

ORDINANCE NO. 107-2022 (F), *First Reading*

By Mayor Seren

A Resolution establishing the OneOhio Opioid Settlement Fund and affirming that funds received by the City in accordance with the OneOhio plan shall be used in a manner consistent with the “Approved Purposes” definition in the OneOhio Memorandum of Understanding (“MOU”) and applicable law and regulations; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the State of Ohio, through its Attorney General, and certain Local Governments, through their elected representatives and counsel, are separately engaged in litigation seeking to hold Opioid Pharmaceutical Supply Chain Participants accountable for the damage caused by their misfeasance, nonfeasance and malfeasance; and

WHEREAS, the State of Ohio, through its Governor and Attorney General, and its Local Governments share a common desire to abate and alleviate the impacts of that misfeasance, nonfeasance and malfeasance throughout the State of Ohio; and

WHEREAS, the State and its Local Governments, subject to completing formal documents effectuating the Parties Agreements, have drafted and the City has adopted, and hereby reaffirms its adoption of, a OneOhio MOU relating to the allocation and the use of the proceeds of any potential settlements described;

WHEREAS, according to the “Approved Purposes” definition in the MOU, the funds must be used for “evidence-based forward-looking strategies, programming and services used to (i) expand the availability of treatment for individuals affected by substance use disorders, (ii) develop, promote and provide evidence-based substance use prevention strategies, (iii) provide substance use avoidance and awareness education, (iv) decrease the oversupply of licit and illicit opioids, and (v) support recovery from addiction services performed by qualified and appropriately licensed providers”

WHEREAS, Ohio Revised Code §5705.09 requires political subdivisions to establish separate funds for each class of revenue derived from a source other than the general property tax, which the law requires to be used for a particular purpose; and

WHEREAS, Ohio Revised Code §5705.10(I) further requires money paid into any fund shall be used only for the purpose for which such fund is established.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

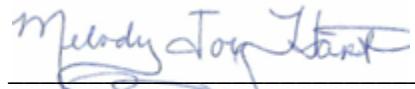
SECTION 1. This Council hereby establishes a OneOhio Opioid Settlement Fund. The purposes of such fund shall be to account for revenues and expenditures related to the funds received by the City in accordance with the OneOhio MOU, a copy of which is on file with the Clerk of Council.

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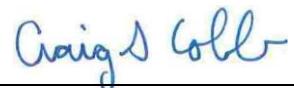
SECTION 2. This Council affirms that all funds received and deposited into said OneOhio Opioid Settlement Fund will be expended consistent with the requirements of the OneOhio MOU and any other applicable law, regulations, and guidance.

SECTION 3. Notice of the passage of this Resolution shall be given by publishing the title and abstract of contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 4. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to create the new Flexible Spending Account Fund at the earliest time possible so that the City may accept and account for the monies it receives. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.



MELODY JOY HART
President of Council



CRAIG COBB
Clerk of Council, Pro Tem

PASSED: August 1, 2022

Presented to Mayor: August 4, 2022

Approved: August 12, 2022



KAHLIL SEREN
Mayor