



# Detroit Water and Sewerage Department

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## Legislation Details (With Text)

**File #:** 16-0069      **Version:** 1      **Name:**

**Type:** Claim, Sewer      **Status:** Passed  
**In control:** Office of the General Counsel

**On agenda:** 6/15/2016      **Final action:** 6/15/2016

**Title:** Upon recommendation and opinion of Richard Sulaka, General Counsel, the Board of Water Commissioners for the City of Detroit, Water and Sewerage Department: 1) Agrees to meet with legal counsel, in closed session, pursuant to Section 8(e) and (h) of the Michigan Open Meetings Act to discuss settlement of Property Damage Claim no. 15-174 and 2) Notes that an affirmative roll call vote of 2/3 of the Board Members appointed and serving is required for approval of this Motion; and 3) Authorizes the Director to take such other action as may be necessary to accomplish the intent of this vote.

**Indexes:** Board of Water Commissioners

**Code sections:**

**Attachments:** 1. 15-174 Approval

Date	Ver.	Action By	Action	Result
6/15/2016	1	Board of Water Commissioners	approved	Pass

Upon recommendation and opinion of Richard Sulaka, General Counsel, the Board of Water Commissioners for the City of Detroit, Water and Sewerage Department: **1) Agrees to meet with legal counsel, in closed session, pursuant to Section 8(e) and (h) of the Michigan Open Meetings Act to discuss settlement of Property Damage Claim no. 15-174 and 2) Notes that an affirmative roll call vote of 2/3 of the Board Members appointed and serving is required for approval of this Motion; and 3) Authorizes the Director to take such other action as may be necessary to accomplish the intent of this vote.**

**Agenda of June 15, 2016**

**Item No. 16-0069**

**Closed Session Request**

**TO:** The Honorable  
Board of Water Commissioners  
City of Detroit, Michigan

**FROM:** Richard Sulaka  
General Counsel  
Detroit Water and Sewerage Department

**RE:** **Property Damage Claim No. 15-174**

### **MOTION**

Upon recommendation and opinion of Richard Sulaka General Counsel, the Board of Water Commissioners for the City of Detroit, Water and Sewerage Department:

1) Agrees to meet with legal counsel, in closed session, pursuant to Section 8(e) and (h) of the Michigan Open Meetings Act to discuss settlement of Property Damage Claim No. 15-174 and

- 2) Notes that an affirmative roll call vote of 2/3 of the Board Members appointed and serving is required for approval of this Motion; and
- 3) Authorizes the Director to take such other action as may be necessary to accomplish the intent of this vote.

**JUSTIFICATION**

A meeting in closed session is requested to discuss the above referenced matter. Section 8(e) and (h) of the Michigan Open Meetings Act allows a public body to meet in closed session: “To consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, but only if an open meeting would have a detrimental financial effect on the litigating or settlement position of the public body.” Pursuant to this provision of the Open Meetings Act quoted above, General Counsel requests an opportunity to meet with you in closed session.

Respectfully Submitted,

**Richard Sulaka**

General Counsel, DWSD