

APPROVED AS TO FORM AND LEGALITY

2023 DEC -7 PM 7: 35

FILED
OFFICE OF THE CITY CLERK
OAKLAND

Barbara J. Parker

CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. 90045 C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO SUBMIT REQUESTS FOR EXCLUSION FROM SETTLEMENTS REACHED BETWEEN 3M COMPANY ("3M") AND E.I. DU PONT DE NEMOURS AND COMPANY, ET AL. ("DUPONT") AND A CLASS OF "PUBLIC WATER PROVIDERS" FOR ACTIONS RELATING TO PER- AND POLYFLUOROALKYL CONTAMINATION

WHEREAS, Per- and Polyfluoroalkyl substances ("PFAS") are a group of chemicals used to make coatings that make products resist heat, oil, stains, grease, and water; and

WHEREAS, PFAS coatings can be used on numerous consumer products including clothing, furniture, adhesives, food packaging, and heat-resistant non-stick pans; and

WHEREAS, PFAS and related compounds do not break down in the environment, can move through soils and contaminate water sources, and build up in fish and wildlife; and

WHEREAS, people are exposed to PFAS through using PFAS-covered products or consuming PFAS-contaminated water or food, and may experience serious health effects from that contamination; and

WHEREAS, on July 6, 2023 a class action complaint was filed against DuPont and on July 12, 2023, a class action complaint was filed against 3M, the major manufacturers of PFAS chemicals, by a class of public water systems; and

WHEREAS, the complaints allege that 3M and DuPont knew about the harmful nature of these chemicals, yet continued to manufacture and market them; and

WHEREAS, 3M and DuPont, and the class of "Public Water Providers" have reached a class action settlement; and

WHEREAS, opting-out of the settlements will preserve the City of Oakland's ability to file claims against 3M and DuPont in the future for PFAS contamination; now, therefore, be it

RESOLVED: That the City Attorney is authorized and directed to submit Requests for Exclusion from the settlements in the Aqueous Film-Forming Foam Products Liability Litigation (MDL 2873); and be it

FURTHER RESOLVED: That the City Attorney is authorized and directed to take whatever steps may be necessary to effect said Requests for Exclusion.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

DEC 19 2023

AYES - FIFE, GALLO, JENKINS, KALB, KAPLAN, RAMACHANDRAN, ~~REID~~ AND
PRESIDENT FORTUNATO BAS - 7


NOES ~~7~~

ABSENT ~~1~~

ABSTENTION ~~0~~

1 Excused - Reid

ATTEST: _____


ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California