

CHAPTER EIGHT

INTERGOVERNMENTAL COORDINATION ELEMENT

PURPOSE

The purpose of the Intergovernmental Coordination Element, as identified by Chapter 163, Florida Statutes and Chapter 9J-5.015, Florida Administrative Code, is to “identify and resolve incompatible goals, objectives, and policies, and development proposed in comprehensive plans and to determine and respond to the needs for coordination processes and procedures with adjacent local, regional, and state agencies.

The agencies that coordinate with Malabar include the City of Palm Bay, the Town of Grant-Valkaria, Brevard County, School Board of Brevard County, water management districts, regional planning agencies, state government, federal government, independent special districts and utility companies.

Each element of the Malabar Comprehensive Plan has specific needs for interagency coordination that need to be clearly identified and periodically evaluated in order to determine the effectiveness of current mechanisms used and how to improve overall intergovernmental coordination.

EXISTING DATA AND CONDITIONS

Malabar currently has either formal or informal coordination agreements, or interacts through standard operating procedures under statutory authority, with the following agencies or jurisdictions;

Adjacent Municipalities

- City of Palm Bay
- Town of Grant-Valkaria

Area Agencies / Districts

- Brevard County Housing Authority
- Brevard County School District
- Brevard Metropolitan Planning Organization
- Melbourne-Tillman Drainage District
- Space Coast League of Cities

Brevard County Government

- Brevard County Emergency Management
- Brevard County Environmental Health Services
- Brevard County Environmental Endangered Lands (EEL) Program
- Brevard County Fire Rescue

Brevard County Planning & Zoning
Brevard County Sheriff's Office
Brevard County Solid Waste Management
Brevard County Tax Collector

Regional and State Departments and Agencies

East Central Florida Regional Planning Council
Florida Department of Children and Families
Florida Department of Community Affairs
Florida Department of Environmental Protection
Florida Department of State, Division of Historic Resources
Florida Department of Transportation
Florida Division of Emergency Management
Florida Inland Navigation District
Marine Resource Council of East Florida
St. Johns River Water Management District

United States Departments and Agencies

Commerce, Census Bureau
Defense/US Army Corps of Engineers
Environmental Protection Agency
Interior
Postal Service
Transportation

Regulated Utilities

AT&T
Brighthouse
City Gas Company
Florida Power and Light
Palm Bay Utilities
Waste Management Inc.

EVALUATION OF EXISTING COORDINATION MECHANISMS

For each agency listed above, Table 8-A briefly describes the existing coordination mechanisms indicating the subject, nature of the relationship and the office with primary responsibility for coordination. The current process of coordination among the identified agencies and the Town has proven to be generally effective. Greater formality could be required in the future as the technical and administrative foundation of the Comprehensive Plan increases in complexity and becomes more demanding.

Malabar is a stable community, and the 2007 EAR determined the vast majority of the Objectives and Policies of the Intergovernmental Coordination Element have been fully

executed to provide for a highly functional organization and effective coordination between adjacent municipalities and governmental agencies.

The Town has been an active participant of many intergovernmental entities since its inception in 1962. Currently, the Town is a voting member of the Space Coast League of Cities and the Florida League of Cities in which several council members and the Town Administrator serve on policy committees. The Town participates in the East Central Florida Regional Planning Council to discuss development projects for regional and sub-regional infrastructure systems and in the preparation of area wide infrastructure master plans. Additionally, the Town Council participates in Metropolitan Planning Organization (MPO) / Technical Advisory Committee (TAC) meetings at the County and stays abreast on activities in and around Malabar, Palm Bay, and Grant-Valkaria.

Regarding public facilities, the Town has an interlocal agreement with the Palm Bay Utilities Department (PBUD) for sanitary sewer and potable water. The Town owns and maintains the transmission lines to PBUD. Solid waste collection (pick up) is currently provided to the Town under contract with Waste Management Incorporated. The Town coordinates with the Brevard County Solid Waste Management Department on solid waste issues, including landfill. The Town owns and maintains all of the drainage facilities within the Town with the exception of the Melbourne-Tillman Canal which is owned and maintained by the Melbourne-Tillman Drainage District. The Town of Malabar started collecting stormwater utility in 2001.

