

**RESOLUTION No. 2024-002**  
**A RESOLUTION OF THE UPPER CAPTIVA FIRE PREVENTION AND RESCUE SERVICE DISTRICT OF LEE COUNTY, FLORIDA, ADOPTING A CIVILITY CODE POLICY, AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, the UPPER CAPTIVA FIRE PREVENTION AND RESCUE SERVICE DISTRICT ("District") of Lee County, Florida, holds monthly public meetings to conduct District business and strives to encourage public and Fire Commissioner engagement at such public meetings and hearings; and

WHEREAS, the District's Fire Commissioners seek to ensure that all participants at its meetings and hearings are treated in a dignified, respectful manner in accordance with the highest standards of civility and professionalism; and

WHEREAS, the District's Fire Commissioners desire to establish a Civility Code to ensure that all meeting participants and Fire Commissioners are treated with respect and in manner that is not threatening, abusive or harassing; and

WHEREAS, the adoption of a District Civility Code will set proper conduct and decorum standards for all participants at District public meetings, provide a means for addressing violations of such standards, and encourage continued public service amongst the District's public officials; and

WHEREAS, the District's Fire Commissioners find it is the <sup>in</sup> best interest of the District and the public to adopt a Civility Code as more particularly set forth herein

NOW, THEREFORE, BE IT RESOLVED by the UPPER CAPTIVA FIRE PREVENTION AND RESCUE SERVICE DISTRICT of LEE County, Florida, that:

1. The attached UPPER CAPTIVA FIRE AND RESCUE DISTRICT CIVILITY CODE attached hereto and incorporated herein as Exhibit A, is hereby adopted fully by reference.
2. This Resolution shall take effect immediately upon its adoption.

THE FOREGOING RESOLUTION WAS OFFERED BY COMMISSIONER Filipczak WHO MOVED ITS ADOPTION. THE MOTION WAS SECONDED BY COMMISSIONER Rosen. UPON BEING PUT TO A VOTE, THE VOTE WAS AS FOLLOWS:

Commissioner Bill Byrnes  
Commissioner Mike Filipczak  
Commissioner Bill Fry  
Commissioner Van Hammond  
Commissioner Duncan Rosen

YES  
\_\_\_\_\_  
YES  
\_\_\_\_\_  
YES  
\_\_\_\_\_  
YES  
\_\_\_\_\_  
YES


DULY ADOPTED at a public hearing this 20<sup>th</sup> day of October, 2023.

---

UPPER CAPTIVA FIRE PROTECTION AND RESCUE SERVICE  
DISTRICT

  
\_\_\_\_\_  
Chairman

ATTEST:

  
\_\_\_\_\_  
Vice Chairman

**Exhibit A  
Version 2.0 FINAL  
(updated on 10/20/23)**

**UPPER CAPTIVA FIRE AND RESCUE DISTRICT  
CIVILITY CODE OF CONDUCT**

It is the intent of the Upper Captiva Fire and Rescue District Board of Commissioners (UCFRD) to uphold, promote and demand the highest standards of civility amongst the Board and of the public.

The UCFRD Board of Commissioners shall maintain the utmost standards of personal integrity, truthfulness, honesty, civility, and fairness in carrying out their public duties, avoiding any improprieties in their roles as public servants.

In furtherance of the above stated purpose and intent, the UCFRD adopts the following Civility Code which shall be applicable during all UCFRD public meetings, hearings, and Commissioner communications.

**Upper Captiva Fire and Rescue District Civility Code**

We will treat other Commissioners with respect and work together to execute District's business.

We understand that our opinions of what is best for the Fire District are not always aligned and that healthy debate of substance is best for the District.

We will be respectful of others even when we disagree.

We encourage and promote thoughtful dialogue and respect among diverse parties.

We will allow one another to voice their position without interruption.

We will address all our comments to the issues.

We will avoid personal attacks and NEVER resort to name calling or snide comments.

Public attendees of UCFRD meetings and hearings are expected to abide by the same civility principles provided for in this Civility code. Violations of this Civility code by members of the public may result in the meeting or hearing being recessed, rescheduled, or continued. Additionally, disruptive or uncivil behavior by a member of the public may also result in the individual being asked to leave the meeting.

## UCFRD CIVILITY CODE OF CONDUCT [AS ADOPTED 10/20/23]

If a UCFRD Board member violates this Civility Code of Conduct during a meeting or in board communications (i.e., letters, e-mails, text messages, voice mails), the Chair (or Vice Chair in the absence of the Chair) can issue a Warning or Censure as follows:

### **Warning:**

The Chair (or Vice Chair in the absence of the Chair) can raise a Civility Code of Conduct exception at a public meeting and publicly warn the offending Board member of the inappropriate conduct and/or speech. This warning will be recorded in the minutes of the meeting. Such warning is intended to raise awareness of the civility issue, afford the offending Board member an opportunity to correct the conduct and/or speech, and to be used as a "learning" event for all involved.

### **Censure:**

Once a Warning has been publicly issued, any UCFCD board member can Move to Censure the offending Board member during the board meeting when the Warning was issued. A Move to Censure would need to be seconded to open discussion and roll call vote required. Four votes are needed to pass a Motion to Censure.

Censure can be in the form of one or more of the following actions:

1. Written **letter of reprimand** to censure the Board member for the uncivil or inappropriate conduct and/or speech with a copy of such letter filed in the department archives.
2. A request for the censured Board member to attend **Civility Training** by a 3<sup>rd</sup> party, with such training paid for by the department.
3. **Formal Written and Public Censure** that may include notification that:
  - a. the offending individual's conduct and/or speech is not condoned by the Board and is considered a violation of the UCFRD's Civility Policy;
  - b. Any liability arising from the offending individual's conduct and/or speech will not be indemnified by the Board due to the violation of UCFRD's policy; and
  - c. Repeated violations of such policy may result in the UCFRD requesting Governor involvement to address the censured conduct and/or speech including a request to remove the offending official from office in accordance with law.