

RESOLUTION NO. R-40-2024

RESOLUTION AND NOTICE REGARDING THE GRANTING TO TELEPORT COMMUNICATIONS AMERICA, LLC, OF A FRANCHISE FOR COMMUNICATIONS SERVICES, INCLUDING BROADBAND INTERNET SERVICE AND/OR TELECOMMUNICATIONS SERVICE, SETTING THE PURPOSE, CHARACTER, TERM AND CONDITIONS OF THE PROPOSED FRANCHISE AND SETTING A PUBLIC HEARING ON THE ADVISABILITY OF GRANTING THE PROPOSED FRANCHISE

WHEREAS, the CITY OF LAS VEGAS ("CITY"), is desirous of providing its residents the opportunity to receive communications services, including broadband internet service and/or telecommunications service; and

WHEREAS, Teleport Communications America, LLC ("TELEPORT"), a Delaware limited-liability company, is authorized to do business in Nevada; and

WHEREAS, TELEPORT has requested the CITY to grant it a franchise permitting the installation, operation and maintenance of communications services, including broadband internet service and/or telecommunications service within the corporate limits of the CITY; and

WHEREAS, there exists a need to ensure that the installation, operation and maintenance of such services within the corporate limits of the CITY is conducted in a manner which will not interfere with the public's use of various rights-of-way; and

WHEREAS, in response to TELEPORT's request for franchise, a proposed Franchise Agreement between the CITY and TELEPORT has been prepared, granting the necessary permission and authority to TELEPORT to utilize the various rights-of-way, now or hereafter existing, for purposes of installing, operating and maintaining the services described above.

NOW, THEREFORE, pursuant to the requirements of Section 7.050 of the Las Vegas Charter, IT IS HEREBY ACKNOWLEDGED, DETERMINED AND RESOLVED, by the City Council of the City of Las Vegas, Nevada, as follows:

1. That TELEPORT has requested from the CITY that a franchise be granted to TELEPORT for the purpose of installing, operating and maintaining communications services, including broadband internet service and/or telecommunications service, within the corporate limits of the CITY.
2. That the purpose, character, terms, time and conditions of the franchise that the CITY proposes to

1 grant to TELEPORT, in response to TELEPORT's request to install, operate and maintain such services in,
2 upon, along, across, above, over and under the rights-of-way as defined by such franchise within the corporate
3 limits of the CITY, for a five-year period, are fully set forth in the proposed Franchise Agreement on file in
4 the Office of the City Clerk of the City of Las Vegas, Nevada, which proposed Franchise Agreement is
5 available for inspection by members of the public. For purposes of Section 7.050 of the City Charter, the
6 proposed Franchise Agreement is, by this reference, incorporated herein and made a part of this Resolution
7 and Notice.

8 3. That a public hearing be, and it hereby is, set for Wednesday, the 4th day of September, 2024, in the
9 City Council Chambers, City Hall Complex, 495 South Main Street, Las Vegas, Nevada, at the hour of
10 9:30 a.m., for the purpose of hearing any objections or protests made by any person to the granting of a
11 franchise to TELEPORT pursuant to the proposed Franchise Agreement.

12 4. That all interested persons shall have, and they are hereby given, the right to appear and be heard on
13 the question of the advisability of granting a communications services franchise pursuant to the proposed
14 Franchise Agreement to TELEPORT at the place, date and hour specified for the public hearing in Paragraph
15 3 of this Resolution and Notice, or at any subsequent time to which said public hearing may be adjourned.

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1 5. That the notice provided by this Resolution and Notice is reasonably calculated to inform each
2 interested person of his or her opportunity to appear and be heard on the question of the granting of a
3 communications services franchise pursuant to the proposed Franchise Agreement, and that the City Clerk
4 therefore, be, and she hereby is, authorized, empowered and directed to cause a copy of this Resolution and
5 Notice to be published in full in the issues of the Las Vegas Review Journal published on the 14th day of
6 August, 2024, and the 21st day of August, 2024.

7 PASSED, ADOPTED, AND APPROVED this _____ day of _____, 2024.

8 CITY OF LAS VEGAS

9 BY _____
10 CAROLYN G. GOODMAN, Mayor

11 ATTEST:

12 _____
13 DR. LUANN D. HOLMES, MMC
City Clerk

14 APPROVED AS TO FORM

15 Val Steed 7-16-24
16 Val Steed, Date
Deputy City Attorney