Over the short- and long-term planning timeframes, new intergovernmental coordination mechanisms shall specifically include the following:

- Coordination of a proportionate fair share mitigation and concurrency management for transportation facilities.
- Coordination with Department of Transportation on widening Malabar Road per the FDOT Five-Year Work Plan.
- Continued interlocal agreement with the Brevard County School District on school concurrency.
- Continued coordination with the County's MPO on the South Brevard Linear Trail system.

Additionally, the Town should consider any new intergovernmental coordination opportunities as a result of the incorporation of Grant-Valkaria.

Finally, it should be noted that the use of electronic communication technologies such as e-mail, the internet, and teleconferencing, having also allowed for faster and increased communication and better coordination between the Town of Malabar and related intergovernmental agencies.

JOINT PLANNING AREAS / ISSUES BY ELEMENT

The Town of Malabar has coordinated multi-jurisdictional planning issues with adjacent governmental entities. For example, traffic circulation concerns along Malabar Road have

been coordinated with Brevard County MPO and through the City of Palm Bay Planning Department. Similarly, issues surrounding adjacent land uses, preservation of natural areas, and adequate facilities have been addressed from an area wide perspective. The Town Council and its staff have coordinated with Brevard County and the City of Palm Bay planning departments frequently on an informal basis. No formal records document the precise nature or frequency of such intergovernmental coordination.

Each Comprehensive Plan Element was reviewed for interagency coordination needs. Some of the more relevant needs are described below.

Future Land Use

The Town is interested in maximizing the economic development potential of Malabar Road. A corridor plan should include cooperation with FDOT, Brevard County, and Palm Bay. Additionally, the Town may initiate an interlocal agreement with the Brevard County School District for school concurrency.

Transportation

The Town shall coordinate with FDOT on widening Malabar Road per the FDOT Five-Year Work Plan. Additionally, the Town is interested in developing a multi-use trail system. To that end, the appropriate committee shall continue coordinating with the Brevard MPO's Bicycle Pedestrian Trails Program Coordinator to further pedestrian, bike, and equestrian connectivity.

Housing

Coordinate with the East Central Florida Regional Planning Council and Brevard County to support regional affordable housing programs and incentives, including those outlined in the Brevard County Workforce and Affordable Housing Ordinance.

Public Facilities

Coordination with Palm Bay Utilities for sanitary sewer and potable water is effective and satisfactory. If the Town is required or desires to have additional residents and businesses connect to a sanitary sewer system, potable water system, or coordinated solid waste collection services, provision and agreements with the appropriate agency, municipality, or company for service are recommended. The town will continue to work with Brevard County on stormwater utility. Malabar has several service franchises with private companies in the area. The Town has received adequate service from all their franchise agreements and expects to continue to be served by these entities.

Conservation

The Town shall coordinate with the Brevard County Environmentally Endangered Lands Program.

Coastal Management

The Coastal Area (CA) of Malabar has specific intergovernmental coordination needs. The Town should work collaboratively with the Brevard County Natural Resource Management Office and the University of Florida Brevard County Extension Service on the development of the Brevard County Comprehensive Maritime Management Master Plan (CM3P). Additionally, the Town should coordinate with the State's Division of Historic Resources for marking the historic mailboat route. Finally, the Town should work with DCA to incorporate the recommendations of the Local Mitigation Strategy Plan.

Recreation and Open Space

As previously mentioned, the Town is interested in developing a multi-use trail system which should link existing recreation facilities in and around the Town's corporate limits. Coordination with Brevard County, Palm Bay, and Grant-Valkaria is needed.

Capital Improvements

Schedule of Capital Improvements shall include projects from FDOT, Brevard County, and City of Palm Bay that affect the Town's level of service standards. Coordination with the Brevard County Property Appraiser is effective and satisfactory.

The specific goals, objectives, and policies for furthering intergovernmental coordination in the development of area wide service systems are stipulated in the goals, objectives, and policies of the following Elements: Transportation, Public Facilities, Recreation and Open Space, Intergovernmental Coordination, and Capital Improvements Element.

