

# XI. INTERGOVERNMENTAL COORDINATION ELEMENT

## PURPOSE

The purpose of this element is to evaluate mechanisms for coordinating with other governments and selected governmental agencies in the preparation and revision of comprehensive plans, in the review and approval of new development, and in the provision of services. It is the intent of this element to identify and resolve incompatible goals, objectives, and policies proposed in local government comprehensive plans, and to determine and respond to the needs for coordination processes and procedures with adjacent local governments and regional and state agencies.

## STANDARDS

On April 23, 2013, the City Commission adopted an Interlocal Service Boundary Agreement (ISBA). The ISBA, which is permitted under Chapter 171, Part II, Florida Statutes, allows the City to annex any parcel that is within the designated annexation area, even if it is not contiguous to the current municipal boundaries. The agreement, which is between the County of Volusia and the City, was also approved by the County on May 2, 2013.

The established City Commission policy is that when properties are annexed into the City, the City will assign future land use and zoning designations that would be as similar as possible to existing County designation. The New Smyrna Beach Interlocal Service Boundary Agreement includes the existing City of New Smyrna Beach plus those adjacent unincorporated areas that are likely to have a significant impact on the City in the future, and are also likely to benefit from public services provided by the City. These areas are logical future annexations for New Smyrna Beach.

## INVENTORY OF AGENCIES

The City of New Smyrna Beach has either formal or informal coordination agreements, or interacts through standard operating procedures under statutory authority, with the following agencies:

### CITIES

1. Edgewater
2. Port Orange

### COUNTIES

1. Volusia County

### REGIONAL AGENCIES

1. East Central Florida Regional Planning Council (ECFRPC)
  - a. Planners Committee
  - b. Technical Review Staff
  - c. Regional Policy Plan Advisory Committee
2. St. Johns River Water Management District (SJRWMD)
3. River to Sea Transportation Planning Organization (TPO)
  - a. Citizen Advisory Committee
  - b. Executive Committee
  - c. Technical Coordinating Committee
    - i. Coordinated Community Transportation Provider
    - ii. Project Review Committee
4. Volusia County Growth Management Commission
5. Team Volusia
6. Volusia County Economic Development Department
7. Southeast Volusia Chamber of Commerce
8. Volusia County Emergency Management Department

### STATE OF FLORIDA, DEPARTMENT OF:

1. Economic Opportunity

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2. Environmental Protection
3. Fish and Wildlife Conservation Commission
4. State
5. Transportation
6. Division of Historic Resources

## **FEDERAL AGENCIES, UNITED STATES:**

1. Federal Aviation Administration
2. National Parks Service
3. Army Corps of Engineers
4. Coast Guard
5. Fish and Wildlife Service

## **UTILITIES**

1. Utilities Commission, City of New Smyrna Beach

## **SCHOOL BOARDS**

1. Volusia County School Board

## **HOUSING AUTHORITIES**

1. New Smyrna Beach Housing Authority

## **INVENTORY OF EXISTING COORDINATION MECHANISMS**

The various methods (or mechanisms) used by New Smyrna Beach to bring about necessary coordination with local, state, regional, and federal agencies include both formal and informal agreements, which are described herein. Standard operating procedures have also developed over time to carry out coordination with the various agencies identified in the preceding inventory, as required by statute. Because these relationships with agencies such as the Department of Transportation are virtually identical for all cities throughout the state, they are not detailed herein. However, any agreements, mechanisms, or relationships beyond the norm are described. All agreements described are written agreements. Coordination is the responsibility of the City Manager or their designee, unless otherwise indicated.

## **SEWER SERVICE**

New Smyrna Beach currently has an Interlocal Service Boundary Agreement with Volusia County and a resolution of understanding in effect with the cities of Edgewater (south of New Smyrna Beach) and Port Orange (north of New Smyrna Beach) by which all parties have agreed to not encroach on each other's potential water and sewer service areas in unincorporated areas of Volusia County. It is further agreed that new development in fringe areas may be served by the municipality that is best able to provide the service at the time it is needed. Such connections will be decided on a case-by-case basis, subject to the approval of both municipalities involved.

