


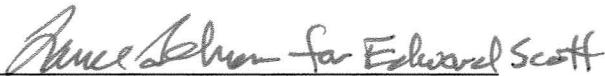
**NOVEMBER 18, 2009 CITY COUNCIL BRIEFING AGENDA
CERTIFICATION**

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Briefing Agenda dated November 18, 2009. We hereby certify, as to those contracts, agreements, or other obligations on this Agenda authorized by the City Council for which expenditures of money by the City are required, that all of the money required for those contracts, agreements, and other obligations is in the City treasury to the credit of the fund or funds from which the money is to be drawn, as required and permitted by the City Charter, and that the money is not appropriated for any other purpose.



Mary K. Suhm
City Manager

11-13-09
Date



Edward Scott
City Controller

11-13-09
Date

RECEIVED

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CITY SECRETARY
DALLAS, TEXAS



COUNCIL BRIEFING AGENDA

November 18, 2009

DATE

(FOR GENERAL INFORMATION AND RULES OF COURTESY PLEASE SEE OPPOSITE SIDE.)

(LA INFORMACIÓN GENERAL Y REGLAS DE CORTESÍA QUE DEBEN OBSERVARSE

DURANTE LAS ASAMBLEAS DEL CONSEJO MUNICIPAL APARECEN EN EL LADO OPUESTO, FAVOR DE LEERLAS.)

General Information

The Dallas City Council regularly meets on Wednesdays beginning at 9:00 a.m. in the Council Chambers, 6th floor, City Hall, 1500 Marilla. Council agenda meetings are broadcast live on WRR-FM radio (101.1 FM) and on Time Warner City Cable Channel 16. Briefing meetings are held the first and third Wednesdays of each month. Council agenda (voting) meetings are held on the second and fourth Wednesdays. Anyone wishing to speak at a meeting should sign up with the City Secretary's Office by calling (214) 670-3738 before 9:00 a.m. on the meeting date. Citizens can find out the name of their representative and their voting district by calling the City Secretary's Office.

Sign interpreters are available upon request with a 48-hour advance notice by calling (214) 670-5208 V/TDD. The City of Dallas is committed to compliance with the Americans with Disabilities Act. **The Council agenda is available in alternative formats upon request.**

If you have any questions about this agenda or comments or complaints about city services, call 311.

Rules of Courtesy

City Council meetings bring together citizens of many varied interests and ideas. To insure fairness and orderly meetings, the Council has adopted rules of courtesy which apply to all members of the Council, administrative staff, news media, citizens and visitors. These procedures provide:

- That no one shall delay or interrupt the proceedings, or refuse to obey the orders of the presiding officer.
- All persons should refrain from private conversation, eating, drinking and smoking while in the Council Chamber.
- Posters or placards must remain outside the Council Chamber.
- No cellular phones or audible beepers allowed in Council Chamber while City Council is in session.

"Citizens and other visitors attending City Council meetings shall observe the same rules of propriety, decorum and good conduct applicable to members of the City Council. Any person making personal, impertinent, profane or slanderous remarks or who becomes boisterous while addressing the City Council or while attending the City Council meeting shall be removed from the room if the sergeant-at-arms is so directed by the presiding officer, and the person shall be barred from further audience before the City Council during that session of the City Council. If the presiding officer fails to act, any member of the City Council may move to require enforcement of the rules, and the affirmative vote of a majority of the City Council shall require the presiding officer to act." Section 3.3(c) of the City Council Rules of Procedure.

Informacion General

El Ayuntamiento de la Ciudad de Dallas se reúne regularmente los miércoles en la Cámara del Ayuntamiento en el sexto piso de la Alcaidía, 1500 Marilla, a las 9 de la mañana. Las reuniones informativas se llevan a cabo el primer y tercer miércoles del mes. Estas audiencias se transmiten en vivo por la estación de radio WRR-FM 101.1 y por cablevisión en la estación *Time Warner CityCable* Canal 16. El Ayuntamiento Municipal se reúne el segundo y cuarto miércoles del mes para tratar asuntos presentados de manera oficial en la agenda para su aprobación. Toda persona que desee hablar durante la asamblea del Ayuntamiento, debe inscribirse llamando a la Secretaría Municipal al teléfono (214) 670-3738, antes de las 9 de la mañana del día de la asamblea. Para enterarse del nombre de su representante en el Ayuntamiento Municipal y el distrito donde usted puede votar, favor de llamar a la Secretaría Municipal.

