

# **FORT MYERS BEACH FIRE CONTROL DISTRICT**

**MAY 8, 2019  
BOARD OF FIRE COMMISSIONERS  
WORK SESSION & MEETING**



# **MATERIALS**



# FORT MYERS BEACH FIRE CONTROL DISTRICT

## BOARD OF FIRE COMMISSIONERS WORK SESSION & MEETING

### AGENDA

**MAY 8, 2019**

**9:30 AM**

2755 ESTERO BOULEVARD, FORT MYERS BEACH PUBLIC LIBRARY  
FORT MYERS BEACH, FLORIDA 33931

#### **BOARD OF FIRE COMMISSIONERS**

LARRY WOOD  
CHAIR

RON FLEMING  
VICE CHAIR

BOB RAYMOND  
SECRETARY/TREASURER

JACKI LISZAK  
FIRE COMMISSIONER

JOHN BENNETT  
FIRE COMMISSIONER

**FIRE CHIEF**  
MATTHEW R. LOVE

1. Meeting Called to Order
2. Pledge of Allegiance
3. Adoption of Agenda [Discussion/Approval]
4. Restate Agenda Items [Information]
5. Public Input on Agenda Items
6. Consent Agenda [Approval]  
*Items listed are considered routine and action will be taken by one motion; if a Commissioner desires discussion, the specific item will be removed during the Adoption of the Agenda, and considered separately.*
  - A. April 10, 2019 Work Session & Monthly Meeting Minutes
7. Hurricane Operations Presentation [Information]
8. Unfinished Business
  - A. Fire Chief Annual Appraisal Process [Discussion/Approval]
  - B. Fire Chief Performance-Based Annual Adjustment [Discussion/Approval]
  - C. Board of Fire Commissioner Policy Review Session- Policy B2000 Sections 1-3 [Discussion/Approval]
9. New Business
  - A. Board of Fire Commissioner Policy Review Session- Policy B2000 Section 4 [Discussion]
  - B. Mid-Fiscal Year Budget Update [Information]
10. Report from IAFF Union Representative District 15 [Information]
11. Fire Chief Remarks [Information/Discussion]
12. Public Input
13. Commissioners Remarks [Information]
14. Adjournment

**DRAFT MINUTES**  
**WORK SESSION & MEETING OF THE**  
**FORT MYERS BEACH FIRE CONTROL DISTRICT**  
**BOARD OF COMMISSIONERS**  
TIME: 9:30 AM  
DATE: April 10, 2019  
PLACE: 2755 Estero Boulevard – Public Library  
Fort Myers Beach, Florida 33931

IN ATTENDANCE: Chairman Wood, Vice-Chairman Fleming, Secretary/Treasurer Raymond, Commissioner Liszak, Commissioner Bennett, Fire Chief Love, District members and members of the public.

**1. Meeting Called to Order**

**2. Pledge of Allegiance**

**3. Adoption of the Agenda [Discussion/Approval]**

Chief Love stated that DVP Lamb contacted him and requested to speak on behalf of IAFF 1826, District 15. Chairman Wood called for a motion to adopt the amended agenda with the addition of Local 1826, District 15 Report. Secretary/Treasurer Raymond made a motion to adopt the agenda. Commissioner Bennett seconded. The motion was approved unanimously 5 – 0.

**4. Restate Agenda Items [Information]**

**5. Public Input on Agenda Items**

*No public input was provided*

**6. Consent Agenda [Approval]**

*Items listed are considered routine and action will be taken by one motion; if a Commissioner desires discussion, the specific item will be removed during the Adoption of the Agenda, and considered separately.*

**A. March 27, 2019 Regular Meeting Minutes**

Chairman Wood called for a motion to approve the Consent Agenda. Commissioner Liszak made a motion to approve the consent agenda. Vice-Chairman Fleming seconded.

The motion was approved unanimously 5 – 0.

**7. Unfinished Business**

*No unfinished business*

## 8. New Business

### A. Fire Chief Annual Appraisal Process [Information/Discussion]

Chief Love discussed the parameters listed in the action item sheet provided to the Board as well as the Fire Chief Appraisal Form in their packet. Chief Love will send a fillable Fire Chief Appraisal Form to the Board and will meet with each Board member one-on-one for feedback prior to the Fire Chief Annual Appraisal. The Board and Chief Love discussed the process in more detail and the parameters agreed on by the previous Board. The Board agreed to provide the Fire Chief Appraisal Form to the Fire Chief for the record.

### B. Life Safety & Short-Term Rental Update [Information]

Chief Love provided a snapshot of where the District is with the Short-Term Rental Ordinance. Chief Love discussed the workload of the Life Safety Division and the effects it has on the inspection process. The Board and staff discussed data on inspections, Town of Fort Myers Beach property list, and penalties for not registering.

