

**JOINT RESOLUTION OF DISPROPORTIONATELY AFFECTED COUNTIES
UNDER THE FEDERAL RESTORE ACT**

A JOINT RESOLUTION OF THE BOARDS OF COUNTY COMMISSIONERS OF BAY COUNTY, ESCAMBIA COUNTY, FRANKLIN COUNTY, GULF COUNTY, OKALOOSA COUNTY, SANTA ROSA COUNTY, WAKULLA COUNTY AND WALTON COUNTY, ESTABLISHING AND AGREEING TO A FORMULA FOR ALLOCATING AMONG THE COUNTIES CERTAIN FUNDS PROVIDED TO DISPROPORTIONATELY AFFECTED COUNTIES PURSUANT TO THE RESTORE ACT; PROVIDING AN EFFECTIVE DATE.

BE IT JOINTLY RESOLVED BY THE BOARDS OF COUNTY COMMISSIONERS OF BAY COUNTY, ESCAMBIA COUNTY, FRANKLIN COUNTY, GULF COUNTY, OKALOOSA COUNTY, SANTA ROSA COUNTY, WAKULLA COUNTY AND WALTON COUNTY:

SECTION 1. FINDINGS. The Boards of County Commissioners of Bay County, Escambia County, Franklin County, Gulf County, Okaloosa County, Santa Rosa County, Wakulla County and Walton County (the "Boards") hereby find as follows:

(A) In 2012, the Congress of the United States enacted and the President signed into law the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012 (the "RESTORE Act").

(B) The RESTORE Act establishes the Gulf Coast Restoration Trust Fund consisting of 80 percent of all administrative and civil penalties paid by responsible parties in connection with the explosion on, and sinking of, the mobile offshore drilling unit Deepwater Horizon (the "Deepwater Horizon Event") pursuant to a court order, negotiated settlement or other instrument in accordance with Federal law.

(C) The RESTORE Act directs 35 percent of the available funds in the Trust Fund to be distributed in equal shares to the states of Alabama, Florida, Louisiana, Mississippi, and Texas (the State Allocation).

(D) The RESTORE Act divides Florida's share of the State Allocation into two parts. One part is for the Non-disproportionately Affected Counties which are to receive 25 percent of Florida's share. The RESTORE Act includes a formula for dividing the 25 percent among the Non-disproportionately Affected Counties based on distance to the Deepwater Horizon Event, population and sales tax collections.

(E) The second part of Florida's share is for the Disproportionately Affected Counties, which are to receive 75 percent of Florida's share (the "75 Percent Share"). The RESTORE Act does not specify a formula for the distribution of those funds among the Disproportionately Affected Counties.

(F) Various sections of chapter 2011-142, Laws of Florida, defines the "Disproportionately Affected Counties" to include Bay County, Escambia County, Franklin County, Gulf County, Okaloosa County, Santa Rosa County, Wakulla County and Walton County .

(G) The Gulf Consortium was been formed by interlocal agreement among the Boards of County Commissioners of the 14 of the 15 Non-disproportionately Affected Counties and seven of the eight Disproportionately Affected Counties to address issues of mutual concern and benefit under the RESTORE Act.

(H) Franklin County Board of County Commissioners has not yet joined the Gulf Consortium.

(I) At its meeting on November 28, 2012, the Gulf Consortium formed the Committee of the Eight Disproportionately Affected Counties (the "Committee"), which includes a representative from each of the seven Disproportionately Affected Counties that are members of the Gulf Consortium and a representative from Franklin County.

(J) The Committee was established for the purposes of developing an agreed-upon formula by consensus of the Committee members to allocate the 75 Percent Share among the Disproportionately Affected Counties and recommending it for adoption to the Boards of County Commissioners of each of the Disproportionately Affected Counties.

(K) The Committee met in Walton County on December 7, 2012 and considered adopting a formula for distributing the 75 Percent Share among the Disproportionately Affected Counties and recommending it for adoption by Joint Resolution to the Boards of County Commissioners of each of the Disproportionately Affected Counties.

(L) Representatives of each of the Disproportionately Affected Counties attended the Committee meeting.

(M) The representative from Franklin County declared that she would not be voting on any motion considered by the Committee, as Franklin had not joined the Gulf Consortium.

(N) The Committee discussed a formula that included a 20 percent equal share for each of the Disproportionately Affected Counties, with the remaining 80 percent distributed according to the following weighted formula:

1. Thirty percent based on the weighted average of the county shoreline oiled.
2. Thirty percent based on the weighted average of the county per capita sales tax collections estimated for fiscal year 2011-12.
3. Twenty percent based on the weighted average of the population of the county.
4. Twenty percent based on inverse proportion of the weighted average distance from the Deepwater Horizon oil rig to the nearest and farthest point of the shoreline.

(O) Data presented to the Committee estimated that the formula would produce the following percentage shares of the 75 Percent Share for the Disproportionately Affected Counties:

BAY COUNTY 15.101
ESCAMBIA COUNTY 25.334
FRANKLIN COUNTY 8.441
GULF COUNTY 6.743
OKALOOSA COUNTY 15.226
SANTA ROSA COUNTY 10.497
WAKULLA COUNTY 4.943
WALTON COUNTY 13.712

(P) The Committee determined that the weighted formula included components that were not definitive, but were subject to interpretation, such as the population of the county, which can vary day-to-day.

Upon proper motion, with the representative from Franklin abstaining, the Committee otherwise unanimously adopted a motion recommending that the Boards of County Commissioners of each of the Disproportionately Affected Counties jointly adopt the following allocation of the 75 Percent Share for the Disproportionately Affected Counties based on the following percentages:

BAY COUNTY 15.101
ESCAMBIA COUNTY 25.334
FRANKLIN COUNTY 8.441
GULF COUNTY 6.743
OKALOOSA COUNTY 15.226
SANTA ROSA COUNTY 10.497
WAKULLA COUNTY 4.943
WALTON COUNTY 13.712

SECTION 2. AUTHORITY. Each of the Boards has the home rule power provided in the county's charter (for the charter counties) and in chapter 125, Florida Statutes, to adopt a resolution to further the health, safety and welfare of the county. Adopting a formula for allocating the 75 Percent Share among the Disproportionately Affected Counties furthers the goals and objectives of the each of the Boards by providing more certainty as to the allocation method under the RESTORE Act and resolving any dispute among the Disproportionately Affected Counties that may arise in the future.

SECTION 3. ADOPTION OF THE ALLOCATION FORMULA FOR THE 75 PERCENT SHARE. The Boards hereby adopt the following formula for allocating the 75 Percent Share among the Disproportionately Affected Counties on the following percentages:

BAY COUNTY 15.101
ESCAMBIA COUNTY 25.334
FRANKLIN COUNTY 8.441
GULF COUNTY 6.743
OKALOOSA COUNTY 15.226
SANTA ROSA COUNTY 10.497
WAKULLA COUNTY 4.943
WALTON COUNTY 13.712

SECTION 4. APPLICABILITY AND EFFECTIVE DATE. This Joint Resolution shall take effect upon adoption by each and every one of the Boards and shall become effective on the date adopted by the last Board of County Commissioners to adopt the Joint Resolution.

[THE REMAINDER OF THIS PAGE IS INTENTIONALLY BLANK.]