

STAFF REPORT

Date: March 8, 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 Walmart 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 Walmart 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 December 6, 2022, Nevada Attorney General Aaron D. Ford announced that Nevada entered into an opioid litigation settlement with Walmart. Similar to the prior J&J and Distributors settlements, Nevada will receive \$32.2 million from the multi-state settlement. It is important to note that the Walmart settlement also provides for the payment of fees and costs from different fee and costs funds, which will substantially increase the amount that will go towards abatement.

The City is expected to receive approximately \$245,413.29. 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. See attached Opioid Abatement Memo.

Legal Implications:

None.

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:

Walmart Settlement Agreement
Subdivision Participation Form, Exhibit K
Opioid Abatement Memo