

1 **BILL NO. 2008-36**

2 **ORDINANCE NO. \_\_\_\_\_**

3 AN ORDINANCE GRANTING TO AGL NETWORKS, LLC, A LIMITED LIABILITY COMPANY  
4 (AGL) ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE  
5 AND AUTHORIZED TO DO BUSINESS IN NEVADA, A NON-EXCLUSIVE FRANCHISE FOR  
6 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 AGL; AND  
PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

7 Proposed by: Mark Vincent, Director  
8 Department of Finance and Business Services

Summary: Grants to AGL Networks, LLC,  
(AGL) a non-exclusive franchise for the purpose  
of constructing, using and maintaining a  
telecommunications service within the corporate  
limits of the City of Las Vegas, subject to and in  
accordance with the terms and conditions of the  
Franchise Agreement between the City of Las  
Vegas and AGL incorporated by reference into  
this Ordinance.

9  
10  
11  
12 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN  
13 AS FOLLOWS:

14 SECTION 1: The City of Las Vegas, Nevada, hereby grants to AGL Networks, LLC,  
15 the non-exclusive right, privilege, authority and permission to construct, use and maintain a  
16 telecommunications service system in, upon, along, across, above, over and under all present and  
17 future public ways (excluding railroad rights-of-way), highways, streets, avenues and alleys within the  
18 incorporated boundaries of the City of Las Vegas, subject to and in accordance with the terms and  
19 conditions of that certain document entitled Franchise Agreement dated the 1st day of September,  
20 2008, by and between the City of Las Vegas and AGL Networks, LLC, a copy of which said Franchise  
21 Agreement is on file with the Clerk of the City of Las Vegas and by this reference incorporated herein.  
22 For the purposes of this Section the term "telecommunications service" has the same meaning as that  
23 term is defined in the United States Code 47 U.S.C. 153 (46).

24 SECTION 2: If any section, subsection, subdivision, paragraph, sentence, clause or  
25 phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional or invalid or  
26 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or  
27 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the  
28 City of Las Vegas, Nevada, hereby declares that it would have passed each section, subsection,

1 subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more  
2 sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared  
3 unconstitutional, invalid or ineffective.

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

7 PASSED, ADOPTED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

8 APPROVED:

9  
10 By \_\_\_\_\_  
11 OSCAR B. GOODMAN, Mayor

12 ATTEST:

13 \_\_\_\_\_  
14 BEVERLY K. BRIDGES, CMC  
City Clerk

15 APPROVED AS TO FORM:  
16 Val Stead      7-9-08  
17 \_\_\_\_\_      Date

18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the  
2 \_\_\_\_\_ day of \_\_\_\_\_, 2008, and referred to the following committee composed of  
3 \_\_\_\_\_ and \_\_\_\_\_ for  
4 recommendation; thereafter the said committee reported favorably on said ordinance on the \_\_\_\_\_  
5 day of \_\_\_\_\_, 2008, which was a \_\_\_\_\_ meeting of said Council; that at  
6 said \_\_\_\_\_ meeting, the proposed ordinance was read by title to the City  
7 Council as first introduced and adopted by the following vote:

8 VOTING "AYE": \_\_\_\_\_

9 VOTING "NAY": \_\_\_\_\_

10 ABSENT: \_\_\_\_\_

11 APPROVED:

12  
13 By \_\_\_\_\_  
14 OSCAR B. GOODMAN, Mayor

15 ATTEST:

16  
17 \_\_\_\_\_  
18 BEVERLY K. BRIDGES, CMC  
19 City Clerk  
20  
21  
22  
23  
24  
25  
26  
27  
28