



## Legislation Text

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**File #:** 18-0288, **Version:** 1

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**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”