

**STAFF REPORT**

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**Date:** July 24, 2024

**To:** Mayor and City Council

**Through:** Jackie Bryant, Interim City Manager

**Subject:** Staff Report (For Possible Action): Approval of Subdivision Participation and Release Form in connection with the Kroger Settlement pursuant to the One Nevada Agreement on Allocation of Opioid Recoveries.

**From:** Jonathan Shipman, Chief Deputy City Attorney

**Department:** City Attorney's Office

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**Summary:**

Nevada Attorney General Aaron D. Ford and the Attorney General's Office ("AGO") request Council approval of the attached Subdivision Participation and Release Form in connection with the Kroger Settlement pursuant to the One Nevada Agreement on Allocation of Opioid Recoveries (the "One Nevada Agreement").

<b>Consent Review</b>	<b>Yes</b>	<b>No</b>
1. Is this item an annual or standard item that comes before Council for regular approval?	<b>X</b>	
2. Is this item an agreement required based on an item previously approved by Council?	<b>X</b>	
3. Is this item included in the current budget approved and adopted by Council?		<b>X</b>
<b>Other Considerations</b>		
What percent of the total City budget does this item represent?	<b>&gt; .001%</b>	

**Alignment with Strategic Plan:**

Public Safety

**Previous Council Action:**

On June 8, 2022, Council approved Amendment No. 2 to the One Nevada Agreement.

On February 9, 2022, Council approved Amendment No. 1 to the One Nevada Agreement

authorizing settlement with specific opioid distributors and manufacturers.

On July 28, 2021, Council approved the One Nevada Agreement on Allocation of Opioid Recoveries.

**Background:**

None.

**Discussion:**

On May 30, 2024, the AGO announced that Nevada will join the Kroger National Settlement, bringing in additional funding to assist with opioid abatement in the state. The settlement with Kroger contains remediation of approximately \$26,718,162.19. This amount will be payable over 11 years, which works out to approximately \$2,607,044.92 per year. The City is expected to receive approximately \$163,766.90 total, or \$14,887.90 per annum. The AGO will not make any disbursement until it receives an executed Subdivision Participation Form, Exhibit K, from the City.

**Financial Implications:**

Under the One Nevada Agreement on Allocation of Opioid Recoveries, the City may spend funds recovered under the settlement for "Opioid Remediation" purposes; specifically, for the "[c]are, treatment, and other programs and expenditures[ ... ] designed to (1) address the misuse and abuse of opioid products, (2) treat or mitigate opioid use or related disorders, or (3) mitigate other alleged effects of, including on those injured as a result of, the opioid epidemic.

**Legal Implications:**

Legal review completed for compliance with City procedures and Nevada law.

**Recommendation:**

Staff recommends Council approve the Subdivision Participation Form, Exhibit K, and authorize the Mayor to execute it on behalf of the City.

**Proposed Motion:**

I move to approve staff recommendation.

**Attachments:**

Kroger Exhibit K  
Kroger Opioids Settlement Estimate