COMPARISON WITH REGIONAL POLICY PLAN

The ECFRPC's Strategic Regional Policy Plan (1998) has been reviewed and considered during the process of updating this comprehensive plan. The Comprehensive Plan conforms to the Regional Policy Plan. As the Brevard County Intergovernmental Coordination Steering Committee never fully commenced operations, the ECFRPC has become a focal point for Malabar's intergovernmental coordination mechanisms. The following objectives and policies reflect the ever-increasing significance of the ECFRPC.

AREAS OF CRITICAL STATE CONCERN (ACSC)

There are no areas of critical state concern in the Town of Malabar.

The following abbreviations are used in Table 8-A:

AE – Advise and Encourage AP – Approval, Permit
 CA – City Agency FA – Formal Agreement
 FN – Formal Notice IN – Informal Notice
 OA – Outside Agencies PM – Periodic Meetings to Coordinate Programs
 TA – Technical Assistance

**TABLE 8-A
 COORDINATING AGENCIES**

Agency	Subject Coordination	Nature of Relations	Existing and Anticipated Coordination Mechanisms	Effectiveness of Existing Coordination Mechanisms	Malabar Office with Primary Responsibility For Coordination
ADJACENT MUNICIPALITIES:					
Grant-Valkaria Palm Bay Brevard County (unincorporated lands)	Land use, transportation	AE, TA, PM	Land use, development actions affecting Town roadways	Effective	Town Administrator, Public Works
AREA AGENCIES:					
Brevard County Housing Authority	Housing provision	AE	Informal coordination	Effective	Town Administrator
Brevard County School District	Facility planning / concurrency	AE, PM	Interlocal agreement	Effective	Town Administrator
Brevard Metropolitan Planning Organization	Long range transportation planning	AE, AP, PM, TA	Technical Advisory Committee, Greenways and Trails Master Plan	Effective	Town Administrator
Melbourne-Tillman Drainage District	Stormwater management	AE, TA, FN, AP, PM	Informal coordination	Effective	Town Administrator
Space Coast League of Cities	Local government advocacy	AE, PM, TA	Informal coordination	Effective	Town Administrator
BREVARD COUNTY GOVERNMENT:					
Brevard County Emergency Management	Emergency management, evacuation	TA	Countywide Emergency Service Mutual Assistance Agreement	Effective	Town Administrator, Fire Chief
Brevard County Environmental Health Services	Annual water quality tests, well water and septic system regulation, inspection, and repair.	AP	Permitting	Effective	Public Works
Brevard County Environmentally Endangered Lands (EEL) Program	Conservation provision	PM	Trails & Greenways Committee, Parks & Recreation Committee	Effective	Town Administrator
Brevard County Fire Rescue	Fire protection	TA	Informal coordination	Effective	Town Administrator
Brevard County Planning & Zoning	Planning for adjacent unincorporated lands	AE	Brevard County Land Development Code, Comprehensive Plan	Effective	Town Administrator
Brevard County Sheriff's Office	Public safety	AE, TA, FA	Informal coordination, Outside agency	Effective	Town Administrator
Brevard County Solid Waste Management	Solid waste disposal, landfill issues	TA, PM	Informal coordination	Effective	Town Administrator, Public Works
Brevard County Tax Collector	Ad valorem collection and non- ad valorem stormwater funds	OA	Interlocal agreement	Effective	Town Clerk/Treasurer

