

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS, AUTHORIZING PARTICIPATION IN A NEW NATIONAL OPIOID SETTLEMENT WITH CERTAIN REGIONAL PHARMACEUTICAL DISTRIBUTORS AND DISPENSERS (THE “SIX REMNANT DEFENDANTS”), IDENTIFIED AS CL-2025065; AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THE CITY’S PARTICIPATION, INCLUDING THE COMBINED SUBDIVISION PARTICIPATION AND RELEASE FORM; 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, a new national opioid settlement has been reached with six regional pharmaceutical distributors and dispensers, specifically Associated Pharmacies, Inc. (and American Associated Pharmacies), J M Smith Corporation, Louisiana Wholesale Drug Company, Inc., Morris and Dickson Co., L.L.C., North Carolina Mutual Wholesale Drug Company, Inc., and United Natural Foods, Inc. (including its subsidiaries), collectively referred to as the “Six Remnant Defendants”; and

WHEREAS, the settlement arises from the national opioid litigation styled In re: National Prescription Opiate Litigation, MDL No. 2804, pending in the United States District Court for the Northern District of Ohio; and

WHEREAS, the settlement provides for monetary payments to eligible participating local governmental entities for purposes of abating opioid-related harms, with funds to be used solely for approved opioid remediation strategies; and

WHEREAS, participation in the settlement requires the City to execute a Combined Subdivision Participation and Release Form, pursuant to which the City will elect to participate in the settlement and release certain claims against the Six Remnant Defendants; and

WHEREAS, the City Council finds that participation in this settlement is in the best interest of the City and its residents, as it will provide additional resources to address the impacts of the opioid epidemic; and

WHEREAS, additional opioid-related settlements may be presented in the future requiring timely action to preserve the City’s eligibility to receive settlement funds;

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

Section 1

The City hereby approves participation in the national opioid settlement with the Six Remnant Defendants, identified as CL-2025065. The City Manager, or designee, is hereby authorized to execute all documents necessary to effectuate the City's participation in the settlement, including but not limited to the Combined Subdivision Participation and Release Form, and any related agreements, certifications, or submissions required to receive settlement funds. The City Manager, or designee, is further authorized to take all actions necessary to implement and administer the City's participation in this settlement, including submission of required information through any designated settlement portal.

Section 2

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