

**CITY OF CREEDE, COLORADO
RESOLUTION NO. 2021-21**

**A RESOLUTION OF THE CITY OF CREEDE COLORADO APPROVING
COLORADO'S OPIOID LITIGATION MOU AND JOINING THE CITY OF CREEDE
INTO THE SETTLEMENT AGREEMENTS**

WHEREAS, the State of Colorado and several local governments have been engaged in numerous lawsuits with various pharmaceutical companies for their role in causing the nationwide opioid epidemic. The litigation recently resulted in settlements with Purdue Pharma, Johnson & Johnson, AmerisourceBergen, Cardinal Health and McKesson ("Pharma Defendants") and provides approximately 385 million dollars in settlement funds to the State of Colorado and local governments to abate the opioid epidemic.

WHEREAS, under the proposed settlement, the Pharma Defendants agree to pay to Colorado state and local governments approximately 385 million dollars over a period of 18 years to address the opioid epidemic through treatment, recovery, criminal justice, prevention and education, and harm reduction purposes (Narcan, needle exchange, etc.). Under the proposed statewide memorandum of understanding 20 percent of the approximate 385-million-dollar settlement fund is to go directly to municipalities and counties, 60 percent to regional committees to benefit local governments, 10 percent to a state administered fund for areas particularly affected by the epidemic, and the remaining 10 percent to the state.

WHEREAS, THE Board of Trustees finds that litigating such claims independently would likely be an expensive endeavor for the City without a guaranty of return on such investment and that it is in the best interests of the City and its citizens to approve and join the proposed settlements, thereby waiving any independent claims by the City against the Pharma Defendants related to the opioid epidemic.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF
THE CITY OF CREEDE, COLORADO AS FOLLOWS:**

Section 1. The Board of Trustees approves the following:

- a. The Settlement Participation Form that releases the City of Creede's legal claims against Johnson & Johnson.
- b. The Settlement Participation Form that releases the City of Creede's legal claims against AmerisourceBergen, Cardinal Health, and McKesson.
- c. The Memorandum of Understanding that provides for the allocation of Opioid recoveries in the State of Colorado.
- d. The Colorado Subdivision Escrow Agreement that ensures the City of Creede's legal claims are released only when 95 percent participation by certain local governments has been reached.

Section 2. Board of Trustees authorizes the Mayor to sign all documents in furtherance of

this Resolution on behalf of the City.


Section 3. Effective Date. This resolution shall become effective immediately upon adoption.

Section 4. Repealer. All resolutions, or parts thereof, in conflict with this resolution are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such resolution nor revive any resolution thereby.

Section 5. Certification. The City Clerk shall certify to the passage of this resolution and make not less than one copy of the adopted resolution available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, AND ADOPTED THIS 21ST DAY OF DECEMBER, 2021.

ATTEST;



Sarah Efthim-Williamson, City Clerk

CITY OF CREEDE

By 

Jeffrey Larson, Mayor