Agency	Subject Coordination	Nature of Relations	Existing and Anticipated Coordination Mechanisms	Effectiveness of Existing Coordination Mechanisms	Malabar Office with Primary Responsibility For Coordination
REGIONAL AND STATE DEPARTMENTS AND AGENCIES:					
East Central Florida Regional Planning Council	General Planning	TA, AE	Regional Planning Activities	Effective	Town Administrator
Florida Department of Children and Families	Various licenses, land use	AP	Permitting	Effective	Town Administrator
Florida Department Community Affairs	Long range planning	AP, TA	Oversight of Comprehensive Plan, regulation of Land Development Code	Effective	Town Administrator
Florida Department of Environmental Protection	Water quality, natural resource protection	AP	Permitting, Informal coordination	Effective	Town Administrator, Public Works
Florida Department of State, Division of Historic Resources	Historic lands and buildings	TA, AE	Informal coordination	Effective	Town Administrator
Florida Department of Transportation	Transportation planning	AE, AP, PM, TA	Informal coordination	Effective	Town Administrator
Florida Division of Emergency Management	Mutual Aid Agreement	OA, TA, FA	Mutual Aid Agreement	Effective	Town Administrator
Florida Fish and Wildlife Commission	Conservation	AE, TA	Informal coordination	Effective	Town Administrator, Public Works
Florida Inland Navigation District	Intracoastal land development and management, waterway improvement projects	AE, TA, PM	Informal coordination	Effective	Town Administrator
Marine Resource Council of East Florida	Conservation, shoreline restoration	AE, TA	Informal coordination	Effective	Town Administrator, Public Works
St Johns River Water Management District	Stormwater management, water use	TA, AE, AP	Well water permitting, wellhead protection, Surface Water Improvement and Management Plan	Effective	Town Administrator, Public Works
UNITED STATES DEPARTMENTS AND AGENCIES:					
Commerce, Census Bureau	Decennial census	TA	Census Statistics and Services	Effective	Town Clerk
Defense/US Army Corps of Engineers	Cut and Fill (Wetland mitigation)	TA, AP	Federal Mandates	Effective	Town Administrator
Environmental Protection Agency	Cut and Fill (Wetland mitigation)	TA, AP	Federal Mandates	Effective	Town Administrator
Interior	Grant applications	AP, TA	Federal Mandates	Effective	Town Administrator
Postal	Address development, mail delivery	OA	Provision of Addresses	Effective	Town Clerk
Transportation	Transportation planning	AE, AP, PM, TA	Transportation Project Funding	Effective	Town Administrator
REGULATED UTILITIES:					
AT&T	Telephone service	OA, AP	Informal coordination	Effective	Town Administrator
Brighthouse	Cable services, underground utilities	OA, AP	Informal coordination	Effective	Town Administrator
City Gas Company	Underground utilities	OA, AP	Informal coordination	Effective	Town Administrator
Florida Power & Light	Electricity, underground utilities	OA	Franchise Agreement	Effective	Public Works
Palm Bay Utilities	Water and sewer utility service	OA, FA	Interlocal agreement	Effective	Public Works
Waste Management Inc	Solid waste pickup services	OA, FA	Franchise agreement	Effective	Town Administrator

Source: Town of Malabar, 2008 Comprehensive Plan

INTERGOVERNMENTAL COORDINATION ELEMENT GOALS, OBJECTIVES, AND POLICIES

Goal 8-1:

Provide mechanisms for improved intergovernmental coordination. The Town shall undertake actions necessary to establish governmental relationships designed to improve the coordination of public and private entities involved in development activities, growth management, and resource conservation.

8-1.1 Objective:

Normal process for intergovernmental coordination. Systematically coordinate the development and implementation of the Town's Comprehensive Plan with the plans of Brevard County, the City of Palm Bay, the Town of Grant-Valkaria, Brevard County School Board, East Central Florida Regional Planning Council, and other units of local government.

8-1.1.1 Policy:

Responsible entity for intergovernmental coordination. The Town Council and Town Administrator shall be responsible for ensuring an effective intergovernmental coordination program for the Town.

8-1.1.2 Policy:

Coordination with adjacent jurisdictions. The Town shall review proposed comprehensive plans as well as future amendments from Brevard County, Palm Bay, and Grant-Valkaria for the Town's review for purposes of intergovernmental coordination and to promote consistency with the Town's adopted Plan.

8-1.1.3 Policy:

Coordination of growth management issues. The Town shall pursue resolution of growth management issues with impacts transcending the Town's political jurisdiction. Issues to be pursued include but are not limited to the following:

- Brevard County, City of Palm Bay, and Town of Grant-Valkaria land development activities adjacent to the Town's corporate limits.
- Potential annexation issues.

