

RESOLUTION 2021-29

A RESOLUTION TO ACCEPT THE MATERIAL TERMS OF THE JOHNSON & JOHNSON NATIONAL OPIOID SETTLEMENT AND AUTHORIZING THE CITY MANAGER TO EXECUTE A RELATED PARTICIPATION AGREEMENT AND DECLARING AN EMERGENCY

AN EMERGENCY RESOLUTION AUTHORIZING the City Manager to execute the Participation Agreement for the Johnson & Johnson National Opioid Settlement.

WHEREAS, the City of Mason, 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 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 a settlement proposal is being presented to the State of Ohio and Local Governments by certain distributors to resolve governmental entity claims in the State of Ohio; and

WHEREAS, Mason City Council wishes to agree to the material terms of the proposed Johnson & Johnson National Opioid Settlement.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MASON, OHIO, seven members elected thereto concurring.

Section 1. That the City Manager of the City of Mason is authorized to accept the Proposed Settlement on behalf of the City of Mason, pursuant to the terms of the Participation Agreement.

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 action, 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 preservation of the public peace, health, welfare and safety of the City of Mason and shall

be effective immediately upon its adoption. The reason for the emergency is to ensure prompt pursuit of funds to assist in abating the opioid epidemic throughout Ohio.

Passed December 13, 2021.

Attest:

Clerk of Council

Mayor

3149845.1