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The Wrong Gameplan: Why the Minnesota Vikings' Failure to Understand Minnesota's Values Dooms Their Proposal for a New Stadium and How the Team Can Improve Its Future Chances

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**THE WRONG GAMEPLAN: WHY THE MINNESOTA
VIKINGS' FAILURE TO UNDERSTAND MINNESOTA'S
VALUES DOOMS THEIR PROPOSAL FOR A NEW
STADIUM AND HOW THE TEAM CAN IMPROVE ITS
FUTURE CHANCES**

Ian Dobson[†]

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I. INTRODUCTION

On September 20, 2005, Minnesota Vikings owner Zygi Wilf announced an agreement with Anoka County to build a \$675 million stadium to be the new home of the Minnesota Vikings.¹ The Vikings sought \$790 million in total funding for the project, because \$115 million from the state would be designated for

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1. Kevin Duchscherer, *Vikings Plan Draws Cheers and Concern*, STAR TRIB. (Minneapolis), Sept. 21, 2005, at A1.

improvements in the transportation infrastructure surrounding the stadium.² The proposal relied on nearly \$510 million of public money: \$280 million from Anoka County, and \$230 million from the State of Minnesota.³ The Vikings agreed to invest \$280 million.⁴ Wilf had owned the Vikings for just a few months, having bought the team for \$600 million⁵ after previous owner, Red McCombs, failed for years to get a new stadium or relocate the team to a different market.⁶

McCombs's difficulties in the stadium battles had little effect on Wilf's ambition for a new facility. Wilf began to push for a new Vikings stadium almost immediately after he purchased the Vikings. Within moments of the National Football League (NFL) owners vote making him the new owner of the team, Wilf outlined his vision of a new open-air stadium for the Vikings.⁷ But what made the fight for a new stadium particularly difficult, beyond simply asking the Minnesota state government for several hundred million dollars for a football stadium, is that the Vikings were in stiff competition for a new stadium with the other two athletic tenants of the Metrodome, the Minnesota Twins baseball club and the University of Minnesota Gophers football program.⁸ The Twins had recently developed a proposal to build a baseball-only stadium in downtown Minneapolis, with no state contributions, while the

2. Anoka County (MN) & Minnesota Vikings, *Outline of Proposed Terms: New Stadium*, <http://www.co.anoka.mn.us/EconomicDevelopment/stadium/pdf/agreement-between-anoka-county-vikings2.pdf> (last visited Nov. 10, 2006). These infrastructure projects include widening Interstate 35W in the suburbs north of Minneapolis and improving the on and off ramps near the stadium. *Id.* Currently, these road projects are not slated to be constructed until 2020 or later. *Id.*

3. *Id.*

4. *Id.*

5. The NFL team owners approved the sale on May 26, 2005 by a 32-0 vote. Sid Hartman, *Fowler Couldn't Put Up Money*, STAR TRIB. (Minneapolis), May 26, 2005, at C3.

6. Red McCombs began advocating for a new stadium shortly after he bought the Vikings in 1998. Kevin Seifert & Sid Hartman, *Owner Has Concerns About Team On, Off Field*, STAR TRIB. (Minneapolis), Oct. 19, 2001, at C6.

7. Jay Weiner, *It's Unanimous: Wilf Takes Purple Reins*, STAR TRIB. (Minneapolis), May 26, 2005, at A1.

8. Minnesota Sports Facilities Commission, *About the Hubert H. Humphrey Metrodome*, <http://www.msfc.com/about.cfm> (last visited Nov. 10, 2006). The Minnesota Twins have planned a \$478 million stadium, of which Twins owner Carl Pohlad will pay \$125 million and Hennepin County will fund the rest with a 0.15% sales tax. Patrice Relerford & Matt McKinney, *2005 Legislature: Stadiums*, STAR TRIB. (Minneapolis), July 11, 2005, at A1. The Minnesota Gophers have advocated for a \$235 million stadium, 40% of which will be paid for by the state, with the rest being paid for by private donations, student fees and parking revenues. *Id.*

University of Minnesota had been pushing for its own stadium, arguing that it was a public institution deserving of public dollars.⁹

The Metrodome in Minneapolis was the last of the multi-purpose stadiums developed during the 1970s and 1980s¹⁰ to minimize the headaches and financial commitment a city faces in building separate stadiums for different sports. However, it appears to have caused the Twin Cities and Minnesota a serious problem. Because there is only one stadium for the three athletic teams, the stadium has become outdated for all of its tenants at once, causing each team to demand a new facility.

This paper focuses on the Vikings' proposal for a new stadium in this competitive climate. The Vikings, after starting at the end of the line in Minnesota's stadium race, made a proposal that failed to gain the approval of the Minnesota State Legislature, leaving the team as the only tenant of the Metrodome without a new stadium in the works.¹¹ The Vikings' proposal has not only ignored Minnesota's particular history of stadium financing, it has ignored most of the broader arguments for and against stadium financing. This paper attempts to illustrate how the Vikings broke from Minnesota's evolving principles and attitudes toward stadium financing and to demonstrate how this break doomed the Vikings' proposal for a stadium even as other stadium proposals succeeded. Additionally, this paper attempts to offer a solution, or at least a set of guiding principles, to Minnesota's stadium conundrum.

This paper first provides a broad overview of stadium financing in the United States by analyzing the historical context regarding

9. Kevin Duchschere, Dane Smith & Mike Kaszuba, *Vikings Have Deal for Blaine Stadium*, STAR TRIB. (Minneapolis), Sept. 20, 2005, at A1.

10. The other multi-purpose stadiums built during this time were Riverfront Stadium in Cincinnati, built in 1970 (renamed Cinergy Field in 1997); the Astrodome in Houston, built in 1965; Veterans Stadium in Philadelphia, built in 1971; Three Rivers Stadium in Pittsburgh, built in 1970; San Diego Stadium (renamed Jack Murphy Stadium in 1980, renamed Qualcomm Stadium in 1997) in San Diego, built in 1968; Candlestick Park in San Francisco (renamed 3Com Park in 1995, renamed Monster Park in 2004), built in 1960; and the Kingdome in Seattle, built in 1976. See Roger G. Noll & Andrew Zimbalist, *Build the Stadium—Create the Jobs!* in SPORTS, JOBS & TAXES: THE ECONOMIC IMPACT OF SPORTS TEAMS AND STADIUMS 30–48 (Roger G. Noll & Andrew Zimbalist eds., 1997).

11. In 2006, the Minnesota State Legislature passed bills to construct both a new football stadium for the University of Minnesota and a new baseball stadium for the Minnesota Twins. See Act effective May 25, 2006, ch. 247, 2006 Minn. Sess. Law. Serv. 274, 274–78 (West) (providing funding and conditions for the University of Minnesota football stadium); Act effective May 27, 2006, ch. 257, 2006 Minn. Sess. Law. Serv. 393, 393–406 (West) (providing for financing, construction, and operation of baseball stadium).

stadium financing and offering a discussion of the arguments for and against public financing.¹² Next, it discusses the history of Minnesota's professional athletic stadiums, specifically analyzing the reasons for constructing stadiums for the Twins and the Vikings and addressing the difficulties Minnesota encountered throughout the construction of these stadiums.¹³ The paper then outlines the Minnesota Vikings' proposal for a new stadium, contrasting the current justifications for the stadium with the justifications for previous stadiums, all in the context of Minnesota's current legislative discussions.¹⁴ Finally, the paper concludes by offering a solution to Minnesota's current debate which encourages a discussion that relies on Minnesota's traditional justifications for stadium financing.¹⁵

II. OVERVIEW OF STADIUM FINANCING

Stadium financing is a topic that has demanded the attention of entire books.¹⁶ The complex interplay of various funding mechanisms with local and federal tax codes, combined with economic and social justifications for and against public support of stadiums, makes the topic far too detailed for an all-encompassing discussion. Therefore, this section attempts to explain the three areas most relevant to Minnesota's decisions regarding stadium financing. First, this section briefly addresses the history of stadium financing from the 1800s to the present day, focusing on the evolution of public opinion with regard to the public financing of stadiums. Second, this section discusses the reasons professional sports teams request public funding to build stadiums. Finally, this section discusses the major arguments, both economic and social, presented by those supporting and opposing the public financing of stadiums.

12. *See infra* Part II.

13. *See infra* Part III.

14. *See infra* Part IV.

15. *See infra* Part V.

16. *E.g.* JOANNA CAGAN & NEIL DE MAUSE, FIELD OF SCHEMES: HOW THE GREAT STADIUM SWINDLE TURNS PUBLIC MONEY INTO PRIVATE PROFIT (1998); KEVIN J. DELANEY & RICK ECKSTEIN, PUBLIC DOLLARS, PRIVATE STADIUMS: THE BATTLE OVER BUILDING SPORTS STADIUMS (2003); Noll & Zimbalist, *supra* note 10; MARK S. ROSENTRAU, MAJOR LEAGUE LOSERS: THE REAL COST OF SPORTS AND WHO'S PAYING FOR IT (1999).

A. *History of Stadium Financing*

Over the last century, diverse methods of stadium financing have emerged. Since the 1800s, stadiums have been financed publicly, privately, or with combinations of both public and private money.¹⁷ Historically, more public dollars than private dollars have been spent on stadium construction.¹⁸ While public funds for stadium construction have always been questioned, it was not until the 1960s, when Americans were paying for an expensive war in Vietnam and dealing with massive social changes, that the public began to raise serious arguments about the priority of government funding of stadiums.¹⁹ Accordingly, the federal government began to encourage local governments to increase private sources of funding for the construction of stadiums.²⁰ Interestingly, the federal government advanced its solution to increase private funding for stadiums by making interest on local bonds, used for stadium financing, tax deductible.²¹ Local government bonds would be more attractive, making it easier to finance public stadiums by selling bonds, and thereby pushing the expenses of the stadiums back onto the federal government.

