

**RESOLUTION NO. 2012-29**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCOA BEACH, FLORIDA, SITTING AS AN ELECTION CANVASSING BOARD TO CERTIFY THE RESULTS OF THE GENERAL ELECTION HELD ON NOVEMBER 6, 2012 FOR:

- MAYOR-COMMISSIONER SEAT NO. 1,
- COMMISSIONER SEAT NO. 2,
- COMMISSIONER SEAT NO. 3,
- COMMISSIONER SEAT NO. 5, AND
- THE REFERENDUM DEALING WITH FILLING COMMISSIONER AND COMMISSIONER-MAYOR VACANCIES.

**WHEREAS**, as of the Registration Book Closing for the November 6, 2012, General Election, there was a total of 8,910 Registered Voters in Cocoa Beach; and

**WHEREAS**, the Results reflected in this Resolution are results issued by the Supervisor of Election on November 6, 2012, and the final results will be added to this Resolution as an addendum; and

**WHEREAS**, the November 6, 2012, a General Election was held to elect a Mayor (Seat 1)(currently filled by Mayor Skip Beeler) – four-year term; two candidates: Anne Herzog and Dave Netterstrom qualified to run for Seat 1; and on November 6, 2012, out of the votes cast, Anne Herzog received 2,950 (43.31%) votes, and Dave Netterstrom received 3,860 (56.68%) votes; and

**WHEREAS**, the November 6, 2012, a General Election was held to elect a Commissioner (Seat 2) (currently filled by Commissioner Ken Griffin) – four-year term; three candidates: Don John, Barry Plans and Tim Tumulty qualified to run for City Commissioner Seat 2; and on November 6, 2012, out of the votes casts, Don John received 2,260 (35.69%) votes, Barry Plans received 1,471 (23.23%) votes and Tim Tumulty received 2,601 (41.07%); and

**WHEREAS**, the November 6, 2012, a General Election was held to elect a Commissioner (Seat 3) (currently filled by Commissioner Kevin Pruet) – four-year term; two candidates: Ben Malik and Mary Jane Nail qualified to run for City Commissioner Seat 3; and on November 6, 2012, out of the votes cast, Ben Malik received 4,119 (64.60%) votes, Mary Jane Nail received 2,257 (35.39%) votes; and

**WHEREAS**, the November 6, 2012, a General Election was held to elect a Commissioner (Seat 5) (currently filled by Commissioner Dave Netterstrom) – two-year term (completes Seat 5 term, Commissioner Netterstrom resigned to run for Mayor); two candidates: Adrienne Dillon and Eric Herrburger qualified to run for City Commissioner Seat 5; and on November 6, 2012, out of the votes cast, Adrienne Dillon received 3,323 (53.39%) votes, Eric Herrburger received 2,900 (46.60%) votes; and

**WHEREAS**, the November 6, 2012, a General Election was also held to vote on the following referendum:

- TITLE: "AMENDING THE CHARTER AS TO FILLING COMMISSIONER AND COMMISSIONER-MAYOR VACANCIES"
  - REFERENDUM BODY: "In order to align Cocoa Beach election policy with State Statutes, shall Cocoa Beach amend its charter to allow an election in November of all years for a Commission Seat vacancy that occurs prior to August 1 of that year or where the City Clerk receives an irrevocable resignation of a commissioner, 10 days prior to the first day of qualifying for the election and effective at the next election in November?  
YES (for approval) \_\_\_\_\_ NO (for rejection) \_\_\_\_\_"

and

**WHEREAS**, on November 6, 2012, 5,044 (75.96%) votes were received in favor of the referendum, and 1,583 (24.03%) votes were received against the referendum; and

**NOW, THEREFORE, BE IT RESOLVED** that with the approval of this Resolution, we do hereby declare that:


- Dave Netterstrom is elected as Mayor-City Commissioner Seat No. 1 for a four (4) year term, an
- Tim Tumulty, City Commissioner Seat No. 2, for a four (4) year term and
- Ben Malik, City Commissioner Seat No. 3, for a four (4) year term and
- Adrienne Dillon, City Commissioner Seat No. 5, for a two (2) year term and
- The referendum as to filling Commissioner and Commission-Mayor vacancies was adopted.

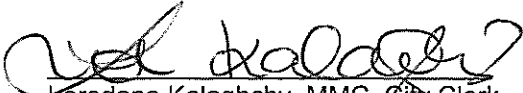
**RESOLUTION NO. 2012-29**

Upon Motion by Commissioner Williams and Seconded by Commissioner Mayor Beeler, this Resolution is duly adopted at a Regular Meeting of the City Commission of the City of Cocoa Beach, Florida, held on the 15th day of November, 2012.

ATTEST:

Ayes:	<u>5</u>
Nays:	<u>0</u>
Absent or Abstaining:	<u>0</u>

  
Leon Skip Beeler, Mayor-Commissioner

  
Loredana Kalaghchy, MMC, City Clerk

**RESOLUTION NO. 2012-29**

Results as of 11-07-12 obtained from the Brevard County Supervisor of Elections Website.

**Cocoa Beach Mayor**

Anne Herzog	2,950	(43.31%)
Dave Netterstrom	3,860	(56.68%)

**Cocoa Beach Commission Seat 2**

Don John	2,260	(35.69%)
Barry Plans	1,471	(23.23%)
Tim Tumulty	2,601	(41.07%)

**Cocoa Beach Commission Seat 3**

Ben Malik	4,119	(64.60%)
Mary Jane Nail	2,257	(35.39%)

**Cocoa Beach Commission Seat 5**

Adrienne F. Dillon	3,323	(53.39%)
Eric Herrburger	2,900	(46.60%)

**Cocoa Beach Referendum**

YES	5,004	(75.96%)
NO	1,583	(24.03%)

# City Clerk Information

Cocoa Beach

Precinct	Polling Place	Address	Total	Dem	Rep	Nonp	Other
208.1	Cocoa Beach Community Church	126 S Atlantic Ave Cocoa Beach, FL 32931	1,846	568	865	327	86
215.1	Church of Our Saviour Social Hall	5301 N Atlantic Ave Cocoa Beach, FL 32931	1,320	419	634	223	44
221.1	Riverside Presbyterian Church Hall	3400 N Atlantic Ave Cocoa Beach, FL 32931	2,708	831	1,308	434	135
222.1	Cocoa Beach Recreation Center	321 Ramp Rd Cocoa Beach, FL 32931	3,036	961	1,370	568	137
<b>VOTER TOTALS:</b>			<b>8,910</b>	<b>2,779</b>	<b>4,177</b>	<b>1,552</b>	<b>402</b>

