

RESOLUTION NO. 2026-04-___ (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ELECTING TO PARTICIPATE IN THE PROPOSED OPIOID SETTLEMENT ARISING OUT OF THE LAWSUITS OR CLAIMS BROUGHT BY THE STATE OF TEXAS AND OTHER JURISDICTIONS AGAINST ASSOCIATED PHARMACIES, INC. (AND AMERICAN ASSOCIATED PHARMACIES); J M SMITH CORPORATION; LOUISIANA WHOLESALE DRUG COMPANY, INC.; MORRIS AND DICKSON CO.; NORTH CAROLINA MUTUAL WHOLESALE DRUG COMPANY, INC.; AND UNITED NATURAL FOODS, INC. (INCLUDING ITS SUBSIDIARIES SUPERVALU AND ADVANTAGE LOGISTICS) (COLLECTIVELY, THE “SIX REMNANT DEFENDANTS”) FOR THEIR RESPECTIVE ROLES IN THE NATIONAL OPIOID CRISIS; MAKING FINDINGS; AUTHORIZING THE CITY MANAGER TO EXECUTE APPROPRIATE DOCUMENTATION RELATED THERETO; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the State of Texas, along with a broad coalition of states and political subdivisions from across the country, sued major opioid distributors, opioid manufacturers, and pharmacies for their role in the national opioid crisis; and

WHEREAS, the State of Texas and the other jurisdictions initially reached a final settlement with three (3) opioid distributors - AmerisourceBergen, Cardinal Health, and McKesson - and one (1) opioid manufacturer Johnson & Johnson; and

WHEREAS, the Texas Attorney General's Office requested that McKinney and other Texas local governments elect to participate in the settlements, and to express such intent in a resolution by the governing body; and

WHEREAS, the City of McKinney elected to participate in the settlements and adopted the settlement term sheet provided by the Texas Attorney General's Office in September 2021, and which term sheet is now referred to as the “Texas Term Sheet,” an intrastate agreement between the state and litigating subdivisions, administered by the Opioid Council; and

WHEREAS, the State of Texas and the other jurisdictions have reached a number of other final settlements with opioid manufacturers, distributors, and pharmacies relative to their respective roles in manufacturing, distributing, marketing, sale and dispensing of opioids, in which settlements the City of McKinney also elected to participate; and

WHEREAS, the State of Texas and the other jurisdictions have now reached a final settlement with six regional distributors/dispenser defendants, Associated Pharmacies, Inc. (and American Associated Pharmacies); J M Smith Corporation; Louisiana Wholesale Drug Company, Inc.; Morris and Dickson Co.; North Carolina Mutual Wholesale Drug Company, Inc.; and United Natural Foods, Inc. (including its subsidiaries SuperValu and Advantage Logistics) (collectively, the “Six Remnant Defendants”) regarding their roles in the manufacturing, distributing, marketing, sale and dispensing of opioids; and

WHEREAS, it is the intent of the City of McKinney to elect to continue its participation in the opioid settlements and “Opt In” to the Settlements with the Manufacturers, and forward to the Texas Attorney General's Office and/or Rubris, the National Opioid Settlements Implementation Administrator such further and additional documentation as may therefore be required.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, THAT:

Section 1. The findings set forth above are incorporated into the body of this Resolution as if fully set forth herein.

Section 2. The City Manager shall be authorized to execute all necessary documentation reflecting the City's election to participate in or "Opt In" to the settlements with the Manufacturers referenced in this Resolution.

The City Manager shall also be authorized to take any and all other steps requested or authorized by the Texas Attorney General's Office relative to participating in or otherwise opting into the settlements with each of Associated Pharmacies, Inc. (and American Associated Pharmacies); J M Smith Corporation; Louisiana Wholesale Drug Company, Inc.; Morris and Dickson Co.; North Carolina Mutual Wholesale Drug Company, Inc.; and United Natural Foods, Inc. (including its subsidiaries SuperValu and Advantage Logistics) referenced in this Resolution.

Section 3. Any and all resolutions, rules, regulations, policies, or provisions in conflict with the provisions of this Resolution are hereby repealed and rescinded to the extent of any conflict herewith.

Section 4. This Resolution shall take effect immediately from and after the date of passage by the City Council, and is so resolved.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THE 21ST DAY OF APRIL 2026.

CITY OF MCKINNEY, TEXAS

BILL COX, Mayor
GERÉ FELTUS, Mayor Pro Tem

ATTEST:

EMPRESS DRANE, City Secretary
TENITRUS PARCHMAN, Deputy City Secretary

APPROVED AS TO FORM:

MARK S. HOUSER, City Attorney
BENJAMIN SAMPLES, First Assistant City Attorney
ALAN LATHROM, Assistant City Attorney