



TRANSMITTAL MEMORANDUM

TO: The Honorable Mayor and City Council

FROM: Karl R. Amylon, City Manager

DATE: November 10, 2020

RE: **Request for Executive Session – Potential Litigation Regarding Layton Dawson Joint Venture Constructors’ Performance of its Contractual Obligations Under Contract No. 13-38A for the Ketchikan Medical Center Project**

The motion detailed below was prepared at the request of City Attorney Mitch Seaver, who asked that it be placed before the City Council for consideration at its meeting of November 19, 2020. If adopted, the motion provides for the City Council adjourning into executive session to discuss potential litigation regarding Layton Dawson Joint Venture Constructors’ performance of its contractual obligations under Contract No. 13-38A for the Ketchikan Medical Center Project

A motion has been prepared for City Council consideration.

RECOMMENDATION

It is recommended the City Council adopt the motion declaring that consistent with the City Attorney’s request dated November 10, 2020 it is in the best interest of the City Council to go into executive session in accordance with KMC 2.04.025(a)(1) and (3) to discuss Layton Dawson Joint Venture Constructors’ performance of its contractual obligations under Contract No. 13-38A for the Ketchikan Medical Center Project which includes the need to discuss subjects the knowledge of which could have an adverse impact on the finances of the City and to discuss potential litigation strategies with legal counsel within the Attorney-Client privilege.

Recommended Motion: I move the City Council declare that consistent with the City Attorney’s request dated November 10, 2020 it is in the best interest of the City Council to go into executive session in accordance with KMC 2.04.025(a)(1) and (3) to discuss Layton Dawson Joint Venture Constructors’ performance of its contractual obligations under Contract No. 13-38A for the Ketchikan Medical Center Project which includes the need to discuss subjects the knowledge of which could have an adverse impact on the finances of the City and to discuss potential litigation strategies with legal counsel within the Attorney-Client privilege.

Mitch Seaver


City Attorney

City of Ketchikan, Alaska

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MEMORANDUM

TO: Mayor Sivertsen
Members of the City Council
Karl Amylon, City Manager

FROM:  Mitch Seaver
City Attorney

DATE: November 10, 2020

SUBJECT: Request for Executive Session - Potential Litigation

Pursuant to discussions with the City Manager I am asking for an executive session of the City Council to discuss and receive direction in regard to potential litigation regarding Layton Dawson Joint Venture Constructors' performance of its contractual obligations under Contract No. 13-38A for the Ketchikan Medical Expansion Center Project.

Recommended Motion: I move that consistent with the City Attorney's request dated November 10, 2020 it is in the best interest of the City Council to go into executive session in accordance with KMC 2.04.025(a)(1) and (3) to discuss Layton Dawson Joint Venture Constructors' performance of its contractual obligations under Contract No. 13-38A for the Ketchikan Medical Center Expansion Project which includes the need to discuss subjects the knowledge of which could have an adverse impact on the finances of the City and to discuss potential litigation strategies with legal counsel within the Attorney-Client privilege.