

MEMORANDUM
FROM THE OFFICE OF THE CITY MANAGER

To: Mayor and City Commission

From: Pam Brangaccio, City Manager *PBS*

Re: City Manager's Report – February 23, 2016

Date: February 15, 2016

Just a reminder of a couple upcoming events; Wednesday, February 24th the Marianne Clancy Park Groundbreaking; February 27 & 28th the 54th annual Art Fiesta will take place in and around Old Fort Park.

Attached is the February 2016 Economic Development Newsletter outlining commercial and residential projects underway in the City. Tony Otte prepares the report monthly for distribution.

There have been two meetings of the Body-Worn Camera Advisory Group at the Police Department over the last two weeks. An overview of the proposed program was presented at this public meeting Please see attached meeting agenda; which includes a draft policy and procedure directive for the body worn cameras.

The CM and the Mayor attended the Volusia County Elected Officials Round Table Luncheon on Monday, February 8th where a presentation was given on Homelessness.

On Tuesday, February 9th the CM met with Reverend Dove in regard to continuing discussion on the Homelessness issue, and attended the February 15th meeting at the AME Church with Economic Development/CRA Director Tony Otte and Community Resource Coordinator Donna Banks; where Safe Harbor was discussed.

The CM, ACM and the Golf Course Manager Gary Wintz did a site visit to the Grand Club Golf Course in Palm Coast on Wednesday, February 10th. An agenda item is being prepared for the February 23rd agenda of an upcoming refurbishment.

The furniture and flooring choices for the Babe James Center have been narrowed down at a meeting that included CIP Manager Michelle Updike and Leisure Services Director Nancy Maddox. Samples are in the Commission Office.

The CM met with residents of the proposed Shadow Pines annexation area to discuss their interest in the details of how the annexation would affect the residents.

A meeting with the Utilities Commission General Manager Ray Mitchum was rescheduled for Thursday, February 18th. The CM and ACM Khalid Resheidat discussed with Mr. Mitchum the Swoope parking expansion and a possible joint Fleet Maintenance Facility between the City and the UC.

A plaque of appreciation was presented to Bill Roe of Ocean Properties; by the CM, ACM and the Maintenance Operations Director in recognition of his generous donations toward the 3rd Avenue Landscaping Project.

Please see attached a notice of a public meeting for the Cunningham Drive Drainage Improvements Project which took place on Wednesday, February 17th at the Babe James Community Center. This notice was sent out to residents in the impacted areas of Inlet Shore to invite them to share the preliminary design with them.

Please see attached press release regarding the new Adopt-a-Park Program for City parks. The adoptive groups will be participating monthly with duties such as: picking up litter, pulling weeds, spreading mulch, planting foliage and keep the City apprised of any maintenance needs on an ongoing basis for a period of one year. The City would supply needed tools, equipment and materials for projects.

A preliminary meeting to discuss the 2016 Annual Call for Projects was held on Thursday, February 18th. The meeting included the CM, ACM, Planning & Zoning Director Amye King, and other key staff members who will be involved in the process. The River to Sea Transportation Planning Organization (TPO) has begun accepting transportation project funding applications for the Priority Project Process. The deadline for submittal of all project funding applications is 12:00 pm on Friday, April 1, 2016.

Please see attached email with a synopsis of the status of the Citywide Pre-emption Signal System provided by Fire Department Division Chief Randy Wright.

Should you have any questions or need additional information or clarification, on any of the items presented in this report, please let me know.

Subject:

News release: Feb. 24 ground breaking on NSB beachfront park

February 10, 2016

News media contact:

Michelle Updike, capital projects manager
(386) 424-2207

NEWS FOR IMMEDIATE RELEASE

NSB to break ground on beachfront park Feb. 24

New Smyrna Beach's new beachfront park has been named. Now it's time to build it. The City Commission will break ground on Marianne Clancy Park at 3 p.m., Wednesday, February 24, at the site, 901 S. Atlantic Avenue. Representatives from the Volusia County Council also may attend this public ceremony.

The 1.4-acre park will include 70 spaces of off-beach parking, handicapped-accessible beach access, shaded picnic pavilions, landscaping, and a restroom facility.

The project cost is \$845k, which is being funded by a \$335k Volusia County ECHO Grant. The City of New Smyrna Beach is funding the remainder of the project. Volusia County has agreed to lease the park land to the City for beachfront park development. The agreement is for 40 years with options extending for a total of 60 years.

Construction is expected to be completed in fall 2016.

Last spring, citizens provided suggestions as part of a Name the Park Contest. The selected name – Marianne Clancy Park, was submitted by longtime area resident Mike Martin. According to Martin, he submitted Clancy's name in recognition of her strong and continuous support of charitable fundraising for local causes.

