



# Detroit Water and Sewerage Department

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## Legislation Details (With Text)

**File #:** 18-0257      **Version:** 1      **Name:**  
**Type:** Request, Closed Session      **Status:** Agenda Ready  
**In control:** Board of Water Commissioners  
**On agenda:**      **Final action:** 11/7/2018  
**Title:** Approval of a meeting with legal counsel in closed session pursuant to Section 8(h) of the Michigan Open Meetings Act and Section 13(1)(g) of the Freedom of Information Act to consider material exempt from discussion or disclosure by state or federal statute, specifically a confidential attorney client communication.  
**Indexes:** Capital Improvement Plan Committee  
**Code sections:**  
**Attachments:**

Date	Ver.	Action By	Action	Result
11/7/2018	1	Capital Improvement Program and Operations Committee	approved	

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Agenda of November 7, 2018

Item No. 18-0257

Closed Session Request

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

**FROM:** Debra N. Pospiech, Esq., Chief General Counsel  
Detroit Water and Sewerage Department

**RE:** Confidential Attorney Client Communication

### MOTION

Upon the request of Chief General Counsel Debra N. Pospiech, Esq., the Board of Water Commissioners for the City of Detroit Water and Sewerage Department (DWSD), by an affirmative roll call vote of 2/3 of the Board Members appointed and serving on the Capital Improvement Committee, hereby resolves to **(1) Meet with legal counsel in closed session pursuant to Section 8(h) of the Michigan Open Meetings Act to consider material exempt from discussion or disclosure by state or federal statute, specifically a confidential attorney-client communication which is exempt from public disclosure pursuant to Section 13(1)(g) of the Freedom of Information Act.**

## **BACKGROUND**

General Counsel has issued a confidential memorandum containing legal opinions to the Capital Improvement Committee and must be discussed with the Committee in a closed session. Such action is permitted under the Open Meetings Act and Freedom of Information Act. Section 7 of the Open Meetings Act requires an affirmative roll call vote of 2/3 of the Board Members appointed and serving on the Capital Improvement Committee to approve a closed session. Non-committee members may be invited to attend the closed session.

Respectfully Submitted,

**Debra N. Pospiech**

Debra N. Pospiech, Esq.

Chief General Counsel