

RESOLUTION No. 37344 As Amended

Authorize the City Attorney to take legal action against certain opioid manufacturers and distributors and other appropriate parties to recover public funds that have been and will be expended by the City as a result of the manufacture and distribution of prescription opioids (Resolution)

WHEREAS, certain manufacturers of prescription opioids have aggressively pushed highly addictive, dangerous opioids, by advocating that doctors and patients use opioids for the treatment of chronic pain, while trivializing or misrepresenting the risks of serious addiction from opioid use; and

WHEREAS, certain wholesale distributors of opioids have breached their statutory obligations to monitor, detect, investigate, refuse to fill, and report suspicious orders of prescription opioids, resulting in widespread unlawful diversion of prescription opioids; and

WHEREAS, increased marketing of opioids for chronic pain, dissemination of inaccurate and deceptive information regarding the addictive nature of opioids, and widespread diversion of prescription opioids have resulted in a nationwide epidemic of opioid addiction and overdose deaths; and

WHEREAS, Portland Fire & Rescue expends substantial resources responding to emergency medical calls for overdoses and administering Naloxone (a medication designed to rapidly reverse opioid overdose); and

WHEREAS, Portland Police Bureau spends millions of dollars annually responding to opioid-related drug calls and cases, as well as funding programs designed to reduce drug-related property crime; and

WHEREAS, the City funds housing and homelessness programs that provide services for individuals with opioid addiction; and

WHEREAS, the City directly expends funds to cover the costs of prescription opioids for members of City health insurance plans, as well as the costs of opioid addiction treatment for members of City health insurance plans; and

WHEREAS, the law provides a remedy for the City to recover costs attributable to the acts and omissions of those responsible for the opioid epidemic; and

WHEREAS, it is in the public interest for the City to recover the public funds expended because of manufacturers' misleading and deceptive advocacy for increased use of prescription opioids and distributors' negligent distribution of prescription opioids;

WHEREAS, members of the Sackler family, which founded Purdue Pharma, makers of Oxycontin, including Richard Sackler, were deeply and personally involved in the deceptive marketing of Oxycontin;

WHEREAS, the Sackler family name has been lionized by numerous major cultural and educational institutions, including the Metropolitan Museum of Art, the Guggenheim, and both Harvard and Yale Universities;

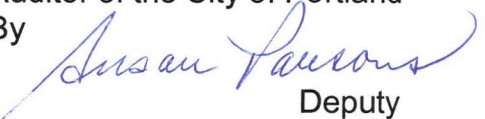
NOW, THEREFORE, BE IT RESOLVED, that, the City Attorney or her designee is authorized to commence an action in any competent tribunal to protect the City's rights and recover damages and/or any other relief against any opioid manufacturers and distributors for which there is a good faith basis to assert legal claims, and to pursue to conclusion in any higher tribunal and to make any stipulation, agreement, or admission as in her judgment may be in the best interest of the City. The City Attorney is further authorized to retain outside counsel to assist in the prosecution of such litigation if in her judgment doing so is in the best interest of the City.

BE IT FURTHER RESOLVED that the Council urges all cultural and educational institutions to remove the Sackler family name from any and all exhibits, buildings, professorships and programs where it is featured, and to refuse any new contributions from the Sackler family.

Adopted by the Council: FEB 21 2018

Mayor Wheeler
Commissioner Eudaly
Commissioner Fish
Commissioner Fritz
Commissioner Saltzman

Mary Hull Caballero
Auditor of the City of Portland
By


Deputy

Prepared by: Naomi Sheffield
Date Prepared: February 13, 2018

Agenda No. **37344** As Amended
RESOLUTION NO.
 Title

Authorize the City Attorney to take legal action against certain opioid manufacturers and distributors and other appropriate parties to recover public funds that have been and will be expended by the City as a result of the manufacture and distribution of prescription opioids. (Resolution)

INTRODUCED BY <i>Eudaly</i> Commissioner/Auditor: <i>Fish</i> <i>Wheeler/ Fritz Saltzman</i>	CLERK USE: DATE FILED <u>FEB 13 2018</u>
COMMISSIONER APPROVAL Mayor—Finance and Administration - Wheeler <i>KC</i> Position 1/Utilities - Fritz <i>Tom Lamb</i> Position 2/Works - Fish <i>Sudfort</i> Position 3/Affairs - Saltzman <i>[Signature]</i> Position 4/Safety - Eudaly <i>[Signature]</i>	Mary Hull Caballero Auditor of the City of Portland By: <i>[Signature]</i> Deputy
BUREAU APPROVAL Bureau: City Attorney Bureau Head: Tracy Reeve	ACTION TAKEN:
Prepared by: Naomi Sheffield Date Prepared: February 13, 2018	
Financial Impact Statement & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
City Attorney Approval: <i>[Signature]</i> required for contract, code, easement, franchise, charter, Comp Plan	
Council Meeting Date Feb. 21, 2018	

AGENDA
TIME CERTAIN <input type="checkbox"/> Start time: _____ Total amount of time needed: _____ (for presentation, testimony and discussion)
CONSENT <input type="checkbox"/>
REGULAR <input checked="" type="checkbox"/> 25 Total amount of time needed: 15 minutes (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	1. Fritz	_____
2. Fish	✓	
3. Saltzman	✓	
4. Eudaly	✓	
Wheeler	✓	