

RESOLUTION 2022-055
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT
REGARDING REGIONAL OPIOID SETTLEMENT IMPLEMENTATION AND
DESIGNATING A CITY REPRESENTATIVE TO THE
LARIMER REGIONAL OPIOID COUNCIL

WHEREAS, communities throughout the State of Colorado, including the City of Fort Collins (“City), are suffering from an epidemic of opioid addiction; and

WHEREAS, the opioid epidemic has not only affected individuals and families across the country, but it has also burdened the local and state governments charged with providing the services needed to address the wave of addiction; and

WHEREAS, local and state governments across the nation, including in Colorado, have filed lawsuits against opioid manufacturers, distributors, and pharmacies for creating the opioid epidemic; and

WHEREAS, the parties to the various opioid lawsuits have been negotiating settlement agreements to resolve the litigation which include incentive payments for maximizing participation by local governments; and

WHEREAS, through extensive negotiations, local governments and the Colorado Attorney General’s Office developed a Memorandum of Understanding (“MOU”) to govern how opioids settlement funds will be allocated in Colorado; and

WHEREAS, in order to participate in and receive funds from the Colorado opioids settlements, the City was required to approve and sign the MOU and associated settlement participation forms, releasing the City’s claims against the opioid manufacturers, distributors, and pharmacies; and

WHEREAS, on December 7, 2021, the City Council adopted Resolution 2021-113, approving the MOU and directing the Mayor to sign the MOU and related releases of legal claims against certain opioid industry defendants; and

WHEREAS, a significant portion of the Colorado opioid settlement funds will be distributed to 18 designated regions comprising the state, including the Larimer County Region; and

WHEREAS, as a condition of distribution of funds to any region, including the Larimer County Region, that region must establish a regional council to govern the distribution of the regional funds, and enter into an intergovernmental agreement to set out the terms of implementation for the region; and

WHEREAS, in 2021 a group of staff representing the local governments of the Larimer County Region (Fort Collins, Loveland, Wellington and Larimer County) along with the

Larimer County Board of Health, have met regularly to develop a proposed regional structure and agreement to enable the Larimer County Region to plan for utilization of opioid settlement funds, and receive and distribute those funds in support of the plan and consistent with the terms of the opioid settlement; and

WHEREAS, in order to initiate regional implementation, each of the participating local government members, with the Board of Health, must approve the Intergovernmental Agreement, attached hereto as Exhibit “A” and incorporated herein by this reference (the “Regional IGA”); and

WHEREAS, the IGA calls for each party to the IGA to designate at the time of approval a representative to serve as one of the five voting members of the Larimer Regional Opioid Council; and

WHEREAS, the Council desires to approve the IGA and to endorse the appointment of Social Sustainability Department Director, Beth Yonce as the City’s initial representative on the Larimer Regional Opioid Council.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That the City Council hereby approves the IGA and the City’s participation in the Larimer Regional Opioid Council.

Section 3. That the City Council hereby authorizes the Mayor to execute the IGA in substantially the form attached hereto as Exhibit “A”, together with such additional terms and conditions as the Interim City Manager, in consultation with the City Attorney, determines to be necessary and appropriate to protect the interests of the City or to effectuate the purposes of this Resolution.

Section 4. That the City Council hereby appoints Social Sustainability Department Director, Beth Yonce as the City’s representative to the Larimer Regional Opioid Council, until such time as the City Manager designates a different City representative from within the City organization, or the City Council acts to modify this appointment.

Passed and adopted at a regular meeting of the Council of the City of Fort Collins this 3rd day of May A.D. 2022.

Mayor

ATTEST:

City Clerk