Thursday, June 14, 2012  
8:28:09AM

UNOFFICIAL Cocoa Beach Election Results 2012 Nov 6, 2012

Our Savior      Presby      Comm Church      Ramp Road      Absentee

**Mayor Seat 1**

Anne Herzog	2,950 (43.31%)	234	457	376	622	1,689
Dave Netterstrom	3,860 (56.68%)	338	636	457	776	1,653

**Seat 2**

Don John	2,260 (35.69%)	177	382	298	463	940
Barry Plans	1,471 (23.23%)	155	223	150	228	715
Tim Tumulty	2,601 (41.07%)	219	383	333	592	1,074

**Seat 3**

Ben Malik	4,119 (64.6%)	320	697	524	914	1,664
Mary Jane Nail	2,257 (35.39%)	211	412	256	389	989

**Seat 4**

Adrienne Dillon	3,323 (53.39%)	281	553	405	616	1,468
Eric Herrburger	2,900 (46.6%)	244	440	355	652	1,209

Note:  
Precinct figures were posted when precincts closed last night

**Cocoa Beach Mayor**

Anne Herzog	2,950 (43.31%)
Dave Netterstrom	3,860 (56.68%)

**Cocoa Beach Commission Seat 2**

Don John	2,260 (35.69%)
Barry Plans	1,471 (23.23%)
Tim Tumulty	2,601 (41.07%)

**Cocoa Beach Commission Seat 3**

Ben Malik	4,119 (64.60%)
Mary Jane Nail	2,257 (35.39%)

**Cocoa Beach Commission Seat 5**

Adrienne F. Dillon	3,323 (53.39%)
Eric Herrburger	2,900 (46.60%)

[Back](#)

**Precinct: Precinct 208**

Anne Herzog	651 (45.3%)	<input type="text"/>
Dave Netterstrom	786 (54.6%)	<input type="text"/>

**Precinct: Precinct 215**

Anne Herzog	422 (42.8%)	<input type="text"/>
Dave Netterstrom	563 (57.1%)	<input type="text"/>

**Precinct: Precinct 221**

Anne Herzog	856 (42.1%)	<input type="text"/>
Dave Netterstrom	1,173 (57.8%)	<input type="text"/>

**Precinct: Precinct 222**

Anne Herzog	1,021 (43.2%)	<input type="text"/>
Dave Netterstrom	1,338 (56.7%)	<input type="text"/>

[Back](#)

[Back](#)

**Precinct: Precinct 208**

Adrienne F. Dillon 694 (52.9%)

Eric Herrburger 616 (47.0%)

**Precinct: Precinct 215**

Adrienne F. Dillon 495 (54.7%)

Eric Herrburger 409 (45.2%)

**Precinct: Precinct 221**

Adrienne F. Dillon 1,063 (57.2%)

Eric Herrburger 795 (42.7%)

**Precinct: Precinct 222**

Adrienne F. Dillon 1,071 (49.7%)

Eric Herrburger 1,080 (50.2%)

[Back](#)



[Back](#)

**Precinct: Precinct 208**

Ben Malik 898 (66.7%)

Mary Jane Nail 447 (33.2%)

**Precinct: Precinct 215**

Ben Malik 556 (60.1%)

Mary Jane Nail 368 (39.8%)

**Precinct: Precinct 221**

Ben Malik 1,100 (58.4%)

Mary Jane Nail 782 (41.5%)

**Precinct: Precinct 222**

Ben Malik 1,565 (70.3%)

Mary Jane Nail 660 (29.6%)

[Back](#)

[Back](#)**Precinct: Precinct 208**

Don John	516 (38.3%)	<input type="text"/>
Barry Plans	300 (22.2%)	<input type="text"/>
Tim Tumulty	531 (39.4%)	<input type="text"/>

**Precinct: Precinct 215**

Don John	313 (32.9%)	<input type="text"/>
Barry Plans	273 (28.7%)	<input type="text"/>
Tim Tumulty	364 (38.3%)	<input type="text"/>

**Precinct: Precinct 221**

Don John	699 (37.6%)	<input type="text"/>
Barry Plans	465 (25.0%)	<input type="text"/>
Tim Tumulty	691 (37.2%)	<input type="text"/>

**Precinct: Precinct 222**

Don John	732 (33.5%)	<input type="text"/>
Barry Plans	433 (19.8%)	<input type="text"/>
Tim Tumulty	1,015 (46.5%)	<input type="text"/>

[Back](#)

[Back](#)

**Precinct: Precinct 208**

YES 1,031 (75.1%)

NO 341 (24.8%)

**Precinct: Precinct 215**

YES 748 (76.3%)

NO 232 (23.6%)

**Precinct: Precinct 221**

YES 1,486 (75.2%)

NO 488 (24.7%)

**Precinct: Precinct 222**

YES 1,739 (76.9%)

NO 522 (23.0%)

[Back](#)

\*\*\* Official \*\*\*  
**CERTIFICATE OF COUNTY CANVASSING BOARD  
BREVARD COUNTY**

For Cocoa Council Dist 2, the whole number of votes cast was 1,321 of which number

Edward A. Lanni	received	440 votes
Brenda R. Warner	received	881 votes

For Cocoa Beach Mayor, the whole number of votes cast was 6,822 of which number

Anne Herzog	received	2,957 votes
Dave Netterstrom	received	3,865 votes

For Cocoa Beach Commission Seat 2, the whole number of votes cast was 6,343 of which number

Don John	received	2,263 votes
Barry Plans	received	1,475 votes
Tim Tumulty	received	2,605 votes

For Cocoa Beach Commission Seat 3, the whole number of votes cast was 6,387 of which number

Ben Malik	received	4,127 votes
Mary Jane Nail	received	2,260 votes

For Cocoa Beach Commission Seat 5, the whole number of votes cast was 6,234 of which number

Adrienne F. Dillon	received	3,328 votes
Eric Herrburger	received	2,906 votes

For Grant Valkaria Council, the whole number of votes cast was 4,964 of which number

Cathy Landrum DeMott	received	1,399 votes
Lisette M. Kolar	received	1,443 votes
Christopher R Pozgar	received	769 votes
Dan Robino	received	1,353 votes

For Malabar Mayor, the whole number of votes cast was 1,390 of which number

Carl A Beatty	received	880 votes
Ben DuBose	received	510 votes

\*\*\* Official \*\*\*  
CERTIFICATE OF COUNTY CANVASSING BOARD  
BREVARD COUNTY

the phrase "full term" to mean a person serving for more than two (2) years of any one council term arising out of a general election?

