

NOTICE OF SPECIAL MEETING
OF THE
CITY COUNCIL

Mr. Phillips, Mr. Rozell, Mr. Schilling, Mr. Schweser, Mr. Severt,
Mrs. Snee, Mr. Terwilliger, Mr. Twiss, Mr. Whidden, Mr. Lutz

You are hereby notified that there will be a special meeting of the City Council of The City of Troy, Ohio, at the Council Chamber in said city, on MONDAY the 9th day of August, 2021 at 5:30 PM. for the purpose of considering Resolution No. R-30-2021, authorizing executing settlement agreement documents related to Opioid Litigation

This meeting is called by Council President Lutz pursuant to Rule XXV of the Troy City Council Rules for procedure.

Signed by us as duly elected and qualified members of the City Council of the City of Troy, Ohio, this _____ day of August, 2021.

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AGENDA, TROY CITY COUNCIL
SPECIAL MEETING
MONDAY, AUGUST 9, 2021, 5:30 PM

ROLL CALL

(by motion, second, roll call vote)

READING AND ACKNOWLEDGEMENT OF NOTICE OF SPECIAL MEETING OF TROY CITY COUNCIL

ANY DISCUSSION REGARDING RESOLUTION NO. R-30-2021

R-30-2021 Participate in Settlement Agreement Regarding Opioid Litigation EMERGENCY 1st Reading

ADJOURN

NOTE: Committee meetings may take place prior to or following Council meeting

MEMORANDUM

TO: Mr. Lutz, President of Council
Members of Council

FROM: Patrick E. J. Titterington, Director of Public Service and Safety



DATE: August 4, 2021

SUBJECT: ACCEPTING OPIOID SETTLEMENT AGREEMENT – SPECIAL MEETING OF COUNCIL

RECOMMENDATION:

That a Special Meeting of Council be scheduled for the purpose of authorizing the Director of Public Service and Safety to execute settlement agreement documents related to the opioid litigation settlement, and that such authorization be by emergency legislation.

BACKGROUND

Early in 2020 Council enacted legislation authorizing Troy to participate in litigation by the State and local governments seeking to hold Pharmaceutical Supply Chain Participants accountable for damages related to those participants that are or have engaged in the manufacture, marketing, promotion, distribution or dispensing of an opioid analgesic. That legislation also authorized the City participating in a Memorandum of Understanding (MOU) setting forth the distribution of any potential settlement funds. Participants in the litigation have been advised that the four major defendants announced agreement on the terms of settlement to resolve the litigation. These settlements, if agreed and adopted, will provide substantial funds to states and subdivisions for abatement of the opioids epidemic across the country and will impose transformative changes in the way the settling defendants conduct their business.

We are recommending that Council enacts legislation that would authorize execution of any settlement agreement documents. A deadline of August 13 has been established for participants to execute and return the settlement documents. As this date is prior to the August 16 regular meeting of Council, a Special Meeting would be the only method of meeting the deadline.

REQUESTED ACTION:

That a Special Meeting of Troy City Council be set for Council to consider enacting emergency legislation to accept the terms of the settlement of the opioid litigation and authorize the Director of Public Service and Safety to execute any related documents.



RESOLUTION No. R-30-2021

Dayem Legal Blank, Inc.

A RESOLUTION AUTHORIZING RECOMMENDATION TO ACCEPT THE ONEOHIO OPIOID SETTLEMENT AND ENTER INTO THE PARTICIPATION AGREEMENT WITH OPIOID DISTRIBUTORS AMERISOURCEBERGEN, MCKESSON, AND CARDINAL HEALTH, AND DECLARING AN EMERGENCY

WHEREAS, opioid distributors AmerisourceBergen, McKesson and Cardinal Health ("the Distributors") have proposed a joint settlement ("the Settlement") to the State of Ohio and its political subdivisions pertaining to the Distributors' share of the distribution of opioids that was a significant cause of the national opioid crisis that lead to mass addiction and overdose deaths that affected both the State of Ohio and the City of Troy; and

WHEREAS, under the Settlement, the Distributors will pay up to \$829,000,000 to the State of Ohio and its political subdivisions over 18 years, with most of the money received being restricted in use and earmarked for abatement of the opioid epidemic; and

WHEREAS, the Ohio Attorney General has recommended the political subdivisions of the State of Ohio accept the Settlement; and

WHEREAS, the Law Director and the Director of Public Service and Safety recommend that Council vote to accept the Settlement and enter into the Participation Agreement ("the Agreement") with the Distributors as described and incorporated by reference herein.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Troy, Ohio as follows:

SECTION I: That the Council of the City of Troy, Ohio hereby accepts the recommendation of the Law Director and the Director of Public Service and Safety, and authorizes approval of the Settlement and execution of the Participation Agreement on behalf of the City on or before the Settlement deadline currently set for August 13, 2021.

SECTION II: That the Law Director and the Director of Public Service and Safety recommend that City Council authorize settlement of any potential claims against the Distributors pursuant to the terms set forth in the Settlement summary.

SECTION III: That this Council hereby authorizes and directs the Director of Public Service and Safety of the City of Troy, Ohio to enter into the Participation Agreement on behalf of the City on or before any Settlement deadline.

SECTION IV: That the Director of Public Service and Safety of the City of Troy, Ohio, is hereby authorized to take all steps necessary to resolve these matters in accordance with the terms of the Settlement and Agreement.

SECTION V: That this Resolution is an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the City of Troy, Ohio, and for the further reason that the Participation Agreement must be executed by the Settlement deadline, which has been set for August 13, 2021, NOW, WHEREFORE, this Resolution shall be effective immediately upon its adoption and approval by the Mayor.

Adopted: _____
President of Council

Approved: _____

Attest: _____
Clerk of Council Mayor