

**TOWN OF MEAD, COLORADO
RESOLUTION NO. 59-R-2021**

**A RESOLUTION OF THE TOWN OF MEAD, COLORADO, DELEGATING AUTHORITY
TO THE TOWN MANAGER TO EXECUTE THE MEMORANDUM OF
UNDERSTANDING AND OTHER DOCUMENTS RELATED TO THE COLORADO
OPIOID SETTLEMENT**

WHEREAS, by letter dated October 1, 2021, Attorney General Phil Weiser informed the Town of Mead (“Town”) and other Colorado local governments that the Colorado Department of Law (“Department of Law”) has come to an agreement with Colorado’s local governments for distributing opioid settlement and recovery funds to counties and municipalities; and

WHEREAS, the State of Colorado and several Colorado local governments have pursued litigation against various pharmaceutical companies for their role in causing the opioid epidemic in Colorado; and

WHEREAS, the litigation has resulted in settlements with Purdue Pharma, McKinsey & Co., Johnson & Johnson, AmerisourceBergen, Cardinal Health, and McKesson; and

WHEREAS, the settlement funds to be distributed to the State of Colorado and local governments will be used to abate the opioid crisis; and

WHEREAS, the Department of Law has requested that the Town consider and approve the settlement documents prior to November 5, 2021; and

WHEREAS, specifically, the Department of Law has requested approval of the following documents by the November 5th deadline:

1. The Memorandum of Understanding (MOU) that 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 that ensures subdivisions’ legal claims are released only when 95% participation by certain local governments has been reached

(collectively, the “Settlement Documents”); and

WHEREAS, the Board of Trustees desires to delegate authority to the Town Manager to execute the Settlement Documents on behalf of the Town; and

WHEREAS, the Board of Trustees further desires to delegate authority to the Town Manager to execute such other documents: (1) as may be necessary or desirable to implement the

settlements with Purdue Pharma, McKinsey & Co., Johnson & Johnson, AmerisourceBergen, Cardinal Health, and McKesson, as may be requested by the Department of Law, or (2) as may be necessary to confirm that the Town has elected to forego its allocation of the LG Share (as that term is defined in the MOU) and direct its allocation to the Regional Share for the Region where the Town is located.

THEREFORE, BE IT RESOLVED by the Board of Trustees of the Town of Mead, Colorado as follows:

Section 1. The Board of Trustees hereby: (a) approves the Settlement Documents in substantially the form attached hereto as **Exhibits A - D**; (b) authorizes the Town Manager to execute the Settlement Documents on behalf of the Town; (c) authorizes the Town Manager to execute such other documents as may be necessary or desirable to implement the settlements with Purdue Pharma, McKinsey & Co., Johnson & Johnson, AmerisourceBergen, Cardinal Health, and McKesson, as may be requested by the Department of Law; and (d) authorizes the Town Manager to execute such other documents as may be necessary or desirable to confirm that the Town has elected to forego its allocation of the LG Share (as that term is defined in the MOU) and direct its allocation to the Regional Share for the Region where the Town is located.


Section 2. The Board of Trustees hereby instructs the Town Manager and Town Clerk to proceed, consistent with the request set forth in the October 1, 2021 correspondence from the Department of Law, to email or mail the executed Settlement Documents to the Colorado Municipal League (CML) at the following address on or before November 5, 2021:

Colorado Municipal League
1144 N. Sherman St.
Denver, CO 80203
Email: opioidsettlement@cml.org

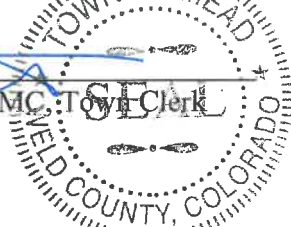
Section 3. Effective Date. This Resolution shall become effective immediately upon adoption.

INTRODUCED, READ, PASSED AND ADOPTED THIS 25TH DAY OF OCTOBER, 2021.

ATTEST:



Mary E. Strutt, MMC, Town Clerk



TOWN OF MEAD:

By: 

Colleen G. Whitlow, Mayor

Exhibits:

Exhibit A – Memorandum of Understanding

Exhibit B – Subdivision Settlement Participation Form (J&J)

Exhibit C – Subdivision Settlement Participation Form (AB, Cardinal Health, McKesson)

Exhibit D – Colorado Subdivision Escrow Agreement