Consequently, public financing of stadiums was slow to deteriorate. In fact, although strong resentment to public financing of stadiums began in the 1960s, the public share of stadium construction rose to its high point during the 1970s, when approximately 90% of the cost of athletic stadiums was paid for by the public.²² But since the 1970s, public contributions to stadium construction have fallen to the point where during the 1990s, eight of the twenty-seven stadium projects actually had greater private than public investment and only seven stadiums were fully publicly funded.²³

Despite the fact that the public has taken on a smaller portion of the costs for new stadiums, the construction of new stadiums has

17. Frank A. Mayer, III, *Stadium Financing: Where We Are, How We Got Here, and Where We Are Going*, 12 VILL. SPORTS & ENT. L.J. 195, 196 (2005) (citing MARTIN J. GREENBERG, *THE STADIUM GAME* 187 (2d ed. 2000)).

18. *Id.* at 211.

19. *Id.* at 197.

20. *Id.*

21. Andrew H. Goodman, *The Public Financing of Professional Sports Stadiums: Policy and Practice*, 9 SPORTS LAW. J. 173, 177-78 (2002).

22. Rodney D. Fort, *Stadium Votes, Market Power and Politics*, 30 U. TOL. L. REV. 419, 427 (1999).

23. *Id.*

exploded over the last decade. Of the 111 American professional sports franchises that existed in 2001, 102—or 92%—of the franchises had moved into either a new stadium or a significantly renovated stadium during the previous decade.²⁴ Nearly all of the stadiums built within the last decade have had some form of public funding.²⁵ Furthermore, between 2000 and 2005, twenty-one stadiums were built for the four major professional sports in America.²⁶

B. *Reasons Teams Demand New Stadiums*

Although the specific reasons vary from sport to sport, owners of professional sports franchises, in all sports, have requested that governments build new stadiums for their teams to play in. These requests stem from the revenue enhancements new stadiums provide to the teams. Stadium revenues have had a particularly large impact on the total revenue of Major League Baseball (MLB) teams.²⁷ In recent years, stadium revenues have doubled to reach about 20% of a team's total revenue.²⁸ Furthermore, NFL rules on revenue sharing make specific sources of revenue, such as profits from luxury box rentals, which are not shared, preferable to other sources of revenue for a franchise owner.²⁹ This fosters a strong

24. Brett Smith, *If You Build It, Will They Come? The Relationship Between Public Financing of Sports Facilities and Quality of Life in America's Cities*, 7 GEO. PUB. POL'Y REV. 45, 45 (2001).

25. *Id.*

26. Mayer, *supra* note 17 at 195. These stadiums include: Paul Brown Stadium, Cincinnati (football, 2000); Nationwide Arena, Columbus (hockey, 2000); Comerica Park, Detroit (baseball, 2000); Enron Field, Houston (baseball, 2000) (renamed Minute Maid Park in 2002); Pacific Bell Park, San Francisco (2000) (renamed SBC Park in 2004, renamed AT&T Park in 2006); Xcel Arena, St. Paul (hockey, 2000); American Airlines Center, Dallas (basketball and hockey, 2001); Invesco Stadium at Mile High, Denver (football, 2001); Miller Park, Milwaukee (baseball, 2001); Heinz Field, Pittsburgh (football, 2001); PNC Park, Pittsburgh (baseball, 2001); Ford Field, Detroit (football, 2002); Gillette Stadium, Foxborough, MA (football, 2002); Reliant Stadium, Houston (football, 2002); SBC Arena, San Antonio (basketball, 2002) (renamed AT&T Center in 2006); Seahawks Stadium, Seattle (football, 2002) (renamed Qwest Field in 2004); Great American Ballpark, Cincinnati (baseball, 2003); Lincoln Financial Field, Philadelphia (football, 2003); Citizens Bank Park, Philadelphia (baseball, 2004); Petco Park, San Diego (baseball, 2004). *See id.* at 195 n.1.

27. Fort, *supra* note 22, at 419.

28. *Id.*

29. See Clay Moorhead, Note, *Revenue Sharing and the Salary Cap in the NFL: Perfecting the Balance Between NFL Socialism and Unrestrained Free-Trade*, 8 VAND. J. ENT. & TECH. L. 641 (2006) (explaining current NFL revenue-sharing plan).

desire on the part of franchise owners not only for new stadiums but for single-purpose stadiums that can cater to both the inherent needs of particular sports and to the rules of each league, thereby maximizing an owner's profit.

Regarding the inherent differences between sports, the appeal of a single-purpose stadium stems from the enhanced sight lines it offers spectators. This advantage is apparent when comparing football and baseball. In football, where the bulk of the action takes place in the middle of a rectangular field, the least desirable seats are at the stadium's end. Therefore, football-only stadiums maximize the number of seats along the sidelines and minimize the number of seats at either end.³⁰ By contrast, in baseball the majority of the action takes place in the diamond-shaped infield and at home plate. Therefore, baseball-only stadiums are constructed with grandstands that extend out from behind home plate, minimizing the seats in the outfield areas.³¹ By providing these enhanced sight lines, owners are able to increase ticket prices to reflect the enhanced experience of attending a game.³²

New stadiums offer owners other revenue enhancements as well. New stadium designs include more high-priced luxury suites and club seats.³³ The designs provide larger, more accessible concession areas and are better suited for advertising displays, which can be sold.³⁴ Team owners are able to make additional profits through the sale of the stadium's naming rights, personal seat licenses, and parking spaces during games.³⁵

Furthermore, changes in stadium construction have had a particularly important impact in the NFL because of specific NFL rules regarding revenue sharing. In the NFL, the home team shares 34% of its gate or ticket revenues with the guest team.³⁶ But only a small portion of the revenue from luxury seating is designated as ticket revenue, meaning the bulk of the revenue from a luxury box is not shared.³⁷ Also, unlike other forms of

30. MICHAEL LEEDS & PETER VON ALLMEN, *THE ECONOMICS OF SPORTS* 173 (Victoria Warneck, Roxanne Hoch & James Rignery eds., 2002).

31. *Id.*

32. Mayer, *supra* note 17, at 206.

33. *Id.* at 198–204.

34. *Id.*

35. *Id.*

36. Jarrett Bell, *Percentage of Revenue Shared Rises*, USA TODAY, Mar. 29, 2006, at 2C.

37. LEEDS & VON ALLMEN, *supra* note 30, at 80–81. Only a small portion of the revenue from luxury suites is shared because only the price of the seat in a luxury

revenue, like national television broadcast fees, the NFL does not share luxury box revenue with players as part of the salary cap agreement, making owners much more interested in demanding new stadiums with more luxury boxes.³⁸ Therefore, because of these advances in stadium construction and the relative speed with which these changes came to the market, some analysts believe any stadium over ten years old is now “economically obsolete.”³⁹

Beyond mere additional revenue, new stadiums are appealing to owners because they increase the value of the teams that play in them. One high-profile example involves our current President, George W. Bush. In 1989, Mr. Bush led a group of investors in purchasing the Texas Rangers for \$83 million; Mr. Bush’s initial investment was \$600,000.⁴⁰ Mr. Bush was then successful in persuading both public officials and the general public to support a 0.5% sales tax to finance a new ballpark for the Rangers.⁴¹ After the Rangers moved into their new stadium, The Ballpark at Arlington, the investor group sold the Rangers in 1998 to Tom Hicks for \$250 million.⁴² Mr. Bush’s share of the proceeds was estimated at \$16 million.⁴³ Regardless of the potential for greater revenues, clearly an owner can profit with a new stadium by selling a team that is more valuable simply because it plays in a new venue.

One final reason owners advocate for new stadiums is the belief that on-the-field performance is a direct result of a team’s financial condition. Under this argument, a team that does better financially will be able to afford better players, coaches, personnel directors, etc., and thus, will be able to perform better on the field. This argument seems to have special importance in baseball, which has no salary cap,⁴⁴ and the National Basketball Association (NBA), which has a soft salary cap that allows a team to exceed the league’s

box counts as shared revenue under the rules. For example, a team that sells a luxury box with 20 seats for \$100,000 a year may claim the value of each seat to be \$100. Therefore, the value of the ticket sales would be \$16,000 (20 seats X \$100 X 8 home games). Therefore, the owner would get to keep \$84,000 for the rent of the suite and split the \$16,000 from the seats 60/40 with the guest team. *See id.* at 81.

38. *Id.* at 83.

39. Mayer, *supra* note 17, at 195.

40. Goodman, *supra* note 21, at 190.

41. *Id.* at 190–91.

42. *Id.* at 191.

43. *Id.* at 191.

44. *See* Michael Felger, *In a Dream World, Randy'd Be Dandy*, BOSTON HERALD, Oct. 8, 2006, at B22 (stating that Major League Baseball has no salary cap).

maximum payroll under certain conditions.⁴⁵ But even in the NFL, which has the most restrictive salary cap, the need for higher profits to improve on-the-field performance is arguably due to the cost of coaches, talent scouts, facilities, and other expenditures that are not counted under the salary cap, but nonetheless have a significant effect on a franchise's on-the-field performance.⁴⁶ Some have even suggested that the NFL may be the league where new stadiums are most important to the success of a team. This is because NFL teams share more of their revenue with other teams than other professional sports. Therefore, NFL teams attempt to expand revenues that are not shared in an effort to gain an economic advantage over their rivals and increase their talent level in these non-capped areas.⁴⁷

C. Arguments Opposing Public Financing of Stadiums

Opposition to public financing of stadiums encompasses both economic and moral arguments. One argument of opponents is that the economic gain touted by stadium proponents is nominal at best. Opponents also argue any economic gain that is created by a stadium will flow to already-wealthy owners and athletes. Finally, opponents argue that by funding a stadium that increases the number of club seats and luxury boxes, the consumption benefits of the improved stadium are provided to the wealthy who generally live in the suburban areas, while the poorer citizens from inside the city subsidize the stadium's construction through local taxes.