Intérpretes para personas con impedimentos auditivos están disponibles si lo solicita con 48 horas de anticipación llamando al (214) 670-5208 (aparato auditivo V/TDD). La Ciudad de Dallas se esfuerza por cumplir con el decreto que protege a las personas con impedimentos, *Americans with Disabilities Act*. **La agenda del Ayuntamiento está disponible en formatos alternos si lo solicita.**

Si tiene preguntas sobre esta agenda, o si desea hacer comentarios o presentar quejas con respecto a servicios de la Ciudad, llame al 311.

Reglas de Cortesia

Las asambleas del Ayuntamiento Municipal reúnen a ciudadanos de diversos intereses e ideologías. Para asegurar la imparcialidad y el orden durante las asambleas, el Ayuntamiento ha adoptado ciertas reglas de cortesía que aplican a todos los miembros del Ayuntamiento, al personal administrativo, personal de los medios de comunicación, a los ciudadanos, y a visitantes. Estos reglamentos establecen lo siguiente:

- Ninguna persona retrasará o interrumpirá los procedimientos, o se negará a obedecer las órdenes del oficial que preside la asamblea.
- Todas las personas deben abstenerse de entablar conversaciones, comer, beber y fumar dentro de la cámara del Ayuntamiento.
- Anuncios y pancartas deben permanecer fuera de la cámara del Ayuntamiento.
- No se permite usar teléfonos celulares o enlaces electrónicos (*paggers*) audibles en la cámara del Ayuntamiento durante audiencias del Ayuntamiento Municipal.

"Los ciudadanos y visitantes presentes durante las asambleas del Ayuntamiento Municipal deben obedecer las mismas reglas de comportamiento, decoro y buena conducta que se aplican a los miembros del Ayuntamiento Municipal. Cualquier persona que haga comentarios impertinentes, utilice vocabulario obsceno o difamatorio, o que al dirigirse al Ayuntamiento lo haga en forma escandalosa, o si causa disturbio durante la asamblea del Ayuntamiento Municipal, será expulsada de la cámara si el oficial que esté presidiendo la asamblea así lo ordena. Además, se le prohibirá continuar participando en la audiencia ante el Ayuntamiento Municipal. Si el oficial que preside la asamblea no toma acción, cualquier otro miembro del Ayuntamiento Municipal puede tomar medidas para hacer cumplir las reglas establecidas, y el voto afirmativo de la mayoría del Ayuntamiento Municipal precisará al oficial que esté presidiendo la sesión a tomar acción." Según la sección 3.3(c) de las reglas de procedimientos del Ayuntamiento.

AGENDA
CITY COUNCIL BRIEFING MEETING
WEDNESDAY, NOVEMBER 18, 2009
CITY HALL
1500 MARILLA
DALLAS, TEXAS 75201
9:00 A.M.

9:00 am Invocation and Pledge of Allegiance 6ES

 Special Presentations

 Open Microphone Speakers

VOTING AGENDA 6ES

1. Approval of Minutes of the November 4, 2009 City Council Meeting
2. Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

Briefings 6ES

- A. Drainage Design Practices
- B. 2018/2022 FIFA World Cup

Lunch

ITEMS FOR INDIVIDUAL CONSIDERATION

City Attorney's Office

3. Authorize settlement of the lawsuit styled Emma Dotie and LaTonia Walker v. The City of Dallas, Civil Action No. 3-08-CV-2148-M - Not to exceed \$22,500 - Financing: Current Funds

Park and Recreation

4. Authorize the City to enter into the Host City Agreement and Stadium Agreement in connection with the USA Bid Committee proposal to host the 2018 or 2022 Federation Internationale de Football Association World Cup Games - Financing: No cost consideration to the City

