

Legislative #

210082A

ALACHUA COUNTY  
BOARD OF COUNTY COMMISSIONERS

**RESOLUTION NO. 2021-\_\_**

A RESOLUTION OF THE ALACHUA COUNTY BOARD OF COUNTY COMMISSIONERS AUTHORIZING ALACHUA COUNTY ALACHUA COUNTY TO JOIN WITH THE STATE OF FLORIDA AND OTHER LOCAL GOVERNMENTAL UNITS IN NEGOTIATION IN A RESOLUTION OF PENDING OPIOID LITIGATION AS A PARTICIPANT IN THE FLORIDA MEMORANDUM OF UNDERSTANDING AND FORMAL AGREEMENTS IMPLEMENTING A UNIFIED PLAN.

**WHEREAS**, Alachua County has suffered harm from the opioid epidemic;

**WHEREAS**, the Alachua County recognizes that the entire State of Florida has suffered harm as a result from the opioid epidemic;

**WHEREAS**, the State of Florida has filed an action pending in Pasco County, Florida, and Alachua County along with 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”);

**WHEREAS**, the State of Florida and lawyers representing Alachua County and 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;

**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 a final version of 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;

**WHEREAS**, failure to participate in the Florida Plan will reduce funds available to the State, Alachua County, and every other Florida city and county;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA, AS FOLLOWS:**

**SECTION 1.** That the County finds that continuing to negotiate and participate in a resolution along the lines set forth in the Florida Plan would be in the best interest of the County and its citizens 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 2.** That Alachua County hereby expresses its general 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 3.** That upon receipt of a final version of the agreement agreed to by the Defendants, Alachua County shall bring the agreement back to the Board of County Commissioners for a final resolution.

**SECTION 4.** That upon approval of the final agreement, the Chair of the Board of County Commissioners is hereby authorized to execute the any formal agreements implementing a unified plan for the allocation and use of opioid settlement proceeds that is not substantially inconsistent with the Final Florida Plan and this Resolution.

**SECTION 5.** That the Clerk be and hereby is instructed to file this resolution in the records of the Board of County Commissioners.

**SECTION 6.** The clerk of this Governmental Unit is hereby directed to furnish a certified copy of this Ordinance/Resolution to the Florida:

Florida Association of Counties  
100 South Monroe Street  
Tallahassee, FL 32301

Attorney General Ashley Moody  
c/o John M. Guard  
The Capitol,  
PL-01  
Tallahassee, FL 32399-1050

**BOARD OF COUNTY COMMISSIONERS OF  
ALACHUA COUNTY, FLORIDA**

ATTEST:

\_\_\_\_\_  
J.K. "Jess" Irby, Esq.  
Clerk of Court

BY: \_\_\_\_\_  
Ken Cornell, Chair  
Board of County Commissioners

APPROVED AS TO FORM

\_\_\_\_\_  
County Attorney

(SEAL)

DRAFT