



REVISED AGENDA

MONROE COUNTY BOARD OF COUNTY COMMISSIONERS

Any person who wishes to be heard shall provide the Clerk with his or her name and residence and the agenda item on which he or she wishes to be heard. Such information shall be on a card provided by the County. Once public input begins, there will be no further speaker cards allowed to be submitted to the Clerk for that subject. An individual has three minutes and a person representing an organization has five minutes to address the Board (except that individuals wishing to speak during public hearings pertaining to land use issues will have five minutes). The first person representing the organization will be allowed the five minutes. Subsequently, all other speakers on behalf of that organization have three minutes to address the Board. Once an individual has addressed the Board, he or she will not be permitted to return to the podium for follow-up comments, unless the issue involved is quasi-judicial in nature. In that case, the applicant may return to the podium to conclude his or her position at the end of the public hearing.

ADA ASSISTANCE: If you are a person with a disability who needs special accommodations in order to participate in this proceeding, please contact the County Administrator's Office, by phoning (305) 292-4441, between the hours of 8:30 a.m. - 5:00 p.m., no later than five (5) calendar days prior to the scheduled meeting; if you are hearing or voice impaired, call "711".

Please note that all time approximate items are listed in bold.

Wednesday, August, 17, 2016

**The Harvey Government Center
At Historic Truman School
1200 Truman Avenue
Key West, FL**

9:00 A.M. - Regular Meeting

9:15 A.M - Land Authority Governing Board

**9:30 A.M. - Fire & Ambulance District 1
Board of Governors**

3:00 P.M. - Public Hearings

TIME APPROXIMATE

**CALL TO ORDER
SALUTE TO FLAG**

REGULAR MEETING

A. ADDITIONS, CORRECTION, DELETIONS

1. Approval of agenda.

B. PRESENTATION OF AWARDS

No items submitted.

C. BULK APPROVALS – COMMISSIONER MURPHY

1. Approval of a Resolution of the Board of County Commissioners of Monroe County, FL, approving the Local Housing Assistance Plan for Fiscal Years 2016-2017/2017-2018/2018-2019 as required by the State Housing Initiatives Partnership Program Act, Subsections 420.907-420.9079, Florida Statutes; and Rule Chapter 67-37, Florida Administrative Code; authorizing and directing the Mayor to execute any necessary documents and certifications needed by the state; authorizing the submission of the Local Housing Assistance Plan for review and approval by the Florida Housing Finance Corporation; and providing an effective date.
2. Approval of Agreement with Evergreen Solutions, LLC in the amount of \$21,000 plus \$3000 per in person meeting, to conduct a minimum living wage analysis of \$31,200/\$15.00 an hour which will include determination of issues that may arise with supervisory duties or compression of positions; what needs to be done to fix those issues; cost for County implementation with variable options; and publication of analysis.
3. Approval of a Resolution to amend the Personnel Policies and Procedures Manual to increase the time in which two employees may fill the same budgeted position from up to 30 days to up to six months for regular positions and up to one year for department heads to allow for training during transitions; clarifies policy for paid time off and membership fees for employees who participate in job related organizations as members and officers; clarifies that departments may pay for job related employee training in advance instead of employee being reimbursed; authorizes a \$1,500 (\$125 per month) payment for employees obtaining a degree beyond what is minimally required for the position but adds value to the department; clarifies that incentive pay is calculated on top of salary and not included in salary; clarifies that an employee must physically work over 40 hours in order to get overtime in accordance with Department of Labor rules; adds wording to include possible termination if employee pleads to an offense; and adds wording to allow for purchase of travel insurance as previously approved by the BOCC on June 15, 2016.
4. Approval to close Fund 172, Cudjoe-Sugarloaf MSTU, and instruct the Clerk of the Court to transfer remaining residual funds (approximately \$5.00 remains) To Fund 312, Cudjoe Regional Wastewater Project.

