

CITY OF OBERLIN, OHIO

ORDINANCE No. 24-50 AC CMS

AN ORDINANCE AUTHORIZING THE INTERIM CITY MANAGER TO SUBMIT THE NECESSARY CLAIMS AND TO PARTICIPATE IN THE 3M AND DUPONT ENTITIES PUBLIC WATER PROVIDER SETTLEMENT AGREEMENTS TO GO INTO IMMEDIATE EFFECT

WHEREAS, 3M and the DuPont Entities have manufactured and caused to be distributed a class of synthetic chemicals, perfluoroalkyl and polyfluoroalkyl substances (herein collectively referred to as PFAS); and

WHEREAS, PFAS are not readily degraded, and

WHEREAS, PFAS have been determined to be detrimental to human health and, as a result, the USEPA has recently promulgated regulations for PFAS contamination in public drinking water supplies, and

WHEREAS, class-action lawsuits are now pending in the District Court for the District of South Carolina brought by various public water utilities against 3M and the DuPont Entities as manufacturers of PFAS, hereinafter “Aqueous Film-Forming Foam (AFFF) Product Liability Litigation (MDL 2873), and

WHEREAS, 3M and the DuPont Entities have proposed to settle the class action lawsuits by providing funding to assist public water utilities with testing, planning, design and construction costs associated with managing PFAS in their respective water supplies; and

WHEREAS, the City of Oberlin is eligible to participate in the proposed settlements.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain, State of Ohio:

SECTION 1. The Interim City Manager is hereby authorized and directed to file the necessary claims to participate in the Aqueous Film-Forming Foam (AFFF) Product Liability Litigation (MDL 2873) settlement and to take all such other actions that may be necessary to facilitate the City’s participation therein.

SECTION 2. It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3. To ensure optimal water quality for the citizens of the City of Oberlin by submitting a timely claim in the Aqueous Film-Forming Foam (AFFF) Product Liability Litigation (MDL 2873) Settlement Agreements and provided that at least five (5) members of Council

determine by motion, this Ordinance shall go into full force and effect immediately after its passage; otherwise, it shall take effect on the earliest date allowed by law.

PASSED: 1st Reading: July 11, 2024

2nd Reading: _____

3rd Reading: _____

ATTEST:



BELINDA B. ANDERSON, MMC
CLERK OF COUNCIL



EBONI A. JOHNSON
PRESIDENT OF COUNCIL

POSTED: 07/12/2024

EFFECTIVE DATE: 07/11/2024