



**Town of Surfside  
Town Commission Meeting  
AGENDA**

**April 10, 2012  
7 p.m.**

**Town Hall Commission Chambers - 9293 Harding Ave, 2<sup>nd</sup> Floor  
Surfside, FL 33154**

**1. Opening**

- A. Call to Order**
- B. Roll Call of Members**
- C. Pledge of Allegiance**
- D. Mayor and Commission Remarks – Mayor Daniel Dietch**
- E. Agenda and Order of Business Additions, deletions and linkages**
- F. Community Notes – Mayor Daniel Dietch**
- G. Officer of the Month Award for January, February and March 2012 – David Allen, Chief of Police**
  - January 2012:** Sgt. Jose Valino, Officer Frank Colonna and Officer Donald McGavern
  - February 2012:** Officer Edward Carrasquillo and Officer Joseph Matthews
  - March 2012:** K-9 Kilo
- H. Employee of the Quarter Award to Jose Nodarse and Josvani Iglesias – Bill Evans, Public Works Director**

**2. Quasi-Judicial Hearings (Set for approximately 7:20 p.m.) Page 1 - 187**

*Please be advised that the following items on the Agenda are Quasi-Judicial in nature. If you wish to object or comment upon an item, please complete a Public Speaker's Card indicating the agenda item number on which you would like to comment. You must be sworn before addressing the Board and you may be subject to cross-examination. If you refuse to submit to cross-examination, the Board will not consider your comments in its final deliberation. Please also disclose any Ex-Parte communications you may have had with any Commission member. Commission members must also do the same.*

- \*A. A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, ("TOWN") APPROVING A SITE PLAN APPLICATION, PURSUANT TO SECTION 90-41 ET SEQ. OF THE ZONING CODE TO PERMIT A SYNAGOGUE ON THE SITE, AND SUBMITTED BY YOUNG ISRAEL CONGREGATION., (THE "APPLICANT"), ALL ON THE PROPERTY LOCATED AT 9580 ABBOTT AVENUE DESCRIBED HEREIN; AND PROVIDING FOR AN EFFECTIVE DATE.**

*\* Denotes agenda items as “must haves” which means there will be significant impacts if the item is not addressed tonight. If these items have not been heard by 10 p.m., the order of the agenda will be changed to allow them to be heard.*

**3. Consent Agenda (Set for approximately 8:30 p.m.)**

*All items on the consent agenda are considered routine or status reports by the Town Commission and will be approved by one motion. Any Commission member may request, during item 1E Agenda and Order of Business, that an item be removed from the Consent Agenda and discussed separately.*

**Recommended Motion: To approve all consent agenda items as presented below.**

**\*A. Minutes - March 13, 2012 Regular Town Commission Meeting Page 188-194**

**B. Budget to Actual Summary as of January 31, 2012 – Roger M. Carlton, Town Manager Page 195 - 196**

**\*C. Town Manager’s Report (Points of Light) – Roger M. Carlton, Town Manager Page 197-214**

**\*D. Town Attorney’s Report – Lynn M. Dannheisser, Town Attorney Page 215 - 219**

**\*E. Projects Progress Report – Calvin, Giordano and Associates, Inc. Page 220 - 231**

**4. Ordinances**

*(Set for approximately 9:00 p.m.) (Note: Good and Welfare must begin at 8:15)*

**A. Second Readings (Ordinances and Public Hearing)**

**\*1. Sidewalk Businesses – Duncan Tavares, TEDACS Director Page 232 - 251**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 18 AND SPECIFICALLY DIVISION 3 “SIDEWALK BUSINESSES” AND SPECIFICALLY AMENDING SECTIONS 18-80, 18-81; AND CREATING SECTIONS 18-82, 18-83, 18-84, 18-85, 18-86, 18-87, 18-88, 18-89, 18-90, 18-91, 18-92, AND 18-93 OF THE TOWN OF SURFSIDE CODE OF ORDINANCES PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE**

**[This ordinance regulates use of sidewalks by restaurants]**

*(Set for approximately N/A p.m.) (Note: Good and Welfare must begin at 8:15)*

**B. First Readings Ordinances**



**5. Resolutions and Proclamations**

*(Set for approximately 9:15 p.m.) (Note: Depends upon length of Good and Welfare)*

- \*A. Fraternal Order of Police Local 135, Collective Bargaining Agreement – Year 2 Wage Re-opener – David Allen, Chief of Police (SET FOR TIME CERTAIN AT 7:15 PM) Page 252 - 281**

**RESOLUTION OF THE TOWN COMMISSION FOR THE TOWN OF SURFSIDE, FLORIDA APPROVING AND RATIFYING THE FRATERNAL ORDER OF POLICE COLLECTIVE BARGAINING AGREEMENT – YEAR 2 WAGE RE-OPENER FOR THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE TOWN OF SURFSIDE AND THE FLORIDA STATE LODGE FRATERNAL ORDER OF POLICE (“AGREEMENT”) DATED OCTOBER 1, 2010 THROUGH SEPTEMBER 30, 2013; DIRECTING THE TOWN MANAGER TO EXECUTE SAME AND DO ALL THINGS NECESSARY TO IMPLEMENT THE TERMS OF THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.**

- \*B. Transfer of \$68,000.00 from the Resort Tax Fund balance to the Tourist Bureau Fiscal Year 2011-2012 budget – Duncan Tavares, TEDACS Page 282 - 285**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING THE REAPPROPRIATION OF RESORT TAX FUND BALANCE (RESERVES) TO THE TOURIST BUREAU DEPARTMENT FY 2011-2012 BUDGET FOR THE LOGGERHEAD TURTLE ART SPECIAL EVENT PROJECT; AMENDING THE TOWN’S BUDGET FOR FISCAL YEAR 2011-2012; AND PROVIDING FOR AN EFFECTIVE DATE.**

- \*C. Grant of Authority to Town Clerk to Secure After-The-Fact Signatures for Previously Passed Legislation – Town Attorney, Lynn M. Dannheisser Page 286 - 288**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, GRANTING THE TOWN CLERK THROUGH THE TOWN MANAGER AUTHORITY TO LOCATE, SECURE SIGNATURES, AND SECURE AFTER-THE-FACT SIGNATURES FOR LEGISLATION PREVIOUSLY LAWFULLY PASSED AND ADOPTED BUT NOT EXECUTED OR CODIFIED**

**TO PROCEED WITH SECURING THE SIGNATURES OF THE OFFICIALS IN OFFICE AT THE TIME OF THE LEGISLATION PASSAGE OR IN THE ALTERNATIVE TO SECURE AN AFTER-THE-FACT SIGNATURE FROM CURRENT OFFICIALS IN ORDER TO PROPERLY ISSUE AND CODIFY SUCH LEGISLATION; PROVIDING FOR AN EFFECTIVE DATE**

**6. Good and Welfare (Set for approximately 8:15 p.m.)**

*Public comments for subjects or items not on the agenda. Public comment on agenda items will be allowed when agenda item is discussed by the Commission.*

- A. Presentation by Mr. Joseph Nabaka, FIU SWAT Club regarding Sale of Candy Flavored Tobacco Products to Children. **Page 289**

**7. Town Manager and Town Attorney Reports**

Town Manager and Town Attorney Reports have been moved to the Consent Agenda – Item 3.

*All items on the Consent Agenda are considered routine or status reports by the Town Commission and will be approved by one motion. Any Commission member may request, during item 1E Agenda and Order of Business, that an item be removed from the consent agenda and discussed separately.*

**8. Unfinished Business and New Business**

**9. Mayor, Commission and Staff Communications**

- \*A. Classification and Compensation Study – Yamileth Slate-McCloud, Human Resources Director (SET FOR TIME CERTAIN AT 9:25 PM) Page 290 - 339**
- B. Gomez Barker Associates, End-of-Session Legislative Report – Fausto B. Gomez (SET FOR TIME CERTAIN AT 9:40 PM) Page 340 - 345**
- \*C. Comprehensive Annual Financial Report (CAFR) – Roger M. Carlton, Town Manager (SET FOR TIME CERTAIN AT 9:50 PM) Page 346 - 354**
- \*D. Island Community Initiative ALPR Project- David Allen, Chief of Police Page 355-447**
- \*E. Charter Review Process – Vice Mayor Michael Karukin Page 448 - 462**
- \*F. Hedges, Walls and Sight Lines and Code Compliance – Joe Damien, Code Compliance Director (SET FOR TIME CERTAIN AT 10:00 PM) Page 463 - 467**
- \*G. Commission Priorities - Mayor Daniel Dietch Page 468 - 469**
- \*H. Hatzala Emergency Medical Services (EMS) for the Town of Surfside – Commissioner Sheldon Lisbon Page 470**
- \*I. Police Vehicle Lease Program – Phase II – David Allen, Chief of Police Page 471 - 472**
- \*J. Student Scholarship Program – Mayor Daniel Dietch Page 473**

## 10. Adjournment

Respectfully submitted,



Roger M. Carlton  
Town Manager

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THIS MEETING IS OPEN TO THE PUBLIC. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, ALL PERSONS ARE DISABLED; WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS MEETING BECAUSE OF THAT DISABILITY SHOULD CONTACT THE OFFICE OF THE TOWN CLERK AT 305-893-6511 EXT. 226 NO LATER THAN FOUR DAYS PRIOR TO SUCH PROCEEDING. HEARING IMPAIRED PERSONS MAY CONTACT THE TDD LINE AT 305-893-7936.

IN ACCORDANCE WITH THE PROVISIONS OF SECTION 286.0105, FLORIDA STATUTES, ANYONE WISHING TO APPEAL ANY DECISION MADE BY THE TOWN OF SURFSIDE COMMISSION, WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING OR HEARING, WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE WHICH RECORD SHALL INCLUDE THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

AGENDA ITEMS MAY BE VIEWED AT THE OFFICE OF THE TOWN CLERK, TOWN OF SURFSIDE TOWN HALL, 9293 HARDING AVENUE. ANYONE WISHING TO OBTAIN A COPY OF ANY AGENDA ITEM SHOULD CONTACT THE TOWN CLERK AT 305-861-4863. A COMPLETE AGENDA PACKET IS ALSO AVAILABLE ON THE TOWN WEBSITE AT [www.townofsurfsidefl.gov](http://www.townofsurfsidefl.gov)

TWO OR MORE MEMBERS OF OTHER TOWN BOARDS MAY ATTEND THIS MEETING.

THESE MEETINGS MAY BE CONDUCTED BY MEANS OF OR IN CONJUNCTION WITH COMMUNICATIONS MEDIA TECHNOLOGY, SPECIFICALLY, A TELEPHONE CONFERENCE CALL. THE LOCATION 9293 HARDING AVENUE, SURFSIDE, FL 33154, WHICH IS OPEN TO THE PUBLIC, SHALL SERVE AS AN ACCESS POINT FOR SUCH COMMUNICATION.



## YOUNG ISRAEL



### Exhibits:

- A. Resolution
- B. Staff Report, Development Impact Committee Memo and Staff Recommendation
  - i. Attachment #1: Settlement Stipulation
  - ii. Attachment #2: Places of Public Assembly Ordinance and Map
  - iii. Attachment #3: Traffic Study
- C. Site plan drawings, elevations and renderings (plans are found separately)



## RESOLUTION

## RESOLUTION NO. 12-Z-\_\_

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, ("TOWN") APPROVING A SITE PLAN APPLICATION, PURSUANT TO SECTION 90-41 ET SEQ. OF THE ZONING CODE TO PERMIT A SYNAGOGUE ON THE SITE, AND SUBMITTED BY YOUNG ISRAEL CONGREGATION., (THE "APPLICANT"), ALL ON THE PROPERTY LOCATED AT 9580 ABBOTT AVENUE DESCRIBED HEREIN; AND PROVIDING FOR AN EFFECTIVE DATE.**

### **I. RECITALS.**

**WHEREAS, on February 23, 2012 the Applicant submitted an application to the Town of Surfside, Florida ("the Application") requesting the following:**

- A. Pursuant to Section 90-41 et seq., of the Town Zoning Code, site plan approval a Synagogue on one parcel; the proposed Synagogue is a 23,784 square feet Public Assembly Facility comprised of a sanctuary, social hall, accessory office/classrooms and an underground parking garage consisting of thirty-one (31) parking spaces ("Project"). Signage to be applied for under separate permit to be reviewed by the Design Review Board; vehicular entrance to the parking garage from Abbott Avenue.

Plans are on file and may be examined in the Building Department entitled "Young Israel Congregation", prepared by Shapiro Associates, submitted February 23, 2012 consisting of 19 sheets total including "Cover Sheet".

**Architecture Sheets:** A-0 "Cover Sheet", A-1 "Site Plan/Location Plan", A-2 "Parking Level", A-3 "Ground Floor Plan", A-4 "Second Floor Plan", A-5 "Roof Plan", A-6 "North Elevation/Details", A-7 "West, East, and South Elevations", A-8 "Lighting Plan".

**Civil:** Prepared by AB Engineers, Inc. and Marvin Abarca signed and sealed February 21, 2012: PD-1 "Paving and Drainage Plan", PD-2 "Paving and Drainage Details", PD-3 "Grading and Drainage at Basement", PM "Paving Marking and Signage Plan", WS-1 "Water Sewer Plan".

**Landscape:** Prepared by Rhett Roy Landscape Architecture – Planning, P.A., Section L Landscape Architecture, signed and sealed January 18, 2012: L-1 "Tree Survey and Disposition Plan", L-1.1 "Tree Survey & Disposition Notes and Details", L-2 "Landscape Plan", IR-1 "Irrigation Plan".

**Legal Description:** Lots 11 thru 14, Block 7 of Altos Del Mar No. 6 as recorded in Plat Book 8, Page 106 of the Public Records of Miami-Dade County Florida, less the following described land heretofore conveyed to the Town of Surfside for highway purposes:

The north 31 feet of lots 12 and 13 in Block 7 of Altos Del Mar No. 6 according to the plat thereof as recorded in Plat Book 8, Page 106, of the public records of Miami-Dade County, Florida; and the external area formed by a 25 foot radius arc concave to the southwest tangent to

the south line of the north 31 feet of said Block 7 and tangent to the east line of said Block 7; and the external area formed by a 25 foot radius are concave to the southeast tangent to the south line of the north 31 feet of said Block 7 and tangent to the west line of said Block 7.

**ADDRESS:** 9580 Abbott Avenue

**WHEREAS**, on January 23, 2012, the Town Commission voted on Resolution 2012-2068, approving a Stipulation of Settlement in the case of **Young Israel of Bal Harbour, Inc. v. Town of Surfside**, Civil Action No. 1:10-CV-24392 (“hereinafter referred to as the Settlement Agreement”). As part of the settlement agreement under the Town RLUIPA Relief Procedures Ordinance 2009-1510 to grant reasonable relief to Young Israel from those requirements they allege would create a substantial burden on their religious practice, the Town, without making a specific finding of a substantial burden but in furtherance and as part of the settlement, granted relief on the items contained in the Settlement Agreement.

**WHEREAS**, on March 1, 2012, the Development Impact Committee heard and reviewed this Application and referred this Application for recommendation by the Design Review Board and Planning & Zoning Board with the recommendations of the Development Impact Committee incorporated in conditions of approval; and

**WHEREAS**, on March 29, 2012, the Design Review Board and the Planning & Zoning Board heard and reviewed this Application and referred this Application for approval by the Town Commission with additional conditions of approval included herein in accordance with Resolution Z-\_\_\_\_; and

**WHEREAS**, the public hearing of the Town Commission was posted, advertised, and held as required by law, all interested parties concerned in the matter were heard, and due and proper consideration was given to the matter and to the positive recommendation contained in the joint memorandum from the Town Planner; and

**WHEREAS**, the Town Commission reviewed the Application, the written and oral recommendations of the Town Planners and other consultants who render reports with respect to the Application, including the recommended conditions, and found substantial competent evidence to support a showing by the Applicant that the requests for the approval of the site plan approval are in compliance with the zoning code and the Comprehensive Plan of the Town and maintain the basic intent and purpose of the zoning, charter, or other land use regulations, which are to protect the general welfare of the public, particularly as it affects the stability and appearance of the community; and, further, found that said requests should be granted, subject to all of the conditions set forth in this Resolution, the execution of any attendant agreements or covenants, and requirements of the Code of the Town of Surfside.

**NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPLICABLE TO APPLICANT, ITS SUCCESSORS OR ASSIGNS, AS FOLLOWS:**

## **II. INCORPORATION OF RECITALS AND FINDINGS OF FACT.**

- A. All recitals are incorporated into the body of this Resolution as if same were fully set forth herein.
- B. The Commission finds that the site plan is in compliance with the requirements and criteria set forth in sections 90.20 "Development Review Requirements for Submittals other than single-family and two-family" and 90.41 "Regulated Uses" of the zoning code of the Town of Surfside and in accordance with the Settlement Agreement.

## **III. APPROVALS.**

The approvals set forth in this Section III are subject to all of the conditions set forth in this Resolution and the execution of all attendant agreements, covenants, Settlement Agreement, and the Code required for the Project.

- A. The Applicant's request for approval of the site plan submitted for the Project located at 9580 Abbott Avenue be, and the same is, hereby granted, subject to all of the conditions provided in this Resolution.
- B. The failure of performance of any of these conditions shall be deemed a denial of this Application.

## **IV. CONDITIONS.**

### **A. Agreed Upon Conditions**

1. The Applicant will purchase twenty-two (22) parking spaces from the Town at a cost of \$22,500, per parking space, for a total contribution to the Parking Trust Fund of \$495,000.
  - a. Offsite Parking Contract: At the time of Applicant's application for a building permit, it shall have obtained a written and recordable license agreement or lease agreement that gives use on demand of the required offsite parking spaces. Said agreement shall have an initial term of no less than 5 years.
  - b. Parking Trust Fund: In the event that Applicant is unable to obtain or renew an offsite-parking contract, it shall make a contribution to the Town's Downtown Parking Trust Fund.
  - c. Parking Trust Fund Cost: twenty-two (22) spaces x cost of \$22,500
  - d. Required Contribution: \$495,000 contribution
  - e. Parking Trust Fund Terms: Applicant shall pay the required contribution by making 30 equal annual payments, each in the amount of 1/30<sup>th</sup> of the total amount.
  - f. Payment Due: The first payment of the required contribution will be due on the last day of the term of the then-existing offsite parking contract, and each subsequent payment will be due promptly on the same month and day of each following year. If there is no offsite parking contract at the time of building permit application, the first payment will be due when the Applicant requests



a Certificate of Use from the Town, and shall be due on the same month and day of each following year.

2. The Applicant shall coordinate with the Town's Public Works Department to move underground utilities, where possible, to provide the maximum amount of landscaping.
3. The Applicant shall provide landscaping in the abandoned bus bay, relocate the sidewalk, and provide additional landscaping in front of the building.
4. The Applicant will absorb the cost of curb, gutter, and landscaping for the abandoned bus bay.
5. The Applicant agrees that when the existing bus stop is eliminated, the existing four Medjool palms shall be relocated and incorporated in a curvilinear along with two new Medjool palms inclusive of a six-foot wide walkway. The six total Medjool palms are to be located in the green areas of the curvilinear design. The green areas shall also include a low-lying groundcover such as Green Island ficus. The walkway shall be inlaid with Jerusalem stone from the same quarry as the building stone.
6. The Applicant shall provide greater aesthetic detail for the loading, trash, and mechanical doors. These details will be reviewed by the Design Review Board.
7. The Applicant shall provide the number of fixtures in the bathrooms on the site plan to confirm consistency with the Florida Building Code.
8. The Applicant agrees to mitigate sound from the mechanical equipment and will work with the Town's Building Official to meet this requirement.
9. The Applicant agrees that the Design Review Board shall review all signage separately from the site plan application.
10. The Applicant agrees that the Design Review Board shall review the stained glass separately.
11. The Applicant agrees that the Design Review Board shall review the front entrance doors separately.
12. The Applicant shall demolish the existing wall on the south side of the property. The Applicant will install a temporary construction fence per the code requirement on the Applicant's southern property line during the entire construction period. The Applicant shall begin construction on a new wall/fence thirty (30) days prior to the Applicant applying for a Temporary Certificate of Occupancy (TCO), the construction shall be completed prior to issuance of the TCO. The Applicant agrees that said wall/fence shall be located two feet north of

the property line and landscaping of both sides of said wall/fence shall be installed at Applicants expense. Applicant shall design the fence and landscaping in consultation with the immediately adjacent neighbors. Said fence and landscaping shall be reviewed by the Design Review Board which shall have the final decision in this matter.

13. Applicant shall, subject to approval by FDOT, utilize the bus bay as a construction staging area and shall complete the required installation of the new curb, gutter and landscaping prior to issuance of the TCO.
14. The Applicant agrees to change the location of the proposed separate irrigation meter located on the irrigation plans to match the civil plans.
15. The Applicant shall install a hedge to the top of the FPL box and the Applicant also agrees that if the proposed deep injection well or sediment box are installed above ground they will need to ensure that they be hedged to the top of the element.
16. The Applicant acknowledges that there will be no spillover of lighting to the adjacent southern property line.
17. The Applicant shall obtain permitting and approval from Miami Dade County Department of Permitting, Environmental Regulatory Affairs (PERA) for the proposed removal of the existing landscaping.
18. The Applicant agrees that they shall ensure all utilities including telephone, cable, and electrical systems shall be installed underground and shall reemerge at the existing southern utility pole. The final details shall be subject to approval of the Town's Public Works Department and the utility companies' requirements.

**B. Conditions to be completed before grade or building permits are issued.**

1. The Applicant shall address all handicapped access and restroom issues during the building permit process.
2. All signage, stained glass, front entry doors, final landscaping and the wall/fence shall be submitted, reviewed and approved under a separate application for design review only by the Design Review Board *prior* to the issuance of a building permit.
3. The Applicant shall provide a mitigation to six homes (9580 Byron Avenue, 9573 Byron Avenue, 9572 Byron Avenue, 9564 Byron Avenue, 9565 Byron Avenue, and 9572 Byron Avenue) in an amount not to exceed \$3000 per home to be used to buffer and otherwise mitigate the impacts which will individually depending on the property include but not be limited to additional landscaping, sound deadening and security. This amount shall be put into escrow prior to the issuance of the

building permit. The property owners of the homes shall make the expenditures in accordance with their own needs based on the location of the property provided however they shall comply with design review regulations to the extent applicable.

4. The Applicant shall provide a photometric plan as part of the building permit application.
5. That upon the submittal of an application for a building permit, the plans submitted shall meet with the approval of the Planning Consultants and shall be consistent with the modified Site Plan approved by the Town Commission. Plans shall include all the required elements of the Site Plan pursuant to the Town's Zoning Code and recommendations and these conditions.
6. That the Property be developed substantially in accordance with the public hearing and the Plans as they may be modified in that hearing.
7. That the Applicant has submitted all documents required under this Resolution and all impact fees, and professional fees (cost recovery as set forth in Section 90-11 as billed or as agreed) incurred in the review and processing of this Application and permitting as more fully described herein.
8. No building permits shall be issued (except for demolition, temporary power, and construction trailers) unless the Applicant has submitted all documents required under this approval and shall have paid all professional and other fees required by the Code of the Town of Surfside (including but not limited to, the connection and development fees in accordance with Section 78-83 of the Code of the Town of Surfside) are paid.

**C. Conditions to be completed before any Certificate of Occupancy is issued:**

1. That the Applicant demonstrates that it is in compliance with all terms and conditions under this approval including the Settlement Agreement.
2. The Applicant agrees additional landscaping can be required by the Town as necessary to protect the aesthetics and minimize the impacts of the surrounding area.
3. The Town Manager and/or his designee, in review of any application prior to the issuance a building permit or thereafter, if there are any material amendments to the site plan approval, may refer any such application presented to such engineering, planning, legal, technical, or environmental consultant or professional(s) employed by the Town as the Manager shall deem reasonably necessary to enable him/her to review such application as required by law.

Charges made by such consultants or professionals shall be in accord with the charges customarily made for such services in Miami Dade County or pursuant to an existing contractual agreement by and between the Town and such consultant. Charges made by the Town shall be in accord with the hourly rates charges by such consultants or hourly rates of employed professionals and shall be paid within thirty (30) days on submission of Town voucher.

4. Applicant shall provide a recorded covenant that runs with the land in accordance with the terms of Paragraph 2.G. (v.) of the Settlement Stipulation. Said covenant shall have been reviewed and approved for legal sufficiency by the Town Attorney.
5. The Applicant shall furnish payment and performance bond, cash, or letter of credit issued in a form and by a bank reasonably acceptable to the Town to ensure Applicant's performance of the public improvements required pursuant to site plan approval (including, but not limited to, those improvements described in Paragraphs IV.A. 7. And 9. hereinabove) provided however, if the Town has completed these improvements prior to the issuance of the C.O., the Town shall be paid the sums due in cash immediately upon demand but no earlier than C.O. Any such bond shall be issued by a surety having a minimum rating of A-1 in the Best's Key Rating Guide, Property/Casualty Edition, shall be subject to the approval of the Town, and shall provide that "this bond may not be cancelled or allowed to lapse until 30 days after receipt by the Town, by certified mail, return receipt requested, of written notice from the issuer of the bond of intent to cancel or not to renew". As improvements are made the Town, within its discretion, may reduce or eliminate the bond amount. These rights reserved by the Town with respect to any construction bond established pursuant to this section are in addition to all other rights and remedies the Town may have under this Resolution, in law or in equity.

**D. Other Conditions:**

1. That the Applicant shall obtain a Certificate of Occupancy and a Certificate of Use from the Town upon compliance with all terms and conditions. The Certificate of Occupancy and Certificate of Use shall be subject to cancellation upon violation of any of the conditions or other violations of the Town Code.
2. That the approved site plan shall remain valid for a period of 24-months from the date of approval. If no building permit is issued within the 24-month time period, the site plan shall be considered null and void and of no force and effect.
3. That the Applicant shall comply with all Town Ordinances applicable to development and permit approvals at the time of application of the site plan and in the event the Applicant does not commence construction within six (6) months from the date the a permit issued, it shall be required to comply with Section 14.55 of the Surfside Code in effect at the time of the passage of this Resolution,

as may be amended from time to time, including the posting of a bond to defray the cost of the Town having to perform these tasks, if necessary, and as may be required by the Building Official.

**PASSED** and **ADOPTED** on this 10<sup>th</sup> day of April, 2012.

Motion by \_\_\_\_\_, second by \_\_\_\_\_.

**FINAL VOTE ON ADOPTION**

Commissioner Sheldon Lisbon \_\_\_\_\_

Commissioner Marta Olchyk \_\_\_\_\_

Vice Mayor Michael Karukin \_\_\_\_\_

Mayor Daniel Dietch \_\_\_\_\_

\_\_\_\_\_  
Daniel Dietch, Mayor

**ATTEST:**

\_\_\_\_\_  
Sandra Novoa, Town Clerk

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY FOR THE TOWN OF SURFSIDE ONLY:**

  
Lynn M. Dannheisser, Town Attorney

**CERTIFICATION OF ISSUANCE:**

I, Sandra Novoa, Town Clerk of the Town of Surfside, Florida, do hereby certify that the above and foregoing is a true and correct copy of Resolution No. 12-Z-\_\_ adopted by the Town Commission at its meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2012.

Issued: \_\_\_\_\_

\_\_\_\_\_  
Sandra Novoa, Town Clerk



## STAFF REPORT, DEVELOPMENT IMPACT COMMITTEE MEMO AND RECOMMENDATION



## MEMORANDUM

To: Town Commission  
Thru: Roger M. Carlton, Town Manager  
From: Sarah Snatra Gould, AICP, Town Planner  
CC: Lynn Dannheisser, Town Attorney  
Date: April 10, 2012  
Re: Young Israel Congregation  
1. Site Plan Report  
2. Development Order  
3. Staff Recommendation

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### SITE PLAN

#### REQUEST:

The applicant, Young Israel Congregation, is proposing a 23,784 SF Public Assembly Facility that includes a sanctuary, social hall and accessory office/classrooms at the property located at 9580 Abbott Avenue. The proposed development is in accordance with the Settlement Stipulation Agreement (Attachment #1) approved by the Town Commission on January 23, 2012.

#### SITE INFORMATION:

Address	9580 Abbott Avenue
General Location	Vacant property along 96 <sup>th</sup> Street, between Abbott Avenue and Byron Avenue
Property Size	16,367 square feet
Zoning District	H30-B with Place of Public Assembly Overlay (Attachment #2)
Adjacent Zoning Districts	MU to the east, H30 to the west and south
Future Land Use	Parking to the east, Low Density Residential to the west and south

#### Town of Surfside Zoning Code, Applicable Requirements

Maximum Building Heights	Maximum Required	Proposed
Code Section 90.43	30 feet maximum	30 feet

Modification of Height	Maximum Permitted	Proposed	Must be of high architectural quality integral to the design of the building
Settlement Stipulation	3 feet for the non-habitable architectural feature	3 feet for the non-habitable architectural feature and 8 feet for the mechanical equipment	Proposed height meets the criteria of the Settlement Stipulation



Setbacks Per Settlement Stipulation	Minimum Required		Proposed
Settlement Stipulation (Code requires 20 foot front, 7.5 foot interior side, 10 foot corner side and 20 foot rear setbacks)	Front (Abbott Ave)	10 foot average	10 foot average
	Side (96 <sup>th</sup> St.)	5 feet for 50% of the building length and 0 feet for 50% of the building length	5 feet for 50% of the building length and 0 feet for 50% of the building length
	Rear (Byron Ave)	15 feet	15 feet
	Side (residential)	7.5 feet	7.5 feet

Yards generally, allowable projections	Required	Proposed
Settlement Stipulation (Code requires no more than a 2 foot projection into the setback)	Per Settlement Stipulation, stairs may project into the setback in accordance with the 5 feet for 50% building length and 0 feet for 50% of the building length setback requirement.	Projection of stairs complies with the Settlement Stipulation.

Lot Standards	Required	Proposed
Minimum Lot width – Code Section 90.49	50 feet	74 feet
Minimum Lot area – Code Section 90.49	5,600 square feet	16,367 square feet
Maximum Lot coverage - Settlement Stipulation	78%	78%
Minimum Pervious area- Settlement Stipulation	17%	17%

Paving in front and rear yards in H30B Districts	Required	Proposed
Front setbacks, amount that may be paved with any type of material that is not readily permeable by rainwater and groundwater.	Maximum 50% paved	39%
Front Yard Landscaping- Code Section 90.61.1	Minimum 30%	61%
Rear Yard Landscaping- Code Section 90.61.1	Minimum 20%	76%





Underground utilities	Required	Proposed
Code Section 90.67.2	All utilities including telephone, cable, and electrical systems shall be installed underground.	The lines will be installed underground and have developed their landscaping plans accordingly.

Off-Street Parking - Settlement Stipulation	Minimum Required	Proposed On-Site	Parking Trust Fund Contribution
Off-street parking for the proposed temple was calculated based on 1 parking space for every 50 SF of the social hall (public assembly) and a reduction factor of 25% for a total of 53 parking spaces. Based on the fact that members of the congregation walk to services, their professional traffic consultant has opined that the 25% parking reduction applied to the parking calculation is reasonable and that the 53 parking spaces proposed will adequately satisfy the demand for parking at the proposed synagogue. (Attachment #3)	53 Spaces	31 Spaces	<p><b>Offsite Parking Contract:</b> At the time of Young Israel's application for a building permit, they shall have obtained a written and recordable license agreement or lease agreement that gives use on demand of the Required offsite Parking Spaces and that has an initial term of no less than 5 years.</p> <p><b>Parking Trust Fund:</b> In the event that Young Israel is unable to obtain or renew an offsite parking contract, they shall contribute to the Town's Downtown Parking Trust Fund.</p> <p><b>Parking Trust Fund Cost:</b> 22 Space x \$22,500</p> <p><b>Required Contribution:</b> \$495,000 contribution</p> <p><b>Parking Trust Fund Terms:</b> Young Israel shall pay the required contribution by making 30 equal annual payments, each in the amount of 1/30<sup>th</sup> of the total amount.</p> <p><b>Payment Due:</b> The first payment of the required contribution will be due on the last day of the term of the then-existing offsite parking contract, and each subsequent payment will be due promptly on the same month and day of each following year. If there is no offsite parking contract at the time of building permit application, the first payment will be due when Young Israel requests a Certificate of Use from the Town, and shall be due on the same month and day of each following year.</p>

Off-Street Loading	Minimum Required	Proposed
Section 90.83	1 space	1 space

Vegetative Provisions Code Section 90.91	Minimum Required	Proposed
Xeriscape in pervious area	50%	50%

Design Guidelines	Minimum Required	Proposed
Transparency	1 <sup>st</sup> 10 feet should have 50% transparency	47% measured from sidewalk (includes louvers) <sup>1</sup>
Service Areas	Trash Room shall be air conditioned	Trash room will be air conditioned
Materials & Finishes	Stucco, stone, metal, glass block	Stucco, Jerusalem Stone, stained glass, glass and aluminum louvers

<sup>1</sup> It should be noted that that this is a guideline and not a code requirement. Due to the alternative standards provided in the Settlement Stipulation the applicant attempted to meet the intent of the code and will provide 72% transparency measured from finish floor.



## DEVELOPMENT REVIEW COMMITTEE REPORT

The Development Review Committee (DIC) met on March 1, 2012 to review the application for the Young Israel Congregation ("the Project"). The DIC meeting was attended by the following:

Staff Attendees: Roger M. Carlton, Town Manager  
Bill Evans, Public Works Director  
Tim Milian, Parks and Recreation Director  
Lynn Dannheisser, Town Attorney  
Sarah Snatra, Town Planner  
James Spinks, Traffic Engineer  
Paul Gioia, Building Official

Applicant Attendees: Stanley Price, Bilzen Sumberg  
Morris Kaplan, Young Israel President  
Jaime Shapiro, Shapiro Associates  
Juan Espinosa, David Plummer & Associates

Citizen Attendees (who signed in): No one from the public attended the advertised meeting; however, the meeting was televised on Channel 77.

The following conditions were reviewed and, if recommended by the Planning and Zoning Board to the Town Commission, will become a covenant running with the property as part of the Development Order. The Planning and Zoning Board may recommend modifications to the Town Commission, which may in turn modify the conditions to be included in the Development Order.

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### DEVELOPMENT CONDITIONS

1. Young Israel agrees to purchase 22 parking spaces from the Town at a cost of \$22,500 per parking space, for a total contribution to the Parking Trust Fund of \$495,000.
  - a. Offsite Parking Contract: At the time of Young Israel's application for a building permit, they shall have obtained a written and recordable license agreement or lease agreement that gives use on demand of the required offsite parking spaces and that has an initial term of no less than 5 years.
  - b. Parking Trust Fund: In the event that Young Israel is unable to obtain or renew an offsite parking contract, they shall contribute to the Town's Downtown Parking Trust Fund.
  - c. Parking Trust Fund Cost: 22 Space x \$22,500
  - d. Required Contribution: \$495,000 contribution
  - e. Parking Trust Fund Terms: Young Israel shall pay the required contribution by making 30 equal annual payments, each in the amount of 1/30<sup>th</sup> of the total amount.



- f. Payment Due: The first payment of the required contribution will be due on the last day of the term of the then-existing offsite parking contract, and each subsequent payment will be due promptly on the same month and day of each following year. If there is no offsite parking contract at the time of building permit application, the first payment will be due when Young Israel requests a Certificate of Use from the Town, and shall be due on the same month and day of each following year.
2. Young Israel agrees to coordinate with the Town's Public Works Department to move the proposed underground drainage structures, where possible, to provide the maximum amount of landscaping.
  3. Young Israel agrees to provide landscaping in the abandoned bus bay, relocate the sidewalk, and provide additional landscaping in front of the building.
  4. Young Israel will absorb the cost of installing new curb, gutter and landscaping for the abandoned bus bay.
  5. All handicapped access and restroom issues shall be addressed during the building permit process.
  6. Loading, trash, garage access and mechanical doors shall provide greater aesthetic detail. These details will be reviewed by the Design Review Board.
  7. Young Israel shall provide the number of fixtures in the bathrooms on the site plan to confirm consistency with the Florida Building Code.
  8. Young Israel agrees to mitigate the sound from the mechanical equipment and will work with the Building Official to meet this requirement.
  9. All signage shall be reviewed separately by the Design Review Board.
  10. The stained glass shall be reviewed separately by Design Review Board.
  11. The front entrance doors shall be reviewed separately by Design Review Board.
  12. All open design review board issues shall be completed prior to the issuance of a building permit.
  13. Young Israel shall provide a mitigation payment to six homes (9580 Byron Avenue, 9573 Byron Avenue, 9572 Byron Avenue, 9564 Byron Avenue, 9565 Byron Avenue and 9572 Abbott Avenue). These improvements shall be \$3,000 per home, which shall be used as those homeowners see fit to mitigate the impacts including but not limited to additional landscaping, sound deadening and security. This amount shall be put into escrow prior to the issuance of the building permit.
  14. The existing wall on the south side of Young Israel's property shall be demolished. A temporary construction fence per the code requirement shall be installed on Young Israel's southern property line during the entire construction period. 30 days prior to Young Israel applying for a Temporary Certificate of Occupancy (TCO), construction shall begin on a new wall/fence which shall be completed prior to issuance of the TCO. Said wall/fence shall be located two feet north of the property line and landscaping of both sides of said wall/fence shall be installed at Young Israel's expense.
  15. Young Israel shall, subject to approval by FDOT, utilize the bus bay as a construction staging area and shall complete the required installation of the new curb, gutter and landscaping prior to issuance of the TCO.
  16. Young Israel acknowledges that there will be no spillover of lighting to the adjacent southern property line.
  17. The Applicant shall provide a photometric plan as part of the building permit application.



## RECOMMENDATION

The Planning and Zoning Board/Design Review board heard this request at their March 29, 2012 advertised and televised meeting. The application was recommended for approval to the Town Commission.

Staff recommends approval based on acceptance of the 17 conditions in the Development Order and the following conditions:

1. Change the location of the proposed separate irrigation meter located on the irrigation plans to match the civil plans.
2. Obtain permitting and approval from Miami Dade County Department of Permitting, Environmental Regulatory Affairs (PERA) for the proposed removal of the existing landscaping.
3. When the existing bus stop is eliminated, the existing four Medjool palms shall be relocated and incorporated in a curvilinear design along with two new Medjool palms inclusive of a six foot wide walkway. The six total Medjool palms are to be located in the green areas of the curvilinear design. The green areas shall also include a low-lying groundcover such as Green Island ficus. The walkway shall be inlaid with Jerusalem stone from the same quarry as the building stone.
4. A hedge to the top of the FPL box located on the west side of the property needs to be installed. Also, if the proposed deep injection well or sediment box are installed above ground they too will need to be hedged to the top of the element.
5. All utilities including telephone, cable, and electrical systems shall be installed underground and shall reemerge at the existing southern utility pole. The final details shall be subject to approval of the Town's Public Works Department and the utility companies requirements.

### **Attachments**

Attachment #1: Settlement Stipulation

Attachment #2: Place of Public Assembly Ordinance and Map

Attachment #3: Traffic Study



## ATTACHMENT #1 SETTLEMENT STIPULATION

RESOLUTION NO. 2012- 2068

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A STIPULATION OF SETTLEMENT AGREEMENT IN YOUNG ISRAEL OF BAL HARBOUR, INC. V. TOWN OF SURFSIDE CIVIL ACTION NO. 1:10-CV-24392 IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF FLORIDA; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE STIPULATION OF SETTLEMENT AGREEMENT AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, On December 10, 2010, Young Israel served a complaint alleging the Town, among other things, has violated of the Religious Land Use and Institutionalized Persons Act of 2000 ("RLUIPA"); and

**WHEREAS**, in accordance with the executive session held on January 9, 2012, the Town Attorney and outside counsel entered into settlement negotiations with counsel for Young Israel; and

**WHEREAS**, the Town Commission believes that it is in the best interest of the Town to enter into the Stipulation of Settlement Agreement an agreement with Young Israel.

**THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:**

**Section 1.**     **Recitals.**     That the above and foregoing recitals are true and correct and are incorporated herein by reference.

**Section 2.**     **Authorization.**     The Stipulation of Settlement attached hereto as Exhibit "A" is hereby ratified and approved by the Town Commission and the Town Manager and Town Attorney are authorized to do what is necessary to effectuate the terms of this Agreement.

**Section 3.**     **Effective Date.**     This Resolution will become effective upon adoption.



**PASSED AND ADOPTED** this 23<sup>rd</sup> day of January, 2012

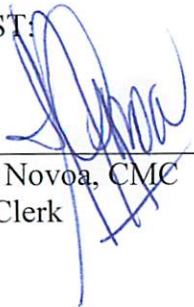
Motion by Commissioner Kopelman, second by Commissioner Karukin.

**FINAL VOTE ON ADOPTION**


Commissioner Michael Karukin	<u>yes</u>
Commissioner Edward Kopelman	<u>yes</u>
Commissioner Marta Olchyk	<u>yes</u>
Vice Mayor Joseph Graubart	<u>No</u>
Mayor Daniel Dietch	<u>yes</u>

  
\_\_\_\_\_  
Daniel Dietch, Mayor

ATTEST:

  
\_\_\_\_\_  
Sandra Novoa, CMC  
Town Clerk

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:**

  
\_\_\_\_\_  
Lynn M. Dannheisser, Town Attorney

JOHNSON, ANSELMO, MURDOCH, BURKE, PIPER & HOCHMAN, P.A.

A PROFESSIONAL ASSOCIATION

DAMIAN H. ALBERT, P.A.  
SCOTT D. ALEXANDER, P.A.  
CHRISTOPHER AMBROSIO  
MICHAEL T. BURKE \*†  
HUDSON C. GILL  
JEFFREY L. HOCHMAN, P.A.  
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CHRISTOPHER J. STEARNS, P.A.

RETIRED:  
RONALD P. ANSELMO  
BURL F. GEORGE

\* BOARD CERTIFIED CIVIL TRIAL LAWYERS  
† BOARD CERTIFIED APPELLATE LAWYERS

January 11, 2012

By Email: [nat@lewinlewin.com](mailto:nat@lewinlewin.com)

Nathan Lewin, Esq.  
Lewin & Lewin, LLP  
1775 Eye Street NW  
Suite 850  
Washington, DC 20006

Re: Young Israel v. Town of Surfside  
Our File 00640/31027  
Case No. 1:10-CIC-24392-JORDAN

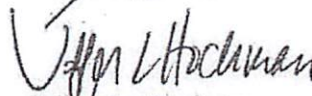
Dear Mr. Lewin:

As discussed during the telephone conference on January 9, 2012, in the above-referenced matter, the parties have acknowledged that the inclusion of and/or the removal of the sentence quoted below from section 2 of a preliminary draft of the Settlement Stipulation will not be relied upon by either party to establish, or as evidence relating to, the intent, meaning, or proper interpretation of the Settlement Stipulation. The Town added the following sentence in an effort to provide concrete examples explaining a preceding sentence in the preliminary draft, and Young Israel requested that the sentence be removed:

"It is acknowledged that during the site plan approval process, the Town reserves the right to require standard mitigation and other action that may be needed, including without limitation, mitigation and action related to traffic, environmental, life safety, public works, and design matters that do not adversely affect the agreed upon items."

I would ask that you please sign and promptly return this letter as a side agreement related to the Settlement Stipulation.

Very truly yours,



Jeffrey L. Hochman  
For the Firm

JLH/jh



Agreed to by Nathan Lewin, Esq.  
as Counsel for Young Israel



**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

CASE NO.: 1:10-CV-24392-JORDAN/O'SULLIVAN

YOUNG ISRAEL OF BAL HARBOUR,  
INC.,

Plaintiff,

v.

TOWN OF SURFSIDE,

Defendant.

\_\_\_\_\_ /

**SETTLEMENT STIPULATION**

The parties, (1) TOWN OF SURFSIDE ("Town") and (2) YOUNG ISRAEL OF BAL HARBOUR, INC. ("Young Israel"), hereby stipulate to the following:

1. Young Israel will complete and submit to the Planner and Town Commission, within 15 days after this Settlement Stipulation is signed by both parties a religious land use relief request form ("Request Form") as contemplated under subsection 90-99(1) of the Town's Code of Municipal Ordinances ("the Code"), unless the parties agree to extend the time periods as contemplated in section 7 below. This submission will be made for settlement purposes only and without prejudice to Young Israel's contention that section 90-99 is unlawful for, *inter alia*, the reasons heretofore asserted by Young Israel in this litigation. The Request Form will request specific relief from Code provisions and related rules, policies, and procedures that Young Israel believes interfere with its efforts to build the structure set forth in the site plan submitted to the Town ("Building") and to improve the Property owned by Young Israel on 96th Street

between Abbott and Byron Avenues. The Building and the proposed improvements to the Property shall collectively be defined as the “Project.” Young Israel has agreed that the Building will have a maximum of 30 feet in height, except that the Building may also include an architectural feature that is not habitable and that does not exceed three feet in height.

2. Upon receipt of the Request Form, the Town will proceed with its consideration of Young Israel’s request for relief as contemplated under subsections 90-99(1), (4), (5) and (7) of the Town’s Code. Because this relief is being granted pursuant to the settlement of litigation, the Town has waived the requirements of the remaining subsections of Section 90-99, including the requirement for a separate public hearing on the requested relief identified herein. Provided however, that Young Israel will be required to send the same notices to surrounding properties as is required for site plan approval, i.e., posting, issuance of notices, and advertisement for the hearing during which the Commission shall approve the relief as outlined in this section below by accepting and approving this Settlement Stipulation. Except for the Non-Use Variance Requests identified in subsections A through G of this section 2 (which the Town hereby obligates itself to approve by execution of this Settlement Stipulation), the Town shall be entitled to process the remaining aspects of Young Israel’s site plan by applying its typical and customary standards and procedures. The Town hereby agrees to approve the following items A through G (“the Non-Use Variance Requests”), which will be included in Young Israel’s request for relief and shall conform in all respects to the following:

A. Eastern setback: The minimum setback distance between the Building and the eastern lot line of the subject property will be 10 feet average.

B. Southern setback: The minimum setback distance between the Building and the southern adjusted lot line of the subject property will be 7.5 feet. The term “adjusted lot line” means the northern edge of the screening wall that Young Israel will construct on or immediately adjacent to the southern lot line.

C. Western setback: The minimum setback distance between the Building and the western lot line of the subject property will be 15 feet. The garage ramp and loading space may be included in this setback.

D. Northern setback: The minimum setback distance between the Building and the north property line will be as follows: (a) 5 feet will be permitted as the setback area for 50% of the length of the north side of the Building and entrance stair, and (b) 0 feet for the remaining 50% of the length of the north side of the Building and entrance stair. The parties acknowledge that this 50% division contemplates the inclusion of a cantilevered feature on the portion of the Building, to which the 0 set back figure applies. Young Israel will install landscaping along the entire length of the north side of the Building, including the area under the cantilevered feature of the Building.

E. Lot coverage: The Building’s footprint may exceed the 40% maximum lot coverage limitation set forth in the Code, but in no event will exceed 78%.

F. Impervious area: The Project may exceed the 65% maximum impervious area requirement set forth in the Code, but in no event will exceed 83%.

G. Parking:

(i) *Parking Obligation*. The number of parking spaces that Young Israel will be required to provide in connection with the Project (“Parking Obligation”) will be determined by subtracting from the “Gross Parking Figure,” the “Parking Adjustment

Figure.” The “Gross Parking Figure” will be defined as one parking space for each 50 square feet of non-administrative and congregational space as contemplated under section 90-77(c) of the Town Code. The “Parking Adjustment Figure” will be defined as the number determined by the “Qualified Independent Parking Consultant” as the number of parking spaces that may be properly eliminated from the Gross Parking Figure so that the resulting Parking Obligation yields an appropriate number of parking spaces after taking into account all relevant factors, including the size and features of the Building, governmental requirements, public impact, impact on Young Israel, and sound judgment. The “Qualified Independent Parking Consultant” will be that individual or entity with professional experience, knowledge, and training in the field of parking consultation in the South Florida area selected by Young Israel from a list of at least three such parking consultants provided by the Town. The fees and costs generated by the Qualified Independent Parking Consultant shall be split by the parties, but subject to a total limit of all such fees and costs not to exceed \$10,000.00. Currently, the parties conceptually anticipate the number of parking spaces needed to satisfy the Parking Obligation to be approximately 54, but the parties also agree that this conceptual figure creates no right of reliance and remains uncertain because Young Israel’s site plan has not yet been submitted to the Town, no Gross Parking Figure has yet been determined, and no Parking Adjustment Figure has yet been determined.

(ii) *Satisfying the Parking Obligation.* Young Israel will satisfy the Parking Obligation at all times without any interruption. At its election, Young Israel may satisfy the Parking Obligation by performing any combination of the following obligations: (a) by providing the number of physical parking spaces under the Building

("On Site Parking Obligation"), (b) by entering into an Off Site Parking Contract as contemplated in sub-section (iii) below, and (c) by paying the Required Contribution to the Town's Downtown Parking Trust Fund as contemplated in sub-section (iv) below. Nonetheless, the number of parking spaces provided by Young Israel must always equal or exceed the number of parking spaces derived by subtracting from the Gross Parking Figure, the Parking Adjustment Figure. The number of off site parking spaces that must be added to the number of physical parking spaces under the Building to satisfy the Parking Obligation shall be defined as the "Required Off Site Parking Spaces." Young Israel's obligations in (b) and (c) above relating to the obligations to contract for Required Off Site Parking Spaces and relating to the obligation to contribute to the Town's Downtown Parking Trust Fund shall be defined as the "Off Site Parking Obligation."

(iii) *Off Site Parking Obligation.* In order to satisfy the Off Site Parking Obligation through an off site parking contract, Young Israel must, at the time of its application for a building permit, have obtained a written and recordable license agreement or lease agreement (a) that gives use, on demand, of the Required Off Site Parking Spaces, and (b) that has an initial term of no less than 5 years. An agreement that satisfies the Off Site Parking Obligation shall be defined as an "Off Site Parking Contract." At least 180 days before the end of the term of any Off Site Parking Contract, Young Israel must renew the Off Site Parking Contract for a term of no less than 5 additional years or enter into a new off site parking contract that satisfies the requirements of the "Off Site Parking Contract." Any effort to satisfy the Off Site

Parking Obligation through an off site parking contract that provides Young Israel with less than the Required Off Site Parking Spaces shall trigger Young Israel's obligations in sub-section (iv) below, as to the shortage of the Required Off Site Parking Spaces.

(iv) *Loss of or Failure to Enter into Off Site Parking Contract.* In the event that Young Israel, at any time, is unable to contract for the Required Off Site Parking Spaces through an Off Site Parking Contract, or in the event that Young Israel is unable to renew or replace an existing Off Site Parking Contract at least 180 days before the end of an existing Off Site Parking Contract, then Young Israel will be obligated to satisfy the Off Site Parking Obligation by paying a required contribution to the Town's Downtown Parking Trust Fund. The amount of the required contribution shall be calculated by multiplying the number of Required Off Site Parking Spaces that are not the subject of an Off Site Parking Contract by \$22,500.00 ("Required Contribution"). Young Israel will pay the Required Contribution by making 30 equal annual payments, each in the amount of 1/30th of the total amount. Once Young Israel becomes obligated to satisfy the Off Site Parking Obligation by paying a Required Contribution to the Town's Downtown Parking Trust Fund, this obligation will remain in force even in the event that Young Israel is able to secure an Off Site Parking Contract at some later date. The first payment of the Required Contribution will be due from Young Israel on the last day of the term of the then-existing Off Site Parking Contract, and each subsequent payment will be due promptly on the same month and day of each following year. If the obligation to pay the Required Contribution was triggered by entry into an off site parking contract that provides Young Israel with less than the Required Off Site Parking Spaces, the first payment of the Required Contribution for the shortage will be due from Young Israel on the last day of the term of the Off Site Parking Contract that applied to

such parking spaces which are no longer subject to an Off Site Parking Contract, and each subsequent payment will be due promptly on the same month and day of each following year. However, in the event that Young Israel fails to enter into an initial Off Site Parking Contract by the date that Young Israel requests a building permit, then the first payment of the Required Contribution will be due when Young Israel requests a Certificate of Use from the Town, and each subsequent payment will be due promptly on the same month and day of each following year. No interest will accrue on the principal amount owed by Young Israel for the Required Contribution. Young Israel's timely payment of the Required Contribution will obligate the Town to ensure that the requisite number of off site parking spaces are available for Young Israel's members and guests to attend events at the Property and that such off site parking is available within 300 linear feet of at least one lot line of the Property. To assist the Town in fulfilling its obligation to ensure such off site parking availability, Young Israel will advise the Town of Young Israel's need for such off site parking at least 48 hours in advance of each applicable event. Currently, the parties conceptually anticipate the number of Required Off Site Parking Spaces to be approximately 23 and that the Required Contribution (unless the figure is decreased through an Off Site Parking Contract) will total approximately \$517,500.00, but the parties also agree that these conceptual figures create no right of reliance and remain uncertain because Young Israel's site plan has not yet been submitted to the Town, no Gross Parking Figure has yet been determined, and no Parking Adjustment Figure has yet been determined.

(v) *Transaction Readjustment.* The parties acknowledge that the Parking Adjustment Figure is being subtracted from the Gross Parking Figure based upon

Young Israel's representation that use of the Building from sundown on Fridays to sundown on Saturdays and on certain Jewish holidays will not typically require the need for any parking spaces ("Religious Observance Representation"). Accordingly, 60 days before the entry into any transaction involving the sale, lease, or transfer of the Building to a person or entity other than Young Israel, Young Israel will provide written notice and a copy of the proposed transaction document to the Town ("Transaction Notice"), and the Town shall have 20 days to increase the Off Site Parking Obligation to mitigate against this change in the Religious Observance Representation. Young Israel will be obligated to satisfy any such increase in the Off Site Parking Obligation through an Off Site Parking Contract or payment of the Required Contribution. In no event will the issuance of a Transaction Notice result in an Off Site Parking Obligation which exceeds the difference between the Gross Parking Figure and the number of physical spaces under the Building. Moreover, in the event the Town fails to respond timely to the Transaction Notice, the Town's right to increase the Off Site Parking Obligation will be extinguished with respect to the transaction referenced in the Transaction Notice. Young Israel will record a valid covenant running with the land that reflects the agreement set forth in this section 2.G(v) simultaneously with the issuance of the resolution approving Young Israel's site plan, and any successor in interest will be bound by such covenant.

(vi) *Failure to Pay the Required Contribution.* In the event that Young Israel fails to promptly pay any part of the Required Contribution when due, with time being of the essence, the Certificate of Use issued by the Town for the Building will become immediately void, and Young Israel will immediately vacate the Building until Young Israel pays all amounts to satisfy the Required Contribution, and the Town issues a new Certificate of Use.



3. The Town agrees that Young Israel will be exempted from paying application fees and other fees that parallel the fees Young Israel previously paid in connection with its previously-submitted site plans, and Young Israel will not be required to pay such fees a second time as part of any new or modified site plan contemplated under this Settlement Stipulation. Nonetheless, Young Israel agrees to pay those fees which do not parallel the fees Young Israel previously paid in connection with its previously-submitted site plans.

4. In the event that a determination by the Town to approve the site plan for the Project becomes the subject of an appeal or the subject of any effort to seek judicial review within 30 days after the Town's approval ("Review Action"), Young Israel will reimburse the Town to the extent provided in this section for the attorneys' fees and costs incurred by the Town in defending its approval. Such reimbursement will not exceed \$10,000.00, and such reimbursement will not be required in the event that Young Israel is joined as a party in any such appeal or in such effort to seek judicial review.

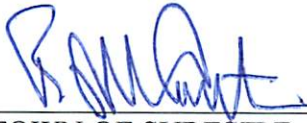
5. Upon the execution of this Settlement Stipulation, the parties will file a joint motion with the Court requesting a 120-day stay of proceedings to effectuate the Settlement Stipulation. Within 40 days after the Town's approval of the Young Israel site plan, the parties will file with the Court the attached stipulation for dismissal all claims against the Town with prejudice and retention of jurisdiction, and the parties will request that the Court enter the attached Final Order of Dismissal with Prejudice and Retention of Jurisdiction ("Final Order").

6. Each party will bear its own attorneys' fees and costs in connection with this dispute and the litigation. However, within 30 days after the entry of the Final Order contemplated in section 5 above, Young Israel will receive a lump sum payment of

\$40,000.00 to defray certain costs associated with this matter. Additionally, the Town will provide a credit to Young Israel in an amount not to exceed \$10,000.00 which credit will be applied by the Town (a) to satisfy those fees which do not parallel the fees Young Israel previously paid in connection with its previously-submitted site plans and (b) to satisfy other expenses charged by the Town to Young Israel in connection with the Project, including fees and expenses contemplated in sections 2.G(i), 3, and 4 above. The parties acknowledge that the lump sum payment and the credit are merely features of an overall settlement, are not an admission of any fact, inference, or conclusion, and shall not be deemed as an acknowledgment of any wrongful, inappropriate, or improper conduct on the part of either party.

7. The parties intend to abide by the following schedule in connection with their performance under this Settlement Stipulation: (1) 1-24-12 Plans submitted; (2) 2-2-12 Development Review Group (DRG) meeting; (3) 2-9-12 Plans resubmitted based on the comments from the DRG meeting; (4) 2-16-12 Second DRG meeting, (5) 2-23-12 Plans submitted for Development Impact Committee (DIC); (6) 3-1-12 DIC meeting; (7) 3-8-12 Plans submitted for P &Z/DRB meeting; (8) 3-29-12 P &Z/DRB meeting; (9) 4-10-12 Commission meeting. Nonetheless, the parties also recognize that this proposed scheduling may need to be modified based upon unforeseen circumstances. In the event of any need to extend any deadline, the parties will work in a cooperative fashion to ensure that the process proceeds expeditiously. Nonetheless, in the absence of an agreement between the parties, each party reserves the right to seek relief from the Court to ensure that delay is avoided.

8. With respect to the Town, this Settlement Stipulation will become effective and binding only after Commission approval during a public meeting during which residents of the Town and other interested individuals may speak and express their views.



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TOWN OF SURFSIDE  
by Roger Carlton  
as Town Manager



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YOUNG ISRAEL OF BAL  
HARBOUR, INC.  
by Morris Kaplan  
as President



ATTACHMENT #2  
PLACE OF PUBLIC ASSEMBLY  
ORDINANCE AND MAP

ORDINANCE NO. 07- 1479

AN ORDINANCE OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING THE TOWN CODE BY AMENDING CHAPTER 90, ARTICLE I "IN GENERAL" SECTION 90-2 "DEFINITIONS" TO PROVIDE DEFINITIONS OF "COMMON AREA" AND "PLACE OF PUBLIC ASSEMBLY"; AMENDING ARTICLE II "ADMINISTRATION AND ENFORCEMENT" SECTION 90-41 "CONDITIONAL USES" TO PROVIDE THAT CHURCHES AND SYNAGOGUES SHALL NOT BE CONSIDERED CONDITIONAL USES; AMENDING ARTICLE IV "DISTRICT REGULATIONS", SECTION 90-147 "RD-1 TWO FAMILY RESIDENTIAL DISTRICT" TO PROVIDE THAT CHURCHES AND SYNAGOGUES SHALL NOT BE CONSIDERED CONDITIONAL USES; AMENDING ARTICLE IV "DISTRICT REGULATIONS", SECTION 90-149 "RM-1 MULTI-FAMILY RESIDENTIAL DISTRICT" TO AMEND PROVISIONS RELATED TO CONDITIONAL USES; AMENDING ARTICLE IV "DISTRICT REGULATIONS", SECTION 90-151 "RT-1 TOURIST DISTRICT" TO AMEND PROVISIONS RELATED TO PERMITTED AND CONDITIONAL USES; AMENDING ARTICLE IV "DISTRICT REGULATIONS", SECTION 90-152 "B-1 BUSINESS DISTRICT" TO PROVIDE THAT PLACES OF PUBLIC ASSEMBLY SHALL BE PERMITTED WITHIN THE B-1 BUSINESS DISTRICT ONLY ON SECOND FLOORS AND HIGHER; AMENDING ARTICLE V "SUPPLEMENTARY REGULATIONS", DIVISION 3 "OFF-STREET PARKING", SECTION 90-226 "OFF-STREET PARKING REQUIREMENTS" TO PROVIDE CONSISTENT OFF-STREET PARKING REQUIREMENTS FOR PLACES OF PUBLIC ASSEMBLY; AMENDING DIVISION 3 "OFF-STREET PARKING", SECTION 90-226 "OFF-STREET PARKING REQUIREMENTS" TO PROVIDE CONSISTENT OFF-STREET PARKING REQUIREMENTS FOR PLACES OF PUBLIC ASSEMBLY; AMENDING DIVISION 3 "OFF-STREET PARKING", SECTION 90-227 "INTERPRETATION OF THESE REQUIREMENTS" IN ORDER TO PROVIDE ADDITIONAL STANDARDS FOR CONSIDERATION OF A VARIANCE FROM PARKING REQUIREMENTS REQUESTED BY A PLACE OF PUBLIC ASSEMBLY; AMENDING ARTICLE V "SUPPLEMENTARY REGULATIONS", DIVISION 5 "PLACES OF PUBLIC ASSEMBLY", TO PROVIDE FOR ESTABLISHMENT OF SECTION 90-245 "LOCATIONAL REQUIREMENTS FOR PLACES OF PUBLIC ASSEMBLY" TO PROVIDE THAT PLACES OF PUBLIC ASSEMBLY SHALL BE PERMITTED WITHIN THE AREA DEPICTED ON THE LOCATIONAL MAP PROVIDED IN THIS SECTION; AMENDING ARTICLE V "SUPPLEMENTARY REGULATIONS", DIVISION 5 "PLACES OF PUBLIC ASSEMBLY", TO PROVIDE FOR ESTABLISHMENT OF SECTION 90-246 "NO-FEE OPERATIONAL LICENSING OF NOT-FOR-PROFIT PLACES OF PUBLIC ASSEMBLY"

**TO PROVIDE FOR A LICENSING MECHANISM FOR PLACES OF PUBLIC ASSEMBLY; AMENDING ARTICLE V “SUPPLEMENTARY REGULATIONS”, DIVISION 5 “PLACES OF PUBLIC ASSEMBLY”, TO PROVIDE FOR ESTABLISHMENT OF SECTION 90-247 “HOME-BASED AND COMMON-AREA BASED ASSEMBLY USES” IN ORDER TO PROVIDE FOR REGULATION OF HOME-BASED PLACES OF PUBLIC ASSEMBLY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town Commission (the “Commission”) recognizes the need to regulate places of public assembly for the health, safety and welfare of the Town; and

**WHEREAS**, the Commission believes it is in the best interest of the Town to amend the Code of Ordinances to address the location of and provide standards for places of public assembly; and

**WHEREAS**, major corridors within residential zoning districts provide sufficient capacity to address the land use impacts of places of public assembly; and

**WHEREAS**, to enhance the vitality of and promote a healthy mix of uses within the downtown area, it is appropriate to limit places of public assembly to the second floors and higher of buildings within the B-1 zoning district; and

**WHEREAS**, the Town Commission recognizes that home-based and common-area based assemblies in residential zoning districts may create parking, noise, traffic and other impacts, and that these impacts should be addressed by appropriate regulation; and

**WHEREAS**, the Town Commission desires to provide for regulation of places of public assemblies which foster and enhance the desired mixture of uses within the downtown area; and

**WHEREAS**, in order to create additional standards to address parking impacts arising from home-based and common-area based assembly uses occurring in residential zoning districts, the Town Commission desires to amend the Code of Ordinances; and

**WHEREAS**, the Town Commission desires to encourage the location of places of public assembly in areas that, based upon sound planning judgment, are most appropriate for assembly uses; and

**WHEREAS**, the Town seeks to encourage compliance with its Code of Ordinances by amending the Code to create a no-fee operational licensing procedure for not-for-profit places of public assembly; and

**WHEREAS**, the Town Commission finds that enactment of these regulations through its powers will protect the public health, safety, and welfare of the residents of the Town, and furthers the purpose, goals, and objectives and policies of the Town’s Comprehensive Plan.

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**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA:**

**Section 1. Code Amended.** The Town Code is hereby amended by amending Section 90-2 "Definitions" to read as follows:

\* \* \* \* \*

Common area shall mean a room or designated area within a building or complex of buildings zoned for residential use served by shared or public parking areas, which is reserved for the exclusive use of the residents of the building or complex and their invited guests, and is an accessory use to the primarily residential use of such buildings.

\* \* \* \* \*

Place of public assembly shall mean any area where individuals assemble, whether publicly or privately owned and maintained. Includes, but is not limited to, public assembly buildings such as auditoriums, private clubs and lodges, community centers, clubhouses, and theaters; and places of worship or other facilities that are used for prayer and assembly by persons of similar beliefs.

\* \* \* \* \*

**Section 2. Code Amended.** The Town Code is hereby amended by amending Section 90-41 "Conditional uses" to read as follows:

\* \* \* \* \*

(b) *Conditional uses enumerated.* The following buildings, structures, and uses may be approved by the town commission as conditional uses in any district in which they are specifically allowed, as indicated within the provisions for individual zoning districts. Approval of such conditional use(s) in accordance with the procedures and standards of this section shall only be granted where it has been clearly shown that the public health, safety, morals, and general welfare will not be adversely affected; that adequate off-street parking facilities, in accordance with this chapter, will be provided; and that necessary safeguards will be provided for the protection of surrounding property:

- ~~(1) Churches and synagogues.~~
- (2) (1) Institutions, educational or philanthropic, including museums, but not including nursing homes or hospitals.
- (3) (2) Off-street parking lots and garages.
- (4) (3) Public and governmental buildings.
- (5) (4) Public utilities or public service uses, buildings, structures and appurtenances thereto.

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~~(6)~~ (5) A bar accessible from the pool or pool deck for use solely by guests of hotels and motels in the RT-1 tourist district. In all cases, it shall be the exclusive responsibility of the owner, operator, tenant or user of the property to assure that neither the sale nor consumption of beverages shall occur or be allowed to occur off the property or on any portion of the property lying east of the bulkhead line.

\* \* \* \* \*

**Section 3. Code Amended.** The Town Code is hereby amended by amending Section 90-147 "RD-1 two-family residential district" to read as follows:

**Sec. 90-147. RD-1 two-family residential district.**

(a) Purpose of the district. The purpose of the RD-1 two-family residential district is to provide for both single-family and two-family residences, and in certain instances for more intensive residential uses along the east side of Harding Avenue, but building heights shall be limited to two stories to protect nearby single-family residences.

(b) Permitted uses. A building or land shall be used only for the following purposes:

(1) Any use permitted in the RS-1 and RS-2 single-family residential districts.

(2) Two-family dwellings.

(3) The owner of 75 feet or more of property along the east side of Harding Avenue may erect a multiple-family building.

(c) Permitted accessory uses. Any accessory use permitted in the RS-1 and RS-2 single-family residential districts.

(d) Permitted conditional uses. Those uses which may be permitted as conditional uses shall be only those described under subsections ~~90-41(b)(1)~~, 90-41(b)(2), ~~90-41(b)(3-2)~~, 90-41(b)(4-3) and 90-41(b)(5-4).

(e) Height, area and yard requirements. Maximum height regulations and minimum requirements for floor and lot area and for yards are contained in section 90-155.

**Section 4. Code Amended.** The Town Code is hereby amended by amending Section 90-149 "RM-1 multiple-family residential district" to read as follows:

**Sec. 90-149. RM-1 multiple-family residential district.**

(a) *Purpose of the district.* The purpose of the RM-1 multiple-family residential district is to encourage a good standard of rental living units that will accommodate both tourists and yearround residents. However, no services or sales to guests shall be permitted within buildings within this district.

(b) *Permitted uses.* A building or land may be used only for the following purposes:

(1) Any use permitted in the RD-1 two-family residential district.

(2) Multiple-family dwellings.

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- (3) Motels.
- (4) Suite-motels, but only for buildings newly-constructed or converted to suite-motels on or after June 1, 1999. No building shall convert from another use to a suite-motel unless it meets all requirements for a suite-motel, including but not limited to all zoning requirements of this Code.
- (c) *Permitted accessory uses.*
  - (1) Any accessory use permitted in the RS-1 and RS-2 single-family residential districts.
  - (2) An office containing an area of not more than two percent of the gross floor area of the building for administration of rental units in a building containing ten or more living units.
  - (3) Lounges, card rooms and auxiliary kitchens which are solely for the use of residents and guests.
  - (4) A laundry room for the use of residents and guests of a multiple-family dwelling. Coin-operated laundry machines may be utilized.
  - (5) Coin-operated vending machines such as for candy, tobacco, ice, soft drinks and sundries inside a building containing ten or more living units or guest rooms.
  - (6) Off-street parking and loading facilities.
  - (7) Swimming pools, cabanas and game courts for the use of guests of the hotel, motel or residential development.

\* \* \*

- (d) Permitted conditional uses. Those uses which may be permitted as conditional uses shall be only those described under subsections 90-41(b)(~~3-2~~), 90-41(b)(~~4-3~~) and 90-41(b)(~~5-4~~).

**Section 5. Code Amended.** The Town Code is hereby amended by amending Section 90-151 "RT-1 tourist district" to read as follows:

**Sec. 90-151. RT-1 tourist district.**

- (a) *Purpose of the district.* The purpose of the RT-1 tourist district is to provide facilities that will afford convenience for tourists and enable intensive use of the ocean frontage. Tall buildings are permitted but ample open space is required around such buildings.
- (b) *Permitted uses.* A building or land shall be used for the following purposes:
  - (1) Any uses permitted in the RM-1 multifamily residential district, ~~except that no churches or synagogues shall be permitted.~~
  - (2) ~~Private clubs.~~
  - (3) (2) Hotels and motels.
  - (4) (3) Hotels and motels may provide a barbershop, beauty parlor, dining room, and coffee shop, bar or cocktail lounge, telegraph office, tobacco, candy, and newsstand, automobile rentals where rental vehicles are not kept on premises, ready to

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wear shops, travel agencies, gift and sundry shops, coin operated machines as defined in section 70-33, washing machines as defined in section 70-33, and marble, coin or amusement machines (other than gambling devices), and diet and health spas providing services solely to guests; provided, however, that such facilities may be entered only from the inside of the structure and there shall be no window or evidence of such facilities from outside the hotel or motel except as provided in section 90-209(b)(1)b.

~~(5)~~ (4) Suite-hotels, but only for buildings newly-constructed or converted to suite-hotels on or after June 1, 1999. No building shall convert from another use to a suite-hotel unless it meets all requirements for a suite-hotel, including but not limited to all zoning requirements of this Code.

~~(6)~~ (5) Suite-motels, but only for buildings newly-constructed or converted to suite-motels on or after June 1, 1999. No building shall convert from another use to a suite-motel unless it meets all requirements for a suite-motel, including but not limited to all zoning requirements of this Code.

\* \* \* \*

(e) Permitted conditional uses. Those uses which may be permitted as conditional uses shall be only those described under subsection 90-41(b)(6 5).

**Section 6. Code Amended.** The Town Code is hereby amended by amending Section 90-152 "B-1 business district" to read as follows:

**Sec. 90-152. B-1 business district.**

(a) Purpose of the district. The purpose of the B-1 business district is to provide for retail shopping and personal service needs of the town's residents and tourists. It is intended to prevent uses and activities which might be noisy, offensive, obnoxious or incongruous in behavior, tone or appearance and which might be difficult to police.

(b) Permitted uses. No building or land within this district shall be used in whole or in part except for one or more of the following permitted uses:

(1) Art agencies:

- a. Antique shops.
- b. Gift shops.
- c. Art dealers.
- d. Art supplies.
- e. Photographers and camera stores.
- f. Art and photograph galleries.

(2) Bakeries, subject however, to the following restrictions and conditions:

- a. That no baking shall be done on the premises for other retail or wholesale outlets.
- b. That ovens or oven capacity is limited in total usable baking

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space, not to exceed in volume 18 standard pans of 18 by 26 inches in width and length.

c. That adjoining properties shall be safeguarded and protected from exhaust fan or other obnoxious noises and odors at all times.

d. That all baking will be done by the use of electric or natural gas (not bottled gas) ovens only.

e. All machinery and equipment shall be entirely confined within the main building.

f. That the hours of baking operation shall be limited to those hours between 6:00 a.m. and 9:00 p.m.

g. That the entire store area shall be fully air-conditioned as required for comfort.

h. That baking shall not be permitted within 20 feet of the store front, and shall be separated from the sales area by a partition or counter.

(3) Barbershops.

(4) Beauty parlors: Exterior windows on the ground floor shall be screened, curtained or otherwise made opaque four feet six inches from the grade of the adjacent sidewalk so as to block the view of the interior premises from the public right-of-way. However, such screening shall not be required where only hair styling and manicures are performed within 20 feet of the public right-of-way.

(5) Business and professional offices, except veterinary offices.

(6) Clothing stores and services:

a. Men's, women's, children's clothing.

b. Millinery.

c. Tailor.

d. Shoes.

e. Dry cleaning and laundry agency, provided all machinery which provides cleaning or laundry services shall be separated from customer areas by a partition or counter and no customers shall be permitted to use such machinery. In addition, all drycleaning machinery shall be nonventilated, sealed system type machinery in which "Fluorocarbon R-113" type solvents are used.

f. Furrier.

g. Shoe repair, provided no machinery for providing repairs shall be visible from the sidewalk or street and no shoe repair shop shall be permitted on Harding Avenue Avenue.

h. Dry goods.

(7) Department stores.

(8) Entertainment:

a. Video tape sales and rentals, provided all tapes sold are prerecorded, and all tapes are rated either G, PG, PG-13, or R.

b. Caterers.

c. General ticket agencies.

d. ~~Theatre and cinema.~~

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- (9) Existing filling station on the unnumbered lot at the southwest corner of Block 4, Altos Del Mar No. 6.
- (10) Food products, provided that no sales shall be made through an open window to any street, alley, driveway or sidewalk:
  - a. Delicatessens.
  - b. Restaurants.
  - c. Candy and nut shops.
  - d. Grocery and meat stores or supermarkets, provided no live meat or poultry shall be kept on the premises.
  - e. Confectionery and ice cream stores.
  - f. Fruit shops.
  - g. Liquor stores.
- (11) General or special merchandise:
  - a. Toys.
  - b. Hardware, paint and wallpaper.
  - c. Luggage.
  - d. Office machines and supplies.
  - e. Pet supplies.
  - f. Stationery and greeting cards.
  - g. Furniture, provided no repairing or servicing of furniture is permitted on the premises.
  - h. Jewelry.
  - i. Flowers and plants.
  - j. Sporting goods.
  - k. Drug stores and sundries.
  - l. Cigars and tobacco.
  - m. Books and newspapers.
  - n. Appliances.
  - o. Pottery.
  - p. Interior decorator.
- (12) Locksmith, except on Harding Avenue.
- (13) Monetary services:
  - a. Banks.
  - b. Savings and loan associations.
  - c. Stock and bond brokers.
  - d. Currency exchange.
- (14) Music:
  - a. Sale of televisions, radios, phonograph and recording equipment.
  - b. Sheet music and musical instruments.
- (15) Public services:
  - a. Telegraph station.
  - b. Telephone exchange.
- (16) Travel agency.
- (17) Coin-operated machines. Coin-operated machines for dispensing goods or services are permitted, except that washing machines, dryers and other laundry-related equipment are prohibited. No coin-operated games of chance are permitted, but coin-operated games of skill are

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permitted within establishments solely dispensing liquor, as defined in chapter 6, for consumption on the premises only; provided, however, that not more than three such games of skill are permitted in any such establishment, and that such games shall not be used for wagering nor for the awarding of prizes of any value.

(18) Places of public assembly, which shall be permitted on the second and higher floors only.

~~(18)~~ (19) The following uses shall be permitted throughout this district, provided such uses shall be located above the first floor level:

a. Dance or music instruction studios, provided such studios meet all of the following restrictions and conditions:

1. That the premises be air conditioned and soundproofed.
2. That no dance instruction or dancing shall be visible from any sidewalk, street or alley.
3. That the opening and closing hours for such studios may be established by the town commission at its discretion at any time.

b. Delivery service.

c. Driving school offices, provided such use shall be limited to offices only, and shall not be interpreted in any manner as permitting the conduct of any such school's or schools' business, activities or functions upon the public streets of the town.

d. Employment agencies, provided that such agencies maintain at all times sufficient office space to accommodate all applicants for employment using their services and obviate the congregating or loitering of such applicants in any hallway or on any sidewalk.

e. Health studio or club, or reducing salon.

f. Loan or mortgage office.

g. Medical or dental clinic.

h. Modeling school, language school, or athletic instruction.

i. ~~Private club or lodge hall.~~

j. Radio or television station or studio.

k. Secretarial service, mailing, bookkeeping, court reporter.

l. Taxi agency.

m. Title company.

\* \* \* \* \*

**Section 7. Code Amended.** The Town Code is hereby amended by amending Section 90-226 "Off-street parking requirements" to read as follows:

**Sec. 90-226. Off-street parking requirements.**

(a) Except as otherwise provided herein, when any building or structure is hereafter constructed; or structurally altered so as to increase the number of dwelling units or hotel/motel rooms; to increase its total commercial floor area;

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or when any building or structure is hereafter converted to any of the uses listed in subsection (b) of this section, off-street parking spaces shall be provided in accordance with the requirements of subsection (b) of this section, or as required in subsequent sections of this article.

(b) The number of off-street parking spaces that shall be required to serve each building or structure and use shall be determined in accordance with the following table:

- (1) Single-family dwelling in the RS-1 district: Two spaces.
- (2) Single-family dwelling in all other districts: One space.
- (3) Two-family dwelling: One space for each dwelling unit.
- (4) Multiple-family dwelling, for each dwelling unit:

TABLE INSET:

Efficiency and one-bedroom unit:	1.5 spaces
Two and three bedroom unit:	2.0 spaces
Four-bedroom or more unit:	2.25 spaces

For projects of greater than 60 dwelling units, parking spaces may be provided as tandem spaces, provided, however, a minimum of one unencumbered parking space, tandem or regular, must be provided for each dwelling unit and valet parking service shall be provided at all times. One visitor parking space for each 15 dwelling units unless tandem parking with valet services is provided in which case one visitor space for each 20 units is required.

(5) Hotel and motel: One space for each room.

(6) Suite-hotel and suite-motel: One and one-quarter spaces for each room.

(7) ~~Church, synagogue, temple or other place of public assembly with fixed seats:~~ Place of public assembly with fixed seats: One space for every four (4) seats and one space for every six (6) feet of bench seating.

(8) Place of public assembly without fixed seats: One space for each 50 square feet of floor area available for seats.

~~(8) Private clubs and lodges: One space per 250 square feet of gross floor area.~~

~~(9) Auditorium or theatre: One space for each four seats.~~

~~(40) (9) Grocery, fresh fruit or meat market: One space for each 250 square feet of gross floor area.~~

~~(44) (10) Retail store or personal service establishment: One space for each 300 square feet of gross floor area.~~

~~(42) (11) Office or office building: One space per 400 square feet of gross floor area; however, medical offices, dental offices and clinics shall provide one space per 300 square feet of gross floor area.~~

~~(43) (12) Restaurants or other establishments for the consumption of food and beverages on the premises: One space per four seats.~~

~~(14) Place of public assembly without fixed seats: One space for each 50 square feet of floor area available for seats.~~

(15) (13) Banks, savings and loans or other financial institutions: One space per 300 square feet of gross floor area.

**Section 8. Code Amended.** The Town Code is hereby amended by amending Section 90-227 "Interpretation of these requirements" to read as follows:

**Sec. 90-227. Interpretation of these requirements.**

(a) The parking required herein is in addition to space required for the loading and unloading of trucks or other vehicles used in connection with a business, commercial, or industrial use.

(b) Where fractional spaces result, the parking spaces required shall be construed to be the next highest whole number.

(c) The parking space requirements for a use not specifically listed in this section shall be the same as for a listed use of similar characteristics of parking demand generation.

(d) In the case of mixed uses, uses with different parking requirements occupying the same building or premises, the parking spaces required shall equal the sum of the requirements of the various uses computed separately.

(e) Whenever a building or use, constructed or established after the effective date of this article, is changed or enlarged in floor area, number of dwellings or sleeping units, seating capacity or otherwise, to create a requirement for an increase in the number of required parking spaces, such spaces shall be provided on the basis of the enlargement or change.

(f) Where a place of public assembly, as defined in Section 90-2 of this Chapter, has been in existence for at least ten (10) years and a variance from the parking requirements of this Chapter is requested, hardships pertaining to the variance request shall not be considered self-created for purposes of consideration of the merits of the variance request.

**Section 9. Code Amended.** The Town Code is hereby amended by amending Article V "Supplementary Regulations" to establish Division 5 "Places of Public Assembly", Section 90-245 "Locational Requirements for Places of Public Assembly" to read as follows:

**Sec. 90-245. Locational Requirements for Places of Public Assembly**

Places of public assembly shall be permitted within the area depicted in Figure 90-245 ("Public Assembly Places") in this Section; however, within the B-1 Zoning District, places of public assembly shall be permitted on the second or higher floors only, as provided in Section 90-152(b)(18).

**Section 10. Code Amended.** The Town Code is hereby amended by amending Article V "Supplementary Regulations", Division 5 "Places of Public Assembly", to create Section 90-246 "No-fee operational licensing of not-for-profit places of public assembly" to read as follows:

**Sec. 90-246. No-fee operational licensing of not-for-profit places of public assembly.**

(a) A place of public assembly operated by a not-for-profit organization qualified under Section 501(c)(3) of the Internal Revenue Code and registered pursuant to Chapter 496, Florida Statutes, shall not be occupied until it obtains an operational license from the Town.

(b) The operator of a qualifying place of public assembly shall obtain a form from and submit an application for an operational license by contacting the Department of Building and Zoning. No fee shall be charged by the Department.

(c) The Town Manager or his or her designee shall notify the holder of any operational license, in writing, of the Town's intent to revoke an operational license if he or she determines that the following circumstances exist:

(1) The Town has reasonable grounds to believe that the premises are being used in a manner that is inconsistent with, or contrary to, the provisions of the zoning code or any other applicable code or statute.

(2) In the event of a conviction of any director of the organization holding the operational license by a court of competent jurisdiction, for the violation of any criminal statute committed in conjunction with the operation.

(3) It has been ascertained that the holder of the operational license falsified any information on its application.

(4) The holder of the operational license, or the holder's designated manager, operator, or supervisor, refuses to permit an authorized law enforcement officer or code enforcement officer to inspect the premises during normal operating hours for the purpose of investigating a complaint which has been filed against the operation.

(d) The notice of intended revocation of an operational license shall state the following:

THE HOLDER OF THE OPERATIONAL LICENSE SHALL HAVE TEN (10) DAYS FROM THE DATE OF RECEIPT OF THIS NOTIFICATION EITHER TO BRING THE PREMISES INTO COMPLIANCE OR TO REQUEST A HEARING, IN WRITING, BEFORE THE TOWN COMMISSION. IF THE VIOLATION IS NOT CURED OR IF NO WRITTEN REQUEST FOR A HEARING IS RECEIVED BY THE TOWN OF SURFSIDE WITHIN TEN (10) DAYS OF THE DATE OF THIS NOTIFICATION BY THE CERTIFICATE HOLDER, THE OPERATIONAL LICENSE SHALL BE CONSIDERED REVOKED.

(e) If the holder of the operational license requests a hearing before the Town Commission, the operational license shall remain in effect during the pendency of the action before the Town Commission.

(f) The original of the operational license shall be posted upon the premises at



all times.

**Section 11. Code Amended.** The Town Code is hereby amended by amending Article V “Supplementary Regulations”, Division 5 “Places of Public Assembly”, to establish Section 90-247 “Home-based and common-area based assembly uses” to read as follows:

**Sec. 90-247. Home-based and common-area based assembly uses.**

(a) Applicability. The standards set forth in this subsection shall apply to any proposed or existing home-based or common-area based assembly use located in the following residential zoning districts: RS single-family residential district, RS-1 single-family residential district, RS-2 single-family residential district, RD-1 two-family residential district, RD-2 two-story multiple family residential district, RM-1 multiple-family residential district, and RT-1 Tourist District.

(b) Home-based and common-area based assemblies are permitted, whether for social, religious, or other reasons, as an incidental accessory use to the principal residential use.

(c) Frequency of home-based and common-area based assembly uses. Assemblies that occur four (4) or more times per month for two (2) consecutive months will be deemed to be beyond the scope of the accessory use and shall not be permitted.

(d) Parking standard.

(1) Home-based assembly uses. A home-based assembly use which results in an additional eleven (11) vehicles being parked near the dwelling unit at each assembly will be deemed to be beyond the scope of the accessory use and shall not be permitted. Vehicles parked legally on the site of the home-based assembly, or upon another parcel pursuant to a lawful agreement with the owner of such parcel, shall not be counted toward the eleven (11) vehicles.

(2) Common-area based assembly use. A common area-based assembly use which results in an additional six (6) vehicles being parked near the common-area based assembly use will be deemed to be beyond the scope of the accessory use and shall not be permitted. Additionally, the parking demand created by such assemblies shall not exceed the supply of parking spaces provided within the shared guest or visitor parking areas allocated to common-area functions.

**Section 12. Severability.** The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

**Section 13. Inclusion in the Code.** It is the intention of the Town Commission, and it is hereby ordained that this Ordinance shall become and be made a part of the Town of

Surfside Code; that the sections of this Ordinance may be renumbered or relettered to accomplish such intention; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

**Section 14. Conflicts.** Any and all Ordinances and Resolutions or parts of Ordinances or Resolutions in conflict herewith are hereby repealed.

**Section 15. Effective Date.** This Ordinance shall become effective within 10 days from adoption on second reading.

PASSED and ADOPTED on First Reading the 10<sup>th</sup> day of May, 2007.

PASSED and ADOPTED on Second Reading this 12<sup>th</sup> day of June, 2007.

\_\_\_\_\_  
Charles W. Burkett, Mayor

Attest:

\_\_\_\_\_  
Beatris M. Arguëlles, CMC  
Town Clerk

Approved As to Form and Legal Sufficiency:

\_\_\_\_\_  
Lynn M. Dannheisser, Town Attorney

Moved

by: Commissioner Imberman

Second

by: Commissioner Levine

Vote:

Mayor Burkett      yes ☒ no ☐

Vice Mayor Weinberg      yes ☒ no ☐

Commissioner Blumstein      yes ☒ no ☐

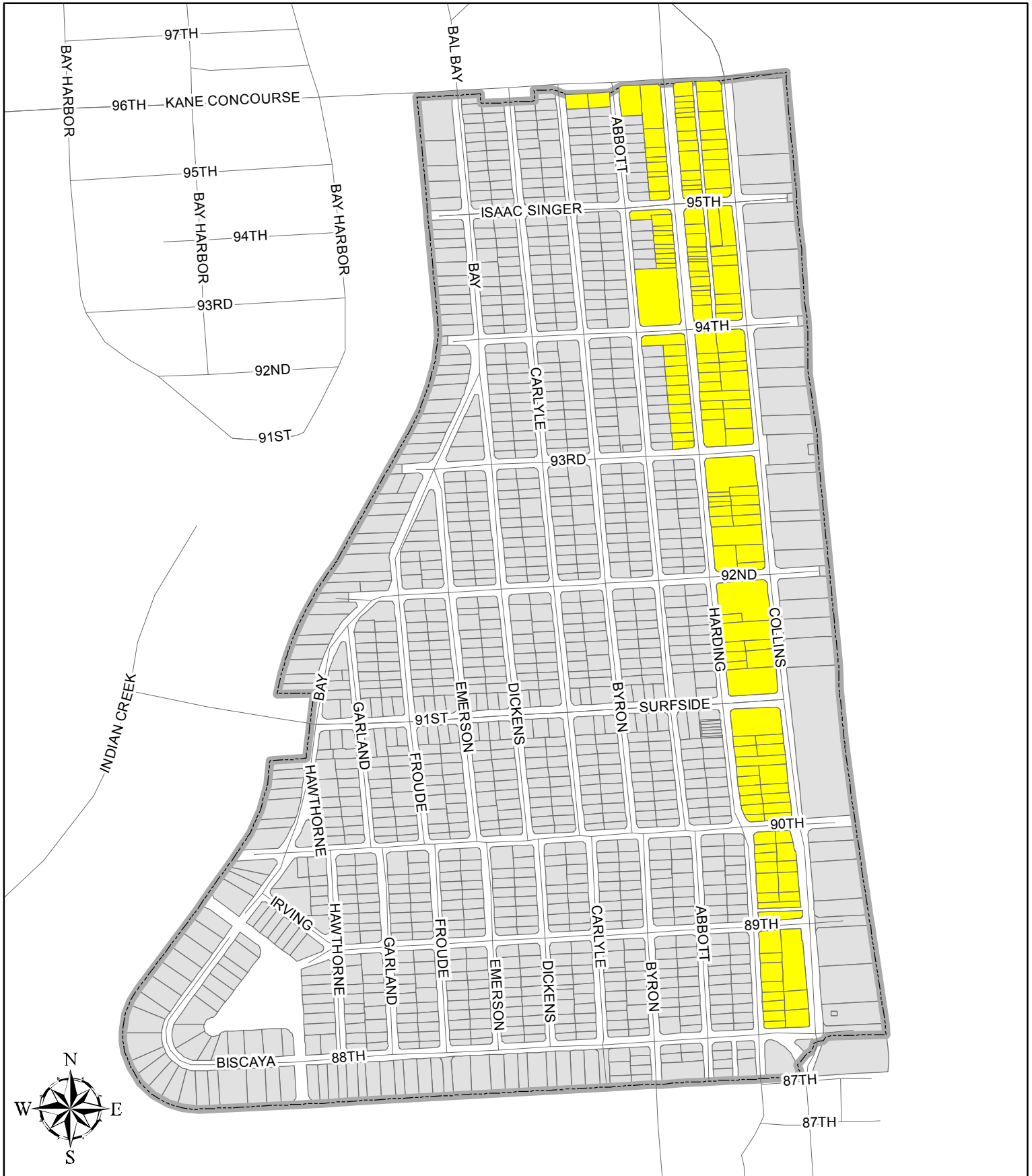
Commissioner Imberman      yes ☒ no ☐

Commissioner Levine      yes ☒ no ☐

Ordinance No. 7-1479



# Public Assembly Places



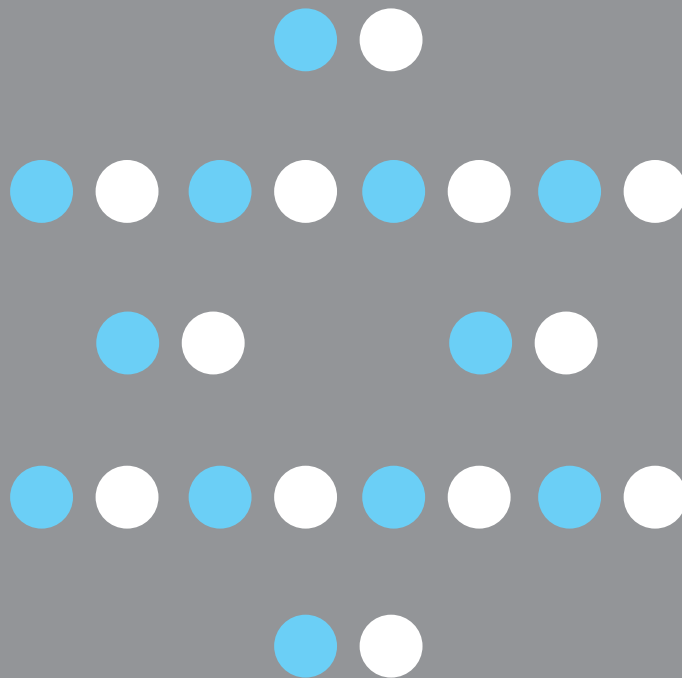


## ATTACHMENT #3

## TRAFFIC STUDY

# YOUNG ISRAEL CONGREGATION

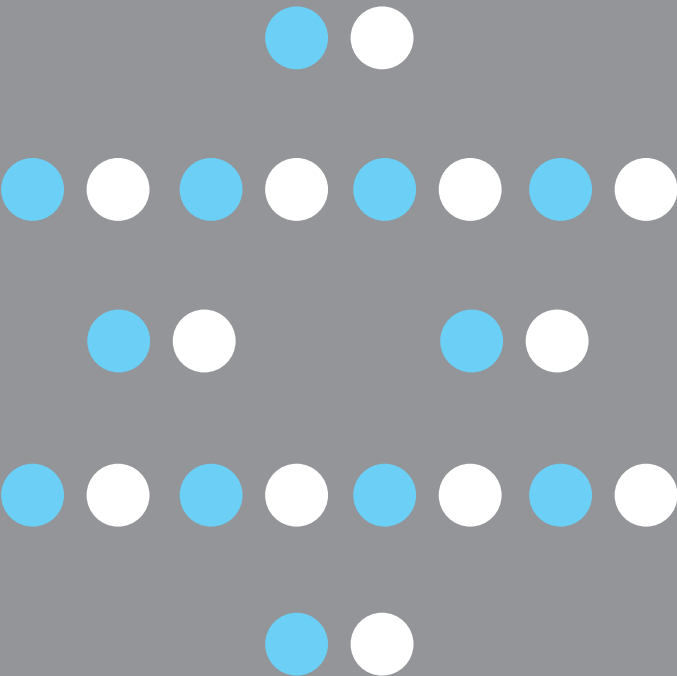
Traffic Study



February 2012

# YOUNG ISRAEL CONGREGATION

Traffic Study



Prepared By David Plummer & Associates  
Job Number #12110



DAVID PLUMMER & ASSOCIATES

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## **EXECUTIVE SUMMARY**

The project known as “Young Israel Congregation” is located at 9580 Abbott Avenue in Surfside, Florida. The project proposes a 23,784 square foot Synagogue, comprised of a chapel, sanctuary, social hall, lobby, offices, classrooms and an underground parking garage. Access will be provided through a driveway accessing Abbott Avenue. The congregation presently worships at a 4,000 Square Feet temporary facility on the southwest quadrant of 96<sup>th</sup> Street and Harding Avenue. Project build-out is anticipated by 2013.

An assessment of the traffic impacts associated with the proposed project was conducted in accordance with the requirements of the town of Surfside. All of the analyzed intersections and roadway segments will operate within the town’s LOS standards at project buildout.

The location of the proposed egress/ingress was analyzed as part of this study. Based on the analysis, it is our recommendation that the ingress/egress from the proposed parking garage be located on Abbott Avenue.

Off-street parking for the proposed temple was calculated based on 1 parking space for every 50 SF of the social hall (public assembly) and a reduction factor of 25% for a total of 53 parking spaces. Based on the fact that members of the congregation walk to services, it is our professional opinion that the 25% parking reduction applied to the parking calculation is reasonable. The 53 parking spaces provided by the proposed temple will adequately satisfy the demand for parking at the proposed synagogue.

## 1.0 INTRODUCTION

### 1.1 Project Background

The project known as “Young Israel Congregation” is located at 9580 Abbott Avenue in Surfside, Florida (See Exhibit 1). The project proposes a Synagogue, comprised of a chapel, sanctuary, social hall, lobby, offices, classrooms and an underground parking garage. The congregation presently worships at a 4,000 Square Feet temporary facility on the southwest quadrant of 96<sup>th</sup> Street and Harding Avenue. The proposed facility consists of 23,784 square feet.

Access will be provided through a driveway accessing Abbott Avenue. Full access will be provided into the project. Outbound access will be limited to right turns only. Project build-out is anticipated by 2013. The proposed site plan is included in Appendix A.

### 1.2 Study Objective

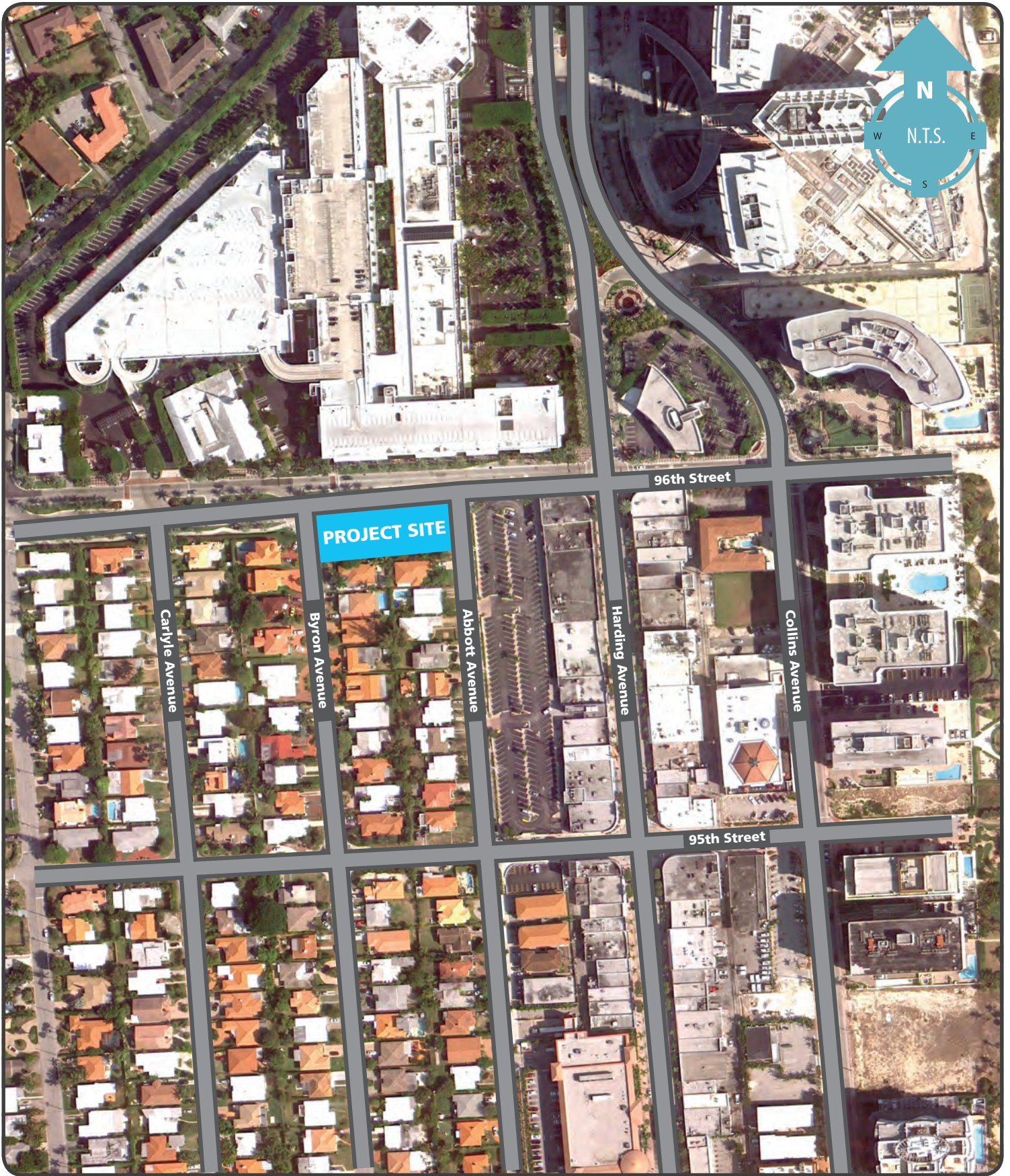
As part of the approval process, a traffic study was requested by the town of Surfside. The purpose of this study is to assess the traffic impacts associated with the proposed uses. This traffic study is consistent with the methodology provided to and approved by the town of Surfside. Appendix A includes the approved methodology.

### 1.3 Study Area and Methodology

The analysis undertaken follows the study methodology provided and approved by the town of Surfside (see Appendix A). The following is a brief description of the study methodology:

- Traffic Counts (Intersections): Two-hour turning movement counts were collected on a typical weekday (Tuesday February 14, 2012) and on a Sunday (Sunday February 12, 2012) at the following intersections:
  - 96<sup>th</sup> Street at Byron Avenue
  - 96<sup>th</sup> Street at Abbott Avenue
  - 96<sup>th</sup> Street at Collins Avenue





**Young Israel**

Location Map

- 96<sup>th</sup> Street at Harding Avenue

The counts were collected on a Tuesday between 7-9 AM and 4-6 PM, and on a Sunday between 7:30-9:30 AM. Traffic counts are included in Appendix B.

- Signal Location and Timing: Existing signal phasing and timing for the signalized intersections were obtained from Miami-Dade County. Signal Timings are included in Appendix B.
- Background Traffic: Average Annual Daily Traffic (AADT) volumes were reviewed to determine the appropriate background growth applicable to this area.
- Committed Developments: Committed developments were obtained in the study area, and the traffic associated with these was assigned to the area segments and intersections.
- Project Trip Generation: Trip generation for the project was estimated using trip generation information published by the Institute of Transportation Engineers (ITE) Trip Generation, 8<sup>th</sup> Edition.
- Project Trip Distribution / Trip Assignment: Net new external project traffic was assigned to the adjacent street network using the appropriate cardinal distribution from the Metro-Dade Long Range Transportation Plan Update, published by the Metropolitan Planning Organization. Area traffic patterns in the area were also considered when assigning project trips.
- Future Traffic Conditions: Project traffic was combined with projections of background traffic to obtain future conditions with project. Intersection capacity analyses were performed for existing, future without project and future with project conditions.
- Intersection capacity analysis was performed using the HCS software based on the Highway Capacity Manual. The following scenarios were analyzed:
  - Existing Conditions
  - Future Conditions without the Project
  - Future Conditions with the Project



- Roadway segment analysis was performed at the following locations:
  - 96<sup>th</sup> Street, west of Byron Avenue
  - 96<sup>th</sup> Street, between Byron Avenue and Abbott Avenue
  - 96<sup>th</sup> Street, between Abbott Avenue and Harding Avenue
  - 96<sup>th</sup> Street, between Harding Avenue and Collins Avenue
  - Harding Avenue, south of 96<sup>th</sup> Street
  - Collins Avenue, south of 96<sup>th</sup> Street
  - Byron Avenue, between 96<sup>th</sup> Street and Project Driveway
  - Byron Avenue, between Project Driveway and 95<sup>th</sup> Street
  - Abbott Avenue, between 96<sup>th</sup> Street and Project Driveway
  - Abbott Avenue, between Project Driveway and 95<sup>th</sup> Street
- Egress/Ingress location: The location of the proposed egress/ingress was analyzed as part of this study.
- Off-street parking: An analysis was performed to assess the adequacy of the parking supply.

## 2.0 EXISTING CONDITIONS

Data collection for this study included roadway characteristics, intersection traffic counts, signal timing, and seasonal adjustment factors. The data collection effort is described in the following sections.

### 2.1 Roadway Characteristics

#### Collins Avenue

Collins Avenue (SR AIA) is a major arterial that provides northbound access along the town of Surfside. Within the project vicinity, Collins Avenue is a three-lane one-way northbound roadway. The posted speed limit is 30 mph. There is no on-street parking on Collins Avenue just south of 96<sup>th</sup> Street. FDOT has jurisdiction over the road.

#### Harding Avenue

Harding Avenue is a major arterial that provides southbound access along the town of Surfside. Within the project vicinity, Harding Avenue is a three-lane one-way southbound roadway. The posted speed limit is 30 mph. There is on-street parking provided on both sides of Harding Avenue in the study area. FDOT has jurisdiction over the road.

#### 96<sup>th</sup> Street

96<sup>th</sup> Street is a major arterial that provides east/west access along the town of Surfside. Within the project vicinity, 96<sup>th</sup> Street is a four-lane divided roadway. The posted speed limit is 30 mph. There is no on-street parking along 96<sup>th</sup> Street. FDOT has jurisdiction over the road.

#### Abbott Avenue

Abbott Avenue is a local roadway that runs north south starting on 96<sup>th</sup> Street to the south. It is a two-lane undivided two-way roadway, with on-street parallel parking on the east side of the street. The speed limit is 30 mph. The town of Surfside has jurisdiction over Abbott Avenue.

### Byron Avenue

Abbott Avenue is a local roadway that runs north south starting on 96<sup>th</sup> Street to the south. It is a one-lane one-way roadway, with on-street parallel parking on both sides of the street. The speed limit is 30 mph. The town of Surfside has jurisdiction over Byron Street.

## **2.2 Traffic Counts**

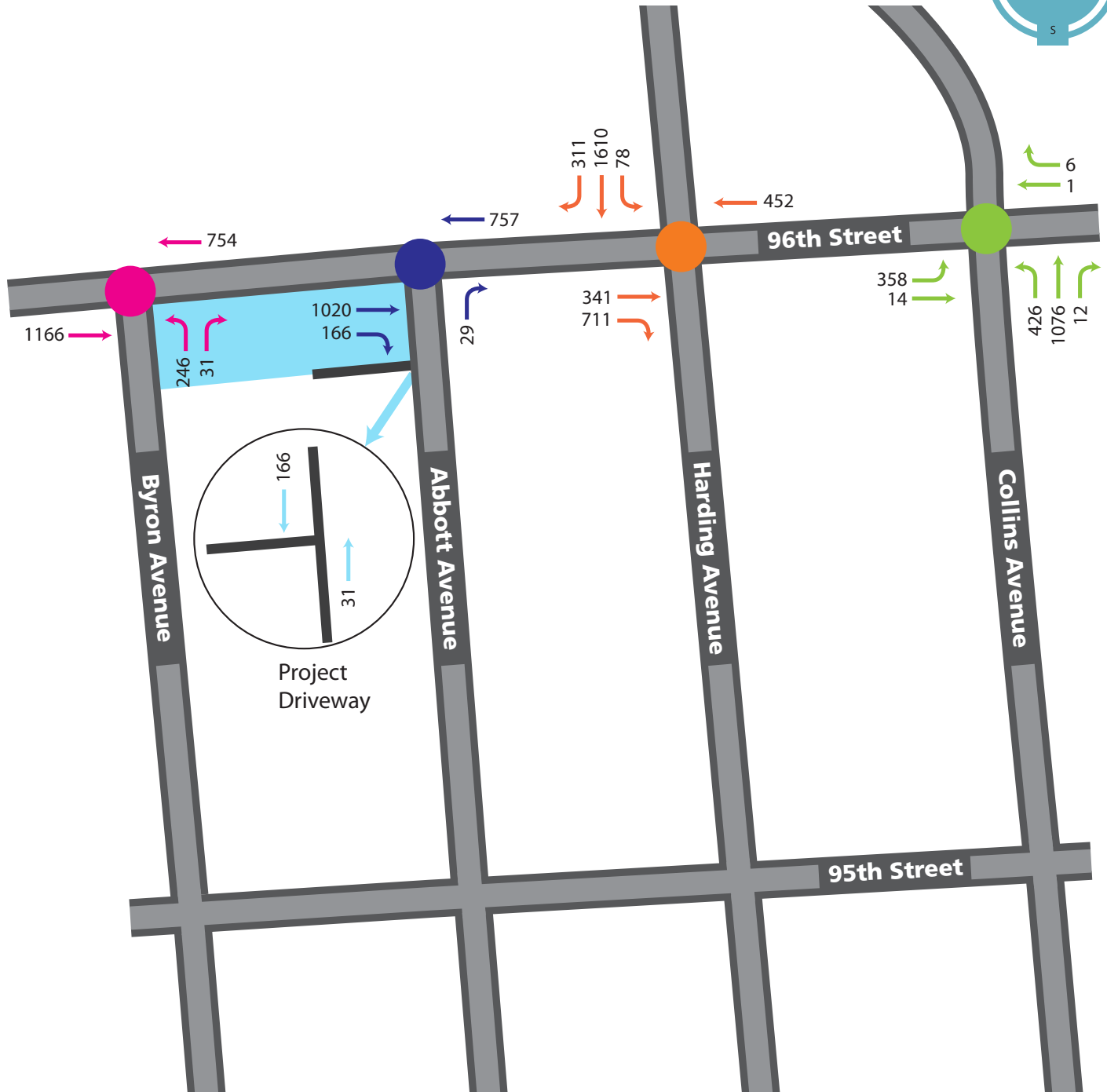
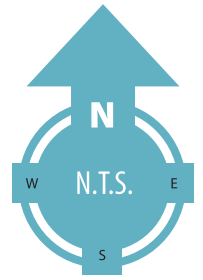
Peak hour vehicle turning movement counts were collected on a weekday between 7 and 9 AM, and between 4 and 6 PM, and on a Sunday between 7:30 and 9:30 AM at selected intersections in the study area. The latest weekly volume adjustment factor was obtained from FDOT. A weekly volume adjustment factor of 1.00 (for Miami-Dade County North), corresponding to the dates of the counts, was used to adjust the raw traffic counts to peak season conditions. The counts are provided in Appendix B. Existing volumes at the intersections for weekday AM peak, weekday PM Peak and Sunday peak hour are graphically portrayed in Exhibits 2 through 4 respectively.

## **2.3 Intersection Data**

Existing signal phasing and timing for all the intersections were obtained from Miami-Dade County. This information was used for the signal phasing and timing required for the intersection capacity analysis and can be seen in Appendix B. A field survey was conducted to obtain the intersection lane configurations to be used in the intersection analysis. Exhibit 5 shows the existing lane configurations at the analyzed intersections.

## **2.4 Intersection Capacity Analysis**

The Highway Capacity Software (HCS+), based on procedures of the 2000 Highway Capacity Manual, were used to perform intersection capacity analysis at the analyzed intersections. Exhibit 6 shows the resulting LOS for existing weekday AM and PM and Sunday peak hour conditions. Overall results show that, currently, all of the analyzed intersections operate within the City's LOS standards. However, some individual approaches operate above the accepted standard. In these cases, the signal timing was adjustments to better serve existing field conditions. Intersection capacity analysis worksheets are included in Appendix C.