C. BULK APPROVALS (CONTINUED)

5. Approval of 2016 Blue Options Benefit Booklet for Covered Plan Participants of the Monroe County BOCC Group Health Plan (a.k.a. Plan Document) applicable from January 1, 2016 through December 31, 2016.
6. Approval of Ninth Amendment of Lease for Grantair Service, Inc., a Fixed Base Operator (FBO) at The Florida Keys Marathon International Airport. The current lease terminates on April 9, 2028, however the FBO intends to invest at least \$1.5 million dollars in capital improvements to rebuild its hangar and office space. If Grantair completes construction of the new terminal and office space by April 9, 2028, then the termination date of the lease will be extended to April 20, 2046. In addition the fuel flowage fee will increase from \$0.06 to \$0.10 per gallon which will result in approximately \$24,000.00 additional fuel flowage revenue.
7. Approval of Amendment to Lease between the Key West International Airport and Last Chance Gifts, LLC extending the term of the original lease for an additional five (5) years commencing October 1, 2016 and expiring September 30, 2021 and approval to waive prior year credits and arrearages.
8. Approval to Reject Lowest Bidder Pedro Falcon Electrical Contractors for the Stock Island Fire Station HVAC Improvements in the amount of \$37,129.00 due to discrepancies on other county projects. Requesting approval to award contract to second lowest bidder. Kenmar General Contracting, in the amount of \$62,500.00. Highest of the three bids was D L Porter Constructors for \$78,163.00. Project is paid for by the One Cent Infrastructure Sales Tax.
9. Ratification and approval of set proposed millage rate read at the July 18th Special Budget meeting. There is a correction to the reading of the rolled-back rate, the proposed millage rate, the percent above/below the rolled-back rate that was certified to the Property Appraiser.
10. Request for a special meeting to discuss the county health care plan on Tuesday, September 6th at 2:00 P.M.
11. Approval to renew the contract on a month to month basis with UniFirst Corporation for the Division of Public Works uniform services, Monroe County.

C. BULK APPROVALS (CONTINUED)

12. Issuance (renewal) of a Class A Emergency Medical Services Certificate of Public Convenience and Necessity (COPCN) to Key Largo Volunteer Ambulance Corps., Inc. (KLVAC) for the operation of an ALS transport ambulance service.
13. Approval to amend the existing contract with Buccaneer Courier to remove one (1) stop at the request of the Department of Health.
14. Approval of an amendment to the Edward Byrne Memorial Justice Assistance Grant Program Funds Agreement with Guidance/Care Center revising Section 5: Standard Conditions of Attachment B.
15. Approval of a Resolution authorizing submission of the FDLE Edward Byrne Memorial Justice Assistance Grant applications for funding as recommended by the Substance Abuse Policy Advisory Board (SAPAB) at its upcoming meeting on August 22, 2016, and approval to authorize the Mayor to execute acceptance of award and related documents, and to execute the Edward Byrne Memorial Justice Assistance Grant (JAG) funding distribution letter with the Florida Department of Law Enforcement (FDLE) for fiscal year 2016-2017 (Oct. 1, 2016 through Sept. 30, 2017) whereby Monroe County agrees to the distribution of \$76,979 in program funds in the County. Due to submission deadlines, the recommendations will be ratified by the Board at a later meeting.

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16. Microsoft Volume License Agreement Renewal Approval of three (3) year renewal term for Microsoft Volume License Agreement under State of Florida Contract # 252-001-09-1 from SHI International Corp. Total cost for 36 month term is \$408,439.53 annual cost \$136,146.51 yearly

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17. Approval of invoice to purchase additional Microsoft licenses and the first year of software assurance (maintenance).

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18. Microsoft Renewal for Fire Rescue approval of a three (3) year Microsoft Volume License Agreement under the State of Florida Contract # 252-001-09-1 from SHI International Corp. As provided in quotation # 11957789 total cost for 36 months \$12,576.75 for an annual of \$4,192.25 yearly.

C. BULK APPROVALS (CONTINUED)

19. Approval for the Substance Abuse Policy Advisory Board (SAPAB) to also serve as the Planning Council and approval to add to the membership of the SAPAB in order to meet the statutory requirements of F.S. 394.657. The Florida Department of Children and Families Office of Substance Abuse and Mental Health has modified the Criminal Justice, Mental Health and Substance Abuse (CJMHS) Reinvestment Grant (Program) to allow for not-for-profit community providers designated by the County's Planning Council to apply for a Planning, Implementation or Expansion Grant. The Guidance Care Center (GCC), as a not-for-profit community provider, has approached County staff in order to be designated to apply for grant funding under this Program.
20. Ratification of Federally Funded Subgrant Weatherization Assistance Program (WAP) Agreement 16WX-0G-11-54-01-039 between the State of Florida, Department of Economic Opportunity (DEO) and County of Monroe, Monroe County Board of County Commissioners (Monroe County Social Services) for the period of April 1, 2016, through March 31, 2017, in the amount of \$70,207, to correct Page 28 per DEO's request.
21. Approval of various resolutions for the transfer of funds and resolutions for the receipt of unanticipated revenue.
22. Approval of a Resolution approving Affordable Housing Agreement with the Village of Islamorada for the Plantation Key Courthouse and Detention Center Site Plan review process