With respect to economic gain, opponents cite numerous studies that purport to show that stadium projects have had no

45. Richard A. Kaplan, *The NBA Luxury Tax Model: A Misguided Regulatory Regime*, 104 COLUM. L. REV. 1615, 1644 (2004). The notable exceptions to the NBA salary cap are the "Larry Bird" exception, which allows a team to exceed the salary cap in order to re-sign its own players, the \$1 million exception, and the Mid-Level Salary Exception. *Id.*

46. Todd Senkiewicz, *Stadium and Arena Financing: Who Should Pay?*, 8 SETON HALL J. SPORT L. 575, 576 (1998). The contention that a team's entire staff will significantly impact the team's on-the-field performance is pertinent to the Minnesota Vikings organization. The Vikings previous owner, Red McCombs, while advocating for a new stadium, consistently cut all personnel costs for the organization other than player salaries. The Vikings had the lowest paid coaching staff in the NFL and a poorly staffed organization. Patrick Reusse, *Sold: The Vikings; NFL's Bottom Line is Always About Money*, STAR TRIB. (Minneapolis), May 26, 2005, at C1; Kevin Seifert, *Vikings Insider: Don't Blame Red For 30 Years of Dysfunction*, STAR TRIB. (Minneapolis), Oct. 23, 2005, at S2.

47. Senkiewicz, *supra* note 46, at 576.

positive economic effect on the communities that have built them.⁴⁸ One commonly cited study by the Congressional Research Service analyzed thirty stadium projects and concluded that twenty-seven of these projects had no discernable economic impact on the community while the other three projects actually had a negative effect on the community.⁴⁹ Opponents of stadium financing explain these results by claiming that the money spent on attending sporting events is part of an individual's disposable entertainment budget, which would be spent on other forms of entertainment if the stadium and the team that plays in the stadium were not available.⁵⁰ Mark Rosentraub, a researcher who studies the impact of professional sports teams on communities, supports this belief, estimating that only between 12% and 34% of the attendance at a sporting event constitutes an actual increase in spending within the community.⁵¹

Opponents also argue that the multiplier effect—the idea that money spent at the stadium will be circulated throughout the community and cause greater economic gain—which is commonly argued in support of stadium financing,⁵² is virtually nonexistent in professional athletics.⁵³ First, they argue sports franchises simply do not employ enough people to create a substantial multiplier effect.⁵⁴ Further, even the athletes, who take by far the largest portion of a franchise's payroll, are likely to create a smaller

48. See, e.g., Senkiewicz, *supra* note 46, at 589 (“Despite the lofty numbers often cited by economic forecasters, an increasing number of studies from the federal government and independent researchers has shown that stadium deals are not economically beneficial to a community.” (citing William J. Donovan, *Stadiums: Winners or Losers?*, PROVIDENCE J.-BULL., Feb. 26, 1997, at A1)).

49. *Id.* at 589; DENNIS ZIMMERMAN, CONG. RESEARCH SERVICE, TAX-EXEMPT BONDS AND THE ECONOMICS OF PROFESSIONAL SPORTS STADIUMS (1996).

50. Mayer, *supra* note 17, at 215.

51. Senkiewicz, *supra* note 46, at 589.

52. LEEDS & VON ALLMEN, *supra* note 30, at 199.

53. See, e.g., Joseph Spiers, *Are Pro Sports Teams Worth It? Cities Are Paying Out Billions to Woo Pro Sports Franchises, But Despite the Hoopla, Teams Don't Do Much for Local Economies*, FORTUNE, Jan. 15, 1996, at 29 (providing a critic's contention that professional sports teams do not cause net beneficial economic growth for local economies).

54. In 1992, Mark Rosentraub studied 161 counties in the United States with 300,000 residents or more. Senkiewicz, *supra* note 46, at 591. After doing so, he concluded that professional sports teams accounted for only 0.06% of the private workforce in these counties and only 0.10% of the county's payroll. *Id.* These discoveries led Rosentraub to determine that professional sports franchises were actually small- to medium-sized firms. *Id.* See also ROSENTRAUB, *supra* note 16 (providing further analysis of Rosentraub's work following his 1992 study).

multiplier effect than individuals employed in other industries.⁵⁵ Professional athletes, who are traded and move with more frequency than individuals employed in other areas, tend not to live in the cities of the teams for which they play. Therefore, a high proportion of their income is spent outside of the team's city. Additionally, an athlete's career is much shorter than most other professions, meaning athletes have a strong incentive to save a higher proportion of their income for the future, which further reduces the multiplier effect in the community.⁵⁶ Finally, with respect to increased jobs unrelated to athletes and coaches, opponents of public financing for stadiums contend that the majority of these jobs are seasonal, temporary, and low-income, and consequently not worth the large public expenditures of building a new stadium.⁵⁷

Opponents also argue the spillover effect—the economic benefit generated from additional spending around the stadium—is small⁵⁸ and has actually been minimized, sometimes purposefully, in the designs of the newest stadiums.⁵⁹ First, they argue that the spillover effect is small due to the low number of people who

55. A similar argument that does not address the multiplier effect is that this concentration of wealth among athletes and owners has a negative impact on job creation because other leisure businesses, which would employ more middle-class individuals with the same amount of money being spent, are forced to compete with sports franchises for individuals' disposable income. Robert A. Baade & Allen R. Sanderson, *The Employment Effect of Teams and Sports Facilities*, in *SPORTS, JOBS & TAXES: THE ECONOMIC IMPACT OF SPORTS TEAMS AND STADIUMS* 92, 99–100 (Roger G. Noll & Andrew Zimbalist eds., 1997).

56. LEEDS & VON ALLMEN, *supra* note 30, at 199–202.

57. Senkiewicz, *supra* note 46, at 592. By way of comparison, Alabama was criticized for spending \$300 million dollars in 1993 to subsidize the construction of a manufacturing plant for Mercedes that would employ 1500 people, a cost of \$200,000 per job. Baade & Sanderson, *supra* note 55, at 99–101. But only three years earlier, in 1990, Arizona authorized the expenditure of \$240 million for the construction of a baseball stadium expected to add 340 jobs, a cost of \$705,800 per job. *Id.* Not only does the stadium represent a vast increase in public expenditure per job, but it also represents an expenditure for what are arguably less desirable, non-manufacturing jobs. *Id.*

58. See Robert A. Baade, *The Impact of Stadiums and Professional Sports on Metropolitan Area Development*, 21 *GROWTH & CHANGE* 1 (1990) (concluding that new stadiums have a potentially negative impact on local development and personal income).

59. See *infra* Part III.B (explaining that the Metrodome was built to minimize growth around the stadium).

actually attend a game during the course of a calendar year.⁶⁰ Over the course of a season, the average baseball team sells approximately two million tickets while other sports sell tickets in the hundreds of thousands.⁶¹ Therefore, although baseball likely has the greatest potential for significant spillover effect, this is arguably a small effect in a metropolitan area in which many tens of thousands of people commute every day to a downtown area to work.⁶²

Second, opponents argue that changes in attendance and the distribution of teams further reduces the multiplier effect.⁶³ An increase in the popularity of professional sports has created an expansion in both the number of cities that have teams and the number of individuals who own season tickets.⁶⁴ Thus, people from outside a city are less likely to travel to a specific city to see a game because a visit to virtually any large city in the country provides an opportunity to see a game.⁶⁵ And the ability to actually purchase a ticket when traveling to a city is reduced, because most of the tickets are already in the hands of season ticket holders.⁶⁶ Therefore, opponents argue that people who travel to a city and attend a game likely travel to the city for alternate purposes such as visiting family members or business and would travel to the city regardless of the existence of a professional sports franchise.⁶⁷

Of greatest concern to opponents of public stadium financing are situations in which a stadium is built outside the central area of a city.⁶⁸ Locating a stadium outside the city could theoretically

60. Roger G. Noll & Andrew Zimbalist, *The Economic Impact of Sports Teams and Facilities*, in *SPORTS, JOBS & TAXES: THE ECONOMIC IMPACT OF SPORTS TEAMS AND STADIUMS* 55, 57 (Roger G. Noll & Andrew Zimbalist eds., 1997).

61. *Id.*

62. Approximately 165,000 people travel to jobs in downtown Minneapolis (population: 385,000) on a daily basis. Dan Olson, *Minneapolis Targets Downtown Jams and Neighborhood Speeding*, MINNESOTA PUBLIC RADIO, Nov. 2, 2006, <http://minnesota.publicradio.org/display/web/2006/10/30/mplstranspo/>.

63. See Noll & Zimbalist, *supra* note 60, at 57.

64. *Id.* at 70.

65. *Id.*

66. *Id.*

67. See *id.*

68. See, e.g., Mark S. Rosentraub, *Stadiums and Urban Space*, in *SPORTS, JOBS & TAXES: THE ECONOMIC IMPACT OF SPORTS TEAMS AND STADIUMS* 178, 179 (Roger G. Noll & Andrew Zimbalist eds., 1997) (stating that current justifications for developing stadiums “incorporate a discussion of both the redevelopment efforts that can be led or jump-started by ballparks and arenas and the micro-level impacts of sports facilities and events on downtown areas”).

reduce any possibility of a spillover effect that would benefit the city team because people must drive out to isolated areas to attend a game. In a suburban or rural setting, game attendees will be unable to walk to local businesses near the stadium to spend their money on an after-game beer or plate of chicken wings, and instead must spend their additional money on restaurants and services offered by the stadium.⁶⁹ Therefore, any profits that may be captured by the community due to the presence of a stadium are instead captured by the team owner, who often does not even live in the community. Notably, this is true for the Vikings two most recent owners: Red McCombs is from San Antonio, Texas⁷⁰ and Zygi Wilf is from New Jersey.⁷¹

Outside of the purely economic arguments, opponents argue that funding these stadiums provides an unjust subsidy to the wealthy at the expense of the poor.⁷² If the owner's purpose in building a new stadium is to reap greater profits from higher ticket prices, then only wealthier citizens who can pay those higher prices will be able to enjoy the new facility. These residents tend to live in suburban areas.⁷³ Therefore, when stadiums are built in the downtown area of a city and the taxes are increased in that area, the taxes fall on the people with the least ability to enjoy the benefits, while those who live outside the area are granted a free ride into the new luxury boxes.⁷⁴ In order to accommodate the increased number of luxury boxes and club seats, the number of general admission seats must be reduced. Furthermore, even seats that are available at a low cost tend to have a poor view of the field in order to ensure the best view to the luxury boxes and club seats

69. In response to this criticism, many cities have constructed stadiums in downtown areas in order to move teams from the suburbs back to downtown and maximize the spillover effect. LEEDS & VON ALLMEN, *supra* note 30, at 182.