A project rendering is online at cityofnsb.com/new-beach-park. For more information, please contact Michelle Updike, New Smyrna Beach capital projects manager, at 386.424.2207.

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ECONOMIC DEVELOPMENT NEWSLETTER ***February, 2016***

✓ US 1 Revitalization takes a big step forward!

The revitalization of US 1 has received a major boost from Dr. Rajesh Ailani!

Dr. Ailani purchased the former Daytona Beach Community College building at 699 N Dixie Freeway (SE corner of US 1 and Wayne Ave) last August, and work is well underway to renovate the existing building on the 1.2 acre site. When the extensive renovations are complete the building will re-open as the Brilliance Assisted Living Facility. The new adult congregate living facility will feature 54 beds and various amenities including a swimming pool. Parking for the new facility will include spaces off the alley behind the building in conjunction with an easement granted by the adjacent church.

Dr. Ailani's office is also located on US 1 about one-half mile north of the Brilliance ALF site.

The revitalization of US 1 is a priority listed in the draft Economic Development Plan Update and the new US 1 CRA. Several years ago the revitalization of Canal St received a similar boost when the three largest vacant buildings were purchased or leased and put back into productive use. Once those three large buildings were filled, the vacant smaller space also filled in.

It is anticipated that the new facility will result in increased economic activity in the area, as residents and visitors will shop and dine nearby, in addition to providing approximately 25 new jobs. The renovation is also expected to encourage the redevelopment of other US 1 properties.

✓ Many Prominent Projects Are Underway!

In addition to the former Daytona Beach Community College building, there continues to be progress for a number of other prominent projects:

Private Property Projects

- Sav-a Lot Grocery: to be located on south US 1 in the space formerly occupied by Ace Hardware; building now being remodeled.

- Tabby House, across Julia St from City Hall: site work underway.
- Brilliance Assisted Living Center (former Daytona State Community College Building) on US 1 at Wayne Ave: as noted above, construction underway.
- Riverwalk Condos, NW area of North Causeway: construction continues on the first building, six stories, 36 units.
- Concordis Assisted Living Facility, construction is now underway for this two-story assisted living and memory treatment facility with 115 beds at the NE corner of SR 44 and Myrtle.
- Development at Colony Park Rd, NE corner with SR 44, across from Murphy Gas Station: Construction continues on the 2 office buildings; and construction underway on the Aldi Grocery store on the corner.
- WaWa, planned for the area in front of the former K Mart store at SR 44 and Old Mission/Wallace Rd: plans are in review.
- Spring Hill Suites hotel on the beach near Breakers: plans are in review.

City Projects

- North Causeway Beautification: Construction is underway to add trees and several medians. Scheduled completion: Late Spring
- New Civic Center: Construction is well-underway. Scheduled completion: Late 2016.
- SR 44 Sewer line (assessment project): Design is complete; project to be managed by the Utilities Commission.

✓ *News Briefs*

- Job Fair: Daytona State College on 10 St will host a job fair on March 3. Contact Debra.Manning@daytonastate.edu or call 506-3369 for booth space to recruit employees. Seniors from NSB High School will also attend.
- Economic Development Plan Update, Final Draft: will be presented to the City Commission at a regular meeting February 23, or in March.
- New Planning & Zoning Director: Amye King started Monday, February 1. Amye will be the featured guest on WSBB 1230 AM on February 9 at 8:30 am.
- City Department Move: the Planning, Building, Engineering, and Code Enforcement Departments have moved to 2650 N Dixie Freeway – the corner of US 1 and North St - about one-third of a mile north of the Airport.

✓ *Business Resources*

- Business Planning Information available at no charge:
 - The “City Ready” service provides a meeting at no charge with City staff members to discuss how to maximize the use of a commercial building and/or property. Such meetings normally take less than 30 minutes and provide a wealth of useful information for business planning. Please call Tony Otte CRA/Economic Development Director, (386) 566-3941 (cell phone).

