

1 **BILL NO. 2018-37**

2 **ORDINANCE NO. 6643**

3 AN ORDINANCE GRANTING TO MCIMETRO ACCESS TRANSMISSION SERVICES CORP., A
4 CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF
5 DELAWARE AND AUTHORIZED TO DO BUSINESS IN NEVADA, A NON-EXCLUSIVE
6 FRANCHISE FOR A TELECOMMUNICATIONS SERVICE WITHIN THE CORPORATE LIMITS OF
7 THE CITY OF LAS VEGAS, SUBJECT TO AND IN ACCORDANCE WITH THAT CERTAIN
8 FRANCHISE AGREEMENT ENTERED INTO BETWEEN THE CITY OF LAS VEGAS AND
9 MCIMETRO ACCESS TRANSMISSION SERVICES CORP.; AND PROVIDING FOR OTHER
10 RELATED MATTERS.

11 Proposed by: Jorge Cervantes, Chief Operations
12 and Development Officer

Summary: Grants to MCImetro Access
Transmission Services Corp. a non-exclusive
franchise for the purpose of installing, operating
and maintaining a telecommunications service
within the City, subject to and in accordance with
the terms and conditions of the Franchise
Agreement incorporated by reference into this
Ordinance.

13 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS
14 FOLLOWS:

15 SECTION 1: The City of Las Vegas, Nevada, hereby grants to MCIMETRO ACCESS
16 TRANSMISSION SERVICES CORP. the non-exclusive right, privilege, authority and permission to install,
17 operate and maintain a telecommunications service system in, upon, along, across, above, over and under all
18 present and future public ways (excluding railroad rights-of-way), highways, streets, avenues and alleys
19 within the incorporated boundaries of the City of Las Vegas, subject to and in accordance with the terms and
20 conditions of that certain document entitled Franchise Agreement between the City of Las Vegas and
21 MCImetro Access Transmission Services Corp., a copy of which Franchise Agreement is on file with the
22 Clerk of the City of Las Vegas and by this reference incorporated herein. For the purposes of this Section
23 the term "telecommunications service" has the same meaning as that term is defined in the United States
24 Code 47 U.S.C. 153 (46).

25 SECTION 2: If any section, subsection, subdivision, paragraph, sentence, clause or phrase
26 in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by

1 any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the
2 remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby
3 declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase
4 thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs,
5 sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

6 SECTION 3: All ordinances or parts of ordinances or sections, subsections, phrases,
7 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983
8 Edition, in conflict herewith are hereby repealed.

9 PASSED, ADOPTED and APPROVED this 3rd day of October, 2018.

10 APPROVED:

11 By C. Goodman
12 CAROLYN G. GOODMAN, Mayor

13 ATTEST:

14 Luann B. Holmes
15 LUANN B. HOLMES, MMC
City Clerk

16 APPROVED AS TO FORM:

17 Val Steed 8-1-18
18 Val Steed, Date
Deputy City Attorney

1 The above and foregoing ordinance was first proposed and read by title to the City Council
2 on the 15th day of August, 2018, and referred to a committee for recommendation;
3 hereafter the committee reported favorably on said ordinance on the 3rd day of October,
4 2018, which as a regular meeting of said Council; that at said regular meeting, the
5 proposed ordinance was read by title to the City Council as first introduced and adopted by
6 the following vote:

7 VOTING "AYE": Mayor Goodman and Councilmembers, Tarkanian, Anthony, Coffin
8 Fiore, Serocha and Crear

9 VOTING "NAY": None

10 EXCUSED: None

11 ABSTAINED: None

12
13
14 APPROVED:

15 

16 CAROLYN G. GOODMAN, Mayor

17 ATTEST:

18 

19 LUANN D. HOLMES, MMC City Clerk

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS.

RECEIVED
CITY CLERK

LV CITY CLERK
495 S MAIN ST
LAS VEGAS NV 89101

Account # 22515
Ad Number 0001005903

2018 SEP 24 A 11:54

Leslie McCormick, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for, was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 09/20/2018 to 09/20/2018, on the following days:

09 / 20 / 18

BILL NO. 2018-37

ORDINANCE GRANTING TO MCIMETRO ACCESS TRANSMISSION SERVICES CORP., A CORPORATION, ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE AND AUTHORIZED TO DO BUSINESS IN NEVADA, A NON-EXCLUSIVE

FRANCHISE FOR A TELECOMMUNICATIONS SERVICE WITHIN THE CORPORATE LIMITS OF THE CITY OF LAS VEGAS, SUBJECT TO AND IN ACCORDANCE WITH THAT CERTAIN FRANCHISE AGREEMENT ENTERED INTO BETWEEN THE CITY OF LAS VEGAS AND MCIMETRO ACCESS TRANSMISSION SERVICES CORP.; AND PROVIDING FOR OTHER RELATED MATTERS.

