

1 **BILL NO. 2023-9**

2 **ORDINANCE NO. 6835**

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

7 Proposed by: Jorge Cervantes, City Manager

Summary: Grants to Gigapower, 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 this Ordinance.

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

13 SECTION 1: The City of Las Vegas, Nevada, hereby grants to Gigapower, LLC the non-
14 exclusive right, privilege, authority and permission to install, operate and maintain a telecommunications
15 service system in, upon, along, across, above, over and under all present and future public ways (excluding
16 railroad rights-of-way), highways, streets, avenues and alleys within the incorporated boundaries of the City
17 of Las Vegas, subject to and in accordance with the terms and conditions of the Franchise Agreement between
18 the City of Las Vegas and Gigapower, LLC, a copy of which Franchise Agreement is on file with the Clerk
19 of the City of Las Vegas and by this reference incorporated herein. For the purposes of this Section the term
20 "telecommunications service" has the same meaning as that term is defined in the United States Code at 47
21 U.S.C. §153(53).

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

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

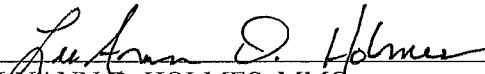
3 SECTION 3: All ordinances or parts of ordinances or sections, subsections, phrases,
4 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983
5 Edition, in conflict herewith are hereby repealed.

6 PASSED, ADOPTED and APPROVED this 5th day of April, 2023.


7 APPROVED:

8
9 By 
CAROLYN G. GOODMAN, Mayor

10 ATTEST:

11 
12 LUANN D. HOLMES, MMC
City Clerk


13 APPROVED AS TO FORM:


14  2-28-23
15 Val Steed, Date
Deputy City Attorney

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The above and foregoing ordinance was first proposed and read by title to the City Council on the 15th day of March, 2023, and referred to a committee for recommendation; hereafter the committee reported favorably on said ordinance on the 5th day of April, 2023, which as a regular meeting of said Council; that at said regular meeting, the proposed ordinance was read by title to the City Council and adopted by the following vote:

VOTING "AYE": Mayor Goodman and Councilmembers, Crear, Knudsen, Seaman, Diaz, Allen-Palenske and Brune
VOTING "NAY": None
EXCUSED: None
ABSTAINED: None

APPROVED:

CAROLYN G. GOODMAN, Mayor

ATTEST:

LUANN D. HOLMES, MMC City Clerk

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

RECEIVED
CITY CLERK

2023 MAR 30 A 11: 30

LV CITY CLERK
495 S MAIN ST
LAS VEGAS NV 89101

Account # 22515
Ad Number 0001228917

Leslie McCormick, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for, was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 03/23/2023 to 03/23/2023, on the following days:

03 / 23 / 23

BILL NO. 2023-9

AN ORDINANCE GRANTING TO GIGAPOWER, LLC, A LIMITED LIABILITY COMPANY 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 GIGAPOWER, LLC; AND PROVIDING FOR OTHER RELATED MATTERS.

Proposed by:
Jorge Cervantes, City Manager

Summary: Grants to Gigapower, 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 this Ordinance.

At the City Council meeting of
March 15, 2023

BILL NO. 2023-9 WAS READ BY TITLE AND REFERRED TO A RECOMMENDING COMMITTEE

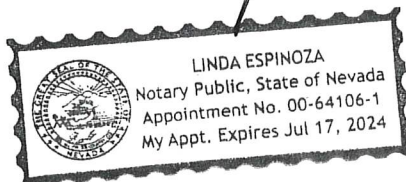
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 2ND FLOOR, 495 SOUTH MAIN STREET, LAS VEGAS, NEVADA

PUB: March 23, 2023
LV Review-Journal

[Signature]
/S/ _____
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 23rd day of March, 2023

Notary *[Signature]*



AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

LV CITY CLERK
495 S MAIN ST
LAS VEGAS NV 89101

Account # 22515
Ad Number 0001231241

RECEIVED
CITY CLERK

2023 APR 17 A 11: 29

Leslie McCormick, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for, was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 04/08/2023 to 04/08/2023, on the following days:

04 / 08 / 23

**BILL NO. 2023-9
ORDINANCE NO. 6835**

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Proposed by:
Jorge Cervantes, City Manager

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The above and foregoing ordinance was first proposed and read by title to the City Council on the 15th day of March, 2023, and referred to a committee for

recommendation; thereafter the committee reported favorably on said ordinance on the 5th day of April, 2023, which was a regular meeting of said City Council; and that at said regular meeting the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": Mayor Goodman and Councilmembers Knudsen, Crear, Seaman, Diaz, Allen-Palenske, and Brune

VOTING "NAY": NONE

EXCUSED: NONE

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 2ND FLOOR, 495 SOUTH MAIN STREET, LAS VEGAS, NEVADA

PUB: April 8, 2023
LV Review-Journal

[Signature]

LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 10th day of April, 2023

Notary *Linda Espinoza*