## **BEACH MANAGEMENT**

The City historically maintained the beach areas lying within the City limits until the 1986 Charter amendment. If, through legislative or legal action, jurisdiction of the beach is returned to the City, the City will resume its historic role of maintaining this resource.

## **LAW ENFORCEMENT**

A written mutual assistance agreement is in effect between Volusia County and all of its cities, which allows the various law enforcement agencies to assist each other in routine arrests and emergency situations. This agreement allows law enforcement officers to cross jurisdictional boundaries, as necessary, in the performance of their duties.

Additionally, a multi-agency voluntary cooperation mutual aid agreement for investigating violations of Chapter 893, *Florida Statutes*, and other related criminal activities is currently in effect through 2022 with various Federal, State and local law enforcement agencies participating. The purpose of this agreement is to coordinate and establish procedures on multi-jurisdictional investigations intended to combat racketeering, drug law violations, organized crime, other related criminal violations and to disrupt organizations engaging in criminal activity. There is a Drug task Force Governing Board that has plenary

supervisory authority over the combined task force.

## **FIRE PROTECTION**

New Smyrna Beach has a written mutual assistance agreement with Volusia County and the cities of Edgewater and Port Orange. This agreement allows the participants to assist each other in fighting fires or coping with other emergencies, and establishes a response sequence. It also allows the participants to request specific equipment from each other. Although such mutual assistance is needed only infrequently (~~averaging about once a year~~), response time is excellent, and no problems or complaints have been reported. The New Smyrna Beach Fire Department has primary responsibility for coordination.

## **TRANSPORTATION**

The road system in the coastal area of Volusia County encompassing New Smyrna Beach is comprised of federal, state, county and City roads. The River to Sea Transportation Planning Organization of Volusia County serves as the planning coordinator for the federal and state roadways, and may serve a coordinative role in the planning of county and City roadway facilities as well.

## **ADMINISTRATION**

New Smyrna Beach has an Interlocal Service Boundary Agreement with the City of Edgewater and a resolution of understanding with the City of Port Orange which establish planning area boundaries and authorize the City Manager or Mayor of each City to make formal agreements pertaining to growth management issues. The *Volusia Growth Management Commission Comprehensive Plan Consistency Certification Rules* provide a means for coordinating the plans of municipalities and the county, in order to provide a forum for local governments to cooperate in coordinating the provision of public services. It is the function of the Volusia Growth Management Commission to evaluate the extent to which any plan, element or plan amendment may create adjacent incompatible land uses, and the manner in which the adverse impact of these incompatible uses may be eliminated or mitigated. The Volusia Growth Management Commission is a governmental entity created by charter.

## **ECONOMIC DEVELOPMENT**

Team Volusia Economic Development Corporation (TVEDC) is a non-profit public/private partnership corporation. They work to market the county to prospective companies that may consider relocating to Volusia County. They work collaboratively with the City of New Smyrna Beach as a partner in economic development efforts to recruit and attract new companies to relocate to New Smyrna Beach and surrounding areas.

The County's Economic Development Division works collaboratively with New Smyrna Beach and surrounding areas in economic development efforts in supporting existing companies that are located in New Smyrna Beach and surrounding areas. TVEDC assists companies in targeted industries that have a desire for growth; furthermore, they try to utilize various local, state and federal resources to help them grow.

The SEVCC is an organization that works not only with prospective new businesses, but is also responsible for main existing businesses and represents businesses economically and legislatively.

## **EMERGENCY MANAGEMENT**

The City Emergency Management Department coordinates with the Volusia County Emergency Management Department on matters relating to natural-disaster preparation plans and post-disaster plans. These entities are responsible for evacuating the City when it is vulnerable to natural disasters.

## **EVALUATION OF EXISTING MECHANISMS**

The City of New Smyrna Beach has relationships either formal or informal with those entities, which it must coordinate. These relationships range from frequent communications and interaction to sporadic, infrequent contact.

