

RESOLUTION NO. 2555

A RESOLUTION APPROVING PARTICIPATION AS A LOCAL GOVERNMENT RECIPIENT OF THE NATIONAL PRESCRIPTION OPIATE LITIGATION SETTLEMENT, AND RELATED MATTERS.

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. That the opioid epidemic that has cost thousands of human lives across the country also impacts Multnomah County by adversely impacting the delivery of emergency medical, law enforcement, criminal justice, mental health and substance abuse services, and other services to the citizens of Troutdale.
2. That the State of Oregon and Multnomah County have been required, and will continue to be required, to allocate substantial taxpayer dollars, resources, staff energy and time to address the damage the opioid epidemic has caused and continues to cause Oregon citizens.
3. That more than 3,000 cases of Opioid litigation have been brought by states and local political subdivisions against the largest pharmaceutical manufacturers and distributors. The National Prescription Opioid Litigation was consolidated into one Ohio federal court, and the first two of many Settlements has been reached to resolve the liability of three distributors and one manufacturer are involved in the first two settlements.
4. That participation in the settlements will provide substantial funds to states and political subdivisions for abatement of the Opioids epidemic across the country and will impose transformative changes in the way the settling defendants conduct their business in response to the threat to public health and safety and the significant ongoing negative economic impact of the Opioids epidemic.
5. That the structure of the proposed national settlements provides greater resources the greater the number of states and their political subdivisions that chose to participate in the settlement agreements, and that local governments shall participate with and through their state government.

6. That the proposed national settlements require local government political subdivisions to elect to participate in the settlement agreements by January 2, 2022.

7. That the State and Cities are required to enter into an agreement to allocate and distribute funds within the state, or else be bound by a court imposed distribution scheme that is not as advantageous to the City as the Proposed Oregon agreement.

8. That the City desires to enter into the necessary and sufficient agreements to participate as a recipient local government in the National Prescription Opiate Litigation settlements, and that doing so is in the best interest of the City, County and State.

9. That ORS 190.110 provides the authority for units of local governments to enter into Intergovernmental Agreements (IGA) for the performance of any or all functions and activities that a party to the agreement, its officers, or agents may have the authority to perform.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TROUTDALE:

Section 1. That the City of Troutdale hereby agrees that for purposes of the Multi-district Litigation MDL 2804 Case No. 1:17-md-2804 *In Re: National Prescription Opiate Litigation* against pharmaceutical opioid manufacturers and distributors defendants, and to participate in the National Opioid Settlement as a recipient local government.

Section 2. That the City Council authorizes and directs the City Manager, Ray Young, and Finance Director, Erich Mueller (each an "Authorized Officer") to execute on behalf of the City of Troutdale any recipient, subrecipient or settlement agreements with either or both the National Opioid Litigation defendants and the State of Oregon and participating Oregon cities and counties to carry out the National Opioid Litigation Settlement(s), and without further action by the City Council each Authorized Officer is hereby authorized, empowered and directed to execute any and all other required and necessary documents to implement the intent of the settlement participant agreements, and this Resolution.

Section 3. That further, consistent with intent of the agreements, and in the best interest of the City, the Authorized Officer is authorized to determine, execute, acknowledge and deliver any subsequent changes, addendums, certificates, exhibits, representations, extensions, revisions, modification, or successor documents of any

agreements, or any other instrument and without further action by the City Council, and the execution thereof by any such Authorized Officer shall be conclusive as to such determination.

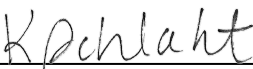
Section 4. That the Finance Director is authorized and directed to disburse funds, subject to annual appropriations, as necessary to fulfill the intent of this resolution and the agreements and is further directed to implement all such actions necessary to ensure budgetary compliance.

Section 5. This Resolution shall take effect immediately upon adoption.

YEAS: 6
NAYS: 0
ABSTAINED: 1 Councilor Glantz



Randy Lauer, Mayor
Date: December 15, 2021



Kenda Schlaht, Deputy City Recorder
Adopted: December 14, 2021