 minutes of the test shall not exceed 25 mega joules (MJ).

805.5.1.3 Identification. Upholstered furniture shall bear the label of an approved agency, confirming compliance with the requirements of Sections 805.5.1.1 and 805.5.1.2.

807.2 Combustible decorative materials. In Groups A, B, E, I, M and R-1 and in dormitories in Group R-2, curtains, draperies, fabric hangings and other similar combustible decorative materials suspended from walls or ceilings shall comply with Section 807.3 and shall not exceed 10 percent of the specific wall or ceiling area to which such materials are attached. Fixed or movable walls and partitions, paneling, wall pads and crash pads applied structurally or for decoration, acoustical correction, surface insulation or other purposes shall be considered to be *interior finish*, shall comply with Section 803 and shall not be considered *decorative materials* or furnishings.

Exceptions:

1. In auditoriums in Group A, the permissible amount of curtains, draperies, fabric hangings and similar combustible decorative material suspended from walls or ceilings shall not exceed 75 percent of the aggregate wall area where the building is equipped throughout with an *approved automatic sprinkler system* in accordance with Section 903.3.1.1, and where the material is installed in accordance with Section 803.15 of the *International Building Code*.
2. In Group R-2 dormitories, within sleeping units and dwelling units, the permissible amount of curtains, draperies, fabric hangings and similar decorative materials suspended from walls or ceilings shall not exceed 50 percent of the aggregate wall areas where the building is equipped throughout with an *approved automatic sprinkler system* installed in accordance with Section 903.3.1.
3. In Group B and M occupancies, the amount of combustible fabric partitions suspended from the ceiling and not supported by the floor shall comply with Section 807.3 and shall not be limited.
4. The 10-percent limit shall not apply to curtains, draperies, fabric hangings and similar combustible decorative materials used as window coverings.
5. In Group E occupancies, no combustible decorative material including streamers, banners, artwork and teaching materials may be suspended from the ceiling.

807.5.2 Group E. Group E occupancies shall comply with Sections 807.5.2.1 through 807.5.2.3.

807.5.2.2 Artwork in corridors. Artwork and teaching materials shall be limited on the walls of *corridors* to not more than 20 percent of the wall area. The artwork shall not exceed 1/4th inch (6 mm) thickness and will be affixed to the wall at four corners.

Exceptions:

1. Seasonal and cultural artwork specially prepared may be displayed for a maximum of 2 weeks, after which the artwork will be stored or sent home with the students.
2. Hallway alcoves leading into classrooms shall be free of artwork and teaching materials.
3. Combustible artwork which is three dimensional shall not be affixed to corridor walls.

807.5.2.3 Artwork in classrooms. Artwork and teaching materials shall be limited on walls of classrooms to not more than 50 percent of the specific wall area to which they are attached.

1. When the whiteboard or bulletin has teaching material or artwork on them, they shall be considered part of the 50 percent all area.
2. The artwork shall not exceed 1/4th inch (6 mm) thickness and will be affixed to the wall at four corners.

Exception: Combustible artwork which is three dimensional shall not be affixed to classroom walls.

807.5.2.4 Combustibles by classroom exit doors. A clear area of 36 inches (914 mm) shall be maintained around classroom doors.

1. No combustible material of any type may be placed within the clear area.
2. The clear area may not be obstructed in any way.
3. Classroom exit doors may not have any artwork, posters, and flags, pendants, teaching materials or any decorations on the door.

Exceptions:

1. Lockdown security curtain may be hung and will be kept rolled-up except during lockdown.
2. The emergency plan, fire exit map and signs about health matters shall be posted next to the door.
3. Teacher's name and grade level may be placed on the hallway side of the door.

808.5 Wastebaskets and other waste containers in Group E occupancy.

Wastebaskets and other waste containers, including their lids shall be constructed of noncombustible materials or of materials that meet a peak rate of heat release not exceeding 300 kW/m when tested in accordance with ASTM E1354 at an incident heat

flux of 50 kW/m in the horizontal orientation. Metal wastebaskets and other metal waste containers with a capacity of 20 gallons (75.7 L) or more shall be *listed* in accordance with UL 1315 and shall be provided with a noncombustible lid.

808.5.1 Location. Wastebaskets and other waste containers, including their lids shall be located outside the 36 inch (914 mm) unobstructed clear area around the classroom exit door.

901.2.1 Fire pre-incident Plan Parts of the construction plans are as follows:

901.2.1.1 SITE PLAN. From the below list of items, provide only the items which apply to this construction document:

1. Fire line with hydrant locations
2. Post Indicator Valve (PIV) and/or OS&Y valve locations
3. Gas line and Gas shutoff location
4. Water cutoff valves for potable and fire
5. Generator location & fuel type
6. Fire pump location
7. Knox Box locations
8. Standpipe locations
9. FDC location
10. Building Construction Type
11. Building roof type
12. Building height
13. Building Square Footage
14. Location of address directories
15. Fire apparatus access
16. Fire lanes
17. Gates (automatic or manual)

901.2.1.2 FLOOR PLAN. From the below list of items, provide only the items which apply to this construction document:

1. Room identifiers
2. Building Electrical panel locations
3. Building Electrical Main panel & building power cutoff location
4. Roof access location

5. CO2 bulk storage location
6. High Hazard Storage location
7. Fire alarm control panel location
8. Fire annunciator panel locations
9. Fire sprinkler riser assembly location
10. Other specialized Fire Protection Systems identifiers and location
11. AED station locations
12. MSDM and Emergency Plans location
13. Designated Emergency Egress locations
14. Occupancy Groups
15. Occupancy Load

901.4 Installation. *Fire protection systems* shall be maintained in accordance with the original installation standards for that system. Required systems shall be extended, altered or augmented as necessary to maintain and continue protection where the building is altered, remodeled or added to. *Alterations to fire protection systems* shall be done in accordance with applicable standards.

1. The fire sprinkler riser and standpipes shall be installed in an *approved* enclosed room within the building or structure footprint.
2. The fire alarm control panel shall be located in a controlled environment that meets the manufacturer's temperature requirements.

Exception: A NFPA 13R or 13D riser may be installed in the building wall with external access port.

901.4.6 Pump, and riser, fire equipment rooms size. ~~Where provided, fire pump rooms, and automatic sprinkler system riser rooms and fire equipment rooms shall be designed with adequate space for all equipment necessary for the installation, as defined by the manufacturer, with sufficient working space around the stationary equipment. Clearances around equipment to elements of permanent construction, including other installed equipment and appliances, shall be sufficient to allow inspection, service, repair or replacement without removing such elements of permanent construction or disabling the function of a required fire-resistance-rated assembly. Fire pump and automatic sprinkler system riser rooms shall be provided with doors and unobstructed passageways large enough to allow removal of the largest piece of equipment.~~

901.4.6.1 Access. ~~Automatic sprinkler system risers, fire pumps and controllers shall be provided with ready access. Where located in a fire pump room or automatic sprinkler system riser room, the door shall be permitted to be locked provided that the key is available at all times~~ Fire pump, fire equipment and automatic sprinkler system riser rooms shall be readily accessible from the

exterior of the building near a fire apparatus access road.

1. Fire equipment and automatic sprinkler system riser rooms shall have a 36 inches (914 mm) wide exterior door for direct access from the exterior.
2. The fire pump room shall be provided with doors and unobstructed passageways large enough to allow removal of the largest piece of equipment.

901.4.6.2 Marking on access doors. ~~Access doors for automatic sprinkler system riser rooms and fire pump rooms shall be labeled with an approved sign. The lettering shall be in contrasting color to the background. Letters shall have a minimum height of 2 inches (51 mm) with a minimum stroke of 1/8 inch (10 mm). Access doors for the fire protection equipment shall be labeled with an approved sign.~~

901.4.6.2.1 Fire equipment room sign. The approved sign shall have white reflective lettering and red non-reflective vinyl background with the following detail:

1. The sign plate shall be 12 inches (305 mm) by 12 inches (305 mm) with a thickness of .080 aluminum construction and 1 1/2 inch (38 mm) radius corners.
2. Font style is Handel Gothic capital or similar fonts.
3. Top centered on the sign face shall be 'F.A.C.P.' in 2 1/2 inch (64 mm) lettering and 1/2 inch (13 mm) stroke.
4. Middle center of the sign face shall be 'RISER' and beneath it 'ROOM' in 2 inch (51 mm) lettering and 3/8 inch (10 mm) stroke.
5. Bottom of the sign face shall be 'STORAGE PROHIBITED' in 11/16 inch (17 mm) lettering and 1/8 inch (3 mm) stroke.

901.4.6.2.2 Automatic sprinkler system riser room sign. The approved sign shall have white reflective lettering and red non-reflective vinyl background with the following detail:

1. The sign plate shall be 12 inches (305 mm) by 12 inches (305 mm) with a thickness of .080 aluminum construction and 1 1/2 inch (38 mm) radius corners.
2. Font style is Handel Gothic capital or similar fonts.
3. Top third centered on the sign face shall be 'FIRE DEPT.' in 1 1/2 inch (38 mm) lettering and 3/8 inch (10 mm) stroke.
4. Middle third center of the sign face shall be 'SPRINKLER' in 1 1/2 inch (38 mm) lettering and 3/8 inch (10 mm) stroke.
5. Bottom third center of the sign face shall be 'RISER RM.' in 1 1/2 inch (38 mm) lettering and 3/8 inch (10 mm) stroke.

6. Bottom of sign face shall be 'STORAGE PROHIBITED' in 11/16 inch (17 mm) lettering and 1/8 inch (3 mm) stroke.

901.4.6.2.3 Fire Pump room sign. The approved sign shall have white reflective lettering and red non-reflective vinyl background with the following detail:

1. The sign plate shall be 12 inches (305 mm) by 12 inches (305 mm) with a thickness of .080 aluminum construction and 1 1/2 inch (38 mm) radius corners.
2. Font style is Handel Gothic capital or similar fonts.
3. Top centered on the sign face shall be 'FIRE PUMP.' in 2 inch (51 mm) lettering and 3/8 inch (10 mm) stroke.
4. Middle third center of the sign face shall be 'ROOM' in 2 inch (51 mm) lettering and 3/8 inch (10 mm) stroke.
5. Bottom of sign face shall be 'STORAGE PROHIBITED' in 11/16 inch (17 mm) lettering and 1/8 inch (3 mm) stroke.

901.4.6.2.5 Fire equipment and riser rooms size. The fire equipment and automatic sprinkler system riser rooms shall be used for fire protection equipment only. The Fire sprinkler riser assembly shall have 36 inches (914 mm) of minimum clearance around three sides and must have a minimum of 18 inches (457 mm) from one wall.

901.5.2 Stocking and loading. No portion of the building may be stocked or loaded with combustible regular stock, furnishings or fixtures until:

1. The automatic sprinkler system has been tested and approved.
2. When a fire alarm system is required, it shall be approved and monitored or a fire watch shall be provided prior to stocking or loading.
3. A temporary certificate of occupancy has been issued.

901.6 Inspection, testing and maintenance. Fire detection and alarm systems, emergency alarm systems, gas detection systems, fire-extinguishing systems, smoke control systems, mechanical smoke exhaust systems and smoke and heat vents shall be maintained in an operative condition at all times, and shall be replaced or repaired where defective. Non-required fire protection systems and equipment shall be inspected, tested and maintained or removed. All fire protection systems shall be inspected and tested by a contractor licensed by the State of Arizona who has a current City of Surprise business license. The contractor's service personnel shall each hold a valid certificate of qualification issued by NFPA, Underwriters Laboratories, NICET or product specific industry manufacturers. It shall be the responsibility of the owner to ensure that these requirements are met prior to any work being performed on fire protection systems.

**TABLE 901.6.1
FIRE PROTECTION SYSTEM MAINTENANCE STANDARDS**

SYSTEM	STANDARD
Portable fire extinguishers	NFPA 10
Carbon dioxide fire-extinguishing system	NFPA 12
Halon 1301 fire extinguishing systems	NFPA 12A
Dry-chemical extinguishing systems	NFPA 17
Wet-chemical extinguishing systems	NFPA 17A
Water-based fire protection systems	NFPA 25
Fire alarm systems	NFPA 72
<u>Smoke control systems</u>	<u>NFPA 92</u>
Smoke and heat vents	NFPA 204
Water-mist systems	NFPA 750
Clean-agent extinguishing systems	NFPA 2001
Aerosol fire-extinguishing systems	NFPA 2010

901.6.3 Records. Records of all system inspection, tests, maintenance or repair required by the referenced standards shall be maintained on the premises for a minimum of three years and shall be electronically copied to the fire code official. All individuals/businesses performing inspection, tests, maintenance, and/or repair on any fire protection system shall electronically forward itemized reports of such work to the fire code official within 15 business days of the work performed. Reports required to be electronically copied or filed pursuant to this section shall be filed as directed by the Fire-Medical Department, which direction may include filing using software of a third-party.

901.6.3.2 Inspection and testing tags. Upon completion of inspections and testing of fire protection systems, a tag shall be attached to the system in a conspicuous location. The tag shall document the date of the inspection or test, the name of the qualified contractor company, the name of the qualified individual performing the inspection or tests, the contact telephone numbers for both the contractor and individual, and shall indicate each deficiency found or that no deficiencies were found.

901.8.3 Removal of fire protection system's equipment. No fire suppression, fire detection, fire appliance or fire alarm equipment will be removed from existing approved systems without obtaining a permit prior to commencing any work.

Exception: Fire suppression equipment that is being removed for purposes of maintenance, repair or like-for-like replacement shall comply with Section 901.7.

903.1.2 Inspectors' test valve. The Inspectors' Test Valve shall be located at the end of the most distant sprinkler pipe on each story and shall be equipped with a readily accessible brass shutoff valve and signage.

903.2 Where required. ~~Approved automatic sprinkler systems~~ in new buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.12. All new buildings and structures shall be provided with *Approved automatic sprinkler systems* as described in Sections 903.2.1 through 903.2.12.

Exception:

1. One- and two-family dwellings with adequate water supply for use of the fire protection service to suppress building and structure fires.
2. Spaces or areas in telecommunications buildings used exclusively for telecommunications equipment, associated electrical power distribution equipment, batteries and standby engines, provided that those spaces or areas are equipped throughout with an automatic smoke detection system in accordance with Section 907.2 and are separated from the remainder of the building by not less than 1-hour *fire barriers* constructed in accordance with Section 707 of the *International Building Code* or not less than 2-hour *horizontal assemblies* constructed in accordance with Section 711 of the *International Building Code*, or both.
3. Detached gazebos, Ramada's, bathroom buildings, guardhouses and utility vaults.
4. Detached non-combustible covered parking not exceeding 5,000 square feet (464 5152 m²) with a minimum of 26 feet (7925 mm) separation between covered structures.

Exception: Covered parking for RV and Boats shall have sprinkler systems.

5. Detached non-combustible, non-occupied water supply booster pump and pool equipment structures with smoke/heat detection and external audio and visual notification appliances.

903.2.1 Group A. ~~An automatic sprinkler system shall be provided throughout buildings and portions thereof used as Group A occupancies. as provided in this section~~

903.2.1.1 Group A-1. ~~An automatic sprinkler system shall be provided throughout stories containing Group A-1 occupancies and throughout all stories from the Group A-1 occupancy to and including the levels of exit discharge serving that occupancy. where one of the following conditions exists:~~

- ~~1. The *fire area* exceeds 12,000 square feet (1115 m).~~
- ~~2. The *fire area* has an *occupant load* of 300 or more.~~
- ~~3. The *fire area* is located on a floor other than a *level of exit discharge* serving such occupancies.~~
- ~~4. The *fire area* contains a multiple theater complex.~~

903.2.1.2 Group A-2. An *automatic sprinkler system* shall be provided throughout stories containing Group A-2 occupancies and throughout all stories from the Group A-2 occupancy to and including the levels of exit discharge serving that occupancy. ~~where one of the following conditions exists:~~

- ~~1. The *fire area* exceeds 5,000 square feet (464 m).~~
- ~~2. The *fire area* has an *occupant load* of 100 or more.~~
- ~~3. The *fire area* is located on a floor other than a *level of exit discharge* serving such occupancies.~~

903.2.1.3 Group A-3. An *automatic sprinkler system* shall be provided throughout stories containing Group A-3 occupancies and throughout all stories from the Group A-3 occupancy to and including the levels of exit discharge serving that occupancy. ~~where one of the following conditions exists:~~

- ~~1. The *fire area* exceeds 12,000 square feet (1115 m).~~
- ~~2. The *fire area* has an *occupant load* of 300 or more.~~
- ~~3. The *fire area* is located on a floor other than a *level of exit discharge* serving such occupancies.~~

903.2.1.4 Group A-4. An *automatic sprinkler system* shall be provided throughout stories containing Group A-4 occupancies and throughout all stories from the Group A-4 occupancy to and including the levels of exit discharge serving that occupancy. ~~where one of the following conditions exists:~~

- ~~1. The *fire area* exceeds 12,000 square feet (1115 m).~~
- ~~2. The *fire area* has an *occupant load* of 300 or more.~~
- ~~3. The *fire area* is located on a floor other than a *level of exit discharge* serving such occupancies.~~

903.2.1.5 Group A-5. An *automatic sprinkler system* shall be provided for all enclosed Group A-5 accessory use areas. ~~in excess of 1000 square feet (93 m).~~

903.2.1.5.1 Spaces under grandstands or bleachers. Enclosed spaces under *grandstands* or *bleachers* shall be equipped with an *automatic sprinkler system* in accordance with Section 903.3.1.1. ~~where either of the following exist:~~

- ~~1. The enclosed area is 1000 square feet (93 m) or less and is not constructed in accordance with Section 1029.1.1.1.~~
- ~~2. The enclosed area exceeds 1000 square feet (93 m).~~

903.2.1.7 Multiple fire areas. An *automatic sprinkler system* shall be provided where multiple fire areas of Group A-1, A-2, A-3 or A-4 occupancies share exit or exit access components. ~~and the combined *occupant load* of these fire areas is 300 or more.~~

903.2.2 Ambulatory care facilities. An *automatic sprinkler system* shall be installed throughout the entire floor containing an ambulatory care facility. ~~where either of the following conditions exist at any time:~~

- ~~1. Four or more care recipients are incapable of self-preservation.~~
- ~~2. One or more care recipients that are incapable of self-preservation are located at other than the level of exit discharge serving such a facility. In buildings where ambulatory care is provided on levels other than the level of exit discharge, an automatic sprinkler system shall be installed throughout the entire floor as well as all floors below where such care is provided, and all floors between the level of ambulatory care and the nearest level of exit discharge, the level of exit discharge, and all floors below the level of exit discharge.~~

Exception: ~~Floors classified as an open parking garage are not required to be sprinklered.~~

903.2.3 Group E. An *automatic sprinkler system* shall be provided for Group E occupancy. ~~as follows:~~

- ~~1. Throughout all Group E fire areas greater than 12,000 square feet (1115 m) in area.~~
- ~~2. The Group E fire area is located on a floor other than a level of exit discharge serving such occupancies.~~

Exception: ~~In buildings where every classroom has not fewer than one exterior exit door at ground level, an automatic sprinkler system is not required in any area below the lowest level of exit discharge serving that area.~~

- ~~3. The Group E fire area has an occupant load of 300 or more.~~

903.2.4 Group F-1. An *automatic sprinkler system* shall be provided throughout all buildings containing a Group F-1 occupancy. ~~where one of the following conditions exists:~~

- ~~1. A Group F-1 fire area exceeds 12,000 square feet (1115 m).~~
- ~~2. A Group F-1 fire area is located more than three stories above grade plane.~~
- ~~3. The combined area of all Group F-1 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m).~~
- ~~4. A Group F-1 occupancy used for the manufacture of upholstered furniture or mattresses exceeds 2,500 square feet (232 m).~~

903.2.4.1 Woodworking operations. An *automatic sprinkler system* shall be provided throughout all Group F-1 occupancy *fire areas* that contain woodworking operations in excess of 2,500 square feet (232 m) or in any area that generates finely divided combustible waste or uses finely divided combustible materials-

903.2.5.3 Pyroxylin plastics. An automatic sprinkler system shall be provided in buildings, or portions thereof, where cellulose nitrate film or pyroxylin plastics are manufactured, stored or handled in quantities exceeding 20 POUNDS (9 071 KG) ~~100 pounds (45 kg).~~

903.2.6 Group I. An automatic sprinkler system shall be provided throughout buildings with a Group I fire area.

Exceptions:

- ~~1. An automatic sprinkler system installed in accordance with Section 903.3.1.2 shall be permitted in Group I-1, Condition 1 facilities.~~
- ~~2. An automatic sprinkler system is not required where Group I-4 day care facilities are at the level of exit discharge and where every room where care is provided has not fewer than one exterior exit door.~~
- ~~3. In buildings where Group I-4 day care is provided on levels other than the level of exit discharge, an automatic sprinkler system in accordance with Section 903.3.1.1 shall be installed on the entire floor where care is provided, all floors between the level of care and the level of exit discharge and all floors below the level of exit discharge other than areas classified as an open parking garage.~~

903.2.8.1 Group R-3. An automatic sprinkler system installed in accordance with Section 903.3.1.3 shall be ~~permitted~~ provided in Group R-3 occupancies where there is the lack of adequate water supply for the use of the fire protection service to protect buildings and structures from an exterior fire source or to suppress structure fires within the wildland-urban interface area of the City of Surprise.

903.2.8.1.1 One- and two-family dwellings in areas without adequate water supply. Dwellings shall have approved automatic sprinkler systems.

Exceptions:

1. Dwellings not exceeding 3,600 square feet (334 m²) has a fire flow of 1000 gallons per minute (63.1 L/s) for a minimum duration of 30 minutes.
2. Dwellings in excess of 3,600 square feet (334 m²) have a fire flow of 1500 gallons per minute (95 L/s) for a minimum duration of 30 minutes.

903.2.8.4.1 Residential Group R-4. Modified NFPA 13D sprinkler system shall be required to be installed in accordance with section 903.3.1.3. If any portion of a patio has habitable space directly above the patio, all of the patio ceiling shall be equipped with sprinkler protection. Such system shall consist of an electronically supervised valve located between the domestic water riser control valve and the sprinklers, and shall be equipped with an electronically supervised water-flow switch and monitored by an approved monitoring, and shall sound an alarm at a constantly attended location inside the facility. The minimum listed electronic components for the alarm system shall consist of:

1. Auto Dialer
2. Primary and secondary phone line or wireless digital alarm communications transmitter with primary and secondary communications ports.
3. Interior horn-strobe and exterior horn-strobe connected to the fire sprinkler riser water-flow switch.
4. Interconnected smoke alarms.
5. Carbon monoxide devices with distinctive signal which is different from the smoke alarm signal.

Exceptions:

1. Family foster homes and foster group homes licensed by the State of Arizona Department of Economic Security.
2. Behavioral Health Group Homes (BHGH) which when serves six or fewer residents and is licensed by the State of Arizona Department of Health Services.

903.2.8.5 Special requirements for Group R-1 and R-2. Sprinklers shall be installed in bathrooms and closet areas containing any electrical or mechanical equipment, foyers, and attached garages, accessible areas under interior stairs or landings, exterior balconies and covered patios or landings which have habitable space directly above the balconies, patio or porch. In living spaces, sprinklers shall be the concealed type. For the purpose of inspection, testing, or maintenance, there shall be provided, at the time of construction, an exterior access door providing direct access to the fire sprinkler riser. The door shall be of adequate size to allow for valves and gauges to be accessed, repaired and viewed from the exterior for testing and maintenance purposes. The dimensions of the access door will depend on the design of the fire riser, controls and gauges. When necessary, access shall be provided through private dwellings or garages so service personnel can maintain the fire sprinkler riser and equipment.

903.2.9 Group S-1. An *automatic sprinkler system* shall be provided throughout all buildings containing a Group S-1 occupancy. ~~where one of the following conditions exists:~~

- ~~1. A Group S-1 fire area exceeds 12,000 square feet (1115 m).~~
- ~~2. A Group S-1 fire area is located more than three stories above grade plane.~~
- ~~3. The combined area of all Group S-1 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m).~~
- ~~4. A Group S-1 fire area used for the storage of commercial motor vehicles where the fire area exceeds 5,000 square feet (464 m).~~
- ~~5. A Group S-1 occupancy used for the storage of upholstered furniture or mattresses exceeds 2,500 square feet (232 m).~~

903.2.9.1 Repair garages. An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with Section 406.8 of the *International Building Code*, ~~as shown:~~

- ~~1. Buildings having two or more stories above grade plane, including basements, with a fire area containing a repair garage exceeding 10,000 square feet (929 m²).~~
- ~~2. Buildings not more than one story above grade plane, with a fire area containing a repair garage exceeding 12,000 square feet (1115 m²).~~
- ~~3. Buildings with repair garages servicing vehicles parked in basements.~~
- ~~4. A Group S-1 fire area used for the repair of commercial motor vehicles where the fire area exceeds 5,000 square feet (464 m²).~~

903.2.9.2 Bulk storage of tires. Buildings and structures where the area is used for the storage of tires exceeds ~~20,000 cubic feet (566 m³)~~ 5000 cubic feet (141,584 m³) be equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1

903.2.9.3 Speculative use warehouse. Where the occupant, tenant, use of the building, the storage commodity has not been determined, the building is a speculative shell warehouse, the automatic sprinkler system shall be designed and installed based upon high hazard commodity in accordance with the following:

1. The design area shall not be less than 2000 square feet (185 806 m²).
2. The density shall not be less than that of class IV commodities with 20 percent expanded group A plastics, and aisle width of a minimum of 8 feet (2 438 mm) and 20 feet (6 096).

903.3.1.1.1 Exempt locations. With approval of the fire code official, automatic sprinklers shall not be required in the following rooms or areas where such rooms or areas are protected with an *approved* automatic fire detection system in accordance with Section 907.2 that will respond to visible or invisible particles of combustion. Sprinklers shall not be omitted from a room merely because it is damp, of fire-resistance-rated construction or contains electrical equipment.

