

**BILL NO. 2008-36**

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

AN ORDINANCE GRANTING TO AGL NETWORKS, LLC, A LIMITED LIABILITY COMPANY (AGL) 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 AGL; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Proposed by: Mark Vincent, Director  
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.

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

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

SECTION 2: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the 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

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 BEVERLY K. BRIDGES, CMC  
18 City Clerk

19

20

21

22

23

24

25

26

27

28