



Legislation Text

File #: O-123-20, **Version:** 1

One Ohio - Memorandum of Understanding
Department of Law
Dale R. Emch (x2384)

Authorizing the Mayor to execute a Memorandum of Understanding for the One Ohio plan that seeks to resolve pending opioid litigation statewide; sets forth the allocation of funds that may be available should a settlement be reached with the defendants; and creates an organizational structure for the distribution of those funds; and declaring an emergency.

SUMMARY & BACKGROUND:

The City of Toledo has a lawsuit pending in U.S. District Court for the Northern District of Ohio against various defendants in the pharmaceutical supply chain related to the devastating impact the opioid epidemic has had on the Toledo community.

Other municipalities and county governments throughout the state also have filed lawsuits, as has the State of Ohio. Similarly, legal actions have been filed by governmental entities throughout the United States.

During the pendency of these cases, the State of Ohio and local governments began discussing a plan that would allow for a global settlement of all Ohio cases. That process resulted in the development of the One Ohio Memorandum of Understanding. The MOU sets out the formula by which political entities would be compensated, the fund-allocation model that would be available should a settlement be reached with the defendants, and the organizational structure through which those funds would be distributed. Further, the MOU addresses how any funds that may one day be available should be used to address the past harms of the opioid epidemic and provide funding for abatement plans in the future.

Signing the MOU indicates an intent to proceed in the outlined manner, but does not require the City of Toledo to agree to the terms of a settlement. To be clear, at this point, the collection of Ohio governmental entities has not reached a global settlement. This ordinance simply allows the City of Toledo to explore this resolution model and organizational structure.

NOW, THEREFORE, Be it ordained by the Council of the City of Toledo:

SECTION 1. That the Mayor and Director of Law are authorized to execute the One Ohio Memorandum of Understanding (attached as Exhibit A), any related documents, and any future amendments to the One Ohio MOU that are generally consistent with the current plan as outlined.

SECTION 2. That this ordinance, being an emergency measure, shall take effect and be in force from and after its passage. The reason for the emergency lies in the fact that this ordinance is necessary for the immediate preservation of public peace, health, safety, and property and for further reason that this ordinance must immediately be effective so the City may pursue the One Ohio Memorandum of Understanding, so that other political entities will know the City's position regarding the MOU, and so that the negotiators pursuing a

global settlement in the State of Ohio will be aware of the City's intent to participate in this resolution model.

Vote on emergency clause: yeas _____, nays _____.

Passed: _____, as an emergency measure: yeas _____, nays _____.

Attest: _____
Clerk of Council

President of Council

Approved: _____

Mayor

I hereby certify that the above is a true and correct copy of an Ordinance passed by Council

_____.

Attest: _____
Clerk of Council