



Detroit Water and Sewerage Department

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Legislation Details (With Text)

File #: 20-0102 **Version:** 1 **Name:**
Type: Request, Closed Session **Status:** Agenda Ready
In control: Board of Water Commissioners
On agenda: 4/1/2020 **Final action:** 4/1/2020
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 a memorandum subject to attorney-client privilege.
Indexes: Finance Committee
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
4/1/2020	1	Finance Committee	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 a memorandum subject to attorney-client privilege.**

Agenda of April 1, 2020

Item No. 20-0102

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: **Closed Session to Discuss Attorney Client Memorandum Regarding Water SaveSource Warranty Replacement Program - Openway Riva AMI Implementation Agreement between City of Detroit and Itron, Inc.**

MOTION

Upon the request of Chief General Counsel Debra N. Pospiech, Esq., the City of Detroit Board of Water Commissioners, 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 a confidential memorandum to Commissioners regarding the above-captioned proposed Agreement with Itron, Inc. for replacement of DWSD's remote meter reading system hardware and software. General Counsel respectfully requests a closed session to discuss the memorandum.

Respectfully Submitted,

Debra N. Pospiech