

**CITY COUNCIL OF MONTEREY PARK  
THE CITY COUNCIL ACTING ON BEHALF OF THE SUCCESSOR AGENCY OF THE  
FORMER REDEVELOPMENT AGENCY, THE HOUSING AUTHORITY, THE MONTEREY  
PARK FINANCING AUTHORITY AND THE MONTEREY PARK GEOLOGIC HAZARD  
ABATEMENT DISTRICT AGENDA**

**SPECIAL MEETING  
Monterey Park City Hall, Room 266  
320 W. Newmark Avenue, Monterey Park, CA 91754**

**Monday  
April 10, 2023  
5:30 p.m.**

**MISSION STATEMENT**

The mission of the City of Monterey Park is to provide excellent services to enhance the quality of life for our entire community.

**GENERAL INFORMATION**

Documents related to an Agenda item are available to the public in the City Clerk's Office located at 320 West Newmark Avenue, Monterey Park, CA 91754, during normal business hours and the City's website at [www.montereypark.ca.gov/AgendaCenter/City-Council-17](http://www.montereypark.ca.gov/AgendaCenter/City-Council-17).

The Special Meeting will not be televised on the city's cable channel MPKTV (AT&T U-verse, channel 99 or Charter Communications, channel 182) or on the city's website at <http://www.montereypark.ca.gov/133/City-Council-Meeting-Videos>.

**PUBLIC PARTICIPATION**

You may speak up to 5 minutes on Agenda item. You may combine up to 2 minutes of time with another person's speaking. No person may speak more than a total of 10 minutes. The Mayor and City Council may change the amount of time allowed for speakers. Written Communication will be accepted up to 2 hours before the meeting via email to [mpclerk@montereypark.ca.gov](mailto:mpclerk@montereypark.ca.gov).

Per the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please call City Hall at (626) 307-1359 for reasonable accommodation at least 4 hours before a meeting. Council Chambers are wheelchair accessible.

**CALL TO ORDER**

**Mayor**

**ROLL CALL**

**Henry Lo, Vinh Ngo, Jose Sanchez, Thomas Wong, Yvonne Yiu**

**PUBLIC COMMUNICATIONS:**

While all comments are welcome, the Brown Act does not allow the City Council to take action on any item not on the agenda. The Council may briefly respond to comments after Public Communications is closed. Persons may, in addition to any other matter within the City Council's subject-matter jurisdiction, comment on Agenda Items at this time. If you provide public comment on a specific Agenda item at this time, however, you cannot later provide comments at the time the Agenda Item is considered.

## Monterey Park City Council Special Meeting Agenda, April 10, 2023 - Page 2

The City Council will recess to Closed Session following public comment and the Open Session items if any. Public participation is not allowed during Closed Session.

### [1.] OPEN SESSION

#### 1-A APPOINTMENT OF REAL PROPERTY NEGOTIATORS

It is recommended that the City Council consider:

- (1) Appointing the City Manager, Assistant City Manager, Director of Finance, and City Attorney as the real property negotiators for Closed Session Item No. 2-B.
- (2) Taking such additional, related, action that may be desirable.

#### 1-B. CONSIDERATION AND POSSIBLE ACTION TO AUTHORIZE THE CITY MANAGER OR DESIGNEE TO ENTER INTO NATIONAL OPIOID SETTLEMENTS WITH TEVA, ALLERGAN, CVS, WALGREENS, AND WALMART

It is recommended that the City Council consider:

- (1) Adopt a resolution authorizing the City Manager, or designee, to enter into National Opioid Settlements with Teva, Allergan, CVS, Walgreens, and Walmart; and/or
- (2) Taking such additional, related, action that may be desirable

### [2.] CLOSED SESSION

#### 2-A. CONFERENCE WITH LABOR NEGOTIATORS, PURSUANT TO CALIFORNIA GOVERNMENT CODE § 54957.6

City Negotiators: Steve Berliner and Christine Tomikawa

Employee Organizations: Confidential Employees' Association, Firefighters' Association, Mid-Management Association, Police Captains' Association, Police Officers' Association, Police Officers' Mid-Management Association, Professional Chief Officers' Association, and Service Employees International Union, Local 721

#### 2-B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS - GOVERNMENT CODE § 54956.8: 1 item

Property: 3500 W. Ramona Blvd. and 3700 W. Ramona Blvd.; AIN 5237-001-902

City Negotiators: Ron Bow, City Manager  
Karl H. Berger, City Attorney  
Inez Alvarez, Assistant City Manager  
Martha Garcia, Director of Finance

Negotiating Parties: John Tallichet, President (Specialty Restaurants Corporation)

Under Negotiation: Lease

**2-C. CONFERENCE WITH LABOR NEGOTIATORS, PURSUANT TO CALIFORNIA GOVERNMENT CODE § 54957.6**

City Negotiators: Ron Bow, City Manager and Karl H. Berger, City Attorney

Employee Organization: Executive Management Team - Assistant City Manager, City Librarian, Director of Community Development, Director of Human Resources & Risk Management, Director of Finance, Director of Public Works, Director of Recreation & Community Services, Fire Chief, and Police Chief

**2-D. CONFERENCE LEGAL COUNSEL, EXISTING LITIGATION - GOVERNMENT CODE SECTION 54956.9(d) - Number of Cases: 1**

*Mary Pat Dodson v. City of Monterey Park* (filed November 12, 2021)  
LASC Case No. 21STCV41669

Upon conclusion of the Closed Session, the Mayor and/or City Attorney will announce any reportable actions accordance with the Brown Act at the conclusion of this meeting.

