

THE CITY COUNCIL OF NORTH ROYALTON, OHIO

RESOLUTION NO. 20-51

INTRODUCED BY: Mayor Antoskiewicz
Co-Sponsor: Langshaw, Marnecheck

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE “ONE OHIO” MEMORANDUM OF UNDERSTANDING FOR PARTICIPATION THEREIN WITH THE STATE OF OHIO TO NEGOTIATE A RESOLUTION TO THE PENDING LITIGATION INVOLVING THE “OPIOID” LAWSUIT AND DECLARING AN EMERGENCY

WHEREAS: The City of North Royalton, Ohio (herein “Municipality”) is a municipal corporation formed and organized pursuant to the Constitution and laws of the State of Ohio and the Charter of the City of North Royalton; and

WHEREAS: The people of the State of Ohio and its communities have been significantly 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: The MOU does not bind 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 effect an early 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 and authorize the Mayor to execute the non-binding Memorandum of Understanding.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. The Mayor, on behalf of the City of North Royalton, is authorized to execute the “One Ohio” Memorandum of Understanding, a copy of which is on file with the office of the Director of Legislative Services and is incorporated by reference herein.

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council and that all deliberations of this 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.

Section 3. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the city, and for the further reason that it is immediately necessary to execute this Memorandum of Understanding to allow for participation with the State in this effort.

THEREFORE, provided this Resolution receives the affirmative vote of a majority of all members, it shall take effect and be in force from and after the earliest period allowed by law.

/s/ Paul F. Marnecheck
PRESIDENT OF COUNCIL

APPROVED: /s/ Larry Antoskiewicz
MAYOR

DATE PASSED: March 3, 2020

DATE APPROVED: March 4, 2020

ATTEST: /s/ Dana A. Schroeder
DIRECTOR OF LEGISLATIVE SERVICES

First reading suspended
Second reading suspended
Third reading March 3, 2020

YEAS: Marnecheck, Fenos, Barath, Langshaw
Dietrich, Weimer, Wos

NAYS: none