

RESOLUTION No. 2021-119

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEVY COUNTY, FLORIDA AUTHORIZING THE COUNTY TO JOIN WITH THE STATE OF FLORIDA AND OTHER LOCAL GOVERNMENTS AS A PARTICIPANT IN THE FLORIDA MEMORANDUM OF UNDERSTANDING AND FORMAL AGREEMENTS IMPLEMENTING A UNIFIED PLAN FOR THE DISTRIBUTION OF PROCEEDS RECEIVED BY THE STATE RELATED TO OPIOID LITIGATION; AUTHORIZING THE CHAIRMAN TO EXECUTE THE MEMORANDUM OF UNDERSTANDING AND ANY FORMAL AGREEMENTS IMPLEMENTING SAME; AUTHORIZING THE TRANSMITTAL OF THIS RESOLUTION TO THE ATTORNEY GENERAL; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Levy County (the "County") has suffered harm from the opioid epidemic; and

WHEREAS, the Levy County Board of County Commissioners (the "Board") recognizes that the entire State of Florida has suffered harm as a result from the opioid epidemic; and

WHEREAS, the State of Florida and a number of Florida Cities and Counties have filed an action *In re: National Prescription Opiate Litigation*, MDL No. 2804 (N.D. Ohio) (the "Opioid Litigation") and the County 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, Levy County, and every other Florida city and county.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LEVY COUNTY, THAT:

SECTION 1. The County finds that participation in the Florida Plan would be in the best interest of the County 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. The County 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. The Chairman of the Board of County Commissioners is hereby expressly authorized to execute the Florida Plan in substantially the form contained in Exhibit "A."

SECTION 4. The Chairman 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. The County Clerk is hereby directed to furnish a certified copy of this Resolution to:

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

SECTION 6. This Resolution shall take effect immediately upon its adoption.

PASSED, ADOPTED AND APPROVED THIS 21st day of September, 2021.

**BOARD OF COUNTY COMMISSIONERS OF
LEVY COUNTY, FLORIDA**

(SEAL)

By: _____
John Meeks, Chairman

ATTEST:

By: _____
Danny J. Shipp, County Clerk

APPROVED AS TO FORM AND CONTENT:

By: _____
Heather J. Encinosa, Interim County Attorney

