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RESOLUTION NO. 2021-24

**A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL
AUTHORIZING WELLINGTON TO JOIN WITH THE STATE
OF FLORIDA AND OTHER LOCAL GOVERNMENTAL
UNITS AS PARTICIPANTS IN THE FLORIDA
MEMORANDUM OF UNDERSTANDING AND FORMAL
AGREEMENTS IMPLEMENTING A UNIFIED PLAN (THE
"FLORIDA PLAN") RELATING TO THE OPIOID
LITIGATION FOR THE ALLOCATION AND USE OF
PROSPECTIVE SETTLEMENT DOLLARS FROM OPIOID
RELATED LITIGATION AND AUTHORIZING THE MAYOR
AND CLERK TO EXECUTE THE MEMORANDUM OF
UNDERSTANDING; AND PROVIDING AN EFFECTIVE
DATE.**

WHEREAS, Wellington has suffered harm from the opioid epidemic; and

WHEREAS, Wellington recognizes that the entire State of Florida has suffered harm
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 (the "Opioid Litigation").
Wellington is not a party to such actions; 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 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, the 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, the Village of Wellington and every other Florida city and county.

**NOW, THEREFORE, BE IT RESOLVED BY WELLINGTON, FLORIDA'S
COUNCIL THAT:**

SECTION 1. The foregoing recitals are hereby affirmed and ratified.

1 **SECTION 2.** The Wellington Council finds that participation in the Florida Plan
2 would be in the best interest of the Village of Wellington and its citizens in that such plan
3 ensures that almost all of the settlement funds go to abate and resolve the opioid
4 epidemic and each and every city and county receive funds for the harm that it has
5 suffered.
6

7 **SECTION 3.** The Village of Wellington Council hereby expresses its support of a
8 unified plan for the allocation and use of opioid settlement proceeds as generally
9 described in the Florida Plan, attached hereto as Exhibit "A".
10

11 **SECTION 4.** The Wellington Council hereby authorizes the Mayor and Clerk to
12 execute the Florida Plan in substantially the form contained in Exhibit "A" and is further
13 authorized to execute any formal agreements implementing a unified plan for the
14 allocation and use of opioid settlement proceeds that is not substantially inconsistent
15 with the Florida Plan and this Resolution.
16

17 **SECTION 5.** This Resolution shall become effective immediately upon adoption.
18

19 **PASSED AND ADOPTED** this _____ day of _____, 2021.
20

21 **ATTEST:**

WELLINGTON

22
23
24 By: _____
25 Chevelle D. Addie, Village Clerk
26

By: _____
Anne Gerwig, Mayor

27 **APPROVED AS TO FORM**
28 **AND LEGAL SUFFICIENCY**
29

30
31 By: _____
32 Laurie S. Cohen, Village Attorney
33
34