



# Detroit Water and Sewerage Department

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## Legislation Text

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**File #:** 20-0062, **Version:** 1

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The Board of Water Commissioners for the City of Detroit **approves the Resolution Requesting Aid from Michigan Municipal Legal Defense Fund**, and also authorizes the Director to take such other action as may be necessary to accomplish the intent of this vote.

**Agenda of February 19, 2020**

**Item No. 20-0062**

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

**FROM:** Gary Brown, Director  
Water and Sewerage Department

**RE: Request for Michigan Municipal League Legal Defense Fund to Provide Litigation Support for  
*DAART v. City of Detroit* and *Binns v. City of Detroit* Michigan Supreme Court Appeal**

### **MOTION**

WHEREAS, the City of Detroit is currently involved in two class action lawsuits pending in the Michigan Supreme Court entitled *DAART v. City of Detroit* and *Binns v. City of Detroit*; and

WHEREAS, the City believes that the issues involved in such litigation are such that the Michigan Municipal Legal Defense Fund may wish to provide supportive aid in such litigation; and

WHEREAS, the City desires to receive the assistance of the Michigan Municipal League Legal Defense Fund;

NOW, THEREFORE, BE IT RESOLVED, that the City of Detroit Board of Water Commissioners hereby authorizes the Director and any other appropriate municipal offices to request supportive aid from the Michigan Municipal League Legal Defense Fund in the litigation described above. It is agreed that acceptance of such support shall constitute an agreement by the requesting municipality to abide by any conditions placed upon the aid offered by the Fund.

### **BACKGROUND AND JUSTIFICATION**

The Background and Justification for this motion are contained in a confidential, attorney-client privileged communication provided under separate cover. DWSD requested the Michigan Municipal League Legal Defense Fund to file an *amicus curie* brief in the above-captioned matters. Their board requires the requesting municipality to pass a resolution as worded herein.

### **BUDGET IMPACT**

There is no budget impact to DWSD for this aid.

**BOARD REVIEW**

This matter was individually reviewed by each member of the Board