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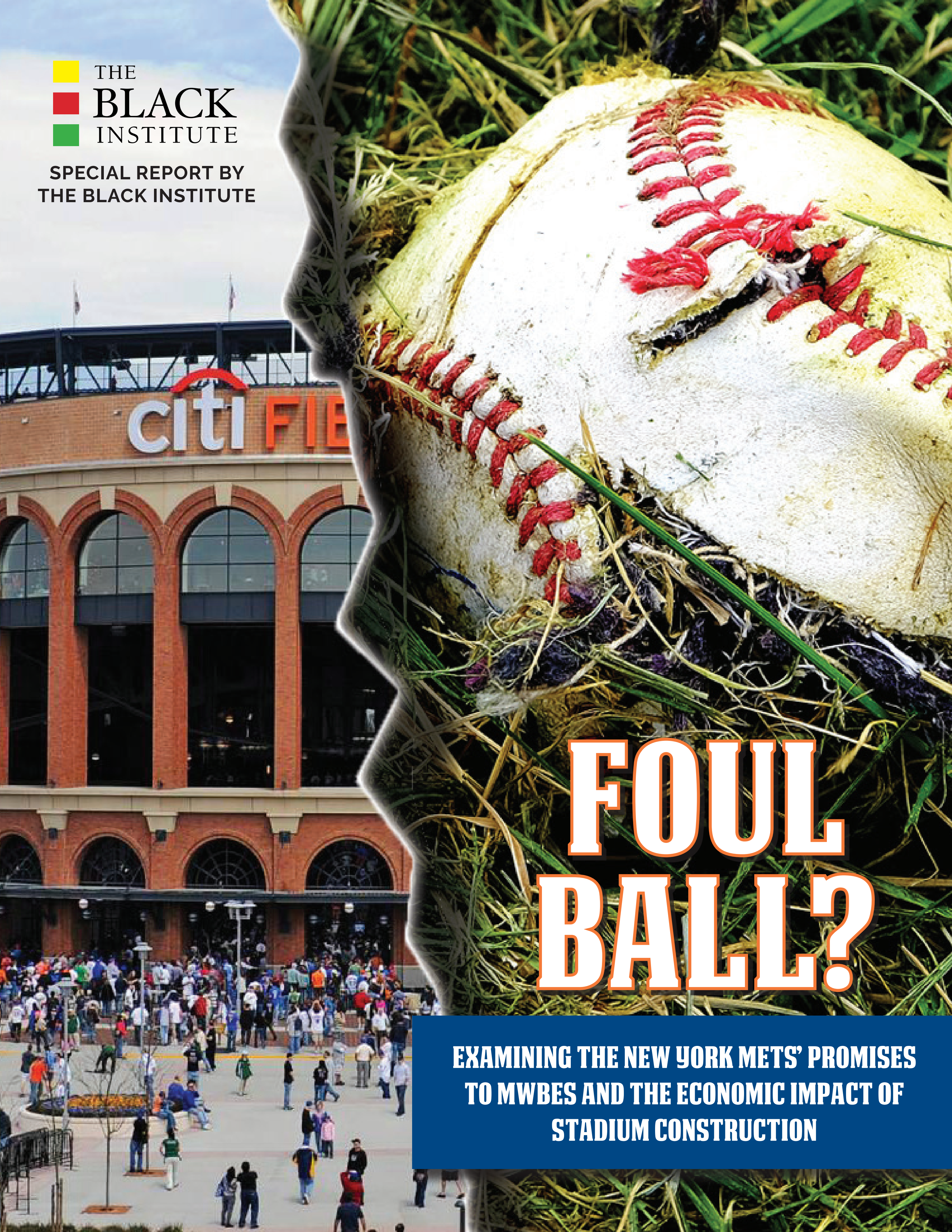

FOUL BALL?