### C. Short-Term Rental Ordinance Review [Information/Discussion]

Executive Assistant Fire Chief Ron Martin provided a review and history of the District's Short-Term Rental Ordinance to the Board. The Board and staff discussed several items regarding the ordinance such as the inspection process, pre-inspection checklists, re-registering, straps versus units, review of inspection reports for renters, exclusions, and the option of offering a "residential program" for property owners. The Board agreed to add this back to an agenda around October to review the progress of the Short-Term Rental Ordinance.

Add In: Chairman Wood requested that the report from Union District Vice President (DVP) Lamb, representative of IAFF Local 1826, District 15, be moved up on the agenda. The Board agreed to have DVP Lamb provide his report before moving on to the next agenda item.

Local 1826, District 15 DVP Lamb stated he is looking forward to getting to know the Commissioners on an individual basis and gave a brief description of his work history with the department. DVP Lamb stated that he is taking over the DVP role from his counterpart Tom Grow and that he works closely with District 3's DVP Todd Williamson. DVP Lamb encouraged the Board get to know the fire stations, stop in and see the members, ask questions, and possibly do a ride-along to get to know the District. DVP Lamb invited the Commissioners to participate in the Annual Easter Egg hunt at Bay Oaks. DVP Lamb discussed Board members talking to the DVP and encouraged them to speak to the local DVP's. DVP Lamb stated that he is looking forward to serving as the DVP and that he is looking forward to securing a mutually beneficial contract for District 15.

### D. Board of Fire Commissioner Policy Review Session-Policy B2000 Sections 1-3 [Discussion]

Chief Love gave an overview of the Board Policy B2000, Sections 1-3. The Board and Chief Love discussed each section in detail. The Board agreed to make verbiage changes throughout the sections primarily in the following areas:

- Section 3, IV – Special Meetings
- Section 3, VI – Meeting Attendance (unexcused vs. excused)
- Section 3, VI, D, 1
- Section 3, VI, D, 2
- Section 3, VI, D, 3
- The Board requested that staff research other Board policy verbiage regarding unexcused vs. excused absences.
- The Board requested re-clarification regarding Section 3, VII, B (Abstention).

This agenda item will be added to the next Board meeting for review and approval.

E. Monthly Incident Statistics Report [Discussion]

Chief Love provided the Board with the District's Statistical Abstract data as well as an example "Response by Unit" chart that is presented at the monthly meetings in the Chief's report. The Board and Chief Love discussed the Board's desire for monthly statistics and it was agreed to provide a year versus year summary in the month and year response data.

**9. Fire Chief Remarks[Information/Discussion]**

Chief Love reported on the research found regarding "term limits" as requested at a previous meeting. Chief Love reminded the Board that we will be taking individual and group photos at the Board meeting on May 22. Chief Love reminded the Board that the Emergency Operation Center and Dispatch Center tours are scheduled for May 29.

**10. Public Input**

*No public input was provided*

**11. Commissioners Remarks**

Commissioner Liszak thanked everyone at Fire Station 33 for hosting her nephews' tour and thanked everyone for the great work they do. Commissioner Liszak stated that wrapping up the season we made it with little scathing and it was a good season.

Commissioner Bennett thanked the staff for their preparation and for making it through the policy review discussion.

Vice-Chairman Fleming congratulated the District and Chief Love on the Open House. Vice-Chairman Fleming congratulated the staff and welcomed Deputy Fire Marshal Jennifer Campbell.

The Commissioners all agreed that the Open House event was well attended and put together.

Secretary/Treasurer Raymond congratulated Chief Love on receiving the Fire Chief of the Year Award.

**12. Adjournment**

11:37 am

DRAFT

# **FORT MYERS BEACH**

## **FIRE CONTROL DISTRICT**

**BOARD OF FIRE COMMISSIONERS**  
**WORK SESSION & MEETING**

**UNFINISHED BUSINESS**  
**MATERIALS**



# FORT MYERS BEACH FIRE CONTROL DISTRICT

## BOARD OF FIRE COMMISSIONERS MEETING

### “Blue Sheet” AGENDA ITEM INFORMATION

**AGENDA CATEGORY:** Unfinished Business: **ITEM 8A**  
**AGENDA ITEM:** Fire Chief Annual Appraisal Process  
**SUBJECT:** Annual Fire Chief Evaluation  
**OTHER:** N/A

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#### **ACTION** [\[Discussion/Approval\]](#)

**PURPOSE**  
Provide Annual Fire Chief Evaluation per agreement.

**HISTORY**  
The Fire Chief Agreement states:  
*The Fire Chief shall be reviewed by the District’s Board of Commissioners on an annual basis, at least one (1) month prior to the anniversary date.... At the conclusion of the annual review, if the Fire Chief’s performance exceeds the satisfactory level, he will be eligible for an annual monetary salary increase, tied to performance, as determined by the District Board of Commissioners.*

On August 21, 2018, the Board of Commissioners chose to alter the evaluation period, allowing newly elected Commissioners more time with the Fire Chief prior to evaluation.  
The August 21, 2018 Addendum states:  
*The Fire Chief shall be reviewed by the District Board of Commissioners on an annual basis, prior to the end of May each year. At the conclusion of the annual review, if the Fire Chief’s performance meets or exceeds the satisfactory level, he will be eligible for an annual monetary salary increase, tied to performance, as determined by the District Board of Commissioners and retroactively applied back to his employment anniversary date with the District (March 21) for the given year.*

**As discussed in the April 10, 2019 Board of Commissioners Work Session Meeting the Board will publicly provide the Annual Fire Chief Evaluation. In the previous meeting, the Board was provided with a copy of the Fire Chief’s Appraisal Form.**

**RECOMMENDATION**  
In the April 10, 2019 Work Session Meeting, Commissioners were encouraged to complete the Chief Performance Appraisal Form, and to meet with the Fire Chief to provide personal evaluation comments.

