Detroit Water and Sewerage Department

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Legislation Text

File #: 21-0406, **Version:** 1

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 February 17, 2021
Item No. 21-0406
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: Proposed Charter Revisions

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 a confidential memorandum to Commissioners regarding the Charter Revision Commission's draft Charter. General Counsel respectfully requests a closed session to discuss the memorandum.

Respectfully Submitted,

Debra N. Pospiech

Debra N. Pospiech, Esq.
Chief General Counsel