

**City of Palm Bay, Florida**  
**CHARTER REVIEW COMMISSION**  
**Meeting 2026-01**

Held on Thursday, the 15<sup>th</sup> day of January, 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 Mark Miller gave the invocation which was followed by the Pledge of Allegiance to the Flag.

**ROLL CALL:**

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

**ALSO PRESENT:**

Patricia Smith, City Attorney; Terese Jones, City Clerk; Larry Wojciechowski, Finance Director; Angelica Collins, Assistant Finance Director.

**ADOPTION OF MINUTES:**

**1. Meeting 2025-03; December 11, 2025.**

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

**PUBLIC COMMENTS:**

1. Bill Battin, resident, mentioned that he had heard discussions about proposing a strong mayor form of government. He said he was against any amendments for same.

**REPORTS:**

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

Mrs. Jones advised that a list of the proposed amendments approved by the Commission for recommendation to City Council would be included in each agenda packet.

**UNFINISHED AND OLD BUSINESS:**

**1. Review and discussion of the City Charter.**

**a. Citizenship Qualifications for Charter Officers (Commissioner Kaufhold)**

Ms. Kaufhold proposed the following amendment to Sections 3.07, City Clerk; 3.11, City Attorney; and 4.01, City Manager:

**Section 3.07 CITY CLERK.**

The council shall appoint an officer of the city who shall have the title of city clerk. The city clerk shall coordinate with the city manager and shall give notice of council meetings to its members and to the public, shall keep the minutes of its proceedings, and perform such other duties as are assigned by this charter or by the council.

**>>The city clerk must be a qualified citizen of the United States of America, and a legal citizen of the United States of America by birth or has completed the naturalization process and received a United States Certificate of Naturalization. The City of Palm Bay and its electorate must be able to have full trust and confidence in the city clerk in its employment.<<**

*3.071 Removal.* The council may remove the city clerk by majority vote of all of the councilmembers, by a resolution, which states the cause(s) for removal.

*3.072 Compensation.* The compensation of the city clerk shall be fixed by the council and shall not be reduced during the city clerk's period of employment except by the consent of the city clerk.

\* \* \*

### **Section 3.11 CITY ATTORNEY.**

*3.111 Appointment or employment.* The city council shall appoint or employ a city attorney as required to act as legal advisor to the council and officials of the city as designated in [subsection] 3.123(b) and serve at the pleasure of the council.

~~“3.112 Qualifications. The city attorney shall be a practicing attorney with at least five (5) years' experience and practice in the courts of the state of Florida.~~

#### **>>3.112 Qualifications.**

(a) The city attorney shall be a practicing attorney with at least five (5) years of experience and practice in the courts of the state of Florida.

(b) The city attorney and all assistant attorneys must be qualified citizens of the United States of America. All attorneys must be legal citizens of the United States of America by birth or have completed the naturalization process and received a United States Certificate of Naturalization. The City of Palm Bay and its electorate must be able to have full trust and confidence in the attorneys in its employment.<<”

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### **Section 4.01 CITY MANAGER.**

There shall be a city manager who shall be the chief executive and administrative officer of the city. The manager shall be responsible to the council for the administration of all city affairs placed in the manager's charge by or under this charter.

#### *4.011 Appointment.*

The council shall appoint a manager by a majority vote of all councilmembers. The manager shall be selected solely on the basis of administrative and executive qualifications. At the time of appointment, the manager need not be a resident of the city or state. However, should the manager change residency subsequent to his or her appointment, the manager shall reside within the city during his or her tenure.

>>The city manager must be a qualified citizen of the United States of America, and a legal citizen of the United States of America by birth or has completed the naturalization process and received a United States Certificate of Naturalization. The City of Palm Bay and its electorate must be able to have full trust and confidence in the city manager in its employment.<<

Motion by Mr. Norris, seconded by Ms. Kaufhold, to approve the amendments to Sections 3.07, 3.11 and 4.01.

Motion carried with members voting as follows:

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

Chair Delgado suggested that the proposed amendments be placed into ballot format for review by the Commission prior to Council's consideration. Ms. Smith explained that with the number of amendments that could potentially be given to Council, it was very likely that City Council would not accept all amendments to be placed on the ballot. She said the ballot language was drafted by outside counsel, and it would not be financially responsible to pay outside counsel to draft language that may not be considered by City Council. Ms. Sepp suggested a joint workshop with City Council to review all of the recommended changes.

Ms. Kaufhold said she had additional revisions to Section 4.01, City Manager, and would present them at the February meeting. The Commission concurred.

## **NEW BUSINESS:**

### **1. Review and discussion of the City Charter:**

The Commission concurred to consider Article VI, Taxes and Fees, at this time.

**b. Article VI, Taxes and Fees**

Vice-Chair Gaume called Point of Order and noted that elected officials, charter officers and staff members took an oath to uphold the City Charter. If any of those individuals spoke contrary to the Charter, they would be going against their oath. He asked that the item be tabled. Ms. Smith explained that it was staff's role to give input on changes to the City Charter, ordinances, or policy. There was no provision stating that staff could not suggest changes to an item that was approved or adopted by City Council. Tonight's presentation by staff was to educate and help the Commission and public understand the three percent (3.00%) cap and how it affected revenues.

Motion by Vice-Chair Gaume to table the item. The motion died for lack of a second.

Ms. Collins provided an overview of the three percent (3.00%) cap. She explained how the cap was calculated, along with historical data and statistics. Ms. Collins responded to questions posed by the Commission.

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

**a. Article V, Qualifications and Elections**

Vice-Chair Gaume wanted to strengthen the residency requirements for candidates. Currently, each candidate was required to sign a Residency Affidavit stating they met the requirements to run for office. He wanted the candidates' qualifications to be vetted by staff. Ms. Smith advised that the City Clerk had no authority to determine if an individual's name could or could not be placed on the ballot. If someone wanted to challenge a candidate's qualifications, they would have to do so through the court system by filing an injunction.

**b. Article VI, Taxes and Fees**

The item was considered earlier in the meeting prior to Article V, Qualifications and Elections.

There was discussion on the previously approved two-hour meeting curfew. Motion by Vice-Chair Gaume, seconded by Mr. Norris, to reconsider this item at the next meeting. Motion carried unanimously.

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**ADJOURNMENT:**

The meeting adjourned at approximately 8:03 P.M.

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Ken Delgado, Chair

ATTEST:

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Terese M. Jones, City Clerk