1. A room where the application of water, or flame and water, constitutes a serious life or fire hazard.
2. A room or space where sprinklers are considered undesirable because of the nature of the contents, where *approved* by the *fire code official*.
3. Generator and transformer rooms separated from the remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a *fire-resistance rating* of not less than 2 hours.

4. Rooms or areas that are of noncombustible construction with wholly noncombustible contents, where approved by the fire code official.
5. Fire service access elevator machine rooms and machinery spaces.
6. Machine rooms, machinery spaces, control rooms and control spaces associated with occupant evacuation elevators designed in accordance with Section 3008 of the *International Building Code*.

903.3.1.1.3 Mercantile and Industrial shade canopies. Industrial shade canopies shall be protected by an automatic sprinkler system.

Exceptions:

1. Detached awnings and shade canopies that do not exceed 2000 square feet (185 m²) in area.
2. Detached industrial shade canopies and awnings that are made of noncombustible material with a flame spread index no greater than 25 when tested in accordance with ASME E84 which does not exceed 2000 square feet (185 m²).
3. Where a slatted, lattice or louvered awnings or canopy roof system is 50 percent or more open to the sky.
4. Noncombustible shaded walkway or pedestrian entry area.

903.3.1.1.4 Nonresidential shade canopies. Nonresidential awnings, canopies and patio covers shall be protected by an automatic sprinkler system.

Exceptions:

1. Awnings, canopies and patio covers that do not exceed 400 square feet (37 m²)
2. Detached awnings and shade canopies that do not exceed 2000 square feet (185 m²) in area.
3. Detached industrial shade canopies and awnings that are made of noncombustible material with a flame spread index no greater than 25 when tested in accordance with ASME E84 which does not exceed 2000 square feet (185 m²).
4. Where a slatted, lattice or louvered awnings or canopy roof system is 50 percent or more open to the sky.
5. Awnings, canopies and patio covers that are made of noncombustible material with a flame spread index no greater than 25 when tested in accordance with ASME E84 that is used for covering play-ground equipment.
6. Noncombustible shaded walkway or pedestrian entry area.

907.1.1.1 Professional registrant activities. For fire alarm systems and other code regulated alarm systems, the following are considered to be professional registrant

activities in accordance with the requirements of the Arizona Board of Technical Registration:

1. Determine the system type.
2. Determine the applicable codes and standards and appropriate engineering practices.
3. Determine device types and locations.
4. Prepare generalized riser diagram.
5. Coordinate and interface with other systems.
6. Develop system specifications.

Exceptions:

1. Where the modification of fire alarm systems does not require mathematical calculations or hazard analysis.
2. Where items 1-6 are addressed in a stamped narrative or the fire alarm shop drawings are prepared by a NICET Level 3 or 4.

907.2 Where required—new buildings and structures. An *approved* fire alarm system installed in accordance with the provisions of this code and NFPA 72 shall be provided in new buildings and structures in accordance with Sections 907.2.1 through 907.2.23, and provide full area smoke detection coverage in accordance with Section 907.2.8.2 and occupant notification in accordance with Section 907.5, unless other requirements are provided by another section of this code. Not fewer than one manual fire alarm box shall be provided in an *approved* location to initiate a fire alarm signal for fire alarm systems employing automatic fire detectors or water-flow detection devices. Where other sections of this code allow elimination of fire alarm boxes due to sprinklers, a single fire alarm box shall be installed.

Exceptions:

1. The manual fire alarm box is not required for fire alarm systems dedicated to elevator recall control and supervisory service.
2. The manual fire alarm box is not required for Group R-2 occupancies unless required by the *fire code official* to provide a means for fire watch personnel to initiate an alarm during a sprinkler system impairment event. Where provided, the manual fire alarm box shall not be located in an area that is open to the public.

907.2.17.1 Smoke detectors. All new buildings shall have full smoke detection coverage to include ~~Not fewer than one smoke detector listed for the intended purpose-~~ shall be installed in all of the following areas:

1. Mechanical equipment, electrical, transformer, telephone equipment, elevator machine or similar rooms.
2. Elevator lobbies.

907.5.2.3 Visible alarms. Visible alarm notification appliances shall be provided in accordance with Sections 907.5.2.3.1 through 907.5.2.3.3.

Exceptions:

1. Visible alarm notification appliances are ~~not~~ required in *alterations*, ~~except~~ where an existing fire alarm system is upgraded or replaced, or a new fire alarm system is installed.
2. Visible alarm notification appliances shall not be required in *exits* as defined in Chapter 2.
3. Visible alarm notification appliances shall not be required in elevator cars.
4. Visual alarm notification appliances are not required in critical care areas of Group I-2, Condition 2 occupancies that are in compliance with Section 907.2.6, Exception 2.
5. Visible alarm notification appliances shall be required in all employee work areas except when the public use and common use area visible notification appliance can be seen with the employee work area door closed.

907.6.6.3 Automatic test signal. The generation of an automatic weekly test signal shall be required from each subscriber alarm system to the subscriber monitoring station.

1. The monitoring station shall verify the receipt of the test signal.
2. The monitoring station shall notify its subscriber if an automatic weekly test signal has not been received.

907.6.6.4 Multi-tenant buildings with different addresses. The alarm monitoring station shall identify all addresses of buildings, floors or suites protected by a *fire protection system* and be able to provide this information to Phoenix Alarm Center, any first responder and/or the *fire code official*.

912.1 Installation. Fire department connections shall be installed in accordance with the NFPA standard applicable to the system design and shall comply with Sections 912.2 through 912.7.

912.1.1 Siamese connection or splitter. The fire department connection pipe shall be a Siamese connection.

912.2 Location. With respect to hydrants, driveways, buildings and landscaping, fire department connections shall be so located that fire apparatus and hose connected to supply the system will not obstruct access to the buildings for other fire apparatus. The location of fire department connections shall be *approved* by the *fire code official*.

912.2.1 Wall mounted fire department connection. The fire department connection center height shall not be less than 24 inches (610 mm) nor greater than 48 inches (1 219 mm) above finished grade. There shall be a fire hydrant located within 100 feet based on hose lay.

912.2.2 Remote standalone fire department connection. The remote fire department connection 24 inches (610 mm) nor greater than 48 inches (1 219 mm) above finished grade. There shall be a fire hydrant located within 25 feet based on hose lay.

912.3 Fire hose threads. Fire hose threads used in connection with fire department connection shall be two 2½ inch (63.5 mm) National Standard Threads (NST).

912.5 FDC Signs. The sign shall be a 12x12 inches (305x305 mm) red reflective sign face with white lettering on an aluminum sign plate. The lettering shall be:

1. Top line – F.D.C. using 3 inch x ½ inch (76 mm x 13 mm) Handel Gothic capital fonts.
2. Bottom line – Address using 2 inch x ½ inch (51mm x 13 mm) Handel Gothic capital fonts.

912.5.1 Sign location. The sign shall facing the fire apparatus access road and shall be unobstructed.

1. The top of the wall mounted FDC sign shall be 7 feet (2134 mm) above finished grade.
2. The remote standalone FDC sign shall be secured at the highest point of the pipe.

918.1 Scope. The design, installation, and maintenance of *fire fighter replenishment systems (FARS)* shall be in accordance with this section.

918.2 Required installations. Effective 60 calendar days after the approval of this code, *fire fighter replenishment systems (FARS)* shall be installed in the following existing buildings, as well as any building constructed thereafter that fall within these categories:

1. Buildings classified as high-rise in accordance with the building code.
2. Underground structures that are two or more floors below grade with an area greater than 10,000 square feet (929 m²).

918.3 Construction documents and contractor qualifications. Construction documents and contractor qualifications shall be submitted prior to any *fire fighter replenishment systems (FARS)* installation related work being commenced.

918.3.1 Plans. A minimum of two sets of plans, specifications and manufacturer's documentation shall be submitted to City of Surprise Community Development, Development Services Building Permit Resource Center for reviews and approvals. The plans shall demonstrate compliance with the requirements of this section and Appendix L. Calculations shall be prepared by a registered professional engineer demonstrating that the design criteria for pressure containing components is satisfied with an additional minimum safety factor of 25 percent.

The plan submittal package shall include specifications for tubing, fittings, and manufacturer data sheets for valves, pressure regulators, pressure relief devices, gauges, Rapid Intervention Crew (RIC) universal air connections and cylinder filling hoses.

918.3.2 Contractor qualification. *The fire fighter replenishment systems (FARS)* shall be installed by an Arizona State licensed contractor. Proof of licensure shall be provided with the plan submittal.

918.4 Design criteria. The system shall be designed to fill at each interior cylinder filling panel, one 66 standard cubic foot compressed breathing air cylinder to a maximum pressure of 4,500 psig (31 028 kPa).

1. The filling operation shall be completed in not more than two minutes upon connection of the cylinder to the fill hose.
2. The minimum design flow of the breathing piping system shall be calculated using two interior cylinder filling panels operating simultaneously and located at the highest level above the most remote location from the base station exterior fire department connection panel and enclosure base.

918.5 Operating pressure. All components used in the system shall be rated to operate at a minimum pressure of 5,000 psig (34 475 kPa) at 70 degree Fahrenheit (21 Celsius).

918.6 Marking. System piping, gauges, valves and air outlets shall be clearly marked by means of steel or plastic labels or tags indicating their function.

1. Marking used for piping systems shall consist of the content's name and include a direction of flow arrow.
2. Markings shall be provided at each valve, at wall, floor or ceiling penetrations, at each change of direction, and at a minimum of every 20 feet (6096 mm) or fraction thereof throughout the piping system.

918.7 Base station exterior fire department connection panel and enclosure.

918.7.1 Location. The fire department connection panel shall be attached to the building or on a remote monument at the exterior of the building.

1. The panel shall be secured inside of a weather-resistant enclosure.
2. The panel shall be within 50 feet (15 240 mm) of an approved roadway or driveway, or other location approved by the *fire code official*.
3. The enclosure shall be visible and accessible on approach to the building.

918.7.2 Construction. The fire department connection panel shall be installed in a cabinet constructed of minimum 18 gauge carbon steel. When constructed of steel, the cabinet shall be provided with a coating to protect the cabinet from corrosion. When constructed of nonmetallic material, the cabinet shall be resistant to ultraviolet and infrared solar radiation.

918.7.3 Vehicle protection. When the fire department connection panel is located in an area subject to vehicular traffic, impact protection shall be provided in accordance with this code.

918.7.4 Base station enclosure marking. The front of the cabinet shall be marked 'FIREFIGHTER AIR SYSTEM' on securely attached steel, plastic engraved or painted plate. The lettering shall be in contrasting color with the cabinet front and in letters that are a minimum of 2 inches (51 mm) high with 3/8-inch (5 mm) brush stroke. The marking of the cabinet shall be unobstructed.

918.7.5 Base station components. The components in the base station panel shall consist of all necessary components to provide air to the air substations located on upper and/or lower building levels. The fire department air supply source shall be designed to connect to the base station panel. The following components shall be installed in the base station enclosure.

1. One male Rapid Intervention Crew (RIC) Universal Air Connection (UAC) fitting. When connected to a female fitting, the assembled UAC shall meet the construction, performance and dimensional requirements of NFPA 1981, Standard on Open-Circuit Self-Contained Breathing Apparatus for Fire and Emergency Services 2007 Edition.
2. One downstream shutoff valve.
3. One pressure gauge to check pressure of the piping distribution to air substations located on upper and lower building levels.
4. One pressure relief valve designed for 1.25 times the design discharge of the fire department air supply or air supply trucks. All fittings, hoses and hard piping in the base station supply panel and distribution piping to air substations supply panels shall be designed for an air pressure of 1.5 times the pressure of the fire department air delivery system.

5. Base station can be designed for an air pressure supply piping system for supply of air to air distribution. The air supply lines will require an intermediate regulator to provide air pressure for a 5,000 psi (34 473 kPa), for a 4.5 air pack system. The air supply lines will be fitted with separate pressure relief valves set at 1.25 times the working pressure of the air supply line and the operating pressure of the pressurized lines.
6. The relief valve, piping, pressure regulator, pressure gauges, fittings and connection hoses shall meet the requirement of the ASME Boiler and Pressure Code, 7 Section VIII, Unified Pressure Vessel Code. The installation of the piping system, as a minimum, will be based on ASME B31.3-2012.
7. Mechanical supports for piping, hoses, gauges and pressure components, will be designed and built to provide a solid rigid structure.

918.7.6 Security. The base station cabinet shall have a locking mechanism to prevent tampering with the system. The fire department connection panel cabinet shall remain locked at all times except for maintenance, testing, inspection or use by approved personnel.

918.7.7 Knox box. An approved Knox box shall be installed adjacent to the fire department connection panel cabinet. A key to the cabinet shall be placed in the Knox box.

918.8 Interior cylinder fill panels – air substation.

918.8.1 Location. Cylinder fill panels shall be installed in the interior of the building as follows:

Aboveground structure. An interior air substation cylinder fill panel and enclosure shall be installed on floor landings. In buildings classified as high-rise. In all stairwells regardless of height of the buildings commencing on the second floor landing above grade, below grade and every other floor thereafter.

Underground structure. An interior air substation cylinder fill panel and enclosure shall be installed in all stairwells on the floor landing on the third level below grade and every other below-grade level thereafter. Each panel shall be located a minimum of 36 inches (914 mm) but not more than 60 inches (1524 mm) above the finished floor on the stairway landing.

918.8.2 Cabinet requirements. Each air substation cylinder fill panel shall be installed in a cabinet constructed of minimum 18 gauge carbon steel. The depth of the cabinet shall not create an exit obstruction when installed in building stairways. All components, with the exception of the shutoff valve, pressure

gauges, fill hoses and ancillary components, shall be contained behind a minimum 18-gauge interior panel.

918.8.3 Cabinet door. The cabinet door hinges shall be located inside the cabinet. The opening of the door shall not reduce the required exit width or create an obstruction in the path of egress. A minimum of 80 percent of the door surface area shall be constructed of tempered glass. The thickness of the glass shall not be greater than 1/8 inch (3.17 mm).

918.8.4 Cabinet marking. The front of the cabinet shall be marked 'FIREFIGHTER AIR SYSTEM' on securely attached steel, plastic engraved or painted plate. The lettering shall be in contrasting color with the cabinet front and in letters that are a minimum of 2 inches (51 mm) high with 3/8-inch (5 mm) brush stroke. The marking of the cabinet shall be unobstructed.

918.8.5 Air substation components. The cabinet shall be of sufficient size to allow for installation of the following components:

1. One-isolation valve located between the air discharge line to the next substation and downstream line to the air base station supply or the air substation immediately below to the next substation above the air base station.
2. The fill hoses and isolation valves shall be installed between the air bottle connection line and the fresh air supply.
3. Excess bleed valves shall be located between the air bottle fill hose and the next air substation.
4. Four SCBA fill hoses are required at each single air substation, the air supply lines shall be identified as 4,500 psig (31 028 kPa) pressure and shall be controlled by a single valve between the air supply and air bottle. The SCBA fill hoses shall be designed with RIC UAC fittings. Protective cap shall be provided for each hose.

918.8.6 Cylinder filling hose. The cabinet design shall provide a means for storing the hose to prevent kinking. When the hose is coiled, the brackets shall be installed so that the hose bend radius is maintained at 4 inches (102 mm) or greater. The discharge outlet of each cylinder filling hose shall have a female RIC UAC. The female fitting shall be designed to connect to a male RIC UAC. The assembled RIC UAC shall meet the construction, performance and dimensional requirements of NFPA 1981, Standard on Open-Circuit Self-Contained Breathing Apparatus for Fire and Emergency Services 2007 Edition.

918.8.7 Security. To prevent tampering and unauthorized access to the system, each panel shall remain locked by an approved means.

918.9 Installation of components

918.9.1 Pressure monitoring switch. An electric low-pressure monitoring switch shall be installed in the piping system to monitor the air pressure. The pressure switch shall be connected to the building's *fire alarm system*. The pressure switch shall transmit a supervisory signal when the pressure of the breathing air system is less than 3,000 psig (20 685 kPa) at 70 degree Fahrenheit (21 Celsius). A weather resistant sign shall be placed adjacent to the notification appliance stating 'FIREFIGHTER AIR SYSTEM – LOW AIR PRESSURE ALARM'. The lettering shall be in contrasting color with the cabinet front and in letters that are a minimum of 2 inches (51 mm) high with 3/8-inch (5 mm) brush stroke.

918.9.2 Tubing. Piping shall be constructed of stainless steel or other *approved* materials that are compatible with breathing air. The use of nonmetallic materials shall be compatible with breathing air. When stainless steel tubing is used, it shall meet ASTM A-269, Grade 316 or an equal standard. Stainless steel fitting shall be Grade 316 and a minimum 0.375 inch (9.5 mm) outside diameter by .065 inch (1.6 mm) wall Grade 316 fully annealed seamless. Stainless steel fittings shall be at least Grade 316 and meet the requirements of ASTM A 479 or equal. Routing of tubing and bends shall be such as to protect the tubing from mechanical damage.

918.9.3 Support. Piping shall be supported at maximum intervals of 60 inches (1524 mm). Individual tubing clamps and mounting components shall be mechanically secured to the building support members in accordance with the manufacturer's specifications.

918.9.4 Fittings. Fittings shall be constructed of stainless steel or other materials that are compatible with breathing air. The use of nonmetallic materials shall be compatible with breathing air. Stainless steel fittings shall be at least Grade 316 and meet the requirements of ASTM A 479 or an equal standard.

918.9.5 Prohibition. The use of carbon steel, iron pipe, malleable iron, high-strength gray iron or alloy steel is prohibited.

918.10 System assembly requirements. The system shall be welded except where the tubing joints are readily accessible and at the individual air fill panels. When mechanical high-pressure tube fittings are used, they shall be *approved* for type of materials to be joined and rated for maximum pressure of the system. Welding procedures shall meet ASME B31.1-2010, Part 4 and Chapter V (Exhibit VI). Prior to and during the welding of sections of tubing, a continuous, regulated dry nitrogen or argon purge at 3 psig (20.68 kPa) shall be maintained to eliminate contamination with products of the oxidation or welding flux. The purge shall commence a minimum of 2 minutes prior to welding operations and continue until the welded joint is an ambient temperature between 60 degrees and 80 degree Fahrenheit (15.5 and 26.6 Celsius).

918.11 Prevention of contamination. The installing contractor shall ensure that, at all times, the system components are not exposed to contaminants, including, but not limited to, oils, solvents, dirt and construction materials. When contamination of system components has occurred, the effected component shall not be installed in the system.

918.12 Testing and inspection.

918.12.1 Testing. Following fabrication, assembly, and installation of the piping distribution system, exterior connection panel and interior cylinder fill panels, the *fire code official* shall witness the pneumatic testing of the complete system at a minimum test pressure of 5,500 psi (37 923 kPa) using oil-free dry air, nitrogen or argon. A minimum 24 hour pneumatic or hydrostatic test shall be performed. During this test all fittings, joints and system components shall be inspected for leaks. A solution compatible with the system component materials shall be used on each joint and fitting. Any defects in the system or leaks detected shall be documented on an inspection report, repaired or replaced. As an alternate, a pressure decay test in accordance with ASME B31.3 is allowed. A test of the low-pressure monitoring switch shall be performed. Each air fill panel shall be tested for compatibility with the SFMD SCBA RIC UAC. The pipe or tubing manufacturer mill report shall be provided to SFMD.

918.12.2 Air samples. A minimum of two samples shall be taken from separate air fill panels and submitted to an independent certified gas analysis laboratory to verify the system's cleanliness and that the air is certified as breathing air. The laboratory shall submit a written report, of the analysis documenting that the breathing air complies with this section, to the *fire code official*.

918.12.3 Quality analysis. During the period of quality analysis, the air fill panel inlet shall be secured so that no air can be introduced into the system and each air fill panel shall be provided with a sign stating "AIR QUALITY ANALYSIS IN PROGRESS, DO NOT FILL OR USE ANY AIR FROM THIS SYSTEM BY ORDER OF THE FIRE MARSHAL". This sign shall be a minimum of 8 ½ by 11 inches (215mm by 279 mm) with a minimum of 1 inch (25 mm) lettering.

918.12.4 Inspection. At a minimum, annually the breathing air within the system shall be inspected and an air sample shall be taken and certified as breathing air. The laboratory test results shall be made provided to the *fire code official*.

918.13 System acceptance and certification. As part of the Fire Final Acceptance of the air system, the building owner shall provide for the testing and certification of the system. As a minimum, this shall include:

- 1. The system's compatibility with the City of Surprise Fire-Medical Department (SFMD) SCBA apparatus**
- 2. The system's ability to maintain 5,000 psi (34 475 kPa) working pressure**

3. The operability of the low-pressure monitoring switch
4. That the system's air quality complies with the requirements of Section 918.12.
5. Providing written verification of testing and certification contract to the *fire code official*.

Upon satisfactory completion of all tests and verification of air quality and certification contract, the system shall be considered complete.

919.1 Scope. Increasingly, AEDs are being deployed in public facilities such as sports arenas, shopping malls, and airports, buildings housing medical and dental offices and municipal, county and state government buildings, thus potentially decreasing the time between cardiac arrest and access to defibrillation equipment. Public access defibrillation does not mean that any member of the public who witnesses an event should be able to use an AED. Public access defibrillation refers to the accessibility of the device itself. While AEDs are reasonably uncomplicated to use, the AED should be used only by persons who have received proper training and education and who have been certified by a competent authority. Persons without these basic credentials should not use the device.

919.2 Automated External Defibrillators (AED) use requirement. Use of AEDs within the City of Surprise shall meet the Arizona Revised Statute 36-2262.

Exception: Persons qualifying under Arizona Revised Statute 36-2264.

919.3 Automated External Defibrillators (AED). Only commercially available AEDs that have been cleared for marketing by the Food and Drug Administration (FDA) shall be considered for availability and use in a Public Access Defibrillation program.

919.3.1 AED prescription devices. Based on Arizona Revised Statutes public Access Defibrillation, related plans and protocols that are approved by a supervising physician are considered a prescription. Once the physician has approved and signed-off on AED selection and placement, this becomes the authorizing prescription.

919.3.2 AED response kit. An AED response kit shall be kept and maintained at each AED location. The response kit shall minimally contain:

- 1 pocket mask
- 1 set of examination glove (S,M,L,XL)
- Razor
- Scissors
- Absorbent gauze
- Hand towels

919.4 Training. Persons volunteering and designated to use AEDs shall be trained in Cardio Pulmonary Resuscitation (CPR) and the Use of the AED and Accessories. Formal refresher training shall be conducted at a minimum of every two years.

919.5 Automated External Defibrillators (AED) placement. The placement of AEDs shall be based on close proximity to the area(s) with a high volume of population density and/or areas of high-risk activities. The location shall be:

1. Easily accessible to the public and designated users
2. Secure location to minimize the potential for tampering or misuse
3. Location shall be well marked and unobstructed.

919.6 1 ½ minutes rule. In identifying and selecting the location for installing the AED, it should be centrally located by walking 1 ½ minutes in each direction of the compass. The 1 ½ minutes walking radius around the AED shall provide the maximum coverage for people volume and for high risk activities.

919.7 Inspection, testing and maintenance. As with any life safety equipment the AED shall be inspected, tested and maintained on a regular basis according to the manufacturer's recommended schedule.

1. Minimum inspection shall be monthly.
2. Minimum testing shall be quarterly.

919.8 Records. Records of each AED unit inspections, tests and maintenance shall be maintained on premise for the life of the unit.

919.8.1 Record information. Record shall include the manufacturer's name, date of purchase, unit serial number, location, dates of inspection, dates of testing and maintenance action and dates.

919.8.2 Inspection checklist. At a minimum the AED maintenance check list located on the City of Surprise Fire –Medical website shall be filled out and retained for a period of 1 year.

919.8.3 Record availability. Records shall be made available to the *fire code official* upon request.

1101.1 Scope. The provisions of this chapter shall apply to existing buildings constructed prior to the adoption of this code.

Exception: Unless specifically indicated in this chapter, all work involving the *fire protection systems* shall meet the requirements of the current adopted fire code and standards.

1103.1 Required construction. Existing buildings shall comply with not less than the minimum provisions specified in Table 1103.1 and as further enumerated in Sections 1103.2 through 1103.10.

The provisions of this chapter shall not be construed to allow the elimination of *fire protection systems* or a reduction in the level of fire safety provided in buildings constructed in accordance with previously adopted codes.

Exceptions:

1. Where a change in fire-resistance rating has been approved in accordance with Section 501.2 or 802.6 of the *International Existing Building Code*.
2. Group U occupancies.
3. Tenant Improvements and/or modifications that increase the building footprint or the suite footprint protected by a fire protection system by 50 percent, or a fire alarm control panel replacement shall be considered a new installation.
 - a. When the fire alarm control panel is replaced, the entire *fire alarm system* shall be brought to the current performance and installation standards in accordance with Section 907.5.

1103.2 Emergency responder radio coverage in existing buildings. Existing buildings other than Group R-3, that do not have approved radio coverage for emergency responders in the building based on existing coverage levels of the public safety communication systems, shall be equipped with such coverage according to one of the following:

1. Where an existing wired communication system cannot be repaired or is being replaced, or where not approved in accordance with Section 510.1, Exception 1.
2. Within a time frame established by the adopting authority.
3. Buildings meeting any one of the following conditions:
 - The total building area is 10,000 square feet (929 0304 m²) or more;
 - One story below grade with an area of 2,500 square feet (232,2576 m²);
 - Where radio coverage signal strength levels are not consistent with minimum signal strength level requirement in Section 510.4.1.

Exceptions:

1. Where it is determined by the fire code official that the radio coverage system is not needed.
2. Building or structures greater than 10,000 square feet (929 0304 m²) which has a certificate of coverage provided, which certificate is based upon testing performed by a current FCC General Radio Operator License (GROL) RF Engineer who is approved by the *fire code official*

3. Buildings or structures and areas of buildings and structures that have minimum emergency responder radio coverage signal strength levels of the Regional Wireless Cooperative (RWC) network within the building in accordance with IFC Section 510-4.1 without the use of indoor radio coverage system.

