



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING ON: OCTOBER 1, 2008

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC

Consent Discussion

SUBJECT:
RESOLUTIONS:

R-55-2008 – discussion and possible action regarding Resolution and Notice Regarding the Granting of a Telecommunications Service Franchise to Wiltel Communications, LLC, Setting the Purpose, Character, Term and Conditions of the Proposed Franchise and Setting a Public Hearing on the Advisability of Granting the Proposed Franchise – All Wards

Fiscal Impact

- No Impact Augmentation Required
 Budget Funds Available

Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:

Wiltel Communications, LLC (WILTEL) has requested a franchise permitting WILTEL's use of City rights-of-way for the installation and operation of facilities to provide telecommunications service within the City. The franchise will replace a Revocable Rights-of-Way Agreement that was entered into by the City and WILTEL's predecessor-in-interest in 1998. The proposed term of the franchise agreement is ten years, with an option to renew for five years. WILTEL will pay the City five percent of its annual gross revenue in accordance with the provisions of LVMC 6.67.020.

RECOMMENDATION:

It is recommended that the City Council approve this Resolution and authorize its execution on behalf of the City.

BACKUP DOCUMENTATION:

Resolution No. R-55-2008

Motion made by GARY REESE to Approve

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
RICKI Y. BARLOW, LOIS TARKANIAN, LARRY BROWN, OSCAR B. GOODMAN,
GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None);
(Did Not Vote-None); (Excused-None)

Minutes:

City of Las Vegas

Agenda Item No.: 74.

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CITY ATTORNEY BRAD JERBIC stated approval of this resolution will set forth a public hearing. There is a concurrent ordinance, which he read into the record and will be fast tracked and eligible for adoption at the next City Council meeting. He explained that Witel Communications, LLC is currently doing business with the City of Las Vegas and is using one of the City's right-of-way per their right-of-way agreement. Upon review, staff determined it was best to handle the matter by a franchise agreement and not a right-of-way agreement. The item is in order, and he recommended approval.

Regarding cell towers, COUNCILMAN REESE stated he met with representatives from the industry and is concerned that the number of providers continues to increase. He did not oppose companies using the right-of-way via underground but stressed there should be some limitations in place regarding the location of cell towers; both the Mayor and COUNCILWOMAN TARKANIAN concurred with the Councilman's opinion.

COUNCILWOMAN TARKANIAN commended the Councilman on his written correspondence and added that she has written to CONGRESSWOMAN SHELE BERKLEY regarding this matter.

