

CITY COUNCIL REGULAR SESSION

Resolution authorizing the City Manager or his designee to execute the One Washington Memorandum of Understanding Between Washington Municipalities and to execute any settlement agreements and/or releases with manufacturers or suppliers of prescription opioids to which this One Washington Memorandum of Understanding Between Washington Municipalities is applicable.

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City Attorney's Office

EXECUTIVE SUMMARY

This Resolution authorizes participation in the One Washington Memorandum of Understanding Between Washington Municipalities.

RECOMMENDATION

Move to adopt Resolution No. 10095

BACKGROUND/ANALYSIS

A number of counties and cities in Washington have filed lawsuits against various manufacturers and distributors of prescription opioids seeking to recover the financial damages sustained by their local jurisdictions as a direct result of the use of prescription opioids, such as cleaning up public streets and buildings and responding to emergencies. Some of the manufacturers and distributors have expressed an interest in resolving their pending lawsuits contingent upon their ability to reach global resolution with most counties and cities in Washington, regardless of whether the county or city has a pending lawsuit.

In order to facilitate this type of global resolution, all counties and cities in Washington are being asked to execute a One Washington Memorandum of Understanding Between Washington Municipalities (MOU) which provides the basic framework for any future settlements with the manufacturers and distributors of prescription opioids. This MOU sets forth an agreement among the municipalities as to the allocation of any future settlement proceeds, a requirement that any settlement monies be used for opioid abatement, and procedures to ensure compliance with the terms of the MOU.

The City of Bellevue has not filed any lawsuits against the manufacturers or distributors of prescription opioids but could be the recipient of a portion of the settlement proceeds with a prescription opioid manufacturer or distributor if the City executed this MOU and any specific settlement agreements and/or releases that arise out of the terms of this MOU.

POLICY & FISCAL IMPACTS

Policy Impact

Pursuant to Bellevue City Code 4.36.030, settlement of claims exceeding \$75,000 requires the authorization of City Council.

Fiscal Impact

The execution of the MOU and any future settlement agreements and/or releases with the manufacturers or distributors of prescription opioids would not require any payments by the City. The administrative costs of third parties would be deducted from any settlement proceeds to which the City was entitled. The City has current staff which could absorb the administration of the City's accounting and distribution of the settlement funds for the designated opioid abatement processes.

OPTIONS

1. Adopt the Resolution authorizing the City Manager or his designee to execute the One Washington Memorandum of Understanding Between Washington Municipalities and to execute any settlement agreements and/or releases with manufacturers or suppliers of prescription opioids to which this One Washington Memorandum of Understanding Between Washington Municipalities is applicable.
2. Do not adopt the Resolution and provide alternative direction to staff.

ATTACHMENTS & AVAILABLE DOCUMENTS

Proposed Resolution No. 10095

AVAILABLE IN COUNCIL LIBRARY

One Washington Memorandum of Understanding Between Washington Municipalities