

1 [Acceptance of Tobacco Settlement Funds - Designation of Authorized Officers]

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3 **Resolution designating authorized officers, the Treasurer, Controller, and City Attorney**
4 **or their successors in office, to accept and withdraw Tobacco Settlement Funds on**
5 **behalf of the City and County of San Francisco ("City"), pursuant to the Memorandum**
6 **of Understanding, dated August 5, 1998, among the Attorney General of the State of**
7 **California and Cities and Counties in the State, including the City.**

8
9 WHEREAS, On November 23, 1998, attorney generals representing 52 state and
10 territories signed the Master Settlement Agreement ("MSA") with four of the largest tobacco
11 manufacturers ("Original Participating Manufacturers") in the United States to settle claims
12 and recover costs in the billions of dollars associated with distribution and consumption of
13 smoking related products; and

14 WHEREAS, Under the MSA, the Original Participating Manufactures agreed, among
15 other things, to pay out over \$206 billion over the first 25 years of the MSA ("Tobacco
16 Settlement Funds") to pay for medical costs of States and local governments incurred related
17 to cigarette smoking; and

18 WHEREAS, Under the MSA the Original Participating Manufactures also agreed that
19 after such initial 25-year period to pay an additional \$9 billion per year (adjusted for inflation
20 and volume of cigarette sales) in perpetuity to the settling states, including California; and

21 WHEREAS, The Attorney General of the State of California and representatives of a
22 number of California Counties and Cities, including San Francisco, entered into a
23 Memorandum of Understanding, dated August 5, 1998 ("MOU"), which allocates a portion of
24 Settlement Proceeds due to the State of California stemming from litigation against various
25 tobacco manufacturers; and

1 WHEREAS, This Board has previously approved participation in the settlement under
2 the terms and conditions memorialized in the MOU pursuant to Ordinance No. 402-98 finally
3 passed by this Board on December 21, 1998, and signed by the Mayor of the City and County
4 of San Francisco on December 24, 1998; and

5 WHEREAS, The City and County of San Francisco ("City") wishes to continue receiving
6 its allocated share of settlement proceeds as provided for and set forth in the MOU; and

7 WHEREAS, This Board has previously identified the Treasurer, Controller and the City
8 Attorney as the officers authorized ("Authorized Officers") to direct the transfer of the City's
9 portion of Tobacco Settlement Funds pursuant to Resolution No. 132-00, adopted by this
10 Board on February 14, 2000, and signed by the Mayor on February 22, 2000; and

11 WHEREAS, The originally named officers identified in Resolution No. 132-00 have
12 since been replaced by successors in office, and it is desirable to document and place on
13 record the current incumbents authorized to direct the transfer of Tobacco Settlement Funds;
14 and

15 WHEREAS, San Francisco has, in consideration for receiving its portion of the
16 settlement proceeds as allocated to cities and counties in the MOU, executed the Agreement
17 Regarding interpretation of MOU and the Release (approved by the Court of Appeal, 4th Cir.
18 (DO61077, Cal. Ct. App. May 20, 2013)); now, therefore, be it

19 RESOLVED, That the Board hereby finds and declares that the above recitals are true
20 and correct, and, be it

21 FURTHER RESOLVED, That this Board hereby authorizes the continued acceptance
22 and deposit of San Francisco's portion of the settlement proceeds as allocated to cities and
23 counties pursuant to the terms of the MOU, and, be it

FURTHER RESOLVED, That this Board hereby authorizes the verification by the Attorney General's Office of all banking information provided to effectuate the acceptance of the settlement proceeds, and, be it

FURTHER RESOLVED, That the following officers or their successors in office shall be authorized and directed to cause the transfer of the City's portion of Tobacco Settlement Funds to appropriate accounts of the City, and, be it

David Chiu

José Cisneros

Greg Wagner

City Attorney

Treasurer

Controller

/s/

/s/

/s/

(SIGNATURE)

(SIGNATURE)

(SIGNATURE)

FURTHER RESOLVED, That all notices from the Office of the Attorney General to the City regarding the MOU or Tobacco Settlement Proceeds, or any matter relating thereto, shall be sent to:

Name of Person/Agency:

Greg Wagner

Title:

Controller

Address:

City Hall, Room 316

1 Dr. Carlton B. Goodlett Place

San Francisco, CA 94102

Telephone:

415-554-7500

E-Mail:

controller@sfgov.org

1 FURTHER RESOLVED, That the officers, employees and agents of San Francisco,
2 including without limitation, the Treasurer, the Controller and the City Attorney, are hereby
3 authorized and directed, jointly and severally, to do any and all things and to execute and
4 deliver any and all documents which they deem necessary or advisable in order to carry out,
5 give effect to or comply with the terms and intent of this Resolution, and be it

6 FURTHER RESOLVED, That this Resolution shall take effect immediately.
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9 APPROVED AS TO FORM:
10 DAVID CHIU, City Attorney

11 By: /s/
12 MARK D. BLAKE
13 Deputy City Attorney
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