
Captiva Erosion Prevention District

Board–Staff Relations and Commissioner Conduct Policy

1.0 Purpose

The purpose of this Policy is to establish clear standards governing the relationship between the members of the Board of Commissioners (“Board”) and the employees of the Captiva Erosion Prevention District (“CEPD” or “District”). The Board adopts this Policy to preserve the proper separation between governance and administration, to protect the District’s administrative staff from improper or conflicting direction, to ensure a single line of accountability, and to promote the public trust on which the District depends.

2.0 Authority

This Policy is adopted by the Board pursuant to its authority to govern the affairs of the District and to adopt rules for its own conduct. This Policy supplements, and does not supersede, the District’s enabling statute, charter, bylaws, applicable state law, and any conflict-of-interest or ethics code adopted by the District. Where this Policy conflicts with controlling law, the controlling law governs. Where this Policy conflicts with the District’s Rules of Procedure, this Policy shall govern.

3.0 Definitions

- 3.1 **“Board”** means the Board of Commissioners of the District, acting as a body.
- 3.2 **“Commissioner”** means an individual member of the Board, whether elected or appointed, and includes any board member, director, or trustee, however titled.
- 3.3 **“Manager”** means the chief administrative employee appointed by the Board to administer the District, however titled (e.g., executive director, general manager, district administrator). Where the District has not appointed such a person, references to the Manager mean the employee or officer designated by the Board to serve that function.
- 3.4 **“Staff”** means all employees of the District other than the Manager, together with the District’s contractors and consultants when acting in that capacity.

4.0 General Principle: Separation of Governance and Administration

- 4.1 The Board governs; the General Manager and Staff administer. The Board acts only as a body and only through duly adopted motions, resolutions, and policies. Except as provided for the

Board Chairman, Treasurer, or other officer, no individual Commissioner possesses the authority of the Board acting alone.

- 4.2** The Board's relationship with the administrative organization is through the Manager. The Manager is the Board's sole administrative agent and is responsible for directing all Staff and for the day-to-day operations of the District.
- 4.3** Except as expressly provided in this Policy, a Commissioner's authority over Staff is limited to participating in the collective decisions of the Board.

5.0 Permitted and Expected Conduct

A Commissioner may:

- 5.1** Direct requests for approved action, operational direction, and District work through the General Manager.
- 5.2** Submit questions concerning agenda items to the General Manager in advance of a meeting whenever practicable, so that complete information can be prepared and shared with all Commissioners.
- 5.3** Request information and analysis reasonably necessary to perform the Commissioner's duties, recognizing that Staff time is a District resource and that substantial requests may be coordinated through the Manager.
- 5.4** Treat all Staff with dignity, courtesy, and respect at all times, in public and in private.
- 5.5** Refer concerns regarding the performance or conduct of any Staff member to the Manager.
- 5.6** Support and abide by the final decisions of the Board as a body, regardless of how the Commissioner voted, and permit Staff to implement those decisions without interference.

6.0 Prohibited Conduct

No Commissioner shall, individually or without the authority of the Board acting as a body:

- 6.1** Direct, instruct, assign, or supervise the work of any Staff member, or otherwise give orders to Staff.
- 6.2** Give any direction to Staff that contradicts or circumvents a decision of the Board or a lawful directive of the Manager.
- 6.3** Participate in, attempt to influence, or direct the hiring, firing, discipline, promotion, demotion, transfer, reassignment, or evaluation of any Staff member, the Manager's authority over such matters being exclusive and subject only to the personnel policies adopted by the Board.

-
- 6.4** Bypass, overrule, or undermine the Manager in the management of operations, or deal directly with Staff in a manner that interferes with the Manager's proper administration of the District.
 - 6.5** Use the Commissioner's office or apparent authority to obtain for the Commissioner, or for any family member, business, or associate, any favor, special treatment, service, or advantage from Staff.
 - 6.6** Direct or request that any Staff member withhold information from the Manager, the Board, or any individual Commissioner, or that Staff communicate with the Board other than as established by the Board.
 - 6.7** Publicly reprimand, berate, embarrass, or disparage any Staff member, including during meetings of the Board.
 - 6.8** Make any promise, representation, or commitment that purports to bind the District, in the absence of authority delegated by the Board.
 - 6.9** Demand that Staff give immediate priority to a Commissioner's individual request over the work program established by the Manager or Board, or treat Staff as personal assistants.
 - 6.10** Conduct an independent investigation of, or impose an individual remedy for, a complaint concerning Staff, in lieu of referring the matter to the Manager, the Chairman, District Counsel, or the Board.
 - 6.11** Take or threaten any reprisal against a Staff member for providing information to the Board, offering professional advice, or implementing a decision the Commissioner opposed.
 - 6.12** Disclose to Staff or any other person any confidential or permitted closed-session information except as authorized by the Board or required by law.

7.0 Information Requests and Routine Contact

- 7.1** Nothing in this Policy prohibits ordinary, courteous contact between Commissioners and Staff, or a Commissioner's receipt of routine factual information, provided that such contact does not become direction of Staff and that the Manager is kept reasonably informed.
- 7.2** The General Manager may establish reasonable procedures for the routing, prioritization, and equal distribution of Commissioner information requests. Where information is provided to one Commissioner in response to a request of general interest, it should be made available to all Commissioners.

8.0 Compliance and Enforcement

- 8.1** Each Commissioner is responsible for compliance with this Policy. The Board Chair, or, in the case of conduct by the Chair, the Vice Chair, is responsible for addressing apparent violations in the first instance.
- 8.2** A Commissioner who becomes aware of a violation of this Policy should raise the matter with the Chair or the full Board through appropriate channels.
- 8.3** The Board may respond to a violation of this Policy by means within its authority, which may include counsel from the Chair, a formal request to cease the conduct, censure by the Board, removal from committee or officer assignments, or referral to appropriate authorities where the conduct may violate law. This Policy does not itself create any private right of action.

9.0 Acknowledgment and Periodic Review

- 9.1** Each Commissioner shall be provided a copy of this Policy upon taking office and shall acknowledge having read it.

Commissioner Acknowledgment

I have received and read Board Governance Policy No. _____, Board–Staff Relations and Commissioner Conduct. I understand the separation between the governance role of the Board and the administrative role of the General Manager and Staff, and I agree to conduct myself in accordance with this Policy.

Signature of Commissioner

Printed Name

Date