Yes for Approval	4,774	votes
No for Rejection	2,186	votes

**COCOA BEACH REFERENDUM**

In order to align Cocoa Beach election policy with State Statutes, shall Cocoa Beach amend its charter to allow an election in November of all years for a Commission Seat vacancy that occurs prior to August 1 of that year or where the City Clerk receives an irrevocable resignation of a commissioner, 10 days prior to the first day of qualifying for the election and effective at the next election in November?

Yes for Approval	5,013	votes
No for Rejection	1,585	votes

**MALABAR: CONTINUED PARTICIPATION IN THE BREVARD COUNTY LAW ENFORCEMENT MSTU**

Shall the Town continue to participate in the Brevard County Law Enforcement MSTU?

Yes for Approval	1,208	votes
No for Rejection	230	votes

**MALABAR: QUALIFICATION FOR COUNCIL SEAT**

Shall section 2.03 of the Charter be amended to require petitions authorized by section 2.03 of the Charter be signed by qualified electors of the Town?

Yes for Approval	931	votes
No for Rejection	442	votes

**MALABAR: QUALIFICATIONS AND DUTIES OF THE MAYOR**

Shall section 2.04 (b) of the Charter be amended to authorize a candidate for the office of Mayor to qualify for office by use of a petition signed by qualified electors of the Town?

Yes for Approval	885	votes
No for Rejection	527	votes

**MALABAR: REMOVING THE REQUIREMENT FOR A ROLL CALL VOTE FOR VOTING ON RESTRICTIONS**

Shall section 2.11 (d) of the Charter be amended to remove the requirement of a roll call vote for voting on Resolutions?

Yes for Approval	292	votes
No for Rejection	1,109	votes

\*\*\* Official \*\*\*  
**CERTIFICATE OF COUNTY CANVASSING BOARD  
BREVARD COUNTY**

We, the undersigned, KELLY MCKIBBEN, County Judge, LORI SCOTT, Supervisor of Elections, CHUCK NELSON, Chairman, Board of County Commissioners, constituting the Board of County Canvassers in and for said County, do hereby certify that we met on the Sixteenth day of November, 2012 A.D., and proceeded publicly to canvass the votes given for the several offices and persons herein specified at the Nonpartisan Election held on the Sixth day of November, 2012 A.D., as shown by the returns on file in the office of the Supervisor of Elections. We do hereby certify from said returns as follows:

Retention of Justice R. Fred Lewis of the Supreme Court

Yes 164,473 votes  
No 88,313 votes

Retention of Justice Barbara J. Pariente of the Supreme Court

Yes 165,886 votes  
No 88,029 votes

Retention of Justice Peggy A. Quince of the Supreme Court

Yes 165,233 votes  
No 88,399 votes

For County Court Judge, Group 5, the whole number of votes cast was 232,485 of which number

Curt Jacobus	received	109,050 votes
Steve Koons	received	123,435 votes

For Cape Canaveral Mayor, the whole number of votes cast was 4,760 of which number

Wes Morrison	received	2,051 votes
Rocky Randels	received	2,709 votes

For Cocoa Mayor, the whole number of votes cast was 6,910 of which number

Laura J. Houston	received	1,323 votes
Marcelle, Esther	received	308 votes
James McCarthy	received	1,069 votes
Henry Parrish	received	2,511 votes
Jake Williams Jr.	received	1,699 votes

\*\*\* Official \*\*\*  
**CERTIFICATE OF COUNTY CANVASSING BOARD  
BREVARD COUNTY**

For Malabar Council District 1, the whole number of votes cast was  
1,257 of which number

Hans Kemmler	received	521 votes
James Milucky	received	736 votes

For Malabar Council District 2, the whole number of votes cast was  
1,328 of which number

Wayne Abare	received	694 votes
Brian Vail	received	634 votes

For Malabar Council District 3, the whole number of votes cast was  
1,377 of which number

Donald Krieger	received	603 votes
Steve Rivet	received	774 votes

For Melbourne Mayor, the whole number of votes cast was 32,128 of  
which number

Mark LaRusso	received	14,757 votes
Kathy Meehan	received	17,371 votes

For Melbourne Council Dist 1, the whole number of votes cast was  
29,409 of which number

Mike Nowlin	received	17,869 votes
Tim Thomas	received	11,540 votes

For Melbourne Council Dist 2, the whole number of votes cast was  
28,772 of which number

Mike Fischer	received	8,793 votes
Michael Montgomery	received	6,571 votes
Betty Moore	received	13,408 votes

For Melbourne Council Dist 3, the whole number of votes cast was  
30,024 of which number

Hazel Buggs	received	10,584 votes
Cleave Frink	received	4,715 votes
Harry C. Goode, Jr.	received	14,725 votes

\*\*\* Official \*\*\*  
**CERTIFICATE OF COUNTY CANVASSING BOARD  
BREVARD COUNTY**

For Melbourne Beach Commissioner, the whole number of votes cast was 2,701 of which number

Margot Dorfman	received	846 votes
Lisa M. Farrall	received	986 votes
Jean Marshall	received	869 votes

For Palm Bay Mayor, the whole number of votes cast was 42,663 of which number

William Capote	received	18,741 votes
Will Conyers	received	6,544 votes
John J Mazziotti	received	17,378 votes

For Palm Bay City Council Seat 2, the whole number of votes cast was 38,873 of which number

Bill Rettinger	received	19,076 votes
Harry Santiago Jr.	received	19,797 votes

For Palm Bay City Council Seat 3, the whole number of votes cast was 39,472 of which number

Brian Jacob Anderson	received	10,093 votes
Michele Paccione	received	14,648 votes
Missy Wilson	received	5,951 votes
Pat Woodard	received	8,780 votes

For Rockledge City Council Seat 6, the whole number of votes cast was 11,923 of which number

Duane Daski	received	5,279 votes
Ted Hartselle	received	6,644 votes

For Satellite Beach Mayor, the whole number of votes cast was 5,914 of which number

