

PROPOSED RESOLUTION NO.: 2021-R-15

RESOLUTIO NO.: \_\_\_\_\_

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, AUTHORIZING THE CITY OF PEMBROKE PINES, 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 IMPLEMENTING A UNIFIED PLAN; DIRECTING THE CITY CLERK TO PROVIDE A COPY OF THIS RESOLUTION TO THE FLORIDA LEAGUE OF CITIES AND THE FLORIDA ATTORNEY GENERAL; AUTHORIZING THE EXECUTION OF ALL DOCUMENTS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the City of Pembroke Pines, Florida has suffered harm from the opioid epidemic; and

**WHEREAS**, the City of Pembroke Pines, Florida recognizes that the entire State of Florida has suffered harm as a result of 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 In re: National Prescription Opiate Litigation, MDL No. 2804 (N.D. Ohio) (the "Opioid Litigation") and City of Pembroke Pines, Florida is a litigating participant in that action; 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 Florida Memorandum of Understanding (the "Florida Plan") sets forth a framework of a unified plan for the proposed allocation and use of opioid

**PROPOSED RESOLUTION NO.: 2021-R-15**

**RESOLUTIO NO.:** \_\_\_\_\_

settlement proceeds and it is anticipated that formal agreements implementing the Florida Plan will be entered into at a future date; and

**WHEREAS**, 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 City of Pembroke Pines, Florida, and every other Florida city and county;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA THAT:**

**SECTION 1.** The City of Pembroke Pines, Florida finds that participation in the Florida Plan would be in the best interest of the City of Pembroke Pines and its citizens in that such a plan ensures that almost all of the settlement funds go to abate and resolve the opioid epidemic and each and every city and county receives funds for the harm that it has suffered.

**SECTION 2.** The City of Pembroke Pines, Florida hereby expresses its support of a unified plan for the allocation and use of opioid settlement proceeds as generally described in the Florida Plan, attached hereto as **Exhibit "A"** and incorporated herein.

**SECTION 3.** City Manager Charles F. Dodge is hereby expressly authorized to execute the Florida Plan in substantially the form contained in **Exhibit "A"** and incorporated herein.

**SECTION 4.** City Manger Charles F. Dodge is hereby authorized to execute the any formal agreements implementing a unified plan for the allocation and use of opioid

**PROPOSED RESOLUTION NO.: 2021-R-15**

**RESOLUTIO NO.:** \_\_\_\_\_

settlement proceeds that is not substantially inconsistent with the Florida Plan and this Resolution.

**SECTION 5.** The City of Pembroke Pines City Clerk is hereby directed to furnish a certified copy of this Ordinance/Resolution to the Florida League of Cities and to the Attorney General Ashley Moody c/o John M. Guard, The Capitol, PL-01, Tallahassee, FL 32399-1050.

**SECTION 6.** All ordinances or parts of ordinances, resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed to the extent of such conflict.

**SECTION 7.** If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

**SECTION 8.** This Resolution shall take effect immediately upon its adoption.

**THE REMAINDER OF THIS PAGE  
HAS BEEN INTENTIONALLY LEFT BLANK**

**PROPOSED RESOLUTION NO.: 2021-R-15**

**RESOLUTIO NO.:** \_\_\_\_\_

**PASSED AND ADOPTED BY THE CITY OF COMMISSION OF THE CITY  
OF PEMBROKE PINES, FLORIDA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.**

CITY OF PEMBROKE PINES, FLORIDA

ATTEST:

BY: \_\_\_\_\_  
MAYOR FRANK C. ORTIS

\_\_\_\_\_  
MARLENE GRAHAM, CITY CLERK

ORTIS \_\_\_\_\_

CASTILLO \_\_\_\_\_

GOOD \_\_\_\_\_

APPROVED AS TO FORM:

SCHWARTZ \_\_\_\_\_

SIPLE \_\_\_\_\_

\_\_\_\_\_  
OFFICE OF THE CITY ATTORNEY

**PROPOSED RESOLUTION NO.: 2021-R-15**

**RESOLUTIO NO.: \_\_\_\_\_**

**EXHIBIT A**

**PROPOSED MEMORANDUM OF UNDERSTANDING**