

RECORD OF ORDINANCES

Resolution
Ordinance No. 2020-33Passed May 6, 2020

SPONSOR: FINANCE COMMITTEE

A RESOLUTION AUTHORIZING THE VILLAGE LAW DIRECTOR TO ACCEPT THE ONE OHIO MEMORANDUM OF UNDERSTANDING REGARDING THE PURSUIT AND USE OF POTENTIAL OPIOID LITIGATION SETTLEMENT FUNDS, AND DECLARING AN EMERGENCY

WHEREAS, the Village of Mogadore, Ohio is a chartered municipal entity 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, 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, the MOU has been collaboratively drafted to maintain all individual claims while allowing the State and Local Governments to cooperate in exploring all possible means of resolution; and,

WHEREAS, nothing in the MOU binds any party to a specific outcome; 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,

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

NOW THEREFORE, BE IT RESOLVED by the Council of the Village of Mogadore, Counties of Summit and Portage, State of Ohio that:

Section 1. That the Village Law Director is authorized to accept, on behalf of the Village of Mogadore, the One Ohio Memorandum of Understanding, in a form substantially similar to the document attached hereto as Exhibit "A."

Section 2. That it is found and determined that all formal actions of the Council relating to the adoption of this resolution were taken in a duly noticed virtual, open meeting of this Board and that all deliberations which resulted in formal action were taken in meeting(s) open to the public, in full compliance with all applicable legal requirements including Section 121.22 of the Ohio Revised Code and HB 197 during the state declared COVID-19 emergency.

Section 3: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety of the Village of Mogadore. The reason for the emergency is to ensure prompt pursuit of funds to assist in abating the opioid epidemic throughout Ohio.

Michael Paddish 5-06-20

President of Council

Date

[Signature]

5-7-20

Mayor

Date

Attest:

[Signature]
Clerk - Treasurer