At this meeting, Commissioners will provide applicable scores and comments, and may choose to accept the final evaluation.

**RECOMMENDED MOTION**  
**Motion to approve the presented Fire Chief Annual Evaluation scores and comments.**





# FORT MYERS BEACH FIRE DEPARTMENT

100 VOORHIS STREET · FORT MYERS BEACH, FLORIDA 33931  
MAILING ADDRESS: POST OFFICE BOX 2880 · FORT MYERS BEACH, FLORIDA 33932

## Fire Chief Appraisal

**Fire Chief:** \_\_\_\_\_ **Performance Appraisal Period:** \_\_\_\_\_ **Previous Appraisal Date:** \_\_\_\_\_

For the relevant Appraisal Period (*see* above), Fire Commissioners will evaluate the Fire Chief's work performance in each of the seven (7) categories. Each category in the appraisal is weighted equally.

Categories will be rated using a scale from one (1) to five (5), as reflected below. Commissioners may provide a fraction, up to one decimal, as desired in the scoring. (Example: 4.1, 3.9, etc.)

Unsatisfactory (1-1.9)	<i>Constantly falls below expectations</i>
Needs Improvement (2-2.9)	<i>Usually meets, but sometimes falls below, expectations</i>
Satisfactory (3)	<i>Meets expectations</i>
Above Satisfactory (3.1-3.9)	<i>Meets and sometimes exceeds expectations</i>
Very Good (4-4.9)	<i>Usually exceeds expectations</i>
Outstanding (5)	<i>Significantly exceeds expectations</i>

Comments on performance in any of the categories is encouraged. Specific comments are required for any category which receives a rating of 1-1.9 or 5.

### CATEGORY 1: Financial Management

#### Expectations:

- Apprises the Board of the ongoing financial condition and operational budget of the District
- Forecasts and plans for future District financial needs
- Oversees the preparation and completion of the annual budget process, and manages the budget upon its adoption
- Supervises purchasing and requests approval from the Board as required by policy

#### Board of Fire Commissioners Performance Ratings:

- Commissioner \_\_\_\_\_

- Specific Comments:

Board of Fire Commissioners Performance Rating: \_\_\_\_\_



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## Fire Chief Appraisal

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### CATEGORY 2: Personnel Management

#### Expectations:

- Oversees the District's Human Resources and personnel functions relating to recruiting, hiring, promoting, disciplining, terminating, training and development
- Oversees career development, training, and educational programs
- Establishes department organizational structure and the assignment of personnel
- Consults with the Board and legal counsel regarding labor relations and collective bargaining agreements

#### Board of Fire Commissioners Performance Ratings:

- Commissioner \_\_\_\_\_
  - Specific Comments:

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Board of Fire Commissioners Performance Rating: \_\_\_\_\_



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## Fire Chief Appraisal

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### CATEGORY 3: Strategic Planning

#### Expectations:

- Establishes and maintains the District's Strategic/Comprehensive Plan
- Manages short and long range District strategies
- Establishes sub-plans based on the District's Strategic/Comprehensive Plan and organizational structure
- Provides an annual Strategic/Comprehensive Plan report

#### Board of Fire Commissioners Performance Ratings:

- Commissioner \_\_\_\_\_

- Specific Comments:
- 

Board of Fire Commissioners Performance Rating: \_\_\_\_\_



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## Fire Chief Appraisal

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### CATEGORY 4: Leadership

#### Expectations:

- Serves as Chief Administrative Officer of the District and responsible to the District Board of Fire Commissioners for proper administration of all affairs of the District
- Oversees emergency service delivery, fire and life safety activities and disaster management functions
- Assures the proper command and control of District emergency response activities

#### Board of Fire Commissioners Performance Ratings:

- Commissioner \_\_\_\_\_

- Specific Comments:
- 

Board of Fire Commissioners Performance Rating: \_\_\_\_\_



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## Fire Chief Appraisal

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### CATEGORY 5: Community, Governmental & Industry

#### Expectations:

- Represents the District through speeches and presentations consistent with good community District relations
- Attends and participates in workshops, seminars, conferences, committee meetings and public safety hearings
- Establishes and maintains effective working relationships with state, county and municipal agencies and officials.
- Ensures District compliance with applicable laws, ordinances, rules, regulations, resolutions and policies
- Demonstrates thorough knowledge of current and developing operations within the fire and EMS industry