1103.4 Vertical openings. Interior vertical openings, including but not limited to stairways, elevator hoist ways, service and utility shafts, that connect two or more stories of a building, shall be enclosed or protected as specified in Sections 1103.4.1 through 1103.4.10. Modification to existing smoke control system shall be in accordance with Sections 901.6.2.1 and 901.6.2.2.

1103.5 Sprinkler systems. An automatic sprinkler system shall be provided in existing buildings in accordance with Sections 1103.5.1 through 1103.5.4 1103.5.8.

1103.5.1 Group A-2. Where alcoholic beverages are consumed in a Group A-2 occupancy having an occupant load of ~~300~~ more than 50, the fire area containing the Group A-2 occupancy shall be equipped with an *automatic sprinkler system* in accordance with Section 903.3.1.1 and a fire alarm system in accordance with Section 907 based on current adopted fire code.

1103.5.5 Change of commodity classification. An automatic sprinkler system shall be installed when a building or part of a building, regardless of building area, undergoes an increase in commodity classification as identified in Table 3203.8.

1103.5.6 Change of occupancy over 2,500 square feet (232 m²). An automatic sprinkler system shall be installed in any building 2,500 square feet (232 m²) or greater that undergoes a change in occupancy.

Exception: Any Occupancy Group R-3 which becomes an occupancy Group R-4 shall have automatic sprinkler system installed throughout the building and attached structures.

1103.5.7 Partially sprinklered buildings.

When existing non-sprinklered buildings of mixed occupancy are required to install sprinklers based on change of occupancy classification, the sprinklers shall be installed throughout the fire area including the new occupancy.

Exception: Where the fire-resistance rating of fire barriers and/or horizontal assemblies separating the newly sprinklered fire area and non-sprinklered fire area is a minimum of 2-hour fire wall.

1103.5.8 Expansion of original building footprint. Buildings which increase the original square footage more than 49 per cent shall have automatic sprinkler system installed throughout the building.

3103.2 Approval required. Tents and membrane structures having an area in excess of 400 square feet (37 m²) shall not be erected, operated or maintained for any purpose

without first obtaining a permit and approval from the *fire code official*.

Exceptions:

1. Tents used exclusively for recreational camping purposes.
2. Tents open on all sides that comply with all of the following:
 - 2.1. Individual tents having a maximum size of 700 square feet (65 m²).
 - 2.2. The aggregate area of multiple tents placed side by side without a fire break clearance of 12 feet (3658 mm), not exceeding 700 square feet (65 m²) total.
 - 2.3. A minimum clearance of 12 feet (3658 mm) to all structures and other tents.
3. Tents and curtains or extensions attached thereto, when used for funeral services.

3103.3.2 Mazes. Mazes including, but not limited to corn stalks, hay bales or hedge mazes shall be in accordance with Section 3106.

3103.6 Construction documents. A detailed site and floor plan for tents or membrane structures with an *occupant load* of 50 or more shall be provided to the *fire code official* with each Temporary Use Permit (TUP) application for approval. The tent or membrane structure floor plan shall indicate details of the *means of egress* facilities, seating capacity, arrangement of the seating, location of fire extinguishers, emergency lighting, illuminated exit signs, no smoking signs and location and type of heating and electrical equipment. The *construction documents* shall include an analysis of structural stability.

3201.1.1 Speculative Building. Occupancy Groups S, F and M speculative building that having an interior clear height greater than 12 feet (3658 mm) where high pile storage may accrue shall comply with this section.

3201.3.2 Approved storage layout. A floor plan, of legible size, shall be provided, mounted on a wall and protected from damage. The floor plan shall be mounted in an *approved* location and show the following:

1. Locations, dimensions and rack layout of *high-piled storage areas*.
2. Design storage height for each storage area.
3. Types of commodities.
4. Commodity clearance between top of storage and the sprinkler deflector for each storage arrangement.
5. Aisle dimensions between each storage array.
6. For palletized and solid-piled storage, the maximum pile volume for each storage array.
7. Location and classification of commodities in accordance with Section 3203.
8. Location of required fire department access doors.

9. Location of valves controlling the water supply of ceiling and in-rack sprinklers.
10. Design criteria of the fire sprinkler system.

3206.2.2 Group F-1 and S-1 with a storage area greater than 400,000 square feet (37 161,216 m²). When storage areas in Group F-1 and S-1 are greater than 400,000 square feet (37 161,216 m²) a Technical Report prepared by an Arizona Professional shall be submitted for review and *approval* by the *fire code official*. Additional fire protection and/or life safety systems may be required by the *fire code official*.

3206.2.3 Storage height greater than 35 feet (10 668 mm). When the designated storage height is greater than 35 feet (10 668 mm), a Technical Report shall be prepared by an Arizona Professional and shall be submitted to the *fire code official* for *approval*.

3206.2.4 Additional hose connections. Additional fire department hose connections shall be provided when required by the *fire code official*.

3206.4.1 Pallets. ~~Automatic sprinkler system requirements based on the presence of pallets shall be in accordance with NFPA 13.~~

3206.4.1 General. The design of automatic sprinkler systems for the protection of Group M and S occupancies containing high pile storage or high challenge commodities over an area equal to or greater than 2,500 ft.² (232 2576 m²) and for the protection of hazardous materials stored more than one pallet high in Group M, S or H occupancies shall be in accordance with this section. This section does not apply to miscellaneous storage within the scope of Chapter 12 of the NFPA 13, 2016 edition.

3206.4.1.2 Plan submittal requirements. See Chapter 9 Design Documents for plan submittal requirements.

3206.4.1.3 Minimum design requirements for speculative shell warehouses. The design of the automatic sprinkler system for speculative warehouses shall be based on Class A non-expanded plastic to the available storage height. The storage height shall be determined by subtracting 48 inches (1219 mm) from the highest point of the roof above each system for ESFR and 30 inches (762 mm) for area density applications.

3206.4.1.4 Minimum requirements for client leased or occupant owned warehouses. The design of an automatic sprinkler system for client leased or occupant owned buildings containing high pile storage shall be based on the requirements of NFPA 13, Chapter 12. The responsible Fire Protection Engineer shall perform a survey of the building to determine commodity classification, storage configuration, building height and other information related to the development of an appropriate sprinkler system design. The Engineer shall also

make reasonable efforts to meet with the building owner or operator to understand seasonal or customer related fluctuations to the stored commodities, storage height, and configuration. The sprinkler design shall be based on the most demanding requirements determined through the on-site survey and discussions with the building owner or operator. Technical Report shall clearly define the basis for determining the commodity and sprinkler design selection, along with how the commodities will be isolated or separated, and the referenced design document(s), including NFPA13 or the current applicable FM Global Data sheet. If a specific fire test is used as the basis of design, a copy of the fire test report shall be provided at the time of plan review.

3206.4.1.5 Required plan submittal information. All plans, hydraulic calculations and technical reports shall be submitted with the plan submittal application in conjunction with or prior to the racking plan submittal.

3206.4.1.6 Minimum plan information. In addition to the requirements of NFPA 13, Chapter 14, the information specified in 3206.4.1.6.1 and 3206.4.1.6.2 shall be included in the plans or technical report.

3206.4.1.6.1 Class I-IV and Group A plastic commodities.

1. An owner's certificate in accordance with NFPA 13. The design criteria, e.g., NFPA 13, FM Global Data Sheets, or a specific fire test report.
2. Water Flow & Pressure Test Report performed within 90 days of the plan submittal
3. The type of design, e.g. Control Mode Density/Design area Method; Suppression Mode method, including appropriate code references.
4. A description of the stored commodities and how the commodity classification was determined.
5. A layout of the proposed storage arrangement. If the storage is in racks, a plan and elevation detail illustrating rack heights, flue dimensions and arrangement. This detail is not required for speculation warehouses.
6. The aisle dimensions between each storage array.
7. If a high challenge commodity is separated using fire-resistive construction, the boundary of the fire-resistive construction shall be illustrated.
8. A data sheet for the backflow preventer. If a data sheet is not available, the design professional shall include a statement addressing the minimum required pressure loss.
9. A data sheet for each installed automatic sprinkler.
10. A data sheet for each pipe hanger used to hang or support the sprinkler piping.

11. If a fire pump will be installed or used, the manufacturer's factory test curve shall be included in the submittal.
12. A cross-section view illustrating obstructions to the ceiling sprinklers, e.g., lights, structural members, cable trays, electrical bus ducts, HVAC ductwork.

3206.4.1.6.2 Hazardous materials. In addition to the requirements of this section, the following information shall be included in a hazardous materials technical report.

1. A hazardous materials inventory statement
2. For flammable & combustible liquids, an analysis of the miscibility of Class I liquids, the size and type of the packaging, the packaging materials of construction, and if the containers have a pressure relieving mechanism.
3. For Level 2 or 3 aerosols, a statement indicating that the aerosols are in cartons or individually stored.

3206.4.1.7 Identification of sprinkler system capabilities and limitations. An adhesive label shall be permanently installed at or adjacent to each sprinkler riser. When sprinkler risers are located outside of the building, the sign shall be stamped metal. The minimum sign dimension is 6-inches high by 4-inches wide. The sign shall specify the capabilities and limitations of the automatic sprinkler system. The sign shall include the following information:

1. The design base or basis, including the edition used.
2. A statement indicating if the sprinkler design is control mode density area method, control mode specific application, suppression mode, or any combination thereof.
3. When used, all of the storage conditions stipulated NFPA 13 for Special Designs.
4. The maximum storage height e. The minimum required aisle width f. If storage is in racks, the maximum rack width and minimum transverse and longitudinal flue widths.
5. Commodities that can be protected by the automatic sprinkler system h. Commodities that cannot be protected by the automatic sprinkler system
6. Limits on storage heights of idle wood and plastic storage
7. Limits on storage heights of miscellaneous Group A plastic, tire and rolled paper storage
8. Locations where in-rack sprinklers are required.
9. Locations where horizontal and/or vertical barriers are required.

10. Information explaining the manufacturer, sprinkler identification number, k-factor, and operating temperature of the overhead sprinklers protecting the high pile storage.

3206.4.2 Pallets. *Automatic sprinkler system* requirements based on the presence of pallets shall be in accordance with NFPA 13

3206.4.12.1 Plastic pallets.

Plastic pallets *listed* and *labeled* in accordance with FM 4996 or UL 2335 shall be treated as wood pallets for determining required sprinkler protection.

5301.1 Scope. Storage, use and handling of *compressed gases* in *compressed gas* containers, cylinders, tanks and systems shall comply with this chapter and NFPA 55, including those gases regulated elsewhere in this code. Partially full *compressed gas* containers, cylinders or tanks containing residual gases shall be considered as full for the purposes of the controls required. Liquefied natural gas for use as a vehicular fuel shall also comply with NFPA 52 and NFPA 59A. *Compressed gases* classified as hazardous materials shall also comply with Chapter 50 for general requirements and chapters addressing specific hazards, including Chapters 58 (Flammable Gases), 60 (Highly Toxic and Toxic Materials), 63 (Oxidizers, Oxidizing Gases and Oxidizing Cryogenic Fluids) and 64 (Pyrophoric Materials). Compressed hydrogen (CH) shall also comply with the applicable portions of Chapters 23 and 58 of this code, the *International Fuel Gas Code* and NFPA 2. Cutting and welding gases shall also comply with Chapter 35.

Exceptions:

1. Gases used as refrigerants in refrigeration systems (see Section 606).
2. Compressed natural gas (CNG) for use as a vehicular fuel shall comply with Chapter 23, NFPA 52 and the *International Fuel Gas Code*.
3. *Cryogenic fluids* shall comply with Chapter 55.
4. LP-gas shall comply with Chapter 61 and the *International Fuel Gas Code*
5. Insulated liquefied Carbon Dioxide systems shall comply with NFPA 55.

~~**5307.2 Ventilation.** Indoor storage and use areas and storage buildings shall be provided with ventilation in accordance with Section 5004.3. Where mechanical ventilation is provided, the systems shall be operational during such time as the building or space is occupied.~~

~~**Exceptions:**~~

- ~~1. A gas detection system complying with Section 5307.2.1 shall be permitted in lieu of mechanical ventilation.~~
- ~~2. Areas containing insulated liquid carbon dioxide systems used in beverage dispensing applications shall comply with Section 5307.3.~~

5307.2 General – simple asphyxiant gas systems.

Carbon dioxide and other simple asphyxiant gas systems with more than 50 pounds (22.7 kg) in use, per system shall comply with this section.

Exception: One (1) additional 50 pounds (22.7 kg) DOT 3AA cylinder of carbon dioxide may be connected to the same system provided an isolation valve is in place, and only one cylinder can be in use at a time.

5307.2.1 Gas detection system Permits. In rooms or areas not provided with ventilation in accordance with Section 5307.2, A gas detection system complying with Section 916 or, an oxygen depletion alarm system, either of which initiates audible and visible alarm signals in the room or area where sensors are installed, shall be provided require a permit as set forth in Section 105.7.11.

5307.2.1.1 Equipment. The storage, use, and handling of liquid carbon dioxide shall be in accordance with Chapter 53 and the applicable requirements of NFPA 55, Chapter 13. Insulated liquid carbon dioxide systems shall have pressure relief devices vented in accordance with NFPA 55.

5307.2.1.2 Protection from damage. Carbon dioxide and other simple asphyxiant gas systems shall be installed so the storage tanks, cylinders, piping fittings, detection and notification devices are protected from damage by occupants or equipment during normal facility operations, in accordance with Sections 5303.5 and 5303.6.

5307.2.2 Gas ventilation requirements. When any ASME vessels containing liquefied carbon dioxide and other simple asphyxiant gas or more than two 50-pound DOT AA3 gaseous carbon dioxide cylinders and other simple asphyxiant gas per system, are connected to a piping system and located within the structure, a mechanical exhaust ventilation system shall be provided in accordance with the International Mechanical Code. A separate plan submittal for the installation of this mechanical exhaust ventilation system is required.

5307.2.2.1 Exhaust. The mechanical exhaust ventilation system shall be designed at a rate not less than one cubic foot per minute, per square foot of floor area, within the area inside the structure where the ASME vessel or DOT cylinders are located. The ventilation system shall be designed to operate at a negative pressure in relation to the surrounding area.

5307.2.2.2 Exhaust intake. The exhaust intake shall be taken from a point within 12 inches (305 mm) of the floor. The exhaust system intake shall be located a minimum of 2 feet (610 mm) away from any gas detector or located on the opposite wall of any gas detector.

5307.2.2.3 Exhaust termination. The termination point of exhaust outlets

and ducts discharging to the outdoors shall be located a minimum of 10 feet (3048 mm) from property lines, a minimum of 3 feet (914 mm) above the roof line and a minimum of 10 feet (3048 mm) from operable openings into the building and a minimum of 10 feet (3048 mm) above adjoining grade.

5307.2.2.4 Automatic activation. The exhaust system shall automatically activate when:

1. The concentration of carbon dioxide reaches 3 percent ((30,000 ppm (54,000 mg/m³)), or
2. The concentration of oxygen reaches 19.5 percent in an oxygen deficient environment, or

Exception: Continuous ventilation.

5307.2.2.5 Manual activation. A manual activation switch shall be provided at the entrance of the area where the ASME vessel or DOT cylinders are located. This manual activation switch shall be red in color and be clearly marked with its function.

5307.2.3 Equipment venting. All new and existing installations, emergency relief vents, burst disks and pump vents shall be terminated outside the building and at least 10 feet (3048 mm) from openings into the building or property lines.

5307.2.4 Gas detection. Compressed gases such as Carbon Dioxide, Helium, Argon, Nitrogen and other compressed gases that are classified as an asphyxiant shall be provided with a gas detection and alarm systems. The gas detection and alarm systems shall be installed, inspected, tested, calibrated and maintained per the manufacturer's instructions.

5307.2.4.1 Gas detectors. Gas detectors shall be field tested at the time of final inspection and annually thereafter or more often if so required per the manufacturer. Testing, inspection, observation, and maintenance of detection devices shall be performed with an approved test gas. All test gas shall have a recognized certification that documents the type and percentage of gas.

5307.2.4.2 Records. Records of inspection, testing, and maintenance and observations of all gas detection, gas alarm systems, and sensor calibration shall be maintained on the premises for a minimum of three years and reports electronically provided within 15 days following inspection, test or maintenance completion. Reports required to be electronically copied or filed pursuant to this section shall be filed as directed by the *fire code official*, which direction may include using software of a third party.

5307.2.4.3 Specific gas detection. Where the gas is carbon dioxide, the gas detection systems shall be designed to detect carbon dioxide. All other simple asphyxiants shall use an oxygen sensor.

5307.2.4.4 Location. Gas detection shall be provided at each point of use and at vessels or cylinders inside structures. Basements and or subterranean spaces that could be physically entered and that have product lines shall have gas detection.

5307.2.4.5 Carbon dioxide two tier detection. The detection system shall be capable of two tier detection.

- 1. Tier one shall be set at 0.5 percent carbon dioxide or 5,000 ppm (9,000 mg/m³) .**
- 2. Tier two shall be set at 3 percent carbon dioxide or 30,000 ppm (54,000 mg/m³) .**

5307.2.4.6 Simple asphyxiant two tier detection. The detection system shall be capable of two tier detection.

- 1. Tier one shall be set at 19.5 percent oxygen in an oxygen deficient environment.**
- 2. Tier two shall be set at 18 percent in an oxygen deficient environment.**

5307.2.4.7 Installation. Asphyxiant gas detection systems or appropriate gas detection for the gas shall be installed per the manufacture's manual.

5307.2.4.8 Power. The power supply to the gas detection system shall be circuit locked and labeled. Approved backup power shall be provided.

5307.2.5 Supervisory signal. At 0.5 percent (5,000 ppm (9,000 mg/m³)) carbon dioxide or 19.5 percent oxygen, a local warning/supervisory signal with visible and audible indication shall occur at a constantly manned location and shall be transmitted off-site to a UL approved third party monitoring station as a supervisory signal alarm.

5307.2.6 Evacuation alarm. At 3 percent ((30,000 ppm (54,000 mg/m³)) carbon dioxide or 18 percent oxygen, an audio and visual evacuation alarm shall activate for the occupancy and shall transmit an alarm signal off-site to a UL approved third party monitoring station as a gas specific alarm.

Exception: When the facility does not have a system capable of transmitting signals off site then established approved protocols shall be in place to call 911 directly.

5307.2.6.1 Fire alarm connection. Connection to fire alarm control panel or monitoring panel shall be accomplished by a Fire Alarms Technician with a current NICET Level II Fire Alarm Systems Certification who is

employed by a fire protection company holding a current City of Surprise Business License. A separate *Tenant Improvement (TI)* permit obtained by an approved fire alarm contractor is required.

5307.2.7 Notification. Evacuation notification devices with audible and visual notification shall be provided:

1. Near every point-of-use.
2. In the area or room where the asphyxiant gas cylinders are located.
3. In the common area where public gathers.
4. At the entrance to the room with required detection.
5. It shall be clear to responders upon approach to the hazard that asphyxiant gas is present.
6. As required by the *fire code official*.

5307.2.7.1 Notification devices. Notification devices shall comply with the following:

1. The notification device shall be rated a minimum of 100 candela rating for a visual effect and 75 decibels for an audible effect.
2. The notification devices shall be identified and labeled for the gas being detected. Use of the building fire alarm notification devices for evacuation is acceptable, providing the asphyxiant gas detection has visible and audible clear indicators in the hazard area upon both the warning level and alarm level of the gas.

5307.3 Insulated liquid carbon dioxide systems used in beverage dispensing applications.

~~Insulated liquid carbon dioxide systems with more than 100 pounds (45.4 kg) of carbon dioxide used in beverage dispensing applications shall comply with Section 5307.3.1.~~

5307.3 Tank and piping requirements. Piping systems shall be designed and constructed and tested in accordance with ASME/ANSI B31.3 Process Piping Code.

~~**5307.3.1 Ventilation.** Where insulated liquid carbon dioxide storage tanks, cylinders, piping and equipment are located indoors, rooms or areas containing storage tanks, cylinders, piping and equipment, and other areas where a leak of carbon dioxide is expected to accumulate, shall be provided with mechanical ventilation in accordance with Section 5004.3 and designed to maintain the room containing carbon dioxide at a negative pressure in relation to the surrounding area.~~

~~**Exception:** A gas detection system complying with Section 5307.3.2 shall be permitted in lieu of mechanical ventilation.~~

5307.3.1 Piping and marking. Piping and tubing shall be identified in accordance with ASME A13.1 to indicate the material conveyed. Markings shall be provided at each valve, at wall, floor or ceiling penetrations, at each change of direction, and repeated at not less than every 20 feet (6096 mm) or fraction thereof throughout the piping run.

5307.3.2 Gas detection system. ~~Where ventilation is not provided in accordance with Section 5307.3.1, a gas detection system shall be provided in rooms or indoor areas and in below-grade outdoor locations with insulated carbon dioxide systems. Carbon dioxide sensors shall be provided within 12 inches (305 mm) of the floor in the area where the gas is expected to accumulate or other approved locations. The system shall be designed as follows:~~

- ~~1. Activates an audible and visible supervisory alarm at a normally attended location upon detection of a carbon dioxide concentration of 5,000 ppm (9000 mg/m).~~
- ~~2. Activates an audible and visible alarm within the room or immediate area where the system is installed upon detection of a carbon dioxide concentration of 30,000 ppm (54 000 mg/m).~~

5307.3.2 Piping design. Gas piping systems shall be designed as follows:

1. Piping systems shall be designed to a bursting pressure of at least four times the system design pressure.
2. All fittings used in the piping system shall be designed for a working pressure not to exceed 125 percent of designed pressure of the hose.

5307.3.3 Piping materials. Carbon dioxide gas piping systems shall be of listed and approved materials for each specific gas in use. Rigid plastic piping shall not be use or allowed.

Exception: Non-listed materials require a special report by an Arizona registered engineer specifically dealing with the suggested piping material and shall be submitted to the *fire code official* for *approval*. A special report on the piping material shall not be required if the piping material has been listed by a third-party testing group such as UL or FM for the intended use.

5307.3.4 Leak tests. All piping systems shall be leak tested in accordance with the following:

1. Piping systems shall be tested by a pneumatic pattern at a pressure equal to the working pressure for a minimum of 15 minutes or as long as it takes to check each joint; the test medium shall be carbon dioxide, and soap testing of all fittings shall be witnessed at time of inspection by the *fire code official*.

APPENDIX B FIRE-FLOW REQUIREMENTS FOR BUILDINGS

B105.2 Buildings other than one- and two-family dwellings, Group R-3 and R-4 buildings and townhouses. The minimum *fire-flow* and flow duration for buildings other than one- and two-family *dwellings*, Group R-3 and R-4 buildings and *townhouses* shall be as specified in Tables B105.2 and B105.1(2).

TABLE B105.2

REQUIRED FIRE FLOW FOR BUILDINGS OTHER THAN ONE- AND TWO-FAMILY DWELLINGS, GROUP R-3 AND R-4 BUILDINGS AND TOWNHOUSES

TABLE NOT COPIED

For SI: 1 gallon per minute = 3.785 L/m.

The reduced fire flow shall be not less than ~~1,000~~ 1,500 gallons per minute.

The reduced fire flow shall be not less than 1,500 gallons per minute.

APPENDIX C FIRE HYDRANT LOCATIONS AND DISTRIBUTION

C102.1 Minimum number of fire hydrants for a building. The number of fire hydrants available to a building shall be not less than the minimum specified in Table C102.1.

**TABLE C102.1
REQUIRED NUMBER AND SPACING OF FIRE HYDRANTS**

TABLE NOT COPIED

For SI: 1 foot = 304.8 mm, 1 gallon per minute = 3.785 L/m.

- a. Reduce by 100 feet for dead-end streets or roads.
- b. Where streets are provided with median dividers that cannot be crossed by fire fighters pulling hose lines, or where arterial streets are provided with four or more traffic lanes and have a traffic count of more than 30,000 vehicles per day, hydrant spacing shall average 500 feet on each side of the street and be arranged on an alternating basis.
- c. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, fire hydrants shall be provided at spacing not to exceed 1,000 feet to provide for transportation hazards.
- d. Reduce by 50 feet for dead-end streets or roads.
- e. One hydrant for each 1,000 gallons per minute or fraction thereof.
- ~~f. A 50-percent spacing increase shall be permitted where the building is equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1 of the *International Fire Code*.~~
- ~~g. A 25-percent spacing increase shall be permitted where the building is equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.2 or 903.3.1.3 of the *International Fire Code* or Section P2904 of the *International Residential Code*.~~
- h. The fire code official is authorized to modify the location, number and distribution of fire hydrants based on site-specific constraints and hazards.

APPENDIX D FIRE APPARATUS ACCESS ROADS

D102.1.1 Temporary fire apparatus access. Temporary fire apparatus access road shall be provided prior to delivery of combustible material and/or vertical construction of buildings.

D103.1.1 Temporary access road specifications. Temporary fire department apparatus access road shall be a temporary all weather surface (TAWS) and comply with all of the following criteria:

1. Have an unobstructed width of not less than 26 feet (7925 mm) with a vertical clearance of not less than 15 feet (4572 mm).
2. This access surface shall be ABC compacted to 90% and capable of supporting fire apparatus in excess of 75,000 pounds (34 050 kg) gross vehicle weight (GVW) under any weather condition.
3. The temporary all weather surface (TAWS) shall be continuously maintained by the builder during the construction process.
4. The minimum turning radius shall meet AASHTO SU-40 standard.
5. Temporary dead-end fire apparatus access roads in excess of 100 feet (45 720 mm) shall be provided with width and turnaround provisions in accordance with Table D103.4.

