

RESOLUTION NO. 2021-036

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORTH RICHLAND HILLS, TEXAS, ADOPTING THE STATE OF TEXAS OPIOID ABATEMENT FUND COUNCIL AND SETTLEMENT ALLOCATION TERM SHEET APPROVING THE SETTLEMENT AND ALLOCATION OF OPIOID SETTLEMENT FUNDS WITHIN THE STATE OF TEXAS THROUGH THE TEXAS ATTORNEY GENERAL'S OFFICE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Texas Attorney General's Office has engaged in litigation against certain pharmaceutical companies to abate and alleviate the impacts of the opioid epidemic throughout the State of Texas; and

WHEREAS, the City of North Richland Hills (the "City") has obtained information indicating that certain pharmaceutical companies and their corporate affiliates, parents, subsidiaries, and such other defendants as may be added to the litigation (collectively, "Defendants") have engaged in fraudulent and/or reckless marketing and distribution of opioids that have resulted in addictions and overdoses; and

WHEREAS, these actions, conduct and misconduct have resulted in significant financial costs to the City;

WHEREAS, on May 13, 2020, the State of Texas, through the Office of the Attorney General, and a negotiation group for Texas political subdivisions, entered into an Agreement entitled Texas Opioid Abatement Fund Council and Settlement Allocation Term Sheet (hereafter, the "Texas Term Sheet") approving the allocation of any and all opioid settlement funds within the State of Texas. The Texas Term Sheet is attached hereto as Exhibit "A"; and

WHEREAS, Special Counsel and the State of Texas have recommended that the City of North Richland Hills support the adoption and approval the Texas Term Sheet in its entirety.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH RICHLAND HILLS, TEXAS, THAT:

SECTION 1. The City Council hereby finds that the recitals set forth above are true and correct and are incorporated into this Resolution as if written herein.

SECTION 2. The City Council supports the adoption and approval of the Texas Term Sheet in its entirety.

SECTION 3. The City Council finds the following:

- a) There is a substantial need for repayment of opioid-related expenditures and payment to abate opioid-related harms in and about North Richland Hills, Texas.
- b) The City Council supports, in its entirety, and hereby adopts the allocation method for opioid settlement proceeds as set forth in the State of Texas and Texas Political Subdivisions' Opioid Abatement Fund Council and Settlement Allocation Term Sheet, attached hereto as Exhibit "A."
- c) The City Council understands that the purpose of this Texas Term Sheet is to permit collaboration between the State of Texas and Political Subdivisions to explore and potentially effectuate resolution of the Opioid litigation against Pharmaceutical Supply Chain Participants as defined therein.
- d) The City Council also understands that an additional purpose is to create an effective means of distributing any potential settlement funds obtained under this Texas Term Sheet between the State of Texas and Political Subdivisions in a manner and means that would promote an effective and meaningful use of the funds in abating the opioid epidemic in this city and throughout the State of Texas.

SECTION 4. The City Council hereby authorizes the City Manager to execute all necessary and related documents to effect the City's release of the Pharmaceutical Companies from all claims and to participate in the settlement.

SECTION 5. This Resolution shall take effect and be in full force and effect from and after the date of its adoption, and it is so resolved; and all Resolutions of the City Council of the City in conflict herewith are hereby amended or repealed to the extent of such conflict.

PASSED AND APPROVED on this 13th day of December, 2021.

CITY OF NORTH RICHLAND HILLS

By: _____
Oscar Trevino, Mayor

ATTEST:

Alicia Richardson, City Secretary/Chief
Governance Officer

APPROVED AS TO FORM AND LEGALITY:

Maleshia B. McGinnis, City Attorney

APPROVED AS TO CONTENT:

Paulette Hartman
Deputy City Manager

EXHIBIT A

**TEXAS OPIOID ABATEMENT FUND COUNCIL AND
SETTLEMENT ALLOCATION TERM SHEET**