- For information concerning commercial and industrial properties, demographic data identifying potential customers, traffic counts, and city-related questions: call Tony Otte, CRA/Economic Development Director, (386) 566-3941 (cell phone).
- Assistance with hiring employees: Career Source Flagler Volusia, 329 Bill France Blvd, Daytona Beach. (386) 323-7001
- Training Opportunities:
 - Training offered at Daytona State College
 - Mechanical Systems Troubleshooting, February 23 - 26, 8am – 5 pm, DSC Advanced Technology College, 1770 Technology Blvd, Daytona Beach. \$1,520. Contact Joanne.Parker@Daytonastate.edu or call (386) 506-4224
 - Training offered by SCORE
 - Score offers many NO CHARGE business training classes on a variety of subjects. For more information go to Score87.org or info@Score87.org.
 - Two SCORE classes upcoming at DSC, 1200 international Speedway Blvd in Daytona Beach, Bldg 150, Room 100; call Bobbi at (386) 255-6889:
 - “What do you do when the bank says no?” – Thursday, February 11, 6 – 8 pm
 - “Path to Profitability: First Know Your Financial Basics” – Thursday, February 25, 6 - 8 pm.
- NO CHARGE Business Assistance – Expansion for Existing Business
 - Volusia County Department of Economic Development: (386) 248-8048 – services include exporting assistance
 - Small Business Development Center at Daytona State College: (386) 506-4723 – services include preparation of business plans, assistance in seeking loans, business consulting.
- NO CHARGE Business Assistance – Entrepreneurs
 - SCORE: (386) 255-6889 – including preparation of business plans.
- City Property Tax Exemption for expanding businesses: In November 2014 voters approved a Tax Exemption program that provides expanding businesses that meet program criteria with abatements of City property taxes. If your business is in the expansion mode please call Tony Otte (contact information below) for further information.
- Assistance with Environmental Site Assessments: The cities of New Smyrna Beach, Edgewater, and Oak Hill have jointly been awarded a US EPA grant to provide environmental site assessments, free of charge, for approved sites. The Phase 1 and Phase 2 assessments are performed to identify contaminants including soil and groundwater pollutants, mold, asbestos, lead paint; and in some cases grant funds may be used for the removal of underground storage tanks.
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- For information on how to apply please contact: Ms. Donna Banks:
dbanks@cityofnsb.com or (386) 314-4849.
- For prominent Commercial/Industrial properties for sale or lease, please go to Volusiasites.com and click on New Smyrna Beach. Sites can be added to this list by contacting Tony Otte (contact information below).

*For further information contact Tony Otte: totte@cityofnsb.com;
or call 386.566.3941 (office/cell)*

**New Smyrna Beach Police Department
New Smyrna Beach, Florida**

**Body-Worn Camera Advisory Committee
Meeting Agenda
February 8, 2016**

- 1. Welcome and overview**
- 2. Discussion of draft directive**
- 3. Deliverables for next meeting**
- 4. Adjourn**

NEW SMYRNA BEACH POLICE DEPARTMENT
NEW SMYRNA BEACH, FLORIDA

POLICY AND PROCEDURE DIRECTIVE

TITLE: BODY WORN CAMERAS (BWC)
NUMBER: 17-13
EFFECTIVE:
REFERENCE: CFA STANDARD 17.13M, 32.02M
RESCINDS/ AMENDS: NEW
REVISED:
ATTACHMENTS: SENATE BILL 248 (SUMMARY) AS ENACTED 07/01/15

PURPOSE

This directive is intended to provide s with guidelines on when and how to use body-worn cameras so that officers may reliably record contacts with the public. Additionally, recordings will provide;

- Additional layer of documentation for incidents, actions, contacts, events, and statements made during citizen contacts, arrests and critical incidents for the enhancement of reports, collection of evidence, and court testimony.
- The enhancement of this Department's ability to review probable cause for arrest, arrest procedures, and suspect interaction, and evidence for investigative purposes, as well as for evaluation and training.
- Enhanced transparency and community engagement in an overall effort to improve the public trust.

POLICY

It is the policy of the New Smyrna Beach Police Department that officers shall activate the body worn camera when such use is appropriate to the proper performance of his or her official duties, where the recordings are consistent with this policy and current law.

The use of body-worn cameras is only one method of documenting the official performance of an officer's actions and is in no way meant to replace the officer's submission of any and all required reports. It is the policy of the New Smyrna Beach Police Department that all audio, images and media associated with the body-worn camera operation are the express property of the City of New Smyrna Beach and will not be copied, released or disseminated in any form or manner outside the parameters of this policy without the express written consent of the Chief of Police.

Additionally, it is the policy of the police department to record citizen contacts with body worn cameras when officers have been dispatched to calls for service or during self-initiated activity when enforcement action is likely or anticipated. Examples include, but are not limited to: (CFA 17.13M-B, 32.02M-B)

- Traffic Stops

- Criminal investigations
- Pursuits (vehicle and/or foot)
- Field interviews
- Citizen contacts of an official nature

The use of body-worn cameras on special event details or outside details will be at the discretion of the on-duty supervisor. Regardless of the aforementioned descriptions of required use, any encounter with the public that becomes adversarial or confrontational shall be recorded as soon as safely possible and will continue until the contact is concluded.