D103.6.3.1 Sign specifications. The temporary fire access sign shall comply with the following criteria:

1. The sign shall read FIRE DEPARTMENT ACCESS and shall include site address or range of addresses for all commercial construction sites and residential model homes site.
2. The sign shall be two sided 4 feet X 4 feet (1219 mm X 1219 mm) using ¾ inch (1.9 cm) graded plywood.
3. The sign shall have a red background with white FIRE DEPARTMENT ACCESS in 4 inch (10 cm) lettering.
4. The ADDRESS shall be white 2 ½ inches (6.3 cm) lettering.
5. A sign shall be installed at each point of entry.
6. The sign shall be 6 feet (1828 mm) above grade on posts set at a minimum of 2 feet (609 mm) below grade.

D106.1 Projects having more than 100 dwelling units. Multiple-family residential projects having more than 100 *dwelling units* shall be equipped throughout with three separate and *approved* fire apparatus access roads in accordance with Section 503.1.2.2.1.

Exception: ~~Projects having up to 200 dwelling units shall have not fewer than one approved fire apparatus access road where all buildings, including nonresidential occupancies, are equipped throughout with approved automatic sprinkler systems installed in accordance with Section 903.3.1.1 or 903.3.1.2.~~

D106.3 Remoteness. ~~Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.~~

The geographic separation of the three fire apparatus access roads shall be based on:

1. The two unrestricted fire apparatus access roads shall be placed a distance apart equal to but not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.
2. The third restricted apparatus access road shall be located based on fire code official approval.

Accessible and Usable Buildings and Facilities ICC/ANSI 117.1-2009

Local Amendments

The Accessible and Usable Buildings and Facilities ICC/ANSI 117.1-2009 Local Amendments are as follows:

SECTION 502 Parking Spaces

502.7 Identification. Where accessible parking spaces are required to be identified by signs, the signs shall include the International Symbol of Accessibility complying with Section 703.6.3.1 or the Accessibility Icon complying with Section 703.6.3.2. Signs identifying van parking spaces shall contain the designation "van accessible." Such signs shall be 60 inches (1525 mm) minimum above the floor of the parking space, measured to the bottom of the sign.

SECTION 703 Signs

703.6.3 Symbols.

703.6.3.1 International Symbol of Accessibility. The International⁹⁻ Symbol of Accessibility shall comply with Figure 703.6.3.1.



FIG. 703.6.3.1 INTERNATIONAL SYMBOL OF ACCESSIBILITY

703.6.3.2 Accessibility Icon. The Accessibility Icon shall comply with Figure 703.6.3.2.



FIG. 703.6.3.2 ACCESSIBILITY ICON

2018 International Plumbing Code Local Amendments

The following Appendices of the 2018 International Plumbing Code are hereby adopted in their entirety: appendices B, C and E

The 2018 International Plumbing Code Local Amendments are as follows:

SECTION 109 MEANS OF APPEAL

~~[A] 109.1 Application for appeal. **General.** Appeals shall be in accordance with the Surprise Municipal Code. A person shall have the right to appeal a decision of the code official to the board of appeals. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply; or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the code official within 20 days after the notice was served.~~

~~[A] 109.1.1 Limitation of authority. The board of appeals shall not have authority relative to interpretation of the administration of this code nor shall such board be empowered to waive requirements of this code.~~

~~[A] 109.2 Membership of board. The board of appeals shall consist of five members appointed by the chief appointing authority as follows: one for 5 years; one for 4 years; one for 3 years; one for 2 years; and one for 1 year. Thereafter, each new member shall serve for 5 years or until a successor has been appointed.~~

~~[A] 109.2.1 Qualifications. The board of appeals shall consist of five individuals, one from each of the following professions or disciplines:~~

- ~~1. Registered design professional who is a registered architect; or a builder or superintendent of building construction with not less than 10 years' experience, 5 of which shall have been in responsible charge of work.~~
- ~~2. Registered design professional with structural engineering or architectural experience.~~
- ~~3. Registered design professional with mechanical and plumbing engineering experience; or a mechanical contractor with not less than 10 years' experience, 5 of which shall have been in responsible charge of work.~~
- ~~4. Registered design professional with electrical engineering experience; or an electrical contractor with not less than 10 years' experience, 5 of which shall have been in responsible charge of work.~~
- ~~5. Registered design professional with fire protection engineering experience; or a fire protection contractor with not less than 10 years' experience, 5 of which shall have been in responsible charge of work.~~

~~**[A] 109.2.2 Alternate members.** The chief appointing authority shall appoint two alternate members who shall be called by the board chairman to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership and shall be appointed for 5 years, or until a successor has been appointed.~~

~~**[A] 109.2.3 Chairman.** The board shall annually select one of its members to serve as chairman.~~

~~**[A] 109.2.4 Disqualification of member.** A member shall not hear an appeal in which that member has a personal, professional or financial interest.~~

~~**[A] 109.2.5 Secretary.** The chief administrative officer shall designate a qualified clerk to serve as secretary to the board. The secretary shall file a detailed record of all proceedings in the office of the chief administrative officer.~~

~~**[A] 109.2.6 Compensation of members.** Compensation of members shall be determined by law.~~

~~**[A] 109.3 Notice of meeting.** The board shall meet upon notice from the chairman, within 10 days of the filing of an appeal, or at stated periodic meetings.~~

~~**[A] 109.4 Open hearing.** Hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official and any person whose interests are affected shall be given an opportunity to be heard.~~

~~**[A] 109.4.1 Procedure.** The board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be received.~~

~~**[A] 109.5 Postponed hearing.** When five members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.~~

~~**[A] 109.6 Board decision.** The board shall modify or reverse the decision of the code official by a concurring vote of three members.~~

~~**[A] 109.6.1 Resolution.** The decision of the board shall be by resolution. Certified copies shall be furnished to the appellant and to the code official.~~

~~**[A] 109.6.2 Administration.** The code official shall take immediate action in accordance with the decision of the board.~~

~~**[A] 109.7 Court review.** Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct~~

~~errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.~~

202 GENERAL DEFINITIONS

GREASE INTERCEPTOR

Gravity. Plumbing appurtenances of not less than 500 gallons (1893 L) capacity that are installed in the sanitary drainage system to intercept free-floating fats, oils and grease from waste water discharge. Separation is accomplished by gravity during a retention time ~~of not less than 30 minutes~~ approved by the Authority Having Jurisdiction.

GREASE REMOVAL DEVICE, AUTOMATIC (GRD). A plumbing appurtenance that is installed in the sanitary drainage system to intercept free-floating fats, oils and grease from waste water discharge. Such a device operates on a time-or event-controlled basis and has the ability to remove free-floating fats, oils and grease automatically without intervention from the user, except for maintenance. These devices must be able to perform as a gravity interceptor if mechanical or electrical power is lost, and provide continuous separation.

410.2 Small occupancies. Drinking fountains shall not be required for an occupant load of ~~15~~ 50 or fewer.

410.4 Substitution. Where restaurants provide drinking water in a container free of charge, drinking fountains shall not be required in those restaurants. ~~In other occupancies, where drinking fountains are required, water coolers or bottled water dispensers shall be permitted to be substituted for not more than 50 percent of the required number of drinking fountains.~~ In other occupancies, where drinking fountains are required, bottle water dispensers or water coolers shall be permitted to be substituted.

1003.2 Approval. The size, type and location of each interceptor and of each separator shall be designed and installed in accordance with the manufacturer's instructions and the requirements of ~~this section based on the anticipated conditions of use~~ the Authority Having Jurisdiction. Wastes that do not require treatment or separation shall not be discharged into any interceptor or separator.

1106.1 General. The size of the vertical conductors and leaders, building storm drains, building storm sewers, and any horizontal branches of such drains or sewers shall be based on ~~the 100-year hourly rainfall rate indicated in Figure 1106.1 or on other rainfall rates determined from approved local weather data.~~ an hourly rainfall rate of three (3) inches per hour.

2018 International Mechanical Code

Local Amendments

The 2018 International Mechanical Code Local Amendments are as follows:

SECTION 109 MEANS OF APPEAL

~~[A] 109.1 Application for appeal. General.~~ Appeals shall be in accordance with the Surprise Municipal Code. ~~A person shall have the right to appeal a decision of the code official to the board of appeals. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply; or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the code official within 20 days after the notice was served.~~

~~[A] 109.1.1 Limitation of authority.~~ The board of appeals shall not have authority relative to interpretation of the administration of this code nor shall such board be empowered to waive requirements of this code.

~~[A] 109.2 Membership of board.~~ The board of appeals shall consist of five members appointed by the chief appointing authority as follows: one for 5 years; one for 4 years; one for 3 years; one for 2 years; and one for 1 year. Thereafter, each new member shall serve for 5 years or until a successor has been appointed.

~~[A] 109.2.1 Qualifications.~~ The board of appeals shall consist of five individuals, one from each of the following professions or disciplines:

- ~~1. Registered design professional who is a registered architect; or a builder or superintendent of building construction with not less than 10 years' experience, 5 of which shall have been in responsible charge of work.~~
- ~~2. Registered design professional with structural engineering or architectural experience.~~
- ~~3. Registered design professional with mechanical and plumbing engineering experience; or a mechanical contractor with not less than 10 years' experience, 5 of which shall have been in responsible charge of work.~~
- ~~4. Registered design professional with electrical engineering experience; or an electrical contractor with not less than 10 years' experience, 5 of which shall have been in responsible charge of work.~~
- ~~5. Registered design professional with fire protection engineering experience; or a fire protection contractor with not less than 10 years' experience, 5 of which shall have been in responsible charge of work.~~

~~[A] 109.2.2 Alternate members.~~ The chief appointing authority shall appoint two alternate members who shall be called by the board chairman to hear

~~appeals during the absence or disqualification of a member.
Alternate members shall possess the qualifications required for board membership and shall be appointed for 5 years, or until a successor has been appointed.~~

~~**[A] 109.2.3 Chairman.** The board shall annually select one of its members to serve as chairman.~~

~~**[A] 109.2.4 Disqualification of member.** A member shall not hear an appeal in which that member has a personal, professional or financial interest.~~

~~**[A] 109.2.5 Secretary.** The chief administrative officer shall designate a qualified clerk to serve as secretary to the board. The secretary shall file a detailed record of all proceedings in the office of the chief **administrative** officer.~~

~~**[A] 109.2.6 Compensation of members.** Compensation of members shall be determined by law.~~

~~**[A] 109.3 Notice of meeting.** The board shall meet upon notice from the chairman, within 10 days of the filing of an appeal, or at stated periodic meetings.~~

~~**[A] 109.4 Open hearing.** Hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official and any person whose interests are affected shall be given an opportunity to be heard.~~

~~**[A] 109.4.1 Procedure.** The board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be received.~~

~~**[A] 109.5 Postponed hearing.** When five members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.~~

~~**[A] 109.6 Board decision.** The board shall modify or reverse the decision of the code official by a concurring vote of three members.~~

~~**[A] 109.6.1 Resolution.** The decision of the board shall be by resolution. Certified copies shall be furnished to the appellant and to the code official.~~

~~**[A] 109.6.2 Administration.** The code official shall take immediate action in accordance with the decision of the board.~~

~~**[A] 109.7 Court review.** Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by~~

~~law following the filing of the decision in the office of the chief administrative officer.~~

307.2.2 Drain pipe materials and sizes. Components of the condensate disposal system shall be cast iron, galvanized steel, copper, cross-linked polyethylene, polybutylene, polyethylene, ABS, CPVC or PVC pipe or tubing. Nonmetallic piping shall not be installed in exposed locations. All components shall be selected for the pressure and temperature rating of the installation. Joints and connections shall be made in accordance with the applicable provisions of Chapter 7 of the International Plumbing Code relative to the material type. Condensate waste and drain line size shall be not less than 3/4-inch (19 mm) internal diameter and shall not decrease in size from the drain pan connection to the place of condensate disposal. Where the drain pipes from more than one unit are manifolded together for condensate drainage, the pipe or tubing shall be sized in accordance with Table 307.2.2.

[B] 309.1 Space heating systems. Heating and Cooling systems. Habitable spaces ~~interior spaces~~ intended for human occupancy shall be provided with active or passive space-heating and space-cooling systems capable of maintaining a minimum indoor temperature between 70 and 68°F (20°C) and 90°F (32°C) at a point 3 feet (914 mm) above the floor on the design heating day. The installation of portable space heaters or coolers shall not be used to achieve compliance with this section.

403.3.1.5 Balancing. The *ventilation air* distribution system shall be provided with means to adjust the system to achieve at least the minimum ventilation airflow rate as required by Sections 403.3 and 403.4. Ventilation systems shall be balanced Sections 403.3 and 403.4. by an *approved* method. Such balancing shall verify that the ventilation system is capable of supplying and exhausting the airflow rates required by A final report shall be provided to the engineer of record and the mechanical inspector.

Exception: Residential occupancies shall be exempt from this provision.

407.1 General. Mechanical ventilation for ambulatory care facilities and Group I-2 occupancies shall be designed and installed in accordance with this code and ASHRAE 170.

407.1.1 Mechanical systems designed and installed in accordance with IMC 407.1 and ASHRAE 170-2017 shall be verified by a qualified third party Special Inspector. The Special Inspector/testing agency shall be an independent third party individual or firm and shall not be the installing contractor. A report shall be generated by the third party individual or firm showing compliance. Special inspections shall be as specified in Chapter 17 of the International Building Code as amended.

408 MARIJUANA RELATED OCCUPANCIES

408.1 General. Any building used to cultivate, produce, infuse or dispense marijuana shall be designed such that there shall be no emission of dust, fumes, vapors, or odors into the environment from the premise. A ventilation system shall be designed to

prevent the distribution of odors to other occupied parts of the building or adjacent properties. Design of the odor control system shall be based on accepted engineering practices. All equipment and filter media shall be listed and labeled for the application. Exhaust systems used in odor control systems shall meet the requirements of Section 501.

408.1.1 Exhaust outlets. The termination point for exhaust outlets shall be in accordance with Section 501.3. Exhaust from cultivation and production facilities shall be in accordance with Section 501.3.1(2) and for dispensaries in accordance with Section 501.3.1(3).

502.14 Motor vehicle operation. In areas where motor vehicles operate, mechanical ventilation shall be provided in accordance with Section 403. Additionally, areas in which stationary motor vehicles are operated shall be provided with a *source capture system* that connects directly to the motor vehicle exhaust systems. Makeup air for the required exhaust systems in areas where motor vehicles operate shall be provided through permanent unobstructed openings to the outdoors, such as louvers and grills. Mechanical equipment and louvers used for makeup air purposes shall be electrically interlocked with the exhaust system.

Exceptions:

1. This section shall not apply where the motor vehicles being operated or repaired are electrically powered.
2. This section shall not apply to one- and two-family dwellings.
3. This section shall not apply to motor vehicle service areas where engines are operated inside the building only for the duration necessary to move the motor vehicles in and out of the building.

928.1 General

Evaporative cooling equipment shall:

1. Be installed in accordance with the manufacturer's instructions.
2. Be installed on level platforms in accordance with Section 304.10. An evaporative cooler supported by the building structure shall be installed on a substantial level base and shall be secured directly or indirectly to the building structure by suitable means to prevent displacement of the cooler. Modifications made to the supporting framework of buildings as a result of the installation shall be made in accordance with the requirements of the International Building Code as amended.
3. Have openings in exterior walls or roofs flashed in accordance with the International Building Code as amended.
4. Be provided with potable water backflow protection in accordance with Section 608 of the International Building Code.
5. Have air intake opening locations in accordance with Section 401.4.
6. A permanent relief opening or other engineered design sufficient to assure positive

airflow shall balance intake air.

7. Outside air shall be provided as specified in Section 403.2.
8. Air ducts and dampers, which are a portion of an evaporative cooling system, shall comply with Chapter 6.
9. Overflow drains shall be provided that discharge to an approved disposal location.

SECTION 930 WOODSTOVE/FIREPLACE INSTALLATION

Definitions. For purposes of this section, the following words and terms shall have the meaning ascribed thereto:

Fireplace: A built-in-place masonry hearth and fire chamber or a factory-built appliance, designed to burn solid fuel or to accommodate gas or electric log insert or similar device, and which is intended for occasional recreational or aesthetic use, not for cooking, heating, or industrial processes.

Solid fuel: Includes, but is not limited to, wood, coal, or other non-gaseous or non-liquid fuels, including those fuels defined by the Maricopa County Air Pollution Control Officer as "inappropriate fuel" to burn in residential wood burning devices.

Woodstove: A solid-fuel burning heating appliance including a pellet stove, which is either freestanding or designed to be inserted into a fireplace.

930.2 General. In accordance with Maricopa County regulations, on or after December 31, 1998, no person, firm or corporation shall construct or install a fireplace or a wood stove, and the Building Official shall not approve or issue a permit to construct or install a fireplace or a wood stove, unless the fireplace or wood stove complies with one of the following:

1. A fireplace which has a permanently installed gas or electric log insert;
2. A fireplace, wood stove or other solid fuel burning appliance which has been certified by the United States Environmental Protection Agency as conforming to 40 Code of Federal Regulations part 60, subpart AAA;
3. A fireplace, woodstove or other solid fuel burning appliance that has been tested and listed by a nationally recognized testing agency to meet performance standards equivalent to those adopted by 40 Code of Federal Regulations part 60, subpart AAA;
4. A fireplace, wood stove or other solid fuel burning appliance which has been determined by the Maricopa County Air Pollution Control Officer to meet performance standards equivalent to those adopted by 40 Code of Federal Regulations part 60, subpart AAA, as in effect on July 1, 1990.
5. A fireplace which has a permanently installed wood stove insert which complies with subparagraph 2, 3, or 4 above.

Exceptions: The following installations are not regulated and are not prohibited by this section:

1. Furnaces, boilers, incinerators, kilns, and other similar space heating or industrial process equipment.
2. Cook stoves, barbecue grills, and similar appliances designed primarily for cooking.
3. Fire pits, barbecue grills, and other outdoor fireplaces

2018 International Fuel Gas Code

Local Amendments

The 2018 International Fuel Gas Code Local Amendments are as follows:

SECTION 109 MEANS OF APPEAL

[A] 109.1 Application for appeal. General. Appeals shall be in accordance with the Surprise Municipal Code. ~~A person shall have the right to appeal a decision of the code official to the board of appeals. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply; or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the code official within 20 days after the notice was served.~~

[A] 109.1.1 Limitation of authority. ~~The board of appeals shall not have authority relative to interpretation of the administration of this code nor shall such board be empowered to waive requirements of this code.~~

[A] 109.2 Membership of board. ~~The board of appeals shall consist of five members appointed by the chief appointing authority as follows: one for 5 years; one for 4 years; one for 3 years; one for 2 years; and one for 1 year. Thereafter, each new member shall serve for 5 years or until a successor has been appointed.~~

[A] 109.2.1 Qualifications. ~~The board of appeals shall consist of five individuals, one from each of the following professions or disciplines:~~

- ~~1. Registered design professional who is a registered architect; or a builder or superintendent of building construction with not less than 10 years' experience, 5 of which shall have been in responsible charge of work.~~
- ~~2. Registered design professional with structural engineering or architectural experience.~~
- ~~3. Registered design professional with mechanical and plumbing engineering experience; or a mechanical contractor with not less than 10 years' experience, 5 of which shall have been in responsible charge of work.~~
- ~~4. Registered design professional with electrical engineering experience; or an electrical contractor with not less than 10 years' experience, 5 of which shall have been in responsible charge of work.~~
- ~~5. Registered design professional with fire protection engineering experience; or a fire protection contractor with not less than 10 years' experience, 5 of which shall have been in responsible charge of work.~~

[A] 109.2.2 Alternate members. ~~The chief appointing authority shall appoint two alternate members who shall be called by the board chairman to hear~~

~~appeals during the absence or disqualification of a member.
Alternate members shall possess the qualifications required for board membership and shall be appointed for 5 years, or until a successor has been appointed.~~

~~**[A] 109.2.3 Chairman.** The board shall annually select one of its members to serve as chairman.~~

~~**[A] 109.2.4 Disqualification of member.** A member shall not hear an appeal in which that member has a personal, professional or financial interest.~~

~~**[A] 109.2.5 Secretary.** The chief administrative officer shall designate a qualified clerk to serve as secretary to the board. The secretary shall file a detailed record of all proceedings in the office of the chief administrative officer.~~

~~**[A] 109.2.6 Compensation of members.** Compensation of members shall be determined by law.~~

~~**[A] 109.3 Notice of meeting.** The board shall meet upon notice from the chairman, within 10 days of the filing of an appeal, or at stated periodic meetings.~~

~~**[A] 109.4 Open hearing.** Hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official and any person whose interests are affected shall be given an opportunity to be heard.~~

~~**[A] 109.4.1 Procedure.** The board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be received.~~

~~**[A] 109.5 Postponed hearing.** When five members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.~~

~~**[A] 109.6 Board decision.** The board shall modify or reverse the decision of the code official by a concurring vote of three members.~~

~~**[A] 109.6.1 Resolution.** The decision of the board shall be by resolution. Certified copies shall be furnished to the appellant and to the code official.~~

~~**[A] 109.6.2 Administration.** The code official shall take immediate action in accordance with the decision of the board.~~

~~**[A] 109.7 Court review.** Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by~~

~~law following the filing of the decision in the office of the chief administrative officer.~~

404.12 Minimum burial depth. Underground piping systems shall be installed a minimum depth of 12 inches (305 mm) below grade, ~~except as provided for in Section 404.12.1~~ for metal piping and 18 inches (457mm) for plastic piping.

~~**404.12.1 Individual outside appliances.** Individual lines to outside lights, grills or other appliances shall be installed a minimum of 8 inches (203 mm) below finished grade, provided that such installation is approved and is installed in locations not susceptible to physical damage.~~

2018 International Energy Conservation Code Local Amendments

The 2018 International Energy Conservation Code Local Amendments are as follows:

SECTION C101 SCOPE AND GENERAL REQUIREMENTS (COMMERCIAL)

C101.2 Scope. This code applies to *commercial buildings* and the building sites and associated systems and equipment. Group R-2 when defined as a *Commercial Building* by section C202, shall have the option of complying under the Residential Provisions of the code, regardless of height. Once defined as such on the submittal documents, all components of the Residential Provisions shall be followed.

C109.1 General. ~~Appeals shall be in accordance with the Surprise Municipal Code. In order to hear and decide appeals of orders, decisions or determinations made by the code official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The Code Official shall be an ex officio member of said board but shall have no vote on any matter before the board. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the Code Official.~~

C109.2 Limitations on authority. ~~An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The board shall have not have the authority to waive requirements of this code.~~

C109.3 Qualifications. ~~The board of appeals shall consist of members who are qualified by experience and training and are not employees of the jurisdiction.~~

C401.2 Application. Commercial buildings shall comply with one of the following:

1. The requirements of ANSI/ASHRAE/IESNA 90.1.
2. The requirements of Sections C402 through C405 and C408. In addition, commercial buildings shall comply with Section C406 and tenant spaces shall comply with Section C406.1.1.
3. The requirements of Sections C402.5, C403.2, C403.3 through C403.3.2, C403.4 through C403.4.2.3, C403.5.5, C403.7, C403.8.1 through C403.8.4, C403.10.1 through C403.10.3, C403.11, C403.12, C404, C405, and C407 ~~and C408~~. The building energy cost shall be equal to or less than 85 percent of the standard reference design building.
4. Compliance with the provisions of Section C408 are optional.

~~**C404.9.3 Covers.** Outdoor heated pools and outdoor permanent spas shall be provided with a vapor-retardant cover or other approved vapor-retardant means.~~

~~**Exception:** Where more than 75 percent of the energy for heating, computed over an operating season of not fewer than 3 calendar months, is from site-recovered energy such as from a heat pump or on-site renewable energy system, covers or other vapor-retardant means shall not be required.~~

~~**C405.2.6.2 Decorative lighting shutoff.** Building façade and landscape lighting shall automatically shut off from not later than 1 hour after business closing to not earlier than 1 hour before business opening.~~

~~**C405.2.6.3 Lighting setback.** Lighting that is not controlled in accordance with Section C405.2.6.2 shall be controlled so that the total wattage of such lighting is automatically reduced by not less than 30 percent by selectively switching off or dimming luminaries at one of the following times:~~

- ~~1. From not later than midnight to not earlier than 6 a.m.~~
- ~~2. From not later than one hour after business closing to not earlier than one hour before business opening.~~
- ~~3. During any time where activity has not been detected for 15 minutes or more.~~

R101.2 Scope. This code applies to *residential buildings* and the building sites and associated systems and equipment. Group R-2 when defined as a *Residential Building* by section R202, shall have the option of complying under the Commercial Provisions of the code, regardless of height. Once defined as such on the submittal documents, all components of the Commercial Provisions shall be followed.

R102.1.2 RESNET testing & inspection protocol. The Residential Energy Services Network (RESNET) Mortgage Industry National Home Energy Rating System, Standards Protocol for third party testing and inspections, shall be deemed to meet the requirements of sections R402.4.1.1, R402.4.1.2 and R403.2.2. and shall meet the following conditions:

1. Third Party Testing and Inspections shall be completed by RESNET certified Raters or Rating Field Inspectors and shall be subject to RESNET Quality Assurance Field Review procedures.
2. Sampling in accordance with Chapter 6 of the RESNET Standards shall be performed by Raters or Rating Field Inspectors working under a RESNET Accredited Sampling Provider.
3. Third Party Testing is required for the following items:
 - a. R402.4.1.1 – Building Envelope – Thermal and Air Barrier Checklist
 - b. R402.4.1.2 – Testing – Air Leakage Rate
 - c. R403.2.2 – Sealing – Duct Tightness

4. The other requirements identified as “mandatory” in Chapter 4 shall be met.
5. Alternate testing and inspection programs and protocols shall be allowed when approved by the Code Official.

R109.1 General. ~~Appeals shall be in accordance with the Surprise Municipal Code. In order to hear and decide appeals of orders, decisions or determinations made by the code official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The Code Official shall be an ex-officio member of said board but shall have no vote on any matter before the board. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the Code Official.~~

R109.2 Limitations on authority. ~~An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better from of construction is proposed. The board shall not have the authority to waive requirements of this code.~~

R109.3 Qualifications. ~~The board of appeals shall consist of members who are qualified by experience and training and are not employees of the jurisdiction.~~

R403.3 Ducts. Ducts and air handlers shall be in accordance with Sections R403.3.1 through R403.3.7.

