



**CITY OF SALISBURY  
SPECIAL MEETING AGENDA**

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**MARCH 7, 2022**

**5:20 p.m.**

**Government Office Building, Room 301, Salisbury, Maryland and Zoom Video Conferencing**

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Times shown for agenda items are estimates only.

5:20 p.m. CALL TO ORDER

5:21 p.m. ADOPTION OF SPECIAL MEETING AGENDA

5:22 p.m. ORDINANCE- City Attorney Ashley Bosche

**Ordinance No. 2714-** 1<sup>st</sup> reading- to establish a special revenue fund, to be known as "OSP Fund", for the purpose of accounting for opioid settlement proceeds received from the State of Maryland

5:27 p.m. ADJOURNMENT

Next Council Meeting – March 14, 2022

- Ordinance No. 2713- 2<sup>nd</sup> reading- amending Section 13.16 of the code, entitled "Sanitary Facilities", to add an exemption for facilities owned or operated by the City of Salisbury for the purpose of providing temporary housing for homeless persons
- Ordinance No. 2714- 2<sup>nd</sup> reading- to establish a special revenue fund, to be known as "OSP Fund", for the purpose of accounting for opioid settlement proceeds received from the State of Maryland

Copies of the agenda items are available for review in the City Clerk's Office, Room 305 – City/County Government Office Building, 410-548-3140 or on the City's website at [www.salisbury.md](http://www.salisbury.md). City Council meetings are conducted in Open session unless otherwise indicated. All or part of the Council's meetings can be held in Closed Session under the authority of the Maryland Open Meetings Law, Annotated Code of Maryland General Provisions Article § 3-305(b), by vote of the City Council.

**Join Zoom Meeting**  
**<https://us02web.zoom.us/j/88186172560>**  
**Meeting ID: 881 8617 2560**  
**Phone: 1.301.715.8592**

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INTER

OFFICE

# MEMO

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## *Finance Department*

**To:** Julia Glanz, City Administrator  
**From:** Keith Cordrey, Director of Finance *KAC*  
**Subject:** OPS Fund  
**Date:** March 3, 2022

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The City of Salisbury has been advised litigation proceeds will be received as a result of national agreements from lawsuits filed against three major opioid distributors.

Please find attached an Ordinance that established a separate "Special Revenue Fund" called the "OSP Fund" to account for the litigation proceeds received and the related expenditures.

After your review, if you do not have questions or concerns, please forward this ordinance to council for their consideration.

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**ORDINANCE NO. 2714**

**AN ORDINANCE OF THE CITY OF SALISBURY ESTABLISHING A SPECIAL REVENUE FUND, TO BE KNOWN AS “OSP FUND”, FOR THE PURPOSE OF ACCOUNTING FOR OPIOID SETTLEMENT PROCEEDS RECEIVED FROM THE STATE OF MARYLAND.**

**WHEREAS**, the national settlement agreements arising from lawsuits filed against three major opioid distributors and manufacturer Johnson & Johnson provide for each State to receive a specified share of the overall opioid settlement proceeds; and

**WHEREAS**, the State of Maryland and its local governments, including the City of Salisbury, negotiated and entered into a separate State-Subdivision Agreement to address the allocation of the opioid settlement proceeds throughout the State of Maryland; and

**WHEREAS**, the State-Subdivision Agreement allocates opioid settlement proceeds directly and indirectly (through grant opportunities) to the City of Salisbury; and

**WHEREAS**, the national settlement agreements and the State-Subdivision Agreement require that all opioid settlement proceeds (“OSP”) are to be utilized for opioid abatement purposes only; and

**WHEREAS**, the City of Salisbury is required to establish a separate fund in order to ensure such OSP revenues and expenditures are accounted for separate from other City activities; and

**WHEREAS**, in order to receive, and remain qualified to receive, opioid settlement proceeds, all funds deposited into the OSP Fund will have a corresponding automatic appropriation of an equivalent amount for opioid abatement purposes; and

**WHEREAS**, this separate fund shall be called the “OSP Fund”.

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND**, as follows:

**Section 1.** An OSP Fund shall be established for the purpose of receiving the City’s share of opioid settlement proceeds from the State of Maryland and accounting for expenditures of such proceeds in accordance with the national opioid settlement agreements and the corresponding State-Subdivision Agreement.

**Section 2.** The OSP funds shall only be expended for opioid abatement purposes as permitted by the aforementioned agreements and shall not be withdrawn or otherwise applied for any other purpose.

**BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND**, as follows:

**Section 3.** It is the intention of the Mayor and Council of the City of Salisbury that each provision of this Ordinance shall be deemed independent of all other provisions herein.

**Section 4.** It is further the intention of the Mayor and Council of the City of Salisbury that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid, unconstitutional or otherwise unenforceable under applicable Maryland or federal law, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and all other provisions of this Ordinance shall remain and shall be deemed valid and enforceable.

53            **Section 5.** The recitals set forth hereinabove are incorporated into this section of the Ordinance as  
54 if such recitals were specifically set forth at length in this Section 5.

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56            **Section 6.** This Ordinance shall take effect from and after the date of its final passage.

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58            **THIS ORDINANCE** was introduced and read at a Meeting of the Mayor and Council of the City of  
59 Salisbury held on the \_\_\_\_\_ day of \_\_\_\_\_, 2022 and thereafter, a statement of the substance  
60 of the Ordinance having been published as required by law, in the meantime, was finally passed by the  
61 Council of the City of Salisbury on the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

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63 **ATTEST:**

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69 **Kimberly R. Nichols, City Clerk**

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69 **John R. Heath, City Council President**

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71 Approved by me, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

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77 **Jacob R. Day, Mayor**