



Detroit Water and Sewerage Department

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Legislation Details (With Text)

File #: 20-0205 **Version:** 1 **Name:**
Type: Request, Closed Session **Status:** Approved
In control: Office of the General Counsel
On agenda: 8/5/2020 **Final action:** 8/5/2020
Title: The Board of Water Commissioners for the City of Detroit Water and Sewerage Department, by an affirmative roll call vote of 2/3 of the Board Members appointed and serving, hereby resolves to 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.

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
8/5/2020	1	Board of Water Commissioners	approved	Pass

The Board of Water Commissioners for the City of Detroit Water and Sewerage Department, by an affirmative roll call vote of 2/3 of the Board Members appointed and serving, hereby resolves to **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.**

Agenda of August 5, 2020

Item No. 20-0205

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, by an affirmative roll call vote of 2/3 of the Board Members appointed and serving, hereby resolves to **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

Section 8(h) of the Open Meetings Act 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 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 arbitrations with the Great Lakes Water Authority and respectfully requests a closed session to discuss the memorandum and settlement strategy.

Respectfully Submitted,

Debra N. Pospiech

Debra N. Pospiech, Esq.

Chief General Counsel