

RESOLUTION NO. 021-2021

AN EMERGENCY RESOLUTION TO ACCEPT THE MATERIAL TERMS OF THE ONE OHIO SUBDIVISION SETTLEMENT PURSUANT TO THE ONE OHIO MEMORANDUM OF UNDERSTANDING AND CONSISTENT WITH THE TERMS OF THE JULY 21, 2021 NATIONAL OPIOID SETTLEMENT AGREEMENT.

WHEREAS, said emergency resolution authorizing the Mayor of the City of Findlay, Ohio to execute the Participation Agreement for the OneOhio Subdivision Settlement with Janssen/Johnson&Johnson pursuant to the OneOhio Memorandum of Understanding regarding the pursuit and use of potential opioid litigation settlement funds and consistent with the material terms of the July 21, 2021 proposed Settlement Agreement available at <https://nationalopioidsettlement.com/>, and;

WHEREAS, the City of Findlay, Ohio (herein "Municipality") is a municipal corporation formed and organized pursuant to the Constitution and laws of the State of Ohio, and;

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 Companies 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 State and its Local Governments, subject to completing formal documents effectuating the Parties Agreements, have drafter and the City of Findlay, Ohio has adopted, and hereby reaffirms its adoption of, a OneOhio Memorandum of Understanding ("MOU") relating to the allocation and the use of the proceeds of any potential settlements described, and;

WHEREAS, the MOU has been collaboratively drafted to maintain all individual claims while allowing the State and Local Governments to cooperate in exploring all possible means of resolution, and;

WHEREAS, Findlay City Council understands that an additional purpose of the MOU is to created an effective means of distributing any potential settlement funds obtained under the MOU between the State of Ohio and Local Governments in a manner and means that would promote an effective and meaningful use of the funds in abating the opioid epidemic throughout Ohio, as well as to permit collaboration and explore potentially effectuation earlier resolution of the Opioid Litigation against Opioid Pharmaceutical Companies, and;

WHEREAS, nothing in the MOU binds any party to a specific outcome, but rather, any resolution under the MOU requires acceptance by the State of Ohio and the Local Governments, and:

WHEREAS, a settlement proposal is being presented to the State of Ohio and Local Governments by Janssen/Johnson&Johnson to resolve governmental entity claims in the State of Ohio using the structure of the OneOhio MOU and consistent with the material terms of the July 21, 2021 proposed Settlement Agreement, and;

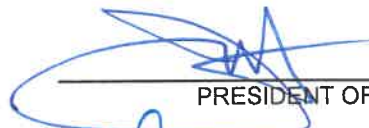
WHEREAS, the Council of the City of Findlay, Ohio, wishes to agree to the material terms of the proposed National Settlement Agreement with the Proposed Settlement:

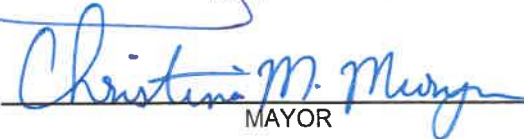
NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Findlay, State of Ohio.

SECTION 1: That the Council of the City of Findlay, Ohio hereby is authorized to accept the Proposed Settlement on behalf of the City of Findlay, pursuant to the terms of the OneOhio MOU.

SECTION 2: That it is found and determined that all formal actions of the Council relating to the adoption of this resolution were adopted in an open meeting of this Council, and that all deliberations of this Council, and any of its committees that resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements.

SECTION 3: This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of public peace, health, and safety of the inhabitants of the City of Findlay, Ohio to ensure prompt pursuit of funds to assist in abating the opioid epidemic throughout Ohio. Said Resolution shall take effect and be in force and after the earliest period provided by law.



PRESIDENT OF COUNCIL


MAYOR

PASSED November 16, 2021

ATTEST Denise DeVore
CLERK OF COUNCIL

APPROVED November 16, 2021