## Young Israel Congregation

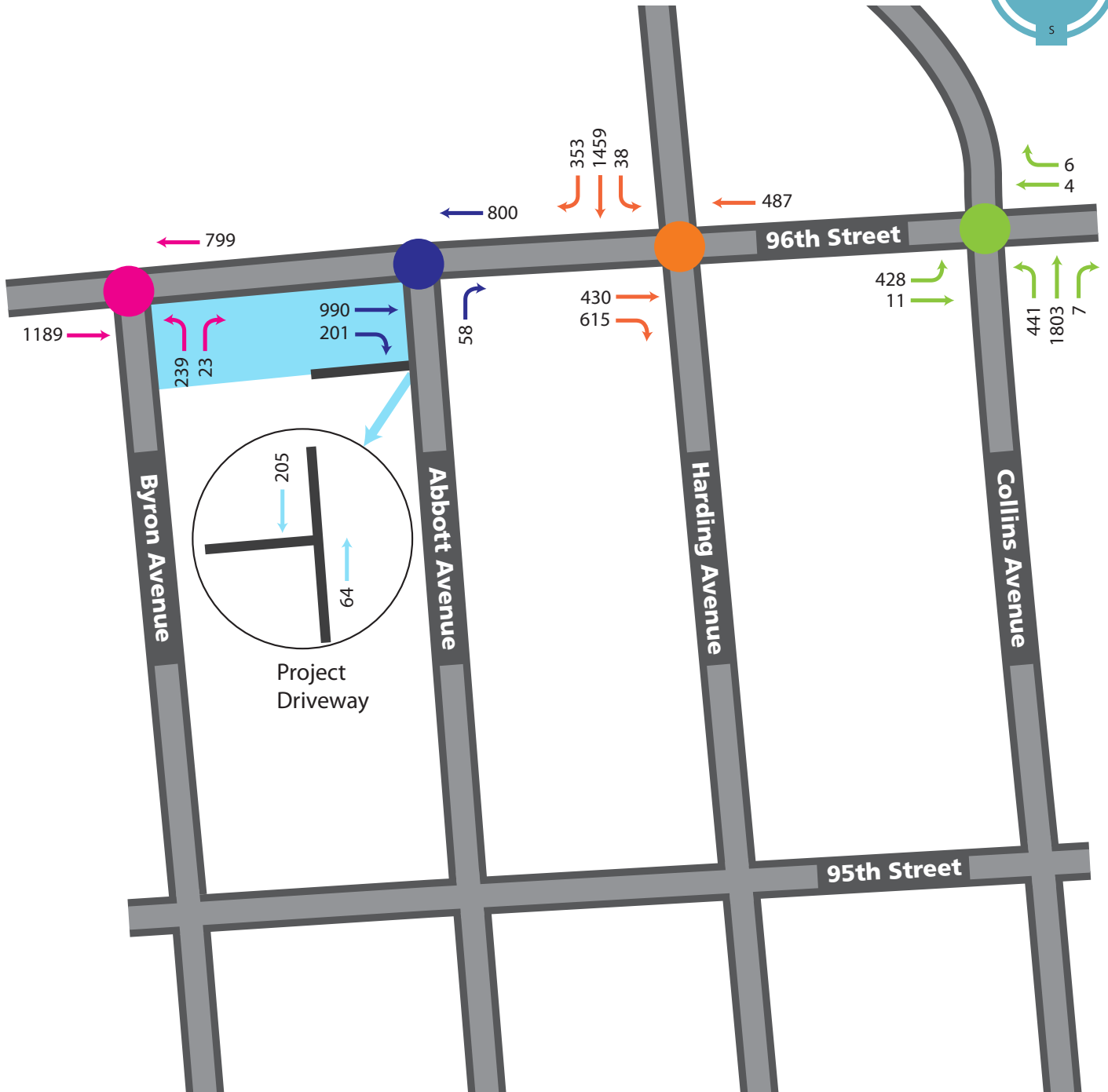
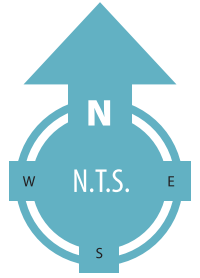
Existing Weekday AM Peak Hour

Exhibit

2

Page 7





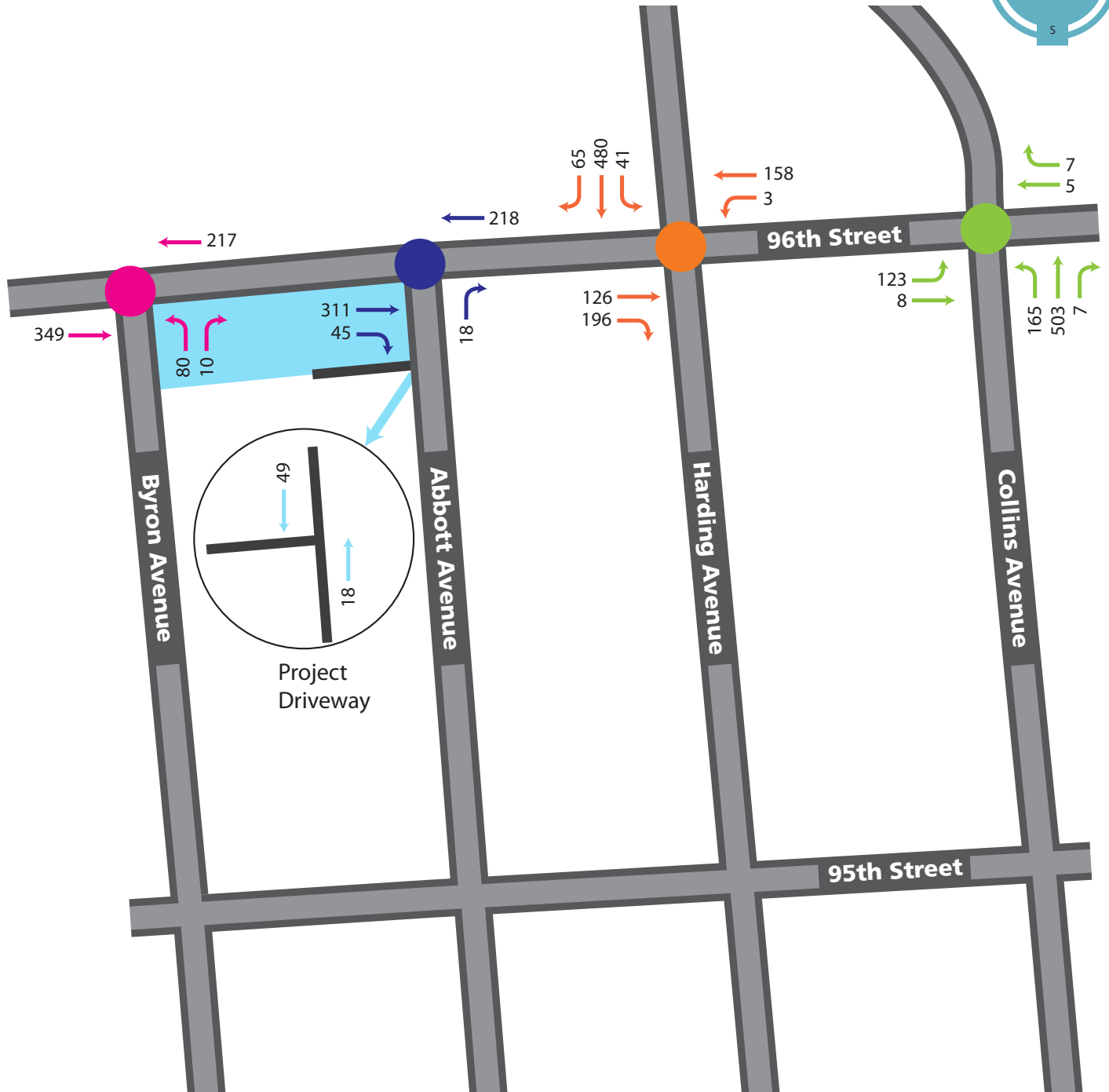
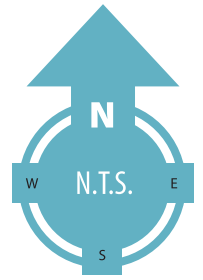
## Young Israel Congregation

Existing Weekday PM Peak Hour

Exhibit

3

Page 8



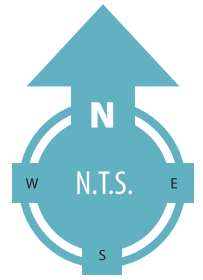
# Young Israel Congregation

Existing Sunday Peak Hour

Exhibit

4

Page 9



## Young Israel Congregation

Existing Lane Configuration

Exhibit

5

Page 10

**Exhibit 6**  
**Existing Intersection LOS Analysis**

Intersection	Signalized/ Unsignalized	Direction	Weekday AM Peak Hour LOS	Weekday PM Peak Hour LOS	Sunday Peak Hour LOS
96 <sup>th</sup> Street / Byron Avenue	S	NB EB WB <i>Overall</i>	B C B <i>B</i>	E (D) A (A) A (A) <i>B(B)</i>	B A A <i>A</i>
96 <sup>th</sup> Street / Abbott Avenue	U	NB	B	B	A
96 <sup>th</sup> Street / Harding Avenue	S	SB EB WB <i>Overall</i>	D C C <i>C</i>	B D C <i>C</i>	B C C <i>B</i>
96 <sup>th</sup> Street / Collins Avenue	S	NB EB WB <i>Overall</i>	D C E <i>D</i>	E C E <i>E</i>	B C C <i>B</i>

Notes: LOS in parenthesis denotes the LOS obtained by adjusted the existing signal timing.

Source: David Plummer & Associates

## **2.5 Roadway Capacity Analysis**

Service volumes for regionally significant roadways were obtained from FDOT's 2009 Quality/Level of Service Handbook (*LOS Handbook*). Excerpts from this document are also included in Appendix C. Analysis of existing traffic conditions for the roadway segments analyzed is provided as Exhibits 7, 8 and 9, for each of the scenarios analyzed. All roadway segments analyzed currently meet the adopted level of service standards in the area based on the existing traffic demand.

**Exhibit 7**  
**Roadway Segment Analysis (Weekday AM Peak Hour)**

<i>Weekday AM Peak</i>							
<i>Roadway</i>	<i>Limits</i>		<i># of Lanes</i>	<i>LOS Standard</i>	<i>Service Volume<sup>(1)</sup></i>	<i>Volume</i>	<i>Meets LOS Standard</i>
	<i>from</i>	<i>to</i>					
<i>96<sup>th</sup> Street</i>	<i>Byron Avenue</i>	<i>west</i>	<i>4LD (1)</i>	<i>E+20%</i>	<i>4,080</i>	<i>2,166</i>	<i>Yes</i>
	<i>Abbott Avenue</i>	<i>Byron Avenue</i>	<i>4LD (1)</i>	<i>E+20%</i>	<i>4,080</i>	<i>1,945</i>	<i>Yes</i>
	<i>Harding Avenue</i>	<i>Abbott Avenue</i>	<i>4LU (2)</i>	<i>E+20%</i>	<i>3,875</i>	<i>1,815</i>	<i>Yes</i>
	<i>Collins Avenue</i>	<i>Harding Avenue</i>	<i>4LU (2)</i>	<i>E+20%</i>	<i>3,875</i>	<i>871</i>	<i>Yes</i>
<i>Harding Avenue</i>	<i>96<sup>th</sup> Street</i>	<i>South</i>	<i>3L SB (3)</i>	<i>E+20%</i>	<i>3,700</i>	<i>2,321</i>	<i>Yes</i>
<i>Collins Avenue</i>	<i>96<sup>th</sup> Street</i>	<i>South</i>	<i>3L NB (3)</i>	<i>E+20%</i>	<i>3,700</i>	<i>1,514</i>	<i>Yes</i>
<i>Byron Avenue</i>	<i>96<sup>th</sup> Street</i>	<i>Project Drievway</i>	<i>1L NB (4)</i>	<i>D</i>	<i>865</i>	<i>277</i>	<i>Yes</i>
	<i>Project Drievway</i>	<i>95<sup>th</sup> Street</i>	<i>1L NB (4)</i>	<i>D</i>	<i>865</i>	<i>277</i>	<i>Yes</i>
<i>Abbott Avenue</i>	<i>96<sup>th</sup> Street</i>	<i>Project Drievway</i>	<i>2LU (5)</i>	<i>D</i>	<i>960</i>	<i>197</i>	<i>Yes</i>
	<i>Project Drievway</i>	<i>95<sup>th</sup> Street</i>	<i>2LU (5)</i>	<i>D</i>	<i>960</i>	<i>197</i>	<i>Yes</i>

(1) Service Volume for a Class II State Road.

(2) Service Volume for a Class II State Road adjusted by a factor of -5% for undivided roadway with left turns.

(3) Service Volume for a Class II State Road adjusted by a factor of 0.6 for a one-way facility

(4) Service Volume for a Class II State Road adjusted by a factor of -35% for non-state road, and a factor of 0.6 for a one-way facility.

(5) Service Volume for a Class II State Road adjusted by a factor of -35% for non-state

## Exhibit 8

### Roadway Segment Analysis (Weekday PM Peak Hour)

<i>Weekday PM Peak</i>							
<i>Roadway</i>	<i>Limits</i>		<i># of Lanes</i>	<i>LOS Standard</i>	<i>Service Volume<sup>(1)</sup></i>	<i>Volume</i>	<i>Meets LOS Standard</i>
	<i>from</i>	<i>to</i>					
<i>96th Street</i>	<i>Byron Avenue</i>	<i>west</i>	<i>4LD (1)</i>	<i>E+20%</i>	<i>4,080</i>	<i>2,227</i>	<i>Yes</i>
	<i>Abbott Avenue</i>	<i>Byron Avenue</i>	<i>4LD (1)</i>	<i>E+20%</i>	<i>4,080</i>	<i>1,997</i>	<i>Yes</i>
	<i>Harding Avenue</i>	<i>Abbott Avenue</i>	<i>4LU (2)</i>	<i>E+20%</i>	<i>3,875</i>	<i>1,885</i>	<i>Yes</i>
	<i>Collins Avenue</i>	<i>Harding Avenue</i>	<i>4LU (2)</i>	<i>E+20%</i>	<i>3,875</i>	<i>955</i>	<i>Yes</i>
<i>Harding Avenue</i>	<i>96th Street</i>	<i>South</i>	<i>3L SB (3)</i>	<i>E+20%</i>	<i>3,700</i>	<i>2,074</i>	<i>Yes</i>
<i>Collins Avenue</i>	<i>96th Street</i>	<i>South</i>	<i>3L NB (3)</i>	<i>E+20%</i>	<i>3,700</i>	<i>2,251</i>	<i>Yes</i>
<i>Byron Avenue</i>	<i>96th Street</i>	<i>Project Drievway</i>	<i>1L NB (4)</i>	<i>D</i>	<i>865</i>	<i>262</i>	<i>Yes</i>
	<i>Project Drievway</i>	<i>95th Street</i>	<i>1L NB (4)</i>	<i>D</i>	<i>865</i>	<i>262</i>	<i>Yes</i>
<i>Abbott Avenue</i>	<i>96th Street</i>	<i>Project Drievway</i>	<i>2LU (5)</i>	<i>D</i>	<i>950</i>	<i>269</i>	<i>Yes</i>
	<i>Project Drievway</i>	<i>95th Street</i>	<i>2LU (5)</i>	<i>D</i>	<i>950</i>	<i>269</i>	<i>Yes</i>

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(3) Service Volume for a Class II State Road adjusted by a factor of 0.6 for a one-way facility

(4) Service Volume for a Class II State Road adjusted by a factor of -35% for non-state road, and a factor of 0.6 for a one-way facility.

(5) Service Volume for a Class II State Road adjusted by a factor of -35% for non-state

**Exhibit 9**  
**Roadway Segment Analysis (Weekday PM Peak Hour)**

<i>Sunday Midday Peak</i>							
<i>Roadway</i>	<i>Limits</i>		<i># of Lanes</i>	<i>LOS Standard</i>	<i>Service Volume<sup>(1)</sup></i>	<i>Volume</i>	<i>Meets LOS Standard</i>
	<i>from</i>	<i>to</i>					
<i>96th Street</i>	<i>Byron Avenue</i>	<i>west</i>	<i>4LD (1)</i>	<i>E+20%</i>	<i>4,080</i>	<i>646</i>	<i>Yes</i>
	<i>Abbott Avenue</i>	<i>Byron Avenue</i>	<i>4LD (1)</i>	<i>E+20%</i>	<i>4,080</i>	<i>574</i>	<i>Yes</i>
	<i>Harding Avenue</i>	<i>Abbott Avenue</i>	<i>4LU (2)</i>	<i>E+20%</i>	<i>3,875</i>	<i>545</i>	<i>Yes</i>
	<i>Collins Avenue</i>	<i>Harding Avenue</i>	<i>4LU (2)</i>	<i>E+20%</i>	<i>3,875</i>	<i>328</i>	<i>Yes</i>
<i>Harding Avenue</i>	<i>96th Street</i>	<i>South</i>	<i>3L SB (3)</i>	<i>E+20%</i>	<i>3,700</i>	<i>679</i>	<i>Yes</i>
<i>Collins Avenue</i>	<i>96th Street</i>	<i>South</i>	<i>3L NB (3)</i>	<i>E+20%</i>	<i>3,700</i>	<i>675</i>	<i>Yes</i>
<i>Byron Avenue</i>	<i>96th Street</i>	<i>Project Drievway</i>	<i>1L NB (4)</i>	<i>D</i>	<i>865</i>	<i>90</i>	<i>Yes</i>
	<i>Project Drievway</i>	<i>95th Street</i>	<i>1L NB (4)</i>	<i>D</i>	<i>865</i>	<i>90</i>	<i>Yes</i>
<i>Abbott Avenue</i>	<i>96th Street</i>	<i>Project Drievway</i>	<i>2LU (5)</i>	<i>D</i>	<i>950</i>	<i>67</i>	<i>Yes</i>
	<i>Project Drievway</i>	<i>95th Street</i>	<i>2LU (5)</i>	<i>D</i>	<i>950</i>	<i>67</i>	<i>Yes</i>

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(3) Service Volume for a Class II State Road adjusted by a factor of 0.6 for a one-way facility

(4) Service Volume for a Class II State Road adjusted by a factor of -35% for non-state road, and a factor of 0.6 for a one-way facility.

(5) Service Volume for a Class II State Road adjusted by a factor of -35% for non-state



## 3.0 FUTURE TRAFFIC CONDITIONS

### 3.1 Background Traffic and Committed Developments

Average Daily Traffic counts published by FDOT were reviewed to determine historic growth in the area. This analysis indicated that traffic has generally decreased in the past five years. Consistent with Florida Department of Transportation (FDOT) procedures, a 1% yearly growth rate was used to project future background traffic conditions.

One committed development was identified within study area. The recently approve Grand Beach Hotel, located on Collins Avenue and 94<sup>th</sup> Street, was included. A summary of the trips associated with this use are provided is Exhibit 10.

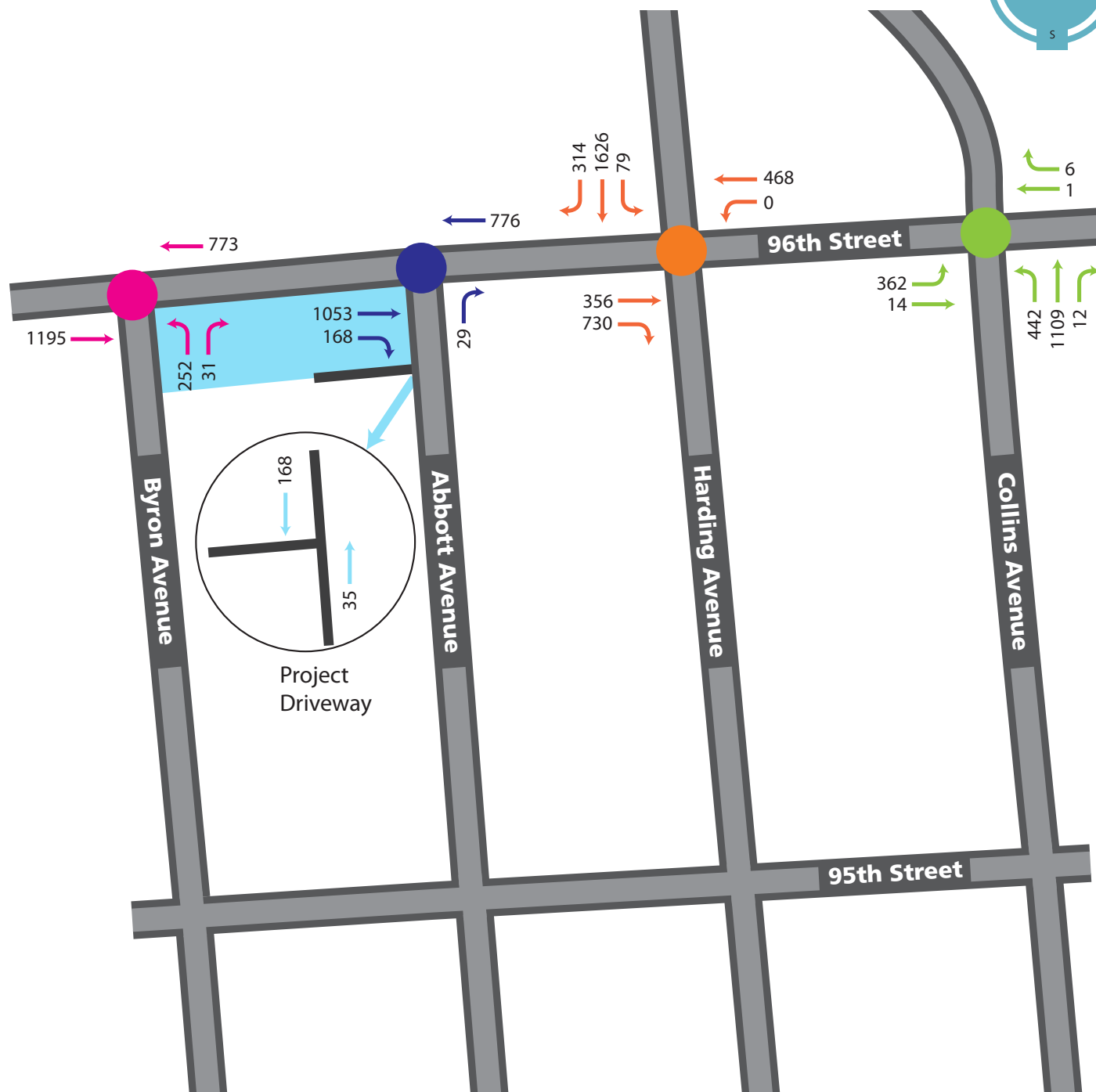
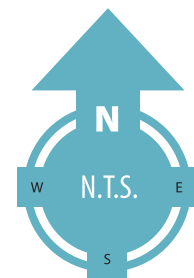
**Exhibit 10**  
**Committed Developments Trip Generation**

Development	Intensity	Weekday AM Peak Hour			Weekday PM Peak Hour			Sunday Peak Hour		
		In	Out	Total	In	Out	Total	In	Out	Total
Grand Beach Hotel	269 Rooms	91	59	150	83	75	157	70	81	151
	72 Rooms	24	16	40	22	20	42	19	22	41

Source: David Plummer & Associates

### 3.2 Future without Project Intersection Capacity Analysis

Future without project turning movement volumes were obtained by applying one year of background growth to existing conditions and adding the traffic associated with committed developments. Exhibits 11 through 13 show the projected turning movements for weekday AM and PM peak hours and for Sunday peak hour for future without project. Exhibit 14 shows the resulting LOS. Intersection capacity worksheets are included in Appendix C.



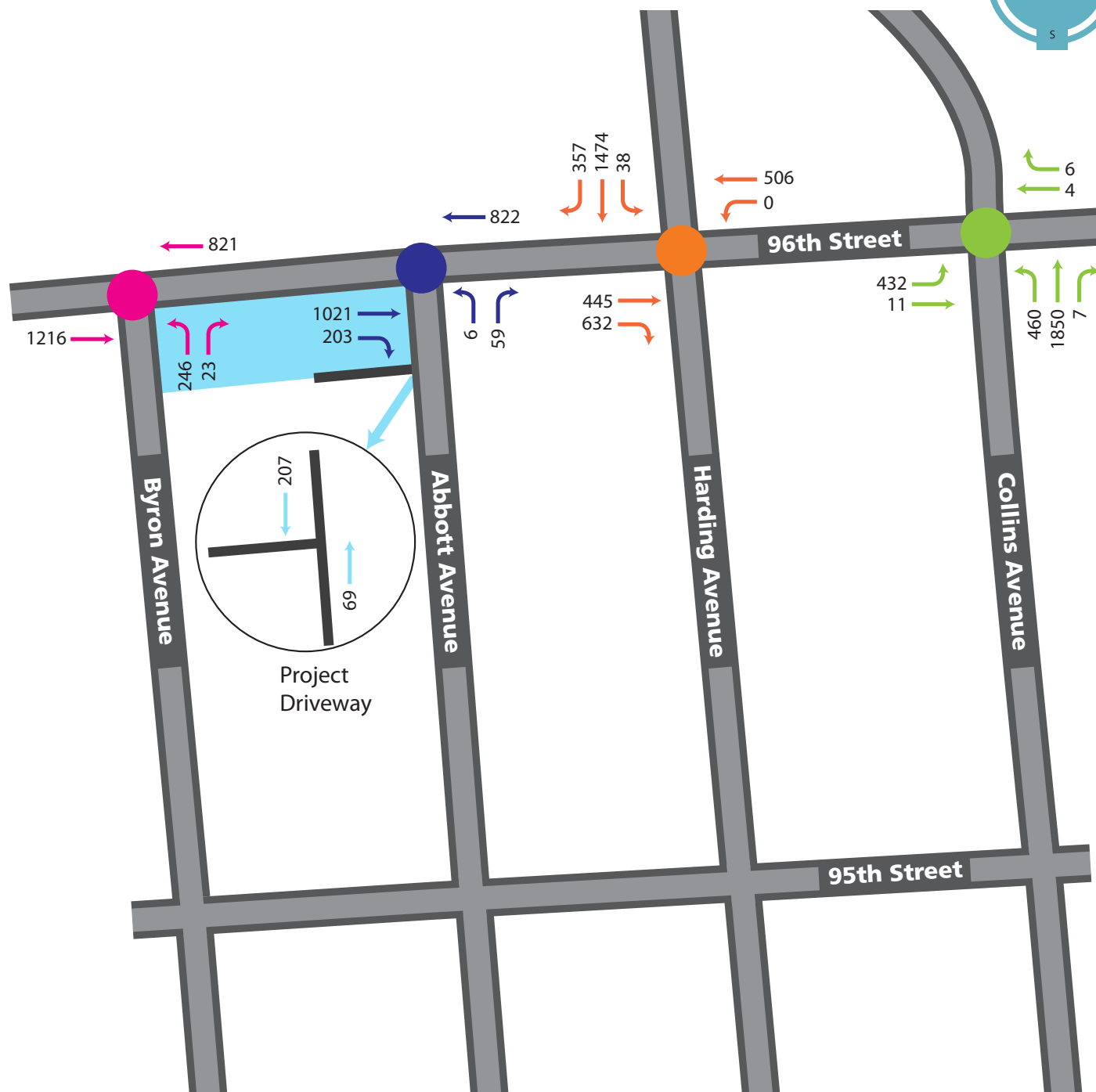
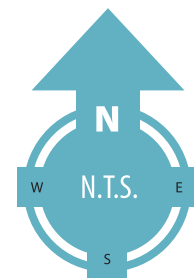
## Young Israel Congregation

Future Without Project Weekday AM Peak Hour

Exhibit

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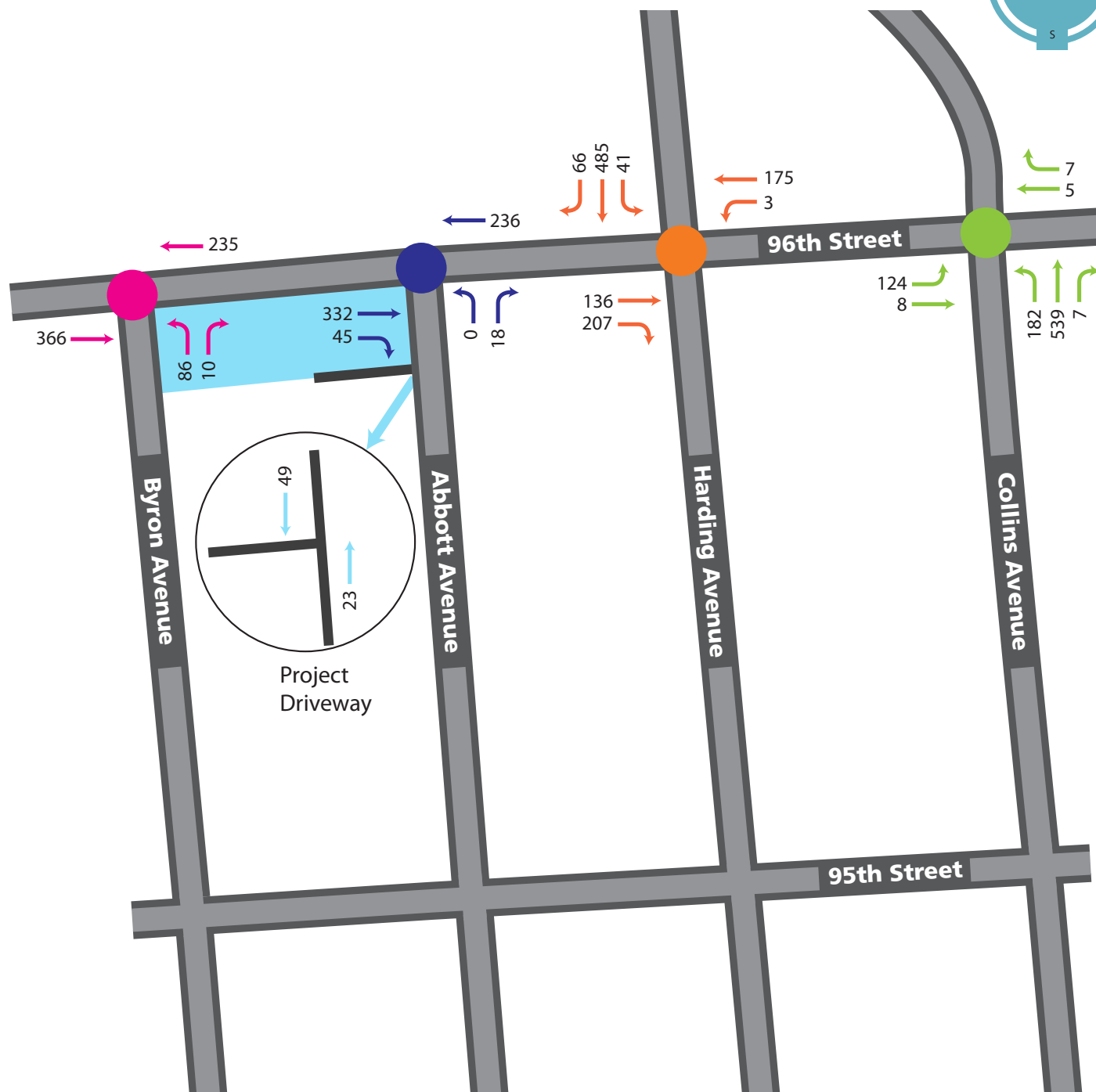
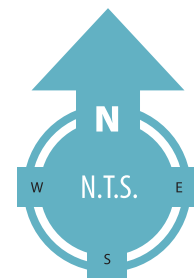
## Young Israel Congregation

Future Without Project Weekday PM Peak Hour

Exhibit

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# **Young Israel Congregation**

Future Without Project Sunday Peak Hour

Exhibit

**13**

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**Exhibit 14**  
**Future without Project Intersection LOS Analysis**

<b>Intersection</b>	<b>Signalized/ Unsignalized</b>	<b>Direction</b>	<b>Weekday AM Peak Hour LOS</b>	<b>Weekday PM Peak Hour LOS</b>	<b>Sunday Peak Hour LOS</b>
96 <sup>th</sup> Street / Byron Avenue	S	NB EB WB <i>Overall</i>	B C B <i>B</i>	D A A <i>B</i>	B A A <i>A</i>
96 <sup>th</sup> Street / Abbott Avenue	U	NB	B	B	A
96 <sup>th</sup> Street / Harding Avenue	S	SB EB WB <i>Overall</i>	D C C <i>D</i>	B D C <i>C</i>	B C C <i>B</i>
96 <sup>th</sup> Street / Collins Avenue	S	NB EB WB <i>Overall</i>	D C E <i>D</i>	D C E <i>D</i>	B C C <i>B</i>

Source: David Plummer & Associates

### 3.3 Future without Project Roadway Segment Analysis

Roadway Segment Analysis was performed for future conditions without the project in Exhibits 15 through 17.

**Exhibit 15**  
**Future without Project Roadway Segment Analysis**  
**(Weekday AM Peak Hour)**

<i>Weekday AM Peak</i>							
<i>Roadway</i>	<i>Limits</i>		<i># of Lanes</i>	<i>LOS Standard</i>	<i>Service Volume<sup>(1)</sup></i>	<i>Volume</i>	<i>Meets LOS Standard</i>
	<i>from</i>	<i>to</i>					
<i>96<sup>th</sup> Street</i>	<i>Byron Avenue</i>	<i>west</i>	<i>4LD (1)</i>	<i>D</i>	<i>4,080</i>	<i>2,220</i>	<i>Yes</i>
	<i>Abbott Avenue</i>	<i>Byron Avenue</i>	<i>4LD (1)</i>	<i>D</i>	<i>4,080</i>	<i>1,999</i>	<i>Yes</i>
	<i>Harding Avenue</i>	<i>Abbott Avenue</i>	<i>4LU (2)</i>	<i>D</i>	<i>3,875</i>	<i>1,867</i>	<i>Yes</i>
	<i>Collins Avenue</i>	<i>Harding Avenue</i>	<i>4LU (2)</i>	<i>D</i>	<i>3,875</i>	<i>902</i>	<i>Yes</i>
<i>Harding Avenue</i>	<i>96<sup>th</sup> Street</i>	<i>South</i>	<i>3L SB (3)</i>	<i>D</i>	<i>3,700</i>	<i>2,356</i>	<i>Yes</i>
<i>Collins Avenue</i>	<i>96<sup>th</sup> Street</i>	<i>South</i>	<i>3L NB (3)</i>	<i>D</i>	<i>3,700</i>	<i>1,563</i>	<i>Yes</i>
<i>Byron Avenue</i>	<i>96<sup>th</sup> Street</i>	<i>Project Drievway</i>	<i>1L NB (4)</i>	<i>D</i>	<i>865</i>	<i>284</i>	<i>Yes</i>
	<i>Project Drievway</i>	<i>95<sup>th</sup> Street</i>	<i>1L NB (4)</i>	<i>D</i>	<i>865</i>	<i>284</i>	<i>Yes</i>
<i>Abbott Avenue</i>	<i>96<sup>th</sup> Street</i>	<i>Project Drievway</i>	<i>2LU (5)</i>	<i>D</i>	<i>960</i>	<i>199</i>	<i>Yes</i>
	<i>Project Drievway</i>	<i>95<sup>th</sup> Street</i>	<i>2LU (5)</i>	<i>D</i>	<i>960</i>	<i>203</i>	<i>Yes</i>

(1) Service Volume for a Class II State Road.

(2) Service Volume for a Class II State Road adjusted by a factor of -5% for undivided roadway with left turns.

(3) Service Volume for a Class II State Road adjusted by a factor of 0.6 for a one-way facility

(4) Service Volume for a Class II State Road adjusted by a factor of -35% for non-state road, and a factor of 0.6 for a one-way facility.

(5) Service Volume for a Class II State Road adjusted by a factor of -35% for non-state

**Exhibit 16**  
**Future without Project Roadway Segment Analysis**  
**(Weekday PM Peak Hour)**

<i>Weekday PM Peak</i>							
<i>Roadway</i>	<i>Limits</i>		<i># of Lanes</i>	<i>LOS Standard</i>	<i>Service Volume<sup>(1)</sup></i>	<i>Volume</i>	<i>Meets LOS Standard</i>
	<i>from</i>	<i>to</i>					
<i>96th Street</i>	<i>Byron Avenue</i>	<i>west</i>	<i>4LD (1)</i>	<i>D</i>	<i>4,080</i>	<i>2,284</i>	<i>Yes</i>
	<i>Abbott Avenue</i>	<i>Byron Avenue</i>	<i>4LD (1)</i>	<i>D</i>	<i>4,080</i>	<i>2,052</i>	<i>Yes</i>
	<i>Harding Avenue</i>	<i>Abbott Avenue</i>	<i>4LU (2)</i>	<i>D</i>	<i>3,875</i>	<i>1,939</i>	<i>Yes</i>
	<i>Collins Avenue</i>	<i>Harding Avenue</i>	<i>4LU (2)</i>	<i>D</i>	<i>3,875</i>	<i>989</i>	<i>Yes</i>
<i>Harding Avenue</i>	<i>96th Street</i>	<i>South</i>	<i>3L SB (3)</i>	<i>D</i>	<i>3,700</i>	<i>2,105</i>	<i>Yes</i>
<i>Collins Avenue</i>	<i>96th Street</i>	<i>South</i>	<i>3L NB (3)</i>	<i>D</i>	<i>3,700</i>	<i>2,316</i>	<i>Yes</i>
<i>Byron Avenue</i>	<i>96th Street</i>	<i>Project Drievway</i>	<i>1L NB (4)</i>	<i>D</i>	<i>865</i>	<i>269</i>	<i>Yes</i>
	<i>Project Drievway</i>	<i>95th Street</i>	<i>1L NB (4)</i>	<i>D</i>	<i>865</i>	<i>269</i>	<i>Yes</i>
<i>Abbott Avenue</i>	<i>96th Street</i>	<i>Project Drievway</i>	<i>2LU (5)</i>	<i>D</i>	<i>950</i>	<i>272</i>	<i>Yes</i>
	<i>Project Drievway</i>	<i>95th Street</i>	<i>2LU (5)</i>	<i>D</i>	<i>950</i>	<i>276</i>	<i>Yes</i>

(1) Service Volume for a Class II State Road.

(2) Service Volume for a Class II State Road adjusted by a factor of -5% for undivided roadway with left turns.

(3) Service Volume for a Class II State Road adjusted by a factor of 0.6 for a one-way facility

(4) Service Volume for a Class II State Road adjusted by a factor of -35% for non-state road, and a factor of 0.6 for a one-way facility.

(5) Service Volume for a Class II State Road adjusted by a factor of -35% for non-state

**Exhibit 17**  
**Future without Project Roadway Segment Analysis**  
**(Sunday Peak Hour)**

<i>Sunday Midday Peak</i>							
<i>Roadway</i>	<i>Limits</i>		<i># of Lanes</i>	<i>LOS Standard</i>	<i>Service Volume<sup>(1)</sup></i>	<i>Volume</i>	<i>Meets LOS Standard</i>
	<i>from</i>	<i>to</i>					
<i>96th Street</i>	<i>Byron Avenue</i>	<i>west</i>	<i>4LD (1)</i>	<i>D</i>	<i>4,080</i>	<i>686</i>	<i>Yes</i>
	<i>Abbott Avenue</i>	<i>Byron Avenue</i>	<i>4LD (1)</i>	<i>D</i>	<i>4,080</i>	<i>613</i>	<i>Yes</i>
	<i>Harding Avenue</i>	<i>Abbott Avenue</i>	<i>4LU (2)</i>	<i>D</i>	<i>3,875</i>	<i>584</i>	<i>Yes</i>
	<i>Collins Avenue</i>	<i>Harding Avenue</i>	<i>4LU (2)</i>	<i>D</i>	<i>3,875</i>	<i>356</i>	<i>Yes</i>
<i>Harding Avenue</i>	<i>96th Street</i>	<i>South</i>	<i>3L SB (3)</i>	<i>D</i>	<i>3,700</i>	<i>695</i>	<i>Yes</i>
<i>Collins Avenue</i>	<i>96th Street</i>	<i>South</i>	<i>3L NB (3)</i>	<i>D</i>	<i>3,700</i>	<i>728</i>	<i>Yes</i>
<i>Byron Avenue</i>	<i>96th Street</i>	<i>Project Drievway</i>	<i>1L NB (4)</i>	<i>D</i>	<i>865</i>	<i>96</i>	<i>Yes</i>
	<i>Project Drievway</i>	<i>95th Street</i>	<i>1L NB (4)</i>	<i>D</i>	<i>865</i>	<i>96</i>	<i>Yes</i>
<i>Abbott Avenue</i>	<i>96th Street</i>	<i>Project Drievway</i>	<i>2LU (5)</i>	<i>D</i>	<i>950</i>	<i>68</i>	<i>Yes</i>
	<i>Project Drievway</i>	<i>95th Street</i>	<i>2LU (5)</i>	<i>D</i>	<i>950</i>	<i>73</i>	<i>Yes</i>

(1) Service Volume for a Class II State Road.

(2) Service Volume for a Class II State Road adjusted by a factor of -5% for undivided roadway with left turns.

(3) Service Volume for a Class II State Road adjusted by a factor of 0.6 for a one-way facility

(4) Service Volume for a Class II State Road adjusted by a factor of -35% for non-state road, and a factor of 0.6 for a one-way facility.

(5) Service Volume for a Class II State Road adjusted by a factor of -35% for non-state



### 3.4 Project Trip Generation

Trip generation for the proposed project was estimated using the Institute of Transportation Engineers (ITE) Trip Generation manual, 8<sup>th</sup> Edition. The project trip generation summary is provided in Exhibit 18.

**Exhibit 18**  
**Project Trip Generation**

Land Use	ITE Land Use Code		Weekday AM Peak Hour			Weekday PM Peak Hour			Sunday PM Peak Hour		
			In <sup>1</sup>	Out <sup>1</sup>	Total	In	Out	Total	In	Out	Total
Synagogue	561	Rate	53%	47%	0.14	47%	53%	1.69	49%	51%	7.58
Existing Use 4,000 Sq Ft		Trips	1	0	1	3	4	7	15	15	30
Proposed Use 23,784 Sq Ft		Trips	2	1	3	19	21	40	88	92	180
Net New Trips			1	1	2	16	17	33	73	77	150

<sup>1</sup> PM Peak Hour Split was reversed for the AM Peak Hour

Source: David Plummer & Associates

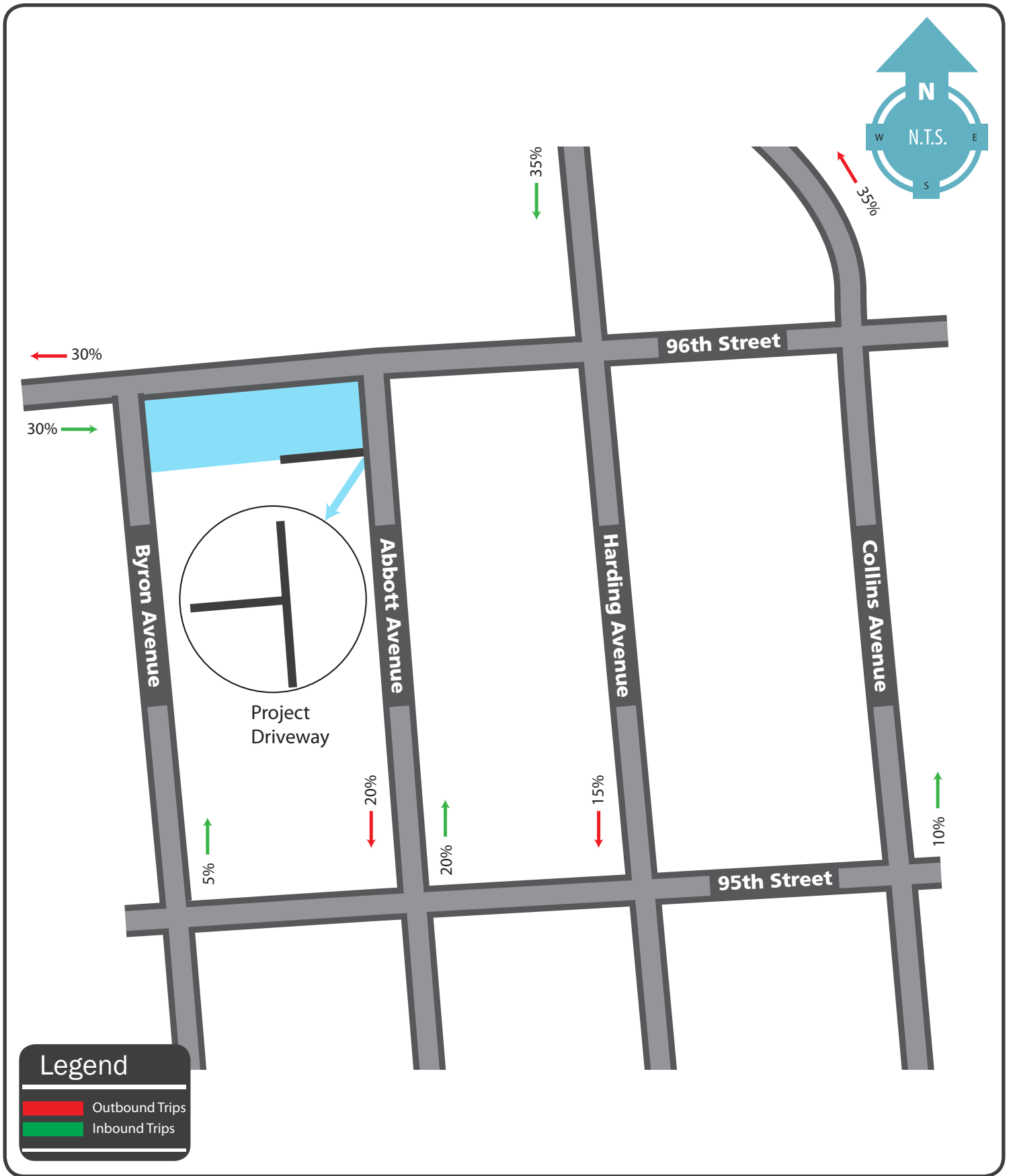
### 3.5 Project Trip Assignment

Project traffic was distributed and assigned to the study area using the Cardinal Distribution for TAZ 602 shown in Exhibit 19. The Cardinal Distribution gives a generalized distribution of trips from a TAZ to other parts of Miami-Dade County. For estimating trip distribution for the project traffic, consideration was given to conditions such as the roadway network accessed by the project traffic, roadways available to travel in the desired direction, and attractiveness of traveling on a specific roadway. Project trip assignment for inbound and outbound is shown in Exhibit 20.

**Exhibit 19**  
**Cardinal Distribution (TAZ 602)**

Direction	2005	2035	2013	Direction	2005	2035	2013
<b>NNE</b>	2.26	0.81	1.87	<b>SSW</b>	28.76	27.3	28.37
<b>ENE</b>	0	0	0.00	<b>WSW</b>	14.06	16.93	14.83
<b>ESE</b>	0	0	0.00	<b>WNW</b>	11.1	21.59	13.90
<b>SSE</b>	10.08	1.6	7.82	<b>NNW</b>	33.76	31.77	33.23

Source: Miami Urban Area Transportation Study



## Young Israel Congregation

Project Distribution

Exhibit

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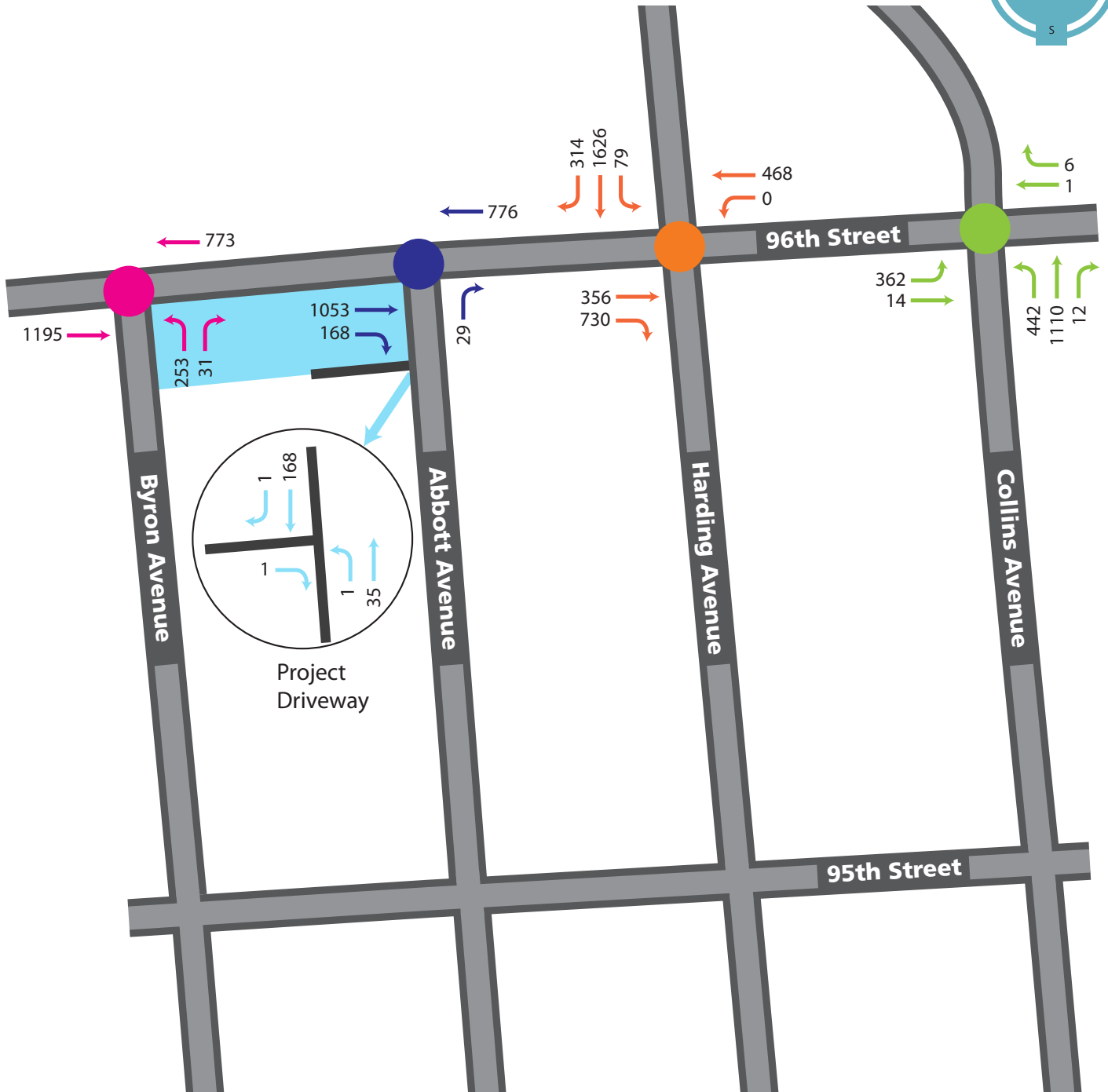
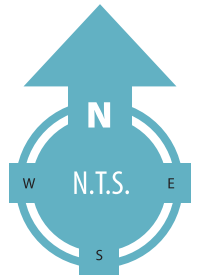
### 3.6 Future with Project Intersection Capacity Analysis

Future background traffic from the previous section and traffic projections for the project were combined to obtain future traffic with project at the analyzed intersections. Exhibit 21 shows the resulting LOS for the weekday, Friday and Saturday PM peak hour conditions for future with project. Capacity worksheets are included in Appendix C. Exhibits 22 through 24 show the projected turning movement volumes. All of the analyzed intersections operate within the town's LOS standards.

**Exhibit 21**  
**Future with Project Intersection LOS Analysis**

Intersection	Signalized/ Unsignalized	Direction	Weekday AM Peak Hour LOS	Weekday PM Peak Hour LOS	Sunday Peak Hour LOS
96 <sup>th</sup> Street / Byron Avenue	S	NB EB WB <i>Overall</i>	B C B <i>B</i>	D A A <i>B</i>	C A A <i>A</i>
96 <sup>th</sup> Street / Abbott Avenue	U	NB	C	C	A
96 <sup>th</sup> Street / Harding Avenue	S	SB EB WB <i>Overall</i>	D C C <i>D</i>	B D C <i>C</i>	B C C <i>B</i>
96 <sup>th</sup> Street / Collins Avenue	S	NB EB WB <i>Overall</i>	D C E <i>D</i>	D C E <i>D</i>	B C C <i>B</i>

Source: David Plummer & Associates



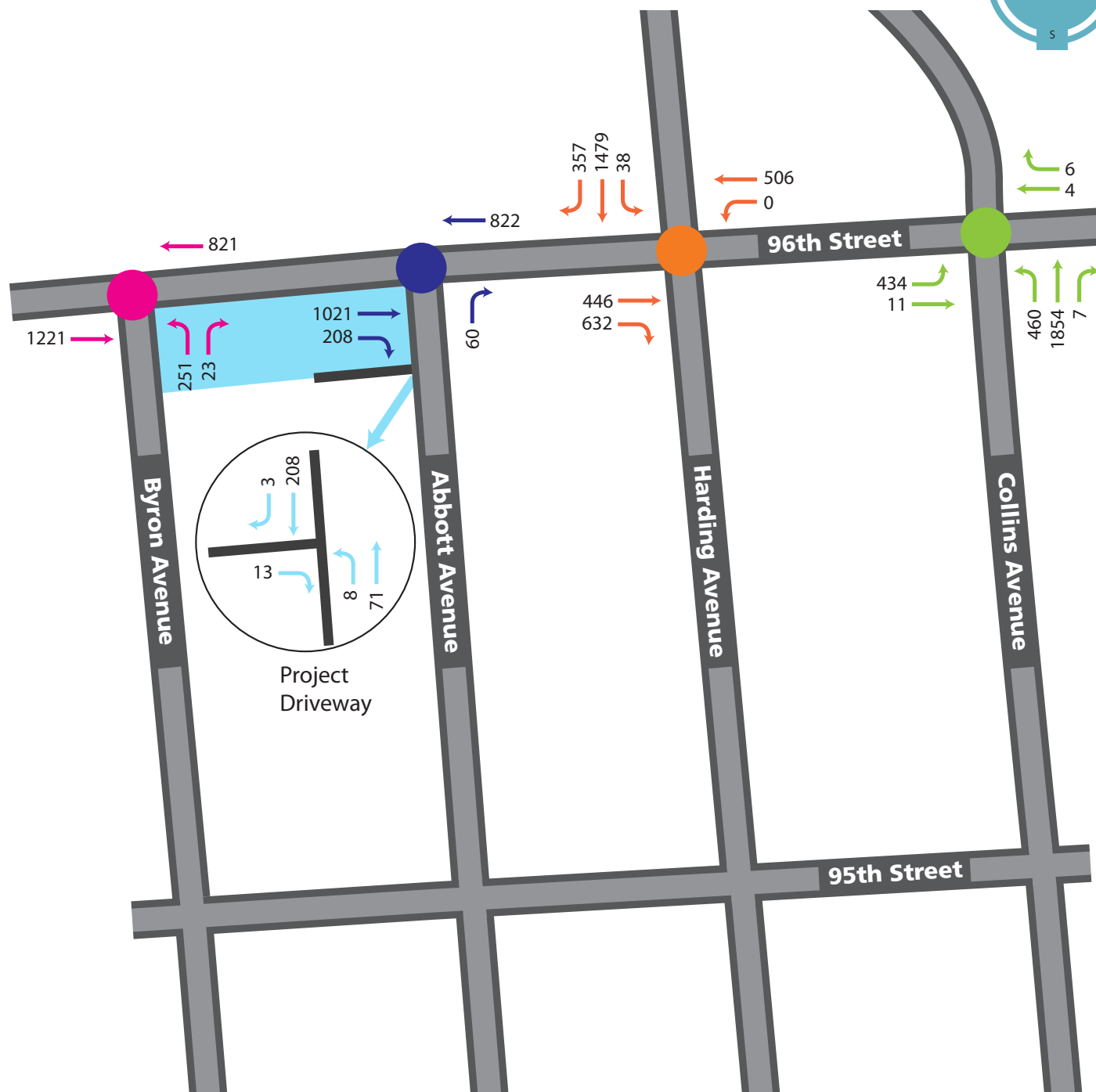
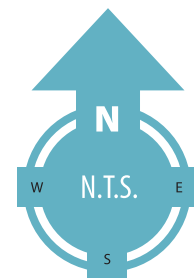
## Young Israel Congregation

Future With Project Weekday AM Peak Hour

Exhibit

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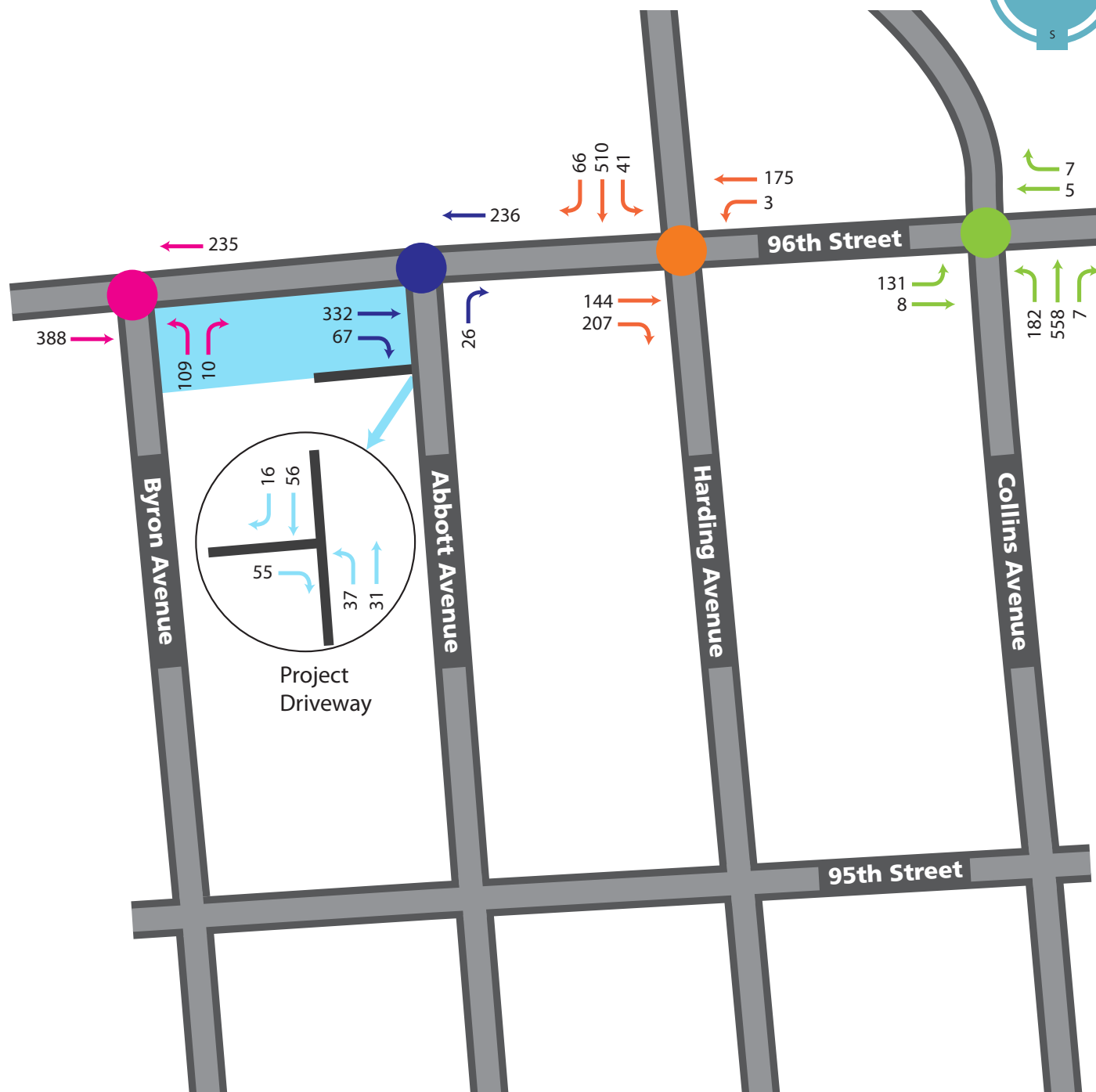
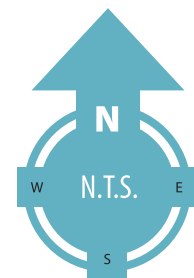
# **Young Israel Congregation**

Future With Project Weekday PM Peak Hour

Exhibit

**23**

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# **Young Israel Congregation**

Future With Project Sunday Peak Hour

Exhibit

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### **3.7 Future with Project Roadway Segment Analysis**

Future background traffic from the previous section and traffic projections for the project were combined to obtain future traffic with project at the analyzed roadway segments. Analysis of future conditions with the project for the roadway segments analyzed is provided in Exhibits 25 through 27. All roadway segments analyzed currently meet the adopted level of service standards in the area based on the projected traffic demand.

**Exhibit 25**  
**Roadway Segment Analysis (Weekday AM Peak Hour)**

<i>Weekday AM Peak</i>							
<i>Roadway</i>	<i>Limits</i>		<i># of Lanes</i>	<i>LOS Standard</i>	<i>Service Volume<sup>(1)</sup></i>	<i>Volume</i>	<i>Meets LOS Standard</i>
	<i>from</i>	<i>to</i>					
<i>96<sup>th</sup> Street</i>	<i>Byron Avenue</i>	<i>west</i>	<i>4LD (1)</i>	<i>D</i>	<i>4,080</i>	<i>2,221</i>	<i>Yes</i>
	<i>Abbott Avenue</i>	<i>Byron Avenue</i>	<i>4LD (1)</i>	<i>D</i>	<i>4,080</i>	<i>1,999</i>	<i>Yes</i>
	<i>Harding Avenue</i>	<i>Abbott Avenue</i>	<i>4LU (2)</i>	<i>D</i>	<i>3,875</i>	<i>1,867</i>	<i>Yes</i>
	<i>Collins Avenue</i>	<i>Harding Avenue</i>	<i>4LU (2)</i>	<i>D</i>	<i>3,875</i>	<i>902</i>	<i>Yes</i>
<i>Harding Avenue</i>	<i>96<sup>th</sup> Street</i>	<i>South</i>	<i>3L SB (3)</i>	<i>D</i>	<i>3,700</i>	<i>2,356</i>	<i>Yes</i>
<i>Collins Avenue</i>	<i>96<sup>th</sup> Street</i>	<i>South</i>	<i>3L NB (3)</i>	<i>D</i>	<i>3,700</i>	<i>1,563</i>	<i>Yes</i>
<i>Byron Avenue</i>	<i>96<sup>th</sup> Street</i>	<i>Project Drievway</i>	<i>1L NB (4)</i>	<i>D</i>	<i>865</i>	<i>284</i>	<i>Yes</i>
	<i>Project Drievway</i>	<i>95<sup>th</sup> Street</i>	<i>1L NB (4)</i>	<i>D</i>	<i>865</i>	<i>284</i>	<i>Yes</i>
<i>Abbott Avenue</i>	<i>96<sup>th</sup> Street</i>	<i>Project Drievway</i>	<i>2LU (5)</i>	<i>D</i>	<i>960</i>	<i>199</i>	<i>Yes</i>
	<i>Project Drievway</i>	<i>95<sup>th</sup> Street</i>	<i>2LU (5)</i>	<i>D</i>	<i>960</i>	<i>204</i>	<i>Yes</i>

(1) Service Volume for a Class II State Road.

(2) Service Volume for a Class II State Road adjusted by a factor of -5% for undivided roadway with left turns.

(3) Service Volume for a Class II State Road adjusted by a factor of 0.6 for a one-way facility

(4) Service Volume for a Class II State Road adjusted by a factor of -35% for non-state road, and a factor of 0.6 for a one-way facility.

(5) Service Volume for a Class II State Road adjusted by a factor of -35% for non-state



**Exhibit 26**  
**Roadway Segment Analysis (Weekday PM Peak Hour)**

<i>Weekday PM Peak</i>							
<i>Roadway</i>	<i>Limits</i>		<i># of Lanes</i>	<i>LOS Standard</i>	<i>Service Volume<sup>(1)</sup></i>	<i>Volume</i>	<i>Meets LOS Standard</i>
	<i>from</i>	<i>to</i>					
<i>96th Street</i>	<i>Byron Avenue</i>	<i>west</i>	<i>4LD (1)</i>	<i>D</i>	<i>4,080</i>	<i>2,284</i>	<i>Yes</i>
	<i>Abbott Avenue</i>	<i>Byron Avenue</i>	<i>4LD (1)</i>	<i>D</i>	<i>4,080</i>	<i>2,052</i>	<i>Yes</i>
	<i>Harding Avenue</i>	<i>Abbott Avenue</i>	<i>4LU (2)</i>	<i>D</i>	<i>3,875</i>	<i>1,939</i>	<i>Yes</i>
	<i>Collins Avenue</i>	<i>Harding Avenue</i>	<i>4LU (2)</i>	<i>D</i>	<i>3,875</i>	<i>989</i>	<i>Yes</i>
<i>Harding Avenue</i>	<i>96th Street</i>	<i>South</i>	<i>3L SB (3)</i>	<i>D</i>	<i>3,700</i>	<i>2,105</i>	<i>Yes</i>
<i>Collins Avenue</i>	<i>96th Street</i>	<i>South</i>	<i>3L NB (3)</i>	<i>D</i>	<i>3,700</i>	<i>2,316</i>	<i>Yes</i>
<i>Byron Avenue</i>	<i>96th Street</i>	<i>Project Drievway</i>	<i>1L NB (4)</i>	<i>D</i>	<i>865</i>	<i>269</i>	<i>Yes</i>
	<i>Project Drievway</i>	<i>95th Street</i>	<i>1L NB (4)</i>	<i>D</i>	<i>865</i>	<i>269</i>	<i>Yes</i>
<i>Abbott Avenue</i>	<i>96th Street</i>	<i>Project Drievway</i>	<i>2LU (5)</i>	<i>D</i>	<i>950</i>	<i>272</i>	<i>Yes</i>
	<i>Project Drievway</i>	<i>95th Street</i>	<i>2LU (5)</i>	<i>D</i>	<i>950</i>	<i>276</i>	<i>Yes</i>

(1) Service Volume for a Class II State Road.

(2) Service Volume for a Class II State Road adjusted by a factor of -5% for undivided roadway with left turns.

(3) Service Volume for a Class II State Road adjusted by a factor of 0.6 for a one-way facility

(4) Service Volume for a Class II State Road adjusted by a factor of -35% for non-state road, and a factor of 0.6 for a one-way facility.

(5) Service Volume for a Class II State Road adjusted by a factor of -35% for non-state

**Exhibit 27**  
**Roadway Segment Analysis (Sunday Peak Hour)**

<i>Sunday Midday Peak</i>							
<i>Roadway</i>	<i>Limits</i>		<i># of Lanes</i>	<i>LOS Standard</i>	<i>Service Volume<sup>(1)</sup></i>	<i>Volume</i>	<i>Meets LOS Standard</i>
	<i>from</i>	<i>to</i>					
<i>96th Street</i>	<i>Byron Avenue</i>	<i>west</i>	<i>4LD (1)</i>	<i>D</i>	<i>4,080</i>	<i>731</i>	<i>Yes</i>
	<i>Abbott Avenue</i>	<i>Byron Avenue</i>	<i>4LD (1)</i>	<i>D</i>	<i>4,080</i>	<i>635</i>	<i>Yes</i>
	<i>Harding Avenue</i>	<i>Abbott Avenue</i>	<i>4LU (2)</i>	<i>D</i>	<i>3,875</i>	<i>591</i>	<i>Yes</i>
	<i>Collins Avenue</i>	<i>Harding Avenue</i>	<i>4LU (2)</i>	<i>D</i>	<i>3,875</i>	<i>363</i>	<i>Yes</i>
<i>Harding Avenue</i>	<i>96th Street</i>	<i>South</i>	<i>3L SB (3)</i>	<i>D</i>	<i>3,700</i>	<i>720</i>	<i>Yes</i>
<i>Collins Avenue</i>	<i>96th Street</i>	<i>South</i>	<i>3L NB (3)</i>	<i>D</i>	<i>3,700</i>	<i>747</i>	<i>Yes</i>
<i>Byron Avenue</i>	<i>96th Street</i>	<i>Project Drievway</i>	<i>1L NB (4)</i>	<i>D</i>	<i>865</i>	<i>119</i>	<i>Yes</i>
	<i>Project Drievway</i>	<i>95th Street</i>	<i>1L NB (4)</i>	<i>D</i>	<i>865</i>	<i>119</i>	<i>Yes</i>
<i>Abbott Avenue</i>	<i>96th Street</i>	<i>Project Drievway</i>	<i>2LU (5)</i>	<i>D</i>	<i>950</i>	<i>97</i>	<i>Yes</i>
	<i>Project Drievway</i>	<i>95th Street</i>	<i>2LU (5)</i>	<i>D</i>	<i>950</i>	<i>179</i>	<i>Yes</i>

(1) Service Volume for a Class II State Road.

(2) Service Volume for a Class II State Road adjusted by a factor of -5% for undivided roadway with left turns.

(3) Service Volume for a Class II State Road adjusted by a factor of 0.6 for a one-way facility

(4) Service Volume for a Class II State Road adjusted by a factor of -35% for non-state road, and a factor of 0.6 for a one-way facility.

(5) Service Volume for a Class II State Road adjusted by a factor of -35% for non-state

## 4.0 PARKING GARAGE INGRESS/EGRESS

The proposed building will have a parking garage with 32 parking spaces. The location of the proposed egress/ingress was analyzed as part of this study. Ingress/ egress could be provided on either Abbott Avenue or Byron Avenue. Advantages and disadvantages of having the driveway at either location were evaluated.

### **Byron Avenue**

Advantages:

- Provide direct access to westbound and eastbound 96<sup>th</sup> Street through a signalized intersection.
- All ingress will be accomplished through a right turn.

Disadvantages:

- The one-way roadway requires entering vehicles to circulate through a residential street.
- Because of the proximity of the driveway to the signalized intersection, vehicles exiting the garage wanting to go west on 96<sup>th</sup> Street may block the right-turn lane.
- Because of the proximity of the driveway to the signalized intersection, vehicles queuing at the signal may prevent vehicles from exiting the parking garage.
- The one-way system will make the entrance confusing to un-familiar drivers. This may encourage some drivers to drive against traffic on Byron Avenue.

### **Abbott Avenue**

Advantages:

- Circulation pattern is similar to the one currently being use by the congregation.
- The right-turn only restriction out of the parking garage will prevent vehicles from blocking the intersection.
- The two-way system allows for easy access from 96<sup>th</sup> Street.

- The right-turn only restriction out of the parking garage will also prevent exiting vehicles from conflicting with traffic operations at 96<sup>th</sup> Street.

Disadvantages:

- Vehicles wanting to go west on 96<sup>th</sup> Street have to circulate through a residential neighborhood.

Based on this analysis, it is our recommendation that the ingress/egress from the proposed parking garage be located on Abbott Avenue. It should be noted that during a meeting held with town of Surfside police officers, they also recommended that the location of the parking garage be on Abbott Avenue.

## **5.0 OFF-STREET PARKING REQUIREMENT**

The Young Israel Congregation is currently located at 9592 Harding Avenue in Surfside, Florida. The congregation meets on the second floor of the AmTrust Bank building located on the southwest corner of the 96<sup>th</sup> Street / Harding Avenue intersection (across the street from the Bal Harbour Shops). The current site has a 4,000 SF area. The proposed temple will be located on the southwest corner of the 96<sup>th</sup> Street / Abbott Avenue intersection, one block west of the existing site. The square footage of the new temple will be 23,784 SF which include a 371-seat Sanctuary, a 3,530 SF social hall and other related uses.

Off-street parking for the proposed temple was calculated based on 1 parking space for every 50 SF of social hall (public assembly) and a reduction factor of 25% for a total of 53 parking spaces.

The Young Israel Congregation is an Orthodox synagogue. Daily early morning and late afternoon services are attended by approximately 15 to 20 members. Friday night and Saturday morning services (Sabbath), as well as High Holidays are attended by most of the congregation. However, following the Orthodox Jewish tradition, members of the congregation are not permitted to drive to these services; they walk to services. Therefore, their parking requirements are significantly less than those of standard religious institutions.

It is our professional opinion that the 25% parking reduction applied to the parking calculation is reasonable. The 53 parking spaces provided by the proposed temple will adequately satisfy the demand for parking at the proposed synagogue.

## **6.0 CONCLUSIONS**

An assessment of the traffic impacts associated with the proposed improvements to the Young Israel Congregation in accordance with the requirements of the town of Surfside. All of the analyzed intersections and roadway segments will operate within the City's LOS standards at project buildout.

The location of the proposed egress/ingress was analyzed as part of this study. Based on the analysis, it is our recommendation that the ingress/egress from the proposed parking garage be located on Abbott Avenue. It should be noted that during a meeting held with town of Surfside police officers, they also recommended that the location of the parking garage be on Abbott Avenue.

Off-street parking for the proposed temple was calculated based on 1 parking space for every 50 SF of the social hall (public assembly) and a reduction factor of 25% for a total of 53 parking spaces. Based on the fact that members of the congregation walk to services, it is our professional opinion that the 25% parking reduction applied to the parking calculation is reasonable. The 53 parking spaces provided by the proposed temple will adequately satisfy the demand for parking at the proposed synagogue.

# Appendix A

## Methodology and Site Plan

## **INTRODUCTION**

The project known as “Young Israel Congregation” is located at 9850 Abbott Avenue in Surfside, Florida. The project proposes a Synagogue, comprised of a chapel, sanctuary, social hall, lobby, offices, classrooms and an underground parking garage. This methodology will provide the details of the requested Traffic Analysis Study for this development. This purpose of this study is to:

1. Justify Parking Adjustment Factor
2. Perform a Traffic Impact Analysis within the Area of Influence
3. Determine Best Location of the Parking Garage Ingress/Egress

### **A. PARKING ADJUSTMENT FACTOR**

- a. As required by the settlement agreement, the applicant shall provide justification for any “Parking Adjustment Figure” utilized in the parking calculation. The “Parking Adjustment Figure” will be defined as the number determined by the “Qualified Independent Parking Consultant” as the number of parking spaces that may be properly eliminated from the Gross Parking Figure so that the resulting Parking Obligation yields an appropriate number of parking spaces after taking into account all relevant factors, including the size and features of the Building, governmental requirements, public impact, impact on Young Israel, and sound judgment.

### **B. TRAFFIC IMPACT ANALYSIS**

#### **a. Trip Generation**

Trip generation forecast shall be performed utilizing the Institute of Transportation Engineers’ (ITE) Trip Generation Manual, Eighth Edition for the weekday AM, PM and Off-peak hour. Off-peak hours shall be described as the peak period for the social hall (may include the weekend).

#### **b. Trip Distribution/Trip Assignment**

Net new external project traffic shall be assigned to the adjacent street network using the Miami-Dade County TRIPS Model. Normal traffic patterns may also be considered when assigning project trips.

Committed Developments – The Town will provide committed development data to applicant, if necessary.

Future Transportation Projects – The applicant shall utilize any future transportation projects which add capacity to the network study area.

#### **c. Level of Service Analysis**

Level of service analysis shall be performed on a typical weekday during the AM, PM and off-peak hour (may include the weekend) for the following conditions:

1. Existing Conditions
2. Future Conditions without Project
3. Future Conditions with Project



Link and intersection analysis shall be performed at the following locations:

Intersections:

- 96<sup>th</sup> Street at Byron Avenue
- 96<sup>th</sup> Street at Abbott Avenue
- 96<sup>th</sup> Street at Collins Avenue
- 96<sup>th</sup> Street at Harding Avenue
- Project Driveway at Byron Avenue/Abbott Avenue

Links:

- 96<sup>th</sup> Street, west of Byron Avenue
- 96<sup>th</sup> Street, between Byron Avenue and Abbott Avenue
- 96<sup>th</sup> Street, between Abbott Avenue and Harding Avenue
- 96<sup>th</sup> Street, between Harding Avenue and Collins Avenue
- Harding Avenue, south of 96<sup>th</sup> Street
- Collins Avenue, south of 96<sup>th</sup> Street
- Byron Avenue, between 96<sup>th</sup> Street and Project Driveway
- Byron Avenue, between Project Driveway and 95 Street
- Abbott Avenue, between 96<sup>th</sup> Street and Project Driveway
- Abbott Avenue, between Project Driveway and 95 Street

Intersections and project driveway analysis shall be done using Highway Capacity Software (HCS) based on the latest edition of the Highway Capacity Manual (HCM). Roadway link analysis will be based on the FDOT's Generalized Tables from the 2009 Quality/Level of Service Handbook.

**C. PARKING GARAGE INGRESS/EGRESS DETERMINATION**

- a. The traffic study shall also analyze if either the Abbott Avenue or Byron Avenue garage ingress/egress is more efficient and indicate which one has the least traffic impacts.



**YOUNG ISRAEL CONGREGATION**  
 9650 ABBOTT AVE.  
 SUITE 100  
 BOCA RATON, FLORIDA

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KEY PLAN			
NO.	PROJECT NO.	DATE	BY
491			
REVISION			
NO.	DATE	BY	REVISION
1	09-22-09		STAFF SUBMITTAL
2	02-09-12		STAFF SUBMITTAL
3	02-23-12		STAFF SUBMITTAL

**PARKING LEVEL**

SHEET NO.:

**A-2**

**PARKING LEVEL**

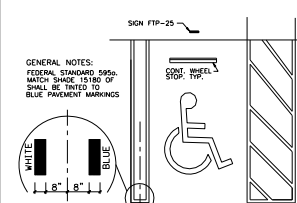
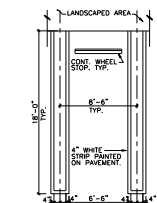
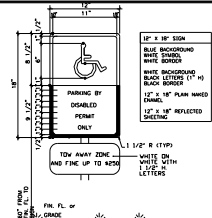
SCALE: 1/8" = 1'-0"

1,5000 RELIGIOUS ENTITIES ARE EXEMPT FROM:

THE REQUIREMENTS TITLE III OF THE ADA.  
 A RELIGIOUS ENTITY, HOWEVER WOULD BE SUBJECT TO THE EMPLOYMENT OBLIGATIONS OF THE TITLE I IF IT HAS ENOUGH EMPLOYEES TO MEET THE REQUIREMENTS FOR COVERAGE.

**GUIDELINES FOR ACCESSIBILITY TO PHYSICALLY DISABLED PERSONS**

- FOR THE CONVENIENCE OF THE PHYSICALLY DISABLED, HANDICAPPED PERSONS SHOULD BE PROVIDED SO THAT OPENING AREAS SUCH AS CORRIDORS, PROGRESSIVE OPENING FOR TOWELS & HANGERS ARE NO MORE THAN 40" ABOVE FIN. FLOOR.
- FOR THE SAFETY OF THE BUILDING, OPENING AREAS SHOULD BE MORE THAN 40" ABOVE FIN. FLOOR.
- LAUNDRY AT EACH WASHROOM SHOULD PROVIDE:
  - A WASHING MACHINE OF 34" FROM FIN. FLOOR TO WHEEL.
  - A WASHING MACHINE OF 34" FROM FIN. FLOOR TO TOP OF TUB.
  - WASHING MACHINE OF 34" FROM FIN. FLOOR TO TOP OF TUB.
  - A DRYER MACHINE WHICH CAN BE OPERATED WITH ONE HAND.
  - SHOULDER LEVER TUBET CONTROL FOR HOT & COLD WATER.
- TOILET COMPARTMENTS FOR THE DISABLED SHOULD COMPLY BY THE GUIDELINES OF THE F.A.C.C. 2011 WITH 2009 AMENDMENTS SECTION AND CLEAR & OPEN SHALL BE 32" WIDE. WHEEL SHOULD BE 17" TO 19" MEASURED TO THE TOP OF THE SEAT.
- GRAB BARS SHOULD BE MOUNTED HORIZONTALLY AT A HEIGHT OF 36" FROM FIN. FLOOR & SHOULD BE 1 1/2" IN DIAMETER WITH 1 1/2" CLEARANCE BETWEEN GRAB BAR & WALL, 24" MIN. LENGTH.
- ACCESSORIES WITHIN A TOILET COMPARTMENT SHOULD BE LOCATED BELOW THE GRAB BAR.



**ACCESSIBILITY NOTES**

SCALE: N.T.S.

**DISABLED SIGN**

SCALE: N.T.S.

**STANDARD PARKING STALL DTL.**

SCALE: N.T.S.

**HANDICAPPED PARKING STALL DTL.**

SCALE: N.T.S.

**SECTION**

SCALE: 1/8" = 1'-0"

## Appendix B

### Traffic Data Collection

## TURNING MOVEMENT COUNTS

**Project Name:** Young Israel  
**Location:** 96th Street & Byron Avenue  
**Observer:** Traffic Survey Specialist, Inc.

**Project Number:** 12110  
**Count Date:** 2/14/2012  
**Day of Week:** Tuesday

		Byron Avenue								96th Street								
TIME INTERVAL		NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				GRAND TOTAL
		L	T	R	TOTAL	L	T	R	TOTAL	L	T	R	TOTAL	L	T	R	TOTAL	
07:00 AM	07:15 AM	15	0	0	15	0	0	0	0	3	111	0	114	0	62	0	62	191
07:15 AM	07:30 AM	31	0	4	35	0	0	0	0	1	165	0	166	0	93	0	93	294
07:30 AM	07:45 AM	22	0	6	28	0	0	0	0	2	176	0	178	0	95	0	95	301
07:45 AM	08:00 AM	42	0	4	46	0	0	0	0	7	191	0	198	0	148	0	148	392
08:00 AM	08:15 AM	100	0	10	110	0	0	0	0	12	249	0	261	0	201	0	201	572
08:15 AM	08:30 AM	71	0	5	76	0	0	0	0	3	321	0	324	0	195	0	195	595
08:30 AM	08:45 AM	35	0	9	44	0	0	0	0	1	326	0	327	0	160	0	160	531
08:45 AM	09:00 AM	40	0	7	47	0	0	0	0	8	246	0	254	0	198	0	198	499

### WEEKDAY PM PEAK HOUR TURNING MOVEMENT COUNT SUMMARY PEAK SEASON TRAFFIC CONDITIONS

		Byron Avenue								96th Street								
TIME INTERVAL		NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				GRAND TOTAL
		L	T	R	TOTAL	L	T	R	TOTAL	L	T	R	TOTAL	L	T	R	TOTAL	
08:00 AM 09:00 AM		246	0	31	277	0	0	0	0	24	1142	0	1,166	0	754	0	754	2,197
PEAK HOUR FACTOR					0.63				N/A				0.89				0.94	0.92

Note: 2010 FDOT Peak Seasonal Weekly Volume Factor = 1.00

## TURNING MOVEMENT COUNTS

**Project Name:** Young Israel  
**Location:** 96th Street & Byron Avenue  
**Observer:** Traffic Survey Specialist, Inc.

**Project Number:** 11167  
**Count Date:** 2/14/2012  
**Day of Week:** Tuesday

		Byron Avenue								96th Street								
TIME INTERVAL		NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				GRAND TOTAL
		L	T	R	TOTAL	L	T	R	TOTAL	L	T	R	TOTAL	L	T	R	TOTAL	
04:00 PM	04:15 PM	51	0	6	57	0	0	0	0	4	247	0	251	0	203	0	203	511
04:15 PM	04:30 PM	41	0	8	49	0	0	0	0	2	279	0	281	0	205	0	205	535
04:30 PM	04:45 PM	53	0	3	56	0	0	0	0	2	263	0	265	0	191	0	191	512
04:45 PM	05:00 PM	59	0	5	64	0	0	0	0	5	240	0	245	0	213	0	213	522
05:00 PM	05:15 PM	69	0	9	78	0	0	0	0	5	302	0	307	0	202	0	202	587
05:15 PM	05:30 PM	62	0	2	64	0	0	0	0	3	320	0	323	0	202	0	202	589
05:30 PM	05:45 PM	51	0	7	58	0	0	0	0	5	289	0	294	0	199	0	199	551
05:45 PM	06:00 PM	57	0	5	62	0	0	0	0	3	262	0	265	0	196	0	196	523

### FRIDAY PM PEAK HOUR TURNING MOVEMENT COUNT SUMMARY ANNUAL AVERAGE DAILY TRAFFIC CONDITIONS

		Byron Avenue								96th Street								
TIME INTERVAL		NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				GRAND TOTAL
		L	T	R	TOTAL	L	T	R	TOTAL	L	T	R	TOTAL	L	T	R	TOTAL	
05:00 PM	06:00 PM	239	0	23	262	0	0	0	0	16	1173	0	1,189	0	799	0	799	2,250
PEAK HOUR FACTOR					0.84				N/A				0.92				0.94	0.96

Note: 2010 FDOT Peak Seasonal Weekly Volume Factor = 1.00

**TURNING MOVEMENT COUNTS**

**Project Name:** Young Israel  
**Location:** 96th Street & Byron Avenue  
**Observer:** Traffic Survey Specialist, Inc.

**Project Number:** 11167  
**Count Date:** 2/12/2012  
**Day of Week:** Sunday

		Byron Avenue								96th Street								
TIME INTERVAL		NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				GRAND TOTAL
		L	T	R	TOTAL	L	T	R	TOTAL	L	T	R	TOTAL	L	T	R	TOTAL	
07:30 AM	07:45 AM	7	0	1	8	0	0	0	0	1	53	0	54	0	29	0	29	91
07:45 AM	08:00 AM	6	0	0	6	0	0	0	0	1	93	0	94	0	44	0	44	144
08:00 AM	08:15 AM	5	0	4	9	0	0	0	0	0	75	0	75	0	42	0	42	126
08:15 AM	08:30 AM	14	0	2	16	0	0	0	0	1	73	0	74	0	50	0	50	140
08:30 AM	08:45 AM	19	0	1	20	0	0	0	0	1	86	0	87	0	46	0	46	153
08:45 AM	09:00 AM	15	0	2	17	0	0	0	0	1	82	0	83	0	38	0	38	138
09:00 AM	09:15 AM	22	0	3	25	0	0	0	0	3	95	0	98	0	47	0	47	170
09:15 AM	09:30 AM	24	0	4	28	0	0	0	0	1	80	0	81	0	86	0	86	195

**SATURDAY PM PEAK HOUR TURNING MOVEMENT COUNT SUMMARY**  
**ANNUAL AVERAGE DAILY TRAFFIC CONDITIONS**

		Byron Avenue								96th Street								
TIME INTERVAL		NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				GRAND TOTAL
		L	T	R	TOTAL	L	T	R	TOTAL	L	T	R	TOTAL	L	T	R	TOTAL	
08:30 AM	09:30 AM	80	0	10	90	0	0	0	0	6	343	0	349	0	217	0	217	656
PEAK HOUR FACTOR					0.80				N/A				0.89				0.63	0.84

Note: 2010 FDOT Peak Seasonal Weekly Volume Factor = 1.00

## TURNING MOVEMENT COUNTS

**Project Name:** Young Israel  
**Location:** 96th Street & Abbott Avenue  
**Observer:** Traffic Survey Specialist, Inc.

**Project Number:** 12110  
**Count Date:** 2/14/2012  
**Day of Week:** Tuesday

		Abbott Avenue								96th Street								
TIME INTERVAL		NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				GRAND TOTAL
		L	T	R	TOTAL	L	T	R	TOTAL	L	T	R	TOTAL	L	T	R	TOTAL	
07:00 AM	07:15 AM	0	0	2	2	0	0	0	0	0	100	11	111	1	60	0	61	174
07:15 AM	07:30 AM	0	0	5	5	0	0	0	0	0	158	10	168	0	92	0	92	265
07:30 AM	07:45 AM	0	0	5	5	0	0	0	0	0	172	16	188	1	98	0	99	292
07:45 AM	08:00 AM	0	0	7	7	0	0	0	0	1	176	18	195	1	146	0	147	349
08:00 AM	08:15 AM	1	0	7	8	0	0	0	0	0	226	34	260	0	201	0	201	469
08:15 AM	08:30 AM	1	0	4	5	0	0	0	0	0	284	41	325	0	189	0	189	519
08:30 AM	08:45 AM	0	0	6	6	0	0	0	0	0	293	55	348	0	155	0	155	509
08:45 AM	09:00 AM	0	0	12	12	0	0	0	0	0	217	36	253	0	212	0	212	477

### WEEKDAY PM PEAK HOUR TURNING MOVEMENT COUNT SUMMARY PEAK SEASON TRAFFIC CONDITIONS

		Abbott Avenue								96th Street								
TIME INTERVAL		NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				GRAND TOTAL
		L	T	R	TOTAL	L	T	R	TOTAL	L	T	R	TOTAL	L	T	R	TOTAL	
08:00 AM 09:00 AM		2	0	29	31	0	0	0	0	0	1020	166	1,186	0	757	0	757	1,974
PEAK HOUR FACTOR					0.65				N/A				0.85				0.89	0.95

Note: 2010 FDOT Peak Seasonal Weekly Volume Factor = 1.00



## TURNING MOVEMENT COUNTS

**Project Name:** Young Israel  
**Location:** 96th Street & Abbott Avenue  
**Observer:** Traffic Survey Specialist, Inc.

**Project Number:** 11167  
**Count Date:** 2/14/2012  
**Day of Week:** Tuesday

		Abbott Avenue								96th Street								
TIME INTERVAL		NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				GRAND TOTAL
		L	T	R	TOTAL	L	T	R	TOTAL	L	T	R	TOTAL	L	T	R	TOTAL	
04:00 PM	04:15 PM	1	0	11	12	0	0	0	0	0	206	45	251	2	203	0	205	468
04:15 PM	04:30 PM	1	0	16	17	0	0	0	0	0	240	45	285	1	203	0	204	506
04:30 PM	04:45 PM	0	0	17	17	0	0	0	0	0	223	48	271	2	189	0	191	479
04:45 PM	05:00 PM	2	0	17	19	0	0	0	0	0	199	42	241	1	209	0	210	470
05:00 PM	05:15 PM	1	0	14	15	0	0	0	0	0	261	45	306	1	208	0	209	530
05:15 PM	05:30 PM	2	0	16	18	0	0	0	0	0	263	54	317	0	195	0	195	530
05:30 PM	05:45 PM	2	0	13	15	0	0	0	0	0	250	49	299	2	198	0	200	514
05:45 PM	06:00 PM	1	0	15	16	0	0	0	0	0	216	53	269	1	199	0	200	485

### FRIDAY PM PEAK HOUR TURNING MOVEMENT COUNT SUMMARY ANNUAL AVERAGE DAILY TRAFFIC CONDITIONS

		Abbott Avenue								96th Street								
TIME INTERVAL		NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				GRAND TOTAL
		L	T	R	TOTAL	L	T	R	TOTAL	L	T	R	TOTAL	L	T	R	TOTAL	
05:00 PM	06:00 PM	6	0	58	64	0	0	0	0	0	990	201	1,191	4	800	0	804	2,059
PEAK HOUR FACTOR					0.84				N/A				0.94				0.96	0.97

Note: 2010 FDOT Peak Seasonal Weekly Volume Factor = 1.00

## TURNING MOVEMENT COUNTS

**Project Name:** Young Israel  
**Location:** 96th Street & Abbott Avenue  
**Observer:** Traffic Survey Specialist, Inc.

**Project Number:** 11167  
**Count Date:** 2/12/2012  
**Day of Week:** Sunday

		Abbott Avenue								96th Street								
TIME INTERVAL		NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				GRAND TOTAL
		L	T	R	TOTAL	L	T	R	TOTAL	L	T	R	TOTAL	L	T	R	TOTAL	
07:30 AM	07:45 AM	0	0	2	2	0	0	0	0	0	49	3	52	0	30	0	30	84
07:45 AM	08:00 AM	0	0	1	1	0	0	0	0	0	81	12	93	2	46	0	48	142
08:00 AM	08:15 AM	1	0	5	6	0	0	0	0	0	66	12	78	1	40	0	41	125
08:15 AM	08:30 AM	0	0	2	2	0	0	0	0	0	69	7	76	1	48	0	49	127
08:30 AM	08:45 AM	0	0	6	6	0	0	0	0	0	79	7	86	3	48	0	51	143
08:45 AM	09:00 AM	0	0	7	7	0	0	0	0	0	81	8	89	0	36	0	36	132
09:00 AM	09:15 AM	0	0	2	2	0	0	0	0	0	79	18	97	1	47	0	48	147
09:15 AM	09:30 AM	0	0	3	3	0	0	0	0	0	72	12	84	0	87	0	87	174

### SATURDAY PM PEAK HOUR TURNING MOVEMENT COUNT SUMMARY ANNUAL AVERAGE DAILY TRAFFIC CONDITIONS

		Abbott Avenue								96th Street									
TIME INTERVAL		NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				GRAND TOTAL	
		L	T	R	TOTAL	L	T	R	TOTAL	L	T	R	TOTAL	L	T	R	TOTAL		
08:30 AM	09:30 AM	0	0	18	18	0	0	0	0	0	311	45	356	4	218	0	222	596	
PEAK HOUR FACTOR					0.64				N/A				0.92				0.64	0.86	

Note: 2010 FDOT Peak Seasonal Weekly Volume Factor : 1.00

## TURNING MOVEMENT COUNTS

**Project Name:** Young Israel  
**Location:** 96th Street & Harding Avenue  
**Observer:** Traffic Survey Specialist, Inc.

**Project Number:** 12110  
**Count Date:** 2/14/2012  
**Day of Week:** Tuesday

		Harding Avenue								96th Street								
TIME INTERVAL		NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				GRAND TOTAL
		L	T	R	TOTAL	L	T	R	TOTAL	L	T	R	TOTAL	L	T	R	TOTAL	
07:00 AM	07:15 AM	0	0	0	0	11	222	24	257	0	31	75	106	0	38	0	38	401
07:15 AM	07:30 AM	0	0	0	0	18	291	36	345	0	51	108	159	0	57	0	57	561
07:30 AM	07:45 AM	0	0	0	0	14	358	39	411	0	57	121	178	0	65	0	65	654
07:45 AM	08:00 AM	0	0	0	0	17	373	68	458	0	58	132	190	0	78	0	78	726
08:00 AM	08:15 AM	0	0	0	0	15	393	83	491	0	64	167	231	0	118	0	118	840
08:15 AM	08:30 AM	0	0	0	0	19	442	85	546	0	81	196	277	0	107	0	107	930
08:30 AM	08:45 AM	0	0	0	0	27	387	54	468	0	117	202	319	0	98	0	98	885
08:45 AM	09:00 AM	0	0	0	0	17	388	89	494	0	79	146	225	0	129	0	129	848

### WEEKDAY PM PEAK HOUR TURNING MOVEMENT COUNT SUMMARY PEAK SEASON TRAFFIC CONDITIONS

		Harding Avenue								96th Street								
TIME INTERVAL		NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				GRAND TOTAL
		L	T	R	TOTAL	L	T	R	TOTAL	L	T	R	TOTAL	L	T	R	TOTAL	
08:00 AM	09:00 AM	0	0	0	0	78	1610	311	1,999	0	341	711	1,052	0	452	0	452	3,503
PEAK HOUR FACTOR					N/A				0.92				0.82				0.88	0.94

Note: 2010 FDOT Peak Seasonal Weekly Volume Factor = 1.00

## TURNING MOVEMENT COUNTS

Project Name: Young IsraelLocation: 96th Street & Harding AvenueObserver: Traffic Survey Specialist, Inc.Project Number: 11167Count Date: 2/14/2012Day of Week: Tuesday

		Harding Avenue								96th Street								
TIME INTERVAL		NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				GRAND TOTAL
		L	T	R	TOTAL	L	T	R	TOTAL	L	T	R	TOTAL	L	T	R	TOTAL	
04:00 PM	04:15 PM	0	0	0	0	10	305	83	398	0	88	131	219	0	123	0	123	740
04:15 PM	04:30 PM	0	0	0	0	14	385	98	497	0	120	137	257	0	120	0	120	874
04:30 PM	04:45 PM	0	0	0	0	12	365	79	456	0	91	155	246	0	116	0	116	818
04:45 PM	05:00 PM	0	0	0	0	11	376	91	478	0	86	137	223	0	132	0	132	833
05:00 PM	05:15 PM	0	0	0	0	14	320	81	415	0	129	141	270	0	124	0	124	809
05:15 PM	05:30 PM	0	0	0	0	8	394	88	490	0	104	182	286	0	118	0	118	894
05:30 PM	05:45 PM	0	0	0	0	5	369	93	467	0	111	155	266	0	113	0	113	846
05:45 PM	06:00 PM	0	0	0	0	7	377	87	471	0	79	152	231	0	125	0	125	827

### FRIDAY PM PEAK HOUR TURNING MOVEMENT COUNT SUMMARY ANNUAL AVERAGE DAILY TRAFFIC CONDITIONS

		Harding Avenue								96th Street								
TIME INTERVAL		NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				GRAND TOTAL
		L	T	R	TOTAL	L	T	R	TOTAL	L	T	R	TOTAL	L	T	R	TOTAL	
04:45 PM	05:45 PM	0	0	0	0	38	1459	353	1,850	0	430	615	1,045	0	487	0	487	3,382
PEAK HOUR FACTOR					N/A				0.93				0.91				0.92	0.95

Note: 2010 FDOT Peak Seasonal Weekly Volume Factor = 1.00

## TURNING MOVEMENT COUNTS

**Project Name:** Young Israel  
**Location:** 96th Street & Harding Avenue  
**Observer:** Traffic Survey Specialist, Inc.

**Project Number:** 11167  
**Count Date:** 2/12/2012  
**Day of Week:** Sunday

		Harding Avenue								Harding Avenue								
TIME INTERVAL		NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				GRAND TOTAL
		L	T	R	TOTAL	L	T	R	TOTAL	L	T	R	TOTAL	L	T	R	TOTAL	
07:30 AM	07:45 AM	0	0	0	0	5	108	10	123	0	14	34	48	1	20	0	21	192
07:45 AM	08:00 AM	0	0	0	0	10	90	16	116	0	36	49	85	1	32	0	33	234
08:00 AM	08:15 AM	0	0	0	0	6	97	15	118	0	25	44	69	0	26	0	26	213
08:15 AM	08:30 AM	0	0	0	0	10	107	19	136	0	33	45	78	1	31	0	32	246
08:30 AM	08:45 AM	0	0	0	0	7	120	17	144	0	31	50	81	0	34	0	34	259
08:45 AM	09:00 AM	0	0	0	0	15	116	13	144	0	34	55	89	1	24	0	25	258
09:00 AM	09:15 AM	0	0	0	0	11	136	13	160	0	29	50	79	0	34	0	34	273
09:15 AM	09:30 AM	0	0	0	0	8	108	22	138	0	32	41	73	2	66	0	68	279

### SATURDAY PM PEAK HOUR TURNING MOVEMENT COUNT SUMMARY ANNUAL AVERAGE DAILY TRAFFIC CONDITIONS

		Harding Avenue								Harding Avenue									
TIME INTERVAL		NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				GRAND TOTAL	
		L	T	R	TOTAL	L	T	R	TOTAL	L	T	R	TOTAL	L	T	R	TOTAL		
08:30 AM	09:30 AM	0	0	0	0	41	480	65	586	0	126	196	322	3	158	0	161	1,069	
PEAK HOUR FACTOR					N/A				0.92				0.90				0.59	0.96	

Note: 2010 FDOT Peak Seasonal Weekly Volume Factor : 1.00

## TURNING MOVEMENT COUNTS

**Project Name:** Young Israel  
**Location:** 96th Street & Collins Avenue  
**Observer:** Traffic Survey Specialist, Inc.

**Project Number:** 12110  
**Count Date:** 2/14/2012  
**Day of Week:** Tuesday

		Collins Avenue								96th Street								
TIME INTERVAL		NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				GRAND TOTAL
		L	T	R	TOTAL	L	T	R	TOTAL	L	T	R	TOTAL	L	T	R	TOTAL	
07:00 AM	07:15 AM	40	137	1	178	0	0	0	0	40	3	0	43	0	0	1	1	222
07:15 AM	07:30 AM	54	150	1	205	0	0	0	0	62	2	0	64	0	1	1	2	271
07:30 AM	07:45 AM	65	182	1	248	0	0	0	0	65	2	0	67	0	0	1	1	316
07:45 AM	08:00 AM	82	201	1	284	0	0	0	0	67	5	0	72	0	0	1	1	357
08:00 AM	08:15 AM	110	239	1	350	0	0	0	0	71	4	0	75	0	0	1	1	426
08:15 AM	08:30 AM	119	283	2	404	0	0	0	0	86	1	0	87	0	1	1	2	493
08:30 AM	08:45 AM	81	239	3	323	0	0	0	0	121	6	0	127	0	0	2	2	452
08:45 AM	09:00 AM	116	315	6	437	0	0	0	0	80	3	0	83	0	0	2	2	522

### WEEKDAY PM PEAK HOUR TURNING MOVEMENT COUNT SUMMARY PEAK SEASON TRAFFIC CONDITIONS

		Collins Avenue								96th Street								
TIME INTERVAL		NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				GRAND TOTAL
		L	T	R	TOTAL	L	T	R	TOTAL	L	T	R	TOTAL	L	T	R	TOTAL	
08:00 AM	09:00 AM	426	1076	12	1,514	0	0	0	0	358	14	0	372	0	1	6	7	1,893
PEAK HOUR FACTOR					0.87				N/A				0.73				0.88	0.91

Note: 2010 FDOT Peak Seasonal Weekly Volume Factor = 1.00

## TURNING MOVEMENT COUNTS

**Project Name:** Young Israel  
**Location:** 96th Street & Collins Avenue  
**Observer:** Traffic Survey Specialist, Inc.

**Project Number:** 11167  
**Count Date:** 2/14/2012  
**Day of Week:** Tuesday

		Collins Avenue								96th Street								
TIME INTERVAL		NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				GRAND TOTAL
		L	T	R	TOTAL	L	T	R	TOTAL	L	T	R	TOTAL	L	T	R	TOTAL	
04:00 PM	04:15 PM	118	392	4	514	0	0	0	0	96	1	0	97	0	0	4	4	615
04:15 PM	04:30 PM	102	451	2	555	0	0	0	0	123	4	0	127	0	3	6	9	691
04:30 PM	04:45 PM	105	423	5	533	0	0	0	0	96	4	0	100	0	2	1	3	636
04:45 PM	05:00 PM	116	426	1	543	0	0	0	0	91	1	0	92	0	2	1	3	638
05:00 PM	05:15 PM	116	413	1	530	0	0	0	0	136	2	0	138	0	2	1	3	671
05:15 PM	05:30 PM	105	468	1	574	0	0	0	0	107	2	0	109	0	1	2	3	686
05:30 PM	05:45 PM	107	471	3	581	0	0	0	0	109	4	0	113	0	1	1	2	696
05:45 PM	06:00 PM	113	451	2	566	0	0	0	0	76	3	0	79	0	0	2	2	647

### FRIDAY PM PEAK HOUR TURNING MOVEMENT COUNT SUMMARY ANNUAL AVERAGE DAILY TRAFFIC CONDITIONS

		Collins Avenue								96th Street								
TIME INTERVAL		NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				GRAND TOTAL
		L	T	R	TOTAL	L	T	R	TOTAL	L	T	R	TOTAL	L	T	R	TOTAL	
05:00 PM	06:00 PM	441	1803	7	2,251	0	0	0	0	428	11	0	439	0	4	6	10	2,700
PEAK HOUR FACTOR					0.97				N/A				0.80				0.28	0.97

Note: 2010 FDOT Peak Seasonal Weekly Volume Factor = 1.00

## TURNING MOVEMENT COUNTS

**Project Name:** Young Israel  
**Location:** 96th Street & Collins Avenue  
**Observer:** Traffic Survey Specialist, Inc.