R403.3.1 Insulation (Prescriptive). Supply ducts in attics shall be insulated to a minimum of R-8. Ducts in floor trusses shall be insulated to a minimum of R-6.

Exceptions: Ducts or portions thereof located completely inside the building thermal envelope.

1. Ducts or portions thereof located completely inside the building thermal envelope.
2. Supply ducts may be insulated to a minimum of R-6 when one or more of the following conditions are met:
 - 2.1 Minimum SEER rating of space heating/cooling system is increased to 15.
 - 2.2 Maximum U-factor is decreased to 0.35 and maximum SHGC is decreased to 0.22 for all fenestration products.
 - 2.3 Wall cavity insulation minimum R-value is increased to R-19.
 - 2.4 Residential buildings that meet the requirements of sections R102.1.1 or R405.

R402.4.1.2 Testing. The building or dwelling unit shall be tested and verified as

having an air leakage rate of not exceeding five air changes per hour in *Climate Zones* 1 and 2, and three air changes per hour in Zones 3 through 8. Testing shall be conducted in accordance with RESNET/ICC 380, ASTM E779 or ASTM E1827 and reported as a pressure of 0.2 inches w.g. (50 Pascals). Where required by the *building official*, testing shall be conducted by an *approved* third party. A written report of the results of the test shall be signed by the party conducting the test and provided to the *building official*. Testing shall be performed at any time after creation of all penetrations of the *building thermal envelope*.

During testing:

1. Exterior windows and doors, fireplace and stove doors shall be closed, but not sealed, beyond the intended weather stripping or other infiltration control measures;
2. Dampers including exhaust, intake, makeup air, backdraft and flue dampers shall be closed, but not sealed beyond intended infiltration control measures
3. Interior doors, if installed at the time of the test, shall be open;
4. Exterior doors for continuous ventilation systems and heat recovery ventilators shall be closed and sealed;
5. Heating and cooling systems, if installed at the time of the test, shall be turned off; and
6. Supply and return registers, if installed at the time of the test, shall be fully open.

Exceptions:

1. Additions, alterations, renovations or repairs to existing structures.
2. Conditioned garages.

Section R403.10.3 ~~Covers~~ Variable Speed Pool Pumps

R403.10.3 ~~Heated pools and in-ground permanently installed spas shall be provided with a vapor-resistant cover.~~

Exception: ~~Pools deriving over 70% of the energy for heating from site-recovered energy, such as a heat pump or solar energy source computed over an operating season.~~

Motors with a total horsepower of one or more for pools and in-ground permanently installed spas shall have the capability of operating at two or more speeds with a low speed having a rotation rate that is no more than one-half of the motor's maximum rotation rate and shall be operated with a pump control with the capability of operating the pump at two or more speeds. Residential pool pump motor controls that are sold for use with a two or more speed motor shall have a default circulation speed setting no more than one-half of the motor's maximum rotation rate. Any high speed override capability shall be for a temporary period not to exceed one twenty-four-hour cycle without resetting to the default setting.

R406.4 ERI-based compliance. Compliance based on an ERI analysis requires that the *rated design* be shown to have an ERI less than or equal to the appropriate value indicated in Table N1106.4 when compared to the ERI *reference design*.

TABLE R406.4

MAXIMUM ENERGY RATING INDEX	
CLIMATE ZONE	ENERGY RATING INDEX
1	57
2	57 <u>64</u>
3	57
4	62
5	61
6	61
7	58
8	58

2017 National Electrical Code Local Amendments

The 2017 National Electrical Code Local Amendments are as follows:

Article 250 – Grounding and Bonding

250.118 Types of Equipment Grounding Conductors.

The equipment grounding conductor run with or enclosing the circuit conductors shall be one or more or a combination of the following:

- (1) A copper, aluminum, or copper-clad aluminum conductor. This conductor shall be solid or stranded; insulated, covered, or bare; and in the form of a wire or a busbar of any shape.
- (2) Rigid metal conduit.
- (3) Intermediate metal conduit.
- (4) Electrical metallic tubing with an additional equipment grounding conductor.
- (5) Listed flexible metal conduit meeting all the following conditions:
 - a. The conduit is terminated in listed fittings.
 - b. The circuit conductors contained in the conduit are protected by overcurrent devices rated at 20 amperes or less.
 - c. The combined length of flexible metal conduit and flexible metallic tubing and liquid tight flexible metal conduit in the same ground-fault current path does not exceed 1.8 m (6 ft.).
 - d. If used to connect equipment where flexibility is necessary to minimize the transmission of vibration from equipment or to provide flexibility for equipment that requires movement after installation, an equipment grounding conductor shall be installed.
- (6) Listed liquid-tight flexible metal conduit meeting all the following conditions:
 - a. The conduit is terminated in listed fittings.
 - b. For metric designators 12 through 16 (trade sizes 3/8 through 1/2), the circuit conductors contained in the conduit are protected by overcurrent devices rated at 20 amperes or less.
 - c. For metric designators 21 through 35 (trade sizes 3/4 through 1-1/4), the circuit conductors contained in the conduit are protected by overcurrent devices rated not more than 60 amperes and there is no flexible metal conduit, flexible metallic tubing, or liquid-tight flexible metal conduit in trade sizes metric designators 12 through 16 (trade sizes 3/8 through 1/2) in the ground-fault current path.
 - d. The combined length of flexible metal conduit and flexible metallic tubing and

liquid-tight flexible metal conduit in the same ground-fault current path does not exceed 1.8 m (6 ft.).

- e. If used to connect equipment where flexibility is necessary to minimize the transmission of vibration from equipment or to provide flexibility for equipment that requires movement after installation, an equipment grounding conductor shall be installed.
- (7) Flexible metallic tubing where the tubing is terminated in listed fittings and meeting the following conditions:
 - a. The circuit conductors contained in the tubing are protected by overcurrent devices rated at 20 amperes or less.
 - b. The combined length of flexible metal conduit and flexible metallic tubing and liquid-tight flexible metal conduit in the same ground-fault current path does not exceed 1.8 m (6 ft.).
 - (8) Armor of Type AC cable as provided in 320.108.
 - (9) The copper sheath of mineral-insulated, metal-sheathed cable.
 - (10) Type MC cable that provides an effective ground-fault current path in accordance with one or more of the following:
 - a. It contains an insulated or uninsulated equipment grounding conductor in compliance with 250.118(1)
 - b. The combined metallic sheath and uninsulated equipment grounding/bonding conductor of interlocked metal tape-type MC cable that is listed and identified as an equipment grounding conductor
 - c. The metallic sheath or the combined metallic sheath and equipment grounding conductors of the smooth or corrugated tube-type MC cable that is listed and identified as an equipment grounding conductor
 - (11) Cable trays as permitted in 392.10 and 392.60.
 - (12) Cable bus framework as permitted in 370.3.
 - (13) Other listed electrically continuous metal raceways and listed auxiliary gutters.
 - (14) Surface metal raceways listed for grounding.

2018 International Existing Building Code Local Amendments

The 2018 International Existing Building Code Local Amendments are as follows:

SECTION 112 BOARD OF APPEALS

[A] 112.1 General. ~~Appeals shall be in accordance with the Surprise Municipal Code. In order to hear and decide appeals of orders, decisions, or determinations made by the Code Official relative to the application and interpretation of this Code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business.~~

[A] 112.2 Limitations on authority. ~~An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.~~

[A] 112.3 Qualifications. ~~The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.~~

2018 International Green Construction Code Local Amendments

The 2018 International Green Construction Code Local Amendments are as follows:

SECTION 101 GENERAL

101.2 General. The use of this code is optional, unless specifically required through ordinance by the City of Surprise. This code is an overlay document to be used in conjunction with the other codes and standards adopted by the jurisdiction. This code is not intended to be used as a standalone construction regulation document and permits are not to be issued under this code. This code is not intended to abridge or supersede safety, health or environmental requirements under other applicable codes or ordinances.



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: October 15, 2019

Contact Person: Danielle Osborne, MGMT
ANALYST

Submitting Department: City Manager Office
Staff Recommendations:

District: Citywide

Consent: No	Regular: Yes	Public Hearing: No	Report/Discussion: No
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Agenda Wording:

Consideration and action pertaining to the selection of Logan Simpson for the Public Works Operations Facility art project.

Motion:

I move to approve the proposed art design by Logan Simpson to be installed at the site of the Public Works Operations Facility.

Background:

In 2016, the Surprise City Council adopted the Percent and a Third for the Arts ordinance, which allows 1.3% of the funding for Capital Improvement Projects to be dedicated towards an artistic piece to be incorporated into the project. On November 7, 2017, Surprise voters approved the three General Obligation (GO) Bond questions in the areas of Public Safety, Traffic Congestion Mitigation, and Pavement Preservation. The three questions represent 10 Capital Improvement Projects for a total bond amount of \$59.5 million.

On May 16, 2019, the City closed a Request for Proposals (RFP) seeking submissions for artwork to be installed at the site of the new Public Works Operations Facility. A panel was convened to evaluate the submissions, and recommend a proposal to the full Arts & Cultural Advisory Commission. On July 1, 2019, the Arts & Cultural Advisory Commission unanimously voted to recommend the proposed conceptual design to the City Council for approval, and to install the piece at the site of the new Public Works Operations Facility. This item has been placed on the agenda to seek final acceptance by the City Council.

Objective Analysis:

The mission of the Surprise Arts & Cultural Advisory Commission is to spur cultural growth through education and advocacy, and to assist the city to create and implement a plan for the placement of public art within the community. Approval of this conceptual design is directly linked to the implementation and placement of public art as listed in the mission statement. City staff do not anticipate any negative impacts at this time.

Policy Compliant:

This item is policy compliant with the Surprise Public Art Policies & Procedures, and Surprise

Municipal Code section 2-299.

Financial Impact:

The total one-time cost for this project is not to exceed \$57,900 as approved in the FY2020 budget.

Budget Impact:

The FY2020 budget includes appropriation in the amount of \$57,900 for art at the site of the Public Works Operations Facility in project R61480.

FTE Impact:

There is no FTE impact associated with this item.

ATTACHMENTS:

1. PWO Art Presentation 10152019
-



Public Works Operations Facility Art Project

October 15, 2019

PUBLIC WORKS OPERATIONS FACILITY ART

REQUEST FOR PROPOSALS (RFP)

- Signature piece for campus
- Option to demolish or repurpose existing signage
- Key terms: “industrial,” “dedication,” “science,” and “sustainability.”
- Intended to pay tribute to the men and women who provide services at the SPA-1 Campus

Signage Location



Existing Signage



Proposed Concept



Proposed Concept





PHASE AND TASK	2019					2020		
	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN
PHASE 1—Design								
Task 1.A. Coordination with Sub-contractors + Finalize Design								
Task 1.C. Computer Design								
PHASE 2—Fabrication								
Task 2.A. Laser Cutting								
Task 2.B. Welding								
Task 2.C. Detailing/Grinding								
Task 2.D. Oxidation								
PHASE 3—Transportation/Installation/Re-work of Exist. Sign								
Task 3.A. Concrete Foundations								
Task 3.B. Install Metal Figures								
Task 3.B. Strip Color Existing Concrete Wall OR Repaint Wall								
Task 3.C. Remove and Dispose of Existing Polycarbonate Panels								
Task 3.D. Fabricate and Install Screens into Existing Framework								
Task 3.E. Refinish Aluminum Framework in a "Rust" Color								
Task 3.F. Electrical Installation								
Task 3.G. Site Clean Up								
JOB COMPLETION								



QUESTIONS OR COMMENTS?

Thank You



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: October 15, 2019 Contact Person:
Submitting Department: City Manager Office District: Citywide
Staff Recommendations: None

Consent: No Regular: Yes Public Hearing: No Report/Discussion: No

Agenda Wording:

Presentation of Completed Internal Audit Reports presented and approved by the City of Surprise Audit Committee on September 25, 2019.

Motion:

Presentation and discussion only.

Background:

This item has been placed on the agenda to discuss the results of work performed as part of the FY2019-2020 Annual Audit Plan approved by the Audit Committee at the September 25, 2019 meeting.

Objective Analysis:

The mission of the City Audit Committee is to provide advice to city council in respect to fulfilling its oversight responsibilities regarding the integrity of the city's annual comprehensive financial statements and to assist and advise the internal auditor and city council on matters relating to the city's compliance with legal and regulatory requirements, systems of internal controls, management of citywide risk environment and the performance of internal and external auditors. This discussion and possible action will lend itself to the oversight and advisory components of the mission statement.

Policy Compliant:

Sec. 2-304 (c) (6-8) of the Surprise Municipal Code directs the Audit Committee to: In coordination with the internal auditor, review significant audit findings and monitor responses thereto; provide independent review and oversight of the internal and external auditor including any audits either performs; and evaluate internal and external audits for performance and compliance with accepted professional standards.

Financial Impact:

This item relates to work performed as part of the FY2019-2020 Annual Audit Plan approved by the Audit Committee with the objective of identifying opportunities to minimize operational and financial risk to City assets.

Budget Impact:

There is no budget impact associated with this item.

FTE Impact:

There is no FTE impact associated with this item.

ATTACHMENTS:

1. 25Sep19 Audit Committee Update-Council Agenda 15Oct19
2. Bond Summary Report - FINAL
3. Audit Report - Benefits and Enrollment FINAL



AUDIT COMMITTEE UPDATE

October 15, 2019
6:00 PM

AUDIT PROJECTS COMPLETED:

- ✓ Bond Summary Report
- ✓ Benefits and Enrollment Audit Report
- ✓ Quarterly Audit Recommendation Status Report



Bond Summary Report

Review Objectives:

The review objective was to determine if bond funds were spent appropriately for the purposes voted on by residents.

Conclusion:

Bond funds for pavement preservation were being spent in alignment with voter-approved purposes. No material observations or recommendations for improvement were noted.

Benefits and Enrollment Audit Report

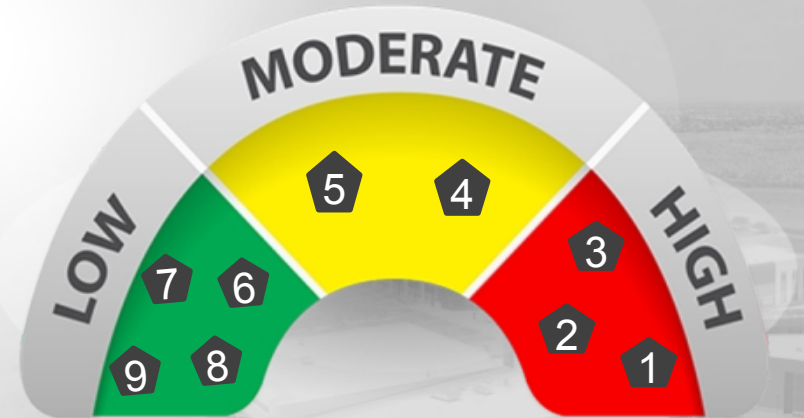
Observations:

High Risk – Monitoring payroll deduction changes, regulatory compliance, and records accuracy

Medium – Documenting centralized monitoring of open items and HR function segregation of duties

Low – Monitoring application user access, contracted performance guarantees, and determining feasibility of increased Munis use and periodic dependent eligibility audits

Observation Risk Rating



Quarterly Audit Recommendation Status Report

FY2019-2020 Currently Open Recommendations:

	Beginning Balance (June 19, 2019)	New FY2018-2019 4th Quarter	New FY2019-2020 1st Quarter		Currently Open August 20, 2019
Risk Rating				Complete	
High	3	2	5	3	7
Moderate	4	3	5	4	8
Low	0	7	5	5	7
Total	7	12	15	12	22



QUESTIONS OR COMMENTS?

Thank You



S U R P R I S E

A R I Z O N A

Bond Summary

Pavement Preservation – Phase 1

June 26, 2019

Table of Contents and Scope

Pavement Preservation Bond Summary

Executive Summary	Page 3
Bond Project Management Procedures	Page 4
Timeline	Page 5

Appendix

A – Standards and Acknowledgements	Page 6
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Purpose and Scope

As part of the approved FY2019 Annual Audit Plan, Internal Audit (IA) developed continuous review procedures around high-risk areas including the monitoring of 2017 General Obligation (GO) Bond projects. The review objective was to determine if bond funds were spent appropriately for the purposes voted on by residents. The audit did not cover a review of debt compliance and financial reporting procedures.

IA selected the pavement preservation bond project (2017 GO Bond Question #3) for review. IA performed procedures including the following:

- Inquiry with Public Works (PW) and Finance Department personnel
- Comparison of invoices to contract rates and purchase orders (PO's)
- Verification of City Council approval at various steps in bond financing



Image Source: <https://www.surpriseaz.gov/3624/Decide-Surprise>

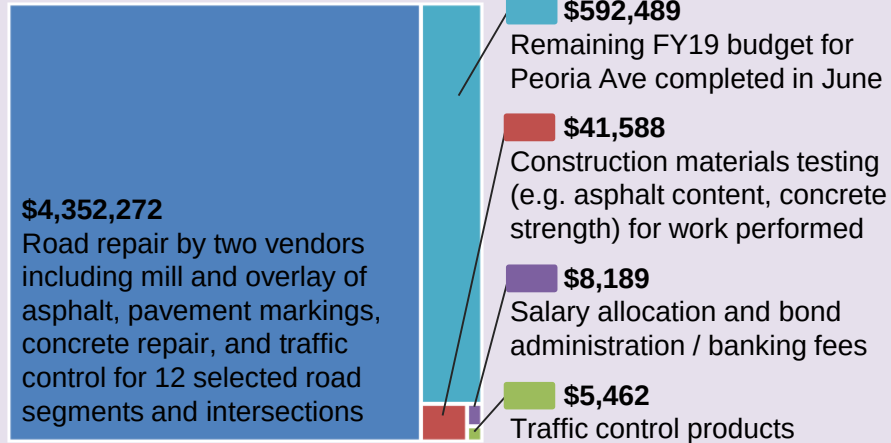
Executive Summary

How are voter-approved bond funds being spent? (As of June 26, 2019)

Election Question:

Shall the City issue bonds not to exceed \$10,000,000 for pavement preservation projects, including the **costs to design, improve, construct, resurface, reconstruct and acquire necessary equipment and appurtenances** therefor to improve deteriorated pavement citywide?*

Pavement Preservation – Phase 1 (FY19 \$5,000,000 Budget):



Conclusion

Based on inquiry and testing performed, IA determined bond funds for pavement preservation were being spent in alignment with voter-approved purposes. No material observations or recommendations for improvement were noted.

Before Rehab Example
(Cracking in Peoria Ave)



Transition – Rehab completed
on left of photo (Dysart Road)



After Rehab Example
(Reems Road)



* In addition to each specific authorized purpose, bond proceeds may be used to pay for bond insurance or other credit support for the Bonds, all legal, accounting, financial, architectural, design, engineering, and construction management costs and all other costs incurred in connection with the issuance of the bonds and the purposes set forth in the question.

Bond Project Management Procedures

Processes In Place for Bond Project Transparency and Accountability

Efficient Project Execution

- ✓ Data-based selection of roadways for improvement
 - *Overall Condition Index (OCI) used to assess roadways and select poor condition arterial roads requiring rehabilitation (See right)*
- ✓ Competitive vendor selection
 - *Cooperative purchasing / pricing arrangements*
- ✓ Regular vendor site-visits
 - *Weekly construction site visits by City PW project manager (PM)*
- ✓ Established change management process
 - *Cost or scope changes handled through City's established PO change order process*

Communication and Transparency

- ✓ Continual updates to stakeholders
 - *Quarterly City Council updates and ongoing updates to Decide Surprise website with project status details*
- ✓ Frequent cross-departmental communication
 - *Bi-weekly meetings with PW, Engineering, Procurement, and Finance*

Fiscal Responsibility

- ✓ Allocation of bond funds and interest
 - *Monthly allocation of interest and drawdown of investment funds to cover cash outflows*
- ✓ Multi-layered approval of outgoing payments
 - *Invoice review and approval by PW and Finance through City's established Accounts Payable (AP) process*
- ✓ Systematic project tracking and monitoring
 - *Munis funds for each bond question and individual project codes*
- ✓ Documented debt covenant compliance procedures
 - *Annual checklist of requirements for each bond and continuing disclosure policies to use throughout the bond term*

City OCI Rating Scale

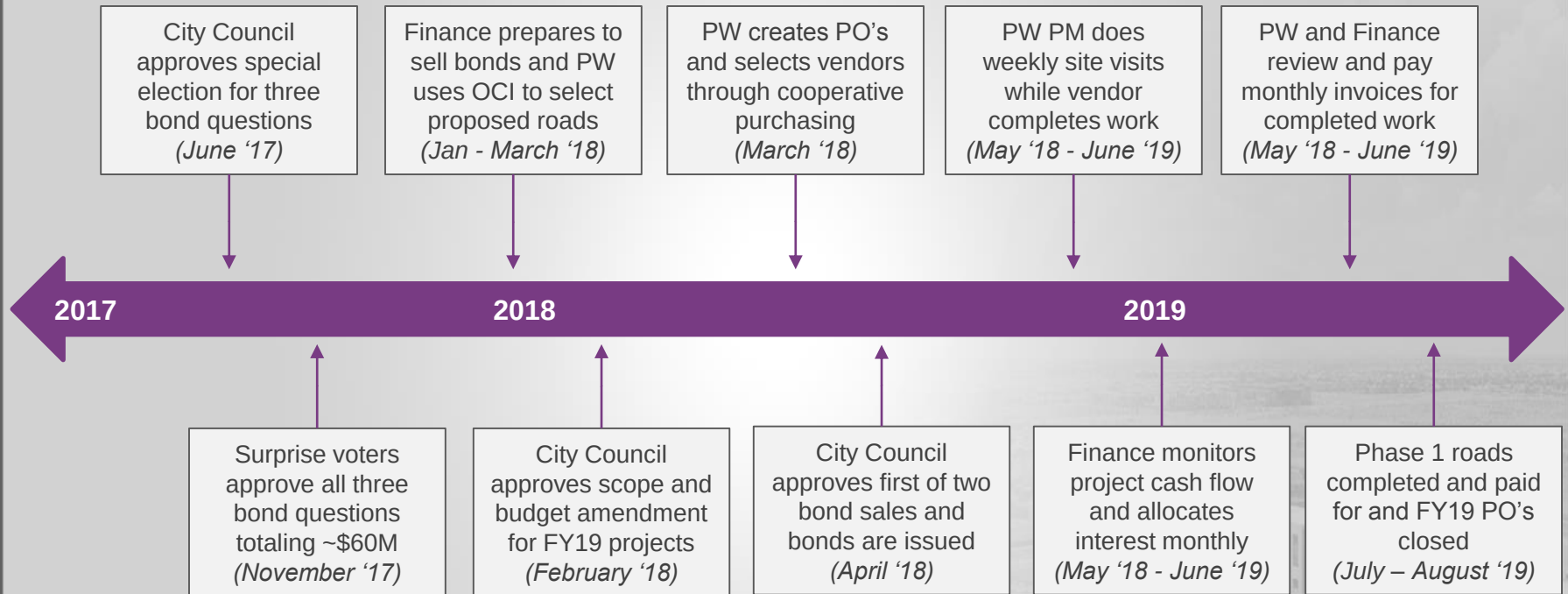
(Used to assess necessary roadway improvements)

Roadways improved with bond funds were arterial roads rated from poor to good (between 69 and 80 OCI) during initial 2015 OCI assessment and had degraded to poor condition (between 55 and 67 OCI) at the time of the bond.

SURPRISE OCI RATING SCALE	PAVEMENT TREATMENT TYPE	TREATMENT APPLICATION
EXCELLENT (91-100)	PREVENTATIVE	SWEEPING, TRAFFIC FLOW, WARRANTY, MORATORIUM, CRACK SEALING, FOG SEALS
GOOD (80-90)	MAINTENANCE	FOG SEALS, POLYMER SEALS, SLURRY SEALS, CHIP SEALS, PAVEMENT PATCHING, CRACK SEALING
FAIR (70-79)		
POOR (50-69)	REHABILITATION	MICRO SURFACING, MILL & OVERLAY, CAPE SEAL, HOT IN PLACE RECYCLING
SERIOUS (31-49)	RECONSTRUCTION	RE-DESIGNED/RE-ENGINEERED, NEW CONSTRUCTION
FAILED (0-30)		

* Source: Public Works OCI Rating Scale

Pavement Preservation – Phase 1: Bond Project Timeline



DECIDE
 SURPRISE

GENERAL OBLIGATION
 BOND 2017

Appendix A – Standards and Acknowledgements

Non-Audit Services

The work detailed in this report is part of IA's continuous review program and does not constitute an audit as defined by and conducted in accordance with the Generally Accepted Government Auditing Standards (GAGAS). Performing this continuous review work by itself or in aggregate with other non-audit services provided does not create any threats to the independence of the IA function.

This project was not intended or designed to be a detailed study of every relevant procedure, system, or transaction. As such, the conclusion contained in this report may not include all areas which may need improvement.

Data Reliability

The data utilized for the work performed was primarily obtained directly from Munis, the City of Surprise's (City's) financial system of record. Munis data reliability is materially verified annually via the audit of the Munis financial reports and the Comprehensive Annual Financial Report (CAFR) performed by the City's external auditor.

Additionally, as part of testing procedures for this bond summary project, IA performed testing on samples of invoices, contracts, and PO's including agreement to data in Munis and identified no errors or limitations material in context of the work performed.

IA determined the data utilized is sufficiently reliable given its intended use.

Acknowledgements

IA appreciates the time City staff contributed to this review. IA would like to take this opportunity to thank all of the departments and individuals involved in the Bond Summary project for their considerable cooperation.

