

**RESOLUTION AND NOTICE REGARDING THE GRANTING OF A
TELECOMMUNICATIONS SERVICE FRANCHISE TO GIGAPOWER, 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**

WHEREAS, the CITY OF LAS VEGAS ("CITY"), is desirous of providing its residents the opportunity to receive telecommunications service; and

WHEREAS, Gigapower, LLC ("GIGAPOWER"), a limited-liability company organized and existing under the laws of the State of Delaware, and authorized to do business in Nevada, was created for the purpose of providing a telecommunications service; and

WHEREAS, GIGAPOWER has requested the CITY to grant it a franchise permitting the installation, operation and maintenance of a telecommunications service within the corporate limits of the CITY; and

WHEREAS, there exists a need to ensure that the installation, operation and maintenance of a telecommunications service 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 GIGAPOWER's request for franchise, a proposed Franchise Agreement between the CITY and GIGAPOWER has been prepared granting the necessary permission and authority to GIGAPOWER to utilize the various rights-of-way, now or hereafter existing, for purposes of installing, operating and maintaining its telecommunications service.

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 GIGAPOWER has requested from the CITY that a franchise be granted to GIGAPOWER for the purpose of installing, operating and maintaining a telecommunications service within the corporate boundaries of the CITY.

2. That the purpose, character, terms, time and conditions of the franchise that the CITY proposes to grant to GIGAPOWER, in response to GIGAPOWER's request to install, operate and maintain a telecommunications service in, upon, along, across, above, over and under the rights-of-way as defined by

1 such franchise within the corporate boundaries of the CITY until 11:59 PM, on March 1, 2029, is fully set
2 forth in the proposed Franchise Agreement on file in the Office of the City Clerk of the City of Las Vegas,
3 Nevada, which proposed Franchise Agreement is available for inspection by members of the public. For
4 purposes of Section 7.050 of the City Charter, the proposed Franchise Agreement is, by this reference,
5 incorporated herein and made a part of this Resolution and Notice.

6 3. That a public hearing be, and it hereby is, set for Wednesday, the 15th day of March, 2023, in the
7 City Council Chambers, City Hall Complex, 495 South Main Street, Las Vegas, Nevada, at the hour of
8 9:30 a.m., for the purpose of hearing any objections or protests made by any person to the granting of a
9 franchise to GIGAPOWER pursuant to the proposed Franchise Agreement.

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

15 ...

16 ...

17 ...

18 ...

19 ...

20 ...

21 ...

22 ...

23 ...

24 ...

25 ...

26 ...

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 telecommunications service 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 6th day of
6 March, 2023, and the 13th day of March, 2023.

7 PASSED, ADOPTED, AND APPROVED this 1st day of March, 2023.

8 CITY OF LAS VEGAS

9
10 BY C. Goodman
CAROLYN G. GOODMAN, Mayor

11 ATTEST:

12 Luann D. Holmes
13 LUANN D. HOLMES, MMC
City Clerk

14 APPROVED AS TO FORM

15 Val Steed
16 Val Steed,
Deputy City Attorney

17
18
19
20
21
22
23
24
25
26 Date