AGENDA
CITY COUNCIL BRIEFING MEETING
WEDNESDAY, NOVEMBER 18, 2009

Closed Session	6ES
Attorney Briefings (Sec. 551.071 T.O.M.A.)	
- <u>Emma Dotie and LaTonia Walker v. The City of Dallas,</u> Civil Action No. 3-08-CV-2148-M	
Open Microphone Speakers	6ES

The above schedule represents an estimate of the order for the indicated briefings and is subject to change at any time. Current agenda information may be obtained by calling (214) 670-3100 during working hours.

Note: An expression of preference or a preliminary vote may be taken by the Council on any of the briefing items.

A closed executive session may be held if the discussion of any of the above agenda items concerns one of the following:

1. Contemplated or pending litigation, or matters where legal advice is requested of the City Attorney. Section 551.071 of the Texas Open Meetings Act.
2. The purchase, exchange, lease or value of real property, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.072 of the Texas Open Meetings Act.
3. A contract for a prospective gift or donation to the City, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.073 of the Texas Open Meetings Act.
4. Personnel matters involving the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint against an officer or employee. Section 551.074 of the Texas Open Meetings Act.
5. The deployment, or specific occasions for implementation of security personnel or devices. Section 551.076 of the Texas Open Meetings Act.
6. Deliberations regarding economic development negotiations. Section 551.087 of the Texas Open Meetings Act.

PUBLIC MEETINGS FOR NOVEMBER 16 - NOVEMBER 30, 2009

Tuesday, November 17, 2009

Municipal Library Board

4:00 p.m.

J. Erik Jonsson Central Library, Municipal Library Board Room

AGENDA ITEM # 3

KEY FOCUS AREA: Make Government More Efficient, Effective and Economical

AGENDA DATE: November 18, 2009

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Attorney's Office
Court & Detention Services

CMO: Thomas P. Perkins, Jr., 670-3491
Ryan S. Evans, 670-3314

MAPSCO: N/A

SUBJECT

Authorize settlement of the lawsuit styled Emma Dotie and LaTonia Walker v. The City of Dallas, Civil Action No. 3-08-CV-2148-M - Not to exceed \$22,500 - Financing: Current Funds

BACKGROUND

Plaintiffs Emma Dotie and LaTonia Walker filed a lawsuit against the City seeking compensation for alleged race and retaliation discrimination starting as early as December 2005 and as recent as October 2009, involving management in the Court and Detention Services Department. Plaintiffs are represented by Carla Hatcher of the law office of Thorpe & Hatcher, LLP.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Council is scheduled to be briefed in Closed Session on November 18, 2009.

FISCAL INFORMATION

\$22,500 - Current Funds

November 18, 2009

WHEREAS, a lawsuit styled Emma Dotie and LaTonia Walker v. The City of Dallas, Civil Action No. 3-08-CV-2148-M, was filed by Plaintiffs seeking compensation from the City of Dallas for alleged race and retaliation discrimination against the Court and Detention Services Department; and

WHEREAS, Plaintiffs, Emma Dotie and LaTonia Walker, through their attorney, Carla Hatcher of the law office of Thorpe & Hatcher, LLP, has agreed to settle this lawsuit for the amount of \$22,500; **Now, Therefore,**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the settlement of the lawsuit styled Emma Dotie and LaTonia Walker v. The City of Dallas, Civil Action No. 3-08-CV-2148-M, in an amount not to exceed \$22,500 is hereby approved.

SECTION 2. That the City Controller is authorized to pay to Emma Dotie, the amount of \$6,666.67 from Fund 0192, Department ORM, Unit 3890, Obj. 3521, Vendor CTATT001.

SECTION 3. That the City Controller is authorized to pay to LaTonia Walker, the amount of \$2,628.14 from Fund 0192, Department ORM, Unit 3890, Obj. 3521, Vendor CTATT001.

