



## AGENDA ITEM SUMMARY FORM

**PROPOSED MEETING DATE:** November 3, 2021  
**PREPARED BY:** Paige Saenz, City Attorney  
**DEPARTMENT:** City Attorney

### AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on a Resolution authorizing the City Manager to execute documents as necessary to evidence the City Council's approval of the settlement agreement with certain opioid distributors and manufacturers negotiated by the Texas Attorney General's Office and approval of the Texas Opioid Abatement Fund Council and Settlement Allocation Term Sheet (known as the Texas Term Sheet).

### BACKGROUND/SUMMARY:

The AG's Office has reached a settlement agreement in principle with four opioid companies (3 distributors (McKesson, Cardinal Health, and Amerisource Bergen) and 1 manufacturer, which is Johnson & Johnson). Texas could receive as much as \$1.17 billion from distributors and \$268 million from J&J (for a total of almost \$1.5 billion). The settlement amount paid to each public entity is greater the more public entities sign on. The majority of the funds are used for opioid abatement programs. The AG is seeking approval of the settlement from cities with a population of 10,000 or greater. IF the City agrees to the settlement, the City waives its right to sue the opioid companies through its own lawsuit. The deadline for Cities to decide to join the settlement is January 2, 2022.

**LEGAL REVIEW:** Yes  
**FISCAL IMPACT:** No  
**PRESENTATION:** No  
**ATTACHMENTS:** No

- Resolution No. 2021-22

### STAFF RECOMMENDATION:

It is the City Staff's recommendation that the City Council approve Resolution No. 2021-22 authorizing the City Manager to execute documents as necessary to evidence the City Council's approval of the settlement agreement with certain opioid distributors and manufacturers negotiated by the Texas Attorney General's Office and approval of the Texas Opioid Abatement Fund Council and Settlement Allocation Term Sheet (known as the Texas Term Sheet).

**PLANNING & ZONING COMMISSION:**                      **Recommend Approval**                      **Disapproval**                      **None**