

RESOLUTION  
NO. 2021-52

A RESOLUTION  
TO BE ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PENSACOLA AUTHORIZING THE CITY 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 CONCERNING THE NATIONAL OPIOID 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 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, and every other Florida city and county;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PENSACOLA, FLORIDA:

SECTION 1. That the city council 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 council 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 3. That the mayor is hereby expressly authorized to execute the Florida plan in substantially the form contained in Exhibit "A."

SECTION 4. That the mayor is hereby authorized to execute any formal agreements and other documents 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. 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.

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

Florida League of Cities  
P.O. Box 1757  
Tallahassee, Florida 32302

SECTION 6. This resolution shall become effective on the fifth business day after adoption, unless otherwise provided, pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Adopted: \_\_\_\_\_

Approved: \_\_\_\_\_  
President of City Council

Attest:

\_\_\_\_\_  
City Clerk