**Project Number:** 11167  
**Count Date:** 2/12/2012  
**Day of Week:** Sunday

		Collins Avenue								96th Street								
TIME INTERVAL		NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				GRAND TOTAL
		L	T	R	TOTAL	L	T	R	TOTAL	L	T	R	TOTAL	L	T	R	TOTAL	
07:30 AM	07:45 AM	20	75	2	97	0	0	0	0	15	0	0	15	0	1	0	1	113
07:45 AM	08:00 AM	32	99	2	133	0	0	0	0	33	5	0	38	0	2	1	3	174
08:00 AM	08:15 AM	30	107	1	138	0	0	0	0	25	1	0	26	0	0	1	1	165
08:15 AM	08:30 AM	28	96	0	124	0	0	0	0	31	3	0	34	0	2	0	2	160
08:30 AM	08:45 AM	35	119	1	155	0	0	0	0	28	1	0	29	0	0	1	1	185
08:45 AM	09:00 AM	26	112	2	140	0	0	0	0	35	2	0	37	0	1	1	2	179
09:00 AM	09:15 AM	39	131	3	173	0	0	0	0	27	3	0	30	0	0	3	3	206
09:15 AM	09:30 AM	65	141	1	207	0	0	0	0	33	2	0	35	0	4	2	6	248

### SATURDAY PM PEAK HOUR TURNING MOVEMENT COUNT SUMMARY ANNUAL AVERAGE DAILY TRAFFIC CONDITIONS

		Collins Avenue								96th Street								
TIME INTERVAL		NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				GRAND TOTAL
		L	T	R	TOTAL	L	T	R	TOTAL	L	T	R	TOTAL	L	T	R	TOTAL	
08:30 AM	09:30 AM	165	503	7	675	0	0	0	0	123	8	0	131	0	5	7	12	818
PEAK HOUR FACTOR					0.82				N/A				0.86				0.50	0.82

Note: 2010 FDOT Peak Seasonal Weekly Volume Factor : 1.00



96TH STREET & BYRON AVENUE  
 SURFSIDE, FLORIDA  
 COUNTED BY: SAMANTHA PALOMINO  
 SIGNALIZED

Traffic Survey Specialists, Inc.  
 624 Gardenia Terrace  
 Delray Beach, Florida 33444  
 Phone (561) 272-3255

Site Code : 00120027  
 Start Date: 02/12/12  
 File I.D. : 96STBYRO  
 Page : 1

ALL VEHICLES

----- From North					96TH STREET From East				BYRON AVENUE From South				96TH STREET From West					
UTurn	Left	Thru	Right		UTurn	Left	Thru	Right	UTurn	Left	Thru	Right	UTurn	Left	Thru	Right		Total
Date 02/12/12 -----																		
07:30	0	0	0	0	0	0	29	0	0	7	0	1	1	0	53	0		91
07:45	0	0	0	0	0	0	44	0	0	6	0	0	1	0	93	0		144
08:00	0	0	0	0	0	0	42	0	0	5	0	4	0	0	75	0		126
08:15	0	0	0	0	0	0	50	0	0	14	0	2	1	0	73	0		140
Hr Total	0	0	0	0	0	0	165	0	0	32	0	7	3	0	294	0		501
08:30	0	0	0	0	0	0	46	0	0	19	0	1	1	0	86	0		153
08:45	0	0	0	0	0	0	38	0	0	15	0	2	1	0	82	0		138
09:00	0	0	0	0	0	0	47	0	0	22	0	3	3	0	95	0		170
09:15	0	0	0	0	0	0	86	0	0	24	0	4	1	0	80	0		195
Hr Total	0	0	0	0	0	0	217	0	0	80	0	10	6	0	343	0		656
-----																		
*TOTAL*	0	0	0	0	0	0	382	0	0	112	0	17	9	0	637	0		1157

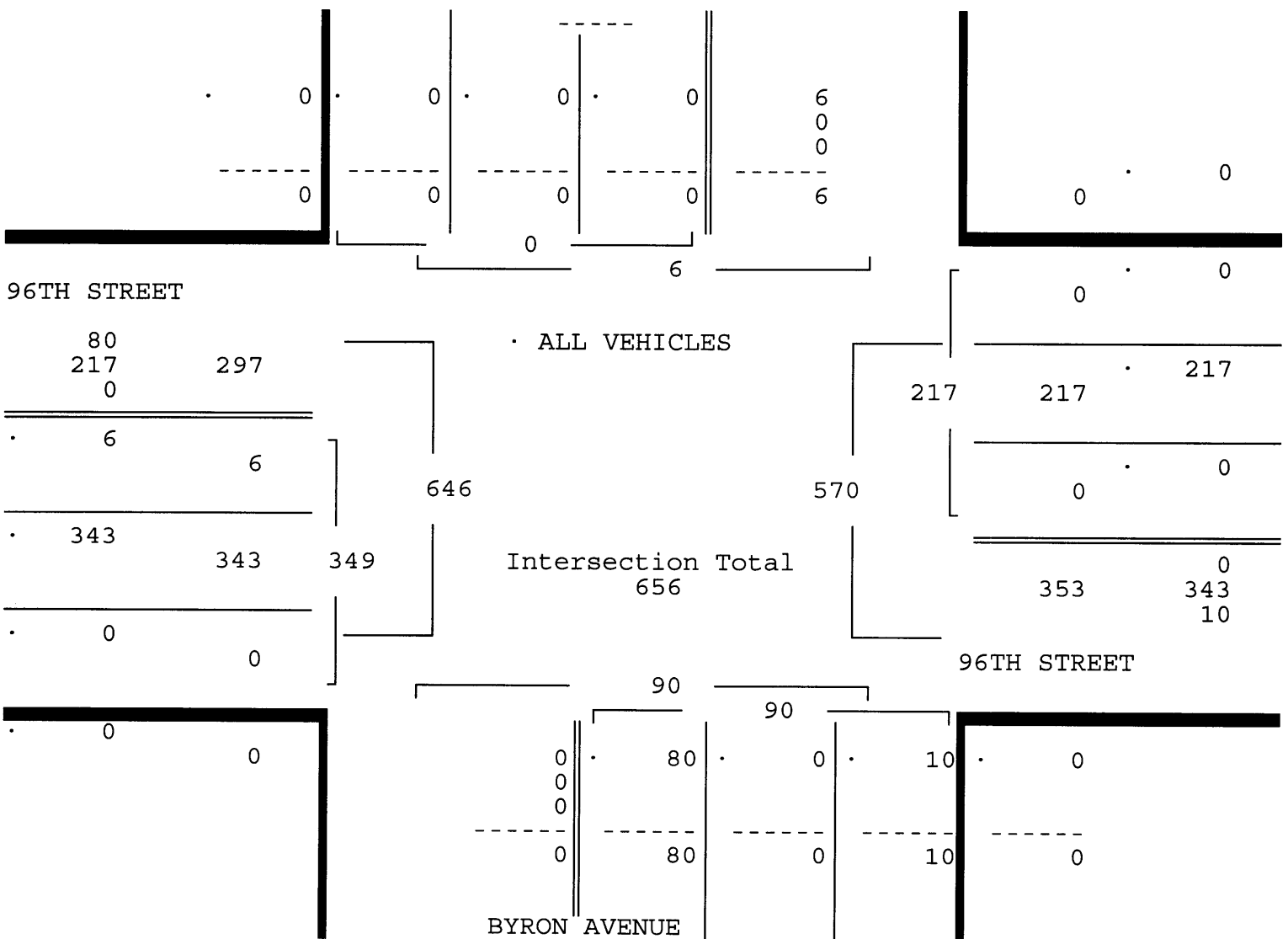
96TH STREET & BYRON AVENUE  
 SURFSIDE, FLORIDA  
 COUNTED BY: SAMANTHA PALOMINO  
 SIGNALIZED

Traffic Survey Specialists, Inc.  
 624 Gardenia Terrace  
 Delray Beach, Florida 33444  
 Phone (561) 272-3255

Site Code : 00120027  
 Start Date: 02/12/12  
 File I.D. : 96STBYRO  
 Page : 2

ALL VEHICLES

-----					96TH STREET					BYRON AVENUE					96TH STREET					
From North					From East					From South					From West					
UTurn	Left	Thru	Right		UTurn	Left	Thru	Right		UTurn	Left	Thru	Right		UTurn	Left	Thru	Right		
Date 02/12/12 -----																				Total
Peak Hour Analysis By Entire Intersection for the Period: 07:30 to 09:30 on 02/12/12																				
Peak start 08:30					08:30					08:30					08:30					
Volume	0	0	0	0	0	0	217	0		0	80	0	10		6	0	343	0		
Percent	0%	0%	0%	0%	0%	0%	100%	0%		0%	89%	0%	11%		2%	0%	98%	0%		
Pk total	0				217					90					349					
Highest	07:30				09:15					09:15					09:00					
Volume	0	0	0	0	0	0	86	0		0	24	0	4		3	0	95	0		
Hi total	0				86					28					98					
PHF	.0				.63					.80					.89					



96TH STREET & BYRON AVENUE  
 SURFSIDE, FLORIDA  
 COUNTED BY: SAMANTHA PALOMINO  
 SIGNALIZED

Traffic Survey Specialists, Inc.  
 624 Gardenia Terrace  
 Delray Beach, Florida 33444  
 Phone (561) 272-3255

Site Code : 00120027  
 Start Date: 02/12/12  
 File I.D. : 96STBYRO  
 Page : 1

PEDESTRIANS

-----					96TH STREET					BYRON AVENUE					96TH STREET					
From North					From East					From South					From West					
Left	Thru	Right	Peds		Left	Thru	Right	Peds		Left	Thru	Right	Peds		Left	Thru	Right	Peds		
Date 02/12/12 -----																				Total
07:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
07:45	0	0	0	0	0	0	0	0	0	0	0	0	4	0	0	0	0	0	4	
08:00	0	0	0	0	0	0	0	0	0	0	0	0	3	0	0	0	0	0	3	
08:15	0	0	0	0	0	0	0	0	1	0	0	0	1	0	0	0	0	0	2	
Hr Total	0	0	0	0	0	0	0	1	0	0	0	0	8	0	0	0	0	0	9	
08:30	0	0	0	0	0	0	0	1	0	0	0	3	0	0	0	0	1	0	5	
08:45	0	0	0	0	0	0	0	2	0	0	0	8	0	0	0	0	0	0	10	
09:00	0	0	0	0	0	0	0	1	0	0	0	3	0	0	0	0	1	0	5	
09:15	0	0	0	0	0	0	0	1	0	0	0	10	0	0	0	0	0	0	11	
Hr Total	0	0	0	0	0	0	0	5	0	0	0	24	0	0	0	0	2	0	31	
-----																				
*TOTAL*	0	0	0	0	0	0	0	6	0	0	0	32	0	0	0	0	2	0	40	

96TH STREET & ABBOTT AVENUE  
 SURFSIDE, FLORIDA  
 COUNTED BY: MARISA CRUZ  
 NOT SIGNALIZED

Traffic Survey Specialists, Inc.  
 624 Gardenia Terrace  
 Delray Beach, Florida 33444  
 Phone (561) 272-3255

Site Code : 00120027  
 Start Date: 02/12/12  
 File I.D. : 96STABBO  
 Page : 1

ALL VEHICLES

-----				96TH STREET				ABBOTT AVENUE				96TH STREET							
From North				From East				From South				From West							
UTurn	Left	Thru	Right	UTurn	Left	Thru	Right	UTurn	Left	Thru	Right	UTurn	Left	Thru	Right				
Date 02/12/12 -----																		Total	
07:30	0	0	0	0	0	0	30	0	0	0	0	2	0	0	49	3	84		
07:45	0	0	0	0	0	2	46	0	0	0	0	1	0	0	81	12	142		
08:00	0	0	0	0	0	1	40	0	0	1	0	5	0	0	66	12	125		
08:15	0	0	0	0	0	1	48	0	0	0	0	2	0	0	69	7	127		
Hr Total	0	0	0	0	0	4	164	0	0	1	0	10	0	0	265	34	478		
08:30	0	0	0	0	0	3	48	0	0	0	0	6	0	0	79	7	143		
08:45	0	0	0	0	0	0	36	0	0	0	0	7	0	0	81	8	132		
09:00	0	0	0	0	0	1	47	0	0	0	0	2	0	0	79	18	147		
09:15	0	0	0	0	0	0	87	0	0	0	0	3	0	0	72	12	174		
Hr Total	0	0	0	0	0	4	218	0	0	0	0	18	0	0	311	45	596		
*TOTAL*	0	0	0	0	0	8	382	0	0	1	0	28	0	0	576	79	1074		

96TH STREET & ABBOTT AVENUE  
 SURFSIDE, FLORIDA  
 COUNTED BY: MARISA CRUZ  
 NOT SIGNALIZED

Traffic Survey Specialists, Inc.  
 624 Gardenia Terrace  
 Delray Beach, Florida 33444  
 Phone (561) 272-3255

Site Code : 00120027  
 Start Date: 02/12/12  
 File I.D. : 96STABBO  
 Page : 2

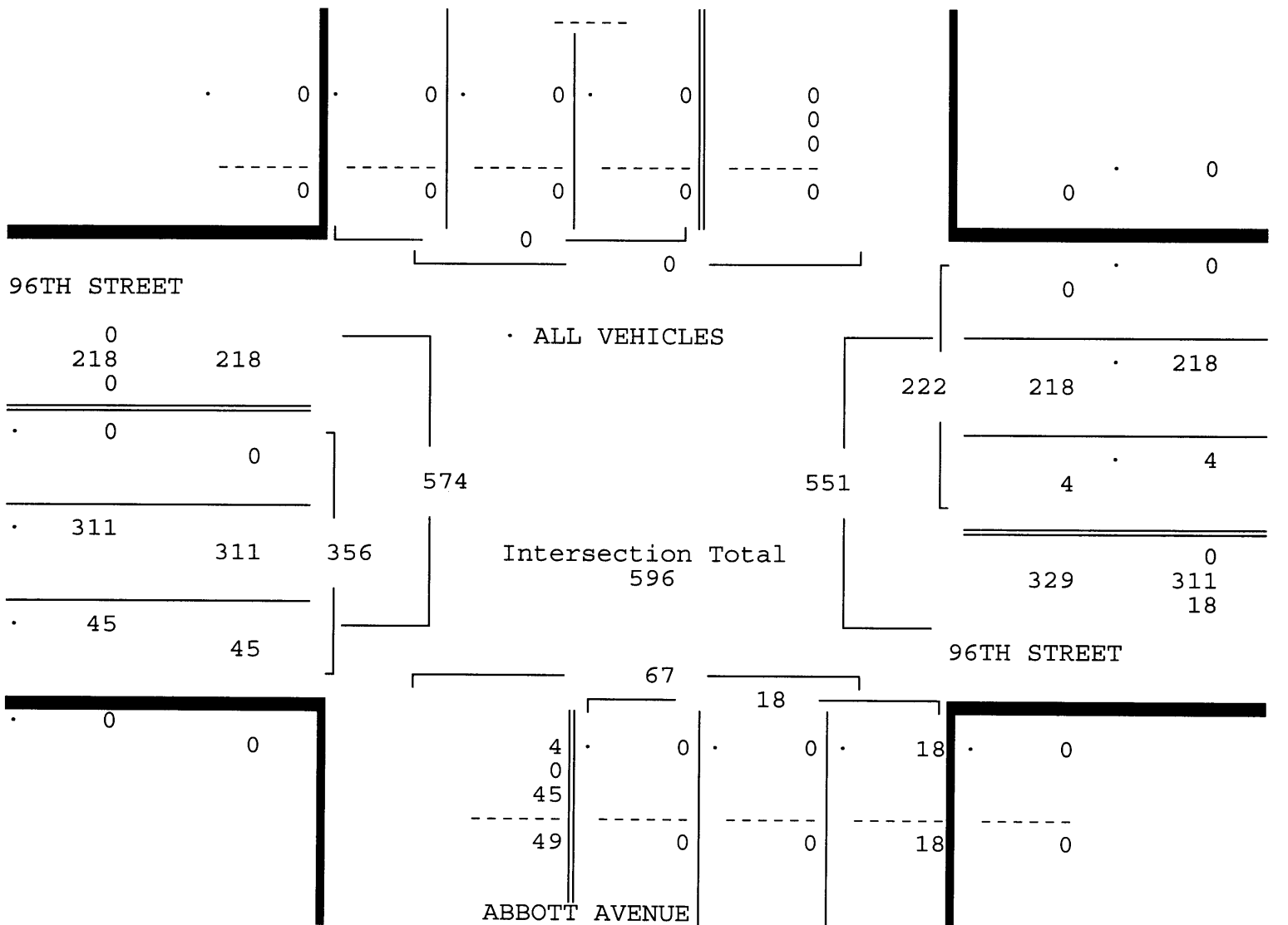
ALL VEHICLES

----- From North					96TH STREET From East					ABBOTT AVENUE From South					96TH STREET From West					Total
UTurn	Left	Thru	Right		UTurn	Left	Thru	Right		UTurn	Left	Thru	Right		UTurn	Left	Thru	Right		

Date 02/12/12

Peak Hour Analysis By Entire Intersection for the Period: 07:30 to 09:30 on 02/12/12

Peak start 08:30						08:30					08:30					08:30				
Volume	0	0	0	0		0	4	218	0		0	0	0	18		0	0	311	45	
Percent	0%	0%	0%	0%		0%	2%	98%	0%		0%	0%	0%	100%		0%	0%	87%	13%	
Pk total	0					222					18					356				
Highest	07:30					09:15					08:45					09:00				
Volume	0	0	0	0		0	0	87	0		0	0	0	7		0	0	79	18	
Hi total	0					87					7					97				
PHF	.0					.64					.64					.92				



96TH STREET & ABBOTT AVENUE  
 SURFSIDE, FLORIDA  
 COUNTED BY: MARISA CRUZ  
 NOT SIGNALIZED

Traffic Survey Specialists, Inc.  
 624 Gardenia Terrace  
 Delray Beach, Florida 33444  
 Phone (561) 272-3255

Site Code : 00120027  
 Start Date: 02/12/12  
 File I.D. : 96STABBO  
 Page : 1

PEDESTRIANS

-----				96TH STREET				ABBOTT AVENUE				96TH STREET					
From North				From East				From South				From West					
Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Total	
Date 02/12/12 -----																	
07:30	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	2
07:45	0	0	0	8	0	0	0	1	0	0	0	5	0	0	0	0	14
08:00	0	0	0	1	0	0	0	8	0	0	0	4	0	0	0	0	13
08:15	0	0	0	8	0	0	0	0	0	0	0	3	0	0	0	0	11
Hr Total	0	0	0	19	0	0	0	9	0	0	0	12	0	0	0	0	40
08:30	0	0	0	4	0	0	0	4	0	0	0	5	0	0	0	0	13
08:45	0	0	0	7	0	0	0	0	0	0	0	10	0	0	0	0	17
09:00	0	0	0	3	0	0	0	0	0	0	0	3	0	0	0	0	6
09:15	0	0	0	4	0	0	0	0	0	0	0	4	0	0	0	0	8
Hr Total	0	0	0	18	0	0	0	4	0	0	0	22	0	0	0	0	44
-----																	
*TOTAL*	0	0	0	37	0	0	0	13	0	0	0	34	0	0	0	0	84

96TH STREET & HARDING AVENUE  
 MIAMI BEACH, FLORIDA  
 COUNTED BY: CARLOS PALOMINO  
 SIGNALIZED

Traffic Survey Specialists, Inc.  
 624 Gardenia Terrace  
 Delray Beach, Florida 33444  
 Phone (561) 272-3255

Site Code : 00120027  
 Start Date: 02/12/12  
 File I.D. : 96STHARD  
 Page : 1

ALL VEHICLES

HARDING AVENUE From North					96TH STREET From East				HARDING AVENUE From South				96TH STREET From West						
UTurn	Left	Thru	Right		UTurn	Left	Thru	Right		UTurn	Left	Thru	Right		UTurn	Left	Thru	Right	
Date 02/12/12																			
07:30	0	5	108	10	0	1	20	0	0	0	0	0	0	0	0	0	14	34	192
07:45	0	10	90	16	0	1	32	0	0	0	0	0	0	0	0	0	36	49	234
08:00	0	6	97	15	0	0	26	0	0	0	0	0	0	0	0	0	25	44	213
08:15	0	10	107	19	0	1	31	0	0	0	0	0	0	0	0	0	33	45	246
Hr Total	0	31	402	60	0	3	109	0	0	0	0	0	0	0	0	0	108	172	885
08:30	0	7	120	17	0	0	34	0	0	0	0	0	0	0	0	0	31	50	259
08:45	0	15	116	13	0	1	24	0	0	0	0	0	0	0	0	0	34	55	258
09:00	0	11	136	13	0	0	34	0	0	0	0	0	0	0	0	0	29	50	273
09:15	0	8	108	22	0	2	66	0	0	0	0	0	0	0	0	0	32	41	279
Hr Total	0	41	480	65	0	3	158	0	0	0	0	0	0	0	0	0	126	196	1069
*TOTAL*	0	72	882	125	0	6	267	0	0	0	0	0	0	0	0	0	234	368	1954

96TH STREET & HARDING AVENUE  
 MIAMI BEACH, FLORIDA  
 COUNTED BY: CARLOS PALOMINO  
 SIGNALIZED

Traffic Survey Specialists, Inc.  
 624 Gardenia Terrace  
 Delray Beach, Florida 33444  
 Phone (561) 272-3255

Site Code : 00120027  
 Start Date: 02/12/12  
 File I.D. : 96STHARD  
 Page : 2

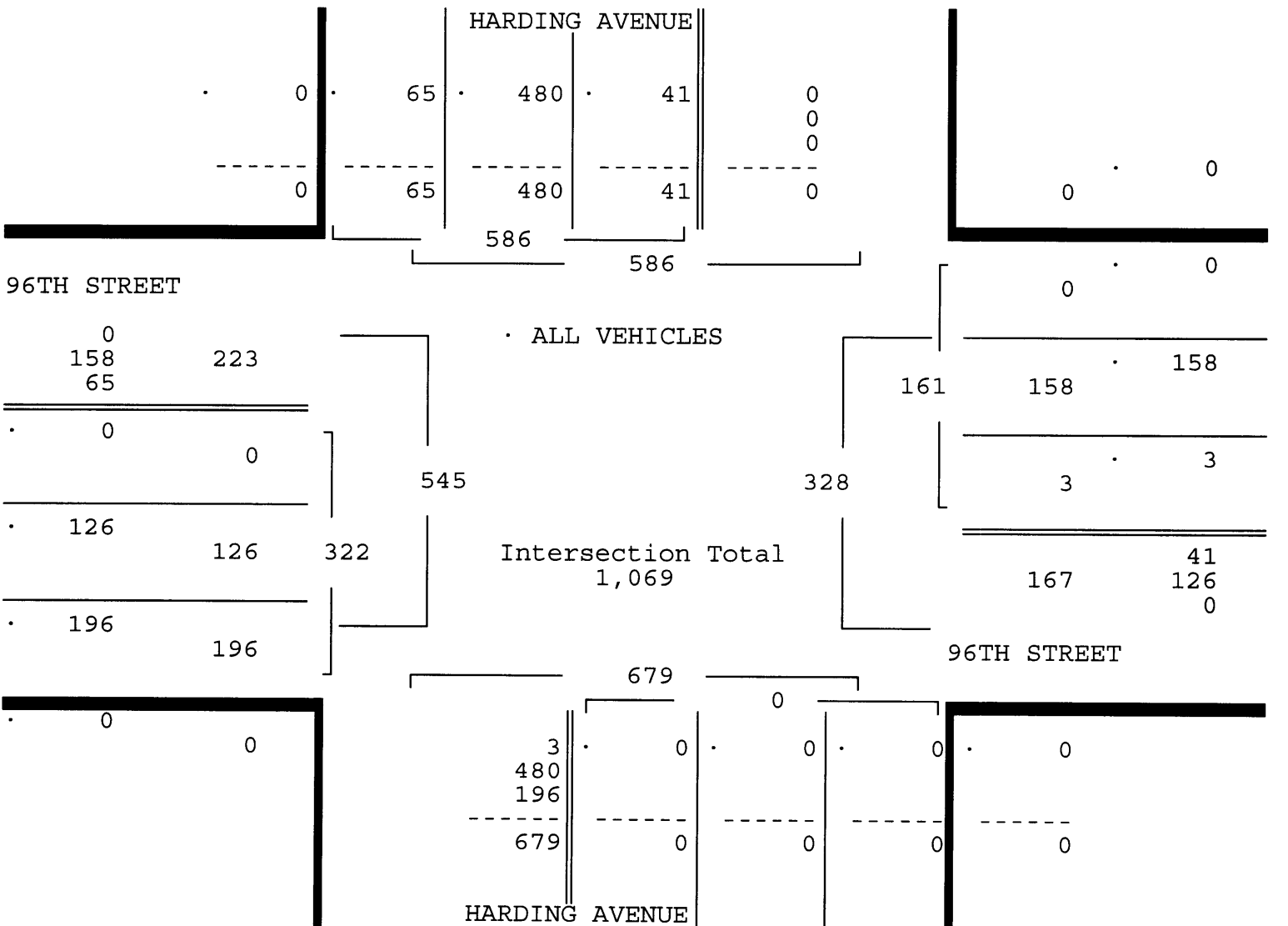
ALL VEHICLES

HARDING AVENUE From North				96TH STREET From East				HARDING AVENUE From South				96TH STREET From West				Total
UTurn	Left	Thru	Right	UTurn	Left	Thru	Right	UTurn	Left	Thru	Right	UTurn	Left	Thru	Right	

Date 02/12/12

Peak Hour Analysis By Entire Intersection for the Period: 07:30 to 09:30 on 02/12/12

Peak start	08:30				08:30				08:30				08:30			
Volume	0	41	480	65	0	3	158	0	0	0	0	0	0	126	196	
Percent	0%	7%	82%	11%	0%	2%	98%	0%	0%	0%	0%	0%	0%	39%	61%	
Pk total	586				161				0				322			
Highest	09:00				09:15				07:30				08:45			
Volume	0	11	136	13	0	2	66	0	0	0	0	0	0	34	55	
Hi total	160				68				0				89			
PHF	.92				.59				.0				.90			





96TH STREET & HARDING AVENUE  
 MIAMI BEACH, FLORIDA  
 COUNTED BY: CARLOS PALOMINO  
 SIGNALIZED

Traffic Survey Specialists, Inc.  
 624 Gardenia Terrace  
 Delray Beach, Florida 33444  
 Phone (561) 272-3255

Site Code : 00120027  
 Start Date: 02/12/12  
 File I.D. : 96STHARD  
 Page : 1

PEDESTRIANS

HARDING AVENUE					96TH STREET					HARDING AVENUE					96TH STREET					
From North					From East					From South					From West					
	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Total			
Date 02/12/12																				
07:30	0	0	0	2	0	0	0	0	0	0	0	1	0	0	0	1	4			
07:45	0	0	0	5	0	0	0	0	0	0	0	3	0	0	0	2	10			
08:00	0	0	0	3	0	0	0	0	0	0	0	7	0	0	0	4	14			
08:15	0	0	0	3	0	0	0	0	0	0	0	4	0	0	0	5	12			
Hr Total	0	0	0	13	0	0	0	0	0	0	0	15	0	0	0	12	40			
08:30	0	0	0	2	0	0	0	0	0	0	0	9	0	0	0	2	13			
08:45	0	0	0	7	0	0	0	2	0	0	0	7	0	0	0	6	22			
09:00	0	0	0	3	0	0	0	2	0	0	0	6	0	0	0	7	18			
09:15	0	0	0	1	0	0	0	0	0	0	0	1	0	0	0	5	7			
Hr Total	0	0	0	13	0	0	0	4	0	0	0	23	0	0	0	20	60			
*TOTAL*	0	0	0	26	0	0	0	4	0	0	0	38	0	0	0	32	100			

96TH STREET & COLLINS AVENUE  
 MIAMI BEACH, FLORIDA  
 COUNTED BY: MAURICE GOMEZ  
 SIGNALIZED

Traffic Survey Specialists, Inc.  
 624 Gardenia Terrace  
 Delray Beach, Florida 33444  
 Phone (561) 272-3255

Site Code : 00120027  
 Start Date: 02/12/12  
 File I.D. : 96STCOLL  
 Page : 1

ALL VEHICLES

COLLINS AVENUE					96TH STREET				COLLINS AVENUE				96TH STREET							
From North					From East				From South				From West							
UTurn	Left	Thru	Right		UTurn	Left	Thru	Right		UTurn	Left	Thru	Right		UTurn	Left	Thru	Right		
Date 02/12/12																				
07:30	0	0	0	0		0	0	1	0		0	20	75	2		0	15	0	0	
07:45	0	0	0	0		0	0	2	1		0	32	99	2		0	33	5	0	
08:00	0	0	0	0		0	0	0	1		0	30	107	1		0	25	1	0	
08:15	0	0	0	0		0	0	2	0		0	28	96	0		0	31	3	0	
Hr Total	0	0	0	0		0	0	5	2		0	110	377	5		0	104	9	0	
08:30	0	0	0	0		0	0	0	1		0	35	119	1		0	28	1	0	
08:45	0	0	0	0		0	0	1	1		0	26	112	2		0	35	2	0	
09:00	0	0	0	0		0	0	0	3		0	39	131	3		0	27	3	0	
09:15	0	0	0	0		0	0	4	2		0	65	141	1		0	33	2	0	
Hr Total	0	0	0	0		0	0	5	7		0	165	503	7		0	123	8	0	
*TOTAL*	0	0	0	0		0	0	10	9		0	275	880	12		0	227	17	0	

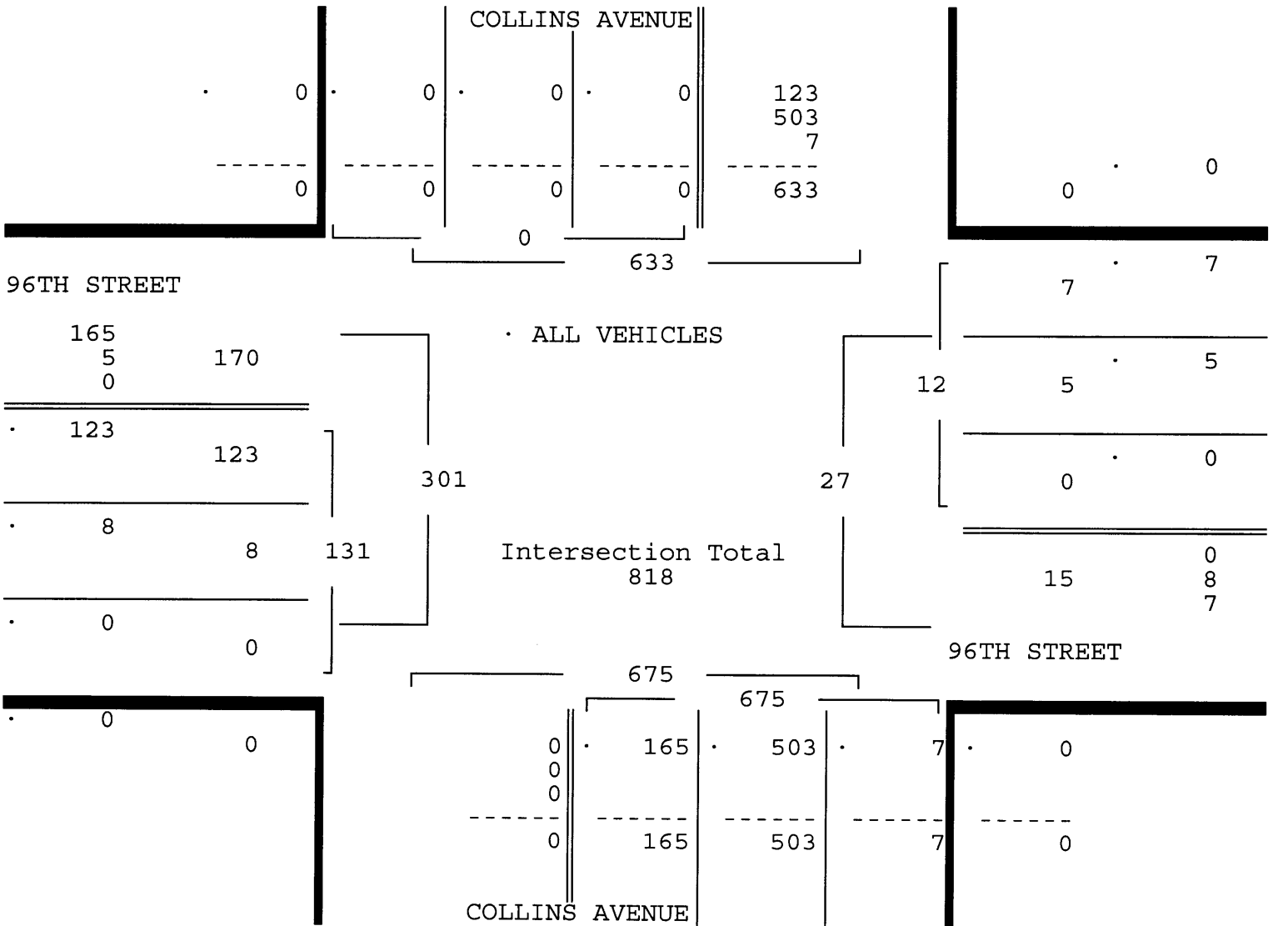
96TH STREET & COLLINS AVENUE  
 MIAMI BEACH, FLORIDA  
 COUNTED BY: MAURICE GOMEZ  
 SIGNALIZED

Traffic Survey Specialists, Inc.  
 624 Gardenia Terrace  
 Delray Beach, Florida 33444  
 Phone (561) 272-3255

Site Code : 00120027  
 Start Date: 02/12/12  
 File I.D. : 96STCOLL  
 Page : 2

ALL VEHICLES

COLLINS AVENUE					96TH STREET				COLLINS AVENUE				96TH STREET							
From North					From East				From South				From West							
U	T	L	T	R	U	T	L	T	R	U	T	L	T	R	U	T	L	T	R	Total
Turn	Left	Thru	Right		Turn	Left	Thru	Right		Turn	Left	Thru	Right		Turn	Left	Thru	Right		
Date 02/12/12																				
Peak Hour Analysis By Entire Intersection for the Period: 07:30 to 09:30 on 02/12/12																				
Peak start 08:30					08:30					08:30					08:30					
Volume	0	0	0	0	0	0	5	7		0	165	503	7		0	123	8	0		
Percent	0%	0%	0%	0%	0%	0%	42%	58%		0%	24%	75%	1%		0%	94%	6%	0%		
Pk total	0				12					675					131					
Highest	07:30				09:15					09:15					08:45					
Volume	0	0	0	0	0	0	4	2		0	65	141	1		0	35	2	0		
Hi total	0				6					207					37					
PHF	.0				.50					.82					.89					



96TH STREET & COLLINS AVENUE  
 MIAMI BEACH, FLORIDA  
 COUNTED BY: MAURICE GOMEZ  
 SIGNALIZED

Traffic Survey Specialists, Inc.  
 624 Gardenia Terrace  
 Delray Beach, Florida 33444  
 Phone (561) 272-3255

Site Code : 00120027  
 Start Date: 02/12/12  
 File I.D. : 96STCOLL  
 Page : 1

PEDESTRIANS

COLLINS AVENUE					96TH STREET					COLLINS AVENUE					96TH STREET					
From North					From East					From South					From West					
Left	Thru	Right	Peds		Left	Thru	Right	Peds		Left	Thru	Right	Peds		Left	Thru	Right	Peds		
Date 02/12/12																				
07:30	0	0	0	0	0	0	0	4	0	0	0	5	0	0	0	1		10		
07:45	0	0	0	1	0	0	0	1	0	0	0	4	0	0	0	2		8		
08:00	0	0	0	0	0	0	0	1	0	0	0	5	0	0	0	2		8		
08:15	0	0	0	3	0	0	0	1	0	0	0	5	0	0	0	1		10		
Hr Total	0	0	0	4	0	0	0	7	0	0	0	19	0	0	0	6		36		
08:30	0	0	0	0	0	0	0	1	0	0	0	1	0	0	0	0		2		
08:45	0	0	0	3	0	0	0	6	0	0	0	6	0	0	0	2		17		
09:00	0	0	0	0	0	0	0	1	0	0	0	2	0	0	0	1		4		
09:15	0	0	0	2	0	0	0	1	0	0	0	2	0	0	0	2		7		
Hr Total	0	0	0	5	0	0	0	9	0	0	0	11	0	0	0	5		30		
*TOTAL*	0	0	0	9	0	0	0	16	0	0	0	30	0	0	0	11		66		

96TH STREET & BYRON AVENUE  
 SURFSIDE, FLORIDA  
 COUNTED BY: SAMANTHA PALOMINO  
 SIGNALIZED

Traffic Survey Specialists, Inc.  
 624 Gardenia Terrace  
 Delray Beach, Florida 33444  
 Phone (561) 272-3255

Site Code : 00120027  
 Start Date: 02/14/12  
 File I.D. : BYR096ST  
 Page : 1

ALL VEHICLES

----- From North					96TH STREET From East				BYRON AVENUE From South				96TH STREET From West							
UTurn	Left	Thru	Right		UTurn	Left	Thru	Right		UTurn	Left	Thru	Right		UTurn	Left	Thru	Right		Total
Date 02/14/12 -----																				
07:00	0	0	0	0	0	0	62	0	0	15	0	0	3	0	111	0	191			
07:15	0	0	0	0	0	0	93	0	0	31	0	4	1	0	165	0	294			
07:30	0	0	0	0	0	0	95	0	0	22	0	6	2	0	176	0	301			
07:45	0	0	0	0	0	0	148	0	0	42	0	4	7	0	191	0	392			
Hr Total	0	0	0	0	0	0	398	0	0	110	0	14	13	0	643	0	1178			
08:00	0	0	0	0	0	0	201	0	0	100	0	10	12	0	249	0	572			
08:15	0	0	0	0	0	0	195	0	0	71	0	5	3	0	321	0	595			
08:30	0	0	0	0	0	0	160	0	0	35	0	9	1	0	326	0	531			
08:45	0	0	0	0	0	0	198	0	0	40	0	7	8	0	246	0	499			
Hr Total	0	0	0	0	0	0	754	0	0	246	0	31	24	0	1142	0	2197			
----- * BREAK * -----																				
16:00	0	0	0	0	0	0	203	0	0	51	0	6	4	0	247	0	511			
16:15	0	0	0	0	0	0	205	0	0	41	0	8	2	0	279	0	535			
16:30	0	0	0	0	0	0	191	0	0	53	0	3	2	0	263	0	512			
16:45	0	0	0	0	0	0	213	0	0	59	0	5	5	0	240	0	522			
Hr Total	0	0	0	0	0	0	812	0	0	204	0	22	13	0	1029	0	2080			
17:00	0	0	0	0	0	0	202	0	0	69	0	9	5	0	302	0	587			
17:15	0	0	0	0	0	0	202	0	0	62	0	2	3	0	320	0	589			
17:30	0	0	0	0	0	0	199	0	0	51	0	7	5	0	289	0	551			
17:45	0	0	0	0	0	0	196	0	0	57	0	5	3	0	262	0	523			
Hr Total	0	0	0	0	0	0	799	0	0	239	0	23	16	0	1173	0	2250			
-----																				
*TOTAL*	0	0	0	0	0	0	2763	0	0	799	0	90	66	0	3987	0	7705			

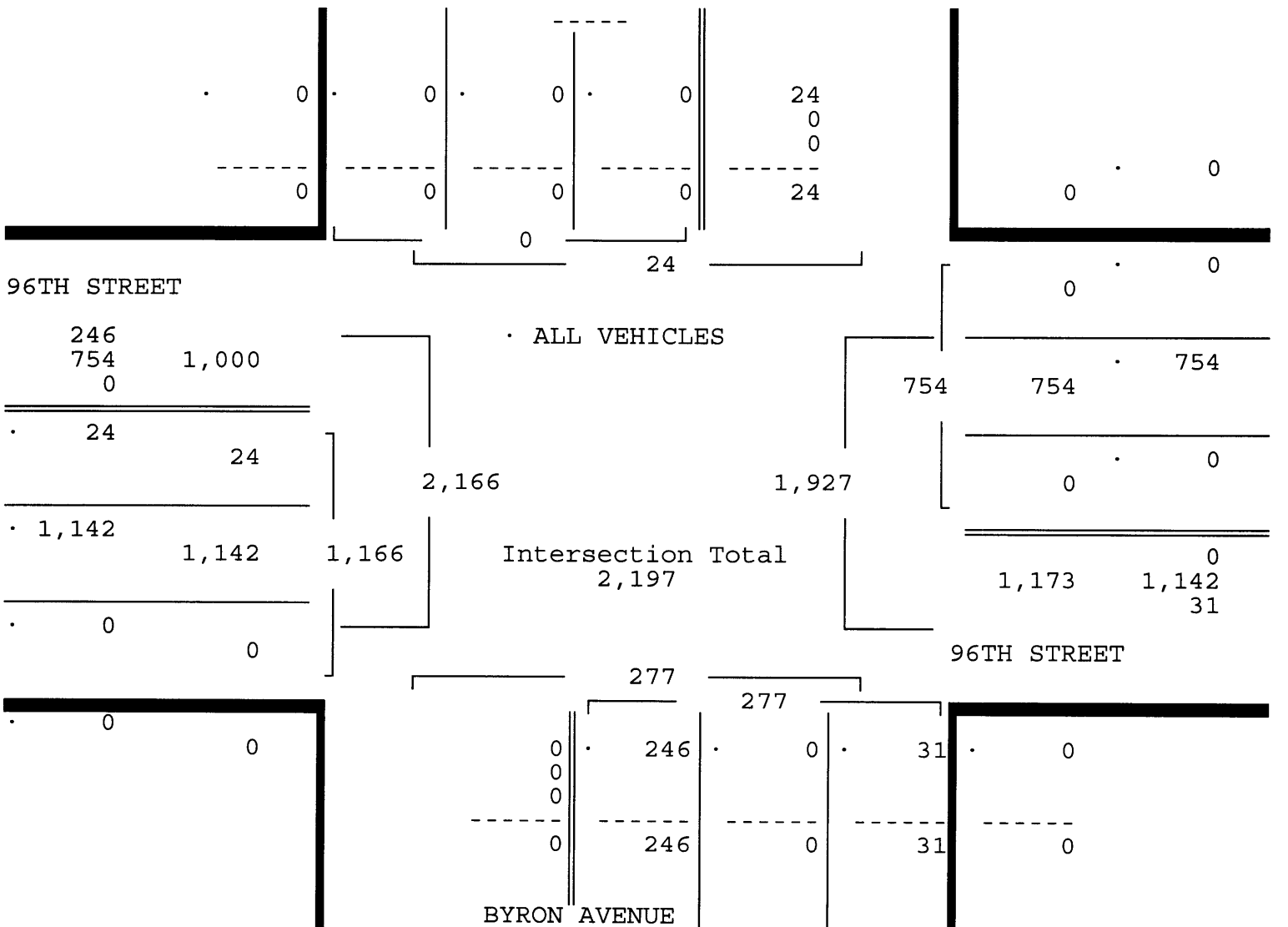
96TH STREET & BYRON AVENUE  
 SURFSIDE, FLORIDA  
 COUNTED BY: SAMANTHA PALOMINO  
 SIGNALIZED

Traffic Survey Specialists, Inc.  
 624 Gardenia Terrace  
 Delray Beach, Florida 33444  
 Phone (561) 272-3255

Site Code : 00120027  
 Start Date: 02/14/12  
 File I.D. : BYRO96ST  
 Page : 2

ALL VEHICLES

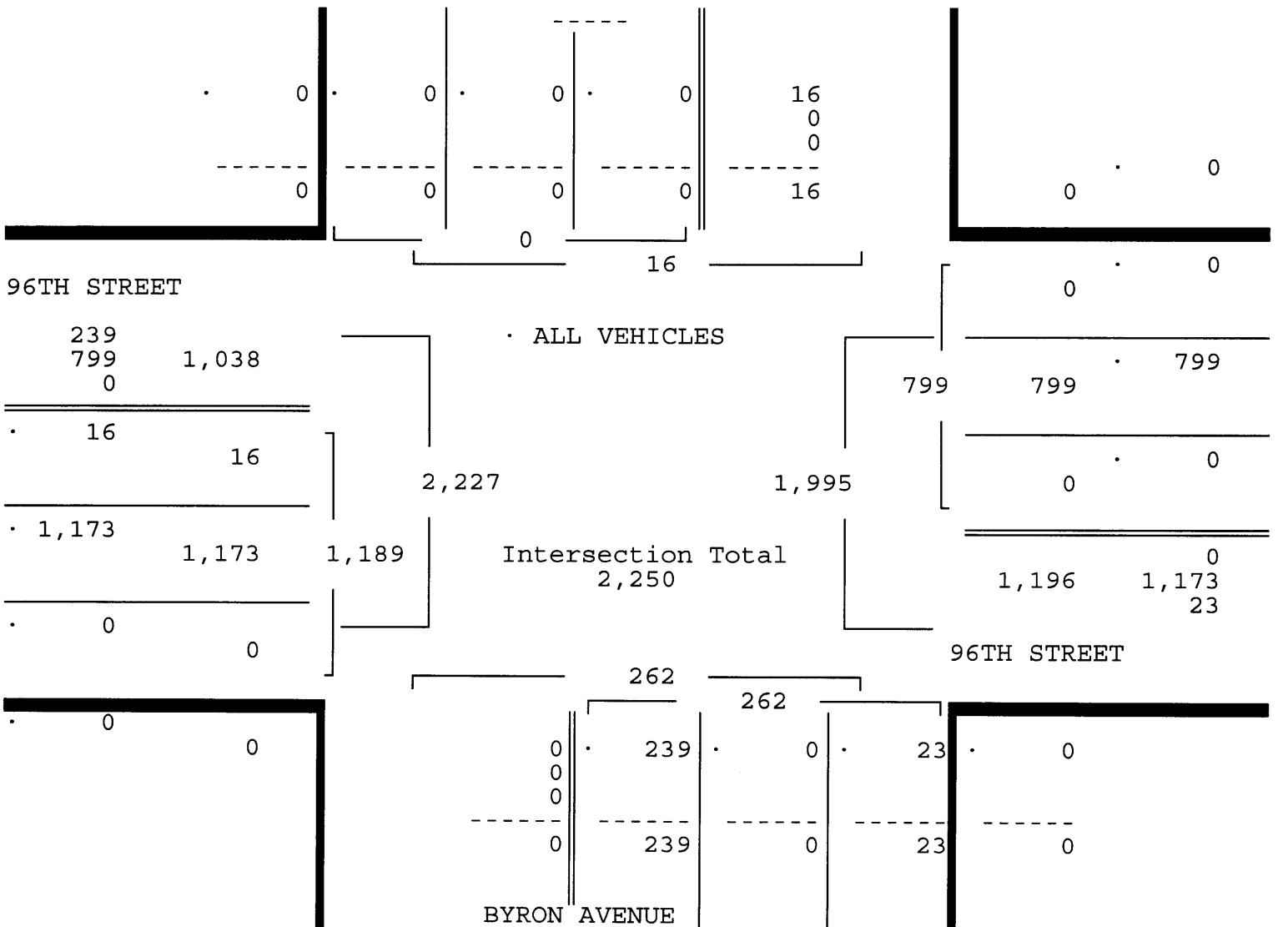
-----				96TH STREET				BYRON AVENUE				96TH STREET				
From North				From East				From South				From West				
UTurn	Left	Thru	Right	UTurn	Left	Thru	Right	UTurn	Left	Thru	Right	UTurn	Left	Thru	Right	Total
Date 02/14/12 -----																
Peak Hour Analysis By Entire Intersection for the Period: 07:00 to 09:00 on 02/14/12																
Peak start 08:00				08:00				08:00				08:00				
Volume	0	0	0	0	0	0	754	0	0	246	0	31	24	0	1142	0
Percent	0%	0%	0%	0%	0%	0%	100%	0%	0%	89%	0%	11%	2%	0%	98%	0%
Pk total	0				754				277				1166			
Highest	07:00				08:00				08:00				08:30			
Volume	0	0	0	0	0	0	201	0	0	100	0	10	1	0	326	0
Hi total	0				201				110				327			
PHF	.0				.94				.63				.89			



Site Code : 00120027  
Start Date: 02/14/12  
File I.D. : BYR096ST  
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## ALL VEHICLES

-----					96TH STREET				BYRON AVENUE				96TH STREET							
From North					From East				From South				From West							
UTurn	Left	Thru	Right		UTurn	Left	Thru	Right		UTurn	Left	Thru	Right		UTurn	Left	Thru	Right		Total
Date 02/14/12 -----																				
Peak Hour Analysis By Entire Intersection for the Period: 16:00 to 18:00 on 02/14/12																				
Peak start 17:00					17:00				17:00				17:00							
Volume	0	0	0	0	0	0	799	0	0	239	0	23	16	0	1173	0				
Percent	0%	0%	0%	0%	0%	0%	100%	0%	0%	91%	0%	9%	1%	0%	99%	0%				
Pk total	0				799				262				1189							
Highest	07:00				17:00				17:00				17:15							
Volume	0	0	0	0	0	0	202	0	0	69	0	9	3	0	320	0				
Hi total	0				202				78				323							
PHF	.0				.99				.84				.92							



96TH STREET & BYRON AVENUE  
 SURFSIDE, FLORIDA  
 COUNTED BY: SAMANTHA PALOMINO  
 SIGNALIZED

Traffic Survey Specialists, Inc.  
 624 Gardenia Terrace  
 Delray Beach, Florida 33444  
 Phone (561) 272-3255

Site Code : 00120027  
 Start Date: 02/14/12  
 File I.D. : BYRO96ST  
 Page : 1

PEDESTRIANS

----- From North				96TH STREET From East				BYRON AVENUE From South				96TH STREET From West								Total	
Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds						
Date 02/14/12 -----																					
07:00	0	0	0	0	0	0	0	2	0	0	0	6	0	0	0	2	10				
07:15	0	0	0	0	0	0	0	2	0	0	0	5	0	0	0	0	7				
07:30	0	0	0	0	0	0	0	3	0	0	0	14	0	0	0	0	17				
07:45	0	0	0	0	0	0	0	0	0	0	0	14	0	0	0	1	15				
Hr Total	0	0	0	0	0	0	0	7	0	0	0	39	0	0	0	3	49				
08:00	0	0	0	0	0	0	0	2	0	0	0	10	0	0	0	0	12				
08:15	0	0	0	0	0	0	0	0	0	0	0	6	0	0	0	0	6				
08:30	0	0	0	0	0	0	0	1	0	0	0	13	0	0	0	0	14				
08:45	0	0	0	0	0	0	0	4	0	0	0	6	0	0	0	0	10				
Hr Total	0	0	0	0	0	0	0	7	0	0	0	35	0	0	0	0	42				
----- * BREAK * -----																					
16:00	0	0	0	0	0	0	0	4	0	0	0	19	0	0	0	0	23				
16:15	0	0	0	0	0	0	0	4	0	0	0	13	0	0	0	0	17				
16:30	0	0	0	0	0	0	0	3	0	0	0	20	0	0	0	0	23				
16:45	0	0	0	0	0	0	0	9	0	0	0	19	0	0	0	0	28				
Hr Total	0	0	0	0	0	0	0	20	0	0	0	71	0	0	0	0	91				
17:00	0	0	0	0	0	0	0	10	0	0	0	11	0	0	0	0	21				
17:15	0	0	0	0	0	0	0	5	0	0	0	18	0	0	0	1	24				
17:30	0	0	0	0	0	0	0	3	0	0	0	14	0	0	0	0	17				
17:45	0	0	0	0	0	0	0	10	0	0	0	16	0	0	0	0	26				
Hr Total	0	0	0	0	0	0	0	28	0	0	0	59	0	0	0	1	88				
-----																					
*TOTAL*	0	0	0	0	0	0	0	62	0	0	0	204	0	0	0	4	270				



96TH STREET & ABBOTT AVENUE  
SURFSIDE, FLORIDA  
COUNTED BY: SEBASTIAN SALVO  
NOT SIGNALIZED

Traffic Survey Specialists, Inc.  
624 Gardenia Terrace  
Delray Beach, Florida 33444  
Phone (561) 272-3255

Site Code : 00120027  
Start Date: 02/14/12  
File I.D. : ABBO96ST  
Page : 1

ALL VEHICLES

----- From North				96TH STREET From East				ABBOTT AVENUE From South				96TH STREET From West								
UTurn	Left	Thru	Right	UTurn	Left	Thru	Right	UTurn	Left	Thru	Right	UTurn	Left	Thru	Right	Total				
Date 02/14/12 -----																				
07:00	0	0	0	0	0	1	60	0	0	0	0	2	0	0	100	11	174			
07:15	0	0	0	0	0	0	92	0	0	0	0	5	0	0	158	10	265			
07:30	0	0	0	0	0	1	98	0	0	0	0	5	0	0	172	16	292			
07:45	0	0	0	0	0	1	146	0	0	0	0	7	1	0	176	18	349			
Hr Total	0	0	0	0	0	3	396	0	0	0	0	19	1	0	606	55	1080			
08:00	0	0	0	0	0	0	201	0	0	1	0	7	0	0	226	34	469			
08:15	0	0	0	0	0	0	189	0	0	1	0	4	0	0	284	41	519			
08:30	0	0	0	0	0	0	155	0	0	0	0	6	0	0	293	55	509			
08:45	0	0	0	0	0	0	212	0	0	0	0	12	0	0	217	36	477			
Hr Total	0	0	0	0	0	0	757	0	0	2	0	29	0	0	1020	166	1974			
----- * BREAK * -----																				
16:00	0	0	0	0	0	2	203	0	0	1	0	11	0	0	206	45	468			
16:15	0	0	0	0	0	1	203	0	0	1	0	16	0	0	240	45	506			
16:30	0	0	0	0	0	2	189	0	0	0	0	17	0	0	223	48	479			
16:45	0	0	0	0	1	0	209	0	0	2	0	17	0	0	199	42	470			
Hr Total	0	0	0	0	1	5	804	0	0	4	0	61	0	0	868	180	1923			
17:00	0	0	0	0	0	1	208	0	0	1	0	14	0	0	261	45	530			
17:15	0	0	0	0	0	0	195	0	0	2	0	16	0	0	263	54	530			
17:30	0	0	0	0	0	2	198	0	0	2	0	13	0	0	250	49	514			
17:45	0	0	0	0	0	1	199	0	0	1	0	15	0	0	216	53	485			
Hr Total	0	0	0	0	0	4	800	0	0	6	0	58	0	0	990	201	2059			
-----																				
*TOTAL*	0	0	0	0	1	12	2757	0	0	12	0	167	1	0	3484	602	7036			

96TH STREET & ABBOTT AVENUE  
 SURFSIDE, FLORIDA  
 COUNTED BY: SEBASTIAN SALVO  
 NOT SIGNALIZED

Traffic Survey Specialists, Inc.  
 624 Gardenia Terrace  
 Delray Beach, Florida 33444  
 Phone (561) 272-3255

Site Code : 00120027  
 Start Date: 02/14/12  
 File I.D. : ABB096ST  
 Page : 2

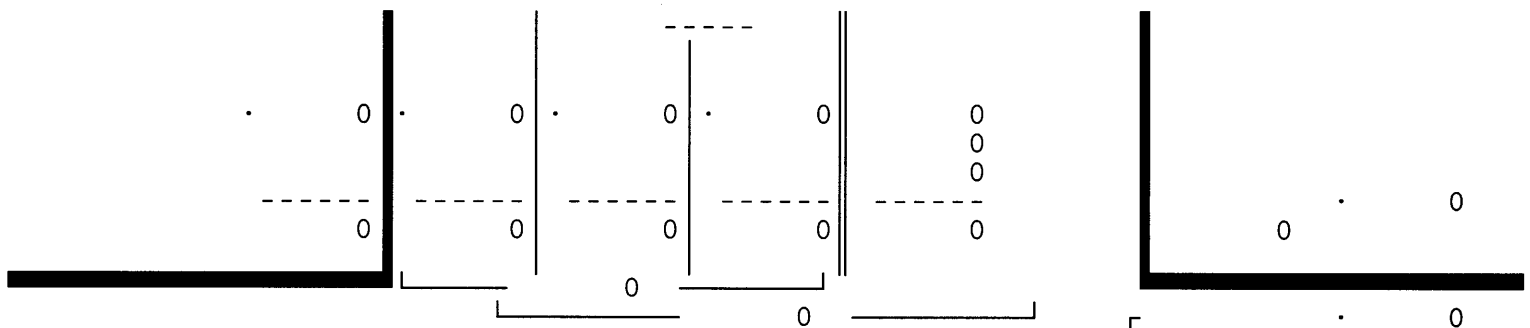
ALL VEHICLES

From North				96TH STREET From East				ABBOTT AVENUE From South				96TH STREET From West				Total
UTurn	Left	Thru	Right	UTurn	Left	Thru	Right	UTurn	Left	Thru	Right	UTurn	Left	Thru	Right	

Date 02/14/12

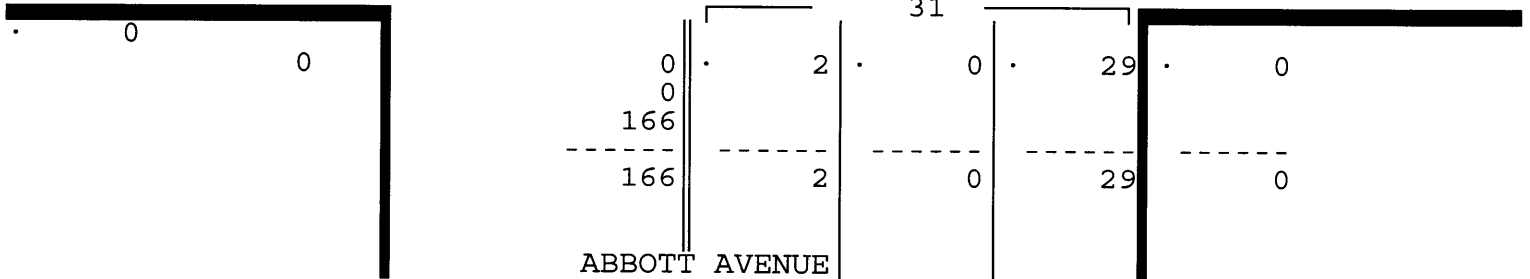
Peak Hour Analysis By Entire Intersection for the Period: 07:00 to 09:00 on 02/14/12

Peak start 08:00					08:00					08:00					08:00				
Volume	0	0	0	0	0	0	757	0	0	2	0	29	0	0	1020	166			
Percent	0%	0%	0%	0%	0%	0%	100%	0%	0%	6%	0%	94%	0%	0%	86%	14%			
Pk total	0				757				31				1186						
Highest	07:00				08:45				08:45				08:30						
Volume	0	0	0	0	0	0	212	0	0	0	0	12	0	0	293	55			
Hi total	0				212				12				348						
PHF	.0				.89				.65				.85						



96TH STREET

2	757	0	759	0	1,020	166	1,020	1,186	1,945	1,806	757	757	0	1,049	1,020	29	1,974
Intersection Total																	



96TH STREET & ABBOTT AVENUE  
 SURFSIDE, FLORIDA  
 COUNTED BY: SEBASTIAN SALVO  
 NOT SIGNALIZED

Traffic Survey Specialists, Inc.  
 624 Gardenia Terrace  
 Delray Beach, Florida 33444  
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Site Code : 00120027  
 Start Date: 02/14/12  
 File I.D. : ABB096ST  
 Page : 3

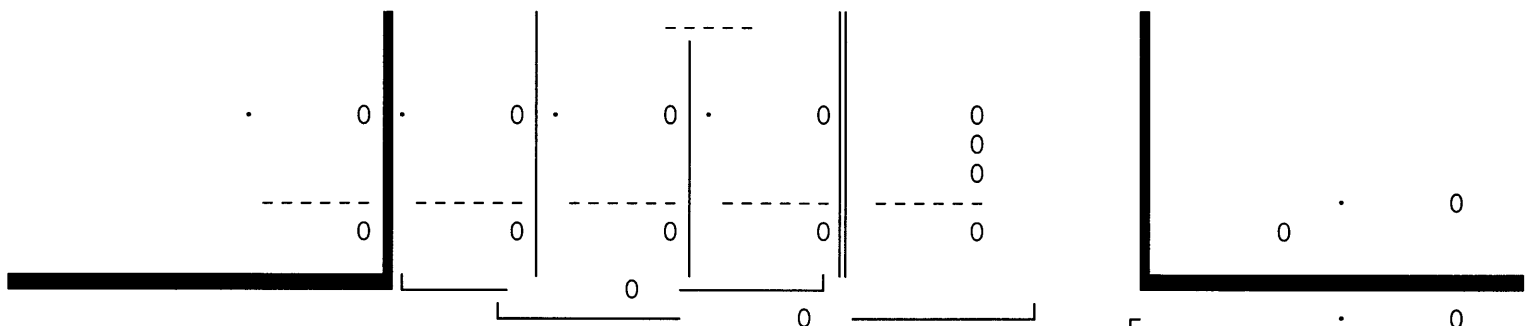
ALL VEHICLES

From North				96TH STREET From East				ABBOTT AVENUE From South				96TH STREET From West				Total
UTurn	Left	Thru	Right	UTurn	Left	Thru	Right	UTurn	Left	Thru	Right	UTurn	Left	Thru	Right	

Date 02/14/12

Peak Hour Analysis By Entire Intersection for the Period: 16:00 to 18:00 on 02/14/12

Peak start 17:00					17:00					17:00					17:00				
Volume	0	0	0	0	0	4	800	0	0	6	0	58	0	0	990	201			
Percent	0%	0%	0%	0%	0%	0%	100%	0%	0%	9%	0%	91%	0%	0%	83%	17%			
Pk total	0				804				64				1191						
Highest	07:00				17:00				17:15				17:15						
Volume	0	0	0	0	0	1	208	0	0	2	0	16	0	0	263	54			
Hi total	0				209				18				317						
PHF	.0				.96				.89				.94						



96TH STREET

6	
800	806
0	
0	
0	
990	
201	

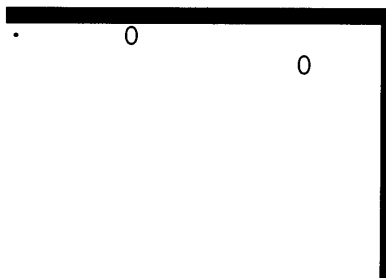
1,997
1,191
201

ALL VEHICLES

Intersection Total  
2,059

804	800
4	4
1,048	990
	58

96TH STREET



269	64
4	6
0	0
201	58
205	6
	0
	58

ABBOTT AVENUE

96TH STREET & ABBOTT AVENUE  
 SURFSIDE, FLORIDA  
 COUNTED BY: SEBASTIAN SALVO  
 NOT SIGNALIZED

Traffic Survey Specialists, Inc.  
 624 Gardenia Terrace  
 Delray Beach, Florida 33444  
 Phone (561) 272-3255

Site Code : 00120027  
 Start Date: 02/14/12  
 File I.D. : ABB096ST  
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PEDESTRIANS

-----				96TH STREET				ABBOTT AVENUE				96TH STREET							
From North				From East				From South				From West							
	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds			
Date 02/14/12	-----																	Total	
07:00	0	0	0	0	0	0	0	0	0	0	0	5	0	0	0	0	5		
07:15	0	0	0	0	0	0	0	0	0	0	0	6	0	0	0	0	6		
07:30	0	0	0	0	0	0	0	0	0	0	0	11	0	0	0	0	11		
07:45	0	0	0	0	0	0	0	0	0	0	0	8	0	0	0	0	8		
Hr Total	0	0	0	0	0	0	0	0	0	0	0	30	0	0	0	0	30		
08:00	0	0	0	0	0	0	0	0	0	0	0	9	0	0	0	2	11		
08:15	0	0	0	0	0	0	0	1	0	0	0	4	0	0	0	0	5		
08:30	0	0	0	0	0	0	0	0	0	0	0	11	0	0	0	2	13		
08:45	0	0	0	0	0	0	0	0	0	0	0	9	0	0	0	0	9		
Hr Total	0	0	0	0	0	0	0	1	0	0	0	33	0	0	0	4	38		
----- * BREAK * -----																			
16:00	0	0	0	0	0	0	0	0	0	0	0	15	0	0	0	0	15		
16:15	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	2		
16:30	0	0	0	0	0	0	0	1	0	0	0	20	0	0	0	0	21		
16:45	0	0	0	0	0	0	0	1	0	0	0	15	0	0	0	1	17		
Hr Total	0	0	0	0	0	0	0	2	0	0	0	52	0	0	0	1	55		
17:00	0	0	0	0	0	0	0	0	0	0	0	10	0	0	0	0	10		
17:15	0	0	0	0	0	0	0	0	0	0	0	10	0	0	0	1	11		
17:30	0	0	0	0	0	0	0	1	0	0	0	7	0	0	0	0	8		
17:45	0	0	0	0	0	0	0	0	0	0	0	10	0	0	0	0	10		
Hr Total	0	0	0	0	0	0	0	1	0	0	0	37	0	0	0	1	39		
-----																			
*TOTAL*	0	0	0	0	0	0	0	4	0	0	0	152	0	0	0	6	162		

96TH STREET & HARDING AVENUE  
SURFSIDE, FLORIDA  
COUNTED BY: CARLOS PALOMINO  
SIGNALIZED

Traffic Survey Specialists, Inc.  
624 Gardenia Terrace  
Delray Beach, Florida 33444  
Phone (561) 272-3255

Site Code : 00120027  
Start Date: 02/14/12  
File I.D. : HARD96ST  
Page : 1

ALL VEHICLES

HARDING AVENUE				96TH STREET				HARDING AVENUE				96TH STREET					
From North				From East				From South				From West					
UTurn	Left	Thru	Right	UTurn	Left	Thru	Right	UTurn	Left	Thru	Right	UTurn	Left	Thru	Right	Total	
Date 02/14/12 -----																	
07:00	0	11	222	24	0	0	38	0	0	0	0	0	0	31	75	401	
07:15	0	18	291	36	0	0	57	0	0	0	0	0	0	51	108	561	
07:30	0	14	358	39	0	0	65	0	0	0	0	0	0	57	121	654	
07:45	0	17	373	68	0	0	78	0	0	0	0	0	0	58	132	726	
Hr Total	0	60	1244	167	0	0	238	0	0	0	0	0	0	197	436	2342	
08:00	0	15	393	83	0	0	118	0	0	0	0	0	0	64	167	840	
08:15	0	19	442	85	0	0	107	0	0	0	0	0	0	81	196	930	
08:30	0	27	387	54	0	0	98	0	0	0	0	0	0	117	202	885	
08:45	0	17	388	89	0	0	129	0	0	0	0	0	0	79	146	848	
Hr Total	0	78	1610	311	0	0	452	0	0	0	0	0	0	341	711	3503	
----- * BREAK * -----																	
16:00	0	10	305	83	0	0	123	0	0	0	0	0	0	88	131	740	
16:15	0	14	385	98	0	0	120	0	0	0	0	0	0	120	137	874	
16:30	0	12	365	79	0	0	116	0	0	0	0	0	0	91	155	818	
16:45	0	11	376	91	0	0	132	0	0	0	0	0	0	86	137	833	
Hr Total	0	47	1431	351	0	0	491	0	0	0	0	0	0	385	560	3265	
17:00	0	14	320	81	0	0	124	0	0	0	0	0	0	129	141	809	
17:15	0	8	394	88	0	0	118	0	0	0	0	0	0	104	182	894	
17:30	0	5	369	93	0	0	113	0	0	0	0	0	0	111	155	846	
17:45	0	7	377	87	0	0	125	0	0	0	0	0	0	79	152	827	
Hr Total	0	34	1460	349	0	0	480	0	0	0	0	0	0	423	630	3376	
-----																	
*TOTAL*	0	219	5745	1178	0	0	1661	0	0	0	0	0	0	1346	2337	12486	

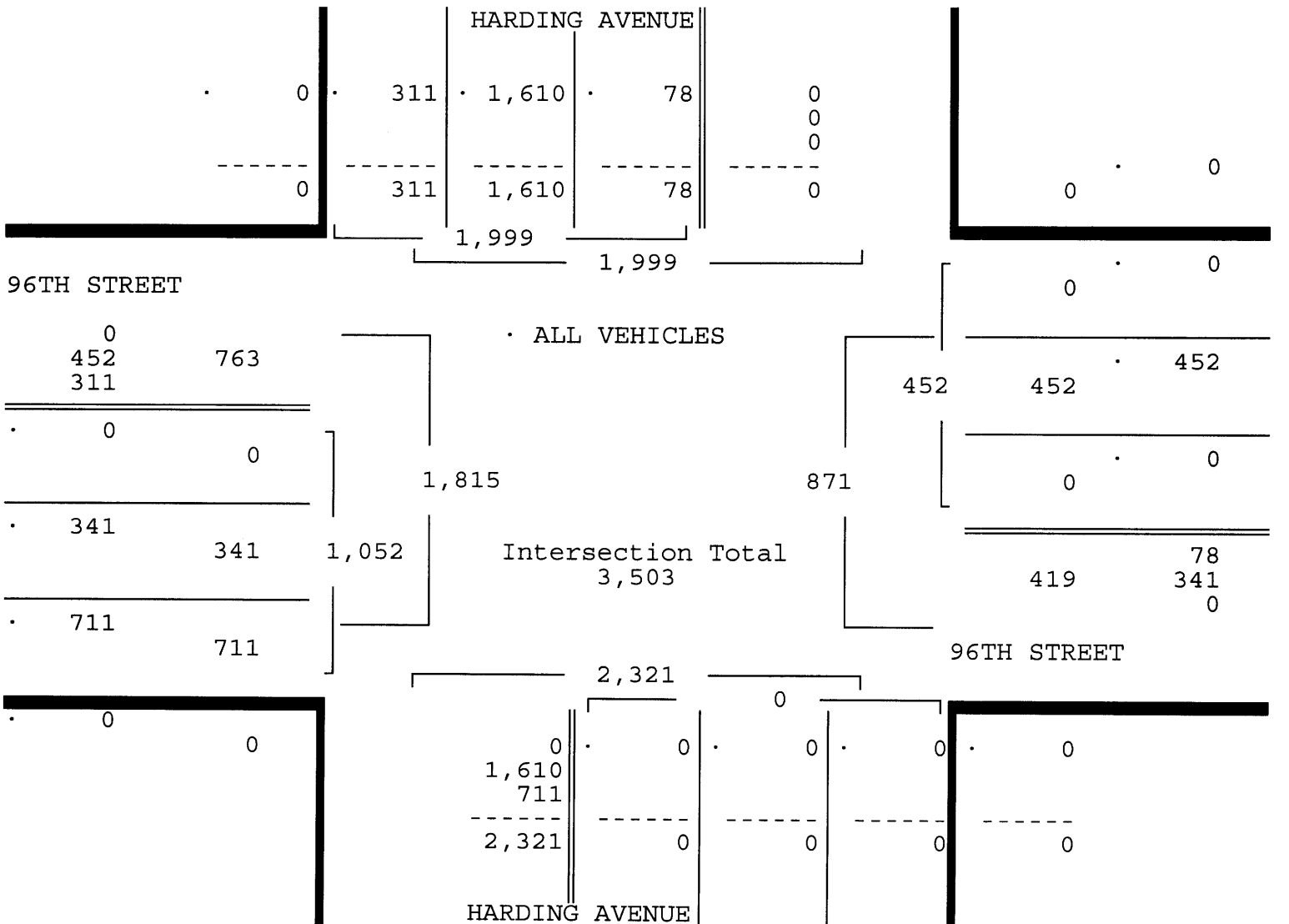
96TH STREET & HARDING AVENUE  
 SURFSIDE, FLORIDA  
 COUNTED BY: CARLOS PALOMINO  
 SIGNALIZED

Traffic Survey Specialists, Inc.  
 624 Gardenia Terrace  
 Delray Beach, Florida 33444  
 Phone (561) 272-3255

Site Code : 00120027  
 Start Date: 02/14/12  
 File I.D. : HARD96ST  
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ALL VEHICLES

HARDING AVENUE				96TH STREET				HARDING AVENUE				96TH STREET				
From North				From East				From South				From West				
UTurn	Left	Thru	Right	UTurn	Left	Thru	Right	UTurn	Left	Thru	Right	UTurn	Left	Thru	Right	Total
Date 02/14/12 -----																
Peak Hour Analysis By Entire Intersection for the Period: 07:00 to 09:00 on 02/14/12																
Peak start 08:00				08:00				08:00				08:00				
Volume	0	78	1610	311	0	0	452	0	0	0	0	0	0	341	711	
Percent	0%	4%	81%	16%	0%	0%	100%	0%	0%	0%	0%	0%	0%	32%	68%	
Pk total	1999			452				0				1052				
Highest	08:15			08:45				07:00				08:30				
Volume	0	19	442	85	0	0	129	0	0	0	0	0	0	117	202	
Hi total	546			129				0				319				
PHF	.92			.88				.0				.82				



96TH STREET & HARDING AVENUE  
 SURFSIDE, FLORIDA  
 COUNTED BY: CARLOS PALOMINO  
 SIGNALIZED

Traffic Survey Specialists, Inc.  
 624 Gardenia Terrace  
 Delray Beach, Florida 33444  
 Phone (561) 272-3255

Site Code : 00120027  
 Start Date: 02/14/12  
 File I.D. : HARD96ST  
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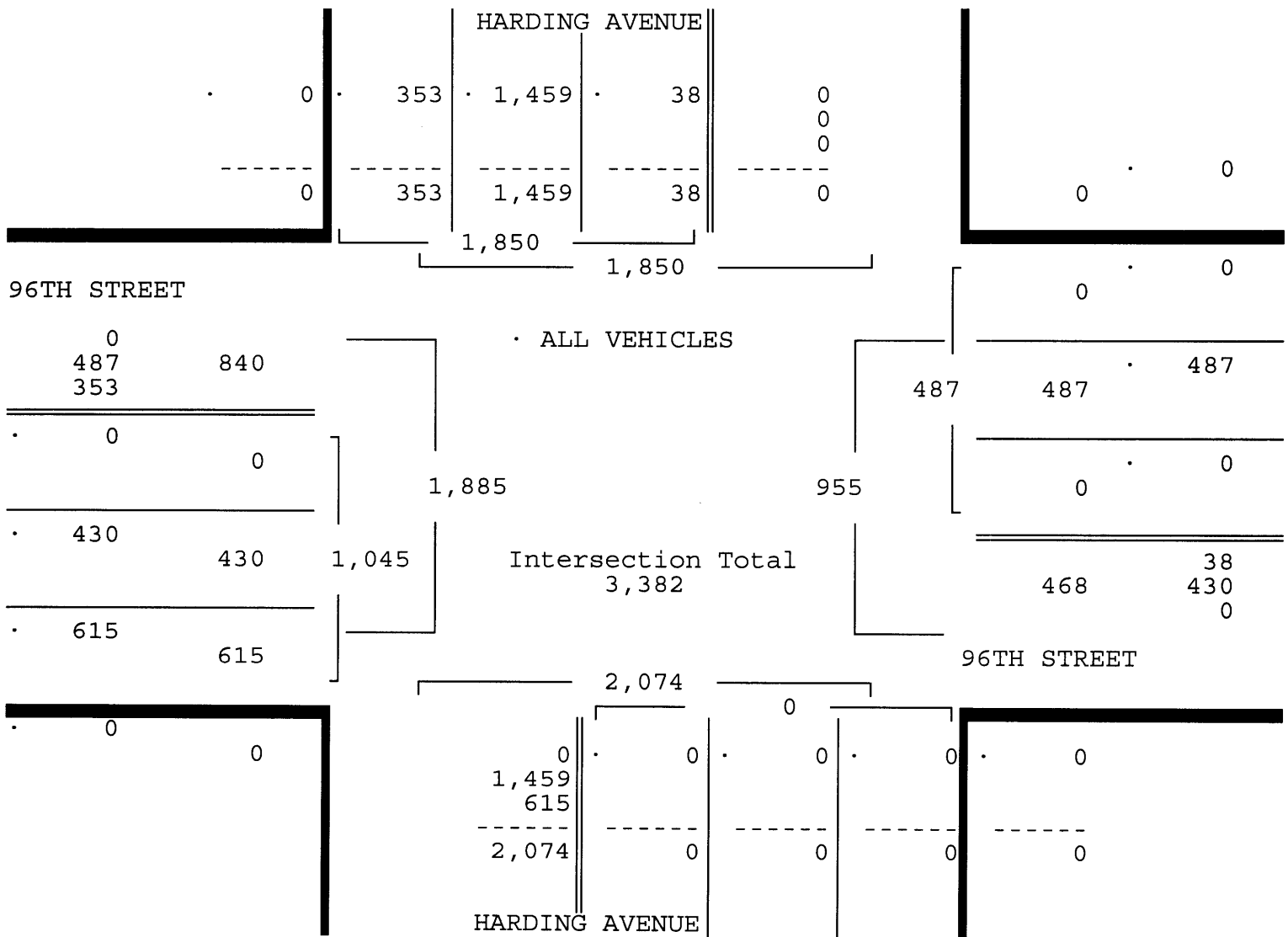
ALL VEHICLES

HARDING AVENUE From North				96TH STREET From East				HARDING AVENUE From South				96TH STREET From West				Total
UTurn	Left	Thru	Right	UTurn	Left	Thru	Right	UTurn	Left	Thru	Right	UTurn	Left	Thru	Right	

Date 02/14/12

Peak Hour Analysis By Entire Intersection for the Period: 16:00 to 18:00 on 02/14/12

Peak start 16:45	16:45				16:45				16:45				16:45			
Volume	0	38	1459	353	0	0	487	0	0	0	0	0	0	430	615	
Percent	0%	2%	79%	19%	0%	0%	100%	0%	0%	0%	0%	0%	0%	41%	59%	
Pk total	1850	487				0				1045						
Highest	17:15	16:45				07:00				17:15						
Volume	0	8	394	88	0	0	132	0	0	0	0	0	0	104	182	
Hi total	490	132				0				286						
PHF	.94	.92				.0				.91						



96TH STREET & HARDING AVENUE  
 SURFSIDE, FLORIDA  
 COUNTED BY: CARLOS PALOMINO  
 SIGNALIZED

Traffic Survey Specialists, Inc.  
 624 Gardenia Terrace  
 Delray Beach, Florida 33444  
 Phone (561) 272-3255

Site Code : 00120027  
 Start Date: 02/14/12  
 File I.D. : HARD96ST  
 Page : 1

PEDESTRIANS

Date 02/14/12	HARDING AVENUE From North				96TH STREET From East				HARDING AVENUE From South				96TH STREET From West				Total
	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	
07:00	0	0	0	14	0	0	0	0	0	0	0	5	0	0	0	6	25
07:15	0	0	0	9	0	0	0	0	0	0	0	4	0	0	0	4	17
07:30	0	0	0	18	0	0	0	5	0	0	0	7	0	0	0	10	40
07:45	0	0	0	11	0	0	0	3	0	0	0	8	0	0	0	17	39
Hr Total	0	0	0	52	0	0	0	8	0	0	0	24	0	0	0	37	121
08:00	0	0	0	13	0	0	0	6	0	0	0	5	0	0	0	14	38
08:15	0	0	0	4	0	0	0	3	0	0	0	3	0	0	0	7	17
08:30	0	0	0	21	0	0	0	4	0	0	0	4	0	0	0	28	57
08:45	0	0	0	8	0	0	0	4	0	0	0	2	0	0	0	19	33
Hr Total	0	0	0	46	0	0	0	17	0	0	0	14	0	0	0	68	145
----- * BREAK * -----																	
16:00	0	0	0	12	0	0	0	5	0	0	0	7	0	0	0	44	68
16:15	0	0	0	20	0	0	0	3	0	0	0	13	0	0	0	35	71
16:30	0	0	0	18	0	0	0	8	0	0	0	13	0	0	0	47	86
16:45	0	0	0	5	0	0	0	10	0	0	0	4	0	0	0	29	48
Hr Total	0	0	0	55	0	0	0	26	0	0	0	37	0	0	0	155	273
17:00	0	0	0	22	0	0	0	3	0	0	0	10	0	0	0	38	73
17:15	0	0	0	4	0	0	0	1	0	0	0	9	0	0	0	17	31
17:30	0	0	0	5	0	0	0	7	0	0	0	5	0	0	0	10	27
17:45	0	0	0	15	0	0	0	12	0	0	0	8	0	0	0	27	62
Hr Total	0	0	0	46	0	0	0	23	0	0	0	32	0	0	0	92	193
*TOTAL*	0	0	0	199	0	0	0	74	0	0	0	107	0	0	0	352	732



96TH STREET & COLLINS AVENUE  
SURFSIDE, FLORIDA  
COUNTED BY: MAURICE GOMEZ  
SIGNALIZED

Traffic Survey Specialists, Inc.  
624 Gardenia Terrace  
Delray Beach, Florida 33444  
Phone (561) 272-3255

Site Code : 00120027  
Start Date: 02/14/12  
File I.D. : COLL96ST  
Page : 1

ALL VEHICLES

COLLINS AVENUE From North					96TH STREET From East				COLLINS AVENUE From South				96TH STREET From West						
UTurn	Left	Thru	Right		UTurn	Left	Thru	Right		UTurn	Left	Thru	Right		UTurn	Left	Thru	Right	
Date 02/14/12																			
07:00	0	0	0	0	0	0	0	1	0	40	137	1	0	40	3	0		222	
07:15	0	0	0	0	0	0	1	1	0	54	150	1	0	62	2	0		271	
07:30	0	0	0	0	0	0	0	1	0	65	182	1	0	65	2	0		316	
07:45	0	0	0	0	0	0	0	1	0	82	201	1	0	67	5	0		357	
Hr Total	0	0	0	0	0	0	1	4	0	241	670	4	0	234	12	0		1166	
08:00	0	0	0	0	0	0	0	1	0	110	239	1	0	71	4	0		426	
08:15	0	0	0	0	0	0	1	1	0	119	283	2	0	86	1	0		493	
08:30	0	0	0	0	0	0	0	2	0	81	239	3	0	121	6	0		452	
08:45	0	0	0	0	0	0	0	2	0	116	315	6	0	80	3	0		522	
Hr Total	0	0	0	0	0	0	1	6	0	426	1076	12	0	358	14	0		1893	
----- * BREAK * -----																			
16:00	0	0	0	0	0	0	0	4	0	118	392	4	0	96	1	0		615	
16:15	0	0	0	0	0	0	3	6	0	102	451	2	1	122	4	0		691	
16:30	0	0	0	0	0	0	2	1	0	105	423	5	0	96	4	0		636	
16:45	0	0	0	0	0	0	2	1	0	116	426	1	0	91	1	0		638	
Hr Total	0	0	0	0	0	0	7	12	0	441	1692	12	1	405	10	0		2580	
17:00	0	0	0	0	0	0	2	1	0	116	413	1	0	136	2	0		671	
17:15	0	0	0	0	0	0	1	2	0	105	468	1	0	107	2	0		686	
17:30	0	0	0	0	0	0	1	1	0	107	471	3	0	109	4	0		696	
17:45	0	0	0	0	0	0	0	2	0	113	451	2	0	76	3	0		647	
Hr Total	0	0	0	0	0	0	4	6	0	441	1803	7	0	428	11	0		2700	
*TOTAL*	0	0	0	0	0	0	13	28	0	1549	5241	35	1	1425	47	0		8339	

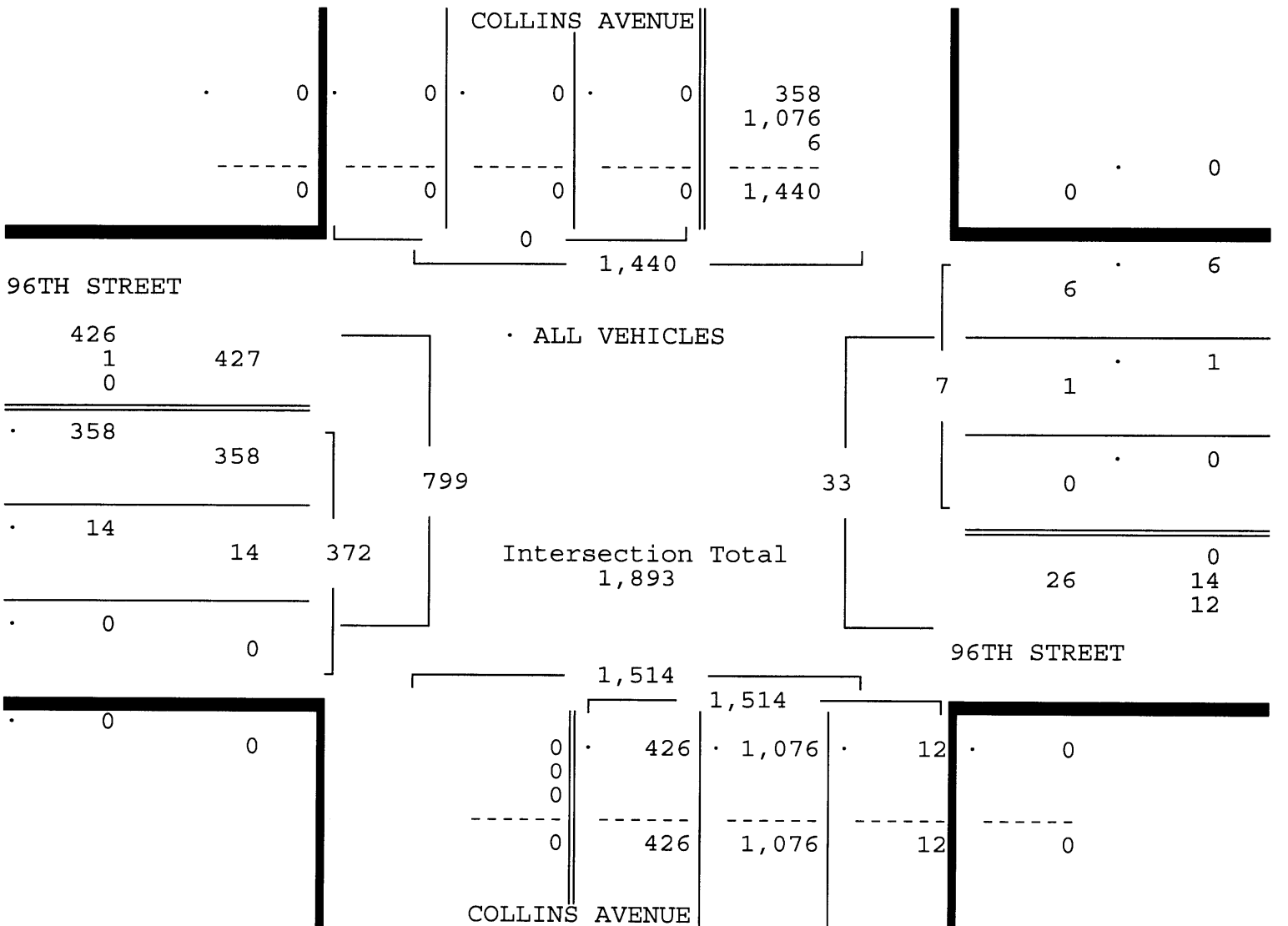
96TH STREET & COLLINS AVENUE  
 SURFSIDE, FLORIDA  
 COUNTED BY: MAURICE GOMEZ  
 SIGNALIZED

Traffic Survey Specialists, Inc.  
 624 Gardenia Terrace  
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ALL VEHICLES

COLLINS AVENUE					96TH STREET				COLLINS AVENUE				96TH STREET							
From North					From East				From South				From West							
UTurn	Left	Thru	Right		UTurn	Left	Thru	Right		UTurn	Left	Thru	Right		UTurn	Left	Thru	Right		Total
Date 02/14/12 -----																				
Peak Hour Analysis By Entire Intersection for the Period: 07:00 to 09:00 on 02/14/12																				
Peak start 08:00					08:00				08:00				08:00							
Volume	0	0	0	0	0	0	1	6	0	426	1076	12	0	358	14	0				
Percent	0%	0%	0%	0%	0%	0%	14%	86%	0%	28%	71%	1%	0%	96%	4%	0%				
Pk total	0				7				1514				372							
Highest	07:00				08:15				08:45				08:30							
Volume	0	0	0	0	0	0	1	1	0	116	315	6	0	121	6	0				
Hi total	0				2				437				127							
PHF	.0				.88				.87				.73							



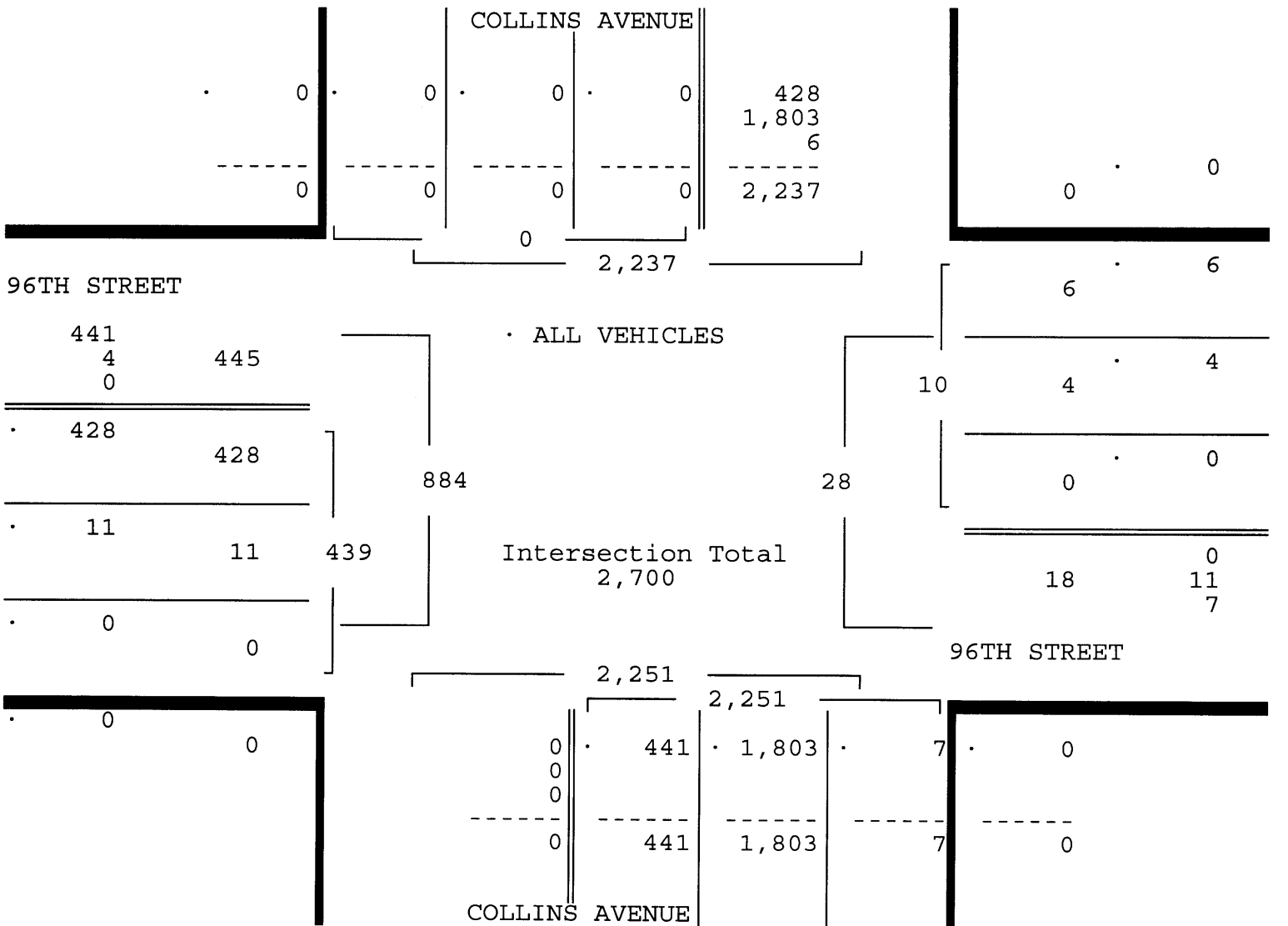
96TH STREET & COLLINS AVENUE  
 SURFSIDE, FLORIDA  
 COUNTED BY: MAURICE GOMEZ  
 SIGNALIZED

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Site Code : 00120027  
 Start Date: 02/14/12  
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ALL VEHICLES

COLLINS AVENUE				96TH STREET				COLLINS AVENUE				96TH STREET				
From North				From East				From South				From West				
UTurn	Left	Thru	Right	UTurn	Left	Thru	Right	UTurn	Left	Thru	Right	UTurn	Left	Thru	Right	Total
Date 02/14/12 -----																
Peak Hour Analysis By Entire Intersection for the Period: 16:00 to 18:00 on 02/14/12																
Peak start 17:00				17:00				17:00				17:00				
Volume	0	0	0	0	0	0	4	6	0	441	1803	7	0	428	11	0
Percent	0%	0%	0%	0%	0%	0%	40%	60%	0%	20%	80%	0%	0%	97%	3%	0%
Pk total	0				10				2251				439			
Highest	07:00			17:00					17:30				17:00			
Volume	0	0	0	0	0	0	2	1	0	107	471	3	0	136	2	0
Hi total	0				3				581				138			
PHF	.0				.83				.97				.80			



96TH STREET & COLLINS AVENUE  
 SURFSIDE, FLORIDA  
 COUNTED BY: MAURICE GOMEZ  
 SIGNALIZED

Traffic Survey Specialists, Inc.  
 624 Gardenia Terrace  
 Delray Beach, Florida 33444  
 Phone (561) 272-3255

Site Code : 00120027  
 Start Date: 02/14/12  
 File I.D. : COLL96ST  
 Page : 1

PEDESTRIANS

COLLINS AVENUE From North				96TH STREET From East				COLLINS AVENUE From South				96TH STREET From West					
Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Total	
Date 02/14/12																	
07:00	0	0	0	3	0	0	0	5	0	0	0	4	0	0	0	0	12
07:15	0	0	0	2	0	0	0	5	0	0	0	10	0	0	0	1	18
07:30	0	0	0	4	0	0	0	1	0	0	0	4	0	0	0	0	9
07:45	0	0	0	0	0	0	0	4	0	0	0	10	0	0	0	0	14
Hr Total	0	0	0	9	0	0	0	15	0	0	0	28	0	0	0	1	53
08:00	0	0	0	2	0	0	0	6	0	0	0	16	0	0	0	1	25
08:15	0	0	0	3	0	0	0	1	0	0	0	7	0	0	0	2	13
08:30	0	0	0	2	0	0	0	8	0	0	0	10	0	0	0	1	21
08:45	0	0	0	1	0	0	0	7	0	0	0	18	0	0	0	5	31
Hr Total	0	0	0	8	0	0	0	22	0	0	0	51	0	0	0	9	90
* BREAK *																	
16:00	0	0	0	1	0	0	0	2	0	0	0	7	0	0	0	1	11
16:15	0	0	0	4	0	0	0	2	0	0	0	16	0	0	0	6	28
16:30	0	0	0	0	0	0	0	1	0	0	0	18	0	0	0	0	19
16:45	0	0	0	1	0	0	0	5	0	0	0	13	0	0	0	1	20
Hr Total	0	0	0	6	0	0	0	10	0	0	0	54	0	0	0	8	78
17:00	0	0	0	2	0	0	0	2	0	0	0	20	0	0	0	0	24
17:15	0	0	0	2	0	0	0	3	0	0	0	13	0	0	0	2	20
17:30	0	0	0	0	0	0	0	2	0	0	0	13	0	0	0	0	15
17:45	0	0	0	4	0	0	0	5	0	0	0	8	0	0	0	0	17
Hr Total	0	0	0	8	0	0	0	12	0	0	0	54	0	0	0	2	76
*TOTAL*	0	0	0	31	0	0	0	59	0	0	0	187	0	0	0	20	297

## Appendix C

### Intersection Capacity Analysis

96<sup>th</sup> Street / Byron Avenue

**HCS+™ DETAILED REPORT**

<b>General Information</b>					<b>Site Information</b>				
Analyst	DPA				Intersection	96th Street / Byron Avenue			
Agency or Co.	Surfside				Area Type	All other areas			
Date Performed	2/22/2012				Jurisdiction	Surfside			
Time Period	Weekday AM Peak Hour				Analysis Year	Existing (2012)			
					Project ID	Young Israel Congregation			

<b>Volume and Timing Input</b>												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of Lanes, N <sub>l</sub>		2			2		2		1			
Lane Group		T			T		L		R			
Volume, V (vph)		1166			754		246		31			
% Heavy Vehicles, %HV		0			0		0		0			
Peak-Hour Factor, PHF		0.92			0.92		0.92		0.92			
Pretimed (P) or Actuated (A)		A			A		A		A			
Start-up Lost Time, I <sub>l</sub>		2.0			2.0		2.0		2.0			
Extension of Effective Green, e		2.0			2.0		2.0		2.0			
Arrival Type, AT		3			3		3		3			
Unit Extension, UE		3.0			3.0		3.0		3.0			
Filtering/Metering, I		1.000			1.000		1.000		1.000			
Initial Unmet Demand, Q <sub>b</sub>		0.0			0.0		0.0		0.0			
Ped / Bike / RTOR Volumes	0	0		0	0		0	0	3			
Lane Width		12.0			12.0		12.0		12.0			
Parking / Grade / Parking	N	0	N	N	0	N	N	0	N			
Parking Maneuvers, N <sub>m</sub>												
Buses Stopping, N <sub>b</sub>		0			0		0		0			
Min. Time for Pedestrians, G <sub>p</sub>		3.2			3.2		3.2					

Phasing	Thru Only	02	03	04	NB Only	06	07	08
Timing	G = 125.0	G =	G =	G =	G = 25.0	G =	G =	G =
	Y = 5	Y =	Y =	Y =	Y = 5	Y =	Y =	Y =
Duration of Analysis, T = 0.25						Cycle Length, C = 160.0		

<b>Lane Group Capacity, Control Delay, and LOS Determination</b>												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Adjusted Flow Rate, v		1267			820		267		30			
Lane Group Capacity, c		2827			2827		548		252			
v/c Ratio, X		0.45			0.29		0.49		0.12			
Total Green Ratio, g/C		0.78			0.78		0.16		0.16			
Uniform Delay, d <sub>1</sub>		5.9			4.9		61.6		58.0			
Progression Factor, PF		1.000			1.000		1.000		1.000			
Delay Calibration, k		0.11			0.11		0.11		0.11			
Incremental Delay, d <sub>2</sub>		0.1			0.1		0.7		0.2			
Initial Queue Delay, d <sub>3</sub>		0.0			0.0		0.0		0.0			
Control Delay		6.0			5.0		62.3		58.2			
Lane Group LOS		A			A		E		E			
Approach Delay	6.0			5.0			61.9					
Approach LOS	A			A			E					
Intersection Delay	12.6			X <sub>c</sub> = 0.45			Intersection LOS			B		

**HCS+™ DETAILED REPORT**

<b>General Information</b>					<b>Site Information</b>				
Analyst	DPA				Intersection	96th Street / Byron Avenue			
Agency or Co.	Surfside				Area Type	All other areas			
Date Performed	2/22/2012				Jurisdiction	Surfside			
Time Period	Weekday AM Peak Hour				Analysis Year	Existing (2012) w Imps			
					Project ID	Young Israel Congregation			

<b>Volume and Timing Input</b>												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of Lanes, N <sub>l</sub>		2			2		2		1			
Lane Group		T			T		L		R			
Volume, V (vph)		1166			754		246		31			
% Heavy Vehicles, %HV		0			0		0		0			
Peak-Hour Factor, PHF		0.92			0.92		0.92		0.92			
Pretimed (P) or Actuated (A)		A			A		A		A			
Start-up Lost Time, I <sub>l</sub>		2.0			2.0		2.0		2.0			
Extension of Effective Green, e		2.0			2.0		2.0		2.0			
Arrival Type, AT		3			3		3		3			
Unit Extension, UE		3.0			3.0		3.0		3.0			
Filtering/Metering, I		1.000			1.000		1.000		1.000			
Initial Unmet Demand, Q <sub>b</sub>		0.0			0.0		0.0		0.0			
Ped / Bike / RTOR Volumes	0	0		0	0		0	0	3			
Lane Width		12.0			12.0		12.0		12.0			
Parking / Grade / Parking	N	0	N	N	0	N	N	0	N			
Parking Maneuvers, N <sub>m</sub>												
Buses Stopping, N <sub>b</sub>		0			0		0		0			
Min. Time for Pedestrians, G <sub>p</sub>		3.2			3.2		3.2					
Phasing	Thru Only	02	03	04		NB Only	06	07	08			
Timing	G = 115.0	G =	G =	G =		G = 35.0	G =	G =	G =			
	Y = 5	Y =	Y =	Y =		Y = 5	Y =	Y =	Y =			
Duration of Analysis, T = 0.25								Cycle Length, C = 160.0				

<b>Lane Group Capacity, Control Delay, and LOS Determination</b>												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Adjusted Flow Rate, v		1267			820		267		30			
Lane Group Capacity, c		2600			2600		767		353			
v/c Ratio, X		0.49			0.32		0.35		0.08			
Total Green Ratio, g/C		0.72			0.72		0.22		0.22			
Uniform Delay, d <sub>1</sub>		9.7			8.2		52.9		49.8			
Progression Factor, PF		1.000			1.000		1.000		1.000			
Delay Calibration, k		0.11			0.11		0.11		0.11			
Incremental Delay, d <sub>2</sub>		0.1			0.1		0.3		0.1			
Initial Queue Delay, d <sub>3</sub>		0.0			0.0		0.0		0.0			
Control Delay		9.9			8.3		53.1		49.9			
Lane Group LOS		A			A		D		D			
Approach Delay	9.9			8.3			52.8					
Approach LOS	A			A			D					
Intersection Delay	14.7			X <sub>c</sub> = 0.45			Intersection LOS			B		



**HCS+™ DETAILED REPORT**

General Information		Site Information	
Analyst	DPA	Intersection	96th Street / Byron Avenue
Agency or Co.	Surfside	Area Type	All other areas
Date Performed	2/22/2012	Jurisdiction	Surfside
Time Period	Weekday AM Peak Hour	Analysis Year	Future (2013) without Project
		Project ID	Young Israel Congregation

Volume and Timing Input													
		EB			WB			NB			SB		
		LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of Lanes, N <sub>l</sub>			2			2		2		1			
Lane Group			T			T		L		R			
Volume, V (vph)			1195			773		252		31			
% Heavy Vehicles, %HV			0			0		0		0			
Peak-Hour Factor, PHF			0.92			0.92		0.92		0.92			
Pretimed (P) or Actuated (A)			A			A		A		A			
Start-up Lost Time, I <sub>l</sub>			2.0			2.0		2.0		2.0			
Extension of Effective Green, e			2.0			2.0		2.0		2.0			
Arrival Type, AT			3			3		3		3			
Unit Extension, UE			3.0			3.0		3.0		3.0			
Filtering/Metering, I			1.000			1.000		1.000		1.000			
Initial Unmet Demand, Q <sub>b</sub>			0.0			0.0		0.0		0.0			
Ped / Bike / RTOR Volumes		0	0		0	0		0	0	3			
Lane Width			12.0			12.0		12.0		12.0			
Parking / Grade / Parking		N	0	N	N	0	N	N	0	N			
Parking Maneuvers, N <sub>m</sub>													
Buses Stopping, N <sub>b</sub>			0			0		0		0			
Min. Time for Pedestrians, G <sub>p</sub>		3.2			3.2			3.2					
Phasing	Thru Only	02	03	04		NB Only		06	07		08		
Timing	G = 115.0	G =	G =	G =		G = 35.0		G =	G =		G =		
	Y = 5	Y =	Y =	Y =		Y = 5		Y =	Y =		Y =		
Duration of Analysis, T = 0.25									Cycle Length, C = 160.0				

Lane Group Capacity, Control Delay, and LOS Determination												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Adjusted Flow Rate, v		1299			840		274		30			
Lane Group Capacity, c		2600			2600		767		353			
v/c Ratio, X		0.50			0.32		0.36		0.08			
Total Green Ratio, g/C		0.72			0.72		0.22		0.22			
Uniform Delay, d <sub>1</sub>		9.9			8.2		53.0		49.8			
Progression Factor, PF		1.000			1.000		1.000		1.000			
Delay Calibration, k		0.11			0.11		0.11		0.11			
Incremental Delay, d <sub>2</sub>		0.2			0.1		0.3		0.1			
Initial Queue Delay, d <sub>3</sub>		0.0			0.0		0.0		0.0			
Control Delay		10.0			8.3		53.3		49.9			
Lane Group LOS		B			A		D		D			
Approach Delay	10.0			8.3			52.9					
Approach LOS	B			A			D					
Intersection Delay	14.8			X <sub>C</sub> = 0.47			Intersection LOS			B		

**HCS+™ DETAILED REPORT**

<b>General Information</b>					<b>Site Information</b>				
Analyst	DPA				Intersection	96th Street / Byron Avenue			
Agency or Co.	Surfside				Area Type	All other areas			
Date Performed	2/22/2012				Jurisdiction	Surfside			
Time Period	Weekday AM Peak Hour				Analysis Year	Future (2013) with Project			
					Project ID	Young Israel Congregation			

<b>Volume and Timing Input</b>												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of Lanes, N <sub>l</sub>		2			2		2		1			
Lane Group		T			T		L		R			
Volume, V (vph)		1195			773		253		31			
% Heavy Vehicles, %HV		0			0		0		0			
Peak-Hour Factor, PHF		0.92			0.92		0.92		0.92			
Pretimed (P) or Actuated (A)		A			A		A		A			
Start-up Lost Time, I <sub>l</sub>		2.0			2.0		2.0		2.0			
Extension of Effective Green, e		2.0			2.0		2.0		2.0			
Arrival Type, AT		3			3		3		3			
Unit Extension, UE		3.0			3.0		3.0		3.0			
Filtering/Metering, I		1.000			1.000		1.000		1.000			
Initial Unmet Demand, Q <sub>b</sub>		0.0			0.0		0.0		0.0			
Ped / Bike / RTOR Volumes	0	0		0	0		0	0	3			
Lane Width		12.0			12.0		12.0		12.0			
Parking / Grade / Parking	N	0	N	N	0	N	N	0	N			
Parking Maneuvers, N <sub>m</sub>												
Buses Stopping, N <sub>b</sub>		0			0		0		0			
Min. Time for Pedestrians, G <sub>p</sub>		3.2			3.2		3.2					
Phasing	Thru Only	02	03	04		NB Only	06	07	08			
Timing	G = 115.0	G =	G =	G =		G = 35.0	G =	G =	G =			
	Y = 5	Y =	Y =	Y =		Y = 5	Y =	Y =	Y =			
Duration of Analysis, T = 0.25								Cycle Length, C = 160.0				

<b>Lane Group Capacity, Control Delay, and LOS Determination</b>												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Adjusted Flow Rate, v		1299			840		275		30			
Lane Group Capacity, c		2600			2600		767		353			
v/c Ratio, X		0.50			0.32		0.36		0.08			
Total Green Ratio, g/C		0.72			0.72		0.22		0.22			
Uniform Delay, d <sub>1</sub>		9.9			8.2		53.0		49.8			
Progression Factor, PF		1.000			1.000		1.000		1.000			
Delay Calibration, k		0.11			0.11		0.11		0.11			
Incremental Delay, d <sub>2</sub>		0.2			0.1		0.3		0.1			
Initial Queue Delay, d <sub>3</sub>		0.0			0.0		0.0		0.0			
Control Delay		10.0			8.3		53.3		49.9			
Lane Group LOS		B			A		D		D			
Approach Delay	10.0			8.3			52.9					
Approach LOS	B			A			D					
Intersection Delay	14.8			X <sub>c</sub> = 0.47			Intersection LOS			B		

**HCS+™ DETAILED REPORT****General Information**

Analyst *DPA*  
 Agency or Co. *Surfside*  
 Date Performed *2/22/2012*  
 Time Period *Weekday PM Peak Hour*

**Site Information**

Intersection *96th Street / Byron Avenue*  
 Area Type *All other areas*  
 Jurisdiction *Surfside*  
 Analysis Year *Existing (2012)*  
 Project ID *Young Israel Congregation*

**Volume and Timing Input**

	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of Lanes, N <sub>l</sub>		2			2		2		1			
Lane Group		<i>T</i>			<i>T</i>		<i>L</i>		<i>R</i>			
Volume, V (vph)		1189			799		239		23			
% Heavy Vehicles, %HV		0			0		0		0			
Peak-Hour Factor, PHF		0.96			0.96		0.96		0.96			
Pretimed (P) or Actuated (A)		<i>A</i>			<i>A</i>		<i>A</i>		<i>A</i>			
Start-up Lost Time, I <sub>l</sub>		2.0			2.0		2.0		2.0			
Extension of Effective Green, e		2.0			2.0		2.0		2.0			
Arrival Type, AT		3			3		3		3			
Unit Extension, UE		3.0			3.0		3.0		3.0			
Filtering/Metering, I		1.000			1.000		1.000		1.000			
Initial Unmet Demand, Q <sub>b</sub>		0.0			0.0		0.0		0.0			
Ped / Bike / RTOR Volumes	0	0		0	0		0	0	0			
Lane Width		12.0			12.0		12.0		12.0			
Parking / Grade / Parking	<i>N</i>	0	<i>N</i>	<i>N</i>	0	<i>N</i>	<i>N</i>	0	<i>N</i>			
Parking Maneuvers, N <sub>m</sub>												
Buses Stopping, N <sub>b</sub>		0			0		0		0			
Min. Time for Pedestrians, G <sub>p</sub>		3.2			3.2		3.2					

Phasing	Thru Only	02	03	04	NB Only	06	07	08
Timing	G = 115.0	G =	G =	G =	G = 25.0	G =	G =	G =
	Y = 5	Y =	Y =	Y =	Y = 5	Y =	Y =	Y =
Duration of Analysis, T = 0.25						Cycle Length, C = 150.0		

**Lane Group Capacity, Control Delay, and LOS Determination**

	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Adjusted Flow Rate, v		1239			832		249		24			
Lane Group Capacity, c		2774			2774		584		269			
v/c Ratio, X		0.45			0.30		0.43		0.09			
Total Green Ratio, g/C		0.77			0.77		0.17		0.17			
Uniform Delay, d <sub>1</sub>		6.2			5.3		56.1		52.9			
Progression Factor, PF		1.000			1.000		1.000		1.000			
Delay Calibration, k		0.11			0.11		0.11		0.11			
Incremental Delay, d <sub>2</sub>		0.1			0.1		0.5		0.1			
Initial Queue Delay, d <sub>3</sub>		0.0			0.0		0.0		0.0			
Control Delay		6.3			5.4		56.6		53.0			
Lane Group LOS		A			A		E		D			
Approach Delay	6.3			5.4			56.3					
Approach LOS	A			A			E					
Intersection Delay	11.8			X <sub>C</sub> = 0.44			Intersection LOS			B		

**HCS+™ DETAILED REPORT**

<b>General Information</b>					<b>Site Information</b>				
Analyst	DPA				Intersection	96th Street / Byron Avenue			
Agency or Co.	Surfside				Area Type	All other areas			
Date Performed	2/22/2012				Jurisdiction	Surfside			
Time Period	Weekday PM Peak Hour				Analysis Year	Existing (2012) w Imps			
					Project ID	Young Israel Congregation			

<b>Volume and Timing Input</b>												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of Lanes, N <sub>l</sub>		2			2		2		1			
Lane Group		T			T		L		R			
Volume, V (vph)		1189			799		239		23			
% Heavy Vehicles, %HV		0			0		0		0			
Peak-Hour Factor, PHF		0.96			0.96		0.96		0.96			
Pretimed (P) or Actuated (A)		A			A		A		A			
Start-up Lost Time, I <sub>l</sub>		2.0			2.0		2.0		2.0			
Extension of Effective Green, e		2.0			2.0		2.0		2.0			
Arrival Type, AT		3			3		3		3			
Unit Extension, UE		3.0			3.0		3.0		3.0			
Filtering/Metering, I		1.000			1.000		1.000		1.000			
Initial Unmet Demand, Q <sub>b</sub>		0.0			0.0		0.0		0.0			
Ped / Bike / RTOR Volumes	0	0		0	0		0	0	0			
Lane Width		12.0			12.0		12.0		12.0			
Parking / Grade / Parking	N	0	N	N	0	N	N	0	N			
Parking Maneuvers, N <sub>m</sub>												
Buses Stopping, N <sub>b</sub>		0			0		0		0			
Min. Time for Pedestrians, G <sub>p</sub>		3.2			3.2		3.2					
Phasing	Thru Only	02	03	04	NB Only	06	07	08				
Timing	G = 110.0	G =	G =	G =	G = 30.0	G =	G =	G =				
	Y = 5	Y =	Y =	Y =	Y = 5	Y =	Y =	Y =				
Duration of Analysis, T = 0.25								Cycle Length, C = 150.0				

<b>Lane Group Capacity, Control Delay, and LOS Determination</b>												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Adjusted Flow Rate, v		1239			832		249		24			
Lane Group Capacity, c		2653			2653		701		323			
v/c Ratio, X		0.47			0.31		0.36		0.07			
Total Green Ratio, g/C		0.73			0.73		0.20		0.20			
Uniform Delay, d <sub>1</sub>		8.1			6.9		51.7		48.7			
Progression Factor, PF		1.000			1.000		1.000		1.000			
Delay Calibration, k		0.11			0.11		0.11		0.11			
Incremental Delay, d <sub>2</sub>		0.1			0.1		0.3		0.1			
Initial Queue Delay, d <sub>3</sub>		0.0			0.0		0.0		0.0			
Control Delay		8.2			7.0		52.0		48.8			
Lane Group LOS		A			A		D		D			
Approach Delay	8.2			7.0			51.7					
Approach LOS	A			A			D					
Intersection Delay	12.9			X <sub>C</sub> = 0.44			Intersection LOS			B		

**HCS+™ DETAILED REPORT**

General Information		Site Information	
Analyst	DPA	Intersection	96th Street / Byron Avenue
Agency or Co.	Surfside	Area Type	All other areas
Date Performed	2/22/2012	Jurisdiction	Surfside
Time Period	Weekday PM Peak Hour	Analysis Year	Future (2013) without Project
		Project ID	Young Israel Congregation

**Volume and Timing Input**

			EB			WB			NB			SB			
			LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT	
Number of Lanes, N <sub>1</sub>				2			2		2		1				
Lane Group				T			T		L		R				
Volume, V (vph)				1216			821		246		23				
% Heavy Vehicles, %HV				0			0		0		0				
Peak-Hour Factor, PHF				0.96			0.96		0.96		0.96				
Pretimed (P) or Actuated (A)				A			A		A		A				
Start-up Lost Time, I <sub>1</sub>				2.0			2.0		2.0		2.0				
Extension of Effective Green, e				2.0			2.0		2.0		2.0				
Arrival Type, AT				3			3		3		3				
Unit Extension, UE				3.0			3.0		3.0		3.0				
Filtering/Metering, I				1.000			1.000		1.000		1.000				
Initial Unmet Demand, Q <sub>b</sub>				0.0			0.0		0.0		0.0				
Ped / Bike / RTOR Volumes			0	0		0	0		0	0	0				
Lane Width				12.0			12.0		12.0		12.0				
Parking / Grade / Parking			N	0	N	N	0	N	N	0	N				
Parking Maneuvers, N <sub>m</sub>															
Buses Stopping, N <sub>b</sub>				0			0		0		0				
Min. Time for Pedestrians, G <sub>p</sub>			3.2			3.2			3.2						
Phasing	Thru Only	02	03		04		NB Only		06		07		08		
Timing	G = 110.0	G =	G =		G =		G = 30.0		G =		G =		G =		
	Y = 5	Y =	Y =		Y =		Y = 5		Y =		Y =		Y =		
Duration of Analysis, T = 0.25										Cycle Length, C = 150.0					

**Lane Group Capacity, Control Delay, and LOS Determination**

	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Adjusted Flow Rate, v		1267			855		256		24			
Lane Group Capacity, c		2653			2653		701		323			
v/c Ratio, X		0.48			0.32		0.37		0.07			
Total Green Ratio, g/C		0.73			0.73		0.20		0.20			
Uniform Delay, d <sub>1</sub>		8.2			7.0		51.8		48.7			
Progression Factor, PF		1.000			1.000		1.000		1.000			
Delay Calibration, k		0.11			0.11		0.11		0.11			
Incremental Delay, d <sub>2</sub>		0.1			0.1		0.3		0.1			
Initial Queue Delay, d <sub>3</sub>		0.0			0.0		0.0		0.0			
Control Delay		8.3			7.1		52.1		48.8			
Lane Group LOS		A			A		D		D			
Approach Delay	8.3			7.1			51.8					
Approach LOS	A			A			D					
Intersection Delay	13.0			X <sub>C</sub> = 0.45			Intersection LOS			B		

**HCS+™ DETAILED REPORT**

<b>General Information</b>					<b>Site Information</b>				
Analyst	DPA				Intersection	96th Street / Byron Avenue			
Agency or Co.	Surfside				Area Type	All other areas			
Date Performed	2/22/2012				Jurisdiction	Surfside			
Time Period	Weekday PM Peak Hour				Analysis Year	Future (2013) with Project			
					Project ID	Young Israel Congregation			

<b>Volume and Timing Input</b>												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of Lanes, N <sub>l</sub>		2			2		2		1			
Lane Group		T			T		L		R			
Volume, V (vph)		1221			821		251		23			
% Heavy Vehicles, %HV		0			0		0		0			
Peak-Hour Factor, PHF		0.96			0.96		0.96		0.96			
Pretimed (P) or Actuated (A)		A			A		A		A			
Start-up Lost Time, I <sub>l</sub>		2.0			2.0		2.0		2.0			
Extension of Effective Green, e		2.0			2.0		2.0		2.0			
Arrival Type, AT		3			3		3		3			
Unit Extension, UE		3.0			3.0		3.0		3.0			
Filtering/Metering, I		1.000			1.000		1.000		1.000			
Initial Unmet Demand, Q <sub>b</sub>		0.0			0.0		0.0		0.0			
Ped / Bike / RTOR Volumes	0	0		0	0		0	0	0			
Lane Width		12.0			12.0		12.0		12.0			
Parking / Grade / Parking	N	0	N	N	0	N	N	0	N			
Parking Maneuvers, N <sub>m</sub>												
Buses Stopping, N <sub>b</sub>		0			0		0		0			
Min. Time for Pedestrians, G <sub>p</sub>		3.2			3.2		3.2					
Phasing	Thru Only	02	03	04	NB Only	06	07	08				
Timing	G = 110.0	G =	G =	G =	G = 30.0	G =	G =	G =				
	Y = 5	Y =	Y =	Y =	Y = 5	Y =	Y =	Y =				
Duration of Analysis, T = 0.25								Cycle Length, C = 150.0				

