



Legislation Text

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*Department of City Attorney's Office and City Manager*

Reference: Region 8 Intergovernmental Agreement

**To: Mayor Gregory Mills and Members of City Council**

**Through: Michael P. Martinez, City Manager**

**Prepared By: Alicia Calderón, City Attorney**

**Date Prepared: December 28, 2022**

**PURPOSE**

To consider a resolution to approve an intergovernmental agreement for Region 8 for opioid settlement funds.

**STRATEGIC FOCUS AREA**

Safe, Active and Engaged Community  
Strong Regional Relationships and Partnerships

**BACKGROUND**

As the City Council is aware, the City of Brighton ("City") participated and continues to participate in litigation against pharmaceutical companies and distributors for the adverse impacts locally and nationally from the misuse, abuse, and over-prescription of opioids. Some of the litigation has already resulted in settlements and payments to the State of Colorado. The City Council approved Resolution # 2021-84 that authorized a Memorandum of Understanding ("MOU") regarding the distribution of litigation settlement proceeds. Under the MOU, the settlement proceeds are distributed as follows: 10% to the State, 20% to local government, 60% to the region, and 10% to specific abatement projects. The MOU also sets out the purposes for which the funds may be used.

Since approval of the MOU, the regional councils have been forming as required by the MOU. The City lies within Colorado Region 8, and the City is being asked to enter into an intergovernmental agreement ("IGA") among the participating local governments in the Region. Each Regional Council must designate a fiscal agent and submit a two-year plan that identifies the purposes for which the funds will be used. The IGA calls for voting member representatives as follows: 2 appointed by the county, 1 appointed by the public health department, 1 appointed by the county human services department, 1 appointed by the district attorney, 1 appointed from local law enforcement in the region, 1 appointed from a municipal or county court system in the region, 2 representatives appointed by rotating cities within the county, and any other representatives upon which the participating counties/cities agree. Council Member Peter Padilla is currently serving as a city representative. Representatives are appointed for two-year terms.

The primary purpose of the Regional Council is to develop a two-year plan and request Opioid Funds from the regional share to implement the plan. The authority of the Regional Council is vested by the statewide MOU. The City Council is asked to approve the IGA and to designate its point of contact. The resolution makes the City Manager the point of contact for the City of Brighton.

**FINANCIAL IMPACT**

N/A

**STAFF RECOMMENDATION**

The City Manager and City Attorney recommend approval of the IGA and recommend designating the City Manager as the point of contact to coordinate the responsibilities of the City.

**OPTIONS FOR COUNCIL CONSIDERATION**

Approve the Resolution.  
Modify the Resolution.  
Deny the Resolution.

**ATTACHMENTS**

Resolution  
IGA  
Presentation