D. TOURIST DEVELOPMENT COUNCIL

1. Approval of an Agreement with Tinsley Advertising & Marketing, Inc. to provide advertising services which promote tourism.
2. Approval of an Agreement with Monroe Council of the Arts, d/b/a Florida Keys Council of the Arts to supplement cost of tourist related programs
3. Approval of an agreement with Monroe Council of the Arts d/b/a Florida Keys Council of the Arts to act as a Cultural Umbrella Organization to make recommendations to the Monroe County TDC and BOCC on funding for tourism related cultural activities.

D. TOURIST DEVELOPMENT COUNCIL (CONTINUED)

4. Approval of an Agreement with Florida Keys Fishing Tournaments, Inc. to oversee the TDC Fishing Umbrella, and advisory committee to make recommendations to the TDC and BOCC concerning funding for tourism related fishing activities and marketing.
5. Approval of the 2016-2017 Monroe County Tourist Development Council Marketing Plan
6. Approval of Amendment to Agreement with JDO Insights, Inc. (d.b.a. Insights, Inc.) to provide Visitor Profile Services
7. Approval on one "At Large" appointment to the Tourist Development Council District III Advisory Committee
8. Approval of one "At Large" appointment to the Tourist Development Council District IV Advisory Committee

E. STAFF REPORTS

ADJOURNMENT

9:15 A.M. F. LAND AUTHORITY GOVERNING BOARD

1. Approval of the minutes for the July 18, 2016 and July 20, 2016 meetings
2. Approval of a contract to purchase property for conservation - Block 3, Lot 17, Center Island, Duck Key
3. Approval of a contract to purchase property for conservation - Block 4, Lot 9; Block 12, Lot 7; and Block 14, Lots 4 and 19, Center Island, Duck Key
4. Approval of a contract to purchase property for conservation - Block 4, Lot 11; Block 5, Lot 19; Block 8, Lot 17; Block 9, Lot 6; Block 12, Lot 6; and Block 14, Lot 18, Center Island, Duck Key.
5. Approval of a contract to purchase property for conservation - Block 4, Lot 18, Center Island, Duck Key.
6. Approval of a contract to purchase property for conservation - Block 8, Lots 7 and 8, Center Island, Duck Key.
7. Approval of a contract to purchase property for conservation - Block 11, Lots 4 and 5, Center Island, Duck Key.

9:15 A.M. F. LAND AUTHORITY GOVERNING BOARD (CONTINUED)

8. Approval of a contract to purchase property for conservation - Block 11, Lot 11, Center Island, Duck Key.
9. Approval of a contract to purchase property for conservation - Block 12, Lot 8 and Block 16, Lots 5 and 6, Center Island, Duck Key.
10. Approval of a contract to purchase property for conservation - Block 13, Lot 1, Center Island, Duck Key.
11. Approval of a contract to purchase property for conservation - Block 14, Lot 5, Center Island, Duck Key.
12. Approval of a contract to purchase property for conservation - Block 23, Lot 11, Palm Villa, Big Pine Key.

ADJOURNMENT

9:30 A.M. G. FIRE & AMBULANCE DISTRICT 1 BOARD OF GOVERNORS

No items submitted.

ADJOURNMENT

H. PLANNING AND ENVIRONMENTAL, BUILDING AND CODE COMPLIANCE DEPARTMENTS - BULK APPROVALS

1. Approval of Grant Agreement No. 15085 (Agreement) between Monroe County (County) and the Florida Fish and Wildlife Conservation Commission (FWC) providing reimbursement funding to the County in an amount not to exceed \$70,278 for waterway marker replacements, in addition to Boating Improvement Funds used for channel marker and regulatory marker (i.e. waterway marker) maintenance.

