

1 RESOLUTION NO. 2024-270

2  
3 SPONSOR Executive Shapiro

4  
5 DATE September 23, 2024 COMMITTEE Rules

6  
7 **An amended Resolution authorizing the Executive to execute Articles of Incorporation, a**  
8 **Code of Regulations, an agreement and any other necessary related documents with the**  
9 **Akron Community Foundation in order to establish a Supporting Organization that will be**  
10 **known as the “Summit Health and Safety Innovation Fund”, in accordance with the terms**  
11 **of Exhibit A, to support the health and safety of County residents, and authorizing the**  
12 **Executive to execute a Gift Agreement with the ACF and the Summit Health and Safety**  
13 **Innovation Fund for the contribution of an initial amount not to exceed \$45,000,000.00, and**  
14 **a total amount not to exceed \$70,000,000.00, of Opioid Settlement Dollars, to the Summit**  
15 **Health and Safety Innovation Fund, for the Executive, and declaring and emergency.**

16  
17 WHEREAS, pursuant to Resolution Nos. 2019-332 and 2019-361, this Council authorized  
18 the Executive to settle any and all claims, and to execute any corresponding settlement agreements,  
19 in litigation titled In re: National Prescription Opiate Litigation, Case No. 1:17-MD-2804, before  
20 Judge Dan Aaron Polster in the United States District Court, Northern District of Ohio (the  
21 “Lawsuit”), resulting in an unprecedented amount of settlements; and

22  
23 WHEREAS, the Executive convened the Key Stakeholders Group and the Opiate  
24 Abatement Advisory Council (“OAAC”) to help determine how to spend the opiate money to best  
25 serve the residents of the County; and

26  
27 WHEREAS, an Opiate Abatement Strategy was developed as a guiding document for  
28 expending monies received through the settlement of the Lawsuit, and identified four pillars of  
29 focus: (1) treatment, (2) system and infrastructure, (3) harm reduction, and (4) education; and

30  
31 WHEREAS, the County of Summit has a unique opportunity to dedicate settlement funds  
32 to support the health and safety of County residents through the creation of a separate, tax-exempt  
33 charitable organization ~~to~~ which will benefit all County residents for years to come and will help  
34 ensure that many of the additional challenges faced by our minority and disadvantaged residents  
35 in the areas of mental health, addiction, support recovery, and other pressing health and public  
36 safety concerns have an opportunity to be addressed; and

37  
38 WHEREAS, the Executive wishes to support the establishment of a “Supporting  
39 Organization” of the Akron Community Foundation (“ACF”), as described in the Executive  
40 Summary and Term Sheet Exhibit A, a copy of which is attached hereto as Exhibit A and  
41 incorporated fully herein by reference; and

42  
43 WHEREAS, the County would jointly develop with ACF a leadership structure for the  
44 Supporting Organization involving a Board of Directors and committees, made up of subject  
45 matter experts who bring a diversity of thought and lived experiences, through which thought  
46 leaders and experts will participate in framing the Supporting Organization’s initiatives and  
47 oversee its operations. The Board of Directors of the Supporting Organization will define the  
48 strategic initiatives and guide the Supporting Organization’s grant making, investments, and  
49 activities in an effort to address those health and safety issues most urgent to County residents and  
50 for which the Supporting Organization’s funding and involvement are likely to make a positive  
51 and meaningful difference; and

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4 WHEREAS, the Supporting Organization is expected to have the flexibility to: (1) fund  
5 innovative approaches designed to drive positive health and safety outcomes, (2) provide seed  
6 funding for new and creative health, disease, and addiction prevention and/or treatment  
7 methodologies, (3) act as a convener to attract other funders and community partners for ongoing  
8 funding of successful projects initially funded by the Support Organization, and (4) invest in  
9 prevention protocols to abate the onset of health issues; and

10

11 WHEREAS, through the Gift Agreement with the ACF and Supporting Organization, the  
12 County would establish certain spending and fee restrictions for the funds contributed to the SO  
13 as outlined in Exhibit A; and

