## **Bond Case Briefs**

Municipal Finance Law Since 1971

## **Stadium Solution Requires Pros, Not Task Force.**

I was a member of the Chargers task force in 2003. I have taught sports law at USD law school for 10 years, and I have business and legal experience in the sports world, so when the mayor announced that he was going to create another task force, several people asked if I was interested. Initially, I said "sure," but as I think about, I've decided that a task force — a group of citizens working for free in their spare time — is not what we need now.

San Diego needs to hire a first-class team of paid professionals working eight, 10 or 12 hours a day to analyze the issues, look for solutions, discuss the matter with city officials, the Chargers and whomever else they choose, and recommend the very best solution in a few months.

The team of professionals should probably include a real estate expert, an investment banker (preferably with some sports facilities experience) and a municipal finance expert, but one could debate the exact makeup. My point is that we need paid professionals, working full time, to find the best solution, not a group of well-meaning and intelligent citizens meeting at 7 p.m. every few weeks.

A task force is useful at the beginning of a project when you need to survey widely about the issues, gathering data and listening to every point of view. But that has been done. We know the options, but not likely to identify the most viable solution without professional guidance. This is not quite as challenging as astrophysics, but finding a solution which is affordable to the city, acceptable to the Chargers and can win at the ballot box is very difficult.

A real estate expert could analyze the various locations, and some of the more creative options suggested over the years, such as selling the Qualcomm site (and possibly the Sports Arena) and using the money to acquire land and/or build a stadium elsewhere. The investment banking expert could look for creative financing schemes. The municipal finance professional could ensure that the method chosen complies with California law. This cannot be done at meetings held every other Wednesday by a task force of people who whose expertise lies elsewhere

There are many important issues that a task force is simply unsuited to answer.

- Could the Q be modernized as was done in Green Bay and Chicago, providing a cheaper solution than a new stadium?
- Is it more or less viable to propose that a stadium be built in close coordination with a Convention Center expansion?
- Could a stadium be built on cheaper land elsewhere, as earlier discussed in connection with Chula Vista or Oceanside?
- What is the proper role of the county in this regional enterprise? Why is this exclusively a city problem?
- How large a contribution is reasonable from the city or county given the precedents in other

cities?

- How likely is it that the city or county will recoup that contribution through additional tax revenues or otherwise over the next two decades or so?
- Will a new stadium get us Super Bowls or other big events, how often, and with what financial gain for the city?
- What would the city do about the Q if the Chargers left? The deferred maintenance on the Q necessary fixes that have been put off for years is a huge expense, but knocking the place down puts Aztec football out of business. We are between a rock and a hard place with our aging stadium, and "just say no" may not be a satisfactory answer.

Undoubtedly, there are more questions to be addressed, but this gives you the idea. A task force can discuss these questions, but it really cannot answer them definitively, and certainly not by September

So let's not do a task force, let's hire a few of the best and brightest. Yes, it will cost some money, but it's worth it. Also, it would be a prestige retention for the experts, so maybe we can get them at a public service discount, with a "success bonus" to be paid out of stadium funds if a deal gets done. There is nothing like financial incentives to get things done right. And any reasonable cost for experts would be a small price to pay for addressing the Chargers, the Aztecs and our aging stadium.

U-T San Diego

By Len Simon JAN. 21, 2015

Simon is an attorney and law professor in San Diego.

Copyright © 2024 Bond Case Briefs | bondcasebriefs.com