

**ITEM 7 ATTACHMENT
RESOLUTION NO. 2021-1762**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA APPROVING PARTICIPATION IN NATIONAL OPIOID SETTLEMENT AGREEMENT AND AUTHORIZING THE CITY ATTORNEY AND/OR CITY MANAGER TO EXECUTE THE RELATED PARTICIPATION AGREEMENT.

WHEREAS, a settlement has been reached in multi-district litigation in Ohio brought by states and cities against the three largest opioid distributors—McKesson, Cardinal Health and Amerisource Bergen — and the opioid manufacturer Janssen (owned by Johnson & Johnson); and

WHEREAS, the proposed settlement (Settlement) consists of an agreement with the opioid distributors and an agreement with Janssen; and

WHEREAS, under the terms of the Settlement \$21 billion will be paid by the opioid distributors over an 18-year period and Janssen will pay \$5 billion over a 7-year period to states, cities, and counties; and

WHEREAS, under the terms of Settlement, California is scheduled to receive approximately somewhere between \$2.269 and \$2.34 billion, some of which will be distributed to cities and counties; and

WHEREAS, although the City is not a litigating entity involved in this litigation it may opt-in and receive the benefits of the Settlement in exchange for releasing its claims against the opioid distributors and Janssen; and

WHEREAS, the more cities with populations greater than 10,000 people, such as the City, which opt-in to the agreement will enable their respective counties and states to receive more funds under the incentive structure of the Settlement; and

WHEREAS, opting-in to the settlement will enable to the City receive funds from the Settlement, which can be used to treat opioid use disorder and for other purposes; and

WHEREAS, the City wishes to agree to the material terms of the proposed Settlement; and

WHEREAS, jurisdictions must opt-in to the Settlement before January 2, 2022.

NOW, THEREFORE, the City Council of the City of Calabasas does hereby find and order that:

SECTION 1. Recitals:

The City Council finds that all the facts, findings, and conclusions set forth above in this Resolution are true and correct.

SECTION 2. Approval of Participation in National Opioid Settlement:

The City Council finds that the City Attorney and/or the City Manager is authorized to accept the proposed settlements with the opioid distributors and with Janssen on behalf of the City of Calabasas.

SECTION 3. Severability Clause:

Should any section, clause, or provision of this Resolution be declared by the Courts to be invalid, the same shall not affect the validity of the Resolution as a whole, or parts thereof, other than the part so declared to be invalid.

SECTION 4. Certification:

The City Clerk shall certify to the passage and adoption of this Resolution and shall cause the same to be published or posted according to law.

PASSED, APPROVED AND ADOPTED this 10th day of November 2021.

James R. Bozajian, Mayor

ATTEST:

APPROVED AS TO FORM:

Maricela Hernandez, City Clerk
Master Municipal Clerk
California Professional Municipal Clerk

Matthew T. Summers
Colantuono, Highsmith & Whatley, PC
City Attorney