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From Corporation Counsel, the Milwaukee County Office of Corporation Counsel, requesting authorization to select and engage outside counsel on a contingency fee basis to initiate lawsuits against companies that engaged in practices which resulted in environmental contamination, such as degradation of the soil and waters of Milwaukee County by perfluoroalkyl and polyfluoroalkyl (PFAS) substances, as well as those companies that engage in practices that which contribute to climate change and cause Milwaukee County residents to suffer the effects of climate change, by recommending adoption of the following:

A RESOLUTION

WHEREAS, environmental degradation and contamination is known to cause a myriad of effects upon communities, including serious health concerns, damage to property, and loss of vitality and utility; and

WHEREAS, in particular, Milwaukee County (the County) has experienced the effects of climate change, such as: flooding, wildfire smoke, and extreme weather events, resulting from the burning of fossil fuels; and

WHEREAS, the effects of climate change impact the health and well-being of the County and its residents; and

WHEREAS, the County discovered the presence of Per- and Polyfluoroalkyl (PFAS) contamination in its soil and water; and

WHEREAS, exposure to PFAS has been shown to cause cancer and other serious health concerns; and

WHEREAS, PFAS are known as “forever chemicals” that are difficult and expensive to mitigate or remediate; and

WHEREAS, the County is not alone in experiencing contamination from PFAS released into the environment or the detrimental effects of climate change; and

WHEREAS, nationally, state and local governmental units have filed lawsuits to address manufacturers’ production and promotion of PFAS and PFAS-containing products; and

WHEREAS, nationally, state and local governmental units have filed lawsuits to address manufacturers’ production and promotion of fossil fuels, a leading cause of climate change, despite risks and detrimental effects known to these entities; and

45 WHEREAS, efforts to mitigate the effects of climate change and remediate
46 environmental contamination are difficult and expensive undertakings; and

47

48 WHEREAS, the County is responsible for a multitude of programs and services
49 that are impaired by environmental degradations, which, in turn, forces the County to
50 expend significant resources during a time when available revenues are decreasing,
51 and State of Wisconsin and Federal aid is limited; and

52

53 WHEREAS, it is well documented that environmental contamination and the
54 effects of environmental degradation disproportionately burden low-income
55 neighborhoods and communities of color, due to historical and ongoing patterns of
56 discrimination and inequity, leading to adverse health outcomes and diminished quality
57 of life for affected community members; and

58

59 WHEREAS, manufacturers who knew, or should have known, that their toxic
60 products would contaminate the environment and create a public health hazard but
61 promoted those products anyway can be held liable; and

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63 WHEREAS, litigation is an increasingly viable way of addressing and holding
64 these perpetrators accountable; and

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66 WHEREAS, it is prudent for the County to explore every option available to
67 combat environmental degradation, including litigation against agents and actors
68 identified as contributing or exacerbating environmental contamination in the County;
69 and

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71 WHEREAS, the Committee on Judiciary, Law Enforcement, and General
72 Services, at its meeting of December 9, 2025, recommended adoption of
73 File No. 25-784 (vote 5-0); and

74

75 BE IT RESOLVED, the Milwaukee County Board of Supervisors (County Board)
76 hereby authorizes Corporation Counsel, Office of Corporation Counsel (OCC), at its
77 discretion, to select outside counsel, and to enter into contingency-fee arrangements
78 with the selected outside counsel to commence a lawsuit on behalf of
79 Milwaukee County (the County) against any entity that engages in practices that
80 contribute to the ongoing environmental contamination and degradation within or
81 impacting the County; and

82

83 BE IT FURTHER RESOLVED, outside counsel will not be compensated unless
84 the County receives a financial benefit as a result of the proposed claims; and

85
86 BE IT FURTHER RESOLVED, Corporation Counsel, OCC, is authorized and
87 requested to provide a report to the County Board as soon as practicable if outside
88 counsel is engaged, with regular updates as the litigation progresses.

89
90 Adopted by the Milwaukee County Board of Supervisors this ____ day of
91 December 2025.

92
93 _____
94 County Clerk

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97 ars
98 12/09/25
99 S:\Committees\2025\December\JLEGS Dec 9\Resolutions\25-784 permission to sue PFAS practicing businesses
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