



Las Vegas

Agenda Item No.: **40.**

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF NOVEMBER 4, 2009

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

Discussion and possible action regarding a possible appeal from decision by the Nevada Arbitration Association in Asphalt Products Corporation vs. City of Las Vegas, Case No. 05-108 and other matters relating thereto (Warrior Anthony)

Fiscal Impact

☐

No Impact

☐ Augmentation Required

☐

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

Under Nevada law, both sides to an arbitration award have a limited ability to challenge the final decision and award based on errors of law. The City Attorney will present a summary of arguments for and against pursuing an appeal and seek direction for the City Council.

RECOMMENDATION:

The City Council should receive and report from the City Attorney and provide appropriate direction.

BACKUP DOCUMENTATION:

None

Motion made by GARY REESE to Not pursue an appeal on this matter

Passed For: 6; Against: 0; Abstain: 1; Did Not Vote: 0; Excused: 0

RICKI Y. BARLOW, LOIS TARKANIAN, STEVE WOLFSON, GARY REESE, STEVEN D. ROSS, STAVROS S. ANTHONY; (Against-None); (Abstain-OSCAR B. GOODMAN); (Did Not Vote-None); (Excused-None)

Minutes:

See Item 12 for related discussion.