

City of St. Helens
RESOLUTION NO. 1945

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

WHEREAS, the opioid epidemic that has cost thousands of human lives across the country also impacts Columbia 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 St. Helens; and

WHEREAS, the State of Oregon and Columbia 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; and

WHEREAS, more than 3,000 cases of opioid litigation have been brought by states and local political subdivisions against the largest pharmaceutical manufacturers and distributors; and

WHEREAS, 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; and

WHEREAS, 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; and

WHEREAS, the structure of the proposed national settlements provides greater resources the greater the number of states and their political subdivisions that choose to participate in the settlement agreements, and that local governments shall participate with and through their state government; and

WHEREAS, the proposed national settlements require local government political subdivisions to elect to participate in the settlement agreements by January 2, 2022; and

WHEREAS, 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; and

WHEREAS, the City of St. Helens 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 of St. Helens, Columbia County, and the State of Oregon; and

WHEREAS, 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, THE CITY OF ST. HELENS RESOLVES AS FOLLOWS:

Section 1. The City of St. Helens 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, to participate in the National Opioid Settlement as a recipient local government.

Section 2. The City Council authorizes and directs the City Administrator, and Finance Director, and City Attorney (each an "Authorized Officer") to execute on behalf of the City of St. Helens 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. 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. 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 becomes effective immediately upon its adoption.

Approved and adopted by the City Council on December 15, 2021, by the following vote:

Ayes: Morten, Topaz, Chilton, Birkle, Scholl

Nays: None



Rick Scholl, Mayor

ATTEST:



Kathy Payne, City Recorder