The following is a description of the relationships between the City and the various entities.

### **CITIES**

1. Edgewater – New Smyrna Beach's relationship to the City of Edgewater is similar to those

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- between neighboring municipalities. The formal relationship between New Smyrna Beach and Edgewater consists of their membership/representation on area wide organizations including the River to Sea Transportation Planning Organization and the Volusia County Growth Management Commission. The informal relationship between the City and Edgewater involves interaction between the staffs of various departments. The office with primary responsibility for intergovernmental coordination is the City Manager's Office.
2. Port Orange – The relationship between New Smyrna Beach and Port Orange is similar to that described above. The formal relationship between New Smyrna Beach and Port Orange consists of their membership/ representation on area wide organizations including the River to Sea Transportation Planning Organization, the Volusia Council of Governments, and the Volusia County Growth Management Commission. The informal relationships between the City and Port Orange involve communication between staff. The office with primary responsibility for intergovernmental coordination is the City Manager's Office.

## COUNTIES

1. Volusia County – The City of New Smyrna Beach has an extensive relationship, both formal and informal, with Volusia County. The formal relationships consist of their membership/representation on area wide organizations including the River to Sea Transportation Planning Organization and the Volusia County Growth Management Commission. Additionally, the county and the City of New Smyrna Beach presently have an interlocal agreement regarding water and sewer service. The informal relationships between the county and New Smyrna Beach involves frequent interaction among staff concerning a myriad of subjects. The office with primary responsibility for intergovernmental coordination is the City Manager's Office.

## REGIONAL AGENCIES

1. East Central Florida Regional Planning Council – The East Central Florida Regional Planning Council (ECFRPC) is an association of local governments serving six (6) counties: Brevard, Lake, Orange, Osceola, Seminole, and Volusia. The ECFRPC has a 31-member governing board. The ECFRPC takes a leadership role in representing identified regional resources and interests through a strategic planning program; develops and maintains a regional data system; provides coordination and assistance to local governments at all levels; develops a shared vision of the region's future; and coordinates the region's resources and energies to achieve common goals.  
Data development at the ECFRPC involves developing and maintaining a core database that compiles data sets by geographic unit to allow for spatial analysis of demographic and growth trends by ECFRPC staff, local governments, and the general public. The ECFRPC is undertaking a multi-year effort to identify the data needed for such a database and to develop an implementation plan for collecting, storing, using and maintaining those data. This system will allow the graphic presentation of metropolitan and regional trends and will provide an exciting tool for "what if" examinations of the future.  
The ECFRPC provides technical assistance to its member local governments in a variety of ways. These include staffing the Local Emergency Planning Committee's hazardous materials training program for city and county professionals; reviewing local government comprehensive plans, plan amendments and Developments of Regional Impact; reviewing high speed rail plans and county emergency plans; and serving as the regional clearinghouse for review of federal funding or permitting programs. The ECFRPC also provides information, technical assistance, and a forum for communication to the region's housing planners. As an association of local governments, the ECFRPC is an objective, locally based advisor on growth management issues. As a result, the ECFRPC is often asked to provide short-term technical assistance in areas so varied as analyzing the boundaries of City election districts, providing data on areas slated for annexation, developing computerized land use, zoning, and City base maps, and researching local ordinances.
2. St. Johns River Water Management District (SJRWMD) – New Smyrna Beach falls entirely within the jurisdiction of the SJRWMD. The SJRWMD regulates the use of all ground and

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surface waters within its jurisdiction through permitting controls. The City maintains interaction with the SJRWMD staff. The Engineering Department has primary responsibility for intergovernmental coordination with the Water Management District.

3. Volusia Growth Management Commission (VGMC) – The creation of the Volusia Growth Management Commission (VGMC) was approved by referendum in 1986. The Commission was established in 1987 under §202.3, Article II of the *Volusia County Charter*. The VGMC has the responsibility to determine the consistency of the comprehensive plans and plan amendments of Volusia County and its municipalities. Membership includes one (1) voting member appointed by municipality and five (5) voting members from unincorporated Volusia County. Each voting member has a weighted vote based on the population of the municipality/county. Non-voting members include the Volusia County School Board, the SJRWMD, and the Volusia County Business Development Corporation. The VGMC represents one of the major avenues through which intergovernmental coordination can be achieved. The City Manager's Office is the primary office with responsibility for intergovernmental coordination.

