



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Legislation Text

File #: 5135, **Version:** 1

Subject:

Resolution Requesting the Immediate Suspension of Indialantic Mayor David Berkman from Office

Fiscal Impact:

N/A

Dept/Office:

District 3 Commission Office

Requested Action:

Board approval of attached resolution.

Summary Explanation and Background:

It is requested that Governor DeSantis, under the authority of Fla. Stat. Sec 112.51, immediately suspend David Berkman from his position as Mayor of the Town of Indialantic.

Clerk to the Board Instructions:

Frame one copy of the resolution.



October 7, 2022

M E M O R A N D U M

TO: Commissioner John Tobia, District 3

Attn: Bethany Prasad

RE: Item E.1., Resolution Requesting the Immediate Suspension of Indialantic Mayor David Berkman from Office

The Board of County Commissioners, in regular session on October 6, 2022, adopted Resolution No. 22-131, requesting the immediate suspension of Indialantic Mayor David Berkman from office and stands against the immature, improper, inappropriate, and alleged criminal actions of Mayor Berman, and calls on Governor DeSantis to utilize his authority to protect our citizens. Enclosed is a copy of the Resolution.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK

Kimberly Powell
Kimberly Powell, Clerk to the Board

/dt

Encl. (1)

Brevard



County

BOARD OF COUNTY COMMISSIONERS

Resolution

WHEREAS, MAYOR DAVID BERKMAN has served as the elected mayor of the Town of Indialantic since 2008; and

WHEREAS, as an elected official, MAYOR BERKMAN is held to a higher standard of behavior; and

WHEREAS, according to the Florida Today, "Indialantic Mayor Dave Berkman was arrested on a battery charge after he struck Town Council candidate Mel Chang in the face with a leaf rake during a post-Hurricane Ian cleanup at a town park", and

WHEREAS, this alleged action is a misdemeanor of the first degree, in violation of Section 784.03, Florida Statutes, which, upon conviction, is punishable with a maximum sentence of no more than one year in jail and/or up to a \$1,000.00 fine; and

WHEREAS, committing such an alleged act at all demonstrates immense immaturity, poor decision making, and questionable morality, but doing so while being recorded raises concerns regarding mental capacity; and

WHEREAS, MAYOR BERKMAN has previously attempted to ban plastic bags, plastic straws, and plastic cups from Indialantic beaches and parks; and

WHEREAS, the irony of MAYOR BERKMAN allegedly using a plastic rake to commit an act of violence in a park is not lost on this Board; and

WHEREAS, this Board recognizes the importance of protecting Brevard County and the Town of Indialantic from the actions and decisions of an enraged tax-raising, fee-increasing, and alleged plastic rake-yielding politician; and

WHEREAS, MAYOR BERKMAN, through his alleged criminal act, has committed malfeasance and demonstrated an inability to exercise responsible decision making; and

WHEREAS, under Section 112.51, Florida Statutes, Governor DeSantis has the authority to suspend Mayor Berkman during the pendency of the criminal case.


NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA stands against the immature, improper, inappropriate, and alleged criminal actions of


MAYOR BERKMAN

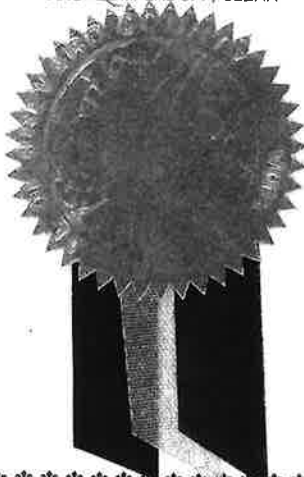
and calls on Governor DeSantis to utilize his authority to protect our citizens.

DONE, ORDERED, AND ADOPTED, in regular session this 6th day of October 2022.

ATTEST:


RACHEL M. SADOFF, CLERK


KRISTINE ZONKA, CHAIR
BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FLORIDA



Resolution 22 - _____

A RESOLUTION ON BEHALF OF THE BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS CALLING FOR THE GOVERNOR TO IMMEDIATELY SUSPEND MAYOR DAVID BERKMAN FROM OFFICE

WHEREAS, Mayor David Berkman has served as the elected mayor of the Town of Indialantic since 2008; and

WHEREAS, as an elected official, Mayor Berkman is held to a higher standard of behavior; and

WHEREAS, according to the Florida Today, "Indialantic Mayor Dave Berkman was arrested on a battery charge after he struck Town Council candidate Mel Chang in the face with a leaf rake during a post-Hurricane Ian cleanup at a town park"; and

WHEREAS, this alleged action is a misdemeanor of the first degree, in violation of Section 784.03, Florida Statutes, which, upon conviction, is punishable with a maximum sentence of no more than one year in jail and/or up to a \$1,000.00 fine; and

WHEREAS, committing such an alleged act at all demonstrates immense immaturity, poor decision making, and questionable morality, but doing so while being recorded raises concerns regarding mental capacity; and

WHEREAS, Mayor Berkman has previously attempted to ban plastic bags, plastic straws, and plastic cups from Indialantic beaches and parks; and

WHEREAS, the irony of Mayor Berkman allegedly using a plastic rake to commit an act of violence in a park is not lost on this Board; and

WHEREAS, this Board recognizes the importance of protecting Brevard County and the Town of Indialantic from the actions and decisions of an enraged tax-raising, fee-increasing, and alleged plastic rake-yielding politician; and

WHEREAS, Mayor Berkman, through his alleged criminal act, has committed malfeasance and demonstrated an inability to exercise responsible decision making; and

WHEREAS, under Section 112.51, Florida Statutes, Governor DeSantis has the authority to suspend Mayor Berkman during the pendency of the criminal case.

NOW, THEREFORE, BE IT RESOLVED THAT, this Board stands against the immature, improper, inappropriate, and alleged criminal actions of Mayor Berkman, and calls on Governor DeSantis to utilize his authority to protect our citizens.

DONE, ORDERED AND ADOPTED, in regular session, this 6th day of October, 2022.

ATTEST:

RACHEL SADOFF, CLERK

KRISTINE ZONKA, CHAIR
BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FL