

RESOLUTION NO. 2021-06

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A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF SEA RANCH LAKES, FLORIDA, APPROVING AND AUTHORIZING THE EXECUTION OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE VILLAGE AND 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, ATTACHED HERETO AS EXHIBIT "A" AND INCORPORATED HEREIN; AUTHORIZING AND DIRECTING THE APPROPRIATE VILLAGE OFFICIALS TO TAKE ANY AND ALL ACTION NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Village of Sea Ranch Lakes ("Village") has suffered harm from the opioid epidemic; and

WHEREAS, the Village 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 file an action In re: National Prescription Opiate Litigation, MDL No. 2804 (N.D. Ohio) (the "Opioid Litigation"); 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 VILLAGE COUNCIL OF THE VILLAGE OF SEA RANCH LAKES, FLORIDA THAT:

SECTION 1. The foregoing "WHEREAS" clauses are true and correct and hereby ratified and confirmed by the Village Council.

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SECTION 2. The Village Council finds that participation in the Florida Plan would be in the best interest of the Village and its residents 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 municipality and county receives funds for the harm that it has suffered.

SECTION 3. That the Village 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 4. That the Village officials are hereby expressly authorized to execute the Florida Plan in substantially the form contained in Exhibit “A.”

SECTION 5. That the Village officials are 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 6. That the Village Clerk is hereby instructed to record this Resolution in the appropriate record book upon its adoption.

SECTION 7. The Village Clerk of the Village is hereby directed furnish certified copy of this Resolution to:

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

SECTION 8. The appropriate Village officials are authorized and directed to execute the necessary documents to comply with this Resolution.

SECTION 9. All Resolutions or parts of Resolutions in conflict herewith, be and the same are repealed to the extent of such conflict.

SECTION 10. If any clause, section or other part of this Resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered eliminated and will in no way affect the validity of the other provisions of this Resolution.

SECTION 11. This Resolution shall become effective immediately upon its passage and adoption.

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ADOPTED by the Village Council of the Village of Sea Ranch Lakes, Florida this ____
day of _____2021.

VILLAGE OF SEA RANCH LAKES, FLORIDA

BY: _____
MAYOR JEFFREY NELSON

- NEAL _____
- BARRY _____
- BRUENER _____
- HODGSON _____
- BRYAN _____
- FULMER _____
- TOMLINSON _____

ATTEST:

STARR PATON, VILLAGE CLERK