



# Minnesota Sports Facilities Authority: Use of Suites at the U.S. Bank Stadium

Special Review  
February 7, 2017

**OFFICE OF THE LEGISLATIVE AUDITOR**  
STATE OF MINNESOTA

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STATE OF MINNESOTA "É" James Nobles, Legislative Auditor

February 7, 2017

Members of the Legislative Audit Commission:

This report addresses allegations about the Minnesota Sports Facilities Authority's use of complimentary tickets to events in the U.S. Bank Stadium.

We concluded that the Authority's use of the tickets violated a core ethical principle. For the twelve events we examined, we found that Authority officials and staff provided 158 tickets to family members and friends. We also found the use of another 35 tickets questionable.

Given these and other findings, we recommend that the Legislature exercise stronger control over the Authority and, specifically, its use of complimentary tickets to stadium events.

Sincerely,

James Nobles  
Legislative Auditor

Elizabeth Stawicki  
Legal Counsel



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## INTRODUCTION

An article in the *StarTribune* on November 28, 2016, triggered this special review.<sup>1</sup> The article said that officials at the Minnesota Sports Facilities Authority (Authority) acknowledged allowing “friends and family” free tickets to two suites in the U.S. Bank Stadium that are controlled by the Authority during events at the stadium.<sup>2</sup>

The Authority is a public agency, created in state law to build, own, and operate a new sports stadium.<sup>3</sup> Both the stadium and the Authority’s suites are public resources.<sup>4</sup>

The article also said that the Authority officials would not provide the *StarTribune* with a complete list of people given free suite tickets. Authority officials reportedly claimed that disclosure would hurt the Authority’s use of the suites for marketing the stadium to potential clients.<sup>5</sup>

We limited the scope of this review to concerns about the suites. This was neither a full-scope audit nor a comprehensive evaluation of the Authority. Our objective was to provide legislators and the public with an independent assessment of the Authority’s use of the suites.<sup>6</sup> Our review covered the 12 events listed in Appendix A.

To conduct our review, we examined documents, interviewed the Authority’s Chair, Michele Kelm-Helgen, and its Executive Director, Ted Mondale. We also requested information from other Authority members and staff, and requested information from SMG, the company the Authority hired to manage and market the U.S. Bank Stadium.

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<sup>1</sup> Rochelle Olson, “Work or perk? U.S. Bank Stadium executives have free access to luxury suites,” *StarTribune*, November 27, 2016.

<sup>2</sup> While it is named the “U.S. Bank Stadium,” the bank does not own or have any control over the stadium’s operations. The state granted the Minnesota Vikings “naming rights” to the stadium, and the Vikings sold the name of the new stadium to U.S. Bank Bancorp, the parent company of U.S. Bank.

<sup>3</sup> *Minnesota Statutes* 2016, 473J.07. We discuss the legal status of the Authority in the background section that follows, as well as in Finding 2.

<sup>4</sup> *Minnesota Statutes* 2016, 473J.01, says, “...property acquired by the Minnesota Sports Facilities Authority for the construction of the stadium and related stadium infrastructure is acquired for a public use or public purpose...”

<sup>5</sup> Several days later, the Authority released a partial list. We discuss the Authority’s position on providing information about people to whom the Authority gave free tickets and access to the Authority suites in Finding 4.

<sup>6</sup> *Minnesota Statutes* 2016, 473J.07, subd. 7, provides that the Legislative Auditor shall audit the Authority’s “books and accounts.” In addition, *Minnesota Statutes* 2016, 3.971, subd. 6, says: “The legislative auditor shall see that all provisions of law respecting the appropriate and economic use of public funds and other public resources are complied with and may, as part of a financial audit or separately, investigate allegations of noncompliance.”

## **PREVIEW OF FINDINGS**

- 1. The Authority claims it needs two stadium suites to help it market the stadium to potential customers. However, the Authority gave a significant number of free suite tickets to people who had no connection to marketing the stadium; many were family and friends of the Authority's commissioners and staff.**
- 2. The Authority's commissioners and executive director did not violate a law when they gave free tickets to family members and friends, but they did violate a core ethical principle.**
- 3. The Authority's claim that it needs two suites rather than one is not supported by facts or logic.**
- 4. The Authority failed to comply with state law by not maintaining a record of who received tickets to its stadium suites. However, state law does allow the Authority to keep certain marketing information private after it is created.**

## **PREVIEW OF RECOMMENDATIONS**

- 1. The Legislature should enact a law to control the Authority's use of complimentary tickets to events at the U.S. Bank Stadium.**
- 2. The Legislature should consider enacting a law that would allow one or both of the Authority's suites at the U.S. Bank Stadium to be used for nonprofit charitable purposes.**
- 3. The Legislature should exercise more oversight of the Authority.**
- 4. The Legislature should consider enactment of laws to control the use of complimentary tickets at all sports and entertainment facilities built with public money.**



## BACKGROUND

### The Minnesota Sports Facilities Authority

In 2012, the Legislature passed and the Governor signed a law authorizing the State of Minnesota and City of Minneapolis to participate in funding the construction of a sports facility and related infrastructure.<sup>7</sup> The primary purpose was to provide a new stadium for the Minnesota Vikings.<sup>8</sup>

The 2012 law created the Minnesota Sports Facilities Authority to “...develop, construct, equip, improve, own, operate, manage, maintain, finance, and control the stadium...” in collaboration with the Minnesota Vikings organization.<sup>9</sup>

The 2012 law required the Authority to build the new stadium on the site of the Metrodome in Minneapolis.<sup>10</sup> Demolition of the old stadium began in January 2014, and the new stadium opened on July 22, 2016.

The Authority is the successor to the Metropolitan Sports Facilities Commission, which owned and operated the Metrodome.<sup>11</sup> The Metrodome was the home of the Minnesota Vikings from 1982 to 2013.

The Authority has five members.<sup>12</sup> The governor appoints the chair and two other members. The mayor of Minneapolis appoints the other two members. Although not used in the law, the Authority calls its members “commissioners.” A list of people who were commissioners during the time of this review is in Appendix B.

The Authority has six employees, including the executive director.<sup>13</sup> It contracts with outside companies and firms to provide many of the services it needs to manage the stadium.

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<sup>7</sup> *Laws of Minnesota* 2012, chapter 299; primarily codified in *Minnesota Statutes* 2016, chapter 473J.

<sup>8</sup> The 2012 law’s purpose statement is codified in *Minnesota Statutes* 2016, 473J.01. The law’s definitions also make it clear that the stadium was being built for the Minnesota Vikings; see specifically, *Minnesota Statutes* 2016, 473J.03, subd. 7.

<sup>9</sup> *Minnesota Statutes* 2016, 473J.09, subd. 5, and 473J.11.

<sup>10</sup> *Minnesota Statutes* 2016, 473J.10.

<sup>11</sup> *Minnesota Statutes* 2016, 473J.25.

<sup>12</sup> *Minnesota Statutes* 2016, 473J.07, subd. 2.

<sup>13</sup> The Authority chair is considered a full-time position, but we did not include her in this number since she is an Authority commissioner.

## Public Funding

The financial mechanisms used to pay for the stadium's construction and operations are complex and beyond the scope of this review.<sup>14</sup> In simple terms, the Minnesota Vikings contributed approximately \$608 million and the public contributed \$498 million to build the stadium.<sup>15</sup>

The Legislature justified spending public money to construct and operate the stadium in the 2012 legislation with this statement:

The purpose of this [law]...is to provide for the construction, financing, and long-term use of a stadium and related stadium infrastructure as a venue for professional football and a broad range of other civic, community, athletic, educational, cultural, and commercial activities. The legislature finds and declares that the expenditure of public money for this purpose is necessary and serves a public purpose, and that property acquired by the Minnesota Sports Facilities Authority for the construction of the stadium and related stadium infrastructure is acquired for a public use or public purpose....<sup>16</sup>

## A Multipurpose Stadium

The 2012 law required the Authority to build and maintain a stadium to meet the requirements of the Minnesota Vikings organization and the National Football League.<sup>17</sup> In addition, the stadium must also be a venue for community events (high school football and soccer tournaments, for example).<sup>18</sup> Finally, the stadium is a commercial enterprise with a large amount of space to rent for various types of private events—concerts, company parties, conferences, weddings, etc.<sup>19</sup>

The Authority claims that to meet these multiple objectives, it must aggressively market the stadium. In its letter to OLA, Authority officials said:

To achieve...successful operation of the Stadium in a manner competitive with other world-class facilities—without ongoing public funding, and while continuously maximizing public access to the Stadium—the Authority must

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<sup>14</sup> The 2012 law authorized the state to sell up to \$498 million in appropriation bonds to fund the stadium and related construction costs; see *Laws of Minnesota* 2012, chapter 299, art. 2, codified in *Minnesota Statutes* 2016, 16A.965. The law provided for various taxes and other revenue sources to pay bondholders.

<sup>15</sup> Several sources provide summaries of the overall—public and private—funding mechanisms. For example, see <http://www.usbankstadium.com/stadium-info/faq> and <https://www.minnpost.com/twin-cities-business/2016/08/us-bank-stadium-worth-it-look-numbers-behind-vikings-11-billion-home>, accessed January 23, 2017.

<sup>16</sup> *Minnesota Statutes* 2016, 473J.01.

<sup>17</sup> See, for example, *Minnesota Statutes* 2016, 473J.11, which contained several provisions requiring the Authority to work in partnership with the Minnesota Vikings on the “design, development, and construction of the stadium.”

<sup>18</sup> *Minnesota Statutes* 2016, 473J.27, subd. 7; also see the legislation’s purpose statement in *Minnesota Statutes* 2016, 473J.01.

<sup>19</sup> “Built for Bold,” *Minnesota Meetings + Events*, the U.S. Bank Stadium Issue (not dated).

actively engage in a sophisticated marketing strategy to attract significant private clients and large-scale events, revenue from which will help to support public access and operation of the Stadium without the need for ongoing public funding.<sup>20</sup>

## SMG's Role

The Authority has a ten-year contract with SMG, a stadium and convention center management, marketing, and booking company.<sup>21</sup> While the Authority retains ultimate responsibility for all aspects of the stadium, its service agreement with SMG delegates a large array of daily management and marketing tasks to the company. For example, SMG is responsible for marketing, scheduling, and booking events; maintaining the stadium and adjoining plaza; custodial services; general security and crowd control; medical and safety services; negotiating with vendors and managing concessions; and maintaining the U.S. Bank Stadium website.

In January 2015, SMG announced that the company was appointing Patrick Talty as General Manager of the U.S. Bank Stadium. In response, the Authority chair said:

We hired SMG because of their deep stadium operations and marketing experience. We are pleased they are bringing Patrick to run our new stadium. In addition to his operational expertise, Patrick's promoter experience should bring a wide variety of new events to Minnesota; his international work could offer some new opportunities for the stadium as well.<sup>22</sup>

In a booklet produced to celebrate the opening of the stadium, General Manager Talty said:

Booking-wise, we have people selling two, three, five years out; we have people always working on events. Having youth sports in the building, having running club, rollerblading, corporate events, weddings, bar mitzvahs, proms, all those different things—making sure we work really hard to get to all those different groups so they have opportunities to experience the building.<sup>23</sup>

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<sup>20</sup> Michele Kelm-Helgen, Chair, and Ted Mondale, CEO/Executive Director, Minnesota Sports Facilities Authority, letter to James Nobles, Legislative Auditor, December 9, 2016, p. 4.

<sup>21</sup> Because SMG is a privately held partnership, we were not able to find a significant amount of information about the company. From what we did see, SMG appears to be a company that specializes in managing sports facilities and convention centers, with clients throughout the United States and in several other countries. According to the U.S. Bank Stadium website, SMG has been a part of managing other facilities that are home to National Football League teams.

<sup>22</sup> [www.vikings.com/news/new-stadium/article-1/Former-WWE-Executive-Hired-As-New-Vikings-Stadiums-GM/0a2c2179-a117-4063-ba44-171a092a53dd?utm\\_medium=referral&utm\\_source=t.co](http://www.vikings.com/news/new-stadium/article-1/Former-WWE-Executive-Hired-As-New-Vikings-Stadiums-GM/0a2c2179-a117-4063-ba44-171a092a53dd?utm_medium=referral&utm_source=t.co), accessed January 12, 2017.

<sup>23</sup> "Built for Bold," *Minnesota Meetings + Events*, the U.S. Bank Stadium Issue (not dated).

According to SMG, to fulfill its responsibilities at the U.S. Bank Stadium, the company employs 84 full-time and 1,512 part-time professionals. In addition, SMG contracts with various other private and public organizations for stadium services.

## Authority's Suites

In negotiating a *Use Agreement* with the Minnesota Vikings, the Authority obtained control over two suites during all events at the stadium.<sup>24</sup> The Authority did not pay the Minnesota Vikings a license fee for the suites, nor does it pay for the tickets that allow people access to the suites during events at the stadium.<sup>25</sup> The Authority pays for food and beverages that are catered into the suites during events.<sup>26</sup>

The Authority's two suites are among 27 referred to as "Norseman suites." With its control of the two suites, the Authority receives 36 tickets for each event (18 per suite). The Authority's suites have seating for 16 people (12 fixed seats and 4 "drink rail" chairs, all with views of the field). Two people are allowed to occupy "standing room only" within each suite.

According to the U.S. Bank Stadium website, Norseman suites are 36 rows from the field and located between the 20 yard lines.<sup>27</sup> They are equipped with three flat panel HDTVs, a refrigerator, microwave, sink, and eating area.<sup>28</sup>

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<sup>24</sup> Amended and Restated Stadium Use Agreement by and between Minnesota Sports Facilities Authority and the Minnesota Vikings Football Stadium, LLC, Article 10.1 (b), p. 33.

<sup>25</sup> As we were completing our review, we learned that the Authority has agreed to pay the Vikings a \$300,000 annual license fee for limited control over what is referred to as a "Cabin" suite. We asked the Authority chair if this was a third Authority suite. In an e-mail response, she said: "No. We are not getting a third suite. That is a fee we pay the Vikings for use of an expansion space (lodge bar, cabins, etc.) that the Vikings paid to build out. For that fee, SMG can sell this space for our events (concerts, monster trucks, etc. to sell tickets and rent out as meeting and event space). Feel free to call me if you want further information; I can see how it may be confusing. Think of the cabins like smaller club spaces to be rented." In a later conversation, the Authority's executive director told us that the Authority's annual payment does not allow the Authority (or SMG) to "rent out" the Cabin suite during Vikings events, but only during non-Vikings events.

<sup>26</sup> In a letter to state legislators, the Authority said it was billed \$32,120.09 for food services in the suites at the 12 events at issue in this review. The Authority said it would pay for the food services with Authority funds. Michele Kelm-Helgen, Chair, Minnesota Sports Facilities Authority, letter to Representative Sarah Anderson, Senator Julie Rosen, and Senator Mary Kiffmeyer, January 4, 2017.

<sup>27</sup> <http://www.usbankstadium.com/events/norseman-suites>, accessed January 18, 2017.

<sup>28</sup> We based this description on information from the U.S. Bank Stadium website and our observations during a visit to the stadium and the suites (which occurred on December 14, 2016, a non-event day).

Authority officials emphasized that they obtained the suites to help market the stadium to future customers. For example, in their December 9, 2016, letter to OLA, they said:

The opportunity to use the Authority suites as a base to observe an event from its opening to its conclusion, get a sense of the event atmosphere and of the building's operations in an environment that allows the attendees to ask questions of the Authority, SMG, board members and others assisting in the marketing of the Stadium.<sup>29</sup>

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### Artist's Rendering of a Norseman Suite as Displayed on the U.S. Bank Stadium's Website



SOURCE: <http://www.usbankstadium.com/events/norseman-suites>, accessed January 18, 2017.

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## FINDINGS

**Finding 1. The Authority claims it needs two stadium suites to help it market the stadium to potential customers. However, the Authority gave a significant number of free suite tickets to people who had no connection to marketing the stadium; many were family and friends of the Authority's commissioners and staff.**

A primary objective of our review was to determine who received free tickets to the Authority suites, and whether guests were there for the Authority's stated public purpose—to help market

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<sup>29</sup> Michele Kelm-Helgen, Chair, and Ted Mondale, CEO/Executive Director, Minnesota Sports Facilities Authority, letter to James Nobles, Legislative Auditor, December 9, 2016, p. 4.

the stadium to potential customers. Therefore, we requested that the Authority provide us with the following information related to 12 events at the U.S. Bank Stadium:<sup>30</sup>

- The people and/or organizations provided free tickets and/or suite access<sup>31</sup>
- The name of the event(s) for which they were given a ticket and/or suite access
- Whether a payment was made and, if so, how much and for what event and/or services

Unfortunately, the information the Authority gave us was poorly compiled, confusing, and incomplete. We also have significant concerns about its reliability. The information we received—in the form we received it—is in Appendix C.

Given the large number of guests and limited time available for this review, we did not attempt to compile our own guest list. We did, however, follow up and ask four commissioners to verify the information the Authority sent us and to clarify why they had given free tickets to their guests. We received responses from all of the commissioners.<sup>32</sup>

More recently, we requested and received information the Authority sent legislators on January 4, 2017. We focused on the Authority's list of people to whom it provided parking passes for various events. We include this list in Appendix E.

The parking pass list raised more questions because the information did not always match the names in the Authority's guest list (Appendix C). For example, there were names of individuals who received parking passes, but they do not appear on any of the guest lists. We also noticed that some commissioners received parking passes for events that their own lists said they never attended.

Finally, we also question why some individuals received parking passes but others did not. For example, there were instances when friends of commissioners received parking passes but individuals who were attending events for a marketing purpose did not.

