

ORDINANCE NO. 10 - 2022

AN ORDINANCE APPROVING THE COLORADO REGION 18 OPIOID INTERGOVERNMENTAL AGREEMENT

WHEREAS, the City of Alamosa filed a complaint against various opioid manufacturers and distributors in federal court in May of 2018, which was consolidated into the nationwide multi-district litigation being heard by Judge Dan A. Polster in the Northern District of Ohio (the “MDL”); and

WHEREAS: the State of Colorado similarly filed a lawsuit consolidated into the MDL; and

WHEREAS: the MDL is has been settled on a nationwide basis with numerous defendants contributing to a settlement fund to be distributed to the states and then further distributed by them to the local jurisdictions within their boundaries; and

WHEREAS: the City of Alamosa approved participation in the nationwide settlement through execution of a set of intergovernmental agreements with the Colorado Attorney General in Ordinance No. 22-2021 (the “Colorado MOU”); and

WHEREAS, pursuant to the Colorado MOU, the settlement funds are split with 10% going to infrastructure, 10% to the State of Colorado, 20% to local governments, and 60% to regional governing committees; and

WHEREAS, the attached draft Region 18 IGA is based off a boiler plate IGA that the Attorney General's Office created and ties into the Colorado MOU with the AG that the City approved last year. The Regional IGA lays out the structure and processes for the local Opioid Council. Pursuant to the Colorado MOU, it must be approved before any settlement funds are released; and

WHEREAS: Article XIV, Section 18 of the Colorado Constitution and C.R.S. Section 29-1-201, *et seq.*, encourage, permit and authorize intergovernmental agreements to accomplish mutually beneficial objectives such as making provision for resolving complex litigation involving multiple governmental agencies; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of Alamosa as follows:

Section 1. Approval of Intergovernmental Agreement. The substance of the Region 18 IGA referenced above and attached to this ordinance is hereby adopted and approved, and the City Manager is directed to execute the agreement on behalf of the City of Alamosa once finalized in a manner acceptable to the City Attorney and which, in the opinion of the City Attorney, is substantially the same as attached to this ordinance.

Section 2. General Repealer. All other acts, orders, ordinances, resolutions, or portions thereof in conflict with the sections adopted in this Ordinance, are hereby repealed to the extent of such conflict.

Section 3. Recording and Authentication. This ordinance, immediately upon its passage, shall be authenticated by the signatures of the Mayor and City Clerk, recorded in the City Book of Ordinances kept for that purpose, and published according to law.

Section 4. Publication and Effective Date. This ordinance shall take effect ten (10) days after publication following final passage. Publication both before and after final passage shall be by the title of this ordinance, which Council determines constitutes a sufficient summary of the ordinance, together with the statement that the full text of the ordinance is available for public inspection and acquisition on the City's website and in the office of the City Clerk.

Section 5. NON-Codification. The City Clerk is directed to ensure that the provisions of this ordinance **ARE NOT** codified in the *Code of Ordinances of the City of Alamosa*.

Section 6. Declaration of Public Interest. This ordinance is necessary to preserve the peace, health, safety, welfare, and to serve the best interest of the citizens of the City of Alamosa, Colorado.

INTRODUCED, READ AND APPROVED on first reading the 20th day of April, 2022, and ordered published by title and reference as provided by law with notice of a public hearing to be held for consideration of the adoption of said ordinance on the 4th day of May, 2022, at 7:00 p.m., or as soon thereafter as the matter may be heard, or on such subsequent date to which the public hearing or Council consideration may be continued.

APPROVED, AND ADOPTED after public hearing the 4th day of May, 2022.

CITY OF ALAMOSA

By _____
Ty Coleman, Mayor

ATTEST:

Holly C. Martinez, City Clerk