<b>Lane Group Capacity, Control Delay, and LOS Determination</b>												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Adjusted Flow Rate, v		1272			855		261		24			
Lane Group Capacity, c		2653			2653		701		323			
v/c Ratio, X		0.48			0.32		0.37		0.07			
Total Green Ratio, g/C		0.73			0.73		0.20		0.20			
Uniform Delay, d <sub>1</sub>		8.2			7.0		51.9		48.7			
Progression Factor, PF		1.000			1.000		1.000		1.000			
Delay Calibration, k		0.11			0.11		0.11		0.11			
Incremental Delay, d <sub>2</sub>		0.1			0.1		0.3		0.1			
Initial Queue Delay, d <sub>3</sub>		0.0			0.0		0.0		0.0			
Control Delay		8.4			7.1		52.2		48.8			
Lane Group LOS		A			A		D		D			
Approach Delay	8.4			7.1			51.9					
Approach LOS	A			A			D					
Intersection Delay	13.0			X <sub>C</sub> = 0.46			Intersection LOS			B		

**HCS+™ DETAILED REPORT**

<b>General Information</b>						<b>Site Information</b>					
Analyst	DPA					Intersection	96th Street / Byron Avenue				
Agency or Co.	Surfside					Area Type	All other areas				
Date Performed	2/22/2012					Jurisdiction	Surfside				
Time Period	Sunday Peak Hour					Analysis Year	Existing (2012)				
						Project ID	Young Israel Congregation				

<b>Volume and Timing Input</b>												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of Lanes, N <sub>1</sub>		2			2		2		1			
Lane Group		T			T		L		R			
Volume, V (vph)		349			217		80		10			
% Heavy Vehicles, %HV		0			0		0		0			
Peak-Hour Factor, PHF		0.84			0.84		0.84		0.84			
Pretimed (P) or Actuated (A)		A			A		A		A			
Start-up Lost Time, I <sub>1</sub>		2.0			2.0		2.0		2.0			
Extension of Effective Green, e		2.0			2.0		2.0		2.0			
Arrival Type, AT		3			3		3		3			
Unit Extension, UE		3.0			3.0		3.0		3.0			
Filtering/Metering, I		1.000			1.000		1.000		1.000			
Initial Unmet Demand, Q <sub>b</sub>		0.0			0.0		0.0		0.0			
Ped / Bike / RTOR Volumes	0	0		0	0		0	0	0			
Lane Width		12.0			12.0		12.0		12.0			
Parking / Grade / Parking	N	0	N	N	0	N	N	0	N			
Parking Maneuvers, N <sub>m</sub>												
Buses Stopping, N <sub>b</sub>		0			0		0		0			
Min. Time for Pedestrians, G <sub>p</sub>		3.2			3.2		3.2					
Phasing	Thru Only	02	03	04		NB Only	06	07	08			
Timing	G = 42.0	G =	G =	G =		G = 18.0	G =	G =	G =			
	Y = 5	Y =	Y =	Y =		Y = 5	Y =	Y =	Y =			
Duration of Analysis, T = 0.25								Cycle Length, C = 70.0				

<b>Lane Group Capacity, Control Delay, and LOS Determination</b>												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Adjusted Flow Rate, v		415			258		95		12			
Lane Group Capacity, c		2171			2171		901		415			
v/c Ratio, X		0.19			0.12		0.11		0.03			
Total Green Ratio, g/C		0.60			0.60		0.26		0.26			
Uniform Delay, d <sub>1</sub>		6.3			6.0		19.9		19.5			
Progression Factor, PF		1.000			1.000		1.000		1.000			
Delay Calibration, k		0.11			0.11		0.11		0.11			
Incremental Delay, d <sub>2</sub>		0.0			0.0		0.1		0.0			
Initial Queue Delay, d <sub>3</sub>		0.0			0.0		0.0		0.0			
Control Delay		6.4			6.1		19.9		19.5			
Lane Group LOS		A			A		B		B			
Approach Delay	6.4			6.1			19.9					
Approach LOS	A			A			B					
Intersection Delay	8.1			X <sub>c</sub> = 0.17			Intersection LOS			A		

**HCS+™ DETAILED REPORT**

General Information		Site Information	
Analyst	DPA	Intersection	96th Street / Byron Avenue
Agency or Co.	Surfside	Area Type	All other areas
Date Performed	2/22/2012	Jurisdiction	Surfside
Time Period	Sunday Peak Hour	Analysis Year	Future (2013) without Project
		Project ID	Young Israel Congregation

Volume and Timing Input												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of Lanes, N <sub>1</sub>		2			2		2		1			
Lane Group		T			T		L		R			
Volume, V (vph)		366			235		86		10			
% Heavy Vehicles, %HV		0			0		0		0			
Peak-Hour Factor, PHF		0.84			0.84		0.84		0.84			
Pretimed (P) or Actuated (A)		A			A		A		A			
Start-up Lost Time, l <sub>1</sub>		2.0			2.0		2.0		2.0			
Extension of Effective Green, e		2.0			2.0		2.0		2.0			
Arrival Type, AT		3			3		3		3			
Unit Extension, UE		3.0			3.0		3.0		3.0			
Filtering/Metering, I		1.000			1.000		1.000		1.000			
Initial Unmet Demand, Q <sub>b</sub>		0.0			0.0		0.0		0.0			
Ped / Bike / RTOR Volumes	0	0		0	0		0	0	0			
Lane Width		12.0			12.0		12.0		12.0			
Parking / Grade / Parking	N	0	N	N	0	N	N	0	N			
Parking Maneuvers, N <sub>m</sub>												
Buses Stopping, N <sub>b</sub>		0			0		0		0			
Min. Time for Pedestrians, G <sub>p</sub>	3.2			3.2			3.2					
Phasing	Thru Only	02	03	04	NB Only			06	07	08		
Timing	G = 42.0	G =	G =	G =	G = 18.0			G =	G =	G =		
	Y = 5	Y =	Y =	Y =	Y = 5			Y =	Y =	Y =		
Duration of Analysis, T = 0.25								Cycle Length, C = 70.0				

<b>Lane Group Capacity, Control Delay, and LOS Determination</b>												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Adjusted Flow Rate, v		436			280		102		12			
Lane Group Capacity, c		2171			2171		901		415			
v/c Ratio, X		0.20			0.13		0.11		0.03			
Total Green Ratio, g/C		0.60			0.60		0.26		0.26			
Uniform Delay, d <sub>1</sub>		6.4			6.1		19.9		19.5			
Progression Factor, PF		1.000			1.000		1.000		1.000			
Delay Calibration, k		0.11			0.11		0.11		0.11			
Incremental Delay, d <sub>2</sub>		0.0			0.0		0.1		0.0			
Initial Queue Delay, d <sub>3</sub>		0.0			0.0		0.0		0.0			
Control Delay		6.4			6.1		19.9		19.5			
Lane Group LOS		A			A		B		B			
Approach Delay	6.4			6.1			19.9					
Approach LOS	A			A			B					
Intersection Delay	8.2			X <sub>C</sub> = 0.17			Intersection LOS			A		



**HCS+™ DETAILED REPORT**

<b>General Information</b>						<b>Site Information</b>					
Analyst	DPA					Intersection	96th Street / Byron Avenue				
Agency or Co.	Surfside					Area Type	All other areas				
Date Performed	2/22/2012					Jurisdiction	Surfside				
Time Period	Sunday Peak Hour					Analysis Year	Future (2013) with Project				
						Project ID	Young Israel Congregation				

<b>Volume and Timing Input</b>												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of Lanes, N <sub>1</sub>		2			2		2		1			
Lane Group		T			T		L		R			
Volume, V (vph)		388			235		109		10			
% Heavy Vehicles, %HV		0			0		0		0			
Peak-Hour Factor, PHF		0.84			0.84		0.84		0.84			
Pretimed (P) or Actuated (A)		A			A		A		A			
Start-up Lost Time, I <sub>1</sub>		2.0			2.0		2.0		2.0			
Extension of Effective Green, e		2.0			2.0		2.0		2.0			
Arrival Type, AT		3			3		3		3			
Unit Extension, UE		3.0			3.0		3.0		3.0			
Filtering/Metering, I		1.000			1.000		1.000		1.000			
Initial Unmet Demand, Q <sub>b</sub>		0.0			0.0		0.0		0.0			
Ped / Bike / RTOR Volumes	0	0		0	0		0	0	0			
Lane Width		12.0			12.0		12.0		12.0			
Parking / Grade / Parking	N	0	N	N	0	N	N	0	N			
Parking Maneuvers, N <sub>m</sub>												
Buses Stopping, N <sub>b</sub>		0			0		0		0			
Min. Time for Pedestrians, G <sub>p</sub>		3.2			3.2		3.2					
Phasing	Thru Only	02	03	04		NB Only	06	07	08			
Timing	G = 42.0	G =	G =	G =		G = 18.0	G =	G =	G =			
	Y = 5	Y =	Y =	Y =		Y = 5	Y =	Y =	Y =			
Duration of Analysis, T = 0.25								Cycle Length, C = 70.0				

<b>Lane Group Capacity, Control Delay, and LOS Determination</b>												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Adjusted Flow Rate, v		462			280		130		12			
Lane Group Capacity, c		2171			2171		901		415			
v/c Ratio, X		0.21			0.13		0.14		0.03			
Total Green Ratio, g/C		0.60			0.60		0.26		0.26			
Uniform Delay, d <sub>1</sub>		6.4			6.1		20.1		19.5			
Progression Factor, PF		1.000			1.000		1.000		1.000			
Delay Calibration, k		0.11			0.11		0.11		0.11			
Incremental Delay, d <sub>2</sub>		0.0			0.0		0.1		0.0			
Initial Queue Delay, d <sub>3</sub>		0.0			0.0		0.0		0.0			
Control Delay		6.5			6.1		20.1		19.5			
Lane Group LOS		A			A		C		B			
Approach Delay	6.5			6.1			20.1					
Approach LOS	A			A			C					
Intersection Delay	8.5			X <sub>c</sub> = 0.19			Intersection LOS			A		

96<sup>th</sup> Street / Abbott Avenue

## TWO-WAY STOP CONTROL SUMMARY

General Information				Site Information			
Analyst	DPA			Intersection	96th Street/Abbott Avenue		
Agency/Co.	Surfside			Jurisdiction	Surfside		
Date Performed	2/22/2012			Analysis Year	Existing (2012)		
Analysis Time Period	AM Peak Hour						

Project Description    *Young Israel Congregation*

East/West Street:    *96th Street*

North/South Street:    *Abbott Avenue*

Intersection Orientation:    *East-West*

Study Period (hrs):    *0.25*

### Vehicle Volumes and Adjustments

Major Street	Eastbound			Westbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)		1020	166		757	
Peak-Hour Factor, PHF	1.00	0.95	0.95	1.00	0.95	1.00
Hourly Flow Rate, HFR (veh/h)	0	1073	174	0	796	0
Percent Heavy Vehicles	0	--	--	0	--	--
Median Type	Undivided					
RT Channelized			0			0
Lanes	0	2	0	0	2	0
Configuration		T	TR		T	
Upstream Signal		0			0	

Minor Street	Northbound			Southbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)			29			
Peak-Hour Factor, PHF	1.00	1.00	0.95	1.00	1.00	1.00
Hourly Flow Rate, HFR (veh/h)	0	0	30	0	0	0
Percent Heavy Vehicles	0	0	0	0	0	0
Percent Grade (%)	0			0		
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	0	0	1	0	0	0
Configuration			R			

### Delay, Queue Length, and Level of Service

Approach	Eastbound	Westbound	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration					R			
v (veh/h)					30			
C (m) (veh/h)					489			
v/c					0.06			
95% queue length					0.20			
Control Delay (s/veh)					12.8			
LOS					B			
Approach Delay (s/veh)	--	--	12.8					
Approach LOS	--	--	B					

## TWO-WAY STOP CONTROL SUMMARY

General Information				Site Information			
Analyst	DPA			Intersection	96th Street/Abbott Avenue		
Agency/Co.	Surfside			Jurisdiction	Surfside		
Date Performed	2/22/2012			Analysis Year	Furture (2013) without Proj		
Analysis Time Period	AM Peak Hour						

Project Description    *Young Israel Congregation*

East/West Street:    *96th Street*

North/South Street:    *Abbott Avenue*

Intersection Orientation:    *East-West*

Study Period (hrs):    *0.25*

### Vehicle Volumes and Adjustments

Major Street	Eastbound			Westbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)		1053	168		776	
Peak-Hour Factor, PHF	1.00	0.95	0.95	1.00	0.95	1.00
Hourly Flow Rate, HFR (veh/h)	0	1108	176	0	816	0
Percent Heavy Vehicles	0	--	--	0	--	--
Median Type	Undivided					
RT Channelized			0			0
Lanes	0	2	0	0	2	0
Configuration		T	TR		T	
Upstream Signal		0			0	

Minor Street	Northbound			Southbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)			29			
Peak-Hour Factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00
Hourly Flow Rate, HFR (veh/h)	0	0	29	0	0	0
Percent Heavy Vehicles	0	0	0	0	0	0
Percent Grade (%)	0			0		
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	0	0	1	0	0	0
Configuration			R			

### Delay, Queue Length, and Level of Service

Approach	Eastbound	Westbound	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration					R			
v (veh/h)					29			
C (m) (veh/h)					478			
v/c					0.06			
95% queue length					0.19			
Control Delay (s/veh)					13.0			
LOS					B			
Approach Delay (s/veh)	--	--	13.0					
Approach LOS	--	--	B					

## TWO-WAY STOP CONTROL SUMMARY

General Information				Site Information			
Analyst	DPA			Intersection	96th Street/Abbott Avenue		
Agency/Co.	Surfside			Jurisdiction	Surfside		
Date Performed	2/22/2012			Analysis Year	Furture (2013) with Proj		
Analysis Time Period	AM Peak Hour						

Project Description    *Young Israel Congregation*

East/West Street:    *96th Street*

North/South Street:    *Abbott Avenue*

Intersection Orientation:    *East-West*

Study Period (hrs):    *0.25*

### Vehicle Volumes and Adjustments

Major Street	Eastbound			Westbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)		1053	168		776	
Peak-Hour Factor, PHF	1.00	0.95	0.95	1.00	0.95	1.00
Hourly Flow Rate, HFR (veh/h)	0	1108	176	0	816	0
Percent Heavy Vehicles	0	--	--	0	--	--
Median Type	Undivided					
RT Channelized			0			0
Lanes	0	2	0	0	2	0
Configuration		T	TR		T	
Upstream Signal		0			0	

Minor Street	Northbound			Southbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)			29			
Peak-Hour Factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00
Hourly Flow Rate, HFR (veh/h)	0	0	29	0	0	0
Percent Heavy Vehicles	0	0	0	0	0	0
Percent Grade (%)	0			0		
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	0	0	1	0	0	0
Configuration			R			

### Delay, Queue Length, and Level of Service

Approach	Eastbound	Westbound	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration					R			
v (veh/h)					29			
C (m) (veh/h)					478			
v/c					0.06			
95% queue length					0.19			
Control Delay (s/veh)					13.0			
LOS					B			
Approach Delay (s/veh)	--	--	13.0					
Approach LOS	--	--	B					

## TWO-WAY STOP CONTROL SUMMARY

General Information				Site Information			
Analyst	DPA			Intersection	96th Street/Abbott Avenue		
Agency/Co.	Surfside			Jurisdiction	Surfside		
Date Performed	2/22/2012			Analysis Year	Existing (2012)		
Analysis Time Period	PM Peak Hour (Weekday)						

Project Description    *Young Israel Congregation*

East/West Street:    *96th Street*

North/South Street:    *Abbott Avenue*

Intersection Orientation:    *East-West*

Study Period (hrs):    *0.25*

### Vehicle Volumes and Adjustments

Major Street	Eastbound			Westbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)		990	201		800	
Peak-Hour Factor, PHF	1.00	0.97	0.97	1.00	0.97	1.00
Hourly Flow Rate, HFR (veh/h)	0	1020	207	0	824	0
Percent Heavy Vehicles	0	--	--	0	--	--
Median Type	Undivided					
RT Channelized			0			0
Lanes	0	2	0	0	2	0
Configuration		T	TR		T	
Upstream Signal		0			0	

Minor Street	Northbound			Southbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)			58			
Peak-Hour Factor, PHF	1.00	1.00	0.97	1.00	1.00	1.00
Hourly Flow Rate, HFR (veh/h)	0	0	59	0	0	0
Percent Heavy Vehicles	0	0	0	0	0	0
Percent Grade (%)	0			0		
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	0	0	1	0	0	0
Configuration			R			

### Delay, Queue Length, and Level of Service

Approach	Eastbound	Westbound	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration					R			
v (veh/h)					59			
C (m) (veh/h)					496			
v/c					0.12			
95% queue length					0.40			
Control Delay (s/veh)					13.2			
LOS					B			
Approach Delay (s/veh)	--	--	13.2					
Approach LOS	--	--	B					

## TWO-WAY STOP CONTROL SUMMARY

General Information				Site Information			
Analyst	DPA			Intersection	96th Street/Abbott Avenue		
Agency/Co.	Surfside			Jurisdiction	Surfside		
Date Performed	2/22/2012			Analysis Year	Future (2013) without Project		
Analysis Time Period	PM Peak Hour (Weekday)						

Project Description    *Young Israel Congregation*

East/West Street:    *96th Street*

North/South Street:    *Abbott Avenue*

Intersection Orientation:    *East-West*

Study Period (hrs):    *0.25*

### Vehicle Volumes and Adjustments

Major Street	Eastbound			Westbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)		1021	203		822	
Peak-Hour Factor, PHF	1.00	0.97	0.97	1.00	0.97	1.00
Hourly Flow Rate, HFR (veh/h)	0	1052	209	0	847	0
Percent Heavy Vehicles	0	--	--	0	--	--
Median Type	Undivided					
RT Channelized			0			0
Lanes	0	2	0	0	2	0
Configuration		T	TR		T	
Upstream Signal		0			0	

Minor Street	Northbound			Southbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)			59			
Peak-Hour Factor, PHF	1.00	1.00	0.97	1.00	1.00	1.00
Hourly Flow Rate, HFR (veh/h)	0	0	60	0	0	0
Percent Heavy Vehicles	0	0	0	0	0	0
Percent Grade (%)	0			0		
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	0	0	1	0	0	0
Configuration			R			

### Delay, Queue Length, and Level of Service

Approach	Eastbound	Westbound	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration					R			
v (veh/h)					60			
C (m) (veh/h)					485			
v/c					0.12			
95% queue length					0.42			
Control Delay (s/veh)					13.5			
LOS					B			
Approach Delay (s/veh)	--	--	13.5					
Approach LOS	--	--	B					

## TWO-WAY STOP CONTROL SUMMARY

### General Information

Analyst	DPA
Agency/Co.	Surfside
Date Performed	2/22/2012
Analysis Time Period	PM Peak Hour (Weekday)

### Site Information

Intersection	96th Street/Abbott Avenue
Jurisdiction	Surfside
Analysis Year	Future (2013) with Project

Project Description *Young Israel Congregation*

East/West Street: *96th Street*

North/South Street: *Abbott Avenue*

Intersection Orientation: *East-West*

Study Period (hrs): *0.25*

### Vehicle Volumes and Adjustments

Major Street	Eastbound			Westbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)		1021	208		822	
Peak-Hour Factor, PHF	1.00	0.97	0.97	1.00	0.97	1.00
Hourly Flow Rate, HFR (veh/h)	0	1052	214	0	847	0
Percent Heavy Vehicles	0	--	--	0	--	--
Median Type	Undivided					
RT Channelized			0			0
Lanes	0	2	0	0	2	0
Configuration		T	TR		T	
Upstream Signal		0			0	

Minor Street	Northbound			Southbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)			60			
Peak-Hour Factor, PHF	1.00	1.00	0.97	1.00	1.00	1.00
Hourly Flow Rate, HFR (veh/h)	0	0	61	0	0	0
Percent Heavy Vehicles	0	0	0	0	0	0
Percent Grade (%)	0			0		
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	0	0	1	0	0	0
Configuration			R			

### Delay, Queue Length, and Level of Service

Approach	Eastbound	Westbound	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration					R			
v (veh/h)					61			
C (m) (veh/h)					483			
v/c					0.13			
95% queue length					0.43			
Control Delay (s/veh)					13.5			
LOS					B			
Approach Delay (s/veh)	--	--	13.5					
Approach LOS	--	--	B					



## TWO-WAY STOP CONTROL SUMMARY

### General Information

Analyst	DPA
Agency/Co.	Surfside
Date Performed	2/22/2012
Analysis Time Period	Sunday Peak Hour

### Site Information

Intersection	96th Street/Abbott Avenue
Jurisdiction	Surfside
Analysis Year	Existing (2012)

Project Description    *Young Israel Congregation*

East/West Street:    *96th Street*

North/South Street:    *Abbott Avenue*

Intersection Orientation:    *East-West*

Study Period (hrs):    *0.25*

### Vehicle Volumes and Adjustments

Major Street	Eastbound			Westbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)		311	45		218	
Peak-Hour Factor, PHF	1.00	0.86	0.86	1.00	0.86	1.00
Hourly Flow Rate, HFR (veh/h)	0	361	52	0	253	0
Percent Heavy Vehicles	0	--	--	0	--	--
Median Type	Undivided					
RT Channelized			0			0
Lanes	0	2	0	0	2	0
Configuration		T	TR		T	
Upstream Signal		0			0	

Minor Street	Northbound			Southbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)			18			
Peak-Hour Factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00
Hourly Flow Rate, HFR (veh/h)	0	0	18	0	0	0
Percent Heavy Vehicles	0	0	0	0	0	0
Percent Grade (%)	0			0		
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	0	0	1	0	0	0
Configuration			R			

### Delay, Queue Length, and Level of Service

Approach	Eastbound	Westbound	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration					R			
v (veh/h)					18			
C (m) (veh/h)					840			
v/c					0.02			
95% queue length					0.07			
Control Delay (s/veh)					9.4			
LOS					A			
Approach Delay (s/veh)	--	--	9.4					
Approach LOS	--	--	A					

## TWO-WAY STOP CONTROL SUMMARY

General Information				Site Information			
Analyst	DPA			Intersection	96th Street/Abbott Avenue		
Agency/Co.	Surfside			Jurisdiction	Surfside		
Date Performed	2/22/2012			Analysis Year	Future (2013) without Project		
Analysis Time Period	Sunday Peak Hour						

Project Description    *Young Israel Congregation*

East/West Street:    *96th Street*

North/South Street:    *Abbott Avenue*

Intersection Orientation:    *East-West*

Study Period (hrs):    *0.25*

### Vehicle Volumes and Adjustments

Major Street	Eastbound			Westbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)		332	45		236	
Peak-Hour Factor, PHF	1.00	0.86	0.86	1.00	0.86	1.00
Hourly Flow Rate, HFR (veh/h)	0	386	52	0	274	0
Percent Heavy Vehicles	0	--	--	0	--	--
Median Type	Undivided					
RT Channelized			0			0
Lanes	0	2	0	0	2	0
Configuration		T	TR		T	
Upstream Signal		0			0	

Minor Street	Northbound			Southbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)			18			
Peak-Hour Factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00
Hourly Flow Rate, HFR (veh/h)	0	0	18	0	0	0
Percent Heavy Vehicles	0	0	0	0	0	0
Percent Grade (%)	0			0		
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	0	0	1	0	0	0
Configuration			R			

### Delay, Queue Length, and Level of Service

Approach	Eastbound	Westbound	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration					R			
v (veh/h)					18			
C (m) (veh/h)					826			
v/c					0.02			
95% queue length					0.07			
Control Delay (s/veh)					9.5			
LOS					A			
Approach Delay (s/veh)	--	--	9.5					
Approach LOS	--	--	A					

## TWO-WAY STOP CONTROL SUMMARY

General Information				Site Information			
Analyst	DPA			Intersection	96th Street/Abbott Avenue		
Agency/Co.	Surfside			Jurisdiction	Surfside		
Date Performed	2/22/2012			Analysis Year	Future (2013) with Project		
Analysis Time Period	Sunday Peak Hour						

Project Description    *Young Israel Congregation*

East/West Street:    *96th Street*

North/South Street:    *Abbott Avenue*

Intersection Orientation:    *East-West*

Study Period (hrs):    *0.25*

### Vehicle Volumes and Adjustments

Major Street	Eastbound			Westbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)		332	67		236	
Peak-Hour Factor, PHF	1.00	0.86	0.86	1.00	0.86	1.00
Hourly Flow Rate, HFR (veh/h)	0	386	77	0	274	0
Percent Heavy Vehicles	0	--	--	0	--	--
Median Type	Undivided					
RT Channelized			0			0
Lanes	0	2	0	0	2	0
Configuration		T	TR		T	
Upstream Signal		0			0	

Minor Street	Northbound			Southbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)			26			
Peak-Hour Factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00
Hourly Flow Rate, HFR (veh/h)	0	0	26	0	0	0
Percent Heavy Vehicles	0	0	0	0	0	0
Percent Grade (%)	0			0		
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	0	0	1	0	0	0
Configuration			R			

### Delay, Queue Length, and Level of Service

Approach	Eastbound	Westbound	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration					R			
v (veh/h)					26			
C (m) (veh/h)					812			
v/c					0.03			
95% queue length					0.10			
Control Delay (s/veh)					9.6			
LOS					A			
Approach Delay (s/veh)	--	--	9.6					
Approach LOS	--	--	A					

96<sup>th</sup> Street / Harding Avenue

**HCS+™ DETAILED REPORT**

General Information		Site Information	
Analyst	DPA	Intersection	96th Street / Harding Avenue
Agency or Co.	Surfside	Area Type	All other areas
Date Performed	2/22/2012	Jurisdiction	Surfside
Time Period	Weekday AM Peak Hour	Analysis Year	Existing (2012)
		Project ID	Young Israel Congregation

Volume and Timing Input												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of Lanes, N <sub>1</sub>		2	0		2					0	3	1
Lane Group		TR			T						LT	R
Volume, V (vph)		341	711		452					78	1610	311
% Heavy Vehicles, %HV		0	0		0					0	0	0
Peak-Hour Factor, PHF		0.94	0.94		0.94					0.94	0.94	0.94
Pretimed (P) or Actuated (A)		A	A		A					A	A	A
Start-up Lost Time, I <sub>1</sub>		2.0			2.0						2.0	2.0
Extension of Effective Green, e		2.0			2.0						2.0	2.0
Arrival Type, AT		3			3						3	3
Unit Extension, UE		3.0			3.0						3.0	3.0
Filtering/Metering, I		1.000			1.000						1.000	1.000
Initial Unmet Demand, Q <sub>b</sub>		0.0			0.0						0.0	0.0
Ped / Bike / RTOR Volumes	0	0	71	0	0					0	0	0
Lane Width		12.0			12.0						12.0	12.0
Parking / Grade / Parking	N	0	N	N	0	N				N	0	N
Parking Maneuvers, N <sub>m</sub>												
Buses Stopping, N <sub>b</sub>		0			0						0	0
Min. Time for Pedestrians, G <sub>p</sub>		3.2		3.2						3.2		
Phasing	Thru & RT	02	03	04	SB Only		06		07		08	
Timing	G = 80.0	G =	G =	G =	G = 70.0		G =		G =		G =	
	Y = 5	Y =	Y =	Y =	Y = 5		Y =		Y =		Y =	
Duration of Analysis, T = 0.25								Cycle Length, C = 160.0				

<b>Lane Group Capacity, Control Delay, and LOS Determination</b>												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Adjusted Flow Rate, v		1044			481						1796	331
Lane Group Capacity, c		1632			1809						2259	707
v/c Ratio, X		0.64			0.27						0.80	0.47
Total Green Ratio, g/C		0.50			0.50						0.44	0.44
Uniform Delay, d <sub>1</sub>		29.4			23.1						38.8	31.8
Progression Factor, PF		1.000			1.000						1.000	1.000
Delay Calibration, k		0.22			0.11						0.34	0.11
Incremental Delay, d <sub>2</sub>		0.9			0.1						2.1	0.5
Initial Queue Delay, d <sub>3</sub>		0.0			0.0						0.0	0.0
Control Delay		30.3			23.1						40.9	32.3
Lane Group LOS		C			C						D	C
Approach Delay	30.3			23.1						39.5		
Approach LOS	C			C						D		
Intersection Delay	34.7			X <sub>C</sub> = 0.71			Intersection LOS			C		

**HCS+™ DETAILED REPORT**

General Information		Site Information	
Analyst	DPA	Intersection	96th Street / Harding Avenue
Agency or Co.	Surfside	Area Type	All other areas
Date Performed	2/22/2012	Jurisdiction	Surfside
Time Period	Weekday AM Peak Hour	Analysis Year	Future (2013) without Project
		Project ID	Young Israel Congregation

Volume and Timing Input												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of Lanes, N <sub>l</sub>		2	0		2					0	3	1
Lane Group		TR			T						LT	R
Volume, V (vph)		356	730		468					79	1626	314
% Heavy Vehicles, %HV		0	0		0					0	0	0
Peak-Hour Factor, PHF		0.94	0.94		0.94					0.94	0.94	0.94
Pretimed (P) or Actuated (A)		A	A		A					A	A	A
Start-up Lost Time, I <sub>l</sub>		2.0			2.0						2.0	2.0
Extension of Effective Green, e		2.0			2.0						2.0	2.0
Arrival Type, AT		3			3						3	3
Unit Extension, UE		3.0			3.0						3.0	3.0
Filtering/Metering, I		1.000			1.000						1.000	1.000
Initial Unmet Demand, Q <sub>b</sub>		0.0			0.0						0.0	0.0
Ped / Bike / RTOR Volumes	0	0	71	0	0					0	0	0
Lane Width		12.0			12.0						12.0	12.0
Parking / Grade / Parking	N	0	N	N	0	N				N	0	N
Parking Maneuvers, N <sub>m</sub>												
Buses Stopping, N <sub>b</sub>		0			0						0	0
Min. Time for Pedestrians, G <sub>p</sub>		3.2			3.2						3.2	
Phasing	Thru & RT	02	03	04	SB Only		06		07		08	
Timing	G = 80.0	G =	G =	G =	G = 70.0		G =		G =		G =	
	Y = 5	Y =	Y =	Y =	Y = 5		Y =		Y =		Y =	
Duration of Analysis, T = 0.25								Cycle Length, C = 160.0				

<b>Lane Group Capacity, Control Delay, and LOS Determination</b>												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Adjusted Flow Rate, v		1080			498						1814	334
Lane Group Capacity, c		1633			1809						2259	707
v/c Ratio, X		0.66			0.28						0.80	0.47
Total Green Ratio, g/C		0.50			0.50						0.44	0.44
Uniform Delay, d <sub>1</sub>		29.9			23.2						39.0	31.9
Progression Factor, PF		1.000			1.000						1.000	1.000
Delay Calibration, k		0.24			0.11						0.35	0.11
Incremental Delay, d <sub>2</sub>		1.0			0.1						2.2	0.5
Initial Queue Delay, d <sub>3</sub>		0.0			0.0						0.0	0.0
Control Delay		30.9			23.3						41.2	32.4
Lane Group LOS		C			C						D	C
Approach Delay	30.9			23.3						39.8		
Approach LOS	C			C						D		
Intersection Delay	35.0			X <sub>C</sub> = 0.73			Intersection LOS			D		

**HCS+™ DETAILED REPORT**

<b>General Information</b>						<b>Site Information</b>					
Analyst	DPA					Intersection	96th Street / Harding Avenue				
Agency or Co.	Surfside					Area Type	All other areas				
Date Performed	2/22/2012					Jurisdiction	Surfside				
Time Period	Weekday AM Peak Hour					Analysis Year	Future (2013) with Project				
						Project ID	Young Israel Congregation				

<b>Volume and Timing Input</b>												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of Lanes, N <sub>l</sub>		2	0		2					0	3	1
Lane Group		TR			T						LT	R
Volume, V (vph)		356	730		468					79	1626	314
% Heavy Vehicles, %HV		0	0		0					0	0	0
Peak-Hour Factor, PHF		0.94	0.94		0.94					0.94	0.94	0.94
Pretimed (P) or Actuated (A)		A	A		A					A	A	A
Start-up Lost Time, I <sub>l</sub>		2.0			2.0						2.0	2.0
Extension of Effective Green, e		2.0			2.0						2.0	2.0
Arrival Type, AT		3			3						3	3
Unit Extension, UE		3.0			3.0						3.0	3.0
Filtering/Metering, I		1.000			1.000						1.000	1.000
Initial Unmet Demand, Q <sub>b</sub>		0.0			0.0						0.0	0.0
Ped / Bike / RTOR Volumes	0	0	71	0	0					0	0	0
Lane Width		12.0			12.0						12.0	12.0
Parking / Grade / Parking	N	0	N	N	0	N				N	0	N
Parking Maneuvers, N <sub>m</sub>												
Buses Stopping, N <sub>b</sub>		0			0						0	0
Min. Time for Pedestrians, G <sub>p</sub>		3.2			3.2						3.2	
Phasing	Thru & RT	02	03	04	SB Only	06	07	08				
Timing	G = 70.0	G =	G =	G =	G = 80.0	G =	G =	G =				
	Y = 5	Y =	Y =	Y =	Y = 5	Y =	Y =	Y =				
Duration of Analysis, T = 0.25								Cycle Length, C = 160.0				

<b>Lane Group Capacity, Control Delay, and LOS Determination</b>												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Adjusted Flow Rate, v		1080			498						1814	334
Lane Group Capacity, c		1428			1583						2582	808
v/c Ratio, X		0.76			0.31						0.70	0.41
Total Green Ratio, g/C		0.44			0.44						0.50	0.50
Uniform Delay, d <sub>1</sub>		37.8			29.4						30.8	25.2
Progression Factor, PF		1.000			1.000						1.000	1.000
Delay Calibration, k		0.31			0.11						0.27	0.11
Incremental Delay, d <sub>2</sub>		2.4			0.1						0.9	0.3
Initial Queue Delay, d <sub>3</sub>		0.0			0.0						0.0	0.0
Control Delay		40.2			29.5						31.7	25.6
Lane Group LOS		D			C						C	C
Approach Delay	40.2			29.5						30.8		
Approach LOS	D			C						C		
Intersection Delay	33.3			X <sub>C</sub> = 0.73			Intersection LOS			C		

**HCS+™ DETAILED REPORT**

General Information		Site Information	
Analyst	DPA	Intersection	96th Street / Harding Avenue
Agency or Co.	Surfside	Area Type	All other areas
Date Performed	2/22/2012	Jurisdiction	Surfside
Time Period	Weekday PM Peak Hour	Analysis Year	Existing (2012)
		Project ID	Young Israel Congregation

Volume and Timing Input												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of Lanes, N <sub>1</sub>		2	0		2					0	3	1
Lane Group		TR			T						LT	R
Volume, V (vph)		430	615		487					38	1459	353
% Heavy Vehicles, %HV		0	0		0					0	0	0
Peak-Hour Factor, PHF		0.95	0.95		0.95					0.95	0.95	0.95
Pretimed (P) or Actuated (A)		A	A		A					A	A	A
Start-up Lost Time, I <sub>1</sub>		2.0			2.0						2.0	2.0
Extension of Effective Green, e		2.0			2.0						2.0	2.0
Arrival Type, AT		3			3						3	3
Unit Extension, UE		3.0			3.0						3.0	3.0
Filtering/Metering, I		1.000			1.000						1.000	1.000
Initial Unmet Demand, Q <sub>b</sub>		0.0			0.0						0.0	0.0
Ped / Bike / RTOR Volumes	0	0	71	0	0					0	0	0
Lane Width		12.0			12.0						12.0	12.0
Parking / Grade / Parking	N	0	N	N	0	N				N	0	N
Parking Maneuvers, N <sub>m</sub>												
Buses Stopping, N <sub>b</sub>		0			0						0	0
Min. Time for Pedestrians, G <sub>p</sub>	3.2			3.2						3.2		
Phasing	Thru & RT	02	03	04	SB Only		06		07		08	
Timing	G = 42.0	G =	G =	G =	G = 68.0		G =		G =		G =	
	Y = 5	Y =	Y =	Y =	Y = 5		Y =		Y =		Y =	
Duration of Analysis, T = 0.25								Cycle Length, C = 120.0				

<b>Lane Group Capacity, Control Delay, and LOS Determination</b>												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Adjusted Flow Rate, v		1026			513						1576	372
Lane Group Capacity, c		1160			1266						2929	915
v/c Ratio, X		0.88			0.41						0.54	0.41
Total Green Ratio, g/C		0.35			0.35						0.57	0.57
Uniform Delay, d <sub>1</sub>		36.7			29.5						16.2	14.6
Progression Factor, PF		1.000			1.000						1.000	1.000
Delay Calibration, k		0.41			0.11						0.14	0.11
Incremental Delay, d <sub>2</sub>		8.4			0.2						0.2	0.3
Initial Queue Delay, d <sub>3</sub>		0.0			0.0						0.0	0.0
Control Delay		45.1			29.8						16.4	14.9
Lane Group LOS		D			C						B	B
Approach Delay	45.1			29.8						16.1		
Approach LOS	D			C						B		
Intersection Delay	26.7			X <sub>C</sub> = 0.67			Intersection LOS			C		



**HCS+™ DETAILED REPORT**

General Information		Site Information	
Analyst	DPA	Intersection	96th Street / Harding Avenue
Agency or Co.	Surfside	Area Type	All other areas
Date Performed	2/22/2012	Jurisdiction	Surfside
Time Period	Weekday PM Peak Hour	Analysis Year	Future (2013) without Project
		Project ID	Young Israel Congregation

Volume and Timing Input												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of Lanes, N <sub>l</sub>		2	0		2					0	3	1
Lane Group		TR			T						LT	R
Volume, V (vph)		445	632		506					38	1474	357
% Heavy Vehicles, %HV		0	0		0					0	0	0
Peak-Hour Factor, PHF		0.95	0.95		0.95					0.95	0.95	0.95
Pretimed (P) or Actuated (A)		A	A		A					A	A	A
Start-up Lost Time, I <sub>l</sub>		2.0			2.0						2.0	2.0
Extension of Effective Green, e		2.0			2.0						2.0	2.0
Arrival Type, AT		3			3						3	3
Unit Extension, UE		3.0			3.0						3.0	3.0
Filtering/Metering, I		1.000			1.000						1.000	1.000
Initial Unmet Demand, Q <sub>b</sub>		0.0			0.0						0.0	0.0
Ped / Bike / RTOR Volumes	0	0	71	0	0					0	0	0
Lane Width		12.0			12.0						12.0	12.0
Parking / Grade / Parking	N	0	N	N	0	N				N	0	N
Parking Maneuvers, N <sub>m</sub>												
Buses Stopping, N <sub>b</sub>		0			0						0	0
Min. Time for Pedestrians, G <sub>p</sub>		3.2			3.2						3.2	
Phasing	Thru & RT	02	03	04	SB Only	06	07	08				
Timing	G = 42.0	G =	G =	G =	G = 68.0	G =	G =	G =				
	Y = 5	Y =	Y =	Y =	Y = 5	Y =	Y =	Y =				
Duration of Analysis, T = 0.25								Cycle Length, C = 120.0				

<b>Lane Group Capacity, Control Delay, and LOS Determination</b>												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Adjusted Flow Rate, v		1059			533						1592	376
Lane Group Capacity, c		1160			1266						2929	915
v/c Ratio, X		0.91			0.42						0.54	0.41
Total Green Ratio, g/C		0.35			0.35						0.57	0.57
Uniform Delay, d <sub>1</sub>		37.3			29.7						16.3	14.7
Progression Factor, PF		1.000			1.000						1.000	1.000
Delay Calibration, k		0.43			0.11						0.14	0.11
Incremental Delay, d <sub>2</sub>		11.0			0.2						0.2	0.3
Initial Queue Delay, d <sub>3</sub>		0.0			0.0						0.0	0.0
Control Delay		48.2			30.0						16.5	15.0
Lane Group LOS		D			C						B	B
Approach Delay	48.2			30.0						16.2		
Approach LOS	D			C						B		
Intersection Delay	27.8			X <sub>C</sub> = 0.68			Intersection LOS			C		

**HCS+™ DETAILED REPORT**

<b>General Information</b>						<b>Site Information</b>					
Analyst <i>DPA</i>						Intersection <i>96th Street / Harding Avenue</i>					
Agency or Co. <i>Surfside</i>						Area Type <i>All other areas</i>					
Date Performed <i>2/22/2012</i>						Jurisdiction <i>Surfside</i>					
Time Period <i>Weekday PM Peak Hour</i>						Analysis Year <i>Future (2013) with Project</i>					
						Project ID <i>Young Israel Congregation</i>					

<b>Volume and Timing Input</b>												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of Lanes, N <sub>1</sub>		2	0		2					0	3	1
Lane Group		TR			T						LT	R
Volume, V (vph)		446	632		506					38	1479	357
% Heavy Vehicles, %HV		0	0		0					0	0	0
Peak-Hour Factor, PHF		0.95	0.95		0.95					0.95	0.95	0.95
Pretimed (P) or Actuated (A)		A	A		A					A	A	A
Start-up Lost Time, l <sub>1</sub>		2.0			2.0						2.0	2.0
Extension of Effective Green, e		2.0			2.0						2.0	2.0
Arrival Type, AT		3			3						3	3
Unit Extension, UE		3.0			3.0						3.0	3.0
Filtering/Metering, I		1.000			1.000						1.000	1.000
Initial Unmet Demand, Q <sub>b</sub>		0.0			0.0						0.0	0.0
Ped / Bike / RTOR Volumes	0	0	71	0	0					0	0	0
Lane Width		12.0			12.0						12.0	12.0
Parking / Grade / Parking	N	0	N	N	0	N				N	0	N
Parking Maneuvers, N <sub>m</sub>												
Buses Stopping, N <sub>b</sub>		0			0						0	0
Min. Time for Pedestrians, G <sub>p</sub>		3.2			3.2						3.2	
Phasing	Thru & RT	02	03	04	SB Only	06	07	08				
Timing	G = 42.0	G =	G =	G =	G = 68.0	G =	G =	G =				
	Y = 5	Y =	Y =	Y =	Y = 5	Y =	Y =	Y =				
Duration of Analysis, T = 0.25								Cycle Length, C = 120.0				

<b>Lane Group Capacity, Control Delay, and LOS Determination</b>												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Adjusted Flow Rate, v		1060			533						1597	376
Lane Group Capacity, c		1160			1266						2929	915
v/c Ratio, X		0.91			0.42						0.55	0.41
Total Green Ratio, g/C		0.35			0.35						0.57	0.57
Uniform Delay, d <sub>1</sub>		37.3			29.7						16.3	14.7
Progression Factor, PF		1.000			1.000						1.000	1.000
Delay Calibration, k		0.43			0.11						0.15	0.11
Incremental Delay, d <sub>2</sub>		11.1			0.2						0.2	0.3
Initial Queue Delay, d <sub>3</sub>		0.0			0.0						0.0	0.0
Control Delay		48.3			30.0						16.5	15.0
Lane Group LOS		D			C						B	B
Approach Delay	48.3			30.0						16.2		
Approach LOS	D			C						B		
Intersection Delay	27.8			X <sub>C</sub> = 0.69			Intersection LOS			C		

**HCS+™ DETAILED REPORT**

General Information		Site Information	
Analyst	DPA	Intersection	96th Street / Harding Avenue
Agency or Co.	Surfside	Area Type	All other areas
Date Performed	2/22/2012	Jurisdiction	Surfside
Time Period	Sunday Peak Hour	Analysis Year	Existing (2012)
		Project ID	Young Israel Congregation

Volume and Timing Input												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of Lanes, N <sub>1</sub>		2	0		2					0	3	1
Lane Group		TR			T						LT	R
Volume, V (vph)		126	196		158					41	480	65
% Heavy Vehicles, %HV		0	0		0					0	0	0
Peak-Hour Factor, PHF		0.96	0.96		0.96					0.96	0.96	0.96
Pretimed (P) or Actuated (A)		A	A		A					A	A	A
Start-up Lost Time, I <sub>1</sub>		2.0			2.0						2.0	2.0
Extension of Effective Green, e		2.0			2.0						2.0	2.0
Arrival Type, AT		3			3						3	3
Unit Extension, UE		3.0			3.0						3.0	3.0
Filtering/Metering, I		1.000			1.000						1.000	1.000
Initial Unmet Demand, Q <sub>b</sub>		0.0			0.0						0.0	0.0
Ped / Bike / RTOR Volumes	0	0	71	0	0					0	0	0
Lane Width		12.0			12.0						12.0	12.0
Parking / Grade / Parking	N	0	N	N	0	N				N	0	N
Parking Maneuvers, N <sub>m</sub>												
Buses Stopping, N <sub>b</sub>		0			0						0	0
Min. Time for Pedestrians, G <sub>p</sub>		3.2		3.2						3.2		
Phasing	Thru & RT	02	03	04	SB Only		06		07		08	
Timing	G = 42.0	G =	G =	G =	G = 68.0		G =		G =		G =	
	Y = 5	Y =	Y =	Y =	Y = 5		Y =		Y =		Y =	
Duration of Analysis, T = 0.25								Cycle Length, C = 120.0				

<b>Lane Group Capacity, Control Delay, and LOS Determination</b>												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Adjusted Flow Rate, v		261			165						543	68
Lane Group Capacity, c		1171			1266						2921	915
v/c Ratio, X		0.22			0.13						0.19	0.07
Total Green Ratio, g/C		0.35			0.35						0.57	0.57
Uniform Delay, d <sub>1</sub>		27.5			26.6						12.6	11.8
Progression Factor, PF		1.000			1.000						1.000	1.000
Delay Calibration, k		0.11			0.11						0.11	0.11
Incremental Delay, d <sub>2</sub>		0.1			0.0						0.0	0.0
Initial Queue Delay, d <sub>3</sub>		0.0			0.0						0.0	0.0
Control Delay		27.6			26.6						12.6	11.8
Lane Group LOS		C			C						B	B
Approach Delay	27.6			26.6						12.5		
Approach LOS	C			C						B		
Intersection Delay	18.6			X <sub>C</sub> = 0.20			Intersection LOS			B		

**HCS+™ DETAILED REPORT**

General Information		Site Information	
Analyst	DPA	Intersection	96th Street / Harding Avenue
Agency or Co.	Surfside	Area Type	All other areas
Date Performed	2/22/2012	Jurisdiction	Surfside
Time Period	Sunday Peak Hour	Analysis Year	Future (2013) without Project
		Project ID	Young Israel Congregation

Volume and Timing Input												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of Lanes, N <sub>1</sub>		2	0		2					0	3	1
Lane Group		TR			T						LT	R
Volume, V (vph)		136	207		175					41	485	66
% Heavy Vehicles, %HV		0	0		0					0	0	0
Peak-Hour Factor, PHF		0.96	0.96		0.96					0.96	0.96	0.96
Pretimed (P) or Actuated (A)		A	A		A					A	A	A
Start-up Lost Time, I <sub>1</sub>		2.0			2.0						2.0	2.0
Extension of Effective Green, e		2.0			2.0						2.0	2.0
Arrival Type, AT		3			3						3	3
Unit Extension, UE		3.0			3.0						3.0	3.0
Filtering/Metering, I		1.000			1.000						1.000	1.000
Initial Unmet Demand, Q <sub>b</sub>		0.0			0.0						0.0	0.0
Ped / Bike / RTOR Volumes	0	0	71	0	0					0	0	0
Lane Width		12.0			12.0						12.0	12.0
Parking / Grade / Parking	N	0	N	N	0	N				N	0	N
Parking Maneuvers, N <sub>m</sub>												
Buses Stopping, N <sub>b</sub>		0			0						0	0
Min. Time for Pedestrians, G <sub>p</sub>		3.2			3.2						3.2	
Phasing	Thru & RT	02	03	04	SB Only		06		07		08	
Timing	G = 42.0	G =	G =	G =	G = 68.0		G =		G =		G =	
	Y = 5	Y =	Y =	Y =	Y = 5		Y =		Y =		Y =	
Duration of Analysis, T = 0.25								Cycle Length, C = 120.0				

<b>Lane Group Capacity, Control Delay, and LOS Determination</b>												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Adjusted Flow Rate, v		284			182						548	69
Lane Group Capacity, c		1171			1266						2921	915
v/c Ratio, X		0.24			0.14						0.19	0.08
Total Green Ratio, g/C		0.35			0.35						0.57	0.57
Uniform Delay, d <sub>1</sub>		27.7			26.7						12.6	11.8
Progression Factor, PF		1.000			1.000						1.000	1.000
Delay Calibration, k		0.11			0.11						0.11	0.11
Incremental Delay, d <sub>2</sub>		0.1			0.1						0.0	0.0
Initial Queue Delay, d <sub>3</sub>		0.0			0.0						0.0	0.0
Control Delay		27.8			26.7						12.6	11.8
Lane Group LOS		C			C						B	B
Approach Delay	27.8			26.7						12.5		
Approach LOS	C			C						B		
Intersection Delay	18.9			X <sub>C</sub> = 0.21			Intersection LOS			B		

**HCS+™ DETAILED REPORT**

<b>General Information</b>						<b>Site Information</b>					
Analyst	DPA					Intersection	96th Street / Harding Avenue				
Agency or Co.	Surfside					Area Type	All other areas				
Date Performed	2/22/2012					Jurisdiction	Surfside				
Time Period	Sunday Peak Hour					Analysis Year	Future (2013) with Project				
						Project ID	Young Israel Congregation				

<b>Volume and Timing Input</b>												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of Lanes, N <sub>1</sub>		2	0		2					0	3	1
Lane Group		TR			T						LT	R
Volume, V (vph)		144	207		175					41	510	66
% Heavy Vehicles, %HV		0	0		0					0	0	0
Peak-Hour Factor, PHF		0.96	0.96		0.96					0.96	0.96	0.96
Pretimed (P) or Actuated (A)		A	A		A					A	A	A
Start-up Lost Time, I <sub>1</sub>		2.0			2.0						2.0	2.0
Extension of Effective Green, e		2.0			2.0						2.0	2.0
Arrival Type, AT		3			3						3	3
Unit Extension, UE		3.0			3.0						3.0	3.0
Filtering/Metering, I		1.000			1.000						1.000	1.000
Initial Unmet Demand, Q <sub>b</sub>		0.0			0.0						0.0	0.0
Ped / Bike / RTOR Volumes	0	0	71	0	0					0	0	0
Lane Width		12.0			12.0						12.0	12.0
Parking / Grade / Parking	N	0	N	N	0	N				N	0	N
Parking Maneuvers, N <sub>m</sub>												
Buses Stopping, N <sub>b</sub>		0			0						0	0
Min. Time for Pedestrians, G <sub>p</sub>		3.2			3.2						3.2	
Phasing	Thru & RT	02	03	04	SB Only	06	07	08				
Timing	G = 42.0	G =	G =	G =	G = 68.0	G =	G =	G =				
	Y = 5	Y =	Y =	Y =	Y = 5	Y =	Y =	Y =				
Duration of Analysis, T = 0.25								Cycle Length, C = 120.0				

<b>Lane Group Capacity, Control Delay, and LOS Determination</b>												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Adjusted Flow Rate, v		292			182						574	69
Lane Group Capacity, c		1174			1266						2922	915
v/c Ratio, X		0.25			0.14						0.20	0.08
Total Green Ratio, g/C		0.35			0.35						0.57	0.57
Uniform Delay, d <sub>1</sub>		27.8			26.7						12.7	11.8
Progression Factor, PF		1.000			1.000						1.000	1.000
Delay Calibration, k		0.11			0.11						0.11	0.11
Incremental Delay, d <sub>2</sub>		0.1			0.1						0.0	0.0
Initial Queue Delay, d <sub>3</sub>		0.0			0.0						0.0	0.0
Control Delay		27.9			26.7						12.7	11.8
Lane Group LOS		C			C						B	B
Approach Delay	27.9			26.7						12.6		
Approach LOS	C			C						B		
Intersection Delay	18.9			X <sub>C</sub> = 0.22			Intersection LOS			B		

96<sup>th</sup> Street / Collins Avenue

**HCS+™ DETAILED REPORT**

<b>General Information</b>						<b>Site Information</b>					
Analyst	DPA					Intersection	96th Street / Collins Avenue				
Agency or Co.	Surfside					Area Type	All other areas				
Date Performed	2/22/2012					Jurisdiction	Surfside				
Time Period	Weekday AM Peak Hour					Analysis Year	Existing (2012)				
						Project ID	Young Israel Congregation				

Volume and Timing Input												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of Lanes, N <sub>l</sub>	1	1			1	0	1	3	0			
Lane Group	L	LT			TR		L	TR				
Volume, V (vph)	358	14			1	6	426	1076	12			
% Heavy Vehicles, %HV	0	0			0	0	0	0	0			
Peak-Hour Factor, PHF	0.91	0.91			0.91	0.91	0.91	0.91	0.91			
Pretimed (P) or Actuated (A)	A	A			A	A	A	A	A			
Start-up Lost Time, I <sub>l</sub>	2.0	2.0			2.0		2.0	2.0				
Extension of Effective Green, e	2.0	2.0			2.0		2.0	2.0				
Arrival Type, AT	3	3			3		3	3				
Unit Extension, UE	3.0	3.0			3.0		3.0	3.0				
Filtering/Metering, I	1.000	1.000			1.000		1.000	1.000				
Initial Unmet Demand, Q <sub>b</sub>	0.0	0.0			0.0		0.0	0.0				
Ped / Bike / RTOR Volumes	0	0		0	0	0	0	0	0			
Lane Width	12.0	12.0			12.0		12.0	12.0				
Parking / Grade / Parking	N	0	N	N	0	N	N	0	N			
Parking Maneuvers, N <sub>m</sub>												
Buses Stopping, N <sub>b</sub>	0	0			0		0	0				
Min. Time for Pedestrians, G <sub>p</sub>	3.2			3.2			3.2					
Phasing	EB Only	WB Only	03	04		NB Only		NB Only		07		08
Timing	G = 78.0	G = 7.0	G =	G =		G = 15.0		G = 45.0		G =		G =
	Y = 5	Y = 5	Y =	Y =		Y = 0		Y = 5		Y =		Y =
Duration of Analysis, T = 0.25								Cycle Length, C = 160.0				

Lane Group Capacity, Control Delay, and LOS Determination												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Adjusted Flow Rate, v	393	15			8		468	1195				
Lane Group Capacity, c	880	926			73		508	1938				
v/c Ratio, X	0.45	0.02			0.11		0.92	0.62				
Total Green Ratio, g/C	0.49	0.49			0.04		0.28	0.38				
Uniform Delay, d <sub>1</sub>	26.9	21.2			73.5		55.8	40.6				
Progression Factor, PF	1.000	1.000			1.000		1.000	1.000				
Delay Calibration, k	0.11	0.11			0.11		0.44	0.20				
Incremental Delay, d <sub>2</sub>	0.4	0.0			0.7		22.3	0.6				
Initial Queue Delay, d <sub>3</sub>	0.0	0.0			0.0		0.0	0.0				
Control Delay	27.2	21.2			74.2		78.1	41.2				
Lane Group LOS	C	C			E		E	D				
Approach Delay	27.0			74.2			51.6					
Approach LOS	C			E			D					
Intersection Delay	46.9			X <sub>c</sub> = 0.50			Intersection LOS			D		

**HCS+™ DETAILED REPORT**

General Information		Site Information	
Analyst	DPA	Intersection	96th Street / Collins Avenue
Agency or Co.	Surfside	Area Type	All other areas
Date Performed	2/22/2012	Jurisdiction	Surfside
Time Period	Weekday AM Peak Hour	Analysis Year	Future (2013) without Project
		Project ID	Young Israel Congregation

Volume and Timing Input												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of Lanes, N <sub>1</sub>	1	1			1	0	1	3	0			
Lane Group	L	LT			TR		L	TR				
Volume, V (vph)	362	14			1	6	442	1109	12			
% Heavy Vehicles, %HV	0	0			0	0	0	0	0			
Peak-Hour Factor, PHF	0.91	0.91			0.91	0.91	0.91	0.91	0.91			
Pretimed (P) or Actuated (A)	A	A			A	A	A	A	A			
Start-up Lost Time, I <sub>1</sub>	2.0	2.0			2.0		2.0	2.0				
Extension of Effective Green, e	2.0	2.0			2.0		2.0	2.0				
Arrival Type, AT	3	3			3		3	3				
Unit Extension, UE	3.0	3.0			3.0		3.0	3.0				
Filtering/Metering, I	1.000	1.000			1.000		1.000	1.000				
Initial Unmet Demand, Q <sub>b</sub>	0.0	0.0			0.0		0.0	0.0				
Ped / Bike / RTOR Volumes	0	0		0	0	0	0	0	0			
Lane Width	12.0	12.0			12.0		12.0	12.0				
Parking / Grade / Parking	N	0	N	N	0	N	N	0	N			
Parking Maneuvers, N <sub>m</sub>												
Buses Stopping, N <sub>b</sub>	0	0			0		0	0				
Min. Time for Pedestrians, G <sub>p</sub>	3.2			3.2			3.2					
Phasing	EB Only	WB Only	03	04		NB Only		NB Only		07		08
Timing	G = 78.0	G = 7.0	G =	G =		G = 15.0		G = 45.0		G =		G =
	Y = 5	Y = 5	Y =	Y =		Y = 0		Y = 5		Y =		Y =
Duration of Analysis, T = 0.25								Cycle Length, C = 160.0				

<b>Lane Group Capacity, Control Delay, and LOS Determination</b>												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Adjusted Flow Rate, v	398	15			8		486	1232				
Lane Group Capacity, c	880	926			73		508	1938				
v/c Ratio, X	0.45	0.02			0.11		0.96	0.64				
Total Green Ratio, g/C	0.49	0.49			0.04		0.28	0.38				
Uniform Delay, d <sub>1</sub>	27.0	21.2			73.5		56.5	41.0				
Progression Factor, PF	1.000	1.000			1.000		1.000	1.000				
Delay Calibration, k	0.11	0.11			0.11		0.47	0.22				
Incremental Delay, d <sub>2</sub>	0.4	0.0			0.7		29.2	0.7				
Initial Queue Delay, d <sub>3</sub>	0.0	0.0			0.0		0.0	0.0				
Control Delay	27.3	21.2			74.2		85.8	41.7				
Lane Group LOS	C	C			E		F	D				
Approach Delay	27.1			74.2			54.2					
Approach LOS	C			E			D					
Intersection Delay	49.0			X <sub>c</sub> = 0.51			Intersection LOS			D		



**HCS+™ DETAILED REPORT**

<b>General Information</b>						<b>Site Information</b>					
Analyst	DPA					Intersection	96th Street / Collins Avenue				
Agency or Co.	Surfside					Area Type	All other areas				
Date Performed	2/22/2012					Jurisdiction	Surfside				
Time Period	Weekday AM Peak Hour					Analysis Year	Future (2013) with Project				
						Project ID	Young Israel Congregation				

Volume and Timing Input												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of Lanes, N <sub>l</sub>	1	1			1	0	1	3	0			
Lane Group	L	LT			TR		L	TR				
Volume, V (vph)	362	14			1	6	442	1110	12			
% Heavy Vehicles, %HV	0	0			0	0	0	0	0			
Peak-Hour Factor, PHF	0.91	0.91			0.91	0.91	0.91	0.91	0.91			
Pretimed (P) or Actuated (A)	A	A			A	A	A	A	A			
Start-up Lost Time, I <sub>l</sub>	2.0	2.0			2.0		2.0	2.0				
Extension of Effective Green, e	2.0	2.0			2.0		2.0	2.0				
Arrival Type, AT	3	3			3		3	3				
Unit Extension, UE	3.0	3.0			3.0		3.0	3.0				
Filtering/Metering, I	1.000	1.000			1.000		1.000	1.000				
Initial Unmet Demand, Q <sub>b</sub>	0.0	0.0			0.0		0.0	0.0				
Ped / Bike / RTOR Volumes	0	0		0	0	0	0	0	0			
Lane Width	12.0	12.0			12.0		12.0	12.0				
Parking / Grade / Parking	N	0	N	N	0	N	N	0	N			
Parking Maneuvers, N <sub>m</sub>												
Buses Stopping, N <sub>b</sub>	0	0			0		0	0				
Min. Time for Pedestrians, G <sub>p</sub>	3.2			3.2			3.2					
Phasing	EB Only	WB Only	03	04		NB Only		NB Only		07		08
Timing	G = 78.0	G = 7.0	G =	G =		G = 15.0		G = 45.0		G =		G =
	Y = 5	Y = 5	Y =	Y =		Y = 0		Y = 5		Y =		Y =
Duration of Analysis, T = 0.25								Cycle Length, C = 160.0				

Lane Group Capacity, Control Delay, and LOS Determination												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Adjusted Flow Rate, v	398	15			8		486	1233				
Lane Group Capacity, c	880	926			73		508	1938				
v/c Ratio, X	0.45	0.02			0.11		0.96	0.64				
Total Green Ratio, g/C	0.49	0.49			0.04		0.28	0.38				
Uniform Delay, d <sub>1</sub>	27.0	21.2			73.5		56.5	41.0				
Progression Factor, PF	1.000	1.000			1.000		1.000	1.000				
Delay Calibration, k	0.11	0.11			0.11		0.47	0.22				
Incremental Delay, d <sub>2</sub>	0.4	0.0			0.7		29.2	0.7				
Initial Queue Delay, d <sub>3</sub>	0.0	0.0			0.0		0.0	0.0				
Control Delay	27.3	21.2			74.2		85.8	41.7				
Lane Group LOS	C	C			E		F	D				
Approach Delay	27.1			74.2			54.2					
Approach LOS	C			E			D					
Intersection Delay	49.0			X <sub>c</sub> = 0.51			Intersection LOS			D		

**HCS+™ DETAILED REPORT**

<b>General Information</b>					<b>Site Information</b>				
Analyst	DPA				Intersection	96th Street / Collins Avenue			
Agency or Co.	Surfside				Area Type	All other areas			
Date Performed	2/22/2012				Jurisdiction	Surfside			
Time Period	Weekday PM Peak Hour				Analysis Year	Existing (2012)			
					Project ID	Young Israel Congregation			

Volume and Timing Input												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of Lanes, N <sub>l</sub>	1	1			1	0	1	3	0			
Lane Group	L	LT			TR		L	TR				
Volume, V (vph)	428	11			4	6	441	1803	7			
% Heavy Vehicles, %HV	0	0			0	0	0	0	0			
Peak-Hour Factor, PHF	0.97	0.97			0.97	0.97	0.97	0.97	0.97			
Pretimed (P) or Actuated (A)	A	A			A	A	A	A	A			
Start-up Lost Time, I <sub>l</sub>	2.0	2.0			2.0		2.0	2.0				
Extension of Effective Green, e	2.0	2.0			2.0		2.0	2.0				
Arrival Type, AT	3	3			3		3	3				
Unit Extension, UE	3.0	3.0			3.0		3.0	3.0				
Filtering/Metering, I	1.000	1.000			1.000		1.000	1.000				
Initial Unmet Demand, Q <sub>b</sub>	0.0	0.0			0.0		0.0	0.0				
Ped / Bike / RTOR Volumes	0	0		0	0	0	0	0	0			
Lane Width	12.0	12.0			12.0		12.0	12.0				
Parking / Grade / Parking	N	0	N	N	0	N	N	0	N			
Parking Maneuvers, N <sub>m</sub>												
Buses Stopping, N <sub>b</sub>	0	0			0		0	0				
Min. Time for Pedestrians, G <sub>p</sub>	3.2			3.2			3.2					
Phasing	EB Only	WB Only	03	04		NB Only		NB Only		07		08
Timing	G = 78.0	G = 7.0	G =	G =		G = 15.0		G = 45.0		G =		G =
	Y = 5	Y = 5	Y =	Y =		Y = 0		Y = 5		Y =		Y =
Duration of Analysis, T = 0.25								Cycle Length, C = 160.0				

<b>Lane Group Capacity, Control Delay, and LOS Determination</b>												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Adjusted Flow Rate, v	441	11			10		455	1866				
Lane Group Capacity, c	880	926			76		508	1940				
v/c Ratio, X	0.50	0.01			0.13		0.90	0.96				
Total Green Ratio, g/C	0.49	0.49			0.04		0.28	0.38				
Uniform Delay, d <sub>1</sub>	27.8	21.1			73.6		55.2	48.9				
Progression Factor, PF	1.000	1.000			1.000		1.000	1.000				
Delay Calibration, k	0.11	0.11			0.11		0.42	0.47				
Incremental Delay, d <sub>2</sub>	0.5	0.0			0.8		18.3	12.7				
Initial Queue Delay, d <sub>3</sub>	0.0	0.0			0.0		0.0	0.0				
Control Delay	28.3	21.1			74.4		73.6	61.5				
Lane Group LOS	C	C			E		E	E				
Approach Delay	28.1			74.4			63.9					
Approach LOS	C			E			E					
Intersection Delay	58.1			X <sub>c</sub> = 0.67			Intersection LOS			E		

**HCS+™ DETAILED REPORT**

<b>General Information</b>						<b>Site Information</b>					
Analyst	DPA					Intersection	96th Street / Collins Avenue				
Agency or Co.	Surfside					Area Type	All other areas				
Date Performed	2/22/2012					Jurisdiction	Surfside				
Time Period	Weekday PM Peak Hour					Analysis Year	Existing (2012)				
						Project ID	Young Israel Congregation				

Volume and Timing Input												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of Lanes, N <sub>l</sub>	1	1			1	0	1	3	0			
Lane Group	L	LT			TR		L	TR				
Volume, V (vph)	428	11			4	6	441	1803	7			
% Heavy Vehicles, %HV	0	0			0	0	0	0	0			
Peak-Hour Factor, PHF	0.97	0.97			0.97	0.97	0.97	0.97	0.97			
Pretimed (P) or Actuated (A)	A	A			A	A	A	A	A			
Start-up Lost Time, I <sub>l</sub>	2.0	2.0			2.0		2.0	2.0				
Extension of Effective Green, e	2.0	2.0			2.0		2.0	2.0				
Arrival Type, AT	3	3			3		3	3				
Unit Extension, UE	3.0	3.0			3.0		3.0	3.0				
Filtering/Metering, I	1.000	1.000			1.000		1.000	1.000				
Initial Unmet Demand, Q <sub>b</sub>	0.0	0.0			0.0		0.0	0.0				
Ped / Bike / RTOR Volumes	0	0		0	0	0	0	0	0			
Lane Width	12.0	12.0			12.0		12.0	12.0				
Parking / Grade / Parking	N	0	N	N	0	N	N	0	N			
Parking Maneuvers, N <sub>m</sub>												
Buses Stopping, N <sub>b</sub>	0	0			0		0	0				
Min. Time for Pedestrians, G <sub>p</sub>	3.2			3.2			3.2					
Phasing	EB Only	WB Only	03	04		NB Only		NB Only		07		08
Timing	G = 70.0	G = 7.0	G =	G =		G = 15.0		G = 53.0		G =		G =
	Y = 5	Y = 5	Y =	Y =		Y = 0		Y = 5		Y =		Y =
Duration of Analysis, T = 0.25								Cycle Length, C = 160.0				

Lane Group Capacity, Control Delay, and LOS Determination												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Adjusted Flow Rate, v	441	11			10		455	1866				
Lane Group Capacity, c	790	831			76		598	2199				
v/c Ratio, X	0.56	0.01			0.13		0.76	0.85				
Total Green Ratio, g/C	0.44	0.44			0.04		0.33	0.43				
Uniform Delay, d <sub>1</sub>	33.5	25.5			73.6		47.8	41.4				
Progression Factor, PF	1.000	1.000			1.000		1.000	1.000				
Delay Calibration, k	0.16	0.11			0.11		0.31	0.38				
Incremental Delay, d <sub>2</sub>	0.9	0.0			0.8		5.7	3.3				
Initial Queue Delay, d <sub>3</sub>	0.0	0.0			0.0		0.0	0.0				
Control Delay	34.4	25.5			74.4		53.5	44.7				
Lane Group LOS	C	C			E		D	D				
Approach Delay	34.2			74.4			46.4					
Approach LOS	C			E			D					
Intersection Delay	44.5			X <sub>C</sub> = 0.67			Intersection LOS			D		

**HCS+™ DETAILED REPORT**

General Information		Site Information	
Analyst	DPA	Intersection	96th Street / Collins Avenue
Agency or Co.	Surfside	Area Type	All other areas
Date Performed	2/22/2012	Jurisdiction	Surfside
Time Period	Weekday PM Peak Hour	Analysis Year	Future (2013) wo Proj w Imps
		Project ID	Young Israel Congregation

Volume and Timing Input												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of Lanes, N <sub>1</sub>	1	1			1	0	1	3	0			
Lane Group	L	LT			TR		L	TR				
Volume, V (vph)	432	11			4	6	460	1850	7			
% Heavy Vehicles, %HV	0	0			0	0	0	0	0			
Peak-Hour Factor, PHF	0.97	0.97			0.97	0.97	0.97	0.97	0.97			
Pretimed (P) or Actuated (A)	A	A			A	A	A	A	A			
Start-up Lost Time, I <sub>1</sub>	2.0	2.0			2.0		2.0	2.0				
Extension of Effective Green, e	2.0	2.0			2.0		2.0	2.0				
Arrival Type, AT	3	3			3		3	3				
Unit Extension, UE	3.0	3.0			3.0		3.0	3.0				
Filtering/Metering, I	1.000	1.000			1.000		1.000	1.000				
Initial Unmet Demand, Q <sub>b</sub>	0.0	0.0			0.0		0.0	0.0				
Ped / Bike / RTOR Volumes	0	0		0	0	0	0	0	0			
Lane Width	12.0	12.0			12.0		12.0	12.0				
Parking / Grade / Parking	N	0	N	N	0	N	N	0	N			
Parking Maneuvers, N <sub>m</sub>												
Buses Stopping, N <sub>b</sub>	0	0			0		0	0				
Min. Time for Pedestrians, G <sub>p</sub>	3.2			3.2			3.2					
Phasing	EB Only	WB Only	03	04		NB Only		NB Only		07		08
Timing	G = 70.0	G = 7.0	G =	G =		G = 15.0		G = 53.0		G =		G =
	Y = 5	Y = 5	Y =	Y =		Y = 0		Y = 5		Y =		Y =
Duration of Analysis, T = 0.25								Cycle Length, C = 160.0				

<b>Lane Group Capacity, Control Delay, and LOS Determination</b>												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Adjusted Flow Rate, v	445	11			10		474	1914				
Lane Group Capacity, c	790	831			76		598	2199				
v/c Ratio, X	0.56	0.01			0.13		0.79	0.87				
Total Green Ratio, g/C	0.44	0.44			0.04		0.33	0.43				
Uniform Delay, d <sub>1</sub>	33.6	25.5			73.6		48.5	42.0				
Progression Factor, PF	1.000	1.000			1.000		1.000	1.000				
Delay Calibration, k	0.16	0.11			0.11		0.34	0.40				
Incremental Delay, d <sub>2</sub>	0.9	0.0			0.8		7.2	4.1				
Initial Queue Delay, d <sub>3</sub>	0.0	0.0			0.0		0.0	0.0				
Control Delay	34.5	25.5			74.4		55.7	46.1				
Lane Group LOS	C	C			E		E	D				
Approach Delay	34.3			74.4			48.0					
Approach LOS	C			E			D					
Intersection Delay	45.9			X <sub>c</sub> = 0.69			Intersection LOS			D		

**HCS+™ DETAILED REPORT**

General Information		Site Information	
Analyst	DPA	Intersection	96th Street / Collins Avenue
Agency or Co.	Surfside	Area Type	All other areas
Date Performed	2/22/2012	Jurisdiction	Surfside
Time Period	Weekday PM Peak Hour	Analysis Year	Future (2013) w Proj w Imps
		Project ID	Young Israel Congregation

Volume and Timing Input												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of Lanes, N <sub>1</sub>	1	1			1	0	1	3	0			
Lane Group	L	LT			TR		L	TR				
Volume, V (vph)	434	11			4	6	460	1854	7			
% Heavy Vehicles, %HV	0	0			0	0	0	0	0			
Peak-Hour Factor, PHF	0.97	0.97			0.97	0.97	0.97	0.97	0.97			
Pretimed (P) or Actuated (A)	A	A			A	A	A	A	A			
Start-up Lost Time, I <sub>1</sub>	2.0	2.0			2.0		2.0	2.0				
Extension of Effective Green, e	2.0	2.0			2.0		2.0	2.0				
Arrival Type, AT	3	3			3		3	3				
Unit Extension, UE	3.0	3.0			3.0		3.0	3.0				
Filtering/Metering, I	1.000	1.000			1.000		1.000	1.000				
Initial Unmet Demand, Q <sub>b</sub>	0.0	0.0			0.0		0.0	0.0				
Ped / Bike / RTOR Volumes	0	0		0	0	0	0	0	0			
Lane Width	12.0	12.0			12.0		12.0	12.0				
Parking / Grade / Parking	N	0	N	N	0	N	N	0	N			
Parking Maneuvers, N <sub>m</sub>												
Buses Stopping, N <sub>b</sub>	0	0			0		0	0				
Min. Time for Pedestrians, G <sub>p</sub>	3.2			3.2			3.2					
Phasing	EB Only	WB Only	03	04		NB Only		NB Only		07		08
Timing	G = 70.0	G = 7.0	G =	G =		G = 15.0		G = 53.0		G =		G =
	Y = 5	Y = 5	Y =	Y =		Y = 0		Y = 5		Y =		Y =
Duration of Analysis, T = 0.25								Cycle Length, C = 160.0				

<b>Lane Group Capacity, Control Delay, and LOS Determination</b>												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Adjusted Flow Rate, v	447	11			10		474	1918				
Lane Group Capacity, c	790	831			76		598	2199				
v/c Ratio, X	0.57	0.01			0.13		0.79	0.87				
Total Green Ratio, g/C	0.44	0.44			0.04		0.33	0.43				
Uniform Delay, d <sub>1</sub>	33.6	25.5			73.6		48.5	42.0				
Progression Factor, PF	1.000	1.000			1.000		1.000	1.000				
Delay Calibration, k	0.16	0.11			0.11		0.34	0.40				
Incremental Delay, d <sub>2</sub>	1.0	0.0			0.8		7.2	4.2				
Initial Queue Delay, d <sub>3</sub>	0.0	0.0			0.0		0.0	0.0				
Control Delay	34.6	25.5			74.4		55.7	46.2				
Lane Group LOS	C	C			E		E	D				
Approach Delay	34.4			74.4			48.1					
Approach LOS	C			E			D					
Intersection Delay	46.0			X <sub>c</sub> = 0.69			Intersection LOS			D		

Abbott Avenue / Project Driveway

## TWO-WAY STOP CONTROL SUMMARY

### General Information

Analyst	
Agency/Co.	Surfside
Date Performed	2/22/2012
Analysis Time Period	AM Peak Hour

### Site Information

Intersection	Project Dwy/Abbott Avenue
Jurisdiction	Surfside
Analysis Year	Future (2013) with Project

Project Description    *Young Israel Congregation*

East/West Street:    *Project Dwy*

North/South Street:    *Abbott Avenue*

Intersection Orientation:    *North-South*

Study Period (hrs):    *0.25*

### Vehicle Volumes and Adjustments

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)	1	35			168	1
Peak-Hour Factor, PHF	0.90	0.90	0.95	1.00	0.90	1.00
Hourly Flow Rate, HFR (veh/h)	1	38	0	0	186	1
Percent Heavy Vehicles	0	--	--	0	--	--
Median Type	Undivided					
RT Channelized			0			0
Lanes	0	1	0	0	1	0
Configuration	LT					TR
Upstream Signal		0			0	

Minor Street	Eastbound			Westbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)			1			
Peak-Hour Factor, PHF	1.00	0.95	0.90	1.00	0.95	1.00
Hourly Flow Rate, HFR (veh/h)	0	0	1	0	0	0
Percent Heavy Vehicles	0	0	0	0	0	0
Percent Grade (%)	0			0		
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	0	0	1	0	0	0
Configuration			R			

### Delay, Queue Length, and Level of Service

Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	LT							R
v (veh/h)	1							1
C (m) (veh/h)	1399							861
v/c	0.00							0.00
95% queue length	0.00							0.00
Control Delay (s/veh)	7.6							9.2
LOS	A							A
Approach Delay (s/veh)	--	--				9.2		
Approach LOS	--	--				A		

## TWO-WAY STOP CONTROL SUMMARY

### General Information

Analyst	DPA
Agency/Co.	Surfside
Date Performed	2/22/2012
Analysis Time Period	PM Peak Hour

### Site Information

Intersection	Project Dwy/Abbott Avenue
Jurisdiction	Surfside
Analysis Year	Future (2013) with Project

Project Description    *Young Israel Congregation*

East/West Street:    *Project Dwy*

North/South Street:    *Abbott Avenue*

Intersection Orientation:    *North-South*

Study Period (hrs):    *0.25*

### Vehicle Volumes and Adjustments

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)	8	69			207	3
Peak-Hour Factor, PHF	0.90	0.90	0.95	1.00	0.90	0.90
Hourly Flow Rate, HFR (veh/h)	8	76	0	0	230	3
Percent Heavy Vehicles	0	--	--	0	--	--
Median Type	Undivided					
RT Channelized			0			0
Lanes	0	1	0	0	1	0
Configuration	LT					TR
Upstream Signal		0			0	

Minor Street	Eastbound			Westbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)			13			
Peak-Hour Factor, PHF	1.00	0.95	0.90	1.00	0.95	1.00
Hourly Flow Rate, HFR (veh/h)	0	0	14	0	0	0
Percent Heavy Vehicles	0	0	0	0	0	0
Percent Grade (%)	0			0		
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	0	0	1	0	0	0
Configuration			R			

### Delay, Queue Length, and Level of Service

Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	LT							R
v (veh/h)	8							14
C (m) (veh/h)	1346							812
v/c	0.01							0.02
95% queue length	0.02							0.05
Control Delay (s/veh)	7.7							9.5
LOS	A							A
Approach Delay (s/veh)	--	--				9.5		
Approach LOS	--	--				A		



## TWO-WAY STOP CONTROL SUMMARY

General Information				Site Information			
Analyst	DPA			Intersection	Project Dwy/Abbott Avenue		
Agency/Co.	Surfside			Jurisdiction	Surfside		
Date Performed	2/22/2012			Analysis Year	Future (2013) with Project		
Analysis Time Period	Sunday Peak Hour						

Project Description    *Young Israel Congregation*

East/West Street:    *Project Dwy*

North/South Street:    *Abbott Avenue*

Intersection Orientation:    *North-South*

Study Period (hrs):    *0.25*

### Vehicle Volumes and Adjustments

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)	37	31			56	16
Peak-Hour Factor, PHF	0.90	0.90	0.95	1.00	0.90	0.90
Hourly Flow Rate, HFR (veh/h)	41	34	0	0	62	17
Percent Heavy Vehicles	0	--	--	0	--	--
Median Type	Undivided					
RT Channelized			0			0
Lanes	0	1	0	0	1	0
Configuration	LT					TR
Upstream Signal		0			0	

Minor Street	Eastbound			Westbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)			55			
Peak-Hour Factor, PHF	1.00	0.95	0.90	1.00	0.95	1.00
Hourly Flow Rate, HFR (veh/h)	0	0	61	0	0	0
Percent Heavy Vehicles	0	0	0	0	0	0
Percent Grade (%)	0			0		
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	0	0	1	0	0	0
Configuration			R			

### Delay, Queue Length, and Level of Service

Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	LT							R
v (veh/h)	41							61
C (m) (veh/h)	1532							998
v/c	0.03							0.06
95% queue length	0.08							0.19
Control Delay (s/veh)	7.4							8.8
LOS	A							A
Approach Delay (s/veh)	--	--				8.8		
Approach LOS	--	--				A		

**HCS+™ DETAILED REPORT**

<b>General Information</b>					<b>Site Information</b>				
Analyst	DPA				Intersection	96th Street / Collins Avenue			
Agency or Co.	Surfside				Area Type	All other areas			
Date Performed	2/22/2012				Jurisdiction	Surfside			
Time Period	Sunday Peak Hour				Analysis Year	Existing (2012)			
					Project ID	Young Israel Congregation			

Volume and Timing Input												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of Lanes, N <sub>l</sub>	1	1			1	0	1	3	0			
Lane Group	L	LT			TR		L	TR				
Volume, V (vph)	123	8			5	7	165	503	7			
% Heavy Vehicles, %HV	0	0			0	0	0	0	0			
Peak-Hour Factor, PHF	0.92	0.92			0.92	0.92	0.92	0.92	0.92			
Pretimed (P) or Actuated (A)	A	A			A	A	A	A	A			
Start-up Lost Time, I <sub>l</sub>	2.0	2.0			2.0		2.0	2.0				
Extension of Effective Green, e	2.0	2.0			2.0		2.0	2.0				
Arrival Type, AT	3	3			3		3	3				
Unit Extension, UE	3.0	3.0			3.0		3.0	3.0				
Filtering/Metering, I	1.000	1.000			1.000		1.000	1.000				
Initial Unmet Demand, Q <sub>b</sub>	0.0	0.0			0.0		0.0	0.0				
Ped / Bike / RTOR Volumes	0	0		0	0	0	0	0	0			
Lane Width	12.0	12.0			12.0		12.0	12.0				
Parking / Grade / Parking	N	0	N	N	0	N	N	0	N			
Parking Maneuvers, N <sub>m</sub>												
Buses Stopping, N <sub>b</sub>	0	0			0		0	0				
Min. Time for Pedestrians, G <sub>p</sub>	3.2			3.2			3.2					
Phasing	EB Only	WB Only	03	04		NB Only		NB Only		07		08
Timing	G = 19.0	G = 7.0	G =	G =		G = 15.0		G = 14.0		G =		G =
	Y = 5	Y = 5	Y =	Y =		Y = 0		Y = 5		Y =		Y =
Duration of Analysis, T = 0.25								Cycle Length, C = 70.0				

<b>Lane Group Capacity, Control Delay, and LOS Determination</b>												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Adjusted Flow Rate, v	134	9			13		179	555				
Lane Group Capacity, c	490	516			174		361	2139				
v/c Ratio, X	0.27	0.02			0.07		0.50	0.26				
Total Green Ratio, g/C	0.27	0.27			0.10		0.20	0.41				
Uniform Delay, d <sub>1</sub>	20.1	18.7			28.6		24.9	13.5				
Progression Factor, PF	1.000	1.000			1.000		1.000	1.000				
Delay Calibration, k	0.11	0.11			0.11		0.11	0.11				
Incremental Delay, d <sub>2</sub>	0.3	0.0			0.2		1.1	0.1				
Initial Queue Delay, d <sub>3</sub>	0.0	0.0			0.0		0.0	0.0				
Control Delay	20.4	18.7			28.7		25.9	13.5				
Lane Group LOS	C	B			C		C	B				
Approach Delay	20.3			28.7			16.5					
Approach LOS	C			C			B					
Intersection Delay	17.3			X <sub>c</sub> = 0.24			Intersection LOS			B		

**HCS+™ DETAILED REPORT**

<b>General Information</b>					<b>Site Information</b>				
Analyst	DPA				Intersection	96th Street / Collins Avenue			
Agency or Co.	Surfside				Area Type	All other areas			
Date Performed	2/22/2012				Jurisdiction	Surfside			
Time Period	Sunday Peak Hour				Analysis Year	Future (2013) wo Project			
					Project ID	Young Israel Congregation			

Volume and Timing Input												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of Lanes, N <sub>l</sub>	1	1			1	0	1	3	0			
Lane Group	L	LT			TR		L	TR				
Volume, V (vph)	124	8			5	7	182	539	7			
% Heavy Vehicles, %HV	0	0			0	0	0	0	0			
Peak-Hour Factor, PHF	0.92	0.92			0.92	0.92	0.92	0.92	0.92			
Pretimed (P) or Actuated (A)	A	A			A	A	A	A	A			
Start-up Lost Time, I <sub>l</sub>	2.0	2.0			2.0		2.0	2.0				
Extension of Effective Green, e	2.0	2.0			2.0		2.0	2.0				
Arrival Type, AT	3	3			3		3	3				
Unit Extension, UE	3.0	3.0			3.0		3.0	3.0				
Filtering/Metering, I	1.000	1.000			1.000		1.000	1.000				
Initial Unmet Demand, Q <sub>b</sub>	0.0	0.0			0.0		0.0	0.0				
Ped / Bike / RTOR Volumes	0	0		0	0	0	0	0	0			
Lane Width	12.0	12.0			12.0		12.0	12.0				
Parking / Grade / Parking	N	0	N	N	0	N	N	0	N			
Parking Maneuvers, N <sub>m</sub>												
Buses Stopping, N <sub>b</sub>	0	0			0		0	0				
Min. Time for Pedestrians, G <sub>p</sub>	3.2			3.2			3.2					
Phasing	EB Only	WB Only	03	04		NB Only		NB Only		07		08
Timing	G = 19.0	G = 7.0	G =	G =		G = 15.0		G = 14.0		G =		G =
	Y = 5	Y = 5	Y =	Y =		Y = 0		Y = 5		Y =		Y =
Duration of Analysis, T = 0.25								Cycle Length, C = 70.0				

<b>Lane Group Capacity, Control Delay, and LOS Determination</b>												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Adjusted Flow Rate, v	135	9			13		198	594				
Lane Group Capacity, c	490	516			174		361	2140				
v/c Ratio, X	0.28	0.02			0.07		0.55	0.28				
Total Green Ratio, g/C	0.27	0.27			0.10		0.20	0.41				
Uniform Delay, d <sub>1</sub>	20.1	18.7			28.6		25.2	13.6				
Progression Factor, PF	1.000	1.000			1.000		1.000	1.000				
Delay Calibration, k	0.11	0.11			0.11		0.15	0.11				
Incremental Delay, d <sub>2</sub>	0.3	0.0			0.2		1.8	0.1				
Initial Queue Delay, d <sub>3</sub>	0.0	0.0			0.0		0.0	0.0				
Control Delay	20.4	18.7			28.7		26.9	13.6				
Lane Group LOS	C	B			C		C	B				
Approach Delay	20.3			28.7			17.0					
Approach LOS	C			C			B					
Intersection Delay	17.6			X <sub>c</sub> = 0.25			Intersection LOS			B		

**HCS+™ DETAILED REPORT**

<b>General Information</b>						<b>Site Information</b>					
Analyst	DPA					Intersection	96th Street / Collins Avenue				
Agency or Co.	Surfside					Area Type	All other areas				
Date Performed	2/22/2012					Jurisdiction	Surfside				
Time Period	Sunday Peak Hour					Analysis Year	Future (2013) w Project				
						Project ID	Young Israel Congregation				

Volume and Timing Input												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of Lanes, N <sub>l</sub>	1	1			1	0	1	3	0			
Lane Group	L	LT			TR		L	TR				
Volume, V (vph)	131	8			5	7	182	558	7			
% Heavy Vehicles, %HV	0	0			0	0	0	0	0			
Peak-Hour Factor, PHF	0.92	0.92			0.92	0.92	0.92	0.92	0.92			
Pretimed (P) or Actuated (A)	A	A			A	A	A	A	A			
Start-up Lost Time, I <sub>l</sub>	2.0	2.0			2.0		2.0	2.0				
Extension of Effective Green, e	2.0	2.0			2.0		2.0	2.0				
Arrival Type, AT	3	3			3		3	3				
Unit Extension, UE	3.0	3.0			3.0		3.0	3.0				
Filtering/Metering, I	1.000	1.000			1.000		1.000	1.000				
Initial Unmet Demand, Q <sub>b</sub>	0.0	0.0			0.0		0.0	0.0				
Ped / Bike / RTOR Volumes	0	0		0	0	0	0	0	0			
Lane Width	12.0	12.0			12.0		12.0	12.0				
Parking / Grade / Parking	N	0	N	N	0	N	N	0	N			
Parking Maneuvers, N <sub>m</sub>												
Buses Stopping, N <sub>b</sub>	0	0			0		0	0				
Min. Time for Pedestrians, G <sub>p</sub>	3.2			3.2			3.2					
Phasing	EB Only	WB Only	03	04		NB Only		NB Only		07		08
Timing	G = 19.0	G = 7.0	G =	G =		G = 15.0		G = 14.0		G =		G =
	Y = 5	Y = 5	Y =	Y =		Y = 0		Y = 5		Y =		Y =
Duration of Analysis, T = 0.25								Cycle Length, C = 70.0				

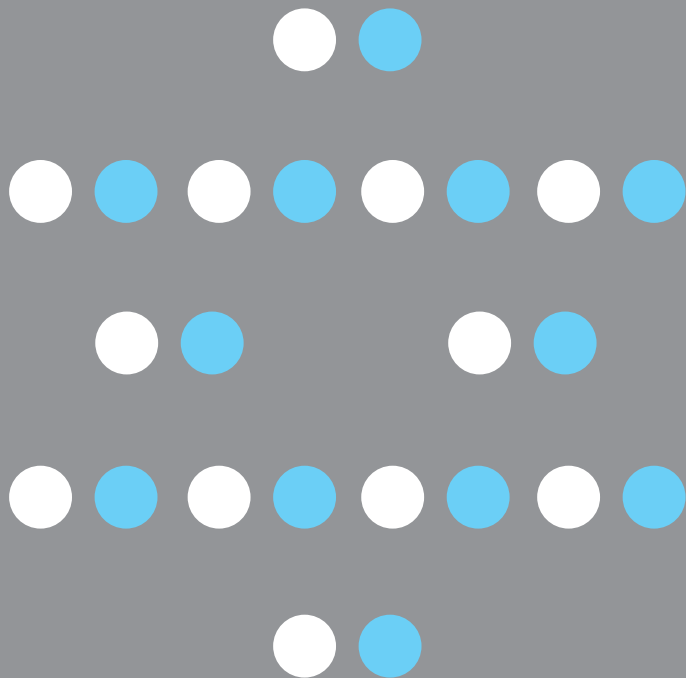
<b>Lane Group Capacity, Control Delay, and LOS Determination</b>												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Adjusted Flow Rate, v	142	9			13		198	615				
Lane Group Capacity, c	490	516			174		361	2140				
v/c Ratio, X	0.29	0.02			0.07		0.55	0.29				
Total Green Ratio, g/C	0.27	0.27			0.10		0.20	0.41				
Uniform Delay, d <sub>1</sub>	20.2	18.7			28.6		25.2	13.6				
Progression Factor, PF	1.000	1.000			1.000		1.000	1.000				
Delay Calibration, k	0.11	0.11			0.11		0.15	0.11				
Incremental Delay, d <sub>2</sub>	0.3	0.0			0.2		1.8	0.1				
Initial Queue Delay, d <sub>3</sub>	0.0	0.0			0.0		0.0	0.0				
Control Delay	20.5	18.7			28.7		26.9	13.7				
Lane Group LOS	C	B			C		C	B				
Approach Delay	20.4			28.7			16.9					
Approach LOS	C			C			B					
Intersection Delay	17.6			X <sub>c</sub> = 0.26			Intersection LOS			B		



**DAVID PLUMMER & ASSOCIATES**

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## SITE PLAN DRAWINGS, ELEVATIONS AND RENDERINGS

(plans are found in the town Clerk's Office)



**Town of Surfside  
Town Commission Meeting  
MINUTES**

**March 13, 2012  
7 p.m.**

Town Hall Commission Chambers - 9293 Harding Ave, 2<sup>nd</sup> Floor  
Surfside, FL 33154

**1. Opening**

**A. Call to Order**

Mayor Dietch called the meeting to order at 7:03 P.M.

**B. Roll Call of Members**

Town Clerk, Sandra Novoa called the roll with the following members present: Mayor Dietch, Vice Mayor Graubart, Commissioner Karukin and Commissioner Olchyk. Commissioner Kopelman was absent.

**C. Pledge of Allegiance**

Vice Mayor Graubart led the Pledge of Allegiance.

**D. Mayor and Commission Remarks – Mayor Daniel Dietch**

Commissioner Olchyk introduced her brother Prof. Boris Kozolchyk of the University of Arizona. Prof. Kozolchyk thanked Commissioner Olchyk for her introduction and expressed his happiness to be in Surfside visiting his sister. Vice Mayor Graubart took a minute to thank Hector Perez for all his time and attentions to the Town Commission and staff.

**E. Agenda and Order of Business Additions, deletions and linkages**

Commissioner Karukin would like to add an item for the April 2012 Agenda regarding the Charter Review process.

Commissioner Olchyk pulled item 5, page 13 and item 23, page 18.

Town Manager, Roger M. Carlton pulled item 10, page 15 and item 33, page 21.

**F. Community Notes – Mayor Daniel Dietch**

Mayor Dietch announced the following events and activities:

Operation HOPE Clothing Drive will be accepting donations until Wednesday, March 21, 2012.

Junior Lifeguard Program Mini Session will be from March 13, 2012 to March 15, 2012 from 10:00a.m. to 1:00p.m.

The Northshore Democratic Club will meet on Thursday, March 15, 2012 from 11:00a.m. to 12:00p.m. at the Community Center.

The Surfside Municipal Election will be on Tuesday, March 20, 2012 at Town Hall.

The polls will be open from 7:00a.m. to 7:00p.m.

The Endlessly Organic produce distribution will take place on Tuesday, March 20, 2012 at the Community Center.

The Park and Recreation Department is hosting the Teen Scene on Thursday, March 22, 2012 and April 19, 2012 from 6:00p.m. to 7:00p.m. at the Community Center. Teenagers 12-15 are invited to work together to help provide safe and fun activities for teens in our community.

Adult swim lessons are offered on Wednesday starting on March 28, 2012 through May 16, 2012 from 6:15p.m. to 6:45p.m.

The Annual Egg Hunt will take place at the 96<sup>th</sup> Street Park on Saturday, March 31, 2012.

Mayor Dietch stated that if there were any residents interested in forming a group to explore a possible Surfside Dog Park to please contact Ann Findlay at [Ann.Findlay@wolterskluwer.com](mailto:Ann.Findlay@wolterskluwer.com)

**G. Presentation to Vice Mayor Joe Graubart - Mayor Daniel Dietch**

Mayor Dietch recognized Vice Mayor Graubart for his service to the Town during the last two years and presented him with a plaque.

Vice Mayor Graubart spoke about the wonderful community he lives in and has served for the past years.

**H. Presentation of Town Commission One Dollar Per Year Salary – Roger M. Carlton, Town Manager**

Town Manager, Roger M. Carlton presented the Mayor and the Town Commission with their \$1.00 per year salary for their services to the Town of Surfside.

**2. Quasi-Judicial Hearings (None)**

**3. Consent Agenda (*Set for approximately 7:30 p.m.*)**

Commissioner Karukin made a motion to approve the Consent Agenda. The motion received a second from Commissioner Olchyk and all voted in favor.

**\*A. Minutes - February 14, 2012 Regular Town Commission Meeting**  
Approved on Consent

**B. Budget to Actual Summary as of December 31, 2011 – Roger M. Carlton, Town Manager**  
Approved on Consent

**\*C. Town Manager's Report (Points of Light) – Roger M. Carlton, Town Manager**  
Item 5, page 13 – Commissioner Olchyk  
Item 10, page 15 – Town Manager, Roger M. Carlton spoke about the property and first right of refusal.  
Item 23, page 18 – Commissioner Olchyk suggested not having both sea level poles installed on the walking path to avoid clutter.  
Item 33, page 21 – Town Manager, Roger M. Carlton spoke about the bus routes and explained that Miami Dade County is willing to extend the routes into Surfside at a cost of \$26,500 per year. The Commission asked the Manager to speak to neighboring cities and see if they are interested in participating in the program.  
Vice Mayor Graubart recommended to defer the item to the month of April and give Mr. Bill Evans, Public Works Director time to develop back a plan as to how the Town can better link existing routes.



Commissioner Karukin made a motion to accept all the items discussed. The motion received a second from Commissioner Olchyk and all voted in favor.

**\*D. Town Attorney's Report** – Lynn M. Dannheisser, Town Attorney

Approved on Consent

**\*E. Projects Progress Report** – Calvin, Giordano and Associates, Inc.

Approved on Consent

#### **4. Ordinances**

*(Set for approximately N/A p.m.) (Note: Good and Welfare must begin at 8:15)*

##### **A. Second Readings (Ordinances and Public Hearing)**

*(Set for approximately 7:45 p.m.) (Note: Good and Welfare must begin at 8:15)*

##### **\*B. First Readings Ordinances**

- 1. Emergency Ordinance Calling a Special Election for Open Office on Town Commission and Other Alternatives** – Lynn M. Dannheisser, Town Attorney

**AN EMERGENCY ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, CALLING A SPECIAL ELECTION FOR ONE REMAINING OPEN OFFICE ON TOWN COMMISSION; PROVIDING FOR QUALIFYING PERIOD AND PROCEDURE; PROVIDING FOR CONTINGENCY PROVISION; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**[This emergency ordinance calls for a special election to fill the unoccupied commission seat for which no candidate filed and qualified during the prescribed qualification period. Emergency ordinances require only one reading]**

Town Clerk, Sandra Novoa read the ordinance by title.

Town Attorney, Lynn Dannheisser introduced the item and presented a power point explaining the details and a calendar with the specifics dates.

Commissioner Karukin made a motion to approve the emergency ordinance. The motion received a second from Vice Mayor Graubart. The ordinance passed 4-0.

#### **5. Resolutions and Proclamations**

*(Set for approximately 8:30 p.m.) (Note: Depends upon length of Good and Welfare)*

- \*A. Proposed amendment to red light camera program contract with the Town and American Traffic Solutions, Inc. – David Allen, Chief of Police**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING THE TOWN TO ENTER INTO AN AMENDMENT TO THE CONTRACT BETWEEN AMERICAN TRAFFIC SOLUTIONS, INC., AND THE TOWN OF SURFSIDE ATTACHED AS EXHIBIT “A” AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO DO ALL THINGS NECESSARY TO IMPLEMENT THE TERMS OF THE CONTRACT; AND PROVIDING FOR AN EFFECTIVE DATE.**

Vice Mayor Graubart made a motion to approve. The motion received a second from Commissioner Karukin and all voted in favor.

- \*B. Expenditure of State Forfeiture Funds – David Allen, Chief of Police**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, PROVIDING FOR THE FISCAL YEAR 2011/2012 POLICE CONFISCATION FUND EXPENDITURE IN THE AMOUNT OF ONE THOUSAND DOLLARS (\$1,000) TO PROMOTE AN ALCOHOL-FREE, DRUG-FREE, AND TOBACCO-FREE LIFESTYLE WITH THE AMERICAN CANCER SOCIETY ANNUAL RELAY FOR LIFE EVENT ON MAY 5 AND 6, 2012**

Commissioner Karukin made a motion to accept. The motion received a second from Commissioner Olchyk and all voted in favor.

- \*C. Automated Prisoner Processing Grant – David Allen, Chief of Police**

**RESOLUTION OF THE TOWN COMMISSION FOR THE TOWN OF SURFSIDE, FLORIDA AUTHORIZING THE TOWN MANAGER OF THE TOWN OF SURFSIDE TO APPLY FOR THE AMERICAN RECOVERY AND REINVESTMENT ACT GRANT AVAILABLE THROUGH MIAMI-DADE COUNTY TO APPLY FOR, RECEIVE, EXPEND AND AMEND BYRNE/JAG FORMULA FUNDS AND EXECUTE AGREEMENTS WITH THE PURPOSE OF DEVELOPING AND IMPLEMENTING AN INTERFACE BETWEEN THE POLICE DEPARTMENT’S**

**RECORD MANAGEMENT SYSTEM AND MIAMI-DADE COUNTY'S; AND PROVIDING FOR AN EFFECTIVE DATE.**

Vice Mayor Graubart made a motion to approve. The motion received a second from Commissioner Olchyk and all voted in favor.

- \*D. Town Hall Building Improvement – Elevator Upgrade – Bill Evans, Public Works Director**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AWARDED BID TO THYSSEN KRUPP IN AN AMOUNT NOT TO EXCEED \$50,000; RE-APPROPRIATING FUND BALANCE (RESERVES) FROM THE CAPITAL PROJECTS FUND; AMENDING THE TOWN'S BUDGET FOR FISCAL YEAR 50,000; AUTHORIZING THE TOWN MANAGER AND THE TOWN CLERK TO EXECUTE THE REQUIRED CONTRACT; AND PROVIDING FOR AN EFFECTIVE DATE.**

Vice Mayor Graubart made a motion to approve. The motion received a second from Commissioner Olchyk and all voted in favor.

- \*E. Town Hall Building Improvement – Reroofing – Bill Evans, Public Works Director**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AWARDED BID TO GULFSTREAM ROOFING IN AN AMOUNT NOT TO EXCEED \$40,000; RE-APPROPRIATING FUND BALANCE (RESERVES) FROM THE CAPITAL PROJECTS FUND; AMENDING THE TOWN'S BUDGET FOR FISCAL YEAR \$40,000; AUTHORIZING THE TOWN MANAGER AND THE TOWN CLERK TO EXECUTE THE REQUIRED CONTRACT; AND PROVIDING FOR AN EFFECTIVE DATE.**

Commissioner Karukin made a motion to approve. The motion received a second from Commissioner Olchyk and all were in favor.

- 6. Good and Welfare (Set for approximately 8:15 p.m.)**  
*Public comments for subjects or items not on the agenda. Public comment on agenda items will be allowed when agenda item is discussed by the Commission.*

Michelle Kligman announced her interest in running for the empty Commission seat on the May 1, 2012 Special Election.

Louis Cohen spoke about all the good things that Vice Mayor Graubart and Commissioner Kopelman had done for the Town.

Janet Shichman spoke about the constant running water in the Community Garden and suggested maybe a timer should be use so that people don't leave the water running.

Ann Findlay spoke about the dog park and random trash dumping in public areas.

## **7. Town Manager and Town Attorney Reports**

Town Manager and Town Attorney Reports have been moved to the Consent Agenda – Item 3.

*All items on the Consent Agenda are considered routine or status reports by the Town Commission and will be approved by one motion. Any Commission member may request, during item 1E Agenda and Order of Business, that an item be removed from the consent agenda and discussed separately.*

## **8. Unfinished Business and New Business**

## **9. Mayor, Commission and Staff Communications**

### **\*A. 2004 Building Better Communities Bond Program – Roger M. Carlton, Town Manager**

Town Manager, Roger M. Carlton spoke on the item and explained that he delivered a letter to Mayor of Miami Dade County Carlos Gimenez in hopes of a resolution.

### **\*B. Retroactive Approval of transfer of Community Center Concession Agreement to ShakaJons, Inc. – Tim Milian, Parks and Recreations Department**

Town Manager, Roger M. Carlton spoke about the transfer agreement and spoke about how well ShakaJons was working so far.

Commissioner Karukin made a motion to approve. Vice Mayor Graubart seconded the motion and all voted in favor.

### **\*C. Turtle Project - Art in Public Places: Use of a portion of the Tourist Bureau Reserve Fund as a loan for a year long promotional, destination, sculpture project – Duncan Tavares, TEDACS Director**

Duncan Tavares, TEDACS Director explained the Turtle Project.

Heather Bettner from Prince Media Development gave a presentation and provided the Commission with a timeline of the project.

The item received a motion by Vice Mayor Graubart. The motion received a second from Commissioner Karukin and all were in favor.

### **\*D. Town of Surfside Website Update – Duncan Tavares, TEDACS Director**

Duncan Tavares, TEDACS Director gave a status update on the website contract with e-City Services. Commissioner Karukin made a motion to move forward with e-City Services for a total amount of \$25,000.00. The motion received a second from Vice Mayor Graubart and all voted in favor.

**\*E. DEP Coastal Partnership Initiative Grant Application: Retroactive Approval –**

Roger M. Carlton, Town Manager

Town Manager Roger M. Carlton spoke about the grant and stated that it is a great opportunity to increase handicap access to the beach. The Town submitted the application due to deadlines imposed by the grant process and he is seeking approval from the Town Commission retroactively. The grant is a matching grant of \$30,000.00.

Commissioner Olchyk made a motion to approve. The motion received a second from Commissioner Karukin and all voted in favor.

**\*F. Waiver of right of first refusal for 9501 (Verbal) – Roger M. Carlton, Town Manager (Linked to POL # 10)**

**10. Adjournment**

There being no further business to come before the Commission, the meeting adjourned at 9:35p.m.

Accepted this \_\_\_\_ day of \_\_\_\_\_, 2012

\_\_\_\_\_  
Daniel Dietch, Mayor

Attest:

\_\_\_\_\_  
Sandra Novoa, CMC  
Town Clerk

**TOWN OF SURFSIDE, FLORIDA**  
**MONTHLY BUDGET TO ACTUAL SUMMARY**  
**FISCAL YEAR 2011/2012**  
**As of JANUARY 31, 2012**

**33% OF YEAR EXPIRED (BENCHMARK)**

Agenda Item #

Page

1 of 2

Agenda Date: APRIL 10, 2012

GOVERNMENTAL FUNDS	ACTUAL	ANNUAL BUDGETED	% BUDGET	
<b>GENERAL FUND</b>				
REVENUE	\$6,003,644	\$9,325,305	64%	A
USE OF ASSIGNED FUND BALANCE		\$188,000	25%	
EXPENDITURES	\$3,109,025	\$9,513,305	33%	
Net Change in Fund Balance	\$2,894,617			
Fund Bal.-Beg. of FY(audited assigned+unassigned)	\$4,146,783			A-1
Fund Balance-January 31, 2012	<u>\$7,041,400</u>			
<b>RESORT TAX</b>				
REVENUE	\$40,427	\$134,988	30%	B
EXPENDITURES	\$48,568	\$134,988	36%	
Net Change in Fund Balance	(\$8,142)			
Fund Balance-Beg. of Fiscal Year (audited)	\$184,867			
Fund Balance-January 31, 2012	<u>\$176,725</u>			
<b>POLICE FORFEITURE/CONFISCATION</b>				
REVENUE	\$10,837	\$34,166	32%	C
USE OF RESTRICTED FUND BALANCE		\$45,044	25%	
EXPENDITURES	\$7,788	\$79,210	10%	
Net Change in Fund Balance	3,049			
Fund Balance-Beg. of Fiscal Year (audited)	\$117,889			
Fund Balance-January 31, 2012	<u>\$120,938</u>			
<b>TRANSPORTATION SURTAX</b>				
REVENUE	\$50,349	\$170,535	30%	D
USE OF RESTRICTED FUND BALANCE		\$128,579	25%	
EXPENDITURES	\$83,992	\$299,114	28%	
Net Change in Fund Balance	(33,644)			
Fund Balance-Beg. of Fiscal Year (audited)	\$239,760			
Fund Balance-January 31, 2012	<u>\$206,116</u>			
<b>CAPITAL PROJECTS</b>				
REVENUE	\$186	\$400	47%	E
USE OF ASSIGNED FUND BALANCE		\$274,600	25%	
EXPENDITURES	\$43,509	\$275,000	16%	
Net Change in Fund Balance	(43,322)			
Fund Balance-Beg. of Fiscal Year (audited assigned)	\$399,754			
Fund Balance-January 31, 2012	<u>\$356,432</u>			

**NOTES:**

A. Timing Difference - FY 2012 ad valorem property tax revenues are remitted to the Town primarily from mid-November to March.

A-1. Includes \$2,000,000 available for hurricane/emergencies and \$188,000 utilization of Maranon property sales proceeds. The balance of \$1,958,783 is unassigned fund balance.

B. Timing Difference - Includes only the Oct, Nov & Dec. The January resort taxes are collected starting in February.

C. Timing Difference - Forfeiture revenue fluctuates widely.

D. Timing Difference - Includes only the Oct, Nov & Dec CITT revenue. The January CITT revenue is not received until late April 2012.

E. The Townwide Software Replacement project in the amount of \$100,000 has been deferred.

ENTERPRISE FUNDS	ACTUAL	ANNUAL BUDGETED	% BUDGET	
<b>WATER &amp; SEWER</b>				
REVENUE	\$1,010,087	\$3,045,252	33%	
USE OF NET ASSETS/LOAN PROCEEDS		\$10,342,572	25%	
EXPENDITURES	\$3,479,753	\$13,387,824	26%	F
Change in Net Assets*	(\$2,469,666)			
Unrestricted Net Assets-Oct 1 (audited)	\$1,674,603			
Restricted Net Assets-Renewal & Replacement	\$1,017,776			F-1
Unrestricted Net Assets-January 31,2012	\$222,713			F-1
<b>MUNICIPAL PARKING</b>				
REVENUE	\$281,835	\$693,944	41%	
USE OF NET ASSETS		\$1,500,000	25%	
EXPENDITURES	\$252,001	\$2,193,944	11%	F
Change in Net Assets*	\$29,835			
Unrestricted Net Assets-Oct 1 (audited)	\$1,385,581			
Unrestricted Net Assets-January 31,2012	\$1,415,416			
<b>SOLID WASTE</b>				
REVENUE	\$774,653	\$1,277,684	61%	G
EXPENDITURES	\$397,556	\$1,277,684	31%	
Change in Net Assets*	\$377,097			
Unrestricted Net Assets-Oct 1 (audited)	\$207,462			
Unrestricted Net Assets-January 31,2012	\$584,559			
<b>STORMWATER</b>				
REVENUE	\$197,329	\$1,073,452	18%	H
USE OF NET ASSETS/LOAN PROCEEDS		\$1,712,289	25%	
EXPENDITURES	\$325,575	\$2,785,741	12%	F
Change in Net Assets*	(\$128,246)			
Unrestricted Net Assets-Oct 1 (audited)	\$188,302			
Unrestricted Net Assets-January 31,2012	\$60,056			

**NOTES:(con't)**

\* the change in net assets excludes financial impact from Capital Assets

F. Underage due to Infrastructure/Capital Outlay projects (\$10.4 million for water/sewer, \$2.2 million for stormwater, \$1.6 million for parking)

F-1. Includes rate stabilization of \$651,144, and \$1,017,776 available in renewal and replacement.

G. Timing difference: Billing (and the resulting revenue) for the entire fiscal year pertaining to Residential (non-condominium) customers are recorded in October

H. Timing Difference - Underage primarily due to a budgeted and committed State Grant (FDEP #SO374) in the amount of \$474,000 that will not be received until mid FY 11/12

  
Interim Finance Support Svcs Dept Head

  
Town Manager



**Town of Surfside  
Town Commission Meeting  
April 10, 2012**

Town Hall Commission Chambers - 9293 Harding Ave, 2<sup>nd</sup> Fl  
Surfside, FL 33154

**POINTS OF LIGHT  
After Action Items**

**1. Downtown Vision Project**

**Current Status:** The Sidewalk Café Ordinance is on the Town Commission April 10, 2012 agenda for second reading. The ordinance and an informational cover letter was hand delivered to all of the Harding Avenue affected businesses twice and was mailed once. The ordinance was also discussed at the Downtown Dialogue meeting on March 8, 2012. Outreach conducted to ensure attendance at this meeting also stressed that this ordinance would be on the next Town Commission agenda for second reading. The March 26, 2012 Downtown Vision Advisory Committee meeting focused on updates regarding the Parking Garage Feasibility Study RFP, Wayfarer Sign bid process and the new Turtle Sculpture project. The latter was met with resounding support from the Committee. The Miami-Dade Mom and Pop Grants, with awards up to \$5000, will be decided by May 2012 with the applicants being notified soon thereafter. Twelve (12) Surfside businesses applied this year due to extensive outreach and education by Town Staff on these non-contributory awards.

