

RESOLUTION NO. 26-45

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A LEGAL SERVICES CONTRACT WITH DAVID GROSSMAN & ASSOCIATES PLLC TO PROSECUTE ON A CONTINGENCY BASIS CIVIL LEGAL CLAIMS FOR HARMS AND PROPERTY DAMAGE FROM CONTAMINATION BY MICROPLASTICS INCLUDING TOBACCO PRODUCT WASTE, PFAS AND 1,4-DIOXANE AND DECLARING AN EMERGENCY.

WHEREAS, various litigations are pending for damages against the responsible parties who substantially contributed to municipalities being contaminated by PFAS, Microplastics and 1,4-Dioxane for the harms they caused; and

WHEREAS, the City of Chipley (hereafter ‘the City’) received communication from the law firm of DAVID GROSSMAN & ASSOCIATES PLLC and its Partners (“Grossman”) about potential claims for economic damages in proceedings against the responsible parties; and

WHEREAS, the City is in need of testing of its land and water, and pollutants such as microplastics, 1,4 Dioxane and PFAS could be present; and

WHEREAS, a Legal Services Contract allows DAVID GROSSMAN & ASSOCIATES PLLC and its Partner firms to work with the City to have testing and mapping performed, at no expense to the City, and to prosecute on a contingency basis proceedings for damages against the responsible parties; and

WHEREAS, it appears the City is entitled to participate in proceedings against the responsible parties, and accordingly engages DAVID GROSSMAN & ASSOCIATES PLLC to investigate, make claim and/or file lawsuits on behalf of the City to recover monies which it is entitled to; and

WHEREAS, the City may possess substantial municipal contamination and cost-recovery claims arising from municipal operations, environmental pathways, public works impacts, fire department activities, landfill and leachate issues, drinking and waste water claims, former military fire training and airport-related contamination, and ongoing public nuisance conditions; and

WHEREAS, contracting with DAVID GROSSMAN & ASSOCIATES and its Partners for legal services will allow the City to efficiently participate and serve the interests of its citizens; and

WHEREAS, the claims are intended to recover damages and obtain relief for impacts to municipal systems and property, including, without limitation, drinking water systems, wastewater systems, stormwater, infrastructure, airports, fire departments and training academies, turnout gear, landfills, airport, former military and industrial sites and other public infrastructure and environmental resources affected by such contamination.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CHIPLEY, FLORIDA, THAT:

SECTION I: The Mayor or Mayor Pro-Tem are hereby authorized to execute a Legal Services Contract with DAVID GROSSMAN & ASSOCIATES PLLC, a copy of which will be on file at City Hall to investigate and file lawsuits and/or claims on a contingency basis, on behalf of the City for harms and damages and to recover such monies.

SECTION II: The immediate necessity for this action is declared an emergency for the preservation of public peace, health, and safety, and for the reasons set forth above, and this resolution shall take effect immediately upon passage.

PASSED AND ADOPTED THIS 14TH DAY OF JULY, 2026.

CITY OF CHIPLEY

ATTEST:

Tracy L. Andrews, Mayor

Sherry Snell
City Clerk