70. Jim Souhan, *Red, Purple: The Right Mix*, STAR TRIB. (Minneapolis), Sept. 6, 1998, at C10.

71. Indeed, every member of the investor group that purchased the Vikings from McCombs comes from outside of Minnesota. See Kevin Seifert, *Quick Fixes, Long-Term Plan*, STAR TRIB. (Minneapolis), June 17, 2005, at C1; Kevin Seifert, *Vikings Notes: Wilf's True Colors are Purple, Gold*, STAR TRIB. (Minneapolis), Aug. 20, 2005, at C4.

72. See, e.g., *Update: Sports-Stadium Funding*, ISSUES AND CONTROVERSIES, Aug. 23, 2004, http://personal.ecu.edu/aldermand/geog2019/stadium_funding_issue.html ("Critics also complain that public funding for sports stadiums only makes the rich richer at the expense of the common taxpayer.")

73. See LEEDS & VON ALLMEN, *supra* note 30, at 213.

74. *Id.*

that demand a higher price.⁷⁵ Also, although not directly connected to stadium construction, opponents argue that as teams rely more and more on cable television rather than network television to broadcast their games, middle- and low-income families have a more difficult time watching the games, as they must either purchase the cable packages, or attend the games.⁷⁶

One final argument made by opponents is that, contrary to owners' contentions, on-the-field performance is not enhanced by the additional revenues of a new stadium.⁷⁷ These arguments are based on the premise that salary caps limit what an owner can spend in most sports, and that even in baseball, which has no salary cap, an owner's primary source of profit is through the local television deals.⁷⁸ Therefore, new stadiums would simply enhance the profits of the owners with little change to what type of talent they employ. Some analysts have even indicated that the average winning percentages of teams with new, publicly funded sports facilities may be lower.⁷⁹

D. Arguments Supporting Public Financing of Stadiums

Like their opponents, supporters of public financing of stadiums believe their cause is justified through economic analysis and social or community benefits. Stadium proponents emphasize that professional sports teams add substantial wealth to a community's economy, and that stadium construction is necessary

75. Many times, to accommodate the luxury boxes, the general admissions seats get pushed higher and farther back. For example, in Detroit, one advocate explained that the last row of the upper decks of both Tiger Stadium and Comiskey Park were closer to the field than the first row of the upper decks in both of their replacement stadiums. *Id.* at 178–79.

76. *Id.* at 212–13.

77. See, e.g., Taxpayers League of Minnesota, *8 Reasons to Reject Publicly Financed Stadiums for Professional Sports Teams*, <http://www.taxpayersleague.org/NewIssues/stadiums/stadiums.html> (last visited Nov. 10, 2006).

78. These local television deals no doubt give considerable advantages to large market teams. New York Yankees owner George Steinbrenner was able to create an entire television network, the YES network, to broadcast Yankee games. Steinbrenner was then able to contract with the local cable companies to carry the network at a substantial profit. See John M. Higgins & Anne Becker, *Squeeze Play*, BROADCASTING & CABLE, Nov. 1, 2004, available at <http://www.broadcastingcable.com/article/CA476553.html/?display=Top+of+the+Week>. Twins owner Carl Pohlad attempted this same business plan when he created Victory Sports. *Id.* Pohlad's attempt eventually failed and he sold the Twins broadcasting rights to Fox Sports Net North. *Id.*

79. Smith, *supra* note 24, at 55.

for attracting and retaining these teams. Proponents also argue that professional sports teams bring a sense of civic pride to a community that is not quantifiable or allocable to a market system. They conclude that government should supply these opportunities. Finally, proponents point to alleged problems inherent within private financing that cause difficulties for a community, implying that these difficulties in private financing justify government intervention in order to monitor and regulate stadium construction.

To support the claim that professional sports add considerably to the economic health of a community, proponents offer estimates of the benefits.⁸⁰ One commentator has calculated that for every single dollar spent on professional sports in a community, an additional \$1.75 is created and household income rises an additional seventeen cents.⁸¹ Furthermore, this commentator argues that for every \$1 million a community spends on professional sports, seventy-six jobs are created.⁸² Most of these economic benefits stem from individuals who come from communities outside the team's metro area to attend a game and spend money on hotels and dining that otherwise would not be spent.⁸³ A supportive example of this phenomenon can be found in the Dallas, Fort Worth area, where the consulting firm Coopers and Lybrand estimated that spending in the area increased by \$239 million during the first year of the operation of The Ballpark at Arlington.⁸⁴ Of this, \$140 million was generated in Arlington.⁸⁵ Furthermore, the consulting firm estimated that 5100 jobs were created due to the opening of the ballpark.⁸⁶

Outside of the spending increases in the community, stadium supporters contend that the professional sports teams attract white-collar business.⁸⁷ The influx of these businesses stems both from the desire of businesses to seek the best and brightest workers and

80. *E.g.*, *Study Estimates \$30 Million Annual Boon From Indianapolis NFL Stadium*, INDIANAPOLIS STAR, Dec. 14, 2004.

81. Mayer, *supra* note 17, at 212 (citing Tom Powell, *Influx Of New Stadiums, Arenas Will Continue Past 2000: Lonergan*, AMUSEMENT BUS., Aug. 18, 1997, at 12).

82. *Id.*

83. *See id.*

84. *See* Senkiewicz, *supra* note 46, at 581 (describing the revenue streams and economic impact of the stadium).

85. *Id.*

86. *Id.*

87. *See, e.g.*, Mayer, *supra* note 17.

from the enhanced publicity a city gets from having a sports team.⁸⁸ Corporations and other large businesses will locate offices in areas that have competitive advantages in luring prospective employees away from their competitors. And a professional sports team is simply one more amenity a corporation can offer prospective employees.⁸⁹ This gives any community with a professional sports team a natural advantage in attracting and retaining businesses that will supply jobs to the community.⁹⁰ Furthermore, a professional sports team gives a city the publicity needed to gain a national identity,⁹¹ familiarizing business people from around the nation with the city. Therefore, supporters of public stadium financing conclude that the increase in white-collar business is a community benefit justifying the investment in a stadium, even against claims that the stadiums do not directly supply many jobs.

Stadium proponents also argue that professional sports teams provide intangible benefits, unaccounted for by the market system.⁹² These intangible benefits, they argue, further justify public expenditures on stadiums to attract and retain teams. Ballparks, like a number of activities, such as community recycling programs, may not necessarily pass a cost-benefit analysis, but are nonetheless socially efficient.⁹³ Professional sports are a social good because they foster citizens' feelings of pride in a city. The existence of this pride⁹⁴ is evidenced by entire news segments devoted specifically to local sports.⁹⁵ Also, a team's presence, even if not adding economically to the metropolitan area as a whole, may provide a social good by helping to revitalize a downtown area. In support of this contention, proponents of public financing point to Bank One Ballpark in Phoenix and the Gateway Sports and Entertainment Complex in Cleveland, both of which have arguably

88. *Id.* at 212–13.

89. *Id.*

90. *Id.* (describing benefits associated with public funding of a stadium).

91. See Senkiewicz, *supra* note 46, at 593 (discussing community benefits of a new stadium).

92. See, e.g., Mike Swift & Dan Haar, *Football: Who Really Wins? Stadium's Value a Subjective Matter*, HARTFORD COURANT (Conn.), Dec. 8, 1998, at A1 (pointing to a proponent's belief that a new stadium would be a "rebirth" to the city).

93. See Allen R. Sanderson, *In Defense of New Sports Stadiums, Ballparks and Arenas*, 10 MARQ. SPORTS L.J. 173, 189 (2000) (framing the argument for new stadiums within an externalities analysis).

94. See *id.* at 190 (explaining why sporting events meet traditional public goods criteria).

95. See *id.* at 188.

helped to revitalize forgotten areas of those communities.⁹⁶ With these arguments, proponents of public financing contend that even without a positive economic impact on the community, public dollars for stadium construction are still justified.⁹⁷

Finally, stadium supporters contend that private funding comes with its own problems, problems which would also be felt by the entire community.⁹⁸ One example is the demise of the Oregon Arena Corporation (OAC), a privately funded venture led by Portland Trailblazers owner Paul Allen, to build a new arena for the team.⁹⁹ After assembling a group of private investors to build a new arena, the Rose Garden,¹⁰⁰ interest in the team declined, pushing attendance down for general admission, club seating, and luxury suites.¹⁰¹ Consequently, the Trailblazers were unable to make their lease payments. Although Allen, along with Microsoft Corporation co-founder, Bill Gates, bailed the team out with their personal fortunes, the OAC eventually was forced to declare bankruptcy.¹⁰² Consequently, some of these private investors became overburdened with debt, affecting the surrounding community as businesses in the neighborhood of the arena suffered loss of revenues.¹⁰³ As the OAC lost control of the arena to private investors, the Trailblazers suffered further financial burdens, affecting the team's chances to remain in the community. In the bankruptcy process, the team lost all revenue from the luxury boxes, much of the revenue from higher priced seats, and all revenue from the arena's naming rights.¹⁰⁴ Also, the team cannot count on securing the best dates for games, potentially affecting attendance and television viewership, and has lost the

96. See Goodman, *supra* note 21, at 207–208 (discussing evidence that favors publicly subsidized sports stadiums). The Cleveland Gateway Complex consisted of the Indians' new home, Jacobs Field, and the Cavaliers' new home, Gund Arena (renamed Quicken Loans Arena in 2005). See Cleveland Indians, *Ballpark*, http://indians.mlb.com/NASApp/mlb/cle/ballpark/cle_ballpark_history.jsp (last visited Nov. 17, 2006).