**2. Water, Sewer and Storm Drainage and Collins Avenue Force Main Projects**

**Current Status:** The project began on August 15, 2011 and is progressing on schedule. Nearly 95 percent of the permission slips to install the water tie-ins have been received, 451 water services have been replaced, 12,300 linear feet of water pipes have been installed, 9000 feet of sewer laterals have been repaired or lined, 610 sewer connections have been replaced or repaired, 13,216 linear feet of water main has been installed, 13,485 linear feet of sewer main has been lined and 1350 linear feet of sewer main point repairs have been completed. 61,250 square yards of asphalt has been placed (first lift) on the various roads throughout Phase 1. We have also had to repair nearly 52 small and 10 major pipe breaks since the project started to keep the old system operational. The Collins Avenue sewer force main project is complete and we expect to begin operating by mid April 2012 subject to regulatory agency approvals. This will allow the Town and Bal Harbour to clean and video the 60 plus year old force main on Byron and decide the best strategy.

A very interesting opportunity has presented itself in that the State of Florida and Bal Harbour have both offered financing at rates of 2.5 to 2.6 percent respectively to partially replace and enhance our current project financing which carries a 4.72 percent rate. The Administration is working with our bond counsel and financial advisor and is in the process of updating the



TischlerBise (now Black & Veatch) rate study to determine the best course of action. We have also met with Regions Bank to determine if their interest rate could be lowered. The water/sewer/storm drainage citizen committee will be reconvened with a report to be made to the Town Commission regarding the best recommended strategy. The bottom line is that we may be able to hold our current rates in place if the interest rate is lowered and any prepayment penalty is absorbed while providing resources necessary to complete the project as originally envisioned. The source of funds to achieve this would be interest rate savings, the project contingency account and reserves. All of this will be included in a major report to be presented during the May 8, 2012 Town Commission meeting when the full new Town Commission is seated.

### **3. Feral Cat and Dog Feces Concerns: Mayor Daniel Dietch**

**Current Status:** The Town hosted its second Meow Mobile visit on April 7, 2012, at the Town Hall parking lot. The expectation is that up to forty feral cats will be neutered. Residents may also bring their cats at a reduced cost. Surfside resident, Adam Markow has submitted a grant application with Pet Smart to fund an \$18,750 program neutering 250 feral cats.

### **4. Tourist/Resort Tax Auditor/Certificate of Use/Local Business Tax Receipt/Short Term Rentals Programs**

#### **Current Status:**

Resort Tax Audit: Of the twelve businesses audited, three were found to be in compliance and one is owed a refund due to their oversight. Six businesses are disputing the findings and have requested meetings with the Town Manager to review their positions as is their due per the Resort Tax Ordinance. Two of the meetings have been held and a settlement reached. The remaining meetings are being scheduled through April. The final cost of this series of audits was \$21,646.75 which is higher than expected due to the extra work of analyzing very poor records up to three years old. The Tourist Bureau receives and pays for 34% of the revenue and expense while the General Fund receives and pays for 66%. Clearly, from the early close out process alone, the program has returned more than the amount invested and will create a higher level of compliance in the future.

Certificate of Use (CU) /Local Business Tax Receipt (LBTR): Only nine Certificates of Use are pending approval with 149 issued. 75 LBTR's (approximately 30%) are pending. Front Office staff and Code Compliance continue to strive for 100% voluntary compliance. However, certain businesses have failed to respond to repeated efforts by Staff to communicate with them and Civil Citations have been issued to 28 business entities and nine more Citations will be issued shortly. Of the original 28 cases, six are being prepared to go before a Special Master for non-compliance.

Short Term Rentals: Code Compliance is conducting on-going efforts to investigate web based advertising and gathering additional information from other departments to facilitate verification and support the development of prosecutable cases. To date three condominium associations have been notified that there is evidence of short term rentals occurring in their buildings and the fact that these rentals are violating the Town's Short Term Rental Ordinance. These notifications also include a

payment request for applicable outstanding Resort Tax fees. Code Compliance will continue with enforcement and collection proceedings on these and other individual examples presently being investigated. All three condominium associations have received and acknowledged the letter. Additionally, several individual condominium units have been identified via web-based advertising and other sources and pending confirmation of ownership will be cited.

## **5. Bus Shelters: Commissioner Marta Olchyk**

**Current Status:** Due to recent Federal Transportation Administration (FTA) audits, the Metro Dade Transit Agency (MDTA) has implemented additional controls and procedures in order to satisfy FTA concerns. As a result, several payments to the design consultant were delayed and the consultant stopped work on the project due to non-payment. This impacted the consultant's deliverables to MDTA as originally scheduled.

Staff has worked diligently to resolve these issues in order to move the project forward. As of January 19, 2012, MDTA met the necessary financial requirements to process pending payments to the consultant.

During the March 13, 2012 Town Commission meeting, Staff was asked to attempt again to have Miami Dade County accelerate the process. That effort is underway. MDTA does not expect to complete the project prior to December 2012.

## **6. Clean Up/Update/Enhance Town Website Content: Commissioner Michael Karukin**

**Current Status:** An agreement was signed with e-City Services as authorized by Town Commission. Staff is currently working with e-City services to have the new website operational as soon as possible. Updates to the Town Commission will be provided monthly through the Points of Light.

## **7. Bike Rental Station**

**Current Status:** Due to several production setbacks with regard to the special "Surfside Blue" bike rental stations, the deadline for installation is now the end of April 2012. A \$2000 surety check from Deco Bike has been remitted to the Town in exchange for temporarily installing the regular green stations to ensure that the correct color will be installed. Every day past the April deadline for the special blue stations will see a \$100 per day fine to be applied against the surety.

## **8. New Crime Prevention Initiatives: Mayor Daniel Dietch**

**Current Status:** Six crime prevention initiatives were reviewed by the Town Commission at the May and June 2011 Commission meetings. Four initiatives were completed and one was eliminated. The following initiative will be implemented as time and funding is available.

- Crime prevention through environmental design – landscaping, lighting, and physical barriers at the entrances to residential areas enhances safety and deters criminal activity. Several options for entrance features to major streets have been designed by the same firm that has designed the “Wayfarer” signs and the alleys east and west of Harding Avenue. Now that the signage design has been approved, Staff will seek funding sources for the entrance features and will bring a more complete single family entrance feature program to the Town Commission in the near future.

Item completed until such time as funds become available for implementation.

## 9. Beach Concessions

**Current Status:** As the only service and maintenance provider for the beach in Miami Dade County, the Miami Dade County Parks and Recreation Department has determined that a lease from the State of Florida for the beach in Surfside and Bal Harbour similar to their agreement in Sunny Isles Beach is necessary. The lease will include a management plan. The management plan will identify the services the County will provide for the beach, the manner and frequency the area will be maintained and rules or standards for upland properties regarding the storage and deployment of chairs, umbrellas, and cabanas on the beach. Mayor Dietch has requested that a situation wherein condominium associations place chairs on the beach in an area marked “private” be clarified and that concern will be incorporated in the negotiations. John Ripple, Beach Operations and Maintenance Supervisor for the Miami Dade County Parks and Recreation Department has requested that the Town support the effort that the County is leading to create the lease with the State of Florida. We have provided a support letter subject to working out the management agreement with Miami Dade County. There will be a discussion of this entire effort before the County Recreation and Cultural Affairs Committee in May 2012 which, if forwarded, will go to the Board of County Commission in their June 2012 meeting. Once the proposed lease is prepared by the State of Florida, the County will offer the Town of Surfside the proposed management agreement for the Town’s review and changes or recommendations. The package will be presented to the Town Commission as soon as the documents are available.

## 10. 9501 Collins Avenue Townhome Development

**Current Status:** The Town Commission declined the first right of refusal for acquisition of the site during the August 9, 2011 meeting. Subsequently Greystone Residential LLC closed on the property and will develop the seven permitted townhomes. While there was not a legal requirement for the developer to make any capital contributions to the Town, as a matter of goodwill, the developer has offered a \$100,000 contribution to the 95<sup>th</sup> Street upgrade project which will renovate 95<sup>th</sup> Street from the hard pack to Collins Avenue with the potential for extension to Abbott Avenue in the future. In a recent meeting, the developer agreed to an additional \$50,000 based on release of a security deposit which has been held by the Town since 2005. With the \$200,000 committed by the Grand Beach Surfside Hotel plus funds available in the Parking Enterprise Fund it is now possible to build the first block of the project. The Town Commission viewed preliminary renderings of the project during the October 11, 2011 Town

Commission meeting and passed a resolution accepting the funds from Greystone. During the January 17, 2012 Town Commission meeting, Staff was authorized to make contact with the architecture/engineering departments of FIU and UM to determine their interest in a design competition with cash prizes for the top three submissions. This process is underway.

In a recent development, Greystone Residential LLC has been offered \$12.7 million by a single purchaser for the entire completed project. This again triggers the first right of refusal clause. During the April 13, 2012 Town Commission meeting, the determination was reached to forego the first right of refusal for a second time. A final recommendation regarding design of the block between the hard pack and Collins Avenue of the project will be presented during the May 8, 2012 Town Commission meeting.

#### **11. Property Assessed Clean Energy (PACE): Program to retrofit existing residential and commercial buildings for energy efficiency: Mayor Daniel Dietch**

**Current Status:** Staff has just begun to investigate this program which allows existing buildings to be retrofitted for energy efficiency with the cost funded from a loan pool authorized by the State of Florida and funded by Barclay's Capital. The low interest loans are repaid from a long term assessment on the property. There are no guarantees provided by the Town of Surfside. When Staff has completed research on the program, a report will be brought to the Town Commission.

#### **12. FPL/AT&T/Cable Undergrounding Project**

**Current Status:** The Town Commission allocated funds in the Water/Sewer/Storm Drainage project to provide mid-block crossover conduit so that a future undergrounding project would not have to break the pavement. Staff is working with FPL and other utilities to complete their study of the cost of undergrounding Town wide. We will keep the Town Commission aware of progress in the FPL study and bring forth methods for funding the project when the study is complete.

#### **13. FEMA Flood Insurance Status**

**Current Status:** The FEMA Community Assistance Visit, which is the necessary step to lower rates, was held on March 21 and 22, 2012. During an exit interview with Prasad Immula of FEMA's Atlanta office, it was learned that information provided by Paul Gioia to the State office was not timely sent to Atlanta. That information has subsequently been sent by Paul Gioia directly to FEMA in Atlanta. We should have a letter from FEMA regarding our status for the discount in four to six weeks. Depending on that outcome, FEMA will make a determination in October, 2012. It is the Administration's intent to go to Atlanta after the FEMA letter is received to ensure that this process comes to a correct conclusion. The matter is a very high priority.

#### **14. Bus Stop Pull-in at East Bound 96<sup>th</sup> Street, West of Abbott Avenue**

**Current Status:** Due to the heavy traffic on 96<sup>th</sup> Street, busses do not use the pull-in because it is difficult to return to the line of vehicles. Miami Dade Transit has approved the removal of the bus pull-in and the cost to close the pull-in and add landscaping has become a condition of the proposed Development Agreement with Young Israel.

#### **15. American Cancer Society - Relay for Life Event**

**Current Status:** Staff has attended several meetings with representatives from Bal Harbour, Bay Harbor, the American Cancer Society and event Chair Orly Alexander. A successful fundraising kickoff event was held March 22, 2012 at One Bal Harbour that included a silent auction. The Relay for Life event is scheduled for Saturday May 5, 2012 on the hard pack at 96<sup>th</sup> Street. Committee members have been recruiting teams to sign up for the relay and raise money. Yami Slate-McCloud is the Town's team coordinator. All employees and their families are encouraged to join the team and help raise money for this worthwhile cause. Thanks to monetary commitments from residents, merchants, volunteers and the Surfside and Bal Harbour Police Departments the Relay for Life event is well underway in reaching its fundraising goal.

#### **16. FPL and AT&T Leaning Poles: Commissioner Marta Olchyk**

**Current Status:** FPL has replaced their poles. We have a commitment from AT&T to replace their poles by the end of April 2012.

#### **17. Grease Trap Ordinance**

**Current Status:** The Town's Building Official has determined that the existing Miami Dade County enforcement program has not been sufficient to protect our new sewer system investment. This problem has been growing with more and more clogs coming from restaurants that do not maintain, or do not have adequate grease traps. Miami Dade County had balked at allowing the Town to enforce applicable codes saying that this was their responsibility. After further discussion, the PERA (formerly DERM) has acknowledged that Town has the authority to enforce the Florida Building Code's grease trap provisions and may act as first responders in enforcing the Code. The Building Department and Code Enforcement will be issuing letters to all restaurant establishments informing them of their responsibilities to clean and maintain their grease traps and following up with inspections as necessary. There will be a fee associated with these inspections as there was when the PERA did the work. Item completed.

**18. Welcome to Town of Surfside Packet for New Residents: Former Vice Mayor Joe Graubart**

**Current Status:** This item will be addressed during the Fiscal Year 12/13 Budget process. Item completed.

**19. Restore Birdhouses at Beach-side Street Ends: Mayor Daniel Dietch**

**Current Status:** Frank McBride III, a young Town resident, built the birdhouses in 2001 as an Eagle Scout project. Two birdhouses, in rather code enforceable condition, remain at the beach street ends on 88th and 90th Streets. The Town will acquire new birdhouses already made and with the assistance of the Eagle Scout Troop, will install the birdhouses. The project will be the focus of the Town's observance of Earth Day April 22, 2012.

**20. Options to Mitigate Inadequate Number of Parking Spaces at many of the Multi-family Establishments along the Collins Avenue Corridor: Mayor Daniel Dietch**

**Current Status:** Staff has begun an investigation of this Point of Light to determine if all the buildings on the east side of Collins actually built the number of spaces required in their development approval. This will be called the "first level shortfall". The "second level shortfall" will be a number developed with the condominium managers regarding peak time of day and seasonal shortages. We will then develop strategies that require little or no capital cost such as potentially issuing monthly after hours parking permits in the street ends. As can be seen from this Point of Light update, the solution to the parking issue along Collins Avenue is not a short term project. Staff will continue to report as progress is made on this Point of Light.

**21. Job Classification Study**

**Current Status:** The Cody and Associates Job Classification Study appears on the April 10, 2012 Town Commission agenda.

**22. Community Center Concession Operation Concerns**

**Current Status:** The new vendor Shaka Jons started operations at the Community Center Concession on March 8, 2012. The transition has been very successful and the response from the public has been very positive. The start date for the new vendor was only two days before the beginning of spring break in Miami Dade County. The Community Center had well over 1,000 patrons during spring break and the concession operations were smooth and efficient. The Town employee lunch daily specials have been well received and we look forward to the start-up of a weekend brunch program. Item completed.

### **23. Sea Level Awareness Project (SLAP): Mayor Daniel Dietch**

**Current Status:** The Town Commission reaffirmed its decision to install two poles during the March 13, 2012 meeting. These poles will be installed soon. Item completed.

### **24. Red Light Camera Safety Program Report**

**Current Status:** This program has been successful from both a safety and financial standpoint. The vendor has reduced the monthly cost as previously reported. This item will no longer be a Point of Light unless circumstances merit. Item completed.

### **25. Dog Park: Mayor Daniel Dietch**

**Current Status:** Ms. Ann Findlay, Surfside resident, is presently conducting outreach to residents interested in a possible dog park. This group of residents has been charged with forming an association, similar to that of the Surfside Urban Gardeners, which would assume stewardship of a park with a possible location at 93<sup>rd</sup> Street and Byron Avenue near the lift station. This item will be addressed during the Fiscal Year 12/13 Budget process. A requirement will be support from the residents nearby any proposed location.

### **26. Upgrade to Town Hall Elevator**

**Current Status:** The Town Commission approved the upgrade to the Town Hall elevator at the March 13, 2012 Commission meeting. This was one of the projects included in the Town Commission “shovel ready” discussion. The contractor ThyssenKrupp was selected by the Town Commission during the March 13, 2012 meeting. The elevator project will begin after the June 12, 2012 Town Commission meeting and be completed before the July 17, 2012 meeting assuming parts are available.

### **27. Replacement of Town Hall Roof**

**Current Status:** The Town Commission approved the sealing of the Town Hall roof at the March 13, 2012 meeting. This was one of the projects included in the Town Commission “shovel ready” discussion. Gulfstream Roofing was chosen as the contractor and the project is underway.

### **28. Turtle Sculptures - Art in Public Places**

**Current Status:** This Tourist Board project, approved by the Town Commission at the March 13, 2012 meeting, was presented to the Downtown Vision Advisory Committee on March 26, 2012. Staff is addressing the agreement terms with Prince Media Development. A strategic plan

projected timeline and location of the turtle sculptures will be presented as a Point of Light at the Town Commission May 8, 2012 meeting. There is also a resolution on the April 10, 2012 Town Commission agenda to approve the transfer of funds from TEDAC reserves to serve as the guarantee for the project.

## **29. Coastal Partnership Initiative Grant**

**Current Status:** A grant application in the amount of \$30,000 has been submitted to the Florida Department of Environmental Protection for providing improved handicap parking and beach access at the 90th Street beach access point. Future Points of Light will keep the Town Commission up to date as this process evolves.

## **30. FDOT Surfside Repaving**

**Current Status:** There are three repaving projects that will be accomplished by FDOT over the next 18 months. These include (1) Kane Concourse from the Surfside Town limits to Collins Avenue; (2) Collins Avenue from 75th Street in Miami Beach to 96<sup>th</sup> Street and Harding Avenue from 96<sup>th</sup> Street to 94<sup>th</sup> Street and (3) Collins Avenue in Bal Harbour from 96<sup>th</sup> Street to the Haulover bridge. All of these projects will have major traffic impacts and Staff is working with FDOT on the Maintenance of Traffic (MOT) and public information elements of the plans.

## **31. Bus Route Linkage: Former Vice Mayor Joe Graubart**

**Current Status:** Former Vice Mayor Graubart requested during the February 14, 2012 Town Commission meeting that Staff meet with the Miami Dade Transit Agency (MDTA) regarding extending the County bus route that passes the North Beach Publix to Surfside's downtown area. MDTA staff has informed us that they could do this with the northbound bus on Collins Avenue making a U-turn at 97th Street and heading south on Harding Avenue with a stop in front of Publix at 94th Street. Miami Dade County Transit Agency has further informed us that their new bus "line-up" will be delayed until July 2012. Based on the somewhat unenthusiastic reaction of the Town Commission during the March 13, 2012 meeting to Miami Dade County's request for 50 percent of the estimated \$50,000 cost of the route extension, Staff informed County officials that this contribution would not happen. We are awaiting the County's reaction and will inform the Town Commission when information becomes available.

## **32. Jewish Community Services - Memorandum of Understanding (MOU): Mayor Daniel Dietch**

**Current Status:** At the request of Mayor Dietch, Staff met with representatives of Jewish Community Services (JCS) on February 29, 2012 to discuss entering into a Surf Bal Bay Memorandum of Understanding wherein JCS would provide services to our residents in need of support. As the Town Commission is aware, there are a number of elderly residents of all walks



of life who need assistance to go to doctor appointments, shop and other life needs and who do not have a support system. JCS provides this for \$40-\$50 per month depending on the level of service. The MOU would outline how the Town would support this effort from a linkage standpoint without any financial commitment. We believe this effort will provide a vital service to less fortunate members of the community regardless of their faith and will bring the MOU to the Town Commission in May, 2012.

### **33. Parking Structure Feasibility Study**

**Current Status:** Five firms submitted proposals which were opened on March 16, 2012. A selection committee comprised of Staff members and residents/merchants will review the proposals and determine a rank order. The Committee members include Sergio Casteneda, Marty Oppenheimer, Jessie Flax, John Di Censo, Bill Evans and Duncan Tavares. Tony Blate declined to participate and we have requested Galen Baken to fill the final vacancy. Once a rank order is established, the Town Commission will decide on awarding the contract. Proposers will make verbal presentations on April 17, 2012 in the Commission Chambers. The meeting will be open to the public and televised.

### **34. Identity and Wayfinding Signage**

**Current Status:** The Town's design consultant has completed specification documents for the identity and wayfinding signs. Included in the documents are gateway signs, parking lot identifiers and locators, beach regulatory signs and a sign identifying the Tourism office. An invitation to bid for fabrication and installation of the signs was posted on March 22, 2012 and advertised in the Daily Business Review. Closing date for response to the bid package is May 7, 2012.

### **35. Bal Harbour Shops Expansion Status Report**

**Current Status:** It appears from the attached South Florida Business Journal article (Attachment 1) that Bal Harbour Shops is nearing the conclusion of negotiations with the Church by the Sea. Staff will watch this process closely and keep the Town Commission up to date on developments as this project will have very significant impacts on Surfside.

### **36. Bay Harbor Islands Agreement with the Miami Dade County Public Library System**

**Current Status:** Staff was requested to investigate a relationship recently established wherein the Miami Dade Public Library System billed the Town of Bay Harbor Islands for resident use of the libraries rather than the residents paying the library directly and being reimbursed by the Town as is the process in Surfside. The Bay Harbor Islands agreement is attached (Attachment 2) and if this Point of Light is accepted by the Town Commission, Staff will move forward in the same manner.

### **37. North Force Main/Building Better Communities Bond Program**

**Current Status:** The Town Commission reviewed a letter jointly signed by the managers of Surfside, Bal Harbour and Bay Harbor Islands during the March 13, 2012 meeting. Staff was given direction to move forward to obtain the \$8.5 million included in the Building Better Communities bond issue for Bal Harbour and Surfside to build this critical project. A meeting with Deputy County Mayor Jack Osterholt has been set for April 13, 2012.

### **38. Best Western Property Sale**

**Current Status:** The Best Western property sale was closed on March 27, 2012 in the amount of \$50 million. We have been contacted by the developer for an initial meeting. The Town Commission will be kept aware as this project develops.

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*These items have been completed and deleted from the March 2012 Points of Light report*

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### **26. Isaac Bashevis Singer Movie: Mayor Daniel Dietch**

**Current Status:** The Mayor, Town Manager and TEDACS Director recently met with Mr. Daniel Strehlau of The Windows Film Studio regarding his documentary feature on the life of Isaac Bashevis Singer. Mr. Strehlau plans on filming some of this feature in Surfside. The TEDACS Director is in contact with him to ensure that he understands Surfside's film ordinance requirements and has also provided a number of contacts within the County and State's Film Offices as well as introductions to various Surfside residents who may be of assistance. The Tourist Board, at their February 6, 2012 meeting, discussed the possibility of underwriting a scene in the feature where Surfside's shoreline and downtown will be prominently featured in exchange for film credits and did not allocate any funds. Staff is awaiting updates from Mr. Strehlau regarding his fund raising efforts and his proposed time frame for potential Surfside filming. If there is no forward movement prior to the April, 2012 Points of Light. This will be kept dormant in the "completed" records. Item completed.

### **27. H.O.P.E: Mayor Daniel Dietch**

**Current Status:** The H.O.P.E Miami Beach Foundation ([www.hopemiamibeach.org](http://www.hopemiamibeach.org)), in conjunction with the Miami Beach Community Church, collects used or new clothing, backpacks, luggage, prescription eyeglasses, blankets and haircutting/trimming items (etc.) for the homeless. Dana Kulvin, Surfside resident, has spearheaded the collection drive.

A collection bin, placed on February 15, 2012, is located in the lobby of Town Hall and will remain until March 21, 2012. To date two car loads of clothes have been delivered. The donated items will be distributed to homeless clients through the Church located on Lincoln Road in Miami Beach at one of their next distribution events on April 21, 2012. Item completed.



# Bal Harbour Shops hopes to begin expansion in 2013

BY SUSAN R. MILLER

After having plans in the works for several decades, it appears an act of God – or something close to it – is about to help expand the Bal Harbour Shops.

The congregation of the nearby Church by the Sea would have to approve Bal Harbour Shops' acquisition of its land to make the deal happen. The church occupies land the luxury shopping destination must have in order to move forward with plans to add 200,000 square feet to its 400,000 square feet of retail space.

In May, members of the church are expected to vote "once and for all" on whether to accept a deal from the owners of Bal Harbour Shops to relocate, says Matthew Whitman Lazenby, operating partner of Bal Harbour Shops and the grandson of Stanley Whitman, who created the center in 1965.

And, if all goes according to the current plan, Bal Harbour expects to break ground on its expansion in 2013.

"It's not an exaggeration to say that, for nearly 50 years, various members of my family have been in conversations with many different members of the church," Lazenby said. "This time it's different because we have been able to find a solution that was in everyone's best interest."

That solution is to buy the land at 501 96th St., where the church stands, and build a new church at the intersection of Bal Bay Drive and Park Drive.

The Whitman family has also been in similar talks with the village of Bal Harbour to purchase the land next door, where its Village Hall is located, and build a new one near the Indian Creek Waterway.

Village Manager Alex Treppeda said the Village Council does not plan to consider any deals until it gets "concrete proof of the fact that there is a deal with the church. That's when the village will look at what they want us to do."

Repeated attempts to reach representatives of the church were unsuccessful.

## STORES WANT BIGGER FOOTPRINT

Although expansion plans have been on the drawing board for years, demand by luxury retailers to go big or go elsewhere has heated up in the last year or so, making the need more urgent. Several, including Hermès, Louis Vuitton and Dior, have left Bal Harbour Shops for nearby Aventura Mall and Miami's flourishing Design District. Those that left have cited the need for a bigger footprint.

"Those we couldn't accommodate quickly enough have been the ones who have ventured out to this other, unproven area," Lazenby said, referring to the Design District.

Bal Harbour Shops has been a victim of its



SUSAN R. MILLER

Matthew Whitman Lazenby, operating partner of Bal Harbour Shops, uses a model to explain how the luxury shopping center plans to expand by 200,000 square feet.

own success. There are about 100 stores between anchors Saks Fifth Avenue and Neiman Marcus, as well as a waiting pool of others "that we have sought out or who have come to us and said 'we want to be here,'" Lazenby said.

Average sales are \$2,419 a square foot, the best in Bal Harbour's history. Sales per square foot have increased every year since 1965, except for 2001, following the Sept. 11 attacks, and during the economic downturn in 2009. The national average for shopping centers nationwide is \$390 a square foot, according to the International Council of Shopping Centers.

For the 200,000-square-foot addition to work, Bal Harbour Shops is going to need another large department store as anchor – one that is synergistic with Neiman Marcus and Saks.

There have been conversations with Neiman Marcus to bring its subsidiary Bergdorf Goodman to Bal Harbour, Lazenby noted. With its international reputation, the name would resonate with South Florida's international visitors, who play a significant role in the center's success.

While snowbirds continue to be a strong presence, "the international market has exploded in a huge way," he said.

Lazenby said that, from all initial accounts, he expects the church vote to go their way. He hopes all approvals will be finalized by the end of the year.

"We presume that, by the end of this year, the vote will take place," he said. "We will have all of our working drawings prepared so we can break ground in 2013."

THIS AGREEMENT is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2011 by and between MIAMI-DADE COUNTY, A POLITICAL SUBDIVISION OF THE State of Florida, hereinafter the "COUNTY" and the TOWN OF BAY HARBOR ISLANDS, a municipal corporation, hereinafter called the "TOWN."

**WITNESSETH:**

**WHEREAS**, the TOWN is not part of the Miami-Dade Library Taxing District; and

**WHEREAS**, THE COUNTY offers an out of district library card ("ODL Cards") to residents that live outside of the Library Taxing District for an annual cost of one hundred dollars (\$100); and

**WHEREAS**, THE TOWN currently reimburses its residents who purchase an ODL Card; and

**WHEREAS**, THE TOWN and THE COUNTY would like to facilitate the reimbursement process by allowing the TOWN's residents to receive ODL Cards without payment pre-payment by the TOWN's residents, with the TOWN to directly reimburse the Miami-Dade Public Library System for the ODL Cards issued to the TOWN's residents'

**NOW, THEREFORE**, in consideration of the mutual promises and covenants contained herein, and other good and valuable considerations, it is expressly understood and agreed:

**ARTICLE I**

**CONSTRUCTION OF INTERLOCAL AGREEMENT**

The word "shall" as used in this Agreement shall in all cases be construed to be mandatory and to require the action so modified by the word "shall" to be taken without regard to the exercise of discretion.

## **ARTICLE II**

### **SCOPE AND PURPOSE OF AGREEMENT**

This Agreement is entered into to allow the TOWN to reimburse the COUNTY for ODL Cards issued to residents of the Town by the County subsequent to the Effective Date of this Agreement.

## **ARTICLE III**

### **RESPONSIBILITY OF THE PARTIES**

- A) Upon the presentation of identification and verification of TOWN residency, the COUNTY will allow residents of the TOWN to apply for, and, if the application is acceptable to the County, the COUNTY will issue ODL Cards to the applicant without pre-payment by the applicant.
- B) The COUNTY will invoice the TOWN on a monthly basis \$100 fee for each ODL Card issued to residents of the TOWN issued ODL Cards pursuant to this Agreement.
- C) Upon the presentation of identification and verification of TOWN residency, the COUNTY will provide an ODL Card to all members of a household.
- D) The TOWN will submit payment to the COUNTY within thirty (30) days of the invoice date.

## **ARTICLE IV**

### **LIBRARY CARD APPLICATION**

TOWN residents will only be able to apply for an out of district Library card at one of the following locations:

- 1) **Sunny Isles Branch Library**  
18070 Collins Avenue  
Sunny Isles Beach, FL 33160  
305-682-0726



2) **Miami-Beach Regional Branch Library**

227 – 22nd Street  
Miami Beach, FL 33139  
305-535-4219

3) **North Shore Branch Library**

7501 Collins Avenue  
Miami Beach, FL 33141  
305-864-5392

TOWN residents will need to provide photo identification and proof of TOWN residency, in addition to meeting other criteria applicable to residents of the Library Taxing District for the issuance of a library card from the COUNTY, to receive an ODL Card.

## **ARTICLE V**

### **TERM OF THE AGREEMENT**

The term of this Agreement shall be effective upon both (1) approval of the TOWN's Council and execution by the TOWN's Manager, and (2) approval by the COUNTY's Board of County Commissioners and execution by the COUNTY MAYOR, and shall the Agreement shall continue with automatic annual renewal until terminated as provided herein.

Either party may cancel this Agreement by written notice delivered to the other, but such notice must be delivered at least ninety (90) days prior to the effective date of such termination. Notwithstanding the foregoing, any and all payment obligations owed on the effective date of the termination by the TOWN to the COUNTY shall continue after the effective date of such termination.

## **ARTICLE VI**

### **HEADINGS**

Captions and headings in this Agreement are for ease of reference only and do not constitute a part of this Agreement and shall not affect the meaning of interpretation of any provisions herein.

## **ARTICLE VII**

### **AGREEMENT'S EFFECT ON OTHER AGREEMENTS; ENTIRE AGREEMENT**

This Agreement is supplementary to, and not intended to supersede, any other interlocal agreement entered into by and between the COUNTY and the TOWN. This writing embodies the entire Agreement and understanding between the parties hereto, and there are no other agreements or understandings, oral or written, with reference to the subject matter hereof that are not merged herein and superseded hereby.

## **ARTICLE VIII**

### **REPRESENTATION S OF THE COUNTY**

THE COUNTY represents that (a) this Agreement has been duly authorized, executed and delivered by the board of County Commissioners as the governing body of THE COUNTY, and (b) it has the required power and authority to perform this Agreement.

## **ARTICLE IX**

### **REPRESENTATIONS OF THE TOWN**

THE TOWN represents that (a) this Agreement has been duly authorized, executed and delivered by the Governing body of the TOWN, and (b) the TOWN has the required power and authority to perform this Agreement.

## **ARTICLE X**

### **AMENDMENT TO THE AGREEMENT**

This Agreement may be modified, altered or amended only by a written amendment duly authorized and executed by the Parties.

**ARTICLE XI**

**COUNTERPARTS**

This Agreement may be executed in one or more counterpart(s), each of which shall be deemed an original.

IN WITNESS WHEREOF, Miami-Dade County, Florida, has caused this Agreement to be executed in its name by the County Mayor or his designee, attested by the Clerk of the Board of County Commissioners and has caused the seal of the Board of County Commissioners to be hereto attached; and the Town of Bay Harbor Islands, Florida has caused this Agreement to be executed in its name by the Town Manager or his designee, attested by the Clerk of the Town Council and has caused the seal of the Council to be hereto attached, all on the day and year written above.

ATTEST:

MIAMI-DADE COUNTY  
FLORIDA, BY ITS BOARD OF  
COUNTY COMMISSIONERS

Harvey Ruvin,  
Clerk of the Board

By: \_\_\_\_\_  
County Mayor

By: \_\_\_\_\_  
Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

By: \_\_\_\_\_  
Mayor



**ATTEST:**

**TOWN OF BAY HARBOR  
ISLANDS, FLORIDA, BY ITS  
COUNCIL**

**Clerk of the Council**

**By: \_\_\_\_\_  
City Manager**

**By: \_\_\_\_\_  
Clerk**



**TOWN OF SURFSIDE**  
**Office of the Town Attorney**

MUNICIPAL BUILDING  
 9293 HARDING AVENUE  
 SURFSIDE, FLORIDA 33154-3009

Lynn M. Dannheisser  
 Town Attorney

Telephone: 305 993-1065

**MEMORANDUM**

**TO: Town Commission**

**FROM: Lynn M. Dannheisser, Town Attorney**

**CC: Roger M. Carlton, Town Manager**

**DATE: April 10, 2012**

**SUBJECT: Town Attorney Monthly Update for April, 2012**

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The following Ordinances and Resolutions have been prepared (and/or reviewed and researched) or other advice rendered regarding the issues contained in them. In the case where agreements are attached, those contracts have also been drafted and/or reviewed and revised this month:

**Ordinances:**

1. Sidewalk Ordinance

**Resolutions:**

1. Young Israel Site Plan Approval
2. Fraternal Order of Police Local 135, Collective Bargaining Agreement – Year 2 Wage Re-opener.
3. Transfer of \$68,000.00 from the Resort Tax Fund balance to the Tourist Bureau Fiscal Year 2011-2012 budget.
4. Blanket Authorization to secure signatures on previously passed legislation

**The Town Attorney has prepared for, attended and/or rendered advice for the following meetings:**

March 13, 2012 Commission Meeting  
March 20, 2012 Election/Canvassing Board  
March 21, 2012 Swearing-in Ceremony  
March 22, 2012 Court Hearing on Surfside's Motion to Dissolve in Kahalon v Surfside  
March 23, 2012 Inspection of 9372 Bay Drive with Court Appointed Special Magistrate  
March 29, 2012 Planning & Zoning Board Meeting

**Town Manager and Town Clerk Issues:**

9372 Bay Drive "Unsafe Structure" issues  
Continuing research on numerous election related issues.  
Garnishment and Court related issues  
State of Florida Beach Lease  
FPL rate issues  
Numerous Code Enforcement issues  
Website issues  
9501 Collins Avenue – Right of First Refusal  
Follow-up with planners, counsel, and neighbors issues in preparation for Young Israel Hearing  
Follow-up Community Center transfer/assignment of concession stand  
Continuing advice and inquiries re Best Western site  
Continuing issues re Shul project  
Downtown district issues  
Carlisle building code issue  
Spiaggia Condo parking issue and potential resolution of same  
Follow-up research for mechanical lift code provisions  
Begin work related to Charter revision issues  
Agenda preparation

**Agenda for March 29, 2012 Planning and Zoning Board Sitting With Design Review Board:**

**A. Site plan review for Young Israel**

**B. Request of the owner of the property located at 8942 Hawthorne Avenue**

The applicant is requesting to add an addition for their single family home.

**C. Request of the owner of the property located at 8858 Emerson Avenue**

The applicant is proposing to build a new terrace under an extension of the roof in the rear of their single family home.

**Building Department/Code Enforcement/Planing:**

Several Meetings with Code Compliance Officer and Building Official regarding on-going enforcement matters and scheduling of special master hearings  
Interview new candidates for recommendation for Special Master position  
Begin training a legal advocate for prosecution of code enforcement cases  
Assist Town Building Official on continuing FEMA Flood Insurance issues.  
9372 Bay Drive "Unsafe Structure" issue

Settlement re: Harbor Pita  
Short-term rental public records and other issues with Carlisle

**Human Resources Department:**

FOP Arbitration closure  
Negotiate resolution of pending garnishment issue  
Classification and Compensation Study  
Issue re: termination of employee, review records for Personnel Appeal Board issues

**Finance Department:**

Finalize Audit Letter  
Preparation of Departmental Budget items for 2012-2013

**Parks and Recreation:**

Zambelli Fireworks Contract  
Employment issues

**Police Department:**

Identify and review settlement issues re: Davis v Surfside  
Final FOP Arbitration agreement  
Research and analysis of questions regarding RFP for Parking feasibility Study  
Vehicle Lease Program

**Public Works:**

Continuing Utility/Sewer project issues  
Review and revise Interlocal Agreement with Bal Harbour on force main

**Tourist Bureau:**

Downtown Vision Committee issues  
Tourist Board issues  
Resort tax issues and underground utility issues  
Follow up with Turtle sculpture contractual and liability issues

**Litigation:**

Kahalon v Town of Surfside and the Town of Surfside Building Department Case No. 12-10534  
CA 08, Circuit Court of the Eleventh Judicial Circuit in and for Miami-Dade County, Florida. The  
Town Building Official inspected 9372 Bay Drive, determined the property was an "Unsafe

Structure” and the occupants must vacate the premises. Plaintiff filed an emergency injunction to stay the proceedings. The Town filed a Motion to Dissolve the injunction. The Court heard arguments, ordered a Special Magistrate to inspect the premises and the Special Master agreed the property was an “Unsafe Structure.” The Motion to Dissolve was granted and the occupants of the property must vacate April 2, 2012 by 5:00 p.m.

John Davis v. Town of Surfside Case No. 07-17286 CA 08, Circuit Court of the Eleventh Judicial Circuit in and for Miami-Dade County, Florida. This case has been consolidated as to discovery with a previous case filed by a former sergeant in the Town’s police department. The Court denied the Motion to Consolidate both cases for trial. Outside counsel and this office have begun to prepare for trial which is currently scheduled for the week of July 30, 2012.

Young Israel of Bal Harbour, Inc. v. Town of Surfside Civil Action No. 1:10-cv-24392 in the United States District Court for the Southern District of Florida. On December 10, 2010, Young Israel served a complaint alleging the Town Zoning Code imposes a substantial burden on Young Israel in violation of the Religious Land Use and Institutionalized Persons Act of 2000 (“RLUIPA”). This matter is primarily being defended by The Florida League of Cities which has approved counsel to assist in the defense of this case. Mediation was held on January 4, 2012 with a follow-up Executive Session on January 9, 2012. A settlement was negotiated and approved at a Special Commission Meeting held on January 23, 2012. The Stipulation of Settlement has been filed with the Court and a joint motion to stay the matter for 120 days was filed with the Court. A Stay was granted until May 23, 2012. A site plan was filed, and there have been two meetings of the DRG beginning February 2, 2012. The Development Impact Committee met on March 1, 2012. The Planning and Zoning Board met on March 29, 2012 to recommend the site plan to the Town Commission.

Hapuarachchi v. Surfside. This matter was concluded on August 22, 2011. Ms. Hapuarachchi has recently filed a pro se Motion for Recusal of the Judge, which has not been set for hearing.

#### **Florida League of City Cases:**

We monitor, coordinate witnesses and assist with requests for discovery with League counsel on cases that are covered by the FMIT. In addition to Young Israel (see above), we assist counsel with the following FMIT cases:

Americo Wehbe v Town of Surfside, Civil Action No. 11-23445 in the United States District Court for the Southern District of Florida. Plaintiff filed a ten (10) count Complaint served December 13, 2011 and a Motion to Dismiss to Strike or Motion for More Definite Statement was filed on January 18, 2012. Mediation is scheduled for September 19, 2012. Florida League counsel represents the Town and these claims are currently under investigation by the Florida League of Cities counsel in accordance with the Town’s insurance policy and subject to the attorney-client privilege. This office is working with the Police Department and Florida League of Cities to sort out the facts and coverage issues. The Florida League previously investigated this matter and determined there was no liability on the Town or any of the officers, and the League stated there was no probable cause for the arrest. Trial has not been set.

**Special Matters:**

Review of new case law and legislation at Federal, State, and County levels.

Monitor issues on red lights, RLUIPA, foreclosure and other current matters for cities.



TOWN OF SURFSIDE  
PROJECTS PROGRESS REPORT  
CALVIN, GIORDANO & ASSOCIATES. INC.  
April, 2012

1. **Community Center** – Any and all warranty items are being brought to the Contractors attention for correction. The Town continues to hold \$23,000 in retainage for the remaining items to be corrected at the Activity Pool. The sub contractor has been deemed non-responsive. The money held will be utilized to hire a different, but qualified sub contractor to perform the corrective actions necessary.
2. **Planning and Community Development** –Planning staff has reviewed the Young Israel site plan three times and provided comments to the applicants. The Development Review Group (DRG) meeting was held on February 2, 2012 and then again on February 16, 2012. The Development Impact Committee met on March 1, 2012. The results of that meeting were provided in a memorandum to the Planning and Zoning Board / Design Review Board for their March 29, 2012 meeting. The Planning and Zoning Board / Design Review Board recommended this project on a 3 to 1 vote with slight modifications. The site plan is scheduled for the April 10, 2012 Town Commission meeting. Planning staff continues to answer general zoning calls and e-mails from the public and to review building permits for conformance with the zoning code.
3. **Website, Information Technology, TV Broadcasts** – New computers have been installed for the Town Hall and Community Center Staff, and IT is working with Sungard to complete installation for the Finance Department. An additional battery backup was added at the Community Center to support additional devices installed since inception. The wifi system at the Community Center continues to provide a wireless wifi signal that can be accessed inside each building and across the pool deck area. The public wifi is utilizing the existing cable broadband connection which has been isolated to protect the Town's internal network. The Community Center staff is utilizing the new T1, installed to improve bandwidth speed when accessing the Town's private network. The Community Center staff has received training on all e-reader devices and the two (2) 70" flat screen TVs that were installed at the Community Center. IT staff continues to respond to IT support requests via email and phone on a daily basis.

4. **Public Utilities / Engineering** – The Water/Sewer/Storm Drainage Project commenced on August 15, 2011 in the southern sector (Phase I) of the City. The project involves water main / water service replacements, lining of the gravity sewer mains and sewer lateral replacements, rehabilitation of the sewer pump stations, and improvements to the stormwater collection system including three (3) new drainage pump stations. Construction also commenced within the Harding and Collins Avenues corridors (with a break that occurred during the holiday season) preceding the FDOT resurfacing project anticipated to commence in mid April 2012. The public information project website continues to be updated frequently.

Phase II (central portion of the Town) construction commenced in late January, 2012 after successful substantial completion of Phase I in mid-January. Phase II contains a majority of the drainage portion of the project as well as sewer and water rehabilitation and repairs.

Bal Harbour Village has completed the construction / installation of a parallel force main within the Collins Avenue corridor through the Town. Bal Harbor received approval from WASD early in January to connect to the newly installed line. Bal Harbor will not utilize the new line until the completion of their Lift Station Rehabilitation Project. This will allow for the transfer of pumped sewage from the old Bal Harbour force main under Byron Avenue to the new / shared (Bal Harbour – Surfside) Collins Avenue force main. The project force main improvements from the two Town pump stations have been substantially completed and are in the process of being submitted for certification of completion. Upon acceptance, the sewage flow can be diverted into the new Bal Harbour – Surfside force main to allow the old force main to be cleaned, investigated and tested. The appropriate course of action (repair / abandonment / continued back-up utilization) for the old force main can then be determined.

CGA continues to work with the Town Manager regarding the potential for a partial refinancing of the project to reduce the interest cost and provide funding for additional main replacements serving the Collins / Harding Avenue corridors.

### **Stormwater System**

The construction includes the installation of a backbone stormwater conveyance system along Bay Drive that will interconnect existing stormwater culverts / piping and direct the run-off to two pump stations. Also, a third pump station will be constructed on the southern end of Carlyle Avenue.

### **Sanitary Sewer Collection System**

Phase I sewer lateral replacement is complete; TV inspection and lining (or point repair) of sewer mains will continue Town wide.

Sewer lateral replacement, television inspection and lining of the gravity sewer mains has commenced in Phase II and shall continue within the Harding and Collins Avenue corridors. The improvements being completed on the Sanitary Sewer System are required per a consent decree with Miami-Dade County.



## **Water Distribution System**

Phase I water main installation is completed; work outside of the roadway (behind the curb and on private property) including connecting the new meters / water services is being finalized.

Water main and water service installations have commenced in Phase II.

Grant status - Miami-Dade (GOB) Building Better Community Bonds \$829,000 – In place

## **Stormwater Master Maintenance**

CGA staff assisted the Town with the response to the Florida Department of Environmental Protection comment letter on the July 2011 submittal of the Year 8 Annual Report Form. The Town staff has implemented the street sweeping program, with a private contractor sweeping every two weeks, as per National Pollution Discharge Elimination System permit requirements.

### **Funding Summary –**

<b><u>Funding Status:</u></b>	<b><u>Amount</u></b>	<b><u>Status</u></b>	<b><u>Probability</u></b>
FDEP Grant	\$873,500	In place	100%
FDEP Grant	\$125,000	In place	100%
FDEP Grant	\$100,000	In place	100%
FDEP State Revolving Fund Loan	\$9,876,438	In place*	100%

### **\$10,974,938 Total In Place Funding**

FEMA/PDM Grant	\$2,949,550	In process**	10%
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### **\$2,949,550 Total In Process Funding**

\*The Town received the letter to incur costs on October 25, 2011.

\*The Town received the letter stating \$9.876MM in available funds for the project on February 28, 2012.

\*\*FEMA Anticipated determination in process funding sources is scheduled for June 2012.

- Neighborhood Improvements** – The Town Commission directed CGA to begin design alternatives working with the Contractor for a traffic calming solution for 88<sup>th</sup> St. A resident information meeting has been tentatively set at the Community Center on April 5, 2012 in order to allow the design to be finalized. The Town Commission determined to hold on the additive alternate projects until the water/sewer/storm drainage project was underway for one year to determine if remaining contingency account funding would be available.



**Calvin, Giordano & Associates, Inc.**  
EXCEPTIONAL SOLUTIONS

March 7, 2012

Mr. Carlos Hernandez, PE  
Environmental Plan Review and Development Approvals Division  
**Permitting, Environment and Regulatory Affairs Department**  
11805 SW 26th Street, Suite 124  
Miami, FL 33175-2474

**RECEIVED**

Attn: Oscar Aguirre, Engineer 3

**MAR 09 2012**

**RE: Town of Surfside 2011/2012 Annual Report  
Sewer System Evaluations and Rehabilitation**

### **2011/2012 Annual Report**

This 2011/2012 Annual Report, as part of the Sanitary Sewer System Evaluation and Rehabilitation program, is being submitted in compliance with the Consent Agreement, dated April 20, 2007, (Section 24-7(15)(c), of the Miami-Dade County Code (MDCC and the Environmental Protection Agency (EPA)), and serves as the annual update of the system condition, and rehabilitation progress for the Town of Surfside's sanitary sewer collection system and two sanitary sewer pump station renovations.

The Town's sanitary sewer collection system failed to meet the Miami-Dade County Code (MDCC) Infiltration/Inflow (I/I) standards and exceeded the pump station run-time limits, which prompted violation notices commencing in 1983 and the Consent Decree CIV-93-1099 dated April 17, 1995. The non-conformance with MDCC Section 24-42.2 required the Town to complete a Sanitary Sewer Evaluation Study (SSES), which was completed by Calvin-Giordano & Associates (CGA) during the third quarter of 2007. The SSES Sewer Rehabilitation Plan consists of three phases that will bring the Town into compliance with the mandates from Environmental Protection Agency (EPA), MDCC, Miami-Dade County Department of Environmental Resources Management (DERM now known as Permitting, Environment and Regulatory Affairs, or PERA) and the Consent Agreement.

The Town of Surfside maintains the sewer collection system and two pumping station located within its borders, and is connected with the Miami-Dade County Water and Sewer Department (MDWASD) system. Via a tri-party agreement, the Town of Surfside shares this sanitary force main with Bal Harbour, which then connects to the City of Miami Beach's transmission system, and eventually is sent to the WASD treatment plant for disposal. The tri-party agreement has expired between Miami Beach, Bal Harbour, and the Town. However, Bal Harbour and Surfside have installed a new force main that interconnects with the existing force main between 72<sup>nd</sup> and 73<sup>rd</sup> Streets and Harding and Collins Avenues, in the North

Building Code Services  
Code Enforcement  
Construction Engineering & Inspection  
Construction Services  
Contract Government  
Data Technologies & Development  
Emergency Management Services  
Engineering  
Governmental Services  
Indoor Air Quality  
Landscape Architecture & Environmental Services  
Municipal Engineering Planning  
Public Administration  
Redevelopment & Urban Design  
Surveying & Mapping  
Transportation Planning & Traffic Engineering  
Utility & Community Maintenance Services

1800 Eller Drive, Suite 600  
Fort Lauderdale, FL 33316  
Phone: 954.921.7781  
Fax: 954.921.8807

www.calvin-giordano.com

P:\Projects\2006\065355 Town of Surfside\Engineering\SSES\SSES Annual Reports\2012\2012 Annual Report FINAL.doc

Shore Park. Surfside will connect with this new force main, yet maintain the potential to use the old force main as an emergency by-pass for either Bal Harbour or Surfside.

## **Remedial Action as Outlined in the SSES**

### **Phase I**

#### **Infiltration/Inflow Evaluation and Rehabilitation Program**

The Infiltration/Inflow Evaluation / Rehabilitation Program was submitted to DERM in March 2006 to determine compliance with 5,000 inch-mile criteria. Subsequent follow-up questions from the EPA were responded to in May 2007. Phase I was completed in October 2007 by placing manhole gaskets in all 163 manholes, which has reduced the inflow of stormwater into manholes.

### **Phase II**

#### **Transmission System Repairs and Rehabilitation**

Phase II included investigating sewer problems using Closed Circuit Television (CCTV), and has been completed, along with a complete inventory and atlas of the condition of the sewer transmission system. Repair of the damaged sewers started on August 8, 2011 and is expected to be completed by January 2013.

All broken sanitary lines are being repaired or lined as determined by the previous analysis. Severely deteriorated manholes are being fully sealed or lined to reduce infiltration.

CCTV will be used at the time of relining the existing sanitary system to determine sources of offsite infiltration / inflow from private properties. Any privately owned rainwater downspouts found to be attached to the sewer lines will be disconnected from the sanitary sewer system. Where needed, to reduce further infiltration of ground water service, laterals will be replaced or lined during Phase II. A Peak Flow Analysis was performed during August 2007, and found to be largely dependent on tidal variations and not rainfall events. The completed and proposed corrections will greatly reduce the I/I and decrease the Town's sewage costs.

We are coordinating with the Florida Department of Transportation (FDOT) to insure all point repairs on Collins and Harding Avenues are complete prior to the April 2011 FDOT overlay project.

#### **SCADA and Pump Station Remote Monitoring**

The Town has installed remote SCADA monitoring in both pump stations. New flow meters have also been installed to provide accurate Peak Hourly Flow reporting. This method of reporting will replace the current NAPOT (Nominal Average Pump Operating Time). In addition, the SCADA system provides continuous monitoring of each pump station's flow and pressure, and high and low level alarming. Alarms are sent via telephone and email to Town personnel for immediate response.

Average daily run times are being recorded continuously and reported on a monthly basis, as required. In addition, force main pressure sensors and pump station control equipment have been installed as part of the multi-phase program to reduce pump run times.

### Collection and Transmission System Model

A model of the collection system has been completed and will be supplied to the appropriate agencies. The model will contain the volume of wastewater flow in the force main, force main wastewater pressure at any point in the system, flow capacity of each pump station, flow capacity of each pump station with the back-up pump out of service, and peak flow for each pump station. Updates and revisions to the model will be provided as they reach a logical completion point.

### Maintenance

The Town maintains staffing to provide for routine maintenance and daily inspection. Daily inspection includes a visual review of each pump station, flow volume verification, problem notification with corrective response and reporting if any abnormalities are noticed. In addition, the Town has contracted with HydroPumps for any necessary immediate repairs. HydroPumps reports are filed with the Town and the Town's Engineer, Calvin, Giordano & Associates, Inc.

### Spare Parts

The Town has a maintenance shop with a spare parts inventory, including pressure gauges, valves, pipe, gaskets, and pump parts. The Town's contract with HydroPumps provides for all larger items to be replaced as needed, as well as the labor for pump repairs. The Town's contract with HydroPumps also contains provisions for on-going repair and maintenance to the Pump Stations.

### Calibration

Each pump station's effluent monitoring flow meter and pressure gauges are calibrated yearly or more often if required.

## **Phase III**

The Town is currently engaged in the upgrade to each pump station, as required by the third phase of the SSES.

### Pump Station Inspection and Repair

Phase III will consist of renovating the existing pump stations, including installation of new emergency generators, the replacement of existing valves, pumps, pump control panels, emergency standby system, and structural rehabilitation of the existing wet-well and pump station building, which will bring the system back into compliance with the current law, codes and the Consent Decree. Construction is set to begin in early April 2012.

These pump station upgrades and renovations to the sewage transmission system have been made part of the Town's Master Plan. The plan is in the final stages of development and will be completed by December 2012. Each pump station is configured with a by-pass connection, which will be used with a portable pump to handle any unexpected transmission outages, and will remain after the rehabilitation.

### Long-Term Collection System Operation Plan

The Town is essentially "built-out" with no significant projected increase in transmission capacity. In addition to addressing the inflow/infiltration, the Town has implemented a water conservation program along with a tiered water and sewer rate schedule, which will further encourage the reduction of water usage.

### Implementation

A Facilities Plan and application has been submitted to FDEP for consideration well before the cutoff date of mid November 2010. FDEP has issued a Notice to Incur Costs (10/25/11) and a letter confirming the \$9.876 Million in available funds for SRF Funding.

The application for the private placement of \$16 Million has been completed though the efforts of Public Financial Management, Inc. (PFM). The Town recently approved a utility rate increase to address the needed security pledge. In addition, the Town has in place \$1.1 million in existing grants with a pending Pre Disaster Mitigation Grant for \$2.8 million and a South Florida Water Management District Grant for \$0.6 million to augment the proposed loans.

### **Summary**

The Infiltration/Inflow Evaluation / Rehabilitation Program, consisting of three phases, was submitted to DERM in March 2006 and finalized in May 2007. The design for wastewater collection and transmission improvements, including the sanitary sewer pump station replacements, sewer lining, and repairs have been finalized and competitively bid. The following documents to support the Town's intent to complete the three Phases as outlined in the Consent Agreement have been submitted with the 2011 Annual Report:

- Water and Sewer Ordinance Exhibits
- Utility Rate Study
- FDEP LP8979 Sewer Rehab Phase I Grant
- Capital Improvement Program draft FY 2011
- Infrastructure Exhibit showing Sanitary Sewer Condition

The following two reports are supplied to further support this year's Annual Report.

- FDEP Notice to Incur Costs
- FDEP Notice of Available Funds

Costs and unit prices have been established for lining the moderately cracked pipes and point repairs for the broken pipes. Bidding was completed and the contract was awarded July 19, 2011, to include the rehabilitation of the two pump stations, manholes, and sanitary sewer collection system. Calvin, Giordano & Associates, Inc. is currently coordinating with the FDOT and their engineering consultant to determine Harding and Collins overlay impacts to sanitary sewer lining/replacement. Construction commenced on August 8, 2011 and will end January 2013.

Respectfully submitted,

**CALVIN, GIORDANO & ASSOCIATES, INC.**



James A. Hart, PE  
Sr. Project Manager

**Attachments:**

October 25, 2011 FDEP Letter, Notice to Incur Costs  
February 28, 2012 FDEP Letter, Available Funds Letter





# Florida Department of Environmental Protection

Bob Martinez Center  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Rick Scott  
Governor

Jennifer Carroll  
Lt. Governor

Herschel T. Vinyard, Jr.  
Secretary

October 25, 2011

Rec'd TOWN OF SURFSIDE

'11 NOV 1 AM 11:09

Mr. Martin Sherwood, Finance Support Service Director  
Town of Surfside  
293 Harding Avenue  
Surfside, Florida 33154

Re: WW13171 - Town of Surfside  
Infrastructure Rehabilitation (Sewer & Stormwater) Project

Dear Mr. Sherwood:

The Town of Surfside's Facilities Plan Update dated August 12, 2011 and related planning documents are in conformance with the requirements set forth in Chapter 62-503, Florida Administrative Code. In addition, the plans and specifications entitled "Town of Surfside Infrastructure Rehabilitation Project" dated March 2011 are in conformance with the requirements set forth in Chapter 62-503, Florida Administrative Code. Both the planning documents and the plans and specifications are accepted effective September 2, 2011.

Our review of your documents was performed only to verify conformance with the administrative requirements of the State Revolving Fund Loan Program. We did not review the technical aspects of your documents in order to avoid duplicating the review performed, or that may be performed, by the permitting agency or agencies.

This letter documents our authorization for you to incur construction costs on the above listed contract, also effective September 2, 2011. Please note that the above determination does not constitute an obligation by the Department to provide funds for the project. Funding is subject to the provisions of Chapter 62-503, F.A.C., and the actual availability of funds.

All change orders issued for this contract must be submitted for our review. Note that improper or unauthorized procurement may result in the disqualification of contract costs for funding.



# Florida Department of Environmental Protection

Bob Martinez Center  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Rick Scott  
Governor

Jennifer Carroll  
Lt. Governor

Herschel T. Vinyard, Jr.  
Secretary

October 25, 2011

Rec'd TOWN OF SURFSIDE

Mr. Martin Sherwood, Finance Support Service Director  
Town of Surfside  
293 Harding Avenue  
Surfside, Florida 33154

'11 NOV 1 AM 11:09

Re: WW13171 - Town of Surfside  
Infrastructure Rehabilitation (Sewer & Stormwater) Project

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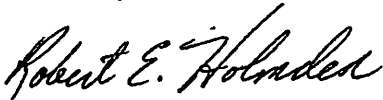
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Mr. Martin Sherwood, Finance Support Service Director  
Town of Surfside  
October 25, 2011  
Page 2

If you have any questions or need further information, please call the Bureau's  
Project Manager, Mahnaz Massoudi at (850) 245-8388.

Sincerely,

A handwritten signature in black ink, reading "Robert E. Holmden". The signature is written in a cursive style with a large, stylized "H" and "R".

Robert E. Holmden, P.E., Chief  
Bureau of Water Facilities Funding

RH/mm

cc: Bob Mc Sweeney/Calvin, Giordano & Associates, Inc.  
Frederick Bloetscher



# Florida Department of Environmental Protection

Bob Martinez Center  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Rick Scott  
Governor

Jennifer Carroll  
Lt. Governor

Herschel T. Vinyard Jr.  
Secretary

February 28, 2012

Mr. Bill Evans, Public Works Director  
Town of Surfside  
9293 Harding Avenue  
Surfside, Florida 33154

Re: WW13171 - Town of Surfside  
Infrastructure Rehabilitation (Sewer & Stormwater) Project

Dear Mr. Evans:

We are pleased to inform you that \$9,876,438 in construction funding is now available for your project as a result of the February 22, 2012 public hearing held by the Department.

We would like to draw your attention to your schedule for submitting the loan application and executing a loan agreement. The completed loan application is due within 120 days from the public hearing date. Also, your loan agreements must be fully executed (signed by all parties) within 210 days from the public hearing date. This means that an application for your project is due by June 21, 2012 and a fully executed agreement is due by September 19, 2012. Your project will be subject to removal from the priority list for failure to meet these deadlines. It is recommended that you contact Mr. Tommy Williams of our Program Management Section, at (850) 245-8364, for assistance in fulfilling the loan application/ agreement requirements. An application (Point Source Water Pollution Control) for your project may be obtained at our website at <http://www.dep.state.fl.us/water/wff/wwmanual.htm> or by calling Tommy Williams at the number given above.

If you have any questions, please call Mahnaz Massoudi, the Bureau's Project Manager, at (850) 245-8388.

Sincerely,

Robert E. Holmden, P.E., Chief  
Bureau of Water Facilities Funding

RH/mm

cc: Martin Sherwood, Finance Support Service Director  
Bob Mc Sweeney/Calvin, Giordano & Associates, Inc.

[www.dep.state.fl.us](http://www.dep.state.fl.us)



## Town of Surfside Commission Communication

**Agenda Item #** 4A1

**Agenda Date:** April 10, 2012

**Subject:** An Ordinance Amending Chapter 18, Division 3 "Sidewalk Businesses"

**Background:** Sidewalk cafes have become a mainstay of successful downtown districts across the country for decades. This popular amenity is a relatively recent addition to Surfside. The present Surfside sidewalk café code does not address many of the components that accompany existing twenty first century dining in Town. The downtown business community has increasingly pursued alternatives to additionally enhance the business district with the expansion of existing restaurant uses onto Harding Avenue sidewalks. This addition of sidewalk cafes is now a vital aspect of dining options for Surfside and has greatly enhanced the Harding Avenue Business District experience and will continue to contribute to the revitalization efforts for the district. Outside dining is fully supported by the Planning and Zoning Board, Downtown Vision Advisory Committee, Tourist Board, former Beautification Committee, and Surfside Business Association.

In response to the growth in sidewalk usage, and in an effort to manage future expansion of this amenity, the Town Administration reviewed the current Town Code of Ordinances associated with the guidelines and regulations for sidewalk businesses. The conclusion is that amendments to Chapter 18 of the Town Code would allow for a more comprehensive and effective process to provide the restaurants in the downtown business district with the ability to legally expand their operations, to include a sidewalk café component, while providing an effective means of ensuring accessible passage and to address safety requirements.

The sidewalks in the business district, and in fact all sidewalks on Harding and Collins Avenues through the entire length of the Town, actually come under the jurisdiction of The Florida Department of Transportation (FDOT). Therefore FDOT oversees the entire width of Harding Avenue right up to the walls of the buildings in the downtown district. As the Town is concerned about addressing accessible passage and safety requirements, so is FDOT. Through the Administration's ongoing efforts to engage and forge a cooperative working environment with FDOT, meetings were held with FDOT and Town Administration to discuss the way forward on the issue of sidewalk cafes. This Ordinance is a product of such discussions. FDOT also informed the Town that it requires a lease agreement with Surfside



in order for their sidewalks to have cafes. In effect, without a valid lease substantiated with a comprehensive Town management plan (this Ordinance), sidewalk cafes are not permitted by the State on these State controlled rights-of-way. The existing ability to dine outside would be at risk and could result in a detrimental and economically negative effect for the downtown business community and the Town as a whole.

**Analysis:** Although Chapter 18 of the current Town Code contains a provision for open air cafes, said provisions are not comprehensive and do not sufficiently provide for the necessary level of detail required to appropriately administer this program. Additionally, the Town currently does not have a policy or procedure in place to accept, review and process applications and apply fees or issue permits. The new Ordinance would also address the following:

- Management of the placement and condition of sidewalk café furniture to ensure handicap and emergency accessibility as well as enhance the overall Business District aesthetic and experience.
- Prohibit the use of serving stations, including temporary storage of dirty dishes and trash receptacles, as well as the exhibit of food items.
- Provide for a comprehensive violation schedule and procedures for appeal.
- Manage the removal of items in case of emergency (hurricane) or continued violation.
- Formally address the encroachment of cafes in front of their adjacent properties.
- Allow for small menu boards to inform potential patrons.

Bay Harbor Islands, Miami Beach and Sunny Isles all have ordinances regulating sidewalk cafés and include fees associated with permitting the use of the sidewalks. The Surfside Ordinance fee schedule (Ordinance Appendix A) permits the use of the sidewalk via a fifteen dollar (\$15) per square foot charge. This is less than the twenty dollar per square foot (\$20) charge in Miami Beach which has an existing sidewalk café lease agreement with FDOT. Bay Harbour Islands and Sunny Isles utilize a per seat charge process that is more difficult to monitor and manage.

With regard to Surfside's lease with FDOT, the terms and conditions are presently in the negotiation stage. This lease will be brought to the Town Commission, after second reading of this Ordinance, at the April 10, 2012 Town Commission Meeting for review. Both the Downtown Vision Advisory Committee and Planning and Zoning Board had an opportunity at their meetings to revisit this Ordinance. Both organizations recommend the Ordinance as presented. In addition, the Ordinance was reviewed at a meeting of impacted restaurant operators held on March 8, 2012 and all restaurants have been provided the Ordinance at least three times.

Adoption of this Ordinance will allow the Town to provide a process to legally permit sidewalk cafes to existing and future restaurants while providing appropriate processes for application, approvals and monitoring of sidewalk café use.

**Budget Impact:** While the initiation of this program will result in added revenues to the Town via Sidewalk Café permit fees, the charges are in direct relation to the anticipated administrative processing costs. However, a portion of the per square foot annual permit fee (currently anticipated at twenty percent) would go to the Florida Department of Transportation as part of the required lease agreement mentioned above.

**Staff Impact:** Existing staff will manage the application and permitting process as well as Ordinance compliance. The Sidewalk Café Permit process will be blended into the annual Certificate of Use and Local Business Tax Receipt requirements to create a single, seamless application process for the business community.

**Recommendation:** The Administration recommends that the Town Commission adopt this Sidewalk Café Ordinance on second reading.



---

Code Compliance Director  
Joe Damien



---

Town Manager  
Roger M. Carlton



---

TEDACS Director  
Duncan Tavares

**ORDINANCE NO. 12- \_\_\_\_\_**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 18 AND SPECIFICALLY DIVISION 3 "SIDEWALK BUSINESSES" AND SPECIFICALLY AMENDING SECTIONS 18-80, 18-81; AND CREATING SECTIONS 18-82, 18-83, 18-84, 18-85, 18-86, 18-87, 18-88, 18-89, 18-90, 18-91, 18-92, AND 18-93 OF THE TOWN OF SURFSIDE CODE OF ORDINANCES PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the Town of Surfside ("Town") proposes to amend its Code of Ordinances to establish guidelines and regulations for sidewalk businesses.

**WHEREAS**, The Town Commission held its first public reading on February 14, 2012 and recommended approval of the proposed amendments to the Code of Ordinances having complied with the notice requirements by the Florida Statutes; and

**WHEREAS**, the Planning and Zoning Board, as the local planning agency for the Town, held its hearing on the proposed amendments to the sidewalk business regulations on February 23, 2012 with due public notice and input; and

**WHEREAS**, The Town Commission has conducted a second duly noticed public hearing on these regulations as required by law on April 10, 2012 and further finds the proposed change to the Code necessary and in the best interest of the community.

Ordinance No. \_\_\_\_\_

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA as follows:

**Section 1. Recitals.** The foregoing “WHEREAS” clauses are ratified and confirmed as being true and correct and are made a specific part of this Ordinance.

**Section 2. Code Amendment.** The code of the Town of Surfside, Florida is hereby amended as follows:

### **DIVISION 3. SIDEWALK BUSINESSES**

#### **Sec. 18-80. Open air cafes. Definitions.**

~~As an exception to sections 18-26, 54-62, 54-63 and 54-64 of this Code, a restaurant holding a valid local business tax receipt may serve customers at tables placed on the sidewalks adjacent to the restaurant. The tables may not unnecessarily impede traffic, including pedestrian traffic, or they shall be considered a nuisance and shall be removed. These tables shall be referred to as open air cafes in conjunction with a restaurant or food establishment and shall be considered an accessory use in this district.~~

Town manager means the town manager or the town manager's designee.

Code compliance officer means the code compliance officers, fire inspectors, or any other authorized agent or employee of the Town whose duty it is to assure code compliance.

Menu holder means a board allowing for the posting of a restaurant's complete menu and fabricated in such a manner so as not to constitute a form of general advertising or establishment identification. The location, size, design, materials and color of the menu board shall be approved by the town manager and shown on the sidewalk cafe site plan (as hereinafter defined). Menu boards shall be no larger than one and one half (1 ½) square feet and in conformance with requirements set forth in Article IV Signs of the Code. The menu board shall not be a sandwich or “A” frame sign (as defined herein) provided that for limited special events, the Town may utilize a temporary menu holder.

Permittee means the recipient of a sidewalk cafe permit under the terms and provisions of this division.

Restaurant for purposes of this division only, means a duly licensed food service establishment that is maintained and operated as a place where food and/or beverages are prepared and/or served and sold for consumption within the premises, or a business establishment which has, as an ancillary or secondary use, a part thereof where food and/or beverages are prepared and/or served and sold for consumption within the premises. Sidewalk cafe permits shall be issued to a restaurant whose local business tax receipt or certificate of use licensed for take-out only for certain items and. Such restaurant may have a bench, or similar furniture, only subject to application approval.

Right-of-way means land in which the state, the state department of transportation, the county or

Ordinance No. \_\_\_\_\_

the town owns the fee or has an easement devoted to or required for use as a transportation facility or street.

Sandwich or "A" frame sign means a freestanding, A-frame structure located on a sidewalk or street which may be placed in position or is collapsible and which contains a sign (as defined in section 90-68).

Sidewalk means that portion of the right-of-way which is located between the curb line or the lateral line of a street and the adjacent property line and which is intended for use by pedestrians.

Sidewalk cafe means a use located on the sidewalk portion of the right-of-way which is associated with a restaurant and is primarily characterized by tables and chairs; may be shaded by awnings, canopies or umbrellas; and may include such other sidewalk cafe furniture (as hereinafter defined) as permitted and/or approved pursuant to this division.

Sidewalk cafe furniture means those nonpermanent items, furnishings and equipment associated with the operation of a sidewalk cafe and approved pursuant to this division including, without limitation, tables, chairs, umbrellas, planters, heaters, fans and menus and/or specials boards.

Sidewalk café signage means a sign located on an umbrella that is used as shelter for sidewalk tables.

Sidewalk cafe site map means a town-approved map detailing the location of the pedestrian pathway as it relates to a sidewalk cafe.

Sign shall have the same meaning as provided for in section 90-68.

Specials board means a board allowing for the posting of a restaurant's daily specials and fabricated in such a manner so as to not constitute a form of advertising or establishment identification. The location, size, design, materials and color of the specials board shall be approved by the town manager and shall be shown on the sidewalk cafe site plan. specials boards shall be no larger than one and one half (1 ½) square feet; and in conformance with requirements set forth in Article IV Signs of the Code. The menu board shall not be a sandwich or "A" frame sign (as defined herein).

Street means that portion of a right-of-way improved, designed or ordinarily used for vehicular traffic and/or parking.

**Sec. 18-81. Conditions and restrictions. Declaration of necessity and intent.**

~~(a) A site plan, drawn to scale, which shall have been approved by building and planning department staff, shall be submitted and approved by the town manager and his/her designee, as appropriate. Such plan shall include the floor plan of the existing restaurant, including tables, chairs and restrooms, and the proposed open air cafe. The plan shall also show the existing parking, any proposed landscaping, location of refuse containers, proposed lighting, layout of all tables, chairs, benches, and other furniture, and pedestrian ingress and egress. An open air cafe~~

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~~located on sidewalks must remain at the elevation of the existing sidewalk. All provisions of the South Florida Building Code with respect to handicapped accessibility and restroom fixtures shall apply.~~

~~(b) The operation of such open air cafe shall not be conducted in such a way as to become a public nuisance and that the operation of such business shall not interfere with the circulation of pedestrian or vehicular traffic on the adjoining streets, alleys or sidewalks. A minimum space of 44 inches shall be allowed for pedestrian circulation.~~

~~(c) The service of patrons of the open air cafe shall be at tables only and no counter service, self service or pass through window shall be permitted.~~

~~(d) The open air cafe shall not occupy an area of more than 30 percent of the total area of the primary restaurant operation in the B-1 district.~~

~~(e) The open air cafe shall be unenclosed and shall be open except that it may be covered with a canvas cover or structural canopy of a building's arcade, loggia or overhang as may be permitted by the Code. In the event such covering or canopy is utilized, the permitting requirements of Section 301.1, South Florida Building Code, shall apply.~~

~~(f) All kitchen equipment used to service the open air cafe shall be located within the kitchen of the primary restaurant.~~

~~(g) The open air cafe shall be kept in a neat and orderly appearance and shall be kept free from refuse and debris. After the close of business, all tables and chairs shall be removed from the premises unless they are properly secured.~~

~~(h) No additional signage shall be permitted in the open air cafe area.~~

~~(i) No outdoor speaker, stereo system, live bands, or outdoor entertainment shall be allowed except on occasion when a special permit for an event is issued by the town.~~

~~(j) In reviewing any site plan open air cafe, the department may prescribe appropriate conditions and safeguards in conformity with the provisions of the Code. Violations of such conditions and safeguards, when made a part of the terms under which the open air cafe is approved, shall be deemed grounds for revocation of the accessory use and punishable as a violation of the Town Code~~

~~(k) Seating and tables employed for an open air cafe shall comply with accessibility standards of F.S. §§ 553.501 through 553.513.~~

It is hereby found and declared that:

(1)

There exists the need for outdoor eating establishments (sidewalk cafes) in certain areas of the town to provide a unique environment for relaxation and food and/or beverage consumption.

(2)

The existence of sidewalk cafes encourages additional pedestrian traffic to these areas.

(3)

The presence of sidewalk cafes may however impede the free and safe flow of pedestrian traffic and thus there is a need for regulations and standards for the existence and operation of sidewalk cafes to facilitate and ensure a safe environment in these areas.

(4)

The establishment of permit conditions and safety standards for sidewalk cafes is necessary to protect and promote the general health, safety and

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welfare of the residents of the town and is granted only to the extent the Town enjoys a possessory interest in the sidewalks pursuant to a lease agreement for that purpose by and between the Town and the State of Florida Department of Transportation.

**Sec. 18-82. Removal and storage fees; disposition of property.**

If, pursuant to this Section 18, the town removes, relocates, and/or stores any sidewalk cafe furniture, the permittee shall be responsible for the reasonable expenses incurred by the town for the removal, relocation, and/or storage of all such sidewalk cafe furniture. The town manager shall promulgate and review, as needed, regulations regarding the storage and disposition of sidewalk cafe furniture under this division. The town and its officers and employees after due notice for non-compliance shall not be responsible for any damage to or loss of any sidewalk cafe furniture, removed, relocated and/or stored pursuant to this division.

**Sec. 18-83. Appeals from the decision of the town manager.**

Appeals from decisions of the town manager made pursuant to this division shall be to the special master in accordance with the procedures set forth in sections 15-12 and 15-13 hereof. Appeals from the decisions of the special master shall be to a court of competent jurisdiction by petition for writ of certiorari.

**Sec. 18-84. Notice of Violation.**

1. Code compliance officers shall issue 24-hour warning notices for all non-life safety violations of this division.
2. No warning notices shall be required prior to the issuance of life safety violations and/or sidewalk cafe site plan violations, and such violations shall be corrected immediately. Life safety violations are defined as those conditions which, in the reasonable determination and judgment of the town manager, involve serious danger and/or risk to the public health, safety or welfare (including, without limitation, blocking pedestrian pathways and violations of the state handicapped accessibility code for building construction). Site plan violations are defined to include those instances where the permittee is operating outside of the permitted sidewalk cafe area (as approved herein) and shall include a table or tables set up outside the approved boundaries of the sidewalk cafe site plan, and/or umbrellas, heaters, fans and other sidewalk cafe furniture found to be outside the approved site plan; but shall not be deemed to include instances where a chair or chairs are moved outside the approved boundaries of site plan by a sidewalk cafe patron(s).
3. If a code compliance officer finds a violation of this division, such code compliance officer shall issue a notice of violation to the violator, as follows:
  - a. For non-life-safety violations of this division (where a 24-hour notice has been previously issued within the preceding 60 days for the same violation), a violation will be issued.
  - b. For life safety violations of this division and for site plan violations, no 24-hour

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warning notice is required, and a violation may be issued at any time.

**Sec. 18-85. Civil fines and penalties; denial of future permits to repeat violators.**

1. The following civil fines and penalties shall be imposed for violations of this division:
  - a. First violation \$100.00
  - b. Second violation within the preceding 12 months \$250.00
  - c. Third violation within the preceding 12 months \$500.00
  - d. Fourth within the preceding 12 months \$750.00
  - e. Fifth violation within the preceding 12 months, suspension of the sidewalk cafe permit for one weekend (Saturday and Sunday) and \$1,000.00
  - f. Sixth violation within the preceding 12 months, revocation of the sidewalk cafe permit for the remaining portion of the permit year and \$1,000.00
  - g. Failure to apply for permit—termination of sidewalk cafe operations.
  - h. Failure to renew permit—suspension of sidewalk cafe operations.
2. A permittee who has been issued more than six violations pursuant to this division within a permit year shall be prohibited from applying for and obtaining a sidewalk cafe permit for a period of two permit years, following the permit year in which the applicant/permittee incurred the aforestated violations.

**Sec. 18-86. Rights; payment of fine; right to appeal; failure to pay civil fine or to appeal.**

1. A violator who has been served with a notice of violation shall elect either to:
  - a. Pay the civil fine in the manner indicated on the notice; or
  - b. Request an administrative hearing before a special master, to appeal the decision of the code compliance officer which resulted in the issuance of the notice of violation. Warnings may not be appealed.
2. The procedures for appeal shall be as set forth in sections 15-12 and 15-13 hereof.
3. Failure of the named violator to appeal the decision of the code compliance officer within twenty (20) days after the date printed on the notice of violation shall constitute a waiver of the violator's right to administrative hearing. A waiver of the right to administrative hearing shall be treated as an admission of the violation, and penalties shall be assessed accordingly.
4. Any party aggrieved by the decision of a special master may appeal that decision to the circuit court pursuant to section 15-15.

**Sec. 18-87. Recovery of unpaid fines; unpaid fines to constitute a lien; foreclosure.**

1. The town may institute proceedings in a court of competent jurisdiction to compel payment of civil fines pursuant to section 15-14.
2. A certified copy of an order imposing a civil fine may be recorded in the public records

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and thereafter shall constitute a lien upon any other real or personal property owned by the violator, and it may be enforced in the same manner as a court judgment by the sheriffs of this state, including levy against the personal property, but shall not be deemed to be a court judgment except for enforcement purposes. After two months from the filing of any such lien which remains unpaid, the town may foreclose or otherwise execute on the lien.

**Sec. 18-88. Permitted areas; conditional permit; town manager's right to remove sidewalk cafes.**

1. Sidewalk cafes shall only be located where permitted by the town's zoning ordinance and land development regulations, as same may be amended from time to time.
2. The approval and issuance of a sidewalk cafe permit is conditional at all times and shall serve as an exception to sections 18-26, 54-62, 54-63, and 54-64.
3. It shall be unlawful for any person to operate a sidewalk cafe without a valid permit as required by this division. No permit shall issue without a Landlord's prior written approval
4. The town manager shall have the right to immediately remove, after 24-hours written and/or verbal notice to the permittee, any sidewalk cafe furniture used in connection with a sidewalk cafe which is operating without a valid permit.
5. The town manager may cause the immediate removal, relocation, and/or storage of all or part of a sidewalk cafe in emergency situations or for public safety considerations.
6. The town manager may require the temporary removal and/or relocation of all or part of a sidewalk cafe when street, sidewalk, or utility repairs, or other public construction, necessitates such action. If such temporary removal exceeds 15 days, the town manager shall pro-rate the remaining permit fee for each additional day the sidewalk cafe (or portion thereof) is removed and apply a credit toward the following year's permit fee or, upon written request by the permittee, refund the remaining fee to the permittee.
7. Upon written and/or verbal notification by the town manager of a hurricane or other major weather event, or the issuance of a hurricane warning by Miami-Dade County, whichever occurs first, the permittee shall, within no more than four hours of same, remove and place indoors all tables, chairs and any other sidewalk cafe furniture located on the right-of-way. The notification by the town manager of a hurricane or other major weather event, or the issuance of a hurricane warning, shall constitute a public emergency situation as referenced in this division. The town manager may remove, relocate, and/or store any sidewalk cafe furniture found on the right-of-way that has otherwise not been removed by the permittee pursuant to this subsection. Any and all costs incurred by the town for removal, relocation and/or storage of sidewalk cafe furniture shall be the responsibility of the permittee. Sidewalk cafes will not re-open for business following a

hurricane or other major weather event until notified by the town manager. Violation of this subsection (g) shall result in the issuance of an immediate \$1,000.00 fine, and/or suspension, for up to 30 days, of the sidewalk cafe permit.

**Sec. 18-89. Application.**

1. A sidewalk cafe permit shall be effective for one year, from October 1 until September 30 of the following year. During the first year of implementation of this ordinance and/or permit application, the permit fee shall be pro-rated.
2. Application for a permit to operate a sidewalk cafe shall include, but not be limited to, the following information:
  - a. The name, address and telephone number of the applicant/permittee.
  - b. The name and address of the business establishment seeking a permit to operate the sidewalk cafe ( including the name and address of the restaurant).
  - c. A copy of a valid town local business tax receipt to operate the restaurant in front of which the proposed sidewalk cafe will be operating. The total count of chairs to be utilized for the restaurant must include the number of chairs used in conjunction with the sidewalk cafe and the number of chairs inside the restaurant, as authorized by the license.
  - d. A copy of a valid certificate of use for the restaurant in front of which the proposed sidewalk cafe will be operating.
  - e. Copies of current certificates of insurance in the amounts and categories required by section 18-93.
  - f. At the time of the first request for approval, a site plan drafted by the Town Building Official or designee and paid for by the Applicant must be submitted and it shall accurately depict the layout and dimensions of the existing sidewalk area and adjacent private property; proposed location, size and number of tables, chairs, umbrellas, and any other sidewalk cafe furniture; and location of doorways, steps, trees and/or landscaped areas, fountains, parking meters, fire hydrants, bus shelters, directory/kiosks, public benches, trash receptacles, and any other existing public fixtures, furnishings and/or other obstruction(s), within the proposed sidewalk cafe area. The sidewalk cafe site plan must be approved by the town manager prior to the issuance of a sidewalk cafe permit and the permit shall be specifically limited to the subject area shown on the approved site plan. This requirement shall be waived each year thereafter provided there are no modifications to the originally approved site plan. Any changes will require the filing of a new site plan and associated fee.
  - g. Photographs, drawings or manufacturer's brochures fully describing the appearance and dimensions of all proposed tables, chairs, umbrellas, and any other sidewalk cafe furniture related to the operation of the sidewalk cafe. Tables, chairs, umbrellas, and any and all other sidewalk cafe furniture shall be approved by the town manager prior to the issuance of a sidewalk cafe permit.
  - h. A copy of the approved sidewalk cafe site plan, shall be maintained on the permittee's premises and shall be available for inspection by town personnel at all times.
  - i. The annual leasing permit and initial fees are set forth in Appendix A.
  - j. Applications shall be reviewed for compliance with applicable local, state and

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federal laws, and must be reviewed and approved by the town's public works department; fire department; office of risk management; finance department; planning and zoning department; and building department.

- k. Prior to issuance of a sidewalk cafe permit, the town's Finance Director shall certify that there are no outstanding fines, monies, fees, taxes or other charges owed to the town by the applicant/permittee and/or the business establishment/restaurant. A sidewalk cafe permit will not be issued until all outstanding debts to the Town are paid in full.
  - l. A sidewalk cafe permit may not be transferred and/or otherwise assigned. A new owner and/or operator of a restaurant and/or business establishment with a sidewalk cafe permit will be required to apply for and obtain a new permit.
  - m. The permit covers only the public right-of-way. Tables and chairs on private property will be governed by other applicable regulations. No outdoor seating authorized pursuant to this division shall be used for calculating seating requirements pertaining to location of, applications for, or issuance of, a liquor license; nor shall the outdoor seating be used as the basis for computing required seating for restaurants, or as grounds for claiming exemption from such requirements under the provisions of any applicable town, county, and/or state law.
  - n. Sidewalk cafes shall comply with all applicable accessibility codes including, without limitation, the Americans with Disabilities Act (ADA), and state code provisions addressing accessibility for building construction, as same may be amended from time to time. Any café that would violate the terms of the lease agreement between the Town and Florida Department of Transportation shall be deemed in violation of this ordinance.
3. Renewals. As provided in subsection 82-371(b), a permittee who has been issued more than six violations pursuant to this division within a permit year, shall be prohibited from applying for and obtaining a sidewalk cafe permit for the following two consecutive permit years. Renewals shall be applied for and accompanied by the business tax receipt and certificates of use applications.

**Sec. 18-90. Permit fee; penalties for late payments; review of fee.**

- 1. The annual permitting fee for operation of a sidewalk cafe shall be as set forth in Appendix A, and shall be based on a per square foot calculation of permitted sidewalk area (including the area between the tables and chairs).
- 2. The town manager, in his reasonable discretion and judgment, may suspend or prorate the annual permitting fee in cases of public construction or public emergency situations.
- 3. The permitting fee shall be paid on or before October 1, and shall cover the time period from October 1 through September 30 of the following calendar year (license year). If the fee exceeds \$2,000.00, the fee may be paid in two semiannual installments, with the first installment due on October 1, and the second due on April 1. No permit shall be issued for any portion of a year, but any person/entity operating a sidewalk cafe for a period beginning after the commencement date of the full permit year (October 1) may obtain a permit for the remaining portion of that permit year upon payment of a pro-rated portion of the permit fee calculated from the first day of the month of issuance of the permit to

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the end of the permit year. Except as expressly provided in this division, no refund of the permitfee shall be granted.

4. Late payments for fees shall accrue at the rate of ten percent per annum for the first 30 days. If the permit fee is not paid within 60 days after it is due, the permit shall terminate automatically. Any continued operation of a sidewalk cafe after termination of a permit shall be construed as operating a sidewalk cafe without a valid license, and the town manager shall have the right to remove, upon 24 hours' written and/or verbal notice to the permittee, any and all sidewalk cafe furniture used in connection with the sidewalk cafe.

#### **Sec. 18-91. Permitted sidewalk café frontage; requests for expansions.**

1. Sidewalk cafes are restricted to the sidewalk frontage of the restaurant to which the permit is issued or, if the restaurant is an ancillary and/or secondary use to another type of business establishment, the sidewalk cafe shall be restricted to the sidewalk frontage of the building (or portion thereof) of the "primary" business establishment (within which the restaurant is located).
2. An applicant for a sidewalk cafe permit may be permitted, upon prior written request by the permittee to the town manager, to extend by a maximum total of 50 feet in the right-of-way on one side and/or the other side of the restaurant to which the permit is issued (of the business establishment where the restaurant is located); the permittee shall make written application to the town manager setting forth the reason(s) for the proposed expansion and provide a site plan showing the proposed expansion. All requests for expansions pursuant to this subsection (b) shall be reviewed by the town manager on a case by case basis. In reviewing such requests, the town manager, in making his determination to approve or deny, shall consider the following:
  - a. Pedestrian access.
  - b. Visibility of the front of the adjacent owner's business.
  - c. Obstructions.
  - d. Accessibility to the adjacent owner's business by patrons.
  - e. The town manager, shall solicit input from businesses and property owners on the same block including, without limitation, the immediately adjacent (i.e., next door) business and property owners.
  - f. The property owner of record for the applying shall provide written notice via certified mail to the adjacent business establishment (tenant) and property owner of record on to whose frontage the sidewalk cafe proposes to expand. The notification shall include the following information: the name and address of the permittee/business establishment requesting the expansion; the approximate location and size of the area requested; and the name and address of the town

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official and/or employee to forward comments to, and the time period within which to forward said comments (which time period shall be no less than fourteen (14) days). Said notice shall be sent, as to the adjacent business establishment (tenant), to the name and address on file with the town for the establishment's local business tax receipt and, for the property owner, to the name and address identified in the records of the Miami-Dade County Property Tax Appraiser's Officer. Any objections not submitted and received by the town within the date provided in the notice shall be deemed waived.

g. The town manager may also consider any history of violations and/or warnings.

3. In the event of approval by the town manager to expand a sidewalk cafe pursuant to this subsection (b), the additional square footage will be computed into the new permit fee.
4. Notwithstanding the town manager's approval of a sidewalk cafe expansion pursuant to this subsection (b), in the event that the adjacent business establishment and/or property owner (on to which a sidewalk cafe has expanded) subsequently elects to apply for a sidewalk cafe permit to operate a cafe in front of its premises, that new applicant/permittee shall provide the town manager with notice of such intent stating the applicant's name; the property address; the name of the business establishment and/or the restaurant (of which the cafe is a part of); and the anticipated opening date. The town will provide the business establishment (tenant) and property owner which is currently expanding into the proposed new applicant/permittee's frontage with a courtesy copy of the notice. Following receipt of said written notice by the town, and provided that the new applicant/permittee obtains a sidewalk cafe permit, as well as any other required permits and/or licenses for operation of the business establishment and/or restaurant associated with the proposed new sidewalk cafe, then the town manager's prior consent for expansion shall terminate, and the town shall provide written notice to the adjacent sidewalk cafe permittee advising it of such termination, and providing a termination date therefore. The town's notice shall provide the adjacent property owner with at least seven calendar days' notice prior to the effective date of termination of the expansion. Upon the termination date of the town's consent to expansion, the sidewalk cafe permit and the permit fee will be adjusted accordingly.

**Sec. 18-92. Minimum standards, criteria, and conditions for operation of sidewalk cafes.**

1. The permittee shall take any and all actions to assure that its use of the public right-of-way in no way interferes with patrons of other sidewalk cafes, or limits their free, unobstructed passage thereto, or the use of the public right-of way (including sidewalks) by the general public.
2. Sidewalk cafes shall be located in such a manner that a distance of not less than five feet is maintained at all times as a clear and unobstructed five-foot pedestrian path around public amenities and areas such as, by way of example, fountains, landscaped areas (excluding town planters), and seating/shade structures. Notwithstanding the preceding, the town manager, in his reasonable judgment and discretion, and on a case-by-case basis, may approve and allow for a pedestrian path of less than five feet where an applicant/permittee's sidewalk cafe operation would be significantly impacted. In

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considering such cases, and in determining whether an applicant/permittee is "significantly impacted," the town manager may apply the criteria set forth in subsections 82-384 (c)(1)—(4). A five-foot pedestrian path shall also be required and established where the town manager, in his reasonable judgment and discretion, determines that the operation of a sidewalk cafe inhibits pedestrian access to an adjacent business establishment or adversely affects the visibility of an adjacent storefront.

3. No tables, chairs, umbrellas, or other sidewalk cafe furniture shall be permitted within ten feet of a bus bench and/or bus shelter. A distance of five feet shall be maintained from taxi stands, fire hydrants, bike racks, directory signage/kiosks, and/or other similar public street furniture and/or fixtures.
4. No tables, chairs, umbrellas or other sidewalk cafe furniture shall be permitted within five feet of an alley, pedestrian crosswalk, or corner curb cut.
5. No object shall be permitted around the perimeter of an area occupied by tables and chairs which would have the effect of forming a physical or visual barrier discouraging the free use of the tables and chairs by the public, or which would have the effect of obstructing the pedestrian path or public access.
6. The area covered by a sidewalk cafe permit, and the sidewalk and street immediately adjacent to it, shall be maintained in a clean, neat and orderly appearance at all times by the permittee. The area of the sidewalk, curb and gutter immediately adjacent to the sidewalk cafe shall be cleared of all debris during hours of operation, and again at the close of each business day, or as may otherwise be determined by the town manager. The permittee shall be responsible for pressure cleaning the floor surface on which the sidewalk cafe is located at the close of each business day. The town shall pressure wash the right-of-way from time to time in accordance with such schedule as shall be established in the reasonable judgment and discretion of the town manager. In establishing said schedule, the town manager shall use reasonable efforts to assure that the town's pressure cleaning of the public right-of-way occurs at such times as will cause the least disruption to sidewalk cafe operations.
7. Tables, chairs, umbrellas and any other sidewalk cafe furniture shall be maintained in a clean, attractive, and orderly appearance, and shall be maintained and kept in good repair at all times.
8. All sidewalk cafe furniture shall be of high quality, design, materials, and workmanship and shall be maintained in such condition so as to ensure the safety and convenience of the public.
9. Only the sidewalk cafe furniture specifically shown on the approved sidewalk cafe site plan shall be allowed in the permit area.
10. All tables, chairs, umbrellas, and any other sidewalk cafe furniture shall be readily removable, and shall not be physically attached, chained, or in any other manner affixed

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to any public structure, street furniture, signage, and/or other public fixture, or to a curb and/or public right-of-way.

11. The stacking or piling up of chairs shall be prohibited on the right-of-way. Any and all other sidewalk cafe furniture may only be maintained in the permit area during hours of operation provided however, that planters that cannot be readily removed may remain within the permit area subject to the provisions hereof. Notwithstanding anything contained in this subsection, the town manager may require a permittee to store its tables, chairs and/or umbrellas off of the right-of-way if, in his reasonable judgment and discretion, the town manager determines that the sidewalk cafe permit area and immediately adjacent public right-of-way are not being adequately maintained in accordance with this division.
12. No storage of dishes, silverware or other similar sidewalk cafe equipment shall be allowed in the permit area, or in any other portion of the public right-of-way, or outside the structural confines of the building in which the restaurant is located.
13. There shall be no live entertainment or speakers placed in the permit area unless expressly permitted as a special event. Conditions such as hours and days of operation and audio levels will be regulated by the town's special events office, and these may vary during the year.
14. With the prior written approval of the Town Manager or his designee, one menu board and one specials board shall be permitted, per sidewalk cafe, for every 50 feet of frontage.
15. No food preparation, food storage, refrigeration apparatus or equipment, or fire apparatus or equipment, shall be allowed on the right-of-way. The use of garbage receptacles is also prohibited.
16. No food displays shall be permitted on the public right-of-way. No advertising signs or business identification signs shall be permitted on the public right-of-way except that the restaurant name and/or its logo may be permitted on umbrellas but such logos and/or lettering may not exceed six inches in height.
17. Umbrellas shall be fire-retardant, pressure-treated or manufactured of fire-resistant material. No portion of an umbrella shall be less than six feet eight inches above the right-of-way. Two or more umbrellas may not be clipped, zipped or otherwise fastened together in order to form a tent like structure. Clear plastics or other materials may not be fastened, rolled or otherwise be attached to umbrella edges in order to create an enclosure. No additional signage shall be permitted on the umbrellas.
18. Permittees may make written request to the town manager to use town electricity for powering floor fans during the summer months. Summer months are defined as the period beginning on May 1, and ending on September 30. The town manager will make electrical outlets operable upon payment of a flat fee, which fee shall be determined, and

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may be adjusted from time to time, in the reasonable judgment and discretion of the town manager, for each of the calendar days during the summer months. Town electrical outlets will be restricted to powering floor fans only. Using the electrical outlets for powering lights, menu board lighting, and any other electrical device is strictly prohibited. Any outside lighting must comply with existing building codes and is subject to approval. Permittees violating this restriction will have the electrical boxes deactivated and forfeit any monies paid for electrical use. Fans must be UL approved for outdoor use and fan blades must be fully encased for the safety of patrons and passersby. Extension cords are not allowed.

19. No permit shall be granted in an area designated in the sidewalk cafe site map as restricted for special and cultural events; provided however, that the town manager may approve temporary use of such area(s), on a case by case basis, and only for a defined, limited time.

#### **Sec. 18-93. Indemnification and insurance.**

1. The permittee agrees to indemnify, defend, save and hold harmless the town, its officers and employees from any and all claims, liability, lawsuits, damages and causes of action which may arise out of the permit or the permittee's activity on the public right-of-way.
2. The permittee agrees to meet and maintain for the entire permit period, at its own expense, the following requirements:
  - a. Commercial general liability insurance in the amount of \$1,000,000.00 per occurrence for bodily injury and property damage. The town must be named as an additional insured on this policy, and an endorsement \_\_\_\_\_ must be issued as part of the policy reflecting compliance with this requirement.
  - b. For sidewalk cafes which serve alcoholic beverages, liquor liability insurance in the amount of \$1,000,000.00 per occurrence for bodily injury and property damage. The town must be named as an additional insured on this policy, and an endorsement must be issued as part of the policy reflecting compliance with this requirement.
  - c. Workers' compensation and employers' liability as required by the state.
3. All policies must be issued by companies authorized to do business in the state and rated B+:VI or better per Best's Key Rating Guide, latest edition.
4. The town must receive 30 days' written notice prior to any cancellation, non-renewal or material change in the coverage provided.
5. The permittee must provide and have approved by the town an original certificate of insurance as evidence that the requirements set forth in this section have been met prior to commencing operations.
6. Failure to comply with these requirements shall be deemed to be operating without a

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valid permit and shall cause an immediate suspension or revocation of the permit.

**Section 3. Severability.** If any section, subsection, clause or provision of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, the remainder shall not be affected by such invalidity.

**Section 4. Conflict.** All sections or parts of sections of the Town of Surfside Code of Ordinances in conflict herewith are intended to be repealed to the extent of such conflict.

**Section 5. Inclusion in the Code of Ordinances.** It is the intention of the Town Commission, and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the Town of Surfside Code of Ordinances, that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and the word “ordinance” may be changed to “Section” or other appropriate word.

**Section 6. Effective Date.** This Ordinance shall be effective ten (10) days after adoption on second reading.

PASSED and ADOPTED on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

PASSED and ADOPTED on second reading this \_\_\_\_ day of \_\_\_\_\_, 2012.

---

Daniel Dietch, Mayor

Attest:

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Attest:

\_\_\_\_\_  
Sandra Novoa, CMC, Town Clerk

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:**

\_\_\_\_\_  
Lynn M. Dannheisser, Town Attorney

On First Reading Moved by: \_\_\_\_\_

On Second Reading Seconded by: \_\_\_\_\_

VOTE ON ADOPTION:

Commissioner Sheldon Lisbon	yes _____	no _____
Commissioner Marty Olchyk	yes _____	no _____
Vice Mayor Michael Karukin	yes _____	no _____
Mayor Daniel Dietch	yes _____	no _____

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## APPENDIX A

### Fee Schedule

Initial Sidewalk Café Permit Application (Subsequent annual renewals are part of the Certificate of Use process)	\$80 onetime charge
Initial Town Issued Sidewalk Café Site Plan (Not required as part of an annual renewal if unchanged)	\$250 per plan
Annual Sidewalk Café Permit For Use Of Public Space (Percentage due Florida Department of Transportation per annual agreement)	\$15 per square foot

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## Commission Communication

**Agenda #:** 5A

**Date:** April 10, 2012

**Subject:** Fraternal Order of Police Collective Bargaining Agreement – Year 2 Wage Re-opener

**Background:** The Fraternal Order of Police Local 135 (FOP) has represented the Town of Surfside bargaining unit members for more than 10 years. The Town and the FOP are parties to a collective bargaining agreement for the Town's police officers, sergeants and dispatchers (29 covered employees in total) for the period October 1, 2010 through September 30, 2013. The process which governs Collective Bargaining is established under Florida Statute 447 (Public Employees Relations Act).

Article 19 "Wages" of the current agreement with the FOP approved by the Town Commission on November 9, 2010 contains a re-opener provision (Section 19.5) that allows either party to re-open the article to negotiate concerning wages after April 1 of the second and/or third year of the agreement for possible implementation beginning October 1, 2011 and October 1, 2012. The FOP requested to re-open the wage article during the second year of the agreement and has done so for year three as well. It is the intent of the Administration to call an executive session to discuss the third year of the contract following the Town Commission decision regarding year 2.

The Town entered into negotiations with the FOP on March 24, 2011. The Town's bargaining team included: Town Manager, Roger M. Carlton, Chief David Allen, Assistant Chief John Di Censo, and Human Resources Director Yamileth Slate-McCloud. The FOP's bargaining team included: Officer Tammy Campbell, Sergeant Julio Torres, Sergeant Alberto Rory, Officer Antonio Mesa, FOP Staff Representative John Puleo, and FOP Counsel Anthony Livoti. Five bargaining sessions were held. In addition, staff held two (2) Executive Sessions with the Town Commission. The underlying principle of the re-opener negotiations from the Town's view point was that any salary increase be tied to performance evaluations and not be granted automatically based on the time served.

During the re-opener negotiations on wages, the parties reached agreement on a number of issues, including new step pay plans for the police officers, dispatchers and police sergeants. In particular, the Town, agreed to:

- Provide its police officers with new steps 7 and 8 in their pay plan which will provide the Town's police officers with two additional 3% pay increases before they "top out" in their pay plan,
- Create a step 6 for dispatchers,

- For police officers and police dispatchers that were topped out of their respective pay plans, the Town agreed to provide a one-time lump sum non pensionable payment of 2.5% of their base pay,
- The Town agreed to create a new three step pay plan for the police sergeants. Currently there are no step increases for the sergeants.

All of these elements of the negotiation were reviewed by the Town Commission in executive sessions.

The FOP found salary increases tied to performance to be unacceptable. In a final effort to agree the Town's bargaining team proposed that the pay for performance would be applicable only to the six sergeants. Then the parties were unable to agree on the two issues:

1. Whether advancement in the new step pay plan for sergeants would be tied to performance; and
2. Whether and to what extent a sergeant could appeal a step increase denial.

Because parties were unable to reach an agreement after numerous meetings on those two issues, the FOP declared impasse on July 15, 2011. Despite declaring impasse, the Town and the FOP continued to negotiate.

The Florida Legislature created the Public Employee Relations Commission (PERC) to assist in resolving disputes between public employees and public employers as an independent neutral agency. If both parties have sincerely negotiated for a reasonable time, either one may advise PERC that they have reached an impasse in their negotiations. PERC then requests the Federal Mediation and Conciliation Service to appoint a mediator to assist the parties in resolving the impasse. If mediation is unsuccessful, the parties then proceed to a hearing before a jointly appointed magistrate, who then issues a non-binding recommendation as to how to resolve the impasse. If either party rejects the recommendation, either in whole or in part, the impasse items are then presented to the Commission during a public meeting for resolution.

On October 20, 2011, the special magistrate jointly selected by the parties, Martin A. Soll, Esq., held a hearing concerning the impasse. During the hearing, the parties presented their positions on the two aforementioned impasse issues. Mr. Soll rendered his opinion on January 6, 2012 (Attached as Exhibit 1). In his Recommended Decision, Magistrate Soll recommended that advancement in the sergeant's step pay plan be tied to performance. Magistrate Soll also recommended that sergeants be allowed to use the grievance procedure in Article 15 of the current Agreement to appeal a denied step increase through binding arbitration, provided that the arbitration hearing be conducted on an expedited basis. The language in the current contract does not include appeal of annual performance review. On February 10, 2012 the Town rejected the second element of Magistrate Soll's recommendation that a sergeant be allowed to appeal a step increase denial to expedited arbitration. This element of Magistrate Soll's recommendation was rejected by the Town because the cost of the appeal would be significant in relation to the amount of salary adjustment thereby inhibiting the desired outcome of the pay for performance goal. The Town recommended a simpler and less expensive appeal process which the FOP did not accept. Because neither the Town nor the FOP rejected Magistrate Soll's recommendation that advancement in the sergeant's pay plan be tied to performance, that recommendation was deemed acceptable.

An impasse hearing before the Town Commission was scheduled for March 13, 2012. The Administration's position was to allow the sergeants to use the grievance procedure in existing Article 15 of the Agreement to grieve a step increase denial provided that the final step of such grievance is step 2 (i.e., the Town Manager), and not arbitration. Allowing a sergeant to grieve the denial of his/her step increase to arbitration could cause the Town to incur great cost (as much as \$20,000) when the amount at issue is relatively small (approximately \$2,000 per step).



The Town's bargaining team decided to make one last attempt to resolve this matter prior to the March 13, 2012 meeting. As such, we are pleased to report that an agreement has been reached and that members of the FOP Local 135 have voted to support the following position:

1. An amended pay plan will be put in place as described above. Please be reminded that the lack of existence of a pay plan caused significant consternation in the community prior to the current contract adoption and that the FOP gave up salary increases in year 1 of the current agreement in part to remedy the perception of overpayment in previous years.
2. Establishes an appeal process for any step increase denial which is simple and cost effective.

The amended Article 19 (Attached as Exhibit 2) includes the actual settlement language and the amended pay plan (Attached as Exhibit 3) reflects the salaries that have been negotiated.

**Budget Impact:** The approved FY 11/12 Budget includes \$60,000 for the adjustments retroactive to October 1, 2011. The potential budget impact for FY 12/13 of the year 3 re-opener will be discussed in an executive session to be scheduled.

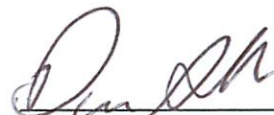
**Analysis:** The collective bargaining process has been arms length and respectful. While neither side emerged with all they wanted, both sides achieved sufficient outcomes to support bringing the agreement to their membership and to the Town Commission. As the proposed settlement is considered by the Town Commission, the achievement of pay for performance in a collective bargaining context should really be appreciated.

**Staff Impact:** N/A

**Recommendation:** It is recommended that the Town Commission approve the Year 2 Wage Re-opener settlement with the Fraternal Order of Police Local 135.



Roger M. Carlton  
Town Manager



David Allen  
Chief of Police



Yamilith Slate-McCloud  
Human Resources Director

**RESOLUTION NO. \_\_\_\_**

**RESOLUTION OF THE TOWN COMMISSION FOR THE TOWN OF SURFSIDE, FLORIDA APPROVING AND RATIFYING THE FRATERNAL ORDER OF POLICE COLLECTIVE BARGAINING AGREEMENT – YEAR 2 WAGE RE-OPENER FOR THE COLLECTIVE BARGAINING BETWEEN THE TOWN OF SURFSIDE AND THE FLORIDA STATE LODGE FRATERNAL ORDER OF POLICE (“AGREEMENT”) DATED OCTOBER 1, 2010 THROUGH SEPTEMBER 30, 2013; DIRECTING THE TOWN MANAGER TO EXECUTE SAME AND DO ALL THINGS NECESSARY TO IMPLEMENT THE TERMS OF THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS,** Town management (the Town”) has spent considerable time and effort negotiating the Fraternal Order of Police Collective Bargaining Agreement – Year 2 Wage Re-opener to the Collective Bargaining Agreement between the Town and the Florida State Lodge Fraternal Order of Police (“FOP”) dated October 1, 2010 through September 30, 2013 (the “Agreement”); and

**WHEREAS,** the membership of the FOP has now ratified the Agreement; and

**WHEREAS,** the Town Commission must now review and approve the Agreement and would desire to do so as it establishes an orderly and peaceful procedure to compensate FOP members concerning rates of pay, wages, and performance evaluations and is therefore determined to be in the best interest of the Town.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals.** The above and foregoing recitals are true and correct and are incorporated herein by reference.

**Section 2. Approval and Ratification of Agreement with Authorization of the Town Manager to Do All things Necessary to Implement the Agreement.** The Town Commission hereby ratifies and approves the Agreement and authorizes the Town Manager to execute the Agreement and to take all actions necessary to implement the terms of the Agreement.

**Section 3. Effective Date.** This Resolution shall take effect immediately upon adoption.

**PASSED and ADOPTED** on this 10<sup>TH</sup> day of April, 2012.

Motion by Commissioner \_\_\_\_\_, Second by Commissioner \_\_\_\_\_.

**FINAL VOTE ON ADOPTION**

Commissioner Sheldon Lisbon	_____
Commissioner Marta Olchyk	_____
Vice Mayor Michael Karukin	_____
Mayor Daniel Dietch	_____

\_\_\_\_\_  
Daniel Dietch, Mayor

**ATTEST:**

\_\_\_\_\_  
Sandra Novoa, CMC. Town Clerk

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY FOR THE TOWN OF SURFSIDE ONLY:**

  
\_\_\_\_\_  
Lynn M. Dannheisser, Town Attorney

**BEFORE THE STATE OF FLORIDA  
PUBLIC EMPLOYEES RELATIONS COMMISSION**

In the Matter of:  
TOWN OF SURFSIDE, FLORIDA,  
POLICE DEPARTMENT,  
Public Employer/Town,

and

Special Magistrate Case No. 2011-057

FLORIDA STATE LODGE,  
FRATERNAL ORDER OF POLICE,  
LOCAL LODGE 135,  
FOP/Union.

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**SPECIAL MAGISTRATE'S RECOMMENDED DECISION**

Special Magistrate: Martin A. Soll, Esq.  
3530 Mystic Pointe Drive, Suite 401  
Miami, Florida 33180

For Town of Surfside:  
Brett J. Schneider, Esq.  
Weiss Serota Helfman Pastoriza Cole & Boniske, P.L.  
200 East Broward Blvd., Suite 1900  
Ft. Lauderdale, Florida 33301

For Fraternal Order of Police:  
Anthony M. Livoti, Jr., Esq.  
Florida State Lodge, Fraternal Order of Police  
721 NE 3<sup>rd</sup> Avenue  
Fort Lauderdale, FL 33304

Witnesses called by Town of Surfside:  
Human Resources Director Yamileth Slate-McCloud; Chief of Police David Allen; Town Manager Roger Carlton; Attorney Raquel Elejabarrietta, Esq.

Witnesses called by Florida State Lodge, Fraternal Order of Police:  
President FOP Lodge 135/Police Officer Tammy Macklin; FOP Staff Representative John Puleo.

Applicable Collective Bargaining Agreement ("CBA" or "Current CBA"):  
Agreement Between the Town of Surfside and the Florida State Lodge, Fraternal Order of Police, October 1, 2010 through September 30, 2013.

## **JURISDICTION**

This special magistrate proceeding was convened under the authority of Florida's Public Employees Relations Act ("PERA," Section 447, Part II, Chapters 447.201 - 447.609, Florida Statutes) and the administrative rules of practice of the State of Florida Public Employees Relation Commission ("PERC"). As stated in PERA, its purpose is for the special magistrate to help resolve the bargaining impasse existing between the parties by issuing a recommended decision on all unresolved contract issues.

The undersigned was agreed upon to serve as special magistrate and, thereafter, appointed to his position on August 9, 2011, by Mr. Mike Hagan, Chair, State of Florida Public Employees Relations Commission. A transcribed evidentiary hearing was held at Town's City Hall offices on October 20, 2011, during which the parties were accorded the full opportunity to call, examine and cross-examine witnesses and submit all evidence pertinent and material to their respective positions. Post hearing closing briefs were received by the undersigned on or about November 28, 2011. The parties also agreed to extend the time for the undersigned to file his recommended decision.