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<sup>30</sup> The information we requested covered the following 12 events: an international soccer match, eight Minnesota Vikings games, two concerts (Luke Bryan and Metallica), and a U.S. Women's Soccer match. We did not request or receive information related to the "Grand Opening" events for the stadium, which occurred on three days in July 2016. We also did not request or receive information related to events hosted by the Minnesota High School League, or the two Minnesota Vikings games and "Monster Jam" that occurred later in December 2016.

<sup>31</sup> We phrased the request this way because we thought that some people who bought their own tickets to sit elsewhere might have been given access to one or both of the Authority suites during an event.

<sup>32</sup> Our follow-up request did not include the chair or executive director since they had already provided us with explanations for why their guests attended.

## Analysis Assumptions

Because of deficiencies in the information we received from the Authority, we had to make assumptions in our analysis. Specifically:

- If an Authority commissioner or staff attended an event, we considered that attendance as related to marketing. In other words, we gave them “the benefit of the doubt.”
- We also gave Authority officials “the benefit of the doubt” when they claimed certain people were given free tickets for a business purpose but provided few details. We will discuss some claims, however, we simply could not accept.
- If a guest had the same last name as the Authority commissioner or staff attending the same event, we marked them as “family,” and did not assume they were there for marketing.
- If we could not establish that a person noted as a guest of a commissioner or staff was there for a marketing purpose and was not “family,” we marked them as a “friend.”
- On the other hand, if we considered a guest to be part of a marketing effort, we also counted the guest’s companion as having a marketing purpose. Again, we gave the Authority “the benefit of the doubt.”

## Analysis Results

Again, we have reservations about the information the Authority provided to us, but used it to reach the general conclusions that follow.

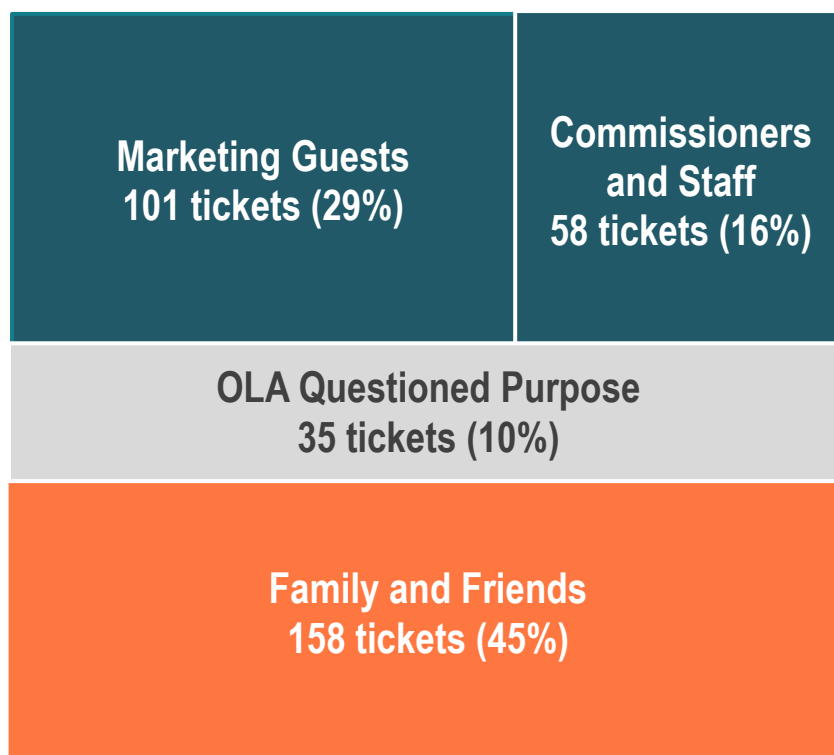
With 36 tickets available for each event, the Authority controlled 432 tickets for the 12 events covered by our review. We calculated that the Authority used 352 tickets for the 12 events. The average number of people in the Authority’s two suites was 29, but the Minnesota Vikings game against the Green Bay Packers had 38.

Based on our assumptions and assessment of the information the Authority provided to us, we divided the tickets into four major categories: those for guests with a marketing purpose; those used by Authority commissioners and staff; those with a questionable purpose; and those the Authority gave to family and friends (no marketing purpose).

We illustrated our judgment about how the Authority used the tickets in the exhibit on the following page.

## Exhibit 1 Authority's Use of Norseman Suite Tickets

**Total Tickets Used by Authority = 352**



SOURCE: Office of the Legislative Auditor, analysis of data provided by Minnesota Sports Facilities Authority.

- **The Authority used about 159 tickets (45%) for its stated “public purpose” of marketing the stadium.**

We emphasize again that we made this judgment after giving the Authority “the benefit of the doubt” in many cases. Out of 159 tickets we marked “marketing related,” we found 101 guests were connected in some way to the Authority’s marketing efforts. Authority commissioners and staff used 58 tickets.

- **The Authority used about 35 tickets (10%) for a so-called “business purpose” that we question.**

Again, because of the limited information available, we could not definitely determine whether a person had a legitimate business purpose for using a ticket in one of these suites. Although we tended to err on the side of the Authority, we questioned 35 tickets of individuals (including their guests) based on reasoning the Authority gave us.

For example, four Metropolitan Transit staff attended the Minnesota Vikings/Detroit game on November 6, 2016, to “review the operational flow of the light rail and bus service (observing



entrance and exiting the building) to help increase ridership which benefits marketing of the stadium.” These individuals included the director of bus operations, the director of light rail operations, the manager of the rail communications center, and the assistant manager of street operations. We have trouble understanding why a ticket to sit in one of the Authority suites to watch a football game was necessary to observe transportation to and from the stadium.

In other examples, we questioned the marketing purpose for giving free suite tickets to people who—according to the Authority—helped with “programs to meet labor and diversity goals for building operations.”<sup>33</sup> The Authority also gave free tickets to four individuals (one of whom attended two events) from an organization involved in “marketing and outreach to recruit minority and women workers in the stadium.”<sup>34</sup> To be clear, we do not question the legitimacy of these goals; we do question whether attending Minnesota Vikings games in a stadium suite furthers these goals.

We also questioned that the Authority gave free suite tickets to 12 representatives of the University of Minnesota to events at the stadium. In general, we questioned the marketing-related need to have that many representatives of the University attend events.

Finally, we question the Authority’s justification for providing free tickets to a significant number of state and city officials (including state government department heads, staff from the Governor’s Office, and officials and staff from various city of Minneapolis offices, etc.).

The state and city control the Authority by the fact that the governor and mayor of Minneapolis appoint the Authority commissioners. In addition, even if the state and city officials that were given free tickets were assisting the Authority on some technical or policy issue, we question how watching football games and concerts facilitate that assistance.

- **The Authority gave about 158 tickets (45%) to family and friends.**

We found nearly half the tickets (158) had no business connection (i.e., public purpose). These included 40 family members and 118 other guests, whom we assumed were “friends.”

- **The Authority gave free suite tickets to several people who appear to have a political connection to Authority commissioners or the Authority’s executive director.**

News articles about the stadium suite issue have raised questions about whether the Authority gave suite tickets to some people because they have ties to the Democratic-Farmer-Labor (DFL) party. We noted that about a dozen individuals given free suite tickets had run for public office as DFL candidates. While other people have worked for DFL candidates and/or office holders,

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<sup>33</sup> The Authority’s reason for why the commissioner of the Department of Labor attended the Minnesota Vikings/Detroit game. The Authority gave these other state government commissioners tickets: the commissioner of Higher Education, the commissioner of Human Rights, and the commissioner of Revenue.

<sup>34</sup> The Authority’s reason why representatives of a nonprofit, vocational school attended. One of the representatives attended two events: Minnesota Vikings/Arizona and Minnesota Vikings/Dallas games.

we cannot assume they too are members of the DFL party; nor can we assume the family of a DFL candidate is a member of the DFL party.

We addressed this issue because it was raised in the media. In addition to making our own assessment of the number of tickets involved, we wanted to give the Authority chair an opportunity to address it. Her response is in a later section, where we present the Authority's position on all of the questions that have been raised about the Authority's use of the suites.

## Payments

In response to our request, the Authority provided us with a list of payments made for the use of suite tickets. Most individuals who paid did so after the public controversy arose. The Authority's payment list to us is Appendix D.<sup>35</sup>

Although this list is less confusing than the guest list the Authority supplied to OLA, it still leaves questions. For example, one guest paid \$1,200 for three Minnesota Vikings games while another guest paid \$230 for two events (the international soccer match and a Minnesota Vikings game). We assume that the first guest paid for other people but it is unclear from the payment list.

In general, who paid runs the gamut. Some individual guests submitted payments on their own. In other cases, commissioners paid for all of their guests of an event with one check.<sup>36</sup> Authority staff appeared to pay for their guests as well. Most individuals appeared to have paid about \$200 per Minnesota Vikings ticket and between \$100 and \$150 per concert ticket.<sup>37</sup>

We received several inquiries from people who questioned whether payments made to the Authority were adequate reimbursements. While this is a valid question, we emphasize that the people who received free tickets were not legally obligated to reimburse the Authority.<sup>38</sup>

In addition, we were not comfortable establishing a "fair price" for the tickets people received. We learned from an opinion issued by the Minnesota Campaign Finance and Public Disclosure Board that valuing a ticket to a stadium event may require more than looking at the "face price" on the ticket.

In 1998, an association (lobbyist principal) asked the Board whether an official could use the association's licensed box seats at Williams Arena for the Minnesota Gophers home basketball

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<sup>35</sup> This payment record is up to date through January 20, 2017, and totals 27,435.49.

<sup>36</sup> For example, Commissioner Barbara Butts-Williams paid \$2,000 (\$100 for each of her guests who attended the U.S. Women's Soccer game on October 23, 2016).

<sup>37</sup> Former Vice President Walter Mondale paid \$350 for the Minnesota Vikings/Packers matchup. He was a guest of his son, Authority Executive Director, Ted Mondale.

<sup>38</sup> This is in part because the Authority did not pay for the tickets or the use of the two suites. As noted previously, the Authority obtained the tickets and suites when it negotiated the *Use Agreement* with the Minnesota Vikings. In addition, as discussed in Finding 2 and noted in the following footnote, the public officials who received free tickets did not have to reimburse the Authority because the tickets were not considered a "gift" under the Minnesota "Gift Law."

games if the official paid the face value of the ticket (\$22.50). The Board said the official would have to pay fair market value.<sup>39</sup> Fair market value means what a member of the general public would pay on the open market to sit in equivalent seats for the same games.<sup>40</sup> The Board's *Administrative Rule* related to the payment for a "gift" also uses fair market value.<sup>41</sup> The Board's opinion went on to say that if there were no market for the public to buy the same seats, then the officials would be obtaining preferential treatment to buy the seats at any price.<sup>42</sup>

Given the Board's opinion, several factors would affect establishing a "fair price" for a ticket to sit in a Norseman suite, and prices across the 12 events covered by our review would likely vary. One key factor would clearly be that the Minnesota Vikings announced in August 2016 that all of its home games were sold out.<sup>43</sup> This suggests that the value of tickets to these games on the open market was significantly higher than their face price.<sup>44</sup>

### Authority's Position

In making the judgments presented above, we held the Authority to its claim that it needs two suites to market the stadium to potential clients. Clearly, we think the Authority strayed from that public purpose when it provided free tickets and suite access to people with no connection to marketing the stadium.

In light of that judgment, we gave the Authority officials an opportunity to explain their actions. We drew the following explanations from a written statement the Authority submitted to us and from their answers to our questions in recorded interviews.

### The Authority claims it was continuing past practice.

Both the Authority's chair and executive director emphasized in their interviews with us that the Authority's predecessor, the Metropolitan Sports Facilities Commission (which owned and

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<sup>39</sup> Minnesota Campaign Finance and Public Disclosure Board Advisory Opinion 287 (January 23, 1998). "The giver's cost is not always determinative of the value of the gift under Minn. Stat. sec. 10A.071. Rather, the value of a gift is its fair market value."

<sup>40</sup> *Ibid.*

<sup>41</sup> *Minnesota Rules*, 4512.0400, published electronically February 28, 2006. The rule says, "An official must contemporaneously reimburse the lobbyist or lobbyist principal for the fair market value of any part of a gift paid for by the lobbyist or lobbyist principal."

<sup>42</sup> Minnesota Campaign Finance and Public Disclosure Board Advisory Opinion 287 (January 23, 1998).

<sup>43</sup> <http://www.MinnesotaVikings.com/news/new-stadium/article-1/US-Bank-Stadium-Sold-Out-For-2016/8f135ba1-327f-49d5-9dcf-30d166e12776>, accessed January 10, 2017.

<sup>44</sup> Ben Goessling, "Minnesota Vikings fans look to limit a Packers fan invasion in U.S. Bank Stadium debut," *ESPN.com*, September 14, 2016. *ESPN.com* reported that seats sold on the Secondary Market (tickets sold on StubHub) for the Minnesota Vikings-Packers matchup at U.S. Bank Stadium ranged from \$120 per ticket to a median price of \$351 to the highest at \$2,595 per ticket, [http://www.espn.com/blog/minnesota-vikings/post/\\_id/20252/vikings-u-s-bank-stadium-party-could-have-fewer-green-and-gold-crashers](http://www.espn.com/blog/minnesota-vikings/post/_id/20252/vikings-u-s-bank-stadium-party-could-have-fewer-green-and-gold-crashers), accessed January 10, 2017.

operated the Metrodome) provided free tickets and suite access to friends and family. For example, in her interview with us, the Authority chair said:

...I believed that this [the Authority's stadium suite ticket policy] was appropriate because it had been done – family and friends were allowed to come to our suite at the Metrodome for 32 years.... So from my perspective I didn't think that there was anything unusual about what we were doing.<sup>45</sup>

The Authority's executive director made a similar statement in his interview with us. He said:

...there was a clear allocation of tickets at the Metrodome. So if a commissioner couldn't come, he or she would be able to have say five tickets and have family members...or friends...come to the suite, which had actually no connection to what we were doing [as a commission].<sup>46</sup>

**The Authority claims it was following a practice that was well known and used at other public facilities.**

In his interview with us, the Authority's executive director said:

I think this policy was well known, maybe not the person walking down the street, but you know legislators, city officials, chamber organizations, business organizations well knew how the Metrodome ran things. I think they know how the Ballpark Authority runs things. I think they know how the Riverfront Center runs things and so it was the part I think that caught me most off guard was that this was some kind of new revelation that something untoward was going on that had never been thought about, vetted, looked at and that's how the stories were written and I don't believe that that's the case at all and this sort of new found shock at what's going on here I think is not genuine....<sup>47</sup>

**The Authority claims that free tickets and use of the suites was an appropriate benefit for people working for the Authority and serving on its board.**

The November 28, 2016, *StarTribune* article said that the Authority chair and executive director reportedly justified their use of the suites by indicating "...they work long hours on game days and spent long nights negotiating on behalf of taxpayers during construction of the building so having friends and family there is reasonable."<sup>48</sup>

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<sup>45</sup> Michele Kelm-Helgen, Chair, Minnesota Sports Facilities Authority, interview with the Office of the Legislative Auditor, December 15, 2016.

<sup>46</sup> Ted Mondale, Executive Director, Minnesota Sports Facilities Authority, interview with the Office of the Legislative Auditor, December 19, 2016.

<sup>47</sup> *Ibid.*

<sup>48</sup> Rochelle Olson, "Work or perk? U.S. Bank Stadium executives have free access to luxury suites," *StarTribune*, November 27, 2016.

We asked the Authority's executive director if there was some "understanding" that the Authority board members and members of the previous commission would be provided free tickets and suite access during events. He said, "Yes."<sup>49</sup>

**The Authority claimed having family and friends in the suites during events helped create a congenial atmosphere.**

In his interview with us, the Authority's executive director said:

...our purpose at...games or events is to have an atmosphere where the marketing targets feel comfortable. They have a good time. They get to observe what a great facility it is and in a sort of casual un-meeting like atmosphere, talk to them about you know booking the stadium and having events. So I felt that the atmosphere we had was good and I think it helped further it.<sup>50</sup>

**The Authority claimed it did not invite people because of their political connections.**

As mentioned previously, several news reports about the stadium suite issue noted that several of the people given free tickets were members of the Democratic-Farmer-Labor (DFL) party. Therefore, we wanted to give the Authority chair an opportunity to address the issue. In her interview with us, she said:

Well, my view is that's not the case. I don't think that; I've never seen, I mean I know people have identified individual people that are DFL. I could identify a lot of individual people who are also republican. I don't know, I mean the fact of the matter is having partners there to work on some of these events, for example, the city of Minneapolis people, which happen to be the administration in the city and the city council is all DFL right now. So having any city people there, they automatically get defined as DFL. They're not there because they're DFL. They were there because they were city of Minneapolis leaders and people. The same thing is true with the people from the executive branch at the state. I mean the fact of the matter is the administration right now is DFL, but they weren't identified because they were DFL.<sup>51</sup>

We have no basis to dispute the chair's statement that officials were not invited because they are members of the DFL party. We do dispute, however, that there was a marketing purpose for providing free tickets to some of the people with connections to the DFL party.

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<sup>49</sup> Ted Mondale, Executive Director, Minnesota Sports Facilities Authority, interview with the Office of the Legislative Auditor, December 19, 2016.

<sup>50</sup> *Ibid.*

<sup>51</sup> Michele Kelm-Helgen, Chair, Minnesota Sports Facilities Authority, interview with the Office of the Legislative Auditor, December 15, 2016.

### The Authority's New Stadium Suite Use Policy

The initial *StarTribune* article and the media coverage that followed generated widespread criticism of the Authority.<sup>52</sup> In response, the Authority adopted a new suite use policy during its meeting on December 16, 2016.

