

Ordinance No. 886-2022

**By Council Members Conwell and Griffin
(by departmental request)**

AN EMERGENCY ORDINANCE

Authorizing the appropriation of funds from the State of Ohio from a settlement of opioid-litigation against pharmaceutical supply chain participants; and authorizing various contracts to prevent, treat, and support recovery from addiction.

WHEREAS, the people of the State of Ohio and its communities have been harmed by misfeasance, nonfeasance and malfeasance committed by certain entities within the pharmaceutical supply chain; and

WHEREAS, the State of Ohio and certain local governments separately engaged in litigation seeking to hold pharmaceutical supply chain participants accountable for the damage caused by their misfeasance, nonfeasance and malfeasance; and

WHEREAS, a negotiated resolution of legal or equitable claims against a pharmaceutical supply chain participant has been jointly entered into by the State, the Plaintiff's Executive Committee of National Prescription Opiate Multidistrict Litigation, and local governments ("Opioid Settlement"); and

WHEREAS, the parties above entered into a Memorandum of Understanding ("MOU") relating to the allocation and use of the funds from the Opioid Settlement; and

WHEREAS, under the MOU, the Opioid Settlement funds must be placed in a segregated fund and be used only for the specific uses identified in the file mentioned below; and

WHEREAS, the City's first disbursement from the Opioid Settlement is \$155,619.43; and

WHEREAS, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That \$155,619.43 and future disbursements of Opioid Settlement funds shall be deposited in Fund No. 10 SF 977 and are appropriated for use by the Department of Public Health for the approved purposes identified in the file mentioned below. (RQS 5005, RLA 2022-61)

In accordance with the provisions of this ordinance, the above funds shall be used for the following approved purposes: to prevent, treat, and support recovery from

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addiction including opioids and/or any other co-occurring substance use and/or mental health conditions which are all long-lasting (chronic) diseases that can cause major health, social and economic programs at the individual, family and/or community level and are further described in Ohio Abatement Strategies placed in **File No. 886-2022-A**.

Section 2. That the Director of Public Health is authorized to employ by contract or contracts one or more consultants or other professionals or one or more firms of consultants or other professionals necessary for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to implement programs in the file. The selection of the professional consultants shall be made by the Board of Control on the nomination of the Director of Public Health.

Section 3. That the Director of Public Health is authorized to make one or more written standard contracts and written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, the period of requirements to be determined by Director of Public Health, for the purchase or rental of the necessary items of labor, materials, equipment, supplies, and services that are eligible under the uses described in the file, to be purchased or procured by the Commissioner of Purchases and Supplies on a unit basis for Department of Public Health. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. The costs of any requirement contract shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase or procurement, which purchase or procurement, together with all later purchases or procurements, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance.

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Section 4. That in accordance with Section 108(b) of the Charter, the Director of Public Health is also authorized to enter into agreements and sign all documents necessary to purchase these items through cooperative purchase arrangements with other government agencies.

Section 5. That the Director of Public Health is authorized to enter into one or more agreements to implement this ordinance.

Section 6. That all agreements authorized by this ordinance shall be approved by the Director of Law and contain such terms and conditions as necessary to protect the public interest consistent with the purposes of this ordinance.

Section 7. That the cost of any expenditure incurred under this ordinance, including all contracts, shall be paid from Fund No. 10 SF 977 which is the fund and subfund to which are credited the funds appropriated under this ordinance, and from any other funds that are appropriated for this purpose as determined by the Director of Finance.

Section 8. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

ST:nl
9-12-2022
FOR: Director Margolius

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READ FIRST TIME on SEPTEMBER 12, 2022

**and referred to DIRECTORS of Public Health, Finance, Law;
COMMITTEES on Health Human Services and the Arts,
Finance Diversity Equity and Inclusion**

REPORTS

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

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Published in the City Record _____

**PASSAGE RECOMMENDED BY
COMMITTEE ON
HEALTH, HUMAN SERVICES
and the ARTS**

FILED WITH COMMITTEE

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COMMITTEE ON
FINANCE, DIVERSITY, EQUITY
and INCLUSION**

FILED WITH COMMITTEE

