

RESOLUTION NO. 28

Series 2021

RESOLUTION APPROVING THE COLORADO OPIOIDS SETTLEMENT MEMORANDUM OF UNDERSTANDING

WHEREAS, the Town of Breckenridge, along with other participating Colorado local governments and the state of Colorado ("Plaintiffs") have reached a settlement agreement with various pharmaceutical manufacturers and distributors regarding the national opioid crisis; and,

WHEREAS, in anticipation of those settlements, Plaintiffs have negotiated the attached Colorado Opioids Settlement Memorandum of Understanding with Exhibits A through G (hereinafter "MOU") signed by Colorado Attorney General Philip J. Weiser on August 26, 2021, which governs the allocation, distribution, sharing, and expenditure of any settlement proceeds paid to Plaintiffs in connection with the opioid litigation; and,

WHEREAS, in order for the Town to receive its share of the proceeds from the settlement, the Town must further enter into a Subdivision Settlement Participation Form releasing claims against the major distributors; and,

WHEREAS, the Town will further enter into a Colorado Subdivision Escrow Agreement which will govern the authorized release of the funds in accordance with the MOU.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE, COLORADO:

Section 1. That the Town hereby approves the execution of the Colorado Opioids Settlement Memorandum of Understanding and associated agreements.

Section 2. All resolutions, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any such resolution, or part thereof, heretofore repealed.

Section 3. This resolution is effective upon adoption.

Section 4. Minor changes to or amendments of the approved agreements may be made by the Town Manager if the Town Attorney certifies in writing that the proposed changes or amendments do not substantially affect the consideration to be received or paid by the Town pursuant to the approved agreements, or the essential elements of the approved agreements.

RESOLUTION APPROVED AND ADOPTED this 26th day of October, 2021.

TOWN OF BRECKENRIDGE

By: _____/s/_____
Eric S. Mamula, Mayor

ATTEST:

_____/s/_____
Helen Cospolich, CMC,
Town Clerk

APPROVED IN FORM

_____/s/_____
Town Attorney Date