## SCHOOL BOARDS

1. Volusia County School Board – The Volusia County School Board has responsibility for operating all public schools within Volusia County. The City maintains communications with the School Board as necessary. The office with primary responsibility for intergovernmental coordination is the City Manager's Office.

## STATE AND FEDERAL AGENCIES

1. State of Florida – The City maintains relationships with a variety of state agencies. The nature of the relationships, frequency of interaction and office with primary responsibility for intergovernmental coordination varies according to the subject being addressed.

## FUTURE COORDINATION NEEDS

Intergovernmental coordination mechanisms are already in use for virtually all areas of the City's operations. As new needs arise or new operations develop, new mechanisms will be needed. Interlocal agreements should be developed with Volusia County or the River to Sea Transportation Planning Organization (TPO) to promote increased transportation planning and coordination, including levels-of-service, maintenance, operations, right-of-way acquisitions, and impact fees.

Interlocal agreements are also needed with Volusia County to establish joint planning areas for enhancing land use compatibility, and to establish service areas or annexation procedures.

There is also a need for an ongoing review of the mechanisms, along with periodic evaluation of the effectiveness of each, by appropriate operating departments. A spirit of cooperation is necessary to help provide for the most efficient and cost-effective delivery of services.

## CONSISTENCY WITH OTHER PLANS

### CONSISTENCY WITH OTHER PLAN ELEMENTS

There are opportunities to address specific needs and problems by additional intergovernmental coordination.

### LAND USE

The local jurisdictions foresaw the need to have better coordination between local governments on issues relating to all elements of the comprehensive plan. New Smyrna Beach participates on the Volusia Growth Management Commission (VGMC) as needed. While this is a formal relationship, the City should continue to pursue informal discussions with adjacent jurisdictions to anticipate issues as they arise per the Interlocal Service Boundary Agreement.

### TRANSPORTATION

As all jurisdictions adopt their transportation elements, the need to avoid unwarranted overlap or conflict

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becomes more important. The Volusia communities' ability to address concurrency issues requires continuing negotiation. The VGMC and the River to Sea TPO are good tools to use with respect to these issues.

## **HOUSING**

Housing is primarily a market driven function. Since the City's direction in the Housing Element is to make the development of new affordable housing less of a regulatory encumbrance, the City should monitor other communities' successes and failures to ease the regulatory burden.

## **PUBLIC UTILITIES**

The City will address utility expansion in the Interlocal Service Boundary Agreement area with respect to the *Volusia County Comprehensive Plan*. The interlocal agreement between the two (2) jurisdictions provides the framework for this issue.

## **CONSERVATION**

The City shares responsibility for maintaining the quality of natural resources in the area. Since the resources in many cases do not relate to jurisdictional boundaries, it is important for New Smyrna Beach to look to other affected agencies to share conservation responsibilities.

## **COASTAL MANAGEMENT ELEMENT**

The specific problems and needs have been addressed with the countywide development of the Coastal Management Element.

## **RECREATION AND OPEN SPACE**

The City is continually in need of additional parks and recreation facilities and open space as the population grows. The City should coordinate with the County and adjacent municipalities for shared facilities and open space.

## **INTERGOVERNMENTAL COORDINATION**

In some cases the City may not be represented in coordination meetings. The City should ensure that they are notified and represented in coordination efforts.

## **CAPITAL IMPROVEMENTS ELEMENT**

Methodologies in funding capital improvements are a great need. Better coordination would assist in determining revenue sources and funding mechanisms.

## **CONSISTENCY WITH OTHER JURISDICTIONS' COMPREHENSIVE PLANS**

The Volusia County Growth Management Commission was created to coordinate the comprehensive planning between neighboring jurisdictions.