I. PLANNING AND ENVIRONMENTAL, BUILDING AND CODE COMPLIANCE DEPARTMENTS

- 10:00 A.M. 1. Discussion of the Florida Fish and Wildlife Conservation Commission (FWC) Pilot Program for Anchoring and Mooring (Pilot Program), including a summary of the recent FWC workshop on the results of the Pilot Program to date, and direction regarding Monroe County's recommendations beyond the July 1, 2017 expiration date of the Pilot Program.**

I. PLANNING AND ENVIRONMENTAL, BUILDING AND CODE COMPLIANCE DEPARTMENTS (CONTINUED)

- 2:00 P.M.** **2. Presentation and discussion of Affordable Housing Advisory Committee (AHAC) Resolution 01-2016, adopted by the AHAC on July 22, 2016, for the Monroe County Board of County Commissioners to consider 33 recommendations to facilitate the provision of workforce housing and provide staff direction on which recommendations to evaluate and complete.**
- 2:00 P.M.** **3. Approval of a contract with RRC Associates to (1) conduct a data-based survey of employers located in the unincorporated and incorporated parts of Monroe County to verify the employment patterns and the building floor area used for nonresidential development, and to (2) prepare the prototypical workforce/affordable housing unit(s), including size ranges, building materials and costs of construction, to be utilized by the County for the adoption of inclusionary housing requirements to address nonresidential and transient development; for a fixed price, not-to-exceed contract of \$49,171.00.**
- 2:00 P.M.** **4. Approval of a contract with Clarion Associates to prepare a Support Study providing the technical support (data & methodology to determine need) for a workforce/ affordable housing mitigation program for nonresidential development and redevelopment (expansions and remodels), to be utilized by the County for the adoption of inclusionary housing requirements to address nonresidential and transient development; for a fixed price, not-to-exceed contract of \$49,365.00.**
5. Discussion regarding the Keys-wide Mobile Vessel Pumpout Service (Pumpout Service), consideration for charging customers of the service, and direction regarding State funding which is available for the next year for the Pumpout Service.
6. Approval of Department of Environmental Protection (DEP) Contract No.MV-205 between Monroe County (County) and the DEP providing \$500,000 in reimbursement funding to the County to assist with funding the County's Mobile Vessel Pumpout Service (Pumpout Service) for one year of operation from July 1, 2016 through June 30, 2017.

I. PLANNING AND ENVIRONMENTAL, BUILDING AND CODE COMPLIANCE DEPARTMENTS (CONTINUED)

7. Approval of Agreement No. MV-204 between Monroe County (County) and the Florida Department of Environmental Protection (DEP) Clean Vessel Act (CVA) Program providing \$172,350 in grant reimbursement funding to the County to assist with funding the County's Mobile Vessel Pumpout Service (Pumpout Service) for one year of operation from July 1, 2016 through June 30, 2017.
8. Approval of Amendment No.7 to the Agreement (Amended Agreement or Agreement) between Monroe County (County) and Pumpout USA, Inc. (Contractor) for Keys-Wide Mobile Vessel Pumpout Service (Pumpout Service), to: 1) be contingent upon sufficient funding sources and levels required (but deleting certain specified funding sources and amounts), 2) providing for the term of the Agreement from July 1, 2016 through June 30, 2017, 3) and clarifying that additional term extensions are provided for through December 31, 2018 in keeping with the original term provisions of six total years of Pumpout Service (two years with the original contract with provision for two additional two year terms).

1:30 P.M. J. CLOSED SESSIONS

1. **Attorney-Client Closed Session in the case of Delaney et al. v. FKAA and Monroe County, 16th Judicial Circuit Case No. CA-K-16-439.**
2. **An Attorney-Client Closed Session in the matter of Monroe County v. Zamindari Investments, Inc., Aqua Ranch, Inc., Charles Barra as Officer for Aqua Ranch, Inc., and Kristin Kurtz as Officer for Aqua Ranch, Inc., Circuit Court Case No. CA-M-14-165.**
3. **An Attorney-Client Closed Session in the matter of KW Resort Utilities Rate Application, Florida Public Service Commission Docket No. 150071-SU.**

10:30 A.M. K. WASTEWATER ISSUES

1. **Presentation of Cudjoe Regional Wastewater System Project Status and Schedule.**

L. SHERIFF'S OFFICE

1. Approval of request for Expenditure from the Law Enforcement Trust Fund (\$500.00 for Florida Missing Children's Day 2016).

