

Legislation Text

File #: 2019-413, **Version:** 1

Legal Services Contract-Counsel for the Board

Agenda of: October 31, 2019

Item No.: **2019-413**

Amount: \$50,000

TO: The Honorable
Board of Directors
Great Lakes Water Authority

FROM: Randal M. Brown, General Counsel

DATE: October 31, 2019

RE: **Legal Services Contract-Counsel for the Board**

MOTION

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

- 1) Shall retain Butzel Long, Clark Hill or Dykema to review the following:
 - a. Whether GLWA's implementation of the Make-Up Benefit complied with IRS Code;
 - b. Whether GLWA communicated the details of the Make-Up Benefits to eligible GLWA employees;
 - c. Whether the Make-Up Benefit's communication was sufficient to allow eligible GLWA employees to make a reasoned decision on whether to participate in the Make-up Benefit; and,
 - d. Whether the process used to identify the criteria for eligible GLWA employees and the methodology used to calculate the Make-up Benefit contributions were reasonable.
- 2) Authorizes the Chairman of the Board to take such other action as may be necessary to accomplish the intent of this vote, including execution of the Legal Services Contract; address questions or concerns during the law firm's review.
- 3) Mandates upon completion of the law firm's review, the law firm reports its findings to the Board.

JUSTIFICATION

The Board seeks an independent analysis of the Make-Up Benefit.

BUDGET IMPACT

The Legal Services Contract shall not exceed \$50,000. The services will be paid out of the Office of the General Counsel's budget.

COMMITTEE REVIEW

This matter was presented to the Legal Committee at its October 31, 2019 Meeting. The Legal Committee referred it to the Full Board for further discussion.

SHARED SERVICES IMPACT

This item does not impact the Shared Services Agreement.