In her statement to the media after the meeting, the Authority chair reportedly said, "It's important to restore the public trust and say that, for now, we're not going to have friends and family [in suites]."<sup>53</sup> And in her interview with OLA, the chair said:

...I definitely listen, I pay attention, [so]...as the public spoke out, we responded and said okay, what other venues decide to do is their decision...that's not my issue. My issue is U.S. Bank Stadium and we're going to change the policy and make it clear that we will not have any other family and friends there.<sup>54</sup>

We reviewed the new policy and a memorandum about the policy prepared by the Authority's general counsel. We have a mixed assessment of both.

On the positive side, the new policy requires the Authority to maintain a list of the individuals who use the Authority's suites. The list will include the date and type of event, the name of the individual attending, the individual's employer or organization, the Authority board member or employee who issued the invitation, and the public purpose for that individual's presence.

We have the following concerns:

First, we are troubled that the Authority's general counsel's memorandum does not acknowledge any past misuse of suite tickets. In fact, it says:

...the Authority has, since the Stadium's July 2016 opening, used the suites to further the public purpose of effectively marketing this world-class facility to entities around the country, while allowing Authority board members and

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<sup>52</sup> For example, an article in the *Mankato Free Press* on November 30, 2016, said, "The state senator who sponsored the bill that built U.S. Bank Stadium said she's 'disgusted' by the Minnesota Sports Facilities Authority's control of two prime luxury suites and their refusal to reveal the names of their guests at Minnesota Vikings games and other events." Also, see <http://www.twincities.com/2016/11/30/agency-use-of-2-luxury-suites-in-u-s-bank-stadium-raises-questions>. In addition, several newspaper editorials criticized the Authority for its stadium suites practices. See, for example, <http://www.startribune.com/minnesota-where-nobody-gets-a-special-deal/405703066/> and <http://www.crookstonimes.com/opinion/20161208/times-editorial---stadium-suite-saga-shows-media-can-still-be-watchdog>, accessed January 12, 2017.

<sup>53</sup> Rochelle Olson, "U.S. Bank Stadium authority bans friends, family from state-owned luxury suites," *StarTribune*, December 16, 2016.

<sup>54</sup> Michele Kelm-Helgen, Chair, Minnesota Sports Facilities Authority, interview with the Office of the Legislative Auditor, December 15, 2016.

executives the opportunity to observe operation of the facility first-hand, to assist with their obligations to provide operational oversight.<sup>55</sup>

In addition, we are concerned that the policy maintains a long list of people who may continue to be given free tickets, including public officials and “community member groups.” In fact, after enumerating five categories of people who could be given free tickets, the policy has an undefined category of people called “other.”<sup>56</sup>

In addition, the policy leaves it to commissioners and staff to decide whether there is a public purpose for providing a free ticket to a guest. It simply provides this guidance: “Each individual must think through the goals outlined for the Authority, and make clear in his or her own mind the public purpose that would be served.”<sup>57</sup>

At the end of this report, we recommend that the Legislature enact a law to control the Authority’s use of complimentary stadium suite tickets.

**Finding 2. The Authority’s commissioners and executive director did not violate a law when they gave free tickets to family members and friends, but they did violate a core ethical principle.**

The 2012 law that created the Authority did not directly address its use of stadium suites; in fact, it is not clear that the Legislature anticipated that the Authority would have control of suites in its *Use Agreement* with the Minnesota Vikings. Nevertheless, the Authority’s use of the suites it controls has raised both legal questions and ethical concerns.

**Legal Questions and Analysis**

The Authority’s suite use issue raised these legal questions:

- Did the Authority commissioners and/or employees violate a state law called the *Code of Conduct for Employees in the Executive Branch* when they provided family members or personal associates with free tickets to stadium events?
- Did Authority commissioners violate a state “Gift Law” when they gave free tickets to state, city, or metropolitan officials? Did those officials violate the state law when they accepted the free tickets to stadium events?

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<sup>55</sup> Jay Lindgren, General Counsel, Minnesota Sports Facilities Authority, memorandum to MSFA Commissioners, *Policy and Purpose for Usage of MSFA Suites by Authority Board Members, Staff and SMG*, December 12, 2016.

<sup>56</sup> Minnesota Sports Facilities Authority, *Policy and Purpose for Usage of MSFA Suites by Authority Board Members, Staff and SMG*, Section III, Restrictions on Suite Access for Marketing Purposes, Revised December 12, 2016.

<sup>57</sup>*Ibid.*, Section IV, Procedure for Use of Suites for Marketing.

On the first question, we concluded that the *Code of Conduct* does not apply to the Authority based on how the 2012 law defined the Authority's legal status. In addition, the state's "Gift Law" does not apply because the Authority is not a "lobbyist principal." We explain in the following section.

### ***Code of Conduct Question***

The Authority is a hybrid organization; neither a state agency nor a local unit of government.

The Minnesota Sports Facilities Authority is established as a public body, corporate and politic, and political subdivision of the state. The Authority is not a joint powers entity or an agency or instrumentality of the city.<sup>58</sup>

As noted earlier, the governor appoints three Authority commissioners, and the mayor of Minneapolis appoints the other two.

As a result of the 2012 law, neither Authority commissioners nor its employees are subject to the state's *Code of Conduct for Employees in the Executive Branch*.<sup>59</sup> If they were, they could not use their public positions to provide free tickets to stadium events to family members (and possibly not to other close associates). For example, the Code says:

The following actions by an employee in the executive branch shall be deemed a conflict of interest and subject to procedures regarding resolution of the conflicts, ...or disciplinary action as appropriate: (1) use or attempted use of the employee's official position to secure benefits, privileges, exemptions or advantages for the employee or the employee's immediate family or an organization with which the employee is associated which are different from those available to the general public...."<sup>60</sup>

Again, given the legal status of the Authority, its commissioners and employees are not subject to this provision.

### ***Gift Law Question***

A state law prohibits certain "gifts" from being given or accepted. It is a section within the Minnesota *Campaign Finance and Public Disclosure Law* and is often referred to as the Minnesota "Gift Law." One provision says:

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<sup>58</sup> *Laws of Minnesota* 2012, chapter 299, art. 1, sec. 11, subd. 1.

<sup>59</sup> Minnesota Statutes 2016, 43A.38.

<sup>60</sup> Minnesota Statutes 2016, 43A.38, subd. 5.



A lobbyist or principal may not give a gift or request another to give a gift to an official. An official may not accept a gift from a lobbyist or principal.<sup>61</sup>

Although there are various exceptions provided in the law, a “gift” is in effect an item or service that has a value of more than \$5.00 given to an “official” by a lobbyist or lobbyist principal.<sup>62</sup>

The value of a ticket to a football game or concert at the U.S. Bank Stadium would clearly make it a “gift” under this law if it were given to public officials by a lobbyist or lobbyist principal. Thus, if the Authority qualifies as a “principal,” state law would prohibit the Authority from giving free stadium event tickets to “an official,” and the law would prohibit “an official” from accepting a ticket.

Therefore, the first issue is whether the Authority is a “principal,” under Minnesota’s *Campaign Finance and Public Disclosure Law*.<sup>63</sup> Authority officials addressed the question in its December 9, 2016, letter to OLA. They said:

The Authority takes this opportunity to address one question that has been raised: whether use of the suites implicates the Minnesota Ethics in Government Act [EGA], which prohibits gifts from lobbyists and “lobbyist principals” to public officials. The Authority has carefully considered the issue, and believes that providing suite tickets to public officials does not implicate the EGA, because the Authority is not a lobbyist principal. The Minnesota Campaign Finance & Public Disclosure Board has repeatedly held that public entities, such as the Authority, are not “lobbyist principals” within the meaning of the law. The Authority concludes that it is consistent with State law for the Authority to invite public officials to events in the Authority suites *as long as* there is a marketing purpose for the official attending.<sup>64</sup>

We discussed this assertion with officials at the Minnesota Campaign Finance and Public Disclosure Board. From those discussions and our consideration of the law, we agree that the Authority is not a “lobbyist principal” under either of these criteria.

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<sup>61</sup> *Minnesota Statutes* 2016, 10A.071, subd. 2. *Laws of Minnesota* 2012, chapter 299, art. 1, sec. 4, defined the Authority’s members and executive director as “public officials” subject to *Minnesota Statutes* 2016, chapter 10A, which includes the “Gift Law.”

<sup>62</sup> *Minnesota Statutes* 2016, 10A.071.

<sup>63</sup> That law defines a “principal” as “...an individual or association that: (1) spends more than \$500 in the aggregate in any calendar year to engage a lobbyist, compensate a lobbyist, or authorize the expenditure of money by a lobbyist; or (2) is not included in clause (1) and spends a total of at least \$50,000 in any calendar year on efforts to influence legislative action, administrative action, or the official action of metropolitan governmental units....”

<sup>64</sup> Michele Kelm-Helgen, Chair, and Ted Mondale, CEO/Executive Director, Minnesota Sports Facilities Authority, letter to James Nobles, Legislative Auditor, December 9, 2016.

On the other hand, we quote again something the Authority said in its December 9, 2016, letter:

The Authority concludes that it is consistent with State law for the Authority to invite public officials to events in the Authority suites *as long as* there is a marketing purpose.<sup>65</sup>

As noted previously, we do not think the Authority met this standard when it provided free suite tickets to several of the public officials. We simply do not see from the information the Authority provided to us, how there was a “marketing purpose” to provide free tickets to the state commissioners of Human Rights, Labor and Industry, Higher Education, and Management and Budget, as well as various other officials from the Metropolitan Council and the city of Minneapolis. While they may have various roles and responsibilities that give them some connection to the Authority, we do not think they have a role in marketing the stadium to future customers.

### **Ethical Violation**

Since technically the state’s *Code of Conduct for Employees in the Executive Branch* does not apply to the Authority, its commissioners and staff did not violate a law. However, we believe the commissioner and executive director violated a core ethical principle, which the Code contains. The Code prohibits public officials and employees from using their public position to obtain personal benefits.<sup>66</sup>

In addition, state laws and policies commonly instruct public officials to not only avoid conflicts of interest and ethical improprieties “in fact,” but also the “perception” of a conflict or impropriety.<sup>67</sup> The Authority commissioners and executive director did not heed this common ethical guidance. Instead, they created a public perception that they were using their positions to

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<sup>65</sup> *Ibid.*

<sup>66</sup> Except for the Authority’s executive director, we exclude support staff from this statement since they are not Authority decision makers. They were essentially told by those in positions of authority that it was “ok” to use complimentary suite tickets for themselves, family members, and/or friends. In addition, they used only a few tickets compared to the Authority commissioners and executive director.

<sup>67</sup> Association of Minnesota Counties, *General Ethics Guide for Counties* (St. Paul, 2016), “County officials must not appear to trade on his or her position for any personal advantage.” Minnesota Judicial Council, Court Employee Code of Ethics, *Policy 318*, “Employees shall avoid conflicts of interests, or the appearance of conflicts, in the performance of their official duties.” Minneapolis, Minnesota, Municipal Code, art. I., section 15.10 (2003), “We avoid actions that might...give the appearance of impropriety or a conflict of interest.” Minnesota Department of Administration, Office of Grants Management, *Policy 08-01*, “Minnesota state agencies must work to deliberately avoid both actual and perceived conflicts of interest related to grant-making at both the individual and organizational levels.” American Society for Public Administration, *Practices to Promote the ASPA Code of Ethics*, “Zealously guard against conflict of interest or its appearance.” See <https://www.aspanet.org/ASPA/Code-of-Ethics/ASPA/Code-of-Ethics/Code-of-Ethics.aspx?hkey=5b8f046b-dcbd-416d-87cd-0b8fcfacb5e7>, accessed January 18, 2017.

obtain benefits for their family members and friends.<sup>68</sup> We think the public reaction was so negative and strong because Authority officials were obtaining something free that is expensive and even unavailable to many Minnesotans and their families.

**Finding 3. The Authority's claim that it needs two suites rather than one is not supported by facts or logic.**

In its December 9, 2016, letter to OLA, the Authority said:

Access to two suites - instead of one - allows the Authority to market to a larger audience and allows active and simultaneous participation by all board members, without any risk to transparency of operations. The Authority believes it is important to have two suites, to allow board members to actively participate in marketing without ever having a quorum of the board in one location, which could lead to allegations that the board was engaging in communications outside of the Open Meeting Law.<sup>69</sup>

The Authority's use of suite tickets in 2016 clearly showed the Authority did not need two suites. As we said in Finding 1, the Authority gave 45 percent of the tickets we reviewed to family members and friends. In addition, we question whether the Authority had a legitimate "marketing purpose" for another 10 percent of the tickets it gave to people.

Based on our assumptions (which frequently gave the Authority "the benefit of the doubt" for a significant number of tickets), about 45 percent of the tickets were used for marketing. In short, we think one suite—with 18 tickets and 16 seats available for each event—would have sufficiently served the Authority's marketing needs. Nonetheless, the two suites are a public resource and we believe they should remain a public resource. Just because Authority members did not always use them for a public purpose does not mean they cannot be used for a public purpose in the future. We mention some suggestions in the Recommendations section.

We also question the Authority's other argument—that it needs two suites to avoid allegations that Authority commissioners are "engaging in communications outside of the Open Meeting Law." We think it is questionable that, to perform their official duties, all five commissioners need to sit in an Authority suite and observe all of the games and concerts that occur on the stadium field. Moreover, we do not see how having two suites solves the purported problem.

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<sup>68</sup> Numerous articles and editorials reflected the public perception that the Authority's actions were inappropriate. In addition to those cited in footnote 53, we note that in the *St. Paul Pioneer Press* on December 7, 2016, columnist Joe Soucheray said, "The guy in the bib overalls, who has been priced out of NFL games in the first place, would call this thievery." In addition, in a December 14, 2016, column, *StarTribune* columnist, Jon Tevlin, said, "I cannot recall an issue that so clearly polarized people into two camps: those who saw the perks as inappropriate, and those who saw the perks as wildly inappropriate."

<sup>69</sup> Michele Kelm-Helgen, Chair, and Ted Mondale, CEO/Executive Director, Minnesota Sports Facilities Authority, letter to James Nobles, Legislative Auditor, December 9, 2016, p. 4.

Dividing five commissioners between two suites still leaves at least three commissioners—a quorum—in one suite.

**Finding 4. The Authority failed to comply with state law by not maintaining a record of who received tickets to its stadium suites. However, state law does allow the Authority to keep certain marketing information private after it is created.**

The state’s Official Records Law says:

All officers and agencies of the state, counties, cities, towns, school districts, municipal subdivisions or corporations, or other public authorities or political entities within the state, hereinafter “public officer,” shall make and preserve all records necessary to a full and accurate knowledge of their official activities.<sup>70</sup>

As we have noted several times, Authority officials strongly assert that they control the suites to fulfill a public purpose and statutory responsibility. They, in effect, claim that the suites are essential to their ability to generate private revenue and avoid seeking additional public money to operate the stadium. Yet, for this important responsibility, the Authority failed to keep a record of who was being given free tickets.

In addition to its noncompliance with state law, the Authority’s lack of record keeping was a bad business practice. Moreover, when information requests forced the Authority to cobble a list together, the result, as we said earlier, was poorly organized, confusing, and incomplete. In addition, the delay in providing a list to legislators and media created a perception that the Authority was unwilling to be transparent and accountable.

In their December 9, 2016, letter, Authority officials argued that their position was misconstrued in media reports. They said:

The Authority takes this opportunity to clarify some confusion about its position on the applicability of [*Minnesota Statutes*] section 13.55. When it was initially asked for a list of attendees at the Authority’s suite[s], the Authority responded that it did not have a list at that time, and that certain marketing data is nonpublic or private under Minn. Stat. § 13.55. This statement has been misconstrued, with some people incorrectly claiming that the Authority refuses to provide a list of attendees and suggesting that the Authority has determined that the entire list is nonpublic or private. This is *not* the Authority’s position. As you will see, the Authority has enclosed lists of attendees for the Auditor’s review. The Authority does not, and never has, taken the position that the entire attendee list is

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<sup>70</sup> *Minnesota Statutes* 2016, 15.17, subd. 1.

nonpublic, but the Authority believes that certain names on those lists may temporarily be nonpublic or private data.<sup>71</sup>

If their position was misconstrued, Authority officials are largely responsible not only because they took days to assemble a list, but also because of the statements they reportedly made to the media. According to the *StarTribune* article that triggered the controversy, both the Authority's chair and executive director claimed that confidentiality was critical to getting people and organizations to consider booking events at the stadium. The Authority's executive director reportedly said, "If people think they're going to be in the newspaper, it's not going to be effective."<sup>72</sup>

## RECOMMENDATIONS

### **Recommendation 1. The Legislature should enact a law to control the Authority's use of complimentary tickets to events at the U.S. Bank Stadium.**

The law should require Authority members and employees to follow the same ethical principle and legal obligation most other public officials and employees are required to follow. The law should require them to use the Authority's suites (and any other public resources they control at the U.S. Bank Stadium) for a public purpose.

One option would be to apply the state's *Code of Conduct for Employees in the Executive Branch* to Authority members and employees. As noted previously, a provision in the Code says it is a conflict of interest to use or attempt to use an official position to "...secure benefits, privileges, exemptions or advantages for the employee or the employee's immediate family or an organization with which the employee is associated which are different from those available to the general public...."<sup>73</sup>

Alternatively, the Legislature could enact a law that applies specifically to the Authority. That approach would allow the Legislature to define allowable and unallowable uses for the suites and other public resources the Authority controls at the U.S. Bank Stadium.

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<sup>71</sup> Michele Kelm-Helgen, Chair, and Ted Mondale, CEO/Executive Director, Minnesota Sports Facilities Authority, letter to James Nobles, Legislative Auditor, December 9, 2016.

