

CITY OF DRIPPING SPRINGS

RESOLUTION NO. 2021-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DRIPPING SPRINGS, AUTHORIZING PARTICIPATION WITH THE STATE OF TEXAS, THROUGH THE OFFICE OF THE ATTORNEY GENERAL, IN THE GLOBAL OPIOID SETTLEMENT AND APPROVING THE TERM SHEET; AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE ALL NECESSARY RELATED DOCUMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Dripping Springs obtained information indicating that certain drug companies and their corporate affiliates, parents, subsidiaries, and such other defendants as may be added to the litigation (collectively, “Defendants”) have 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 financial costs to the City of Dripping Springs (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. The Texas Term Sheet is attached hereto as Exhibit “A”; and

WHEREAS, Counsel and the State of Texas have recommended that the City Council of the City of Dripping Springs support the adoption and approval the Texas Term Sheet in its entirety.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Dripping Springs, Texas, that:

1. The City supports the adoption and approval the Texas Term Sheet in its entirety.
2. There is a substantial need for repayment of opioid-related expenditures and payment to abate opioid-related harms in and about the City, Hays County, and the State of Texas.
3. The City supports in its entirety and hereby adopts 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, attached hereto as Exhibit A.

4. The City understands that the purpose of this 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.
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.
6. This Resolution shall become effective immediately from and after its passage.
7. The meeting at which this Resolution was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551.

PASSED AND APPROVED, this _____ day of _____ 2021, by a vote of ___ (ayes) to ___ (nays) to 0 (abstentions) of the City Council of the City of Dripping Springs, Texas.

The City of Dripping Springs:

Bill Foulds, Jr., Mayor

ATTEST:

Andrea Cunningham, City Secretary