



**CITY OF FORT LAUDERDALE**  
**City Commission Agenda Memo**  
**REGULAR MEETING**

**#21-0940**

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**TO:** Honorable Mayor & Members of the Fort Lauderdale City Commission

**FROM:** Alain E. Boileau, City Attorney

**DATE:** September 21, 2021

**TITLE:** Resolution Authorizing the City Manager to Execute a Florida Memorandum of Understanding That Sets Forth a Framework of a Unified Plan for the Proposed Allocation and Use of Opioid Settlement Proceeds and Any Formal Agreements Implementing a Unified Plan for the Allocation and Use of Opioid Settlement Proceeds - **(Commission Districts 1, 2, 3 and 4)**

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**Recommendation**

The City Attorney recommends the City Commission adopt a resolution authorizing the City Manager to execute a Florida Memorandum of Understanding that sets forth a framework of a Unified Plan for the proposed allocation and use of opioid settlement proceeds and any formal agreements implementing a Unified Plan for the allocation and use of opioid settlement proceeds.

**Background**

The City Commission of the City of Fort Lauderdale, Florida, 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 the City of Fort Lauderdale is a party plaintiff in the pending multi-district opioid litigation *In re: National Prescription Opiate Litigation*, MDL No. 2804 (N.D. Ohio) (the "Opioid Litigation"). 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. 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. The failure to participate in the Florida Plan would reduce funds available to the State, the City of Fort Lauderdale, Florida, and other Florida cities and counties.

**Resource Impact**

There is no fiscal impact associated with this action.

**Attachment**

Exhibit 1 – Memorandum of Understanding

Exhibit 2 – Resolution

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Prepared by: Alain E. Boileau, City Attorney, City Attorney's Office

Charter Officer: Alain E. Boileau, City Attorney