<sup>72</sup> Rochelle Olson, "Work or perk? U.S. Bank Stadium executives have free access to luxury suites," *StarTribune*, November 27, 2016.

<sup>73</sup> *Minnesota Statutes* 2016, 43A.38, subd. 5.

**Recommendation 2. The Legislature should consider enacting a law that would allow one or both of the Authority's suites at the U.S. Bank Stadium to be used for nonprofit charitable purposes.**

In preparing legislation to control the Authority's use of tickets to its stadium suites, we suggest the Legislature consider the possibility of authorizing some tickets to be used for charitable purposes. For example, a government entity that controls complimentary tickets could be authorized to work with nonprofit organizations to provide tickets to children and adults who may have various economic disadvantages, serious illnesses, or disabilities. The suites have more space, are more private, and can accommodate people who cannot sit in the typical row seating.

We make this recommendation because during our interview with the chair, the Authority's legal counsel said that it would not be a "public purpose" for the Authority to distribute some stadium suite tickets through nonprofit charitable organizations. We disagree with his assertion, but bring it to the Legislature's attention to explain why we are making this recommendation.

We also note that the former executive director of the Metrodome told us commissioners who controlled tickets to events at that stadium often worked with nonprofit charitable organizations to distribute free tickets to disadvantaged children and the elderly.<sup>74</sup>

**Recommendation 3. The Legislature should exercise more oversight of the Authority.**

The Authority's misuse of a public resource has damaged its credibility and diminished public trust. The Authority's recent action to change its stadium suites use policy may help repair the damage and restore some trust, but we think the Authority needs stronger outside oversight.

The governor could provide oversight since he appoints the chair and two other members of the Authority. The Legislative Branch also has a responsibility.

First, the Office of the Legislative Auditor is the Authority's auditor, and we should—and will—conduct deeper examinations of the Authority's operations. In the past, we limited the scope of our audits to the Authority's annual financial statements. In the future, we will expand our scope—or conduct supplementary audits—to examine many other aspects of the Authority's performance.

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<sup>74</sup> Bill Lester, former executive director of Metropolitan Sports Facilities Commission, interview with the Office of the Legislative Auditor, January 20, 2017.

Second, the 2012 law that authorized public financial support for a new football stadium created a legislative commission to oversee the Authority. In establishing the commission, the Legislature said:

The legislature finds that continuous legislative review of the financial management of the authority is necessary to promote fiscal responsibility and good management, and strengthen the accountability of the authority.<sup>75</sup>

The commission met several times during the stadium's construction, but only twice in 2015 and once in 2016. In fact, at its final meeting on June 30, 2016, the commission did not have a quorum and some members questioned whether the commission should continue. Because the construction of the new stadium had progressed "on time and on budget," some members expressed confidence in the Authority to fulfill their ongoing responsibilities.

We think the Authority's use of its stadium suites suggests the need for continued legislative oversight. That could, of course, occur through House and Senate committees, but the commission could also be an effective oversight mechanism as well.

To facilitate legislative oversight, we suggest that the Legislature enact a requirement that the Authority provide quarterly performance reports to the Legislative Commission on Minnesota Sports Facilities and the appropriate House and Senate committees. The report should provide the Legislature with information about revenues and expenditures, events, maintenance and capital repair issues, and the Authority's use of the suites and other spaces at the U.S. Bank Stadium.

**Recommendation 4. The Legislature should consider enactment of laws to control the use of complimentary tickets at all sports and entertainment facilities built with public money.**

As we noted earlier, the Minnesota Sports Facilities Authority justified its practice of providing free tickets to family and friends by saying that was a common practice at other publicly owned facilities. We made limited inquiries about practices at other publicly owned facilities and found that practices vary. For example:

- The executive director of the Minneapolis Convention Center told us that the city of Minneapolis does not have access to a suite or tickets at the Target Center, which it owns. He told us that if city officials are invited to an event at the Target Center, they either need to personally pay for their tickets or provide a business purpose to receive complimentary tickets.<sup>76</sup>

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<sup>75</sup> *Minnesota Statutes* 2016, 3.88422, subd. 1.

<sup>76</sup> Jeff Johnson, Executive Director, Minneapolis Convention Center, telephone conversation with OLA, December 8, 2016.

- On the other hand, the executive director of the Minnesota Ballpark Authority, which owns Target Field, told us that each member of that Authority may reserve tickets to nine games. A limited number of dates are also available for charitable organizations and schools. The executive director said the Authority's policy does not restrict the use of complimentary tickets for a particular purpose (e.g., marketing), nor does it prevent tickets from being used to bring family or friends.<sup>77</sup>

In our opinion, all public officials and employees should be required to use their positions and public resources only for a public purpose. Either they should be subject to the state's Code of Conduct or a law specifically written to control their use of complimentary tickets to events and services provided at publicly financed sports and entertainment facilities.

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<sup>77</sup> Dan Kenney, Executive Director, Minnesota Ballpark Authority, telephone conversation with OLA, December 8, 2016.



## Appendix A

### List of U.S. Bank Stadium Public Events Covered in this Review

Event	Date
International Soccer, Chelsea v. AC Milan	August 3, 2016
Luke Bryan Concert	August 19, 2016
Metallica Concert	August 20, 2016
Minnesota Vikings v. San Diego Chargers	August 28, 2016
Minnesota Vikings v. L.A. Rams	September 1, 2016
Minnesota Vikings v. Green Bay Packers	September 18, 2016
Minnesota Vikings v. N.Y. Giants	October 3, 2016
Minnesota Vikings v. Houston Texans	October 9, 2016
U.S. Women's Soccer v. Switzerland	October 23, 2016
Minnesota Vikings v. Detroit Lions	November 6, 2016
Minnesota Vikings v. Arizona Cardinals	November 20, 2016
Minnesota Vikings v. Dallas Cowboys	December 1, 2016

SOURCE: Office of the Legislative Auditor.



## Appendix B

### **Members of the Minnesota Sports Facilities Authority During the Time of OLA Review Appointed by Minnesota Governor or Mayor of Minneapolis**

Appointed by the Governor	Appointed	End of Term
Michele Kelm-Helgen, Chair	June 2012	January 2020
John Griffith	June 2012	December 2016*
Tony Sertich	August 2015	December 2019

Appointed by the Mayor	Appointed	End of Term
William McCarthy, Vice Chair	June 2012	December 2016**
Barbara Butts-Williams	June 2012/December 2015	December 2019

\* Governor Dayton appointed Kathleen Blatz to replace John Griffith.

\*\* According to the Authority, Mayor Hodges will reappoint William McCarthy.

SOURCE: Office of the Legislative Auditor.



**Appendix C**  
**Authority Guest List as Provided to OLA**



### **AC MILAN v CHELSEA GAME, Aug 3**

Michele Kelm-Helgen

Hank Helgen, MKH guest (paid for ticket)

Thomas Helgen and Adam Fetcher, MKH guests (paid for tickets)

Pat and Scott Sharkey, MKH guest (paid for tickets)

X games (3 tickets, included X Games staff and consultants) who were in town for the day to review stadium set-up, operations and details for our 2017/2018 bid

U of M Attendees:

- Deputy Athletics Director John Cunningham (paid for ticket)
  - Associate Athletics Director/Facilities Scott Ellison (paid for ticket)
  - Senior Associate Athletics Director Tom McGinnis (paid for ticket)
  - TCF Bank Stadium Director of Event Management John Tweedy (paid for ticket)
  - Former Senior Associate Athletic Director for Strategic Communications Chris Werle (awaiting his check for tickets)
- Purpose: Gophers Athletics Department staff were invited to join staff from U.S. Bank Stadium and Sports Minneapolis to host the X Games staff. At the time, the University and MSFA were jointly pursuing an X Games bid since TCF Bank Stadium was still under consideration to host X Games events. In addition, athletics department staff were working with U.S. Bank Stadium staff on select NCAA Championship bids. The August 3 game provided an opportunity to observe stadium operations for a major event.

D. Evan Sallee, Fairstate Coop, NE Mpls; working with the stadium on local craft beer exposure and events; potential for craft beer festivals, etc.

\*Relevant Sports, event promoters, did not require tickets but came to the Suite during half time and the Authority participated in pictures and promotions during the event

### **LUKE BRYAN CONCERT, August 19th**

Michele Kelm-Helgen

Hank Helgen, MKH guest (paid for tickets)

Paul Weirtz, ATT, guests daughters and boyfriend, MKH (paid for tickets)

Elizabeth Brady and boyfriend (Paul), MSFA staff; (paid for tickets)

Mike Buller and spouse, MMB Holdings, Business Consultant, Purpose: meeting and event marketing (have notified me that they plan to send a check to pay for tickets, but haven't yet received)

Dave Fisher, ManCave Meats, and spouse. Purpose: meeting and event marketing

\*Concert Promoters, Corporate SMG staff; did not require tickets but came to the Suite to meet Commissioners and the Authority Chair participated in pictures and promotions during the event (have notified me that they plan to send a check to pay for tickets, but haven't yet received)

Guests of Chair Michele Kelm-Helgren

**METALLICA, August 20th**

Michele Kelm-Helgen

Hank Helgen, MKH guest (paid for tickets)

Robert Hanlon, MKH guest (paid for tickets)

Jim Tierney and spouse, Tierney Brothers, meeting and event marketing

Julie Idelkope, Pfizer, meeting and event marketing

Scott Stenman, Hammes Corp, Project Owners Rep and spouse, Sherry Stenman; had their own tickets, came to the suite and joined us for a time.

\*Concert Promoters and Corporate SMG staff; did not require tickets but came to the Suite to meet Commissioners and the Authority participated in pictures and promotion during the event

**SD CHARGER GAME, August 28th**

Michele Kelm-Helgen

Bill and Will Brady, guests of MKH (paid for tickets)

Sports Mpls staff, focused on marketing with MSFA and U of M, for X Games, Super Bowl, numerous NCAA championships:

Brent Foerster

Madonna Carr

Matt Meneir and John Tweedy, U of M TCF Director of Event Management (paid for ticket)

Margaret Anderson Kelliher and spouse, MN Ballpark Authority Board Chair, mutual promotion of stadiums and partner work on significant event bids (X Games, Final Four, etc)

Tom Conboy and spouse, Tom Conboy Sales Group, marketing focused on meetings and events for businesses (have notified me that they plan to send a check to pay for tickets, but haven't yet received)

Danielle Pierce and her guest, Jake Lund, Tunheim, marketing assistance to the Authority (paid for the tickets).

**LA RAMS GAME, Sept 1**

Michele Kelm-Helgen

Lee Sheehy and Cathy Lawrence, guests of MKH (paid for tickets)

Elizabeth Brady, MSFA staff and 2 guests (Elizabeth Morrissey and Megan Edgerton (paid for these tickets)

Kevin Lindsey, Human Rights, work with us on recruitment and outreach for women and minority small business and worker programs for building operations to meet targeted goals (paid for ticket)

Alli Fetissoff, VP of Strategy and Communications, New Partners; oversees events and marketing, looking at event space and venues for clients

Katie Tinucci and spouse, College Football bid director 2016 and marketing work for upcoming College Football bid

David and Jan Jones, Hubbard Broadcasting, meeting and event marketing (paid for tickets)



Linden Zakula, Communications assistance for State support on marketing bids for major events (X Games, Final Four, College Football and Super Bowl); (paid for ticket)

David Ybarra, President of MN Pipetrades Association and MN Ballpark Authority Boardmember, and spouse; meeting and event marketing for trades and mutual stadium promotion and partner work on significant event bids

Jeff Miller and spouse, Minneapolis Building Trades, meeting and event marketing

Myron Frans, MMB Commissioner, assistance for major bids (SB, Final Four, College Football and X Games) (paid for ticket)

Susan Segal, City of Mpls, assistance for major bids (SB, Final Four, College Football and X Games) (paid for ticket)

### **GREEN BAY PACKERS GAME, Sept. 18th**

Michele Kelm-Helgen

NCAA Mens Basketball Staff (2) were in town for the day to tour the stadium and outside environs and see the operation of the event; the Final Four marketing for our 2019 bid award and the next bid which will be due next year, was the primary the focus of this game/event for the following people:

Mayor Betsey Hodges, City of Mpls and spouse (paid for tickets)

Myron Frans, State of MN (paid for ticket)

Susan Segal, City of Mpls (paid for ticket)

Kate Mortenson, CEO, Final Four LOC

Melvin Tenant, Meet Mpls

Scott Romane, Sports Mpls

U of M Attendees:

- Director of Athletics Mark Coyle and his wife (paid for tickets)
- Deputy Athletics Director John Cunningham (paid for tickets)
- Senior Associate Athletics Director Tom McGinnis (paid for tickets)

Purpose: Gophers Athletics Department staff joined U.S. Bank Stadium staff, and representatives from Meet Minneapolis and Sports Minneapolis, to host staff members from the NCAA and observe stadium operations. This was the NCAA's first opportunity to see the stadium after Minneapolis was awarded the 2019 Final Four, for which the University will serve as the host institution.

Bob Bruiniks and spouse, Former U of M President and member of NCAA Board and Former Chair of the Big 10 basketball committee (paid for tickets)

Fred and Mary Jahnke, owner of Premier Electric, meeting and event marketing for their business

Guests of Chair Michele Kelm-Helgren

### **NEW YORK GIANTS GAME, Oct. 3**

Michele Kelm-Helgen

X Games executives and Staff (8) were in town for the day to review operations, set-up and execution for their event and joined us in the suite that evening; another marketing bid is being prepared for 2019.

To support these marketing efforts for the 2017/18 bid and the bid we are making next year, the following City of Mpls people were with us to support these marketing efforts:

Councilmember Jacob Frey (paid for ticket)

City Coordinator Spencer Cronk (paid for ticket)

### **HOUSTON GAME, Oct. 9th**

Michele Kelm-Helgen

\*Hank Helgen, spouse, had ticket in his own seats where he sat but he stopped by the suite and had something to drink (paid \$20.00)

Bill and Julie Brady, guests of MKH (paid for tickets)

Fran Neir, guest of MKH (paid for ticket)

Elizabeth Brady, MSFA staff, SRO, (paid for ticket)

Michael McLaughlin, Urban Works, and guest Lori; marketing assistance related to skyway path/hours for game day and Authority events

Steve Cramer and spouse, President/CEO of Downtown Council, working with the Authority on stadium and Commons promotion and marketing with businesses in Mpls, major event promotion, etc

Pat Hickey, CEO, Print Group Global/Print Group Midwest and spouse, marketing for meetings and events (paid for tickets)

Kevin Lewis and spouse, Executive Director at Building Owners and Managers Association of Mpls and St Paul; marketing for meeting and events as well as assistance for large event promotion and skyway route assistance

Scot Housh and spouse, Managing partner of Willis, Co-Chair of College Football Championships 2016 bid and marketing for upcoming bid

Peggy Lucas and spouse, marketing assistance and event promotion with Mill City business and residents associations, a developer in the Mill City area, promoting economic investment in the area; Peggy served on the City's implementation committee and is also a member of the Board of Regents (paid for ticket)

Guests of Chair Michele Kelm-Helgren

## **DETROIT GAME, Nov. 6th**

Michele Kelm-Helgen

Chris Meuers, and spouse, MKH guests (paid for tickets)

Andy Kozak, MKH guest (paid for tickets)

Dan Collison and son, Executive Director of the East Town Business Association; Dan works on marketing and community engagement, promoting the stadium and many events

Bill Robertson, Mens Commissioner Western Collegiate Hockey Association, and guest, Mr. Pat Nesheim; toured venue for potential marketing for stadium hosted conference championship game or showcase hockey event or meetings; event promotion and marketing

Met Transit has worked to partner with us to increase light rail and bus ridership and improve the operational efficiency to increase and enhance customer experience at the stadium and help market events to stadium clients in the future. Met transit operational staff were invited to this game to review the operational flow of the light rail and bus service (observing entrance and exiting the building) to help increase ridership which benefits marketing of the stadium.

The following Met Transit staff attended:

Brian Funk, Dir. Of Bus Operations

Mark Benedict, Dir of Light Rail Operations

Michael Guse, Manager of Rail Communications Center

Demetairs Bell, Asst Manager Street Operations

Jenny and Brian Winkelaar, Director of Public Relations at Mpls Building and Trades Council; promotion and marketing for events and meetings in stadium with Trade Council members

Dan McConnell and Becky Boland, Business Manager, Mpls Building and Trades Council;

promotion and marketing for events and meetings in stadium with Trade Council members

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Ken Peterson, Commissioner of Doli and son (paid for tickets); Department of Labor and Industry continues to work with us on programs to meet labor and diversity goals for building operations

U of M Attendees (paid for tickets)

- Chief of Staff Amy Phenix and her husband
- Deputy Chief of Staff Elizabeth Eull and her husband

Purpose: Phenix and Eull attended the game as representatives of the Office of the President. The University and the MSFA partner on a variety of event hosting bids. For example, the organizations were necessary partners to bid on hosting NCAA championships, like the successful 2019 Final Four bid, which require a large facility (i.e., U.S. Bank Stadium) and an NCAA institution (i.e., the University). Other bids have included the X Games and 2018 Super Bowl.

