

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: July 24, 2024

SUBMITTED BY: Tamara Melton, Legal

ITEM TYPE: Miscellaneous

AGENDA SECTION: CONSENT AGENDA

SUBJECT: Opioid Litigation - Proposed Settlement with Kroger Co.

SUGGESTED ACTION: Approval

Is this item Quasi-Judicial?

No

Does this item require a public hearing?

No

EXPLANATION:

The City has a pending lawsuit wherein Kroger Co. is a defendant. The City's outside opioid litigation counsel ("Opioid Counsel") advised as to a potential settlement with Kroger Co. (the "Kroger Settlement"). More detailed information is provided in the confidential attorney-client/work-product Memorandum dated July 16, 2024, provided under separate cover.

FINANCIAL IMPACT:

The estimated settlement payments to the City if Florida participates in the Kroger Settlement are unknown at this time.

ATTORNEY REVIEW/RECOMMENDATION:

Reviewed by City Attorney.

SUGGESTED MOTION:

I move for approval to participate in the Kroger Settlement if the Florida Attorney General elects to participate in the same and authorize the Mayor to execute the Participation Agreement with Kroger Co. to be held in escrow by outside opioid litigation counsel.

ATTACHMENTS:

Kroger Ex. K (Subdivision Participation Form)