

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified Copy of Portion of Proceedings for the Meeting of March 21, 2023

RESOLUTION NO. _____

RESOLUTION OF THE HUMBOLDT COUNTY BOARD OF SUPERVISORS APPROVING THE COUNTY OF HUMBOLDT'S PARTICIPATION IN NATIONWIDE OPIOID LITIGATION SETTLEMENTS WITH TEVA, ALLERGAN, CVS, WALGREENS AND WALMART AND AUTHORIZING THE HUMBOLDT COUNTY COUNSEL'S OFFICE TO TAKE ANY AND ALL REASONABLE AND NECESSARY ACTIONS TO IMPLEMENT THE SETTLEMENTS, SECURE SETTLEMENT FUNDS AND FULFILL THE COUNTY OF HUMBOLDT'S PRIOR AGREEMENT TO COMPENSATE OUTSIDE COUNSEL

WHEREAS, local jurisdictions throughout the nation, including the County of Humboldt, have, and continue to experience, an opioid epidemic as a result of opioid misuse, abuse, dependency, overdose and opioid-related deaths; and

WHEREAS, according to the Centers for Disease Control, one (1) in four (4) people who are prescribed opioids for chronic pain develop issues with addiction; and

WHEREAS, the opioid epidemic affects entire communities, devastates families and overwhelms local health care, social services, law enforcement and judicial systems; and

WHEREAS, the effects of the opioid epidemic have disproportionately affected Humboldt County, although the number of opioids prescribed in Humboldt County is decreasing, due in part to new regulations and the efforts of local organizations focused on reducing harms from opioids; and

WHEREAS, in March 2018, the Humboldt County Board of Supervisors authorized the County of Humboldt to participate in nationwide litigation against the manufacturers, wholesalers and distributors of prescription opioid painkillers; and

WHEREAS, representatives of litigating state and local subdivisions reached settlement agreements with new settling defendants Teva, Allergan, CVS, Walgreens and Walmart ("Settling Defendants"); and

WHEREAS, pursuant to the terms and conditions of the National Opioid Settlements with Settling Defendants, state and eligible local subdivisions must "opt in" to the settlements on or before April 18, 2023 by, among other possible actions, executing applicable Participation Agreements; and

WHEREAS, if the Humboldt County Board of Supervisors elects to participate in the National Opioid Settlements, the County of Humboldt is expected to receive up to approximately Sixteen Million Dollars (\$16,000,000.00) over a period of fifteen (15) years to fund opioid abatement costs, as defined; and

WHEREAS, as a Litigating Entity, the County of Humboldt will not only receive funds for ongoing abatement but will also be eligible to recoup internal fees and costs related to litigation; and

WHEREAS, the County of Humboldt's outside counsel, the Keller Rohrbach law firm, has performed valuable services for the County of Humboldt in helping bring about the current and prior National Opioid Settlements; and

WHEREAS, pursuant to the terms and conditions of the attorney engagement and contingency fee agreement that the County of Humboldt has with Keller Rohrbach, Keller Rohrbach has applied to the national fee fund and agreed to limit its fee to a total of fifteen percent (15%) of the County of Humboldt's recovery, giving the County of Humboldt Credit for any award it receives from the national fee fund; and

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WHEREAS, the Humboldt County Board of Supervisors finds participating in the National Opioid Settlements with Settling Defendants is critical to the County of Humboldt’s ongoing efforts to provide and maintain intervention, treatment, education and recovery services necessary to effectively combat the opioid epidemic.

NOW, THEREFORE, THE HUMBOLDT COUNTY BOARD OF SUPERVISORS HEREBY RESOLVES AS FOLLOWS:

1. The Humboldt County Board of Supervisors hereby approves and elects to “opt in” to the settlement agreements with Settling Defendants Teva, Allergan, CVS, Walgreens and Walmart, relating to the National Multi-District Opioid Litigation, as a full participant.
2. The Humboldt County Board of Supervisors hereby authorizes the acting County Counsel, or a designee thereof, to take any and all reasonable and necessary actions to effectuate the County of Humboldt’s participation the National Opioid Settlements with Settling Defendants Teva, Allergan, CVS, Walgreens and Walmart, including, without limitation, executing any and all agreements, certifications, attestations, forms or other documents, and any amendments thereto, that are required, or deemed necessary, to participate in such settlements and to fulfill the County of Humboldt’s prior agreement to compensate outside counsel.

Dated: March 21, 2023

Steve Madrone, Chair
Humboldt County Board of Supervisors

Adopted on motion of Supervisor _____, seconded by Supervisor _____, and the following vote:

AYES;
NOES:
ABSENT:
ABSTAIN:

STATE OF CALIFORNIA)
County of Humboldt)

I, KATHY HAYES, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be a full, true and correct copy of the original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my
hand and affixed the Seal of said Board of Supervisors

KATHY HAYES
Clerk of the Board of Supervisors of the County
of Humboldt, State of California