97. See Allen R. Sanderson, *In Defense of New Sports Stadiums, Ballparks and Arenas*, 10 MARQ. SPORTS L.J. 173 (2000).

98. See, e.g., Mayer, *supra* note 17, at 218–24.

99. See *id.* at 219–21 (recounting the history of the OAC and financing for the arena).

100. *Id.* at 218 (explaining the purpose and background of the OAC).

101. *Id.* at 222 (listing reasons for the Rose Garden's drop in revenues).

102. *Id.* at 220 (explaining the circumstances of the OAC bankruptcy).

103. *Id.* at 223.

104. Helen Jung, *Blazers Also Need Another Kind of Turnaround: Financial*, OREGONIAN, Mar. 6, 2005, at C10.

concessions contract.¹⁰⁵ To remedy the situation, the team has recently attempted to secure public funding, leaving open the option of relocating the team as a bargaining tool.¹⁰⁶ Therefore, stadium supporters assert that funding stadiums privately can have disastrous effects on a community, such that public expenditures are justified.

III. HISTORY OF STADIUM FINANCING IN MINNESOTA

Minnesota has, by all accounts, had a difficult time providing stadiums for its professional sports franchises. One commentator has suggested that the Twin Cities' almost "farical experience with sports" positioned it as the "all-time winner in per capita frequency of facility construction."¹⁰⁷ Although this criticism speaks to the poor economic planning of Twin Cities officials, Minnesota's experience with stadiums has, until recent times, had little to do with economic justifications, but rather with social pride. Therefore, these criticisms have little hold on the Twin Cities unless they can be attached to the community's concern for civic pride. This section will briefly discuss Minnesota's history of stadium financing via the construction of Minnesota's two "big league" stadiums: Metropolitan Stadium in Bloomington and its replacement, the Metrodome, in downtown Minneapolis. This section will also briefly outline the purported justifications behind the construction of each stadium, as well as the criticisms and difficulties faced by the projects.

A. *Metropolitan Stadium*

Metropolitan Stadium, or the "Met," was the Twin Cities' first bona fide major league stadium, even though the stadium was actually located in the outskirts of the Twin Cities, in the suburb of Bloomington.¹⁰⁸ Completed in 1956, the Met had been a four year project by several area businessmen who began developing it in July of 1952.¹⁰⁹ The cost of constructing the stadium was \$4.5 million

105. Helen Jung, *Blazers: We Need a Hand to Survive in Portland*, OREGONIAN, Feb. 24, 2006, at A1.

106. *Id.*

107. Noll & Zimbalist, *supra* note 10, at 4.

108. Joe Soucheray, *Metropolitan Stadium: The Park Built for Outdoor Baseball*, http://www.msfc.com/ann_before_metropolitan_stadium.cfm (last visited Nov. 23, 2005).

109. See JAY WEINER, STADIUM GAMES: FIFTY YEARS OF BIG LEAGUE GREED AND

and it was paid for entirely by private dollars.¹¹⁰ The project was originally developed for the “long-term civic imagery of the growing metropolitan area of Minneapolis-St. Paul—and for their regional self esteem.”¹¹¹ The Met was developed, therefore, not to promote economic development, but to push Minneapolis and St. Paul into the “elite club of major-league cities.”¹¹²

From its very beginnings, the Met had a storied life. Although the Met was built to attract a professional baseball team, it was not initially successful. When the Met opened, it did not attract a team, but instead acted as a leverage point for other teams to encourage their home cities to build a new stadium under the threat of relocation.¹¹³ In fact, the first major league team to agree to play in the Met was not a baseball team, but rather the NFL’s Minnesota Vikings, who began playing in 1961, five years after the Met was built.¹¹⁴ But later that same year, the newly acquired Minnesota Twins, a transplanted team formerly known as the Washington Senators, began to play in the Met.¹¹⁵

But just a few years after the Vikings and Twins began to play in the Met, football’s emerging national prominence encouraged other cities to build stadiums better designed for NFL team purposes.¹¹⁶ This, combined with the worries of declining cities such as Philadelphia, Pittsburgh, Cincinnati, and St. Louis about their futures, created an explosion of the new, multi-purpose stadiums shared by both NFL and MLB teams.¹¹⁷ This left the Met

BUSH LEAGUE BOONDOGGLES 1–24 (2000) (detailing the historical development and financing of the Metrodome).

110. Soucheray, *supra* note 108.

111. WEINER, *supra* note 109, at 1.

112. *Id.* at 61.

113. *Id.* at 24. During the first five years of the Met’s existence, it was home to the minor league Minneapolis Millers. The Millers were owned by New York Giants owner Horace Stoneham. Because of this, speculation was that Minneapolis would become the home of the Giants. But in 1960, Stoneham moved his team to San Francisco, forcing Minneapolis to look elsewhere. Soucheray, *supra* note 108.

114. WEINER, *supra* note 109, at 47.

115. *Id.* at 54; Soucheray, *supra* note 108.

116. See P. Sumner, *Sports Spaces in the Age of Modernity*, ARCHITECTURE INK, <http://www.architectureink.com/2002-10/sumner.htm> (last visited Nov. 10, 2006) (“Running concurrently with the advent of the dome was the design and realization of the multi-purpose stadium. Designed to accommodate both baseball and football in the 1960s and 1970s, the landscapes of cities on both coasts and points in between were dramatically changed.”)

117. See WEINER, *supra* note 109.

outdated within ten years of its completion: “It was the first time—but not the last—that Minnesota dropped behind the curve of stadium construction . . . [t]he Twin Cities have never led. They’ve always trailed.”¹¹⁸

To confront this, the Vikings were initially granted permission to add seating to the Met.¹¹⁹ But these additions damaged the stadium’s architectural integrity, and the Metropolitan Sports Council began to discuss whether a new stadium was needed.¹²⁰ Despite these additions, the Vikings had the smallest stadium of any NFL franchise.¹²¹ Therefore, the Vikings helped develop a plan for a new, larger facility that would increase their ticket sales.¹²² Baseball teams around the country had accepted the new stadiums, even if their configuration was not ideal, because of their benefits over the older stadiums; the Twins took a similar position.¹²³

B. *The Metrodome*

Like the Met before it, the Metrodome was not built under the auspice of an economic benefit. In the first years of the discussions that would eventually lead to the construction of the Metrodome, public officials’ plans were met with vigorous opposition by citizens who did not want public dollars directed toward a new stadium.¹²⁴ Still, public proposals were considered, including a 1972 proposal to build a \$49.1 million stadium and parking ramp in downtown Minneapolis and a proposal to build a stadium in Bloomington to keep the teams from leaving for Minneapolis.¹²⁵ In 1973, one thousand people attended a public hearing in Minneapolis to turn down the proposed \$49.1 million project, seeing it as an “unwelcome financial burden” for the city.¹²⁶ Likewise, St. Paul

118. *Id.* at 60–61.

119. *Id.*

120. *Id.* at 62–63.

121. *See* WEINER, *supra* note 109.

122. *Id.* at 63–65.

123. *Id.* at 60–65. Initially, the Twins pushed for a domed stadium with a retractable roof, believing that it would increase attendance by 150,000–200,000 fans per year. *Id.* at 65.

124. *Id.* at 75–76. The groups that opposed construction of the Metrodome were the groups that again led the charge against the new stadium proposals in the 1990s and 2000s: anti-tax Republicans and progressives concerned with poverty and social stratification. *Id.*

125. Metropolitan Sports Facilities Commission, *History of the Metrodome*, <http://www.msfc.com/history.cfm> (last visited Nov. 10, 2006).

126. *Id.*

State Senator John Chenoweth considered the new multi-purpose stadium “dead” because taxpayers were “unwilling to sign a blank check.”¹²⁷ But concern about this “blank check” was alleviated when the Minnesota State Legislature passed a no-site bill, which created a commission to develop a stadium.¹²⁸ This no-site bill strictly limited the money that could be spent on a stadium, with specific spending limitations conditioned on particular aspects of the finalized plan.¹²⁹ After weighing several proposals,¹³⁰ the commission decided to construct an indoor, domed stadium in downtown Minneapolis.

With such public opposition to the large expenditures necessary to build a stadium, it is reasonable to conclude that the Metrodome was not seen as an “investment” by the community.¹³¹ That is to say, it was not built under the pretense that it would generate economic growth in the surrounding community. In addition to passing the no-site bill limiting what could be spent on the stadium, the legislature also conditioned the issuance of bonds for the construction of the Metrodome on obtaining a team lease sufficient to repay the bonds.¹³² Therefore, although the legislature was willing to float the money necessary to build the Metrodome, it wanted the teams to pay the money back, indicating it did not see the stadium as an investment that would pay for itself through economic development.

