

## EXHIBIT NO. 4

### RESOLUTION NO. 24-079

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO CARRY OUT ALL NECESSARY ACTS FOR CITY OF CARSON TO ENTER INTO THE MASTER SETTLEMENT AGREEMENT WITH KROGER CO. (INCLUDING THE RELATED PARTICIPATION AGREEMENT) AND RELATED STATE-SUBDIVISION ALLOCATION AGREEMENT**

**WHEREAS**, the United States is facing an ongoing public health crisis of opioid abuse, addiction, overdose, and death, forcing the State of California and California counties and cities to spend billions of dollars each year to address the direct consequences of this crisis; and

**WHEREAS**, pending in the U.S. District Court for the Northern District of Ohio is a multidistrict litigation (“MDL”) being pursued by numerous public entity plaintiffs against the manufacturers and distributors of various opioids based on the allegation that the defendants’ unlawful conduct caused the opioid epidemic; and

**WHEREAS**, on or about September 8, 2023, a proposed nationwide tentative settlement was reached between the plaintiffs in the MDL and Kroger Co. (“Kroger”); and

**WHEREAS**, as part of the settlement with Kroger, local subdivisions, including certain cities, that are not plaintiffs in the MDL may elect to participate in the settlement in exchange for a release of Kroger; and

**WHEREAS**, the terms of the proposed nationwide settlement have been set forth in the Master Settlement Agreement with Kroger (“Master Settlement Agreement”); and

**WHEREAS**, a copy of the Master Settlement Agreement has been made available to the City Council with this Resolution; and

**WHEREAS**, the Master Settlement Agreement provides, among other things, for the payment of a certain sum to settling government entities in California including to the State of California and Participating Subdivisions (“Participating Subdivision”) upon occurrence of certain events as defined in the Settlement Agreement (“California Opioid Funds”); and

**WHEREAS**, in order to become a Participating Subdivision, the City must enter into a “Participation Agreement” which allows the City’s participation in the Master Settlement Agreement; and

**WHEREAS**, a copy of the Participation Agreement has been made available to the City Council with this Resolution; and

**WHEREAS**, California local governments in the MDL have engaged in extensive discussions with the State Attorney General’s Office (“AGO”) as to how the California Opioid Funds will be allocated, which has resulted in the Proposed California State-Subdivision Agreement Regarding Distribution and Use of Settlement Funds (“Allocation Agreement”); and

**WHEREAS**, copies of the Allocation Agreement have been made available to the City Council with this Resolution; and

**WHEREAS**, under the Master Settlement Agreement, certain local subdivisions that did not file a lawsuit against Kroger may qualify to participate in the settlement and receive funds; and

**WHEREAS**, the City Council now desires to approve and authorize the City Manager to execute the Master Settlement Agreement with Kroger, the Participation Agreement, and the State Subdivision Agreement.

**WHEREAS**, the intent of this Resolution is to authorize the City to enter into the Master Settlement Agreement with Kroger by executing the Participation Agreement and to enter into the Allocation Agreement by executing the signature pages to those agreements.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:**

**Section 1. Recitals.** The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

**Section 2. Approval and Authorization.** The City Manager is hereby approved and authorized to settle and release the City's claims against the Settling Defendant in exchange for the consideration set forth in the Master Settlement Agreement, Participation Agreement, Allocation Agreement, and all exhibits thereto.

**Section 3. Further Acts.** The City Manager is hereby authorized to carry out all necessary acts such that the City can participate in the Master Settlement Agreement, including, without limitation, execution (as necessary) of the Participation Agreement, Master Settlement Agreement, Allocation Agreement, and all related documents and the transmittal of thereof as necessary and appropriate.

**Section 4. Ratification.** All actions heretofore taken by the City Council and other appropriate public officers and agents of the City with respect to the matters contemplated under this Resolution are hereby ratified, confirmed and approved.

**Section 5. Severability.** The City Council declares that, should any provision, section, paragraph, sentence or word of this Resolution be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Resolution as hereby adopted shall remain in full force and effect.

**Section 6. Certification.** The City Clerk shall certify to the adoption of this Resolution and enter it into the book of original Resolutions.

**Section 7. Effective Date.** This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED, and ADOPTED this 6th day of August, 2024.

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Lula Davis-Holmes, Mayor

ATTEST:

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Dr. Khaleah R. Bradshaw, City Clerk

APPROVED AS TO FORM:

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Sunny K. Soltani, City Attorney