M. COMMISSIONERS' ITEMS

11:00 A.M.

- 1. MAYOR CARRUTHERS: Approval of a Resolution of the Board of County Commissioners of Monroe County directing the Supervisor of Elections to place a non-binding question on the November 2016 general election ballot regarding support for legislation to authorize the imposition of a sales surtax on tobacco and served alcohol sales throughout Monroe County where the proceeds could only be used to fund and increase services to meet unmet needs for veterans, seniors, children, disabled, and other vulnerable residents and to offset costs currently funded by property taxes.**
2. MAYOR CARRUTHERS: Approval of the appointment of Michelle Maxwell to the CareerSource South Florida Board of Directors.
3. MAYOR PRO TEM NEUGENT: Approval of the reappointment of Rita Irwin to the Tourist Development Council.
4. MAYOR PRO TEM NEUGENT: A resolution of the Board of County Commissioners of Monroe County, applauding the Ocean Conservancy, The Florida Keys National Marine Sanctuary and The Florida Keys Scenic Highway Corridor alliance for their efforts in organizing and carrying out a keys-wide beach cleanup to take place on September 17, 2016
5. COMMISSIONER KOLHAGE: Appointment of Paula Joyner-Clinard to the KWIA Ad Hoc Committee on Noise, replacing Amy Kehoe.
6. COMMISSIONER KOLHAGE: Appointment of Tom Nelson to the KWIA Ad Hoc Committee on Noise, replacing Robert Padron.

N. COUNTY CLERK

1. Report
2. Clerk Report: (1) Fixed Asset Transfers-Informational Purpose Only (2) Departmental Asset Inventory-Informational Purpose Only (3) FCAA invoices for the fiscal year (to include salaries), relating to the Cudjoe Regional Wastewater System Project. The invoices under \$50,000 are being provided For Information Only.

N. COUNTY CLERK (CONTINUED)

3. Approval of Tourist Development Council expenses for the month of July 2016.
4. Approval of BOCC Warrants (Including Payroll) for the Month of July 2016.
5. Approval of FKAA Invoices \$50,000 or over for the fiscal year (to include salaries), relating to the Cudjoe Regional Wastewater System Project.
6. Computer Fixed Asset Deletion Requests

O. COUNTY ADMINISTRATOR

1. County Administrator Report
2. Authorization to advertise a Request for Qualifications (RFQ) for on-call professional engineering services for canal and environmental services.
3. Authorize entering into Amendment No. 8 with Erin L. Deady, P.A. to provide a no-cost extension of time by which the Pilot Roads Project and the GreenKeys! Sustainability Action Plan (Plan) will be completed.
4. Ratification of one small contract, Jacobs Project Management Co. For \$49,100.00, signed By The County Administrator.
5. Approval of Amendment No. 11 to the Contract for Engineering, Design and Permitting Services of the Demonstration Projects, with AMEC Foster Wheeler Environment and Infrastructure, Inc. to provide design, permitting, and procurement services related to the Air Curtain for the original demo canal #290 in Big Pine Key and assist with the preparation for the September 8, 2016 BOCC Canal Financing Special Meeting in an amount not to exceed \$27,474.90.
6. Approval of an Agreement with Anfield Consulting for professional consulting services representing the County's state legislative interests and advocating for the County's position on various legislative priorities and issues as approved by the BOCC and assigned by the County Administrator.

O. COUNTY ADMINISTRATOR (CONTINUED)

7. Ratification of two (2) small contracts, Agreement with Archaeological and Historical Conservancy, Inc. and the Amendment 1 to the Agreement with Archaeological and Historical Conservancy, Inc. signed by the County Administrator.

11:30 A.M.

8. **A brief overview of the County's management of Zika with an emphasis on utilizing the National Incident Management System to ensure an efficient and effective response through coordination and communication utilizing ICS processes.**
9. Approval of the Confidentiality Agreement required for State of Florida Stan Mayfield Working Waterfront Grant Contract.

