

**CITY OF KIRTLAND**

**ORDINANCE NUMBER 22-O-51**

**AN ORDINANCE AUTHORIZING THE CREATION OF  
THE ONEOHIO OPIOID SETTLEMENT FUND NO. 216,  
AND DECLARING AN EMERGENCY.**

**WHEREAS**, The State of Ohio reached an \$808 million agreement with the three largest distributors of opioids; and

**WHEREAS**, The State developed the OneOhio plan, a mechanism to ensure that any money from a negotiated settlement is distributed fairly to the communities hit hardest by the opioid crisis; and

**WHEREAS**, the settlement agreement allocates 30% to local governments (LG Share), 55% to a foundation that will distribute funds to projects, and 15% to the Office of the Ohio Attorney General as Counsel for the State of Ohio; and

**WHEREAS**, Kirtland City Council passed Resolution No. 21-R-42 authorizing the City to enter into the participation agreement and accept the material terms of the OneOhio Subdivision Settlement with Janssen/Johnson & Johnson pursuant to the OneOhio Memorandum of Understanding, and

**WHEREAS**, Ohio Rev. Code 5705.09(F) requires subdivisions to establish separate funds for each class of revenue derived from a source other than the general property tax; and

**WHEREAS**, Ohio Rev. Code 5705.10(I) further requires the taxing authority of a subdivision to establish, with the approval of the Auditor of State, a separate fund for money derived from specified sources other than the general property tax; and

**WHEREAS**, The Auditor of State recommends that each participating subdivision accepting the Funds provide by a written ordinance that the LG Share of the OneOhio Funds shall be placed in a separate fund and used only for the approved purposes as required by the OneOhio MOU; and

**WHEREAS**, Council finds the recommendation of the Administration to establish The OneOhio Opioid Settlement Fund No. 216 to be in the best interests of the health, safety and welfare of all residents and businesses in the City of Kirtland.

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KIRTLAND, LAKE COUNTY, STATE OF OHIO, THAT:**

**SECTION 1.** The Director of Finance is hereby authorized to establish the OneOhio Opioid Settlement Fund No. 216 to separately account for any moneys received through the OneOhio Opioid Settlement in compliance with the Ohio Auditor of State (AOS).

**SECTION 2.** It is hereby found and determined that all formal actions of the Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

**SECTION 3.** This Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of the City of Kirtland, such reason being to authorize the creation of the OneOhio Opioid Settlement Fund No. 216 to separately account for funds received by the City through the OneOhio subdivision Settlement with Janssen/Johnson & Johnson. It shall therefore become effective upon its passage by the affirmative vote of not less than five (5) members of Council and approval by the Mayor or otherwise at the earliest time allowed by law.

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Third Reading: \_\_\_\_\_

DATE PASSED: \_\_\_\_\_

\_\_\_\_\_  
President of Council

Submitted to the Mayor for his  
Approval on this \_\_\_\_\_ day of  
\_\_\_\_\_, 2022.

ATTEST:

Approved by the Mayor on this \_\_\_\_  
day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Clerk of Council  
Creation of OneOhio Settlement Fund

\_\_\_\_\_  
Mayor Kevin F. Potter