

1 **RESOLUTION NO. 9277**

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3 A RESOLUTION introduced by City Manager Brent Trout, approving the execution
4 and delivery of necessary agreements to maximize the City of
5 Topeka’s allocation of opioid settlement funds.
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7 WHEREAS, the people of the State of Kansas and its communities have been
8 harmed by the opioid epidemic due to the misfeasance, nonfeasance, and malfeasance
9 committed by certain entities within the pharmaceutical supply chain; and
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11 WHEREAS, the State of Kansas, through its Attorney General and its Political
12 subdivisions, share a common desire to abate and alleviate the impacts of the opioid
13 epidemic caused by that misfeasance, nonfeasance, and malfeasance throughout the
14 State of Kansas; and
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16 WHEREAS, in furtherance of that goal, during the 2021 Legislative Session the Kansas
17 Legislature passed the Kansas Fights Addiction Act, House Bill 2079, to address the use of funds
18 received from opioid litigation and establish limits on future opioid litigation by municipalities;
19 and
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21 WHEREAS, House Bill 2079 contemplates the distribution of settlement funds
22 received from the opioid litigation to non-litigating municipalities and litigating municipalities
23 who have entered into an agreement to waive their claims according to a formula negotiated
24 between the Attorney General, the League of Kansas Municipalities, and the Kansas
25 Association of Counties; and
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27 WHEREAS, Kansas's share of settlement funds from certain national settlement
28 agreements will be maximized only if all necessary political subdivisions participate; and
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30 WHEREAS, the moneys in the Municipalities Fight Addiction Fund shall be expended
31 for projects and activities that prevent, reduce, treat, or mitigate the effects of substance abuse
32 and addiction or to reimburse the municipality for previous expenses related to substance
33 abuse mitigation or arising from covered conduct; and
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35 WHEREAS, the City is a nonlitigating municipality; and
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37 WHEREAS, the City sustained damages related to the opioid epidemic; and
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39 WHEREAS, the City desires to enter an Agreement with the Attorney General in
40 order to access opioid litigation settlement funds pursuant to House Bill 2079 and
41 become eligible for certain state grants.
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43 NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF
44 THE CITY OF TOPEKA, KANSAS, AS FOLLOWS:

45 Section 1. *Certification of Costs and Expenses.* The City hereby certifies that it

46 has incurred costs and expenses related to substance abuse or addiction mitigation
47 and abatement in excess of \$500, the City anticipates incurring future costs and
48 expenses related to substance abuse or addiction mitigation and abatement in excess
49 of \$500, and the City can utilize the opioid litigation settlement funds for lawful
50 purposes. The City Manager and City Attorney are hereby authorized to execute, seal,
51 attest and deliver such other documents, certificates and instruments as may be
52 necessary and desirable to certify these costs and expenses or similar costs and
53 expenses, for and on behalf of and as the act and deed of the City.

54 Section 2. Execution of the Agreement. The City Manager, City Attorney, and City
55 Clerk are hereby authorized and directed to execute, seal, attest and deliver any
56 necessary documents required by the Attorney General or by the National Opioid
57 Settlement in order for the City to maximize its allocation of settlement funds.

58 Section 3. Effective Date. This Resolution shall be in full force and effect from
59 and after its adoption.

60 ADOPTED and APPROVED by the Governing Body on December 7, 2021.

61 CITY OF TOPEKA, KANSAS

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Michelle De La Isla, Mayor

ATTEST:

Brenda Younger, City Clerk