Frank Catino	received	3,462 votes
Trevor Lowing	received	2,452 votes

For Satellite Beach Council, the whole number of votes cast was 10,631 of which number

Mark A. Brimer	received	3,045 votes
Lloyd French	received	2,397 votes
Lorraine Gott	received	2,735 votes
Scott P. Rhodes	received	2,454 votes



\*\*\* Official \*\*\*  
**CERTIFICATE OF COUNTY CANVASSING BOARD  
BREVARD COUNTY**

For Titusville City Council Seat 2, the whole number of votes cast was 19,407 of which number

Matthew Barringer	received	9,660 votes
Martha Jane Long	received	9,747 votes

For West Melbourne City Council, the whole number of votes cast was 20,672 of which number

Pat Bentley	received	3,698 votes
John C. D'Amico	received	3,386 votes
Stephany Eley	received	3,696 votes
Adam Gaffney	received	3,528 votes
Barbara A Smith	received	4,174 votes
Bob Willmarth	received	2,190 votes


For Sebastian Inlet Tax District, District 3, the whole number of votes cast was 106,726 of which number

Michael Rowland	received	53,254 votes
Jeannette Westlake	received	53,472 votes

For Viera East Community Development District, Group 5, the whole number of votes cast was 4,114 of which number

David Bedwell	received	2,047 votes
Jo Walsh	received	2,067 votes

We Certify that pursuant to Section 102.112, Florida Statutes, the canvassing board has compared the number of persons who voted with the number of ballots counted and that the certification includes all valid votes cast in the election.

  
\_\_\_\_\_  
COUNTY JUDGE

  
\_\_\_\_\_  
SUPERVISOR OF ELECTIONS

  
\_\_\_\_\_  
CHAIRMAN, BOARD OF COUNTY COMMISSIONERS

\*\*\* Official \*\*\*  
CERTIFICATE OF COUNTY CANVASSING BOARD  
BREVARD COUNTY

We, the undersigned, KELLY MCKIBBEN, County Judge, LORI SCOTT, Supervisor of Elections, CHUCK NELSON, Chairman, Board of County Commissioners, constituting the Board of County Canvassers in and for said County, do hereby certify that we met on the Sixteenth day of November, 2012 A.D., and proceeded publicly to canvass the votes given for and proceeded publicly to canvass the votes given for Proposed Amendments to the Constitution of the State of Florida and referendums on the Sixth day of November, 2012 A.D. as shown by the returns on file in the office of the Supervisor of Elections. We do hereby certify from said returns as follows:

**NO. 1**  
**CONSTITUTIONAL AMENDMENT**  
**ARTICLE I, SECTION 28**  
**HEALTH CARE SERVICES**

Proposing an amendment to the State Constitution to prohibit laws or rules from compelling any person or employer to purchase, obtain, or otherwise provide for health care coverage; permit a person or an employer to purchase lawful health care services directly from a health care provider; permit a health care provider to accept direct payment from a person or an employer for lawful health care services; exempt persons, employers, and health care providers from penalties and taxes for paying directly or accepting direct payment for lawful health care services; and prohibit laws or rules from abolishing the private market for health care coverage of any lawful health care service. Specifies that the amendment does not affect which health care services a health care provider is required to perform or provide; affect which health care services are permitted by law; prohibit care provided pursuant to general law relating to workers' compensation; affect laws or rules in effect as of March 1, 2010; affect the terms or conditions of any health care system to the extent that those terms and conditions do not have the effect of punishing a person or an employer for paying directly for lawful health care services or a health care provider for accepting direct payment from a person or an employer for lawful health care services; or affect any general law passed by two-thirds vote of the membership of each house of the Legislature, passed after the effective date of the amendment, provided such law states with specificity the public necessity justifying the exceptions from the provisions of the amendment. The amendment expressly provides that it may not be construed to prohibit negotiated provisions in insurance contracts, network agreements, or other provider agreements contractually limiting copayments, coinsurance, deductibles, or other patient charges.

Yes for Approval	144,389	votes
No for Rejection	120,257	votes

**NO. 2**  
**CONSTITUTIONAL AMENDMENT**  
**ARTICLE VII, SECTION 6 AND ARTICLE XII, SECTION 32**  
**VETERANS DISABLED DUE TO COMBAT INJURY;**  
**HOMESTEAD PROPERTY TAX DISCOUNT**

Proposing an amendment to Section 6 of Article VII and the creation of Section 32 of Article XII of the State Constitution to expand the availability of the property discount on the homesteads of veterans who became disabled as the result of a combat injury to include those who were not Florida residents when they entered the military and schedule the amendment to take effect January 1, 2013.

Yes for Approval	176,913	votes
No for Rejection	94,375	votes

\*\*\* Official \*\*\*  
CERTIFICATE OF COUNTY CANVASSING BOARD  
BREVARD COUNTY

**NO. 3**  
**CONSTITUTIONAL AMENDMENT**  
**ARTICLE VII, SECTIONS 1 AND 19**  
**AND ARTICLE XII, SECTION 32**  
**STATE GOVERNMENT REVENUE LIMITATION**

This proposed amendment to the State Constitution replaces the existing state revenue limitation based on Florida personal income growth with a new state revenue limitation based on inflation and population changes. Under the amendment, state revenues, as defined in the amendment, collected in excess of the revenue limitation must be deposited into the budget stabilization fund until the fund reaches its maximum balance, and thereafter shall be used for the support and maintenance of public schools by reducing the minimum financial effort required from school districts for participation in a state-funded education finance program, or, if the minimum financial effort is no longer required, returned to the taxpayers. The Legislature may increase the state revenue limitation through a bill approved by a super majority vote of each house of the Legislature. The Legislature may also submit a proposed increase in the state revenue limitation to the voters. The Legislature must implement this proposed amendment by general law. The amendment will take effect upon approval by the electors and will first apply to the 2014-2015 state fiscal year.

Yes for Approval	117,261	votes
No for Rejection	144,111	votes

**NO. 4**  
**CONSTITUTIONAL AMENDMENT**  
**ARTICLE VII, SECTIONS 4, 6 AND**  
**ARTICLE XII, SECTIONS 27, 32, 33**  
**PROPERTY TAX LIMITATIONS; PROPERTY VALUE**  
**DECLINE; REDUCTION FOR NONHOMESTEAD ASSESSMENT**  
**INCREASES; DELAY OF SCHEDULED REPEAL**

(1) This would amend Florida Constitution Article VII, Section 4 (Taxation; assessments) and Section 6 (Homestead exemptions). It also would amend Article XII, Section 27, and add Sections 32 and 33, relating to the Schedule for the amendments.