We received input and assistance from the following departments / divisions:

- Public Works (Engineering)
- Finance

Auditor: Alison Matthees, MPA, CIA

Surprise Internal Audit

Vision

The development of people, systems, and processes that delivers innovative and effective auditing services to the City of Surprise.

Mission

To provide independent, objective, accurate, and timely auditing services that are designed to improve operations, cultivate transparency, and accountability.

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S U R P R I S E

A R I Z O N A

Benefits and Enrollment Internal Audit Report

May 7, 2019

Internal Audit Report

Executive Summary and Observations	Page 3
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Detailed Observations	Page 5
<i>High Risk Observations</i>	<i>Page 5</i>
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Benefits Open Enrollment

May 13 - 24, 2019

NOT MAKING A CHANGE?

Image Source: City of Surprise Employee Intranet – Benefits Page

Executive Summary and Observations

Executive Summary

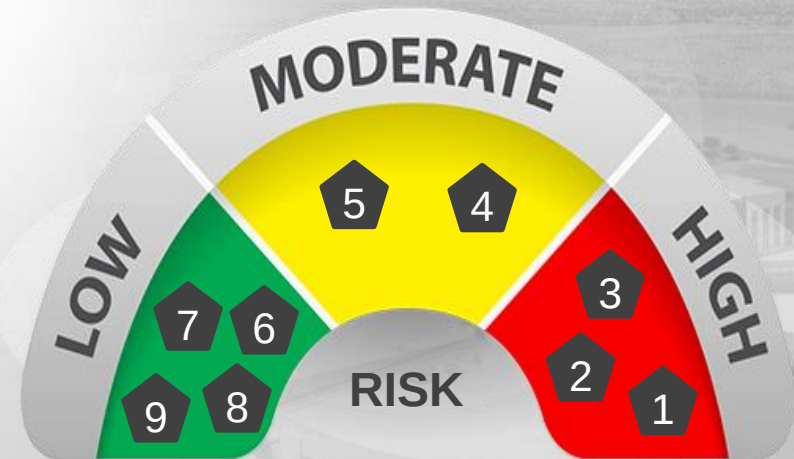
The Human Resources (HR) Department manages the City of Surprise's (City) self-insured benefits plan funded from the Employee Healthcare Fund which is overseen by the Health Benefits Trust Fund Board. The Benefits Division of HR processes employee and dependent benefits eligibility verification and enrollment, updates and maintains benefits coverage records, and manages contract compliance and payments for the City's Third Party Administrators (TPA's) who administer the health, medical, and vision insurance plans.

In Fiscal Year (FY) 2019, Internal Audit (IA) assessed the design and operating effectiveness of internal controls around benefits and enrollment focusing on effectiveness and efficiency of benefits processes, safeguarding of financial assets, adequacy of information technology, and compliance with regulations. The procedures performed indicate that defined controls exist around employee and dependent enrollment, vendor procurement and payment, continuing coverage, and contract and regulatory compliance to materially ensure the accuracy and completeness of benefits enrollment. Observations were identified related to formalizing segregation of duties in roles and system access, implementing periodic monitoring, and enhancing documentation of policies and procedures.

Observations

1. HR management should establish reports and document a review process for changes made to employee payroll deductions. *(Page 5)*
2. Procedures to monitor regulatory compliance should be defined and performed timely. *(Page 6)*
3. The review process for monitoring TPA records accuracy with 834 Exception Reports should be formalized and documented. *(Page 7)*
4. HR management should develop and document centralized monitoring for appropriate document retention and timely resolution of open items. *(Page 8)*
5. Segregation of duties for HR functions should be defined and aligned with Munis system access. *(Page 9)*
6. HR management should consider the feasibility of periodically re-verifying dependent eligibility. *(Page 10)*
7. Access to benefits applications should be monitored periodically. *(Page 11)*
8. HR management should document a formal procedure for monitoring TPA contracted performance guarantees. *(Page 12)*
9. HR management should determine the feasibility of increased efficiencies utilizing Munis workflow capabilities. *(Page 13)*

Observation Risk Rating



Audit observations have been assigned a qualitative assessment of high, moderate, or low priority based on the need for action or correction. Refer to the rating definitions in Appendix A.

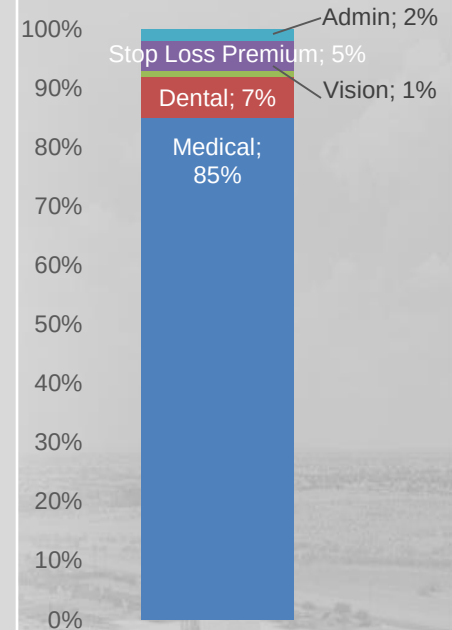
Background, Objectives, and Scope

Background

As of January 2019, the City's health care benefits (medical, dental, and vision insurance) covered approximately 852 active City employees and 1,732 dependents. Estimated insurance claims for FY2019 totaled approximately \$11.5 million and the City continues to recognize lower than industry average medical costs. The City utilizes TPA's for medical, dental, and vision insurance who process claims on the City's behalf and bill the City monthly for claims and administration fees. All three TPA's went through a Request for Proposal (RFP) process in FY2018 (medical) and FY2019 (dental, and vision) resulting in a new dental TPA and continuation of the existing medical and vision contracts. The City complies with the Patient Protection and Affordable Care Act (ACA), Health Insurance Portability and Accountability Act (HIPAA), Health Care Continuation Coverage (COBRA), and Internal Revenue Service (IRS) reporting regulations which govern various aspects of employer-offered insurance plans.

Employees may enroll in benefits as new full-time employee within 30 days of hire, during annual open enrollment in May, or as a result of a qualifying life event (QLE) like marriage, childbirth, or loss of other coverage. Once benefits elections are made, HR personnel verify dependent eligibility, when applicable, scan and archive enrollment documentation within the LaserFiche document repository, and enter the elections into Munis where they are reviewed and approved using automated workflows. Elections or benefits changes are communicated to the TPA's through automated weekly reports and to City Payroll personnel through the Munis workflow for processing biweekly payroll deductions. Eligible terminated employees or dependents who lose coverage due to age or change in family situation are offered the option of continuing coverage which the City manages utilizing COBRA Solutions software.

FY2019 Healthcare Fund Budget: \$12.7M



Objectives

As part of the approved FY2019 Annual Audit Plan, in January, IA commenced with the Benefits and Enrollment audit within HR.

The objective of the audit was to determine whether controls are in place to determine enrollment eligibility for health, dental, and vision benefits as per City's definition of eligibility. The audit also assessed City compliance with healthcare provider agreements.

This audit did not comprehensively review regulatory requirements and is not intended to conclude the City is in compliance with all applicable regulations.

Scope / Methodology

The scope of the audit was for the period of July 1, 2017 to March 31, 2019 (the current FY and prior full FY). Procedures included:

- Interviews and discussions with HR, Information Technology (IT) Department, and Finance personnel
- Review of HR and benefit-related policies and procedures
- Analysis and sample-based testing of Munis and TPA data and supporting documentation around benefits transactions
- User access review for systems storing personally identifiable information (PII) and personal health information (PHI)

Detailed Observations – High Risk

Observation	Recommendation	Management Response
1 – HR management should establish reports and document a review process for changes made to employee payroll deductions. Many changes to employee benefits and deductions are made through the Munis workflow process, requiring review and approval of multiple individuals before becoming effective but there are some changes made directly in the live Munis environment. There are several individuals within HR who have access to make changes to payroll deductions, rates, and employee information in Munis without going through the workflow approval process. Biweekly payroll is currently processed through Munis by two Payroll Specialists and overseen by a Payroll Supervisor who are all able to modify payroll inputs and generate payroll. The Fraud Triangle framework identifies opportunity, or the ability to execute a plan without being caught as a key risk factor for potential fraud. Organizations can eliminate the opportunity for fraud by implementing monitoring controls designed to catch any errors or unauthorized transactions. Through inquiry performed, it was noted that there is currently no systematic reporting and review to capture payroll changes made throughout the period to verify accuracy and appropriateness. Additionally, there is currently not a review of payroll changes by an individual without the access to also make changes. Risk: • Unauthorized changes may be made to payroll register • Deductions may not agree to the benefits enrolled in	HR management should: A. Work with IT and Munis vendor to develop a usable payroll change report which details any changes made since the prior pay period. The report should include any manual changes made including, but not limited to: updated deduction amounts, employee name / bank account information, manual adjustments to hours, etc. B. Develop and document a review process for each pay period in which an HR management designee reviews manual changes and period-over-period deviations for accuracy and reasonableness. Work with IT to modify user access permissions to ensure the reviewer is systematically unable to make any changes without secondary Munis workflow approval.	A. Concur. As previously identified in the “Payroll Error – Human Resources Department” audit from May 7, 2019, we have identified a process to check employee pay rate changes from one payroll to the next. Unfortunately, Munis does not have any existing reports that will meet this need. Therefore, we will need to create a custom report within the system limitations of Munis. We will continue to collaborate with IT and Munis to create a payroll changes report to include pay rates and deductions. Estimated date of completion is September 30, 2019. B. Concur. The verification of manual changes has been addressed in the HR Data Changes Audit Process SOP completed June 14, 2019. This SOP provides guidance relative to access to make manual/live data changes, authorization for these changes, required supporting documentation, independent review of changes, and communication of changes. The SOP will be updated to include the process for running and reviewing the payroll changes report as mentioned in item 2A. User access permissions will be addressed in the HR Benefit Administration SOP. Estimated date of completion is September 30, 2019.

Detailed Observations – High Risk

Observation	Recommendation	Management Response
2 – Procedures to monitor regulatory compliance should be defined and performed timely. Regulations the City must comply with include ACA and COBRA. ACA requires the City to offer insurance to any employee who averages 30 hours per week. To comply, HR uses canned Munis reports detailing part-time employee hours on a rolling 12-month basis using their hire date and notifies any eligible employees identified. COBRA regulations require that group health plans offer “qualified beneficiaries” an opportunity for “continuation coverage” following the loss of coverage. To comply with COBRA, HR processes benefits termination packets for terminated employees enrolled in benefits which provide options for continuing coverage. HR utilizes COBRA Solutions software to track employee continuing benefits and applicable payments. Through testing performed, the following were noted: - Three monthly 29+ Hour Reports generated in the last 18 months were run and analyzed after the coverage eligibility date for any identified employees. The report creation timeline does not allow enough time to process elections before the eligibility date. - For one of 12 terminations tested, a COBRA letter of eligibility was not distributed to the employee. There is no periodic review of all terminations to verify all COBRA termination notices were completed. Risk: • The City could be out of compliance with federal COBRA and ACA regulations • Eligible employees might not have timely coverage	HR Management should: A. Update the procedures and timeline for 29+ Hour Reports to run and analyze the report the first week after the initial measurement period month ends to allow time for appropriate processing and follow-up during the 60-day administrative period. B. Develop and document a process for periodically monitoring terminated employees for completeness and accuracy of COBRA compliance. A reconciliation between all terminated employees and those who COBRA notifications have been prepared for should be performed at least monthly by someone who does not prepare the COBRA notifications.	A. Concur. Our 30 Hour Employee SOP has already been updated to allow appropriate processing time during the administrative period in accordance with the ACA. The SOP was updated and approved effective June 27, 2019. In the instances when the 29+ hour reports were run after the coverage eligibility date, it is important to note that no employee coverage was impacted. For the one eligible employee identified, coverage was offered retroactively. B. Concur. Completeness and accuracy of COBRA compliance is extremely important. To improve compliance, in December 2017 we centralized COBRA notifications to one staff member. Since that time we have been 100% compliant with COBRA notification requirements. In calendar year 2018, we processed 68 terminations for full-time employees who required COBRA notices. While monitoring processes exist, this will be formally documented in the upcoming HR Benefit Administration SOP that we anticipate to be complete by September 30, 2019.

Detailed Observations – High Risk

Observation	Recommendation	Management Response
3 – The review process for monitoring TPA records accuracy with 834 Exception Reports should be formalized and documented. According to each TPA contract (medical, dental, and vision), it is the City's responsibility to provide accurate eligibility information to each TPA promptly. 834 Reports are utilized weekly to verify Munis benefits enrollment records agree with each of the TPA's enrollment registers. 834 and Exception Reports are a relatively new process (within last 6-8 months) resulting in more timely correction of any TPA data errors previously captured only in a monthly reconciliation. The 834 Report is generated by the HR Specialist and automatically exported to the TPA using a process set-up by IT. Exception Reports, detailing any discrepancies between the TPA's records and Munis records, are sent by the TPA within a few days of receipt of the report. The HR Specialist reviews any exceptions, notes the required resolution, and communicates back to the TPA for correction. Through testing and inquiry performed, it was noted that documented policies exist around the creation and export of 834 Reports which are consistently run and retained, but not the Exception Report follow-up, review, and escalation procedures. The HR Department has not consistently been saving a record of the exception reports and, when applicable, necessary follow-up. Risk: • Lack of documentation may hinder HR's ability to identify root cause of any future issues identified	HR Management should: A. Update the procedures around reviewing weekly 834 Exception Reports for TPA's to include: - Follow-up and / or escalation procedures if issues or discrepancies are identified - Timeliness thresholds for reviewing Exception Reports - Procedures for evidencing review of each Exception Report - Documentation retention for TPA provided Exception Reports	A. Concur. While we currently have a prudent process in place, the only part of the process that is documented in an SOP is the 834 report generation in Munis. The additional elements mentioned, including our existing processes for timely reconciliation, will be formally documented in the upcoming HR Benefit Administration SOP that we anticipate to be complete by September 30, 2019.

Detailed Observations – Moderate Risk

Observation	Recommendation	Management Response
4 – HR management should develop and document centralized monitoring for appropriate document retention and timely resolution of open items. The City is responsible for verifying employee and dependent eligibility for benefits coverage by obtaining specific documentation as outlined in state statute and federal regulation. Enrollment involves completion of an Enrollment Form and signatures on required HIPPA disclosures and affidavits. The City's current Public Benefit Dependent Affidavit, used to collect information to enroll dependents in City benefits, states: "The City will not retain the identification once the form is approved." HR personnel monitor outstanding items for their assigned employees or QLE's and retain eligibility verification in LaserFiche once complete. Based on testing performed, the following was noted: - Four instances of incomplete / non-response to open item follow-up. - Eight findings around document retention including: dependent documentation retained not following policy, missing HR signature on a Dependent Affidavit, missing social security number documents, no signed HIPAA disclosure, and employee documents in incorrect employee's folder. These findings were the result of inconsistent application of policy and decentralized tracking procedures among HR staff. HR was in the process of updating procedures during audit completion. Risk: • Dependents covered by City insurance may not have been appropriately verified for eligibility	HR management should: A. Develop and document procedures for maintaining appropriate documentation and monitoring open items to ensure timely resolution. Considerations include: - A centralized location for tracking all outstanding documentation - Quarterly supervisor review of open items - Defined escalation procedures for aging (>90 days) follow-up items - Procedures for tracking dependent identifying information obtained outside of new hire orientation - Reviewer responsibilities when approving benefits changes in Munis B. At least biannually, review benefits-related documentation for a sample of new employees in the timeframe since the prior review to verify documentation retention according to HR policy.	A. Partially concur. In FY19, we processed 202 benefit changes, new hire benefit enrollments, and qualifying life event changes (QLEs) in addition to the annual benefits open enrollment. In early 2019, we proactively identified that we needed additional controls related to follow-up and supporting documentation – specifically for the Public Benefit Dependent Affidavit form. Incorporating advice and guidance from the City Attorney's Office, we implemented a process to allow employees 90 days from benefit effective date to provide supporting documentation. While this process currently exists, it will be formally documented in the upcoming HR Benefit Administration SOP that we anticipate to be complete by September 30, 2019. The only recommendation that we do not concur with is the centralized location for tracking outstanding documentation. This is a challenge because there are multiple staff members who are responsible for tracking and entering benefit changes, and each staff member has established a process for managing their work. Once the SOP is created and provides additional supervisor review and escalation procedures for aging items, the fact that these items are being tracked by various staff members is not a concern. B. Concur. Appropriate document retention is critical for benefits. Benefits supporting documentation newly scanned into Laserfiche is reviewed by staff (independent of the individual who scanned the documents) prior to the approval of the benefit entry in Munis. Information is also periodically reviewed when employees have a QLE or an open enrollment change. While the processes currently exist, they will be formally documented in the upcoming HR Benefit Administration SOP that we anticipate to be complete by September 30, 2019.

Detailed Observations – Moderate Risk

Observation	Recommendation	Management Response
5 – Segregation of duties for HR functions should be defined and aligned with Munis system access. Munis is updated by HR on an ongoing basis with new hire elections, open enrollment, and QLE's. Access is generally restricted to employees with a need to modify or report on benefits in HR, IT, and Finance. The City's Information Security Policies outline controls to ensure only authorized persons are using the system and that each user's access privileges must be: authorized according to business needs, restricted to least privileges necessary to perform job, and assigned based on job classification and function. Through testing and inquiry performed, it was noted that for 16 employees with access to benefits and HR modules of Munis, user access to update and delete information might be above the minimum requirements for their job responsibilities resulting in segregation of duties issues. Additionally, a periodic comprehensive user access review of employees with access to HR modules is not performed. Seven individuals with access to benefits and HR related modules of Munis are terminated employees or inactive contractors who no longer need access and should be removed in cooperation with IT and Finance. Risk: • Inappropriate or inaccurate changes may be made to employee benefits in Munis without authorization • Personnel outside the City might have access to information beyond the scope of their work	HR management should: A. Document HR policies or a segregation of duties matrix defining duties for HR functions and jobs. B. At least bi-annually, work with IT to perform a review of all users, assigned roles, and permissions allowed by those roles to identify and remove any conflicting access roles, terminated or transferred employees, or unnecessary access. As Munis allows, HR Management should ensure that access to the system aligns with departmental segregation of duties policies and best practices for HR and payroll functions. Finance management should: C. Work with IT to develop a process to ensure outside personnel who require access to the system have that access removed timely upon completion of their project.	A. Concur. Segregation of duties is fundamental to the data entry and workflow review and approval processes in Munis. While processes currently exist, they will be formally documented in the upcoming HR Segregation of Duties SOP that we anticipate to be complete by October 31, 2019. B. Concur. We concur that staff access should be set at the lowest level required to perform their required tasks. Further, we recognize the need to collaborate with IT to periodically review the access levels of Munis users. This will be addressed in the upcoming HR Benefit Administration SOP that we anticipate to be complete by September 30, 2019. C. Concur. On July 2, 2019, we worked with the IT Team to disable access for our former audit firm and will work with the IT Team on an annual basis to enable/disable our current external auditors access to Munis at the beginning and conclusion of the audit process.

Detailed Observations – Low Risk

Observation	Recommendation	Management Response
6 – HR management should consider the feasibility of periodically re-verifying dependent eligibility. HR has controls in place which require employees to certify the eligibility of their covered dependents when adding any new dependents to City insurance by signing a Dependent Affidavit and providing a form of state-mandated identification. Dependent identification is required when added by a new hire, through open enrollment, or as a result of a QLE. Annually, if an employee makes no changes to their covered dependents, the employee is not required to submit any supporting documentation for that dependent's continued eligibility. Monthly, HR generates the Dependent Overage Report to identify dependents aging out of ACA coverage at age 26. Though not required by law, many organizations encourage periodic (every 3-5 years) re-verification of dependent eligibility. For example, the State of California mandates re-verifying covered family members for state health benefits. Re-verification is beneficial to make sure dependents whose relationships can change over time are still eligible. Through inquiry performed, it was noted that the City does not have controls in place to periodically re-verify dependent eligibility. The city has previously considered if a dependent audit would be valuable, most recently in 2016, and determined it was not necessary at that time. Risk: • The City may be paying for ineligible dependents who are not identified and removed timely	HR Management should: A. Define and document a process for periodically (every 3-5 years) reassessing the feasibility, benefits, and costs of performing periodic employee dependent re-verification to identify any dependents with a changed relationship status to the employee which may make them ineligible for City benefits coverage. Evidence (e.g. cost vs. benefit analysis) to support the feasibility determination should be maintained.	A. Concur. As the observation indicates, we verify appropriate dependent eligibility upon initial eligibility of the employee to enroll in the program(s) and elect coverage for their dependent(s) or when a new dependent is added. We also conduct periodic reviews of dependent eligibility with our age 26 process as mentioned, whenever an employee has a QLE, or when changes are made during open enrollment. For example, this open enrollment 110 employees were identified on an audit change report and we reviewed dependent eligibility for each employee for all eligible plans. Further, the Health Benefits Trust Board has previously discussed the appropriateness of a dependent eligibility verification audit. It was determined by the Board and benefits consultant at that time that the cost outweighed the benefit due to the low risk because of our existing controls as described above. We will collaborate with our benefits consultant to make a feasibility determination regarding re-verifying dependent eligibility by August 31, 2019.

Detailed Observations – Low Risk

Observation	Recommendation	Management Response
7 – Access to benefits applications should be monitored periodically. HR uses a number of systems in addition to Munis to administer benefits. The HR shared drive is utilized to store monitoring and 834 Reports. LaserFiche is the City's document repository where HR scans and saves benefits-related documentation (enrollment forms, dependent affidavits, etc.). COBRA Solutions is a desktop application used to monitor employees and dependents enrolled in continuing coverage. The City of Surprise Information Security Policies and Procedures section 4.5.1 – User Authentication states: "Host computer and network system access controls are required to ensure that only authorized persons are using the system resources and information necessary to perform their job duties." Through testing performed, it was noted that for two of the three applications tested which store PHI and PII related to benefits (COBRA Solutions and LaserFiche), periodic documented user access reviews are not performed by the HR Department. These findings resulted from the fact that a listing of users with COBRA Solutions installed on their desktop is not maintained by HR or IT and the version of LaserFiche run by the City does not allow for the generation of systematic user access reports. Risk: • Potential for internal data breaches with inappropriate users gaining access to PII or PHI	HR management should work with IT to: A. Perform an audit of HR users with access to COBRA Solutions to develop a comprehensive list of users with access including the name of the user, the user's 6-digit computer ID, and reason for needing access to COBRA Solutions. At least annually, the HR Department should perform a user access review of this listing to validate the appropriateness of access and remove any users no longer needing the application. B. At least annually, perform a user access review of all user with benefits / personnel folder access within LaserFiche to identify and remove any terminated or transferred employees or unnecessary access.	A. Concur. This will be addressed in the upcoming HR Benefit Administration SOP that we anticipate to be complete by September 30, 2019. We will create a list of users with COBRA Solutions access by August 31, 2019. In addition, we will audit and modify access as appropriate in the same timeframe. B. Concur. We have recently updated our users in Laserfiche to ensure only active HR users have access to employee benefits and personnel files. A formal process will be addressed in the upcoming HR Benefit Administration SOP that we anticipate to be complete by September 30, 2019.

Detailed Observations – Low Risk

Observation	Recommendation	Management Response
8 – HR management should document a formal procedure for monitoring TPA contracted performance guarantees. Currently the contracts for the medical, dental, and vision insurance TPA's each include a variety of performance guarantees around areas like customer service, provider network maintenance, and communication with the City. The contracts also outline the City's ability to perform various audits or request reports on the performance guarantee status. TPA's may send documentation of performance guarantees, but they are both sent and reviewed on an ad hoc basis. The city has delegated the monitoring of performance guarantees to the City's benefits consultant. The City's procurement code requires the monitoring of contractor performance including inspecting deliverables promptly and documenting any efforts to rectify issues or failure to adhere to contract requirements. Through inquiry performed, it was noted that HR does not currently verify the completeness or scope of the procedures performed by the benefits consultant. There is currently no documented policy nor assigned personnel to monitor the TPA performance guarantees on a periodic basis. Risk: • Medical, dental, and vision insurance TPA's may not be in compliance with contract provisions • The City might not collect financial penalties owed due to contract non-compliance	HR management should: A. Work with the City's benefits consultant to establish and document formal procedures for monitoring the performance guarantees of TPA contracts. Though the monitoring is done by the benefits consultant, the City's procedures should include frequency of review of work performed, communication required to be provided by benefits consultant, assignment of review responsibilities, and follow-up procedures.	A. Concur. Per the City's benefits consultant contract, they are responsible for assisting us with monitoring performance guarantees for all of our vendors. This is addressed as needed or at least annually during contract renewals. As an example, we recently received funds as a result of missed performance guarantees from one of our benefit vendors. A formal process outlining the City's expectation of the benefits consultant will be documented in the upcoming HR Benefit Administration SOP that we anticipate to be complete by September 30, 2019.

Detailed Observations – Low Risk

Observation	Recommendation	Management Response
9 – HR management should determine the feasibility of increased efficiencies utilizing Munis workflow capabilities. Monthly, HR is required by each TPA contract to submit two timely payments – one for claims paid in the preceding period and one for the administrative fees for the upcoming period. These invoices are prepared by the Senior (Sr.) HR Analyst – Benefits, approved by HR management according to defined authority limits, and paid through standard City accounts payable (AP) processes. When processing multiple monthly invoices for medical, dental, and vision insurance providers, the Sr. HR Analyst – Benefits generates or receives the invoice electronically, prints a hard copy of the invoice to have the Sr. HR Analyst – Benefits and HR Manager sign, then scans the hard copy for entry into Munis. The Munis approval workflows for benefits-related invoice approval currently begin with the management-level approver within the department. This requires the Sr. HR Analyst – Benefits, who is the initial invoice approver, to print and manually sign a hard copy of the invoice. Through inquiry performed, it was noted that inefficiencies exist for preparing and processing monthly invoices before being approved through Munis workflows. Risk: • Unnecessary time and resources spent on a task that could be automated using the current system	HR management should: A. Work with appropriate Finance and IT Department personnel to determine the feasibility of automating the complete invoice approval process by customizing workflows based on the invoice coding. If possible, develop comprehensive Munis workflows for invoice approval which include all necessary approvers, eliminating the need for manual approvals outside the system.	A. Concur. With the implementation of Munis, AP records and reporting are now more accessible than ever before. Due to the high dollar amount of many of these invoices, appropriate staff controls and review levels are required. HR management will determine if an HR Manager's signature on a hard copy is still necessary given the workflow processes in Munis. We anticipate making any process changes (if needed) by October 31, 2019.

