

ORDINANCE NO. 2021-087

AN ORDINANCE 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 Kent; 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 City Manager 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 ORDAINED by the Council of the City of Kent, Portage County, Ohio, that:

SECTION 1: Council hereby accepts the recommendation of the City Manager and the Law Director and authorizes approval of the Settlement and execution of the Agreement on behalf of the City.

SECTION 2: The City Manager and the Law Director recommend that City Council authorize settlement of any potential claims against the Distributors pursuant to the terms set forth in the Settlement summary.

SECTION 3: The Kent Council hereby directs the Law Director to enter into the Agreement on behalf of the City on or before any Settlement deadline.

SECTION 4: The Law Director is hereby authorized to take all steps necessary to resolve these matters in accordance with the terms of the Settlement and Agreement.

SECTION 5. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 6. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of this City, for which reason and other reasons manifest to this Council this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after

passage.

PASSED: August 18, 2021
Date

EFFECTIVE: August 18, 2021
Date

ATTEST: Amy Wilkens
Amy Wilkens
Clerk of Council

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Jerry T. Fiala
Mayor and President of Council

I, AMY WILKENS, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF ORDINANCE No. 2021-087, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON August 18, 2021.

(SEAL)

Amy Wilkens
AMY WILKENS
CLERK OF COUNCIL
(SEAL)