

RESOLUTION NO. 2021-_____

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF MERCED, CALIFORNIA, OPTING
TO PARTICIPATE IN THE NATIONAL OPIOID
SETTLEMENT(S) AND AUTHORIZING THE
CITY MANAGER TO EXECUTE THE
NECESSARY SETTLEMENT AGREEMENTS**

WHEREAS, the City of Merced (“City”) is interested in participating in the National Opioid Settlement(s). The proposed \$26 billion settlement will help bring desperately needed relief to people in California and across the country who are struggling with opioid addiction;

WHEREAS, the proposed settlement includes two separate settlements; one with the nation’s three major pharmaceutical distributors, Cardinal Health Inc., McKesson Corp, and AmerisourceBergen Corporation, and the second with Johnson & Johnson and Janssen Pharmaceuticals, Inc, a company that manufactured and marketed opioids. The settlements would resolve any and all litigation over the companies’ roles in creating and fueling the opioid epidemic;

WHEREAS, the proposed settlement(s) require significant industry changes that will help prevent this type of crisis from ever happening again. State negotiations were led by the attorneys general of various states across the nation; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MERCED DOES HEREBY RESOLVE, DETERMINE, FIND, AND ORDER AS FOLLOWS:

SECTION 1. The City Manager or designated representative is hereby authorized, on behalf of the City, to opt-in and participate in the National Opioid Settlement(s).

SECTION 2. The City Manager or designated representative is hereby authorized, on behalf of the City, to execute any and all documents necessary to opt-in to and participate in the National Opioid Settlement(s), including but not limited to the California State-Subdivision Agreement Regarding Distribution and Use of Settlement Funds – Distributor Settlement and California State-Subdivision Agreement Regarding Distribution and Use of Settlement Funds – Janssen Settlement and the related Settlement Participation Form for each such settlement.

SECTION 3. The City Manager or designated representative is hereby authorized, on behalf of the City, to execute and to submit all documents, including, without limitation, contracts, amendments, extensions and payment requests as appropriate to accept the funds under and comply with the conditions of the proposed settlement.

SECTION 4. The City Manager or designated representative is hereby authorized and directed to establish all required accounts and make any and all expenditures, appropriations, transfers and/or distributions of funds on behalf of the City as are necessary and appropriate to carry out the purpose and intent of this Resolution.

PASSED AND ADOPTED by the City Council of the City of Merced at a regular meeting held on the ____ day of _____ 2021, by the following vote:

AYES: Council Members:

NOES: Council Members:

ABSENT: Council Members:

ABSTAIN: Council Members:

APPROVED:

Mayor