#### Board of Fire Commissioners Performance Ratings:

- Commissioner \_\_\_\_\_
    - Specific Comments:
- 

Board of Fire Commissioners Performance Rating: \_\_\_\_\_



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## Fire Chief Appraisal

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### CATEGORY 6: Board of Fire Commissioners

#### Expectations:

- Apprises the Board of District activities and operations
- Assists the Board in the preparation of agenda topics for Board meetings
- Recommends matters for adoption by the Board
- Provides technical advice to the Board

#### Board of Fire Commissioners Performance Ratings:

- Commissioner \_\_\_\_\_

- Specific Comments:
- 

Board of Fire Commissioners Performance Rating: \_\_\_\_\_



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## Fire Chief Appraisal

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### CATEGORY 7: Disaster Planning and Management

#### Expectations:

- Oversees emergency preparedness, disaster planning and hazard mitigation activities of the District
- Establishes policies, procedures, and practices necessary for efficient and effective disaster management

#### Board of Fire Commissioners Performance Ratings:

- Commissioner \_\_\_\_\_
    - Specific Comments:
- 
- 

Board of Fire Commissioners Performance Rating: \_\_\_\_\_

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**Total Appraisal Score:** \_\_\_\_\_

Additional Fire Commissioner Comments:

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Fire Chief Comments:

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# FORT MYERS BEACH FIRE CONTROL DISTRICT

## BOARD OF FIRE COMMISSIONERS MEETING

### “Blue Sheet” AGENDA ITEM INFORMATION

**AGENDA CATEGORY:** Unfinished Business: **ITEM 8B**  
**AGENDA ITEM:** Fire Chief Performance-Based Annual Adjustment  
**SUBJECT:** Annual Fire Chief Evaluation  
**OTHER:** N/A

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#### **ACTION** [\[Discussion/Approval\]](#)

#### **PURPOSE**

If deemed appropriate by the Board, and at the conclusion of the annual review, if the Fire Chief’s performance meets or exceeds the satisfactory level, he will be eligible for an annual monetary salary increase, tied to performance.

#### **HISTORY**

The Fire Chief Agreement states:

*The Fire Chief shall be reviewed by the District’s Board of Commissioners on an annual basis, at least one (1) month prior to the anniversary date.... At the conclusion of the annual review, if the Fire Chief’s performance exceeds the satisfactory level, he will be eligible for an annual monetary salary increase, tied to performance, as determined by the District Board of Commissioners.*

On August 21, 2018, the Board of Commissioners chose to alter the evaluation period, allowing newly elected Commissioners more time with the Fire Chief prior to evaluation.

The August 21, 2018 Addendum states:

*The Fire Chief shall be reviewed by the District Board of Commissioners on an annual basis, prior to the end of May each year. At the conclusion of the annual review, if the Fire Chief’s performance meets or exceeds the satisfactory level, he will be eligible for an annual monetary salary increase, tied to performance, as determined by the District Board of Commissioners and retroactively applied back to his employment anniversary date with the District (March 21) for the given year.*

#### **RECOMMENDATION**

Commissioners are recommended to assess the Fire Chiefs performance and consider eligibility for an annual monetary salary increase, and/or one-time compensation tied to performance. Financial staff have provide financial comparison information as requested.

#### **SAMPLE MOTIONS** (If determined appropriate by the Board)

- **Motion to approve the presented Fire Chief monetary salary increase of \_\_\_\_\_ from today’s date and retroactively applied back to March 21, 2019.**
- **Motion to approve the presented one-time Fire Chief monetary performance compensation of \_\_\_\_\_.**





# FORT MYERS BEACH FIRE CONTROL DISTRICT

## BOARD OF FIRE COMMISSIONERS MEETING

### “Blue Sheet” AGENDA ITEM INFORMATION

**AGENDA CATEGORY:** Unfinished Business **ITEM 8C**  
**AGENDA ITEM:** Board of Fire Commissioners Policy Review Session-  
Policy B2000 Section 1-3  
**SUBJECT:** Board Policy B2000 Sections 1-3  
**OTHER:** N/A

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#### **ACTION** **Discussion/Approval**

#### **PURPOSE**

To review the updated information and verbiage to the Board Member Handbook- Board Policy B2000, Sections 1-3.

#### **HISTORY**

At the March 13, 2019 meeting, the Board discussed beginning the review of Board Policy B2000 and agreed that the review process should be done in sections rather than all at once.

At the April 10, 2019 meeting, the Board reviewed and discussed verbiage updates to the Board Policy B2000. The Board provided feedback on changes and updates to the Board Policy B2000, Sections 1-3.


**In today’s meeting staff will provide updates based on the Board discussion on April 10, 2019 for the Board’s review and/or approval.**

#### **RECOMMENDATION**

Staff recommends Commissioners review the Board Policy Manual sections presented and provide feedback and recommendations.

