

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA
APPROVING PARTICIPATION IN NATIONAL OPIOID
SETTLEMENT AGREEMENTS AND AUTHORIZING THE CITY
MANAGER TO EXECUTE THE RELATED PARTICIPATION
AGREEMENTS AND ANY OTHER NECESSARY DOCUMENT(S)**

BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, a settlement was reached in multi-district litigation originating in Ohio, brought by states and cities against three opioid distributors—McKesson, Cardinal Health, and Amerisource Bergen—and opioid manufacturer Janssen; and

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

WHEREAS, the opioid distributors have offered \$21 billion to be paid over an 18-year period and Janssen has offered \$5 billion over a 7-year period to settle the opioid litigation; and

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

WHEREAS, the City is eligible to participate in the Settlement and may receive payments in exchange for releasing its claims against the opioid distributors and Janssen; and

WHEREAS, participating in the settlement will enable the City to receive funds that may be used to treat opioid use and disorder; and

WHEREAS, the City desires to participate in the Settlement and authorize the City Manager to execute the attached agreements and any other document(s) necessary to receive settlement funds; and

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

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the City Council finds that all facts, findings, and conclusions set forth above are true and correct.

2. That the City Council finds that the City Manager or designee is authorized to execute the attached Settlement agreements and any other document(s) necessary to participate in the proposed settlement deal with the opioid distributors and with Janssen on behalf of the City of Santa Clara.

3. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE ___ DAY OF _____, 2021, BY THE FOLLOWING VOTE:

AYES:	COUNCILORS:
NOES:	COUNCILORS:
ABSENT:	COUNCILORS:
ABSTAINED:	COUNCILORS:

ATTEST: _____
NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

- Attachments incorporated by reference:
1. Distributor Settlement Participation Form
 2. Janssen Settlement Participation Form
 3. Proposed Distributor Settlement Agreement
 4. Proposed Janssen Settlement Agreement
 5. California Subdivision Agreement – Distributors
 6. California Subdivision Agreement – Janssen