EXAMINING THE NEW YORK METS' PROMISES TO MWBES AND THE ECONOMIC IMPACT OF STADIUM CONSTRUCTION

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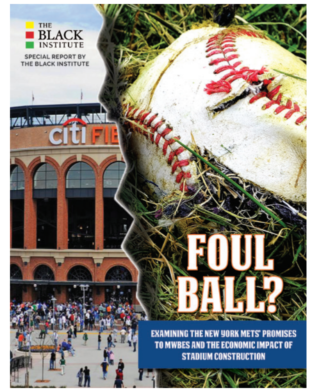

Foul Ball?
Examining the New York Mets' Promises to MWBEs and the Economic Impact of Stadium Construction
February 2022

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II. INTRODUCTION

Baseball is an iconic sport for Americans, being one of the four things that, at least according to the iconic 1974 Chevrolet commercial, sum up what it means to be an American. A storied sport in American history, baseball commanded the nation's athletic attention for decades and remains iconic, if not ascendent. Despite a growing number of issues that could compromise the future of the sport, baseball continues to be a billion-dollar industry, and New Yorkers in particular are more invested than almost any other city in America in baseball; the New York Yankees and the New York Mets commanded the positions of first and sixth most valuable franchises in Major League Baseball (MLB) in 2021, respectively.

However, there are some serious problems with baseball and its relationship with the cities and people that help to keep the sport alive. The issue that this report intends to focus on is in regards to the arenas that house this classic American sport – the baseball stadium. These colossal structures provide homes for each of the 30 MLB teams, with seating for tens of thousands of fans, and an ostensibly positive impact for the city that hosts a stadium – both in tourism revenues and for resident employment. Yet despite lavish municipal spending, funded largely by taxpayer money, stadiums have never demonstrably proven that they help to increase tourism or bring additional value to the areas that they are located in.

Moreover, the issue of stadiums and the sport of baseball in general have highly racialized aspects to them. Baseball in general has a highly troubled relationship with race; one cannot forget the bans on Black and brown players in the early years of the game, nor the Negro leagues that segregated players of color from those without. Contemporaneously, we can see that the majority of teams are run by white owners, yet the teams and hourly stadium staff tend to be people of color. But most troubling is the unfortunate trend of both team owners and municipal governments promising significant efforts to engage, employ, and uplift minority and women owned business enterprises (MWBEs) through new stadium construction, only to falter or ignore those commitments once the final authorizations are complete.

In this report The Black Institute (TBI) has chosen to focus on the New York Mets as a case study of promises and obligations to the marginalized communities of New York in their bid to build what is now known as Citi Field Stadium. As part of the deal with New York City, the Mets made numerous promises regarding the participation of MWBE contractors and continuing employment and community obligations after the completion of the stadium. This is an issue that is particularly in focus with the recent sale of the Mets from longtime owner and real estate mogul Fred Wilpon and his associates to hedge fund manager Steve Cohen, who has pledged to improve diversity conditions within the Mets organization. As Cohen assumes control of the Mets, TBI believes that it is important that he, as well as the New Yorkers who helped to fund the construction of Citi Field, are informed and understand the obligations that the Mets owe to New York, where they have fallen short, and what the current relationship between the Mets and the city is. This imperative is only compounded by the fact that the Mets are currently are leading in their league, with a chance to go on to the World Series – TBI believes that people should keep in mind what this report discusses as they cheer on the Mets for the remainder of the season and beyond.

III. EXECUTIVE SUMMARY

The Black Institute engaged in exploratory research concerning the construction of the Mets stadium and promises that were made by the Mets organization. In particular, TBI was interested in gauging the efficacy of promises regarding the participation of MWBE and Queens residents in the construction of Citi Field, the continuing employment of individuals from those categories, and whether these efforts were successful. However, TBI was also interested in the broad impact of Citi Field on the local economy since the construction and the general promises of stadium construction compared to the actual effects of their construction and continued operation.

This report begins by examining stadium building in general with a special emphasis on baseball. It explores how municipal governments slowly began to get involved in the funding process for these stadiums as a way to bolster civic pride and the local economy and eventually becoming hostage to the franchises that they hosted. It also discusses some of the relevant literature that has been produced regarding the actual economic impact of stadiums, a talking point that is much emphasized by franchises seeking new stadiums.