#### **RECOMMENDED MOTION**

**Motion to approve the updated changes and verbiage presented to Board Policy B2000, Sections 1-3 as written.**

	<b>FORT MYERS BEACH FIRE CONTROL DISTRICT BOARD of FIRE COMMISSIONERS POLICY</b>		
<b>Title</b>	Commissioner Handbook	<b>Number</b>	B2000
<b>Division</b>	General	<b>Revision Date</b>	REV DRAFT
		<b>Effective Date</b>	1/1/2018

**PURPOSE**

The purpose of the Fort Myers Beach Fire Control District Board of Fire Commissioners Handbook is to define the policies and operating procedures the Board will use to conduct business.

**SCOPE**

All Fort Myers Beach Fire Control District Fire Commissioners.

**POLICY**

**SECTION 1: Policies of the Board**

- I. The Commissioners operate in compliance with the Florida Statutes including, but not limited to;
  - A. F.S. 119: Public Records; Public Officers, Employees, and Records
  - B. F.S. 120: Administrative Procedure Act; Public Officers, Employees, and Records
  - C. F.S. 189: Special Districts, F.S. Public Officers General Provisions F.S. 191: Independent Special Fire Control Districts; Planning and Development
  - D. F.S. 286: Public Business: Miscellaneous Provisions; Public Business
  - E. F.S. 447: Labor Organizations; Labor

**SECTION 2: Office**


- I. The principal business office of District and Board shall be at 100 Voorhis Street, Fort Myers Beach, Florida 33931, until otherwise designated by the Board.

**SECTION 3: Meetings**

- I. Meeting Materials
  - A. Commissioners will arrive prepared to all meetings having read Board material, reports and/or correspondence on matters to be discussed at meetings. The Commissioners are encouraged to contact or meet with the Fire Chief prior to each meeting for clarification or questions regarding the material provided.
- II. Roberts Rules of Order
 

Board meetings will run consistent with Roberts Rules of Order for Small Boards pursuant to Sunshine Law.
- III. Regular Meetings and Work Session Meetings
 

Regular Meetings and Work Session Meetings shall be held based on the approved and posted schedule.

	<b>FORT MYERS BEACH FIRE CONTROL DISTRICT BOARD of FIRE COMMISSIONERS POLICY</b>			
	<b>Title</b>	Commissioner Handbook	<b>Number</b>	B2000
	<b>Division</b>	General	<b>Revision Date</b>	REV DRAFT
			<b>Effective Date</b>	1/1/2018

IV. Special Meetings

Special meetings may be recommended by any member of the Board or the Fire Chief with seven (7) days' notice provided to each Board member, ~~and the Fire Chief, and District Administrative Offices,~~ and a majority vote of all Board members ~~at a meeting.~~

V. Emergency Meetings

Emergency meetings may be called by the Chair or Vice-Chair in the event of a bona fide emergency situation, with reasonable notice. Emergency Meetings will be subsequently ratified by the Board.

VI. Meeting Attendance

A. Commissioners will adhere to the components of the Florida Statutes, specifically Chapter 191.005, regarding meeting attendance, which states, "The Board shall remove any member who has three (3) consecutive, unexcused absences from regularly scheduled meetings. The Board shall adopt policies by resolution defining excused and unexcused absences."

B. ~~Commissioners will attend all meetings unless excused.~~ Commissioners will notify the Fire Chief and Chair via email or telephone as soon as possible if they are unable to attend a meeting along with an explanation for being absent.

C. **The** Board has defined an excused absence as: times that a commissioner does not attend a scheduled meeting that is beyond the Commissioner's control, providing that such absences do not exceed four (4) consecutive occurrences.

**Any** absence exceeding the four (4) excused consecutive absences will then be considered an unexcused absence and count towards the policy that the Board shall remove any member who has three (3) consecutive, unexcused absences from regularly scheduled meetings.

The Board may allow an exception to this policy for unusual temporary extended incapacity. This exception will only occur if a request is made in writing to the Board explaining why the Board should allow more than the four (4) unexcused consecutive absences, and is **unanimously** granted by the Board.

~~D. All regularly scheduled meeting attendance must be in person.~~

D. Commissioners may attend one (1) ~~non~~-regularly scheduled meeting (a meeting ~~that was not~~ posted as part of the annual list of regularly scheduled meetings), ~~and any non-scheduled meetings (a meeting not posted as part of the annual list of regularly scheduled meetings) with prior notice~~ via an electronic audio and video medium supported by the District (Skype, Face Time, etc.)




## FORT MYERS BEACH FIRE CONTROL DISTRICT BOARD of FIRE COMMISSIONERS POLICY

<b>Title</b>	Commissioner Handbook	<b>Number</b>	B2000
<b>Division</b>	General	<b>Revision Date</b>	REV DRAFT
		<b>Effective Date</b>	1/1/2018

1. If a Commissioner attends a meeting under the above parameters of Section 3(VI(D)~~(1)~~, that Commissioner may not count as the required Commissioners to constitute a quorum.
  2. If an in-person quorum is present, a Commissioner attending via Section 3(VI(D)~~(1)~~, may have all voting privileges as if attending in person.
  3. If the electronic connection is lost from a Commissioner attending via Section 3(VI(D)~~(1)~~, appropriate attempts will be made to regain the connection, however, those attempts may be discontinued at the discretion of the majority of in-person attending Commissioners should efforts represent an extended period of time or resources.
  4. ~~Commissioners attendance via the parameters of Section 3(VI(D) (1) will be limited, unless specifically authorized by a majority of the Board.~~
- E. Commissioners shall attend all scheduled Meetings in District provided attire, representing the District in a professional manner.

