

STAFF REPORT

Date: April 12, 2023

To: Mayor and City Council

Thru: Doug Thornley, City Manager

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

From: Jonathan Shipman, Chief Deputy City Attorney

Department: City Attorney's Office

Summary:

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

Alignment with Strategic Plan:

Public Safety

Previous Council Action:

June 8, 2022 - Council approved Amendment No. 2 to the One Nevada Agreement. February 9, 2022 - Council approved Amendment No. 1 to the One Nevada Agreement authorizing settlement with specific opioid distributors and manufacturers. July 28, 2021 - Council approved the One Nevada Agreement on Allocation of Opioid Recoveries.

Discussion:

On February 22, 2023, Nevada Attorney General Aaron D. Ford announced that Nevada will join an additional multistate settlement related to opioid manufacturers Allergan Finance, LLC; Allergan Limited; Allergan USA, Inc.; and Allergan, Inc (collectively "Allergan"), bringing in additional funding to assist with opioids abatement in the state. The settlement with Allergan contains remediation of \$26,508,913.00 that will be paid over a seven-year period. The City is expected to receive approximately \$176,701.22 total, or \$25,243.03 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 on behalf of the City.

Proposed Motion:

I move to approve staff recommendation.

Attachments:

Allergen Exhibit K

Allergen – Nevada Opioid Settlement Term Sheet and Exhibits