



# Detroit Water and Sewerage Department

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## Legislation Details (With Text)

**File #:** 20-0059      **Version:** 1      **Name:**  
**Type:** Request, Closed Session      **Status:** Approved  
**In control:** Board of Water Commissioners  
**On agenda:**      **Final action:** 2/19/2020  
**Title:** Upon the request of Chief General Counsel Debra N. Pospiech, Esq., the Board of Water Commissioners votes to approve a meeting with General Counsel in closed session pursuant to Section 8(h) of the Michigan Open Meetings Act to discuss memoranda subject to attorney-client privilege.  
**Indexes:** Board of Water Commissioners  
**Code sections:**  
**Attachments:**

Date	Ver.	Action By	Action	Result
2/19/2020	1	Board of Water Commissioners	approved	Pass

Upon the request of Chief General Counsel Debra N. Pospiech, Esq., the Board of Water Commissioners votes to **approve a meeting with General Counsel in closed session pursuant to Section 8(h) of the Michigan Open Meetings Act to discuss memoranda subject to attorney-client privilege.**

Agenda of January 23, 2020

Item No. 20-0059

Closed Session Request

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

**FROM:** Debra N. Pospiech, Esq., Chief General Counsel, Detroit Water & Sewerage Dept

**RE:** **Legal Opinions Related to Increasing Water Residential Assistance Program (WRAP)  
Funding and to Expand Program Eligibility Criteria**

### 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, hereby resolves to **meet with General Counsel in closed session pursuant to Section 8(h) of the Michigan Open Meetings Act, MCL 15.261 et seq to discuss a memorandum subject to attorney-client privilege.**

### BACKGROUND

Section 8(h) of the Michigan Open Meetings Act (MCL 15.261 et. seq.) allows a public body to meet in closed session to consider material exempt from discussion or disclosure by state or federal statute. The Freedom of

Information Act (MCL 251.231 et seq.) exempts from disclosure records subject to the attorney-client privilege. (MCL 15.243(g)) Section 7 of the Open Meetings Act requires an affirmative roll call vote of 2/3 of the Board Members appointed and serving to approve a closed session. (MCL 15.267(1))

General Counsel provided confidential memoranda to Commissioners with legal opinions related to the proposed increased funding and expansion of eligibility criteria for the Water Residential Assistance Program (WRAP) General Counsel respectfully requests a closed session to discuss the memoranda.

Respectfully Submitted,

**Debra N. Pospiech**

Debra N. Pospiech, Esq.

Chief General Counsel