

RESOLUTION NO. 71-22

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA AUTHORIZING THE CITY MANAGER TO EXECUTE ANY SETTLEMENT AGREEMENTS RELATED TO THE OPIOID EPIDEMIC LITIGATION AND TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THIS RESOLUTION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, a national epidemic arose as a result of the manufacture, distribution and over-prescribing of opioid analgesics and resulted in opioid overdoses and addictions; and

WHEREAS, the City of Delray Beach suffered harm from the opioid epidemic; and

WHEREAS, the City of Delray Beach (“City”) engaged the law firm of Robbins Geller Rudman & Dowd (“Law Firm”) to assist the City in litigation related to the alleged deceptive and fraudulent marketing practices of pharmaceutical manufacturers and wholesalers of opioids; and

WHEREAS, on December 21, 2017 the Law Firm, on behalf of the City, filed an action against these pharmaceutical manufacturers and wholesalers titled *In re: National Prescription Opiate Litigation*, MDL No. 2804 (N.D. Ohio) (“Opioid Litigation”) of which the City is a litigating participant; and

WHEREAS, the City desires to authorize the City Manager to execute any future settlements related to the Opioid Litigation in order to provide efficiencies and avoid delays in recovering settlement funds for the City in this matter; and

WHEREAS, the City Commission deems approval of this Resolution to be in the best interest of the health, safety, and welfare of the residents and citizens of the City of Delray Beach and the public at large.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AS FOLLOWS:

Section 1. The foregoing recitals are hereby affirmed and ratified.

Section 2. The City Commission of the City of Delray Beach authorizes the City Manager to execute any settlement agreements related to the opioid epidemic litigation and take any other actions necessary to effectuate this Resolution.

Section 3. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED in regular session on the ____ day of _____, 2022.

ATTEST:

Katerri Johnson, City Clerk

Shelly Petroliia, Mayor

Approved as to form and legal sufficiency:

Lynn Gelin, City Attorney