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Michele Kelm-Helgen

\*Michele's daughter was at the game with other family and had a ticket and seat in another area of the stadium; while she did not have a ticket for our suite, she did come to the suite with me a couple of times for awhile (she had just come home for Thanksgiving and wanted to see me) and ate a hot dog, some popcorn and had a diet pepsi. (I have paid \$20.00 for her food and beverage)

Bill and Julie Brady, MKH guests (paid for tickets)

Michael Langley, Greater MSP and spouse; marketing for events and meetings

4 additional Greater MSP staff, marketing for events and meetings

Gary Cunningham, MEDA; (paid for ticket); work with MEDA on marketing for minority businesses who may fulfill our targeted business stadium operation goals and expose MEDA businesses to meeting and event spaces in the stadium

Chuck Lutz; City of Mpls; (paid for ticket); attended the event to see the infrastructure and logistics of the stadium and how it functions, relative to the work being considered by the City (contra-flow lane being considered, street closures for major events, commons operation and function, etc)

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Matt Menier, Scott Romane, Meet Mpls; marketing and promotion of Minneapolis and stadium and events with Xgames staff, NCAA staff and other significant event promoter

2 people with a significant event group that we will be bidding on

2 people here with a concert promotion group, looking at a possible summer music series

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2 people here with a concert promotion group, looking at a possible summer music series

2 people (Joe and Jill Duncan) promoting a possible terra cross event and X Games events

Mark Rivard who is working with us to promote the stadium for 2020 Xgames and working with the schools on a skate board project

Guests of Chair Michele Kelm-Helgen

December 5, 2016

Michele,

I have listed below the stadium events which I attended along with individuals who attended for the purpose of marketing/public purpose or as a guest:

Soccer Event—Bill McCarthy and 3 guests-- Adi McCarthy, Sam McCarthy and Liam McCarthy

Metallica Concert—Bill McCarthy and 2 guests-- Adi McCarthy, Elly McCarthy

Aug. 28 Pre-season game (Chargers)—Bill McCarthy and 3 Met Council Representatives-- Marie McCarthy, Eric Wojchik and Zoe Mullendore-public purpose--observing bridge and rail traffic

Sept. 18 (Packers)—Bill McCarthy and spouse Marie McCarthy and 3 guests—Adi McCarthy, Sam McCarthy, Liam McCarthy

Oct. 3—(Giants) Bill McCarthy, Marketing guest Bobby Kasper--Labor leader seeking to book event & support X Games; Guests-- George Latimer and 3 of his grandsons/sons.

Oct. 9—Texans--Bill McCarthy and 2 guests, Alice Johnson, Richard Jefferson (former Commissioner)

Nov. 6—Detroit--Bill McCarthy and spouse Marie McCarthy, Salah Tarraf, Jane Tarraf and business partner—representatives from Tarraf Construction, a minority sub-contractor for stadium and board member of MEDA. (Marketing)

Nov. 20—Cardinals--Bill McCarthy and spouse Marie McCarthy, and 2 guests—Hector Dela Cruz, Danielle Del Cruz

Dec.1—Cowboys--Bill McCarthy

If you need further information, please let me know and I will follow-up.

Bill

Guests of Board Member Bill McCarthy



## BBW Guest List

US Women Soccer Championship Game – October 23, 2016

BBW Paid \$100 each: Total\$2,000.

Jackie Kory
Selina Reyna
Adria Campbell
Lindsey Huff
Lisa Bastien
Andrew Willenbring
Bree Murphy
Rebecca Willenbring
Stephen Burgdorf
Dustin Cain
Josh Iniguez,
Matt Axelson
Paul Grossklaus
Jenn Parks
Vega Gabriella
Amy Sweeney
Lola Thomas
Cara Brinton
Michael Youngquist
Chris Truscott
Barbara Butts Williams
Commissioner

International Champions Cup Soccer Game – August 3, 2016: BBW Paid: 4 tickets &  
Food \$ 575 for guests

1. Josh Iniguez
2. Bree Murphy
3. Selina Reyna
4. Kristina Iniguez
5. Barbara Butts Williams – Commissioner

Guests of Board Member Barbara Butts  
Williams, PhD

**Metallica Concert: August 2016 – BBW 4 tickets & Food \$575 for guests**

1. Abbey Mackenzie Kerl
2. Becky Polster
3. Jen Wetzel
4. Leon Trawick
5. Barbara Butts Williams – Commissioner

**Commissioner BBW Guest List  
Names for Vikings Game: Suite Guests**

**Vikings Games Use of Suite and attendance – Commissioner Butts Williams  
(BBW has own season tickets)**

**Pre-season Game:** Barbara attended a pre-season game - no guests

**Season Games:** Barbara attended 2 games during 2016 in the suite

**Opening Game: Green Bay Packer Packers – BBW Paid \$800 for Guests**

1. Brenda Banks
2. Tony Richardson
3. Patty Mesenbrink
4. Tanya Butler
5. Barbara Butts Williams – Commissioner

**New York Giants Game – BBW Paid \$800 for Guests**

1. Libby Huebner & Guest
2. Amy Huebner & Guest
3. Commissioner Butts Williams

**Houston Texan Game** - Barbara **visited** the suite during half-time. (no guests)- needed ticket for access.

Guests of Board Member Barbara Butts  
Williams, PhD

John Griffith

Grand Opening: Lisa Griffith, Tim and MaryKay Jensen

Opening Soccer: 4 tickets: me, Lisa and two friends

Vikings: 1 ticket for myself at San Diego Chargers pre-season game

Women's Soccer: 1 ticket for me

Concerts: 0 tickets

Guests of Board Member John D. Griffith





Guests of Sertich

Diane Rauschenfels +1 Texans

Steve Downing +1 Texans

Trent Janezich Texans

Shawn Anderson +1 Bryan

Bill Petrangelo Bryan Metallica

Jeremy Laine Metallica

Jason Holliday +1 Metallica

Rich Puhek Metallica

Tallie Sertich Packers Giants Rams

Joe Sertich Packers

Nancy Sertich Packers

Manda Sertich Giants

Malvin Moore Giants

John Pollard Packers

Grant Anderson Chargers

Keith Edwards Chargers

Tony Sertich Chargers Rams Packers Giants

Texans Bryan Metallica

Guests of Board Member Tony Sertich



<u>EVENT</u>	<u>COMPANY</u>	<u>REASON</u>
<b><u>Milan vs Chelsea Soccer game (8/3/2016)</u></b>		
Rebecca Mondale		Ted Guest
Louie Mondale		Ted Guest
<b><u>Luke Bryan Concert (8/19/2016)</u></b>		
Rebecca Mondale		Ted Guest
D. Miller		Ted Guest
C. Miller		Ted Guest
Sue Arcand	MSFA Staff	
Dee Thompson		Ted Guest
Tim Woller		Ted Guest
Denny Littlefield		Ted Guest
Haley Housh	MSFA Staff	
Austin Housh		Ted Guest
<b><u>Metallica Concert (8/20/2016)</u></b>		
Rebecca Miller		Ted Guest
Justin Buoen	New Partners	Potential Event
Jerry Smargia	New Partners	Potential Event
Theo Brasch		Ted Guest
L. Brasch		Ted Guest
Mary Fox-Stroman	MSFA Staff	

Guests of CEO/Executive Director  
Ted Mondale

Steve Fox-Stroman		Ted Guest
<b><u>Vikings Pre-Season vs Chargers (8/28/2016)</u></b>		
Louie Mondale		Ted Guest
Joel Conner	Belliso Foods	Potenital Event
T. Conner		Joel's son
<b><u>Vikings Pre-Season vs Rams (9/1/2016)</u></b>		
Theo Brasch		Ted Guest
L. Brasch		Ted Guest
<b><u>Vikings vs Packers (9/18/2016)</u></b>		
Walter Mondale		Ted Guest
Rebecca Mondale		Ted Guest
Louie Mondale		Ted Guest
Jack Nelson		Ted Guest
<b><u>Vikings vs Giants (10/3/2016)</u></b>		
Rebecca Mondale		Ted Guest
Louie Mondale		Ted Guest
Mason Smith		Ted Guest
Samantha Skinner		Ted Guest
Jeff Skinner		Ted Guest

<b><u>Vikings vs Texans (10/9/2016)</u></b>		
Rebecca Mondale		Ted Guest
Louie Mondale		Ted Guest
Jack Dwyer		Ted Guest
Real Estate Industry Executive		Potential Event
Real Estate Industry Executive		Potential Event
Amy Quaintance	MSFA Staff	
S. Quaintance		Ted Guest
<b><u>USA vs Switzerland Soccer Game (10/23/2016)</u></b>		
Rebecca Mondale		Ted Guest
D. Miller		Ted Guest
C. Miller		Ted Guest
Theo Brasch		Ted Guest
L. Brasch		Ted Guest
<b><u>Vikings vs Lions (11/6/2016)</u></b>		
Rebecca Mondale		Ted Guest
Louie Mondale		Ted Guest
Mason Smith		Ted Guest

Guests of CEO/Executive Director  
Ted Mondale

<b><u>Vikings vs Cardinals (11/20/2016)</u></b>		
Rebecca Mondale		Ted Guest
Louie Mondale		Ted Guest
Jeremiah Sullivan		Ted Guest
<b><u>Vikings vs Cowboys (12/1/2016)</u></b>		
Pete Rhodes	Black Music America G	Minority Recruitment
Al McFarlane	Insight News	Minority Recruitment
Louis King	Summit OAC	Equity Recruitment
Leroy West	Summit OAC	Equity Recruitment

Guests of CEO/Executive Director  
Ted Mondale

**Appendix D**

**Authority Payment List as Provided to OLA**





	Event	Check Date	Deposit Slip Date	Amount
Kevin Lindsey	Vikings Game 9/1/16	9/7/2016	11/17/2016	\$ 200.00
Walter Mondale	Vikings Game 9/18/16	10/26/2016	10/26/2016	\$ 350.00
Kenneth Peterson	Vikings Game 11/6/16	11/5/2016	11/18/2016	\$ 200.00
Lawrence Pogemiller	Vikings Game 11/6/16	11/13/2016	11/18/2016	\$ 200.00
Jacob Frey	Vikings Game 10/3/16	11/15/2016	11/18/2016	\$ 200.00
Spencer Cronk	Vikings Game 10/3/16	11/16/2016	11/17/2016	\$ 200.00
Myron Frans	Vikings Games 9/1 & 9/18/16	11/16/2016	11/17/2016	\$ 800.00
Linden Zakula	Preseason Vikings Game 9/1/16	11/16/2016	11/17/2016	\$ 200.00
Charles Lutz	Vikings Game 11/20/16	11/18/2016	11/21/2016	\$ 200.00
Elizabeth Hodges	Vikings Game 9/18/16	11/19/2016	11/21/2016	\$ 200.00
Gary Cunningham	Vikings Game 11/20/16	11/20/2016	11/21/2016	\$ 200.00
<b>Checks received 12/06/2016 by Finance Department</b>				
Mary Fox-Stroman	Metallica Concert	12/5/2016	12/8/2016	\$ 400.00
Mary Fox-Stroman	Vikings Game 10/09/16	12/5/2016	12/8/2016	\$ 400.00
Barbara Butts Williams	Womens Soccer Game	12/5/2016	12/8/2016	\$ 2,000.00
Barbara Butts Williams	Mens Soccer Game 8/3/16	12/5/2016	12/8/2016	\$ 575.00
Barbara Butts Williams	Metallica Concert	12/5/2016	12/8/2016	\$ 575.00
Barbara Butts Williams	Vikings Game 09/18/16	12/5/2016	12/8/2016	\$ 800.00
Barbara Butts Williams	Vikings Game 10/03/16	12/5/2016	12/8/2016	\$ 800.00
Lee Sheehy	Vikings Game 9/1/16	12/5/2016	12/8/2016	\$ 400.00
Andrew Kozak	Vikings Game 11/6/16	12/4/2016	12/8/2016	\$ 200.00
David Allen Jones	Vikings Preseason Game	12/5/2016	12/8/2016	\$ 400.00
Christine Meuers	Vikings Game 11/06/2016	12/1/2016	12/8/2016	\$ 400.00
Kenneth Peterson	Vikings Game 11/6/16	12/1/2016	12/8/2016	\$ 200.00
William Brady	Vikings Game 8/28,10/9, 11/20/16	12/2/2016	12/8/2016	\$ 1,200.00
Susan Hagstrum	Vikings Game 9/18/16	12/2/2016	12/8/2016	\$ 400.00
John Pollard	Vikings Game 9/18/16	11/30/2016	12/8/2016	\$ 200.00
Scot Housh	Vikings Game 10/9/16	12/5/2016	12/8/2016	\$ 400.00
Alice Johnson	Vikings Game 10/9/16	11/30/2016	12/8/2016	\$ 200.00
<b>Checks received 12/07/2016 by Finance Department</b>				
Gary Cunningham	Vikings Game 9/18/16	12/7/2016	12/8/2016	\$ 200.00
Michele Kelm-Helgen	Mens Soccer Game 8/3/16	12/7/2016	12/8/2016	\$ 750.00
Michele Kelm-Helgen	Vikings Game 10/9, food 10/9, 11/20 food	12/7/2016	12/8/2016	\$ 240.00
Michele Kelm-Helgen	1 Luke Bryan/2 Metallica tickets	12/7/2016	12/8/2016	\$ 450.00
Jeremy Laine	Metallica Concert	12/6/2016	12/8/2016	\$ 130.00
Pat Hickey	Vikings Game 10/9/16	12/1/2016	12/8/2016	\$ 400.00
<b>Checks received 12/08/2016 by Finance Department</b>				
Sue Arcand	4 Luke Bryan tickets & food	12/7/2016	12/9/2016	\$ 600.00
Elizabeth Brady	Vikings Game 9/01/16	12/8/2016	12/9/2016	\$ 600.00
Elizabeth Brady	2 Luke Bryan tickets & food	12/8/2016	12/9/2016	\$ 300.00
Elizabeth Brady	Vikings game 10/09/16	12/8/2016	12/9/2016	\$ 200.00
Jeremy Laine	Metallica Concert - see above pymt also	12/6/2016	12/9/2016	\$ 70.00
Amy Phenix	Vikings game 11/6/16	12/1/2016	12/9/2016	\$ 400.00
Elizabeth Eull	Vikings game 11/6/16	12/2/2016	12/9/2016	\$ 400.00
<b>Checks received 12/09/2016 by Finance Department</b>				
Jenn Hathaway	Womens Soccer-2, Metallica-2, Vikings Game 8/28 - 2	12/9/2016	12/9/2016	\$ 900.00
Tunheim Partners	Danielle Peirce & guest Vikings game 8/28/16	12/8/2016	12/9/2016	\$ 400.00
Paul Weirtz	4 Luke Bryan tickets	12/6/2016	12/9/2016	\$ 500.00
<b>Checks received 12/09/2016 (at 4:30 pm) by Finance Department</b>				
Scott Ellison	Mens Soccer Game	12/4/2016	12/12/2016	\$ 130.00
John D. Tweedy	Mens Soccer Game and Vikings Game 08/28/16	12/9/2016	12/12/2016	\$ 330.00
Mark Coyle	Vikings Game 09/18/16	12/2/2016	12/12/2016	\$ 400.00
Thomas McGinnis III	Mens Soccer Game and Vikings Game 09/18/16	12/7/2016	12/12/2016	\$ 230.00
J. Cunningham	Mens Soccer Game and Vikings Game 09/18/16	12/8/2016	12/12/2016	\$ 230.00
<b>Checks received 12/12/2016 by Finance Department</b>				
Amy Quaintance	Vikings Game 10/09/16	12/9/2016	12/12/2016	\$ 400.00
William Petrangelo	Luke Bryan Concert	12/8/2016	12/12/2016	\$ 145.00
William Petrangelo	Metallica Concert	12/7/2016	12/12/2016	\$ 255.00
<b>Checks received from 12/13 through 12/22/16 by Finance Department</b>				
Susan Housh	2 Luke Bryan Tickets-Haley and Austin Housh	12/12/2016	12/22/2016	\$ 300.00
Thomas Conboy	Vikings Game 8/28/16	12/12/2016	12/22/2016	\$ 400.00
Jean Buller	2 Luke Bryan Tickets	12/12/2016	12/22/2016	\$ 300.00
Kathleen Fisher	2 Luke Bryan Tickets	12/10/2016	12/22/2016	\$ 300.00
Christopher Werle	Mens Soccer Game	12/14/2016	12/22/2016	\$ 130.00
<b>Check received 12/29/16 by Finance Department</b>				
Justin Buoen	Metallica Concert	12/29/2016	1/3/2016	\$ 200.00
<b>Check received 01/19/2017 by Finance Department</b>				
		1/19/2017	1/20/2017	
Ted Mondale	Mens Soccer Game			\$ 439.74
	Luke Bryan Concert			\$ 619.62
	Metallica Concert			\$ 211.04
	Vikings Game 8/28/16			\$ 203.41
	Vikings Game 9/18/16			\$ 610.23
	Vikings Game 10/3/16			\$ 406.82
	Vikings Game 10/9/16			\$ 610.23
	Womens Soccer Game			\$ 323.94
	Vikings Game 11/6/16			\$ 610.23
	Vikings Game 11/20/16			\$ 610.23
	check total			\$ 4,645.49
				<u>\$ 27,435.49</u>



## **Appendix E**

### **Authority Parking Pass List as Provided to Legislators and OLA**



Attachment #4

**Parking passes provided for events:**

8/3

- John Tweedy
- Scott Ellison
- Tom McGinnis
- Bree Murphy
- Chris Werle
- John Cunningham
- Dixon Ayo-Taylor
- Scott Sharkey

8/19

- Dave Fisher
- Shawn Anderson
- Paul Weirtz

8/20

- Barbara Butts Williams
- Leo Trawick
- Jeremy Laine
- Jason Hollinday
- Julie Idelkope
- Bill McCarthy
- Justin Buoen

8/28

- Steve Peterson
- Grant Anderson
- Bill Brady
- Thomas Conboy
- Danielle Pierce
- Joel Conner

9/1

- John Griffith

9/18

- Jack Nelson
- Barbara Butts Williams

- Tony Richardson
- John Griffith
- Tony Sertich
- John Pollard
- Myran Frans

10/3

- Barbara Butts Williams
- Tony Sertich
- Bill McCarthy
- John Griffith
- Samantha Skinner

10/9

- Kevin Lewis
- Michael McLaughlin
- Barbara Butts Williams
- Elizabeth Brady
- Steve Cramer
- Bill Brady
- Louis Mondale

10/23

- John Griffith

**11/20**

- Louis King

**11/6**

- Bill Robertson
- Bill McCarthy
- Jenny Winkelaar
- Ken Peterson
- Amy Phenix
- John Griffith

**12/1**

- Barbara Butts Williams

**Attendees for each event:**

In the electronic copy, the attendees are additional PDF attachments.

