

**RESOLUTION NO. 54-2024**

Introduced by: Mark Claus

**A RESOLUTION TO ACCEPT THE MATERIAL TERMS OF THE ONEOHIO SUBDIVISION SETTLEMENT PURSUANT TO THE ONEOHIO MEMORANDUM OF UNDERSTANDING AND CONSISTENT WITH THE TERMS OF THE MARCH 22, 2024 KROGER MULTISTATE OPIOID SETTLEMENT AGREEMENT.**

**WHEREAS**, the City of Huron, Ohio ("City") is a Charter City formed and organized pursuant to the Constitution and the laws of the State of Ohio; and

**WHEREAS**, the people of the State of Ohio and its communities, including the City, have been harmed by misfeasance, nonfeasance and malfeasance committed by certain entities within the Opioid Pharmaceutical Supply Chain; and

**WHEREAS**, the State of Ohio, through its Attorney General, and certain Local Governments, through their elected representatives and counsel, are separately engaged in litigation seeking to hold Opioid Pharmaceutical Companies accountable for the damage caused by their misfeasance, nonfeasance and malfeasance; and

**WHEREAS**, the State of Ohio, through its Governor and Attorney General, and its Local Governments share a common desire to abate and alleviate the impacts of that misfeasance, nonfeasance and malfeasance throughout the State of Ohio; and

**WHEREAS**, the State and its Local Governments, subject to completing formal documents effectuating the Parties Agreements, have drafted and the City has adopted, and hereby reaffirms its adoption of, a OneOhio Memorandum of Understanding ("MOU") relating to the allocation and the use of the proceeds of any potential settlements described; and

**WHEREAS**, the MOU has been collaboratively drafted to maintain all individual claims while allowing the State and Local Governments to cooperate in exploring all possible means of resolution; and

**WHEREAS**, the Council understands that an additional purpose of the MOU is to create an effective means of distributing any potential settlement funds obtained under the MOU between the State of Ohio and Local Governments in a manner and means that would promote an effective and meaningful use of the funds in abating the opioid epidemic throughout Ohio, as well as to permit collaboration and explore potentially effectuation earlier resolution of the Opioid Litigation against Opioid Pharmaceutical Companies; and

**WHEREAS**, nothing in the MOU binds any party to a specific outcome, but rather, any resolution under the MOU requires acceptance by the State of Ohio and the Local Governments; and

**WHEREAS**, a settlement proposal identified as the Kroger Multistate Opioid Settlement Agreement ("Proposed Settlement Agreement") is being presented to the State of Ohio and Local Governments by Kroger Co. ("Kroger") to resolve governmental entity claims in the State of Ohio using the structure of the OneOhio MOU and consistent with the material terms of the March 22, 2024 Settlement Agreement; and


**WHEREAS**, the Council wishes to agree to the material terms of the proposed Settlement Agreement with Kroger:

**NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HURON, OHIO:**

**SECTION 1:** That Council hereby authorizes the City Manager to accept the Proposed Settlement on behalf of the City pursuant to the terms of the OneOhio MOU, a copy of which is on file with the City, by executing on behalf of the City all documents necessary for acceptance of the Proposed Settlement Agreement.

**SECTION 2:** That Council hereby approves and ratifies any reasonable steps taken by the City Manager prior to the date hereof in his efforts to accept the Proposed Settlement Agreement.

**SECTION 3:** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

  
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Monty Tapp, Mayor

ATTEST: \_\_\_\_\_  
Clerk of Council

ADOPTED: 11 JUN 2024

