

REQUESTED BY: CITY MANAGER, SCOTT BAUER

DATE OF FIRST READING: 3/21/2023 WAIVE RULES? YES NO
FINAL ACTION DATE: 3/21/2023 VOTE: YES NO

SUSPENSION OF TWO
READING RULE:

ADOPTION OF
ORDINANCE:

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

DENISE LINGO
ROBERT PARSONS
JOE ROETTING
KISHA DOSA
CORDEL GEORGE
PAUL YOUNG III
PEGGY RISSEL
TOTALS

YES	NO
<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Joe Roetting Made a motion to adopt this Resolution and
Cordel George seconded the motion.

RESOLUTION NO. **23-1203**

AN EMERGENCY RESOLUTION PROVIDING AUTHORITY TO THE LAW DIRECTOR TO EXECUTE THE SUBDIVISION AND SPECIAL DISTRICT SETTLEMENT PARTICIPATION FORMS FOR THE TEVA, ALLERGAN, CVS, WALGREENS, AND WALMART SETTLEMENT PARTICIPATION AGREEMENTS PURSUANT TO THE ONEOHIO MEMORANDUM OF UNDERSTANDING AND PLACING ANY RECEIVED FUNDS IN THE CITY'S ONEOHIO FUND

AN EMERGENCY RESOLUTION AUTHORIZING the Law Director to execute the following, all of which are consistent with the material terms of the OneOhio Memorandum of Understanding approved under City Resolution No. 21-1170:

- TEVA SETTLEMENT PARTICIPATION FORM attached as Exhibit "A";
- ALLERGEN SETTLEMENT PARTICIPATION FORM attached as Exhibit "B"
- CVS SETTLEMENT PARTICIPATION FORM attached as Exhibit "C";
- WALGREENS SETTLEMENT PARTICIPATION FORM attached as Exhibit "D"
- WALMART SETTLEMENT PARTICIPATION FORM attached as Exhibit "E";

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, since the Summer of 2021, nine Defendant families in the National Opioid Litigation have entered into National Opioid Settlements with the first being J&J and Distributors McKesson, Cardinal Health, and AmerisourceBergen in July 2021; and

WHEREAS, more recently, between November and December of 2022, five additional Defendant families have entered into National Opioids Settlements in which the State of Ohio is participating; 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 OneOhio fund has been previously created by the City; and

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

WHEREAS, the Law Director, City Manager, and the Mayor recommend that Council vote to accept and execute the following:

- TEVA SETTLEMENT PARTICIPATION FORM attached as Exhibit "A";
- ALLERGEN SETTLEMENT PARTICIPATION FORM attached as Exhibit "B"
- CVS SETTLEMENT PARTICIPATION FORM attached as Exhibit "C";
- WALGREENS SETTLEMENT PARTICIPATION FORM attached as Exhibit "D"
- WALMART SETTLEMENT PARTICIPATION FORM attached as Exhibit "E";

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 following:

- TEVA SETTLEMENT PARTICIPATION FORM attached as Exhibit "A";
- ALLERGEN SETTLEMENT PARTICIPATION FORM attached as Exhibit "B"
- CVS SETTLEMENT PARTICIPATION FORM attached as Exhibit "C";
- WALGREENS SETTLEMENT PARTICIPATION FORM attached as Exhibit "D"
- WALMART SETTLEMENT PARTICIPATION FORM attached as Exhibit "E";

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 above-referenced SETTLEMENT PARTICIPATION FORMS attached as Exhibits A-E. 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 any funds received from the above-referenced Ohio Opioid Settlements shall be deposited into the special OneOhio Fund previously created by the City.

SECTION 3. 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 4. 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 21st day of March, 2023.



President of Council

Attest: 


Clerk of Council

Approved this 21st day of March, 2023.



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 #23-passed by the Council of the City of Mt. Healthy, Hamilton County, Ohio, at its regularly scheduled meeting on the 21st day of March, 2023.

Dated: 3-23-2023



Finance Director