- Central water and wastewater systems feasibility studies as well as planned improvements impacting the Town and adjacent areas.
- Area-wide drainage and stormwater management master plan, proposed improvements impacting the Town and adjacent areas.
- Locally unwanted land uses such as land fill improvements and solid waste disposal.
- Transportation improvements impacting the Town and adjacent areas (especially designated arterials and major collector streets) with new mechanisms to include a proportionate fair share mitigation and concurrency management for transportation facilities.
- Level of service standards for infrastructure system impacting the Town and adjacent areas.
- Natural resource conservation, including the Indian River Lagoon, Turkey Creek, Goat Creek, and tributaries thereof.
- Coordination and implementation of the FDOT 5-year Transportation Plan and the MPO Plan on widening Malabar Road.
- Continued implementation of the St Johns River Water Management District (SJRWMD) Surface Water Improvement and Management (SWIM) plan for restoring the Indian River Lagoon.
- Coordination with Florida Department of Environmental Protection (FDEP) and Florida Inland Navigation District, Army Corps of Engineers on issues relating to the environment and the Indian River Lagoon.
- Coordination with the Brevard County School Board on school concurrency, population projections, and site planning for public school facilities.
- Coordination with the MPO on its Greenways and Trails Master Plan to include a multiuse trail in Malabar.

8-1.1.4 Policy:

Space Coast League of Cities. The Town shall continue to participate in the Space Coast League of Cities, utilizing this organization as a resource for

discussion and education concerning planning, growth management and other public issues of mutual concern to local governments within Brevard County.

8-1.2 Objective:

Conflict resolution. The Town shall participate in the East Central Florida Regional Planning Council, using this Council as an informal forum for resolving conflicts among Brevard County, municipalities within the County, the School Board, and other special purpose districts or entities which provide services but do not have regulatory authority over the use of land.

8-1.2.1 Policy:

Informal mediation process. The Town shall support and participate in the East Central Florida Regional Planning Council's informal mediation process for solving intergovernmental coordination problems among local governments and other units of local governments providing services but not having regulatory authority over the use of land.

8-1.2.2 Policy:

Mechanisms for Intergovernmental Coordination review. The Town shall use the informal conflict resolution process coordinated through the East Central Florida Regional Planning Council to resolve intergovernmental coordination problems.

8-1.3 Objective:

Infrastructure systems and level of service standards. The Town shall coordinate issues surrounding level of service standards for existing and proposed public facilities within the Town and adjacent areas with all State, regional, or local agencies or private entities having existing or proposed future responsibility for the operation and maintenance of such facilities.

8-1.3.1 Policy:

Coordinate regional/sub-regional infrastructure issues. The Town shall coordinate with appropriate agencies for purposes of initiating discussions concerning development of regional or sub-regional infrastructures systems for providing central water and wastewater, stormwater management, solid waste, and major transportation linkages to areas within the Town and adjacent areas outside the Town. Also, use the technical assistance provided by the St Johns River Water Management District in issues surrounding water management, potable water supply, and conservation of natural resources.

8-1.3.2 Policy:

(not included in original document)

8-1.3.3 Policy:

(not included in original document)

8-1.3.4 Policy:

Cooperation with the East Central Florida Regional Planning Council. The Town shall participate in the review of applicable regional standards, including level of service standards.

8-1.3.5 Policy:

Capital improvement program coordination. During preparation of the annual capital improvements program, the Town shall evaluate all applicable State, regional, and local programs proposed for funding in order to promote consistency with the Comprehensive Plan.

8-1.5 Objective:

Beginning with an effective date of 2008, the Town and the Brevard County School Board will establish a formal process for more effective coordination, sharing information on plans, projects, and developments which affect public school facilities or public-school sites.

8-1.5.1 Policy:

The Town agrees to be a party to the Interlocal Agreement for Public School Facility Planning and School Concurrency with the Brevard County School Board and shall work with the School Board to implement the terms of the agreement.

8-1.5.2 Policy:

The Town shall notify the School Board of all proposed residential development projects as a part of the review process for school concurrency.

8-1.5.3 Policy:

The Town shall work with the School Board to maintain the Interlocal Agreement for Public School Facility Planning and School Concurrency.