

1                   **RESOLUTION AND NOTICE REGARDING THE GRANTING OF A**  
2                   **TELECOMMUNICATIONS SERVICE FRANCHISE TO**  
3                   **AGL NETWORKS, LLC, SETTING THE PURPOSE, CHARACTER, TERM, TIME**  
4                   **AND CONDITIONS OF THE PROPOSED FRANCHISE AND SETTING A PUBLIC**  
5                   **HEARING ON THE ADVISABILITY OF GRANTING**  
6                   **THE PROPOSED FRANCHISE**

7                   WHEREAS, CITY OF LAS VEGAS (CITY), is desirous of providing its residents  
8 the opportunity to receive telecommunications service; and

9                   WHEREAS, AGL NETWORKS, LLC, (AGL) is a limited liability company  
10 organized and existing under the laws of the State of Delaware, is authorized to do business in the  
11 State of Nevada, and was created for the purpose of providing a telecommunications service; and

12                   WHEREAS, during March of 2008, AGL requested the CITY to grant it a franchise  
13 permitting the installation, maintenance and use of a telecommunications service within the  
14 corporate limits of the CITY; and

15                   WHEREAS, there exists a need to ensure that the installation, maintenance and use  
16 of a telecommunications service within the corporate limits of the CITY is conducted in a manner  
17 which will not interfere with the public's use of improved or unimproved public ways, highways,  
18 streets, avenues and alleys now or hereafter existing; and

19                   WHEREAS, in response to AGL's request for franchise a proposed Franchise  
20 Agreement between the CITY and AGL has been prepared granting the necessary permission and  
21 authority to AGL to utilize the various improved or unimproved public ways, (excluding railroad  
22 rights-of-way), highways, streets, avenues and alleys, now or hereafter existing, for purposes of  
23 installing, maintaining and using its telecommunications service.

24                   NOW, THEREFORE, pursuant to the requirements of Section 7.050 of the Las Vegas  
25 Charter, IT IS HEREBY ACKNOWLEDGED, DETERMINED AND RESOLVED, by the City  
26 Council of the City of Las Vegas, Nevada, as follows:

- 27 1. That AGL did, during March, 2008, request of the CITY that a franchise be granted to AGL for  
28 the purpose of installing, maintaining and using a telecommunications service within the corporate  
boundaries of the CITY.
2. That the purpose, character, terms, time and conditions of the franchise that the CITY proposes

1 to grant to AGL in response to such request to install, maintain and use a telecommunications  
2 service in, upon, along, across, above, over and under the public ways (excluding railroad rights-of-  
3 way), highways, streets, avenues and alleys within the corporate boundaries of the CITY for a ten  
4 (10) year term, with a five (5) year extension under the same terms and conditions upon request of  
5 AGL is fully set forth in the proposed Franchise Agreement on file in the Office of the City Clerk  
6 of the City of Las Vegas, Nevada, which said proposed Franchise Agreement is available for  
7 inspection by members of the public. Said proposed Franchise Agreement is, by this reference,  
8 incorporated herein and made a part of this Resolution and Notice.

9 3. That a public hearing be, and it hereby is, set for Wednesday, the 6th day of August, 2008, in the  
10 City Council Chambers, City Hall Complex, 400 Stewart Avenue, Las Vegas, Nevada, at the hour  
11 of 9:00 a.m., for the purpose of hearing any objections or protests made by any person to the  
12 granting of a franchise to AGL pursuant to the proposed Franchise Agreement.

13 4. That all interested persons shall have, and they are hereby given, the right to appear and be heard  
14 on the question of the advisability of granting a telecommunications service franchise pursuant to  
15 the proposed Franchise Agreement to AGL at the place, date and hour specified for the public  
16 hearing in paragraph 3 of this Resolution and Notice, or at any subsequent time to which said public  
17 hearing may be adjourned.

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1 5. That the notice provided by this Resolution and Notice is reasonably calculated to inform each  
2 interested person of his or her opportunity to appear and be heard on the question of the granting of  
3 a telecommunications service franchise pursuant to the proposed Franchise Agreement, and that the  
4 City Clerk therefore, be, and she hereby is, authorized, empowered and directed to cause a copy of  
5 this Resolution and Notice to be published in full in the issues of the Las Vegas Review Journal  
6 published on the 21st day of July, 2008, and the 28th day of July, 2008.

7 PASSED, ADOPTED, AND APPROVED this 16<sup>TH</sup> day of July, 2008.

8  
9 CITY OF LAS VEGAS

10  
11 BY   
12 OSCAR B. GOODMAN, Mayor

13 ATTEST:

14   
15 BEVERLY K. BRIDGES, CMC  
16 City Clerk

17 APPROVED AS TO FORM

18 Val Steed 7-18-08  
19 Date