## **CONSISTENCY WITH THE REGIONAL POLICY PLAN**

The Comprehensive Regional Policy Plan of the East Central Florida Regional Planning Council has been reviewed, and the City's policies are consistent with the policies and strategies contained in the plan. New Smyrna Beach will pursue the strategies of the Regional Policy Plan within the limits of its capabilities and resources. Regional policies will continue to be monitored to ensure consistency with City policies.

## **CONSISTENCY WITH THE STATE COMPREHENSIVE PLAN**

The goals and policies of the *State Comprehensive Plan* are addressed throughout this *Comprehensive Plan* for the City of New Smyrna Beach. Consequently, the City's plan is consistent with the state's goals and policies. The City will continue to use the State Plan as a guide for policymaking.

## **AREAS OF CRITICAL STATE CONCERN**

There are no areas of critical state concern, either partially or wholly within the New Smyrna Beach planning area.

# GOALS, OBJECTIVES, AND POLICIES

## PLAN COORDINATION GOAL:

To promote the preparation and implementation of a *Comprehensive Plan* that meets the needs of New Smyrna Beach, and that is coordinated with the plans of other jurisdictions in the area is the goal of this Plan. This goal will be met by initiating the objectives and policies stated herein, which will be more specifically defined in future *Comprehensive Plan* updates as local needs (and the City's ability to meet those needs) become better established.

### OBJECTIVE:

1. To ensure citizen participation in plan preparation, adoption and implementation.

### POLICY:

Input by the residents of New Smyrna Beach into the planning process will be encouraged on an ongoing basis. Technical advisory committees, existing advisory boards, and special task forces will be used as appropriate.

### OBJECTIVE:

2. To maintain and improve lines of communication with other units of government in order to minimize conflict and maximize coordination during the planning process.

### POLICIES:

- a. The City will continue to monitor activities and legislation at the federal, state, regional, and local level that could affect the New Smyrna Beach planning area.
- b. The City will continue to encourage its elected representatives, employees, and residents to participate in and monitor activities of other agencies that could affect the New Smyrna Beach Interlocal Service Boundary Agreement area.
- c. The City will participate in the Volusia Growth Management Commission in order to enhance intergovernmental coordination among local governments for plan implementation.
- d. The City will review the comprehensive plans and plan amendments of adjacent local governments, and state and regional agencies, for consistency with the goals, objectives, policies, and implementation strategies of this *Comprehensive Plan*.

### OBJECTIVE:

3. To ensure the City is reaching its ultimate capability to be transparent, and ensure maximum accessibility to the public, the City will continue to automate all processes dealing with the permitting, changes in Code, Land Development Regulations, and land use.

### POLICIES:

- a. The City will review the successes of other local governments by researching their processes, methods, and technology.
- b. The City will continue to update technologies throughout all Departments to strive for "paper-less" processes; consequently becoming increasingly environmentally sustainable and ensuring the City's goal of increasing the efficiency and effectiveness of providing a higher level of customer service.

### OBJECTIVE:

4. To continue to coordinate with state, regional and other local governmental entities in reducing the impacts of development on, and maintaining level-of-service standards for, public facilities. This shall be accomplished by maintaining membership in area wide organizations and participating in multi-level staff communications.

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## **POLICIES:**

- a. The City supports the efforts of, and actively participates on, the Technical Coordinatin Committee of the River to Sea Transportation Planning Organization.
- b. The City supports and cooperates with the Volusia County Growth Management Commission.
- c. City staff participates in monthly countywide City Managers' meetings and in monthly countywide planners' meetings.

## **OBJECTIVE:**

5. To pursue the implementation of common goals, objectives and policies with other units of government.

## **POLICIES:**

- a. Interlocal agreements, contracts, mutual aid agreements, and other means of cooperation will continue to be used to effectively provide the public with needed services, and to provide coordinated level-of-service standards for public facilities.
- b. The City supports the goals, objectives, and policies outlined in the intergovernmental coordination elements of comprehensive plans developed by adjacent local governments.
- c. The City will continue to support and encourage consistent and coordinated management of lagoons, waterways, rivers, and other natural resources affected by more than one jurisdiction.
- d. The City will encourage and support state legislation requiring that development of unincorporated areas be consistent with the comprehensive plans of adjacer municipalities.
- e. The City will continue to work with the Volusia County School Board to ensure that new public schools are collocated, when possible, with existing or proposed public facilities such as parks, libraries, and community centers.

