



Detroit Water and Sewerage Department

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Legislation Details (With Text)

File #: 20-0045 **Version:** 1 **Name:**

Type: Case Settlement, Other **Status:** Passed

In control: Office of the General Counsel

On agenda: 2/19/2020 **Final action:** 2/19/2020

Title: The Board of Water Commissioners for the City of Detroit Water and Sewerage Department authorizes the Director to enter into a Class Action Settlement Agreement between DWSD and a Class of Plaintiffs to be certified consisting of persons or entities who or which have paid or incurred the PFL Charges during the permitted time periods preceding the filing of the class action and/or at any time during the pendency of the above-captioned matter through June 30, 2020; and authorizes the Director and General Counsel to take such other action as may be necessary to accomplish the intent of this vote.

Indexes: Finance Committee

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
2/19/2020	1	Board of Water Commissioners	approved	Pass
2/5/2020	1	Finance Committee	recommended for approval	Pass

The Board of Water Commissioners for the City of Detroit Water and Sewerage Department **authorizes the Director to enter into a Class Action Settlement Agreement between DWSD and a Class of Plaintiffs to be certified consisting of persons or entities who or which have paid or incurred the PFL Charges during the permitted time periods preceding the filing of the class action and/or at any time during the pendency of the above-captioned matter through June 30, 2020;** and authorizes the Director and General Counsel to take such other action as may be necessary to accomplish the intent of this vote.

Agenda of February 19, 2020

Item No.: 20-0045

Amount: N/A

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

FROM: Gary A Brown, Director
Detroit Water and Sewerage Department

RE: *United House of Prayer et al. v. City of Detroit*
Wayne County Circuit Court Case No. 19-002074-CZ

MOTION

Upon recommendation and opinion of Debra N. Pospiech, Esq., General Counsel and Sonal Hope Mithani, Esq. of Miller Canfield, the Board of Water Commissioners for the City of Detroit Water and Sewerage Department

authorizes the Director to enter into a Class Action Settlement Agreement between DWSD and a Class of Plaintiffs to be certified consisting of persons or entities who or which have paid or incurred the PFL Charges during the permitted time periods preceding the filing of the class action and/or at any time during the pendency of the above-captioned matter through June 30, 2020; and authorizes the Director and General Counsel to take such other action as may be necessary to accomplish the intent of this vote.

BACKGROUND AND JUSTIFICATION

The Background and Justification for the Settlement Agreement are contained in a confidential, attorney-client privileged communication provided under separate cover and as discussed with the Board in Closed Session.

BUDGET IMPACT

To the extent there are expenses associated with this authorization, those expenses are within levels and programs authorized as a part of the DWSD's budget.

BOARD REVIEW

This matter was individually reviewed by each member of the Board.