(2) In certain circumstances, the law requires the assessed value of homestead and specified nonhomestead property to increase when the just value of the property decreases. Therefore, this amendment provides that the Legislature may, by general law, provide that the assessment of homestead and specified nonhomestead property may not increase if the just value of that property is less than the just value of the property on the preceding January 1, subject to any adjustment in the assessed value due to changes, additions, reductions, or improvements to such property which are assessed as provided for by general law. This amendment takes effect upon approval by the voters. If approved at a special election held on the date of the 2012 presidential preference primary, it shall operate retroactively to January 1, 2012, or, if approved at the 2012 general election, shall take effect January 1, 2013.

(3) This amendment reduces from 10 percent to 5 percent the limitation on annual changes in assessments of nonhomestead real property. This amendment takes effect upon approval of the voters. If approved at a special election held on the date of the 2012 presidential preference primary, it shall operate retroactively to January 1, 2012, or, if approved at the 2012 general election, takes effect January 1, 2013.

(4) This amendment also authorizes general law to provide, subject to conditions specified in such law, an additional homestead exemption to every person who establishes the right to receive the homestead exemption provided in the Florida Constitution within 1 year after purchasing the homestead property and who has not owned property in the previous 3 calendar years to which the Florida homestead exemption applied. The additional homestead exemption shall apply to all levies except school district levies. The additional exemption is an amount equal to 50 percent of the homestead property's just value on January 1 of the year the homestead is established. The additional homestead exemption may not exceed an amount equal

\*\*\* Official \*\*\*  
CERTIFICATE OF COUNTY CANVASSING BOARD  
BREVARD COUNTY

to the median just value of all homestead property within the county where the property at issue is located for the calendar year immediately preceding January 1 of the year the homestead is established. The additional exemption shall apply for the shorter of 5 years or the year of sale of the property. The amount of the additional exemption shall be reduced in each subsequent year by an amount equal to 20 percent of the amount of the additional exemption received in the year the homestead was established or by an amount equal to the difference between the just value of the property and the assessed value of the property determined under Article VII, Section 4(d), whichever is greater. Not more than one such exemption shall be allowed per homestead property at one time. The additional exemption applies to property purchased on or after January 1, 2011, if approved by the voters at a special election held on the date of the 2012 presidential preference primary, or to property purchased on or after January 1, 2012, if approved by the voters at the 2012 general election. The additional exemption is not available in the sixth and subsequent years after it is first received. The amendment shall take effect upon approval by the voters. If approved at a special election held on the date of the 2012 presidential preference primary, it shall operate retroactively to January 1, 2012, or, if approved at the 2012 general election, takes effect January 1, 2013.

(5) This amendment also delays until 2023, the repeal, currently scheduled to take effect in 2019,

Yes for Approval	114,214	votes
No for Rejection	146,533	votes

**NO. 5**  
**CONSTITUTIONAL AMENDMENT**  
**ARTICLE V, SECTIONS 2, 11, AND 12**  
**STATE COURTS**

Proposing a revision of Article V of the State Constitution relating to the judiciary. The State Constitution authorizes the Supreme Court to adopt rules for the practice and procedure in all courts. The constitution further provides that a rule of court may be repealed by a general law enacted by a two-thirds vote of the membership of each house of the Legislature. This proposed constitutional revision eliminates the requirement that a general law repealing a court rule pass by a two-thirds vote of each house, thereby providing that the Legislature may repeal a rule of court by a general law approved by a majority vote of each house of the Legislature that expresses the policy behind the repeal. The court could readopt the rule in conformity with the public policy expressed by the Legislature, but if the Legislature determines that a rule has been readopted and repeals the readopted rule, this proposed revision prohibits the court from further readopting the repealed rule without the Legislature's prior approval. Under current law, rules of the judicial nominating commissions and the Judicial Qualifications Commission may be repealed by general law enacted by a majority vote of the membership of each house of the Legislature. Under this proposed revision, a vote to repeal those rules is changed to repeal by general law enacted by a majority vote of the legislators present.

Under current law, the Governor appoints a justice of the Supreme Court from a list of nominees provided by a judicial nominating commission, and appointments by the Governor are not subject to confirmation. This revision requires Senate confirmation of a justice of the Supreme Court before the appointee can take office. If the Senate votes not to confirm the appointment, the judicial nominating commission must reconvene and may not renominate any person whose prior appointment to fill the same vacancy was not confirmed by the Senate. For the purpose of confirmation, the Senate may meet at any time. If the Senate fails to vote on the appointment of a justice within 90 days, the justice will be deemed confirmed and will take office.

The Judicial Qualifications Commission is an independent commission created by the State Constitution to investigate and prosecute before the Florida Supreme Court alleged misconduct by a justice or judge. Currently under the constitution, commission proceedings are confidential until formal charges are filed by the investigative panel of the commission. Once formal charges are filed, the formal charges and all further proceedings of the commission are public. Currently, the constitution authorizes the House of Representatives to impeach a justice or judge.

\*\*\* Official \*\*\*  
CERTIFICATE OF COUNTY CANVASSING BOARD  
BREVARD COUNTY

Further, the Speaker of the House of Representatives may request, and the Judicial Qualifications Commission must make available, all information in the commission's possession for use in deciding whether to impeach a justice or judge. This proposed revision requires the commission to make all of its files available to the Speaker of the House of Representatives but provides that such files would remain confidential during any investigation by the House of Representatives and until such information is used in the pursuit of an impeachment of a justice or judge. This revision also removes the power of the Governor to request files of the Judicial Qualifications Commission to conform to a prior constitutional change.

This revision also makes technical and clarifying additions and deletions relating to the selection of chief judges of a circuit and relating to the Judicial Qualifications Commission, and makes other nonsubstantive conforming and technical changes in the judicial article of the constitution.