Appendix A – Data Reliability and Risk Rating

Data Reliability

The data utilized for the work performed was either obtained directly from Munis, the City of Surprise's financial system of record, or obtained directly from the TPA and agreed to Munis. Munis data reliability is materially verified annually via the audit of the Munis financial reports and the Comprehensive Annual Financial Report (CAFR) performed by the City's external auditor.

Additionally, as part of testing procedures for this Benefits and Enrollment audit, IA performed testing on samples of employees, dependent and enrollment data, and supporting documentation and identified no errors or limitations material in context of the work performed.

Internal Audit determined the data utilized is sufficiently reliable given its intended use.

Audit Observation Risk Rating

Audit observations have been assigned a qualitative assessment of high, moderate, or low priority based on the need for action or correction:

- **High** – Represents an observation requiring immediate action by management to mitigate risks associated with the process being audited. High-risk observations should be implemented to mitigate current gaps in areas with a significant impact or high likelihood of loss or fraud related to City assets.
- **Moderate** – Represents an observation requiring timely action by management to mitigate risks associated with the process being audited. Moderate risk observations should be implemented to strengthen or increase efficiency in the internal control framework and mitigate the potential risk of loss to City assets.
- **Low** – Represents an observation for consideration by management for correction or implementation associated the process being audited. Low-risk observations should be implemented to improve efficiency and effectiveness of operations.



Appendix B – Standards and Acknowledgements

Audit Standards

The audit was conducted in accordance with the Generally Accepted Government Auditing Standards (GAGAS). Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives.

This project was not intended or designed to be a detailed study of every relevant procedure, system, or transaction. As such, the conclusion and recommendations contained in this report may not include all areas which may need improvement.

We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Acknowledgements

IA appreciates the time City staff contributed to this review. IA would like to take this opportunity to thank all of the departments and individuals involved in the Benefits and Enrollment Audit for their considerable cooperation.

We received input and assistance from the following:

- Human Resources (Benefits Administration and Payroll)
- Information Technology
- Finance

Auditor: Alison Matthees, MPA, CIA

Surprise Internal Audit

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Audit Recommendation Status Report

August 21, 2019

Carol Holley, Sr. Internal Auditor

Alison Matthees, Internal Auditor

Summary

Each quarter, Internal Audit (IA) reports to the Audit Committee on actions taken by staff to address audit recommendations. This report summarizes actions taken by staff for the period of May 23, 2019 through August 19, 2019.

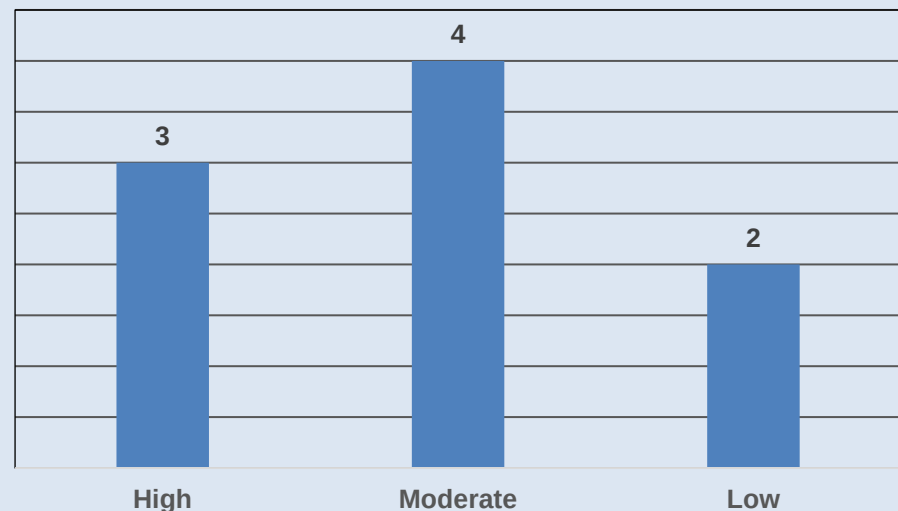
Exhibits A and B summarizes actions taken on 29 audit recommendations made in FY2017-2018 and FY2018-2019. Seventeen recommendations were completed to address risk associated with Accounts Payable Vendor Master File elimination of duplicate vendors, processing vendor refunds/credits, and using vendor discounts. Staff took actions to strengthen controls over IT general controls and Human Resources procedures for pay rate changes.

A common trend identified in the audit recommendations included the need to:

- Reconcile and review transactions and account balances to ensure accuracy and completeness of data
- Document policies and procedures to provide staff guidance and to provide accountability standards for the consistent completion of transactions

Staff continue to address the risk associated with 12 audit recommendations for the reporting period (including three from an E-Session audit report.)

*Ongoing Recommendations 1st Quarter - FY2019-2020



*E-Session Audit Recommendations Not Included

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Purpose and Standards

The recommendations referenced in each audit report were designed to decrease the risk to City of Surprise (City) assets and improve the efficiency and effectiveness of operations. In response to each audit recommendation, management developed an action plan to address identified risks.

The purpose of performing audit follow-up procedures is to determine the status of management action plans. *Governmental Auditing Standards* and the *International Standards for the Professional Practice of Internal Auditing* reference the need for audit follow-up procedures:

Governmental Auditing Standards:

GAGAS 8.30 – “Auditors should evaluate whether the audited entity has taken appropriate corrective action to address findings and recommendations from previous engagements that are significant within the context of the audit objectives.”

International Standards for the Professional Practice of Internal Auditing:

2500 – Monitoring Progress

“The chief audit executive must establish and maintain a system to monitor the disposition of results communicated to management.”

2500.A1 – “The chief audit executive must establish a follow-up process to monitor and ensure that management actions have been effectively implemented or that senior management has accepted the risk of not taking action.”

FY2019-2020 1st Quarter – Audit Recommendations

During the first quarter of FY2019-2020, IA completed two carryover audit projects from FY2018-2019. The Bonds Summary report identified no audit recommendations and served as an informative report. The Benefits and Enrollment Audit Report identified 15 audit recommendations. The recommendations were incorporated into the chart below for future monitoring by IA.

Summary Total - Open Audit Recommendations

Beginning of 2nd Quarter FY2019-2020

Risk Rating	Beginning Balance (June 19, 2019)	New FY2018-2019 4th Quarter	New FY2019-2020 1st Quarter	Complete	Currently Open August 20, 2019
High	3	2	5	3	7
Moderate	4	3	5	4	8
Low	0	7	5	5	7
Total	7	12	15	12	22

Methodology

After the completion of each audit, audit observations and recommendations are tracked in an Excel spreadsheet by IA. Quarterly, IA performs follow-up procedures on the status of audit recommendations with the appropriate City departments. Departments self-report the status of management action plans. Testimonial or documentary evidence is obtained and reviewed by IA. In some cases, IA will go beyond the standard process and perform more in-depth verification of the extent to which certain audit recommendations have been implemented, and issue a separate report on this work.

All recommendations reviewed were categorized as follows:

Ongoing – City staff provided some evidence of progress on the recommendation; however, either element of the audit recommendation were not addressed, or the department reported it has begun to implement the audit recommendation and has not yet completed the implementation **(See Exhibit A.)**

Complete – City staff provided sufficient and appropriate evidence to support elements of implementing the audit recommendation **(See Exhibit B.)**

Exhibit A
Ongoing Audit Recommendations

No.	Department Report Title	Report Date	Recommendation	Status as of August 19, 2019	Management Update Comments August 19, 2019	Risk Level
1	City Clerk's Office Public Records Request	8/14/2017	Review the copy fee schedule rates and make adjustments as necessary. The review should include, but not limited to establishing a minimum service level at which fees will be assessed.	Ongoing - On Track	The fee update is scheduled for this fall and expected to be completed by October 2019.	Moderate
2	City Clerk's Office Public Records Request	8/14/2017	Work in conjunction with the Finance Department to: Submit a complete public records requests fee schedule to City Council for review and approval by resolution Replace the current copy fees statement on the bottom of the City Clerk Form with "Copy fees will be assessed in accordance with the adopted Citywide Fee Schedule"	Ongoing - On Track	The fee update is scheduled for this fall and expected to be completed by October 2019.	Moderate
3	Parks and Recreation Program Registration	10/11/2018	Develop and document a revenue control and management policy that includes billing and collection practices. The policy should include, but not limited to: Establishing a collection time frame Establishing dollar threshold for authorizing write-offs Requiring documentation and written authorization to write-off accounts receivable Adequately documenting and retaining support for adjustments, write-offs, and collection efforts Using the City collection contract, when appropriate Periodically reconciling subsystems to financial systems throughout the fiscal year Ensuring all applicable transactions processed in subsystems are reflected in the City's financial system promptly	Ongoing- Delayed	The Finance Department's Revenue Control and Management Policy is still being finalized and is due to be released very soon. The Parks and Recreation Department will draft procedures once the final policy has been completed. The Parks and Recreation Department has continued to work with Finance and Civic Rec to reconcile the financial systems. As of July 1, 2019, Civic Rec has been converted to accrual accounting. An adjusting entry was entered into Civic Rec to create an Accounts Receivable balance for all outstanding Civic Rec balances through June 30, 2019, as well as to make an adjustment for AR balances that were transferred from CLASS. The Credit on Account entry for CLASS credits is still pending. Once that is complete and Finance can reconcile Munis to Civic Rec, then periodic reconciling will be completed.	High
4	Parks and Recreation Program Registration	10/11/2018	Ensuring that all migration CLASS and CivicRec manual adjustments are reflected and reconciled to the MUNIS financial system.	Ongoing- Delayed	The Parks and Recreation Department has continued to work with Finance and Civic Rec to reconcile the financial systems. As of July 1, 2019, Civic Rec has been converted to accrual accounting. An adjusting entry was entered into Civic Rec to create an Accounts Receivable balance for all outstanding Civic Rec balances through June 30, 2019, as well as to make an adjustment for AR balances that were transferred from CLASS. The Credit on Account entry for CLASS credits is still pending. Once that is complete and Finance can reconcile Munis to Civic Rec, then periodic reconciling will be completed.	High
5	Parks and Recreation Program Registration	10/11/2018	Work with the Finance Department to ensure that asset and liability accounts associated with the registration system are reconciled more frequently than annually.	Ongoing- Delayed	The Parks and Recreation Department has continued to work with Finance and Civic Rec to reconcile the financial systems. As of July 1, 2019, Civic Rec has been converted to accrual accounting. An adjusting entry was entered into Civic Rec to create an Accounts Receivable balance for all outstanding Civic Rec balances through June 30, 2019, as well as to make an adjustment for AR balances that were transferred from CLASS. The Credit on Account entry for CLASS credits is still pending. Once that is complete and Finance can reconcile Munis to Civic Rec, then periodic reconciling will be completed. An SOP will be completed once the reconciling has occurred and the procedures with Finance can be finalized.	Moderate
6	Parks and Recreation Program Registration	10/11/2018	Develop and document a Revenue Control Policy that includes, but is not limited to: Timely reconciliation to applicable general ledgers Recording all receipts and receivables in accordance with GAAP	Ongoing- Delayed	The Finance Department's Revenue Control and Management Policy is still being finalized and is due to be released very soon. The Parks and Recreation Department will draft procedures once the final policy has been completed. The Parks and Recreation Department has continued to work with Finance and Civic Rec to reconcile the financial systems. As of July 1, 2019, Civic Rec has been converted to accrual accounting. An adjusting entry was entered into Civic Rec to create an Accounts Receivable balance for all outstanding Civic Rec balances through June 30, 2019, as well as to make an adjustment for AR balances that were transferred from CLASS. The Credit on Account entry for CLASS credits is still pending. Once that is complete and Finance can reconcile Munis to Civic Rec, then periodic reconciling will be completed.	Moderate
7-9	E-Session	2/4/2019	E-Session	Ongoing - Delayed	Three ongoing recommendations	E-Session

Audit Observation Risk Rating

High	Represents an observation requiring immediate action by management to mitigate risks associated with the process being audited. High risk observations should be implemented to mitigate current gaps in areas with a significant impact or high likelihood of loss or fraud related to city assets.
Moderate	Represents an observation requiring timely action by management to mitigate risks associated with the process being audited. Moderate risk observations should be implemented to strengthen or increase efficiency in the internal control framework and mitigate potential risk of loss to city assets.
Low	Represents an observation for consideration by management for correction or implementation associated the process being audited. Low risk observations should be implemented to improve efficiency and effectiveness of operations.

Exhibit A
Ongoing Audit Recommendations

No.	Division/ Department	Report Date	Recommendation	Status as of August 19, 2019	Management Update Comments August 19, 2019	Risk Level
10	Human Resources Payroll Error Review	5/7/2019	HR Management should define and document procedures for making changes to the employee salary records in Munis which are currently made on an ad hoc basis outside of Munis workflows. The HR Department should determine which of the following procedures is most efficient and document the processes to be utilized: a. For appropriate change management related to payroll, the process for making changes outside of Munis workflow authorization should include, at a minimum, the following steps: i. Documentation of authorization to make change; ii. Review of changes after being made in Munis for accuracy, agreement to supporting documentation, and reasonableness of impact on payroll by an individual independent of the process; iii. Retention of appropriate supporting documentation b. Alternatively, make any changes to the employee salary record utilizing the Munis workflow approval process; meaning changes are made in a pending environment and then approved by appropriate personnel before being made active. Appropriate authorization and segregation of duties between the change-maker and review should be in place and controlled through systematic access limitations.	Ongoing - On Track	A draft SOP has been created, but we are adding additional content to that SOP as a result of the Benefits and Enrollment Audit. Since drafting the SOP, the scope has changed from just focusing on LIVE system data changes to incorporate "HR Data Changes and Audit Process." This continues to be reviewed by HR and payroll staff and a final version should be completed by September 30, 2019 (per the deadline in the Benefits and Enrollment Audit).	High
11	Human Resources Payroll Error Review	5/7/2019	HR Management should implement a review of pay rates during each biweekly payroll to identify any erroneous changes impacting employee pay until a permanent payroll changes report review is implemented. For more details on the implementation of a payroll changes report, refer to the forthcoming Benefits and Enrollment Audit Report.	Ongoing - On Track	HR and IT staff meet most recently on July 9th to discuss this report. Estimated completion date is September 30, 2019.	Low
12	Human Resources Payroll Error Review	5/7/2019	HR Management should consider the feasibility of utilizing the employee notification program within Munis to send an automated message to an employee if a change was made to key fields, like pay rate, in their employee record. The notification text should align with the EPM which states that if an employee believes the change was made in error, they should report to their supervisor or HR.	Ongoing - On Track	HR and IT staff meet most recently on August 8th to discuss this functionality. Estimated completion date is September 30, 2019.	Low

Audit Observation Risk Rating

High	Represents an observation requiring immediate action by management to mitigate risks associated with the process being audited. High risk observations should be implemented to mitigate current gaps in areas with a significant impact or high likelihood of loss or fraud related to city assets.
Moderate	Represents an observation requiring timely action by management to mitigate risks associated with the process being audited. Moderate risk observations should be implemented to strengthen or increase efficiency in the internal control framework and mitigate potential risk of loss to city assets.
Low	Represents an observation for consideration by management for correction or implementation associated the process being audited. Low risk observations should be implemented to improve efficiency and effectiveness of operations.

Exhibit B
Completed Audit Recommendations

No.	Department Title	Report	Report Date	Recommendation	Status as of August 19, 2019	Management Update Comments August 19, 2019	Risk Level
1	Parks and Recreation Accounts Payable Continuous Review		4/15/2019	The department should work with Finance to obtain an understanding of the discount process and ensure that applicable staff is appropriately trained. Discount procedures should be documented in the department's accounting procedures. Ensure that A/P invoices are entered in Munis in a timely manner that will allow adequate time to take advantage of all available discounts.	Complete	Staff have been trained and are now reviewing invoices for discount payment terms. Procedures have been updated to reflect discounted payment terms.	Low
2	Finance Accounts Payable Continuous Review		4/15/2019	Develop a policy and procedure to periodically review the Vendor Master File for duplicate vendors and other potential anomalies. All policies and procedures should be documented and made easily accessible to staff.	Complete	A new duplicate vendor procedure has been developed and was approved and finalized on May 15th. The Accounts Payable team will review the vendor master file on a quarterly basis to ensure there are no duplicate vendors. A review of the vendor master file was completed June 24, 2019 and any issues identified were corrected.	Moderate
3	Finance Accounts Payable Continuous Review		4/15/2019	Work with the applicable City staff to ensure that identified refunds are received. Develop periodic procedures to review A/P transactions for duplicate payments. The procedure may include such step as utilizing Excel "Fuzzy Matching" functionality.	Complete	The Accounts Payable Team is now reviewing the monthly statements from vendors and contacting departments to ensure invoices and credits are being entered and processed appropriately. If monthly statements from vendors do not properly reflect city payments, the Accounts Payable Team is working with the vendor and department to correct future statements to ensure duplicate payments are not made. The Finance Department has also established procedures to monitor for duplicate payments on quarterly basis through the "Fuzzy Lookup" add-in tool of Microsoft Excel. The first quarterly review for duplicate payments from the prior audit scope through June 30, 2019 will be completed by the end of August 2019.	Moderate
4	Finance Accounts Payable Continuous Review		4/15/2019	Polices and procedures for A/P should be formally documented and made easily accessible for staff. Duplicate credit memos should be researched and deleted from the A/P module within thirty business days from the date of the management response.	Complete	All duplicate credit memos were corrected in the system as of June 14, 2019. Credits outstanding as of July 31, 2019 have been requested as refunds (checks) from the vendors as of August 13, 2019 if there were no available FY19 invoices to apply the credits.	Moderate
5	IT Department Parks and Recreation Program Registration		10/11/2018	Update policies and procedures to provide departments with additional guidance for managing cloud computing contracts and change management activities not processed by the IT Department	Complete	IT Policy 201 published on the intranet.	High
6-17	E-Session		2/4/2019	E-Session	Complete	12 recommendations are complete.	E-Session

Audit Observation Risk Rating

High	Represents an observation requiring immediate action by management to mitigate risks associated with the process being audited. High risk observations should be implemented to mitigate current gaps in areas with a significant impact or high likelihood of loss or fraud related to city assets.
Moderate	Represents an observation requiring timely action by management to mitigate risks associated with the process being audited. Moderate risk observations should be implemented to strengthen or increase efficiency in the internal control framework and mitigate potential risk of loss to city assets.
Low	Represents an observation for consideration by management for correction or implementation associated the process being audited. Low risk observations should be implemented to improve efficiency and effectiveness of operations.



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: October 15, 2019
Submitting Department: Fire - Medical
Staff Recommendations: None

Contact Person: Tom Abbott, FIRE CHIEF
District: Citywide

Consent: No Regular: Yes Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action pertaining to approval of an amendment to the Fiscal Year 2020 Budget by reallocating appropriations in the amount of \$513,000 within the Grants Fund and General Fund and accepting a grant from the Federal Emergency Management Agency for Adequate Fire and Emergency Response (SAFER) grant program to hire eight firefighters; Resolution # 2019-127.

Motion:

I move to approve Resolution # 2019-127.

Background:

The Federal Emergency Management Agency (FEMA) Staffing for Adequate Fire and Emergency Response (SAFER) grant program was created to provide funding to fire departments to increase or maintain the number of trained firefighters within their communities to comply with staffing, response and operational standards established by the NFPA (NFPA 1710 and/or NFPA 1720) (<https://www.fema.gov/staffing-adequate-fire-emergency-response-grants>).

In FY17, the Surprise Fire-Medical Department (SFMD) was awarded a SAFER grant in the amount of \$737,500. The award was utilized over a two-year period to hire five new firefighters. This grant was successfully closed out on January 27, 2019 and the SFMD retained the five new hires.

In anticipation of Fire Station 308, SFMD applied for a SAFER grant to hire eight firefighters to assist in the staffing needs for said station. The grant has been awarded and now requires Council acceptance.

Objective Analysis:

Accepting this grant funding from FEMA's SAFER grant program will allow the SFMD to hire eight full-time firefighters that will be assigned to staff the City's new fire station 308. The grant funding will be used to cover a percentage of full-time salaries and benefits over a three-year period. The SFMD plans to retain all eight firefighters at the end of the period of performance.

Policy Compliant:

The grant terms are compliant with the Grants Policies and Procedures and the budget amendment is in compliance with the Comprehensive Financial Management Policy.

Financial Impact:

This one-time \$1,383,163.60 grant award, which represents full-time salaries and a portion of employee related expenses, is to hire eight new firefighters. The City is required to match \$859,804.40. In FY2020, prorated amounts are required due to the grant being accepted mid-fiscal year. The prorated expense in FY2020 is \$215,700 plus \$71,900 in grant match. An additional \$225,400 expenditure will be paid in FY2020 from the general fund operating for the hiring, training, and purchasing of personal protective equipment.

Budget Impact:

The FY2020 adopted budget did not include appropriations in anticipation of this grant. Acceptance of the grant will reallocate \$71,900 from Grants Fund contingency to project G34101 within the General Fund for the City's grant match requirement and \$215,700 will be reallocated within the Grants Fund from contingency to project G34101 for personnel expenses. An additional \$225,400 will be reallocated from Grants Fund contingency to the Fire-Medical Department's General Fund operating budget for additional expenses not covered by the grant.

Along with the FY2020 adopted budget, Council approved Reference #20412, 20419, and 20417 for firefighter physicals, employee certifications, and software licenses on the List of Capital and Operating Items over \$50,000 . Approval of this item will increase these reference lines by a total of \$125,000 for additional expenditures related to the hiring of eight firefighters and establish Reference #20423 in the amount of \$150,000 for new hire outfitting.

The grant revenue and expenses for fiscal years 2021, 2022 and 2023 will be budgeted accordingly through the annual budget process.

FTE Impact:

Acceptance of this grant will increase the Department's FTE by 8.0 from 171.0 to 179.0.

ATTACHMENTS:

1. EMW-2018-FH-00377 - Award Package
 2. RESOLUTION 2019-127 SAFER grant 9 FFs-final
 3. 2019.10.15 SFMD SAFER Grant Presentation
-

Award Letter

U.S. Department of Homeland Security
Washington, D.C. 20472

Brenden Espie
Surprise, City Of
16000 N CIVIC CENTER PLAZA
SURPRISE, AZ 85374



EMW-2018-FH-00377

Dear Brenden Espie,

Congratulations on behalf of the Department of Homeland Security. Your application submitted for the Fiscal Year (FY) 2018 Staffing for Adequate Fire and Emergency Response (SAFER) Grant funding opportunity has been approved in the amount of \$1,383,163.60 in Federal funding.

Before you request and receive any of the Federal funds awarded to you, you must establish acceptance of the award through the FEMA Grants Outcomes (FEMA GO) system. By accepting this award, you acknowledge that the terms of the following documents are incorporated into the terms of your award:

- Summary Award Memo - included in this document
- Agreement Articles - included in this document
- Obligating Document - included in this document
- 2018 SAFER Notice of Funding Opportunity (NOFO) - incorporated by reference

Please make sure you read, understand, and maintain a copy of these documents in your official file for this award.

Sincerely,

A handwritten signature in blue ink, which appears to read "Bridget Bean", is written over a light blue horizontal line.

Bridget Bean
Acting Assistant Administrator
Grant Programs Directorate

Summary Award Memo

Program: Fiscal Year 2018 Staffing for Adequate Fire and Emergency Response

Recipient: Surprise, City Of

DUNS number: 021648936

Award number: EMW-2018-FH-00377

Summary description of award

The purpose of the SAFER Grant Program is to provide funding directly to fire departments and volunteer firefighter interest organizations to assist in increasing the number of firefighters to help communities meet industry minimum standards and attain 24-hour staffing to provide adequate protection from fire and fire-related hazards, and to fulfill traditional missions of fire departments. After careful consideration, FEMA has determined that the recipient's project or projects submitted as part of the recipient's application and detailed in the project narrative as well as the request details section of the application — including budget information — was consistent with the SAFER Grant Program's purpose and was worthy of award.

Except as otherwise approved as noted in this award, the information you provided in your application for FY2018 Staffing for Adequate Fire and Emergency Response (SAFER) funding is incorporated into the terms and conditions of this award. This includes any documents submitted as part of the application.

Amount awarded

The amount of the award is detailed in the attached Obligating Document for Award.

The following is the approved budget for this award (including Federal share plus your cost share, if applicable) and summarizes the financial aspects of the grant:

Object Class	First Year	Second Year	Third Year	Total
Personnel	\$453,728.00	\$453,728.00	\$453,728.00	\$1,361,184.00
Fringe benefits	\$293,928.00	\$293,928.00	\$293,928.00	\$881,784.00
Travel	\$0.00	\$0.00	\$0.00	\$0.00
Equipment	\$0.00	\$0.00	\$0.00	\$0.00
Supplies	\$0.00	\$0.00	\$0.00	\$0.00
Contractual	\$0.00	\$0.00	\$0.00	\$0.00
Construction	\$0.00	\$0.00	\$0.00	\$0.00
Other	\$0.00	\$0.00	\$0.00	\$0.00
Indirect charges	\$0.00	\$0.00	\$0.00	\$0.00
Federal	\$560,742.00	\$560,742.00	\$261,679.60	\$1,383,163.60
Non-federal	\$186,914.00	\$186,914.00	\$485,976.40	\$859,804.40
Total	\$747,656.00	\$747,656.00	\$747,656.00	\$2,242,968.00

2 C.F.R. § 200.308 identifies the limits to the changes that can be made and when prior approval is required from FEMA, but this provision does not apply to the breakdown by year. If you have questions about which changes require FEMA's prior approval, please contact your Grants Management Specialist.

