

RESOLUTION NO. 2022-1

**A RESOLUTION OF THE COUNTY OF LEAVENWORTH, 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 litigating municipalities such as the County of Leavenworth 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 County of Leavenworth sustained damages related to the opioid epidemic; and

WHEREAS, on June 14, 2019, the County of Leavenworth filed suit to recover damages sustained by the County related to the opioid epidemic (the "Claims"); and

WHEREAS, the County of Leavenworth 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 COUNTY OF
LEAVENWORTH, KANSAS:**

Section 1. Authorization of the Agreement. County 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 County in substantially the form presented to and reviewed by the governing body at this meeting (copies of this document shall be on file in the records of the County), with such changes therein as shall be reviewed by the County Counselor and the officials of the County executing such documents.

Section 2. Execution of the Agreement. The County Commission Chair, County Administrator, County Counselor and County Clerk are hereby authorized and directed to execute, seal, attest and deliver the Agreement in substantially the form presented to and reviewed by the governing body at this meeting 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 County.

Section 3. Certification of Costs and Expenses. The County hereby certifies that it has incurred costs and expenses related to substance abuse or addiction mitigation in excess of \$500 and the County can utilize the opioid litigation settlement funds for the lawful purposes established in the Kansas Fights Addiction Act and the settlement agreements. The County Commission Chair and County Administrator 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 County.

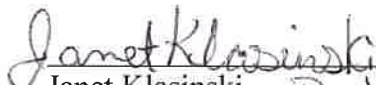
Section 4. Effective Date. This Resolution shall be in full force and effect from and after the date of its adoption and the authorizations contained herein shall relate back to the date upon the exercise of those authorizations.

ADOPTED this 5th day of January, 2022, and **SIGNED** by the County Commission Chair.



Mike Smith
County Commission Chair

Attested:


Janet Klasinski
County Clerk

REVIEWED AND APPROVED AS TO FORM:



David C. Van Parys
County Counselor