Yes for Approval	99,165	votes
No for Rejection	156,730	votes

**NO. 6**  
**CONSTITUTIONAL AMENDMENT**  
**ARTICLE I, SECTION 28**  
**PROHIBITION ON PUBLIC FUNDING OF ABORTIONS;**  
**CONSTRUCTION OF ABORTION RIGHTS**

This proposed amendment provides that public funds may not be expended for any abortion or for health-benefits coverage that includes coverage of abortion. This prohibition does not apply to an expenditure required by federal law, a case in which a woman suffers from a physical disorder, physical injury, or physical illness that would place her in danger of death unless an abortion is performed, or a case of rape or incest.

This proposed amendment provides that the State Constitution may not be interpreted to create broader rights to an abortion than those contained in the United States Constitution. With respect to abortion, this proposed amendment overrules court decisions which conclude that the right of privacy under Article I, Section 23 of the State Constitution is broader in scope than that of the United States Constitution.

Yes for Approval	127,598	votes
No for Rejection	145,943	votes

**NO. 8**  
**CONSTITUTIONAL AMENDMENT**  
**ARTICLE I, SECTION 3**  
**RELIGIOUS FREEDOM**

Proposing an amendment to the State Constitution providing that no individual or entity may be denied, on the basis of religious identity or belief, governmental benefits, funding or other support, except as required by the First Amendment to the United States Constitution, and deleting the prohibition against using revenues from the public treasury directly or indirectly in aid of any church, sect, or religious denomination or in aid of any sectarian institution.

Yes for Approval	116,004	votes
No for Rejection	154,226	votes

\*\*\* Official \*\*\*  
CERTIFICATE OF COUNTY CANVASSING BOARD  
BREVARD COUNTY

NO. 9  
CONSTITUTIONAL AMENDMENT  
ARTICLE VII, SECTION 6 AND ARTICLE XII, SECTION 32  
HOMESTEAD PROPERTY TAX EXEMPTION FOR SURVIVING  
SPOUSE OF MILITARY VETERAN OR FIRST RESPONDER

Proposing an amendment to the State Constitution to authorize the Legislature to provide by general law ad valorem homestead property tax relief to the surviving spouse of a military veteran who died from service-connected causes while on active duty or to the surviving spouse of a first responder who died in the line of duty. The amendment authorizes the Legislature to totally exempt or partially exempt such surviving spouse's homestead property from ad valorem taxation. The amendment defines a first responder as a law enforcement officer, a correctional officer, a firefighter, an emergency medical technician, or a paramedic. This amendment shall take effect January 1, 2013.

Yes for Approval	171,746	votes
No for Rejection	99,073	votes

NO. 10  
CONSTITUTIONAL AMENDMENT  
ARTICLE VII, SECTION 3 AND ARTICLE XII, SECTION 32  
TANGIBLE PERSONAL PROPERTY TAX EXEMPTION

Proposing an amendment to the State Constitution to:

(1) Provide an exemption from ad valorem taxes levied by counties, municipalities, school districts, and other local governments on tangible personal property if the assessed value of an owner's tangible personal property is greater than \$25,000 but less than \$50,000. This new exemption, if approved by the voters, will take effect on January 1, 2013, and apply to the 2013 tax roll and subsequent tax rolls.

(2) Authorize a county or municipality for the purpose of its respective levy, and as provided by general law, to provide tangible personal property tax exemptions by ordinance. This is in addition to other statewide tangible personal property tax exemptions provided by the Constitution and this amendment.

Yes for Approval	121,528	votes
No for Rejection	141,700	votes

NO. 11  
CONSTITUTIONAL AMENDMENT  
ARTICLE VII, SECTION 6  
ADDITIONAL HOMESTEAD EXEMPTION; LOW-INCOME  
SENIORS WHO MAINTAIN LONG-TERM RESIDENCY ON  
PROPERTY; EQUAL TO ASSESSED VALUE

Proposing an amendment to the State Constitution to authorize the Legislature, by general law and subject to conditions set forth in the general law, to allow counties and municipalities to grant an additional homestead tax exemption equal to the assessed value of homestead property if the property has a just value less than \$250,000 to an owner who has maintained permanent residency on the property for not less than 25 years, who has attained age 65, and who has a low household income as defined by general law.

Yes for Approval	174,477	votes
No for Rejection	94,344	votes

\*\*\* Official \*\*\*  
CERTIFICATE OF COUNTY CANVASSING BOARD  
BREVARD COUNTY

NO. 12  
CONSTITUTIONAL AMENDMENT  
ARTICLE IX, SECTION 7  
APPOINTMENT OF STUDENT BODY PRESIDENT TO BOARD  
OF GOVERNORS OF THE STATE UNIVERSITY SYSTEM

Proposing an amendment to the State Constitution to replace the president of the Florida Student Association with the chair of the council of state university student body presidents as the student member of the Board of Governors of the State University System and to require that the Board of Governors organize such council of state university student body presidents.

Yes for Approval	106,777	votes
No for Rejection	147,477	votes

**OPERATION OF SLOT MACHINES AT MELBOURNE  
GREYHOUND PARK**

Shall Melbourne Greyhound Park be allowed to operate slot machines in accordance with the authority granted by Florida law?

Yes for Approval	152,660	votes
No for Rejection	114,151	votes

**ONE-HALF CENT SALES SURTAX FOR SCHOOL FACILITIES  
AND TECHNOLOGY**

As the School Board will stop levying the critical needs 0.25 mills property tax in 2013-14, shall it be allowed to levy a one-half cent school capital outlay surtax on sales in Brevard County, effective 1/1/13 for a period of 10 years unless property tax assessments return to the 2008-09 level. Proceeds will be used for critical improvements to school facilities and educational technology needs as described in a School Board resolution adopted on 7/10/12.

Yes for Approval	129,178	votes
No for Rejection	137,432	votes

**BAREFOOT BAY NON-BINDING REFERENDUM**

Do you support an amendment to the Charter of the Barefoot Bay Recreation District that would allow for persons who own property within Barefoot Bay Recreation District, but who are not registered electors of Barefoot Bay Recreation District, to vote in elections for Board of Trustee members?

Yes for Approval	1,334	votes
No for Rejection	1,585	votes

**COCOA REFERENDUM**

The current City Charter prohibits a person from serving more than two consecutive full terms on the City Council arising out of a general election. The Charter does not define the meaning of the phrase "full term." Shall the Charter be amended to define

\*\*\* Official \*\*\*  
CERTIFICATE OF COUNTY CANVASSING BOARD  
BREVARD COUNTY

**MALABAR: AUTHORIZING THE USE OF ELECTRONIC  
PAYMENTS OR DIRECT DEPOSIT FOR THE DISPURSEMENT  
OF PUBLIC MONIES**

Shall section 4.01 of the Charter be amended to allow the use of electronic payments or direct deposit as an alternative for the disbursement of public monies?