Proposed by: Jorge Cervantes,
Chief Operations and
Development Officer

Summary: Grants to MCImetro Access Transmission Services Corp. a non-exclusive franchise for the purpose of installing, operating and maintaining a telecommunications service within the City, subject to and in accordance with the terms and conditions of the Franchise Agreement incorporated by reference into this Ordinance.

At the City Council meeting of
August 15, 2018

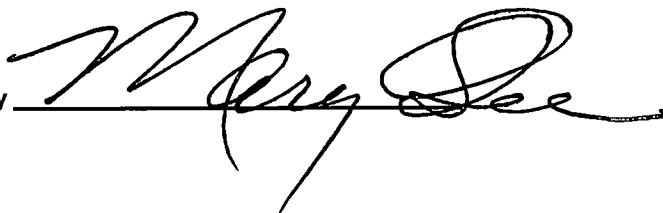
BILL NO. 2018-37 WAS READ BY
TITLE AND REFERRED TO A
RECOMMENDING COMMITTEE

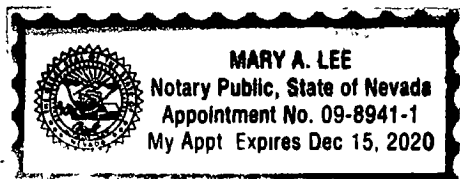
COPIES OF THE COMPLETE
ORDINANCE ARE AVAILABLE FOR
PUBLIC INFORMATION IN THE
OFFICE OF THE CITY CLERK, 2ND
FLOOR, 495 SOUTH MAIN
STREET, LAS VEGAS, NEVADA

PUB: September 20, 2018
LV Review-Journal


LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 20th day of September, 2018

Notary 



AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS

LV CITY CLERK
495 S MAIN ST
LAS VEGAS NV 89101

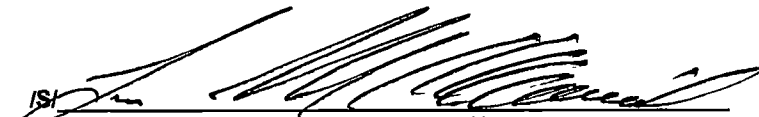
Account # 22515
Ad Number 0001010738

RECEIVED
CITY CLERK

2018 OCT 15 A 11:41

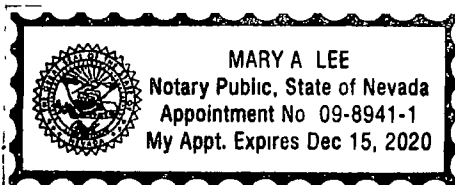
Leslie McCormick, being 1st duly sworn, deposes and says. That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for, was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 10/06/2018 to 10/06/2018, on the following days

10 / 06 / 18


LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 8th day of October, 2018

Notary 



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ORDINANCE NO. 6643

ORDINANCE GRANTING TO MCIMETRO ACCESS TRANSMISSION SERVICES CORP., A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE AND AUTHORIZED TO DO BUSINESS IN NEVADA, A NON-EXCLUSIVE FRANCHISE FOR A TELECOMMUNICATIONS SERVICE WITHIN THE CORPORATE LIMITS OF THE CITY OF LAS VEGAS, SUBJECT TO AND IN ACCORDANCE WITH THAT CERTAIN FRANCHISE AGREEMENT ENTERED INTO BETWEEN THE CITY OF LAS VEGAS AND MCIMETRO ACCESS TRANSMISSION SERVICES CORP., AND PROVIDING FOR OTHER RELATED MATTERS.

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The above and foregoing ordinance was first proposed and read by title to the City Council on the 15th day of August, 2018, and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 3rd day of October, 2018, which was a regular meeting of said City Council; and that at said regular meeting the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote.

VOTING "AYE": Mayor Goodman and Councilmembers Tarkanian, Anthony, Coffin, Seroka, Fiore and Crear

VOTING "NAY": NONE

EXCUSED: NONE

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 2ND FLOOR, 495 SOUTH MAIN STREET, LAS VEGAS, NEVADA

PUB: Oct 6, 2018
LV Review-Journal