

**DETROIT WATER AND SEWERAGE DEPARTMENT
LEGAL AND GOVERNMENT AFFAIRS COMMITTEE CHARTER**

Purpose

The Legal and Government Affairs Committee of the Board of Water Commissioners (“BOWC”) shall provide oversight of the Office of General Counsel, legal matters and DWSD’s interaction with other governmental entities by:

1. Monitoring pending litigation.
2. Evaluating recommendations for settlement of claims and lawsuits.
3. Monitoring Freedom of Information Act requests.
4. Compliance with Environmental Regulations: Ensuring that DWSD is in compliance with all relevant federal, state and local environmental regulations, such as those related to water quality, wastewater treatment, and environmental impact assessments.
5. Contract Management: Overseeing the drafting, negotiation, and management of contracts entered into by DWSD, ensuring that they comply with legal requirements and protect the department's interests.
6. Ethics and Conflict of Interest: Monitoring and ensuring compliance with ethical standards and conflict of interest policies within DWSD, including reviewing and approving disclosures of potential conflicts of interest by employees and board members.
7. Public Records Management: Overseeing the management and retention of public records, ensuring compliance with applicable laws, including public records laws, document preservation requirements, and data privacy regulations.
8. Government Relations: Monitoring and advising on DWSD's interactions with governmental entities, including regulatory agencies, legislative bodies, and local government officials. This includes monitoring proposed legislation, advocating for DWSD's interests, and coordinating lobbying efforts if necessary.
9. Data Privacy and Security: Ensuring that DWSD has appropriate measures in place to protect sensitive information and comply with data privacy and security regulations, including data breach notification requirements.
10. Risk Assessment and Mitigation: Regularly evaluating and assessing potential legal risks and liabilities faced by DWSD, and recommending strategies for mitigating those risks.
11. Internal Investigations: Monitoring internal investigations related to legal or ethical violations, including allegations of misconduct, fraud, or violations of policies or regulations.
12. Emergency Preparedness and Response: Monitoring and assessing DWSD's emergency response plans and protocols, ensuring they are up to date, legally compliant, and effective in addressing potential crises or disasters.

Composition

1. **Members:** The Legal and Government Affairs Committee shall consist of at least three (3) members of the BOWC. The Chair of the BOWC will appoint committee members.
2. **Chairperson:** The Chair of the BOWC shall appoint one member as Committee Chair.
3. **Secretary:** The Committee shall designate an official Secretary of the Committee.
4. **Quorum:** A quorum shall be a majority of the members of the Committee.

Meetings

1. **Meetings:** The Chairperson of the Committee, in consultation with the Committee members, shall determine the schedule and frequency of the Committee meetings.
2. **Agenda:** The Chairperson of the Committee shall develop and set the Committee agenda, in consultation with other members of the Committee, the BOWC and appropriate members of management. The agenda and information concerning the business to be conducted at each Committee meeting shall, to the extent practical, be communicated to the members of the Committee sufficiently in advance of each meeting to permit meaningful review by Committee members.
3. **Report to BOWC:** Minutes of each meeting shall be prepared by the Secretary of the Committee, reviewed by the Committee and made available to the Board. Following each meeting, the Committee Chair, on behalf of the Committee, will report to the board on key issues, recommending items for approval and/or remedial action when required.
 - a. Copies of the minutes of all Committee meetings will be filed with the Board at the next Board meeting after a meeting is held (these may still be in draft form).

- b. Supporting schedules and information reviewed by the Committee shall be available for examination by any Director upon request to the Secretary of the Committee.
- 4. Non-Member Attendance: Any Board of Water Commissioner not a member of the Committee may attend a Committee meeting on a non-voting basis. The Director of DWSD may be present at all meetings of the Committee. The General Counsel and such other staff as appropriate to provide information to the Committee shall attend meetings upon the invitation of the Committee.
- 5. Open Meetings Act: Meetings shall comply with the Michigan Open Meetings Act. Records shall be maintained as records under the Michigan Freedom of Information Act.

Authority and Duties

- 1. The Committee will establish an annual planning calendar of Committee activities including which activities will be addressed at which meetings.
- 2. The Committee has the authority to establish, review, and update risk management policies for approval by the BOWC.
- 3. The Committee shall receive regular reports in order to evaluate DWSD's performance as it relates to risk management.
- 4. The Committee has the authority to review litigation strategy and settlement negotiations for approval by the BOWC.
- 5. The Committee may recommend other strategies to be considered by the BOWC.

Review of Charter

This Charter may be modified from time to time at the sole discretion of the Board of Water Commissioners.

Approved as Written on _____.

**Legal and Government Affairs Committee
Annual Planning Calendar**

January	February	March	April
<ul style="list-style-type: none"> Legal Reserves Report – CLOSED SESSION 	<ul style="list-style-type: none"> 	<ul style="list-style-type: none"> Review of Policies Related to Ethics 	<ul style="list-style-type: none">
May	June	July	August
<ul style="list-style-type: none"> Records Retention Update Data Privacy Security 	<ul style="list-style-type: none"> 	<ul style="list-style-type: none"> Risk Management – Employee Education Update 	<ul style="list-style-type: none">
September	October	November	December
<ul style="list-style-type: none"> CLOSED SESSION – Emergency Preparedness and Response 	<ul style="list-style-type: none"> 	<ul style="list-style-type: none"> 	<ul style="list-style-type: none"> Legislative Year End Summary