The report then focuses in on the New York Mets, whose new stadium opened in 2009. TBI explores the tumultuous history of the stadium's path to construction and its eventual, if suspect, approval by the city. TBI then explores some of the public and private promises that were made by the Mets as part of this approval process regarding MWBE and Queens-based residential utilization in the construction of the stadium, including whether there was regulatory supervision of these promises. The report also explores some of the structural aspects of the larger deal between the city and the Mets, including how the city was able to fund the project despite a ban on private utilization of municipal zero-interest loans.

Research efforts by TBI lead the report to the conclusion that while the Mets did make promises and that there is some evidence that they did come close to or met the promised participation requirements. However, a persistent lack of documentation and uncertain veracity of the information received clouds just how close the Mets did come to meeting its utilization goals. Moreover, TBI found that there was apparently little oversight on the part of the city concerning the deal, and that academic evaluations of stadium impact appeared to hold in the case of Citi Field, with property value seeming to fluctuate independently of the stadium's construction and opening. We also evaluated the connection between the Mets' former owner, Fred Wilpon, and the relationship between them and his company's interests in the Willets Point Redevelopment Project.

Ultimately, TBI concludes that in the case of the Mets, there is little to be done to hold the Mets accountable for their promises at present, given that the stadium has been open for over a decade. However, the case demonstrates that there is much that can be improved regarding the way that stadiums are funded and how their relationships with the municipalities they are located in function. It is TBI's belief that, broadly, there must be legislation that specifically addresses the imbalance of power between athletic franchises and teams, the egregious usage of public funds for the construction of these massive boondoggles, and a lack of federal requirements for MWBE participation. On the topic of the Mets specifically, TBI believes that the incoming city government must pledge to audit and hold the Mets accountable for the failure to live up to their goals in addition to legislating stronger MWBE participation and monitoring requirements. We also demand that the individuals responsible for this deal publicly apologize for their lack of oversight in this matter, and hope that going forward New York will think twice before selling the city for the sake of a ball game.

IV. TAKE ME OUT TO THE BALLGAME: THE PROBLEM WITH STADIUMS AND BASEBALL

Where did the craze come from?

The stadium, as a concept of a publicly accessible arena that provides entertainment through athletic competitions or similar events, is an ancient one that finds roots in the early Olympics of ancient Greece and the Colosseum of Rome. However, understanding the impetus behind the construction of more than two-thirds of MLB stadiums in the past 30 years requires a slightly more contemporary and local examination, beginning in the 1960s. By this point baseball had become firmly entrenched in the American psyche and the fever was on to continue building stadiums to host both major and minor league teams. Among this fever, municipalities had begun to offer up subsidies and other financial assistance for the construction of new baseball stadiums.[1] The logic behind it was simple – association with a major team meant that the city would be able to generate jobs from construction, encourage tourism from visiting fans, and elevate the municipality to national prominence as the host of a renowned team. For the teams, this meant that dreams of building a "franchise home", a stadium that "not only housed the sporting events, but were also attractions in and of themselves", was no longer limited by private funding.[2] Moreover, the establishment of new, single-purpose stadiums for a single sport meant that teams were no longer obliged to share space with other athletic events like soccer, football, or other such events – a further opportunity to create a "team identity" through a unique stadium.

However, it was not until the 1990s that the impact of this shift became fully realized. Following a decade of dampened economic trends that had forestalled new stadium development and the emergence of the modern professional sports industry, major franchises began to pursue stadium building as a way to reestablish franchise identity and value.[3] **So inexorable had franchise value and location become linked that teams began to leverage their residence in host cities as a way to secure tax-free municipal funding of new stadium construction.** Owners began a dedicated campaign of promoting the benefits of revamped stadiums: the creation of construction jobs, an expansion of spending and local employment as a result of the stadium, attraction of outside tourists and employers to the municipality which would expand spending and employment further, and finally a "multiplier effect" as the cycle of attraction, spending, and employment snowballed.[4]

