

City of Palm Bay, Florida
CHARTER REVIEW COMMISSION
Meeting 2022-06

Held on Tuesday, the 29th day of March 2022, at the Palm Bay City Hall Council Chambers, 120 Malabar Road, Palm Bay, Florida.

The meeting was properly noticed pursuant to law; the minutes are on file in the Office of the City Clerk, City Hall, 120 Malabar Road, SE, Palm Bay, Florida. The minutes are not a verbatim transcript, but a brief summary of the discussions and actions taken at the meeting.

The meeting was called to order by Chair Capote at 6:00 P.M.

Ms. Maragh led the Pledge of Allegiance to the Flag.

ROLL CALL:

CHAIR:	William Capote	Present
VICE-CHAIR:	Phil Weinberg	Present
MEMBER:	Ken Delgado	Present
MEMBER:	David Myers	Absent
MEMBER:	Jeffrey McLeod	Present (Late)
MEMBER:	Phil Moore	Absent
MEMBER:	David Jones	Present
MEMBER:	Jordin Chandler	Present
MEMBER:	Randal Olszewski	Present
MEMBER:	Kay Maragh	Present

ALSO PRESENT:

Suzanne Sherman, City Manager; Patricia Smith, City Attorney.

PUBLIC COMMENTS:

Mr. McLeod joined the meeting at approximately 6:05 P.M.

A resident made a general comment.

ADOPTION OF MINUTES:

1. Meeting 2022-05; March 15, 2022.

Motion by Mr. Jones, seconded by Mr. Chandler, to adopt the minutes as presented.
Motion carried unanimously.

REPORTS:

1. Proposed amendments approved by the Commission. (INFORMATION ONLY)

There were no comments related to this item.

NEW BUSINESS:

1. Discussion of an Inspector General/Internal Auditor position as an appointed Charter Officer.

Ms. Sherman presented the request. She said that Deputy Mayor Johnson asked that the item be discussed by the Charter Review Commission (Commission) and noted the similar positions from other government agencies that were included in the agenda packet. The purpose of the position was to review city operations and infrastructure from a perspective of avoiding issues such as fraud, waste and abuse. The position would also be completely objective and separate from the other Charter Officers and would report directly to City Council. Ms. Sherman noted that the city currently had internal auditing processes in place that were adopted by Council.

Bill Battin, resident, said that this was already the responsibility of City Council and did not agree with relieving Council of its accountability and placing it on an appointed position. He added that there would be additional costs associated with the position, such as salary, staffing, office space, benefits, etc.

Mr. Chandler asked that Deputy Mayor Johnson attend the next meeting to explain the proposal. Chair Capote felt that the responsibility fell on Council and did not agree with an additional Charter Officer. Mr. Chandler questioned who would make the decision to have an audit, if one was needed. Chair Capote said it would be up to Council. Mr. Delgado said the city was already required to perform an annual audit.

Mr. McLeod asked if there were any Charter provisions regarding the audit process or if Council had the authority to request an audit. Ms. Smith said Council could request an audit at any time and designate a member of Council or a staff member to be involved in

the process, conduct workshops, etc. Mr. Jones questioned if the position would have other duties besides being an auditor.

Ms. Smith advised that Council had established a Fraud Investigation Committee (FIC) and whistleblower provisions through separate ordinances. The FIC consisted of the City Clerk as Chair, Chief Procurement Officer, Finance Director, Human Resources Director and City Attorney as legal advisor. The focus of the FIC was to investigate claims of fraud, waste, abuse and misuse of taxpayer dollars, etc. Ms. Sherman explained that the city had two different audits, financial and operational, and provided details on each.

Ms. Maragh was uncertain if another Charter Officer was needed. She asked the cost of the operational audit. Ms. Sherman said it was approximately \$30,000 for a team to perform the audit. Ms. Maragh said it would not be necessary nor practical to hire one person, or more if that individual needed staff, at a huge cost to pay the individual(s) plus benefits, etc. versus hiring a firm at a fraction of the cost.

There was further discussion among the Commission members.

Motion by Vice-Chair Weinberg, seconded by Mr. Jones, to table the item to the next meeting to be held on Tuesday, April 12, 2022, at 6:00 P.M., and request that Deputy Mayor Johnson be present

Motion carried with members voting as follows:

Chair Capote	Yea
Vice-Chair Weinberg	Yea
Mr. Delgado	Nay
Mr. McLeod	Yea
Mr. Jones	Yea
Mr. Chandler	Yea
Mr. Olszewski	Yea
Ms. Maragh	Yea

Chair Capote announced that the next meeting would be held on Tuesday, April 12, 2022, at 6:00 P.M.

Mr. Jones said that at the last meeting of the Infrastructure Advisory and Oversight Board, there was discussion of adding a certain percentage of taxes be put aside for the Road Maintenance Fund which would be established in the City Charter. He requested further information to be presented at the next meeting.

There was discussion on reconsideration of items. Ms. Smith said there were no provisions in the Rules of Procedure and suggested that if a member of the Commission wanted to have an item reconsidered, the Commission should vote on the reconsideration and have the item placed on the agenda at a subsequent meeting.

ADJOURNMENT:

The meeting adjourned at approximately 7:13 P.M.

William Capote, Chair

ATTEST:

Terese M. Jones, City Clerk