BILL NO. 2006-81

ORDINANCE NO. 5887

AN ORDINANCE TO GRANT A NON-EXCLUSIVE FRANCHISE TO NEVADA POWER COMPANY TO PROVIDE ELECTRICAL SERVICES WITHIN THE CORPORATE LIMITS OF THE CITY IN ACCORDANCE WITH THAT CERTAIN FRANCHISE AGREEMENT BETWEEN THE CITY AND NEVADA POWER COMPANY, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Mark R. Vincent, Director
Department of Finance and Business Services

Summary: Grants to Nevada Power Company, a Nevada Corporation, a non-exclusive franchise to install, operate and maintain an electrical distribution system to provide electrical services to consumers within the City subject to and in accordance with the terms and conditions of the Franchise Agreement between the City and Nevada Power Company, 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 Nevada Power Company, a Nevada Corporation, the non-exclusive right, privilege, authority and permission to own, construct, operate, maintain, upgrade, and repair an electrical distribution system upon the surface of and the space above and below any and all public highways, streets, roads, alleys avenues, tunnels, parkways, and easements granted to the City, including easements created or reserved in favor of the City for any road or public utility purposes in any patent granted by the United States of America, or in any other recorded map, plat or recorded document, as the same now or may hereafter exist within the City, including State highways now or hereafter established within the City to whatever extent the City may have jurisdiction to authorize the use stated above, for the sole purpose of providing electrical service to consumers within the City, subject to and in accordance with the terms and conditions of that certain document entitled Franchise Agreement, commencing on the 1st day of February, 2007, by and between the City of Las Vegas and Nevada Power Company, a copy of which said Franchise Agreement is on file with the Clerk of the City of Las Vegas and by this reference incorporated herein as part of this Ordinance.

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.

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 17TH day of January, 2007.

APPROVED:

By Gary Reese
~~OSCAR B. GOODMAN, Mayor~~
Gary Reese, Mayor Pro-Tem

ATTEST:

Barbara Jo Ronemus
BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

Larry G. Bettis 12-11-06
Date

The above and foregoing ordinance was first proposed and read by title to the City Council on the 20th day of December, 2006, and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 17th day of January, 2007, which as a regular meeting of said Council; 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 Reese, Brown, Weekly, Wolfson, Tarkanian and Ross
VOTING "NAY":	None
EXCUSED:	None
ABSTAINED:	None

APPROVED:

~~OSCAR B. GOODMAN, Mayor~~

Gary Reese, Mayor Pro-Tem

ATTEST:

BARBARA JO RONEMUS, City Clerk