

CITY OF EDGEWATER
RESOLUTION NO. 2023-05
SERIES OF 2023

A RESOLUTION APPROVING, IN CONNECTION WITH THE COLORADO OPIOIDS SETTLEMENT MEMORANDUM OF UNDERSTANDING (“MOU”), ADDITIONAL OPIOID SETTLEMENT AGREEMENTS AND RELEASES OF CLAIMS WITH TEVA PHARMACEUTICAL INDUSTRIES LTD, ALLERGAN FINANCE, LLC/ALLERGAN LIMITED, WALMART INC., CVS HEALTH CORPORATION/CVS PHARMACY, AND WALGREEN COMPANY.

WHEREAS, pursuant to Article XIV Section 18 of the Colorado Constitution and C.R.S. § 29-1-203, the City of Edgewater (“Edgewater”) is authorized to contract with other governmental entities to cooperate in the provision of any service or function that each governmental entity is authorized to provide; and

WHEREAS, the Colorado Department of Law, in conjunction with the Colorado Municipal League and Colorado Cities and Counties, Inc., has prepared, and Edgewater has previously entered into, a Memorandum of Understanding (“MOU”) that concerns the equitable sharing, among Colorado jurisdictions, of the proceeds of legal settlement agreements, present and future, between the State of Colorado, and the several states, and various drug manufacturers and distributors of opioid drugs; and

WHEREAS, the State of Colorado has obtained five (5) new settlement agreements with various manufacturers or distributors of opioid drugs, and in order for Colorado to maximize its share of the settlement proceeds, these opioid settlements (like prior opioid settlements) require that Colorado’s local governments participate in the settlements by releasing their opioid-related legal claims against the settling Defendants; the approval of such settlement agreements by the greatest number of Colorado municipalities will result in the greatest dollar amount of settlement payments being distributed in Colorado; and

WHEREAS, approval of the Settlement Participation Forms attached hereto is necessary and desirable to accomplish the purposes of the MOU; and

WHEREAS, the Edgewater City Council finds that approval of the approval of the Settlement Participation Form attached hereto is in the best interests of the City and of the various local governments of the State of Colorado, as it will serve to maximize the amount of money that the state and its various local governments may receive in connection with opioid settlement agreements.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EDGEWATER, COLORADO, THAT:

Section 1. The five (5) Settlement Participation Forms that are attached hereto concerning the settlement with, and release of claims against, the various parties recited above, are hereby approved. The City Clerk is directed to complete each such

form, and the Mayor and the City Clerk are authorized to execute and deliver the same on behalf of the City.

Section 2. This Resolution shall take effect immediately.

INTRODUCED, READ AND ADOPTED this 21st day of March, 2023.

/s/ John Beltrone
John Beltrone, Mayor

ATTEST:

/s/ Lenore Pedroza
Lenore Pedroza, CMC
City Clerk