

Memorandum



Date: February 23, 2022

To: Honorable Chairman Jose “Pepe” Diaz
and Members, Board of County Commissioners

From: Daniella Levine Cava
Mayor

A handwritten signature in blue ink that reads "Daniella Levine Cava".

Subject: Report Regarding the Opioid MDL Interlocal Agreements and Designation as a
Qualified County – Directive 212962

The following report is provided pursuant to Resolution No. R-1199-21, sponsored by Commissioner Sally A. Heyman, and adopted at the December 1, 2021 Board of County Commissioners (Board) meeting, which:

(a) directed the Mayor or Mayor’s designee to execute: (i) the Florida Opioid Allocation and Statewide Response Agreement between the State of Florida and certain local governments (the “Allocation Agreement”); (ii) the Florida Subdivision Participation Forms (“Participation Agreements”), for participation in certain Settlement Agreements in *In Re: National Prescription Opiate MDL No. 2804* (N.D. Ohio) (“Opioid MDL”); and (iii) Interlocal Agreements with certain municipalities within Miami-Dade County related to the expenditure of certain settlement funds received in the Opioid MDL;

(b) authorized the County Mayor or County Mayor’s designee to effectuate certain provisions of the Allocation Agreement, Participation Agreements, and Interlocal Agreements including, but not limited to, the exercise of any termination or extension provisions contained therein, as may be applicable, after consultation with the County Attorney’s Office; and

(c) authorized the County Attorney or County Attorney’s designee to effectuate certain provisions of the Allocation Agreement, Participation Agreements, and Interlocal Agreements related to the Opioid MDL, and directs the County Mayor or County Mayor’s designee to provide a report regarding the execution of Interlocal Agreements and the designation of the County as a Qualified County as explained below.

If the County is designated a Qualified County under the Allocation Agreement, the County would be entitled to administer additional funds allocated from settlement funds received in or relating to the Opioid MDL to the County for countywide impact, *i.e.*, the Regional Fund. Pursuant to the Allocation Agreement, a Qualified County is a county “that has a Population of at least 300,000 individuals and: (a) has an opioid task force or other similar board, commission, council, or entity (including some existing subunit of a county’s government responsible for substance abuse prevention, treatment, and/or recovery) of which it is a member or operates in connection with its municipalities or others on a local or regional basis; (b) has an abatement plan that has been either adopted or is being utilized to respond to the opioid epidemic; (c) is, as of December 31, 2021, either providing or is contracting with others to provide substance abuse prevention, recovery, and/or treatment services to its citizens; and (d) has or enters into an interlocal agreement with a majority of Municipalities (Majority is more than 50 percent of all the Municipalities’ total population)” related to the expenditure of funds.

Miami-Dade County satisfies the first three requirements necessary to be deemed a Qualified County. As of February 1, 2022, the County’s deadline to enter into interlocal agreements with municipalities, the 22 municipalities identified in the table below had submitted executed copies of the Opioid Settlement Interlocal Agreement Governing Use of Miami-Dade County Regional Funding (Interlocal Agreements) to the County. Although the County has not yet received notification from the Florida Attorney General¹ regarding its status as a Qualified County, using 2020 Census population data to calculate the total municipal population of all the municipalities that entered into Interlocal Agreements with the County shows that said municipalities account for approximately 59 percent of the total municipal population of Miami-Dade County. As such, the County should satisfy the outstanding requirement necessary for it to be deemed a Qualified County in accordance with the Allocation Agreement.²

Municipality	2020 Population	Percent of Municipal Population	Interlocal Agreement	Municipal Agreement Percentage
Aventura	38,041	2.36%	YES	2.36%
Bal Harbour	2,932	0.18%	YES	0.18%
Bay Harbor Islands	6,091	0.38%	YES	0.38%
Biscayne Park	3,181	0.20%		
Coral Gables	51,133	3.18%	YES	3.18%
Cutler Bay	45,480	2.83%	YES	2.83%
Doral	71,314	4.43%		
El Portal	2,146	0.13%		
Florida City	13,405	0.83%	YES	0.83%
Golden Beach	943	0.06%		
Hialeah	239,956	14.91%	YES	14.91%
Hialeah Gardens	23,644	1.47%	YES	1.47%
Homestead	76,317	4.74%	YES	4.74%
Indian Creek	87	0.01%		
Key Biscayne	12,925	0.80%	YES	0.80%
Medley	995	0.06%		
Miami	494,979	30.76%		
Miami Beach	94,161	5.85%	YES	5.85%
Miami Gardens	114,363	7.11%	YES	7.11%
Miami Lakes	32,288	2.01%	YES	2.01%
Miami Shores	10,817	0.67%		

¹ The Attorney General’s Office has not notified the County whether it has satisfied the factors necessary to be deemed a Qualified County or indicated when said notifications will be made.

² This statement is based solely on compliance with the requirement that the County enters into Interlocal Agreements with municipalities by the February 1, 2022 deadline.

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Miami Springs	14,255	0.89%	YES	0.89%
North Bay Village	9,064	0.56%	YES	0.56%
North Miami	65,089	4.04%	YES	4.04%
North Miami Beach	47,722	2.97%	YES	2.97%
Opa-Locka	18,090	1.12%		
Palmetto Bay	24,870	1.55%		
Pinecrest	18,619	1.16%	YES	1.16%
South Miami	12,900	0.80%	YES	0.80%
Sunny Isles	23,869	1.48%		
Surfside	5,997	0.37%	YES	0.37%
Sweetwater	22,348	1.39%	YES	1.39%
Virginia Gardens	2,439	0.15%	YES	0.15%
West Miami	8,915	0.55%		
Total Municipal Population	1,609,375	100.00%	22/34	<u>59%</u>

If you have any questions or concerns, please feel free to contact Sonia Grice, Director, Community Action and Human Services Department, at 786-469-4616.

Per Ordinance No. 14-65, this report will be placed on the next available Board meeting agenda.

- c: Geri Bonzon-Keenan, County Attorney
 Gerald Sanchez, First Assistant County Attorney
 Jess McCarty, Executive Assistant County Attorney
 Office of the Mayor, Senior Staff
 Sonia Grice, Director, Community Action and Human Services Department
 Jennifer Moon, Chief, Office of Policy and Budgetary Affairs
 Yinka Majekodunmi, Commission Auditor
 Melissa Adames, Director, Clerk of the Board
 Eugene Love, Agenda Coordinator, Office of the Agenda Coordination