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3 CITY OF CUYAHOGA FALLS, OHIO

4  
5 ORDINANCE NO. 38 -2023

6  
7 AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE  
8 THE PARTICIPATION FORMS FOR SETTLEMENT WITH  
9 TEVA, ALLERGAN, CVS, WALGREENS AND WALMART  
10 PURSUANT TO THE ONEOHIO MEMORANDUM OF  
11 UNDERSTANDING AND CONSISTENT WITH THE MATERIAL  
12 TERMS OF THE PROPOSED SETTLEMENT AGREEMENTS,  
13 AND DECLARING AN EMERGENCY.  
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15 WHEREAS, the City of Cuyahoga Falls, Ohio is a municipal corporation formed and  
16 organized pursuant to the Constitution and laws of the State of Ohio; and  
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18 WHEREAS, the people of the State of Ohio and its communities have been harmed  
19 by misfeasance, nonfeasance and malfeasance committed by certain entities within the  
20 Opioid Pharmaceutical Supply Chain; and  
21

22 WHEREAS, the state and its local governments drafted and the City has adopted,  
23 and hereby reaffirms its adoption of, the OneOhio Memorandum of Understanding  
24 (MOU) relating to the allocation and the use of the proceeds of any potential settlements;  
25 and  
26

27 WHEREAS, settlement proposals are being presented to the State of Ohio and local  
28 governments concerning claims against Teva, Allergan, CVS, Walgreens and Walmart to  
29 resolve governmental entity claims in the State of Ohio using the structure of the  
30 OneOhio MOU; and  
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32 WHEREAS, Council wishes to agree to the material terms of the proposed Settlement  
33 Agreement.  
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35 NOW THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls,  
36 County of Summit, and State of Ohio, that:  
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38 Section 1. The Mayor is authorized to execute the Participation Forms on behalf of  
39 the City of Cuyahoga Falls, pursuant to the terms of the OneOhio Memorandum of  
40 Understanding and consistent with the material terms of the Proposed Settlements with  
41 Teva, Allergan, CVS, Walgreens and Walmart.  
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43 Section 2. The Mayor, Director of Law, Director of Finance, and any other necessary  
44 City official are hereby authorized to provide such information and to execute such other  
45 documents and do all other actions as are necessary for and incidental to carrying out  
46 the requirements of this ordinance, together with such revisions, additions or  
47 amendments as are approved by the Director of Law as being consistent with the  
48 objectives and requirements of this ordinance.


49 Section 3. Any other ordinances or resolutions or portions of ordinances and  
50 resolutions inconsistent herewith are hereby repealed, but any ordinances and  
51 resolutions not inconsistent herewith and which have not previously been repealed are  
52 hereby ratified and confirmed.

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54 Section 4. It is found and determined that all formal actions of this Council  
55 concerning and relating to the adoption of this ordinance were adopted in an open  
56 meeting of this Council, and that all deliberations of this Council and of any of its  
57 committees that resulted in such formal action, were in meetings open to the public, in  
58 compliance with all legal requirements, to the extent applicable, including Chapter 107  
59 of the Codified Ordinances.

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61 Section 5. This ordinance is hereby declared to be an emergency measure necessary  
62 for the preservation of the public peace, health, safety, convenience and welfare of the  
63 residents of the City of Cuyahoga Falls and for the further reason that the Participation  
64 Forms must be signed by April 18, 2023 to ensure prompt pursuit of funds to assist in  
65 abating the opioid epidemic throughout Ohio. It shall therefore become effective  
66 immediately upon its passage by an affirmative vote of two-thirds of the members elected  
67 or appointed to Council and approval by the Mayor; otherwise, it shall take effect and  
68 be in force at the earliest period allowed by law.

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71 Passed: 4-10-2023

  
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President of Council

  
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Clerk of Council

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79 Approved: \_\_\_\_\_

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Mayor

80  
81 3/27/23

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83 Agreement.docx