Attachment #5



Via Email

February 3, 2017

James Nobles, Legislative Auditor  
Office of the Legislative Auditor  
Room 140 – Centennial Building  
658 Cedar Street  
St. Paul, MN 55155-1603

Re: Minnesota Sports Facilities Authority Response to the Auditor's Report Regarding Use of Suites for Marketing Purposes

Dear Mr. Nobles:

The Minnesota Sports Facilities Authority has reviewed the Auditor's report regarding suite use. Thank you for your fair and thorough assessment. The Authority will fully implement (or already has implemented) all recommendations. The Authority welcomes the opportunity to respond to the statements in the report and provide further information about the Authority's efforts to use, in a manner fully compliant with its public responsibilities, the complimentary suite access it negotiated from the Minnesota Vikings. The Authority's goal remains to use the suites to secure bookings of future events and generate revenue for this vital publicly-owned facility.

First, and most importantly, the Authority recognizes and understands the significant public criticism following reporting of how the Authority suites were used and has acted to immediately address those concerns. The Authority acknowledges that these concerns are valid and has acted to immediately address them. At the time, the Authority believed that its suite use was appropriate because it was consistent with past practice and with use of suites in other local facilities. However, the Authority now recognizes that this was not the expected comparison. The question is not whether the suite use is consistent with what is common practice; the question is whether the suite use is consistent with what *ought* to be done.

To address these valid concerns, the Authority adopted a revised suite use policy on December 15, 2016, that preemptively addressed nearly all the criticisms in the Auditor's report. The Authority listened carefully to feedback and critiques of its prior policy by the public and government officials (including the Auditor), and in December 2016 acted upon those concerns by implementing the revised policy. The revised policy places additional restrictions on suite use and implements additional documentation policies. The two most significant critiques of the Authority – use of suite by non-business guests and the manner of record retention – will not occur in the future, because the revised policy has already corrected these deficiencies. The Auditor's report covers the initial events held at the Stadium between August 3 and December 1, 2017. It is important to note that the activities covered by the report have not occurred since December 1, and will not occur in the future.

The Authority recognizes that public trust in its operations is vital, and is committed to demonstrating, through its actions, that the public can and should trust that the Authority is committed to serving the interests of the public in a way that comports with our common ethical principles. The Authority is committed to being responsive to concerns expressed by the Auditor and the public, and seeks to be a leader in helping to shape the policies that should govern how assets such as the suites are used for maximum public benefit.

In the sections that follow, the Authority will provide additional context and information about use of its suites, and will address the Auditor's statements in more detail.

### **Background of Suite Use**

The Authority — like other public building owners around the state and throughout the country — has negotiated the right to use certain suites during facility events free of charge. The Authority had access to three suites in the Hubert H. Humphrey Metrodome, and has access to two suites in the new U.S. Bank Stadium for certain events. We understand that other Minnesota facilities have similar agreements for suite access during events.

Recognizing the value of this access and the ability to use this unique asset to further the objectives given to the Authority by the Legislature, the Authority has sought to use the suites to further the public purpose of effectively marketing this world-class facility to entities around the country, while allowing Authority board members and executives the opportunity to observe operation of the facility first-hand, to assist with their obligations to provide operational oversight. Suite access affords potential users of the facility the unique opportunity to witness the capabilities of the facility during an event, which is very different – and much more compelling – than taking a tour of an empty building or reviewing specifications of the facility on paper. Use of suites also affords a business-like setting for marketing where potential event users can converse and ask questions, and where Authority personnel can provide information about the facility's remarkable capabilities and the assets and attractions in the surrounding region of the Twin Cities.

### **The Authority's Purpose and Responsibilities**

Prior to judging a facility's suite use policy, it is important to consider the entity's public purpose and its responsibilities with respect to the facility. Unlike the public entities overseeing other local facilities — such as Target Field and the Xcel Energy Center — the Authority has been charged with responsibility for operating U.S. Bank Stadium on a day-to-day basis. The Legislature determined in the Stadium Legislation that there is a public purpose for the Authority to conduct events for professional football and a broad range of other civic, community, athletic, educational, cultural, and commercial activities. The Legislature gave the Authority two obligations: (1) to maximize access for civic events, community events, and public and amateur sports; and (2) to operate the stadium "in a first-class manner, similar to and consistent with other comparable NFL stadiums."<sup>1</sup> The Stadium can accommodate a wide variety of commercial events of all sizes. Since the Stadium opened, over 350 commercial events have been held at the Stadium.

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<sup>1</sup> Minn. Stat. § 473J.13, subds. 1 & 3.



The Legislature's public access directive requires the Authority to book and hold a significant number of public and amateur sports, community, and civic events *at a significant financial loss*. Specifically, the Authority is required by law to provide access to the Minnesota State High School League *at no cost* for *at least* seven days per year, and the Authority must bear the out-of-pocket costs for any security, cleaning services, and staffing costs. In addition, the Authority must provide access to the Minnesota Amateur Sports Commission for up to 10 days each year, at a rate below or equal to the Authority's out-of-pocket costs.<sup>2</sup> Not only does the Authority lose revenue on those days, but it also incurs out-of-pocket costs that are not reimbursed by the users. The Authority has already held numerous youth football events, has over 140 amateur baseball games scheduled for 2017, and is holding numerous rollerblading and running events. In addition, the Authority recently held eight days of high school football and soccer events this fall at the Stadium with no use charge to the Minnesota State High School League. A current list of community events held at the Stadium, or scheduled for the near future, is attached as Exhibit 1.

The Legislature's first-class operation directive requires the Authority to maintain the facility in the same condition as other modern NFL stadiums, including AT&T Stadium in Dallas, Lucas Oil Stadium in Indianapolis, NRG Stadium in Houston, and University of Phoenix Stadium in Phoenix. This requires the Authority to generate sufficient revenue. In its five-year capital plan projection, the Authority determines that it needs to spend approximately \$33 million to satisfy the first-class facility requirement.

Unlike some other public facilities in the region, the Authority does *not* seek public funding to cover the ongoing cost of operations and management. To achieve the two Legislative directives — operating the stadium in a manner competitive with other world-class facilities while maximizing access to public and youth events — the Authority must actively engage in a sophisticated marketing strategy to attract significant private clients and large-scale events, revenue from which will help to support public access and operation of the Stadium without the need for ongoing public funding. The Authority is responsible for ensuring that the facility is wisely managed and effectively marketed, to allow for the maximum return and public benefit of the Minnesota taxpayers' significant investment into the facility.

### **The Purpose and Contract for Suite Use**

To support this ongoing marketing effort, the Authority negotiated for, and received, access to two suites in the Stadium at no cost to the Authority or the public. In general, the Minnesota Vikings otherwise control and benefit from the suites within the Stadium. The Authority believes that these suites play an important role in this marketing effort. The booking of events at the Stadium is a very competitive business, as other venues across the country and region (some of them privately-owned) actively market to those events utilizing all of their available assets to attract and book many of the events the Stadium is competing for as well. Given the highly competitive landscape to attract events, the Authority suites provide a key asset and opportunity for the Authority to host the event promoters and decision makers at the Stadium during a Vikings or Authority event. The Authority suites serve as a base to observe an event from its opening to its conclusion, tour potential rental spaces while in use, and get a sense of the event atmosphere and

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<sup>2</sup> Minn. Stat. § 473J.27, subd. 1.

buildings operations in an environment that allows the attendees to ask questions of the Authority, its Commissioners, SMG, and others assisting in the marketing of the Stadium.

The Authority negotiated an agreement with the Minnesota Vikings to carve out two suites to remain controlled by the Authority, while the remaining assets of the facility are controlled by the privately-owned Vikings or another private party. This suite access *does not require payment of any public funds*. If the Authority had not been successful in this negotiation, the two suites in question would now be controlled by, and generate revenue for, the Vikings.

The MSFA-Vikings Use Agreement allows the Authority access to these Authority suites at no charge to the Authority or public. The Vikings are allowed to license all suites in the Stadium *except* the two suites that are owned and controlled by the Authority. The Authority retains use of those suites and does not pay any license fee to the Vikings. Under the terms of the Agreement, the Authority *cannot license its suites to outside parties* for Vikings games. The Authority is not prohibited from licensing its suites for non-Vikings events, but it is unclear whether doing so would yield any significant revenue, for two reasons: (1) the demand may be insufficient: the Authority would be marketing its own suites against the other suites it already offers, and which oftentimes it is unable to license; and (2) any profits generated by the Authority may need to be shared with the promoter, reducing any benefit to the Authority. Although exceptions may apply, the Authority does not view sub-licensing as a practical or cost-effective use of public resources, and believes that using the suites for marketing is the highest and best use of that public resource.

### **The Authority's Suite Use Policies**

The Authority has over the years adopted policies governing use of its suites at the Metrodome and at the new U.S. Bank Stadium. One common theme is the recognition that the suites are an important marketing tool that can and should be used to attract the interest of potential users. Over time, the policies have become more rigorous and more specific in tying the use of suites to the Authority's obligation to effectively market and oversee the operation of the facility. The Authority has been operating in accordance with its suite use policies.

The Authority recognizes the deep public concern and questions surrounding the use of the Authority-controlled suites at U.S. Bank Stadium. Therefore, the Authority has further revised these use policies to even more tightly align use procedures to the Authority's legislatively-mandated responsibilities: marketing and oversight. We believe this policy is much more restrictive than any other publicly-owned venue in the state. This revised policy heightens reporting and procedural requirements, and very clearly articulates the purpose of its use of these suites: ensuring that the facility is wisely managed and effectively marketed, to allow for the maximum return and public benefit of the Minnesota taxpayers' significant investment in the facility. The revised policy also provides a specific list of the categories of individuals who may use the suite (including as "Users and potential users of the facility" but) (Section III); requires that specific records be kept of suite use (Section IV); and that each Authority individual using the suite must "individually assess – using his or her background, experience, and knowledge about the marketing goals – whether his or her use of suite tickets services a public purpose, keeping in mind the public purposes" described in this letter (Section IV); and repeatedly states that any questions about the legality or permissibility of suite use should be directed to the Authority's General Counsel (Section IV, V & VI). The Authority believes that this revised policy appropriately

restricts suite usage and will ensure that the Authority suites are being used for their maximum benefit.

## **Response to the Auditor's Report**

The Authority appreciates the time and attention the Auditor has devoted to this important issue, and has fully cooperated in this process. The Authority has utilized this opportunity for self-reflection, and has made significant changes to its policy to address the legitimate concerns of the public and the Auditor. However, the Authority respectfully disagrees with the Auditor's assessment of a few issues, and explains the basis for its disagreement below.

### *1. Legality of Prior Suite Use Policy.*

As explained above, the Authority recognizes that its past suite use policies had some deficiencies, and has taken swift action to correct them. The Authority is committed to being a leader in this area, and strives to meet the highest standards in its suite use, whether those are mandated by law or not.

The Authority believes it is important to keep in mind that the Auditor has *not* found that the Authority violated any law. Quite the opposite: the Auditor opined that the Authority's actions do *not* violate any applicable law, but noted that the Authority's actions violated an unstated "ethical standard" that is derived from a set of laws that do not apply to governmental bodies such as the Authority. While recognizing the importance of ethical standards, of course, the Authority objects to being judged by a nebulous standard that is not laid out in any governing law. The Authority regularly strives to understand and comply with its legal obligations. If further legal obligations are warranted, the Authority respectfully believes that those standards should be outlined by the appropriate rule-maker, and the Authority will of course comply with them.

The Auditor has had access to information about suite use for years. The Authority has opened its records to the Auditor every year as part of its yearly audits, and has never made any effort to conceal any facts about use of the suites. Authority staff specifically recall an instance at the MetroDome, several years ago, in which the Auditor requested – and the Authority provided – additional information about use of the Authority's suites. The Auditor's silence after receiving this information, along with the Authority's observation of suite use at other facilities, contributed to the Authority's mistaken belief that its prior policy was reasonable and appropriate.

Notwithstanding these facts, the Authority has adopted a new policy that it believes addresses these concerns.

### *2. Appropriateness of Current Suite Use Policy.*

The Authority is disappointed by the Auditor's criticism of its revised policy. The Auditor criticized the Authority's inclusion of a catch-all category of individuals (titled "Other") who could appropriately use the suite. The Authority believes that this category is appropriately narrow, is consistent with the legislative purposes, and does not in any way weaken or undermine the restrictions in the policy. The "other" category, which applies to "additional groups whose inclusion may also foster the Legislatively-established purposes of the Authority," was included to

provide for some flexibility if a new situation arose in which suite use would be appropriate. *These individuals can only be included if their presence serves a legislative purpose*, but may not fall strictly within the definition of another category. For example, a booking agent is not necessarily a “potential user” of the stadium, but inviting this person to the suite could result in booking several events by future clients of the booking agent. Another example: to maintain and operate the facility in a “first-class manner,” it is possible that at some point an outside consultant or service provider may need to observe an event in process. The “other” category is not an exception to the rule; it merely allows the Authority to constantly re-evaluate the best use for the suite tickets, and does not unnecessarily (and short-sightedly) limit the categories based on what the Authority could foresee as of the moment the policy was adopted.

The Authority also disagrees with the Auditor’s suggestion that a “gatekeeper” is necessary, to determine whether each suite ticket is being responsibly used. The Authority Commissioners and Executives are public officials, who have been selected for their business sophistication and commitment to public service. The Authority believes that each of these individuals is therefore in the best position to assess whether his or her invitees serve a public purpose, relying on his or her knowledge and experience about both the invitee and the business of the Authority. The policy states, in three different locations, that any questions about the legality or appropriateness of suite use should be directed to the Authority’s General Counsel. The Authority believes that the Commissioners and Executives are best suited to make the individualized, fact-based assessment that a guest’s presence is permissible, when the parameters for use have been clearly spelled out in the revised policy and legal counsel is able and willing to consult as any specific issues arise.

### 3. Use of Two Authority Suites.

The Authority respectfully disagrees with the Auditor’s statement that it is unnecessary to have two suites. First, it is important to remember that the Authority negotiated for, and received, this benefit for the public *at no cost to the public*. This is not a situation where the Authority needs to spend public funds to purchase an asset (which would prompt a careful cost-benefit analysis); it is a situation where the Authority has the opportunity to use an asset *at no cost*, to serve its marketing objectives. The Authority believes that, as a steward of public resources (including access to the suites), it should use that resource to further the public’s interest in effective marketing of the Stadium, rather than yielding that property to a private party and thereby giving up the marketing benefits that could be achieved. Second, the Authority notes that having two suites allows the Authority to reach a broader audience of marketing interests and allows more Commissioners to be involved. The Authority is required to (and does) comply with the Minnesota Open Meeting Law, which provides that any gathering of a quorum of Commissioners at which public business is discussed must be open to the public. As a precaution, the Authority has made efforts to allow only two Commissioners in a suite at a time, to avoid a quorum. The Commissioners serve a crucial role in marketing of the Stadium.

The Authority believes that having two suites provides a meaningful opportunity: four of the five Commissioners can attend a specific event to further the goals of marketing the Stadium. If only one suite were available, only two of the five Commissioners could attend. The Authority bargained for, and received, this important public resource at no cost to the taxpayers, and believed it was (and is) important to have access to two suites, to allow for twice as much participation by Commissioners.

#### 4. Suite Use Lists and the Minnesota Government Data Practices Act.

The Authority is disappointed to learn that the Auditor believes the prior information about suite use was “poorly compiled, confusing and incomplete.” The Authority believed that it was important for each Commissioner to independently provide his or her own information about suite use, and for that reason did not compile the data into one master chart. After learning of the Auditor’s concerns, the Authority compiled the data into one list and provided that list to the Auditor. The Auditor chose not to include that list in the final report, so the Authority has attached it to this letter as Exhibit 2.

The Authority takes this opportunity to clarify some confusion about its past suite use lists and its position on the applicability of Minnesota Statute section 13.55. When it was initially asked for a list of attendees at the Authority’s suite, the Authority responded that it did not have a list at that time, and that certain marketing data is nonpublic or private under Minn. Stat. § 13.55. This statement has been misconstrued, with some people incorrectly claiming that the Authority refuses to provide a list of attendees and suggesting that the Authority has determined that the entire list is nonpublic or private. This is *not* the Authority’s position. The Authority does not, and never has, taken the position that the entire attendee list is nonpublic, but the Authority believes that certain names on those lists may temporarily be nonpublic or private data. The Auditor acknowledges that this conclusion is accurate (Finding 4).

#### 5. Use of the Authority Suites by Non-Profit Entities.

While recognizing that non-profit entities serve a critical role in our society, the Authority respectfully disagrees with the Auditor’s suggestion that it is currently legally permitted to gift the suite use tickets to a non-profit organization. The Authority is aware of several advisory opinions issued by the Minnesota Attorney General’s Office stating that a government entity may not donate funds to a non-profit absent express statutory authorization.<sup>3</sup> The Authority believes that this logic applies equally to an “in-kind” donation of suite access. The Authority would, of course, be open to providing access to non-profit entities if it had statutory authorization to do so, but believes that it does not have the statutory authorization to do so at this time.

