

RECORD OF RESOLUTIONS

Resolution No. 29-2021

Passed: August 10, 2021

A RESOLUTION RECOMMENDATION TO ACCEPT THE ONEOHIO OPIOID SETTLEMENT PURSUANT TO THE ONEOHIO MEMORANDUM OF UNDERSTANDING AND TO AUTHORIZE THE LAW DIRECTOR TO ENTER INTO THE PARTICIPATION AGREEMENT FOR THE ONEOHIO SETTLEMENT WITH OPIOID DISTRIBUTORS AMERISOURCEBERGEN CORPORATION, MCKESSON CORPORATION, AND CARDINAL HEALTH, INC.

WHEREAS, the State of Ohio and the City of West Carrollton have been harmed by misfeasance, nonfeasance and malfeasance committed by certain entities within the Opioid Pharmaceutical Supply chain; and

WHEREAS, the State of Ohio, through the Attorney General, and Local Governments, through their elected representatives and counsel, are separately engaged in litigation seeking to hold Opioid Pharmaceutical Supply Chain Participants accountable for the damage caused by their misfeasance, nonfeasance and malfeasance; and

WHEREAS, the State and its Local Governments, subject to completing formal documents effectuating the Parties Agreement, have drafted and the City of West Carrollton has adopted, and hereby reaffirms its adoption of, a OneOhio Memorandum of Understanding ("MOU") relating to the allocation and use of the proceeds of any potential settlements described; and

WHEREAS, opioid distributors AmerisourceBergen, McKesson and Cardinal Health ("the Distributors") have proposed a joint settlement ("the Settlement") to the State of Ohio and its political subdivisions pertaining to the Distributors' share of the distribution of opioids that was a significant cause of the national opioid crisis that led to mass addiction and overdose deaths that affected both the State of Ohio and the City of West Carrollton; and

WHEREAS, under the Settlement, the Distributors will pay up to \$829,000,000 to the State of Ohio and its political subdivisions over 18 years, with most of the money received being restricted in use and earmarked for abatement of the opioid epidemic; and

WHEREAS, the Ohio Attorney General has recommended the political subdivisions of the State of Ohio accept the Settlement; and

WHEREAS, the Law Director and the City Manager recommend that Council vote to accept the Settlement and enter into the Participation Agreement ("the Agreement") with the Distributors as described and incorporated by reference herein.

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BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WEST CARROLLTON, MONTGOMERY COUNTY, STATE OF OHIO, THAT:

SECTION 1: Council hereby accepts the recommendation of the City Manager and the Law Director and authorizes approval of the Settlement and execution of the Agreement on behalf of the City on or before the Settlement deadline currently set for August 13, 2021. .

SECTION 2: Council hereby directs the Law Director to enter into the Agreement on behalf of the City on or before any Settlement deadline.

SECTION 3: The City Manager is hereby authorized to take all steps necessary to resolve these matters in accordance with the terms of the Settlement and Agreement.

SECTION 4: That it is found and determined that all formal actions of the Council relating to the adoption of this resolution were adopted on an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

SECTION 5: This Resolution shall be in full force and effect immediately upon adoption.

Passed: August 10, 2021


Mayor

Attest: Tom Rully
Clerk of Council

Effective Date: August 10, 2021