

## RESOLUTION NO. 2021-32

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA; AUTHORIZING THE CITY OF DELTONA 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 PALN.**

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**WHEREAS**, the City of Deltona has suffered harm from the opioid epidemic; and

**WHEREAS**, the City of Deltona recognizes that the entire State of Florida has suffered harm as a result from 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 Deltona is a class member in the Opioid 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 settlement proceeds and it is anticipated that formal agreements implementing the Florida Plan will be entered into 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, City of Deltona, and every other Florida city and county;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA**, as follows:

**Section 1.** That the City Commission finds that participation in the Florida Plan would be in the best interest of the City of Deltona 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.** That the City Commission 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".

**Section 3.** That the Acting City Manager of the City of Deltona is hereby expressly authorized to execute the Florida Plan in substantially the form contained in Exhibit "A".

**Section 4.** That the Acting City Manager of the City of Deltona is hereby authorized 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 and this Resolution.

**Section 5.** That the Clerk be and hereby is instructed to record this Resolution in appropriate record book upon its adoption.

**Section 6.** The Clerk of the City of Deltona is hereby directed to furnish a certified copy of this Resolution to:

Florida League of Cities  
Attorney General Ashley Moody  
c/o John M. Guard  
The Capitol,  
PL-01  
Tallahassee, Florida 32399-1050

**Section 7.** This resolution shall take effect immediately upon its adoption.

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

BY: \_\_\_\_\_  
Heidi K. Herzberg, MAYOR

ATTEST:

\_\_\_\_\_  
Joyce Raftery, CMC, MMC, CITY CLERK

Approved as to form and legality  
for use and reliance of the City of  
Deltona, Florida

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CITY ATTORNEY