



**AGENDA**  
**CHARTER REVIEW COMMISSION**  
**Meeting 2026-04**

**Thursday, April 9, 2026 - 6:00 P.M.**  
**Council Chambers, 120 Malabar Road SE, Palm Bay, Florida 32907**

**CALL TO ORDER:**

**INVOCATION:**

**PLEDGE OF ALLEGIANCE:**

**ROLL CALL:**

**ADOPTION OF MINUTES:**

1. Meeting 2026-03; March 12, 2026.

**PUBLIC COMMENTS (Non-agenda Items Only):**

*Public Comments on Agenda Items* – Individuals wishing to address items on the agenda can do so at the time the item is being considered by the Commission. The Chairperson will ask for public comment prior to the Commission taking action on the item. Speakers are limited to three (3) minutes for agenda and non-agenda items each.

**UNFINISHED AND OLD BUSINESS:**

1. Review and discussion of the City Charter.
  - a. Article VII, City Borrowing
  - b. Article VIII, Public Safety (Commissioner Miller)

**NEW BUSINESS:**

1. Review of proposed amendments for submission to City Council.

**THIS MEETING IS BROADCAST LIVE ON THE CITY'S WEBSITE.**

**ADJOURNMENT:**

If an individual decides to appeal any decision made by the Charter Review Commission with respect to any matter considered at this meeting, a record of the proceedings will be required, and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based (Section 286.0105, Florida Statutes). Such person must provide a method for recording the proceedings verbatim.

In accordance with the Americans with Disabilities Act, persons needing special accommodations for this meeting shall contact the Office of the City Clerk at (321) 952-3414 or Florida Relay System at 711.

If you use assistive technology (such as a Braille reader, a screen reader, or TTY) and the format of any material on this website or documents contained therein interferes with your ability to access information, please contact us. To enable us to respond in a manner most helpful to you, please indicate the nature of your accessibility problem, the preferred format in which to receive the material, the web address of the requested material, and your contact information. Users who need accessibility assistance can also contact us by phone through the Federal Information Relay Service at 1-800-877-8339 for TTY/Voice communication.

**ADOPTION OF  
MINUTES**

**City of Palm Bay, Florida**  
**CHARTER REVIEW COMMISSION**  
**Meeting 2026-03**

Held on Thursday, the 12<sup>th</sup> day of March 2026, 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 6:03 P.M.

Mayor Medina 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	Absent
<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	Absent

**ALSO PRESENT:**

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

**ADOPTION OF MINUTES:**

**1. Meeting 2026-02; February 12, 2026.**

Motion by Vice-Chair Gaume, seconded by Ms. Kaufhold, to adopt the minutes as presented. Ms. Sepp noted that under Subsection 5.042, the language should reflect the removal of the word "consecutive".

Ms. Kaufhold withdrew her second to the motion.

Motion by Vice-Chair Gaume, seconded by Ms. Kaufhold, to adopt the minutes with the correction to Subsection 5.042, which would read as follows:

*“5.042 Elections and terms of office. A primary election and a general election are to be held pursuant to law. The regular or general election of councilmembers shall be held on the first Tuesday after the first Monday of November. Councilmembers shall be elected to a four (4) year term of office and limited to three (3) >>, << consecutive four (4) year terms. For the purpose of this limitation, a partial term shall be considered a full term, except for appointments of less than one (1) year. No councilmember may appear on the ballot for reelection if by the end of the current term of office, the councilmember will have served (or, but for resignation, would have served) in that office for twelve (12) consecutive years. All councilmembers shall be elected at-large. The mayor and two (2) other councilmembers, Seats 2 and 3, shall be elected in the same year as the presidential election. The two (2) additional councilmembers, Seats 4 and 5, shall be elected in the following even year.”*

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:**

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

###### **a. Article VI, Taxes and Fees (Vice-Chair Gaume)**

###### *Section 6.01 TAXES.*

Vice-Chair Gaume proposed replacing the fixed three percent (3%) revenue cap with a formula tied to the Consumer Price Index (CPI) plus one percent (1%). He said the current cap states that the City's property tax revenue could grow by no more than three

percent (3%) per year, regardless of what was happening in the real economy. Instead of a flat three percent (3%), the cap would adjust each year based on the actual inflation plus a one percent (1%) buffer, with a hard ceiling of five percent (5%). The cap would never exceed five percent (5%) in any year.

Ms. Sepp said if inflation increases, employee salaries should be frozen, and no increases should be given. Ms. Smith explained that it would be difficult to place restrictions on pay within the City Charter as a large portion of the workforce were unionized and covered by contracts. Ms. Sepp said any increases could be retroactive once the inflation came back down. Chair Delgado did not agree with that type of provision being included in the Charter. He felt it could be problematic.

Motion by Vice-Chair Gaume, seconded by Ms. Kaufhold, to amend Section 6.01 by removing the three percent (3%) cap and replacing it with the CPI plus two percent (2%), not to exceed five percent (5%). There was further discussion on the item.

