



**AGENDA ACTION FORM**

**Consideration of a Resolution Approving the 2024 Amendment to the Tennessee State-Subdivision Opioid Abatement Agreement and Authorizing the Mayor to Execute a Subdivision Participation Agreement Relative to the Kroger Co Settlement**

To: Board of Mayor and Aldermen  
From: Chris McCartt, City Manager *CM*

Action Form No.: AF-221-2023  
Work Session: August 5, 2024  
First Reading: N/A  
Final Adoption: August 6, 2024  
Staff Work By: Bart Rowlett  
Presentation By: Chris McCartt

**Recommendation:**  
Approve the resolution.

**Executive Summary:**  
This resolution approves a settlement agreement with Kroger in the national opioid litigation.

In April 2023, the board approved Resolution No. 2023-208 approving the settlement agreements with Teva, Walmart, Walgreens, CVS and Allegan.

The opioid epidemic continues to impact communities, including the City of Kingsport. Kingsport has, and will, continue to suffer harm as a result of the opioid epidemic. The State of Tennessee and some Tennessee local governments filed lawsuits against opioid manufacturers, distributors, and retailers, including may federal lawsuits by Tennessee counties and cities that are pending in the litigation captioned *In Re: National Prescription Opiate Litigation*, MDL No. 2804 (N.D. Ohio).

The 2024 Amendment to the Tennessee State-Subdivision Opioid Abatement Agreement would extend its terms to the proposed settlement with Kroger Co., streamline accounting for certain settlement funds, and address the allocation of certain funds from a manufacturer and/or retail pharmacy chains in bankruptcy.

- Attachments:**
- 1. Resolution
  - 2. P. C. 568
  - 3. Summary of 2024 Tennessee Plan Amendment

	<u>Y</u>	<u>N</u>	<u>O</u>
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Montgomery	—	—	—
Olterman	—	—	—
Phillips	—	—	—
Shull	—	—	—