

RECORD OF ORDINANCES

Ordinance No. 2024-49

Passed JULY 2, 2024

SPONSOR: SAFETY COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AND DELIVER A SUBDIVISION PARTICIPATION AND RELEASE FORM TO SETTLE THE VILLAGE'S CLAIMS AND PARTICIPATE IN A SETTLEMENT AGREEMENT AGAINST KROGER CO. IN THE NATIONAL OPIATE PRESCRIPTION LITIGATION, AND DECLARING AN EMERGENCY.

WHEREAS, the Village is a Plaintiff in the ongoing litigation known as the National Opiate Prescription Litigation, MDL No. 2804, in the United States District Court, Northern District of Ohio; and

WHEREAS, on behalf of all Plaintiffs in the aforementioned litigation, the Plaintiff's Executive Committee has reached a settlement agreement with Kroger Co. whereby it must pay the sum of \$1.2 billion to participating political subdivisions to remediate and abate the impacts of the opioid crisis over an eleven-year period; and

WHEREAS, to participate in the aforementioned settlement, the Village must submit a Subdivision Participation and Release Form; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the Village of Mogadore to authorize the Mayor to execute and deliver the Subdivision Participation and Release Form to participate in the aforementioned settlement.

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

SECTION 1: The Mayor is hereby authorized to execute and deliver a Subdivision Participation and Release Form to settle the Village's claims and participate in a settlement agreement against Kroger Co. in the National Opiate Prescription Litigation, MDL No. 2804, in the United States District Court, Northern District of Ohio. The Mayor, Law Director and Clerk-Treasurer are hereby further authorized to take all actions and execute all documents necessary to effectuate said settlement.

SECTION 2: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in open meetings of this Council and any deliberations of this Council and any of its committees that resulted in this formal action were in meetings open to the public, in compliance with all legal requirements.

SECTION 3: This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the residents of the Village of Mogadore and for the purpose of immediately executing and delivering the Subdivision Participation and Release Form in a timely manner before the same is due, and, provided this Resolution receives the affirmative vote of at least five (5) members elected or appointed to this Council, it shall take effect and be in force

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upon its passage by Council and approval by the Mayor, otherwise it shall take effect and be in force at the earliest period allowed by law.

Michael Raddish 7-2-24

President of Council

Date

Michael C. Pugh 7-2-24

Mayor

Date

Attest:

SAV
Clerk-Treasurer