

RESOLUTION R-2020-3

A RESOLUTION TO AUTHORIZE AGREEMENT TO THE ONE OHIO MEMORANDUM OF UNDERSTANDING PERTAINING TO THE PENDING OPIOID LITIGATION SETTLEMENT FUNDS AND DECLARING AN EMERGENCY.

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, the State and its Local Governments, subject to completing formal documents effectuating the Parties Agreements, have drafted a One Ohio Memorandum of Understanding (“MOU”) relating to the allocation and the use of the proceeds of any potential settlements described; and

WHEREAS, any resolution under the MOU will require acceptance by the State of Ohio and the Local Governments; and

WHEREAS, Council understands that the purpose of the MOU is to permit collaboration between the State of Ohio and Local Governments to explore and potentially effectuating earlier resolution of the Opioid Litigation against Opioid Pharmaceutical Supply Chain Participants; and

WHEREAS, Council understands that an additional purpose is to create an effective means of distributing any potential settlement funds obtained under the MOU between the State of Ohio and Local Governments in a manner and means that would promote an effective and meaningful use of the funds in abating the opioid epidemic throughout Ohio; and

WHEREAS, Council wishes to agree to the non-binding Memorandum of Understanding.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Windham, County of Portage, State of Ohio, two thirds or more of its members thereto concurring that:

SECTION 1. That the Mayor and the Fiscal Officer are authorized to accept and execute the One Ohio Memorandum of Understanding on behalf of the Village of Windham.

SECTION 2. 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 the deliberations of the 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 including Section 121.22 of the Revised Code of the State of Ohio.

SECTION 3. This Resolution is hereby declared to be an emergency measure necessary to preserve the public health, safety, morals and general welfare of the inhabitants of the Village and for the further reason that it is essential that the Village Council authorize the One Ohio memorandum of Understanding before the deadline of March 6, 2020 for which reason this Resolution shall go into full force and effect immediately upon its passage by two-thirds (2/3's) of the members of Council.

First Read February 25, 2020

Passed on Second Reading this 3rd day of March, 2020.

Vote of Council: Ayes: 6

 Nays: 0



Mayor, Scott Garrett

ATTEST:



Cheree Taylor, Fiscal Officer

Approved as to Form:



Thomas Reitz, Solicitor