Legislative # 210082

1	RESOLUTION NO. 210082		
2 3 4 5 6 7 8 9	A resolution of the City Commission of the City of Gainesville, Florida, authorizing the City of Gainesville to join with the State of Florida, Alachua County and other local governmental units in a resolution of pending opioid litigation as a participant in the Florida Memorandum of Understanding and formal agreements implementing a unified plan.		
10	WHEREAS, the City of Gainesville, Florida has suffered harm from the opioid		
11	epidemic; and		
12	WHEREAS, the City of Gainesville recognizes that the entire State of Florida has		
13	suffered harm as a result from the opioid epidemic; and		
14	WHEREAS, the State of Florida has filed an action pending in Pasco County, Florida,		
15	and Alachua County along with a number of Florida Cities and Counties is a member of a class		
16	action filing In re: National Prescription Opiate Litigation, MDL No. 2804 (N.D. Ohio) (the		
17	"Opioid Litigation"); and		
18	WHEREAS, the State of Florida and lawyers representing Alachua County and certain		
19	various local governments involved in the Opioid Litigation have proposed a unified plan for the		
20	allocation and use of prospective settlement dollars from opioid related litigation; and		
21	WHEREAS, the Florida Memorandum of Understanding (the "Florida Plan") sets forth a		
22	framework of a unified plan for the proposed allocation and use of opioid settlement proceeds		
23	and it is anticipated that formal agreements implementing a final version of the Florida Plan will		
24	be entered into at a future date; and		
25	WHEREAS, participation in the Florida Plan by a large majority of Florida cities and		
26	counties will materially increase the amount of funds to Florida and should improve Florida's		
27	relative bargaining position during additional settlement negotiations; and		
28	WHEREAS, failure to participate in the Florida Plan will reduce funds available to the		
29	State, Alachua County, the City of Gainesville, and every other Florida city and county.		

30

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE

31 CITY OF GAINESVILLE, FLORIDA:

SECTION 1. That the City finds that participating in a resolution along the lines set forth in the Florida Plan would be in the best interest of the City 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.

- 36 SECTION 2. That the City of Gainesville hereby expresses its general support of a
 37 unified plan for the allocation and use of opioid settlement proceeds as generally described in the
 38 draft Florida Plan, attached hereto as Exhibit "A."
- 39 **SECTION 3**. That upon receipt of a final version of the Florida Plan agreed to by the

40 Defendants, City staff shall bring the final Florida Plan back to the City Commission for a final

41 resolution.

42 **SECTION 4**. If the City Commission approves the final Florida Plan, the Mayor is

43 hereby authorized to execute any formal agreements implementing a unified plan for the

44 allocation and use of opioid settlement proceeds that is not substantially inconsistent with the

45 final Florida Plan and this Resolution.

46 **SECTION 5**. The City Clerk is hereby directed to furnish a certified copy of this

47 Resolution to:

48 Florida League of Cities

- 49 301 S. Bronough Street, Suite 300
- 50 Tallahassee, FL 32301
- 51
- 52 Attorney General Ashley Moody
- 53 c\o John M. Guard
- 54 The Capitol,
- 55 PL-01
- 56 Tallahassee, FL 32399-1050
- 57

58 SECTION 6. If any word, phrase, clause, paragraph, section or provision of this 59 Resolution or the application hereof to any person or circumstance is held invalid or

60	unconstitutional, such finding shall not affect the other provisions or applications of the Resolution		
61	which can be given effect without the invalid or unconstitutional provisions or application, and to		
62	this end the provisions of this Resolution are declared severable.		
63 64	SECTION 7. This Resolution	shall become effective immediately upon adoption.	
65	PASSED AND ADOPTED th	nis day of July, 2021.	
66			
67			
68		By:	
69		LAUREN POE, MAYOR	
70	ATTEST:	APPROVED AS TO FORM AND LEGALITY:	
71			
72	OMICHELE D. GAINEY	NICOLLE M. SHALLEY	
73	CITY CLERK	CITY ATTORNEY	