Approved scope of work

After review of your application, FEMA has approved the below scope of work. Justifications are provided for any differences between the scope of work in the original application and the approved scope of work under this award. You must submit scope or budget revision requests for FEMA's prior approval, via an amendment request, as appropriate per 2 C.F.R. § 200.308 and the FY2018 SAFER NOFO.

Approved request details:

Hiring of Firefighters

Firefighter Position

BENEFITS FUNDED

SFMD calculates 35% in total benefits for operational staff. The FY19 operating budget is \$23.9 million with \$20.9 million going to salaries and OT/FLSA. The base salary and overtime accounts for 87% of the personnel budget in operations. The requested positions would work 2912 hours/year, or 56 hours per week on one of three operational shifts. The standard benefits provided by SFMD include Uniforms \$1,200, PEHP \$650, 457 \$586, Medicare \$849, Workers Comp \$986, PSPRS \$15,391, Medical Employee plus family \$15,656, Dental Employee plus family \$1,038, Vision Employee plus family \$126, Life Ins \$259. The first-year wage for a step 1 firefighter is \$17.14/hr. in addition to a 1% COLA and FLSA (243 hours times 1.5) totaling \$93,457 including benefits and taxes. The second-year wage for a step 2 firefighter is \$17.83/hr. in addition to a 1% COLA and FLSA (243 hours times 1.5) totaling \$96,458 including benefits and taxes. The third-year wage for a step 3 firefighter is \$18.53/hr. in addition to a 1% COLA and FLSA (243 hours times 1.5) totaling \$99,501 including benefits and taxes. Costs in addition to the salary are determined as follows: PSPRS is calculated at 26.28% of total compensation; workers compensation at 1.683%; Medicare at 1.45%; life insurance at 0.442%; medical, dental, and vision are a fixed cost totaling \$16,800; PPE includes a uniform stipend of \$1,200 per year; and a post-employment health plan contribution of \$25/per pay period totaling \$650/year. Total costs for the first-year amount to \$560,742 (75% of \$747,656), the second-year amounts to \$578,748 (75% of 771,664), and the third-year amounts to \$278,603 (35% of 796,008) bringing the total amount to \$1,418,093. The SFMD recognizes any award would be for first-year firefighter wages and benefits for three years, with 75% reimbursement for both year one and two and a 35% reimbursement for the third year. SFMD is requesting support of \$1,383,164 over the three-years for the eight firefighter positions. Only salary and associated benefits (actual payroll expenses) for the positions funded under the SAFER grant are eligible. PPE is not eligible. Costs for uniform allowances that are not contractually obligated, included as part of the standard benefits package for all employees, or reimbursed via payroll are ineligible.

NUMBER OF FIREFIGHTERS	ANNUAL SALARY PRICE	ANNUAL BENEFITS	TOTAL PER FIREFIGHTER
8	\$56,716.00	\$36,741.00	\$93,457.00
3 YEAR TOTAL			
\$2,242,968.00			

CHANGE FROM APPLICATION

Benefits funded changed

JUSTIFICATION

The award reflects a change from the application. This change is to provide additional information on eligible costs as outlined in the Notice of Funding Opportunity (NOFO).

Agreement Articles

Program: Fiscal Year 2018 Staffing for Adequate Fire and Emergency Response

Recipient: Surprise, City Of

DUNS number: 021648936

Award number: EMW-2018-FH-00377

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Article 1	Assurances, Administrative Requirements, Cost Principles, Representations and Certifications
	DHS financial assistance recipients must complete either the Office of Management and Budget(OMB) Standard Form 424B Assurances - Non-Construction Programs, or OMB Standard Form 424D Assurances -Construction Programs as applicable. Certain assurances in these documents may not be applicable to your program, and the DHS financial assistance office (DHS FAO) may require applicants to certify additional assurances. Applicants are required to fill out the assurances applicable to their program as instructed by the awarding agency. Please contact the DHS FAO if you have any questions. DHS financial assistance recipients are required to follow the applicable provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located at Title 2, Code of Federal Regulations(C.F.R) Part 200, and adopted by DHS at 2 C.F.R. Part 3002.
Article 2	DHS Specific Acknowledgements and Assurances
	All recipients, subrecipients, successors, transferees, and assignees must acknowledge and agree to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff. 1. Recipients must cooperate with any compliance reviews or compliance investigations conducted by DHS. 2. Recipients must give DHS access to, and the right to examine and copy, records, accounts, and other documents and sources of information related to the federal financial assistance award and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations and other applicable laws or program guidance. 3. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports. 4. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance. 5. Recipients of federal financial assistance from DHS must complete the DHS Civil Rights Evaluation Tool within thirty (30) days of receipt of the Notice of Award or, for State Administering Agencies, thirty (30) days from receipt of the DHS Civil Rights Evaluation Tool from DHS or its awarding component agency. Recipients are required to provide this information once every two (2) years, not every time an award is made. After the initial submission for the first award under which this term applies, recipients are only required to submit updates every two years, not every time a grant is awarded. Recipients should submit the completed tool, including supporting materials to CivilRightsEvaluation@hq.dhs.gov. This tool clarifies the civil rights obligations and related reporting requirements contained in the DHS Standard Terms and Conditions. Subrecipients are not required to complete and submit this tool to DHS. The evaluation tool can be found at https://www.dhs.gov/publication/dhs-civil-rights-evaluation-tool. .
Article 3	Acknowledgement of Federal Funding from DHS
	Recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with federal funds.
Article 4	Activities Conducted Abroad
	Recipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

Article 5	Age Discrimination Act of 1975 Recipients must comply with the requirements of the Age Discrimination Act of 1975, Pub. L. No. 94-135 (1975) (codified as amended at Title 42, U.S. Code, § 6101 et seq.), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance.
Article 6	Americans with Disabilities Act of 1990 Recipients must comply with the requirements of Titles I, II, and III of the Americans with Disabilities Act, Pub. L. No. 101-336 (1990) (codified as amended at 42 U.S.C. §§ 12101–12213), which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities.
Article 7	Best Practices for Collection and Use of Personally Identifiable Information (PII) Recipients who collect PII are required to have a publically-available privacy policy that describes standards on the usage and maintenance of PII they collect. DHS defines personally identifiable information (PII) as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. Recipients may also find the DHS Privacy Impact Assessments: Privacy Guidance and Privacy template as useful resources respectively.
Article 8	Civil Rights Act of 1964 – Title VI Recipients must comply with the requirements of Title VI of the Civil Rights Act of 1964 (codified as amended at 42 U.S.C. § 2000d et seq.), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. DHS implementing regulations for the Act are found at 6 C.F.R. Part 21 and 44 C.F.R. Part 7.
Article 9	Civil Rights Act of 1968 Recipients must comply with Title VIII of the Civil Rights Act of 1968, Pub. L. No. 90-284, as amended through Pub. L. 113-4, which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (See 42 U.S.C. § 3601 et seq.), as implemented by the Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units—i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)—be designed and constructed with certain accessible features. (See 24 C.F.R. Part 100, Subpart D)
Article 10	Copyright Recipients must affix the applicable copyright notices of 17 U.S.C. §§ 401 or 402 and an acknowledgement of U.S. Government sponsorship (including the award number) to any work first produced under federal financial assistance awards.

Article 11	Debarment and Suspension Recipients are subject to the non-procurement debarment and suspension regulations implementing Executive Orders (E.O.) 12549 and 12689, and 2 C.F.R. Part 180 as adopted by DHS at 2 C.F.R. Part 3000. These regulations restrict federal financial assistance awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.
Article 12	Drug-Free Workplace Regulations Recipients must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the recipient is an individual) of 2 C.F.R. Part 3001, which adopts the Government-wide implementation (2 C.F.R. Part 182) of sec. 5152-5158 of the Drug-Free Workplace Act of 1988 (41 U.S.C. 8101).
Article 13	Duplication of Benefits Any cost allocable to a particular federal financial assistance award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other federal financial assistance awards to overcome fund deficiencies, to avoid restrictions imposed by federal statutes, regulations, or federal financial assistance award terms and conditions, or for other reasons. However, these prohibitions would not preclude recipients from shifting costs that are allowable under two or more awards in accordance with existing federal statutes, regulations, or the federal financial assistance award terms and conditions.
Article 14	Education Amendments of 1972 (Equal Opportunity in Education Act) – Title IX Recipients must comply with the requirements of Title IX of the Education Amendments of 1972 Pub. L. No. 92-318 (1972) (codified as amended at 20 U.S.C. § 1681 et seq.), which provide that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. DHS implementing regulations are codified at 6 C.F.R. Part 17 and 44 C.F.R. Part 19.
Article 15	Energy Policy and Conservation Act Recipients must comply with the requirements of The Energy Policy and Conservation Act Pub. L. No. 94- 163 (1975) (codified as amended at 42 U.S.C. § 6201 et seq.), which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.
Article 16	False Claims Act and Program Fraud Civil Remedies Recipients must comply with the requirements of The False Claims Act, 31 U.S.C. § 3729-3733, which prohibits the submission of false or fraudulent claims for payment to the federal government. (See 31 U.S.C. § 3801-3812 which details the administrative remedies for false claims and statements made.
Article 17	Federal Debt Status All recipients are required to be non-delinquent in their repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. (See OMB Circular A-129.)
Article 18	Federal Leadership on Reducing Text Messaging while Driving Recipients are encouraged to adopt and enforce policies that ban text messaging while driving as described in E.O. 13513, including conducting initiatives described in Section 3(a) of the Order when on official government business or when performing any work for or on behalf of the federal government.

Article 19 Fly America Act of 1974

Recipients must comply with Preference for U.S. Flag Air Carriers (air carriers holding certificates under 49 U.S.C. § 41102) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974, 49 U.S.C. § 40118, and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B-138942.

Article 20 Hotel and Motel Fire Safety Act of 1990

In accordance with Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. § 2225a, recipients must ensure that all conference, meeting, convention, or training space funded in whole or in part with federal funds complies with the fire prevention and control guidelines of the Federal Fire Prevention and Control Act of 1974, codified as amended at 15 U.S.C. § 2225.

Article 21 Limited English Proficiency (Civil Rights Act of 1964, Title VI)

Recipients must comply with the Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq.) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance <https://www.dhs.gov/guidancepublished-help-department-supported-organizations-provide-meaningfulaccess-people-limited> and additional resources on <http://www.lep.gov>.

Article 22 Lobbying Prohibitions

Recipients must comply with 31 U.S.C. § 1352, which provides that none of the funds provided under a federal financial assistance award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any federal action related to a federal award or contract, including any extension, continuation, renewal, amendment, or modification.

Article 23 National Environmental Policy Act

Recipients must comply with the requirements of the National Environmental Policy Act of 1969, Pub. L. No. 91-190 (1970) (codified as amended at 42 U.S.C. § 4321 et seq.) (NEPA) and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which requires recipients to use all practicable means within their authority, and consistent with other essential considerations of national policy, to create and maintain conditions under which people and nature can exist in productive harmony and fulfill the social, economic, and other needs of present and future generations of Americans.

Article 24 Nondiscrimination in Matters Pertaining to Faith-Based Organizations

It is DHS policy to ensure the equal treatment of faith-based organizations in social service programs administered or supported by DHS or its component agencies, enabling those organizations to participate in providing important social services to beneficiaries. Recipients must comply with the equal treatment policies and requirements contained in 6 C.F.R. Part 19 and other applicable statutes, regulations, and guidance governing the participations of faith-based organizations in individual DHS programs.

Article 25	Non-supplanting Requirement Recipients receiving federal financial assistance awards made under programs that prohibit supplanting by law must ensure that federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-federal sources.
Article 26	Notice of Funding Opportunity Requirements All of the instructions, guidance, limitations, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this program are incorporated hereby reference in the award terms and conditions. All recipients must comply with any such requirements set forth in the program NOFO.
Article 27	Patents and Intellectual Property Rights Unless otherwise provided by law, recipients are subject to the Bayh-Dole Act, 35 U.S.C. § 200 et seq. Recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from federal financial assistance awards located at 37 C.F.R. Part 401 and the standard patent rights clause located at 37 C.F.R. § 401.14.
Article 28	Procurement of Recovered Materials States, political subdivisions of states, and their contractors must comply with Section 6002 of the Solid Waste Disposal Act, Pub. L. No. 89-272 (1965) (codified as amended by the Resource Conservation and Recovery Act, 42 U.S.C. § 6962. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.
Article 29	Rehabilitation Act of 1973 Recipients must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, Pub. L. No. 93-112 (1973) (codified as amended at 29 U.S.C. § 794), which provides that no otherwise qualified handicapped individuals in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.
Article 30	Reporting of Matters Related to Recipient Integrity and Performance If the total value of the recipient's currently active grants, cooperative agreements, and procurement contracts from all federal assistance offices exceeds \$10,000,000 for any period of time during the period of performance of this federal financial assistance award, the recipient must comply with the requirements set forth in the government-wide Award Term and Condition for Recipient Integrity and Performance Matters located at 2 C.F.R. Part 200, Appendix XII, the full text of which is incorporated here by reference in the award terms and conditions.
Article 31	Reporting Subawards and Executive Compensation Recipients are required to comply with the requirements set forth in the government-wide Award Term on Reporting Subawards and Executive Compensation located at 2 C.F.R. Part 170, Appendix A, the full text of which is incorporated here by reference in the award terms and conditions.

Article 32	SAFECOM Recipients receiving federal financial assistance awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.
Article 33	Terrorist Financing Recipients must comply with E.O. 13224 and U.S. laws that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Recipients are legally responsible to ensure compliance with the Order and laws.
Article 34	Trafficking Victims Protection Act of 2000 Recipients must comply with the requirements of the government-wide financial assistance award term which implements Section 106(g) of the Trafficking Victims Protection Act of 2000, (TVPA) codified as amended by 22 U.S.C. § 7104. The award term is located at 2 C.F.R. § 175.15, the full text of which is incorporated here by reference.
Article 35	Universal Identifier and System of Award Management (SAM) Recipients are required to comply with the requirements set forth in the government-wide financial assistance award term regarding the System for Award Management and Universal Identifier Requirements located at 2 C.F.R. Part 25, Appendix A, the full text of which is incorporated here by reference.
Article 36	USA Patriot Act of 2001 Recipients must comply with requirements of Section 817 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT Act), which amends 18 U.S.C. §§ 175–175c.
Article 37	Use of DHS Seal, Logo and Flags Recipients must obtain permission from their DHS FAO prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.
Article 38	Whistleblower Protection Act Recipients must comply with the statutory requirements for whistleblower protections (if applicable) at 10 U.S.C § 2409, 41 U.S.C. 4712, and 10 U.S.C. § 2324, 41 U.S.C. §§ 4304 and 4310.
Article 39	Acceptance of Post Award Changes In the event FEMA determines that changes are necessary to the award document after an award has been made, including changes to period of performance or terms and conditions, recipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate recipient acceptance of the changes to the award. Please call the FEMA/GMD Call Center at (866) 927-5646 or via e-mail to ASK-GMD@dhs.gov if you have any questions.

Article 40 Prior Approval for Modification of Approved Budget

Before making any change to the DHS/FEMA approved budget for this award, you must request prior written approval from DHS/FEMA where required by 2 C.F.R. § 200.308. DHS/FEMA is also utilizing its discretion to impose an additional restriction under 2 C.F.R. § 200.308(e) regarding the transfer of funds among direct cost categories, programs, functions, or activities. Therefore, for awards with an approved budget where the Federal share is greater than the simplified acquisition threshold (currently \$250,000), you may not transfer funds among direct cost categories, programs, functions, or activities without prior written approval from DHS/FEMA where the cumulative amount of such transfers exceeds or is expected to exceed ten percent (10%) of the total budget DHS/FEMA last approved. You must report any deviations from your DHS/FEMA approved budget in the first Federal Financial Report (SF-425) you submit following any budget deviation, regardless of whether the budget deviation requires prior written approval.

Article 41 Disposition of Equipment Acquired Under the Federal Award

When original or replacement equipment acquired under this award by the recipient or its subrecipients is no longer needed for the original project or program or for other activities currently or previously supported by DHS/FEMA, you must request instructions from DHS/FEMA to make proper disposition of the equipment pursuant to 2 C.F.R. § 200.313.

Article 42 Environmental Planning and Historic Preservation

DHS/FEMA funded activities that may require an EHP review are subject to FEMA's Environmental Planning and Historic Preservation (EHP) review process. This review does not address all Federal, state, and local requirements. Acceptance of Federal funding requires recipient to comply with all Federal, state and local laws. Failure to obtain all appropriate federal, state and local environmental permits and clearances may jeopardize Federal funding. DHS/FEMA is required to consider the potential impacts to natural and cultural resources of all projects funded by DHS/FEMA grant funds, through its EHP Review process, as mandated by the National Environmental Policy Act; National Historic Preservation Act of 1966, as amended; National Flood Insurance Program regulations; and, any other applicable laws and Executive Orders. To access the FEMA's Environmental and Historic Preservation (EHP) screening form and instructions go to the DHS/FEMA website at: <https://www.fema.gov/media-library/assets/documents/90195>. In order to initiate EHP review of your project(s), you must complete all relevant sections of this form and submit it to the Grant Programs Directorate (GPD) along with all other pertinent project information. Failure to provide requisite information could result in delays in the release of grant funds. If ground disturbing activities occur during construction, applicant will monitor ground disturbance, and if any potential archeological resources are discovered, applicant will immediately cease work in that area and notify the pass-through entity, if applicable, and DHS/FEMA.

Obligating document

1. Agreement No. EMW-2018-FH-00377	2. Amendment No. N/A	3. Recipient No. 86-6007796	4. Type of Action AWARD	5. Control No. WX02684N2019T		
6. Recipient Name and Address Surprise, City Of 16000 N Civic Ctr Plz Surprise, AZ 85374		7. Issuing FEMA Office and Address Grant Programs Directorate 500 C Street, S.W. Washington DC, 20528-7000 1-866-927-5646		8. Payment Office and Address FEMA, Financial Services Branch 500 C Street, S.W., Room 723 Washington DC, 20742		
9. Name of Recipient Project Officer Tom Abbott	9a. Phone No. 623-222-5020	10. Name of FEMA Project Coordinator Staffing for Adequate Fire and Emergency Response (SAFER) Grant Program		10a. Phone No. 1-866-274-0960		
11. Effective Date of This Action 09/13/2019	12. Method of Payment OTHER - FEMA GO	13. Assistance Arrangement COST SHARING	14. Performance Period 03/11/2020 to 03/10/2023 Budget Period 03/11/2020 to 03/10/2023			
15. Description of Action a. (Indicate funding data for awards or financial changes)						
Program Name Abbreviation	Assistance Listings No.	Accounting Data (ACCS Code)	Prior Total Award	Amount Awarded This Action + or (-)	Current Total Award	Cumulative Non-Federal Commitment
SAFER	97.083	2019-F8-GF01 - P431-xxxx-4101-D	\$0.00	\$1,383,163.60	\$1,383,163.60	\$859,804.40
Totals			\$0.00	\$1,383,163.60	\$1,383,163.60	\$859,804.40
b. To describe changes other than funding data or financial changes, attach schedule and check here: N/A						
16. FOR NON-DISASTER PROGRAMS: RECIPIENT IS REQUIRED TO SIGN AND RETURN THREE (3) COPIES OF THIS DOCUMENT TO FEMA (See Block 7 for address) This field is not applicable for digitally signed grant agreements						

17. RECIPIENT SIGNATORY OFFICIAL (Name and Title)	DATE
18. FEMA SIGNATORY OFFICIAL (Name and Title)	DATE
Bridget Bean, Acting Assistant Administrator Grant Programs Directorate	09/13/2019

RESOLUTION # 2019-127

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, TO ACCEPT AN AWARD FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) GRANT PROGRAM IN THE AMOUNT OF \$1,383,163.60, AMENDING THE FY2020 BUDGET IN THE AMOUNT OF \$513,000 WITHIN THE GRANTS FUND AND GENERAL FUND FOR EXPENSES RELATED TO HIRING EIGHT FIREFIGHTERS, AND AMENDING THE FY2020 CAPITAL AND OPERATING LIST OF ITEMS OVER \$50,000.

WHEREAS, the FEMA SAFER grants program annually awards grants to local agencies under the hiring of firefighters category for jurisdictions to move toward achieving sustainable and appropriate fire and emergency operations;

WHEREAS, the Surprise Fire-Medical Department (SFMD) has been awarded SAFER grant funding in the amount of \$1,383,163.60 to hire eight (8) firefighters and retain them for a three-year period;

WHEREAS, \$71,900 will be reallocated from Grants Fund contingency to project G34101 within the General Fund for the City's grant match requirement and \$215,700 will be reallocated within the Grants Fund from contingency to project G34101 for personnel expenses;

WHEREAS, \$225,400 will be reallocated from Grants Fund Contingency to the Fire-Medical Department's General Fund operating budget for additional expenses related to the acceptance of this grant award;

WHEREAS, the City match obligation in FY2021 is estimated at \$187,000, and FY2022 is estimated at \$302,000, and FY2023 is estimated at \$299,100 which will be included as part of each year's budget process;

WHEREAS, the FY2020 budget including the FY2020 Capital and Operating List of Items Over \$50,000 was adopted by Council Resolution 2019-75 on June 4, 2019;

WHEREAS, this action will necessitate a budget amendment; and

WHEREAS, the City of Surprise Administrative Policies requires the approval of the Mayor and Council for budget amendments of this nature.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Surprise, Arizona, as follows.

Section 1. That the statements and schedules attached as *Exhibit A* and incorporated by reference are adopted, amending the budget of the City of Surprise, Arizona for the fiscal year July 1, 2019 through June 30, 2020.

Section 2. The City of Surprise is hereby authorized to accept the FEMA SAFER Grant in the amount of \$1,383,163.60. The City Manager, or his designee, is hereby authorized to conduct all negotiations and to execute and submit all documents and other necessary or desirable instruments in connection with this grant.

APPROVED AND ADOPTED this ____ day of _____, 2019.

Skip Hall, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

RESOLUTION # 2019-127

Exhibit A

1. Appropriation - The FY2020 Annual Budget is amended by reallocating appropriations among lawfully available appropriations to ensure the continued operations of the City of Surprise in the payment of necessary expenditures. These allocations do not represent an actual transfer of funds, but only a transfer of spending authority. Additionally, these reallocations do not increase or decrease the total budget.

The Budget Amendment outlined below represents FY2020 prorated revenue and expenses. Prorated amounts are required due to the grant being accepting mid-fiscal year. Budget for the subsequent fiscal years in the performance period will be budgeted during the annual budget process.

Fund	Department	Project/Category	Rev/ Exp	Current Budget	Increase/ (Decrease)	Amended Budget
Grants	Fire - Medical	#G34101 FFY19 SAFER	R	-	215,700	215,700
Grants	General Operations	Other	R	24,134,100	(215,700)	23,918,400
Grants	Fire - Medical	#G34101 FFY19 SAFER	E	-	215,700	215,700
General Fund	Fire - Medical	#G34101 FFY19 SAFER	E	-	71,900	71,900
General Fund	Fire - Medical	Personnel Services	E	19,958,100	133,000	20,091,100
General Fund	Fire - Medical	Services	E	1,799,800	59,600	1,859,400
General Fund	Fire - Medical	Supplies	E	762,900	32,800	795,700
Grants	General Operations	Contingency	E	23,713,700	(513,000)	23,200,700
Expense Total				46,234,500	-	46,234,500
Revenue Total				24,134,100	-	24,134,100

2. Full-Time Equivalent (FTE) – Acceptance of the SAFER Grant requires the addition of 8 new FTEs.

Department	Current FTE's	Increase (Decrease)	Amended FTE's
Surprise Fire-Medical Department	171.0	8.0	179.0

3. List of Operating Items Over \$50,000 – This Resolution provides authorization to make the below changes on the current FY2020 Operating List of Items Over \$50,000

Reference #	Description	Current Amount	Increase/ (Decrease)	Amended Amount
20412	Firefighter Physicals	\$250,000	\$50,000	\$300,000
20419	Employee Certifications & Licensing	\$200,000	\$50,000	\$250,000
20417	Professional Services – Software Licenses	\$125,000	\$25,000	\$150,000
20423	New Hire Outfitting	\$0	\$150,000	\$150,000



2018 SFMD SAFER Grant Award

SFMD 2018 SAFER Grant



- ✓ City applied for the grant in March 2019
- ✓ The application was to help fund firefighters for the opening of Fire Station 308 in May 2022
- ✓ SFMD has received formal notification of approval for a Staffing for Adequate Fire and Emergency Response (SAFER) grant to fund Station 308 personnel

SFMD 2018 SAFER Grant



- ✓ The SAFER grant will cover a percentage of the wages and benefits for eight new firefighters for a three-year period

Grant Year	Wages and benefits covered
Year 1	75%
Year 2	75%
Year 3	35%

SFMD 2018 SAFER Grant



	Grant	General Fund			
Fiscal Year	SAFER	Grant Match	Testing, Training & Equipment	Personnel Costs not covered by Grant	Total
FY2020	\$215,700	\$71,900	\$225,400	-	\$297,300
FY2021	560,800	187,000	-	37,400	224,400
FY2022	445,700	302,000	-	39,300	341,300
FY2023	161,000	299,100	-	328,800	627,900
Total	\$1,383,200	\$859,800	\$225,400	\$405,500	\$1,490,900

SFMD 2018 SAFER Grant



- ✓ The eight SAFER-funded recruits would attend Phoenix Fire Department Fire Academy scheduled for February/March 2020
- ✓ The recruits would graduate May 2020
- ✓ These positions will offer staffing flexibility to the SFMD until Station 308 opens



Comments & Questions

Thank you!