

RESOLUTION NO. 2022 – 3966

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, FLORIDA, APPROVING THE OPIOID SETTLEMENT INTERLOCAL AGREEMENT WITH MIAMI-DADE COUNTY GOVERNING THE USE OF OPIOID SETTLEMENT FUNDS ALLOCATED TO THE MIAMI-DADE COUNTY REGIONAL FUND; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, City of Miami Springs (the “City”) 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 municipalities and counties have also filed an action In Re: National Prescription Opiate Litigation, MDL No. 2804 (N.D. Ohio) (the "Opioid Litigation"); and

WHEREAS, the State of Florida and lawyers representing various local governments involved in the Opioid Litigation have proposed a Florida Memorandum of Understanding (the “MOU”) to provide a unified plan for the allocation and use of prospective settlement dollars from the Opioid Litigation (the “Opioid Funds”); and

WHEREAS, as part of the MOU’s proposed framework, each year the City’s pro-rata share of Opioid Funds will be allocated as follows: (1) fifteen percent of Opioid Funds to the City directly, (2) a variable sliding scale percentage of Opioid Funds to a regional fund, and (3) the remaining Opioid Funds to the State of Florida; and

WHEREAS, Opioid Funds allocated to the Miami-Dade County (the “County”) Regional Fund will be administered and distributed to municipalities either by a corporate partner selected by the Florida Department of Children and Families or by the County if it enters into an interlocal agreement governing the use of Opioid Funds with 50% of municipalities within the County; and

WHEREAS, the County has proposed entering into an interlocal agreement with the City, attached hereto as Exhibit “A,” that would govern the administration and distribution of Opioid Funds allocated to the County Regional Fund (the “Interlocal Agreement”); and

WHEREAS, due to the City's longstanding and continuous relationship with the County, the City Council finds that approving and authorizing the execution of the Interlocal Agreement, in substantially the form attached hereto as Exhibit "A," will allow for greater transparency and communication in the administration of the Regional Opioid Funds; and

WHEREAS, the City Council finds that this Resolution is in the best interest and welfare of the residents of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, FLORIDA, AS FOLLOWS:

Section 1. Recitals. That the above recitals are confirmed, adopted, and incorporated herein and made a part hereof by reference.

Section 2. Approval. That the City Council hereby approves the Interlocal Agreement, in substantially the form attached hereto as Exhibit "A."

Section 3. Authorization. Subject to the incorporation of any necessary amendments to the Interlocal Agreement identified by the City Attorney and approved by the County, the City Manager is hereby authorized to execute the Interlocal Agreement, in substantially the form attached hereto as Exhibit "A." The City Manager is further authorized to execute any required or related agreements, amendments, or documents which are required to implement the purposes of this Resolution and the Interlocal Agreement, subject to the approval of the City Attorney as to form, content, and legal sufficiency.

Section 4. Implementation. That the City Manager is hereby authorized to take all actions necessary to implement the purposes of this Resolution and the Interlocal Agreement.

Section 5. Transmittal. That the City Council hereby directs the City Clerk to transmit a copy of this Resolution to the County Mayor.

Section 6. Effective Date. That this Resolution shall be effective immediately upon adoption.

The foregoing Resolution was offered by Councilman Vazquez who moved its adoption. The motion was seconded by Councilman Best and upon being put to a vote, the vote was as follows:

Vice Mayor Jacky Bravo	<u>YES</u>
Councilman Bob Best	<u>YES</u>
Councilman Dr. Walter Fajet	<u>YES</u>
Councilman Dr. Victor Vazquez	<u>YES</u>
Mayor Maria Puente Mitchell	<u>YES</u>

PASSED AND ADOPTED this 10th day of January, 2022.



MARIA PUENTE MITCHELL
MAYOR

ATTEST:



ERIKA GONZALEZ, MMC
CITY CLERK



APPROVED AS TO FORM AND LEGAL SUFFICIENCY
FOR THE USE AND RELIANCE OF THE CITY OF MIAMI SPRINGS ONLY:



WEISS SEROTA HELFMAN COLE & BIERMAN, P.L.
CITY ATTORNEY