

RESOLUTION 2021-25

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKE WALES, FLORIDA, AUTHORIZING THE CITY OF LAKE WALES, FLORIDA, TO JOIN WITH THE STATE OF FLORIDA AND OTHER LOCAL GOVERNMENTAL UNITS AS A PARTICIPANT IN THE FLORIDA MEMORANDUM OF UNDERSTANDING AND FORMAL AGREEMENTS IMPLEMENTING A UNIFIED PLAN FOR THE ALLOCATION AND USE OF PROSPECTIVE SETTLEMENT FUNDS FROM THE OPIOID RELATED LITIGATION; PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, the City 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 not 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 the 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, and every other Florida city and county.

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

SECTION 1. That the City of Lake Wales finds that participation 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.

SECTION 2. That the City of Lake Wales hereby expresses its support of a unified plan for the allocation and use of opioid settlement proceeds as generally described in the Florida Plan which is published on the web site of the Office of the Florida Attorney General.

SECTION 3. That Mayor Eugene L. Fultz is hereby authorized to execute the Interlocal Agreement between Polk County and several of its municipalities in substantially the form contained in Exhibit "A."

SECTION 4. That Mayor Eugene L. Fultz 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.

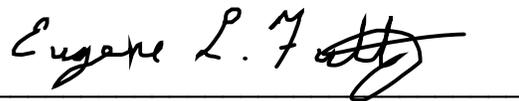
SECTION 5. That the City Clerk be and hereby is instructed to record this Resolution in the City's appropriate record book upon its adoption.

SECTION 6. That the City Clerk is hereby directed to furnish a certified copy of this Resolution to the Florida League of Cities and to:

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

THIS RESOLUTION shall take effect upon its adoption.

APPROVED and ADOPTED by the City Commission of the City of Lake Wales, Polk County, Florida, this 17th day of November, 2021.



Eugene L. Fultz, Mayor

Attest:

Jennifer Nanek, CMC, City Clerk