Most interesting is that the Metrodome was specifically built in

127. *Id.*

128. *Id.*

129. MINN. STAT. § 473.581, subd. 3 (2004). The commission could spend no more than \$55 million to build a domed stadium anywhere other than Bloomington, \$37.5 million to build a new football stadium in Bloomington and remodel the Met for baseball, or \$25 million to remodel the Met to be a multi-purpose stadium. *Id.*

130. The commission received a total of eight stadium proposals. Metropolitan Sports Facilities Commission, *supra* note 125. Two of these proposals came from Minneapolis, one proposal came from Saint Paul, and the suburbs of Bloomington, Brooklyn Center, Coon Rapids, and Eagan also offered proposals individually. *Id.* There was also a proposal to place a stadium in the “Midway” area between St. Paul and Minneapolis. *Id.*

131. Senator Chenoweth articulated this by framing the stadium dilemma as a discussion of how much Minnesota was willing to pay for the Vikings to remain: “We’re interested in having the Vikings stay, but the question is: what is the price?” *Id.*

132. The Metropolitan Sports Facilities Commission was required to execute agreements with major league teams to ensure the use of the facilities for a period of time long enough to generate revenues to retire the bonds. *See* MINN. STAT. § 473.581, subd. 3(a) (2004).

order to minimize growth around the stadium. Set on the edge of downtown, city planners ensured that the Metrodome would not create another entertainment district in downtown Minneapolis to compete with Hennepin Avenue.¹³³ In fact, only one establishment can claim a significant benefit from the presence of the Metrodome, the bar Hubert's, located across the street from the stadium.¹³⁴

If Minnesota did not build the Metrodome to achieve an economic gain, it nonetheless had a purpose behind the expenditure. Several purposes have been suggested. Indeed, the 1977 purpose statement, drafted in creating the Metropolitan Sports Facilities Commission, stated that the purpose of the new facility was to fulfill the metropolitan area's undefined "need" for sports facilities that could not be met by private funding.¹³⁵ The Minnesota Supreme Court determined that the "primary purpose" of building the Metrodome was not economic development, but rather the creation of an entertainment and recreation option for local residents.¹³⁶ Yet another purpose of developing the Metrodome was to shift the focus of the city back to the downtown area and boost confidence in the region.¹³⁷ Therefore, it appears that Minnesota built the Metrodome not because it had visions of economic gain, but rather because it established a price it was willing to pay for a community service.

133. WEINER, *supra* note 109, at 71.

134. *Id.* at 72.

135. See MINN. STAT. § 473.552(a) (2004). It should be noted that this Minnesota statute does claim that the Metrodome promoted the "economic and social interests of the metropolitan area." *Id.* at (b). However, this reference to both the economic and social interests was added in 1994 when the Minnesota State Legislature authorized the public acquisition of the basketball and hockey arena in downtown Minneapolis that was the home to the Minnesota Timberwolves and the Minnesota North Stars. Therefore, this language is better understood as justification for acquiring this basketball and hockey arena rather than justification for construction of the Metrodome. See MINN. STAT. ANN. § 473.552(c) (2004).

136. *Lifteau v. Metro. Sports Facilities Comm'n*, 270 N.W.2d 749, 755 (Minn. 1978). Although the court noted that a new stadium would provide some temporary and permanent jobs and benefits to local businesses, the use of the existing stadium by non-sports groups such as alcoholics, the police federation and rock fans provided sufficient justification for the stadium beyond economic growth. *Id.* at 754-55.

137. WEINER, *supra* note 109, at 71.

IV. THE NEW VIKINGS STADIUM

The Minnesota Vikings asked for a new stadium in a difficult environment. Earlier in 2005, the Minnesota Twins and Hennepin County reached a deal to finance a \$478 million dollar baseball-only stadium; Twins owner Carl Pohlad would pay \$125 million and the county would finance the remaining expenses through a thirty-year sales tax increase of 0.15%.¹³⁸ This plan was contingent upon legislative approval of a bill allowing the tax to be imposed in Hennepin County without a voter referendum.¹³⁹ At the same time, the University of Minnesota advanced a stadium proposal, which was originally set at \$235 million dollars, but is now estimated to cost more than \$248 million due to an increase in the price of building products following Hurricane Katrina.¹⁴⁰ Thus, with the Vikings' proposal on the table, the legislature was contemplating \$962.2 million in government spending to build three sports stadiums.¹⁴¹ This is daunting for a state that has an annual budget of merely \$46.6 billion¹⁴² and has recently slashed \$1.2 billion in spending due to budget shortfalls.¹⁴³

The Vikings' difficulty was further enhanced because they were asking for public funding to come from the state government, unlike the Minnesota Twins, who were merely asking for the state to approve a plan in which Hennepin County would finance the stadium.¹⁴⁴ Furthermore, the money that would come from Anoka

138. Mike Kaszuba & Dane Smith, *Stadium Proposals Jostle for Support*, STAR TRIB. (Minneapolis), Sept. 25, 2005, at B1; Charley Shaw, *Extra Innings for Minnesota Legislature?*, ST. PAUL LEGAL LEDGER (Minn.), Aug. 25, 2005.

139. Duchscherer, Smith & Kaszuba, *supra* note 9. Minnesota currently allows a county to levy a local sales tax, provided the tax is designated for a specific capital improvement and the tax is approved by voters through a general election. See MINN. STAT. ANN. § 297A.99, subd. 3 (2004).

140. Dane Smith, *'U' Stadium Cost Estimate Up \$13 Million*, STAR TRIB. (Minneapolis), Sept. 24, 2005, at B1.

141. This calculation was derived by taking the total cost of the Vikings development, including road construction costs, and subtracting the \$280 million proposed contribution from the Vikings. It then adds \$99.2 million for a Gophers stadium, which was derived by calculating the 40% state contribution of a \$248 million dollar stadium. Finally, it adds \$353 million for a new Twins stadium, which is derived by subtracting the Twins \$125 million contribution from the \$478 million estimated cost of the stadium.

142. Minnesota Department of Finance, *State Budget at a Glance*, http://www.budget.state.mn.us/budget/budget_glance.pdf (last visited Nov. 10, 2006).

143. Letter from Peggy Ingison, Minnesota Commissioner of Finance, to Minnesota Governor, Tim Pawlenty (Nov. 19, 2004), <http://www.finance.state.mn.us/accounting/2004/2004cafr.pdf>.

144. Press Release, Minnesota Twins, Twins Announce New Ballpark Plan:

County in the Vikings' plan required a larger county-wide sales tax than the Twins' plan required.¹⁴⁵

The Vikings made their task more difficult, however, because they advocated for a stadium principally on economic grounds,¹⁴⁶ something not done for either of Minnesota's previous stadium projects. The benefits listed by Anoka County in support of the stadium included the addition of 4300 construction jobs and several thousand permanent jobs, the creation of a tourist and entertainment destination, the attraction of \$1 billion in private development, and a strengthened property tax base allowing local governments to keep property taxes low.¹⁴⁷ Similarly, Ron Jerich, a lobbyist for both Anoka County and the Anderson Construction Company, a company vying for the construction contract, said: "If I was a legislator I'd [build all three stadiums] . . . You know what this is? That's jobs – jobs for Minnesotans."¹⁴⁸ Steve Novak, Anoka County's stadium project manager, claims the cost of the stadium will be \$45 per year for every taxpayer, but that the stadium will generate \$280 per year for every taxpayer.¹⁴⁹ Unlike either the Metrodome or the Met before it, the new Vikings' stadium proposal seeks approval because it promises economic development for the local community and the state.

It should also be mentioned that one justification for the new

Collaboration Between Club, Hennepin County (Apr. 25, 2005), http://minnesota.twins.mlb.com/NASApp/mlb/news/search_archive.jsp?c_id=min&category=pr&month=04&year=2005&pg=1 [hereinafter Press Release, Minnesota Twins].

145. While the Twins had advocated for a 0.15% sales tax (fifteen cents per \$100), the Vikings and Anoka County requested a county sales tax of 0.75% (seventy-five cents per \$100). See Press Release, Anoka County, Northern Lights Minnesota Sports, Retail & Entertainment Center Project Summary Sheet, <http://www.co.anoka.mn.us/EconomicDevelopment/stadium/pdf/stadium-project-summary.pdf> [hereinafter Press Release, Anoka County] (last visited Oct. 8, 2006). See also Press Release, Anoka County, Anoka County and Vikings Reach Agreement (Sept. 20, 2005), http://www.co.anoka.mn.us/v1_departments/div-governmental-services/dept-public-information/news-releases/05-09-20-vikings.asp.

146. It should be noted that the Vikings have discussed advocating for the stadium based on community pride, although they have yet to take a strong approach in doing so. An Anoka County official urged both the Vikings and Anoka County to emphasize that the stadium would mean "jobs – pride – [and] tax base" for the county. Mike Kaszuba, *Determined Dealmaker*, STAR TRIB. (Minneapolis), Mar. 1, 2006, at A1.

147. Press Release, Anoka County, *supra* note 145.

148. Duchschere, Kaszuba & Smith, *supra* note 9.

149. Sarah McCann, *Is Blaine Ready?*, STAR TRIB. (Minneapolis), Sept. 21, 2005, at N1.

stadium offered by Anoka County appears to be in direct conflict with Wilf's intentions not to move the team. Anoka County has indicated that one reason for building the stadium is that if the Vikings relocate to another community it will cost Minnesotans more money to bring in a new team than it does to simply build a stadium to keep the Vikings.¹⁵⁰ Previous Vikings owner Red McCombs had no qualms with the idea of relocating the team. In contrast, Wilf has been adamant that he will not move the Vikings: "We will be in the Minneapolis area forever."¹⁵¹

The Vikings may have valid reasons for arguing that the stadium will bring economic development, even if the Metrodome and the Met did not have such an impact. The Vikings' stadium proposal is part of a larger plan directed at greater economic development, something not true of the Metrodome or the Met. Unlike the previous attempt to place the Metrodome in an area that would minimize its competition with other entertainment destinations, the Vikings and Anoka County have attempted to maximize the stadium's economic impact by incorporating it into the existing National Sports Center, which already has facilities for soccer, golf, and ice skating.¹⁵² Furthermore, the suburban city of Blaine, which is the area now under consideration for the site of the new stadium, has large open spaces in which to include areas for shopping, entertainment, restaurants, housing, and corporate space.¹⁵³ Indeed, the Vikings stadium is justified as the cornerstone of a larger \$1.5 billion development dubbed the "Northern Lights Sports, Retail and Entertainment Center," which would include a public retail and entertainment area extending out of the stadium, a corporate center, residential housing, and a wetlands preservation area.¹⁵⁴ While Wilf has committed \$280 million toward the stadium, he also promised further investments to the surrounding area that will raise the amount of private investment to approximately \$1 billion.¹⁵⁵ The Vikings and Anoka County see

150. Among the economic arguments advanced by Anoka County is a Federal Reserve Study indicating that communities which recently lost a team are consistently willing to spend more money to bring in a new team than they would have needed to spend to keep their old team. Press Release, Anoka County, *supra* note 145.

