

**An Interlocal Agreement Between the City of Missoula and Missoula County to
Establish the Governance Structure for the Opioid Abatement Region from the
Distributors' Litigation Settlement**

WHEREAS, the people of the State of Montana and its communities, including the City of Missoula and Missoula County, have been harmed by serious and substantial wrongdoing committed by certain entities within the Pharmaceutical Supply Chain; and,

WHEREAS, the State of Montana and Montana's cities and counties, including the City of Missoula and Missoula County share a common desire to abate and remediate the impacts of that wrongdoing throughout the State of Montana and to maximize the resources devoted to combatting the opioid crisis; and,

WHEREAS, researchers and clinicians in Montana and elsewhere have now built a substantial body of evidence demonstrating which opioid abatement strategies work and which do not and there are public health leaders in the State and at the local level with expertise in addiction and substance use available to guide determinations for the use of any settlement funds; and,

WHEREAS, the State of Montana, the City of Missoula, and Missoula County agreed to join a settlement agreement process (hereafter Settlement Agreements) which resolved litigation against certain specific defendants in the Pharmaceutical Supply Chain, namely the opioid distributors McKesson Corporation, Cardinal Health, Inc., and Amerisource Bergen Corporation and also Janssen and the related entities listed in the Section I. 32 of the Janssen Settlement Agreement (hereafter the Opioid Settlement Defendants) for harms caused by their wrongdoing that require – with limited exception-- that all settlement funds be used for forward- looking remediation and abatement of opioid associated harms; and

WHEREAS, local and regional use of Opioid Settlement Funds will be implemented through Abatement Regions and the local governments within those regions.

WHEREAS, the Montana Distributors' and Janssen Opioids Settlement Memorandum of Understanding requires that each Abatement Region shall create its own governance structure and designate a fiscal agent for the administration, management, and use of Opioid Remediation funds; and

WHEREAS, the Participating Local Governments within the Missoula Abatement Region are Missoula County and the City of Missoula.

NOW THEREFORE, BE IT RESOLVED, the City and County shall enter into this interlocal agreement to establish a governance structure for the administration, management, and use of Opioid Remediation funds for the Missoula Abatement Region.

- I. **PURPOSE.** The purpose of this Agreement is to memorialize the governance structure and designate a fiscal agent for the Missoula Abatement Region for the administration, management, and use of Opioid Remediation funds as required in the Montana Distributors' and Janssen Opioids Settlement Memorandum of Understanding.
- II. **AUTHORITY.** Interlocal Agreements are authorized by the Interlocal Cooperation Act, at Title 7, Chapter 11, Part 1, MCA, to permit local governments to make the most efficient use of their powers by enabling them to cooperate on a basis of mutual advantage in serving the needs of the community.

III. MISSOULA OPIOID REMEDIATION BOARD

- A. The County and City establishes the Missoula Opioid Remediation Board consisting of the Mayor of the City of Missoula and the chair of the Board of Missoula County Commissioners.

IV. EFFECTIVE DATE, DURATION, DISSOLUTION AND DISPOSAL OF PROPERTY

- A. This Agreement will become effective and binding upon ratification by both parties.
- B. This Agreement will remain in effect until one or both parties provide written notice of withdrawal pursuant to the provisions of this Agreement.

V. AMENDMENT OF AGREEMENT

- A. Either party may initiate a request to amend this Agreement by providing a written copy of the proposed amendment to the other party for review and consideration. Any amendment will become effective only when agreed to in writing and approved by both governing bodies.

APPROVED by the Board of County Commissioners and City of Missoula on the dates shown below.

CITY OF MISSOULA BY:

BOARD OF COUNTY COMMISSIONERS:

Jordan Hess, Mayor

Juanita Vero, Chair

Martha L. Rehbein, CMC, City Clerk

Josh Slotnick, County Commissioner

DATED: _____

David Strohmaier, County Commissioner

Tyler Gernant, Clerk and Recorder

DATED: _____