

City Council Meeting Agenda Item Data Sheet

Meeting Date: October 18, 2021

Topic:

Approve Resolution No. 2021-38, a Resolution of the City Council of the City of Tomball, Texas, Authorizing Participation in the National Opioid Settlement Agreements Secured by the Office of the Attorney General as a “Non-Litigating Subdivision”; and, Authorizing the Mayor to Execute Certain Settlement Participation Documents

Background:

Resolution No. 2021-38 is presented for Council consideration and approval.

Per the information provided by our attorneys, Olson & Olson, this Settlement is a *conditional* settlement between the manufacturers and distributors of certain opioids and the “Nation” which has been harmed by those products. It is contingent upon state and local participation; Tomball must release all present and future claims against said defendants and will, in return, receive an allocated settlement amount. The settlement amount must be spent under specific requirements.

Tomball has been allocated \$34,620.00 as its portion; Tomball has no pending litigation in this matter and is encouraged to participate in this settlement.

To receive these funds, Tomball will need to submit three documents to opioids@oag.texas.gov. The first is Resolution No. 2021-38, authorizing the City to participate in the Settlement. The second and third documents are the “Subdivision Participation Form (JNJ)” and “Subdivision Participation Form (Distributors)” (attached). Finally, the Texas Term Sheet will be incorporated and attached as an exhibit to Resolution No. 2021-38. It is important to note that this Resolution needs to be considered sooner rather than later because the deadline to opt into participation in this Settlement is January 2, 2022.

Origination: Olson & Olson

Recommendation:

Approve Resolution No. 2021-38

Party(ies) responsible for placing this item on agenda: Doris Speer, City Secretary

FUNDING (IF APPLICABLE)

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: _____ No: _____ If yes, specify Account Number: # _____

If no, funds will be transferred from account # _____ To account # _____

Signed Doris Speer Approved by _____
Staff Member Date City Manager Date