151. WEINER, *supra* note 109.

152. Duchscher, *supra* note 1.

153. McCann, *supra* note 149.

154. *Vikings Stadium Plan Aired at Capitol*, STAR TRIB. (Minneapolis), Mar. 17, 2006, <http://www.startribune.com/510/story/314673.html>.

155. *Id.*

these developments as an opportunity to create a larger spillover effect for the community as some family members will spend Sundays cheering at the Vikings game, while other family members will come to shop in the surrounding area.¹⁵⁶

Despite the distinctions between the recent Vikings' stadium proposal and the previous stadiums in Minnesota, the proposal was unsuccessful in the 2006 Minnesota State Legislature while the proposals by the Twins and the University of Minnesota succeeded. This failure is not surprising, however, given the legislature's persistent refusal over the last decade to build a new Vikings stadium, in opposition to the persistent advocacy for a stadium on behalf of former Vikings owner, Red McCombs.

V. SOLUTION FOR THE LEGISLATIVE IMPASSE

The difficulty that the Vikings have experienced in persuading the legislature to build them a football stadium no doubt has a strong connection with the simultaneous demands of the Twins and the Gophers. It is not difficult to imagine that three separate stadium demands can have the effect of freezing the legislature on any one of them; none of the proposals can be decided upon without considering the effects that decision would have on the other two proposals. Indeed, Minnesota House Speaker Steve Sviggum enunciated this very concern, saying that all of the stadium proposals may "die under their own weight"¹⁵⁷ and that passing bills to construct "three stadiums in one session is a bigger bite than many are willing to take."¹⁵⁸ But this did not happen. Instead of all of the stadium proposals failing, the Vikings were left out of the stadium bonanza that landed the Twins and Gophers their new facilities. This outcome was not particularly surprising to those who followed the stadium debates because the Vikings' hopes for a new stadium had consistently been on hold until both the Twins' and Gophers' stadiums were resolved.¹⁵⁹

This section will first discuss why the Vikings and Anoka

156. McCann, *supra* note 149.

157. Kaszuba & Smith, *supra* note 138.

158. *Vikings Stadium Plan Aired at Capitol*, *supra* note 154.

159. See Kaszuba & Smith, *supra* note 138. House Speaker Sviggum also expressed this belief: "We should try to move ahead incrementally, maybe Gophers and Twins first, and the Vikings in two years." *Id.* Sviggum continued, "I'm not saying I'm against a Vikings stadium, but they're a step too far, as far as public financing burden." *Id.*

County have failed in their attempts to sway both the Minnesota State Legislature and the voting public in support of a new stadium. Specifically, it will emphasize the Vikings' failure to use the type of arguments that have historically worked in Minnesota as utilized by the Twins and Gophers. Second, this section will present several arguments that the Vikings could use to present a more effective case for a new stadium.

A. *The Vikings' Current Failure to Win a Stadium*

The reason for the tepid response from both the legislature and the public at large for a Vikings stadium is due in part to the Vikings' inability to effectively push their proposal. First, the Vikings have failed to answer why the Metrodome apparently became outdated as quickly as it did. Second, the Vikings have ignored many of the arguments made both for and against new stadium construction over the years. Finally, and most importantly, unlike the Twins and the Gophers, the arguments that the Vikings have ignored most are the very arguments that have been most effective in Minnesota.

As discussed above, since the construction of the Met, Minnesota has consistently fallen behind on the stadium curve. One question that the Vikings must answer today is whether building another stadium will simply keep Minnesota at the back of a new curve. As one stadium supporter wrote in 2005, "[a]nyone who follows sports nationally knows that the Metrodome has been obsolete for 15 years, both aesthetically and financially."¹⁶⁰ If this is true, the Metrodome became "obsolete" in 1990, less than a decade after it opened. While the Twins and Gophers could hide behind the argument that the domed, NFL-size stadium never fit their needs particularly well, the Vikings cannot make such an argument, because the Metrodome was designed primarily for them. Therefore, the Vikings need to answer why this new stadium, which would yet again be built at the end of a national stadium frenzy,¹⁶¹ will not become obsolete for the NFL franchise as quickly as Minnesota's previous stadiums.

160. *Special Session Wanted: Leadership at Capitol*, STAR TRIB. (Minneapolis), Sept. 29, 2005, at A16.

161. Between 1992 and 2005, seventeen of the thirty NFL teams have moved or were set to move into new stadiums. Mildred Wigfall Robinson, *Public Finance of Sports Stadia: Controversial But Permissible...Time for Federal Income Tax Relief for State and Local Taxpayers*, 1 VA. SPORTS & ENT. L.J. 135, 143 (2002).

Furthermore, although economic arguments may have been effective in pushing stadium construction in other areas of the country, these arguments have been ineffective in Minnesota. Indeed, Minnesotans have seen public stadium financing as a financial burden.¹⁶² Minnesota has built stadiums when either private individuals or public officials perceive a social, as opposed to economic, benefit. Specifically, these groups have invested in new stadiums when they have determined that the stadium will enhance the cosmopolitan nature of the Twin Cities.

Minnesotans see the Twin Cities as their centerpiece for cosmopolitan life, briefly and affectionately altering the name of the state's largest city into the "Mini-Apple" to invoke comparisons to the "Big Apple" and preaching "that there is more to their city than cows, cornfields, and contentment."¹⁶³ Due to this pride in the cosmopolitan hub, the state has consistently wanted the Twin Cities to have "what other big cities had."¹⁶⁴ Consequently, Minnesota has built stadiums to maintain a vibrant, cosmopolitan city for which the state can take pride, ensuring that the Twin Cities would not be "a cold Omaha."¹⁶⁵ Under this framework, the benefit of constructing the Met stadium was to bring a team to town and establish the Twin Cities as a "major league" city. Likewise, the construction of the Metrodome was purposed on bringing the two major league teams downtown, establishing the heart of a cosmopolitan city. Even the stadium names cry out to the state, as well as the world, that the Twin Cities represents a true cosmopolitan metropolis. Whatever social benefit may exist in constructing a new Vikings stadium in Blaine, the Vikings and Anoka County have yet to establish one and push it with a sense of unity.¹⁶⁶

162. See *supra* Part III.B.

163. AMY KLOBUCHAR, UNCOVERING THE DOME: WAS THE PUBLIC INTEREST SERVED IN MINNESOTA'S 10-YEAR POLITICAL BRAWL OVER THE METRODOME? 6 (1982).

164. This desire for what other cities have has not been limited to stadiums. During the years before the Metrodome was built, Minneapolis added the Guthrie Theater, the Walker Arts Center, and Orchestra Hall, as well as Nicollet Mall running through downtown. Weiner, *supra* note 109, at 75. Similarly, in the years preceding the 2006 stadium battle, Minneapolis underwent an "arts explosion" in which all four of the city's art museums expanded, the two largest theatre companies acquired new venues, and the library received a new downtown flagship building. Tim Bewer, *Minneapolis Drawing on Expansions to Fuel Arts Explosion*, MILWAUKEE J. SENTINEL, May 22, 2005, at H1.

165. This slogan was made famous by Hubert Humphrey during the debate regarding the construction of the Metrodome. WEINER, *supra* note 109, at 77.

166. It should be noted that Zygi Wilf has pushed the idea of an open-air

Conversely, both the Twins and the Gophers have articulated social benefits justifying their requests for new stadiums. Although the Twins proposal has been linked to economic development, the Twins have specifically dropped their economic argument regarding the stadium, saying: “If there are side benefits, great. If not, so what?”¹⁶⁷ Supporters of the Twins stadium argued that Major League Baseball is a necessary good for the maintenance of a cosmopolitan city.¹⁶⁸ Therefore, the threat of losing the Twins became vitally important to the Minnesota State Legislature.¹⁶⁹ Beyond simply mitigating against the loss of a team, supporters focused the argument on positive aspects of the new stadium for the community. Supporters focused on how the stadium would bring “outdoor baseball” back to the Twin Cities and would be a centerpiece for the city’s historic Warehouse District.¹⁷⁰ Thus, the new Twins stadium would both enhance the experience for the typical Twins fan, improve the quality of life, and would be a

stadium to give the Vikings a better home field advantage, particularly in the cold months, and also to connect with the franchise’s historic roots, no doubt in reference to the “Purple People Eaters” that played in the open-air Met stadium. See Kevin Seifert, *Vikings Ponder Whether to Let Go of Roof Idea*, STAR TRIB. (Minneapolis), Nov. 30, 2005, at C5. Conversely, Anoka County has consistently advocated that a retractable roof is necessary to make the stadium a year-round sports venue. However, due to the legislature’s concern about the stadium’s expense, the Vikings and Anoka County have discussed eliminating the plan for the roof in order to save the state the \$115 million cost associated with it. *Id.*

167. This comment was made by Jerry Bell, president of Twins Sports, Inc. Mike Meyers, *Twins Drop Stadium’s Economic Argument*, STAR TRIB. (Minneapolis), June 19, 2005, at D1.

168. See Patrick Reusse, *Gophers Stadium: House, Senate Approve Bill New Field of Dreams*, STAR TRIB. (Minneapolis), May 21, 2006, at C1 (“A new Twins ballpark will be a victory not for intense lobbying but for a city’s health. Major league sports are good. Period.”)