At the same time, team owners made it plain that they were not averse to packing up shop and moving to a more amenable location if they failed to get their way.[5] While the team might suffer by relocating in the short term, the core of the franchise would remain the same; the same could not be said for the abandoned municipalities, who were faced with the potential loss of the boons that were promised. Team owners also often posited that the construction of new stadiums in more depressed areas of the city would lead to a revitalization of the area; a tempting proposal for city leaders desperate to find ways to improve the image of their cities. The result of this strong-arming by team owners was that for baseball alone, 20 of the MLB's 30 stadiums were opened between 1990 and 2010: TD Ballpark, Tropicana Field, Guaranteed Rate Field, Oriole Park, Progressive Field, Coors Field, Chase Field, T-Mobile Park, Comerica Park, Minute Maid Park, Oracle Park, American

[1] Andrew Zimbalist and Roger G. Noll, "Sports, Jobs, & Taxes: Are New Stadiums Worth the Cost?," Brookings (Brookings, June 1, 1997), https://www.brookings.edu/articles/sports-jobs-taxes-are-new-stadiums-worth-the-cost/.

[2] Rizzo, James W. "Stadium Development and Urban Renewal: A Look at Washington, DC," 2008. https://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.943.1756&rep=rep1&type=pdf.

[3] Ibid.

[4] Zimbalist and Noll, "Sports, Jobs, & Taxes"

[5] Rizzo, "Stadium Development and Urban Renewal"

Family Field, PNC Park, Great American Ball Park, Citizens Bank Park, Petco Park, Busch Stadium, Nationals Park, Citi Field and Yankee Stadium.

Are stadiums really that great for the local economy?

Team owners made grandiose promises when lobbying for a new stadium; more jobs for the community during and after construction, a general boost to the local economy, revitalization of downtrodden areas. These are attractive promises to municipalities anxious for a simple cure to their city's woes, but it takes more than just saying so to make it so. As mentioned before, the general idea used by pro-stadium advocates is a "multiplier effect" that is structured like this:

1. The construction of the stadium creates jobs
2. Workers spend the money in the community, stimulating local businesses to create new jobs
3. After the stadium is built, stadium workers and game goers replace the workers as community spenders
4. New jobs are created in the community, the workers of which then spend locally
5. This spending in turn creates new jobs, which in turn generates more that is spent in the community
6. Steps 3-5 repeat over and over, "multiplying" the effects of job creation and revenue

This is a very rosy picture of the stadium's impact on the community; a facility that effectively "self-finances" itself by way of stimulating local businesses, repaying the economic assistance by local government through the prosperity of others. It is also one that does not hold up in reality. **Multiple examinations of this issue declare that the impact of stadiums on local economies ranges from a "'midsize department store'"[6] to zero or even negative economic impact.**[7] According to the Federal Reserve Bank of St. Louis, the main issue with the idea that stadiums will lead to a "multiplier effect" on the local economy is the concept of opportunity costs – in this context, it refers to what consumers would spend their money on if there was not a stadium. The answer is that it would still likely largely remain in the community; local theaters, restaurants, other attractions, etc.[8] There is no new spending being generated in the community by building a stadium, aside from during the construction itself, and may actually harm the local economy by diverting money to the sports franchise.

Moreover, athletic franchises are highly seasonal, further compounding their minor to nonexistent economic impact. For baseball alone, there are only 81 regular-season games played in the **home stadium** each year,[9] meaning that the stadium is at minimum only utilized for around 22% of a given year. The 2020 season, played during the COVID-19 pandemic, saw this number revised to a mere 20 games played at home for division series.[10] Leaving aside the extraordinary reduction in games due to

[6] Ben Bergman, "The NFL in L.A.? Get Ready for Near Zero Economic Impact," KQED, February 27, 2015, https://www.kqed.org/news/10444227/new-nfl-team-unlikely-to-have-big-economic-impact-in-southern-california.

[7] Zimbalist and Noll, "Sports, Jobs, & Taxes"

[8] Scott A. Wolla, "The Economics of Subsidizing Sports Stadiums," Economic Research - Federal Reserve Bank of St. Louis, May 2017, https://research.stlouisfed.org/publications/page1-econ/2017-05-01/the-economics-of-subsidizing-sports-stadiums/.

