

RESOLUTION NO. 2025-136

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AUTHORIZING PARTICIPATION IN EIGHT (8) OPIOID-RELATED LITIGATION SETTLEMENTS WITH ALVOGEN, INC., AMNEAL PHARMACEUTICALS, INC., APOTEX, INC., HIKMA PHARMACEUTICALS USA, INC., INDIVIOR, INC., MYLAN PHARMACEUTICALS, INC., SUN PHARMACEUTICALS INDUSTRIES, INC., AND ZYDUS PHARMACEUTICALS (USA), INC.; AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE ALL NECESSARY AGREEMENTS; PROVIDING FOR RECORDATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on March 22, 2018, the City Commission adopted Resolution No. 2018-073, directing the City Attorney to engage the firms of Robbins Geller Rudman & Dowd, LLP and Lieff Cabraser Heimann & Bernstein, LLP (“Outside Counsel”) to file a lawsuit against various pharmaceutical manufacturers and to join the nationwide multidistrict litigation *“In Re: National Prescription Opiate Litigation,” MDL No. 2804*; and

WHEREAS, the City of Coconut Creek has been notified of new national opioid settlements reached between settling states and participating subdivisions against multiple opioid manufacturers, including Alvogen, Inc., Amneal Pharmaceuticals, Inc., Apotex, Inc., Hikma Pharmaceuticals USA, Inc., Indivior, Inc., Mylan Pharmaceuticals, Inc., Sun Pharmaceutical Industries, Inc., and Zydus Pharmaceuticals (USA), Inc.; and

WHEREAS, the proposed settlements that have been reached will resolve opioid litigation brought by states, local political subdivisions, and special districts against the preceding eight (8) pharmaceutical companies; and

WHEREAS, the settlements require the aforementioned manufacturers to pay to abate the harms of the opioid epidemic; and

WHEREAS, failure to actively participate in these national settlements will result in the City of Coconut Creek losing its ability to receive any of the settlement funds; and

WHEREAS, these settlements provide participants with funds to be used solely for the purpose of mitigating the effects of opioid abuse in their respective communities; and

WHEREAS, it appears to be in the best interest of the City of Coconut Creek to participate in these settlements and receive and use settlement funds for the purpose of mitigating the effects of opioid abuse in this community.

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 hereby approves participation in the aforementioned settlements as they appear to be in the best interest of the City of Coconut Creek and its residents.

Section 3: That the City Commission hereby finds that participation in the aforementioned settlements ensure that all settlement funds go to abate the harm and resolve the opioid epidemic.

Section 4: That the City Manager, or designee, is hereby authorized to execute the Subdivision Participation and Release Forms, attached hereto and incorporated herein as Composite Exhibit A, to effectuate the City’s participation in these settlements.

Section 5: That the City Clerk is hereby instructed to record this resolution in the appropriate record book upon its adoption.

Section 6: 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 James Uthmeier, Office of the Attorney General, State of Florida, PL-01, The Capitol, Tallahassee, FL 32399-1050.

Section 7: That if any clause, section, other part or application of this resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or in application, it shall not affect the validity of the remaining portion or applications of this resolution.

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

Adopted this _____ day of _____, 2025.

Jacqueline Railey, Mayor

Attest:

Joseph J. Kavanagh, City Clerk

Railey _____

Wasserman _____

Welch _____

Rydell _____

Brodie _____