PERA's language (Section 447.405, Florida Statutes) lists the following "factors," among others, to be given weight by the special magistrate in arriving at a recommended decision:

- (1) Comparison of the annual income of employment of the public employees in question with the annual income of employment maintained for the same or similar work of employees exhibiting like or similar skills under the same or similar working conditions in the local operating area involved.
- (2) Comparison of the annual income of employment of the public employees in question with the annual income of employment of public employees in similar public employee governmental bodies of comparable size within the state.
- (3) The interest and welfare of the public.

- (4) Comparison of peculiarities of employment in regard to other trades or professions, specifically with respect to:
  - (a) Hazards of employment.
  - (b) Physical qualifications.
  - (c) Educational qualifications.
  - (d) Intellectual qualifications.
  - (e) Job training and skills.
  - (f) Retirement plans.
  - (g) Sick leave.
  - (h) Job security.
- (5) Availability of funds.

### **BACKGROUND**

Town of Surfside ("Town") is located in Miami-Dade County, Florida. It borders the Atlantic Ocean to the East, Biscayne Bay to the West, Bal Harbour Village to the North, and the City of Miami Beach to the South. Town's population is approximately 5,800 and it employs 80-85 employees.

The police bargaining unit is represented by the Florida State Lodge, Fraternal Order of Police ("FOP"). It includes six police sergeants, sixteen police officers and three dispatchers. Town's Police Department ("Department") is managed by Chief of Police David Allen and Assistant Chief John DeCenso. Unlike other Florida law enforcement agencies, Department employs no captains or lieutenants.

The record shows that in early March 2011, FOP timely invoked the CBA's Article 19 (Wages), Section 5-reopener language which allows either party to reopen bargaining unit wages.<sup>1</sup> Thereafter, negotiations were held on March 24, April 6, April 28, June 24, June 29, and September

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<sup>1</sup> Article 19 (Wages), Section 5 states: "This Article may be re-opened for negotiations for the second and/or third year of the Agreement upon the request by either party not later than April 1 of each year of the contract."

26, 2011. In this matter, as more specifically discussed below, one overall issue divides the parties - Town's Article 16 proposal to implement a new performance/merit based step pay increase plan for its six police sergeants.<sup>2</sup>

### **SUMMARY OF THE PARTIES' OPPOSING POSITIONS, EVIDENCE & ARGUMENT**

Under the Current CBA, the record shows sergeants have no performance nor any other step pay increases. A newly promoted sergeant receives a 10% pay increase at the time of his/her promotion. Thereafter, sergeants are eligible only for cost of living pay increases to the extent such increases are negotiated by the parties in their collective bargaining negotiations.

Town's sergeant pay proposal, in a nutshell, calls for a starting or initial annual salary/step of \$80,550.04 for each sergeant, and then a total of three subsequent performance/merit step pay increases every two years of approximately \$2,000.00. The payment of each step increase, however, is contingent upon the sergeant receiving a "satisfactory" (i.e., "performance meets the needs of the job") or above on the sergeant's yearly performance evaluation. According to Town, upon implementation of its proposal (and the sergeant receiving a satisfactory or above performance evaluation), three of the six sergeants will receive step increases of just more than \$2,000.00, and one sergeant will receive a \$7,762.52 step increase. In its post hearing brief, Town also proposes to allow sergeants to utilize the Current CBA's Article 15-dispute resolution procedures to grieve a step

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<sup>2</sup> Regarding the remaining sixteen police officers and three dispatchers bargaining unit members, the record shows that in the course of the parties' re-opener wage negotiations, they tentatively agreed to (1) create a 7<sup>th</sup> and 8<sup>th</sup> step in the police officer's pay plan, which will provide the Department's sixteen police officers with two additional 3% pay increases before they "top out" in their pay plan; and (2) for those police officers and dispatchers who were already topped out of their respective pay plans, the parties further tentatively agreed to provide a one-time lump sum payment of 2.5% of base pay. The record also shows that Town is *not* proposing a merit/performance-based pay plan for its dispatchers or police officers.

increase denial provided the last step of such grievance is the Step-2 final and binding decision of the Town Manager.

Regarding the actual evaluation form utilized by Town, the record shows that for many years to the present time, all sergeants have been evaluated each year on a three-page form called "Management Performance Evaluation." The record also shows that in the course of the parties' negotiations, Town drafted and shared with FOP a new comprehensive/thirteen-page annual performance evaluation form for sergeants called "Police Supervisor Performance Evaluation."

While the amounts and timing of the step pay increases are not in dispute, the parties are at impasse on the following two overlapping issues. First, they disagree on whether a sergeant's pay advancements under the new plan should or should not be tied or contingent upon the sergeant receiving a satisfactory or above yearly performance evaluation. Second, they disagree on whether the Current CBA should be amended to permit a sergeant's step increase denial be grieved, and if not resolved, advanced to binding arbitration before a neutral arbitrator.

#### FOP's Positions and Argument

While FOP opposes that bargaining unit pay be tied to merit or performance, in the course of his testimony, Staff Representative John Puleo expressed an overall and guarded willingness by FOP to consider Town's new merit pay plan for sergeants. Puleo, however, emphasized that FOP's agreement to the new plan would be contingent upon Town's agreement to amend the CBA to contractually enable the sergeant to grieve a step increase denial up to and including binding arbitration before a neutral arbitrator.

In its post hearing brief FOP further argues and requests the undersigned recommend its positions for the following reasons:



*(Regarding FOP's overall opposition to merit/performance based pay)*

- That Town's assertion police officer step increases in neighboring towns or villages are based upon merit is only "partially correct." Only two of the seven police departments cited in Town's Exhibit # 6 have step increases based upon merit and only one of them is union.
- That contrary to Town's evidence and position that Golden Beach has a minimum performance requirement for sergeants to advance in their respective pay plans, a November 9, 2011-letter from Golden Beach's Town Manager states as follows:  
[T]he salary increases stipulated in the FOP contract will not be tied to the officer's performance. The second year 2.5% increase and third year 3.5% increase is not a merit increase and will be treated more like a cost of living adjustment (COLA). Performance reviews will not be factored into the second and third year increases.<sup>3</sup>
- As stated in letters from the North Miami Police Department and the Miami Beach Police Department, neither connect or tie police officer performance evaluations to pay increases. And,
- As argued by FOP in its post hearing brief:

. . . Many [police] departments do not want to have their employees engage in a competitive atmosphere which could lead to lower morale and a statistical war.

Though only one mile long, the Town of Surfside has 20,000 cars pass through its city limits on a daily basis. Could you imagine what performance-based pay would mean to those motorists? While the Town states that there are no established quotas, competition between the Sergeants may easily mean more traffic violations and more arrests to insure that they would receive higher pay based upon higher numbers. What will begin to happen with merit-based pay is Officers/Sergeants citing for violations that they traditionally overlooked or gave warning for because their financial livelihood is at stake. The pressure to perform will take attention off of important issues such as criminal patrol and onto traffic violations as those are easily attainable statistics that will justify the Officer's/Sergeant's performance.

Performance based pay works well in other fields, such as sales. There the

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<sup>3</sup> Said November 8, 2011-letter from Golden Beach's Town Manager is obviously subsequent to the October 20, 2011-Special Magistrate Hearing. In its post hearing brief, FOP addresses the letter's post-hearing date and its admission into the record as follows:

[S]ince there was some confusion in the testimony of the Town's Attorney, Raquel Elejabarrieta, Esq., regarding the Town of Golden Beach, a letter was obtained from that Town's Manager, Alexander Diaz, clarifying "...that the salary increases in the FOP contract will not be tied to the officer's performance." (The Union would move in this exhibit as #6. There should be no prejudice to the Town as the same attorneys who represent Surfside also represent Golden Beach and this information was within their purview. Additionally, the CBA for the Town of Golden Beach is a public record.)

motivation is to sell more, thereby receiving more money. If salesmen and retail staffers did not receive a commission on their sales, they would be unlikely to put in as much effort to sell their employer's product. However, this same principle is less appropriate in police work. Rewarding an officer on the number of arrests or convictions may encourage them to become overzealous. It could tempt them into corruption and evidence tampering while criminalizing more of the general public.

*(Regarding FOP's arbitration position)*

- That Section 26.5 of the Bal Harbour/PBA bargaining agreement (Town Exhibit #8) states that all step increases denials "shall be subject to the grievance procedure." And,
- As argued by FOP in its post hearing brief:

[W]ho would make the decisions on who gets what amount of money? The testimony of the Town Manager clearly shows that the Town Manager himself would be the final decision maker. His testimony on cross examination clearly shows obstinance and evasiveness. The Manager could/would not even remember that the FOP had offered to agree to the "pay for performance" proposition if the Sergeants could grieve the decision [to a neutral arbitrator]. Without a checks-and-balance system, i.e., grievance and arbitration, the final decision is left up to one person who might consider the personality of the Sergeants above all else. To what extent would his personal preconceptions motivate punitive measures against a Sergeant who may not agree with his management style, such as it is?

#### Town's Opposing Positions and Argument

Pointing to the testimony of its witnesses and submitted documentation, Town requests the undersigned (1) recommend that sergeants meet a minimum performance standard in order to be eligible for the step wage increases it purposes; and (2) reject FOP's proposal to allow sergeants to arbitrate step increase denials beyond the Town Manager/Step 2. In support, Town contends and argues in its post hearing brief, in summary and in relevant part, as follows:

*(Regarding Town's position in support merit/performance based pay)*

- That of the six Miami-Dade County coastal municipalities with populations of less than 13,000 (i.e., Bal Harbour Village, Town of Bay Harbor Islands, Town of Golden Beach, Village of Key Biscayne, North Bay Village and Town of Indian Creek), four (i.e., Bal Harbour Village, Town of Golden Beach, Village of Key Biscayne, and Town of Indian Creek) have a minimum performance requirement to advance in their respective sergeants pay plans.

- That the salaries Town proposes to pay its six sergeants in its step pay plan exceed the sergeants' salaries in Bal Harbour Village, Town of Bay Harbor Islands, Town of Golden Beach, North Bay Village and Town of Indian Creek, and while Village of Key Biscayne pays its sergeants more than the Town, such pay commences only after the 8<sup>th</sup> year of being a sergeant.
- That while FOP submitted into the record evidence that the police bargaining units in the cities of Miami Beach and North Miami do not require a minimum performance standard for advancement in their respective step pay plans; such evidence should be disregarded because both governmental entities are much larger than the Town (Miami Beach has a population of approximately 88,000 and North Miami has a population of approximately 56,000) and, as such, they are not appropriate comparables for this dispute.
- That Town's proposal there be a minimum performance requirement for sergeants to advance in the step pay plan is consistent with its position on merit increases for Town's unrepresented and supervisory employees. And,
- Town is only asking its sergeants to be just as accountable as the Town's non bargaining unit employees, especially because four out of the ten highest paid Town employees are sergeants.

*(Regarding Town's overall opposition to allow sergeants to grieve step increase denials through arbitration)*

- Of the four comparable municipalities that tie step increases to merit (i.e., Bal Harbour, Golden Beach, Key Biscayne, and Indian Creek Village), only Bal Harbour allows an employee to grieve to binding arbitration his/her step increase denial. Thus, providing a sergeant who is unhappy with his or her evaluation the right to grieve the same to binding arbitration is not a reasonable result.
- That FOP's position/proposal to allow step increase denials be grieved through arbitration is not rational due to the high cost of going to arbitration (upwards of \$20,000.00) particularly given the relatively small amount at issue - approximately \$2,000.00 per step.
- Having an arbitrator determine whether an employee performed better or worse than what his/her evaluator thought is impractical. In particular, it could potentially require the questioning of many witnesses, each having information about an incident that occurred during the term for which the sergeant is evaluated and reviewing hundreds of reports and arrests that the sergeant completed during the evaluation period. And last,
- Arbitration defeats the purpose of tying step increases to performance evaluations because in order to avoid the high cost of arbitration and the impracticability of such arbitration, sergeants who do not deserve to score satisfactory in performance evaluations may be given that score.

## **RECOMMENDATIONS**

### **Issue One - Whether the Proposed Step Increases Should Be Tied to Performance/Merit?**

Having reviewed the record and considered, among others, each of the above quoted statutory factors, the undersigned recommends the parties agree to Town's wage proposal to the extent that all sergeant step increases be tied to performance/merit. In other words, to resolve Issue One, the undersigned recommends the parties agree to Town's wage proposal, thus, to receive each step increase, the police sergeant must first obtain a score of satisfactory or greater on his/her annual performance evaluation. The recommendation is based upon the testimony of Town's witnesses and its corroborating documentation which collectively show that:

- (1) Of the six Miami-Dade County municipalities which are comparable to Town (i.e., those with populations of less than 13,000), that four of the six (i.e., Bal Harbour Village, Town of Golden Beach, Village of Key Biscayne, North Bay Village and Town of Indian Creek), have a minimum performance requirement for their police officers to advance in their respective pay plans.
- (2) Upon implementing the new pay plan, the overall salaries paid to Town's sergeants will exceed the sergeants' salaries in Bal Harbour Village, Town of Bay Harbor Islands, Town of Golden Beach, North Bay Village and Town of Indian Creek. And,
- (3) That Town's unrepresented and supervisory employees are now subject to merit increases.

The undersigned, likewise, finds no compelling evidence in the record in support of FOP's arguments or fears that should performance or merit pay be initiated by Town for its six sergeants that:

- It may lead to lower morale, or statistical wars, or more traffic violations or arrests to insure higher pay based upon higher numbers;
- Pressure to perform will take attention off of important issues such as criminal patrol and onto traffic violations as those are easily attainable statistics that will justify the

sergeant's performance; Or that,

- Rewarding an officer on the number of arrests or convictions may encourage them to become overzealous, or could tempt them into corruption and evidence tampering while criminalizing more of the general public.

Last, the undersigned is not unmindful of the above referenced November 9, 2011, letter signed by Golden Beach's town manager which states in relevant part "[T]he salary increases in the FOP contract will not be tied to the officer's performance." The parties are advised, however, that no weight was given to said letter in light of, among other things, the language of the first sentence of Article 12, Section 2 of the 2011-2014-Golden Beach/FOP Agreement. It states "Each employee shall, on the anniversary date of his/her rank, **provided his/her performance has not been unsatisfactory**, progress to the next higher step in the pay plan." (Emphasis added).

#### **Issue Two - Whether Denied Step Increases May Be Advanced to Binding Arbitration?**

Town requests the undersigned reject FOP's position that denied step increases may be grieved to binding arbitration. In support, as noted above and repeated here, in its closing brief, Town argues as follows:

- |                |   |
|----------------|---|
| Argument One   | Of the four comparable municipalities that tie step increases to merit (i.e., Bal Harbour, Golden Beach, Key Biscayne, and Indian Creek Village), only Bal Harbour allows an employee to grieve to binding arbitration his/her step increase denial. Thus, providing a sergeant who is unhappy with his or her evaluation the right to grieve the same to binding arbitration is not a reasonable result. |
| Argument Two   | That FOP's position/proposal to allow step increase denials be grieved through arbitration is not rational due to the high cost of going to arbitration (upwards of \$20,000.00) particularly given the relatively small amount at issue - approximately \$2,000.00 per step.   |
| Argument Three | Having an arbitrator determine whether an employee performed better or worse than what his/her evaluator thought is impractical. In particular, it could potentially require the questioning of many  |

witnesses, each having information about an incident that occurred during the term for which the sergeant is evaluated and reviewing hundreds of reports and arrests that the sergeant completed during the evaluation period. And last,

Argument Four      Arbitration defeats the purpose of tying step increases to performance evaluations because in order to avoid the high cost of arbitration and the impracticability of such arbitration, sergeants who do not deserve to score satisfactory in performance evaluations may be given that score.

Regarding Town's Argument One, the record is clear that Golden Beach, Key Biscayne, and Indian Creek police officers have no contractual right to grieve to binding arbitration step increase denials. The undersigned, however and simply put, finds said facts insufficient grounds to reject FOP's arbitration proposal.

The undersigned similarly finds no submitted documentation or any compelling testimony in the record sufficient to support or corroborate the alleged facts, conclusions and/or opinions stated by Town in any of its three remaining arguments.<sup>4</sup> The undersigned also observes: (1) that Factor

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<sup>4</sup> As one example, in Town's Argument Two it alleges that arbitrating step denials before an arbitrator is "irrational" due to the high cost of going to arbitration - "upwards of \$20,000.00." The undersigned observes that the only evidence in the record regarding actual arbitration costs was the below cross examination of FOP Representative John Puleo by Town's counsel.

Q. (Cross Examination of Mr. Puleo by Mr. Schneider, Esq.)

[I]s it fair to say that going to an arbitration for a full day, paying your attorney, paying an arbitrator, paying the court reporter could easily run you 15, 20 grand?

A. (By Mr. Puleo)

I guess.

Q. Fair to say, even potentially more, depending on the type of case, and how many witnesses, and those types of things?

A. Right. (Tr. pp. 168-169).

It goes without saying that arbitration or any adversary proceeding is not free. However, and simply put, being the only evidence of record regarding actual arbitration costs, Puleo's respective answers of "I guess" and "Right" to the above two question fails to support that portion of Town's post hearing brief which states and argues that FOP's proposal to arbitrate step increase denials is "not rational due to the high cost of going to arbitration (upwards of \$20,000.00) . . ."

As a second example, among others, the undersigned finds no evidence in the record in support of Town's arguments or fears that in order to avoid the impracticability and high cost of

5/Availability of Funds was at no time raised by Town at the hearing as grounds to oppose FOP's arbitration proposal; and (2) that FOP's arbitration proposal is consistent with the following language of PERA/Section 447.401, Florida Statutes which clearly encourages binding arbitration by an impartial arbitrator as the "terminal step" for settling public employer/employee disputes. It states:

Grievance procedures. - - - Each public employer and bargaining agent shall negotiate a grievance procedure to be used for the settlement of disputes between employer and employee, or group of employees, involving the interpretation or application of a collective bargaining agreement. Such grievance procedure shall have as its terminal step a final and binding disposition by an impartial neutral, mutually selected by the parties; . . .

In light of the above, to resolve Issue Two, the undersigned recommends the parties amend Article 15 (Grievance and Arbitration Procedure) as necessary to provide that the Union, at its discretion, will be allowed to henceforth file at Step 1 of the parties' Article 15 grievance procedures and, thereafter, advance to binding arbitration unresolved contract grievances protesting a sergeant's denied step increase.<sup>5</sup> Likewise, and in recognition of the current recessionary times, the undersigned further recommends the parties add to Article 15 the following grievance/arbitration procedures to reduce the time and expense of arbitrating denied sergeant step increases.

(A) **Selection of the Arbitrator**

1. Prior to the Union requesting an arbitration panel from the Federal Mediation and Conciliation Service ("FMCS"), the parties will endeavor to agree upon an arbitrator with prior police or law enforcement employment who resides in either Miami-Dade, Broward, or Palm Beach Counties, Florida.
2. In the event the parties are unable to timely agree upon a said

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arbitration, "sergeants who do not deserve to score satisfactory in performance evaluations may be given that score."

<sup>5</sup> The undersigned observes that FOP is not seeking to arbitrate before a neutral arbitrator those sergeant evaluations which are scored satisfactory or above, or those which do not result in a denied step increase.

impartial arbitrator, the Union will request a list of seven (7) potential arbitrators from FMCS who reside within a 125-mile radius of Town under the agency's "Expedited Arbitration" procedures.<sup>6</sup>

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<sup>6</sup> FMCS's Expedited Arbitration Procedures state in relevant part as follows:

**Subpart D - Expedited Arbitration**

**1404.17 Policy.**

In an effort to reduce the time and expense of some grievance arbitrations, FMCS is offering expedited procedures that may be appropriate in certain non-precedential cases or those that do not involve complex or unique issues. Expedited Arbitration is intended to be a mutually agreed upon process whereby arbitrator appointments, hearings and awards are acted upon quickly by the parties, FMCS, and the arbitrators. The process is streamlined by mandating short deadlines and eliminating requirements for transcripts, briefs and lengthy opinions.

**1404.18 Procedures for Requesting Expedited Panels.**

- a. With the exception of the specific changes noted in this Subpart, all FMCS rules and regulations governing its arbitration services shall apply to Expedited Arbitration.
- b. Upon receipt of a joint Request for Arbitration Panel (Form R-43) indicating that expedited services are desired by both parties, the OAS will refer a panel of arbitrators.
- c. A panel of arbitrators submitted by the OAS in expedited cases shall be valid for up to 30 days. Only one panel will be submitted per case. If the parties are unable to mutually agree upon an arbitrator or if prioritized selections are not received from both parties with 30 days, the OAS will make a direct a direct appointment of an arbitrator not on the original panel.
- d. If the parties mutually select an arbitrator, but the arbitrator is not available, the parties may select a second name from the same panel or the OAS will make a direct appointment of another arbitrator not listed on the original panel.

**1404.19 Arbitration Process.**

- a. Once notified of the expedited case appointment by the OAS, the arbitrator must contact the parties within seven (7) calendar days.
- b. The parties and the arbitrator must attempt to schedule a hearing within 30 days of the appointment date.
- c. Absent mutual agreement, all hearings will be concluded within one day. No transcripts of the proceedings will be made and the filing of post-hearing briefs will not be allowed.
- d. All awards must be completed within seven (7) working days after the hearing. These awards are expected to be brief, concise, and not require extensive written opinion or research time.



- (B) **Choice of Representatives and Costs of Arbitration** That at the time the arbitrator is selected, Town and Union may jointly agree on the use of attorneys to present their respective cases to the arbitrator. In the absence of agreement, however, each of the parties will designate any representative of their choice.

(C) **Witnesses & Exchange of Information**

At least three (3) working days prior to the hearing, the parties' representatives will meet to disclose intended witnesses, mark and exchange copies of all documents and other evidence intended to be submitted to the arbitrator, and endeavor to agree upon stipulations. Unless otherwise agreed by the parties prior to the arbitration, or allowed by the arbitrator at the hearing for good cause, each party will have the right to present or call a total of not more than four witnesses to testify at the hearing.

(D) **Issue**

Unless otherwise agreed by the parties, the issue in dispute will be as follows:

Whether Grievant's evaluation dated \_\_\_\_\_ is without basis?

(E) **Hearing Procedures, the Arbitrator's Decision & Remedy**

- (1) The Union will be the moving party and present its case to the arbitrator first.
- (2) The hearing will be informal with no rules of evidence.
- (3) No transcripts of the proceedings will be made.
- (4) No post hearing briefs will be allowed.
- (5) The hearing will be completed within one day.
- (6) Utilizing the below form/Exhibit One, entitled "*Arbitrator's Decision*," the arbitrator's resolution of the case shall be limited to ruling whether the grievance is either "sustained" or "denied," with no additional explanations, findings, rulings, comments, clarifications or opinions.
- (7) Within seven (7) working days following the arbitration hearing, the arbitrator will e-mail his/her decision to each of parties' representatives. The arbitrator's decision will be final and binding on Town, the Union and the aggrieved sergeant.
- (8) If the grievance is sustained by the arbitrator, Town shall retroactively restore the aggrieved sergeant's denied step pay increase.

(F) **The Arbitrator's Fee**

- (1) The arbitrator's fee will be the lesser of \$1,000.00 or the arbitrator's published daily rate. Arbitrators will not be paid for travel time, study

time or writing dates.

- (2) Arbitrators will be reimbursed for their documented and reasonable round trip travel and lodging expenses only if their actual travel exceeds 275 round trip miles commencing from the arbitrator's home to Surfside, Florida and return.
- (3) Arbitrators will be paid a cancellation fee of the lesser of \$1,000.00, or the arbitrator's published daily rate only if notice of the cancelled hearing is given to the arbitrator less than fifteen (15) calendar days prior to the hearing date. The cancellation fee will be paid by the party who requests the cancellation. However, if each of the parties agrees to the cancellation, or the case is settled, payment of the cancellation fee will be equally shared by Town and the Union.

Signed and e-mailed to the parties' representatives this January 6, 2012

Martin A. Soll

Martin A. Soll, Esq.  
Special Magistrate

## **EXHIBIT ONE**

In the Matter of the Arbitration  
between:

Case No.: \_\_\_\_\_

TOWN OF SURFSIDE, FLORIDA,  
POLICE DEPARTMENT,

and

FLORIDA STATE LODGE,  
FRATERNAL ORDER OF POLICE,  
LOCAL LODGE 135, ON BEHALF OF  
POLICE SERGEANT  
\_\_\_\_\_ /

### **ARBITRATOR'S DECISION**

Having reviewed the record in this matter, the undersigned arbitrator finds the  
instant contract grievance is:

\_\_\_\_\_ sustained.

\_\_\_\_\_ denied.

Signed and e-mailed to the parties' representatives this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

\_\_\_\_\_  
s/Arbitrator  
(Address & Phone)

**ARTICLE 19.****WAGES**

19.1 Effective October 1, 2010, there shall be no cost of living increase for police officers, sergeants and police dispatchers.

19.2 Effective October 1, 2010, police officers and police dispatchers shall be paid in accordance with the pay plans attached as Addendum B to this Agreement. Police officers and police dispatchers whose salaries on September 30, 2010 are higher than what the new pay plans provide for their same step, shall remain at their current pay.

19.3 Effective October 1, 2010, police officers and police dispatchers who are not topped out, will continue to advance in the pay plans attached as Addendum B on their respective anniversary date. However, their salaries will not be adjusted to reflect the step advancement and they will continue to be paid as if they had not advanced in the pay plans.

19.4 Effective October 1, 2011, police dispatchers and police officers shall be paid as follows:

19.4.1 The base salaries of the police officers and police dispatchers as of the ratification date of this Article shall be adjusted to reflect the step advancements in the pay plans referred to in Section 19.3. Such salary adjustments shall be applied retroactively to October 1, 2011.

19.4.2 All police officers and police dispatchers as of the ratification date of this Article that were not eligible for a step advancement from October 1, 2010 through September 30, 2011 because they were topped out in the pay plans attached as

Addendum B to this Agreement, shall receive a non-pensionable lump sum payment equal to 2.5% of their base salary that is unrelated to services rendered. Such payment shall be made to the police officers and police dispatchers within 20 calendar days from the date that this Article was fully ratified.

**19.5 Step Pay Plans Modifications Effective October 1, 2011:**

19.5.1 Effective October 1, 2011, police dispatchers and police officers on their anniversary dates shall advance and be paid in accordance with the new step pay plans attached as Addendum C to this Agreement. Police dispatchers and police officers who advanced in step between October 1, 2011 and the date that this Article was ratified shall have their salary adjusted retroactively to their anniversary date. Police officers and police dispatchers whose salaries on the date of the ratification of this Article are higher than what the new pay plans provide for their same step, shall remain at their current pay.

19.5.2 Effective October 1, 2011, sergeants shall advance in accordance with the new step plan attached as Addendum C to this Agreement. The current sergeants shall be slotted into the new step pay plan as follows:

Sergeant Rory Alberto – Step 1  
Sergeant Patrick McKenna – Step 1  
Sergeant Jose Pacheco, Jr. – Step 2  
Sergeant Julio Torres – Starting Step  
Sergeant Jose Valino – Step 2  
Sergeant Richard Williams – Step 2

The sergeants will have their salary adjusted in accordance with the step that they are slotted in applied retroactively to October 1, 2011.

19.5.3 Sergeants shall be eligible to advance in the new step pay plan on their 2<sup>nd</sup>, 4<sup>th</sup> and 6<sup>th</sup> anniversary dates from the dates of their promotions. A sergeant who is eligible to advance in the step pay plan (i.e., he/she is not topped out in the step pay plan and it is his/her 2<sup>nd</sup>, 4<sup>th</sup> or 6<sup>th</sup> anniversary date from the date of his/her promotion) must receive a score of satisfactory or greater on his/her annual performance evaluation for the year that he/she is eligible to advance in the step pay plan.

19.5.4 The annual performance evaluation shall be completed no later than two (2) weeks after the sergeant's anniversary date. Any advancement in the step pay plan will be applied retroactively to the sergeant's anniversary date.

19.5.5 A sergeant who did not advance because he/she failed to receive a score of satisfactory or above on his/her annual performance evaluation may appeal his/her performance evaluation score. Such appeal must be filed in writing with the Police Chief within seven (7) calendar days of the sergeant's receipt of the performance evaluation and state the specific reasons why the sergeant believes that his/her performance evaluation score is without basis. The Police Chief will meet with the sergeant within seven (7) calendar days of receiving the appeal to review and analyze the unsatisfactory performance evaluation. During that meeting, the Police Chief will either accept or deny the appeal. If the appeal is accepted, the Town shall retroactively restore the sergeant's step advancement. The Police Chief shall attach to the evaluation in question a written note indicating that the appeal was granted. Other than attaching the note to the performance evaluation in question, the performance evaluation will not be modified in any way. If the appeal is denied, the sergeant will be re-evaluated within 90 calendar days of the date of the denial. If the

sergeant receives a score of satisfactory or greater on the re-evaluation, the Town shall provide the sergeant with the step advancement retroactive to his/her anniversary date. The re-evaluation shall be attached to the performance evaluation in question.

19.5.6 If the sergeant does not receive a score of satisfactory or greater on the re-evaluation, the sergeant may appeal in writing to the Town Manager within seven (7) calendar days of the date of the receipt of the re-evaluation. The written appeal must state the specific reasons why the sergeant believes that his/her performance evaluation score is without any basis. The Town Manager shall meet with the sergeant within seven (7) calendar days of receipt of the appeal to discuss the appeal and shall render a decision within fifteen (15) calendar days of the receipt of the appeal. If the appeal is granted, the Town shall provide the sergeant with the step advancement retroactive to the sergeant's anniversary date. A copy of the Town Manager's decision shall be attached to the evaluation in question.

19.5.7 If the appeal is denied by the Town Manager, the sergeant may appeal that decision to a hearing officer. Such appeal must be filed in writing with the Town Manager within seven (7) calendar days of the Town Manager's decision. The hearing officer shall conduct a hearing in accordance with the procedures set forth in paragraph 19.5.8 within fifteen (15) calendar days of the Town's receipt of the sergeant's written appeal. The parties agree to use Martin Soll, Jerome LaPenna, Tom Humphries, Mark Laurie or Jerome Wolfson as the hearing officers. If one is not available within the time frames required herein, the parties shall use the next one so listed. The hearing officer's fee shall be a flat

rate of \$500.00 per hearing, with each party paying half of that fee. The hearing officer will not be paid for travel time and will not be reimbursed for travel and lodging expenses.

19.5.8 The hearing procedures shall be as follows:

- a) The hearing shall be completed within 1 day. No transcript of the proceedings will be made and the filing of post-hearing briefs will not be allowed.
- b) The issue to be decided by the hearing officer shall be "whether the sergeant's performance evaluation dated \_\_\_\_\_ is without basis?"
- c) Each party may be represented by a representative of their choice, if any.
- d) At least three (3) working days prior to the hearing, the parties' shall meet to disclose intended witnesses, mark and exchange copies of all documents and other evidence intended to be submitted to the hearing officer, and endeavor to agree upon stipulations. Each party may call a maximum of four (4) witnesses to testify at the hearing.
- e) The Union will be the moving party and, as such, will present its case to the hearing officer first.
- f) The hearing will be informal with no rules of evidence.
- g) Within seven (7) calendar days following the hearing, the hearing officer will e-mail the decision to each of the parties. The hearing officer's decision shall be limited to sustaining or denying the appeal, with no additional explanations, findings, rulings, comments, clarifications or opinions. The hearing officer's decision will be final and binding on the Town, the Union and the sergeant. A copy of the e-mail shall be attached to the performance evaluation in question. Other than attaching the e-mail to the performance evaluation in question, the sergeant's performance evaluation will not be modified in any way irrespective of whether the appeal was accepted or denied.
- h) If the appeal is sustained by the hearing officer the Town shall retroactively restore the sergeant's step advancement to his/her anniversary date.
- i) The burden of proof shall be the greater weight of the evidence.



19.6 This Article may be re-opened for negotiations for the third year of the Agreement upon the request by either party not later than April 1, 2012.

19.7 A police officer assigned to work as an acting sergeant will receive out of class pay equal to an additional 10% of the Police Officer's base salary during the police officer's assignment as an acting sergeant.

19.8 An employee assigned to work as a detective, motorcycle officer, K-9 officer or Field Training Officer (FTO) will receive pay equal to an additional 5% of the employee's base salary during the employee's actual assignment as a detective, motorcycle officer, K-9 officer or Field Training Officer (FTO). However, an employee is only permitted to receive one 5% additional pay at any given time regardless of how many different assignments that employee has at such time.

19.9 Any member assigned to the Second Platoon, afternoon shift, or night shift shall receive a shift differential of 3% of the employee's base salary. If an employee works twelve (12) hour shift, that employee is only entitled to one shift differential for that shift.

19.10 Employees will be eligible to receive longevity. An employee will receive a non-cumulative longevity stipend during the month of their anniversary of each year they are eligible providing the employee has uninterrupted employment with the Town as follows:

<u>YEARS OF SERVICE</u>	<u>ANNUAL STIPEND</u>
Beginning of 7th year	\$1,000.00
Beginning of 11th year	\$1,500.00
Beginning of 15th year	\$1,750.00
Beginning of 20th year	\$2,000.00

**FRATERNAL ORDER OF POLICE COLLECTIVE BARGAINING AGREEMENT**  
**10/1/2011**  
**PAY TABLE MINIMUMS**

<b>POLICE OFFICERS</b>		
<b>STEPS</b>	<b>FY 2012</b>	<b>Hourly Equivalent</b>
<b>**Starting</b>	\$50,258.47	\$24.1627
<b>1</b>	\$55,284.32	\$26.5790
<b>2</b>	\$58,048.54	\$27.9080
<b>3</b>	\$60,950.97	\$29.3034
<b>4</b>	\$63,998.52	\$30.7685
<b>5</b>	\$67,198.45	\$32.3069
<b>6</b>	\$70,558.38	\$33.9223
<b>7</b>	\$72,673.13	\$34.9390
<b>8</b>	\$74,855.38	\$35.9882

**Notes:**

**\*\*Starting Salary for Certified Police Officer**

<b>DISPATCHERS</b>		
<b>STEPS</b>	<b>FY 2012</b>	<b>Hourly Equivalent</b>
<b>Starting</b>	\$32,287.41	\$15.5228
<b>1</b>	\$33,901.78	\$16.2989
<b>2</b>	\$35,596.87	\$17.1139
<b>3</b>	\$37,376.72	\$17.9696
<b>4</b>	\$39,245.56	\$18.8681
<b>5</b>	\$41,207.84	\$19.8115
<b>6</b>	\$43,268.23	\$20.8020

<b>SERGEANTS</b>		
<b>STEPS</b>	<b>FY 2012</b>	<b>Hourly Equivalent</b>
<b>Starting</b>	\$80,550.04	\$38.7260
<b>1 ( 2 yrs **)</b>	\$82,421.04	\$39.6255
<b>2 (4 yrs **)</b>	\$84,481.57	\$40.6161
<b>3 (6 yrs **)</b>	\$86,593.61	\$41.6315

**Notes:**

**\*\* Represents completed years as Sergeants**



**Fraternal Order of Police**  
**FLORIDA STATE LODGE**  
**Florida Labor Council Committee**



March 16, 2012

Sent Via U.S. Mail  
&  
EMAIL

**RECEIVED**

**MAR 19 2012**

Town of Surfside  
Roger Carlton, Town Manager  
9293 Harding Avenue  
Surfside, FL 33154

Reference: 2011-2012 Contract Article 19 (Wages) Proposal Ratification

Dear Mr. Carlton,

I am please to advise you that the Bargaining Unit for Police Officers, Sergeants, and Dispatchers have ratified the Town's 2011-2012 Contract Article 19 (Wages) Proposal. As you know we have a opener again this year on that Article and we are waiting for a response on dates from you to start negotiations. Please provide me with dates you are available to start negotiations.

Sincerely,

John Puleo, FOP Staff Representative

21124 White Oak Avenue, Boca Raton, Florida 33428  
Office Phone: (561) 883-3552 - Cell Phone: (954) 444-4483  
Fax: (561) 883-3538  
Email: JohnFOP@ AOL.COM



## Town of Surfside Commission Communication

**Agenda Item #** 5B

**Agenda Date:** April 10, 2012

**Subject:** Appropriation of Resort Tax Fund Balance (Reserves) to the Loggerhead Turtle Art Special Event Project based upon the major tourism impact to be created in the amount of \$68,000.00.

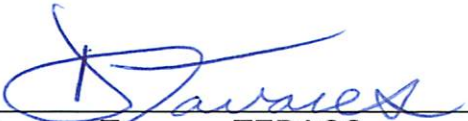
**Background:** At the Town Commission meeting of March 13, 2012, the Town Commission approved Agenda Item 9C. The Tourist Board, in their meeting of March 5, 2012 approved the allocation of \$68,000.00 in Resort Tax funds from their available reserves for the amount of the Loggerhead Turtle Art Special Event Project.

**Analysis:** As this expense was not originally budgeted for the Tourist Bureau Department as part of the FY 11/12 Budget, there are insufficient funds in the department's operating budget to accommodate the expense. Therefore, the fund needs to be appropriated from the Resort Tax Fund Balance (Reserves).

**Budget Impact:** \$68,000.00 will come from the Resort Tax Fund Balance (Reserves), which has a balance of \$176,725.00 as of January 31, 2012, as an amendment to the Town's approved budget for Fiscal Year 2011/2012.

**Staff Impact:** None

**Recommendation:** Staff recommends that the Town Commission approve this amendment to the Town's budget for Fiscal Year 2011-2012.

  
Duncan Tavares, TEDACS

  
Roger M. Carlton, Town Manager

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING THE REAPPROPRIATION OF RESORT TAX FUND BALANCE (RESERVES) TO THE TOURIST BUREAU DEPARTMENT FY 2011-2012 BUDGET FOR THE LOGGERHEAD TURTLE ART SPECIAL EVENT PROJECT; AMENDING THE TOWN'S BUDGET FOR FISCAL YEAR 2011-2012; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Surfside, in an effort to promote the Town with a major tourism impact initiative through the Loggerhead Turtle Art Special Event Project.

**WHEREAS**, the Loggerhead Turtle Art Special Event Project requires additional funding not presently allocated in the Tourist Bureau Fiscal Year 2011 - 2012 Budget.

**WHEREAS**, the current budget for the Tourist Bureau for Fiscal Year 2011-2012 does not have sufficient funds for the portion of this expense allocated to the department, thereby necessitating a re-appropriation of Resort Tax Fund Balance (reserves) from the Resort Tax Restricted Reserves 102-0000-392.00-00 in the amount of \$68,000.00 to be distributed into the Tourist Bureau Promotional Activities Account # 102-8000-552-48-10 for this project.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION**

**OF THE TOWN OF SURFSIDE, FLORIDA,**

**Section 1. Recitals.** That the above and foregoing recitals are true and correct and are incorporated herein by reference.

**Section 2. Budget Amendment.** In accordance with Section 62 of the Town Charter and the budget adopted for Fiscal Year 2011 – 2012 is amended by re-appropriating the

amount of \$68,000.00 of Resort Tax Fund Balance (reserves) from the Resort Tax Restricted Reserves 102-0000-392.00-00 to be distributed into the Tourist Bureau Promotional Activities Account # 102-8000-552-48-10.

**Section 3. Implementation.** The Town Manager and the Tourism, Economic Development & Community Services Director are hereby authorized to take any and all action necessary to implement this Resolution and Agreement in accordance with the terms, conditions and purposes of this Resolution and Agreement.

**Section 4. Effective Date.** This Resolution shall take effect immediately upon adoption.

**PASSED** and **ADOPTED** on this \_\_\_ day of \_\_\_\_\_, 2012.

Motion by Commissioner \_\_\_\_\_, Second by Commissioner \_\_\_\_\_.

FINAL VOTE ON ADOPTION

Commissioner Sheldon Lisbon	_____
Commissioner Marta Olchyk	_____
Vice Mayor Michael Karukin	_____
Mayor Daniel Dietch	_____

\_\_\_\_\_  
Daniel Dietch, Mayor

Resolution No. \_\_\_\_\_




**ATTEST:**

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Sandra Novoa, CMC  
Town Clerk

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY FOR THE TOWN OF SURFSIDE ONLY:**

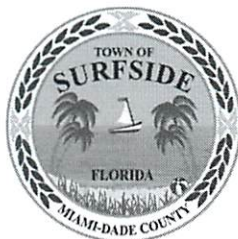


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Lynn M. Dannheisser, Town Attorney

Resolution No. \_\_\_\_\_





**TOWN OF SURFSIDE**  
**Office of the Town Attorney**


MUNICIPAL BUILDING  
 9293 HARDING AVENUE  
 SURFSIDE, FLORIDA 33154-3009  
 Telephone: 305 993-1065

Lynn M. Dannheisser  
 Town Attorney

Ldannheisser@townofsurfsidefl.gov

**MEMORANDUM**

**TO:** Town Commission

**FROM:** Lynn M. Dannheisser, Town Attorney 

**CC:** Roger M. Carlton, Town Manager

**DATE:** April 10, 2012

**SUBJECT: Grant of Authority to Town Clerk to Secure After-The-Fact Signatures for Previously Passed Legislation**

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From time to time, in the normal course of business, or as a result of specifically searching for past legislation that governs a particular circumstance today, the Town Clerk is discovering legislation that has been officially passed and adopted as reflected in the official minutes of the Town but has not been executed or codified. The signatures of prior officials cannot always be secured to perfect the resolutions or ordinances. Thus, we are seeking authority from the current Commission to secure those signatures when available from the officials sitting at the time of the passage of the legislation but, in the alternative, to secure an after-the-fact signature from current officials.

Because Section 166.04, Florida Statutes which governs procedures for the passage of legislation in cities, has mandatory and uniform requirements for passage and, as such, there is no discretion involved on the part of officials with regard to the execution of these duties, these acts are deemed by law to be "ministerial acts" that the officer whether elected or appointed is mandated to do. In other words, and to put it more simply, while the Mayor for example is mandated to sign an ordinance, after its proper passage, there is no specification that the signature must be of the Mayor who was presiding at the time of the passage of the ordinance. Therefore, if the Clerk is unable to secure the signature of the officials elected or appointed at the time the legislation was passed, this resolution will lawfully authorize her to secure the signature of the currently presiding officers so that such ordinances may be properly recorded in our books and codified, as applicable.

**RESOLUTION NO. 2012-\_\_\_\_\_**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, GRANTING THE TOWN CLERK THROUGH THE TOWN MANAGER AUTHORITY TO LOCATE, SECURE SIGNATURES, AND SECURE AFTER-THE-FACT SIGNATURES FOR LEGISLATION PREVIOUSLY LAWFULLY PASSED AND ADOPTED BUT NOT EXECUTED OR CODIFIED TO PROCEED WITH SECURING THE SIGNATURES OF THE OFFICIALS IN OFFICE AT THE TIME OF THE LEGISLATION PASSAGE OR IN THE ALTERNATIVE TO SECURE AN AFTER-THE-FACT SIGNATURE FROM CURRENT OFFICIALS IN ORDER TO PROPERLY ISSUE AND CODIFY SUCH LEGISLATION; PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, in the normal course of business, or as a result of specifically searching for past legislation that governs a particular circumstance today, the Town Clerk is discovering legislation that has been officially passed and adopted as reflected in the official minutes of the Town but for whatever reason has not been executed or codified; and

**WHEREAS**, in some cases, the signatures of prior officials cannot be secured to perfect the resolutions or ordinances; and

**WHEREAS**, the Florida Statutes which govern procedures for passage of legislation in cities have mandatory and uniform requirements for passage and as such there is no discretion and the execution of these duties becomes a ministerial act that the officer whether elected or appointed is mandated to do (such as a signature)

**WHEREAS**, the Town Clerk would like to secure a blanket authorization from the current Commission to secure those signatures when available from the officials sitting at the time of the passage of the legislation but, in the alternative, to secure an after-the-fact signature from current officials.

**NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:**

**Section 1. Authorization Granted.** The Town Commission grants the Town Clerk through the Town Manager authority to locate and secure signatures mandated for legislation (previously lawfully adopted but not executed or codified) to proceed with securing the signatures of the officials in office at the time of the legislation passage or in the alternative to secure as an administrative task an after-the-fact signature from current officials in order to properly issue and codify such legislation

**Section 2.**    **Effective Date.** This Resolution shall become effective immediately upon adoption.

**PASSED and ADOPTED** this 10<sup>th</sup> day of April, 2012.

Motion by Commissioner \_\_\_\_\_, second by Commissioner \_\_\_\_\_.

**FINAL VOTE ON ADOPTION**


Commissioner Michael Karukin	_____
Commissioner Sheldon Lisbon	_____
Commissioner Marta Olchyk	_____
_____	
Mayor Daniel Dietch	_____

\_\_\_\_\_  
Daniel Dietch, Mayor

**ATTEST:**

\_\_\_\_\_  
Sandra Novoa, CMC  
Town Clerk

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY FOR THE TOWN OF SURFSIDE ONLY:**

  
\_\_\_\_\_  
Lynn M. Dannheisser, Town Attorney



# CANDY-FLAVORED TOBACCO POLICIES



## What is the problem with candy-flavored tobacco?

- Candy-flavored tobacco targets new users, the majority of which are kids.
- Studies show that 17-year-old smokers are three times as likely to use flavored cigarettes as smokers over the age of 25.
- Almost 90 percent of adult smokers began smoking as teenagers.



**How to Use:** Place one in your mouth. Don't chew or swallow. Move it around if you want. Let it fully dissolve in your mouth. Enjoy Anywhere. Anytime. Anyplace.

Sticks will last 20-30 minutes.\*



**How to Open Sticks'**  
Child-Resistant Packaging



## What is not banned by the FDA?

- Candy-flavored spit tobacco.
- Candy-flavored cigars and cigarillos.
- Snus (rhymes with "noose"): small packets of tobacco resembling tea bags that are kept in the mouth. The excess juice can be swallowed instead of spat.
- New dissolvable products: pellets (Camel Orbs), a twisted stick the size of a toothpick (Camel Sticks), and a film strip for the tongue (Camel Strips), all of which are made from finely ground flavored tobacco.



## **Commission Communication**

**Agenda #:** 9A

**Date:** April 10, 2012

**Subject:** Classification and Compensation Study

**Background:** For many years there has been significant conversation regarding the salary levels for Town employees. Modern public compensation administration utilizes a step pay plan wherein people may earn more as they work longer for the Town and/or are promoted based on demonstrable skill level and responsibility changes. Traditionally, governments have given cost of living adjustments (COLA) tied to the consumer price index (CPI). Surfside no longer does any of this. Increases for employees staying in the same pay grade doing the same work are now based on performance evaluation and not longevity in a position. In addition, moving up the pay grades is achieved by promotion based on improved skills, demonstrable performance and successful competition with other candidates either from within the Surfside family or from outside. This is how we develop and maintain a highly motivated work force which is achieving many positive changes in Surfside. One further point is that the collective bargaining process determines how the above changes are achieved with the Fraternal Order of Police Local 135. The FOP employees are included in the study, however, the dollars for implementation are not included since the Administration and the Town Commission deal with those costs separately through the collective bargaining process. (See related item on this agenda regarding the FOP second year re-opener settlement).

For many years the level of salaries paid to Town employees have been discussed by the community. There was an effort in 2006 to complete a study utilizing Cody & Associates, but for reason unknown, that study was never brought to the Town Commission for review and it is therefore completely outdated. The FY 11/12 budget included the amount of \$7,200 for completion of a new classification and compensation study. The Town reached out to four firms based on a recent competitive procurement by the City of South Miami and received four proposals. The lowest cost proposal was received from Cody & Associates and a notice to proceed was given on November 21, 2011. That study has been completed (Attachment 1) and is now being presented for the Town Commission for approval.



The elements and goals of the study were:

- Formulating a position classification and compensation plan that will assist in reducing turnover costs and promote long term careers with the Town.
- Design a classification and compensation plan that will attract qualified personnel to render services that the Town provides.
- Establish current classifications and job descriptions based on actual work being performed.
- Establish salary ranges.
- Establish equitable relationships of one job to another within the work force.
- Ensure fair and equal compensation opportunities for equal contributions to the effective operations of the Town.
- Design current salary ranges which are competitive with reasonably similar positions in the labor market where the Town recruits for employees and which are consistent with the economic conditions of Miami-Dade County.

To achieve the above, Cody and Associates conducted:

- Position Classification and Evaluation – reviewed information about the positions in the Town’s organization and provided a factual basis for classifying and allocating the positions to the proper pay level. All employees completed a position description questionnaire. Each job was evaluated with consideration of knowledge and skills, supervision, analytical/other skills, responsibility, intellectual demands and, physical demands, environmental demands.
- Wage Survey – the present classes (benchmark) jobs represented all of the occupations and levels in the Town’s organization and those were compared to 19 local jurisdictions which provided their minimum and maximum salaries for positions in each classification. If the minimum and maximum were not available, actual salaries paid were utilized.
- Fringe Benefit Survey- fringe benefit data was analyzed from the same agencies in order to ensure “total compensation” was addressed in developing salary recommendations.

The conclusion of the study was that approximately 35% of the 43 classifications in our pay plan were below the recommended salary range minimums. **This represents a total of 35 of the 70 employees** (excluding FOP members, Town Manager, Town Attorney and Building Inspectors who are contractual employees). **These employees are all below the recommended salary minimums.** The study found none of the Town’s employees were being compensated above the recommended pay ranges. In fact, most who are paid within the range are at the midpoint.

## **Budget Impact:**

**Analysis:** The total implementation cost to bring the 35 Town employees to the recommended minimum of the range is \$136,619 (\$117,124 + Fringes) annualized. If the decision to do this is made by the Town Commission, the cost for the remainder of the FY 11/12 will be \$63,050 (including fringes) which will be funded \$46,050 from the General Fund, \$ 5,135 from the Parking Fund, \$ 8,289 from the Solid Waste Fund, \$ 514 from the Water & Sewer Fund, and \$3,062 from the Tourist Bureau Fund.

**Staff Impact:** There is no direct staff impact other than the benefit of fair compensation based on performance, thereby enhancing the desire to have long careers with the Town and improve employee morale.

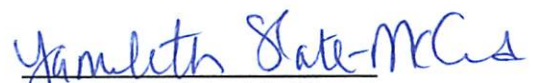
**Recommendation:** It is recommended that the Town Commission approve the Classification and Compensation Study regarding salary comparisons with 19 jurisdictions in the South Florida government market place. This approval will help remedy some severe inequities at the lower wage scale for the Town, create for the first time a market and skill level pay plan, adjust compensation for three excellent department directors who are paid below market and allow for any adjustments approved by the Town Commission to be incorporated in the FY 12/13 budget development process.

As a final comment, it is important to note that the last two years have created a new culture of performance and dedication not seen from Town employees in many years. The results have been clear in that our citizens repeatedly comment on the new look of and quality of life improvement in the Town. It should also be noted that the three incumbents who chose to run were re-elected by a large margin and two were without opposition. Your employees have also delivered two years of General Fund surplus exceeding \$1.9 million and have done the same for all enterprise funds. Bottom line is that the Town's employees have earned these equity adjustments which are supported by an independent study.

My own compensation has been removed from this discussion for a later date when a full Town Commission is seated. It is my sincere hope, that the Town Commission will approve the independently recommend adjustments to the Pay and Classification Plan as this decision is reasonable and needed now so staff can complete the FY 12/13 budget with correct compensation data.



Roger M. Carlton  
Town Manager



Yamileth Slate-McCloud  
Human Resources Director

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# CLASSIFICATION AND COMPENSATION STUDY

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**Town of Surfside**

**2012**



**Cody & Associates, Inc.**

MANAGEMENT CONSULTANTS

305 Jack Drive, Cocoa Beach, Florida 32931

(321) 783-3720; FAX (321) 783-4353

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# Cody & Associates, Inc.

MANAGEMENT CONSULTANTS

305 Jack Drive, Cocoa Beach, Florida 32931

(321) 783-3720; FAX (321) 783-4353

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March 15, 2012

Mr. Roger Carlton  
Town Manager  
*Town of Surfside*  
9293 Harding Ave.  
Surfside, Florida 33153

Dear Mr. Carlton:

We have completed our assignment and are submitting the final report of our **Classification and Compensation Study** for all positions in the service of the Town.

This report has been prepared as an accounting of our assignment and to record our approach. The recommendations and comments in the report reflect our objective appraisal based on analysis and discussion to the extent possible within the scope of the assignment.

Our objective was to develop a Classification and Compensation Plan Study that is equitable to both the employees and to the Town.

We appreciate this opportunity to be of service to you and express our thanks for the cooperation and courtesy which was extended to us by all of your employees during the Study.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "N. E. Pellegrino", with a stylized flourish at the end.

N. E. Pellegrino  
Principal Partner

# CLASSIFICATION AND COMPENSATION STUDY

## Town of Surfside

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ENCLOSURE 1 - POSITION DESCRIPTION QUESTIONNAIRE

ENCLOSURE 2 – ALLOCATION LIST

ENCLOSURE 3 – RECOMMENDED CLASSIFICATION AND PAY PLAN (DEPARTMENT)

ENCLOSURE 4 – RECOMMENDED CLASSIFICATION AND PAY PLAN (INTERNAL RELATIONSHIP)

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ENCLOSURE 6 – RECOMMENDED SALARY SCHEDULE

ENCLOSURE 7 – SALARY SURVEY DATA SUMMARY LOCAL OPERATING AREA

## **INTRODUCTION**

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This report, on the Study of the Classification and Salaries for the Town of Surfside, contains details of all elements of the Study. In preparing this report, *Cody & Associates, Inc.* has used its best efforts and has taken reasonable care. To an extent, the Report relies on information and data received from third parties in whom *Cody & Associates, Inc.* has assumed the accuracy and completeness thereof.

*Cody & Associates, Inc.* cannot guarantee that any particular result will follow from any action taken on the basis of this Report. The information and opinions expressed in this Report have significance only within the context of the entire Report. No parts of this report should be used or relied upon outside of that context.

This Study is not an end in itself, but a vital element in a sound management program for the Town. A good overall management system requires continuous work and polishing, once the plan is implemented.

Adjustments will continually have to be made to reflect changes in the labor market place in order to maintain a current and equitable classification system and pay plan.

## **STUDY ASSIGNMENT AND OBJECTIVES**

---

The Town of Surfside, Florida, retained the services of *Cody & Associates, Inc.* to conduct a Classification and Compensation Study for all positions under their jurisdiction.

In our approach to establishing a Position Classification and Pay Plan, we were concerned with the following basic objectives:

- A. Formulating a Position Classification and Pay Plan that will assist in reducing turnover costs and promote careers with the Town.
- B. Designing a Classification and Pay Plan that will attract qualified personnel to render the services that the Town provides.
- C. Establishing equitable classifications and job descriptions.
- D. Establishing salary ranges, and determining individual salary levels.
- E. Establishing equitable relationships of one job to another within the work force (equal pay for equal work).
- F. To ensure fair and equal compensation opportunities for equal contributions to the effective operations of the Town.

- G. Designing current Salary Ranges which are competitive with reasonably similar positions in the labor market where the Town recruits for employees and which are consistent with the economic conditions in Miami-Dade County.
- H. Establishing or maintaining normal lines of promotion to and from the various classes of positions in the Personnel System.

To achieve these objectives, we divided the assignment into five (5) major segments:

- A. Position Classification and Evaluation
- B. Wage Survey
- C. Fringe Benefit Survey
- D. Methods of Implementing Survey Results and Recommendations
- E. Report Preparation and Presentation

## II

### **POSITION CLASSIFICATION PHASE**

---

The Position Classification Phase of the Study included the following:

#### ***A. REVIEW OF POSITIONS***

The objective of this phase was to review information about the positions in the Town's organization and provide a factual basis for classifying and allocating the positions to the proper pay level.

##### **1. JOB DESCRIPTION**

- A. Position description questionnaire (Enclosure 1) were completed by all employees and analyzed by the consultant to determine proper classification and placement in the pay structure.
- B. Job Descriptions were evaluated by the consultant to ensure they conform with the necessary requirements, laws, etc.

##### **2. COLLECTION OF OTHER INFORMATION**

We compiled information such as:

- a. Current organization and staffing charts.
- b. Personnel policies, rules and regulations.
- c. Other pertinent procedures and data.

### 3. POINT EVALUATION SYSTEM

Each job was point evaluated with consideration to the following job related factors:

- a. Knowledge and skills;
- b. Supervision;
- c. Analytical/other skills;
- d. Responsibility for policy and methods;
- e. Effects of individual actions;
- f. Personal contacts (level and purpose);
- g. Initiative and achievement;
- h. Mental demands;
- i. Physical demands; and,
- j. Environmental demands.

### 4. CLASSIFICATIONS BY POSITION

After the questionnaires were processed and analyzed, positions were grouped into classes based on:

- a. Identical or reasonably similar duties and essential functions.
- b. Similar requirements for education and experience.
- c. Assurance that the same title and range of pay could be assigned to all positions within the class.



5. CHECK AND REVIEW

Adequate checks and controls must be established during the development of the plan. Some of the controls that are built into our procedure:

- a. Job information obtained from each employee was reviewed, commented upon and added to by a supervisor. Corrections and additions were made where needed or as attachments without disturbing the employee's original input.
- b. Each Position Description Questionnaire was carefully checked by our staff and confirmed with Department Head.
- c. Our Consultant's "know jobs" and can detect clearly erroneous, inflated or deflated job descriptions.

6. FINDINGS AND RECOMMENDATIONS

- a. Some titles were changed to better indicate and describe the job's essential functions. Others were changed to adhere to federal regulations concerning gender issues.
- b. We found an exceptionally small number of positions needing reclassification. This was due to the Town maintaining the classification plan equitably over the past years.

Recommend implementing the changes recommended in the allocation list (Enclosure 2).

### **III**

## **SALARY PHASE**

---

The Salary Phase of the Study included the following:

#### **A. *SALARY SURVEY***

The objective of this survey was to determine what must be provided in terms of salaries in order to obtain or retain personnel; in other words, to be competitive with other employers recruiting from the same labor market. The steps included:

##### **1. SELECTION OF SURVEY CLASSES (Bench Marks)**

We utilized as many as possible of the present classes in the salary survey in order to get the best possible data. These benchmark jobs represented all of the occupations and levels in the Town's organization and those occupations which could be compared with other employers.

##### **2. IDENTIFICATION OF LABOR MARKET**

The relevant labor market to be surveyed was identified as the local operating area of Miami-Dade County. These agencies included: Cities of: North Miami Beach; North Miami; Miami Beach; Miami; Bal Harbour; Bay Harbor Islands; Florida City; Miami Springs; Sunny Isle Beach; Doral; Hialeah; Pinecrest; Palmetto Bay; Coral Gables; Key Biscayne; South Miami; Miami Gardens; Homestead; and, Miami-Dade County.

We had an overall response rate of 85%, (respondents listed above) which is excellent and ensures a valid sample and is statistically sound.

### 3. SURVEY METHOD

In compiling this data, we obtained from the designated agencies their minimum and maximum salaries of positions in each classification. If this data was not available we utilized the actual salary being paid.

Another step we use in our calculations, in order to provide the most accurate data possible, is to apply the standard deviation principle. The standard deviation is the most commonly used indicator of variability of a distribution of data. The usual and most accepted interpretation is in terms of the percentage of cases included within one standard deviation below the mean to one standard deviation above the mean. This range on the scale includes about two-thirds ( $2/3$ ) of the cases in the distribution. Data was entered into our database and then edited to ensure that the data was reasonable and representative and had been accurately reported and recorded. Responses were eliminated when they appeared atypical or exhibited extreme values in wages.

In matching Surfside's benchmark positions to others in the survey marketplace we concentrated on similar job functions, type of authority, and responsibilities and skill sets needed to do the job. Over the years *Cody & Associates, Inc.* has completed compensation studies for almost all the agencies used in the survey group which made matching jobs more equitable.

The salaries in Miami-Dade County have been relatively stable over the past several years. This, of course was due to the poor economic conditions which not only affected Miami-Dade County, but also agencies throughout the State and Nation. Most of the cities and counties in Florida have or are addressing their fiscal situation. It is too early to determine what the trend will be statewide and specifically Miami-Dade County in awarding pay increases or adjustments for the next fiscal year. It is our experience that many agencies are reviewing their compensation plans to determine how they are currently aligned to their particular market. However, we

observed that the vast majority of survey respondents have given COLA increases (averaging 3%) over the past few years (2007 – 2011) and some have also given merit increases averaging around 2.5%.

***B. DEVELOPMENT OF THE SALARY SCHEDULES***

The objective of this aspect of the Study was to compile the results of the salary survey and to design appropriate salary schedules and plans for all the positions covered.

***C. GENERAL SALARY FINDINGS AND COMMENTS***

We found approximately 35% of the classifications were below the recommended salary range minimums. We found none of the Town's employees were paid over the market level maximums in our survey.

A complete list of the recommendations can be found in Enclosure 3, 4 and 5.

***D. RECOMMENDATIONS***

1. Adopt the recommended salary ranges and schedules as submitted in this report, when it is economically feasible to do so (Enclosures 3, 4, 5 and 6).
2. *Cody & Associates, Inc.* will assist the Town further in the implementation process, as requested.

## **IV**

### **COMPENSATION PLAN**

---

#### ***A. PURPOSE***

The Compensation Plan is intended to provide all employees with an equitable and competitive pay, relative to pay received by other employees performing similar work in other areas of the Town's organization and relative to rates received by other employees in the labor market from which the Town employees are recruited.

The Compensation Plan includes the basic Salary Schedule and the schedule of salary ranges for all classes of positions included in the Classification Plan.

#### ***B. COMPENSATION PLAN DESIGN***

We are recommending the Town adopt a Minimum to Maximum pay plan structure.

This is the most flexible system in use today, especially in the public sector. Some of the advantages in this type of structure are:

1. The employer is not limited to the rigid intervals between steps when considering salary increases, as is the case when a step pay plan is used.

2. The employee can usually be compensated by whatever percentage increase, based upon job performance, the employer desires.
3. The Minimum-Maximum Plan provides more flexibility when ability to fund is a problem.
4. The Minimum-Maximum Plan is easier to administer and understand.

***C. APPOINTMENT AND STARTING RATE GUIDELINES***

1. The minimum rate for a position is the appointment (in-hiring) rate for a new employee. This rate reflects the "market place" value of the position based upon the minimum qualifications needed to perform the work. We are recommending the Town adopt the minimums proposed as a result of our Study and that these minimums be used as the appointment rates. However, more latitude and flexibility must be exercised when determining actual in-hiring rates for applicants in **hard to fill critical or managerial positions** since experience and availability are key factors.
2. Generally, appointments below or above the minimum salary may be authorized in the following situations:
  - a. If the applicants training, experience or other qualifications are above those required for the position appointments may be approved by the Town Manager on a case by case basis, at a rate of up to the mid-point of the range established for the position.
  - b. Appointments below the minimum salary can be handled as described in Section H.

***D. SALARY RANGES AND PROGRESSION***

1. The Pay Plan consists of a Salary Schedule containing salary ranges, the compensation attached to the ranges, and a schedule listing the assignments of each class in the Classification Plan to a range in the Salary Schedule.
2. Employees can receive a salary increase by one or more of the following ways: performance salary advancement; across-the-board increase; cost of living; adjustments; promotion; reclassification; or pay range adjustment.
3. Salary ranges are used to develop incentives among employees to improve their work performance and quality. In the present climate of fiscal concerns it is essential to have some type of salary program geared to improving overall productivity and efficiency of work.

***E. PERFORMANCE (PRODUCTIVITY) INCREASES***

1. An increase within the same pay range should not be automatic, but should be based upon a Performance Evaluation System or other system that measures an individual's effort and effectiveness.
2. An employee should be eligible for salary advancement annually on an anniversary or a fiscal year basis and as warranted by performance, provided there are funds available for the increases.
3. Salary advancement to the mid-point of the salary range is considered as the developmental phase of the salary progression. Increases to this point are usually more rapid than after the mid-point is reached.  
The developmental phase includes the probationary period and signifies the time an individual should become totally effective and productive according to the established Town standards and/or desires.  
The area beyond the mid-point of the salary range is referred to as

the incentive phase. Movement in this phase of the range should be reserved for performance over and above which is considered as an average, acceptable job. This area should be based truly on performance.

***F. PAY GRADE ADJUSTMENT***

1. Where the pay range of an existing classification is raised, it is important to maintain established pay relationships and pay spreads within a work unit and not unduly compress pay between new and longer service employees.
2. In instances where the total pay plan is being revised, adjustments and implementation should be determined at that time, which will consider cost impact and other factors.

***G. RECLASSIFICATION/ORGANIZATIONAL CHANGES***

When a position is reclassified to a higher class, adjustments to salary should be handled in the same manner as Promotion.

When a reclassification results in assignment to a lower class, adjustment should be made in accordance with the rules for Demotion.

***H. TRAINEE CATEGORY***

If an applicant for a position does not meet the minimum qualifications, but is otherwise qualified for the position, the department head may request the appointment as a "TRAINEE". In such cases, the employee could be hired at a rate of ten to fifteen percent (10%-15%) below the minimum salary, until the minimum qualifications have been satisfied.



The individual's probationary period should not begin until he/she has completed the trainee period.

This category is used to train people on-the-job who have the potential to do the work, but lack some of the skills or experience needed. The normal time a person remains in a trainee category would be a minimum of six (6) months and a maximum of twenty-four (24) months. This time period would depend upon the skills or experience needed in individual cases and when certification requirements are completed.

***I. SPECIAL ASSIGNMENT CATEGORY (SAC)***

This category can be used when an individual in a position is given an assignment(s) which encompasses duties and responsibilities of a different, advanced, and/or supervisory nature. These assignments are usually for a specified limited period of time. This type assignment is of a temporary nature, can be rescinded unilaterally by the Town, and does not constitute a promotion. All assignments which extend beyond 30 work days must be approved by the Town Manager. A pay supplement may be given for that period of time.

## V

### **FRINGE BENEFIT ANALYSIS**

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#### **A. *APPROACH***

In compiling information for the Fringe Benefit phase of the Study we proceeded as follows:

1. Fringe benefit data was analyzed from the same agencies used in our salary survey in order to ensure "total compensation" was addressed in developing salary recommendations. This data was used to determine the trends being set in the benefits area and as a guidepost in our overall analysis of total compensation offered.
2. The total benefit package was evaluated taking into consideration that some agencies may be providing more of one benefit but less in other areas.

**B. FINDINGS AND RECOMMENDATIONS**

The overall benefit package offered by the Town is fair and competitive.

**1. FINDINGS OF THE MAJOR BENEFITS**

<b>SURFSIDE</b>	<b>SURVEY RESULTS</b>
<b>A. VACATION DAYS</b>  10 - 20 days	<b>A. VACATION DAYS</b>  10 - 20 days
<b>B. SICK LEAVE</b> One day per month	<b>B. SICK LEAVE</b> One day per month
<b>C. HOLIDAYS</b>  11 holidays per year	<b>C. HOLIDAYS</b>  11.4 holidays per year
<b>D. MEDICAL/HEALTH INSURANCE</b> 100% of premium paid for employees paid by employer(HMO) 60% of premium paid for dependents by employer	<b>D. MEDICAL/HEALTH INSURANCE</b> 100% of premium cost paid for employee paid by employer Approx. 63% of the premium cost for dependents paid by employer
<b>E. FUNERAL LEAVE</b> Up to 3 days leave with pay	<b>E. FUNERAL LEAVE</b> Up to 3 days leave with pay on an average
<b>F. RETIREMENT</b> Employer contributes 6.9% (general employees) 19.5% (police). This results in a fully funded pension plan.	<b>F. RETIREMENT</b> <b>General Employees</b> Employer contributes from a low of 0% to a high of 12.2% with a median of approximately 9% <b>High Risk (Police)</b> Employer contributes from a low of 9% to a high of 14.1% with a median of approximately 11% These percentages may not result in a fully funded pension plan. Lower employer match may result in an underfunded plan. This study does not represent an analysis of how each contribution level impacts the fully funded criteria for survey respondents pension plans.
<b>G. LIFE INSURANCE</b> Provided at no cost to the employee 1x annual salary not to exceed 50 k	<b>G. LIFE INSURANCE</b> Most provides at no cost to the employee.
<b>H. DENTAL</b>  Town pays \$25 of the premium cost per month regardless of employees' option of coverage	<b>H. DENTAL</b>  Most provided dental at the employee's expense
<b>I. TOTAL DAYS OFF (SICK, VACATION, PERSONAL DAYS COMBINED)</b>  22 - 32 days	<b>I. TOTAL DAYS OFF (SICK, VACATION, PERSONAL DAYS COMBINED)</b>  An average of 22 - 32 days per year.

2. The benefits that are receiving the most attention of the employers in the present economic climate are medical insurance and retirement.

THE TOWN SHOULD MONITOR VERY CLOSELY THE IMPACT AND COST OF THE MEDICAL INSURANCE AND RETIREMENT PROGRAMS.

Last year insurance premiums Statewide increased approximately 15% - 35% according to data of Public and Private Employers in Florida. This has been the trend for a number of years and will continue until our medical insurance is equitably addressed on a national level. It should be noted that the Town managed to keep the insurance increase at 9.3% last year.

This is resulting in an increasing number of employers having to shift more medical insurance premium costs to the employees and establishing a "fixed rate" for the employer.

RETIREMENT PROGRAM

This is another area where public sector employers are transferring more and more cost contributions and/or are reducing benefits to the employees. Private sector trends show many small businesses eliminating pension programs altogether.

3. MONITOR FUTURE FRINGE BENEFITS CAREFULLY

Fringe benefits are obviously very costly and their impact on the total budget expenditures is becoming greater every year. Unfortunately, fringe benefits are forgotten once awarded and in most cases are not viewed as part of the total compensation package by employees.

## **VI**

### **IMPLEMENTATION**

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To implement the proposed Compensation Plan we recommend using one of the following implementation plans described below.

#### **ALTERNATIVE A**

1. Adopt the Pay Grades and Salary Schedule as recommended in this report.
2. Adjust the salaries of employees who fall below the minimum recommended to the minimum rate.
3. Any employee presently being paid above the maximum for their pay range, should be "frozen" at their present pay rate.

This would place everyone within the recommended ranges and is the least cost to the Town.

#### **ALTERNATIVE B**

1. Adopt the Pay Grades and Salary Schedule as recommended in this report.
2. Adjust the employees into the recommended pay range according to the following pay range change calculation: For each year of satisfactory service in grade award the individual a specified percentage per year times the recommended pay range

minimum. The difference between this and the individual's actual salary will constitute the amount of salary adjustment. If the employee is already at or above this amount the salary will remain at the current level. In no case should this adjustment result in a loss of pay level.

3. Any employee presently being paid above the maximum for their pay range, should be "frozen" at their present rate.

This approach would establish both external (market) equity and internal equity within the organization.

#### **IMPLEMENTATION COSTS ANNUAL SALARIES\***

Alternative A: Approximately 117,124\* + Fringe Benefits

Alternative B:

1%: Approximately \$182,181\* + Fringe Benefits

2%: Approximately \$274,510\* + Fringe Benefits

3%: Approximately \$360,436\* + Fringe Benefits

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\* FOP Bargaining Unit Members, Town Manager, Town Attorney, and Inspectors are excluded.

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# Cody & Associates, Inc.

## MANAGEMENT CONSULTANTS

### POSITION DESCRIPTION QUESTIONNAIRE

This form will provide you with the opportunity to describe the kind of work you presently perform. The information will be supplemented by discussions with supervisors and in some cases by interviews with employees at work locations.

#### PART I: TO BE COMPLETED BY THE EMPLOYEE

1. NAME: \_\_\_\_\_  
(Last) (First) (Middle Initial)

2. OFFICIAL JOB TITLE: \_\_\_\_\_

3. AGENCY NAME: \_\_\_\_\_

4. DEPARTMENT: \_\_\_\_\_ 5. DIVISION: \_\_\_\_\_

6. IMMEDIATE SUPERVISOR: \_\_\_\_\_  
(Name) (Title)

7. GENERAL DESCRIPTION: (Summarize the Major Duties of Your Job)

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8. ESSENTIAL JOB FUNCTIONS: (List only those fundamental job duties and not those that are marginal or secondary. The time spent on each function should be expressed in percentage or fractions of the week, month, or year.)

TIME SPENT

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Enclosure 1

## 9. ESSENTIAL PHYSICAL SKILLS

**CHECK THE BLOCKS TO SHOW THE TYPES OF PHYSICAL SKILLS REQUIRED TO PERFORM THE ESSENTIAL JOB FUNCTIONS AND HOW FREQUENTLY THEY OCCUR DURING THE WORK WEEK.**

<b>CODE:</b>	<b>CONSTANT:</b> <b>VERY FREQUENT:</b> <b>FREQUENT:</b> <b>OCCASIONAL:</b> <b>RARELY:</b>	<b>More than 80% (6½ hours or more per 8 hours per day.)</b> <b>51% - 79% (4½ - 6 hours per 8 hours day.)</b> <b>21% - 50% (2½ - 4 hours per 8 hours day.)</b> <b>6% - 20% (1 - 2 hours per 8 hours day.)</b> <b>0% - 5% (Less than 1 hour per 8 hours day.)</b>
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TYPES OF PHYSICAL SKILLS	CONSTANT	VERY FREQUENTLY	FREQUENT	OCCASIONAL	RARELY
Heavy lifting (45 pounds and over)					
Moderate lifting (15 to 44 pounds)					
Light lifting (under 15 pounds)					
Heavy carrying (45 pounds and over)					
Moderate carrying (15 to 44 pounds)					
Light carrying (under 15 pounds)					
Reaching above shoulder					
Use of fingers					
Both hands required					
Climbing (use of legs and arms)					
Climbing (legs only)					
Good near vision					
Good distant vision					
Both eyes required					
Depth perception					
Distinguishing basic colors					
Distinguishing shades of colors					
Good hearing (with hearing aid)					
Good hearing (without hearing aid)					
Straight pulling					
Pulling hand over hand					
Pushing					
Walking					
Standing					
Crawling					
Kneeling					
Bending					
Balancing					
Smelling					
Tasting					
Stooping					
Jumping					
Running					
Throwing					
Driving (cars, small vans, pick-ups, etc.)					
Driving/operating heavy equipment, etc.					
OTHER (List below):					



## 10. ENVIRONMENTAL CONDITIONS

**CHECK THE BLOCKS TO SHOW THE ENVIRONMENTAL CONDITIONS UNDER WHICH YOU PERFORM THE ESSENTIAL JOB FUNCTIONS AND HOW FREQUENTLY THEY OCCUR DURING THE WORK WEEK.**

<b>CODE:</b>	<b>CONSTANT:</b> <b>VERY FREQUENT:</b> <b>FREQUENT:</b> <b>OCCASIONAL:</b> <b>RARELY:</b>	<b>More than 80% (6½ hours or more per 8 hours per day.)</b> <b>51% - 79% (4½ - 6 hours per 8 hours day.)</b> <b>21% - 50% (2½ - 4 hours per 8 hours day.)</b> <b>6% - 20% (1 - 2 hours per 8 hours day.)</b> <b>0% - 5% (Less than 1 hour per 8 hours day.)</b>
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TYPES OF ENVIRONMENTAL CONDITIONS	CONSTANT	VERY FREQUENTLY	FREQUENT	OCCASIONAL	RARELY
Works inside					
Works outside					
In heat					
In cold					
In high humidity					
In dampness or chilliness					
In dry conditions					
In or with noisy conditions					
In darkness – Where?					
In or with dusty conditions					
With Silica, Asbestos, etc.					
With fumes or gases					
With chemicals – What types?					
With solvents – What types?					
With grease or oils					
With radiant energy					
With electrical energy					
On slippery surfaces					
On uneven surfaces					
In or with moving objects					
In or with moving vehicles					
On or with ladders/scaffolding					
At heights above ground level up to feet					
Below grounds level (ditches, tunnels, etc.)					
With feet, legs, or hands in water					
With explosives					
With vibrations					
Working closely with others					
Working alone					
With poor lighting – Where?					
With poor ventilation – Where?					
With odors – Where?					

OTHER: (Describe any other conditions not covered above in this block)

WORK HAZARDS:

SAFETY EQUIPMENT USED OR NEEDED:

11. OTHER JOB FUNCTIONS: (List all other job tasks which are not included in the Essential Job Function List. Show the amount of time spent on each function.)

TIME SPENT


12. Number of people you supervise? List name and titles. (If over 7, list title only.)


13. Scheduled hours worked per week? \_\_\_\_\_ (Hours)

14. Machines/equipment used regularly in your work and average times daily.

EQUIPMENT	TIME	EQUIPMENT	TIME	EQUIPMENT	TIME

The forgoing statements on this form are complete and accurate to the best of my knowledge.

EMPLOYEE SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

PART II: TO BE COMPLETED BY THE SUPERVISOR

1. Indicate if you agree or disagree with the list of Essential Job Functions as stated by the employee. If you disagree, explain why.

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2. List any Essential Job Functions which may have been omitted by the employee. Indicate time spent on each function.

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3. Denote additions or modifications to the employee's statements relating to Essential Physical Skills and Environmental Conditions and any other section completed by the employee.

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4. List the Knowledge, Abilities and Skills needed to perform the Essential Job Functions of this positions:

**Knowledge:**

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**Abilities:**

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**Skills:**

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5. State the minimum qualifications needed to perform the Essential Job Functions of this positions:

Education:

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Experience: (Length in years and type of)

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Licenses, Certifications, or Registrations:

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SUPERVISOR: \_\_\_\_\_ DATE: \_\_\_\_\_  
Name Title

PART III: STATEMENT OF DEPARTMENT OR OTHER ADMINISTRATOR

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SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

JOB ANALYST NOTES AND COMMENTS:

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## ALLOCATION LIST

LAST NAME	FIRST NAME	PRESENT CLASS/TITLE	PROPOSED CLASS/TITLE
<b>EXECUTIVE</b>			
CARLTON	ROGER	TOWN MANAGER	TOWN MANAGER
DAMIEN	JOSE	CODE COMPLIANCE DIRECTOR	CODE COMPLIANCE DIRECTOR
HUNZIKER	DAWN	EXECUTIVE ADMIN. ASSISTANT TO TOWN MANAGER	EXECUTIVE ADMIN. ASSISTANT TO TOWN MANAGER
SLATE-MCCLOUD	YAMILETH	HUMAN RESOURCES DIRECTOR	HUMAN RESOURCES DIRECTOR
<b>TOWN CLERK</b>			
KRUTULES	PRISCILLA	RECORDS TECH/ ASST. TO TOWN CLERK	RECORDS TECH/ ASST. TO TOWN CLERK
SANDRA	NOVOA	TOWN CLERK	TOWN CLERK
<b>FINANCE</b>			
GAMIOTEA	MAYTE	CONTROLLER/FRONT OFFICE MANAGER	CONTROLLER/FRONT OFFICE MANAGER
RODRIGUEZ	MARISOL	ACCOUNTING CLERK	ACCOUNTING CLERK
MEIRI	ANDRIA	BUDGET OFFICER	BUDGET OFFICER
<b>BUILDING</b>			
ANNESSE	SALVATORE	CHIEF BUILDING INSPECTOR	CHIEF BUILDING INSPECTOR
CRONIN	JOHN	CHIEF PLUMBING INSPECTOR	CHIEF PLUMBING INSPECTOR
FERREIRA	SABRINA	CUSTOMER SERVICE REPRESENTATIVE	CUSTOMER SERVICE REPRESENTATIVE
GIOIA	PAUL	BUILDING OFFICIAL	BUILDING OFFICIAL
GUTKIN	LEONARD	CHIEF ELECTRICAL INSPECTOR	CHIEF ELECTRICAL INSPECTOR
GUZMAN	ENRIQUE	CHIEF ELECTRICAL INSPECTOR	CHIEF ELECTRICAL INSPECTOR
MARTINAT	DARLENE	BUILDING BILLING CLERK	BUILDING SUPPORT CLERK
NIXON	LASONYA	CUSTOMER SERVICE REPRESENTATIVE	CUSTOMER SERVICE REPRESENTATIVE
PEREZ	JAN PIERRE	CHIEF MECHANICAL INSPECTOR	CHIEF MECHANICAL INSPECTOR
RODRIGUEZ	JORGE	BUILDING & ROOFING INSPECTOR	BUILDING & ROOFING INSPECTOR
<b>LEGAL</b>			
DANNHEISSER	LYNN	TOWN ATTORNEY	TOWN ATTORNEY
MILLER	LINDA	ASSISTANT TO TOWN ATTORNEY	ASSISTANT TO TOWN ATTORNEY
<b>METER PATROL</b>			
ACOSTA	ALAIN	PARKING ENFORCEMENT OFFICER	PARKING ENFORCEMENT OFFICER
FERNANDEZ	RICARDO	PARKING ENFORCEMENT OFFICER	PARKING ENFORCEMENT OFFICER
PEREZ	WILLIAM	PARKING ENFORCEMENT OFFICER	PARKING ENFORCEMENT OFFICER
<b>POLICE</b>			
ALBERTO	RORY	POLICE SERGEANT (DETECTIVE)	POLICE SERGEANT (DETECTIVE)
ALLEN	DAVID	POLICE CHIEF	POLICE CHIEF
ALVAREZ	JONATHAN	PATROLMAN	POLICE OFFICER
ARCH III	LOXLEY	PATROLMAN	POLICE OFFICER
BURNELL	TAMEKA	DISPATCHER	COMMUNICATIONS OPERATOR
CARRASQUILLO	EDWARD	PATROLMAN	POLICE OFFICER
COLONNA	FRANK	PATROLMAN	POLICE OFFICER

## ALLOCATION LIST

LAST NAME	FIRST NAME	PRESENT CLASS/TITLE	PROPOSED CLASS/TITLE
DI CENSO	JOHN	ASSISTANT POLICE CHIEF	ASSISTANT POLICE CHIEF
DULANEY	DIANA	PATROLMAN (DETECTIVE)	POLICE OFFICER (DETECTIVE)
FLANDERS	PAMELA	DISPATCHER	COMMUNICATIONS OPERATOR
GABRIEL	BOBBY	DISPATCHER	COMMUNICATIONS OPERATOR
GENTILE	JOHN	PATROLMAN	POLICE OFFICER
GOLDSTEIN	DINA	EXECUTIVE ASSISTANT TO POLICE CHIEF	EXECUTIVE ASSISTANT TO POLICE CHIEF
HERNANDEZ	DIANNA	PATROLMAN	POLICE OFFICER
JOSEPH	ELINOR	PUBLIC SERVICE AIDE	PUBLIC SERVICE AIDE
KNIGHT	ALBERTO	PATROLMAN (DETECTIVE)	POLICE OFFICER (DETECTIVE)
LEONARD	IAN	PATROLMAN	POLICE OFFICER
LOVELLETTE	CRAIG	PATROLMAN	POLICE OFFICER
LUKE	BRYANT	PATROLMAN	POLICE OFFICER
CAMPBELL	TAMMY	PATROLMAN	POLICE OFFICER
MATELIS	JOSE	PATROLMAN	POLICE OFFICER
MATTHEWS	JOSEPH	PATROLMAN	POLICE OFFICER
MCGAVERN	DONALD	PATROLMAN	POLICE OFFICER
MCKENNA	PATRICK	POLICE SERGEANT	POLICE SERGEANT
MESA	ANTONIO	PATROLMAN	POLICE OFFICER
PACHECO JR.	JOSE	POLICE SERGEANT	POLICE SERGEANT
RUIZ	LESMES	PATROLMAN	POLICE OFFICER
SMITH	MICAH	PATROLMAN	POLICE OFFICER
SPERBECK	SUSIE	DISPATCHER	COMMUNICATIONS SUPERVISOR
TORRES	JULIO	POLICE SERGEANT	POLICE SERGEANT
VALINO	JOSE	POLICE SERGEANT	POLICE SERGEANT
VALINO	MARIAN	PATROLMAN (DETECTIVE)	POLICE OFFICER (DETECTIVE)
VILLAR	JORGE	DISPATCHER	COMMUNICATIONS OPERATOR
WILLIAMS	RICHARD	POLICE SERGEANT	POLICE SERGEANT
<b>PUBLIC WORKS</b>			
EVANS	BILL	PUBLIC WORKS DIRECTOR	PUBLIC WORKS DIRECTOR
IGLESIAS	JOSVANI	MAINTENANCE MAN	MAINTENANCE WORKER II
MATOS	GASPAR	MECHANIC	MECHANIC
NARANJO	OVIDIO	MAINTENANCE MAN	MAINTENANCE SUPERVISOR
NODARSE	JOSE	MAINTENANCE MAN	MAINTENANCE WORKER II
PEREZ	HECTOR	JANITOR	GENERAL SERVICE WORKER
<b>LABORER PW TRANSP.</b>			
SCOTT	DERICK	LABORER	MAINTENANCE WORKER I
<b>STORM WATER</b>			
GERLIN	RONALD	MAINTENANCE MAN	MAINTENANCE WORKER II

## ALLOCATION LIST

LAST NAME	FIRST NAME	PRESENT CLASS/TITLE	PROPOSED CLASS/TITLE
<b>SOLID WASTE</b>			
BICHOTTE	MAGALIE	CUSTOMER SERVICE REPRESENTATIVE	CUSTOMER SERVICE REPRESENTATIVE
CERENE	JEAN	TOTER	REFUSE COLLECTOR
COOPER	ALFRED	FOREMAN	SOLID WASTE SUPERVISOR
CORDOVA	BERNARDO	TOTER	REFUSE COLLECTOR
DESAMOUR	PIERRE	TOTER	REFUSE COLLECTOR
GONZALEZ	DOMINGO	LABORER	MAINTENANCE WORKER I
MEHU	EDNER	TOTER	REFUSE COLLECTOR
NOEL	ALBERT	OPERATOR	S.W. REFUSE TRUCK OPERATOR
PETITCAR	SILACE	OPERATOR	S.W. REFUSE TRUCK OPERATOR
SAINTIL	HARRY	TOTER	REFUSE COLLECTOR
<b>PARKS &amp; RECREATION</b>			
AGRAMONTE	VIRGINIA	RECREATION CLERK	RECREATION CLERK
APONTE	GERARDO	RECREATION LEADER	RECREATION LEADER I
BARRETT	STACIE	PARKS & RECREATION SUPERVISOR	PARKS & RECREATION SUPERVISOR
CHAIT	JESSICA	RECREATION LEADER	RECREATION LEADER I
DEZA	GABRIELLA	LIFEGUARD	LIFEGUARD
ESPINOZA	JOSE	LIFEGUARD	LIFEGUARD
FERNADEZ	ERIK	LIFEGUARD	LIFEGUARD
FILIBERTO	PETER	LIFEGUARD	LIFEGUARD
FLORES	REBECCA	RECREATION LEADER II	RECREATION LEADER II
FRANKLIN	JOHN	LIFEGUARD	LIFEGUARD
JAMES-CRICHTON	SIMONE	PROGRAM AND EVENTS COORDINATOR	PROGRAM AND EVENTS COORDINATOR
JEAN-MARY	NICLASSE	RECREATION JANITOR	CUSTODIAN
JOHNSON	HEATHER	LIFEGUARD	LIFEGUARD, LEAD
JULES	LISIANE	PARK ATTENDANT	PARK ATTENDANT
JUNG	FELIPE	LIFEGUARD	LIFEGUARD
KOSHAL	KIREN	LIFEGUARD	LIFEGUARD
LEMES	JULIANA	RECREATION LEADER	RECREATION LEADER I
LOPEZ PROBANCE	ALFREDO	LIFEGUARD	LIFEGUARD
LORENZ	JUSTIN	LIFEGUARD	LIFEGUARD, HEAD
LUZARRAGA	ERICH	MAINTENANCE MAN	MAINTENANCE WORKER II
MENEZES	GABRIELLA	RECREATION LEADER	RECREATION LEADER I
MILIAN	TIMOTHY	PARKS & RECREATION DIRECTOR	PARKS & RECREATION DIRECTOR
ORTIZ	RAYMOND	RECREATION LEADER	RECREATION LEADER I
PETIT-FRERE	JEAN	JANITOR	CUSTODIAN
PETRILLO	ROBERT	LIFEGUARD	LIFEGUARD
VILLAGRAN	JACQUELYN	P & REC (BEACH & AQUATICS) COORD	AQUATICS SUPERVISOR
WEBB	CALVIN	LIFEGUARD	LIFEGUARD
YERO	ARIANA	LIFEGUARD	LIFEGUARD
ALL		CAMP COUNSELORS	CAMP COUNSELORS

## ALLOCATION LIST

LAST NAME	FIRST NAME	PRESENT CLASS/TITLE	PROPOSED CLASS/TITLE
<b>TOURIST BOARD</b>			
TAVARES	DUNCAN	TOURISM/ECONOMIC DEVELOPMENT & COMMUNITY SERVICES DIRECTOR	TOURISM/ECONOMIC DEVELOPMENT & COMMUNITY SERVICES DIRECTOR
<b>WATER &amp; SEWER</b>			
BOLUS	TREVA	CUSTOMER SERVICE REPRESENTATIVE	CUSTOMER SERVICE REPRESENTATIVE
ALVAREZ	FELIX	MAINTENANCE MAN	MAINTENANCE WORKER II
LACROIX	HAROLD	MAINTENANCE MAN	MAINTENANCE WORKER II
RODRIGUEZ	HECTOR	MAINTENANCE MAN	MAINTENANCE SUPERVISOR



# ALLOCATION LIST

## PROPOSED CHANGES ONLY

LAST NAME	FIRST NAME	PRESENT CLASS/TITLE	PROPOSED CLASS/TITLE
<b>BUILDING</b>			
MARTINAT	DARLENE	BUILDING BILLING CLERK	BUILDING SUPPORT CLERK
<b>POLICE</b>			
ALVAREZ	JONATHAN	PATROLMAN	POLICE OFFICER
ARCH III	LOXLEY	PATROLMAN	POLICE OFFICER
BURNELL	TAMEKA	DISPATCHER	COMMUNICATIONS OPERATOR
CARRASQUILLO	EDWARD	PATROLMAN	POLICE OFFICER
COLONNA	FRANK	PATROLMAN	POLICE OFFICER
DULANEY	DIANA	PATROLMAN (DETECTIVE)	POLICE OFFICER (DETECTIVE)
FLANDERS	PAMELA	DISPATCHER	COMMUNICATIONS OPERATOR
GABRIEL	BOBBY	DISPATCHER	COMMUNICATIONS OPERATOR
GENTILE	JOHN	PATROLMAN	POLICE OFFICER
HERNANDEZ	DIANNA	PATROLMAN	POLICE OFFICER
KNIGHT	ALBERTO	PATROLMAN (DETECTIVE)	POLICE OFFICER (DETECTIVE)
LEONARD	IAN	PATROLMAN	POLICE OFFICER
LOVELLETTE	CRAIG	PATROLMAN	POLICE OFFICER
LUKE	BRYANT	PATROLMAN	POLICE OFFICER
CAMPBELL	TAMMY	PATROLMAN	POLICE OFFICER
MATELIS	JOSE	PATROLMAN	POLICE OFFICER
MATTHEWS	JOSEPH	PATROLMAN	POLICE OFFICER
MCGAVERN	DONALD	PATROLMAN	POLICE OFFICER
MESA	ANTONIO	PATROLMAN	POLICE OFFICER
RUIZ	LESMES	PATROLMAN	POLICE OFFICER
SMITH	MICAH	PATROLMAN	POLICE OFFICER
SPERBECK	SUSIE	DISPATCHER	COMMUNICATIONS SUPERVISOR
VALINO	MARIAN	PATROLMAN (DETECTIVE)	POLICE OFFICER (DETECTIVE)
VILLAR	JORGE	DISPATCHER	COMMUNICATIONS OPERATOR
<b>PUBLIC WORKS</b>			
IGLESIAS	JOSVANI	MAINTENANCE MAN	MAINTENANCE WORKER II
NARANJO	OVIDIO	MAINTENANCE MAN	MAINTENANCE SUPERVISOR
NODARSE	JOSE	MAINTENANCE MAN	MAINTENANCE WORKER II
PEREZ	HECTOR	JANITOR	GENERAL SERVICE WORKER
<b>LABORER PW TRANSP.</b>			
SCOTT	DERICK	LABORER	MAINTENANCE WORKER I
<b>STORM WATER</b>			
GERLIN	RONALD	MAINTENANCE MAN	MAINTENANCE WORKER II

# ALLOCATION LIST

## PROPOSED CHANGES ONLY

LAST NAME	FIRST NAME	PRESENT CLASS/TITLE	PROPOSED CLASS/TITLE
<b>SOLID WASTE</b>			
CERENE	JEAN	TOTER	REFUSE COLLECTOR
COOPER	ALFRED	FOREMAN	SOLID WASTE SUPERVISOR
CORDOVA	BERNARDO	TOTER	REFUSE COLLECTOR
DESAMOUR	PIERRE	TOTER	REFUSE COLLECTOR
GONZALEZ	DOMINGO	LABORER	MAINTENANCE WORKER I
MEHU	EDNER	TOTER	REFUSE COLLECTOR
NOEL	ALBERT	OPERATOR	S.W. REFUSE TRUCK OPERATOR
PETITCAR	SILACE	OPERATOR	S.W. REFUSE TRUCK OPERATOR
SAINTIL	HARRY	TOTER	REFUSE COLLECTOR
<b>PARKS &amp; RECREATION</b>			
APONTE	GERARDO	RECREATION LEADER	RECREATION LEADER I
CHAIT	JESSICA	RECREATION LEADER	RECREATION LEADER I
JEAN-MARY	NICLASSE	RECREATION JANITOR	CUSTODIAN
JOHNSON	HEATHER	LIFEGUARD	LIFEGUARD, LEAD
LEMES	JULIANA	RECREATION LEADER	RECREATION LEADER I
LORENZ	JUSTIN	LIFEGUARD	LIFEGUARD, HEAD
LUZARRAGA	ERICH	MAINTENANCE MAN	MAINTENANCE WORKER II
MENEZES	GABRIELLA	RECREATION LEADER	RECREATION LEADER I
ORTIZ	RAYMOND	RECREATION LEADER	RECREATION LEADER I
PETIT-FRERE	JEAN	JANITOR	CUSTODIAN
VILLAGRAN	JACQUELYN	P & REC (BEACH & AQUATICS) COORD	AQUATICS SUPERVISOR
<b>WATER &amp; SEWER</b>			
ALVAREZ	FELIX	MAINTENANCE MAN	MAINTENANCE WORKER II
LACROIX	HAROLD	MAINTENANCE MAN	MAINTENANCE WORKER II
RODRIGUEZ	HECTOR	MAINTENANCE MAN	MAINTENANCE SUPERVISOR

## RECOMMENDED PAY PLAN - BY DEPARTMENT

TITLE	ACTUAL SALARY	REC PAY RANGE	MINIMUM	MAXIMUM	FLSA
<b><u>EXECUTIVE</u></b>					
TOWN MANAGER	121,105	NEG	170,600 *		E
HUMAN RESOURCES DIRECTOR	62,500	32	73,722	110,583	E
CODE COMPLIANCE DIRECTOR	70,000	30	64,392	96,588	E
EXECUTIVE ADMIN. ASSISTANT TO TOWN MANAGER	46,548	25	45,910	68,865	E
<b><u>TOWN CLERK</u></b>					
TOWN CLERK	67,500	30	64,392	96,588	E
RECORDS TECH/ ASST. TO TOWN CLERK	34,313	21	35,025	52,538	NE
<b><u>FINANCE</u></b>					
FINANCE DIRECTOR	Vacant	35	90,312	135,468	E
CONTROLLER/Front Office Manager	69,917	29	60,179	90,269	E
ACCOUNTING CLERK	43,113	20	32,733	49,100	NE
BUDGET OFFICER	60,000	27	52,563	78,845	E
<b><u>BUILDING</u></b>					
BUILDING OFFICIAL	50.90 P/H	32	35.44 P/H	53.16 P/H	E
CHIEF BUILDING INSPECTOR	411.92 **	29	28.93 P/H	43.40 P/H	NE
CHIEF PLUMBING INSPECTOR	823.85 **	29	28.93 P/H	43.40 P/H	NE
CHIEF ELECTRICAL INSPECTOR	411.92 **	29	28.93 P/H	43.40 P/H	NE
CHIEF MECHANICAL INSPECTOR	823.85 **	29	28.93 P/H	43.40 P/H	NE
BUILDING & ROOFING INSPECTOR	411.92 **	29	28.93 P/H	43.40 P/H	NE
BUILDING SUPPORT CLERK	44,658	20	32,733	49,100	NE
CUSTOMER SERVICE REPRESENTATIVE	31,200	19	30,592	45,888	NE

\* BASED UPON ACTUAL SALARIES SINCE RANGES WERE NOT AVAILABLE FOR THESE POSITIONS

\*\* FLAT BIWEEKLY SALARIES PAID REGARDLESS OF HOURS WORKED

\*\*\* 5% ADDED FOR LEAD WORK

## RECOMMENDED PAY PLAN - BY DEPARTMENT

TITLE	ACTUAL SALARY	REC PAY RANGE	MINIMUM	MAXIMUM	FLSA
<b><u>LEGAL</u></b>					
TOWN ATTORNEY	181,210	NEG	181,200 *		E
ASSISTANT TO TOWN ATTORNEY	56,100	24	42,907	64,361	NE
<b><u>METER PATROL</u></b>					
PARKING ENFORCEMENT OFFICER	23,338; 27,709; 38,379	18	28,591	42,887	NE
<b><u>POLICE</u></b>					
PUBLIC SERVICE AIDE	32,008	18	28,591	42,887	NE
EXECUTIVE ASSISTANT TO POLICE CHIEF	32,279	22	37,476	56,214	NE
ASSISTANT POLICE CHIEF	105,715	33	78,882	118,323	E
POLICE CHIEF	134,222	36	96,634	144,951	E
POLICE OFFICER	50,248 - 74,933	FOP-1	50,258	74,855	NE
POLICE OFFICER (DETECTIVE)	65,785	FOP-1	50,258	74,855	NE
POLICE SERGEANT	82,421	FOP-2	80,550	86,594	NE
POLICE SERGEANT (DETECTIVE)	86,539	FOP-2	80,550	86,594	NE
COMMUNICATIONS OPERATOR	39,815	FOP-3	32,287	41,208	NE
COMMUNICATIONS SUPERVISOR	40,673	FOP-4	37,476	56,214	NE
<b><u>PUBLIC WORKS</u></b>					
PUBLIC WORKS DIRECTOR	112,500	34	84,404	126,606	E
MECHANIC	43,918	21	35,025	52,538	NE
MAINTENANCE SUPERVISOR	37,926	21	35,025	52,538	NE
GENERAL SERVICE WORKER	43,189	19	30,592	45,888	NE
MAINTENANCE WORKER II	37,873	18	28,591	42,887	NE

\* BASED UPON ACTUAL SALARIES SINCE RANGES WERE NOT AVAILABLE FOR THESE POSITIONS

\*\* FLAT BIWEEKLY SALARIES PAID REGARDLESS OF HOURS WORKED

\*\*\* 5% ADDED FOR LEAD WORK

ENCLOSURE 3

## RECOMMENDED PAY PLAN - BY DEPARTMENT

TITLE	ACTUAL SALARY	REC PAY RANGE	MINIMUM	MAXIMUM	FLSA
<b><u>LABORER PW TRANSP.</u></b>					
MAINTENANCE WORKER I	22,747	15	23,339	35,009	NE
<b><u>STORM WATER</u></b>					
MAINTENANCE WORKER II	29,850	18	28,591	42,887	NE
<b><u>SOLID WASTE</u></b>					
SOLID WASTE SUPERVISOR	52,255	24	37,476	56,214	NE
CUSTOMER SERVICE REPRESENTATIVE	30,333	19	30,592	45,888	NE
S.W. REFUSE TRUCK OPERATOR	26,213; 32,594	19	30,592	45,888	NE
REFUSE COLLECTOR	23,664 - 29,626	18	28,591	42,887	NE
MAINTENANCE WORKER I	22,158	15	23,339	35,009	NE
<b><u>PARKS &amp; RECREATION</u></b>					
PARKS & RECREATION DIRECTOR	73,532	32	73,722	110,583	E
PARKS & RECREATION SUPERVISOR	47,752	24	42,907	64,361	E
AQUATIC SUPERVISOR	39,799	23	40,100	60,150	E
LIFEGUARD, HEAD	31,824	19	30,592	45,888	NE
MAINTENANCE WORKER II	31,022	18	28,591	42,887	NE
LIFEGUARD, LEAD	29,128	17***	28,056	42,084	NE
LIFEGUARD	10.00 - 12.00 P/H	17	12.85 P/H	19.27 P/H	NE
PROGRAM EVENTS COORDINATOR	31,200	17	26,720	40,080	NE
RECREATION CLERK	14.02 P/H	16	12.01 P/H	18.01 P/H	NE
RECREATION LEADER II	26,000	16	24,972	37,458	NE
CAMP COUNSELOR	10.00 P/H	15	11.22 P/H	16.83 P/H	NE
CUSTODIAN (P/T)	10.00 P/H	15	11.22 P/H	16.83 P/H	NE
CUSTODIAN	30,398	15	23,339	35,009	NE
HEAD CAMP COUNSELOR	12.50 P/H	16	12.01 P/H	18.01 P/H	NE

\* BASED UPON ACTUAL SALARIES SINCE RANGES WERE NOT AVAILABLE FOR THESE POSITIONS

\*\* FLAT BIWEEKLY SALARIES PAID REGARDLESS OF HOURS WORKED

\*\*\* 5% ADDED FOR LEAD WORK

# RECOMMENDED PAY PLAN - BY DEPARTMENT

TITLE	ACTUAL SALARY	REC PAY RANGE	MINIMUM	MAXIMUM	FLSA
PARK ATTENDANT	9.06 P/H	15	11.22 P/H	16.83 P/H	NE
RECREATION LEADER I	7.50 - 8.9585	15	11.22 P/H	16.83 P/H	NE
<b><u>TOURIST BOARD</u></b>					
TOURISM/ECONOMIC DEVELOPMENT & COMMUNITY SERVICES DIRECTOR	55,900	33	78,882	118,323	E
<b><u>WATER &amp; SEWER</u></b>					
MAINTENANCE SUPERVISOR	48,182	21	35,025	52,538	NE
CUSTOMER SERVICE REPRESENTATIVE	31,200	19	30,592	45,888	NE
MAINTENANCE WORKER II	27,873; 28,409	18	28,591	42,887	NE

\* BASED UPON ACTUAL SALARIES SINCE RANGES WERE NOT AVAILABLE FOR THESE POSITIONS

\*\* FLAT BIWEEKLY SALARIES PAID REGARDLESS OF HOURS WORKED

\*\*\* 5% ADDED FOR LEAD WORK

## RECOMMENDED PAY PLAN - BY INTERNAL RELATIONSHIP

TITLE	ACTUAL SALARY	REC PAY RANGE	MINIMUM	MAXIMUM	FLSA
CAMP COUNSELOR	10.00 P/H	15	11.22 P/H	16.83 P/H	NE
CUSTODIAN (P/T)	10.00 P/H	15	11.22 P/H	16.83 P/H	NE
CUSTODIAN	30,398	15	23,339	35,009	NE
MAINTENANCE WORKER I	22, 158; 22,747	15	23,339	35,009	NE
PARK ATTENDANT	9.06 P/H	15	11.22 P/H	16.83 P/H	NE
RECREATION LEADER I	7.50 - 8.9585 P/H	15	11.22 P/H	16.83 P/H	NE
RECREATION CLERK	14.02 P/H	16	12.01 P/H	18.01 P/H	NE
RECREATION LEADER II	26,000	16	24,972	37,458	NE
HEAD CAMP COUNSELOR	12.50 P/H	16	12.01 P/H	18.01 P/H	NE
LIFEGUARD	10.00 - 12.00 P/H	17	12.85 P/H	19.27 P/H	NE
PROGRAM EVENTS COORDINATOR	31,200	17	26,720	40,080	NE
LIFEGUARD, LEAD	29,128	17***	28,056	42,084	NE
MAINTENANCE WORKER II	27,873 - 37,873	18	28,591	42,887	NE
PARKING ENFORCEMENT OFFICER	23,338; 27,709; 38,379	18	28,591	42,887	NE
PUBLIC SERVICE AIDE	32,008	18	28,591	42,887	NE
REFUSE COLLECTOR	23,664 - 29,626	18	28,591	42,887	NE
CUSTOMER SERVICE REPRESENTATIVE	30,333; 31200	19	30,592	45,888	NE
GENERAL SERVICE WORKER	43,189	19	30,592	45,888	NE
S.W. REFUSE TRUCK OPERATOR	26,213; 32,594	19	30,592	45,888	NE
LIFEGUARD, HEAD	31,824	19	30,592	45,888	NE
ACCOUNTING CLERK	43,113	20	32,733	49,100	NE
BUILDING SUPPORT CLERK	44,658	20	32,733	49,100	NE
MECHANIC	43,918	21	35,025	52,538	NE
MAINTENANCE SUPERVISOR	37926; 48,182	21	35,025	52,538	NE
RECORDS TECH/ ASST. TO TOWN CLERK	34,313	21	35,025	52,538	NE
EXECUTIVE ASSISTANT TO POLICE CHIEF	32,279	22	37,476	56,214	NE
AQUATIC SUPERVISOR	39,799	23	40,100	60,150	E
ASSISTANT TO TOWN ATTORNEY	56,100	24	42,907	64,361	NE

\* BASED UPON ACTUAL SALARIES SINCE RANGES WERE NOT AVAILABLE FOR THESE POSITIONS

\*\* FLAT BIWEEKLY SALARIES PAID REGARDLESS OF HOURS WORKED

\*\*\* 5% ADDED FOR LEAD WORK

## RECOMMENDED PAY PLAN - BY INTERNAL RELATIONSHIP

TITLE	ACTUAL SALARY	REC PAY RANGE	MINIMUM	MAXIMUM	FLSA
PARKS & RECREATION SUPERVISOR	47,752	24	42,907	64,361	E
SOLID WASTE SUPERVISOR	52,255	24	37,476	56,214	NE
EXECUTIVE ADMIN. ASSISTANT TO TOWN MANAGER	46,548	25	45,910	68,865	E
BUDGET OFFICER	60,000	27	52,563	78,845	E
BUILDING & ROOFING INSPECTOR	411.92 **	29	28.93 P/H	43.40 P/H	NE
CHIEF BUILDING INSPECTOR	411.92 **	29	28.93 P/H	43.40 P/H	NE
CHIEF ELECTRICAL INSPECTOR	411.92 **	29	28.93 P/H	43.40 P/H	NE
CHIEF MECHANICAL INSPECTOR	823.85 **	29	28.93 P/H	43.40 P/H	NE
CHIEF PLUMBING INSPECTOR	823.85 **	29	28.93 P/H	43.40 P/H	NE
CONTROLLER/FRONT OFFICE MANAGER	69,917	29	60,179	90,269	E
CODE COMPLIANCE DIRECTOR	70,000	30	64,392	96,588	E
TOWN CLERK	67,500	30	64,392	96,588	E
BUILDING OFFICIAL	50.90 P/H	32	35.44 P/H	53.16 P/H	E
HUMAN RESOURCES DIRECTOR	62,500	32	73,722	110,583	E
PARKS & RECREATION DIRECTOR	73,532	32	73,722	110,583	E
ASSISTANT POLICE CHIEF	105,715	33	78,882	118,323	E
TOURISM/ECONOMIC DEVELOPMENT & COMMUNITY SERVICES DIRECTOR	55,900	33	78,882	118,323	E
PUBLIC WORKS DIRECTOR	112,500	34	84,404	126,606	E
FINANCE DIRECTOR	Vacant	35	90,312	135,468	E
POLICE CHIEF	134,222	36	96,634	144,951	E
TOWN MANAGER	121,105	NEG	170,600 *		E
TOWN ATTORNEY	181,210	NEG	181,200 *		E

\* BASED UPON ACTUAL SALARIES SINCE RANGES WERE NOT AVAILABLE FOR THESE POSITIONS

\*\* FLAT BIWEEKLY SALARIES PAID REGARDLESS OF HOURS WORKED

\*\*\* 5% ADDED FOR LEAD WORK



## RECOMMENDED PAY PLAN - ALPHABETICAL

TITLE	ACTUAL SALARY	REC PAY RANGE	MINIMUM	MAXIMUM	FLSA
ACCOUNTING CLERK	43,113	20	32,733	49,100	NE
AQUATIC SUPERVISOR	39,799	23	40,100	60,150	E
ASSISTANT POLICE CHIEF	105,715	33	78,882	118,323	E
ASSISTANT TO TOWN ATTORNEY	56,100	24	42,907	64,361	NE
BUILDING & ROOFING INSPECTOR	411.92 **	29	28.93 P/H	43.40 P/H	NE
BUDGET OFFICER	60,000	27	52,563	78,845	E
BUILDING OFFICIAL	50.90 P/H	32	35.44 P/H	53.16 P/H	E
BUILDING SUPPORT CLERK	44,658	20	32,733	49,100	NE
CAMP COUNSELOR	10.00 P/H	15	11.22 P/H	16.38 P/H	NE
CHIEF BUILDING INSPECTOR	411.92 **	29	28.93 P/H	43.40 P/H	NE
CHIEF ELECTRICAL INSPECTOR	411.92 **	29	28.93 P/H	43.40 P/H	NE
CHIEF MECHANICAL INSPECTOR	823.85 **	29	28.93 P/H	43.40 P/H	NE
CHIEF PLUMBING INSPECTOR	823.85 **	29	28.93 P/H	43.40 P/H	NE
CODE COMPLIANCE DIRECTOR	70,000	30	64,392	96,588	E
CONTROLLER/FRONT OFFICE MANAGER	69,917	29	60,179	90,269	E
CUSTODIAN	30,398	15	23,339	35,009	NE
CUSTODIAN (P/T)	10.00 P/H	15	11.22 P/H	16.38 P/H	NE
CUSTOMER SERVICE REPRESENTATIVE	30,333; 31200	19	30,592	45,888	NE
EXECUTIVE ADMIN. ASSISTANT TO TOWN MANAGER	46,548	25	45,910	68,865	E
EXECUTIVE ASSISTANT TO POLICE CHIEF	32,279	22	37,476	56,214	NE
FINANCE DIRECTOR	Vacant	35	90,312	135,468	E
GENERAL SERVICE WORKER	43,192	19	30,592	45,888	NE
HEAD CAMP COUNSELOR	12.50 P/H	16	12.01 P/H	18.01 P/H	NE
HUMAN RESOURCES DIRECTOR	62,500	32	73,722	110,583	E
LIFEGUARD	10.00 - 12.00 P/H	17	12.85 P/H	19.27 P/H	NE
LIFEGUARD, HEAD	31,824	19	30,592	45,888	NE
LIFEGUARD, LEAD	29,128	17***	28,056	42,084	NE
MAINTENANCE SUPERVISOR	37,926; 48,182	21	35,025	52,538	NE

\* BASED UPON ACTUAL SALARIES SINCE RANGES WERE NOT AVAILABLE FOR THESE POSITIONS

\*\* FLAT BIWEEKLY SALARIES PAID REGARDLESS OF HOURS WORKED

\*\*\* 5% ADDED FOR LEAD WORK

## RECOMMENDED PAY PLAN - ALPHABETICAL

TITLE	ACTUAL SALARY	REC PAY RANGE	MINIMUM	MAXIMUM	FLSA
MAINTENANCE WORKER I	22,158 - 22,747	15	23,339	35,009	NE
MAINTENANCE WORKER II	27,873 - 37,873	18	28,591	42,887	NE
MECHANIC	43,918	21	35,025	52,538	NE
PARK ATTENDANT	9.06 P/H	15	11.22 P/H	16.83 P/H	NE
PARKING ENFORCEMENT OFFICER	23,338; 27,709; 38,379	18	28,591	42,887	NE
PARKS & RECREATION DIRECTOR	73,532	32	73,722	110,583	E
PARKS & RECREATION SUPERVISOR	47,752	24	42,907	64,361	E
POLICE CHIEF	134,222	36	96,634	144,951	E
PROGRAM EVENTS COORDINATOR	31,200	17	26,720	40,080	NE
PUBLIC SERVICE AIDE	32,008	18	28,591	42,887	NE
PUBLIC WORKS DIRECTOR	112,500	34	84,404	126,606	E
RECORDS TECH/ ASST. TO TOWN CLERK	34,313	21	35,025	52,538	NE
RECREATION CLERK	14.02 P/H	16	12.01 P/H	18.01 P/H	NE
RECREATION LEADER I	7.50 - 8.9585 P/H	15	11.22 P/H	16.83 P/H	NE
RECREATION LEADER II	26,000	16	24,972	37,458	NE
REFUSE COLLECTOR	23,664 - 29,626	18	28,591	42,887	NE
S.W. REFUSE TRUCK OPERATOR	26,213; 32,594	19	30,592	45,888	NE
SOLID WASTE SUPERVISOR	52,255	24	37,476	56,214	NE
TOURISM/ECONOMIC DEVELOPMENT & COMMUNITY SERVICES DIRECTOR	55,900	33	78,882	118,323	E
TOWN ATTORNEY	181,210	NEG	181,200 *		E
TOWN CLERK	67,500	30	64,392	96,588	E
TOWN MANAGER	121,105	NEG	170,600 *		E

\* BASED UPON ACTUAL SALARIES SINCE RANGES WERE NOT AVAILABLE FOR THESE POSITIONS

\*\* FLAT BIWEEKLY SALARIES PAID REGARDLESS OF HOURS WORKED

\*\*\* 5% ADDED FOR LEAD WORK

## RECOMMENDED SALARY SCHEDULE

P/G	MINIMUM		MIDPOINT		MAXIMUM	
	HRLY	ANNUAL	HRLY	ANNUAL	HRLY	ANNUAL
10	8.0000	16,640	10.0000	20,800	12.0000	24,960
11	8.5601	17,805	10.7002	22,257	12.8404	26,708
12	9.1591	19,051	11.4488	23,814	13.7385	28,576
13	9.8005	20,385	12.2507	25,482	14.7010	30,578
14	10.4885	21,816	13.1106	27,270	15.7327	32,724
15	11.2207	23,339	14.0260	29,174	16.8313	35,009
16	12.0058	24,972	15.0072	31,215	18.0087	37,458
17	12.8462	26,720	16.0577	33,400	19.2692	40,080
18	13.7457	28,591	17.1822	35,739	20.6188	42,887
19	14.7077	30,592	18.3846	38,240	22.0615	45,888
20	15.7370	32,733	19.6714	40,917	23.6058	49,100
21	16.8389	35,025	21.0488	43,782	25.2587	52,538
22	18.0173	37,476	22.5216	46,845	27.0260	56,214
23	19.2788	40,100	24.0986	50,125	28.9183	60,150
24	20.6284	42,907	25.7856	53,634	30.9428	64,361
25	22.0721	45,910	27.5901	57,388	33.1082	68,865
26	23.6178	49,125	29.5224	61,407	35.4269	73,688
27	25.2707	52,563	31.5885	65,704	37.9063	78,845
28	27.0394	56,242	33.7993	70,303	40.5591	84,363
29	28.9322	60,179	36.1654	75,224	43.3986	90,269
30	30.9577	64,392	38.6971	80,490	46.4365	96,588
31	33.1250	68,900	41.4063	86,125	49.6875	103,350
32	35.4433	73,722	44.3041	92,153	53.1649	110,583
33	37.9240	78,882	47.4050	98,603	56.8861	118,323
34	40.5788	84,404	50.7236	105,505	60.8683	126,606
35	43.4192	90,312	54.2740	112,890	65.1288	135,468
36	46.4587	96,634	58.0733	120,793	69.6880	144,951
37	49.7115	103,400	77.1219	160,414	104.5322	217,427

## RECOMMENDED SALARY SCHEDULE

### LAW ENFORCEMENT

P/G	MINIMUM		MIDPOINT		MAXIMUM	
	HRLY	ANNUAL	HRLY	ANNUAL	HRLY	ANNUAL
FOP-1	24.1625	50,258	30.0752	62,557	35.9880	74,855
FOP-2	38.7260	80,550	40.1788	83,572	41.6317	86,594
FOP-3	15.5226	32,287	17.6671	36,748	19.8115	41,208
FOP-4	18.0173	37,476	22.5216	46,845	27.0260	56,214

**SALARY SURVEY DATA SUMMARY  
LOCAL OPERATING AREA**

TITLE	Median			Average			# of
	Min	Mid	Max	Min	Mid	Max	Participants
CODE COMPLIANCE DIRECTOR	67,600	79,572	96,521	65,202	77,585	97,299	13
BUILDING OFFICIAL	75,139	95,000	105,841	81,259	101,693	114,351	11
CONTROLLER/FRONT OFFICE MANAGER	59,906	73,385	86,863	66,880	81,511	100,200	11
FINANCE DIRECTOR	92,918	116,744	133,963	94,561	115,503	139,176	17
HUMAN RESOURCES DIRECTOR	88,546	99,258	112,055	85,585	101,325	124,639	17
PARKS AND RECREATION DIRECTOR	88,118	100,807	117,104	89,678	104,929	129,504	15
POLICE CHIEF	102,357	128,746	143,669	108,231	131,329	157,158	18
PUBLIC WORKS DIRECTOR	89,933	106,636	122,871	91,242	109,808	131,983	19
TOURISM/ECONOMIC DEVELOPMENT/COMMUNITY SERVICES DIRECTOR	79,227	100,380	117,104	86,559	104,985	129,245	11
TOWN ATTORNEY	See Data Below			See Data Below			
CITY/TOWN CLERK	71,850	84,119	96,938	76,926	86,287	106,482	13
TOWN MANAGER		170,607			178,509		10
ACCOUNTING CLERK	31,465	37,549	44,371	30,936	37,391	44,143	17
ADMINISTRATIVE ASSISTANT	36,794	43,751	52,519	38,069	45,701	54,975	16
ASSISTANT POLICE CHIEF	84,219	101,582	117,828	89,465	108,486	127,838	12
BILLING CLERK	30,627	37,209	43,166	29,884	46,747	67,344	17
BUILDING & ROOFING INSPECTOR	52,978	61,872	72,717	53,110	64,601	76,914	10
BUDGET OFFICER	65,291	76,159	91,936	66,800	78,044	101,506	6
CHIEF BUILDING INSPECTOR	63,351	77,534	84,689	61,524	75,105	86,149	15
CHIEF ELECTRICAL INSPECTOR	63,295	74,137	82,504	61,521	74,962	86,934	13
CHIEF MECHANICAL INSPECTOR	63,295	74,137	82,504	61,521	74,573	86,934	13
CHIEF PLUMBING INSPECTOR	63,295	74,137	82,504	61,521	74,962	86,934	13
CODE ENFORCER/OFFICER	39,332	46,883	57,325	39,617	48,209	57,699	17
CUSTOMER SERVICE REPRESENTATIVE	31,073	38,428	43,412	30,325	37,406	44,416	17
COMMUNICATIONS OPERATOR	35,812	42,598	51,088	35,511	41,879	50,965	15
EXECUTIVE ADMIN. ASSISTANT TO THE CITY/TOWN MANAGER	48,880	56,684	69,477	56,191	66,429	81,514	16
EXECUTIVE ASSISTANT TO CHIEF OF POLICE	42,078	48,775	57,847	46,179	52,599	62,667	16

**SALARY SURVEY DATA SUMMARY  
LOCAL OPERATING AREA**

TITLE	Median			Average			# of
	Min	Mid	Max	Min	Mid	Max	Participants
SOLID WASTE SUPERVISOR	47,591	54,166	65,952	47,249	52,236	64,708	7
HEAD LIFEGUARD	33,670	40,231	48,500	36,364	39,685	50,762	9
CUSTODIAN	24,852	29,830	35,705	24,551	39,167	58,852	16
MAINTENANCE WORKER I	25,711	29,931	36,691	25,312	41,264	59,192	15
LIFEGUARD	26,644	32,367	39,150	28,550	33,219	40,189	8
MAINTENANCE WORKER II	28,330	34,902	42,172	28,852	36,165	43,691	15
MAINTENANCE SUPERVISOR	34,944	43,709	55,822	36,865	45,246	55,385	14
MECHANIC	36,239	43,855	51,247	35,921	44,077	52,265	15
METER PATROL	30,700	36,473	42,232	30,199	36,539	42,880	9
OPERATOR, SOLID WASTE	33,450	37,680	43,164	33,521	38,494	43,466	5
PARALEGAL/ ASSISTANT TO TOWN ATTORNEY	42,931	54,569	65,270	40,774	53,628	66,482	8
PARKS & RECREATION SUPERVISOR	42,390	52,619	61,935	43,774	53,619	62,759	13
PARKS AND RECREATION CLERK	24,757	30,134	36,028	23,981	29,506	35,031	10
PARKS AND RECREATION COORDINATOR; BEACH/QUATICS	42,390	50,492	58,427	39,727	49,684	59,642	9
POLICE OFFICER	47,219	58,104	69,513	47,739	58,517	70,390	15
POLICE SERGEANT	58,181	68,348	80,393	60,749	71,581	83,370	13
POLICE SERGEANT (DETECTIVE)	58,402	68,348	80,393	61,599	72,574	84,672	13
PUBLIC SERVICE AIDE	30,701	35,478	42,245	29,572	36,013	44,098	13
RECORDS TECH/ ASST. TO CITY/TOWN CLERK	36,754	44,382	53,742	36,575	43,656	51,549	10
RECREATION LEADER II	25,125	29,857	35,928	23,424	28,591	34,267	14
REFUSE COLLECTOR	28,038	36,598	42,349	29,302	35,902	42,501	7
			Contracted hrly rate (not full time staff)		annual contract	annual salary	
Town Attorney				221.87	168,000*	188,904	avg
				213.73	168,000*	173,725	median
# of agencies				4	2	6	
* + Extras (Litigation, special assignments, etc.)							

