

**CITY OF MIRAMAR  
MIRAMAR, FLORIDA**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF MIRAMAR, FLORIDA, APPROVING A SETTLEMENT IN THE CASE OF CITY OF *MIRAMAR ET AL. VS. BASF CORPORATION, TYCO FIRE PRODUCTS, L.P. ET AL.*; AUTHORIZING THE ACCELERATED PAYMENT OF DEFENDANT 3M'S SETTLEMENT PROCEEDS; AUTHORIZING THE CITY MANAGER TO TAKE NECESSARY ACTION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on or about March 25, 2024, Plaintiff, City of Miramar, along with numerous other municipal governments around the United States, initiated product liability claims against numerous defendants in the United States District Court for the District of South Carolina, in a case entitled *IN RE: AQUEOUS FILM-FORMING FOAMS PRODUCTS LIABILITY LITIGATION*; and

**WHEREAS**, the parties have agreed to settle all issues involved with the Plaintiffs' lawsuit alleging claims for product liability; and

**WHEREAS**, neither party admits liability in this matter, however, in an effort to resolve the pending controversy, all parties desire to amicably and expeditiously resolve all claims and avoid continued litigation; and

**WHEREAS**, Defendant 3M's settlement payments are currently scheduled to be paid out over eight (8) plus years, through 20233; and

**WHEREAS**, instead of waiting to receive the annual payments through 2033, the City can elect to receive a lump-sum settlement payment; and

**WHEREAS**, choosing to receive the lump-sum settlement payment, the City will be able to use the funds presently, which will avoid waiting 8 years and protect against inflation and economic uncertainty, and further avoid administrative delays; and

**WHEREAS**, the City Commission hereby accepts the recommendation of the City Manager to settle this matter and to accelerate Defendant 3M's settlement payments consistent with the discussion held at the Executive Closed Door Session on July 9, 2025; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF MIRAMAR, FLORIDA AS FOLLOWS:**

**Section 1. Adoption of Representations.** The foregoing "**WHEREAS**" clauses are hereby ratified and confirmed as being true and the same are hereby made a specific part of this Resolution.

**Section 2. Approval of Claim Release Agreement.** The City Commission hereby approves the settlement between the Defendants and the City of Miramar and to accelerate Defendant 3M's settlement payments and further authorizes the City Manager to take all necessary action consistent with this Resolution.

**Section 3. Effective Date.** This Resolution shall be effective immediately upon adoption hereof.

Temp. Reso. No. 8469

7/2/25

7/3/25

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Mayor, Wayne M. Messam

\_\_\_\_\_  
Vice Mayor, Yvette Colbourne

ATTEST:

\_\_\_\_\_  
City Clerk, Denise A. Gibbs

I HEREBY CERTIFY that I have approved  
this RESOLUTION as to form:

\_\_\_\_\_  
City Attorney,  
Austin Pamies Norris Weeks Powell, PLLC

**Requested by Administration**

Commissioner Maxwell B. Chambers

Commissioner Avril Cherasard

Vice Mayor Yvette Colbourne

Commissioner Carson Edwards

Mayor Wayne M. Messam

**Voted**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_