

REQUESTED BY: CITY MANAGER, SCOTT BAUER

DATE OF FIRST READING: 8-16-2022 WAIVE RULES? YES NO

FINAL ACTION DATE: 8-16-2022 VOTE: YES NO

SUSPENSION OF TWO READING RULE:

ADOPTION OF ORDINANCE:

YES	NO
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>ABSENT</u>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>6</u>	<u>0</u>

DENISE LINGO
 ROBERT PARSONS
 JOE ROETTING
 KISHA DOSA
 CORDEL GEORGE
 DANIEL MUELLER II
 PAUL YOUNG III
 TOTALS

YES	NO
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>ABSENT</u>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>6</u>	<u>0</u>

BOB PARSONS Made a motion to adopt this Resolution and

CORDEL GEORGE seconded the motion.

RESOLUTION NO. 22-1189

AN EMERGENCY RESOLUTION TO ACCEPT THE TERMS OF THE DISTRIBUTOR SETTLEMENT PARTICIPATION AGREEMENT AND JANSSEN SETTLEMENT PARTICIPATION AGREEMENT PURSUANT TO THE ONEOHIO MEMORANDUM OF UNDERSTANDING AND ESTABLISHING A SEPARATE ONEOHIO SPECIAL FUND UNDER R.C. §5705.09(F) TO RECEIVE SUCH ONEOHIO FUNDS

AN EMERGENCY RESOLUTION AUTHORIZING the Law Director to execute the DISTRIBUTOR SETTLEMENT PARTICIPATION AGREEMENT attached as Exhibit "A" and the JANSSEN SETTLEMENT PARTICIPATION AGREEMENT attached as Exhibit "B" both of which are consistent with the material terms of the OneOhio Memorandum of Understanding approved under City Resolution No. 21-1170.

WHEREAS, the people of the State of Ohio and its communities 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 its Attorney General, and certain 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 of Ohio, through its Governor and Attorney General, and its Local Governments share a common desire to abate and alleviate the impacts of that misfeasance, nonfeasance and malfeasance throughout the State of Ohio; and

WHEREAS, the City Council passed Resolution No. 21-1170 accepting the terms of the OneOhio Subdivision settlement pursuant to the OneOhio Memorandum of Understanding ("MOU") consistent with the terms of the July 21, 2021 National Opioid Agreement; and

WHEREAS, the State of Ohio reached an agreement in excess of \$800 million with the largest distributors of opioids in the State and developed the OneOhio plan to ensure that any money from a negotiated settlement is distributed fairly to the communities hit hardest by the opioid crisis; and

WHEREAS, the aforementioned settlement allocates 30% to local governments to which the City of Mount Healthy, Hamilton County, Ohio is estimated to receive \$23,408.10 from the settlement which are expected to be made in eighteen (18) payments; and

WHEREAS, before the City of Mount Healthy, Hamilton County, Ohio, receives its portion from the state and/or county, the Auditor of State ("AOS") recommends that each participating subdivision accepting the Funds provide by a written ordinance or resolution that its share of the OneOhio Funds shall be placed in a separate fund and used only for the approved purposes as set forth and required in the OneOhio MOU; and

WHEREAS, a special fund can be created under Ohio Rev. Code §5705.09(F) which does not require the City to seek AOS approval for establishing such new fund; and

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

WHEREAS, the Law Director, City Manager, and the Mayor recommend that Council vote to accept and execute the DISTRIBUTOR SETTLEMENT PARTICIPATION AGREEMENT attached as Exhibit "A" and the JANSSEN SETTLEMENT PARTICIPATION AGREEMENT attached as Exhibit "B".

NOW THEREFORE, BE IT RESOLVED, by the Council of the City of Mt. Healthy, Hamilton County, Ohio, with a majority of all members elected thereto concurring that:

SECTION 1. That the Council hereby accepts the DISTRIBUTOR SETTLEMENT PARTICIPATION AGREEMENT attached as Exhibit "A" and the JANSSEN SETTLEMENT PARTICIPATION AGREEMENT attached as Exhibit "B" on behalf of the City of Mount Healthy, Hamilton County, Ohio, both of which are consistent with the materials terms of the OneOhio MOU approved via City Resolution No. 21-1170 and authorizes the Law Director to execute the DISTRIBUTOR SETTLEMENT PARTICIPATION AGREEMENT attached as Exhibit "A" and the JANSSEN SETTLEMENT PARTICIPATION AGREEMENT attached as Exhibit "B". The Mayor, Law Director, and/or City Manager are hereby authorized to take all steps necessary to resolve these matters in accordance with the terms of the attached Settlement Participation Agreements.

SECTION 2. That in order to receive the estimated \$23,408.10 from the above-referenced Ohio Opioid Settlement which is expected to be made by the State and/or County in eighteen (18) payments, that a special fund called the OneOhio Fund be created pursuant Ohio Rev. Code §5705.09(F) which does not require the City to seek AOS approval for establishing such new fund.

SECTION 3. That the City Fiscal Officer/ Finance Director shall make certain that expenditures made from the City's special OneOhio Fund comply with and meet the approved purposes definition of the OneOhio MOU as well as the Auditor of State Bulletin 2022-003 attached hereto as Exhibit "C" and that expenditures from such OneOhio Fund are approved via legislation adopted by the entity's legislative body explaining how the expenditure meets such approved purposes. Each expenditure from the special OneOhio Fund shall be carefully tracked and adequate documentation of the expenditure be maintained.

SECTION 4. That it is hereby found and determined that all formal actions of this City Council concerning and relating to the passage of this Resolution were taken in an open meeting, and that all deliberations of this City Council and any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including §121.22 of the Ohio Revised Code.

SECTION 5. This Resolution is hereby declared to be an emergency measure, necessary for the preservation of the public peace, health, welfare and safety of the Village. The reason for the emergency is to ensure prompt collection of funds to assist in abating the opioid epidemic throughout Ohio. That this Resolution shall be effective at the earliest date allowed by law.

Passed this 16th day of August, 2022.

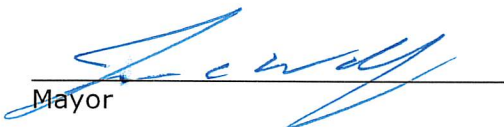


President of Council

Attest: 


Clerk of Council

Approved this 16th day of August, 2022.



Mayor

Approved as to form:



Scott A. Sollmann (0081476)
5300 Socialville Foster Rd., Suite 200
Mason, OH 45040
(513) 707-4249
City of Mt. Healthy Law Director

CERTIFICATION OF CITY FISCAL OFFICER

The foregoing is hereby certified to be a true and accurate copy of Resolution #22-1189 passed by the Council of the City of Mt. Healthy, Hamilton County, Ohio, at its regularly scheduled meeting on the 16th day of August, 2022.

Dated: 8-16-2022



Finance Director