

RESOLUTION NO. 2021- 05

**A RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE
COLORADO OPIOIDS SETTLEMENT MEMORANDUM OF
UNDERSTANDING AND RELATED DOCUMENTS**

WHEREAS, nationwide settlements have been reached with three (3) opioid distributors, including McKesson, Cardinal Health, and Amerisource Bergen, and opioid manufacturer Johnson & Johnson. This settlement resolves claims by state and local governments that these companies contributed to the opioid epidemic. The claims being settled include claims raised by state and local governments in litigation entitled *In Re: National Prescription Opioid Litigation*, MDL 2804 (N.D. Ohio).

WHEREAS, Colorado Attorney General Phil Weiser signed the Colorado Opioids Settlement Memorandum of Understanding (the “Colorado MOU”) on August 26, 2021. Local governments and the State assisted in preparing the Colorado MOU, which establishes the framework for distribution and sharing of opioid settlement proceeds throughout Colorado. The Colorado MOU outlines how settlement funds may be used by participating local governments.

WHEREAS, to maximize the funds allocated to Colorado, municipalities are being asked to participate in the settlement and distribution of proceeds by signing four documents:

1. The Colorado MOU, which lays out the allocation of Opioid recoveries in the State of Colorado;
2. The Subdivision Settlement Participation Form that releases subdivisions’ legal claims against Johnson & Johnson;
3. The Subdivision Settlement Participation Form that releases subdivisions’ legal claims against AmerisourceBergen, Cardinal Health, and McKesson; and
4. The Colorado Subdivision Escrow Agreement.

WHEREAS, the Board of Trustees of the Town of Pierce (“Board of Trustees”) finds that it is in the best interest of the Town of Pierce to participate in the Colorado MOU.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES FOR THE TOWN OF PIERCE, COLORADO, as follows:

1. The proposed Colorado MOU is hereby approved.
2. The Board of Trustees appoints the Mayor of the Town of Pierce, Nansi Crom, to act on behalf of the Town. The Mayor is authorized to execute the Colorado MOU, and such other documents or agreements as necessary to participate in the opioid settlement and receive funds related to the opioid settlement.

3. The Mayor, Town Clerk, and Town staff are further authorized to do all things necessary on behalf of the Town to perform the obligations of the Town under the Colorado MOU, and to execute and deliver any and all documentation necessary to effect participation in the Colorado MOU.

The foregoing Resolution was adopted at a regularly scheduled meeting of the Board of Trustees of the Town of Pierce, held on October 11, 2021 which meeting was duly and properly called.

PASSED, ADOPTED AND APPROVED this 11th day of October, 2021.

TOWN OF PIERCE

By: Nansi Crom
Nansi Crom, Mayor

ATTEST:

By

Kristina Duran
Kristina Duran, Town Clerk

APPROVED AS TO FORM:

James Godbold
James Godbold, Town Attorney