**ADJOURN**



# City Council Staff Report

**DATE:** April 10, 2023

**AGENDA ITEM NO:** 1-B

**TO:** Honorable Mayor and City Council  
**FROM:** Justin A. Tamayo, Deputy City Attorney  
**SUBJECT:** Consideration and possible action to authorize the City Manager or designee to enter into National Opioid Settlements with Teva, Allergan, CVS, Walgreens, and Walmart.

## **RECOMMENDATION:**

It is recommended that the City Council consider:

1. Adopt a resolution authorizing the City Manager, or designee, to enter into National Opioid Settlements with Teva, Allergan, CVS, Walgreens, and Walmart; and/or
2. Take such additional, related action that may be desirable.

## **BACKGROUND:**

On July 21, 2021, a \$26 billion offer to settle was made by opioid manufacturer Janssen Pharmaceuticals (parent company of Johnson & Johnson) and the "big three" distributors (McKesson, AmerisourceBergen, and Cardinal Health) ("the Distributors") to resolve their liabilities in over 3,000 opioid crisis-related lawsuits nationwide. The City is participating in these settlement agreements and receives payments from the State each year that are derived from Janssen and the Distributors.

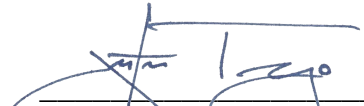
In late 2022, agreements were announced with three pharmacy chains (CVS, Walgreens, and Walmart) and two additional manufacturers (Allergan and Teva). In January 2023, each of those pharmacy chains and manufacturers confirmed that a sufficient number of states had agreed to the settlements to move forward. As with the 2021 National Settlements, cities that want to participate in the 2022 National Settlements now will have the opportunity to "opt in." The greater the level of subdivision participation, the more funds will ultimately be paid out. The City must opt-in by April 18, 2023, or it will be precluded from participation.

Under both the 2021 and 2022 National Settlements, at least 85% of the funds going directly to participating cities must be used for abatement of the opioid epidemic, with the overwhelming bulk of the proceeds restricted to funding future abatement efforts by state and local governments.

**FISCAL IMPACT:**

Participation in the additional settlements entitles the City to opioid remediation funds from the new defendants. The amount of funds that the City will receive is dependent upon the total number of local subdivisions that timely opt-in.


Respectfully submitted by:



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Justin A. Tamayo,  
Deputy City Attorney


Approved by:



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Ron Bow,  
City Manager

Reviewed by:



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Karl H. Berger,  
City Attorney

Attachment:

1. Draft Resolution

Staff Report  
April 10, 2023

# **ATTACHMENT 1**

## **Draft Resolution**

## RESOLUTION NO.

### **A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO ENTER INTO NATIONAL OPIOID SETTLEMENTS WITH TEVA, ALLERGAN, CVS, WALGREENS, AND WALMART**

The City Council does resolve as follows:

SECTION 1: The City Council finds and declares as follows:

- A. On July 21, 2021, a \$26 billion offer to settle was made by opioid manufacturer Janssen Pharmaceuticals (parent company of Johnson & Johnson) and the "big three" distributors, McKesson, AmerisourceBergen, and Cardinal Health ("the Distributors") to resolve their liabilities in over 3,000 opioid crisis-related lawsuits nationwide.
- B. California joined additional lawsuits against manufacturers, distributors, and other entities responsible for aiding the opioid epidemic.
- C. Between November 2022 and December 2022, Teva, Allergan, CVS, Walgreens, and Walmart entered into National Opioid Settlements.
- D. The deadline for the City to opt-in to the settlement agreements with Teva, Allergan, CVS, Walgreens, and Walmart is April 18, 2023.

SECTION 2: *Authorization*. The City Manager, or designee, is authorized to enter into National Opioid Settlement Agreements with Teva, Allergan, CVS, Walgreens, and Walmart.

SECTION 3: *Severability*. If any part of this Resolution or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications, and to this end, the provisions of this Resolution are severable.

SECTION 4: *Construction*. This Resolution must be broadly construed to achieve the purposes stated in this Resolution. It is the City Council's intent that the provisions of this Resolution be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this Resolution.

SECTION 5: *Electronic Signatures*. This Resolution may be executed with electronic signatures in accordance with Government Code § 16.5. Such electronic signatures will be treated in all respects as having the same effect as an original signature.

SECTION 6: *Recordation*. The Mayor, or presiding officer, is authorized to sign this Resolution signifying its adoption by the City Council of the City of Monterey Park and the City Clerk, or her duly appointed deputy, may attest thereto.

SECTION 7: Effective Date. This Resolution will become effective immediately upon adoption and will remain effective unless repealed or superseded.

PASSED AND ADOPTED this 10th day of April, 2023.

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Jose Sanchez, Mayor

ATTEST:

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Maychelle Yee, City Clerk

APPROVED AS TO FORM:  
KARL H. BERGER, City Attorney

  
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Justin A. Tamayo, Deputy City Attorney