



Agenda Statement

File #: 18-0288 **Version:** 1
Type: Consent Item **Status:** Passed
File created: 7/13/2018 **In control:** City Council
On agenda: 7/17/2018 **Final action:** 7/17/2018
Title: Approval To Go Into Executive Session Regarding: Active Litigation Strategy
Sponsors:
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
7/17/2018	1	City Council	approved	Pass

ITEM TITLE:

Approval To Go Into Executive Session Regarding: Active Litigation Strategy

SUBMITTED BY: Sheri Pierce, MMC, City Clerk

FISCAL NOTES:

Expenditure Required: [Click here to enter text.](#)
Unencumbered Balance: [Click here to enter text.](#)
Funding Source: [Click here to enter text.](#)

RECOMMENDATION:

[Click here to enter text.](#)

SUMMARY STATEMENT:

Topics of Discussion:

Tax Cap; Escaped Property; C-Plan Adjudication; Cummings v. City of Valdez; Barton v. City of Valdez; AKLNG Project; TAPS Settlement

Discussion with the city attorney regarding active litigation strategy qualifies for executive session under AS 44.62.310(c)(1) and is privileged under an independent attorney-client exception for candid discussion of facts and litigation strategies established by *Cool Homes, Inc. v. Fairbanks North Star Borough*, 860 P.2d 1248, 1262 (Alaska 1993)

44.62.310(c)(1)

"Matters, the immediate knowledge of which would clearly have an adverse effect upon the finances

of the public entity”