Only those Officers who have received training in the use of Body Worn cameras may operate the same. Training shall be documented. *(CFA 17.13M-A, 32.02M-A)*

PROCEDURE

17.13.1 When beginning their tour of duty, officers will inspect the BWC and conduct a test recording to insure the unit is functioning correctly. Damaged or improperly operating units will be reported to a supervisor.

- Officers will verbally log on with his/her name, employee number, date and time. The officer will record the name of any person riding along as an observer at any time during their tour of duty.
 - The officer will play back the recorded information to ensure the recorder is operating properly prior to assuming patrol duties or handling a complaint.
- For officers logging into CAD via a Mobile Data Computer (MDC), “BWC” will be entered as a secondary operator at logon. Officers without a MDC will advise Central Communications that they have a body-worn camera when logging on verbally.
- Units that malfunction or become inoperable during their tour of duty will be reported to the on-duty supervisor as soon as possible.
- Cameras shall be affixed in accordance with camera design and training.
- Officers are responsible for the proper care and use of body worn cameras.

17.13.2 Only department issued BWC’s will be used by officers. All data, images, video, and metadata captured, recorded, or otherwise produced by the equipment is the sole property of the agency. Additionally, officers;

- Shall not edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner BWC recordings without prior authorization and approval of the Chief of Police. *(CFA 17.13M-C, 32.02M-C)*
- Requests for deletion of portions of the recording (e.g., in the event of a personal recording) must be submitted in writing and approved by the Chief of Police or his/her designee. All requests and final decisions shall be kept on file in accordance with the state’s public retention schedule.
- Officers are encouraged to inform their supervisors of any recording that may be of value for training purposes.

17.13.3 Officers will activate the BWC to record all contacts with citizens in the performance of their official duties. *(CFA 17.13M-B, 32.02M-B)*

- It is understood that not all situations will clearly start out as a law enforcement encounter requiring documentation by the BWC, nor will all recorded events have a clearly defined ending for when the BWC is no longer required.
- If the immediate activation of the BWC is not feasible due to an immediate officer safety risk, the officer will activate the BWC at the first available opportunity after the immediate threat is addressed.

17.13.4 Once activated the BWC shall remain on until the event/contact is concluded.

- If an officer fails to activate the BWC, fails to record the entire event/contact, or interrupts the recording, the officer shall document the reason the recording was not made, was interrupted, or was terminated. Documenting the reasons for not recording a particular incident helps to maintain the agency transparency and accountability, ensures supervisory review of recording irregularities for quality assurance, and explains the absence of video footage for investigations and court proceedings. *(CFA 17.13M-D, 32.02M-D)*
- Civilians shall not be permitted to review the recordings at the scene.

17.13.5 Officers shall note in the appropriate report(s), MobileCom, incident, arrest, Blue Team, citation, when recordings were made during the event in question.

- Officers are encouraged to review the video while preparing their reports to ensure accuracy.

17.13.6 Recordings will be downloaded to the appropriate server before the officer's tour of duty ends. Evidence submissions shall be documented in accordance with the department's evidence policy. Recordings shall be held and disposed of in accordance with Florida's Public Records Retention Schedule, court order, or at the direction of the State Attorney's Office. *(CFA 17.13M-D,E, 32.02M-D,E)*

- Public records requests shall be handled in accordance with current law public records law, administrative rules or code, and/ or policy and procedure.
 - Body worn camera recordings or a portion thereof, is confidential and exempt for § 119.07(1) and Section 24(1), Article 1 of the State Constitution if the recording:
 - a. Is taken within the interior of a private residence;
 - b. Is taken within the interior of a facility that offers health care, mental health care, or social services; *or*
 - c. Is taken in a place that a reasonable person would expect to be private.
- The agency may disclose a body camera recording in furtherance of its official duties and responsibilities and may also disclose the recording to another governmental agency in the furtherance of its official duties and responsibilities.

17.13.7 A body camera recording, or a portion thereof, shall be disclosed (upon request):

- To a person recorded by a body camera; however, the agency may disclose only those portions that are relevant to the person's presence in the recording;
- To the personal representative of a person recorded by a body camera; however, the agency may disclose only those portions that are relevant to the represented person's presence in the recording;
- To a person not depicted in a body camera recording if the recording depicts a place in which the person lawfully resided, dwelled, or lodged at the time of the recording; however, the agency may disclose only those portions that are relevant to the represented person's presence in the recording

17.13.8 Recordings of evidential value shall be submitted to evidence in accordance with current submission standards. The recordings will be held until the pending case has been adjudicated and/ or authorization for the disposal has been received from the Office of the State Attorney or the Court. *(CFA 17.13M-C,D)*

- Minimally, all other recordings shall be retained for ninety days.

