



CITY OF RIVIERA BEACH – MEMORANDUM

TO: HON. MAYOR, CHAIRPERSON AND CITY COUNCIL

THROUGH: JONATHAN EVANS, CITY MANAGER, MPA, MBA, ICMA-CM

FROM: DAWN S. WYNN, CITY ATTORNEY

SUBJECT: **A RESOLUTION OF THE CITY COUNCIL OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA TO JOIN WITH THE STATE OF FLORIDA AND OTHER LOCAL GOVERNMENTAL UNITS AS A PARTICIPANT IN THE FLORIDA MEMORANDUM OF UNDERSTANDING AND FORMAL AGREEMENTS “FLORIDA PLAN” IMPLEMENTING A UNIFIED PLAN; AUTHORIZING THE CITY ATTORNEY’S OFFICE TO ENTER INTO THE FLORIDA MEMORANDUM OF UNDERSTANDING; AND PROVIDING FOR AN EFFECTIVE DATE.**

DATE: JUNE 2, 2021

CC: GENERAL PUBLIC

Background:

The City of Riviera Beach has suffered harm from the opioid epidemic. The City of Riviera Beach recognizes that the entire State of Florida has suffered harm as a result of the opioid epidemic.

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 *In re: National Prescription Opiate Litigation*, MDL No. 2804 (N.D. Ohio) (the "Opioid Litigation") and the City of Riviera Beach is a litigating participant in that action.

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 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. 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. Failure to participate in the Florida Plan will reduce funds available to the State, the City of Riviera Beach, and every other Florida city and county.

The City finds that entering into the Florida Memorandum of Understanding and formal agreements "Florida Plan" is in the best interest of the City and serves a valid public purpose.

Citywide Goals:

Enhance Government Stewardship and Build Great Neighborhoods.

Budget/Fiscal Impact:

The City will receive a portion of funds from this proposed Florida Plan. The immediate fiscal impact (surplus) cannot be determined at this time.

Recommendation(s):

The Office of the City Attorney recommends approval of the Memorandum of Understanding and formal agreements, i.e. "Florida Plan".

Attachment:

Memorandum of Understanding.