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**Gomez Barker  
 Associates, Inc.**

# Memorandum

**To:** Hon. Daniel Dietch, Mayor  
 Hon. Michael Karukin, Vice Mayor  
 Hon. Sheldon Lisbon, Commissioner  
 Hon. Marta Olchyk, Commissioner  
 Hon. (vacant), Commissioner

**From:** Fausto B. Gomez

**CC:** Roger M. Carlton and Lynn M. Dannheisser

**Date:** March 26, 2012

**Re:** End-of-Session Legislative Report

We are pleased to present this report detailing the accomplishments of the Town of Surfside during the 2012 legislative session. This was an exceedingly difficult legislative year, with many opining that the session will be known more for what it did not accomplish than what it achieved. It was marked by continuing reductions in the state budget as Florida faced a \$2 billion budget shortfall, a gaming debate that galvanized early attention and energy but soon fizzled, an attempted leadership coup in the Senate, and the once in a decade process of redrawing state and federal legislative districts that as of this writing is still subject to Florida Supreme Court and United States Department of Justice review.

In the midst of this Surfside fared very well. We helped secure over \$9 million dollars from the Department of Environmental Protection (DEP) State Revolving Trust Fund for Sewer Lining and Repair, Sewer Pump Station Improvements, Town Force Main, and General Items; obtained reduced or waived permit processing fees for completing necessary environmental projects; overcame a legislative effort that would have permanently allowed online travel companies to remit taxes on the wholesale price of a hotel room, thereby limiting the collection of tourist development taxes; realized a delay in the expansion of casino gambling; modified an attempt to make local governments liable for bus benches or shelters on the state right-of-way; preserved the Red Light Camera program and its revenues; defeated SB680/HB319, which was the subject of a communication from the previous Vice Mayor, that would have limited the ability of condominium and homeowner associations to

collect late fees, interest, and collection costs from foreclosing entities; garnered approval of a \$14.9 million statewide grant program for economic development projects meeting certain investment and/or employment criteria; and assured that the Town was included in a legislative district having commonality of interests. Equally critical was the ability to pass legislation that reduced Surfside's operating responsibilities and expenditures, such as having to prepare the Evaluation and Appraisal Reports, and to thwart bad policy that would have preempted home rule authority or imposed additional unfunded mandates. And with few exceptions, the bills in the latter category, for example a proposed Constitutional Amendment granting Ad Valorem Tax Exemptions for Low Income Seniors, would require the concurrence of local governments to implement.

Following is a detailed list of key issues that my associates and I lobbied on your behalf. While many facilitate local decision-making ability with regard to policy and budget, we believe you will be surprised at the lack of appreciation of municipalities that some others evidence. We were actively engaged both in helping pass legislation that facilitated local governance as well as assuring that bills that would have negatively impacted Surfside did not become law.

As always, please do not hesitate to contact us if you have any questions or desire additional information. We are honored to represent the Town of Surfside and gratified by the opportunity to work with you.

#### **FINANCE AND TAX**

##### ***PASSED***

Effective Public Notice - CS/CS/HB 937 requires newspapers that publish legal advertisements to also publish those ads on their website at no additional cost to a local government. The bill also requires the Florida Press Association to publish those ads on their website. Cities will see cost savings as those legal advertisements that are required to be published more than once can only be charged 85% of the original rate.

Local Option Fuel Tax – CS/CS/CS/HB599 expands the allowable use of the revenues collected by the Local Option Fuel Tax to include the installation, operation, maintenance, and repair of street lighting, traffic signals, traffic engineering, signalization, and pavement markings.

Homestead Property Tax Exemption for Surviving Spouse of Military Veteran or First Responder – CS/HJR93 would allow the legislature to provide ad valorem tax relief to the surviving spouse of a veteran who died from service-connected causes while on active duty or the surviving spouse of a first responder who died in the line of duty. The Revenue Estimating Conference has estimated that beginning with the January 2013 tax rolls, and assuming current millage rates, the statewide impact would be annual reductions in local government non-school tax revenues of \$0.3 million beginning in fiscal year 2013-14. The legislation passed unanimously from both the Senate and House.

Additional Homestead Tax Exemption for Seniors - CS/HJR 169 would *ALLOW* counties and municipalities to grant an additional homestead tax exemption for low income seniors. The exemption would be equal to the assessed value of the property with a value less than \$250,000. To qualify, a person must have maintained permanent residence on the property for at least 25 years, must be at least 65 years old, and must have a household income of less than \$20,000. The Revenue Estimating Conference has estimated that if all counties and municipalities offering the current low-income senior exemption authorized by Article VII,



section 6 of the Florida Constitution also pass the required ordinances to offer this additional homestead exemption, the negative statewide revenue impact to local governments would be \$9.1 million in FY 2014-15 and \$9.4 million in FY 2015-16, assuming current millage rates. The legislation passed unanimously from both the Senate and House.

Tangible Personal Property Tax Exemptions - CS/HJR 1003 would grant an additional exemption for tangible personal property when it is assessed at more than \$25,000 but less than \$50,000. It would allow the Legislature to provide by general law that the counties and municipalities *MAY* grant this exemption for tangible personal property through ordinance. The Revenue Estimating Conference has estimated that the provision of the amendment would have a statewide negative impact on local government revenues of \$20.1 million beginning in FY 2013-14. The legislation passed unanimously in the Senate and by a vote of 112-2 in the House.

Communications Service Tax - CS/HB809 updates and modifies a number of provisions regarding the manner in which the Communications Service Tax (CST) is levied. It revises definitions relating to bundling of services which are taxed by the CST, revises language that governs the assignment of customers to local taxing jurisdictions for the purpose of imposing the applicable local tax to modify the liability of a communications services tax dealer in the event of underpayment of the tax resulting from the dealer assigning a service address to the incorrect local taxing jurisdiction, and creates the Communication Services Tax Work Group which is comprised of four local government representatives, four industry representatives and the Department of Revenue as the non-voting chair. The Work Group will review the impact of the changes contained in CS/HB 809 as well as make recommendations of how to modernize and simplify this revenue source.

One key development in the very late stages of the Session was that a bill which accounted for almost a third of the estimated fiscal impact the Florida League of Cities provided did not pass. (The bill proposed shifting state revenue collections from the General Revenue fund and local governments to the Public Education Capital Outlay (PECO) and Debt Service Trust Fund.) Another development was a dispute between the fiscal impact numbers developed by the League, the Revenue Estimating Conference, and industry. The Revenue Estimating Conference estimated that CS/HB809 will have a statewide negative fiscal impact to local governments of \$4.3 in FY2012-13 and a recurring negative impact of \$4.7 million for incorrectly assigned service addresses. The negative fiscal impact for local governments regarding the taxation of items not separately listed is indeterminate.

The legislation passed unanimously from both the Senate and House. The fact local governments share this revenue source with the State offers significant protection against substantial diminution of these revenues in the future.

Business Tax Exemption – HB7125 would exempt real estate brokers and sales associates from paying the local business tax. The negative fiscal impact statewide to local governments is \$3.8 million. The legislation passed the Senate by a vote of 33-7 and the House by a vote of 105-9.

*FAILED*

Taxpayers' Bill of Rights (TABOR) - The Legislature last year placed on the November 2012 ballot a constitutional amendment to limit the revenues and expenditures of state

government. Those limitations are based on a complex formula accounting for population growth, cost of living, and other financial factors. Leadership of the House of Representatives this year attempted to amend the proposed constitutional amendment to include local governments. That effort failed.

Repeal of Business Tax - Under Chapter 205, F.S., local governments are authorized to charge a local business tax for the privilege of engaging or managing any business, profession, or occupation within their jurisdiction. The tax proceeds are considered general revenue. SB770 and HB1063 would have phased out the business tax over a six year period with a statewide negative fiscal impact of \$132 million. These bills failed.

Impact Fees - SB603 and HB912 would have prohibited any local government from imposing any impact fee or any fee associated with the mitigation of transportation impacts on new development until July 1, 2015, unless authorized by the affirmative vote of two-thirds of the governing authority of the local government. Opposition to these bills was a priority because of overwhelming negative fiscal impact to local governments. These bills failed.

Insignificant Fiscal Impact - SB444 sought to define the term "insignificant fiscal impact" for purposes of unfunded mandates. The Florida Constitution prohibits unfunded mandates but provides an exception for laws that have an "insignificant fiscal impact." The exception would have been defined as an amount equal to or less than 10 cents multiplied by the latest resident population estimate on April 1st by the Demographic Estimating Conference for the applicable state fiscal year. The potential impact of this bill would have been to spur additional unfunded mandates to local governments. This bill failed.

Ad Valorem Taxation - HB1289 proposed a constitutional amendment on the November 2012 ballot that would have increased the homestead exemption for all non-school property taxes. This exemption would have equaled 30% of the homestead property's just value in excess of \$75,000 but less than \$200,000, plus 15% of the homestead property's just value in excess of \$200,000 but less than or equal to \$400,000. Assuming current mileage rates, the negative fiscal impact statewide to local governments would have been \$565.1 million in FY2013-14, \$576.0 million in FY2014-15, and \$579.6 million in FY2015-16. This bill failed.

CS/SJR314 incorporated the "super homestead exemption" of HB1289 and in addition would limit the increase in the assessed value to commercial property from 10% to 7% and provide authority to the Legislature to limit assessment increases for property whose just value has decreased in the preceding year. This bill also failed.

#### **POLICY**

#### ***PASSED***

Beach Management - CS/HB691 streamlines the permitting process for coastal construction permits, including beach restoration and nourishment projects. The Department of Environmental Protection (DEP) must consider the legislative declaration that beach renourishment projects are in the public interest when processing variance requests. It also specifies that applications for permits must be made upon such terms and conditions set forth by rule. If DEP requests additional information, it must cite

applicable statutory and/or rule provisions and can't issue guidelines for environmental projects (including beach renourishment) without adopting such guidelines by rule. A detailed review of a previously permitted project is not required if there has been no substantial change in the program scope. The bill also directs DEP to amend certain chapters of the Florida Administrative Code to streamline the permitting process for periodic beach maintenance projects. Finally, the legislation requires DEP to maintain active beach project listing on its website by fiscal year to provide transparency and that if there is surplus funding notification must be provided and offered for reversion or for other projects on the active project list.

Sovereignty of Submerged Lands – HB13 allows the Board of Trustees of the Internal Improvement Trust Fund to lease sovereign submerged lands for up to 10 years (current standard terms are 5 years) for residential and multi-family docks and piers. The bill also extends the same financial benefit that currently exists for private residential single-family docks—exclusion from lease fees for a preempted area of 10 square feet or less for each linear foot of shoreline—to private residential multi-family docks. This benefit is extended only to private residential multi-family dwellings that include no more than one wet slip for each approved upland residential unit.

Environmental Regulation – CS/CS/CS/CS/HB503 expands the eligibility for reduced or waived permit processing fees for those municipalities having a population of less than 25,000 and for necessary environmental projects.

Law Enforcement Telecommunicator Certification - CS/HB 1227 exempts sworn law enforcement officers from the public safety telecommunicator certification course provided the officer can pass the certification exam. The bill allows local governments to use sworn law enforcement officers as temporary public safety telecommunicators once they have passed the certification exam.

Financial Emergency - SB368 requires independent auditors of a local government to consider whether a fund balance deficit or net assets deficit exists. If a deficit exists and sufficient resources are not available, the auditor must notify each governing board member. Failure of the members of the governing body of a local government to resolve a state of financial emergency constitutes malfeasance and, as such, may be subject to suspension from office.

Segways – CS/CS/CS/HB599 would allow local governments to regulate Segways on sidewalks. There have been an increasing number of accidents at various tourist destinations as Segways tours operate on sidewalks or pedestrian areas and crash into patrons at sidewalk cafes or simply walking around.

Transactions by Secondhand Dealers and Secondary Metal Recyclers – CS/CS/HB885 is an attempt to restrict the ability to sell stolen metal and copper. The bill not only increases the penalty for three or more violations to a second degree felony but also mandates that metal recyclers maintain and transmit a daily record of purchases to law enforcement and prohibits their purchase before 7:00 am or after 7:00 pm.

*FAILED*

Red Light Cameras - SB590 and HB33 and HB343 were joined and significantly amended in the Senate Transportation Committee to require local governments to use

a nationally recognized formula for minimum traffic signal timing. The bills further implement standards for when a right turn on red violation can be issued and allows 30 days for a person receiving a red light camera violation to challenge the ticket for pay the \$158 fine. These bills failed.

SB1542 and HB4177 which would have repealed the Red Light Camera program also failed.

Wireless Communications - A total of six bills were filed to prohibit the operation of a motor vehicle while using a wireless communications device. None of the House bills were heard in their first committee of reference and thus died. These include HB187 (prohibited cell phone use by persons under 18 years of age while driving), HB957 (required that driver improvement courses include an explanation of the dangers of using a handheld wireless device while driving), and HB299 (prohibited the operation of a motor vehicle while using a wireless communications device). Although SB416 (companion to HB299) and SB122 (companion to HB957) were considered by the Senate, the reluctance of the House of Representatives to agenda these bills assured their not passing.

Testimony at Public Meetings - CS/CS/CS/SB206 and CC/HB355 required local governments to provide members of the public with an opportunity to be heard on a proposition before the board or commission. There is an exemption for emergency situations or when a board or commission is acting in a quasi-judicial capacity. These bills died.

Reporting of Local Government Contracts - CS/CS/SB1626 and CS/HB1409 required that local governments report all executed contracts to a state contract tracking system. The concern was with the level of detail required and the cost to the local governments. These bills died.

Surplus Lines Insurance – HB245 would have made it easier for less regulated surplus line insurers to take policies out of Citizens Property Insurance Corporation. Following intense debate in both the Senate and House an amendment was adopted to the bill in the Senate requiring policyholders to “opt in” rather than being automatically switched.



## Town of Surfside Commission Communication

**Agenda Item #** 9C

**Agenda Date:** April 10, 2012

**Subject:** Comprehensive Annual Financial Report (CAFR) for the Fiscal Year Ended September 30, 2011

**Background:** The Fiscal Year 2011 CAFR is the second CAFR prepared since Fiscal Year 2006. During the first four years of the six year period only audited financial statements were prepared. While an audited financial statement meets the minimum standard of reporting it does not provide the broad base of financial information and transparency that the Town Commission requires and that the Administration has been directed to provide. Additionally, the independent auditing firm of Marcum, LLP has provided the Commission with a communication letter, dated March 16, 2012, detailing that all procedures were performed in accordance with generally accepted auditing standards and that no material misstatements existed.

Due to the complexity of the CAFR and the limited financial knowledge that many of our citizens may have, the following is a list of the CAFR highlights with a brief explanation and the related CAFR page references:

1. Of great importance is the Independent Auditors Report (page 1) which reflects an unqualified ("clean") audit opinion which is the highest assurance given that the overall Town's financial statements are in conformity with generally accepted accounting standards and principles. A clean audit opinion should give comfort to the Town Commission and the citizens of our community that the Town's finances are being handled properly.
2. The first major section of the CAFR (page 3) is the Management Discussion and Analysis which introduces the Town's basic financial statements. The main elements of this analysis are as follows:
  - a. The Town's net assets exceed liabilities by \$27,898,476 and increased by nearly \$3,191,800 during the fiscal year. This analysis is comparable to a balance sheet in the private sector and we are in substantial surplus. (Chart page 7, detail page 17)

- b. For the Governmental Activities element of the Town's operation general government required 31.2% of resources available including offsetting grants and revenues, public safety required 47.2%, physical environment 9.3%, leisure services 13.0% and transportation showed a surplus of .8% (due to grants). (Page 8)
- c. Major proprietary funds showed operating income of \$1,057,248 for water and sewer, \$311,473 for parking and \$208,990 for sanitation. (Page 8 and page 21)
- d. The long term debt reflected in the CAFR is for compensated absences (sick and annual leave) that are convertible upon termination. The total amount of \$370,112 is spread out over the careers of employees as they leave Town service. Also included in long term debt for the first time is the water/sewer/storm drainage project borrowing of \$16,000,000 (page 13). There is a short term non-interest bearing \$240,000 note due in three years for the balance of the acquisition of the Atkins's parking lot south of Town Hall.
- e. The business type activities of the Town (non ad valorem programs) transferred \$212,172 to the General Fund (ad valorem tax supported) to fund their cost for administrative activities including Legal Department costs. (Page 16)
- f. The Pension Trust Fund included \$10,455,661 as of September 30, 2011 and was 94.1% fully funded. The fund has absorbed most of the losses to its portfolio during the past three years from poor performance of the stock and bond markets and as of the December 31, 2011 quarterly report has nearly returned to full 100% funding. The Town funded the full actuarial established requirement in all recent years even though the requirement grew substantially to make up for poor investment performance. (Page 24, 46, 56)
- g. Note 8 (Page 45) analyzes the debt service coverage for the \$16,000,000 water/sewer/storm drainage bond issue. The debt service coverage was 4.3761 (due to partial year funding) which greatly exceeds the 1.10 requirement by 3.2761. This means that for every dollar of debt service required \$4.37 was generated. The excess funds will go to reserves to offset future capital needs and reduce the need for rate increases.
- h. The financial management and accounting policies of the Town are described in detail in pages 26-53 of the CAFR. These descriptions are included in twelve "Notes" which describe financial management processes including how funds are invested cautiously, how we depreciate assets, how we handle receivables (monies owed to the Town), the status of the Pension Plan, the "Other Post Employment Benefits" reporting requirements (state mandated retirees benefits) and, our risk management procedures.
- i. A key analysis appears in the Budgetary Comparison Schedule (page 54). If a citizen concerned about the finances of the Town wishes to read only one chart, this is it. Bottom line is that all major General Fund revenue line items for the FY 10/11 budget were exceeded by actual audited performance with the minor exception of franchise taxes, licenses and permits and fines and forfeitures. The full revenue increase for the fiscal year was \$155,093

favorably over budget. Audited expenditures in the same property tax supported fund were under budget in every area by \$986,922 with police coming in \$212,016, parks and recreation coming in \$190,629 and legal coming in \$18,443 favorably under budget. While individual small items may cause consternation to some, Town Staff performed wonderfully to hold the line on expenses and worked hard to generate non ad valorem revenues. The net of the two numbers is \$1,142,015 described as an "excess" of revenues over expenditures and these funds add to reserves and/or can be used to help balance the budget for the fiscal year 2013 currently being prepared.

- j. In addition to the general government and proprietary funds there are three "non major" governmental funds (Tourism, Transportation Surtax and Police Forfeiture) that are reported on page 59. All of these funds are in surplus and Staff watches expenditures closely.
- k. The Statistical Section of the CAFR describes financial trends, revenue and debt capacity, demographics and operating information. This information covers 7-10 years of available data and is invaluable to anyone who wants to analyze trends, revenue and debt capacity, demographics and operating information over many years (Page 64-95). Specifically the reader should look at the chart (page 71) which shows Governmental Revenues are at the same 2008 level meaning that we are operating with limited resources while improving services.
- l. The Independent Auditors Report on Internal Controls and Financial Reporting (page 96) states that there are no deficiencies or material weaknesses in our financial controls during fiscal year 2011. This supports the "clean" audit opinion previously mentioned.
- m. The final section is the "Management Letter" in accordance with the Rules of the Auditor General of the State of Florida" which discloses any State of Florida deficiencies and makes recommendations for improvement. The Management Letter also tracks previous findings to determine if the weaknesses have been resolved. Bottom line, there were no weaknesses disclosed in fiscal years 2009, 2010 and 2011. (page 98) This should be another signal to our citizens that Staff and the Town Commission are managing the finances and implementing effective policies to protect their funds.
- n. It is also a pleasure to report that the Town received the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association for the previous CAFR covering fiscal year 2010. (Page vi)

**Recommendation:** It is recommended that the Town Commission accept the Comprehensive Annual Financial Report, as audited by Marcum LLP CPA's for the fiscal year ended September 30, 2011, including the communications letter dated March 16, 2012. It is further recommended that the Town Commission join me in expressing gratitude and congratulations to former Finance and Support Services Director Martin Sherwood and his staff, Mayte Gamiotea, Controller and Marisol Rodriguez, Accounting



Clerk for their diligence and hard work and effort leading up to the production of the CAFR and the "clean" report. It is also important to acknowledge the hard work of all our Department Directors and employees who finished the year with savings big and small and their continual effort to generate non ad valorem revenues that helped create a significant surplus in all operations of the Town.

  
Finance and Support Services Dept.

  
Town Manager



March 16, 2012

To the Honorable Mayor, Town Commission, Town Manager  
**Town of Surfside, FL**

We have audited the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the Town of Surfside, Florida (the Town) for the year ended September 30, 2011, and have issued our report thereon dated March 16, 2012. We did not audit the financial statements of the Retirement Plan for the Employees of the Town of Surfside, Florida (Pension Trust Fund) which represents approximately 95% and 74% respectively, of the assets and revenues of the aggregate remaining fund information. Those financial statements were audited by other auditors whose report thereon has been furnished to us, and our opinion on the financial statements, insofar as it relates to the amounts included for the Retirement Plan for the Employees of the Town of Surfside, Florida (Pension Trust Fund), is based solely on the report of the other auditors. Professional standards require that we provide you with the following information related to our audit.

**Our Responsibility under U.S. Generally Accepted Auditing Standards and Government Auditing Standards**

As stated in our engagement letter dated September 8, 2011, our responsibility, as described by professional standards, is to express opinions about whether the financial statements prepared by management with your oversight are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles. Our audit of the financial statements does not relieve you or management of your responsibilities.

As part of our audit, we considered the internal control of the Town. Such considerations were solely for the purpose of determining our audit procedures and not to provide assurance concerning such internal control.

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we performed tests of the Town's compliance with certain provisions of laws, regulations, contracts, and grants. However, the objective of our tests was not to provide an opinion on compliance with such provisions.

Our responsibility is to plan and perform the audit to obtain reasonable, but not absolute, assurance that the financial statements are free of material misstatement. As part of our audit, we considered the internal control of the Town. Such considerations were solely for the purpose of determining our audit procedures and not to provide any assurance concerning such internal control.

To the Honorable Mayor, Town Commission, Town Manager  
**Town of Surfside, Florida**  
March 16, 2012  
Page 2

We are responsible for communicating significant matters related to the audit that are, in our professional judgment, relevant to your responsibilities in overseeing the financial reporting process. However, we are not required to design procedures specifically to identify such matters.

### **Planned Scope and Timing of the Audit**

We performed the audit according to the planned scope and timing previously communicated to your Finance Support Services Director in our meeting about planning matters on August 30, 2011.

### **Significant Audit Findings**

#### ***Qualitative Aspects of Accounting Practices***

Management is responsible for the selection and use of appropriate accounting policies. In accordance with the terms of our engagement letter, we will advise management about the appropriateness of accounting policies and their application. The significant accounting policies used by the Town of Surfside are described in Note 1 to the financial statements. No new accounting policies were adopted and the application of existing policies was not changed during 2011. We noted no transactions entered into by the Town during the year for which there is a lack of authoritative guidance or consensus. There are no significant transactions that have been recognized in the financial statements in a different period than when the transaction occurred.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimate affecting the financial statements was:

Management's estimate of the allowance for doubtful accounts is based on historical trend information. We evaluated the key factors and assumptions used to develop the allowance in determining that it is reasonable in relation to the financial statements taken as a whole.

The disclosures in the financial statements are neutral, consistent, and clear. Certain financial statement disclosures are particularly sensitive because of their significance to financial statement users. The most sensitive disclosure affecting the financial statements was:

To the Honorable Mayor, Town Commission, Town Manager  
**Town of Surfside, Florida**  
March 16, 2012  
Page 3

The investment disclosure relating to the Town's investment in the State Board Administration investment pool.

***Difficulties Encountered in Performing the Audit***

We encountered no difficulties in dealing with management in performing and completing our audit.

***Corrected and Uncorrected Misstatements***

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are trivial, and communicate them to the appropriate level of management. Management has corrected all such misstatements. In addition, none of the misstatements detected as a result of audit procedures and corrected by management were material, either individually or in the aggregate, to each opinion unit's financial statements taken as a whole. There were no uncorrected misstatements for the current year.

***Disagreements with Management***

For purposes of this letter, professional standards define a disagreement with management as a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

***Management Representations***

We have requested certain representations from management that are included in the management representation letter dated March 16, 2012.

***Management Consultations with Other Independent Accountants***

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the governmental unit's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

To the Honorable Mayor, Town Commission, Town Manager  
**Town of Surfside, Florida**  
March 16, 2012  
Page 4

***Other Audit Findings or Issues***

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the governmental unit's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

***Other information in Documents Containing Audited Financial Statements***

With respect to the supplementary information (combining nonmajor fund financial statements and schedules) accompanying the financial statements, we made certain inquiries of management and evaluated the form, content and methods of preparing the information to determine that the information complies with accounting principles generally accepted in the United States of America, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the supplementary information to the underlying accounting records used to prepare the financial statements or to the financial statements themselves.

This information is intended solely for the use of Mayor, Town Commission and Town Manager and management of the Town of Surfside, Florida and is not intended to be and should not be used by anyone other than these specified parties.

Very truly yours,

*Marcum LLP*



## ITEM # 9 C

### Comprehensive Annual Financial Report

(CAFR)

(Report available in the town Clerk's Office)





## Town of Surfside Commission Communication

**Agenda Item #:** 9D  
**Agenda Date:** April 10, 2012  
**Subject:** Island Community Initiative ALPR Project

### Background:

The Island Community Initiative ALPR Project is a new crime prevention program involving the Bal Harbour, Bay Harbor Islands, Golden Beach, Sunny Isles Beach, and Surfside Police Departments (see Attachment A). The project will monitor all ingress and egress into the five island Towns with Automatic License Plate Reader (ALPR) cameras. Phase 1 of the project will Geo-fence the exterior boundaries of the communities. The cameras will be installed in north Golden Beach; Sunny Isles at 192 Street and Collins Avenue and Sunny Isles Blvd.; the Bay Harbor Islands tollbooths; and at 88 Street and Collins Avenue, Harding Avenue, and Byron Avenue in Surfside. Phase 2 of the project will allow Towns to add interior ALPR and surveillance cameras to the interior of the Geo-fence such as parks, schools, etc.

Dispatchers and Police Officers in all of the communities will be alerted automatically at the police stations and on laptops in real time to stolen cars, BOLOs, Amber Alerts, and hot lists. The project will also provide inter-agency sharing of investigative intelligence. The server will be shared by all of the communities.

An inter-local agreement with the participating municipalities will be secured. The cost will be shared equally by the Towns. The crime prevention initiative has a special pricing offer. The server will be shared by all agencies further reducing the price. The vendor will upgrade the server to support all five agencies. The Towns can piggyback on the Golden Beach contract. The four other Towns have committed to the project.

**Budget Impact:** Approximately \$100,000 from the Forfeiture Fund

**Staff Impact:** None

**Recommendation:** Town staff is not requesting approval of this item at this time. We are requesting direction to further investigate this new crime prevention initiative and notify the four other municipalities that we are interested in participating.

  
David Allen, Chief of Police

  
Roger M. Carlton, Town Manager



**communications**

*Mobile-Vision, Inc.*

90 Fanny Road

Boonton, NJ 07005

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[www.L-3Com.com/mv](http://www.L-3Com.com/mv)



## **Proposal**

**Submitted To:** Island Communities Initiative (ICI)

**Reference:** Informational Proposal:  
Fixed Automated License Plate  
Recognition System

**Attention:** Chief Tom Hunker, et al.

**Date:** March 8<sup>th</sup>, 2012



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March 8, 2012

Island Communities Initiative

RE: Island Communities Initiative ALPR Proposal.

Dear Chief Hunker:

L-3 Communications Mobile-Vision, Inc. looks forward to a partnership relationship with the Island Communities Initiative Group and is pleased to submit the accompanying response to the desire by the Island Communities Initiative (ICI) for an Automated License Plate Recognition System (ALPR). Attached is complete proposal.

The deliverables proposed include our AlertVU ALPR System. The AlertVU system provides:

- Full implementation of our AlertVU back office management system to allow for Community wide awareness of license plate associated activity.
- The only camera system specifically spectrally optimized for Florida plates allowing unparalleled "read angles" and consequently mounting locations.
- The industry's Premier Back Office solution that allows the "Plate Read" information to be easily used (automated alerts, automated hotlist management, etc.) without administrative overhead. And community (multi city) wide data integration.
- Automated Database updating via wireless communications (802.11 or cellular).
- Full system implementation with complete project management.
- The ICI group is responsible for the communication networks.
- The associated Golden Beach solution is addressed under a separate previous agreement.
- L3 will upgrade the Golden Beach server hardware/software to support the entire ICI Group.
- L3 will include server licenses and data sharing module for all the ICI participants without charge.
- L3 will provide client and server upgrades for 3 years without charge.

As a division of L-3 Communications Corporation, a Fortune 150 technology company, L-3 Mobile-Vision is recognized as the premier provider of digital in-car video equipment to law enforcement and public safety agencies throughout the US. Since inception, we have provided equipment to more than 8,000 agencies within the US.

Thank you for the consideration that will be given to this proposal. Please do not hesitate to contact me for any clarifications that may be required.

Sincerely,

Chris Kadoch

Vice President & Chief Scientist  
L3 Communication Mobile-Vision, Inc.

## **COMPANY OVERVIEW**

### **EXPERIENCE AND RELIABILITY OF L-3 MOBILE-VISION**

#### **Organization:**

L-3 Mobile-Vision, Inc. is a New Jersey corporation, founded in 1986, and is now wholly owned by L-3 Communications Corporation. L-3 Communications Corporation is a \$16 billion Fortune 150 company (NYSE: LLL) that is made up of more than 100 companies that specialize in technology for aerospace, defense, communications, and public safety.

- **Largest provider of In-Car camera systems for Law Enforcement in the world.** Over 8,000 Agencies and more than 80,000 In-Car Video systems installed.
- **Largest provider of Portal Security Scanners in the World** 18,000 systems deployed around the globe.
- **Largest Provider of Law Enforcement Digital Video Evidence Management in the world.** L-3 Systems Collect, Transfer and Manage more than 60TB of secure Digital Evidence Assets each day.

L-3 Mobile-Vision is headquartered in Boonton, New Jersey. We have regional offices in Maitland, FL, Leesburg, VA, and Dallas, TX.

L-3 Mobile-Vision maintains strategic supplier relationships and works closely with various manufacturing and engineering partners. While all L-3 Mobile-Vision systems are assembled at our New Jersey headquarters, major system components and assemblies are outsourced to companies that are leaders in their field.

L-3 Mobile-Vision has always placed great emphasis on customer support which includes extensive customer training, toll free technical support, and a service organization tailored to provide expeditious yet economical product support.

#### **L- Mobile-Vision Products and Services:**

L-3 Mobile-Vision started as a company focused entirely and exclusively on in-car video applications for law enforcement. We manufacture both analog and digital systems. We also provide "back-end" hardware and software solutions for our Flashback Digital product. We provide warranty service, extended maintenance agreements, and out of warranty service as well.

In 2006 we introduced the industry's leading Digital Evidence Management solution DES. This revolutionized the transfer and management digital evidence for Law Enforcement by automating and streamlining the process. To this day L3 DES systems collect store and management 60TB of new content each day.

In 2008 we expanded our line to include our exclusive *MV1™* Mobile Data Computer. This mobile computing platform is the result of an engineering effort between three (3) of L-3 Communications' public safety and military divisions and includes hardware that has been specified for, and is currently in use by, the US military.

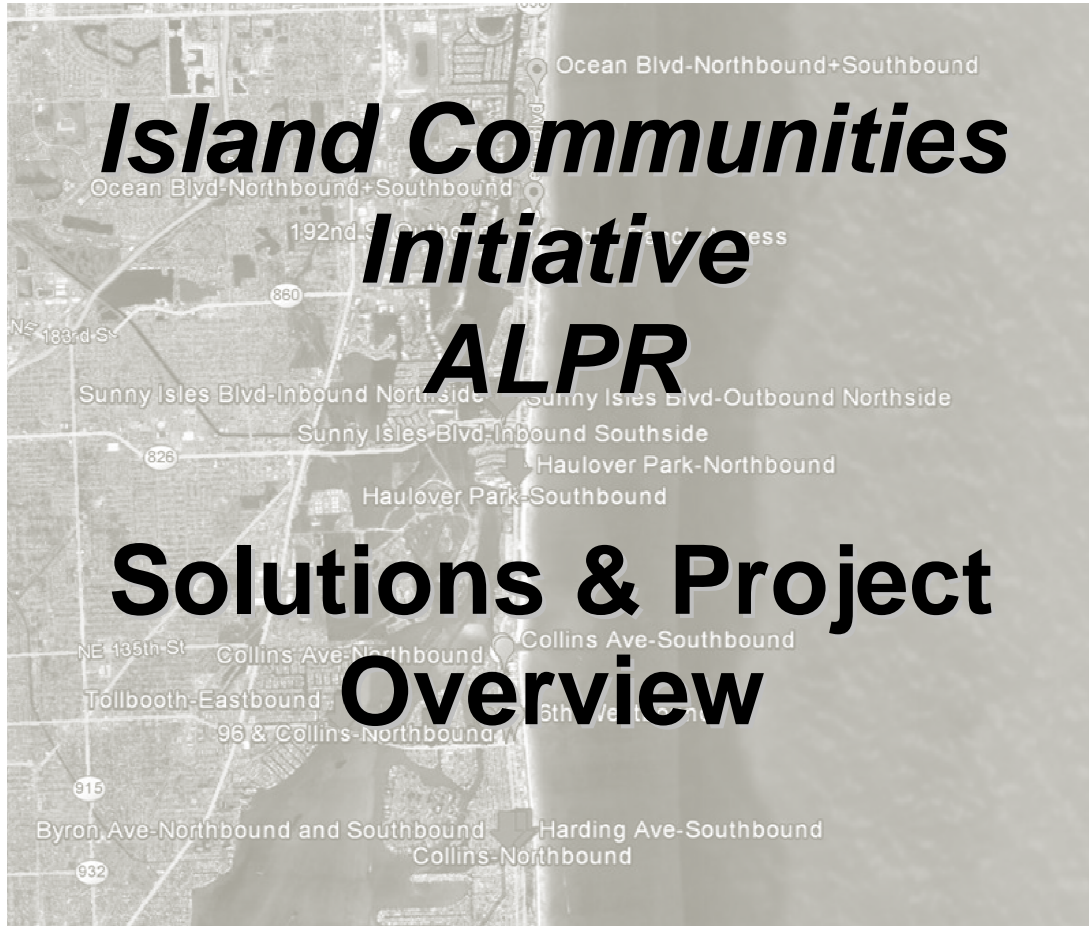
In 2009 we introduced our VoiceLink Plus 2™ 2.4GHz wireless transmitter. This upgrade to our original VoiceLink Plus transmitter utilizes 2.4GHz technology, has a smaller form factor and includes an Officer Emergency alert button.

2010 saw the introduction of our *AlertVU™* Automatic License Plate Recognition System including the industry's premier ALPR Back Office evidence utilization and management system.

L-3 Mobile-Vision is in good standing with all legal entities and customers.



## **System Overview**



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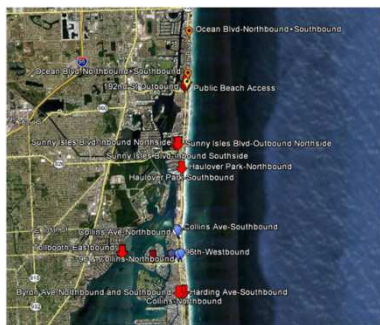
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## SOLUTIONS OVERVIEW

Automated License Plate Reading (ALPR) has been referred to as the next leap forward in law enforcement, Access Control, and Counter Terrorism. It allows specific plates (vehicles) to be identified and located automatically (in space and time). If a vehicle is wanted for a crime it is highlighted for action, if a crime has occurred, then the vehicles that were in the area can be evaluated.

The Island Communities are uniquely configured to provide ALPR Geo-Fencing, this will enable the system to provide enhanced security for the residents by continuously monitoring the plates entering, leaving and traversing the area. It is proposed that all entry / exit points in each city be ALPR monitored with various other strategic points within the cities to be considered for future enablement with ALPR systems.

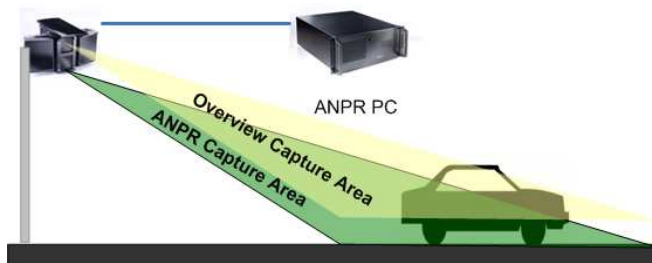


The distributed ALPR systems will be connected to a central management server (located at Golden Beach) that will act as the primary interface point for the entire group. The server automatically pushes updates to the remote units and receives “read information” and allows the group to have a single point from which to monitor the activity and perform investigations.

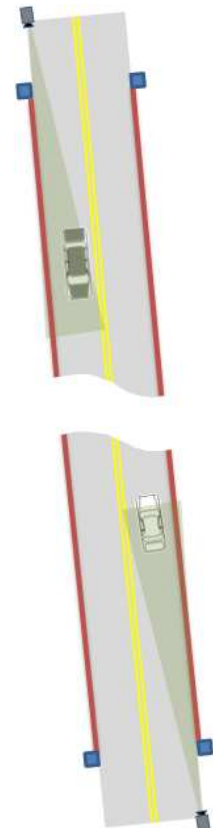
This solution will provide the ICI group with a simple means of improving the safety and security within the communities.

Roadside Systems: As Florida requires only rear plates on the vehicles, the ALPR systems must be configured to “view the rear of the vehicles”. Each lane of traffic will require one camera, as each camera will be mounted on an existing light pole and will find plates in excess of 100 feet from camera.

The camera system(s) consist of two cameras in a single sealed IP68 housing (infrared camera for reading the plates and a color camera to provide a reference overview of the vehicle) and a roadside processor (CPU in an environmental enclosure).



The system will also need a communication mode back to the Police Headquarters. Communication can be WIFI, Cell or Hardwire depending on the available infrastructure. An elevated mounting position will be needed as will local power. All mounting locations and communications will be provided by customer to L3 specifications.





## Exceptional Performance

**AlertVU** Automatic License Plate Recognition (ALPR) represents the next generation of ALPR solution. It utilizes a state-of-the-art multi-process plate recognition technology that enables multiple “plate image streams” to be processed through multiple recognition engines concurrently. This means many more “views” of the plate and many diverse recognition techniques being applied resulting in a quantum improvement in recognition performance.



Similar to a half dozen referees viewing the same play in football, each opinion is integrated into the whole and the cumulative accuracy far exceeds what is capable with a single view or engine.

This allows plates to be read that others might find difficult or impossible.



**AlertVU and Florida Plates:** Florida has some unique spectral properties to their plates making most conventional ALPR cameras restricted in their performance. Using the industries only optics lab specifically modified to analyze license plates, L3 has created the industries only Florida specific camera. This camera leverages Florida specific wavelengths, which combined with the unique ALPR algorithms and processing methodology allow the solution to provide unparalleled off axis and range capabilities. Meaning that for the first time in Florida a solution is available that does not require the camera to be restrictively mounted directly over the lane. Rather roadside mounted cameras with “look angles” in excess of 25 degrees can be realized, thus opening up many more mounting location options.

## Fully Functional, Integrated Back Office Solution

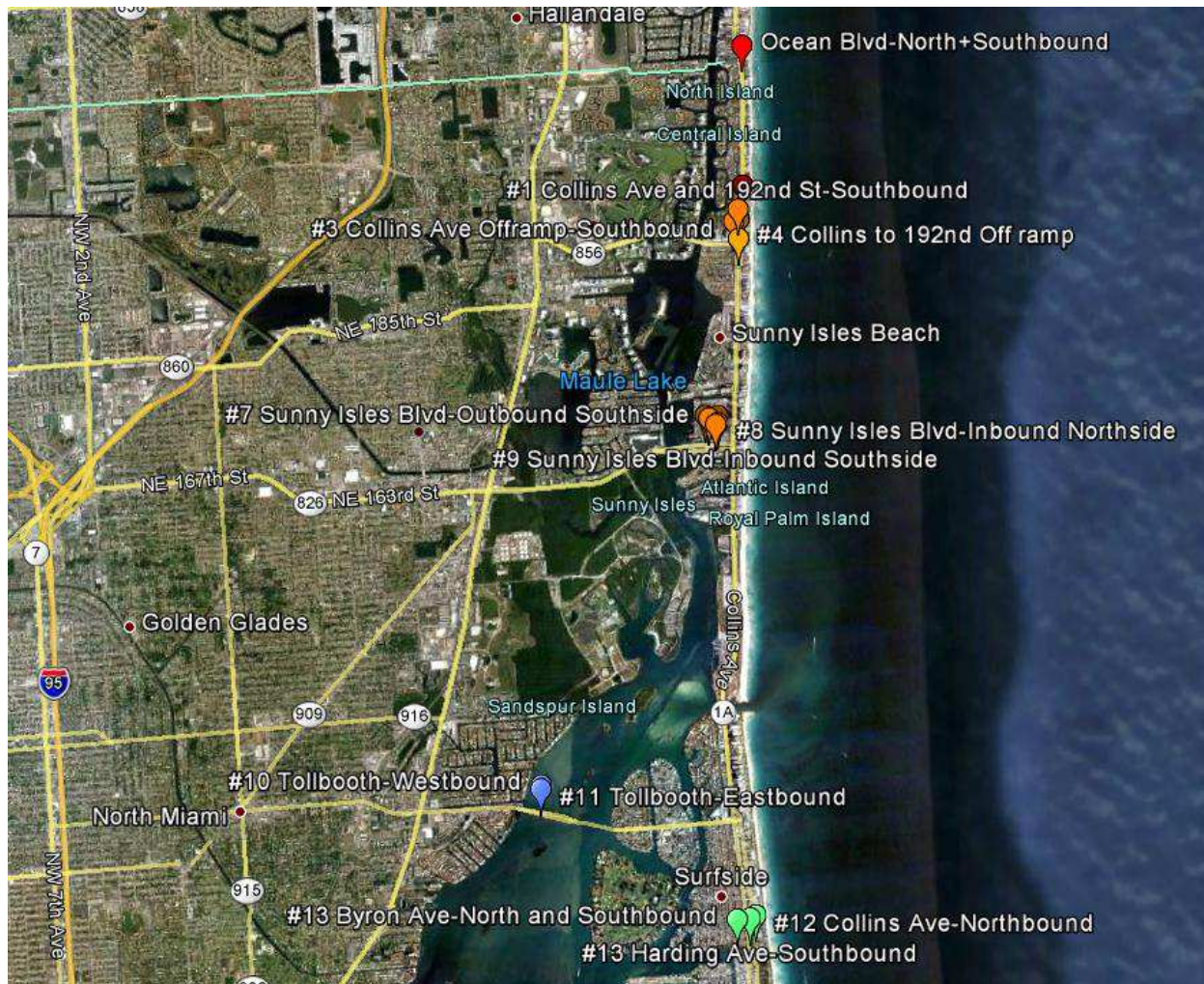
The solution also provides the most comprehensive and functional Back Office solution available. It allows for the results from all the ALPR systems to be aggregated, searched and historically analyzed. Further the Back Office system can leverage L-3's industry leading ICV Back Office Digital Evidence (DES Pro) solution allowing for a centralized data management system, with the seamless updating of roadside systems and/or vehicles and web services based access. The AlertVU back office solution is the central control point providing the ability to search historical reads to support investigations and providing real time alerts to interdict ongoing criminal activity.

The result is the best ALPR solution operating on the industry's most capable back office infrastructure to provide the best solution for the Agency.

## LOCATION DESCRIPTIONS

The Island Communities Initiative is interested in monitoring vehicular ingress/egress activity through the automatic reading of license plates (ALPR). There are 5 communities that will need to be monitored to capture all inbound and outbound traffic:

- A. Golden Beach (under separate existing agreement)
- B. Sunny Isles Beach
- C. Bal Harbour
- D. Bay Harbour Islands
- E. Surfside



In Phase I of the Island Communities Initiative only ingress/egress locations are addressed. To this end;

- (1) Golden Beach monitors the North Entry,
- (2) Sunny Isles will monitor the Collins/192<sup>nd</sup> street and Collins/Sunny Isles Blvd ingress/egress points to the West,



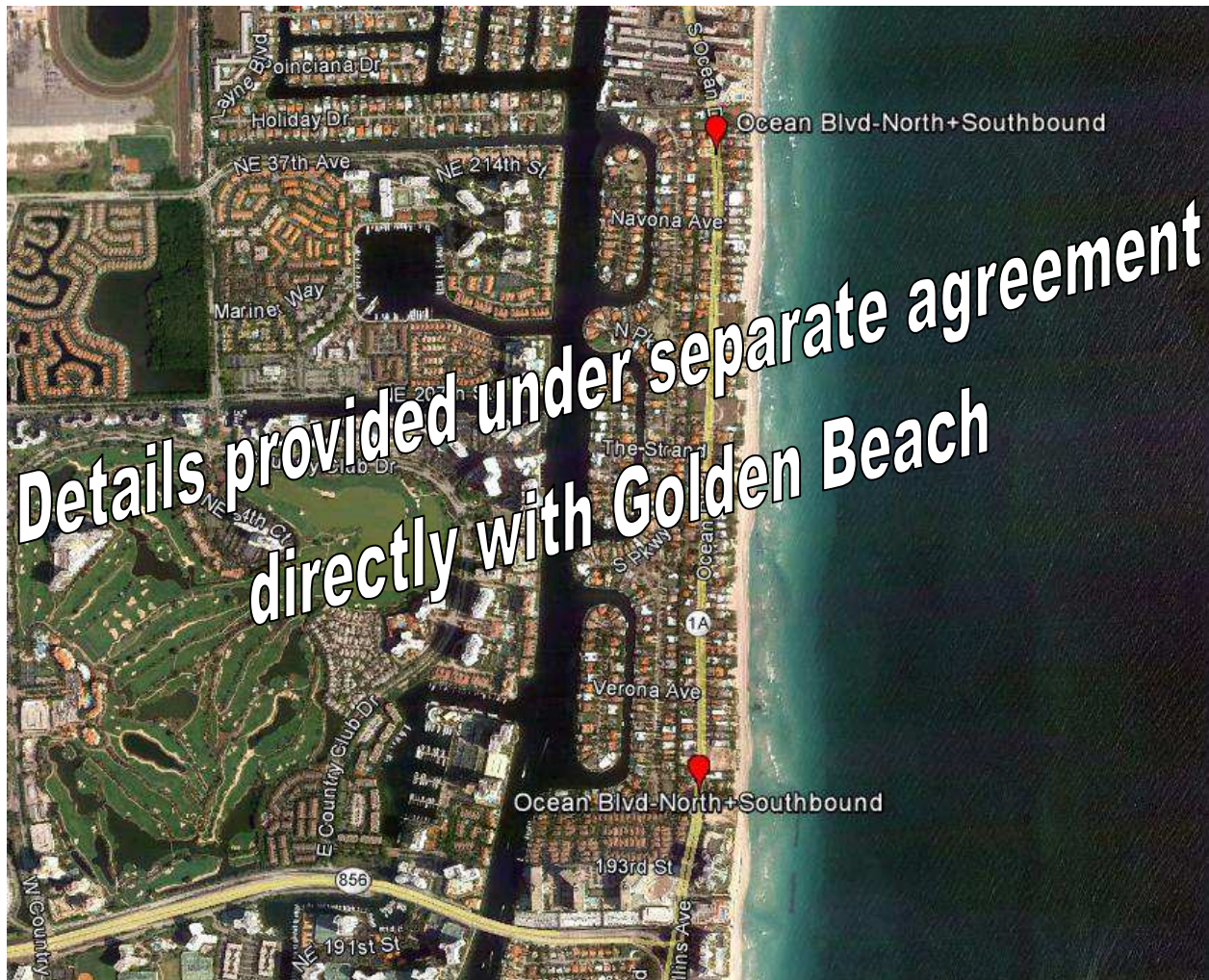
- (3) Bal Harbour is internally isolated and no Geo-Fencing ALPR systems are specifically needed therein for Phase I.
- (4) Bay Harbor Islands will monitor the Broad Causeway at the Tollbooths, and
- (5) Surfside will monitor Southern ingress/egress at Collins, Harding and Byron Avenues.

## ***Town of Golden Beach***

---

The Town of Golden Beach purchased the L-3 Communications Fixed LPR solution and will install a total of eight (8) LPR cameras to capture all inbound and outbound vehicular traffic in the following locations:

- 1) North Town Limit:
  - Ocean Blvd- two (2) lanes northbound
  - Ocean Blvd- two (2) lanes southbound
- 2) South Town Limit- Border of City of Sunny Isles Beach:
  - Ocean Blvd- two (2) lanes northbound
  - Ocean Blvd- two (2) lanes southbound





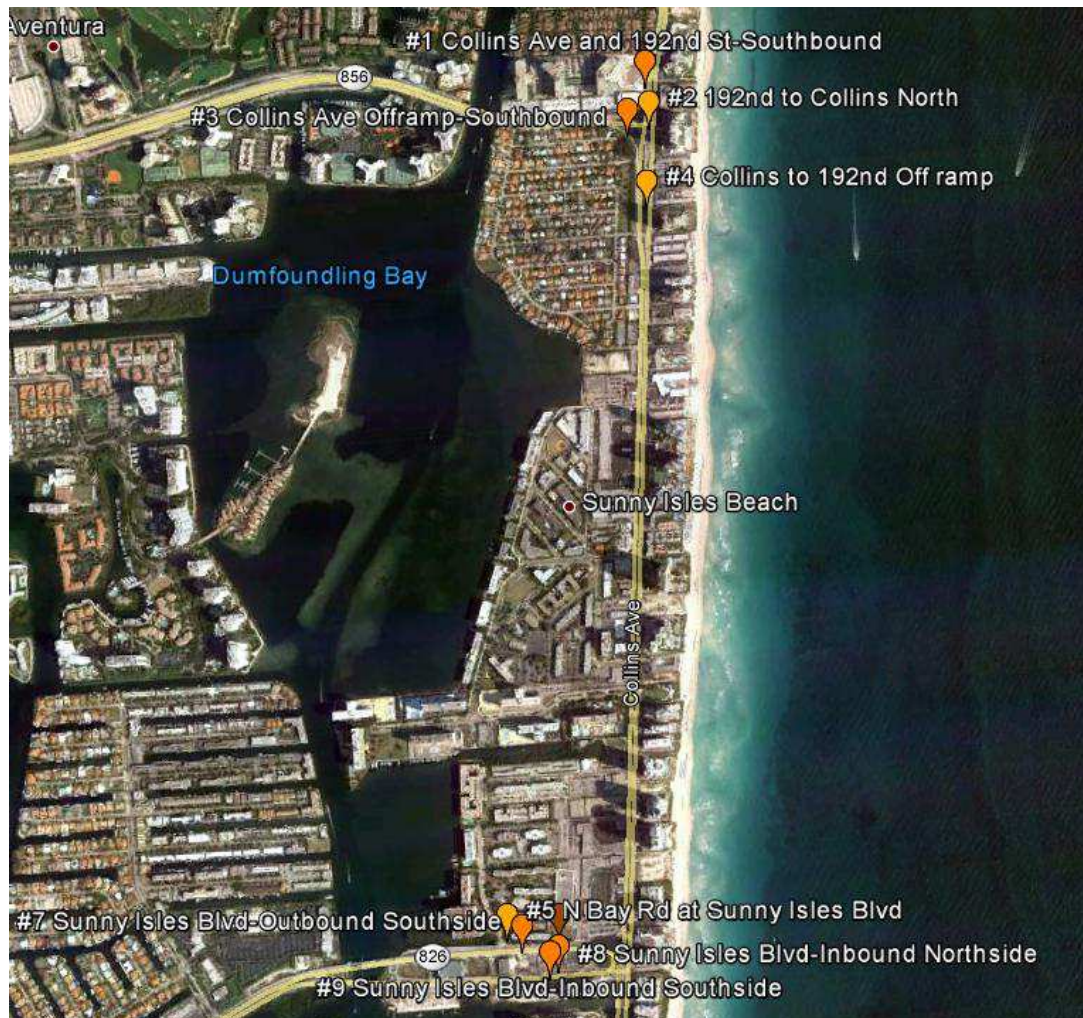
## ***City of Sunny Isles Beach***

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The City of Sunny Isles Beach is interested in monitoring vehicular ingress and egress activity through the automatic reading of license plates (ALPR). There are nine (9) locations that will need to be monitored to capture all inbound and outbound traffic:

- 1) Collins Ave and 192<sup>nd</sup> St- West Off Ramp
- 2) 192nd to Collins- Northbound Merge
- 3) Collins Ave Off Ramp- Southbound
- 4) Collins to 192<sup>nd</sup> Exit Ramp
- 5) N Bay Rd at Sunny Isles Blvd
- 6) Sunny Isles Blvd- Outbound Northside
- 7) Sunny Isles Blvd- Outbound Southside
- 8) Sunny Isles Blvd- Inbound Northside
- 9) Sunny Isles Blvd- Inbound Southside

The ingress and egress of the north city limit will be monitored by the ALPR system installed by the Town of Golden Beach.



### ***Location 1: Collins Ave and 192<sup>nd</sup> St- West Off Ramp: 1 Lane***

Single (1) LPR camera to capture the Collins to 192<sup>nd</sup> exit ramp will be installed on a new pole to be installed in Heritage Park. The City will be responsible for providing and installing the pole and constant 110VAC electrical service to the pole. The pole should be installed as close to the roadway as possible.

The image below shows the proposed mounting location at the entrance to the public beach access.

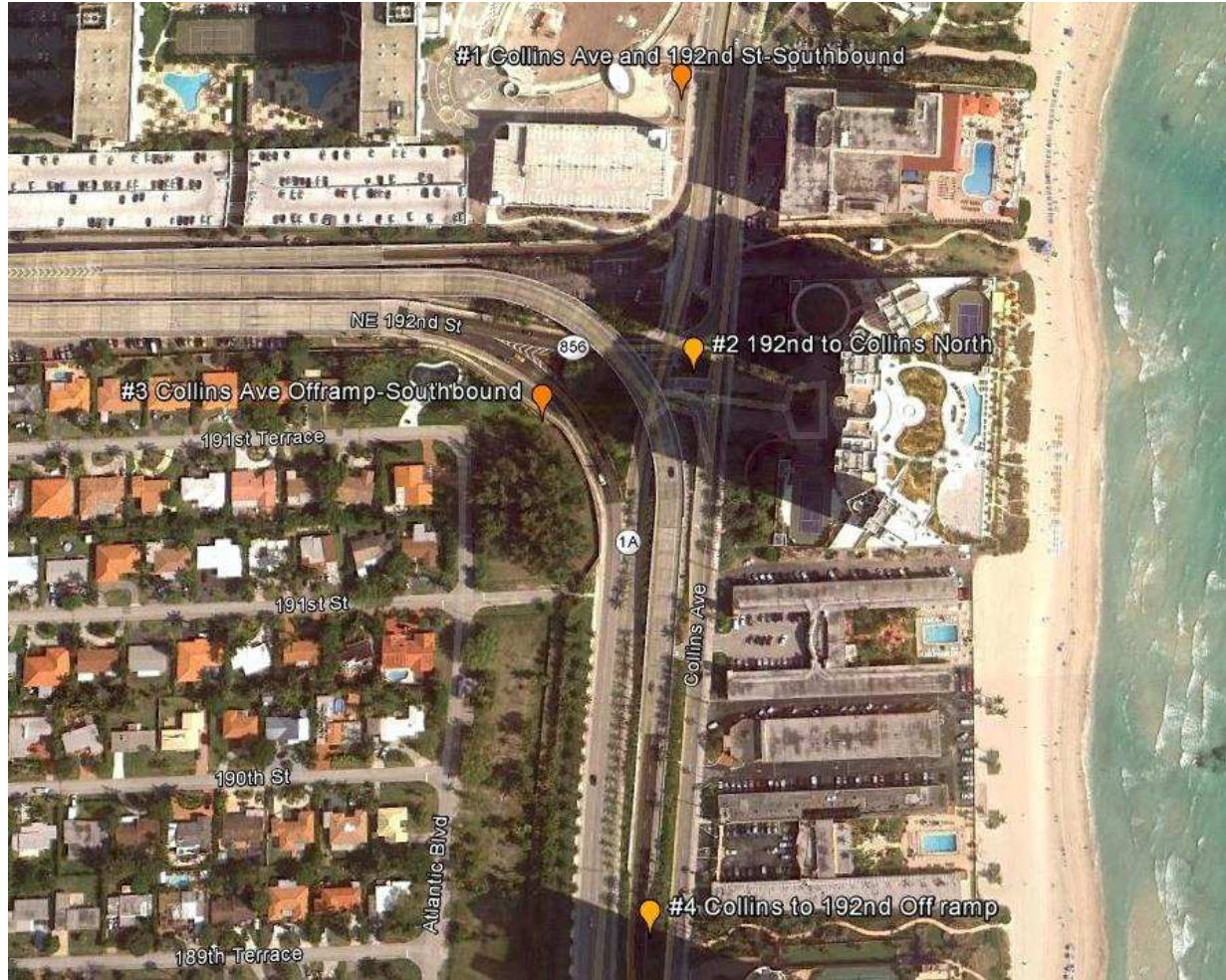


#### **Equipment:**

- (1) L3 Florida Cam ALPR camera
- (1) Roadside PC with Capture Card(s)
- (1) NEMA Enclosure
- (1) AC Step-down Transformer



Map Location:



***Location 2: 192<sup>nd</sup> to Collins- Northbound Merge: 2 Lanes***

Two (2) LPR cameras will be installed on a new pole in the median facing north to capture the northbound lanes merging from 192<sup>nd</sup> to Collins north. The City will be responsible for providing and installing the pole and constant 110VAC electrical service to the pole. The pole should be installed as close to the roadway as possible.

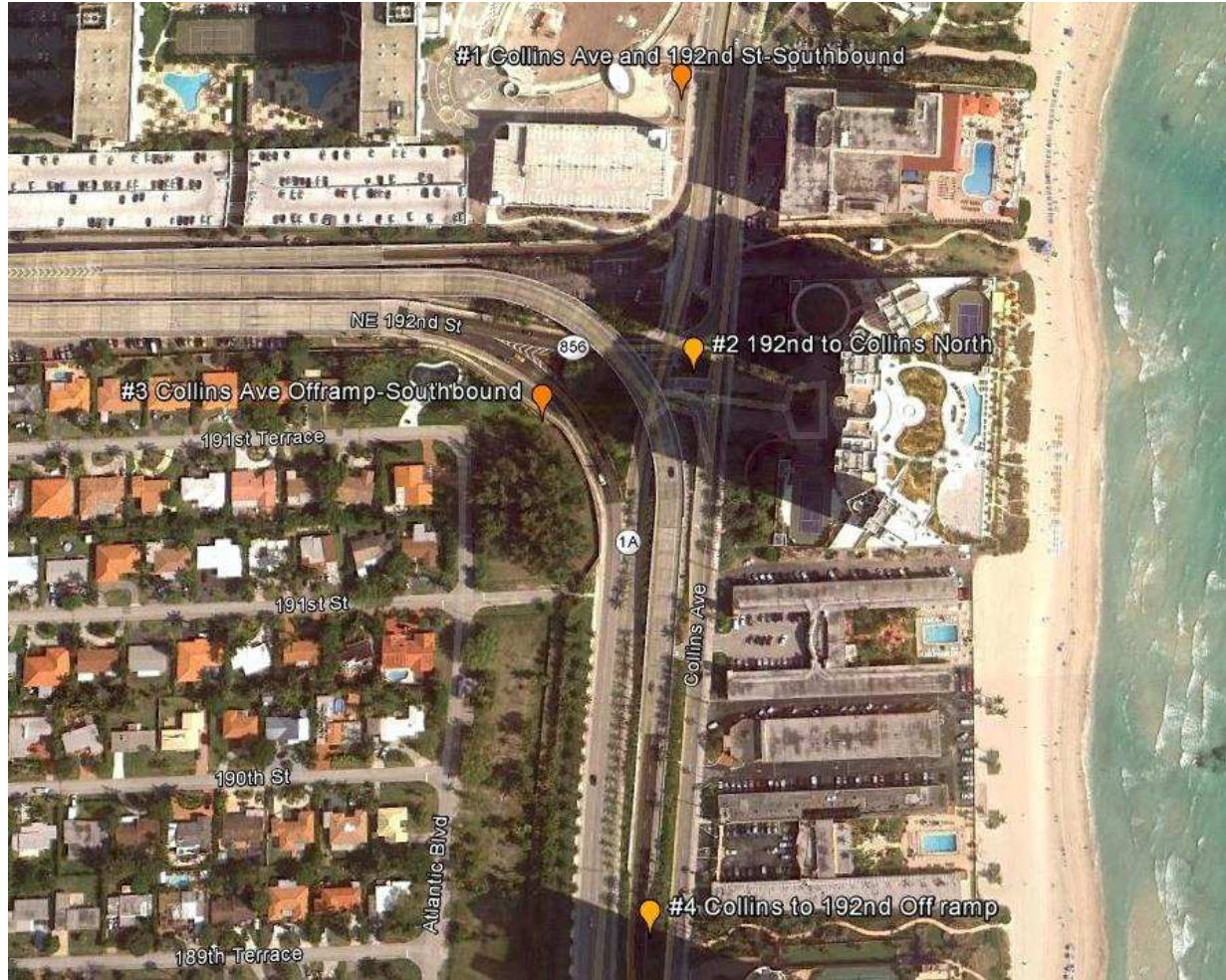
The image below shows the proposed mounting location.

**Equipment:**

- (2) L3 Florida Cam ALPR camera
- (1) Roadside PC with Capture Card(s)(s)
- (1) NEMA Enclosure
- (1) AC Step-down Transformer



Map Location:



### ***Location 3: Collins Ave Off Ramp- Southbound: 2 Lanes***

Two (2) LPR cameras to capture the southbound off ramp lanes will be installed on a new pole to be installed in Golden Shores Community Park. The City will be responsible for providing and installing the pole and constant 110VAC electrical service to the pole. The pole should be installed as close to the roadway as possible.

The image below shows the proposed mounting location inside the park wall which will provide the field of view of the off ramp.

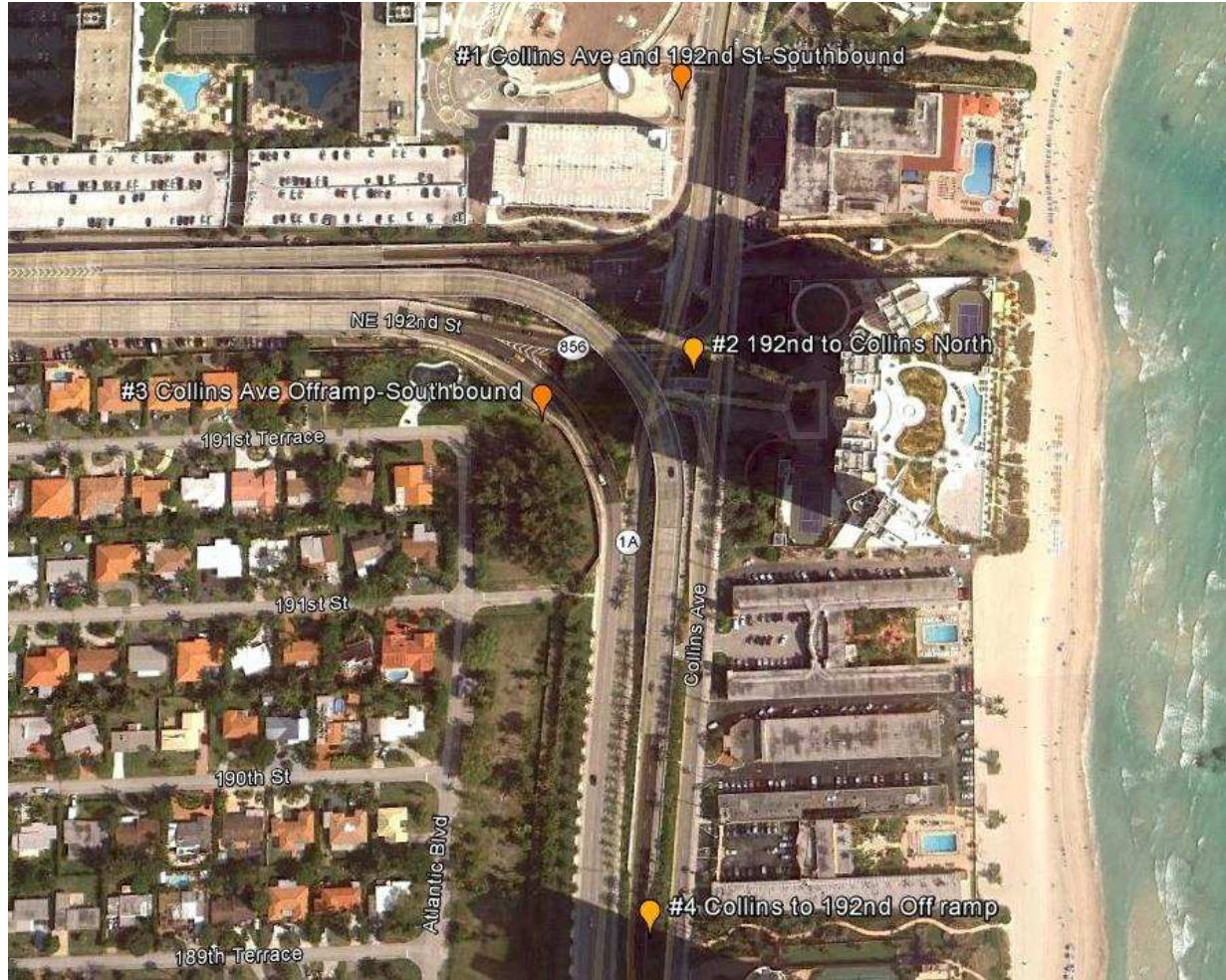


#### Equipment:

- (2) L3 Florida Cam ALPR camera
- (1) Roadside PC with Capture Card(s)
- (1) NEMA Enclosure
- (1) AC Step-down Transformer



Map Location:



### ***Location 4: Collins to 192<sup>nd</sup> Exit Ramp- Northbound: 2 Lanes***

Two (2) LPR cameras will be installed on a new pole in the median facing north to capture the northbound lanes exiting Collins north to 192<sup>nd</sup>. The City will be responsible for providing and installing the pole and constant 110VAC electrical service to the pole. The pole should be installed as close to the roadway as possible.

The image below shows the proposed mounting location.

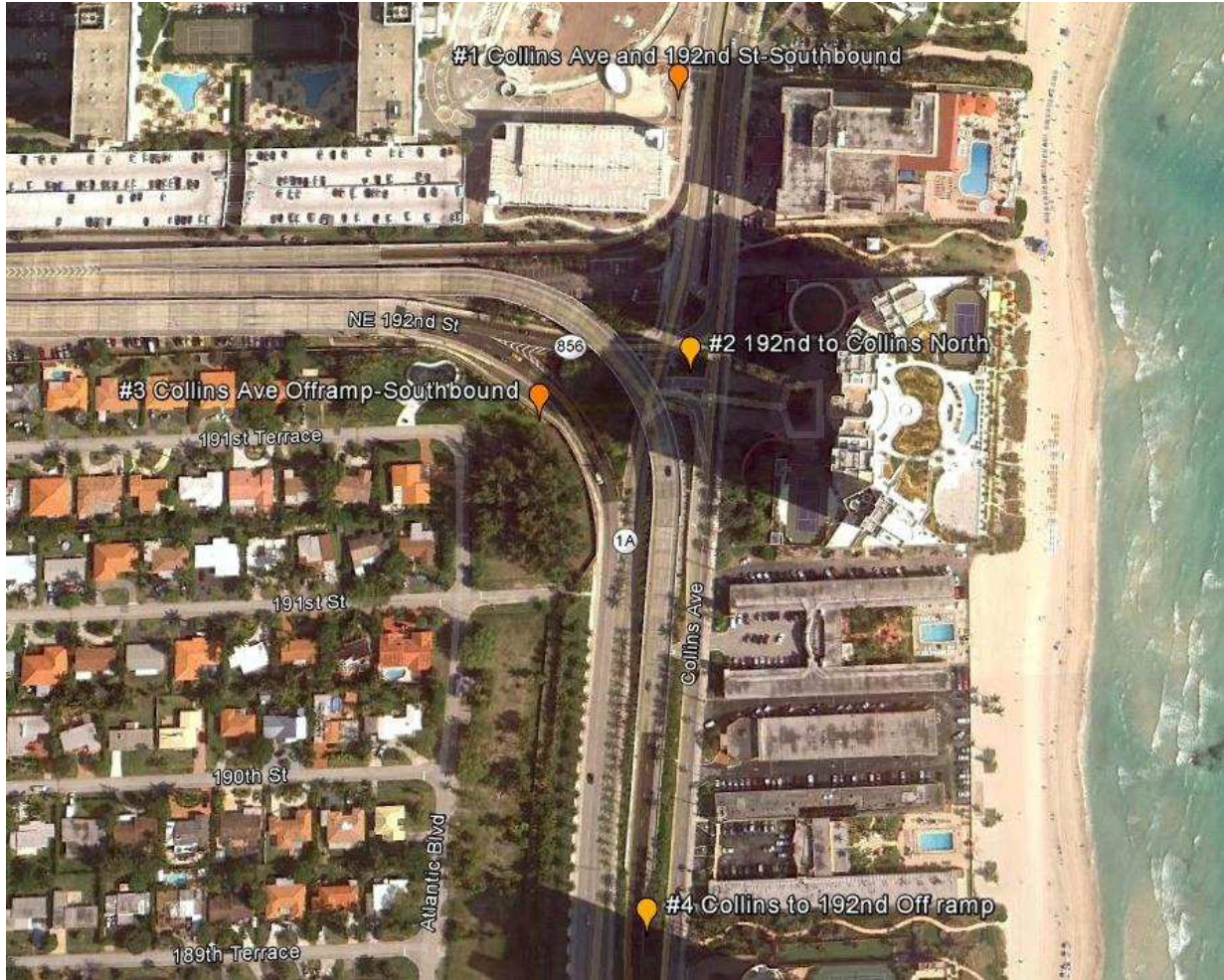


#### Equipment:

- (2) L3 Florida Cam ALPR camera
- (1) Roadside PC with Capture Card(s)
- (1) NEMA Enclosure
- (1) AC Step-down Transformer



Map Location:



***Location 5: N Bay Rd at Sunny Isles Blvd- IO N Bay Rd: 2 Lanes***

Two (2) LPR cameras to capture the traffic entering N Bay Rd from Sunny Isles (directed north on N Bay Rd) and traffic leaving N Bay Rd west on Sunny Isles Blvd (directed across N Bay in the west direction of Sunny Isles Blvd). Mounting location is the city light pole. The City will be responsible for providing constant 110VAC electrical service to the pole.

The image below shows the proposed mounting location.

**Equipment:**

- (2) L3 Florida Cam ALPR camera
- (1) Roadside PC with Capture Card(s)
- (1) NEMA Enclosure
- (1) AC Step-down Transformer



Map Location:



***Location 6: Sunny Isles Blvd- Outbound Northside: 2 Lanes***

Two (2) LPR cameras to capture the northern westbound lanes will be installed on a new pole to be installed along the sidewalk to the west of the multi-unit residences. The City will be responsible for providing and installing the pole and constant 110VAC electrical service to the pole. The pole should be installed as close to the roadway as possible.

The image below shows the proposed mounting location.

**Equipment:**

- (2) L3 Florida Cam ALPR camera
- (1) Roadside PC with Capture Card(s)
- (1) NEMA Enclosure
- (1) AC Step-down Transformer



Map Location:



### ***Location 7: Sunny Isles Blvd- Outbound Southside: 2 Lanes***

Two (2) LPR cameras to capture the southern westbound lanes will be installed on a new pole to be installed in the city-owned parking lot. The City will be responsible for providing and installing the pole and constant 110VAC electrical service to the pole. The pole should be installed as close to the roadway as possible.

The image below shows the proposed mounting location.



#### Equipment:

- (2) L3 Florida Cam ALPR camera
- (1) Roadside PC with Capture Card(s)
- (1) NEMA Enclosure
- (1) AC Step-down Transformer



Map Location:



### ***Location 8: Sunny Isles Blvd- Inbound Northside: 2 Lanes***

Two (2) ALPR cameras will be installed on the existing Miami-Dade County light pole on the north side of eastbound Sunny Isles Blvd to capture the two (2) left turn lanes. The City will be responsible for providing constant 110VAC electrical service to the pole.

The image below shows the proposed mounting location on the northside of Sunny Isles Blvd.



#### Equipment:

- (2) L3 Florida Cam ALPR camera
- (1) Roadside PC with Capture Card(s)
- (1) NEMA Enclosure
- (1) AC Step-down Transformer



Map Location:



### ***Location 9: Sunny Isles Blvd- Inbound Southside: 2 Lanes***

Two (2) ALPR cameras will be installed on the existing Miami-Dade County light pole on the south side of eastbound Sunny Isles Blvd to capture the two (2) right turn lanes. The City will be responsible for providing constant 110VAC electrical service to the pole.

The image below shows the proposed mounting location on the southside of Sunny Isles Blvd.



#### Equipment:

- (2) L3 Florida Cam ALPR camera
- (1) Roadside PC with Capture Card(s)
- (1) NEMA Enclosure
- (1) AC Step-down Transformer



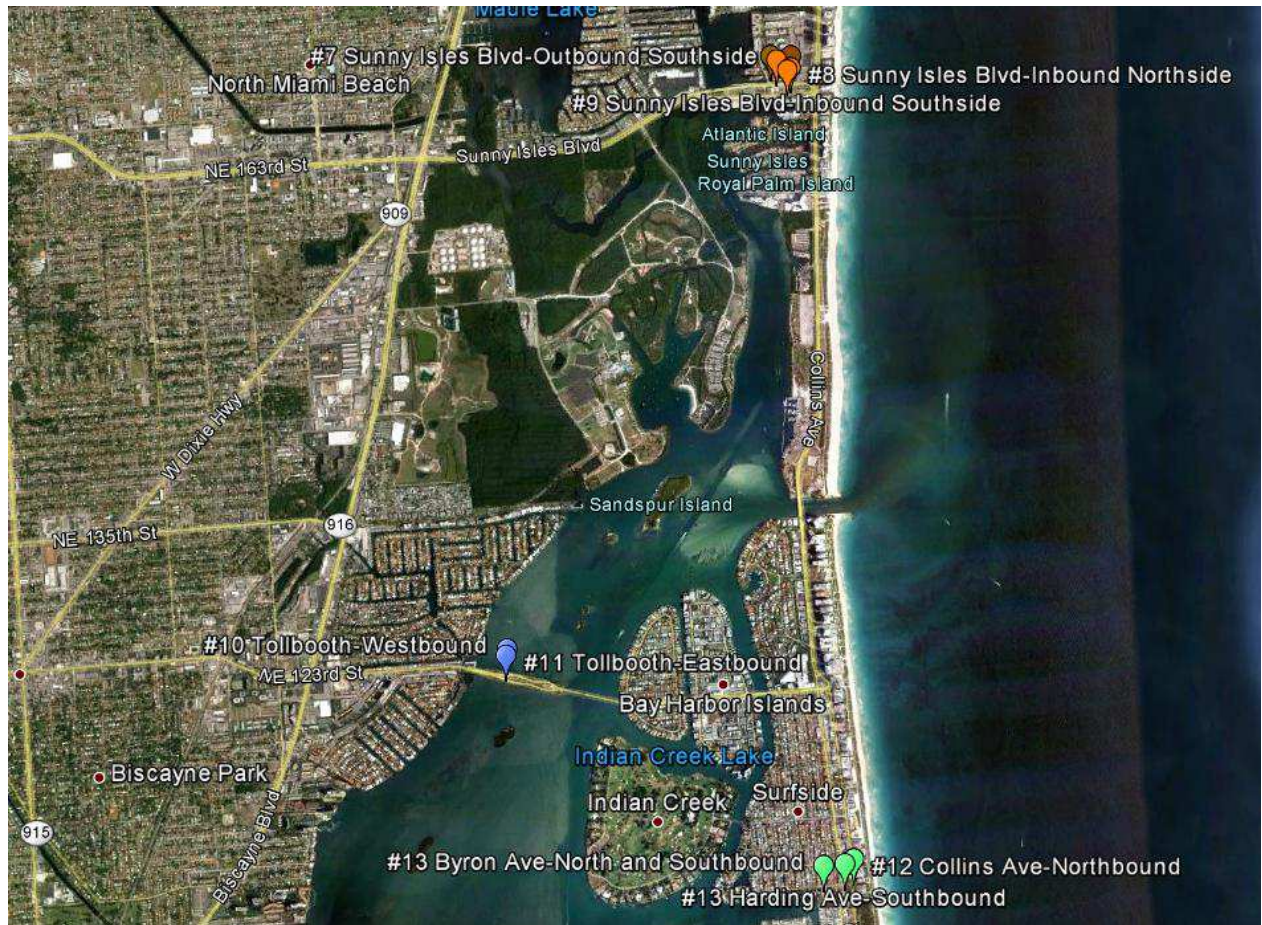
Map Location:



## ***Village of Bal Harbour***

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The Village of Bal Harbour is interested in monitoring vehicular ingress and egress activity through the automatic reading of license plates (ALPR). As Bal Harbour is completely bound by Sunny Isles Beach to the North, Bay Harbor Island to the West and Surfside to the South in the Phase I implementation (Geo-Fence the Island Communities Initiative) no ALPR locations are necessary.



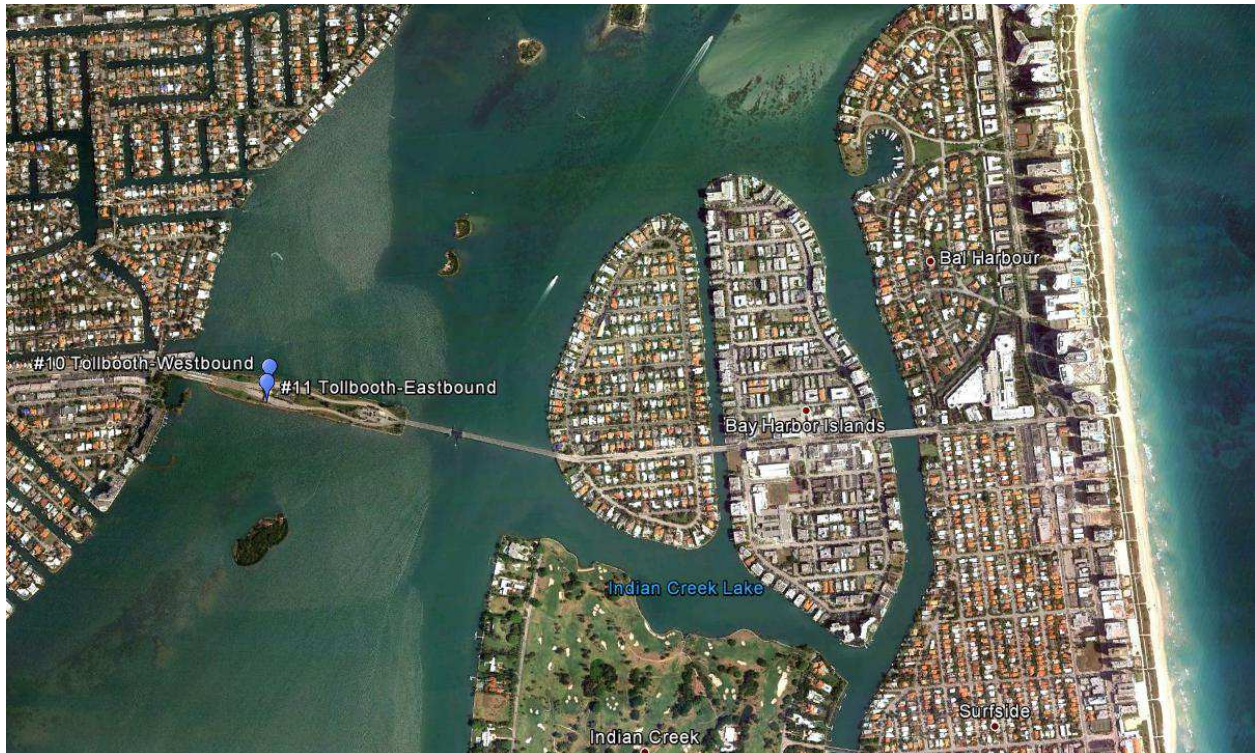


## ***Town of Bay Harbor Islands***

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The Town of Bay Harbor Islands is interested in monitoring vehicular ingress and egress activity through the automatic reading of license plates (ALPR). There are two (2) locations that will need to be monitored to capture all inbound traffic:

- 1) Tollbooth- Westbound
- 2) Tollbooth- Eastbound



### ***Location 10: Tollbooth- Westbound: 4 Lanes***

Four (4) LPR cameras to capture the outbound lanes will be installed on the tollbooth structure.

The image below shows the proposed mounting location:

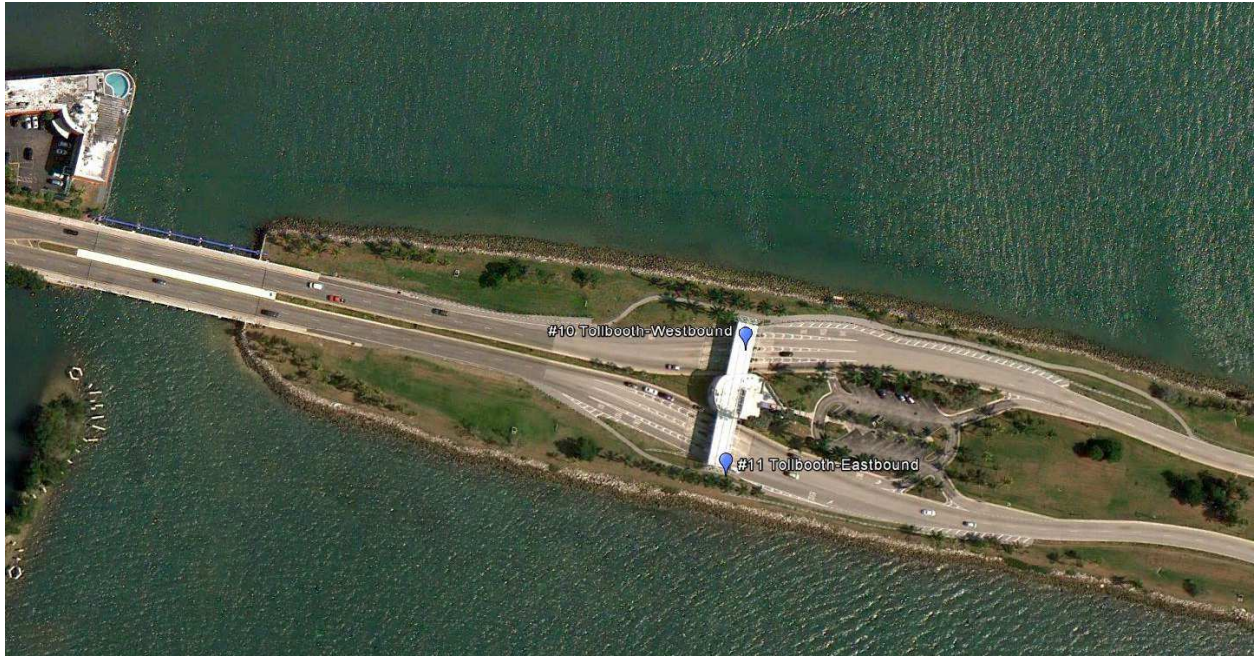


#### **Equipment:**

- (4) L3 Florida Cam ALPR camera
- (1) Roadside PC with Capture Card(s)
- (1) NEMA Enclosure
- (1) AC Step-down Transformer



Map Location



### ***Location 11: Tollbooth- Eastbound: 4 Lanes***

Four (4) LPR cameras to capture the inbound lanes will be installed on the tollbooth structure.

The image below shows the proposed mounting location:

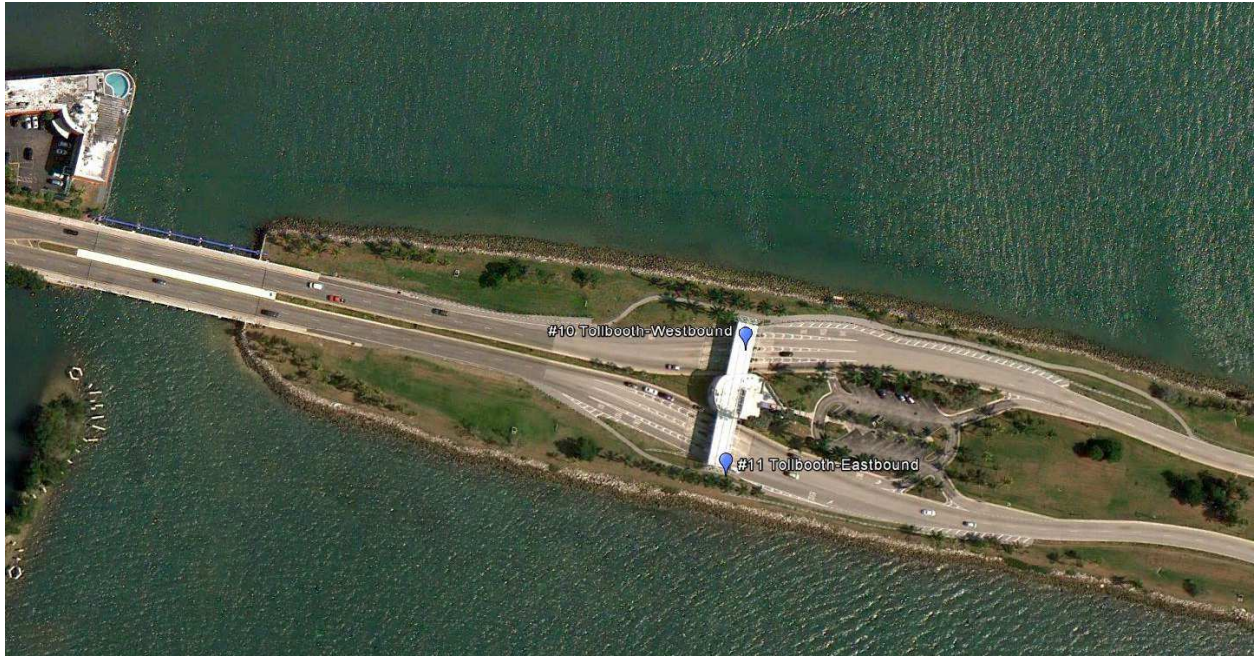


Equipment:

- (4) L3 Florida Cam ALPR camera
- (1) Roadside PC with Capture Card(s)
- (1) NEMA Enclosure
- (1) AC Step-down Transformer



Map Location

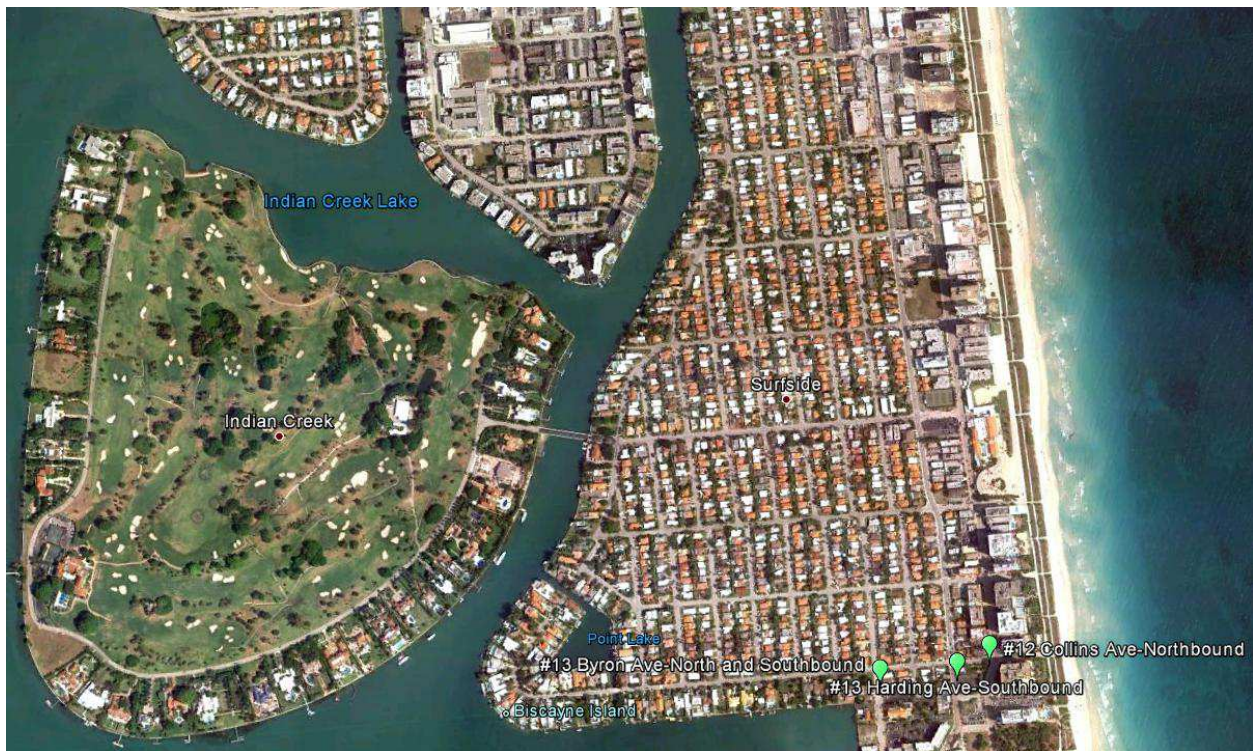


## ***Town of Surfside***

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The Town of Surfside is interested in monitoring vehicular ingress and egress activity through the automatic reading of license plates (ALPR). There are three (3) locations that will need to be monitored to capture all inbound and outbound traffic:

- 1) Collins Ave- Northbound
- 2) Harding Ave- Southbound
- 3) Byron Ave- North and Southbound





### ***Location 12: Collins Ave- Northbound: 3 Lanes***

Three (3) LPR cameras to capture the northbound lanes will be installed on a new pole to be installed in the Surfside Tennis Center along the roadway. The Town will be responsible for providing and installing the pole and constant 110VAC electrical service to the pole. The pole should be installed as close to the roadway as possible.

The image below shows the proposed mounting location near the existing red light camera.



#### Equipment:

- (3) L3 Florida Cam ALPR camera
- (1) Roadside PC with Capture Card(s)
- (1) NEMA Enclosure
- (1) AC Step-down Transformer

Map Location





### ***Location 13: Harding Ave- Southbound: 3 Lanes***

Three (3) LPR cameras to capture the southbound lanes will be installed on the existing square cement pole on the west side of the Surfside Tennis Center along the roadway. The Town will be responsible for providing constant 110VAC electrical service to the pole.

The image below shows the proposed mounting location.



#### Equipment:

- (3) L3 Florida Cam ALPR camera
- (1) Roadside PC with Capture Card(s)
- (1) NEMA Enclosure
- (1) AC Step-down Transformer

Map Location





### ***Location 14: Byron Ave- North and Southbound: 2 Lanes***

Two (2) LPR cameras to capture the north and southbound lanes will be installed on a new pole at the northwestern corner of the St. Joseph Catholic Church parking lot. The Town will be responsible for providing and installing the pole and constant 110VAC electrical service to the pole. The pole will be installed as close to the roadway as possible.

The image below shows the proposed mounting location.



#### Equipment:

- (2) L3 Florida Cam ALPR camera
- (1) Roadside PC with Capture Card(s)
- (1) NEMA Enclosure
- (1) AC Step-down Transformer

Map Location



## LOCATION EQUIPMENT SUMMARY

Location	Lanes	Cameras	CPU	Existing Power	Mount Asst	Roadside Asset Type
<b>Golden Beach</b>						
North Town Limit	Not Applicable: Covered under separate agreement					
South Town Limit	Not Applicable: Covered under separate agreement					
<b>Sunny Isles Beach</b>						
Location 1: Collins Ave and 192 <sup>nd</sup> St- West Off Ramp - Southbound: 1 Lane	1	1	1	Yes	New Pole	1 Camera Array
Location 2: 192nd to Collins-Northbound Merge: 2 Lanes	2	2	1	Yes	New Pole	2 Camera Array
Location 3: Collins Ave Off Ramp- Southbound: 2 Lanes	2	2	1	Yes	New Pole	2 Camera Array
Location 4: Collins to 192 <sup>nd</sup> Exit Ramp: 2 Lanes	2	2	1	Yes	New Pole	2 Camera Array
Location 5: N Bay Rd at Sunny Isles Blvd: 2 Lanes	2	2	1	Yes	New Pole	2 Camera Array
Location 6: Sunny Isles Blvd-Outbound Northside: 2 Lanes	2	2	1	Yes	New Pole	2 Camera Array
Location 7: Sunny Isles Blvd-Outbound Southside: 2 Lanes	2	2	1	Yes	New Pole	2 Camera Array
Location 8: Sunny Isles Blvd-Inbound Northside: 2 Lanes	2	2	1	Yes	Existing	2 Camera Array
Location 9: Sunny Isles Blvd-Inbound Southside: 2 Lanes	2	2	1	Yes	Existing	2 Camera Array
<b>Bal Harbour</b>						
NA						
<b>Bay Harbor Islands</b>						
Location 10: Tollbooth-Westbound: 4 Lanes	4	4	1	Yes	Toll Booth	4 Camera Array
Location 11: Tollbooth-Eastbound: 4 Lanes	4	4	1	Yes	Toll Booth	4 Camera Array
<b>Surfside</b>						
Location 12: Collins Ave-Northbound: 3 Lanes	3	3	1	Yes	New Pole	3 Camera Array
Location 13: Harding Ave-Southbound: 3 Lanes	3	3	1	Yes	Existing	3 Camera Array
Location 14: Byron Ave- North and Southbound: 2 Lanes	2	2	1	Yes	New Pole	3 Camera Array

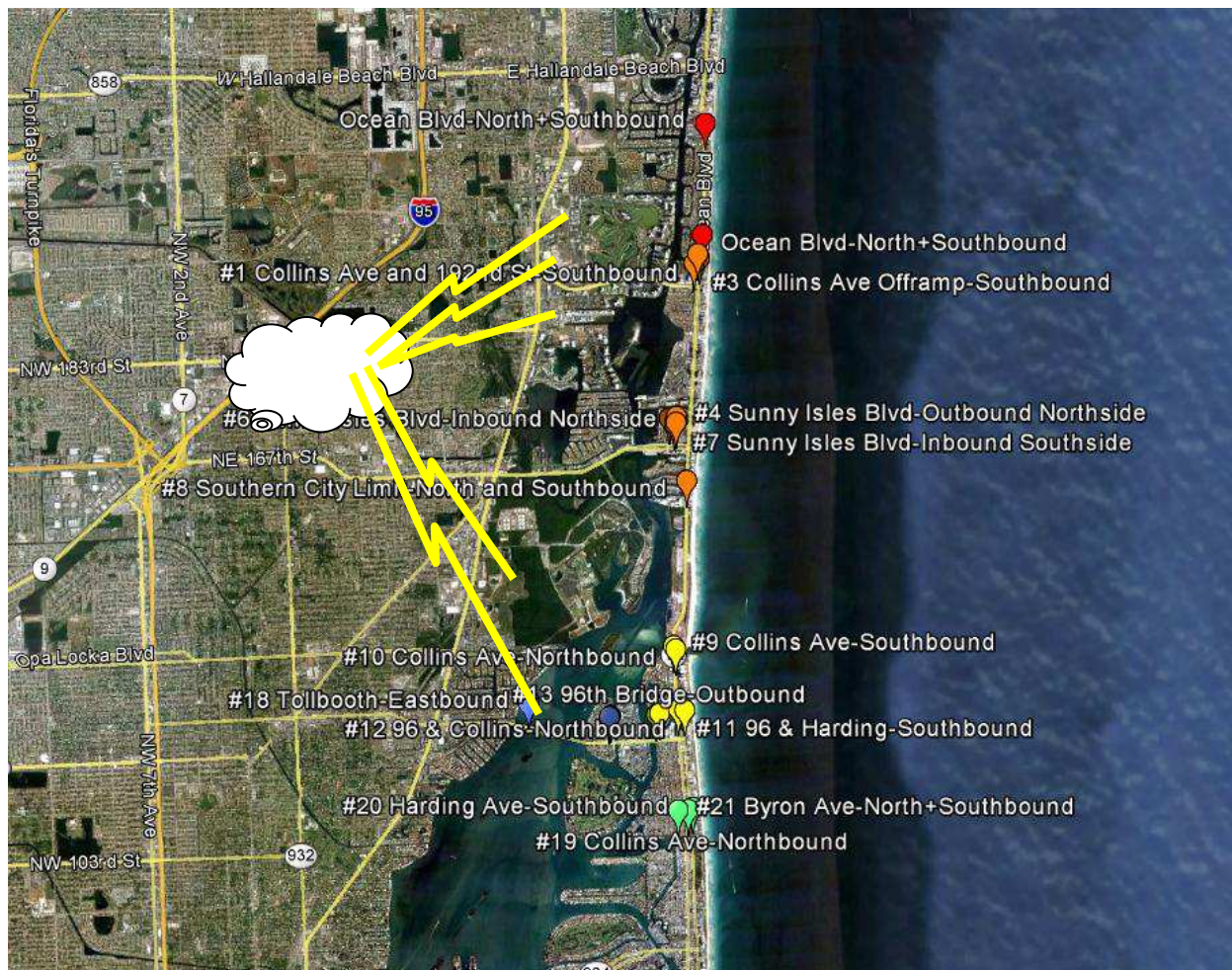
Total Lanes	33
No. of 1 Camera Arrays	1
No. of 2 Camera Arrays	9
No. of 3 Camera Arrays	2
No. of 4 Camera Arrays	2



## BACK OFFICE SYSTEM

**DESCRIPTION:** AlertVu Back Office solution provides a seamless automatic management / interface point for the AlertVu systems (meaning that all updating/communications is performed through a single central server) but also facilitates the simple query of the collected data through any LAN connected PC. All data will be streamed from the remote cameras to the back office server located in the PD office.

The server provides the ability to alert certain officers that certain plates (e.g. specific person of interest) or plate groups (e.g. gangs, etc.) are operating in the area. The alert is a real time notification that can be presented via, text message, e-mail or desktop pop up.



## SCOPE OF WORK

### **Installation**

L-3 will be responsible for the installation of all equipment. L-3 will utilize existing electrical circuits at the proposed equipment locations. Installation of new electrical circuits is beyond the scope of this proposal. The electrical power will be responsibility of the Island Communities.

### **Equipment**

L-3 will provide the ALPR camera systems (cameras, roadside CPU's and application software) as well as the back office server and management application. L-3 will upgrade the Golden Beach server to support the expected volume from the entire Island Communities group.

### **Communications**

L-3 have not included communications infrastructure in this initial offering. The communications will be responsibility of the Island Communities.

## PROJECT PLAN AND SCHEDULE

The L-3 Communications team has installed enterprise-wide video surveillance solutions in all types of environments and facilities across the country and is able to successfully install systems in any environment. Our installation experience allows us to provide a quick, clean and complete installation with little to no disruption in daily activities.

The L-3 project manager and the designated client Point of Contact (POC) will develop a project schedule during pre-construction meetings which will be scheduled after the execution of the purchase order.

The L-3 will work with the departments to determine the project schedule.

## TRAINING AND ACCEPTANCE

### ***System Training***

L-3 will provide one (1), four-hour training session to train up to ten (10) client personnel as trainers using a “train the trainer” model. The training includes system operation procedures and maintenance information for all system components. The client will designate three of those users as system administrators to undergo more extensive training. Training of all users will occur on one day to be determined by the client once the system has been installed.

