

RESOLUTION NO. 2021-084

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AUTHORIZING THE CITY OF COCONUT CREEK TO JOIN WITH THE STATE OF FLORIDA AND OTHER GOVERNMENTAL UNITS AS A PARTICIPANT IN THE FLORIDA MEMORANDUM OF UNDERSTANDING AND FORMAL AGREEMENTS IMPLEMENTING A UNIFIED PLAN REGARDING DISTRIBUTION OF CERTAIN SETTLEMENT FUNDS AS PART OF THE OPIOID LITIGATION; AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE ALL NECESSARY AGREEMENTS; PROVIDING FOR RECORDATION; PROVIDING FOR DISTRIBUTION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Coconut Creek has suffered harm from the opioid epidemic;
and

WHEREAS, the City of Coconut Creek recognizes that the entire State of Florida has suffered harm as a result from the opioid epidemic; and

WHEREAS, the State of Florida has filed an action pending in Pasco County, Florida, and a number of Florida Cities and Counties have also filed an action In re: National Prescription Opiate Litigation, MDL No. 2804 (N.D. Ohio) (the “Opioid Litigation”) and the City is a litigating participant in that action; and

WHEREAS, the State of Florida and lawyers representing certain various local governments involved in the Opioid Litigation have proposed a unified plan for the allocation and use of prospective settlement dollars from opioid related litigation; and

WHEREAS, the Florida Memorandum of Understanding (the “Florida Plan”) sets forth a framework of a unified plan for the proposed allocation and use of opioid settlement proceeds and it is anticipated that formal agreements implementing the Florida Plan will be entered into at a future date; and

WHEREAS, participation in the Florida Plan by a large majority of Florida cities

and counties will materially increase the amount of funds to Florida and should improve Florida's relative bargaining position during additional settlement negotiations; and

WHEREAS, failure to participate in the Florida Plan will reduce funds available to the State, City of Coconut Creek, and every other Florida city and county.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA:

Section 1: That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this resolution. All exhibits attached hereto are incorporated herein and made a specific part of this resolution.

Section 2: That the City Commission finds that participation in the Florida Plan would be in the best interest of the City of Coconut Creek and its residents in that such a plan ensures that almost all of the settlement funds go to abate and resolve the opioid epidemic and each and every city and county receives funds for the harm that it has suffered.

Section 3: That the City Commission hereby expresses its support of a unified plan for the allocation and use of opioid settlement proceeds as generally described in the Florida Plan, attached hereto as Exhibit "A."

Section 4: That the City Manager, or designee, is hereby expressly authorized to execute the Florida Plan in substantially the form contained in Exhibit "A."

Section 5: That the City Manager, or designee, is hereby authorized to execute any formal agreements implementing a unified plan for the allocation and use of opioid settlement proceeds that is not substantially inconsistent with the Florida Plan and this resolution.

Section 6: That the City Clerk is hereby instructed to record this resolution in the appropriate record book upon its adoption.

Section 7: That the City Clerk is hereby directed to furnish a certified copy of this resolution to the Florida League of Cities, the Florida Association of Counties, and Attorney General Ashley Moody c/o John M. Guard, The Capitol, PL-01, Tallahassee, FL 32399-1050.

Section 8: That this resolution shall be in full force and effect immediately upon its adoption.

Adopted this day 13th of May, 2021.

Rebecca A. Tooley, Mayor

Attest:

Leslie Wallace May, City Clerk

Tooley	<u>Aye</u>
Rydell	<u>Aye</u>
Sarbone	<u>Aye</u>
Welch	<u>Aye</u>
Railey	<u>Aye</u>

o:\documents\resolutions\2021\opioid litigation settlement\opioid resolution - 2021\resolution opioid litigation settlement.docx
4/19/2021
kah