

**Town of Lyons, Colorado
Board of Trustees
BOT Agenda Cover Sheet
Agenda Item No: IX. 3.
Meeting Date: 5/2/2022**

TO: Mayor Rogin and Members of the Board of Trustees

FROM: Victoria Simonsen, Town Administrator

DATE: April 28, 2022

ITEM: Resolution 2022-45, A Resolution of the Town of Lyons, Colorado Approving an Intergovernmental Agreement with Boulder County for the Opioid Settlement

ORDINANCE
 MOTION / RESOLUTION
 INFORMATION

I. REQUEST OR ISSUE:

This resolution would approve the Town of Lyons to participate in the Boulder County Region Council, enter into an Intergovernmental Agreement (IGA) and accept funds from the nationwide opioid settlement.

II. RECOMMENDED ACTION / NEXT STEP:

Approve Resolution 2022-45.

III. FISCAL IMPACTS:

There would be no expenses incurred by participating in the Council or the IGA except for staff time to attend occasional meetings. By participating in the IGA, the town will be eligible for funding for local education and programming.

IV. BACKGROUND INFORMATION:

Nationwide settlements have been reached with the “Big 3” opioid distributors (McKesson, Cardinal Health, and AmerisourceBergen) and Johnson & Johnson to resolve claims by state and local governments that these companies contributed to the opioid epidemic. The Colorado Opioids Settlement Memorandum of Understanding (MOU) establishes the framework for distributing and sharing these settlement proceeds throughout Colorado.

The procedures established by the MOU include a requirement that each Region (i.e., Boulder County) seat a Regional Council in accordance with the provisions of the Colorado MOU. Each Regional Council must submit a two-year plan to the Abatement Council that identifies the “Approved Purposes” for which the requested funds will be used – a requirement for the release of any funds.

In accordance with the MOU, Boulder County and the municipalities within the county have drafted an intergovernmental agreement (IGA) creating the Boulder County Region Opioid Council (“BCROC”). The BCROC consists of representatives appointed by the Boulder participating local governments (PLGs), to oversee procedures leading to a request for Opioid Funds and procedures for allocating the region’s share.

Per the BCROC IGA, Boulder County PLGs will collaborate to appoint Regional Council members who will be selected as follows:

- 1 county commissioner
- 1 representative appointed from the county community services department
- 1 representative appointed from the public health department
- 1 representative appointed from the county human services department
- 1 representative appointed from law enforcement within the region (sheriff, police, district attorney, etc.)
- 1 representative appointed from a county court system within the Boulder Region
- **3 representatives (total) appointed by cities within the county, at least one of which shall be from a city with a population of fewer than 10,000 residents.**

The BCROC IGA also calls for the establishment of an Operations Board to make funding and policy recommendations to the BCROC. Members of this Board will be nominated by the Director of Boulder County Community Services for consideration by the BCROC. The Operations Board will consist of broad County and municipal representation; subject matter experts working in treatment, recovery, and harm reduction service areas; health care professionals; and community members, including those with lived experience. The Operations Board will work with and on behalf of the BCROC to conduct research, provide recommendations, and create a draft two-year plan for approval by BCROC.

The Cities of Longmont and Boulder are each granted one seat on the BCROC and are solely responsible for appointing their respective members. Duties of all members include: ongoing engagement with the State Abatement Council, requesting funds through the development of a two-year plan, participation in monthly BCROC meetings, providing guidance to Operations Board efforts and reviewing emerging findings and recommendations, voting on recommendations, monitoring and modifying implementation efforts, assisting with ongoing efforts to oversee and review funded efforts, and providing the Abatement Council with data through its fiscal agent regarding Opioid Fund expenditures.

V. LEGAL ISSUES:

Attorney Dittman has reviewed the IGA and accompanying documentation.

VI. CONFLICTS OR ENVIRONMENTAL ISSUES:

None known.

VII. SUMMARY AND ALTERNATIVES:

Join the Regional Council and IGA or choose not to participate.

PROPOSED MOTION:

“I move to approve Resolution 2022-45, A Resolution of the Town of Lyons, Colorado Approving an Intergovernmental Agreement with Boulder County for the Opioid Settlement.”