Motion failed with members voting as follows:

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

**b. Article VII, City Borrowing**

*Section 7.01 AUTHORITY TO BORROW.*

There were no changes to this section.

*Section 7.02 BOND ISSUES.*

There were no changes to this section.

*Section 7.03 SINKING FUNDS.*

There were no changes to this section.

Later in the meeting, the Commission concurred to continue this Article VII to the next meeting.

**c. Article VIII, Public Safety**

*Section 8.01 POLICE DEPARTMENT.*

There were no changes to this section.

*Section 8.02 FIRE DEPARTMENT.*

There were no changes to this section.

*Section 8.03 CIVIL DEFENSE.*

There were no changes to this section.

**d. Article IX, Miscellaneous Provisions**

*Section 9.01 CHARTER REVIEW COMMISSION.*

There were no changes to this section.

*Section 9.02 BOARDS, COMMITTEES, COMMISSIONS.*

There were no changes to this section.

**e. Article X, Transition Schedule**

*Section 10.01 CONFLICTING LAWS AND ORDINANCES.*

There were no changes to this section.

*Section 10.02 PENDING MATTERS.*

There were no changes to this section.

*Section 10.03 SEVERABILITY CLAUSE.*

There were no changes to this section.

*Section 10.04 EFFECTIVE DATE.*

There were no changes to this section.

A resident commented that a sinking fund should be established for infrastructure.

Chair Delgado suggested having one more meeting so that the Commission could review all items to be presented to City Council. The Commission concurred to continue Article VII to the next meeting and requested the appropriate staff at the next meeting to answer questions related to sinking funds and other financial issues, including the number of sinking funds, the purpose of each, and if the City had the ability to sell bonds to citizens.

**ADJOURNMENT:**

Motion by Vice-Chair Gaume, seconded by Ms. Kaufhold, to adjourn the meeting. Motion carried unanimously. The meeting adjourned at approximately 6:51 P.M.

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Ken Delgado, Chair

ATTEST:

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Terese M. Jones, City Clerk

**CURRENT  
CITY CHARTER LANGUAGE**

**UNFINISHED/OLD BUSINESS**

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**ARTICLE VII – CITY BORROWING**

**ARTICLE VIII - PUBLIC SAFETY**

## **ARTICLE VII. CITY BORROWING**

### **Section 7.01 AUTHORITY TO BORROW.**

The council may borrow money, contract loans, and issue notes and bonds as may be authorized by state law.

(Ord. 92-28, passed 9-17-92) (Adopted by electorate 11-3-92)

### **Section 7.02 BOND ISSUES.**

(a) The council may authorize the issuance of bonds and notes by resolution or ordinance, or if required by the Constitution of the state of Florida by affirmative vote of the electors of Palm Bay, to finance approved city projects.

(b) The council shall approve the terms and manner of sale and distribution or other disposition of any and all notes and bonds it may issue and it shall have any and all powers necessary or convenient to such disposition.

(Ord. 92-28, passed 9-17-92) (Adopted by electorate 11-3-92)

### **Section 7.03 SINKING FUNDS.**

The council may establish and administer appropriate sinking funds for the satisfaction of any outstanding indebtedness of the city.

(Ord. 92-28, passed 9-17-92) (Adopted by electorate 11-3-92)

## **ARTICLE VIII. PUBLIC SAFETY**

### **Section 8.01 POLICE DEPARTMENT.**

There shall be a police department.

(Ord. 92-28, passed 9-17-92) (Adopted by electorate 11-3-92)

### **Section 8.02 FIRE DEPARTMENT.**

There shall be a fire department.

(Ord. 92-28, passed 9-17-92) (Adopted by electorate 11-3-92)

### **Section 8.03 CIVIL DEFENSE.**

The city manager shall cause to be prepared and maintained current a plan to deal with all disasters, emergencies and catastrophes such as floods, hurricanes, tornadoes, other "acts of God," riots, and civil disturbances.

(Ord. 92-28, passed 9-17-92) (Adopted by electorate 11-3-92)

**OLD BUSINESS #1b**

**QUESTIONS PROPOSED**

**BY**

**COMMISSIONER MILLER**

## QUESTIONS – COMMISSIONER MARK MILLER

### Section 8.01 POLICE DEPARTMENT.

### Section 8.02 FIRE DEPARTMENT.

The Charter only requires Palm Bay to have a police department and a fire department.

Are there any other documents, processes, or procedures that established more details and perhaps set minimum standards? More specifically, is there a requirement for a certain response time, number of police officers per capita, certain quality or proficiency rating, or other standards that further drives our fire and police requirements (and/or budgets)?

If not, are there any formal standards set and monitored by the City Manager or Council?