SECTION 4. That the City Controller is authorized to pay to LaTonia Walker, the amount of \$5,705.20, less: tax withholdings of \$372.20, pension contributions of \$522.59 and miscellaneous deductions of \$839.10 from Fund 0001, Department CTS, Unit 1056.

SECTION 5. That the City Controller is authorized to pay to Thorpe & Hatcher, LLP, the amount of \$7,499.99 from Fund 0192, Department ORM, Unit 3890, Obj. 3521, Vendor CTATT001.

SECTION 6. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 18, 2009

COUNCIL DISTRICT(S): 7

DEPARTMENT: City Manager's Office
Park & Recreation

CMO: Ryan S. Evans, 670-3314
Paul D. Dyer, 670-4071

MAPSCO: 46Q

SUBJECT

Authorize the City to enter into the Host City Agreement and Stadium Agreement in connection with the USA Bid Committee proposal to host the 2018 or 2022 Federation Internationale de Football Association World Cup Games - Financing: No cost consideration to the City

BACKGROUND

Federation Internationale de Football Association (FIFA) is the governing body for international soccer. FIFA World Cup is the world's largest sports event with a global cumulative television audience of over 26 billion people. The tournament is a 30 day event consisting of 64 soccer matches with 32 national teams held in June and/or July every four years. FIFA is currently seeking host countries for the 2018 and 2022 World Cup events.

The World Cup was held in the United States for the first time in 1994, resulting in a \$4 billion economic impact. The American audience and international travelers responded positively to the games accounting for 3.6 million spectators, representing ticket sales of 96% of the capacity for all U.S. host stadiums. In 1994, Dallas was one of nine host cities for the games. The Cotton Bowl Stadium hosted six matches, including a quarter final match between The Netherlands and Brazil. Considered an esteemed choice by FIFA, the International Broadcast Center (IBC) for all of the 1994 World Cup Games was awarded to and held at Fair Park, creating a considerable positive economic impact for Dallas. The IBC successfully operated for six months and hosted over 10,000 worldwide television broadcast representatives.

BACKGROUND (continued)

The USA Bid Committee (USABC) is submitting a bid to FIFA to host the games in the United States in 2018 and 2022. The USABC solicited interested U.S. cities to host the matches. The City of Dallas, through the Dallas Convention and Visitors Bureau (DCVB), submitted a proposal indicating the City's interest in being considered as one of the 10 to 14 Host Cities in the bid to hold the games in the United States. Of the 59 cities submitting initial proposals, the City of Dallas has been selected as one of the 27 cities still being considered by the USABC. For the City of Dallas to be considered in the next evaluation phase, the USABC is requiring executed FIFA-specified Host City and Stadium Agreements by November 30, 2009.

The economic impact of hosting the World Cup is compelling. The Economic Research Associates' study completed in 2009 for the 2018 World Cup games indicates that a Host City is projected to attract \$300 - \$500 million, and will create 5,000 - 8,000 jobs for a period of two to eight months.

The City of Dallas has been evaluating this opportunity, through the DCVB proposal submission, and through attendance at a host city workshop provided by the USABC. A Bid Committee is being organized, with James P. Graham appointed by Mayor Leppert to lead the committee. Mr. Graham was the chair of the Bid Committee and subsequent Host Committee when the World Cup was awarded to Dallas in 1994. The USABC has indicated that the Dallas Metroplex is an attractive submission due to the location of both the Cotton Bowl Stadium and Cowboys Stadium and the supporting venues offered at Fair Park. While both stadiums are under evaluation, the City of Dallas would serve as the Host City in the event of either, or both stadiums being chosen to host matches.

The FIFA-specified Host City Agreement outlines the expectations that the Host City will provide or produce, at its own expense, with no caps or exceptions. The Host City will provide the infrastructure to support the games including facilities for the media center, operations center, training sites for the teams and the stadiums to host the games. The Host City will also plan for outdoor advertising and media, banners and decorations supporting the games, traffic management, public transportation, crowd management, safety, security and fire protection. The Host City will also produce the FIFA Fan Fest, a spectator event held in the host city for 30 days, during the run of the tournament.