Yes for Approval	1,065	votes
No for Rejection	350	votes

**MALABAR: PURCHASE LAND FOR FUTURE TOWN  
PURPOSES**

Shall the Town pursue land acquisitions for future Town purposes as identified in the Capital Improvement Plan of the Town of Malabar Comprehensive Land Use Plan by funding of said purchases through the imposition of an additional 1 mil for a period of two years beginning in 2013?

Yes for Approval	468	votes
No for Rejection	962	votes

**MALABAR: SUPPORT FOR LAND ACQUISITION FOR TOWN  
HALL**

Should the Town of Malabar support future land acquisition for town hall?

Yes for Approval	613	votes
No for Rejection	835	votes

**MALABAR: SUPPORT FOR LAND ACQUISITION FOR  
COMMUNITY CENTER**

Should the Town of Malabar support future land acquisitions for community center?

Yes for Approval	616	votes
No for Rejection	841	votes

**MALABAR: SUPPORT FOR LAND ACQUISITION FOR RIVER  
FRONT ACCESS**

Should the Town of Malabar support future land acquisition for river front access?

Yes for Approval	653	votes
No for Rejection	796	votes



\*\*\* Official \*\*\*  
CERTIFICATE OF COUNTY CANVASSING BOARD  
BREVARD COUNTY

**PALM BAY: COMPENSATION FOR MEMBERS OF CITY  
COUNCIL**

Shall Section 3.03 of the City Charter be revised to establish the compensation for the City Council by ordinance, not to exceed salaries as portrayed by the Florida League of Municipalities for cities of comparable size and form of government, instead of the current method which allows Council to establish its salary by ordinance by no more than 5% annually? No increase in salary shall become effective until after the next regular city election.

Yes for Approval	18,742	votes
No for Rejection	22,087	votes

**PALM BAY: FILLING TEMPORARY, PERMANENT, AND  
EXTRAORDINARY VACANCIES ON CITY COUNCIL**

Shall Section 3.06, Vacancies, be revised as follows: Section 3.06 - correct language grammatically and provide for declaration of City Council vacancies at special and regular meetings; Subsection 6.062 (should read 3.062) - establish procedures for filling temporary and permanent vacancies on City Council by ordinance; Subsection 3.063 - identify absences that do not create a vacancy on Council; and Subsection 3.064 - include provision to replace Council membership when vacancies reduce Council to less than a quorum?

Yes for Approval	25,443	votes
No for Rejection	14,375	votes

**PALM BAY: PETITIONS AMENDING CITY CHARTER OR TO  
ADOPT OR REPEAL ORDINANCES**

Shall Section 3.09 of the City Charter be revised to include placement of a charter amendment, adoption or repeal of an ordinance on the ballot of a special election and follow relative agencies' requirements; revise the time frame in Subsection 3.091 for the commencement of the petitioning process and Subsection 3.095 for submission of the petition issues to the electorate to provide sufficient time for placement on the ballot of a regular or special election?

Yes for Approval	22,083	votes
No for Rejection	16,604	votes

**PALM BAY: EMPLOYMENT OF ASSISTANT CITY  
ATTORNEY(S)**

Shall Subsections 3.111, 3.113, and 3.114 of the City Charter be revised to provide for the hiring of assistant city attorney(s) by the City Attorney instead of the City Council to be consistent with the other City Charter officers -- the City Manager and City Clerk who hire their own assistants and staff?

Yes for Approval	19,731	votes
No for Rejection	20,508	votes

\*\*\* Official \*\*\*  
CERTIFICATE OF COUNTY CANVASSING BOARD  
BREVARD COUNTY

**PALM BAY: QUALIFICATIONS OF CANDIDATES FOR THE  
OFFICE OF CITY COUNCIL**

Shall Section 5.02 of the City Charter be revised to require candidates elected to the office of city council to physically reside within the city and continue to be a resident and an elector of the city during the term of office?

Yes for Approval	35,257	votes
No for Rejection	6,207	votes

**PALM BAY: CERTIFICATION BY CITY COUNCIL OF  
MUNICIPAL ELECTION RESULTS**

Shall Subsection 5.044 be amended to have the City's official election results certified after the city clerk receives the results from the supervisor of elections, instead of the current requirement of 3 working days after the election, due to the current language being rendered moot by law that requires absentee federal ballots received up to 10 days after an election to be counted and included in the official results?

Yes for Approval	24,750	votes
No for Rejection	15,613	votes

**ROCKLEDGE REFERENDUM**

Shall the City Council of the City of Rockledge, Florida, be authorized to grant, pursuant to Section 3, Art. VII, of the State Constitution, property tax exemptions to new businesses and expansions of existing businesses?

Yes for Approval	7,893	votes
No for Rejection	5,178	votes

**SATELLITE BEACH: DELETING REFERENCES TO  
PLANNING AND ZONING BOARDS**

Shall Satellite Beach delete Sec. 4.02(b), (c) and (d) of its Charter which currently establish and define certain duties of Comprehensive Planning Advisory Board and Planning and Zoning Advisory Board and eliminate city council as planning and zoning board; and amend Sec. 4.02(a) of Charter governing general authority of City Council to establish and abolish boards, committees, agencies and advisory groups, as well as providing generally for membership and removal of members from such bodies?

Yes for Approval	1,953	votes
No for Rejection	3,732	votes

**SATELLITE BEACH: 4/5 VOTE BY CITY COUNCIL TO RAISE  
REVENUE SOURCES ABOVE RATES IN PRIOR BUDGET**

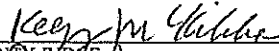
Shall Satellite Beach amend its charter to require a supermajority (4/5) vote to approve any increase in ad valorem millage rate, non-ad valorem assessments or

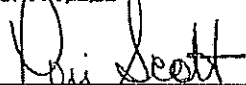
\*\*\* Official \*\*\*  
CERTIFICATE OF COUNTY CANVASSING BOARD  
BREVARD COUNTY

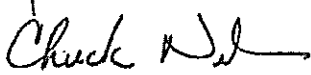
public service tax rates in excess of the current rate as well as to approve the imposition of new non-ad valorem assessments or public service tax rates?

