



COUNCIL ACTION FORM

DEPARTMENT	PRESENTED BY	DATE
Administration	Christy Doon - Interim City Administrator	October 3, 2023

ITEM

Resolution 2023-40, a Resolution of the City Council of the City of Salida, Colorado, authorizing the signing of an intergovernmental agreement between the City of Salida, Chaffee County, and the Towns of Buena Vista and Poncha Springs regarding the State of Colorado Opioid MOU and Allocation of Local Government shares.

BACKGROUND

Salida City Council approved Resolution 2021-36 approving a Memorandum of Understanding (the MOU) with numerous local and state agencies across Colorado to approve a settlement with certain Defendants and identify revenue streams to help address issues related to the national opioid crisis. The MOU original MOU allowed for two separate tracks of where revenues for local governments go: 1) pooled locally (known as the "opt-in"), or 2) pooled at the regional level (known as "opt-out"). In discussions with the other governments in Chaffee County, it was determined that the preferred alternative would be to receive revenues locally and pool them in Chaffee County to best serve those harmed by the opioid crisis in the County.

Resolution 2022-35, approved by City Council July 19, 2022 established that relationship and allowed the City to collect the funds from the State and pass them on to Chaffee County, specifically to the Public Health Department.

The IGA is again being modified to allow Chaffee County to directly receive the City of Salida funds from the State, thus removing the City of Salida directly from the distribution. Said IGA is attached for the City Council's consideration and was reviewed by the City Attorney prior to being presented to City Council.

FISCAL NOTE

The City's distribution of funds from the MOU equals a total of approximately \$37,515.66 over 18 years, (of which the first payment of \$4,218.88 was received on December 30, 2022), which generally would not be adequate to do much to abate the opioid crisis. By partnering with other agencies, it is anticipated that as much as \$250,00 will be provided locally through the Chaffee County Department of Public Health.

STAFF RECOMMENDATION

Staff recommends that the City Council approve Resolution 2023-40 to approve the reallocation of funding directly to Chaffee County.

SUGGESTED MOTION

A City Councilmember should state, "I move to approve Resolution 2023-40, a Resolution of the City Council of the City of Salida, Colorado, authorizing the signing of an intergovernmental agreement between the City of Salida, Chaffee County, and the Towns of Buena Vista and Poncha Springs regarding the State of Colorado Opioid MOU and Allocation of Local Government shares."

**CITY OF SALIDA, COLORADO
RESOLUTION NO. 40
(Series 2023)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SALIDA,
COLORADO, AUTHORIZING THE SIGNING OF AN INTERGOVERNMENTAL
AGREEMENT BETWEEN THE CITY OF SALIDA, CHAFFEE COUNTY, AND
THE TOWNS OF BUENA VISTA AND PONCHA SPRINGS REGARDING THE
STATE OF COLORADO OPIOID MOU AND ALLOCATION OF LOCAL
GOVERNMENT SHARES.**

WHEREAS, in 2021 the State of Colorado entered into a Memorandum of Understanding with certain participating local governments including the City of Salida;

WHEREAS, the purpose of the prior Memorandum of Understanding was to establish distribution of funds that were received as a result of the opioid legal settlement; and

WHEREAS, since the original agreement went into effect, it has become apparent that all local governments within Chaffee County would be better served to allow the County to manage these funds; and

WHEREAS, this amended agreement will allow the parties to amend the prior Memorandum of Understanding to the benefit of all involved.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO, AS FOLLOWS:

Section 1. The City hereby authorizes the Mayor to sign the Intergovernmental Agreement between the City of Salida and Chaffee County and the Towns of Buena Vista and Poncha Springs.

Section 2. The Intergovernmental Agreement is hereby adopted as shown in Exhibit A attached hereto and made a part of this Resolution.

RESOLVED, APPROVED, AND ADOPTED THIS 3rd DAY OF OCTOBER, 2023.

City of Salida

Dan Shore, Mayor

ATTEST:

City Clerk/Deputy City Clerk

IntraGovernmental Agreement
Regarding
the State of Colorado Opioid MOU and allocation of Local Government Shares

This Agreement is made on the 15th day of September 2023, and is by and between Chaffee County, the City of Salida, and the Towns of Buena Vista and Poncha Springs.

WHEREAS, the State of Colorado entered into the Colorado Opioids Summary Memorandum of Understanding in 2021 (Colorado MOU) with certain Participating Local Governments, including those listed above, for purposes of distributing funds received from opioid legal settlements to local governments;

WHEREAS, this Agreement assumes and incorporates the definitions and provisions contained in the Colorado MOU, and this Agreement shall be construed in conformity with the Colorado MOU;

WHEREAS, the Colorado MOU established default allocations for, inter alia, certain Local Government (LG) Shares under Exhibit E to the MOU;

WHEREAS the Colorado MOU permits Participating Local Governments within a County Area to reallocate the amounts received under Exhibit E to the MOU;

WHEREAS the parties desire to amend the allocations as set forth in Exhibit E;

NOW THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, the parties agree as follows:

1. The Recitals above are incorporated into this Agreement.
2. Capitalized terms used herein shall have the same meaning as set forth in the Colorado MOU.
3. Exhibit E to the MOU is modified so that 100% of the Intracounty shares allocated to the City of Salida and Towns of Buena Vista and Poncha Springs are now allocated and paid to Chaffee County. Such funds shall be used only for Approved Purposes as set forth in the MOU.
4. This Agreement represents the entire agreement of the parties. All prior agreements, statements or discussions between the parties regarding the subject matter of this Agreement are superseded and replaced by this Agreement.
5. This Agreement may be executed electronically and in any number of counterparts, each of which shall be deemed to be an original and all of which taken together shall constitute a single agreement.

Signatures on following page:

Chaffee County Board of Commissioners:

Keith Baker, Chair

Town of Buena Vista

By: _____

City of Salida

By: _____

Town of Poncha Springs

By: _____