



**RIVERBEND RESOLUTION NO. 20231204-01**

**AUTHORIZING THE EXECUTIVE DIRECTOR/CEO TO SUBMIT A REQUEST FOR EXCLUSION FROM THE SETTLEMENT AGREEMENT FOR THE LAWSUIT AGAINST 3M FOR MAUFACTURING, MARKETING, DISTRIBUTING AND SELLING PRODUCTS CONTAINING DANGEROUS PFAS SUBSTANCES**

**WHEREAS**, Riverbend Water Resources District is a conservation and reclamation district created under and essential to accomplish the purposes of Section 59 Article XVI, Texas Constitution, existing pursuant to and having the powers set forth in Chapter 9601 of the Special District Local Laws Code of the State of Texas; and

**WHEREAS**, In July 2023 a settlement agreement was finalized in a lawsuit against chemical companies, including The 3M Company (3M), for manufacturing, marketing, distributing, and selling products containing dangerous per-and polyfluoroalkyl substances (PFAS) which now pollute natural resources; and

**WHEREAS**, there are two classes of affected plaintiffs. Phase 1 qualifying members are the initial group of entities recognized under the settlement as potentially having been adversely affected by PFAS contamination attributable to 3M. Phase 2 qualifying members, which Riverbend falls into, are water providers that are required to test for PFAS pursuant to the Safe Drinking Water Act's (SDWA) Fifth Unregulated Contaminant Monitoring Rule UCMR-5 and serve drinking water to more than 3,300 people; and

**WHEREAS**, any Request for Exclusion must be properly served by the deadline imposed by the Court. That deadline is December 11, 2023. In seeking Preliminary Approval of this Settlement Agreement, the Class Representatives will ask the Court to set that deadline ninety (90) calendar days after the date the Notice is mailed. Any Eligible Claimant that has elected to opt out may withdraw its Request for Exclusion at any time prior to the Final Fairness Hearing (scheduled for February 2, 2024), and thereby accept all terms of this Settlement Agreement, including its Dismissal provisions.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors authorizes the Executive Director/CEO to submit a Request for Exclusion for the lawsuit against 3M by the deadline of December 11, 2023. Further discussion to rescind the Request for Exclusion will be held at future board meetings.

**PASSED and APPROVED this 4<sup>th</sup> day of December 2023**

  
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Steve Mayo, President



# Riverbend

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Water Resources District

ATTEST:

A large, stylized handwritten signature in blue ink, appearing to read 'Tina Veal Gooch', written over a horizontal line.

Tina Veal Gooch, Secretary

*for* SONJA HUBBARD

