

ORDINANCE NO. 39-2022

INTRODUCED BY: MAYOR JAMES GRAVEN AND COUNCIL AS A WHOLE

AN ORDINANCE ESTABLISHING FUND NO. 160 – ONEOHIO SETTLEMENT FUND AS A SPECIAL REVENUE FUND TO ACCOUNT FOR THE RECEIPT AND EXPENDITURE OF SETTLEMENT FUNDS, AS APPROPRIATED BY THE OPIOID SETTLEMENT FOR DISBURSEMENT TO MUNICIPALITIES AND DECLARING AN EMERGENCY

WHEREAS, Ohio Revised Code Section 5705.09(F) requires the City to establish a special fund for each class of revenues derived from a source other than general property tax, which the law requires to be used for a particular purpose; and

WHEREAS, the City of Olmsted Falls anticipates that it will receive and should be prepared to accept the transfer or disbursement of settlement funds from the litigation to hold Opioid Pharmaceutical Supply Chain Participants accountable for damage caused by their misfeasance, nonfeasance and malfeasance, which Council authorized in Resolution 67-2021 for the purpose of providing 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; and

WHEREAS, the City and Council desires to establish an Opioid Settlement Fund as a special revenue fund in accordance with the law. Now therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OLMSTED FALLS, CUYAHOGA COUNTY, STATE OF OHIO, THAT:

SECTION 1. That there is hereby established a separate Fund No. 160 – Opioid Settlement Fund, as a Special Revenue Fund, for the purpose of accounting for the receipt of funds that are or may be allocated and disbursed to the City of Olmsted Falls, for the purpose of providing 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 in accordance with law. The Director of Finance is authorized and directed to establish such fund. Such special revenue fund shall thereafter remain under the control and supervision of the Director of Finance, who shall impose and maintain all financial controls required by law, and provide for audit of such funds in accordance with local and state law.

SECTION 2. That the Opioid Settlement Fund be and remain for an indefinite term, unless otherwise terminated by Council, and further that the Director of Finance be and is hereby

authorized and directed to pay out of said Special Revenue Fund such amounts necessary to meet the costs or expenses that meet or exceed the qualifications and criteria imposed by law.

SECTION 3. The Council finds and determines that all formal actions of this Council relating to the adoption of this Ordinance have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

SECTION 4. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the residents of Olmsted Falls for the further reason that it is necessary that this legislation go into effect immediately in order to establish said Opioid Settlement Fund in order to qualify for and receipt disbursements. Therefore, this Ordinance shall therefore take effect immediately upon the passage by the affirmative vote of not less than five members elected to Council and approval by the Mayor, or otherwise at the earliest time allowed by law, whichever is later.

PASSED: _____
Cornel Munteanu, Council President

APPROVED: _____
James Graven, Mayor *Date*

APPROVED AS TO FORM: _____
Andrew Bemer, Director of Law

ATTEST: _____
Angela Mancini, Clerk of Council

First Reading: _____

Second Reading: _____

Third Reading: _____

	Yea	Nay
Munteanu	_____	_____
Chitester	_____	_____
Jones	_____	_____
McFadden	_____	_____
Wolanin	_____	_____
Buchholz	_____	_____
Saari	_____	_____