## **PUBLIC SCHOOL FACILITIES COORDINATION GOAL:**

Establish and maintain a cooperative relationship between the City of New Smyrna Beach and the Volusia County School Board to provide an effective joint planning process including procedures to coordinate land use planning with the development of school facilities including public school siting, calculate population projections, and provide for the development of public education facilities concurrently with residential development and other public facilities and services.

## **OBJECTIVE:**

1. The City of New Smyrna Beach has established coordination mechanisms with the School Board to achieve a collaborative effort to identify school needs, provide for schools facilities, and implement school concurrency using consistent supporting data and analysis.

## **POLICIES:**

- a. In cooperation with the School Board, the City of New Smyrna Beach has adopted and implemented the Interlocal Agreement as required by § 1013.33, *Florida Statutes*, which includes procedures for:
  - i. Coordinating and sharing information;
  - ii. Educational and ancillary siting procedures;
  - iii. Comprehensive plans and plan amendment review;
  - iv. Site design and development plan review;



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- v. Joint development of schools, parks and other uses;
  - vi. School concurrency implementation;
  - vii. Implementation and amendments; and
  - viii. Resolution of disputes.
- b. In accordance with the schedule has established in the Interlocal Agreement, the City of New Smyrna Beach has appointed a representative to meet with School Board and other local government representatives to review data and annually approve a projection of the amount, type, and distribution of population growth and student enrollment. Data shall include but not be limited to:
- i. Capital budgets for each jurisdiction;
  - ii. School Board five (5) year facilities work program;
  - iii. School Board educational plant survey (every fifth year);
  - iv. Volusia County five (5) year road improvement program;
  - v. Anticipated new development, infill development, and redevelopment; and
  - vi. Student enrollment and school utilization including portable classroom assignments.
- c. The City of New Smyrna Beach provides the School Board with a copy of each LPA/Planning and Zoning Board and Council/Commission agenda.
- d. The City of New Smyrna Beach and the School Board coordinate the acquisition and development of sites for future educational and ancillary facilities in accordance with the process established in the Interlocal Agreement.
- e. The City of New Smyrna Beach provides notice to adjacent jurisdictions as required by the *Interlocal Agreement for Public School Facility Planning* when school capacity in the adjacent jurisdiction is anticipated to be applied to meet concurrency requirements for proposed residential development.

## OBJECTIVE:

2. The City of New Smyrna Beach regularly monitors and evaluates the implementation of the Public School Facilities Element to assure compliance with the provisions of the *Comprehensive Plan* and the Interlocal Agreement, to assure the use of best practices in the joint planning of school facilities, and to provide for the continuing coordination of school planning.
- a. In accordance with the Interlocal Agreement, but no less than once per year, the City of New Smyrna Beach submits a report to the LPA/Planning and Zoning Board and the School Board reporting on the implementation actions and coordinated planning efforts for planning and developing school facilities including joint development opportunities. If the School Board or the City of New Smyrna Beach finds that implementation of the plan or Interlocal Agreement is not occurring, the School Board or LPA/Planning and Zoning Board shall make recommendations to the City Commission of steps necessary to achieve successful implementation.
  - b. For each *Comprehensive Plan* amendment reviewed by the Volusia Growth Management Commission (VGMC), the City of New Smyrna Beach shall identify in the VGMC application support materials how anticipated impacts of the proposed amendment to school facilities are addressed.
  - c. The City of New Smyrna Beach shall appoint a citizen to serve as a member of the oversight committee created by the adopted Interlocal Agreement and shall appoint a staff member to serve on the technical committee created by the adopted Interlocal Agreement.