#### 6. Analysis of Suite Use by Different Parties (Chart Labeled Exhibit 1 in Auditor’s Report).

The Auditor includes a chart on Page 10 that draws conclusions about whether it was appropriate or not for some persons to be in the suites for a given event. The Authority may not agree with all of the Auditor’s conclusions, but recognizes that the Auditor has stated the reasoning used for the calculations. The Authority concludes that the Auditor’s concerns about attendees have been fully addressed in the Authority’s revised policy. The Authority, however, is specifically concerned that the chart labeled as Exhibit 1 in the Auditor’s report may be misconstrued to suggest that Authority staff had greater access to the Authority suites than they did. The Auditor notes that approximately 16% of the attendees in the Authority Suites were “Commissioners [and] Staff.” The Authority notes that nearly all of those tickets were used by Commissioners and the Executive

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<sup>3</sup> See, e.g., Minn. A.G. Opn. 59-a-3 (May 21, 1948) (Boy Scouts); Minn. A.G. Opn. 218-r (Aug. 15, 1951) (bowling team); Minn. A.G. Opn. 476-b-2 (Apr. 20, 1944) (American Legion); Minn. A.G. Opn. 218-r (Feb. 10, 1942) (American Red Cross); see also League of Minnesota Cities, “Information Memo: Public Purpose Expenditures,” at Part II.J.1.

Director, and only a small fraction were used by other staff. Specifically, approximately 13.5% of all tickets were used by Commissioners and the Executive Director, and only 2.5% of all tickets were used by other Authority staff. The Authority requested that this fact be explained, but the Auditor did not honor that request

### **Conclusion**

The Authority appreciates the Auditor's careful attention to this important issue and the opportunity to respond to the statements in the Auditor's report. The Authority is committed to ever-improving in its effort to fulfill its legislative directives: to operate the Stadium in a first-class manner and to maximize access for community events. The Authority strives to be a faithful steward of the public resources entrusted to it, including the Stadium and the Authority suites, by effectively marketing the Stadium to maximize the return on the public's investment and appropriately managing public resources to achieve the maximum benefit for the public.

Sincerely,

A handwritten signature in blue ink, reading "Michele Kelm-Helgen", written over a horizontal line.

Michele Kelm-Helgen  
Chair

A handwritten signature in dark ink, reading "Ted Mondale", written over a horizontal line.

Ted Mondale  
CEO/Executive Director

Exhibit 1

Community Events

**Community Events Calendar**  
**U.S Bank Stadium**

Date	Event
Saturday, September 17, 2016	Youth Football
Sunday, September 25, 2016	Youth Football
Monday, September 26, 2016	Stadium Inaugural Event
Wednesday, September 28, 2016	Youth Football
Sunday September 2, 2016	Youth Football
Tuesday, October 25, 2016	Youth Football
Tuesday, October 25, 2016	MSHSL Boys Soccer
Tuesday, October 25, 2016	MSHSL Girls Soccer
Wednesday, October 26, 2016	MSHSL Boys Soccer
Wednesday, October 26, 2016	MSHSL Girls Soccer
Thursday, October 27, 2016	MSHSL Boys Soccer
Thursday, October 27, 2016	MSHSL Girls Soccer
Saturday, September 29, 2016	Youth Football
Saturday, October 8, 2016	Youth in Music
Monday, October 31, 2016	MSHSL Boys Soccer
Monday, October 31, 2016	MSHSL Girls Soccer
Tuesday, November 1, 2016	MSHSL Boys Soccer
Tuesday, November 1, 2016	MSHSL Girls Soccer
Wednesday, November 2, 2016	Youth Football
Thursday, November 3, 2016	MSHSL Boys Soccer
Thursday, November 3, 2016	MSHSL Girls Soccer
Saturday, November 5, 2016	Youth Football
Thursday, November 17, 2016	MSHSL Football
Friday, November 18, 2016	MSHSL Football
Saturday, November 19, 2016	MSHSL Football
Thursday, November 17, 2016- Saturday, November 19, 2016	MSHSL State Football Tournament
Friday, November 25, 2016	MSHSL Football
Saturday, November 26, 2016	MSHSL Football
Tuesday, December 13, 2016	Inline Skating and Running Club
Tuesday, December 20, 2016	Inline Skating and Running Club
Tuesday, December 27, 2016	Inline Skating and Running Club
Tuesday, January 3, 2017	Inline Skating and Running Club
Tuesday, January 17, 2017	Inline Skating and Running Club
Wednesday, January 18, 2017	Inline Skating and Running Club

Date	Event
Friday, January 27, 2017 -Sunday, January 29, 2017	Home Remodeling Show
Tuesday, January 31, 2017	Inline Skating and Running Club
Friday February 3, 2017	Inline Skating and Running Club
Monday, February 6, 2017	Inline Skating and Running Club
Tuesday, February 21, 2017	Inline Skating and Running Club
Thursday, February 23, 2017	Inline Skating and Running Club
Friday, February 24, 2017	3 Minnesota college baseball games
	University of Minnesota Baseball
Saturday, February 25	3 Minnesota college baseball games
	University of Minnesota Baseball
Sunday, February 26	3 Minnesota college baseball games
	University of Minnesota Baseball
Monday, February 27, 2017	Inline Skating and Running Club
	4 Minnesota college baseball games
Tuesday, February 28	3 Minnesota college baseball games
	University of Minnesota Baseball
Wednesday, March 1, 2017	Inline Skating and Running Club
	4 Minnesota college baseball games
Thursday, March 2, 2017	1 Minnesota college baseball game
Friday, March 3	University of Minnesota Baseball DQ Classic
Saturday, March 4	University of Minnesota Baseball DQ Classic
	1 Minnesota college baseball game
Sunday, March 5	University of Minnesota Baseball DQ Classic
	1 Minnesota college baseball game
Monday, March 6, 2017	Inline Skating and Running Club
	4 Minnesota college baseball games
Tuesday, March 7, 2017	3 Minnesota college baseball games
	University of Minnesota Baseball
Wednesday, March 8, 2017	3 Minnesota college baseball games
Thursday, March 9, 2017	Inline Skating and Running Club
	3 Minnesota college baseball games
Friday, March 10, 2017	3 Minnesota college baseball games
Saturday, March 11, 2017	3 Minnesota college baseball games
Sunday, March 12, 2017	University of Minnesota Baseball
Monday, March 13, 2017	Inline Skating and Running Club
Thursday, March 23, 2017	2 Minnesota college baseball games
Friday, March 24, 2017	2 Minnesota college baseball games
Saturday, March 25, 2017	1 Minnesota college baseball game
Tuesday, April 4, 2017	3 Minnesota high school baseball games
Wednesday, April 5, 2017	1 Minnesota high school baseball game
Thursday, April 6, 2017	2 Minnesota high school baseball games



Date	Event
Tuesday, April 11, 2017	2 Minnesota high school baseball games
Wednesday, April 12, 2017	1 Minnesota high school baseball game
Thursday, April 13, 2017	1 Minnesota high school baseball game
Friday, April 14, 2017	4 Minnesota high school baseball games
Saturday, April 15, 2017	4 Minnesota high school baseball games
Monday, April 17, 2017	4 Minnesota high school baseball games
Tuesday, April 18, 2017	3 Minnesota high school baseball games
Wednesday, April 19	1 Minnesota college baseball game
Saturday, April 22, 2017	1 Minnesota college baseball game

Exhibit 2

Suite Guest List

**International Soccer: A.C. Milan v. Chelsea (August 3, 2016)**

Attendee	MSFA Host	Comments	Paid	Park
Barbara Butts Williams	Commissioner			
Josh Iniguez	Barbara Butts Williams		Yes	
Kristina Iniguez	Barbara Butts Williams		Yes	
Bree Murphy	Barbara Butts Williams		Yes	Yes
Selina Reyna	Barbara Butts Williams		Yes	
Bill McCarthy	Commissioner			
Adi McCarthy	Bill McCarthy			
Liam McCarthy	Bill McCarthy			
Sam McCarthy	Bill McCarthy			
John Griffith	Commissioner			
Lisa Griffith	John Griffith			
Friend #1	John Griffith			
Friend #2	John Griffith			
Michele Kelm-Helgen	Commissioner			
Hank Helgen	Michele Kelm-Helgen		Yes	
Thomas Helgen	Michele Kelm-Helgen		Yes	
Adam Fetcher	Michele Kelm-Helgen		Yes	
Scott Sharkey	Michele Kelm-Helgen		Yes	Yes
Pat Sharkey	Michele Kelm-Helgen		Yes	
X-Games Staff Member #1	Michele Kelm-Helgen	X Games staff and consultants who were in town for the day to review stadium set-up, operations and details for our 2017/2018 bid.		
X-Games Staff Member #2				
X-Games Staff Member #3				
John Cunningham	Michele Kelm-Helgen	Deputy Athletics Director at U of M	Yes	Yes
Scott Ellison	Michele Kelm-Helgen	Associate Athletics Director/Facilities at the U of M	Yes	Yes
Tom McGinnis	Michele Kelm-Helgen	Senior Associate Athletics Director at U of M	Yes	Yes
John Tweedy	Michele Kelm-Helgen	TCF Bank Stadium Director of Event Management	Yes	Yes

Attendee	MSFA Host	Comments	Paid	Park
Chris Werle	Michele Kelm-Helgen	Senior Associate Athletic Director for Strategic Communications (as of date of attendance). Purpose: Gophers Athletics Department staff were invited to join staff from U.S. Bank Stadium and Sports Minneapolis to host the X Games staff. At the time, the University and MSFA were jointly pursuing an X Games bid since TCF Bank Stadium was still under consideration to host X Games events. In addition, athletics department staff were working with U.S. Bank Stadium staff on select NCAA Championship bids. The August 3 game provided an opportunity to observe stadium operations for a major event.	Yes	Yes
D. Evan Sallee	Michele Kelm-Helgen	Fairstate Coop, NE Mpls; working with the stadium on local craft beer exposure and events; potential for craft beer festivals, etc.		
Ted Mondale	MSFA Executive Director			
Rebecca Mondale	Ted Mondale		Yes	
Louie Mondale	Ted Mondale		Yes	

**Total Guests:**

**31**

**Luke Bryan Concert (Aug. 19, 2016)**

<b>Attendee</b>	<b>MSFA Host</b>	<b>Comments</b>	<b>Paid</b>	<b>Park</b>
Michele Kelm-Helgen	Commissioner			
Hank Helgen	Michele Kelm-Helgen		Yes	
Paul Weirtz's 4 guests	Michele Kelm-Helgen	ATT	Yes	Yes
Mike Buller and spouse (Jean)	Michele Kelm-Helgen	MMB Holdings, Business Consultant, Purpose: meeting and event marketing.	Yes	
Dave Fisher and spouse (Kathleen)	Michele Kelm-Helgen	ManCave Meats. Purpose: meeting and event marketing.	Yes	Yes
Tony Sertich	Commissioner			
Molly Anderson	Tony Sertich			
Shawn Anderson	Tony Sertich			Yes
Bill Petrangelo	Tony Sertich		Yes	
Ted Mondale	MSFA Executive Director			
Rebecca Mondale	Ted Mondale		Yes	
C. Miller	Ted Mondale		Yes	
D. Miller	Ted Mondale		Yes	
Sue Arcand	MSFA Staff		Yes	
Dee Thompson	Staff guest		Yes	
Tim Woller	Staff guest		Yes	
Denny Littlefield	Staff guest		Yes	
Elizabeth Brady and boyfriend Paul	MSFA Staff		Yes	
Haley Housh	MSFA Staff		Yes	
Austin Housh	Staff guest		Yes	

\*Concert Promoters, Corporate SMG staff; did not require tickets but came to the Suite to meet Commissioners and the Authority Chair participated in pictures and promotions during the event.

**Total Guests:**

**26**

## Metallica Concert (Aug. 20, 2016)

Attendee	MSFA Host	Comments	Paid	Park
Barbara Butts Williams	Commissioner			Yes
Abbey Mackenzie Kerl	Barbara Butts Williams		Yes	
Becky Polster	Barbara Butts Williams		Yes	
Jen Wetzel	Barbara Butts Williams		Yes	
Leon Trawick	Barbara Butts Williams		Yes	Yes
Bill McCarthy	Commissioner			Yes
Adi McCarthy	Bill McCarthy			
Elly McCarthy	Bill McCarthy			
Michele Kelm-Helgen	Commissioner			
Hank Helgen	Michele Kelm-Helgen		Yes	
Jim Tierney and Spouse	Michele Kelm-Helgen	Tierney Brothers, meeting and event marketing		
Julie Idelkope	Michele Kelm-Helgen	Meeting and event marketing		Yes
Robert Hanlon	Michele Kelm-Helgen		Yes	
Tony Sertich	Commissioner			
Bill Petrangelo	Tony Sertich		Yes	
Jason Holliday and Spouse	Tony Sertich			Yes
Jeremy Laine	Tony Sertich		Yes	Yes
Rich Puhek	Tony Sertich			
Ted Mondale	MSFA Executive Director			
Jerry Smargia	Ted Mondale	Potential event		
Justin Buoen	Ted Mondale	Potential event	Yes	Yes
Rebecca Miller	Ted Mondale		Yes	
Mary Fox-Stroman	MSFA Staff		Yes	
Steve Fox-Stroman	Staff guest		Yes	
Theo Brasch	Staff guest		Yes	
L. Brasch	Staff guest		Yes	

\*Scott Stenman and his spouse (Stacey) had their own tickets to the event, but stopped by to visit the suite.

**Total Guests:**

**28**

### Vikings v. San Diego Chargers (Aug. 28, 2016)

Attendee	MSFA Host	Comments	Paid	Park
Barbara Butts Williams	Commissioner			
Bill McCarthy	Commissioner			
Marie McCarthy	Bill McCarthy			
Eric Wojchik	Bill McCarthy			
Zoe Mullendore	Bill McCarthy			
John Griffith	Commissioner			
Michele Kelm-Helgen	Commissioner			
Bill Brady	Michele Kelm-Helgen		Yes	Yes
Will Brady	Michele Kelm-Helgen		Yes	
Brent Foerster	Michele Kelm-Helgen	Focused on marketing with MSFA and U of M, for X Games, Super Bowl, numerous NCAA championships.		
Madonna Carr	Michele Kelm-Helgen	Focused on marketing with MSFA and U of M, for X Games, Super Bowl, numerous NCAA championships.		
Matt Meneir	Michele Kelm-Helgen	Focused on marketing with MSFA and U of M, for X Games, Super Bowl, numerous NCAA championships.		
John Tweedy	Michele Kelm-Helgen	U of M TCF Bank Stadium Director of Event Management	Yes	
Margaret Anderson Kelliher and Spouse	Michele Kelm-Helgen	MN Ballpark Authority Board Chair, mutual promotion of stadiums and partner work on significant event bids (X Games, Final Four, etc)		
Tom Conboy and Spouse	Michele Kelm-Helgen	Sales Group, marketing focused on meetings and events for businesses.	Yes	Yes
Danielle Pierce	Michele Kelm-Helgen	Tunheim, marketing assistance to the Authority.	Yes	Yes
Jake Lund	Michele Kelm-Helgen	Tunheim, marketing assistance to the Authority.	Yes	
Tony Sertich	Commissioner			
Grant Anderson	Tony Sertich			Yes
Keith Edwards	Tony Sertich			
Ted Mondale	MSFA Executive Director			
Louie Mondale	Ted Mondale		Yes	
Joel Conner	Ted Mondale	Potential event		Yes
T. Conner	Ted Mondale	Family member of potential event user.		

