

City of Palm Bay, Florida
CHARTER REVIEW COMMISSION
Meeting 2026-02

Held on Thursday, the 12th day of February, 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 Delgado at 6:00 P.M.

Commissioner David Myers gave the invocation which was followed by the Pledge of Allegiance to the Flag.

ROLL CALL:

CHAIR:	Ken Delgado	Present
MEMBER:	David Myers	Present
MEMBER:	Mark Miller	Present
VICE-CHAIR:	Thomas Gaume	Present
MEMBER:	Jonathon Norris	Present
MEMBER:	Tyler O'Neil	Present
MEMBER:	Eileen Sepp	Present
MEMBER:	Ruth Kaufhold	Present
MEMBER:	Jordin Chandler	Present
MEMBER:	Phil Weinberg	Present

ALSO PRESENT:

Patricia Smith, City Attorney; Terese Jones, City Clerk.

Motion by Mr. Miller, seconded by Ms. Kaufhold, to consider Item 2, under New Business, prior to Item 1, under New Business. Motion carried unanimously.

ADOPTION OF MINUTES:

1. Meeting 2026-01; January 15, 2026.

Motion by Mr. Weinberg, seconded by Ms. Kaufhold, to adopt the minutes as presented. Motion carried unanimously.

PUBLIC COMMENTS:

There were no public comments.

REPORTS:

1. List of approved City Charter amendments to date. (Informational)

No action was required for this item.

NEW BUSINESS:

Item 2, under New Business, was considered at this time.

2. Discussion of a curfew for Charter Review Commission meetings. (AGENDA REVISION)

Motion by Vice-Chair Gaume, seconded by Mr. Weinberg, to approve a curfew of 8:00 P.M., except that upon a motion for each, two (2) thirty (30) minute extensions may be approved by the Commission to continue past the adjournment hour. Motion carried unanimously.

The Commission resumed the order of business as shown on the agenda.

1. Review and discussion of the City Charter.

a. Article I, Creation, Powers and Definitions

Section 1.01 CREATION, POWERS, AND DEFINITIONS.

Ms. Kaufhold proposed the following amendment to Section 1.01, Creation, Powers and Definitions:

“The existing municipal corporation known as the city of Palm Bay, Brevard County, Florida, is hereby continued and reestablished. It shall have and may exercise all governmental, corporate and proprietary powers under the Constitution, general and special acts of the state of Florida as fully and completely as if specifically enumerated in this charter to enable it to conduct municipal government, perform municipal functions and render municipal services.

>>Wherever the word “Constitution” appears in this charter, it is to refer to the Laws of the United States of America (specifically the United States Declaration of Independence, The Constitution of the United States of America, The Bill of Rights of the United States of America) and the State of Florida (specifically The Constitution of the State of Florida).<< Wherever the word “city” shall appear in this charter, it shall be construed to mean the “city of Palm Bay”. Wherever the word “manager” shall appear in this charter, it shall be construed to mean the “city manager”. Wherever the words “council,” “city council”, or “city of Palm Bay” shall appear in this charter, it shall be construed to mean “the mayor and the other councilmembers”, unless specifically excepted by other provisions of this charter.

When any reference herein is made to any gender, such reference shall be deemed to include either masculine, feminine or neuter, as appropriate, and any reference herein to any number shall be deemed to include both singular and plural where the context of the provisions of this document shall permit or require.”

Motion by Mr. Norris, seconded by Mr. O’Neil, to approve the amendment to Section 1.01.

Motion carried with members voting as follows:

Mr. Delgado	Yea
Mr. Myers	Yea
Mr. Miller	Yea
Mr. Gaume	Nay
Mr. Norris	Yea
Mr. O’Neil	Yea
Ms. Sepp	Yea
Ms. Kaufhold	Yea
Mr. Chandler	Yea
Mr. Weinberg	Nay

b. Article V, Qualifications and Elections

Section 5.01 NONPARTISAN ELECTIONS.

There were no changes to this section.

Section 5.02 QUALIFICATIONS.

There were no changes to this section.

Section 5.03 FORM OF BALLOTS.

There were no changes to this section.

Section 5.04 ELECTIONS.

5.041 Councilmembers.

Vice-Chair Gaume presented a proposal to eliminate the primary election, and the seat designations for City Council, except for the Mayor's seat. The terms of office would not change, but the person(s) having the highest number of votes in the election would be elected. Mr. O'Neil felt the votes would be spread too thin for each candidate. Mr. Weinberg wanted to keep the process as is. Ms. Sepp supported eliminating the primary elections but wanted to keep the seat designations. Mr. Miller said the seat designations had no value and supported the proposal. There was further discussion amongst the Commission.

