

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

2003 Legislative Session

Resolution No. CR-54-2003

Proposed by The Chairman (by request – County Executive)

Introduced by Council Members Shapiro and Hendershot

Co-Sponsors _____

Date of Introduction September 9, 2003

RESOLUTION

1 A RESOLUTION concerning

2 Super Bowl XLII (2008) - Governmental Services and Ambush Marketing

3 For the purpose of providing all governmental services reasonably necessary to the success of
4 Super Bowl XLII (2008) and related Official Events within Prince George's County, Maryland in
5 conjunction with the Host Committee and Federal, State and local governments and any other
6 public or private entity, and providing that Prince George's County, Maryland agrees that it shall
7 not authorize any sponsorships of Prince George's County, Maryland during the two weeks prior,
8 through the week following, of Super Bowl XLII (2008) and related Official Events upon a
9 successful bid by the Washington, D.C. Super Bowl Host Committee for Super Bowl XLII
10 (2008).

11 WHEREAS, the National Football League (the "League") owns, produces and controls the
12 annual professional football championship game known as the "Super Bowl", the largest national
13 annual sporting event held in this country; National Football League Properties, LLC ("NFLP"
14 or, together with the League, the "NFL") owns, produces and controls the "NFL Experience,"
15 and along with other NFL Affiliates owns, produces and controls certain other events associated
16 with the Super Bowl ("Official Events"); and

17 WHEREAS, FedExField (the "Stadium") is located at 1600 FedEx Way, Landover,
18 Maryland 20785; and

19 WHEREAS, Prince George's County, Maryland has within its jurisdiction facilities and
20 their premises, access roads, thoroughfares and other areas which may be used for the purposes
21 of organizing, financing, promoting, accommodating, staging and conducting Super Bowl XLII
22 (2008) and its related Official Events and activities; and

1 WHEREAS, hosting the Super Bowl and Official Events will generate goodwill, enhance
2 the worldwide renown and prestige of Prince George's County, Maryland, create temporary jobs
3 and create substantial beneficial economic and fiscal activity; and

4 WHEREAS, the NFL has requested a declaration of support from Prince George's County,
5 Maryland and certain guarantees concerning the performance of reasonably necessary
6 governmental services in connection with the Super Bowl and related Official Events as part of
7 the formal bid made by the Washington, D.C. Super Bowl Host Committee with Prince George's
8 County, Maryland to be designated as a site for Super Bowl XLII (2008), with the Stadium and
9 related facilities located in Prince George's County, Maryland.

10 SECTION 1. NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince
11 George's County, Maryland, that the governing body of Prince George's County, Maryland
12 welcomes Super Bowl XLII (2008) and related Official Events to its jurisdiction and to that end
13 declares its full support of the efforts of the Host Committee to have Prince George's County,
14 Maryland selected as the site for Super Bowl XLII (2008), with the Stadium and related facilities
15 located in Prince George's County, Maryland; and

16 BE IT FURTHER RESOLVED that, upon designation of Prince George's County,
17 Maryland as a site for Super Bowl XLII (2008), with the Stadium and related facilities located in
18 Prince George's County, Maryland, and at all times thereafter, Prince George's County,
19 Maryland, and its agencies, departments and personnel, in conjunction with the Host Committee
20 and Federal, State and local governments and any other public or private entities, agree to
21 provide all governmental services (including without limitation public safety, security, fire and
22 medical emergency, traffic, decorative display and public works/street maintenance services and
23 supplies) reasonably necessary to the success of Super Bowl XLII (2008) and related Official
24 Events within Prince George's County, Maryland (whether, recognizing the uniqueness and
25 extraordinary scope of the Super Bowl, such services are below, equal to or beyond the normal
26 level and range of governmental services usually provided for events held within the
27 jurisdiction), including all planning, training or deployment activities related to the provision of
28 such services, all at no cost or expense to the NFL or the two participating Teams (the "Teams"),
29 except as otherwise provided in the final bid for Super Bowl XLII (2008) by the Washington,
30 D.C. Super Bowl Host Committee. Further, the NFL and the Teams shall not incur liability,
31 subject to the applicable laws of the State of Maryland, and except as otherwise provided in the

1 final bid for Super Bowl XLII (2008) by the Washington, D.C. Super Bowl Host Committee.
 2 Prince George's County, Maryland shall not incur liability nor indemnify the NFL or Teams for
 3 any claims of liability from negligence or willful misconduct of the NFL or the Teams, their
 4 agents, officers or employees; and

5 BE IT FURTHER RESOLVED that Prince George's County, Maryland agrees that neither
 6 the NFL, the Teams, nor any director, shareholder, officer, agent, employee or other
 7 representative of the NFL or the Teams shall be held accountable for or incur any financial
 8 responsibility or liability of any kind or nature whatsoever in connection with the governmental
 9 services planned and/or provided by Prince George's County, Maryland relating to Super Bowl
 10 XLII (2008) and related Official Events, except as otherwise provided in the final bid for Super
 11 Bowl XLII (2008) by the Washington, D.C. Super Bowl Host Committee. Further, the NFL and
 12 the Teams shall not incur liability, subject to the applicable laws of the State of Maryland, and
 13 except as otherwise provided in the final bid for Super Bowl XLII (2008) by the Washington,
 14 D.C. Super Bowl Host Committee. Prince George's County, Maryland shall not incur liability
 15 nor indemnify the NFL or Teams for any claims of liability from negligence or willful
 16 misconduct of the NFL or the Teams, their agents, officers or employees; and

17 BE IT FURTHER RESOLVED that Prince George's County, Maryland agrees that it shall
 18 not authorize any sponsorships of Prince George's County, Maryland during the two weeks prior,
 19 through the week following, of Super Bowl XLII (2008) and related Official Events; and

20 BE IT FURTHER RESOLVED that upon designation of Prince George's County,
 21 Maryland as the site for Super Bowl XLII (2008) and related Official Events, with the Stadium
 22 and related facilities located in Prince George's County, Maryland, and at all times thereafter,
 23 Prince George's County, Maryland reserves the right to enter into agreements with the Host
 24 Committee and Federal, State and local governments and any other public or private entity to
 25 provide all governmental services reasonably necessary to the success of Super Bowl XLII
 26 (2008) and related Official Events within Prince George's County, Maryland and to negotiate
 27 with the Host Committee and Federal, State and local governments and any other public or
 28 private entity for the reimbursement of costs of providing required governmental services.

29 SECTION 2. BE IT FURTHER RESOLVED that this Resolution shall take effect upon
 30 the date of adoption and that Section 1 of this Resolution shall take effect upon the date of
 31 receipt of a successful bid by the Washington, D.C. Super Bowl Host Committee for Super Bowl

1 XLII (2008). In the event that the designation of Prince George’s County, Maryland as the site
2 for Super Bowl XLII (2008) and related Official Events, with the Stadium and related facilities
3 located in Prince George's County, Maryland does not occur, the provisions of this Resolution
4 shall be deemed null and void and of no further force and effect.

Adopted this 9th day of September, 2003.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Peter A. Shapiro
Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Jack B. Johnson
County Executive