17.13.9 BWC's shall not be used to record personal activity or intentionally activated to record conversations of fellow employees without their knowledge while engaged in non-enforcement related activities. *(CFA 17.13M-C, 32.02M-C)*

17.13.10 If an officer is on a perimeter or assigned to a static post where he/she is not actively part of an

investigation the officer will deactivate the BWC. The BWC will be reactivated if circumstances change to fall under the definition of required use.

17.13.11 The BWC should not be used to record crime scenes or injuries unless incidental while recording another activity that falls under the definition of required use. Established methods such as handheld cameras and still photographs will remain the primary method for recording crime scenes and injuries.

17.13.12 The BWC shall not be used to intentionally or willingly record:

- Interactions with parents of child sexual assault investigations, unless they are the suspect
- Confidential informants or undercover officers
- Conversations with other law enforcement personnel that involves case tactics or strategy
- Inside VCBJ facilities
- Patients during medical or psychological evaluations by clinical or similar personnel, or during treatment including clinical interviews
- Department official administrative investigations
- Personal activity while on a rest break or meal break
- Shift briefings
- When possible, officers should avoid recording exposed areas of the body that could cause embarrassment or humiliation, such as an exposed breast, groin, etc.

SUPERVISORY RESPONSIBILITIES

17.13.13 Supervisors will ensure that officers are utilizing the BWC's in accordance with policy. Periodically, supervisors will;

- Randomly review BWC recordings to ensure that the equipment is operating properly and that officers are using the devices appropriately.

17.13.14 Supervisors will review recordings of all officer involved in an incident involving:

- Injury to the officer
- Injury to detainee(s)
- Response to resistance
- When an officer intentionally or unintentionally discharges a firearm, regardless of whether an individual is struck
- Vehicle pursuits
- Officer involved vehicle crashes
- Citizen complaints
- Documented internal complaints
- As directed by the Chief of Police or designee

New: DMB 00/00

Approved: Signature on File
Chief McKinley D. Coffin, Jr.

Directive 17-13 Body Worn Cameras (pdf)

Rev.

Kosorok, Tammy

From: City of NSB News
Sent: Wednesday, February 10, 2016 7:48 AM
Subject: News release: Parks up for 'adoption' in New Smyrna Beach

News media contact:

Faith Miller, Maintenance operations director
386.424.2202

February 10, 2016

NEWS FOR IMMEDIATE RELEASE

Parks up for 'adoption' in New Smyrna Beach

More than 20 City parks are up for adoption as part of a new program launched by the City of New Smyrna Beach. From small, one-acre pocket parks to larger waterfront public areas with playgrounds, individuals and groups may sign up to clean up a park for one year.

"Well maintained parks not only are a source of pride, they also are key to the quality of life for our residents," said Faith Miller, New Smyrna Beach maintenance operations director. "Having a corps of volunteers to augment the City's limited staff resources will help us to keep our assets aesthetically pleasing and safe."

Adoptive park parents must commit to clean up activities at least monthly and participate, as available, in special projects such as landscaping, Miller said. Picking up litter, pulling weeds, spreading mulch, planting foliage and notifying the City of needed maintenance are typical park duties that would be conducted by volunteers.

Adoptive groups will be recognized on park signage. The City will supply needed tools, equipment and materials for projects.

A list of the 24 parks up for adoption, an application and additional program materials are online at cityofnsb.com/adopt-a-park.

For more information, please call 386.424.2202.

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Kosorok, Tammy

From: Brangaccio, Pam
Sent: Monday, February 8, 2016 12:41 PM
To: Kosorok, Tammy
Subject: Fwd: PUBLIC MEETING: Cunningham Drive Drainage Improvements Project (6pm - 2/17/16 @ Babe James Community Center)
Attachments: Cunningham Drive Drainage_Public Meeting.pdf; ATT00001.htm

print copies and place in commission boxes.

Sent from my iPad

Begin forwarded message:

From: "Updike, Michelle" <mupdike@cityofnsb.com>
Date: February 8, 2016 at 10:05:35 AM EST
To: "Brangaccio, Pam" <pbrangaccio@cityofnsb.com>, "Hathaway, Jim" <jhathaway@cityofnsb.com>, "Reiker, Judy" <jrieker@cityofnsb.com>, "McGuirk, Jason" <jmcguirk@cityofnsb.com>, "Jones, Kirk" <kjones@cityofnsb.com>, "Sachs, Jake" <jsachs@cityofnsb.com>
Cc: "Resheidat, Khalid" <kresheidat@cityofnsb.com>
Subject: PUBLIC MEETING: Cunningham Drive Drainage Improvements Project (6pm - 2/17/16 @ Babe James Community Center)

All-

Attached is the notice being mailed to residents in the impacted areas of Inlet Shores for the Drainage Improvements on Cunningham Drive inviting them to a public meeting on 2/17/16 @ 6pm in the Babe James Community Center.