Motion by Ms. Kaufhold, seconded by Mr. Miller, to approve eliminating seat designations for City Council, except for the Mayor's seat, and that the four (4) councilmember seats should be elected at large.

Motion failed with members voting as follows:

Mr. Delgado	Yea
Mr. Myers	Nay
Mr. Miller	Yea
Mr. Gaume	Yea
Mr. Norris	Nay
Mr. O'Neil	Nay
Ms. Sepp	Nay
Ms. Kaufhold	Yea
Mr. Chandler	Nay
Mr. Weinberg	Nay

Vice-Chair Gaume withdrew his other proposals for this Article V.

5.042 Elections and terms of office.

Mr. Miller suggested a proposal to Subsection 5.042, Elections and terms of office. He felt the term requirements should be separate for serving as councilmember and as mayor. An individual could be elected and serve as a councilmember up to twelve (12) consecutive years and could then serve up to twelve (12) consecutive years in the position of mayor. Vice-Chair Gaume said it should state a total of twelve (12) years and a partial term counted as a full term. He noted that the mayor's seat was ceremonial and held no more power than any other member of council.

Motion by Mr. Miller to amend Subsection 5.042 to reflect that members of City Council shall be limited to twelve (12) years. Chair Delgado asked if it would be consecutive.

Motion by Mr. Miller, seconded by Mr. Norris, to amend Subsection 5.042 to reflect that members of City Council should be limited to twelve (12) consecutive years or a maximum of three (3) consecutive terms and a partial term would be considered as a full term. Motion carried unanimously.

5.041 Councilmembers.

Mr. Weinberg proposed the following amendment to 5.041, Councilmembers:

“A councilmember shall be elected to a specific seat on the council. All councilmembers shall be elected by a citywide vote, however, in addition to representing all the residents of the city, the following seats shall in addition be responsible to the concerns of the residents in the specified quadrants of the city. Seat 2 shall represent the concerns of the residents of the NE quadrant, Seat 3 shall represent the concerns of the SE quadrant, Seat 4 shall represent the NW quadrant and Seat 5 shall represent the SW quadrant. Seat 1 shall continue to represent the concerns of all the residents of the city.”

There was discussion about having equal representation from City Council. Ms. Smith said that it could become confusing because although the proposal did not create districts, the council seats would be representing an area and would also be considered at large. Mr. Weinberg explained that the council members would not be limited to a certain area of the city nor would they have to reside in a specific area of the city. The purpose of the proposal was for the council members to act as a liaison to specific areas to assist in addressing their concerns.

Mr. Chandler felt the City Charter was not the proper area to place this language. He said it should be a policy decision by the City Council. Vice-Chair Gaume agreed with it being a policy in which Council had the flexibility to modify the designated areas or eliminate it altogether.

Mr. Myers left the meeting at 6:54 P.M. and did not return.

Ms. Sepp said that the Brevard County Commissioners represented districts, but residents had the ability to meet with any one of them. She supported the proposal.

As there was no support from most of the Commission, Mr. Weinberg withdrew his proposal.

Section 5.05 RECALL.

There were no changes to this section.

Section 5.06 ELECTION DISTRICTS (VOTING PRECINCTS).

There were no changes to this section.

c. Article VI, Taxes and Fees

Section 6.01 TAXES.

Vice-Chair Gaume presented a proposal to remove the terms “emergency or critical need” from Section 6.01(c). He said the three percent (3%) cap stood as an absolute limit unless overridden by a supermajority of Council.

Motion by Ms. Sepp to approve the proposed amendment. Vice-Chair Gaume said he would not second the motion as he preferred the language to remain as is. Ms. Sepp withdrew her motion. There was further discussion as to whether the three percent (3%) cap should remain or be removed, and how the cap affected the City’s budget.

Motion by Mr. Weinberg, seconded by Mr. Chandler, to remove all references to the three percent (3%) cap.

Motion failed with members voting as follows:

Mr. Delgado	Nay
Mr. Miller	Nay

Mr. Gaume	Nay
Mr. Norris	Nay
Mr. O'Neil	Nay
Ms. Sepp	Nay
Ms. Kaufhold	Nay
Mr. Chandler	Yea
Mr. Weinberg	Yea

Section 6.02 SPECIAL ASSESSMENTS.

There were no changes to this section.

Section 6.03 LICENSING FEES.

There were no changes to this section.

ADJOURNMENT:

The meeting adjourned at approximately 7:40 P.M.

Ken Delgado, Chair

ATTEST:

Terese M. Jones, City Clerk