



Legislation Text

File #: 21-4396, Version: 1

ITEM: RESOLUTION NO. R2021-24 (OPIOID LITIGATION - MEMORANDUM OF UNDERSTANDING)

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.

REQUEST: Approval of Resolution No. R2021-24 Approving Opioid Litigation Memorandum of Understanding and Agreements and authorizing the Mayor and Clerk to Execute the MOU.

EXPLANATION: The State of Florida filed an action against various pharmaceutical companies, including Purdue Pharma, Mallinckrodt, Johnson & Johnson and other manufacturers of opioids concerning the ongoing opioid epidemic. The suit is pending in Pasco County, Florida and a number of Florida Cities and Counties have filed separate, related actions. (The “Opioid Litigation”). Wellington is not a party to any of these actions.

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.

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. The participation 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. 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.

The State believes that the proposal reflects a reasonable compromise between the State and its political subdivisions. The state is requesting that participating municipalities adopt a resolution authorizing participation in the Florida Plan and authorizing the Mayor 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. The Memorandum of Understanding and proposed Resolution are attached

BUDGET AMENDMENT REQUIRED: NO

PUBLIC HEARING: NO **QUASI-JUDICIAL:**

FIRST READING: YES **SECOND READING:**

LEGAL SUFFICIENCY: YES

FISCAL IMPACT: N/A

WELLINGTON FUNDAMENTAL: Responsive Government

RECOMMENDATION: Approval of Resolution No. R2021-24 Approving Opioid Litigation Memorandum of Understanding and Agreements and authorizing the Mayor and Clerk to Execute the MOU.