All other public meeting facilities were booked this week, so we opted to host this meeting in the new multi-use room of Babe James.

The intent of the meeting is to share the preliminary design with residents.

Thank you,

Michelle M. Updike
Capital Projects Manager
City of New Smyrna Beach
386.424.2207



Cunningham Drive Drainage Improvements Project

Public meeting

6:00 - 6:30 p.m., Wednesday, February 17, 2016

at the

Babe James Community Center

201 N. Myrtle Avenue

New Smyrna Beach, FL 32168

The City of New Smyrna Beach staff would like to meet with residents located in the Inlet Shores development specifically for some residents who might be directly affected along Cunningham Drive to share with you proposed stormwater drainage improvements to this area.

The purpose of the meeting is to present the preliminary design information in order to collect feedback and to help answer questions from local residents.

For more information, please contact the City of New Smyrna Beach Maintenance Operations Department at (386) 424-2207 or by email at mupdike@cityofnsb.com

Two or more City Commission members may be present.

U.S. Department of Homeland Security
FEMA Region IV
3003 Chamblee Tucker Road
Atlanta, GA 30341



FEMA

February 8, 2016

The Honorable James Hathaway
Mayor, City of New Smyrna Beach
210 Sams Avenue
New Smyrna Beach, FL 32168

Subject: Community Coordination and Outreach (CCO) Meeting and Public Open House for Volusia County, FL.

Dear Mayor Hathaway:

A final coordination and open house meeting to discuss the preliminary Flood Insurance Study (FIS) for your Community, resulting from the Northeast Florida Coastal Study, is scheduled for Thursday, February 25, 2016 from 10am to 12pm. Representatives from FEMA Region IV, the State and the Engineering Study Contractor will be present and conduct the meeting. Volusia County is also invited to attend this important meeting.

On January 21, 2016, copies of the preliminary Flood Insurance Rate Maps (FIRM) and associated FIS text were sent to you, which identified the flood risk in Volusia County and Incorporated Areas. An important and necessary component of this process is to offer an opportunity for you, local officials, and your citizens to review the FIS and FIRM. Please compare your current map with the preliminary map and make note of any changes which may affect your citizens. This will enable you to make appropriate notifications to residents. We have enclosed two scheduled sessions, the first to be attended by local officials, and the second for the general public.

<u>Volusia County Local Official's Meeting</u>	<u>Volusia County Public Open House</u>
Date: Wednesday, February 25, 2016	Date: Wednesday, February 25, 2016
Time: 10:00 AM – 12:00 PM EST	Time: 4:00 PM – 7:00 PM EST
Place: Port Orange Regional Library 1005 City Center Circle Port Orange, FL 32129	Place: Port Orange Regional Library 1005 City Center Circle Port Orange, FL 32129

Residents and business owners of Volusia County, Florida and Incorporated Areas are invited to attend an open house to learn how and why the local risk of flooding has changed, how the proposed new flood maps will be used, and steps they can take to protect themselves from the extensive damage that floods often cause.

At the open house, community officials, FEMA representatives, the Engineering Study Contractor and insurance representatives will be on hand to answer questions about flood risk changes and review the proposed new flood maps. They will also help residents and businesses determine if their property may be subject to any related insurance requirements and explain how property owners affected by the change may be able to reduce future insurance costs. The format of the Public Open House is very informal. No presentations are made and there are no formal questions or statements from the public. We encourage you to publicize this event to reach homeowners, insurance agents, developers, and representatives of lending institutions or anyone who may be impacted by the proposed flood maps. A sample Open House advertisement is enclosed for your use.

The preliminary study will be subject to a 90-day review and appeal/comment period, which will begin approximately one month after this meeting. If any appeals/comments are received during that time, FEMA will review and resolve them prior to initiating the subsequent 180-day Community compliance period. Therefore, it will take at least nine months, from the beginning of the 90-day review period to the end of the compliance period, before the preliminary FIRM/FIS becomes effective for lending and insurance purposes. The appeal/protests process will be discussed at the meeting.

The revised FIS is considered an update to the currently effective FIS. This revised study, when it becomes effective, may result in increases and/or decreases to the regulatory flood elevations and/or width of the floodplain boundaries, depending upon the identified flooding conditions. It will be the basis for your Community's continued application and enforcement of all local floodplain management regulations required in conjunction with the participating criteria of the National Flood Insurance Program (NFIP). Revisions to your existing floodplain management ordinance may be necessary to incorporate changes. In addition, when the new flood study and maps become effective the Community's ordinance must reference the effective date of the new study and associated maps.

