

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS AUTHORIZING PARTICIPATION WITH THE STATE OF TEXAS, THROUGH THE OFFICE OF THE ATTORNEY GENERAL, IN RESOLVING OPIOID-RELATED CLAIMS AGAINST KROGER UNDER THE TERMS AND CONDITIONS SET FORTH IN THE KROGER TEXAS STATE-WIDE OPIOID SETTLEMENT AGREEMENT; AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS IN CONNECTION WITH THE SAME; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City of Burleson, Texas (the “City”), is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, on November 8, 2021, the City adopted a resolution approving the Texas Term Sheet and Allocation Schedule regarding the Global Opioid Settlement through the Office of the Attorney General; and

WHEREAS, the City received notice that the Office of the Attorney General has now reached a settlement with the retailer Kroger; and

WHEREAS, the City can participate in this settlement by adopting the Texas Subdivision and Special District Election and Release Form attached hereto as Exhibit “A” and incorporated herein by reference for all purposes (the “Release Form”); and

WHEREAS, Special Counsel and the State of Texas have recommended that the City Council of the City of Burleson support the adoption and approval the Texas Term Sheet in its entirety; and

WHEREAS, the City Council of the City of Burleson, Texas (i) finds there is a substantial need for repayment of opioid-related expenditures and payment to abate opioid-related harms in and about the City of Burleson, (ii) supports the addition of Kroger to those previously adopted; (iii) supports the adoption and approval the Release Form finds it to be in the public interest to approve such settlement.

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

Section 1

The City Manager is hereby authorized on behalf of the City to execute the Release Form.

Section 2

The City Secretary is hereby directed to return a copy of the executed Release Form to the Office of the Attorney General by electronic-mail through the email address opioids@oag.texas.gov.

Section 3

This resolution shall become effective immediately upon passage.

PASSED AND SO RESOLVED by the City Council of the City of Burleson, Texas, this _____ day of _____, 20____.

Chris Fletcher, Mayor
City of Burleson, Texas

ATTEST:

APPROVED AS TO LEGAL FORM:

Amanda Campos, City Secretary

E. Allen Taylor, Jr., City Attorney