

**RESOLUTION NO. 2021-R\_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS APPROVING AND ADOPTING THE TEXAS TERM SHEET; AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE RELATED SUBDIVISION SETTLEMENT PARTICIPATION AND RELEASE FORMS.**

**WHEREAS**, the City of New Braunfels (“City”) obtained information indicating that certain drug companies and their corporate affiliates, parents, subsidiaries, and such other defendants as may be added to the litigation (collectively, “Defendants”) have engaged in fraudulent and/or reckless marketing and/or distribution of opioids that have resulted in addictions and overdoses; and

**WHEREAS**, these actions, conduct and misconduct have resulted in significant financial costs to the City; and

**WHEREAS**, on May 13, 2020, the State of Texas, through the Office of the Attorney General, and a negotiation group for Texas political subdivisions entered into an Agreement entitled Texas Opioid Abatement Fund Council and Settlement Allocation Term Sheet (hereafter, the Texas Term Sheet) approving the allocation of any and all opioid settlement funds within the State of Texas. The Texas Term Sheet is attached hereto as **Exhibit “A”**; and

**WHEREAS**, Special Counsel and the State of Texas have recommended that the City Council of the City of New Braunfels, Texas, support the adoption and approval the Texas Term Sheet in its entirety.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of New Braunfels, Texas that we:

1. Support the adoption and approval the Texas Term Sheet in its entirety; and

2. Find as follows:

a. There is a substantial need for repayment of opioid-related expenditures and payment to abate opioid-related harms in and about the City of New Braunfels; and

b. The City Council supports in its entirety and hereby adopts the allocation method for opioid settlement proceeds as set forth in the STATE OF TEXAS AND TEXAS POLITICAL SUBDIVISIONS' OPIOID ABATEMENT FUND COUNCIL AND SETTLEMENT ALLOCATION TERM SHEET, attached hereto as **Exhibit A**. The City Council understands that the purpose of this Texas Term Sheet is to permit collaboration between the State of Texas and Political Subdivisions to explore and potentially effectuate resolution of the Opioid Litigation against Pharmaceutical Supply Chain Participants as defined therein. We also understand that an additional purpose is to create an effective means of distributing any potential settlement funds obtained under this Texas Term Sheet between the State of Texas and Political Subdivisions in a manner and means that would promote an effective and meaningful use of the funds in abating the opioid epidemic in this City and throughout Texas.

3. The City Manager is hereby authorized to execute all related documents, including, but not limited to the Subdivision Settlement Participation and Release Forms, and any other forms necessary to carry out the City's participation

**PASSED, ADOPTED AND APPROVED** at an open meeting properly posted and conducted in accordance with the Texas Open Meetings Act on this the \_\_\_\_\_ day of September, 2021.

City of New Braunfels, Texas

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RUSTY BROCKMAN, Mayor

Attest:

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CAITLIN KROBOT, City Secretary