Sincerely,

*Mark A. Miller*

Mark A Miller

Cell: (321)368-5918

E-mail: [Mark@VICJ.org](mailto:Mark@VICJ.org)

**NEW BUSINESS #1**

**REVIEW OF PROPOSED  
CITY CHARTER  
AMENDMENTS**

**City of Palm Bay, Florida**  
**CHARTER REVIEW COMMISSION**  
**APPROVED AMENDMENTS TO CITY CHARTER**

**Meeting 2025-02; November 13, 2025**

**ARTICLE III – LEGISLATIVE**

*Section 3.06 VACANCIES.*

~~“3.062 Filling of vacancies. When a vacancy occurs on council as a result of death, resignation, illness, disability, written court order, forfeiture of office, or other lawful written order or action, such vacancy shall be filled in accordance with the procedures prescribed by ordinance by appointment of the majority of the remaining members within sixty (60) days. If the majority of the remaining members of the City Council fail to fill the vacancy through appointment within the sixty-day period, a special election to fill the vacancy shall be called and held in a manner coordinated by the City Clerk with the Supervisor of Elections and adopted by resolution of the City Council. All vacancy elections will run concurrent with the regularly scheduled city elections. Appointments will be to serve until the next general election cycle.~~

>>(1) In the event of a vacancy on council, a special election to fill the vacancy shall be called and held in a manner coordinated by the City Clerk with the Supervisor of Elections and adopted by resolution of the City Council.

(2) The method for filling a vacancy shall be determined by the time remaining in the unexpired term:

(a) If twelve (12) months or less remain in the unexpired term, the vacancy shall be filled by appointment of the majority of the remaining members of the City Council within sixty (60) days of the seat being declared vacant. The appointee shall serve the remainder of the unexpired term or until the next general election, whichever is less.

(b) If more than twelve (12) months remains in the unexpired term, and no general municipal election is scheduled to be held within one year of the vacancy, a special election shall be scheduled to be held no sooner than ninety (90) days or no more than one hundred eighty (180) days following the date of the vacancy. The person so elected shall serve the remainder of the unexpired term. (If a general election is already scheduled within one year, the appointee shall serve until that election.)<<

## Meeting 2025-03; December 11, 2025

### ARTICLE III – LEGISLATIVE

#### Section 3.08 PROCEDURES.

“3.082 Rules and order. The council shall determine its own rules and order of business->>, to include the following provisions for regular meetings:

(1) Public comments shall be heard on general items not listed on the agenda:

(a) Prior to Public Hearings; and

(b) After Administrative and Legal Reports.

(2) Individuals requesting to speak on any item on the agenda, including the Public Comments section of the agenda, shall complete a Public Comment Card reflecting their name and address. Speakers shall not be required to be city residents and shall not be required to state their name for the record prior to addressing City Council.

(3) The Public Comments portion of the meeting shall be broadcast through an audiovisual system unless due to interruption, failure or degradation of equipment.

(a) A minimum five (5) second broadcast or time delay shall be required for unexpected or inappropriate content.<<”

#### Section 3.09 PETITIONS TO AMEND THE CITY CHARTER OR TO ADOPT OR REPEAL ORDINANCES.

##### 3.092 Petitions.

(1) Number of signatures. All petitions must be signed by at least ~~ten percent (10%)~~ >>four- and one-half percent (4.5%)<< of the electors of the city. They need not be in affidavit form. The petition to amend the charter must be signed by at least ~~ten percent (10%)~~ >>four- and one-half percent (4.5%)<< of the electors of the city of the registered electors as of the last preceding municipal general election or as provided in section 166.031 Florida Statutes as may be amended from time to time. Petitions to propose or repeal ordinances must be signed by at least ~~ten percent (10%)~~ >>four- and one-half percent (4.5%)<< of the registered electors as of the last preceding municipal general election.”

#### Section 3.11 CITY ATTORNEY.

~~“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 a qualified citizen of the United States of America. All attorneys must be 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 attorneys in its employment.<<"

## Meeting 2026-01; January 15, 2026

### ARTICLE III – LEGISLATIVE

#### 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.<<

#### 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.~~

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(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.<<

### ARTICLE IV - ADMINISTRATIVE

#### 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.<<

## **Meeting 2026-02; February 12, 2026**

### **ARTICLE III – LEGISLATIVE**

#### *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.”

### **ARTICLE V – QUALIFICATIONS AND ELECTIONS.**

#### *Section 5.04 ELECTIONS.*

##### *5.042 Elections and terms of office.*

“A primary election and a general election are to be held pursuant to law. The regular or general election of councilmembers shall be held on the first Tuesday after the first Monday of November. Councilmembers shall be elected to a four (4) year term of office and limited to three (3)>>, << consecutive four (4) year terms. For the purpose of this limitation, a partial term shall be considered a full term, ~~except for appointments of less than one (1) year~~. No councilmember may appear on the ballot for reelection if by the end of the current term of office, the councilmember will have served (or, but for resignation, would have served) in that office for twelve (12) consecutive years. All councilmembers shall be elected at-large. The mayor and two (2) other councilmembers, Seats 2 and 3, shall be elected in the same year as the presidential election. The two (2) additional councilmembers, Seats 4 and 5, shall be elected in the following even year.”