**Total Guests:**

**26**

### Vikings v. Los Angeles Rams (Sept. 1, 2016)

Attendee	MSFA Host	Comments	Paid	Park
Michele Kelm-Helgen	Commissioner			
Lee Sheehy	Michele Kelm-Helgen		Yes	
Cathy Lawrence	Michele Kelm-Helgen		Yes	
Kevin Lindsey	Michele Kelm-Helgen	MN Dept. of Human Rights, work with us on recruitment and outreach for women and minority small business and worker programs for building operations to meet targeted goals.	Yes	
Alli Fetisoff	Michele Kelm-Helgen	VP of Strategy and Communications, New Partners; oversees events and marketing, looking at event space and venues for clients.		
Katie Tinucci and Spouse	Michele Kelm-Helgen	College Football bid director 2016 and marketing work for upcoming College Football bid.		
David and Jan Jones	Michele Kelm-Helgen	Hubbard Broadcasting, meeting and event marketing.	Yes	
Linden Zakula	Michele Kelm-Helgen	Communications assistance for State support on marketing bids for major events (X Games, Final Four, College Football and Super Bowl).	Yes	
Jeff Miller and Spouse	Michele Kelm-Helgen	Minneapolis Building Trades, meeting and event marketing		
Myron Frans	Michele Kelm-Helgen	MMB Commissioner, assistance for major bids (Super Bowl, Final Four, College Football and X Games)	Yes	
Susan Segal	Michele Kelm-Helgen	City of Mpls, assistance for major bids (Super Bowl, Final Four, College Football and X Games)	Yes	
David Ybarra and spouse	Michele Kelm-Helgen	President of MN Pipetrades Association and MN Ballpark Authority Boardmember; meeting and event marketing for trades and mutual stadium promotion and partner work on significant event bids.		
Tony Sertich	Commissioner			
Tallie Sertich	Tony Sertich			
Ted Mondale	MSFA Executive Director			
L. Brasch	Staff guest		Yes	
Theo Brasch	Staff guest		Yes	
Elizabeth Brady	MSFA Staff		Yes	
Elizabeth Morrissey	Staff guest		Yes	
Megan Edgerton	Staff guest		Yes	

**Total Guests:**

**24**

### Vikings v. Green Bay Packers (Sept. 18, 2016)

Attendee	MSFA Host	Comments	Paid	Park
Barbara Butts Williams	Commissioner			Yes
Brenda Banks	Barbara Butts Williams		Yes	
Patt Mesenbrink	Barbara Butts Williams		Yes	
Tanya Butler	Barbara Butts Williams		Yes	
Tony Richardson	Barbara Butts Williams		Yes	Yes
Bill McCarthy	Commissioner			
Adi McCarthy	Bill McCarthy			
Liam McCarthy	Bill McCarthy			
Marie McCarthy	Bill McCarthy			
Sam McCarthy	Bill McCarthy			
Michele Kelm-Helgen	Commissioner			
NCAA Final Four Staff Member #1	Michele Kelm-Helgen	NCAA Mens Basketball Staff (2) were in town for the day to tour the stadium and outside environment and see the operation of the event; the Final Four marketing for our 2019 bid award and the next bid which will be due next year, was the primary the focus of this game/event		
NCAA Final Four Staff Member #2				
Mayor Betsey Hodges and Spouse	Michele Kelm-Helgen	Focused on Final Four	Yes	
Myron Frans	Michele Kelm-Helgen	Focused on Final Four	Yes	Yes
Susan Segal	Michele Kelm-Helgen	Focused on Final Four	Yes	
Kate Mortenson	Michele Kelm-Helgen	Focused on Final Four		
Melvin Tenant	Michele Kelm-Helgen	Focused on Final Four		
Scott Romane	Michele Kelm-Helgen	Focused on Final Four		
Mark Coyle and Spouse	Michele Kelm-Helgen	Director of Athletics at U of M. Gophers Athletics Department staff joined U.S. Bank Stadium staff, and representatives from Meet Minneapolis and Sports Minneapolis, to host staff members from the NCAA and observe stadium operations. This was the NCAA's first opportunity to see the stadium after Minneapolis was awarded the 2019 Final Four, for which the University will serve as the host institution.	Yes	
John Cunningham	Michele Kelm-Helgen	Deputy Athletics Director at U of M. Gophers Athletics Department staff joined U.S. Bank Stadium staff, and representatives from Meet Minneapolis and Sports Minneapolis, to host staff members from the NCAA and observe stadium operations. This was the NCAA's first opportunity to see the stadium after Minneapolis was awarded the 2019 Final Four, for which the University will serve as the host institution.	Yes	



Attendee	MSFA Host	Comments	Paid	Park
Tom McGinnis	Michele Kelm-Helgen	Senior Associate Athletics Director at U of M. Gophers Athletics Department staff joined U.S. Bank Stadium staff, and representatives from Meet Minneapolis and Sports Minneapolis, to host staff members from the NCAA and observe stadium operations. This was the NCAA's first opportunity to see the stadium after Minneapolis was awarded the 2019 Final Four, for which the University will serve as the host institution.	Yes	
Bob Bruininks and Spouse	Michele Kelm-Helgen	Former U of M President and member of NCAA Board and Former Chair of the Big 10 basketball committee	Yes	
Fred and Mary Jahnke	Michele Kelm-Helgen	Owner of Premier Electric, meeting and event marketing for their business		
Tony Sertich	Commissioner			Yes
Joe Sertich	Tony Sertich			
John Pollard	Tony Sertich		Yes	Yes
Nancy Sertich	Tony Sertich			
Tallie Sertich	Tony Sertich			
Ted Mondale	MSFA Executive Director			
Rebecca Mondale	Ted Mondale		Yes	
Jack Nelson	Ted Mondale		Yes	Yes
Louie Mondale	Ted Mondale		Yes	
Walter Mondale	Ted Mondale		Yes	

**Total Guests:**

**38**

### Vikings v. New York Giants (Oct. 3, 2016)

Attendee	MSFA Host	Comments	Paid	Park
Barbara Butts Williams	Commissioner			Yes
Amy Huebner & Guest	Barbara Butts Williams		Yes	
Libby Huebner & Guest	Barbara Butts Williams		Yes	
Bill McCarthy	Commissioner			Yes
Bobby Kasper	Bill McCarthy	Labor leader seeking to book event and support X Games.		
George Latimer and 3 family members	Bill McCarthy			
Michele Kelm-Helgen	Commissioner			
X Games Staff Member #1	Michele Kelm-Helgen	X Games executives and staff (8) were in town for the day to review operations, set-up and execution for their event and joined us in the suite that evening; another marketing bid is being prepared for 2019.		
X Games Staff Member #2				
X Games Staff Member #3				
X Games Staff Member #4				
X Games Staff Member #5				
X Games Staff Member #6				
X Games Staff Member #7				
X Games Staff Member #8				
Jacob Frey	Michele Kelm-Helgen	Councilmember: to support the marketing efforts for the 2017/18 X-Games bid and the bid we are making next year	Yes	
Spencer Cronk	Michele Kelm-Helgen	City Coordinator: to support the marketing efforts for the 2017/18 X-Games bid and the bid we are making next year	Yes	
Tony Sertich	Commissioner			Yes
Manda Sertich	Tony Sertich			
Tallie Sertich	Tony Sertich			
Malvin Moore III	Tony Sertich			
Malvin Moore IV	Tony Sertich			
Ted Mondale	MSFA Executive Director			
Rebecca Mondale	Ted Mondale		Yes	
Louie Mondale	Ted Mondale		Yes	
Jeff Skinner	Ted Mondale			
Mason Smith	Ted Mondale			
Samantha Skinner	Ted Mondale			Yes

**Total Guests:**

**33**

### Vikings v. Houston Texans (Oct. 9, 2016)

Attendee	MSFA Host	Comments	Paid	Park
Bill McCarthy	Commissioner			
Alice Johnson	Bill McCarthy		Yes	
Richard Jefferson	Bill McCarthy	Former commissioner		
Michele Kelm-Helgen	Commissioner			
Bill Brady	Michele Kelm-Helgen		Yes	Yes
Fran Neir	Michele Kelm-Helgen		Yes	
Julie Brady	Michele Kelm-Helgen		Yes	
Kevin Lewis and Spouse	Michele Kelm-Helgen	Executive Director at Building Owners and Managers Association of Mpls and St Paul; marketing for meeting and events as well as assistance for large event promotion and skyway route assistance		Yes
Michael McLaughlin and Guest Lori	Michele Kelm-Helgen	Urban Works; marketing assistance related to skyway path/hours for game day and Authority events		Yes
Pat Hickey and Spouse	Michele Kelm-Helgen	CEO, Print Group Global/Print Group Midwest and spouse, marketing for meetings and events.	Yes	
Peggy Lucas and Spouse	Michele Kelm-Helgen	Marketing assistance and event promotion with Mill City business and residents associations, a developer in the Mill City area, promoting economic investment in the area; Peggy served on the City's implementation committee and is also a member of the Board of Regents.		
Scott Housh and Spouse	Michele Kelm-Helgen	Managing partner of Willis, Co-Chair of College Football Championships 2016 bid and marketing for upcoming bid	Yes	
Steve Cramer and Spouse	Michele Kelm-Helgen	President/CEO of Downtown Council, working with the Authority on Stadium and Commons promotion and marketing with businesses in Mpls, major event promotion, etc		Yes
Tony Sertich	Commissioner			
Diane Rauschenfels and son	Tony Sertich			
Steve Downing and Spouse	Tony Sertich			
Trent Janezich	Tony Sertich			
Ted Mondale	MSFA Executive Director			
Jack Dwyer	Ted Mondale		Yes	
Louie Mondale	Ted Mondale		Yes	Yes
Real Estate Industry Executive #1	Ted Mondale	Potential event		
Real Estate Industry Executive #2	Ted Mondale	Potential event		
Rebecca Mondale	Ted Mondale		Yes	
Elizabeth Brady	MSFA Staff		Yes	Yes

Attendee	MSFA Host	Comments	Paid	Park
Mary Fox-Stroman	MSFA Staff	*New entry	Yes	
Steve Fox-Stroman	Staff guest	*New entry	Yes	
Amy Quaintance	MSFA Staff		Yes	
S. Quaintance	Staff guest		Yes	

\*Commissioner Barbara Butts Williams had her own ticket to the event, but stopped by the suite to visit. Hank Helgen (Michele Kelm-Helgen's husband) had his own ticket to the event in a separate section, but stopped by the suite and had a drink (paid \$20).

<b>Total Guests:</b>	<b>36</b>
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### Soccer: USA v. Switzerland (Oct. 23, 2016)

Attendee	MSFA Host	Comments	Paid	Park
Barbara Butts Williams	Commissioner			
Adria Campbell	Barbara Butts Williams		Yes	
Amy Sweeney	Barbara Butts Williams		Yes	
Andrew Willenbring	Barbara Butts Williams		Yes	
Bree Murphy	Barbara Butts Williams		Yes	
Cara Brinton	Barbara Butts Williams		Yes	
Chris Truscott	Barbara Butts Williams		Yes	
Dustin Cain	Barbara Butts Williams		Yes	
Jackie Kory	Barbara Butts Williams		Yes	
Jenn Parks	Barbara Butts Williams		Yes	
Josh Iniguez	Barbara Butts Williams		Yes	
Lindsey Huff	Barbara Butts Williams		Yes	
Lisa Bastien	Barbara Butts Williams		Yes	
Lola Thomas	Barbara Butts Williams		Yes	
Matt Axelson	Barbara Butts Williams		Yes	
Michael Youngquist	Barbara Butts Williams		Yes	
Paul Grossklaus	Barbara Butts Williams		Yes	
Rebecca Willenbring	Barbara Butts Williams		Yes	
Selina Reyna	Barbara Butts Williams		Yes	
Stephen Burgdorf	Barbara Butts Williams		Yes	
Vega Gabriella	Barbara Butts Williams		Yes	
John Griffith	Commissioner			Yes
Ted Mondale	MSFA Executive Director			
C. Miller	Ted Mondale		Yes	
D. Miller	Ted Mondale		Yes	
Rebecca Mondale	Ted Mondale		Yes	
Theo Brasch	Staff guest		Yes	
L. Brasch	Staff guest		Yes	

**Total Guests:**

**28**

### Vikings v. Detroit Lions (Nov. 6, 2016)

Attendee	MSFA Host	Comments	Paid	Park
Bill McCarthy	Commissioner			Yes
Jane Tarraf and Guest	Bill McCarthy	Representatives from minority sub-contractor and board member of MEDA.		
Marie McCarthy	Bill McCarthy			
Salah Tarraf	Bill McCarthy	Representatives from minority sub-contractor and board member of MEDA.		
Michele Kelm-Helgen	Commissioner			
Amy Phenix and Spouse	Michele Kelm-Helgen	Chief of Staff U of M : Phenix and Eull attended the game as representatives of the Office of the President. The University and the MSFA partner on a variety of event hosting bids. For example, the organizations were necessary partners to bid on hosting NCAA championships, like the successful 2019 Final Four bid, which require a large facility (i.e., U.S. Bank Stadium) and an NCAA institution (i.e., the University). Other bids have included the X Games and 2018 Super Bowl.	Yes	Yes
Andy Kozak	Michele Kelm-Helgen		Yes	
Bill Robertson & Guest Pat Nesheim	Michele Kelm-Helgen	Mens Commissioner Western Collegiate Hockey Association toured venue for potential marketing for stadium hosted conference championship game or showcase hockey event or meetings; event promotion and marketing		Yes
Brian Funk	Michele Kelm-Helgen	Director of Business Operations, Met Transit: has worked to partner with us to increase light rail and bus ridership and improve the operational efficiency to increase and enhance customer experience at the stadium and help market events to stadium clients in the future. Met Transit operational staff were invited to this game to review the operational flow of the light rail and bus service (observing entrance and exiting the building) to help increase ridership which benefits marketing of the stadium.		
Jenn & Brian Winkelaar	Michele Kelm-Helgen	Director of Public Relations at Mpls Building and Trades Council; promotion and marketing for events and meetings in stadium with Trade Council members		Yes
Chris Meuers and Spouse	Michele Kelm-Helgen		Yes	
Dan Collison and son	Michele Kelm-Helgen	Executive Director of the East Town Business Association; Dan works on marketing and community engagement, promoting the stadium and many events		
Dan McConnell & Becky Boland	Michele Kelm-Helgen	Business Manager, Mpls Building and Trades Council; promotion and marketing for events and meetings in stadium with Trade Council members		
Demetairs Bell	Michele Kelm-Helgen	Met Transit: Asst Manager Street Operations		

Attendee	MSFA Host	Comments	Paid	Park
Elizabeth Eull and Spouse	Michele Kelm-Helgen	Deputy Chief of Staff U of M : Phenix and Eull attended the game as representatives of the Office of the President. The University and the MSFA partner on a variety of event hosting bids. For example, the organizations were necessary partners to bid on hosting NCAA championships, like the successful 2019 Final Four bid, which require a large facility (i.e., U.S. Bank Stadium) and an NCAA institution (i.e., the University). Other bids have included the X Games and 2018 Super Bowl.	Yes	
Jill Griffiths & Larry Pogemiller	Michele Kelm-Helgen	Chief Development Officer of the National Sports Center Foundation. The Authority is having discussions about bringing more Amateur Sporting Events to the stadium to fulfill the mission of our legislative mandate. The National Sports Center Foundation was created to run the programs and activities of the National Sports Center.	Yes	
Ken Peterson and son	Michele Kelm-Helgen	Commissioner of Department of Labor and Industry and son. Department of Labor and Industry continues to work with us on programs to meet labor and diversity goals for building operations	Yes	Yes
Mark Benedict	Michele Kelm-Helgen	Met Transit: Director of Light Rail Operations		
Michael Guse	Michele Kelm-Helgen	Met Transit: Manager of Rail Communications Center		
Ted Mondale	MSFA Executive Director			
Louie Mondale	Ted Mondale		Yes	
Mason Smith	Ted Mondale		Yes	
Rebecca Mondale	Ted Mondale		Yes	

**Total Guests:**

**33**

## Vikings v. Arizona Cardinals (Nov. 20, 2016)

Attendee	MSFA Host	Comments	Paid	Park
Bill McCarthy	Commissioner			
Danielle de la Cruz	Bill McCarthy			
Hector de la Cruz	Bill McCarthy			
Marie McCarthy	Bill McCarthy			
Michele Kelm-Helgen	Commissioner			
Bill & Julie Brady	Michele Kelm-Helgen		Yes	
Gary Cunningham	Michele Kelm-Helgen	Metropolitan Economic Development Council; work with MEDA on marketing for minority businesses who may fulfill our targeted business stadium operation goals and expose MEDA businesses to meeting and event spaces in the stadium	Yes	
Greater MSP Staff #1	Michele Kelm-Helgen	Greater MSP marketing for events and meetings, additional Greater MSP staff (4), marketing for events and meetings		
Greater MSP Staff #2	Michele Kelm-Helgen			
Greater MSP Staff #3	Michele Kelm-Helgen			
Greater MSP Staff #4	Michele Kelm-Helgen			
Louis King and 2 guests	Michele Kelm-Helgen	Summit Academy staff; marketing and outreach to recruit minority and women workers in the stadium		Yes
Michael Langley and Spouse	Michele Kelm-Helgen	Greater MSP marketing for events and meetings, additional Greater MSP staff (4), marketing for events and meetings		
Robbin Roulliard and Tom Magnuson	Michele Kelm-Helgen	Owner of Boom Travel; marketing to promote stadium events and space rental as they plan events and travel to Mpls		
Chuck Lutz	Michele Kelm-Helgen	City of Mpls; attended the event to see the infrastructure and logistics of the stadium and how it functions, relative to the work being considered by the City (contra-flow lane being considered, street closures for major events, commons operation and function, etc)	Yes	
Ted Mondale	MSFA Executive Director			
Jeremiah Sullivan	Ted Mondale		Yes	
Louie Mondale	Ted Mondale		Yes	
Rebecca Mondale	Ted Mondale		Yes	

\*Michele Kelm-Helgen's daughter had her own ticket to the event in a separate section, but stopped by the suite and had a hot dog and soda (paid \$20).

**Total Guests:**

**24**



### Vikings v. Dallas Cowboys (Dec. 1, 2016)

Attendee	MSFA Host	Comments	Paid	Park
Bill McCarthy	Commissioner			
Michele Kelm-Helgen	Commissioner			
Concert Promotion Group Guest #1	Michele Kelm-Helgen	A concert promotion group, looking at a possible summer music series		
Concert Promotion Group Guest #2				
Event Group Guest #1	Michele Kelm-Helgen	Significant event group that we will be bidding on		
Event Group Guest #2				
Joe and Jill Duncan	Michele Kelm-Helgen	Promoting a possible terra cross event and X Games events		
Mark Rivard	Michele Kelm-Helgen	Working with us to promote the stadium for 2020 X Games and working with the schools on a skate board project		
Matt Menier	Michele Kelm-Helgen	Meet Mpls; marketing and promotion of Minneapolis and stadium and events with X Games staff, NCAA staff and other significant event promoter		
NCAA Staff #1	Michele Kelm-Helgen	NCAA staff, (4), were in town for a day and a half to tour the stadium and outside environment and see the operation of the event. Final Four operations for our 2019 bid award was the primary focus of the evening. Knowing we are bidding again for coming years, assuring staff that our stadium works and functions well is necessary for future bid years, as well.		
NCAA Staff #2				
NCAA Staff #3				
NCAA Staff #4				
Scott Romane	Michele Kelm-Helgen	Meet Mpls; marketing and promotion of Minneapolis and stadium and events with X Games staff, NCAA staff and other significant event promoter		
Ted Mondale	MSFA Executive Director			
Al McFarlane	Ted Mondale	Minority recruitment (Insight News)		
Leroy West	Ted Mondale	Equity Recruitment (Summit OAC)		
Louis King	Ted Mondale	Equity Recruitment (Summit OAC)		
Pete Rhodes	Ted Mondale	Minority Recruitment (Black Music America)		

**Total Guests:**

**20**



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