

**RESOLUTION NO.:** 2022-R23 (AMENDED APRIL 12, 2022)  
**SPONSOR:** MAYOR NEUGEBAUER  
**INTRODUCED:** MARCH 22, 2022 **ASSIGNED TO:** \_\_\_\_\_

**A RESOLUTION REQUESTING THE CITY OF GREEN TO RECEIVE ITS SHARE OF ONEOHIO OPIOID SETTLEMENT FUNDS THROUGH THE STATE OF OHIO, AND TO APPROVE THE SETTLEMENT AGREEMENT IN THE MULTIDISTRICT LITIGATION “IN RE: NATIONAL PRESCRIPTION OPIATE LITIGATION” , AND DECLARING AN EMERGENCY.**

WHEREAS, Ohio reached an Eight Hundred Eight Million Dollar (\$808,000,000) agreement with the three largest opioid distributors and has allocated a Settlement Agreement that will distribute thirty percent (30%) to local governments; and

WHEREAS, Ohio Rev. Code §5705.09(F) requires subdivisions to establish separate funds for each class of revenue derived from a source other than the general property tax, which the law requires to be used for a particular purpose. Additionally, Ohio Rev. Code §5705.10(I) states that money paid into a fund must be used only for the purposes for which such fund is established; and

WHEREAS, in 2016, Green City Council approved Resolution 2016-R47, established the Drug Task Force Fund (“Fund 212”) and the Drug Task Force for beneficial education and prevention initiatives to be promoted within the City; and

WHEREAS, under guidance issued, within the OneOhio Memorandum of Understanding (“MOU”), as describe in Exhibit “A”, directs these funds to be used to the Funds must be used for “evidence-based forward-looking strategies, programming and services used to (i) expand the availability of treatment for individuals affected by substance use disorders, (ii) develop, promote and provide evidence-based substance use prevention strategies, (iii) provide substance use avoidance and awareness education, (iv) decrease the oversupply of licit and illicit opioids, and (v) support recovery from addiction services performed by qualified and appropriately licensed; providers; and

WHEREAS, Green City Council is requesting its share of funds from the State of Ohio and wishes to authorize the Mayor to execute any required Application and/or Agreement for the OneOhio MOU; and

WHEREAS, pursuant to the State of Ohio guidelines, the City of Green will accept the local share of OneOhio Funds into the Drug Task Force Special Revenue Fund (Fund 212) to be used for the following:

1. Strategies for Community Recovery: Included but not limited to prevention, treatment, recovery support and community recovery projects (examples include child welfare, law enforcement strategies and other infrastructure supports). These strategies have a hyper-local focus that allows communities to collaborate and expand necessary services to their community.
2. Strategies for Statewide Innovation & Recovery: Included but not limited to strategies included in Community Recovery Component but also projects that promote statewide change and regional development for prevention, treatment,

recovery supports and community recovery (examples include regional treatment hubs, drug task forces, data collection and dissemination). This component also includes research and development to understand how to better serve individuals and families in Ohio.

3. Strategies for Sustainability: Ohio's addiction and mental health epidemic was not created overnight, and it will not go away immediately. By collaborating to share resources and knowledge, Ohio's state and local communities can build a sustainable financing strategy and infrastructure to reverse the damage that has been done and prevent future epidemics and crises; and

***WHEREAS, a settlement proposal is being presented to the "Ohio Settling Local Governments" to include the City of Green by Giant Eagle and other parties in the Northern District of Ohio in the multidistrict litigation styled "In re: National Prescription Opiate Litigation, MDL No. 2804", which proposed Settlement Agreement is attached hereto, and incorporated as if fully rewritten herein, as Exhibit "B"; and***

***WHEREAS, "Ohio Settling Governments" reached a Six Million Dollar (\$6,000,000.00) agreement with Giant Eagle and the other parties in the Northern District of Ohio in the matter of In re: National Prescription Opiate Litigation; and***

***WHEREAS, Green City Council understands that an additional purpose of the settlement proposed in the National Prescription Opiate Litigation is to create an effective means to distribute any potential settlement funds to local governments in a manner that would promote effective and meaningful use of funds in abating the opioid epidemic; and***

***WHEREAS, Green City Council desires to approve the Mayor to accept and agree to the material terms of the settlement agreement in the National Prescription Opiate Litigation.***

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GREEN, COUNTY OF SUMMIT AND STATE OF OHIO, THAT:**

**SECTION ONE:**

Green City Council affirms that all funds received from the State of Ohio for the OneOhio Opioid Settlement shall be expended on the required statutory eligible uses and continue to support the prevention, treatment, recovery support and community recovery projects.

**SECTION TWO:**

Green City Council authorizes the Mayor to participate in the OneOhio Opioid Settlement.

**SECTION THREE:**

***Green City Council authorizes the Mayor to participate in the Settlement Agreement with the National Prescription Opiate Litigation.***

**SECTION FOUR ~~THREE~~:**

In compliance with Program guidelines, Green City Council authorizes the Finance Director take all necessary action to utilize the City of Green's Special Revenue Fund titled Drug Task Force Fund (Fund #212) for receipt of the OneOhio Opioid grant proceeds.

**SECTION FIVE ~~FOUR~~:**

Green City Council gives authority to the Finance Director to appropriate funds from the unappropriated fund balance of the fund pertaining to this legislative order and expend those funds necessary to fulfill the requirements set forth upon passage of this legislation.

**SECTION SIX ~~FIVE~~:**

*Green City Council gives authority to the Finance Director to take all necessary action to utilize the City of Green's Special Revenue Fund titled Drug Task Force Fund (Fund#212) for receipt of the National Prescription Opiate Legislation funds.*

**SECTION SEVEN ~~SIX~~:**

The City of Green finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in open meeting of this Council and any deliberations of this City and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

**SECTION EIGHT ~~SIX~~:**

Green City Council declares this to be an emergency immediately necessary for the preservation of the public peace, health, safety, and welfare of the citizens of Green. Provided that this legislation receives the affirmative vote of three-fourths ( $\frac{3}{4}$  ths) of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest time allowed by law.

ADOPTED: \_\_\_\_\_, 2022

\_\_\_\_\_  
Nichole Messner, Clerk of Council

\_\_\_\_\_  
Dave France, Council President

APPROVED: \_\_\_\_\_, 2022

\_\_\_\_\_  
Gerard M. Neugebauer, Mayor

ENACTED EFFECTIVE: \_\_\_\_\_, 2022

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**Resolution 2022-R23 (AMENDED APRIL 12, 2022)**

ON ROLL CALL:   Babbitt \_\_\_\_\_ Brandenburg \_\_\_\_\_ DeVitis \_\_\_\_\_ France \_\_\_\_\_  
                          Noble \_\_\_\_\_ Meager \_\_\_\_\_           Yeargin \_\_\_\_\_

*Southside Leader* publication on \_\_\_\_\_ and \_\_\_\_\_

\_\_\_\_\_  
Nichole Messner, Clerk of Council

~~04/07/2022~~ ~~03/17/2022~~ Approved as to form and content by Lisa Carey Dean, Director of Law \_\_\_\_\_