

TOWN OF PALM BEACH

Information for Town Council Meeting on: May 11, 2021

To: Mayor and Town Council

Via: Kirk W. Blouin, Town Manager

From: Nicholas Caristo, Chief of Police

Re: Proposed Memorandum of Understanding Between the State of Florida and the
Town of Palm Beach in Reference to Opioid Litigation
Resolution No. 052-2021

Date: April 29, 2021

STAFF RECOMMENDATION

Staff recommends Mayor and Town Council approve Resolution No. 052-2021, authorizing the Town to enter into a Memorandum of Understanding (MOU) with the State of Florida and agreeing with the proposed terms of the Memorandum of Understanding in regards to the pending resolution of ongoing opioid litigation.

GENERAL INFORMATION

The State of Florida, primarily through the Attorney General's Office, has been heavily involved in leading the State's ongoing opioid litigation and negotiations with defendants involved. As a result of the litigation and negotiations, a Memorandum of Understanding was created proposing fund allocation agreements for any monies recovered by the State of Florida.

While the Town of Palm Beach has not individually participated in litigation for adverse harm caused by opioid manufacturers, many subdivisions of the State of Florida have. The State Attorney General's Office has indicated that due to the accelerating pace of negotiations, settlement possibilities, and opioid manufacturer bankruptcy proceedings, the mass adoption of a proposed MOU guiding allocation of funds is in the best interest of the State and its political subdivisions, to include the Town of Palm Beach.

The Town of Palm Beach, by entering into this MOU may increase the allocation of opioid litigation funds to Palm Beach County and the Town may receive monies directly over a period of years (possibly up to 10 years). Any funds received directly are subject to change as this process resolves to a final disposition; however, preliminary estimates by the Attorney General's Office indicate that the Town could receive approximately \$36,000 per year for the initial years, \$27,000 per year for the middle years, and \$19,000 per year for the later years. These funds would be subject to approved use limitations, mostly related to opioid abuse. Upon initial review there are several approved uses that could be utilized by both the Town's Police and Fire Departments.

Attachment A is the proposed MOU. Attachment B is the Attorney General's opioid correspondence packet. This packet includes a letter from the Attorney's General Office with

answers to possible questions, the proposed MOU, approved funding uses, example allocation tables, and a proposed resolution which was used to create this resolution.

FUNDING

There are no funding requirements for participation in the MOU or in regards to this resolution.

TOWN ATTORNEY REVIEW

The resolution and agreement have been reviewed and approved by the Town Attorney for legal form and sufficiency.

NC/wmr

Attachments

cc: Jane LeClainche, Finance Director
Darrel Donatto, Fire Rescue Chief
John C. Randolph, Town Attorney