### VII. Agenda

- A. Agendas for regular meetings and work sessions of the Board shall be created and finalized at least four (4) days in advance whenever possible.
- B. Commissioners shall notify the Fire Chief well in advance of the four (4) day window if they wish to add items to the agenda in order to allow for proper research and information. When adding an item to the agenda, the requesting Board member is encouraged to use the Board of Fire Commissioners Agenda Item Request Form (FMBFD Form 005), and shall provide:
  1. The area of the agenda for which the item will be placed (~~Old~~ Unfinished Business, New Business, Presentation, etc.)
  2. The desired action to be taken (Information, Discussion, Approval, etc.)
  3. A description of the topic, which will adequately prepare other Board members and staff for the topic to be discussed.
- C. New Business and/or ~~Old Unfinished~~ Business that remains open during a meeting should be carried forward as ~~Old Unfinished~~ Business on the monthly agenda for the next meeting.
- D. The agenda shall be reviewed, adjusted, and approved at the beginning of the meeting by the Board.

	<b>FORT MYERS BEACH FIRE CONTROL DISTRICT BOARD of FIRE COMMISSIONERS POLICY</b>			
	<b>Title</b>	Commissioner Handbook	<b>Number</b>	B2000
	<b>Division</b>	General	<b>Revision Date</b>	REV DRAFT
			<b>Effective Date</b>	1/1/2018

E. It is the general practice of the Board to review items, whenever possible, at a Work Session Meeting, and approve items at a Regular Meeting. Whenever possible, Work Session Meetings shall include presentation and discussion on topics, while Regular Meetings shall include the final vote on such items.

1. Items of time or other sensitivity shall be brought to the Board despite the meeting type, as to not delay decision making.

VIII. Conducting Business

A. Vote Requirements.

The Board shall require the affirmative vote of a majority of the Board Members present and voting for all actions unless otherwise noted by policy or Roberts Rules of Order.

B. Abstention

Commissioners must vote on all issues unless they have a conflict of interest and file the appropriate documentation with the state of Florida as identified in statute 112.3143, to abstain from voting. If a Commissioner has a voting conflict, pursuant to Florida Statute, they may still participate in the discussion of the issue before the Board of Commissioners.

C. Order

The Board Chair, or designee, will maintain professionalism and order at meetings. Board, staff, and meeting attendees will allow each the ability to present information and generate respectful discussion without interruption of one's presentation and/or disorderly conduct.

IX. Public Conduct at Meetings

Comments by members of the public shall be made only during the "Public Comment" portions of the meeting and shall be limited to three (3) minutes per individual and five (5) minutes per group spokesperson unless additional opportunity is given at the Board's discretion. Public comments do not require a response from the Board.

X. Meeting Cancellation

A. A Commissioner who will not be in attendance at a scheduled meeting or work session meeting shall notify the Chairperson via District email or written notice and will be considered absent from the meeting. In the event that three (3) or more Commissioners state that they will be absent from a scheduled meeting, the Chairperson shall cancel the meeting due to the lack of a quorum. The Chairperson will contact the Fire Chief who will notify all affected parties of the



**FORT MYERS BEACH FIRE CONTROL DISTRICT  
BOARD of FIRE COMMISSIONERS POLICY**

<b>Title</b>	Commissioner Handbook	<b>Number</b>	B2000
<b>Division</b>	General	<b>Revision Date</b>	REV DRAFT
		<b>Effective Date</b>	1/1/2018

cancellation. Only the Commissioners who stated their absence as noted above, will accrue an absence.

- B. At any Board of Fire Commissioners Meeting, a subsequently scheduled Work Session Meeting may be cancelled by a Super Majority vote (4 out of 5, 3 out of 4, 3 out of 3) of all Commissioners in attendance. The Fire Chief will notify all affected parties of the cancellation.

# **FORT MYERS BEACH**

## **FIRE CONTROL DISTRICT**

**BOARD OF FIRE COMMISSIONERS**  
**WORK SESSION & MEETING**

**NEW BUSINESS**  
**MATERIALS**



# FORT MYERS BEACH FIRE CONTROL DISTRICT

## BOARD OF FIRE COMMISSIONERS MEETING

### “Blue Sheet” AGENDA ITEM INFORMATION

**AGENDA CATEGORY:** New Business **ITEM 9A**  
**AGENDA ITEM:** Board of Fire Commissioners Policy Review Session-  
Policy B2000 Section 4  
**SUBJECT:** Board Policy B2000 Section 4  
**OTHER:** N/A

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#### **ACTION** [\[Discussion\]](#)


**PURPOSE**  
Review the Board Member Handbook (Board Policy B2000) in sections annually.

**HISTORY**  
At the March 13, 2019 meeting, the Board discussed beginning the review of Board Policy B2000 and agreed that the review process should be done in sections rather than all at once.

