

**CITY OF BASTROP**

**RESOLUTION NO. R-2024-183**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, AUTHORIZING PARTICIPATION WITH THE STATE OF TEXAS, THROUGH THE OFFICE OF THE ATTORNEY GENERAL, IN THE LATEST GLOBAL OPIOID SETTLEMENT WITH KROGER AND APPROVING SETTLEMENT PARTICIPATION FORM SUBMISSION TO ATTORNEY GENERAL'S OFFICE; AUTHORIZING THE CITY MANAGER TO EXECUTE ALL RELATED DOCUMENTS**

**WHEREAS,** the City Council of the City of Bastrop obtained information indicating that drug retailers, along with certain drug companies, corporate affiliates, parents, subsidiaries, and such other defendants as may be added to the litigation (collectively, "Defendants") engaged in fraudulent and/or reckless marketing and/or distribution of opioids that have resulted in addictions and overdoses; and

**WHEREAS,** these actions, conduct, and misconduct have resulted in significant financial costs to the City of Bastrop (the "City"); and

**WHEREAS,** on May 13, 2020, the State of Texas, through the Office of the Attorney General, and a negotiation group for Texas political subdivisions entered into an Agreement entitled Texas Opioid Abatement Fund Council and Settlement Allocation Term Sheet (hereafter, the Texas Term Sheet) approving the allocation of any and all opioid settlement funds within the State of Texas; and

**WHEREAS,** on November 9, 2021, the City approved the Texas Term Sheet via Resolution No. R-2021-105; and

**WHEREAS,** Counsel and the State of Texas have recommended that the City Council of the City support the approval and submission of the latest settlement participation form pertaining to Kroger (grocery stores and pharmacies). The form is attached hereto as Exhibit A.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS THAT:**

**SECTION 1.** The City supports the approval and submission of the latest settlement participation form pertaining to Kroger.

**SECTION 2.** There is a substantial need for repayment of opioid-related expenditures and payment to abate opioid-related harms in and about the City.

**SECTION 3.** The City supports and reaffirms the allocation method for opioid settlement proceeds as set forth in the STATE OF TEXAS AND TEXAS POLITICAL SUBDIVISIONS’ OPIOID ABATEMENT FUND COUNCIL AND SETTLEMENT ALLOCATION TERM SHEET.

**SECTION 4.** The City understands that the purpose of this participation form and the Texas Term Sheet is to permit collaboration between the State of Texas and Political Subdivisions to explore and potentially effectuate resolution of the Opioid Litigation against Pharmaceutical Supply Chain Participants as defined therein.

**SECTION 5.** The City also understands that an additional purpose is to create an effective means of distributing any potential settlement funds obtained under this Texas Term Sheet between the State of Texas and Political Subdivisions in a manner and means that would promote an effective and meaningful use of the funds in abating the opioid epidemic in this City and throughout Texas.

**SECTION 6.** The City Manager is hereby authorized to execute and submit all necessary related documents.

**SECTION 7.** This Resolution shall become effective immediately from and after its passage.

**DULY RESOLVED AND ADOPTED** by the City Council of the City of Bastrop this the 10<sup>th</sup> day of DECEMBER 2024.

**CITY OF BASTROP, TEXAS**

\_\_\_\_\_  
Lyle Nelson, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Irma G. Parker, City Secretary

\_\_\_\_\_  
Alan Bojorquez, City Attorney

**EXHIBIT A**

[Attach here settlement participation form pertaining to Kroger]