Yes for Approval	3,244	votes
No for Rejection	2,670	votes

We Certify that pursuant to Section 102.112, Florida Statutes, the canvassing board has compared the number of persons who voted with the number of ballots counted and that the certification includes all valid votes cast in the election.

  
\_\_\_\_\_  
COUNTY JUDGE

  
\_\_\_\_\_  
SUPERVISOR OF ELECTIONS

  
\_\_\_\_\_  
CHAIRMAN, BOARD OF COUNTY  
COMMISSIONERS

\*\*\* Official \*\*\*  
**CERTIFICATE OF COUNTY CANVASSING BOARD  
BREVARD COUNTY**

We, the undersigned, KELLY MCKIBBEN, County Judge, LORI SCOTT, Supervisor of Elections, CHUCK NELSON, Chairman, Board of County Commissioners, constituting the Board of County Canvassers in and for said County, do hereby certify that we met on the Sixteenth day of November, 2012 A.D., and proceeded publicly to canvass the votes given for the several offices and persons herein specified at the **General Election** held on the Sixth day of November, 2012 A.D., as shown by the returns on file in the office of the Supervisor of Elections. We do hereby certify from said returns as follows:

For President of the United States, the whole number of votes cast was 285,559 of which number

Mitt Romney and Paul Ryan (REP)	received	159,300 votes
Barack Obama and Joe Biden (DEM)	received	122,993 votes
Thomas Robert Stevens and Alden Link (OBJ)	received	164 votes
Gary Johnson and James P. Gray (LBT)	received	1,974 votes
Virgil H. Goode, Jr. and James N. Clymer (CPF)	received	129 votes
Jill Stein and Cheri Honkala (GRE)	received	388 votes
Andre Barnett and Kenneth Cross (REF)	received	34 votes
Stewart Alexander and Alex Mendoza (SOC)	received	26 votes
Peta Lindsay and Yari Osorio (PSL)	received	14 votes
Roseanne Barr and Cindy Sheehan (PFP)	received	412 votes
Tom Hoefling and Jonathan D. Ellis (AIP)	received	50 votes
Ross C. "Rocky" Anderson and Luis J. Rodriguez (JPF)	received	75 votes
David C. Byrne and Taralyn Treat Harris (WRI)	received	0 votes
Andrew Charles Coniglio and John William Walsh (WRI)	received	0 votes
Richard Duncan and Ricky Johnson (WRI)	received	0 votes
Stephen G. Durham and Christina Lopez (WRI)	received	0 votes
Erin Kent Magee and William Thomas Harney (WRI)	received	0 votes
Jill Reed and Tom Cary (WRI)	received	0 votes

\*\*\* Official \*\*\*  
**CERTIFICATE OF COUNTY CANVASSING BOARD  
BREVARD COUNTY**

For United States Senator, the whole number of votes cast was 278,873  
of which number

Connie Mack (REP)	received	127,177 votes
Bill Nelson (DEM)	received	142,072 votes
Bill Gaylor (NPA)	received	6,429 votes
Chris Borgia (NPA)	received	3,195 votes
Piotr Blass (WRI)	received	0 votes
Naomi Craine (WRI)	received	0 votes
Lionel Long (WRI)	received	0 votes
Robert Monroe (WRI)	received	0 votes
Lawrence Sidney Scott (WRI)	received	0 votes

For Representative in Congress, District 8, the whole number of votes  
cast was 275,952 of which number

Bill Posey (REP)	received	162,607 votes
Shannon Roberts (DEM)	received	105,475 votes
Richard H. Gillmor (NPA)	received	7,870 votes

For State Attorney, 18th Judicial Circuit, the whole number of votes cast  
was 263,970 of which number

Phil Archer (REP)	received	158,224 votes
Ryan James Vescio (DEM)	received	105,746 votes

For State Senator, District 13, the whole number of votes cast was 62,881  
of which number

Andy Gardiner (REP)	received	38,813 votes
Christopher Charles Pennington (DEM)	received	24,068 votes

For State Senator, District 16, the whole number of votes cast was  
204,132 of which number

Thad Altman (REP)	received	128,341 votes
Dominic A Fallo II (DEM)	received	75,791 votes

For State Representative, District 50, the whole number of votes cast was  
32,741 of which number

Tom Goodson (REP)	received	19,906 votes
Sean Ashby (DEM)	received	12,835 votes

\*\*\* Official \*\*\*  
**CERTIFICATE OF COUNTY CANVASSING BOARD  
BREVARD COUNTY**

For State Representative, District 53, the whole number of votes cast was 73,199 of which number

John Tobia (REP)	received	38,522 votes
John Paul Alvarez (DEM)	received	34,677 votes

For Clerk of the Circuit Court , the whole number of votes cast was 222,821 of which number

Scott Ellis (REP)	received	222,035 votes
Michael Gaeta (WRI)	received	786 votes

For Sheriff , the whole number of votes cast was 273,092 of which number

Wayne Ivey (REP)	received	181,780 votes
Adrian Moss-Beasley (DEM)	received	91,312 votes

For Property Appraiser , the whole number of votes cast was 265,988 of which number

Dana Blickley (REP)	received	159,749 votes
Charlie Sitton (DEM)	received	106,239 votes

For County Commissioner, District 1, the whole number of votes cast was 52,266 of which number

Richard Ware (REP)	received	22,001 votes
Robin L. Fisher (DEM)	received	27,837 votes
Dwight Seigler (NPA)	received	2,428 votes

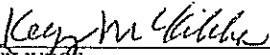
For County Commissioner, District 3, the whole number of votes cast was 50,770 of which number

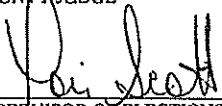
Trudie Infantini (REP)	received	28,462 votes
Joe "Pish" Pishgar (DEM)	received	22,308 votes

\*\*\* Official \*\*\*

**CERTIFICATE OF COUNTY CANVASSING BOARD  
BREVARD COUNTY**

We Certify that pursuant to Section 102.112, Florida Statutes, the canvassing board has compared the number of persons who voted with the number of ballots counted and that the certification includes all valid votes cast in the election.

  
\_\_\_\_\_  
COUNTY JUDGE

  
\_\_\_\_\_  
SUPERVISOR OF ELECTIONS

  
\_\_\_\_\_  
CHAIRMAN, BOARD OF COUNTY COMMISSIONERS