169. The bill authorizing the construction of the new Minnesota Twins ballpark stated that “Major League Baseball provides to the state of Minnesota and its citizens highly valued intangible benefits that are virtually impossible to quantify.” Act effective May 27, 2006, ch. 257, 2006 Minn. Sess. Law Serv. 393, 393–406 (West) (providing for financing, construction, and operation of baseball stadium) (to be codified at MINN. STAT. § 473.75). This threat peaked just before Minnesota’s 2006 legislative session when a state court judge ruled that the Twins did not have to play in the Metrodome following the 2006 season. See Paul Levy, *Vikings Ride Stadium Momentum*, STAR TRIB. (Minneapolis), Apr. 29, 2006, at B1. Because of this ruling, Twins owner Carl Pohlad decided to sell the team following the season if a stadium bill was not passed. Had this occurred, the new Twins owner would likely have moved the team. Sid Hartman, *Sundays with Sid: Stadium Plan was Essential to Keep Twins Safe at Home*, STAR TRIB. (Minneapolis), May 21, 2006, at C2.

170. Press Release, Minnesota Twins, *supra* note 144.

stadium that the city, and the state, can take pride in. This contrasts with the Metrodome, which, besides being a relatively poor stadium for watching a baseball game, stands as an eyesore in the middle of the city.

Similarly, the Gophers have advocated a social benefit behind their new football stadium proposal. Although the Gophers could not use the threat of relocation to push for a stadium, the University of Minnesota contended that a new football stadium on the university campus would incorporate Saturday games into university life in a way that cannot be accommodated by other means.¹⁷¹ Thus, the stadium would enhance the university experience and create a sense of unity and pride among the members of the community.¹⁷² By doing so, the stadium would help maintain the strong university presence in the state's largest city.

B. Suggestions for the Vikings' Stadium Drive

The supporters of a Vikings stadium have done little to push the social benefits that a new stadium proposal would bring. Consequently, bills introduced to the Minnesota State Legislature for a Vikings stadium have focused heavily on the economic aspects of constructing a stadium with the only social benefit being that of keeping the team.¹⁷³ For those groups to be successful in their push for a new stadium, they need to offer Minnesota a reason to build the stadium other than economic development, and they must integrate the need for a Vikings stadium into the cosmopolitan character of the Twin Cities. This may take some creativity on the part of these groups, but arguments on their behalf do exist.

First, the Vikings may push the stadium in the same way the Twins have pushed their proposed stadium, as a stadium of which

171. University of Minnesota, *Why a Stadium: An Opportunity of a Lifetime*, (Jan. 11, 2006), <http://www.umn.edu/stadium/why.html>.

172. *Id.* This argument worked especially well. Prior to signing the bill, Minnesota Governor Tim Pawlenty expressed his excitement for the new game-day atmosphere that the stadium would create: "We'll have that band marching down University Avenue on Saturday afternoons again." Reusse, *supra* note 46.

173. See H.F. 2295, 84th Leg., Reg. Sess. (Minn. 2005). According to the legislature, the new stadium in Blaine serves a public purpose by "retaining the Minnesota Vikings as a part of Minnesota's public amenities for its citizens and as a major attraction to visitors to the state," thereby "adding to the economic development of the state, Anoka County, and surrounding communities, attracting revenue from out of the state, and preserving the contributions of football to the culture of Minnesota and to the enjoyment of its citizens." *Id.* § 2.

the state can be proud and as a facility that returns outdoor athletics to Minnesota. Indeed, this is an argument that Zygi Wilf has voiced periodically, although it has been lost due to Anoka County's push for a retractable roof.¹⁷⁴ By promising to bring outdoor football back to Minnesota, the Vikings have a chance to capitalize on the local pride of a rugged Minnesota football team representing the frigid state in the way that the Green Bay Packers and Chicago Bears represent their communities, as opposed to a team coddled from the cold weather in a temperature-controlled environment. But this argument loses its traction when the proposal requires a retractable roof to protect the team and spectators from Minnesota's harsh winter weather.

Another potential argument for the Vikings is that their new stadium will help to establish an identity for a relatively forgotten suburban area. Although a recent development boom has allowed many parts of Blaine to escape the town's former distinction as a blue-collar, post-War suburb, Blaine and the northern metro suburbs have yet to establish an identity.¹⁷⁵ With a topography that lacks the lakes common to other sections of the Minneapolis metropolitan area, the National Sports Center has arguably created an identity for Blaine.¹⁷⁶ In this way, the Vikings are not promising that the stadium will help to spur growth in the surrounding area because the surrounding area will grow regardless of the existence of a stadium. Rather, the Vikings are offering what would be the crown jewel of the National Sports Center, solidifying a proverbial "place on the map" for Blaine and other northern metro suburbs while creating a new district for the city. If the Metrodome was placed in downtown during the 1970s to be a confidence booster for the city, it is not unthinkable that in 2006, after more than twenty years of urban development, it is now preferable to put a stadium in Blaine to enhance the metropolitan area. For, as the state found alternative purposes for the Metrodome, it is certainly possible that the state may now determine it desirable to serve these and other purposes in the north metro area.

Finally, the Vikings and Anoka County would be well advised to advance the same arguments in support of a stadium. Presently, Vikings owner Zygi Wilf has attempted to endear himself to a

174. Seifert, *supra* note 71.

175. See Bob Shaw, *Blaine Goes Boom*, ST. PAUL PIONEER PRESS (Minn.), Sept. 26, 2004, at C1.

176. See *id.*

community that was frustrated by Red McCombs's consistent threats that if he did not get a stadium, he would relocate the team to increase his own profits. In doing so, Wilf has specifically promised not to move the team.¹⁷⁷ This may damage Wilf's bargaining power, as the state may determine that while having a professional football team is an aspect of maintaining a cosmopolitan city, the construction of a new stadium is pointless if the team has decided not to relocate. Consequently, Wilf's position is risky and will be effective only if he can carve a path that builds a strong relationship between the community and the team, thereby promoting the community pride in the team that might turn public sentiment in favor of constructing a new stadium. According to Wilf, "this is not a matter of economics, this is a matter of passion"¹⁷⁸ and it should be a matter of passion for the community as well. Conversely, Anoka County, in its push to justify the stadium economically, has implied that the Vikings may relocate.¹⁷⁹ By implying that the Vikings might relocate, Anoka County may be attempting to suggest that the team's departure could threaten the cosmopolitan nature of Minnesota's only "major league" city. But this suggestion may be harmful to the county's ultimate goal—not only does it conjure up memories of McCombs's previous threats, potentially angering the community into rejecting a stadium out of spite, but it also stands in direct contrast with Wilf's promises. The citizens and legislators are forced to wonder whether Wilf's promises are truthful or whether Anoka County officials are simply ignoring them to make what they perceive to be a stronger argument. Regardless of whether the citizens believe Wilf's comments or Anoka County's implications, the inconsistency can do nothing but damage relations with the state, forcing officials to base their arguments more and more on the economic development promises that have been unsuccessful in Minnesota.

By focusing on the economic arguments that Minnesota has historically failed to recognize, the Vikings and Anoka County have done little to ensure their acquisition of a new stadium.

177. See Weiner, *supra* note 109. See also Sean Jensen, *Vikings Sale OK'd*, ST. PAUL PIONEER PRESS (Minn.), May 26, 2005, at A1.

178. Weiner, *supra* note 7.

179. Interestingly, Minnesota Governor Tim Pawlenty used the relocation argument to advocate for stadiums, but on the social grounds of retaining the teams. Referring to the stadium hopes of both the Twins and the Vikings, Pawlenty said: "It is not necessarily a dollar-for-dollar direct economic value But as an overall goal, keeping the teams here has value." Smith, *supra* note 140.

Furthermore, they have denied Minnesotans a valuable civic debate. While the Vikings will likely receive a new stadium within the next few years from the growing threat that, despite Wilf's statements to the contrary, they may relocate and damage the cosmopolitan nature of the city,¹⁸⁰ the benefit that this speculation will bring them is valuable only to the degree that it will secure the minimum financial support needed to keep the team in Minnesota. Therefore, the stadium will likely be similar to what the Metrodome was when it opened: inexpensive, but new.

By redirecting the debate to the social benefits of a new stadium, the state will have the opportunity to determine whether something more than simply keeping the team should be weighed against the costs of a stadium. This will only help the Vikings' chances. If, through debate, Minnesota determines that the costs of a stadium outweigh the benefits of keeping the team for a cosmopolitan community, the Vikings will not likely get their stadium. But if Minnesota is not presented with the opportunity to truthfully evaluate the social benefits of a new stadium against its costs, not only will the Vikings lose their stadium bid, but Minnesota might lose an opportunity to establish a facility for which the community can be truly proud.

180. The Vikings are contractually obligated to play in the Metrodome until 2011, at which point the team could relocate. Levy, *supra* note 169. Indeed, the bill that granted the Twins their new stadium alluded to the possibility of a future Vikings stadium. It ordered Anoka County and the Vikings to develop a stadium proposal with a retractable roof and submit a report of that proposal to the legislature by January 15, 2007. See Act effective May 25, 2006, ch. 247, 2006 Minn. Sess. Law Serv. 274, 274-78 (West) (providing funding and conditions for the University of Minnesota football stadium); Act effective May 27, 2006, ch. 257, 2006 Minn. Sess. Law Serv. 393 (providing for financing, construction, and operation of baseball stadium). Furthermore, the legislature authorized Anoka County to impose the 0.75% sales tax if and when the legislature approves a plan for the Vikings stadium in the coming years. Act effective May 27, 2006, ch. 257 § 21, 2006 Minn. Sess. Law Serv. 393, 406 (West). But due to the Vikings' failure to secure a stadium in the 2006 legislature, Wilf has begun to consider options of renovating the Metrodome now, that the Vikings will be the stadium's only tenant. See Sid Hartman, *Costs May Prompt Wilf to Weigh Feasibility of Upgrading Dome*, STAR TRIB. (Minneapolis), May 25, 2006, at C3.