

RESOLUTION 2021 – 26

A 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, NUNC PRO TUNC, AND DECLARING AN EMERGENCY

WHEREAS, this resolution authorizes the Mayor 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 Parma Heights, Ohio (herein “Municipality”) is a municipality 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

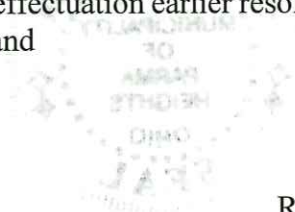
WHEREAS, the State of Ohio, through its Attorney General, and certain Local Governments, through their elected representatives and counsel, are separately engaged in litigation seeking to hold Opioid Pharmaceutical Companies accountable for the damage caused by their misfeasance, nonfeasance and malfeasance; 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 drafted and the City of Parma Heights 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, this Council understands that an additional purpose of the MOU is to create 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, this Council wishes to agree to the material terms of the proposed National Settlement Agreement with the Proposed Settlement.

NOW, THEREFORE, BE IT RESOLVED, Nunc Pro Tunc, by the City of Parma Heights, County of Cuyahoga, and State of Ohio:

Section 1. The Mayor is authorized, Nunc Pro Tunc, to execute the Proposed Settlement on behalf of the City of Parma Heights pursuant to the terms of the OneOhio MOU.

Section 2. This Council finds and determines that all formal action of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of the Council and of any of its Committees comprised of a majority of the members of the Council that resulted in those formal actions were in meetings open to the public, in compliance with the law.

Section 3. This Council declares the Resolution to be an emergency measure for the immediate preservation of the public health, peace and safety of this municipality and for the further reason that the final deadline for executing and returning the OneOhio Subdivision Participation Form is November 19, 2021 to ensure prompt pursuit of funds to assist in abating the opioid epidemic throughout Ohio; wherefore, it shall be in full force and effect immediately after its passage by Council and approval of the Mayor.

PASSED: NOV 22, 2021

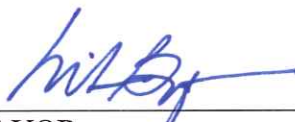


PRESIDENT OF COUNCIL
MARIE GALLO

ATTEST: 
CLERK OF COUNCIL
CHRISSY REASON

Nov 22, 2021
APPROVED

FILED WITH
THE MAYOR: NOV 22, 2021


MAYOR
MICHAEL BYRNE