It is important that your floodplain administrator and representatives of the building/permitting department, planning and engineering offices be in attendance at the local official's meeting. You may also wish to consider inviting elected officials to the meeting so that they may be apprised of the forthcoming changes to the FIS.

The requirement of your local ordinance requires that any study data be used as "best available data". The study should be considered "best available data" in the following instance(s):

1. When development is proposed within any newly identified Special Flood Hazard Area (SFHA) on the preliminary maps but shown outside of a currently effective SFHA on the currently effective FIRM.
2. Where a base flood elevation (BFE) is shown on the preliminary maps, in areas presently shown as an unnumbered A Zone with no elevations on the currently effective FIRM.
3. Where a BFE on the preliminary maps exceed those identified on the currently effective FIRM, the elevation should be used for regulatory purposes.

We encourage you to visit the FEMA website, which may be accessed at www.fema.gov. There is a great deal of information available regarding the many Agency programs, its structure, purpose, and operation.

We appreciate your cooperation in this matter, and look forward to meeting with you. If you have questions or need additional information please contact Patrick Lawson, Taylor Engineering, at 904-256-1326, or the FEMA Region IV Project Officer assigned to your community at 770-220-5406

Sincerely,

A handwritten signature in black ink that reads "Robert E. Lowe". The signature is written in a cursive style with a long horizontal line extending to the right.

Robert E. Lowe, Chief
Risk Analysis Branch
FEMA Region IV

Enclosure
Open House Sample Advertisement

cc: Kyle Fegley, Flood Plain Administrator, City of New Smyrna Beach
Steve Martin, State NFIP Coordinator

Bcc: Jesse Munoz, Region IV Mitigation Division Director (via email, without enclosures)
Mark Vieira, Region IV RA Engineer (via email, without enclosures)
Christina Lindemer, Region IV RA Engineer (via email, without enclosures)
Henrietta Williams, Region IV NFIP Outreach Specialist
Jason Hunter, Region IV FM&I (via email, without enclosures)
Cheryl Johnson, RSC 4 (via email, without enclosures)
FEED Case File

Open House to Highlight Changes to Flood Risk and Introduce Proposed New Flood Maps

If you live or do business in the following areas, your flood risk may have changed.

- City of Daytona Beach
- City of Deltona
- City of Flagler Beach
- City of New Smyrna Beach
- City of Ormond Beach
- City of Port Orange
- Unincorporated areas of Volusia County
- City of Daytona Beach Shores
- City of Edgewater
- City of Holly Hill
- City of Oak Hill
- Town of Ponce Inlet
- City of South Daytona

Learn about your risk of flooding, what the new flood maps mean to you, and steps you can take to protect yourself from the extensive damage that floods often cause.

Volusia County Public Open House

Date: Thursday, February 25, 2016
Time: 4 PM – 7 PM EST
Place: Port Orange Regional Library
1005 City Center Circle
Port Orange, FL 32129

Community officials, FEMA representatives, the Engineering Study Contractor, and insurance representatives will be on hand to answer your questions. Contact [INSERT LOCAL COMMUNITY CONTACT INFORMATION] to learn more.

Kosorok, Tammy

From: Brangaccio, Pam
Sent: Monday, February 15, 2016 1:43 PM
To: Kosorok, Tammy
Subject: Fwd: Preemption

Add to CM report as attachment.

Sent from my iPhone

Begin forwarded message:

From: "Anglin, Greg" <ganglin@cityofnsb.com>
Date: February 15, 2016 at 11:05:19 AM EST
To: "Brangaccio, Pam" <pbrangaccio@cityofnsb.com>
Subject: FW: Preemption

Per your request.

-----Original Message-----

From: Wright, Randy
Sent: Friday, February 12, 2016 3:49 PM
To: Anglin, Greg
Cc: Fegley, Kyle
Subject: RE: Preemption

I think this will cover it.

Synopsis on FM#436472-1 NSB Citywide Pre-emption Signal System

Based on the latest communication by Lisa Buscher, FDOT's Local Government Agreements District, Local Government Program Administrator, suggest FDOT is wanting to review the City's proposed bid package composed by the City's Engineering department and TEDS (Traffic Engineering Data Solutions) the city's consultant hired to complete the preemption project's FDOT required design documents. The project design documents (as far as I know) have been initially reviewed and commented on by FDOT. Currently the bid specification package including general conditions and the "front end" documents are being reviewed and a few conflicts have been found. FDOT requirements are rigorous and challenging due to the complexity of the many tables and acts which have to be individually qualified, compounding these issues FDOT provides little if any guidance. TEDS has recommended to Engineering that all documents should be revised and submitted at once including making corrections to the plans per FDOT comments. These documents should be submitted on 2/12/16 to the District. Please see corresponding emails below between Engineering, TEDS, and Lisa Buscher. Engineering, TEDS, and the Fire Department hopes to have the funds programed in this fiscal year providing FDOT accepts the design, plans, bid specifications, and project scope. The River2Sea planning organization has supported our project and is lobbying in our favor for FDOT to move expeditiously