P. COUNTY ATTORNEY

REVISED

1. **County Attorney Report.**
2. Approval to proceed with litigation to compel the property owner, George Secchiaroli, to comply with various county ordinances and correct the code violations of Code Compliance Case CE11070030.
3. Authorization to initiate litigation against Michael Yawt and the property located at 49 Bahama Avenue and Poinciana Drive if necessary, Key Largo, Florida, to seek compliance with the County Codes and enforce the liens arising from code compliance case number(s) CE10100037 and CE15030049.
4. Approval of Resolution requesting the Supervisor of Elections to place referendum questions on the November 8, 2016 General Election Ballot in order to determine if the electors of Duck Key support 1) the creation of a Beautification and Improvement District that may replace the current Duck Key Security District and 2) removal of the current special assessment cap on vacant and improved lots.

3:00 P.M.

Q. PUBLIC HEARINGS

1. **A public hearing to consider an ordinance creating Sections 23-43 through 23-47 of the Monroe County Code, to provide a reduction in assessed value for construction or reconstruction of homesteaded property completed after January 7, 2003 for the purpose of providing living quarters for parents or grandparents of property owners, pursuant to F.S 193.703 and the 2002 amendment to the Florida Constitution known as the "Granny Flats" Amendment.**

3:00 P.M. Q. PUBLIC HEARINGS (CONTINUED)

- 2. Approval of a resolution renouncing and disclaiming any right of the County and the public in and to a portion of the right-of-way of Ed Swift Road, in a part of Government Lot 2, Township 67 South, Range 26 East, on Big Coppitt Key, Monroe County, Florida.**
- 3. An ordinance by the Monroe County Board of County Commissioners to defer the approval of applications for the transfer of development rights to offshore islands, transfer of ROGO exemptions to offshore islands, tier amendments for offshore islands; map amendments for offshore islands to increase potential density or intensity and text amendments for offshore islands to increase development potential (density/intensity), commencing August 17, 2016, until such time as a land development code amendment process as called for in Policy 102.6.1 of the 2030 Comprehensive Plan is completed regarding offshore islands and providing for expiration within 365 days of the effective date of this interim development ordinance or when the land development code amendments become effective, whichever comes first, providing for severability; providing for transmittal to the State Land Planning Agency and the Secretary of State; providing for an effective date.**
- 4. A public hearing to consider a resolution by the BOCC to amend Resolution # 118 - 2015, the Planning & Environmental Resources Fee Schedule, to: amend the fee schedule to include new application requirements as adopted by the 2030 Comprehensive Plan and the new Land Development Code (including concept meetings, BOCC impact meetings, community meetings, additional noticing and staff facilitation of meetings); to establish fees for an inclusionary housing alternative compliance application; to establish fees for a map designation verification application; to establish fees for a platting lot line adjustment application; to establish fees for a temporary non-emergency housing application; to round all proposed and current fees to the nearest tenth to eliminate and reduce payment errors; and to repeal any other fee schedules inconsistent herewith.**
- 5. A Public Hearing to consider approval of a resolution for Budget Amendments for Fiscal Year 2016 for the Big Coppitt Wastewater Project, Fund 310; Duck Key Wastewater Project, Fund 311; and Card Sound Bridge, Fund 401.**

R. ADD ONS

- ADD ON** 1. Ratification of Small Contract with Maverick United Elevator LLC for complete elevator service maintenance on a month to month basis commencing August 1, 2016, for a period not to exceed 6 months pending award of contract following Request for Proposal solicitation.
- ADD ON** 2. Authorize a contract with Parsons Engineering, Inc. in an amount not to exceed \$33,680.00 to provide professional consulting services to assist the County with evaluating our LiDAR elevation data mapping needs and preparing a solicitation for LiDar elevation data.
- ADD ON** 3. Discussion and direction regarding possible negotiation of extension of contract with the Medical Examiner.
- ADD ON** 4. Request to hold an Attorney-Client Closed Session in the matter of Denenberg v. Marine Mammal Conservancy, Inc., et al., Circuit Court Case 14-CA-364-P at the regularly scheduled BOCC meeting on September 21, 2016 in Key Largo at 1:30 p.m. or as soon thereafter as may be heard.
- ADD ON** 5. Approval of an interlocal agreement with the Monroe County Mosquito Control District to provide county employees to supplement the District's workforce on a temporary, as needed basis.