### ***Testing and Acceptance***

The L-3 Project Manager and the designated Client Project Manager will develop a set of testing and acceptance criteria to be documented and signed by both parties within two (2) weeks after the Project Kickoff Meeting. These acceptance criteria will be utilized to determine that A) the equipment has been installed according to this Scope of Work and B) that the entire system has been completely installed and is acceptable by the Client. Client agrees that testing and acceptance shall be according to the component manufacturer’s OEM specifications. In the event that acceptance criteria cannot be agreed upon between the parties, the project will be suspended and no work will be performed until such issues have been resolved.

### ***Installation Acceptance***

Client will take full ownership and responsibility for any equipment immediately as any component has been delivered to client property. Client will provide a designated inspector to inspect, accept, and sign a delivery acceptance document provided by L-3. If the equipment is deemed unacceptable, L-3 shall remedy any problem to bring the installation into compliance with the manufacturer’s specifications. After delivery, client shall be responsible for the cost of replacing and reinstalling any equipment that may become damaged, vandalized, or stolen. Unless force majeure conditions apply, delivered equipment that is not inspected or accepted by Client within four (4) calendar days after delivery will be deemed to be accepted by Client. Client will bear any additional costs incurred by L-3 for the replacement of equipment.

### ***Operational Acceptance***

The parties understand that certain components, once installed and connected, can become active and operational for their intended purpose. Such activation may thereby provide client with “beneficial use” of that component. Upon activation of a component of the system and demonstration that such component satisfies the applicable criteria in the acceptance test plan, client agrees to inspect, accept, and sign an operational acceptance document provided by L-3. If the component is deemed unacceptable for a reason other than improper installation or handling by the Client, L-3 shall remedy any problem to bring the equipment’s operation into compliance with the testing and acceptance criteria. If the component is operational and provides beneficial use for its intended purpose but, for any reason, does not meet certain criteria listed in the acceptance test plan, client and L-3 may agree that such component is operational and therefore complete.

***Final Acceptance***

Final project acceptance will occur when L-3 has demonstrated that all equipment and components are installed and operational and the training session has been completed. At this time the client will sign the Customer Acceptance Document and the final invoice will be submitted. L-3 is not responsible for issues that arise with the client's installation, client's network, electrical power or other systems that are owned by the client but impact the performance of the camera system.



## SERVICE AND SUPPORT

A major part of a client's partnership with L-3 is ongoing maintenance and support. To ensure minimal downtime and impact to your internal resources, we have designed an aggressive and proactive support plan for our clients.

### ***Timely "Pushed" Updates***

The software code running on your servers is kept up-to-date by remote updates from L-3's Technical Support office. This ensures the product you purchased will continue to have the most up-to-date code and patches. Software upgrades are not included.

### ***On-Site Support***

Most organizations cannot afford to allocate precious technology personnel and resources to the support of third-party equipment. By using remote access methods, L-3 makes every attempt to eliminate the impact to your IT and operational staff. Should an issue occur that requires a physical response to a hardware component L-3 will dispatch one of its local technicians to identify, diagnose and resolve the issue in as short a time as possible.

### ***Remote Support Requirements***

L-3 has very high standards of client service. In order to hit these marks, we request a limited amount of access to the Client's networks. We understand that this type of access is a very sensitive area for most organizations, and rightly so. However, we have taken every step possible to manage risk and bring it to the absolute minimal levels possible. **L-3 will work with City IT personnel to determine the best method of supporting this.**

## SALES QUOTATION

The Sales Quotation for this project can be found on the following page(s) containing all software, hardware, professional services and ongoing maintenance required to accomplish the tasks outlined in the Scope of Work. Each component is itemized by price and quantity on the attached Sales Quotations.

Cost is based on certain work / implementation assumptions that will be addressed in discussions.

### **Assumptions**

Camera locations, distance to intended targets, direction of travel and fields of view identified on the Google Earth maps were estimated. L-3 makes no guarantee that the specified locations will provide the necessary fields of view.
All equipment, hardware and software will be provided by L3.
Number of CPU's is assumed to be correct for each Location. If due to mounting and location constraints additional are required additional installation costs will be incurred.
L-3 estimates the installation pace to be 1 pole installed per day
L-3 assumes that the Client owns, or will gain written authorization to mount equipment to all proposed installation assets/poles at the specified Locations.
L-3 assumes that permits, if any, will be pulled by the client.
This proposal does not include interaction w/ FP&L, FDOT or other non-client entities.
L-3 assumes that each Location has constant and available AC electrical service.
No trenching, directional boring or concrete pad installation are included in this scope of work.
No wireless equipment is included in this scope of work.
Wind/weight load calculations for proposed equipment and engineering services are not provided in the scope of this proposal and can be provided for an additional fee.
As-built drawings are not included in the scope of this proposal and can be provided for an additional fee.
Installation performed during normal business hours only.
There is a 6-month warranty on installation services which commences from the date of customer acceptance or 30 days after the last Location has been installed, whichever comes first.

### **Ongoing Costs and Expansion**

The only ongoing cost for this system is the annual service and support contract references in the quotation. Ongoing Service and Support contracts will be billed at the beginning of the year term (i.e.- Year 2 Service would be billed 1 month prior to the expiration of the Year 1 service contract). Additional equipment purchased within one (1) year from the date of this executed contract can be purchased at the same prices contained in this sales quotation.

**Payment Milestones**

50% of the total project value will be invoiced upon issuance of the purchase order.

35% of the total project value will be invoiced upon delivery of equipment to client.

15% of the total project value will be invoiced upon completion of project and acceptance by client.

Payment terms are net 30 days.

**QUOTATION**

Island Communities Initiative


**Quotation**

Attn:  
Phone:

DATE 3/7/2012  
Quotation # ICIO3072012

QTY	DESCRIPTION	UNIT PRICE (PREFERRED)	Add'l DISC.	DISCOUNTED PRICE	AMOUNT
<b>ROADSIDE EQUIPMENT</b>					
1	1 Camera 1 ALPR cameras, CPU (with capture card), Enclosure, positional array AlertVU Application Software and License Fees	\$ 14,995.00	15%	\$ 12,745.75	\$ 12,745.75
9	2 Camera 2 ALPR cameras, CPU (with capture card), Enclosure, positional array AlertVU Application Software and License Fees	\$ 22,995.00	15%	\$ 19,545.75	\$ 175,911.75
2	3 Camera 3 ALPR cameras, CPU (with capture card), Enclosure, positional array AlertVU Application Software and License Fees	\$ 29,995.00	15%	\$ 25,495.75	\$ 50,991.50
2	4 Camera 4 ALPR cameras, CPU (with capture card), Enclosure, positional array AlertVU Application Software and License Fees	\$ 35,995.00	15%	\$ 30,595.75	\$ 61,191.50
33	FLORIDA Florida AlertVU Camera Modification assembly Conversion Kit	\$ 1,000.00	0%	\$ 1,000.00	\$ 33,000.00
<b>SERVER SOLUTION</b>					
1	AlertVu Back Office AlertVU Back Office Management Application Software (enterprise license)	\$ 3,500.00	100%	\$ -	\$ -
1	SERVER HWR - AlertVu Back Office LSMVDR502: Server Hardware for the AlertVU Back Office Management Application Software: 6GB Ram / Dual Quad Core (2.4GHz each) / 2TB / RAID 6	\$ 6,595.00	100%	\$ -	\$ -
1	AlertVu Interoperability AlertVU Back Office Management Multi-Agency Interoperability Module.	\$ 1,500.00	100%	\$ -	\$ -
<b>INSTALLATION &amp; PROJECT MANGMENT</b>					
0	Supply and installation of metal pole 15' above grade. Price does not include installation of electrical power to pole.	\$ 2,500.00		\$ 2,500.00	\$ -
14	2-Man Crew w/ Bucket Truck (Per Pole)	\$ 3,864.00		\$ 3,864.00	\$ 54,096.00
14	Roadside Enclosure installation (Per Pole)	\$ 600.00		\$ 600.00	\$ 8,400.00
160	Project Management Hours	\$ 180.00		\$ 180.00	\$ 28,800.00
1	BT2 - DES/AlertVU Server installation and set-up	\$ 3,350.00		\$ 3,350.00	\$ 3,350.00
<b>OPTIONAL SERVICES GENERALLY PROVIDED BY THE CITY</b>					
0	Maintenance of Traffic (Per Pole)	\$ 3,000.00		\$ 3,000.00	\$ -
Delivery date to be scheduled.				SUBTOTAL	\$ 428,486.50
				SALES TAX (as required)	TBD
Shipping w/n the continental USA via UPS Ground					\$ 825.00
				TOTAL	\$ 429,311.50
90 Fanny Road • Boonton, NJ 07005 Voice: 800-336-8475 or 973-263-1090 Fax: 973-257-3024 E-Mail Address: sales@L-3com.com Web Page: www.L-3com.com/MV					

Other Options: Supply and Installation of metal pole 15' above grade \$2,500. Price does not include installation of electrical power to pole.

## **WARRANTY INFORMATION**



communications  
**Mobile-Vision, Inc.**

## Manufacturer's Warranty

**L-3 Communications Mobile-Vision, Inc.** warrants its ALPR system for a period of one (1) year from defects in workmanship or materials. At its discretion, L-3 Mobile-Vision agrees to repair or replace any system component that fails due to defective materials or workmanship during the stated warranty period from original date of purchase. During the warranty period, there will be no charge for repair labor, parts or return shipping. The purchaser must return failed component(s) to factory or factory authorized service center. L-3 Mobile-Vision will provide purchaser a prepaid return shipping label for that purpose. L-3 Mobile-Vision's maximum reimbursement for shipping shall not exceed UPS ground service rates. This warranty applies only to internal electronic components and circuitry. Warranty excludes normal wear-and-tear such as frayed cords, broken connectors, scratched or broken cases, or physical abuse. Warranty excludes labor to diagnose components in vehicle and labor to remove or reinstall components in vehicle. Warranty does not extend to any devices in or of vehicle to which an L-3 Mobile-Vision component is mounted or connected.

L-3 Mobile-Vision reserves the right to charge for repairs to correct damage resulting from abuse or extraordinary environmental damage to components during warranty period at rates normally charged for repairing such units not covered under warranty.

L-3 Mobile-Vision warrants that its ALPR systems are designed to scan and read license plates, provide alerts and record certain information. L-3 Mobile-Vision will not be liable for any direct, indirect, consequential or incidental damages arising out of the use or inability to use this product.

As a further limit on warranty, and as an expressed warning, the user should be aware that harmful personal contact may be made with any devices mounted into a motor vehicle in the event of violent maneuvers, collisions, or other circumstances, even though said devices are installed and used according to instructions. Purchaser will determine and accept any risk involved with the installation and use of this product. L-3 Mobile-Vision specifically disclaims any liability for injury caused by contact with its in-car video components in all such circumstances.

The forgoing warranty is exclusive in lieu of all other warranties of quality, fitness, or merchantability, whether written, oral, or implied. Notwithstanding, if the contractual agreement under which this product has been purchased specifies different terms and conditions those terms and conditions specified by such contract shall prevail.

All maintenance and service will be performed by L-3 Communications Mobile-Vision, Inc., 90 Fanny Road, Boonton, NJ 07005 or, at the customer's choice, by an L-3 Mobile-Vision owned service center. *Note: It is the responsibility of the user to remove and return the component(s) requiring repair.* Adequate boxes and proper packaging materials can be obtained by calling L-3 Mobile-Vision and requesting them. L-3 Mobile-Vision cannot accept responsibility for damage in shipment. L-3 Mobile-Vision will reimburse the department for the cost of shipping, via UPS Ground only.

Warranty repairs require an RA (Return Authorization) number in order to be processed. This can be arranged by calling (800) 336-8475 or by completing a Return Authorization form on our website: [www.L-3Com.com/MV](http://www.L-3Com.com/MV), the form is located under the Sites/Sales/Support tab. The unit serial number, description of defective part and problem noted will be required. A point of contact and phone number will also be needed in case follow-up information is required.

Extended Maintenance Programs are available. Please call for pricing information specific to your solution.



## ITEM # 9D

LPR Statistics from City of Lighthouse Point for  
calendar years 2010, 2011 & 2012

and

Miscellaneous Information





*Ross Licata*  
Chief of Police

# *City of Lighthouse Point* **POLICE DEPARTMENT**

3701 N.E. 22nd Avenue • Lighthouse Point, FL 33064  
(954) 942-8080 [www.lhppd.com](http://www.lhppd.com) Fax (954) 784-3412



*Accredited  
Since 2000*

## Lighthouse Point Police Department 2010 LPR Statistics

2/5/2010 through 12/31/2010

Total system reads:	12,776,507
Total Alerts:	11,557
Actual Alerts (Dispatched):	322

Recovered Tags (Stolen):	25
Arrests (Stolen Tags):	8
Recovered Vehicles (Stolen):	16
Arrests (Stolen Vehicles):	13
Abandoned Vehicles:	180
Missing Person:	1

Arrests attributed to the LPR system, in part or wholly:

Hit and Run:	2
Burglary:	9 (3 arrests made by neighboring jurisdiction)
Arson	4 (1 Case is currently before the Grand Jury)
Grand Theft:	1

Recovered Property 2010	\$178,700
-------------------------	-----------

### Notable Cases:

- Recovery of Missing Person (adult) from Virginia
- Auto Theft - Suspect identified by LPR, Suspect's vehicle was photographed following the victim's vehicle as it left the city. Suspects were apprehended and vehicle was recovered.
- Hit and Run Crash – Suspect's vehicle was captured on LPR before the crash, subject was located, consistent damage was discovered on the vehicle, subject charged with Leaving the Scene of an Accident.



*Ross Licata*  
Chief of Police

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- Burglary - Suspect vehicle was stopped by a neighboring jurisdiction and stolen property was discovered. LPR established that the suspect had been in the area minutes before the stop. Suspect charged with Burglary.
- Overdue Rental (Auto theft) – LPR utilized to establish that the suspect had possession of the leased vehicle.
- Burglary Auto- Suspect's vehicle identified via LPR.(No arrest)
- Burglary Auto – Suspect's vehicle identified via LPR. (No arrest)
- Hit and Run Crash – vehicle identified by LPR before and after the crash, damage consistent with the crash was observed in photographs and was compared to prior photos taken minutes before the crash. Driver was identified and cited.
- Arson – LPR used to refute the owner's statement concerning his location. Business owner (suspect) claimed to be at a different location when the business was on fire. Case was filed by ATF and is pending.
- Burglary – Known suspect (former employee) was captured on LPR entering the city minutes before a burglary to our Public Works facility. City vehicle was stolen. Suspect was eventually apprehended in Georgia. Suspect charged with burglary and auto theft in this jurisdiction.
- Auto Theft / Arson – Victim reported vehicle stolen, vehicle was recovered in a neighboring county and had been burned. Victim's neighbors were captured on the LPR leaving the city directly behind the stolen vehicle. Subsequent investigation revealed that the neighbors were hired to dispose of the vehicle for the purpose of defrauding the insurer. Victim and co-conspirators were arrested and charged with filing a false police report, arson and defrauding the insurer.
- Burglary – LPR alerted to the presence of a vehicle bearing a stolen tag. Officers checked the immediate area and found the vehicle parked in front of a residence. Officers observed two subjects burglarizing the residence. A brief pursuit ensued; officers lost contact with the vehicle but were able to re-engage after the suspect vehicle drove by a different LPR camera which established their new location. Two suspects were arrested and all stolen property was recovered.



*Ross Licata*  
Chief of Police

## *City of Lighthouse Point* **POLICE DEPARTMENT**

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- Burglary/Auto theft – Suspects driving a stolen vehicle burglarized a residence in a neighboring jurisdiction. A BOLO was issued and an alert was received by our LPR system that the vehicle had entered our city. Responding units located the vehicle, arrested the occupants and recovered stolen items taken in the initial burglary.
- Burglary – Burglary suspect was observed at a residence by a neighbor. A subsequent BOLO was aired with the vehicle description and tag number. The LPR system was utilized by dispatch personnel to locate the vehicle as it exited the city. Responding units intercepted the vehicle, arrested the driver and recovered property taken during the burglary.
- Larceny – Victim reported that appliances were taken from her rental property. The former tenant, driving a pick-up truck, was captured on the LPR system entering the city then exiting 20 minutes later with the appliance in the bed of the truck. Suspect was subsequently charged with Grand theft.

### Additional Uses

- Agency entered wanted suspect's vehicle information into hotfile.
- Intelligence information concerning known suspects i.e. burglary, auto theft etc. entered into hotfile.
- Domestic Violence/Violation of Protective Order

Lighthouse Point Police Department  
2011 LPR Statistics

1/1/2011 through 12/31/2011

Total system reads:	14,575,850
Total Alerts:	12,623
Actual Alerts (Dispatched):	123 (Stolen Vehicles/Tags)
Abandoned Vehicles/Misc. Alerts:	396

(Misc. includes Wanted Persons, Terrorist/Gang, Intelligence and Custom Hotlist Alerts)

Recovered Tags (Actual):	20 (76)
Recovered Vehicles (Actual):	16 (44)
Arrests (Stolen Vehicles/Tags/Misc.*):	26

Recovered Property 2011:	\$154,500 (Vehicles)
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Part I Crimes/Clearances

2010 Part I Crimes –	353
2011 Part I Crimes –	341 (3.4% Decrease)

2010 Part I Clearances –	23%
2011 Part I Clearances –	26% (3% Increase)

\*Notable Cases:

- **Armed Burglary Arrest** – Armed suspect was interrupted by homeowner as he entered the residence via a kitchen window. Suspect fled on foot to a waiting vehicle. Based on a witness description the vehicle was located on LPR as it left the city. Detectives coordinated with Palm Beach County SO to identify the driver. Driver was arrested and charged with armed burglary after print evidence was matched at the scene.
- **Burglary Arrest – Children’s Castle** – A former employee was suspected of two burglaries at the child care center. Her vehicle tag was entered into our custom hotlist file. Suspect entered the city approximately two weeks after tag was entered. Officers responded to the scene and observed the suspect burglarizing the business. Suspect was taken into custody at the scene.
- **Burglary Business – Custom Rod/Reel** – Suspects utilizing a stolen tag entered the city to burglarize this business. Officers responded but the suspect vehicle was gone on arrival. The business owner reviewed surveillance video of the burglary and recognized two subjects as having been in the business a week earlier. Subsequent review of the LPR system revealed the suspect’s vehicle with proper tag attached, one week earlier. Suspect

was identified as the registered owner of the vehicle and was arrested/charged with burglary.

- Burglary Residence – Rubin – Suspects were interrupted by the homeowner during a burglary to the residence. Suspects fled the area, witness information concerning the vehicle led to identification of the suspect through the LPR system. Suspect was located within the city shortly after the burglary and arrested.
- Homicide Co-conspirator – Miami Dade homicide case, LPR used to refute a homicide co-conspirator's statement concerning his location at the time of the homicide.
- False report of Burglary/Residence – LPR and surveillance cameras used to refute a homeowner's report of a burglary to his residence.
- Stolen vehicle entered the city with 6 suspects; suspects were arrested behind a bank as they were attempting to commit check fraud. Suspects were in possession of numerous identification documents taken in vehicle burglaries.
- Criminal Mischief – victim's vehicle had been vandalized five times in a 4 month period by unknown suspects. Surveillance video and LPR information was used to identify two vehicles leaving the scene of the vandalism. Two suspects were interviewed and arrested.
- Armed Burglary- Suspect entered the city with a stolen vehicle and tag. A LPR alert enabled officers to locate the vehicle. The suspect subsequently fled on foot and burglarized another residence in an attempt to escape capture. Suspect was arrested and found to be in possession of items taken in five separate burglaries in Boca Raton, Fort Lauderdale, Pompano Beach and Lighthouse Point.

#### Additional Uses

- Agency entered wanted suspect's vehicle information into hotfile.
- Intelligence information concerning known suspects i.e. burglary, auto theft etc. entered into hotfile.
- Domestic Violence/Violation of Protective Order

### Update Jan-Feb 2012

Total system reads:	2,600,000 (Est.)
Total Alerts:	76 (Includes Abandoned Veh. /Terrorist, etc.)
Actual Alerts (Dispatched):	31 (Stolen Vehicles/Tags)
Recovered Tags (Actual):	4 (19)
Recovered Vehicles (Actual):	5 (10)
Arrests (Stolen Vehicles/Tags/Misc.*):	2
Recovered Property :	\$50,000 (est.)

### Notable Cases

- Stolen vehicle alert on a vehicle used in a carjacking in Dade County. BSO aviation followed the suspect vehicle into Dade County. Vehicle was recovered; burglary tools and ski masks were found in the vehicle.



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Columnists

## Chief Douglas S. Fuchs: License plate readers, the technology, the need and the law

Chief Douglas S. Fuchs

Published 05:15 p.m., Tuesday, March 20, 2012

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For years, law enforcement officials in Connecticut and across the country have used vehicle registration plates as a way to identify and locate those who are accused or suspected of committing a crime, to identify and stop vehicles that are being operated without proper registration or insurance, or to locate a vehicle which has been stolen.

Although license plates are issued to a vehicle's owner they are ultimately the property of the state.

License plates are displayed in a manner that allows them to be visible to all, including police officers.

In Connecticut (absent registration stickers) checking a plate number through the [Department of Motor Vehicles'](#) computer system is the only way law enforcement has to determine the validity of a registration.

The fact that the police have the right and the need (if not the obligation) to randomly run a registration plate in the course of their official duties is settled law.

The [Supreme Court](#) has continuously held that objects in "plain view" and exposed to the public may be inspected by law enforcement officers without a warrant and are not considered to be a seizure under the Fourth Amendment.

The right of law enforcement agencies to maintain license plates in a database was again upheld in the Sixth Circuit Court of Appeals in *U.S. v. Ellison* [2006] in which the court stated, -- that a motorist has no reasonable expectation of privacy in the information contained on his license plate under the Fourth Amendment."

The advent of license plate readers, known as LPRs, expands the capability of police officers.

UROLOGY ASSOCIATES OF DANBURY, PC

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**Guy J. Manetti, MD**

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Masonic Temple set for demolition

These cameras, which can be in a fixed location or on a vehicle, read license plates, record their location and transfer the information to a data base.

An LPR has two basic functions: 1) Assist an officer in locating violators by reading a registration plate and comparing that plate to a database of plates, which includes expired or suspended plates, stolen plates or vehicles, and other "wanted" vehicles which have been entered by law enforcement across the country.

2) Assist law enforcement with investigations by

sending that data to a server, which maintains the plate number and the location where it was photographed.

These LPRs do not run that registration in a DMV or FBI active database, do not take a picture of the operator of the vehicle and do not issue any citations.

These devices only do what police officers have done across this country for years, only in a far more efficient manner.

An argument has been made that law enforcement officials should not be permitted to maintain this data for any extended period of time as it would somehow be a Fourth Amendment violation -- tantamount to police surveillance without cause.

There should be no question that this database, as is the case with all other law enforcement sensitive databases, should not be available to the public (nor through Freedom of Information Act requests), but used for legitimate law enforcement investigations only.

Used in this manner -- the license plate information is secure, invaluable and can save lives.

A student, for example, is approached by a "stranger" on his or her way home from school. The student was only able to remember a partial plate and a limited description.

When police broadcast the description of the vehicle to surrounding police departments, an officer in a neighboring jurisdiction remembers seeing a vehicle matching that description many weeks prior.

Because the officer's cruiser is outfitted with an LPR, the officer can conduct some research and locate this suspect vehicle as being one of the reads on his system.

While there was no reason to stop the suspect vehicle then, this system has now provided law enforcement with information that would be otherwise unavailable.

This scenario will replay itself any number of times, ultimately protecting a multitude of victims.

In the final analysis, the law enforcement benefit and public good must be weighed against the perceived (and I would argue -- incorrectly so) Fourth Amendment infringement of having one's license plate in a law enforcement sensitive database.

If a vehicle is properly registered and insured, is not stolen, is not used in the commission of a crime and is not "wanted" by a law enforcement agency then no human (aka a police officer) will ever know that the computer recorded it.

Douglas S. Fuchs is the chief of police in Redding and the president of the Connecticut Police Chiefs Association.



Masonic Temple set for demolition

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City man charged in DUI09:56 a.m.

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## License plate reader leads to quick arrest

Four minutes passed between burglary call and arrest.

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By Jessica Heffner, Staff Writer

12:45 AM Wednesday, March 14, 2012

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**NEW CARLISLE** — A new license plate reader helped deputies arrest a burglary suspect within minutes of the crime being reported.

Kyle Vukovic, 23, of New Carlisle, was arrested Tuesday on charges of burglary.

Deputies alleged he was found inside a home at 313 Rawson Drive in New Carlisle searching through prescription drugs. He then fled in a vehicle parked outside, according to the sheriff's office.

A Bethel Twp. deputy, whose vehicle is equipped with an Automated License Plate Reader, input the vehicle's information as he headed to the area.

While passing the Security National Bank on Main Street, the reader indicated the suspect's car was pulling into the rear of the bank, the sheriff's office said.

The deputy was able to pull in behind Vukovic and take him into custody. From the time the call came in to the time Vukovic was arrested was about four minutes, Sheriff Gene Kelly said.

This is an example of how new technology is helping law enforcement catch suspects faster, Kelly said.

"We have four license plate readers," he said. "This shows value."

Vukovic also was charged with operating a vehicle while intoxicated.

He was taken to the Clark County Jail and will be arraigned on the charges this morning, according to court records.

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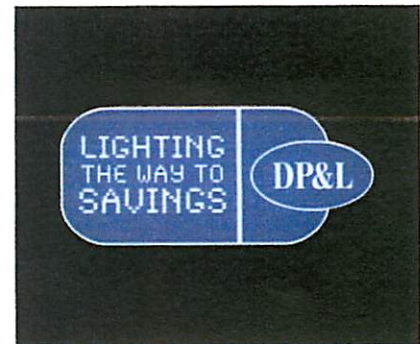
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# Homeland Security NewsWire

## Automatic license plate reader helps Jersey police fight crime

Published 22 March 2011

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The Evesham, New Jersey police department recently installed a high tech automatic license plate reader on one of its squad cars; the license plate reader, attached to the outside of a police car, relies on an infrared camera to photograph license plates and automatically runs it through several databases; the searches are designed to alert officers if the plates are linked to criminals, unregistered vehicles, or unpaid fines; in one month, Evesham police scanned 69,000 plates, returning 1,400 alerts of interest including several unregistered vehicles that led to large narcotics busts; officers see this technology as way to increase efficiency and do more with less given budget constraints

Within hours of installing a high tech automatic license plate reader in a squad car, Evesham, New Jersey police officers made a major arrest thanks to the new technology.

Early on the morning of 23 February, a police officer [pulled](http://www.phillyburbs.com/news/local/burlington-county-times-news/device-pays-immediate-dividends/article_28d875cd-0ba6-5640-b680-c35811c986ea.html) ([http://www.phillyburbs.com/news/local/burlington-county-times-news/device-pays-immediate-dividends/article\\_28d875cd-0ba6-5640-b680-c35811c986ea.html](http://www.phillyburbs.com/news/local/burlington-county-times-news/device-pays-immediate-dividends/article_28d875cd-0ba6-5640-b680-c35811c986ea.html)) over an armed man accused of breaking into six houses. Without the aid of the automatic license plate reader, the officer approaching the car would not have known that the suspect was marked in a national criminal database as a wanted, armed, and possibly suicidal man.

According to Lieutenant Walt Miller, "There was a loaded gun sitting on the passenger seat, very accessible to the driver. If that was just a regular traffic stop, maybe the officer wouldn't have seen the gun. Maybe (the driver) goes through with (suicide) having more time to think about it."

The license plate reader, attached to the outside of a police car, relies on an infrared camera to photograph license plates and automatically runs it through several databases. The searches are designed to alert officers if the plates are linked to criminals, unregistered vehicles, or unpaid fines.

Depending on the severity of the crime or violation, the system will issue a low, medium, or high risk alert if it finds a match. Low risk alerts include unpaid traffic fines or improper vehicle registration, while high risk alerts include suspects wanted for murder or stolen cars.

In the month that the Evesham police have used the system, it has scanned 69,000 plates returning 1,400 alerts of interest including several unregistered vehicles that eventually led to large narcotics busts.

To ease concerns over privacy, Lieutenant Miller says that the technology has established protocols to guarantee privacy.





# License Plate Readers

## A Study Conducted by PERF and Mesa Police Shows that LPRs Result in More Arrests

*PERF and the Mesa, AZ Police Department conducted a research study of the effectiveness of license plate readers. At the PERF Technology Summit, Mesa PD Detective Cory Cover and PERF Director of Research Christopher Koper described the study and the results.*

### Mesa CIO Cory Cover:

We worked with PERF to evaluate the effectiveness of license plate reader technology. The study involved four mobile license plate readers, four officers, and four cars. We had one marked car, one unmarked Crown Vic, and we put two of the officers in plainclothes in Chevy Cavaliers with no markings whatsoever.

For the first phase of the project, we looked at mile routes on one road. The officers were allowed to either stay stationary on the route or go slightly off the route into an apartment complex or restaurant. In the second phase we moved into a sort of grid system. Arizona is laid out in mile long grids, and we allowed the officers to go into residential neighborhoods in the grid but they had to

stay within those parameters. What we found was that being undercover worked to their advantage because the people who were driving around in stolen vehicles didn't see them coming, although with unmarked vehicles we give up the benefits of having the marked presence of patrol vehicles. The freeways were a challenge because our officers often weren't able to scan all six lanes.

### PERF Research Director Christopher Koper:

Most police agencies that have LPRs have four of them or fewer. They cost around \$20,000 to \$25,000 per device. LPRs can help you recover stolen automobiles and apprehend auto thieves and other wanted persons. They may also have benefits for officer safety, because officers won't be distracted by entering license plate numbers into a computer while they're driving. LPRs may also reduce concerns about racial profiling, because they operate



Mesa Police CIO  
Cory Cover

automatically to scan all vehicles within range of the devices.

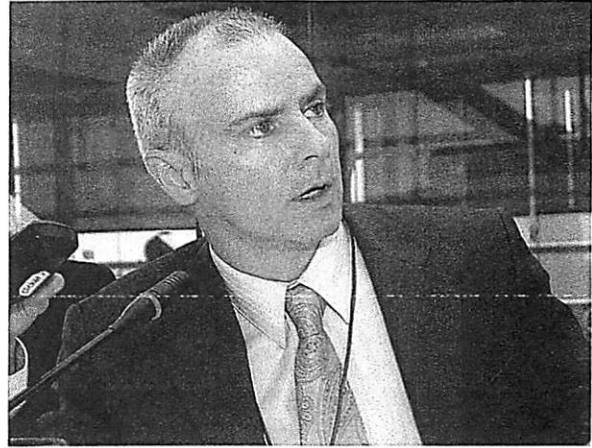
Evaluations of LPR use have been quite limited. Our goal in this study, which was funded by the National Institute of Justice, was to determine whether police agencies can expect to see certain types of benefits by using LPRs.

General considerations about LPR use include maintenance issues, privacy considerations associated with the use of the data, and community reaction to the program. In some communities there is a strong negative public reaction to the use of surveillance technologies. While we were doing this study in Mesa, there was controversy throughout Arizona over the use of speed enforcement cameras on major roadways. The LPR program didn't receive that sort of public reaction, probably because it was a much smaller program and not as many people knew about it.

We also have to keep in mind that agencies can use LPR devices in a number of ways—in fixed locations, or in cars for mobile surveillance. They can put them on patrol cars or use them with special units.

The Mesa Police Department has four LPRs, and for this study they wanted to focus on the issue of auto theft hot spots. They assigned all the LPRs to a special four-officer unit. The four officers worked in four cars: one marked patrol car, one unmarked Crown Vic, and two unmarked Chevy Cavaliers, which were a little bit less conspicuous than the Crown Vic.

When more data went through the system, more matches were found. The Mesa police downloaded daily data on stolen vehicles and other vehicles of interest, such as cars linked to robberies, from the State of Arizona. They did not have real time wireless connections to these data sources, but the officers did have the ability to add additional information into the system manually. So if a bulletin



came out during the day on a newly reported car theft, the officers could enter that plate number into the system manually, so that the LPR could “watch” for it. Mesa also had some warrant information for the nearby localities of Tucson and Gilbert, but they did not have warrant information for the City of Mesa, so there were some limitations to the data they had. If you have the capability, there's a wide variety of data that you plug in to trigger alerts if a certain tag number is spotted by an LPR, such as in-state and out-of-state stolen automobiles, warrants, parking violators, uninsured motorists, and other subjects of interest. In the UK, they have very advanced LPR systems with a wealth of data being fed into their units in the field.

We executed the study in two phases. In the first phase, which was 30 weeks long, we had the LPR officers working what we were calling “hot route” road segments about a half mile in length. These were places where we thought auto thieves were very likely to travel, based on an analysis of locations where cars are stolen and where they are later recovered, as well as the input of Mesa detectives. At varying times over this 30-week period, we had officers working in 45 of these spots using the LPRs, and officers working in another 45 spots just doing manual license plate checks.

Phase two of the experiment lasted 18 weeks and involved officers working in somewhat larger areas we referred to as “hot zones.” These hot zones were areas about one square mile in size. When the

officers were in those areas, they put a little more emphasis on roving surveillance. At varying times over the course of this part of the study, they worked in 18 of these locations using the LPRs and in 18 locations doing manual license checks. We wanted to compare the performance of the auto theft unit when they were using the LPRs as opposed to when they were doing the manual checks. We decided where and when they used the LPRs based on random assignment. This ensured that the places and the times that they worked with an LPR would be comparable to the places and times that they worked just doing the manual checks.

The results gathered from both phases of the experiment were very similar, so I'll share the combined data from both phases. First, if we look at the number of license plates that were scanned, LPRs resulted in more than eight times as many license plates being read—a total of over 751,000 plates read, compared to about 89,000 when they were doing the manual checks.

**Second, when they were using the LPRs they got 44 unique hits, while they only had 10 hits with the manual checks. So they got over four times as many hits with the LPRs, averaging about two hits a week with the LPRs. And there were 15 total arrests as a result of LPRs, compared to seven arrests resulting from officers doing the manual checks.**

These numbers are not very large, but all the stolen car and stolen plate arrests came when they were using the LPR devices. They also recovered a total of

14 cars when they were using the LPRs, compared to seven when they were doing the manual checks. All the recoveries of occupied, stolen automobiles occurred when they were using the LPRs, and the majority of unoccupied recoveries also came when officers were using the LPRs.

**In summary, when LPRs were used, police were able to get over eight times as many checks, over four times as many hits, and about twice as many arrests and vehicle recoveries as when they were not using the LPR devices. The number of hits, arrests and recoveries were not particularly high, which is the result of a number of different factors, including the volume of crime. I also think the results show the difficulty of catching auto thieves in the act. By the time many cars are reported stolen, the thieves have already abandoned them, which poses a challenge.**

One other point to mention is that we may not always have had the officers in the optimal locations, because of the controls we had in place to define the parameters of the study and ensure that it was methodologically sound. In practice, when officers have more freedom to go to hot spots based on the latest crime analysis and based on traffic volume, they can considerably improve the recovery rate of stolen cars. In between the two phases of our study and after the main part of the experiment was over, Mesa officers did some freelance operations like that, and they got considerably more recovered cars per shift when they were operating that way, although the arrests remained about the same.

What I've taken from this study is the magnitude of the improvement you get when using the LPR devices. In many ways I think these estimations of the impact of LPRs are conservative, because we compared LPR use to the use of extensive manual checking by a specialized unit. If we were to compare



Frederick Lieutenant  
Shawn Perry



LPR use to a regular patrol doing sporadic checks, I think we would see an even greater impact.

While more vehicles were recovered, we didn't see a decrease in auto thefts in the target area. The data suggest that police agencies will probably need a critical mass of LPR use before they really start seeing crime reduction effects as a result of deterrence. I don't know what that threshold is, but I would urge departments to be realistic in their expectations if they are using a small number of the devices. We also recommend driving slowly when you're using the LPR units around hot spots. This will optimize the number of plates read while deterring people by having a more visible presence in the area.

#### **Mesa CIO Cory Cover:**

As Chris mentioned, during the break between phases one and two, our officers were allowed to go into hot spots to tackle the current problems, rather than being confined to the parameters of the study. They recovered 30 stolen vehicles during the entire 48-week study, but in that two-week break they recovered six vehicles. And immediately after the study ended, we had another period of time in which we worked on current information and used discretion with LPR use, and 16 stolen vehicles were recovered during nine weeks.

So when investigators were allowed to hit the hot spots based on the most current information, they were really effective.

During the study, we had a robbery case in which we had a vehicle plate that we were looking for but having trouble finding. An officer with an LPR was able to find the vehicle, allowing us to solve the robbery.

#### **Other Agencies' Experience with LPRs**

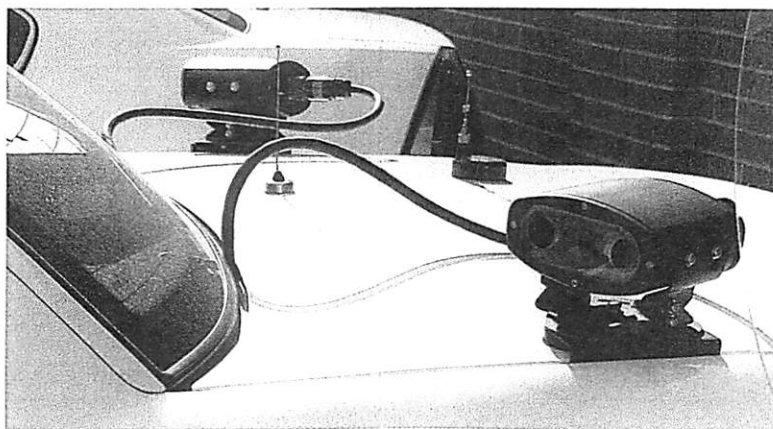
*In the PERF survey, 71 percent of responding agencies use LPRs. 85 percent of agencies plan on acquiring or increasing their use of LPRs over the next five years, and expect that by that time the devices will be deployed in 25 percent of cars on average.*

**Washington, DC**

**Assistant Chief Alfred Durham:**

#### ***We've Solved Two Homicides Using LPR Technology***

We've had LPR technology for about a year and a half, and our troops have really embraced it. The primary purpose of LPR is to detect wanted persons, stolen autos, and vehicles using stolen license plates in real time. It is a tool to make law enforcement more efficient and effective. The LPR technology has been helpful in numerous investigations and in the seizures of stolen autos. The technology also allows patrol officers to recover unoccupied stolen autos on their beats. In a highly publicized October 2010 case, a LPR helped recover a vehicle taken in connection with a Montgomery County, Maryland homicide. We also closed two homicides using the





Philadelphia Commissioner  
and PERF President Charles Ramsey

LPR technology. Currently we have about 35 mobile units and about 38 fixed sites. The street sweepers for our Department of Public Works also have LPRs attached to their vehicles, because they issue traffic citations for parking violators along their routes.

I believe use of LPR technology is Constitutional, because it doesn't target people, it targets vehicles. Like other systems available to law enforcement officers, there must be an established criminal investigative predicate to search the historical records.

About two months ago, we had a series of robberies, and our only lead was a partial tag of a silver vehicle. The LPR system told us there were several hits on that vehicle in a specific area. Thanks to this technology, we were able to catch suspects for five robberies.

We also use LPR technology with our bomb technicians and bomb detection vehicles. Whenever there is a Presidential or dignitary movement in the city, we mount these on our special operations vehicles. As our officers travel their routes, the LPRs can detect and identify any wanted or unusual vehicles and that lets us know if we need to further investigate.

Screenshot of Minneapolis Police Department's  
license plate recognition database

#### **Minneapolis Assistant Chief Janeé Harteau:**

##### *We Situated Our LPRs on Bridges To Capture as Much Data as Possible*

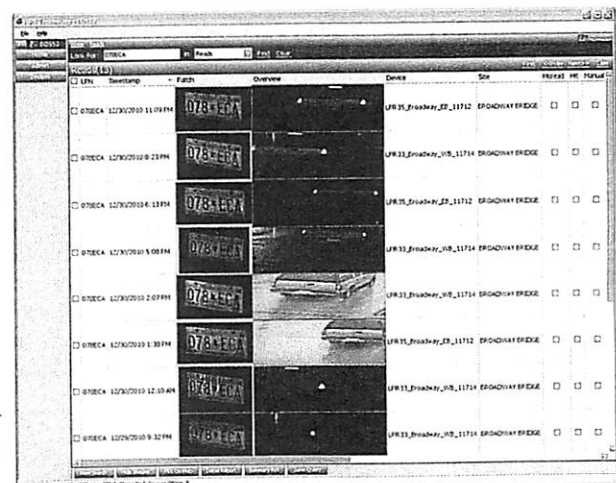
We're just beginning to use license plate recognition now. Currently we have about six mobile devices and one permanent, which is not as many as we'd like. We've placed the ones we have on heavily-trafficked bridges.

We had a domestic kidnapping case where Metro Transit Police and the FBI were looking for a suspect vehicle, and the only information they had was that it was a tan Suburban with "078" as part of the license plate. We did a search on the license plate recognition database, and came up with several vehicles. The closest match turned out to be the suspect vehicle. It's useful technology.

#### **Sacramento Chief Rick Brazier:**

##### *A Shopping Mall Does LPR Scanning of Their Parking Lots*

We use LPRs in our department, and a local shopping mall uses license plate readers in their parking lots. In 27 months, they were able to capture about 3





million plates. Auto thefts decreased by 66 percent at the mall, and through this program we've identified homicide witnesses and robbery suspects. As of a couple weeks ago, they had identified 51 stolen vehicles in the parking lots, and we were able to get about 41 arrests out of that.

When the mall employees get a hit, they call us. They keep the data for 30 days. Our detectives also can do a quick query when there are crimes in or around the mall area and it might be useful to know whether a certain car was at the mall at a certain time.

#### **Chicago Commander Steven Caluris:**

##### ***LPRs Can Be Used for Investigative Purposes***

Most of what we've been talking about has been enforcement, but LPRs can also be a great intelligence or investigative tool. In Chicago, we have them in every patrol district. Consider the manpower hours used to canvass the scene of a homicide or an aggravated battery, which is usually accomplished by assigning officers to collect license plates and information on nearby cars. Now we can just send a car with an LPR up and down the block to capture it all. This saves a lot of time.



Longmont, CO Information & Technology  
Manager Denise Wood

#### **Austin, TX Chief Art Acevedo:**

##### ***Smart Officers Will Get the Most Out of LPRs***

In my experience, an LPR is kind of like a canine, in the sense that it requires intelligent use by the operator. If you have an officer who knows how to get criminals and give him an LPR, the technology will be very effective. But if you give that same equipment to an officer who hasn't shown strong initiative in criminal apprehension, the LPR will have little impact. The personnel using LPRs must have the instinct to know where and how to utilize the technology.

#### **Privacy Concerns**

#### **Washington, DC**

#### **Assistant Chief Alfred Durham:**

##### ***We Only Photograph Vehicles From the Rear,***

##### ***So We Do Not Record Anyone's Face***

When we monitor activity related to mass demonstrations, we hold the videos for seven days. Of course, if there is valuable information on a video that could be used for investigating a case, we hold onto it until the case is over and the prosecutor confirms we can erase it. For investigative purposes, we have a 30-day hold on anything from crime cameras.

Our policy allows us to keep data for a year and retrievable for three years. We haven't received any complaints about LPRs.

But one of the privacy provisions that our city council put into the legislation for photo enforcement of traffic laws is a stipulation that you can only photograph the rear of the vehicle and the tag only, so that there won't be anyone's facial features in the photo. We're just capturing the vehicle tags, and we haven't had any backlash about that.

Waco, TX Assistant Chief  
Ryan Holt



**Jonathan Lewin, Managing Deputy Director,  
Chicago Police Department  
Office of Emergency Management  
and Communications:**

*How You Use Data Is More Important  
Than How Long It Is Stored*

I think the important consideration is not necessarily how long you store the data, but rather how you use it. You can't just go in and start mining the data, because there will be some First Amendment issues there.

**Takoma Park, MD Chief Ronald Ricucci:**

*The Success of LPRs  
Outweighs Privacy Concerns*

Takoma Park is a very liberal place, and there were some objections from the community when we started using LPRs. It was only a pilot program for the first year, but this technology had such an impact on our arrest and vehicle recovery statistics that we are continuing to use it. We do have to delete any LPR data we get after 30 days. We have to delete everything from our in-car video cameras after 90 days.



Newport News Assistant Chief  
Joseph Moore

**Waco, TX Assistant Chief Ryan Holt:**

*Our City Council Required a Privacy Policy  
Before We Began Using LPRs*

We follow the suggested guidelines from the state of Texas. These dictate that we don't save information from technology like LPRs for more than 30 days unless it is related to a criminal investigation. There are some exceptions, such as the digital video footage from our squad cars, which we hold for 90 days. We had to develop a policy for deleting our LPR information before we even had the technology, because community members had privacy concerns and vocally objected at our city council meeting. So the council required that we have a policy in place before we used the LPRs in the field.

# Police Executive Research Forum

Critical Issues in Policing Series:

*Use of Technology in Policing: The Chief's Perspective*



Washington, DC  
April 4, 2011



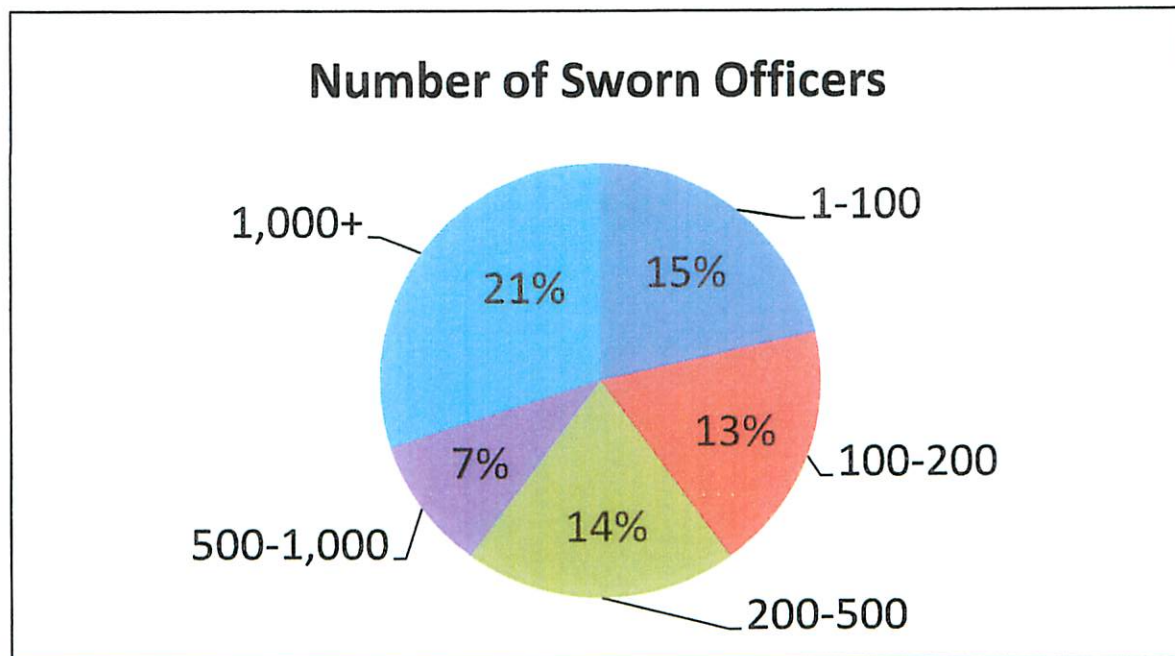
MOTOROLA SOLUTIONS

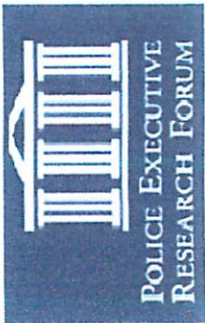
# Overview

- In March 2011, PERF asked its General Members about their policies regarding various innovative technologies
- Over 70 agencies responded with information about their current use of technology, what technology they'd like to have, best practices, and lessons learned

# Agency Demographics

- The average population of responding agencies is **531,011**
  - (Median: 183,287, Range: 12,752 to 9,818,605)
- The average number of sworn officers from responding agencies is **949**
  - (Median: 336, Range: 10 to 13,088)





MOTOROLA SOLUTIONS

*Use of Technology in Policing: The Chief's Perspective*

## KEY FINDINGS

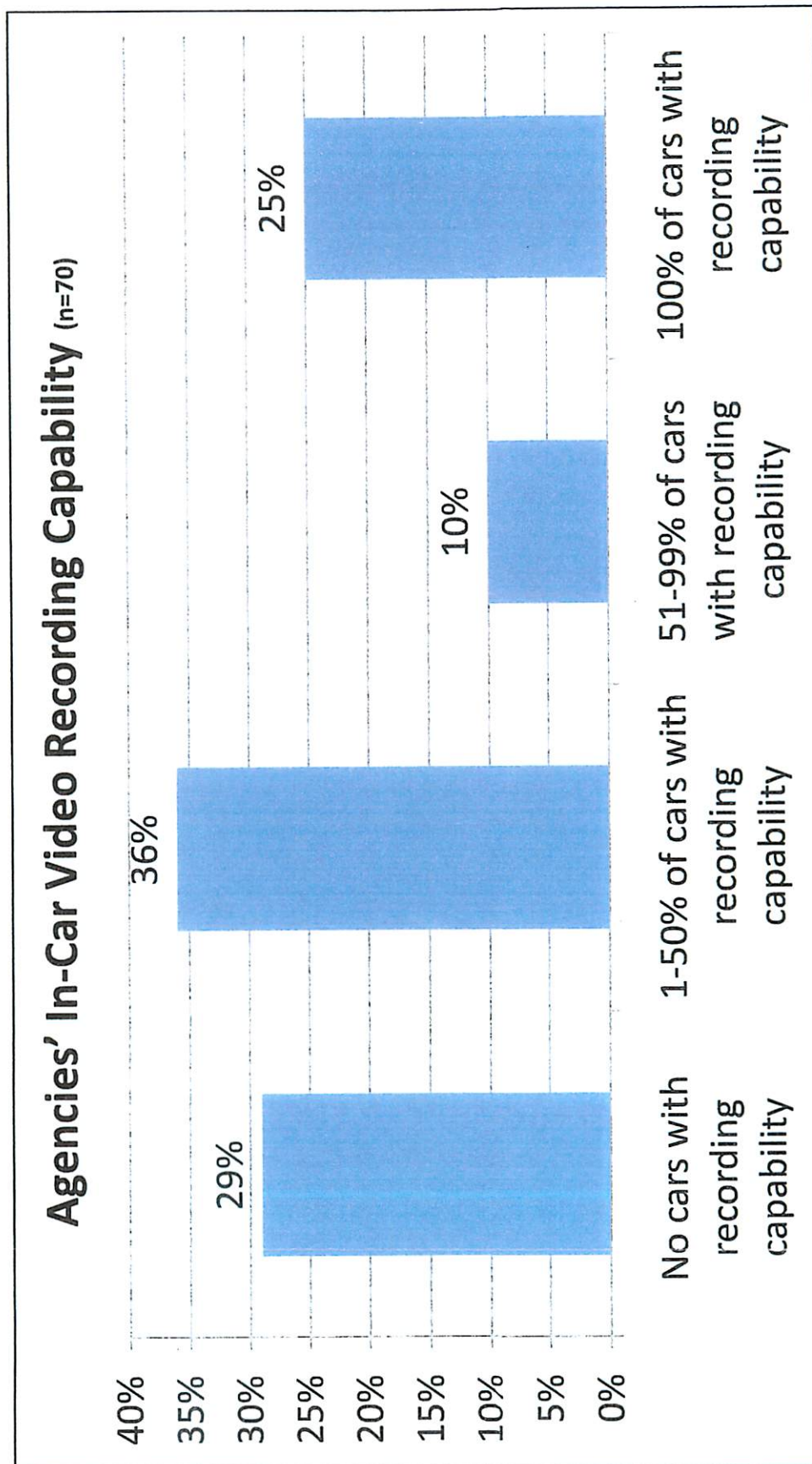
# Key Findings: Predictive Policing

**70% of responding agencies use predictive policing analytics** (e.g. the advanced use of information/ technology to *predict* and *prevent* crime) (48/69 agencies)

- 24 of these agencies specifically cited using crime mapping software
  - 16 of these agencies said that they use predictive policing to stop serial offenders
  - 15 of these agencies said that they use sort-able historical data to allocate resources to try to prevent crime
- **90% of agencies plan to increase their use of predictive policing over the next five years** (63/70 agencies)



# In-Car Recording Capability





# Wireless Video Streaming

**46% of agencies use wireless video streaming in some capacity** (32/69 agencies)

- **26%** use it for investigative purposes
- **23%** use it for traffic stops
- **21%** use it for officer safety
- **19%** use it for responding to calls for service
- **16%** use it for officer accountability
- **11%** use it for “other”—examples include:
  - Robotic cameras for use in bomb, barricade and hostage situations
  - To monitor remote critical infrastructure such as water supply and treatment facilities
  - For traffic patterns, crowd control, pursuits and perimeters from helicopters

# Video Streaming to Police Vehicles

- 23% of agencies stream video from fixed surveillance cameras to police vehicles (16/70 agencies)
- Over the next five years, 61% of agencies plan to increase the number of police vehicles that receive streaming video from fixed surveillance cameras (41/67 agencies)
- In 5 years, on average, 81% of agencies' cars will have this capacity (n=39)

# License Plate Readers

- **71% of agencies use License Plate Readers (LPRs)**  
(50/70 agencies)
- Over the next five years, **85% plan to acquire or increase the use of LPRs** (55/65 agencies)
- In 5 years, the average responding agency will have **25% of their cars with onboard LPRs** (n=53)

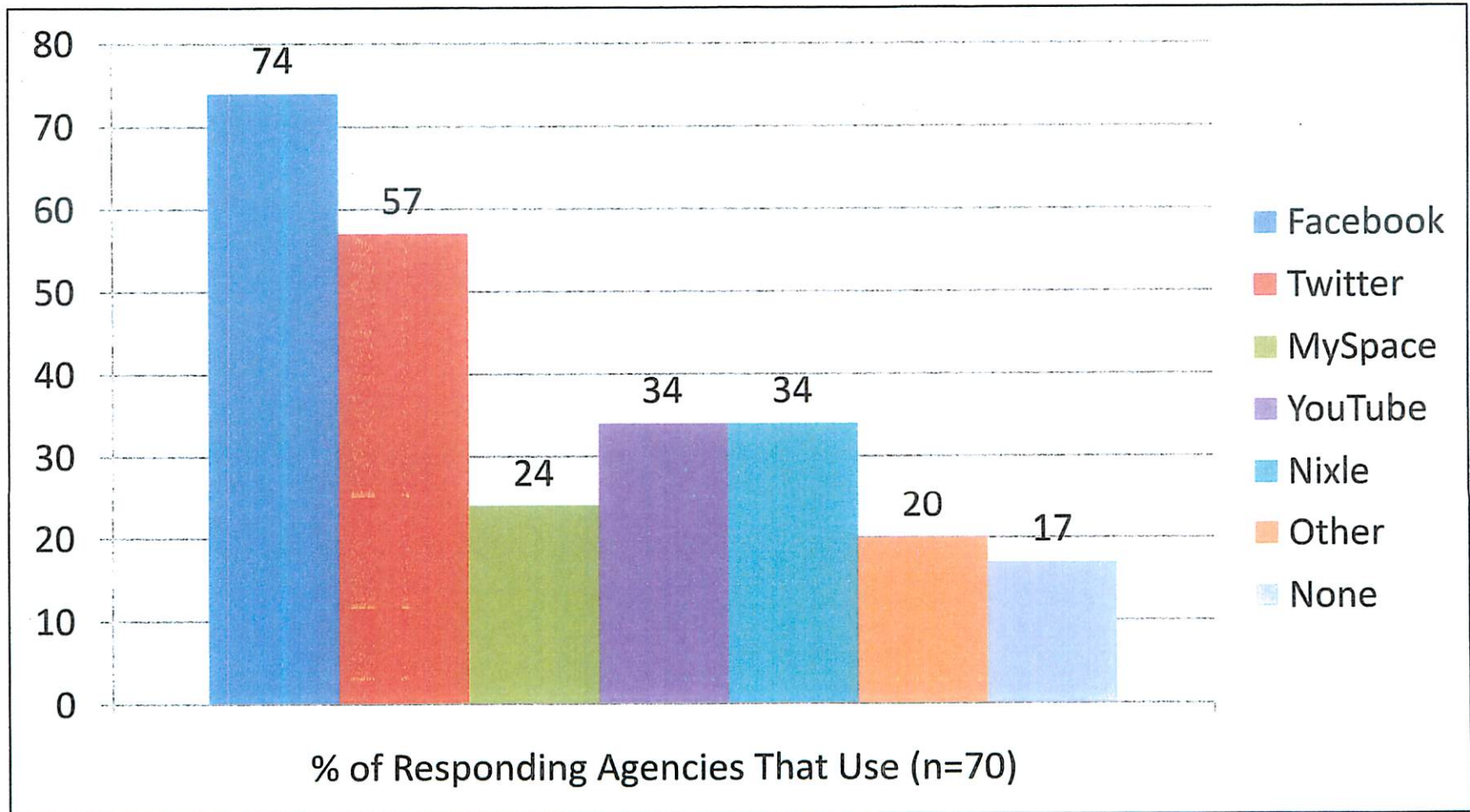
# GPS

- **83% of agencies use GPS to track suspect movements**
  - Over the next 5 years, **80%** of agencies plan to increase this (44/55 agencies)
- **69% of agencies use GPS to track police vehicles**
  - Over the next 5 years, **58%** of agencies plan to increase this, to **93%** of their vehicles having GPS (34/59 agencies)
- **4% of agencies use GPS to track on-duty officers on foot**
  - Over the next 5 years **46%** of agencies plan to increase this, to **78%** of their officers having GPS (31/67 agencies)

# Social Media Use

- **83%** of agencies use social media to **share** information with the public (58/70 agencies)
- **70%** of agencies use social media to **receive** information/tips from the public (49/70 agencies)
- **89%** of agencies monitor social media to **identify** investigative leads (62/70 agencies)
- **86%** of agencies monitor social media to **monitor/follow up** on leads or threats (60/70 agencies)

# Social Media Use (continued)



# Policies Regarding Social Media

- **57%** of agencies have already had issues, disputes, or controversies **related to employees' personal postings** on social media sites (39/68 agencies)
  - 13 agencies explicitly told us that they had disciplined one or more of their employees for an infraction
- **58%** of agencies have an **existing policy** regarding employees' personal postings on social media sites (40/69 agencies)
  - 8 agencies explicitly said that they were working on a policy at this time

# So, What is...

## The Future of Technology in Policing?

### Over the next 5 years....

- **90%** of responding agencies plan to increase their use of **predictive policing** (63/70 agencies)
- **85%** plan to increase the **use of LPRs** so that an average 25% of their cars will have them (55/65 agencies)
- **62%** plan to increase **in-car recording capability** so that an average of 84% of their cars will have that capability (32/52 agencies)
- **61%** plan to increase the number of police vehicles receiving **streaming live video from fixed surveillance cameras**, up to an average of **81%** of their fleets (41/67 agencies)



# The Future of Technology in Policing (continued)

## Over the next 5 years....

- **80%** plan to increase **GPS tracking of suspect movements** (44/55 agencies)
- **58%** plan to increase **GPS tracking of vehicles**, to 93% of their vehicles having GPS (48/59 agencies)
- **46%** plan to increase **GPS tracking of on-duty officers**, to 78% of their officers having GPS (31/67 agencies)
- **45%** of responding agencies plan to increase their use of **facial recognition software** (31/69 agencies)

# Concluding Questions

- What have you learned today that will change how your agency employs technology?
- What major changes in police technology do you anticipate in the next five, ten, or twenty years? What should we be prepared for?
- How quickly is police technology changing? How often should we hold a summit like this to catch up on new developments?
- In a 2010 PERF survey, 55% of responding agencies reported cutting back or eliminating plans to acquire new technologies for budgetary reasons. Given what we've heard today, is this a wise course of action?

**Sandra Novoa**

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**From:** Michael Karukin  
**Sent:** Saturday, March 31, 2012 7:50 PM  
**To:** Roger Carlton; Lynn Dannheisser  
**Cc:** Sandra Novoa  
**Subject:** Charter Review  
**Attachments:** Charter Review Report - No Attachments 3-9-2010.pdf; reviewing a charter by wendy hassett.pdf

For Discussion

Ask the commission to direct the Town Manager and Town Attorney to reconvene the Charter Review Board (CRB).

The CRB issued a report March 9, 2010 (see attached) but no action was taken. Events over the past 2 years point to a sustained need to resurrect the effort. The goals would remain the same: update, streamline, modernize, eliminate superseded provisions, and identify specific issues to be placed on a ballot.

If direction to move forward is approved, to help prioritize the effort, the commission should also decide on a target date for the ballot questions (e.g., November 2012, March 2013).

**Thank you,**

**Michael Karukin**

Commissioner

Town of Surfside

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**REPORT**

**TO:** TOWN COMMISSION  
**FROM:** CHARTER REVIEW BOARD  
**VIA:** LYNN M. DANNHEISSER, TOWN ATTORNEY  
**CC:** GARY L. WORD, TOWN MANAGER  
DEBRA E. EASTMAN, TOWN CLERK  
**DATE:** MARCH 9, 2010

**SUBJECT: RECOMMENDATIONS FOR AMENDMENTS TO CHARTER**

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**Background:**

By Resolution 2008-1840, the Town Commission established the Town of Surfside Charter Review Board. The following members were appointed: Ken Arnold, Michael Karukin, Lou Cohen, Barbara McLaughlin subsequently replaced by Shoshana Feingold, and Marta Olchyck. The Board convened seven (7) separate occasions at publicly noticed meetings:

October 6, 2008  
November 24, 2008  
January 5, 2009  
February 23, 2009  
June 1, 2009  
November 2, 2009  
February 16, 2010

(Minutes are attached to this report.)

All meetings were facilitated and documentation prepared by the Town Attorney. The Town Manager and Town Clerk also attended and participated in these meetings. Members of the public were invited to speak at the televised, public meetings. At the initial meeting of the Board, Ken Arnold was selected as the Chair, Lou Cohen was nominated as the Vice-Chair, and the Board discussed its mission.

### **Goals and Objectives:**

1. To review the Town Charter in order to update, modernize, and streamline the document with the goal being to make the document more readable and easier to understand by the lay public.
2. Once the Charter was streamlined, to review and analyze all remaining provisions and to recommend to the Town Commission for adoption and for placement on the ballot for only those changes which would affirmatively add value and benefit to the Town.

### **Process:**

The Board engaged in the following process:

1. The Charter Review Board considered the applicable Florida Statutes and Home Rule Charter provisions, the Model City Charter produced by the National League of Cities, several existing Charters from municipalities in the State of Florida. In addition, on Mr. Karukin's initiative, Robert E. Lee, Ph.D., the Executive Director of Florida Local Government for Excellence, spoke to the Board and offered his opinions and views on issues relating to method of election of officials, staggered terms, direction of mayor, voting by district vs. at-large, and other topics.
2. At each meeting, the Board reviewed and debated each section of the Charter after being provided with information on the rationale for each section. Subsequent to the debate and public hearing, the Town Attorney drafted and distributed a draft charter revised in accordance with the decisions of the Board at the prior meeting. Those changes were then re-reviewed once again and finally adopted or rejected. The Board then went on to consider a new set of charter sections or subjects.
3. Following each meeting, the Town Attorney drafted (and re-drafted) the changes proposed by the Committee for consideration at the next meeting and so on.

### **General Substantive Issues Debated:**

The following issues were debated at length:

1. Form of municipal government (strong mayor vs. commissioner-manager form of government).
2. Elected officials and their boards (number of officials, qualifications, roles of officials, boards and committees, effect of retaining personnel appeals board on good management practices, salaries and expenses for officials).

3. Charter officers (Duties, roles and responsibilities of the Town Manager and Town Attorney including the Town Clerk and (whether the Clerk should be a Charter Officer rather than a Town employee under the employ of the Manager).
4. Voting issues i.e., requiring supermajority votes on certain issues, elections, terms of office, staggering terms, at large vs. district representation. Elongation of the two (2) year terms of office was debated at several meetings. Ultimately, the final debate at the last meeting of the Board resulted in a motion to change the term to three (3) years. This motion failed on a tie (2-2) vote, since one member of the Board was absent. (The Town Commission may wish to revisit this issue.)
5. Ethics issues including the addition of language and restrictions on campaign finances, restrictions on lobbyists, limitation on financial interests.
6. Addition of a Preamble and Citizen's Bill of Rights to set the tone and intention of the document as well as a recommendation for a formalized charter review process to be initiated every ten (10) years.
7. Retention of Height, Density, and Intensity Restriction: Due to evolving case law, an early draft *removed a reference to the Town's Comprehensive Plan and deleted the terms "intensities" and "densities"* from the text. It was posited that such changes can enhance the restrictions from a legal perspective. However, there was a concern that any change in the language could be perceived by the electorate as a lessening or relaxation of the limitations or other unintended consequences. This created reluctance on the part of the committee to make any substantial changes to this section. The committee agreed to retain the reference to the Town Comprehensive Plan and the words "intensities" and "densities". Alternative wording was adopted.
8. Of the approximately 175 provisions of the Charter, most all were discussed or debated, except those that were superseded and no longer in force or effect.
9. Miscellaneous issues such as charitable contributions by the Town.

#### **Summary of Recommended Changes and Action:**

The following changes were adopted by the Charter Review Board and are recommended to the Town Commission for consideration:

1. Re-organize and Streamline the Charter.
  - A. The current Surfside Charter is a cumbersome, antiquated document that has been superseded in large part by the Home Rule Powers established by the Florida Legislature and other laws in 1973. The first act of the Charter Review Board was to eliminate all provisions of the current charter that have been updated and superseded and are no longer valid under the law. This reduced the size of the Charter document from **83** pages to **27** pages. This one revision alone produced a more manageable, readable document.

- B. The second thing the Charter Review Board did was to simplify, re-number and re-organize the Charter so that all provisions followed logically and are easy to follow. They appear as follows:

Article I.	Incorporation; Form of Government; Powers
Article II.	Town Commission
Article III.	Administration
Article IV.	Annual Budget and Tax Levy
Article V.	Elections
Article VI.	Initiatives; Referendum and Recall
Article VII.	Miscellaneous Provisions

2. Propose the following seven (7) material or substantive changes:

- A. **Bill of Rights.** Include a new Preamble expressing the intent of the drafters and a Bill of Rights which provides for greater rights of citizens to access/ participate in government.
- B. **Salary of Commissioners.** The Charter Board is recommending that the Commission have the ability to vote for a salary not to exceed six hundred (\$600) dollars but in no event be given to the Board that actually enacts the change. Receipted expenses approved by the Manager will be reimbursable.
- C. **Regular Charter Review.** A regular Charter Review Board shall be convened every ten (10) years. This does not inhibit the Town Commission from requesting charter review and changes prior to that time. If that occurs, the mandated charter review is deferred for ten (10) years.
- D. **Elimination of Personnel Review Board.** Effective and responsive management is impaired by this Board's existence and many other remedies are now available to employees who believe they are aggrieved.
- E. **No charitable Contributions.** There shall be no charitable contributions made except as approved by a supermajority of the Commission.
- F. **Ethics.** No Commissioner shall have a financial interest direct or indirect in any contract or in any sale to the Town or contractor or supplier to the Town or any land or rights or interest whatsoever.
- G. **Campaign Finance Reform.** The Town Commission shall adopt an ordinance relating to campaign financing to, among other things, mandate a limitation on both the amount of campaign contributions allowable as well as limit total spending by any candidate for Town Commission.

The Charter Review Board recommends the attached Proposed Charter be adopted by the Town Commission for transmission to the electorate.

As a final note, the Charter Review Board wishes to acknowledge the diligence, time, effort, and expertise offered by the Town Attorney in assisting this Board. The Town Attorney also wishes to acknowledge and thank the Manager and Clerk for their effort and input.



# Reviewing a City Charter

BY WENDY L. HASSETT

During the early 1900s, many cities faced serious challenges to effective governing. As a result, they became actively involved in charter reform. Since charter reform provides a way to redefine the basic rules of governmental operation, cities looked to their charters as a way of reducing corruption, enhancing local autonomy beyond what was granted by state governments, improving government efficiency, and strengthening control over municipal finances. Over the twentieth century, more than eight cities in ten over ten thousand in population changed their form from the traditional weak mayor-council form or chose one of the new approaches as newly created cities.

Today's local governments also face challenges and often look to their charters for solutions. A well-functioning local government relies on established rules, regulations, practices, and precedent, and its charter is a large part of this. Sometimes a local "crisis" or series of public debacles bring into question some aspect of the charter. In other cases, a local government might be required to conduct a charter review every ten years, for example, to assess whether any changes should be considered. When a routine charter review is mandated, the review is necessary even if there is not a specific reason for it. It is important to note that a charter review commission does not single-handedly have the power to change the charter. Instead, this body has the ability to draft charter amendments or a new and presumably improved charter to be considered by local voters at the polls.

While a charter contains the enduring guiding principles for governmental operations, it also must be able to be adapted and changed. Although many good charters stand the test of time, they are documents crafted by flawed human beings who are unable to see into the future. Therefore, charters need to be revised and updated from time to time—in good times and in bad.

Charter review starts with the appointment of a commission made up of local residents who are tasked with methodically and objectively reviewing

the existing charter and various aspects of local government operations. The scope of work assigned to charter commissions varies widely. As a result of the review, the group determines what (if any) changes should be considered for formal adoption. Because each community is different, there is not one "right" way to do this. Each charter review process will be unique to the community conducting it.

Although writing or amending a charter requires the involvement of local residents, it is interesting to note that only a handful of people have ever had any experience drafting a charter or changes to one. For most people involved in the process, it is their first and only experience with such a task. Without a doubt, this body is challenged with an uncommon and significant civic duty.

## Commission Membership

Opportunities for direct citizen involvement in local government often garner a healthy amount of attention. While citizen involvement in committees, advisory groups, public hearings, and the like is a significant and valuable part of local government operations, membership on a charter commission offers an uncommon opportunity for public service to one's community. Participation in the charter process is citizen involvement at a higher level and with greater potential impact.

A charter commission is a body authorized by law and established for the single purpose of drafting and submitting to the voters a newly created local government charter or revisions to an existing charter. The appointment of this group of individuals, typically between fifteen to twenty registered voters, often is governed by laws and regulations that deal specifically with charter creation and revision. For example, in some cases, commission members might be required to be appointed by the mayor. In other cases, it may be the council that appoints the members. In still other situations, these individuals are elected by the voters. In any case, this independent commission of citizens is empowered to organize its review within the assigned scope and establish its

schedule in order to facilitate its study of the charter and certain aspects of the government.

Given the importance of the charter commission's task, its membership is worthy of careful consideration. Individuals chosen to serve on the commission have a special opportunity for local statesmanship. If voters ultimately approve the work of the commission, the efforts of this group will have lasting impact on the future of the community and the local government. Therefore, selection of the individuals to serve in the charter process is a crucial decision.

All participants should be eager to work hard and willing to share their talents and expertise. It is important to understand that participants bring with them unique value systems, biases, differing opinions on what "good government" is, good and bad life experiences living in different communities, and (in some cases) personal agendas. As a result, deeply held beliefs and viewpoints set the stage for complex committee dynamics, passionate discussions, and heated debates.

At the heart of this process is the active and focused engagement of a diverse and representative group of community members. Diversity is important for several reasons. The involvement of diverse groups and perspectives will not only contribute to a better final product but also lend credibility to the validity of the final outcome. Therefore, no group should be left out. All segments of the community should be represented, and no one should be excluded based on race, creed, color, ethnicity, national origin, religion, sex, sexual orientation, gender expression, age, height, weight, disability status, veteran status, military obligations, or marital status.

When the commission is composed of community residents who are not involved in day-to-day governmental operations, the commission is able to be detached, objective, and impartial. The most effective charter commissions are not dominated by lawyers, scholars, and accountants but made up of civic-minded, intelligent laypeople with a commonsense approach to things. The members should (a) be in touch with the perspectives present in the community, (b) command respect from local residents, and (c) bolster the confidence of citizens in the process and the work of the commission.

Special mention should be made about the role of local elected officials. While in many cases the mayor and/or council plays a role in the appointment of commission members, the involvement of elected officials should end at that point. The charter process functions best when it is rooted in citizen involvement rather than being influenced (intentionally or unintentionally) by political officials directly serving as members. In some cases, the commission's recommendations go back to the council, which has the authority to decide whether the proposal will go to the people for a vote or may determine the final language of proposals. Still, the commission should do its work independently and give the council and the voters its best thinking about charter change.

## Key Commission Players

### Chairperson

The chairperson of the commission has a vital role to play. Because commission members are respected and intelligent individuals in their own right, it follows that they should be led by someone who is widely regarded as a person of integrity and good judgment who is politically neutral, accomplished, and widely respected. The ability to collaborate is also valuable. This individual might be a former mayor or other well-known civic-minded individual who is level-headed and has a good sense of the work of a charter commission.

A number of real advantages come from the city council naming a chairperson and commission members simultaneously. However, if the council does not choose a chairperson, it is up to the commission to do so. Oftentimes a commission takes up the subject at its first meeting without much thought. Due to the significance of this position, the selection of the person to head the commission should not be taken lightly. The most successful charter commissions are led by a well-chosen chairperson. Unfortunately, instead of a thoughtful and deliberative decision, many times the selection of the chair is made quickly and relegated to a random selection from among those willing to be considered.

So, what makes for a good commission chair? A good chair is skilled at conducting well-run meetings. But there is much more to being a successful chair of a charter commission. A good chairperson

has a sincere passion for the work of the commission and is able to translate that passion to its members. A good chair motivates commission members and speaks personal words of support and encouragement when needed. A good chairperson connects ideas, challenges opinions, helps define problems, and ultimately assists the group in reaching consensus on the issues that must be addressed.

These qualities are found when the chairperson uses a participatory style over an autocratic one to encourage active involvement among the members. This kind of chair acts more as a facilitator than as the local expert with all the answers. The chair leads the meetings, focuses the work of the commission, and keeps the process organized and on track. The chair does not give up his or her right to participate in shaping the decisions of the commission but participates in a fair way. For example, the chair does not use the position to give advantage to some members or to discourage members who hold different views. Further, the fair chairperson does not forcefully express his or her views in order to discourage others from expressing their opinions.

It is a lot to ask for the chairperson to single-handedly address the myriad of issues that may arise during commission deliberations. Ideally, the commission chair will have the ability to call on competent advisors to assist when needed. A discussion of two such advisors follows.

#### **Resource Person**

The intensity and scope of the work of a charter commission make it ripe for conflict. The politically charged task for which this body is responsible can easily result in communication breakdowns and gridlock. For this reason, many chairs have found it valuable to have a substantive resource person, consultant, or other expert sit alongside them and serve as a "go-to" person when a complex or substantive question arises. This person may also make early presentations to the commission on forms of government alternatives and on other key issues as they arise. This person is not a member of the commission and does not have a vote.

A resource person might be educated in public affairs, political science, or public administration with experience in charter writing, such as a university

professor or a senior staff member at an institute of government. In other cases, this person may be a consultant with a favorable record of involvement with charter commissions. If a charter commission does not have the luxury of engaging a paid resource person, a pro bono volunteer from a university or governmental institute with charter experience may be an option to consider. Regardless, an outside resource person is often an extremely useful addition to the commission as a source of technical guidance, suggestions, and advice. The key is that this person has had experience with charter commissions and is willing to bring that experience to this commission.

#### **Legal Expert**

Every charter commission should have access to sound legal counsel. However, it is important to note that the study of law is by no means a study of local government, politics, and public administration. And not just any lawyer can provide the information the commission will need.

For charter writers, it is very important to be sensitive to the state-specific legal context in which the resulting charter must operate. A legal advisor can be invaluable in helping the group avoid potential conflicts with state provisions. Sometimes specific charter provisions must be included to allow a local government to take advantage of or to escape from laws established at the state level.

City or county attorneys are of particular value to the commission because they are familiar with the existing charter, the legal problems the local government may have had with it, and the applicable state laws. Furthermore, laws that govern the county, school districts, and other units may come into play. The detailed and sometimes complex arrangements that exist among a local government and its public sector components, quasi-governmental entities, and associations underscore the value of a knowledgeable, state-specific legal advisor who can address questions that arise.

However, not all legal experts are created equal when it comes to charter commissions. If the city attorney has experience drafting charters or charter revisions, that individual may be the choice to serve as the commission's legal expert because he or she will be affordable and responsive. However, if

the city attorney does *not* have this kind of experience, the commission needs the ability to hire outside legal counsel with state-specific experience drafting new or revised charters.

If an outside attorney is hired, the city's full-time attorney still should be involved in the process by providing testimony to the commission and reviewing and commenting on the final draft document. After all, long after the commission has dissolved, the city attorney will be the one to defend the charter if and when it is attacked. Therefore, ongoing involvement of the city's own legal advisor is a critical part of the process.

Finally, a commission should not refrain from claiming power or including a provision in the charter just because there is doubt about how it will stand up in court. The powers of many local governments have been unduly limited not by the laws or courts of the state but by the timidity of the charter commission or the commission's legal counsel.

### Funding

As a conscientious public body, the commission should make every attempt to minimize its financial obligations. However, every charter commission must have some money available to cover its necessary expenses.

As often as possible, the commission should use public buildings for its meetings. It is likely that the local government will make its office staff and equipment available to the commission so that secretarial services, stationery, copying, and postage can be handled in house. Even more technical matters, such as Web site updates and bulk e-mail messages, may be completed by local government staff. Instead of paying outside experts for their time, local government staff members (such as the finance director, for example) should be considered because they typically prove to be informative advisors willing to share their expertise with the commission at no cost.

Visits to other communities by commission members occasionally may be desirable, but junkets at public expense are not appropriate. A better alternative is to invite speakers from outside the community to speak to the group during its meetings.


No commission member should be paid a salary or honorarium. Furthermore, commission members should never assume that they will be reimbursed for expenses without first consulting the appropriate government staff member.

If a significant cost is identified and deemed necessary or appropriate, the commission should make a formal request to the local authorities for the needed funds. Only necessary expenses should be reimbursed—such as consulting fees or outside technical assistance. Accounts of all receipts and all expenditures should be carefully maintained.

### Public Outreach

The best charter is of little value if voters do not approve it. For this reason, a concerted effort to win public understanding and acceptance should begin the day the charter commission is selected and continue until the day the vote is taken on the proposed charter or amendments. This may mean a small work group is charged with this task.

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Many former charter commission members would likely agree that only half of their job was charter writing. The other half was sound public outreach. Many well-written charters have been defeated at the polls due to poor public relations and a lackluster voter education program.

Positive publicity and voter education can be achieved a number of ways. The most common and long-standing approach is through public hearings. Unfortunately, public hearings are notoriously poorly attended and are considered by many to be ineffective. Fortunately, there are a number of other ways to gather public input and share information. Neighborhood-based meetings and specially designed "dialogue" sessions can be organized. At the latter, participants discuss the qualities they would like to see promoted in their government and their community rather than suggesting specific charter provisions. Local government newsletters, speakers' bureaus (including commission members), brochures, local magazine and newspaper articles, television and radio ads, public access television channels, and updates sent via e-mail are other ways citizens can be informed of the process and invited to participate.

The local government Web site should include the most up-to-date information about commission meeting times, agendas, and minutes. Also through this site, residents should be able to sign up for charter-related e-mail alerts, press releases, and meeting reminders. Another useful idea is to make available well-written speeches, white papers, PowerPoint presentations, and talking points addressing the commission's work and related efforts. An online forum can be set up to collect views about the charter revision. In sum, extensive information about commission meetings should be easily accessible to the community, ideally published electronically and available online.

It is not unusual for the work of charter commissions to pique the attention of schools and civic groups. Such an exercise in democracy is worthy of attention and serves as an excellent real-life case study of government in action. For example, junior charter commissions may be used as a learning tool for students. Of more immediate importance is that the attention of students often indirectly invites the

Local residents can never have too much information concerning the vital charter-related issues being discussed in commission meetings.

attention of their parents who, of course, are part of the voting public who will be asked to support the new charter at the polls. Therefore, the commission should willingly work with schools and civic groups to plan activities or projects related to the charter commission's work.

Residents deserve the fullest opportunity to be informed and to participate in the process. To this end, charter commission members should encourage the involvement and attention of a variety of community groups. Local residents can never have too much information concerning the vital charter-related issues being discussed in commission meetings. That said, the information released to the public must be easily understood and clearly organized to avoid confusion often caused by information overload.

Public involvement has many benefits. One important benefit of an aggressive public outreach and education process is that it often results in a constructive and thorough review of the commission's work, which, if considered honestly, will improve the final product. Furthermore, when residents are afforded the opportunity to offer their opinions and suggestions in an environment in which ideas and input are taken seriously, they are more likely to support the commission's recommendations at the polls.

Therefore, it is not enough to rely on just a few avenues to educate and update the citizenry on the commission's work. Publicity and education efforts must be multipronged. In all cases, the message should be consistent: A charter commission is active; its members are hard at work; it is considering complex and substantive issues; citizens are encouraged to get involved and offer their ideas and opinions; and once the commission has completed its work, citizens will decide in an election whether to adopt the proposed charter or charter amendments. In sum, the message to the broader community should be that the commission is working

in good faith to make the best decisions possible about what is best for the community and its local government.

While communicating with the public is important, individual commission members should be wary of making any statements that are inconsistent with the overall public message endorsed by the whole commission. This includes taking a public stand prematurely on controversial matters which can undermine the progress of the group. When in the public eye, it is important for commission members to guard against untimely public comment on issues on which the commission might change its mind in light of further study. Oftentimes, the best answer to some questions is, "We are still studying the question."

Every local political situation is unique to a certain extent. Without a doubt, local leaders best understand local dynamics and can come up with the most effective public education strategies aimed at gaining the support of a majority of citizens. These efforts should become more intense during the final campaign. A good public outreach and voter education campaign allows the commission to keep in touch with what the public is thinking and saying about the commission's work. This is important throughout the process but is of particular importance as the election draws near.

### The "Charge"

The task of a charter commission is to prepare and present to the voters the most straightforward, clear, and forward-looking charter it can. Many times the specific "charge" for the commission's work comes from the city council. In particular, a commission may be authorized and empowered to:

1. Examine the existing local government charter.
2. Conduct a comprehensive or limited study of various aspects of the local government.
3. Examine the procedures and interrelations of the different parts of the government to determine the role the charter plays in the current state of affairs.
4. Research the experiences of other cities or counties under their respective charters and forms of government to discover better governmental arrangements and practices.

5. Determine from independent study and investigation the principles of local government that should be built into the proposed charter or proposed charter changes.
6. Draft the proposed charter or charter amendments in a clear, logical, and consistent way.
7. Conduct its affairs in such a manner as to win the respect of local residents.
8. Educate citizens about the process and the progress of the commission and encourage adoption of the charter or its amendments.

Sometimes a particular area of the charter is singled out for review. For example, a charter commission may be instructed to examine whether the mayor's term should stay the same or be lengthened, if a city administrator should be added to the mayor-council structure, or if the number of council members should be changed. Charter commissions are convened for a host of different reasons, from the mundane (such as a legal requirement to do so every ten years), to the politically charged (such as in reaction to municipal scandal and corruption). Identifying the factors that serve as the impetus for charter review is extremely helpful to organizing the early work of the commission and in setting the right tone for productive meetings.

In this vein, many questions may cross the minds of commission members:

- What are the expectations for the commission?
- To whom is the commission accountable?
- Is there a crisis in local government that gives clear purpose to the commission's work? If so, how might that situation influence the commission's work? Is the crisis related to conditions that can be affected by the charter?
- Were any members of the commission "instructed" by someone (such as the mayor or council) to promote a certain position or advocate specific changes to the charter?
- Will the commission's recommendations go directly to the voters or to the city council first for review and possible revision?

Once these kinds of issues are addressed, the real work can begin. One suggestion is to hold a kick-off meeting early in the process to bring everyone

together and work through any concerns, such as those just listed.

### Getting Started

Holding an initial kickoff meeting with the commission and local elected officials has dual purposes:

1. It officially conveys the reasons behind creation of the commission and offers a sense of purpose.
2. It provides an opportunity to address lingering concerns or questions and to dispel any uncertainty or doubt in the minds of commission members, local residents, and the media.

A useful exercise for the commission members themselves soon after the kickoff session is to create a “shared vision of government”—a statement aimed at drawing members together toward a shared purpose, motivating them when times get tough, and giving their work meaning. This vision should not specify particular charter provisions (such as an election method or form of government) but instead should describe the qualities of the government the community would like to have in the future. This is not a simple assignment. Creating such a statement requires an examination of the values held by the community and the unique characteristics of the population. It is an exercise in finding unity in the midst of diversity.

While the individuals serving on the commission have different backgrounds, priorities, and beliefs, their shared aspirations for good government will be a uniting force. Discussing the diverse perspectives represented on the commission will be time-consuming. Supportively listening to the ideas of others requires patience. However, the tangible achievement of common ground evidenced by a written shared vision statement can be a significant early milestone.

Another idea for the early meetings of the commission is to invite one or more members of previous charter review commissions to speak to the group. These individuals may be local residents who have participated in past charter efforts or individuals from other communities that have recently gone through the process. Those with charter-writing experience will likely have some words of wisdom to

share with the group that can prepare and inspire them to face what lies ahead.

The commission works together for only a limited period of time (generally no longer than twelve to eighteen months), since typically there is a time constraint placed on the group to complete its work. Working with a strict time constraint places a premium on the efficient use of time. For this reason, many charter commissions find it helpful to establish a calendar at an early meeting. This calendar should set forth the work of the commission, meeting times, and important dates, such as elections and other deadlines that are fixed and cannot be changed. It is not unusual for city councils to specify—or at least have in mind—when they want to hold the charter election. Other times there are legal restrictions on when an election may be held. For example, in Texas, cities have only two dates in a calendar year on which an election can be held. Knowing these kinds of deadlines up front is a key step to the success of any charter commission.

### The Commission at Work

The work of charter writing is not easy. The issues are complex. While writing or amending a charter is challenging, it is not impossible. Frankly, the charter process often stirs passion and controversy. It can be messy, noisy, and complicated.

Throughout the process, some members may feel that progress is not coming fast enough. Some will want to slow the process to allow for further study or public input. Others may want to move ahead without additional public comment. Some may become frustrated. Some may become angry. The challenge for the commission is to remain focused on the work at hand in spite of these obstacles.

As uncomfortable and contentious as commission discussions may become, the best commission members stay focused on what they are asked to do. They are not afraid of what is hard, even when success is uncertain. The greater the success of the commission in writing a charter that advances the public welfare of the community, the more honor and satisfaction will come to its members.

Typically, a commission holds many meetings and public hearings. Meetings should be held in a

simply amend the current version. The appropriate approach depends on a number of factors, including the quality of the existing charter and the extent and characteristics of the contemplated changes. If the charter requires a number of fundamental changes (such as changing the form of government), it is often better to submit the changes as a clean, new draft of a complete charter.

Charters have so many interlocking provisions that often it is difficult to produce a consistent, coherent result by submitting a series of separate amendments. Many local governments have been frustrated when attempts to produce a basic change with patchwork amendments have resulted in a disjointed, confusing document. If the entire charter is rewritten, it has the additional benefit of allowing the commission to clean up minor defects in the original document that, while needed, did not on their own warrant the convening of a charter commission.

One of the common arguments in support of charter amendments is that changing only certain parts of the charter is likely to encounter less opposition than presenting a completely new document to the voters. When voters are considering an entirely new document, opposition to one part might jeopardize public support of an otherwise acceptable charter. Such opposition typically is focused on just one or two sections. If this is a possibility, some states allow the commission to submit the charter to the voters with alternatives on the matter(s) in question. The burden, then, is on those who advocate the alternative option. They must convince the voting public that their alternative position is better than the one recommended by the commission. In many cases where this approach has been taken, citizens supported the charter as a whole *and* approved the choice preferred by the commission. It should be noted that when submitting a proposition with alternatives, care should be taken to make sure that the alternatives do not result in conflicting provisions.

### Dealing with Opposition

Opposition is often encountered with a good charter, so the commission should not be surprised or disheartened when it occurs. Strong opposition does not occur in all cases, however. Many char-

ter reforms are strongly supported by local officials and members of civic-minded community organizations who know from personal experience the need for improvements to the workings of the local government.

When they surface, opponents can and will come from very different places. Certain groups and individuals will be opposed to any departure from the status quo. Others will be opposed to changes because they do not go far enough. Elected officials often do not support changes to their offices, powers, duties, or salaries. It is not uncommon for leaders of political parties, influential community groups, or other factions with interests at stake to make their disapproval known.

It is important to understand the viewpoints and fears of such groups in order to win their support, or, if necessary, counteract their influence. Often the support of these individuals is lost because it is assumed they are unalterably opposed to charter change. However, sometimes a group can be won over by a meeting to discuss their concerns. Other times, a nonobjectionable provision in the proposed charter could be added to allay their concerns and win their support.

While the commission should be sympathetic and open to listening to the demands and views of all local residents, it must take the high ground by appealing directly to those in opposition to support sound principles of government first and foremost. It cannot do this by appeasing each pressure group and yielding to its demands. Making weak compromises often results in an inferior document. The dignity, independence, and effectiveness of the commission will be destroyed if it gives in to the demands of special interest groups in ways harmful to the public welfare.

The important thing to remember when compromises are suggested is that the essential features of a charter *must* be in harmony. More than one charter has failed at the polls or (worse yet) in implementation due to compromise provisions that are incompatible with its basic pattern. If enough broad support exists for the effort and the draft document as a whole, this support will override objections to small matters that are raised.



Evidence is overwhelming that the vast majority of citizens in any community want "good government." That is, people desire a government that can be described as ethical, effective, and efficient. A useful by-product of discussions about good government is that often the opposition comes to the realization that, while they won't agree with the majority on many things, common ground can be found when it comes to the underlying principles of good government.

The commission's constant message of working for a better government coupled with a sincere interest in involving all citizens in a transparent and open process will do much to counteract the negative pressures of special interest groups that may surface in opposition to the work of the commission.

### The Election

The process for how and when the charter or charter amendments are considered by voters varies greatly by community. Upon completion of its work, the commission forwards its final recommendations either to the elected officials for their consideration or directly to the voters. Ultimately, the decision is in the hands of the local residents.

In many cases, recommendations of the charter commission are added to a scheduled upcoming election. In states that are covered by the Voting Rights Act, the Justice Department typically has to approve a charter election. In other cases, charter recommendations are a stand-alone issue, and the timing of the election can be determined by the local government. If the charter commission is able to weigh in on the timing of the election, it should consider the matter carefully in light of the political calendar, weather, holidays, and other local community dynamics in an attempt to time the election to encourage high voter turnout.

Regardless of the timing of the election, appropriate and sufficient time should be allowed between the completion of the commission's work and the election to allow for ample public comment and feedback. Voter approval of the charter recommendations will be the test of the vision, courage,

statesmanship, and public outreach exercised by the commission's members.

### Conclusion

All charter reviews are different. Most commissions enjoy substantial discretion in what they can recommend to address the areas within their purview—from sweeping changes to no changes at all. For example, following an evaluation of the government and its charter, a commission may recommend leaving the current charter basically intact. Or a group may recommend a far-reaching change, such as changing the city's form of government. In the end, the best commission recommendations are those based on transparency, diversity, and widespread public involvement. Because a charter is the document that allows citizens to determine their own structure of government within state-prescribed legal limits, a charter is, in many ways, a manifestation of a particular community's values. Each charter is built on a specific set of political and administrative choices that are determined by the values held by local residents.

The final product of this process should be a charter built on widespread agreement on how the local government should function to best serve its residents. However, the charter process can result in even more. The call to action that the charter process requires can awaken a community's sensitivity to the importance and responsibility of civic involvement. If conducted successfully, the charter review process can result in a rebirth of widespread civic-mindedness—a quality that unfortunately is rarely seen in communities in a tangible way.

In the end, it is the community's values that build, alter, or reaffirm the foundation of its local government. In vibrant communities, citizens continually seek out new ways to improve how they govern themselves guided by the constitutional principles incorporated in their city charter. Ongoing refinement of the charter as a tool for effective governance is what the charter review process is all about.

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*Wendy L. Hassett is a clinical associate professor of public affairs at The University of Texas at Dallas. Before joining the faculty there, she worked as an assistant city manager and has over twelve years of experience in local government.*

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## Town of Surfside Commission Communication

**Agenda Item #** 9F

**Agenda Date:** April 10, 2012

**Subject:** Hedges, Walls and Sight Lines and Code Compliance

**Background:** In accordance with concerns previously raised by the Mayor and Town Commission, in November, 2011, the Code Compliance Director conducted a "sweep" of the Town's residential area and identified 22 properties wherein the hedges and/or perimeter walls/fences may be obstructing sight-lines and corner visibility for operators of vehicles and pedestrians at intersections around the Town. Courtesy Notices (Attachment 1) were sent to the affected homeowners via certified mail. Responses were received from some residents and the Director met individually with the respondents. He discussed the Town's concerns, the specifics of the subject Code, and the importance of compliance to minimize the hazard to vehicle operators and pedestrians alike.

**Analysis:** Although the residents the Director spoke with acknowledged the Town's concerns, they felt that speeding was a more prevalent problem. The majority expressed concerns about their loss of privacy and the barrier the hedges/walls provide in the only yard available for their family's recreational use. They also did not necessarily agree with the solutions required by Code, and offered their own assessment and recommended actions, such as: adding more four-way stop signs or relocating stop signs and stop bars; and stepping up enforcement of speeding vehicles. Of the original 22 cases, five are on the way to be resolved amicably and the rest were given specific suggestions and have not responded. In late March, 2012, a second Notice (Attachment 2) was sent to the affected homeowners advising that the violations continued to exist and offering to meet, once again, to address their specific situations on a case-by case basis. No response has been received to the most current notice as of the date of this writing. Therefore, these cases will be referred to the Special Master after Civil Citations with fines are issued.

**Budget Impact:** Staff time for inspections and meetings; sending certified mail (return receipt requested), regular mail, and preparation of the Notices and Special Master process.

**Staff Impact:** There is no anticipated staff impact, except for the time and effort required in inspections, meetings, and preparation and mailing of the notices.

**Conclusion:** The Administration will continue to work with each homeowner and attempt to reach a mutually agreed upon solution. However, failure to do so may result in enforcement action, via the issuance of Civil Citations which carry a \$100 per day fine until such time as compliance is attained. We wanted you to be aware that this enforcement action is about to begin in the event you are contacted.

Joe Damien  
Code Compliance Director

Roger M. Carlton  
Town Manager





**Town of Surfside  
Code Compliance**

**COURTESY NOTICE**

November 30, 2011

Case: C \_\_\_\_\_

John & Mary Resident  
123 – ABC Street  
Surfside, FL 33154

Certified Mail No. XXX XXX XXX XX

**PROPERTY: 123 – ABC Street, Surfside FL 33154**

**SUBJECT: Hedges/Foliage Obstructs Corner Visibility for Vehicular and Pedestrian Traffic**

Dear Mr. & Mrs. Resident,

I write you on behalf of the Town of Surfside with regard to its efforts to inform and assist its residents and the business community in gaining a better understanding of the Town's Municipal Codes and Ordinances and assist with the process of complying with these regulations.

I would like to bring to your attention an issue of concern that has been identified on your Property that is negatively impacting the safety and welfare of the Town's residents and visitors, and needs to be addressed as soon as possible.

The hedges, bushes and other foliage growing on your property and located in the vicinity of the intersection of ABC Street and 1st Avenue, are not permitting drivers and pedestrians to have clear sightlines at the roadway intersections and creating a hazard for vehicular and pedestrian traffic. Below, for your information and use, are excerpts of the specific Town Code sections (or Ordinances) which address this issue (Also see attached Diagram).

*Sec. 90-88. (8) - Maintenance of landscaped areas*

*Shrubs and hedges shall be maintained that such plant materials do not obstruct clear sight triangles and promote vehicular and pedestrian visibility. Also, hedges planted along property lines shall be maintained and trimmed to prevent branches from extending over and/or touching structures on adjacent properties.*

*Sec. 90-92 - Sight triangles and clearances*

*When the subject property abuts the intersection of one or more streets or access ways, all landscaping within the triangular area located within 25 feet of the intersection of the front and side street property lines shall provide unobstructed cross-visibility at a*

***level between 30 inches and eight feet, with the exception of tree trunks that do not create a traffic hazard. The property owner shall be responsible for maintaining all landscaping within the cross-visibility triangle. Landscaping, except required turf and groundcover, shall not be located closer than five feet from the edge of any roadway and three feet from the edge of any alley or pavement. All sight triangles shall be indicated on the landscape plans.***

The Town hereby requests your cooperation in trimming, cutting and/or removing any hedges, bushes, plants, trees and other foliage (or any other physical obstructions) that lie within the site triangle of visibility as provided in the Code. Specifically on your property the hedge, trees, bushes or other foliage located on the N.W. corner of your property must be removed, cut-back or trimmed no later than 10 days from receipt of this letter. Your cooperation will be greatly appreciated.

If you have any questions or need any additional information, please do not hesitate to call me at (305) 861-4863, ext. 230. We will be glad to meet you on-site to reach an agreement on the required remediation.

Thank you,

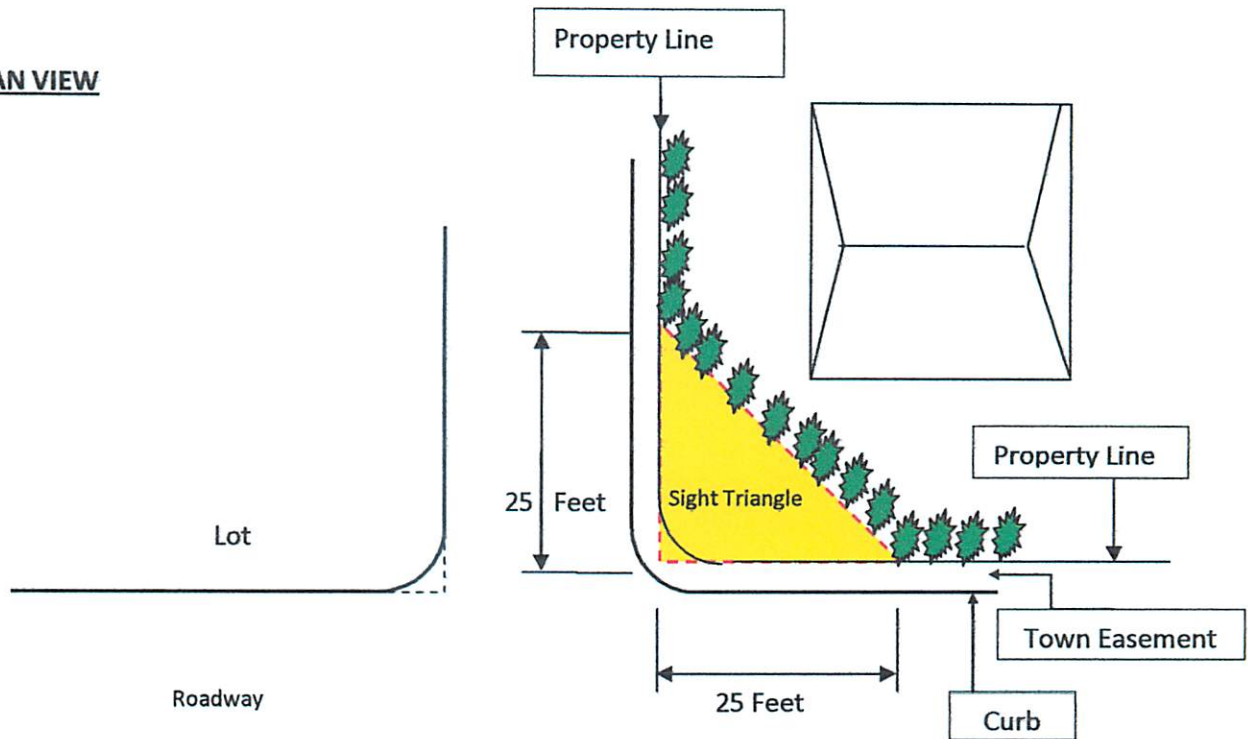
Joe Damien

Code Compliance Director  
Town of Surfside

Attachment: Sight Triangle Diagram

## SIGHT TRIANGLE DIAGRAM

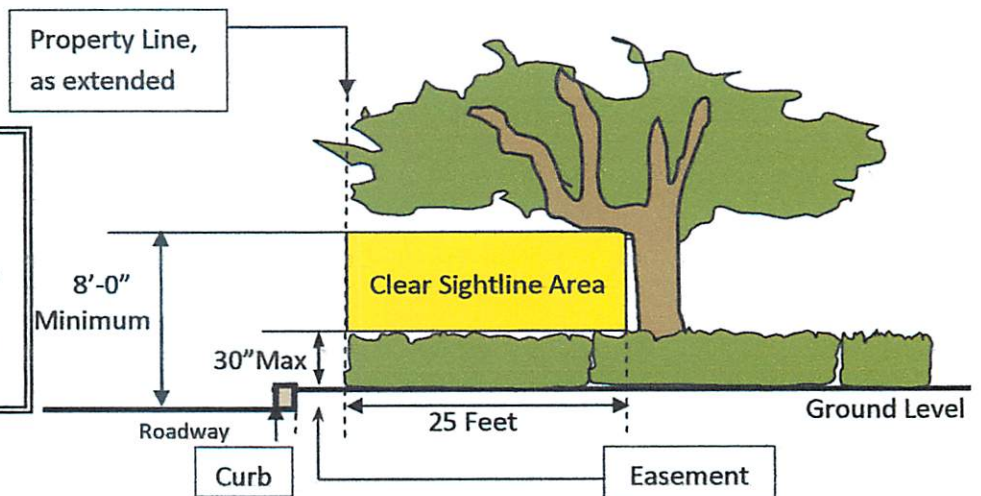
### PLAN VIEW



**NOTE:** Your property lines may or may not be set back away from the concrete curb of the roadway and should be checked against your property survey to ensure accuracy. In many instances there is a Town Easement between your property line and the curb/edge of the roadway.

### ELEVATION VIEW

Any wall, fence, hedge, shrub, bush, tree or other obstruction within the Sight Triangle must be less than 30 inches in height and provide a clear unobstructed view up to 8 feet in height.







**Town of Surfside  
Code Compliance Department**

March 30, 2012

John & Mary Resident  
123 – ABC Street  
Surfside, FL 33154

**PROPERTY: 123 – ABC Street, Surfside FL 33154**

**CASE: C2012-XX**

**SUBJECT: Hedges/Foliage Obstructs Corner Visibility for Vehicular and Pedestrian Traffic**

Dear Mr. and Mrs. Resident,

On November 30, 2011, I wrote you regarding an issue of concern that was identified on your Property associated with your hedges, shrubs and street corner visibility.

To date, the problem still persists, and the hedges, bushes and other foliage growing on corner of your property that is located in the vicinity where the streets intersect, continue to obstruct the sightlines at the roadway intersections and create hazard for vehicular and pedestrian traffic.

As I wrote you previously, the Town hereby requests your cooperation in trimming, cutting and/or removing any hedges, bushes, plants, trees and other foliage (or any other physical obstructions) that lie within the site triangle of visibility as provided in the Code. As such, we respectfully request that the hedge, trees, bushes or other foliage on the corner of your property (in proximity to the street intersection) be removed, cut-back or trimmed no later April 6, 2012. Your cooperation will be greatly appreciated.

I once again ask that you please contact me at (305) 861-4863, ext. 230 and advise as to whether you intend to comply with the terms of the Courtesy Notice you received, or if you may need additional time. The Town will make every effort to work with you on providing a reasonable timeline. However, failure to comply will result in the issuance of a Civil Violation Notice, including daily fines.

I remain available to meet with you and offer recommendations and specifics on how to bring your Property into compliance.

Thank you,

Joe Damien  
Code Compliance Director



**Town of Surfside  
Town Commission Meeting**

**April 10, 2012**

**7:00 pm**

Town Hall Commission Chambers - 9293 Harding Avenue, 2<sup>nd</sup> Floor  
Surfside, FL 33154

**DISCUSSION ITEM MEMORANDUM**

**Title:**               **Commission Priorities**

**Objective:**       To direct the Town Manager to convene a priority-setting workshop as part of the annual budgeting process.

**Consideration:** During the past two years we have seen extraordinary progress in all elements of the Town's operations. The credit for this must be shared by the Town Commission, the Administration, and our citizens who contribute their time and energy to various advisory committees and initiatives that contribute to our shared sense of community.

We have all discussed the need for prioritization to help focus and balance the incredible amount of work needed of staff, while allowing for meaningful stakeholder engagement as we develop appropriate policies that address the many challenges and opportunities over the next two years and beyond.

To that end, I requested the Town Manager to develop a preliminary list of Level One Priorities. Level one is defined as those activities which should be decided or completed during the next twelve months. Attached is a list of 25 items that are currently viewed as Level One Priorities by the Town Administration based on reactions to the Points of Light as well as numerous interactions with the Town Commission members, the various advisory groups and citizens. These 25 items are certainly not all-inclusive and are listed without any judgment as to priority from the Commission and without any consensus reaction from the Town.

It is our collective responsibility to review and amend this list as well as set Level Two Priorities (12 to 24 months) and Level Three Priorities (24+ months) priorities as soon as the new Town Commission is fully seated. I suggest that this is best accomplished through a public workshop so that we can appropriately engage the community in this discussion.

## **LEVEL ONE PRIORITIES**

1. Complete the Water/Sewer/Storm/Drainage project
2. Go/No-Go decision on undergrounding power lines and related utilities
3. Go/No-Go decision on parking structure
4. Go/No-Go decision on Downtown Business Improvement District
5. Go/No-Go decision on Community Center second story
6. Upgrade the website/content/options, including opt-in subscription services
7. Upgrade the existing parking lots
8. Complete the Town-wide signage program
9. Enhance the code enforcement program
10. Charter reform
11. Reassess the Zoning Code
12. Continue to reduce the tax burden of residential property owners
13. Protect Town from Bal Harbour Shops expansion
14. Develop an effective beach management program in cooperation with Miami-Dade County and State of Florida (no concessions)
15. Determine the appropriate level of service and cost for solid waste/recycling program
16. Develop a succession plan for key positions
17. Enhance financial transparency – budget, clerk records
18. Continue to elevate the level of service and accountability at Town Hall (platinum-level service for citizen response)
19. Improve inter-governmental cooperation
20. Secure County commitment for the sewer force main north
21. Develop a Tourism and Economic Development Advisory Committee strategic plan
22. Restore the FEMA flood insurance discount
23. Build General Fund reserve to \$5 million
24. Build Water/Sewer/Storm Drainage reserves to avoid rate increases when possible
25. Continue to beautify Surfside's physical appearance



# Memorandum

**To:** Mayor Daniel Dietch and Members of the Town Commission

**From:** Sheldon Lisbon, Commissioner

**Date:** April 10, 2012

**Subject:** Hatzala Emergency Medical Services (EMS) for the Town of Surfside

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Hatzala is a volunteer organization that assists Miami-Dade County Fire and Rescue handle EMS calls predominantly with the Orthodox community. Hatzala has an agreement with Miami-Dade County Fire and Rescue that provides services where necessary. The purpose of this communication is to request the Town Manager to meet with Miami-Dade County Fire and Rescue and Hatzala to ensure that the service is available to Surfside residents. It is requested that a report be made to the Town Commission during the May 8, 2012 Meeting.



**Town of Surfside  
Commission Communication**

**Agenda Item #** 9I

**Agenda Date:** April 10, 2012

**Subject:** Police Vehicle Lease Program – Phase II

**Background:** During the June 14, 2011 meeting the Town Commission approved the purchase of ten (10) vehicles for Phase I of the Vehicle Replacement Program. This program involves replacing a select number of older, high mileage vehicles each year over a five year period in an effort to keep the fleet modern while reducing maintenance and fuel costs. The new vehicles were leased and due to the excellent finance rate (1.5848 percent) generated via a bid process Staff was able to purchase extended warranty coverage for five years or 75,000 miles which will further reduce maintenance/repair costs.

The Police Department is requesting to implement Phase II of the Vehicle Replacement Program and replace six (6) 2005 model year vehicles in the fleet with an average of 110,000 miles on the odometer with six 2012 Dodge Chargers. The Dodge Chargers are fuel efficient six cylinder vehicles.

The six vehicles will be leased under a municipal leasing program in conjunction with the Florida Sheriffs Association Bid Contract. Staff will prepare an RFP for qualified financial institutions to provide lease financing for a term of four (4) years. At the end of the 48 month lease the Town would own the vehicles. The six replaced vehicles will be sold at auction.

The last date to place an order for 2012 vehicles is April 27, 2012. Pricing for the 2013 model is expected to increase three to four percent.

**Budget Impact:** The 2012 Dodge Charger police vehicle can be purchased under the Florida Sheriffs Bid Contract price of \$21,999. There are additional costs of approximately \$4750 on four of the vehicles which includes graphics, emergency equipment and installation. The cost to lease six (6) vehicles is estimated to be \$46,620. per year for four years funded through the Police department budget. The amount financed includes a five year or 75,000 mile extended warranty.

**Analysis:** Replacement of these vehicles will ensure the safety and efficiency of the fleet and our personnel. This long term vehicle replacement policy will keep our fleet modern, safe and efficient while reducing maintenance and fuel costs.

The early approval of Phase II of the Vehicle Replacement Program will allow us to avoid expected price increases for the 2013 model. The FY 12/13 budget has been prepared with this cost included.

The Town Commission should be aware that Staff is recommending a long term commitment to modernize the fleet; however, the determination to implement the program will still be made each year based on available resources.

**Staff Impact:** N/A

**Recommendation:** It is recommended that the Surfside Town Commission approve the lease of six (6) police vehicles in FY12/13 at an estimated annual cost of \$46,620 for four years.



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John Di Censo  
Assistant Chief



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Roger M. Carlton  
Town Manager



**Town of Surfside  
Town Commission Meeting**

**April 10, 2012**

**7:00 pm**

Town Hall Commission Chambers - 9293 Harding Avenue, 2<sup>nd</sup> Floor  
Surfside, FL 33154

**DISCUSSION ITEM MEMORANDUM**

**Title:** Student Scholarship Program

**Objective:** To direct the Town Manager to develop a Student Scholarship Program.

**Consideration:** Historically, Surfside provided modest scholarships that recognized outstanding students. The program was administered by the Education Committee, which no longer exists. It is recommended that the Town Manager develop a policy that formalizes the program and that it be in place such that scholarships can be advertised and offered this academic year.