Randle Wright

From: Fegley, Kyle [<mailto:kfegley@cityofnsb.com>]
Sent: Friday, February 05, 2016 7:12 PM
To: Buscher, Lisa <Lisa.Buscher@dot.state.fl.us>
Cc: D5-LAP Admin <D5-LAPAdmin@dot.state.fl.us>; Ferguson, Gene <Gene.Ferguson@dot.state.fl.us>; Lois Bollenback <LBollenback@r2ctpo.org>; Rodriguez, Manny <Manny.Rodriguez@dot.state.fl.us>; Patel, Tushar <Tushar.Patel@dot.state.fl.us>; Ambare, Sameer <Sameer.Ambare@dot.state.fl.us>; Jumber, Samuel <Samuel.Jumber@dot.state.fl.us>; Liatsos, Sofie <Sofie.Liatsos@dot.state.fl.us>; Marks, Jerald <Jerald.Marks@dot.state.fl.us>; Trinh, Truong <Truong.Trinh@dot.state.fl.us>; Fred Ferrell <fferrell@teds-fl.com>; Alex Mims <amims@teds-fl.com>; Wright, Randy <rwright@cityofnsb.com>; rkeeth@r2ctpo.org; D5-Construction Special Projects <D5-ConstructionSpecialProjects@dot.state.fl.us>
Subject: RE: FM#436472-1 NSB Citywide Pre-emption Signal System Documents

Lisa,

It is important to the City to keep this project on track, therefore we discussed the necessary steps with Traffic Engineering Data Solutions to do so and determined the most prudent and expeditious approach would be to revise the specifications in their entirety, complete the updated construction checklist as well as submit the revised plans, all of which will occur on or before 2/12/16.

We appreciate your patience and commitment to the resolve of these administrative items.

Regards,

Kyle W. Fegley, P.E.
City Engineer
New Smyrna Beach, FL 32168
P (386) 424-2168
F (386) 424-2148

From: Buscher, Lisa [<mailto:Lisa.Buscher@dot.state.fl.us>]
Sent: Thursday, February 04, 2016 4:38 PM
To: Fegley, Kyle
Cc: D5-LAP Admin; Ferguson, Gene; Lois Bollenback; Rodriguez, Manny; Patel, Tushar; Ambare, Sameer; Jumber, Samuel; Liatsos, Sofie; Marks, Jerald; Trinh, Truong
Subject: FM#436472-1 NSB Citywide Pre-emption Signal System Documents

Good afternoon, Kyle!

I received your voicemail message regarding the status of the above referenced project. We have not yet had an opportunity to do a full review of the bid package, and I don't see that we've received a copy of the completed construction checklist needed to facilitate our review.

Based on a very preliminary review that I did after your call, it appears that there are still many of required items missing (FHWA 1273, Wage Rate table, forms, etc.) Also, in my brief review,

it appears that the entire spec package from "Specs on the Web" may have been included. While there are some items that must be included (i.e. Buy America, DBE language) there are many sections that are only for certain projects (i.e. On the Job Training (OJT)) or for those circumstance where the document does not already address a required item, such as liquidated damages. For example, you have already included liquidated damages within the body of the City document, but have also Section 8. Subletting, Contract Time Extensions, and Liquidated Damages with has a separate table of liquidated damages.

I would ask that the City please pull a copy of the checklist from the forms section of the LAP website (see link below) and review the document against the checklist to insure all required elements are included:

<http://www.dot.state.fl.us/programmanagement/LAP/Forms/LapForms.shtm>

Please provide a copy of the completed checklist along with a revised bid document that contains the required elements and removes the spec conflicts. At that time, we can do a review to address more specific items.

In addition, I spoke to our design team and they advised that they have not yet received an updated copy of the plans that they were expecting last month. Do you know when those may be provided?

Thanks!

Lisa Buscher
Florida Department of Transportation - Local Government Agreements District Local
Government Program Administrator
719 South Woodland Blvd, MS 4-520
DeLand, FL. 32720-6800
(386) 943-5452
lisa.buscher@dot.state.fl.us

-----Original Message-----

From: Anglin, Greg
Sent: Thursday, February 11, 2016 10:13 AM
To: Wright, Randy <rwright@cityofnsb.com>
Subject: Preemption

Can you provide a brief synopsis on the status of the preemption system?

Sent from my iPhone