In this meeting, Section 4 will be reviewed, and historical perspectives will be provided regarding the policies creation.

**RECOMMENDATION**  
Staff recommends Commissioners review the Board Policy Manual sections presented and provide feedback and recommendations.



	<b>FORT MYERS BEACH FIRE CONTROL DISTRICT BOARD of FIRE COMMISSIONERS POLICY</b>			
	<b>Title</b>	Commissioner Handbook	<b>Number</b>	B2000
	<b>Division</b>	General	<b>Revision Date</b>	3/27/2019
			<b>Effective Date</b>	1/1/2018

**SECTION 4: Commissioners**

A. Interference

No Commissioner shall interfere with the daily operation of the Fire Department, unless the Board as a whole agrees to bring to the attention of the Fire Chief an area of the daily operation in which the Board deems is not fit or proper.

B. Administration

Board member's requests for administrative services and information shall be made through the Fire Chief. All information provided to one Board member shall be disseminated to all Board members.

C. Collective Bargaining


It is recommended that Commissioners do not attend collective bargaining sessions. While they are open to the public, if more than one Commissioner attends, it could be a violation of the Sunshine Law. The Commission, as a whole will vote on the Collective Bargaining Agreement at a publicly advertised meeting. At that meeting the Commission is to vote based on having the same information. Attendance at the Collective Bargaining Negotiations could result in a Commissioner making his/her decision on information that the rest of the Commission does not have. Additionally, attendance at the Collective Bargaining Negotiations could expose the attending Commissioner to deposition in any subsequent litigation.

D. Commissioner Contact with Employees and Members of the District

1. Commissioners will adhere to labor contracts adopted by the District with regard to involvement with Department personnel.
2. Commissioners will schedule all meetings including, but not limited to; structured meetings, stop-ins, coffees, lunches, or formal gatherings with Department personnel through the Fire Chief.
3. Commissioners will receive approval and coordinate ride-alongs with the Fire Chief.
4. Events initiated by a Commissioner that represent the Department to the Community and that use Department facilities or equipment will be approved by the Board with the consent of the Fire Chief.
5. Commissioners shall report any complaint against an employee of the District to the Fire Chief in a timely manner.

E. Fire Chief Evaluation Process

The Fire Chief shall be evaluated annually by the Board as determined by Florida Statute and relevant legal documents.


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II. Commissioners Access to Materials

- A. Materials to disseminate information to the public, except campaign or election information are at the expense of the District.
  
- B. All Commissioner clothing may be ordered through the Fire Chief following organizational policies and procedures. All such material shall include the most current issued version of Department approved language and logos, and should properly use the title “Commissioner”. All Commissioners will receive like clothing items in type and quantity.
  - 1. Commissioners will wear the “Polo” type shirt issued to Work Session Meetings, and the “Fishing” style shirt issued to Regular Meetings.
  
- C. The Board will not borrow Department equipment for personal or election use.

III. Commissioner Representation of the District and Representing an Official Board Position

- A. Commissioners should only represent the District’s opinion when the majority of the Board has determined a position on an issue or subject. At no time, will a Board Member represent the thoughts of the District through personal opinion without the authorization of a Board majority. This includes, but is not limited to, representation verbally, in written format, using electronic mediums and social media, the use of District logo, letterhead, uniform, business cards, State Commissioner Card, District identification card, and any other insignia, to include the verbal representation of oneself as a Fire Commissioner. All written and verbal communication shall include a clear disclosure such as; “The view, opinions, or positions expressed herein are those of my own and do not represent those of the Board of Commissioners.”
  - 1. Comments to the public should be factual.
  - 2. A Commissioner should not make promises which would be binding on the District.
  - 3. Once the Board takes a position on an issue, all official District correspondence regarding that issue will reflect the Board’s adopted position.
  
- B. Abuse of Title
  - 1. Commissioners should only use their title when conducting official District business, for information purposes, or as an indication of background and expertise, carefully considering whether they are exceeding or appearing to exceed any delegated authority given by the Board to represent the District.

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2. Commissioners may not represent the Board or the District at any meeting, discussion or otherwise without prior permission from the Board.
3. Commissioners may express their personal opinions and comments, but must clarify that they are not representing the Board and his or her statements represent personal opinions, and do not reflect the official position of the Board or the District.
4. When speaking to a reporter, Commissioners shall speak as an individual and not a representative of the District or the Board, and shall make that known to the reporter.
  - a. Commissioners are strongly encouraged to refer all media inquiries to the District’s Public Information Officer and/or Fire Chief, as well as brief the Fire Chief on any comments made to a media outlet.