14

15 WHEREAS, this initiative will be a unique and longstanding dedication of funds that could  
16 transform healthcare programs and outcomes, ultimately advancing the social determinates of  
17 health, wellbeing, and public safety of County residents; and

18

19 WHEREAS, this Council finds and determines, after reviewing all pertinent information,  
20 that in order to help ensure that future challenges in the areas of addiction, mental health and safety  
21 may be addressed through the continued creation of unique and innovative programming, it is  
22 necessary to dedicate settlement funds to the creation of a separate, tax-exempt charitable  
23 organization which will benefit all of our County residents and help ensure the additional  
24 challenges faced by our minority and disadvantaged residents may be addressed. In order to  
25 effectuate the creation of this Supporting Organization that it is necessary and in the best interest  
26 of the County of Summit to authorize the Executive to execute Articles of Incorporation, a Code  
27 of Regulations ~~an agreement~~ and any other necessary related documents with the Akron  
28 Community Foundation in order to establish a Supporting Organization, in accordance with the  
29 terms of Exhibit A, and execute a Gift Agreement with the ACF and the established Supporting  
30 Organization to contribute an initial amount not to exceed \$45,000,000.00, and a total amount not  
31 to exceed \$70,000,000.00 of Opioid Settlement Dollars, in accordance with the terms of Exhibit  
32 A;

33

34 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State  
35 of Ohio, that;

36

37 SECTION 1

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39 The Executive is hereby authorized to execute Articles of Incorporation, a Code of  
40 Regulations ~~an agreement~~ and any other necessary related documents with the Akron Community  
41 Foundation in order to establish a Supporting Organization that will be known as the “Summit  
42 Health and Safety Innovation Fund”, in accordance with the terms of the Executive Summary and  
43 Term Sheet ~~Exhibit A~~, a copy of which is attached hereto as Exhibit A and incorporated fully  
44 herein by reference, to support the health and safety of County residents, and is authorized to  
45 execute the contribution of an initial amount not to exceed \$45,000,000.00, and a total amount not  
46 to exceed \$70,000,000.00, of Opioid Settlement Dollars.

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48 SECTION 2

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50 The Executive is hereby authorized to execute a Gift Agreement with the Akron Community  
51 Foundation and the Summit Health and Safety Innovation Fund for the contribution of an initial

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4 SECTION 2 (Continued)

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6 amount not to exceed \$45,000,000.00, to the Summit Health and Safety Innovation Fund, of  
7 Opioid Settlement Dollars, in accordance with the terms of the Executive Summary and Term  
8 Sheet, a copy of which is attached hereto as Exhibit A and incorporated fully herein by reference.

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10 SECTION 23

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12 This Resolution is declared an emergency in the interest of the health, safety, and welfare  
13 of the residents of the County of Summit, and for the further reason that it authorizes the immediate  
14 formation of the aforementioned Supporting Organization.

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16 SECTION 34

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18 Provided this Resolution receives the affirmative vote of eight members, it shall take effect  
19 immediately upon its adoption and approval by the Executive; otherwise, it shall take effect and  
20 be in force at the earliest time provided by law.

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22 SECTION 45

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24 It is found and determined that all formal actions of this Council concerning and relating  
25 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all  
26 deliberations of this Council and any of its committees that resulted in such formal action, were in  
27 meetings open to the public, in compliance with all legal requirements, including Section 121.22  
28 of the Ohio Revised Code.

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31 INTRODUCED September 23, 2024

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33 ADOPTED December 2, 2024

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DocuSigned by:  
*Monique Willis*

CLERK OF COUNCIL  
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DocuSigned by:  
*Jane Shapiro*

EXECUTIVE  
CB33E140D287473...

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38 ENACTED EFFECTIVE December 3, 2024

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DocuSigned by:

*Rita J. Darrow*

PRESIDENT OF COUNCIL  
132AA3B9D28443...

Voice Vote – YES: 11 – 0: Darrow, Dickinson,  
Donofrio, Ford, Kacyon, McKenney, Rodgers,  
Schmidt, Wiedie Higham, Walters, Wilhite