

## Legislation Text

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**File #:** 2018-881, **Version:** 1

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### **Closed Session Request - Attorney-Client Communication**

**Agenda of:** August 8, 2018  
**Item No.:** **2018-881**  
**Amount:** N/A

**TO:** The Honorable  
Board of Directors  
Great Lakes Water Authority

**FROM:** Randal M. Brown, General Counsel  
Great Lakes Water Authority

**DATE:** August 6, 2018

**RE:** **Closed Session Request - Attorney-Client Communication**

### **MOTION**

Upon recommendation and opinion of Randal M. Brown, General Counsel, the Board of Directors (Board) of the Great Lakes Water Authority (GLWA):

**1) Agrees to meet with legal counsel, in closed session, pursuant to Section 8(h) of the Michigan Open Meetings Act which permits a Public Body to meet in Closed Session to "consider material exempt from discussion or disclosure by state or federal statute;"**

**2) Notes that an affirmative roll call vote of 2/3 of the Board Members appointed and serving is required for approval of this Motion; and**

**3) Authorizes the CEO to take such other action as may be necessary to accomplish the intent of this vote.**

### **BACKGROUND**

Section 8(h) of the Michigan Open Meetings Act, MCL 15.268(h) allows a public body to meet in closed session: to "consider material exempt from discussion or disclosure by state or federal statute." Section 13(1)(g) of the Michigan Freedom of Information Act (MCL 15.243(1)(g) exempts from disclosure, "information or records subject to the attorney-client privilege."

Pursuant to this provision of the Open Meetings Act and the Freedom of Information Act quoted above, General Counsel requests an opportunity to meet with you in closed session.

**JUSTIFICATION**

Pursuant to provision of the Open Meetings Act and the Freedom of Information Act quoted above, General Counsel requests an opportunity to meet with you in closed session to discuss an attorney-client privileged communication.

**BUDGET IMPACT**

The proposed Closed Session does not impact the budget.

**COMMITTEE REVIEW**

This matter is being presented directly to the GLWA Board of Directors.