**IV. Commissioner Communication**

- A. Commissioners will be provided with a District electronic mail account (email) for use while conducting District business. Should a Board Member use another server or media outlet to conduct District business, that Commissioners will copy the District issued account to confirm archival of the information.
- B. Commissioners may submit one-way communication to each other via electronic mail, as long as no Board Member replies to the message. In these circumstances, the Board will be equally provided with information and the information will be courtesy copied to the Fire Chief.
- C. Commissioners will refrain from communication with each other in any format regarding matters that may ever come before the Board. See further information within the “Sunshine Law” section.

**V. Identification**

The District will provide Commissioners with business cards, which conform to the District’s business card template. Among, and in addition to customary information, business cards will include the title “Commissioner” rather than an officer position, the District’s administrative office address and phone number, and the District assigned electronic mail account.

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VI. Officers

Commissioners shall elect from its membership a Chair, Vice Chair, and Secretary/Treasurer. Election will occur after each Commissioner election, and whenever added and acted upon on a meeting agenda.

A. Chair

The Chair shall preside at all meetings to include maintaining order. The Chair is authorized to sign all contracts, deeds, notes, debentures, warrants and other instruments on behalf of the District.

B. Vice Chair

The Vice Chair shall preside at meetings in the absence of the Chair.

C. Secretary

The Secretary shall be responsible for the records of the District; may act as Secretary at meetings of the Board and record all votes; shall be responsible for composing a record of the proceedings of the Board in a visual text format that may be transmitted electronically and kept for that purpose, which shall be an official record of the Board; and shall perform all duties incident to that office. The Secretary shall be the designated election official of the District, unless otherwise determined by the Board.


D. Treasurer

The Treasurer shall be authorized to invest or cause to be invested all surplus funds or other available funds of the District in permitted investments authorized by law or as specified by the Board.

E. Recording Secretary

The Board shall have the authority to appoint a recording secretary who need not be a member of the Board, and who shall be responsible for recording all votes and composing a record of the proceedings of the Board in a visual text format that may be transmitted electronically and kept for that purpose, which shall be the official record of the Board. The recording secretary shall not be required to take an oath of office, nor shall the recording secretary be required to post a performance bond.

The Board will, if deemed necessary, appoint an acting officer in the absence of any individual officer.

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VII. Compensation

Each Commissioner shall receive the maximum compensation authorized by statute, unless otherwise determined by the Board. No Commissioner shall receive compensation as an employee of the District, except as may be provided by statute.

VIII. Indemnification

The District shall defend, hold harmless and indemnify any Commissioner, officer, agent, or employee, whether elective or appointive, against any tort or liability, claim or demand, without limitation, arising out of any alleged act or omission occurring during the performance of official duty, as more fully defined by law or by an indemnification resolution, if any. In the event a Commissioner is charged with a public records violation, sunshine law violation, ethics violation or criminal violation, this section will only apply after exoneration.

IX. Violation

- A. If it is believed that a Commissioner has violated the items found in this document, or any other District Policy or Procedure, the alleged violation will be brought before the Board for review at a Board Meeting.
- B. The Commissioner who allegedly violated the item will have the opportunity to present a response to the allegations.
- C. An alleged violation brought to the attention of the Board may only be voted on at a subsequent Board meeting and not the initial meeting it was identified.
- D. Following the information presented, the Board will vote on the proposed discipline.
  - 1. The Board member accused of the violation may not vote.
  - 2. The vote must pass by a super majority of all remaining District Board members (3 out of 4, 3 out of 3).
  - 3. The Board may provide a formal sanction upon the violating Commissioner to include a publically voted on statement of record by the District.
- E. Any violation of Local, State, and/or Federal law may be escalated to the proper authorities by any individual, or on behalf of the District via a super majority vote, of all existing District Board members, minus the Board member accused of the violation (3 out of 4, 3 out of 3).



# FORT MYERS BEACH FIRE CONTROL DISTRICT

## BOARD OF FIRE COMMISSIONERS MEETING

### “Blue Sheet” AGENDA ITEM INFORMATION

**AGENDA CATEGORY:** New Business **ITEM 9B**  
**AGENDA ITEM:** Mid-Fiscal Year Budget Update  
**SUBJECT:** Assessment of Budget with 50% Year Completion  
**OTHER:** N/A

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#### **ACTION** **[Information/Discussion](#)**

#### **PURPOSE**

Provide the Board of Fire Commissioners with a financial and administrative assessment of the District’s revenue and expenditure stance with half of the fiscal year completed.

#### **HISTORY**

As a result of public safety expenditures and revenues, budget reporting can present inconstant data throughout the year based on the unequal alterations month-by-month. To provide some assessment and information to the Board as to the status of planned and unplanned expenditures and revenues, the Board requested staff provide a mid-fiscal year budget review to identify the financial status of the organization.

At this meeting, staff will describe aspects of the budget plan for the 2018-2019 Fiscal Year, and how that compares to the current status of District funds.

#### **RECOMMENDATION**

Staff recommends Board members view the presentation by District staff and provide comments for the remainder of the fiscal year and future budget years.