

CITY OF OBERLIN, OH

ORDINANCE No. 23-28 AC CMS

AN ORDINANCE AUTHORIZING PARTICIPATION IN SETTLEMENTS OF NATIONAL OPIOID DISTRIBUTOR LITIGATION AS AN EMERGENCY MEASURE

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, proposed nationwide settlement agreements have been reached that would resolve opioid litigation brought by states, local political subdivisions, and special districts against two pharmaceutical manufacturers; Teva and Allergan, and three pharmacies; CVS, Walgreens, and Walmart; and

WHEREAS, Council desires to accept and agree to the material terms of these new national settlement agreements and to authorize the City manager to initiate participation on the behalf of the City.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain, State of Ohio:

SECTION 1. The Council of the City of Oberlin hereby accepts the terms of the proposed settlements described herein on behalf of the City, which, along with related documents, can be accessed at <https://nationalopioidsettlement.com>.

SECTION 2. The City Manager is hereby authorized and directed to execute and submit all necessary Subdivision Participation Forms and any other documentation required to facilitate the City's participation in these settlements.

SECTION 3. It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this ordinance were conducted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the citizens of the City of Oberlin, Ohio or to provide for the usual daily operation of a municipal department, to wit: to ensure timely participation in the settlement of claims and provided that it is elevated to emergency status by the affirmative vote of at least five members of Council and receives the affirmative vote of at least five members of Council upon final passage, it shall go into full force and effect from and immediately after its passage; otherwise, it shall take effect at the earliest period allowed by law.

PASSED:

1st Reading: April 3, 2023

2nd Reading: _____

3rd Reading: _____

ATTEST:



BELINDA B. ANDERSON, MMC
CLERK OF COUNCIL



BRYAN BURGESS
PRESIDENT OF COUNCIL

POSTED: 04/04/2023

EFFECTIVE DATE: 04/03/2023