The Host City is also expected to enter into a Stadium Agreement identifying expectations that the stadium owner will provide, at its own expense, with no caps or exceptions. The stadium owner will provide any modifications to the stadium as determined by FIFA, two giant video screens, 5 - 8% of the seating in hospitality boxes, two independent power supplies and parking for up to 12,000 cars and 4,600 buses. The stadium name will be changed to World Cup Stadium for the duration of the event and the venue must be free of advertising and not encumbered by third party concession agreements. The stadium owner will also commit to no other events at the stadium for two months prior to the first match and will provide general liability insurance.

BACKGROUND (continued)

The terms of both the FIFA-specified Host City and Stadium Agreements stipulated that FIFA, the media and all affiliates be indemnified and that the Host City accepts all liabilities. The agreement will be governed by and interpreted in accordance with the laws of Switzerland, and binding arbitration is held in Zurich, waiving all governmental immunities. The contracts will commence on the date of execution and expire on September 30th of the year of the games.

The agreements, as currently presented require modifications that will add flexibility for the City of Dallas and will stipulate that all provisions are subject to further agreement among the parties, applicable law and future appropriations by the City Council. The City of Dallas will seek to enter into negotiations for any additional contracts required, following the notification that the U.S. has been chosen as the Host Country and Dallas as a Host City. The subsequent contracts will be negotiated to cap the City's costs for infrastructure improvements and other expenses associated with hosting the World Cup. The City will also seek various funding options for producing and hosting the games including funds from the State of Texas Major Event Trust Fund, partnerships with the Dallas Host Committee, partnerships with the USABC and/or other U.S. Host Cities to offset the costs or liabilities for hosting the games, certificates of obligation and/or general obligation bonds.

The economic benefit to the Host City is considerable. Hosting the matches will bring spectators to the City who are estimated to spend approximately \$46 million per game resulting in \$184 and \$276 million for four to six games. Additionally, the Host City holds the FIFA Fan Fest for all 30 days of the tournament attracting millions of fans. The Fan Fest is the FIFA-endorsed spectator event which broadcasts every game and surrounds the visitors in the World Cup experience. During the 2006 World Cup in Germany, 50,000 fans visited each city's Fan Fest every day. The additional economic attraction of the event is the potential to host the International Broadcast Center (IBC). When Fair Park hosted the IBC in 1994, the economic impact was calculated at \$26 million. The economic benefit of the IBC in 2018 or 2022 is between \$60 and \$65 million.

FISCAL INFORMATION

No cost consideration to the City

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

November 18, 2009

WHEREAS, Federation Internationale de Football Association (FIFA) is the governing body for international soccer and hosts the World Cup, the world's largest sporting event with a global cumulative television audience of over 26 billion; and

WHEREAS, the USA Bid Committee (USABC) is submitting a bid to FIFA to host the games in the United States in 2018 and 2022 and has invited Dallas to participate in the Host City selection process; and

WHEREAS, the 1994 World Cup held in the USA reported \$4 billion in economic impact and still holds the record for total number of spectators at 3.6 million, representing 96% stadium capacity; and

WHEREAS, Dallas served as a Host City for the 1994 World Cup and Fair Park was the site for six matches in the Cotton Bowl Stadium, the International Broadcast Center, Media Center and Operations Center; and

WHEREAS, an economic impact study conducted by Economic Research Associates completed in 2009 for the 2018 World Cup games projects \$300 - \$500 million generated from serving as a Host City, with 5,000 - 8,000 jobs created; and

WHEREAS, Mayor Tom Leppert has appointed James P. Graham to chair the Dallas Host City Bid Committee. **Now, Therefore,**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is authorized to establish a Host City Bid Committee.

SECTION 2. That the City Manager is authorized, subject to approval by the City Attorney's Office as to form, to enter into Host City Agreement and Stadium Agreement in connection with the USA Bid Committee proposal to host the 2018 or 2022 FIFA World Cup games, modified to provide that such agreements are subject to further agreement among the parties, applicable law, future appropriations and with such modifications as the City Manager deems appropriate.

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas and it is accordingly so resolved.

