



Las Vegas

Agenda Item No.: 3.

AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: FEBRUARY 1, 2011

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC

Consent Discussion

SUBJECT:

Bill No. 2011-3 Grants to tw telecom of nevada llc 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 the ordinance. Prepared by: Bradford R. Jerbic, City Attorney

Fiscal Impact

No Impact Augmentation Required
 Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

This bill will grant to tw telecom of nevada llc (tw telecom) a non-exclusive franchise for ten years, with an option to renew for five years, 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. The franchise will replace a 1996 franchise agreement entered into by the City and one of tw telecoms predecessors -in-interest.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

1. Bill No. 2011-3
2. Franchise Agreement

Motion made by STAVROS S. ANTHONY to Approve as Do Pass

Passed For: 2; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

RICKI Y. BARLOW, STAVROS S. ANTHONY; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

COUNCILMAN BARLOW declared the Public Hearing open.

City of Las Vegas

Agenda Item No.: **3.**

RECOMMENDING COMMITTEE MEETING OF: FEBRUARY 1, 2011

CHIEF DEPUTY CITY ATTORNEY VAL STEED stated that the Charter requires that certain franchise agreements be approved by ordinance. This ordinance would grant tw telecom of nevada, llc a non-exclusive franchise for the use of the City's rights-of-way. This replaces an original franchise agreement that was introduced to a predecessor of tw telecom of nevada in 1996 that is expiring. The agreement includes a 10-year term with an additional option for renewal in five years. The Charter also requires a public hearing by the City Council, which will take place on 2/16/2011, and the bill will be eligible for adoption immediately following. The Bill is in order.

JUANITA CLARK, Charleston Neighborhood Preservation, verified that this is a replacement for an expired franchise agreement. MARK VINCENT, Chief Financial Officer, added that there are numerous right-of-way agreements for all sorts of providers. In order for this particular company to gain access to the City's right-of-way, it has to obtain a franchise agreement and pay a franchise fee.

COUNCILMAN BARLOW announced that the public hearing will be held at the 2/16/2011 City Council meeting.

COUNCILMAN BARLOW declared the public hearing closed.

