



## LEGISLATIVE COVER MEMO

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**Introduction:** August 15, 2022

**Public Hearing:** September 19, 2022

**Effective Date:** October 19, 2022

**Agenda Item:** **Ordinance 2022-23**

AUTHORIZING THE ESTABLISHMENT OF THE “ONE OHIO OPIOID SETTLEMENT FUND” FOR THE PURPOSE OF TRACKING RECEIPTS AND LAWFUL EXPENDITURES IN COMPLIANCE WITH THE CODIFIED ORDINANCES OF THE CITY OF FRANKLIN, OHIO

**Submitted by:** Amy Miller, Interim Finance Director

**Scope/Description:** This governmental fund is necessary to track monies received from One Ohio Settlement proceeds and track the lawful expenditures according to the One Ohio Memorandum of Understanding.

**Vote Required for Passage:** At least four (4) members of the Council elected thereto concurring.

**Exhibits:** None.

**Recommendation:** Approval

CITY OF FRANKLIN, OHIO  
ORDINANCE 2022-23

**AUTHORIZING THE ESTABLISHMENT OF THE “ONE OHIO OPIOID SETTLEMENT FUND” FOR THE PURPOSE OF TRACKING RECEIPTS AND LAWFUL EXPENDITURES OF THE PROCEEDS IN COMPLIANCE WITH THE CODIFIED ORDINANCES OF THE CITY OF FRANKLIN, OHIO**

WHEREAS, Chapter 141 Finance Division, Section 141.03(b)(6)(B) of the City’s Codified Ordinances states:

(6) Other Special Funds -

(A) The Finance Director is hereby authorized to create other special funds which are established or required by law, either specifically or in general.

(B) Council may establish, with the approval of and in the manner prescribed by the Ohio State Auditor, other such special funds that are not established by law, either specifically or in general, as may be needed or desirable. Special funds which are needed for a period of less than five (5) years may be established by resolution, and special funds which are needed for a period of five (5) years or more shall be established by ordinance. Any ordinance or resolution establishing a special fund may provide that money derived from specified sources other than the general property tax shall be paid directly into such special fund; and

WHEREAS, in March of 2021, the State of Ohio, local governments, and the Plaintiffs’ Executive Committee of the National Prescription Opiate Multidistrict Litigation negotiated the One Ohio Memorandum of Understanding (the “One Ohio MOU”); and

WHEREAS, The One Ohio MOU provides a mechanism for the distribution of opioid settlement funds and outlines how such funds can be used; and

WHEREAS, and One Ohio MOU opioid settlement proceeds will soon be distributed to the City of Franklin and City of Franklin desires to establish a special fund for the receipt and lawful utilization of such settlement proceeds;

WHEREAS, This type of fund, a Governmental fund for Special Revenue is authorized under Ohio Revised Code Section 5705.09;

THE CITY OF FRANKLIN HEREBY ORDAINS, at least four (4) members of the Council elected thereto concurring, that:

Section 1. In accordance with Chapter 141 Finance Division, Section 141.03(b)(6)(B) and Ohio Revised Code Section 5705.12 the Finance Director is authorized to establish a fund called “One Ohio Opioid Settlement Fund”.

Section 2. The purpose of this fund shall be to serve as a tracking for all Receipts and lawful expenditures.

Section 3. No Interest earned shall be credited to this fund.

Section 4. The Finance Director shall forward a copy of this Ordinance to the Auditor of State and shall perform all required action and execute any required applications to the Ohio Auditor of State in order to obtain all necessary approval for the creation of the One Ohio Opioid Settlement Fund.

Section 5. It is found that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code, and the Rules of Council.

Section 6. This Ordinance shall become effective on October 19, 2022.

INTRODUCED: August 15, 2022.

ADOPTED: September 19, 2022.

ATTEST: \_\_\_\_\_  
Khristi Dunn, Clerk of Council

APPROVED: \_\_\_\_\_  
Brent Centers, Mayor

Approved as to form: \_\_\_\_\_  
Law Director