



Recommending Committee Agenda

1. Call to Order
2. Announcement Regarding: Compliance with Open Meeting Law
3. For possible action to approve the Final Minutes by reference of the March 13, 2023 Recommending Committee Meeting
4. Bill No. 2023-9 - For possible action - 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. Proposed by: Jorge Cervantes, City Manager
5. Bill No. 2023-10 - For possible action - Repeals LVMC 2.44.050, relating to the minimum number of regular monthly meetings to be held by the Planning Commission. Proposed by: Jorge Cervantes, City Manager
6. Citizens Participation: Public comment during this portion of the agenda must be limited to matters within the jurisdiction of the Committee. No subject may be acted upon by the Committee unless that subject is on the agenda and is scheduled for action. If you wish to be heard, come to the podium and give your name and correct spelling for the record. The amount of discussion on any single subject, as well as the amount of time any single speaker is allowed, may be limited.
7. Adjournment

Facilities are provided throughout City Hall for the convenience of persons with disabilities. Reasonable efforts will be made to assist and accommodate persons with disabilities or impairments. If you need an accommodation to attend and participate in this meeting, please call the City Clerk's office at 702-229-6311 and advise of your need at least 48 hours in advance of the meeting. Dial 7-1-1 for Relay Nevada.

THIS MEETING HAS BEEN PROPERLY NOTICED AND POSTED AT THE FOLLOWING LOCATIONS
IN ACCORDANCE WITH THE NOTICING STANDARDS AS OUTLINED IN NRS 241.020:

The City of Las Vegas website – www.lasvegasnevada.gov
The Nevada Public Notice website – notice.nv.gov
City Hall, 495 South Main Street, 1st Floor



AGENDA SUMMARY PAGE
Recommending Committee
Meeting of: April 3, 2023

Agenda Item No.:
1

DEPARTMENT: City Clerk
DIRECTOR: LuAnn Holmes

SUBJECT:
Call to Order



AGENDA SUMMARY PAGE
Recommending Committee
Meeting of: April 3, 2023

Agenda Item No.:
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DEPARTMENT: City Clerk
DIRECTOR: LuAnn Holmes

SUBJECT:
Announcement Regarding: Compliance with Open Meeting Law



AGENDA SUMMARY PAGE
Recommending Committee
Meeting of: April 3, 2023

Agenda Item No.:
3

DEPARTMENT: City Clerk
DIRECTOR: LuAnn Holmes

SUBJECT:

For possible action to approve the Final Minutes by reference of the March 13, 2023
Recommending Committee Meeting



AGENDA SUMMARY PAGE
Recommending Committee
Meeting of: April 3, 2023

Agenda Item No.:
4

DEPARTMENT: City Attorney
DIRECTOR: Bryan K. Scott

DISCUSSION

SUBJECT:

Bill No. 2023-9 - For possible action - 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. Proposed by: Jorge Cervantes, City Manager

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:

This bill will grant 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. The terms of the Franchise Agreement are the subject of a resolution previously approved by the City Council and a corresponding public hearing required by law.

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. 2023-9

BILL NO. 2023-9

ORDINANCE NO. _____

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.

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 Gigapower, LLC the non-exclusive right, privilege, authority and permission to install, operate 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 the Franchise Agreement between the City of Las Vegas and Gigapower, LLC, a copy of which 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 at 47 U.S.C. §153(53).

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 hereby 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 ____ day of _____, 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 Val Steed 2-28-23
15 Val Steed, Date
Deputy City Attorney

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the ____ day
2 of _____, 2023, and referred to a committee for recommendation, the committee being
3 composed of the following members _____;
4 thereafter the said committee reported favorably on said ordinance on the ____ day of
5 _____, 2023, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council as first
7 introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11 APPROVED:

12
13 By _____
CAROLYN G. GOODMAN, Mayor

14 ATTEST:

15 _____
16 LUANN D. HOLMES, MMC
City Clerk

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AGENDA SUMMARY PAGE
Recommending Committee
Meeting of: April 3, 2023

Agenda Item No.:
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DEPARTMENT: City Attorney
DIRECTOR: Bryan K. Scott

DISCUSSION

SUBJECT:

Bill No. 2023-10 - For possible action - Repeals LVMC 2.44.050, relating to the minimum number of regular monthly meetings to be held by the Planning Commission. Proposed by: Jorge Cervantes, City Manager

FISCAL IMPACT:

None

PURPOSE/BACKGROUND:

This bill will repeal LVMC 2.44.050, relating to the minimum number of regular monthly meetings to be held by the Planning Commission. The default requirement for a planning commission under State law is at least one regular meeting a month. Several years ago the City Council determined to require at least two regular Planning Commission meetings per month based on the volume of Commission business at that time. It has been determined that the default requirement of at least one meeting a month is sufficient at this time. Repeal of the Code section will put back into play the statutory default of at least one regular meeting a month, with the ability to establish additional meetings if desired.

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. 2023-10
2. Text of repealed section

BILL NO. 2023-10

ORDINANCE NO. _____

AN ORDINANCE TO REPEAL LVMC 2.44.050, RELATING TO THE MINIMUM NUMBER OF REGULAR MONTHLY MEETINGS TO BE HELD BY THE PLANNING COMMISSION, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Jorge Cervantes, City Manager

Summary: Summary: Repeals LVMC 2.44.050, relating to the minimum number of regular monthly meetings to be held by the Planning Commission.

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

SECTION 1: Title 2, Chapter 44, Section 50, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby repealed in its entirety.

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 hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

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

PASSED, ADOPTED and APPROVED this _____ day of _____, 2023.

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

LUANN D. HOLMES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed, Deputy City Attorney

2-28-23

Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the ____ day
2 of _____, 2023, and referred to a committee for recommendation, the committee being
3 composed of the following members _____;
4 thereafter the said committee reported favorably on said ordinance on the ____ day of
5 _____, 2023, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council as first
7 introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11 APPROVED:

12
13 By _____
CAROLYN G. GOODMAN, Mayor

14 ATTEST:
15 _____
16 LUANN D. HOLMES, MMC
City Clerk

2.44.050 Meeting requirements.

The Planning Commission shall hold at least two regular meetings each month. The scheduling of such regular meetings and other meetings shall be as set forth in the rules or bylaws that have been adopted by the Planning Commission pursuant to State law.

(Ord. No. 6640, § 1, 8-15-18)



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DEPARTMENT: City Clerk
DIRECTOR: LuAnn Holmes

SUBJECT:

Citizens Participation: Public comment during this portion of the agenda must be limited to matters within the jurisdiction of the Committee. No subject may be acted upon by the Committee unless that subject is on the agenda and is scheduled for action. If you wish to be heard, come to the podium and give your name and correct spelling for the record. The amount of discussion on any single subject, as well as the amount of time any single speaker is allowed, may be limited.



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DEPARTMENT: City Clerk
DIRECTOR: LuAnn Holmes

SUBJECT:
Adjournment