

**RESOLUTION NO. 121321-1**

**A RESOLUTION OF THE CITY OF ABILENE, KANSAS, APPROVING THE EXECUTION AND DELIVERY OF AN AGREEMENT TO RELEASE AND ASSIGN THE CITY'S OPIOID CLAIMS TO THE KANSAS ATTORNEY GENERAL AND CERTIFYING COSTS ATTRIBUTABLE TO SUBSTANCE ABUSE AND ADDICTION MITIGATION IN EXCESS OF \$500.**

**WHEREAS**, in 2021, the Kansas Legislature enacted HB 2079, the Kansas Fights Addiction Act (the "Act"), authorizing municipalities such as the City of Abilene to access opioid litigation settlement funds and become eligible for certain state grants by entering an agreement releasing the city's opioid litigation claims to the Attorney General and assigning any future opioid litigation claims to the Attorney General (the "Agreement"); and

**WHEREAS**, the City of Abilene sustained damages related to the opioid epidemic; and

**WHEREAS**, the City of Abilene desires to enter an Agreement releasing and assigning its Claims to the Attorney General in order to access opioid litigation settlement funds and become eligible for certain state grants;

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF ABILENE, KANSAS:**

**Section 1. Authorization of the Agreement.** The Governing Body hereby authorizes the release of its legal claims arising from covered conduct to the Attorney General, and the assignment of any future legal claims arising from covered conduct to the Attorney General, pursuant to the Agreement by and between the Attorney General and the City in substantially the form developed by the League of Kansas Municipalities, the Kansas Association of Counties, and the Attorney General pursuant to the Act (a copy of the final document shall be on file in the records of the City), with such changes therein as shall be reviewed by the City Attorney and the officials of the City executing such documents.

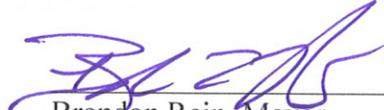
**Section 2. Execution of the Agreement.** The Mayor, City Manager, City Attorney and City Clerk are hereby authorized and directed to execute, seal, attest and deliver the Agreement and such other settlement agreements, documents, certificates and instruments as may be necessary and desirable to carry out and comply with the intent of this Resolution, for and on behalf of the City.

**Section 3. Certification of Costs and Expenses.** The City hereby certifies that it has incurred costs and expenses related to substance abuse or addiction mitigation in excess of \$500 and the City can utilize the opioid litigation settlement funds for the lawful purposes established in the Kansas Fights Addiction Act and the settlement agreements. The Mayor, City Manager, City Clerk, and City Attorney are hereby authorized to execute, seal, attest and deliver such other documents, certificates and instruments as may be necessary and desirable to certify these costs and expenses or similar costs and expenses, for and on behalf of the City.

**Section 4. Effective Date.** This Resolution shall be in full force and effect from and after its adoption.

Passed and approved by the Governing Body of the City of Abilene, Kansas, on this 13<sup>th</sup> day of December 2021.



  
Brandon Rein, Mayor

ATTEST:

  
Shayla Mohr, City Clerk

REVIEWED AND APPROVED AS TO FORM:

  
Aaron O. Martin, City Attorney