[9] This does not include post-season games, the World Series, or the possibility of hosting the All-Star Game. Including these, which would be highly unusual, an additional maximum of 12 games could be played at the home stadium, assuming the team was a wild card and yet somehow managed to have a better record giving it the home field advantage and that a full series is played in the Division Series, Championship Series, and the World Series. This would mean 3 games in the Division Series and 4 games in both the Championship and World Series. This would increase the stadium utilization percentage to 25%, but this scenario is not only highly unlikely to occur but is also unsustainable due to rules regarding the location of the All-Star Game and the likelihood of consecutive wild card status, as well as full-series games.

a worldwide pandemic, one can see that even in a normal season that this is not a sustainable period for the hourly workforce responsible for operating and maintaining the stadium. The minimal wages that maintenance staff, concessions operators, and other unskilled workers required to operate the stadium are not able to bolster the local economy by a significant degree.[11] Tourism to the stadium is likewise limited to this 22% minimum, and has the doubly negative effect of being highly localized on the stadium and its immediate area while also affecting the local economy by impeding normal, local activities.[12] The average stadium goer can likely attest that upon going to the stadium, they generally spend all of their time before, during, and shortly after the event's conclusion within the premises of the stadium. After all, the stadiums generally provide all the amenities that one would otherwise need to travel around for (food, water, entertainment, restroom facilities, etc.) and also make exiting and re-entry either difficult or, depending on the stadium, impossible. As the length of an average baseball game is, as of 2019, a little over 3 hours,[13] when factoring in travel times to and from the stadium and the difficulty of doing so, it is understandable why stadium goers tend to rarely visit the local area before or after. The sheer time and energy invested by fans generally leaves them little to spare for touring the area around the stadium.

The concept of "leakage" is also a detriment to the idea that stadiums help to promote a positive local economy. Stadiums pull in a respectable average of $145 million each year from a fairly diverse number of consistent and inconsistent revenue streams – the more consistent being the revenue earned from ticket sales, parking fees, concessions, and broadcast rights, with conditional revenue from sponsorships and "renting out" the stadium for alternative uses like performances and private parties[14] comprising a smaller but still notable share of revenue. In 2019 the MLB claimed that around 40% of the revenue was derived from gate receipts (ticket sales) and in stadium, with another quarter coming from central revenue (a way of describing revenue earned from national and international broadcasting agreements)[15] and 22% coming from local broadcasting rights.[16] Sponsorships make up just over 10% of revenue, and all other income was relatively small in comparison.[17] The lack of detail is frustrating, but there are extrapolations, such as the one in Figure 2, which show a more detailed perspective. In reference to said figure, we can see that the majority of revenue still comes from tickets in the form of normal and premium seating, complimenting the 2019 figures. Of note is that concessions in 2015 made up 6% of the total revenue, a staggering revelation only tempered by the realization that the cost of concessions generally seems to be on the rise – the price of a beer generally stays around $6, but the cost of a hot dog or soda have increased over 30% between 2010 and 2019[18] – and demonstrates how stadiums have been altering their models to squeeze more out of stadium goers.

10 Andrew Simon, "MLB's 60-Game Schedule for 2020 Unveiled," MLB.com (MLB, July 11, 2020), https://www.mlb.com/news/2020-major-league-baseball-schedule-released.

11 Rick Paulas, "Sports Stadiums Are a Bad Deal for Cities," The Atlantic (Atlantic Media Company, November 21, 2018), https://www.theatlantic.com/technology/archive/2018/11/sports-stadiums-can-be-bad-cities/576334/.

12 Ibid.

13 "Average Time of 9-Inning MLB Game a Record 3:05:35," ESPN (ESPN Internet Ventures, September 30, 2019), https://www.espn.com/mlb/story/_/id/27733430/average-9-inning-mlb-game-record-30535.

14 "How Do Football Stadiums Make Money?," Football Stadiums (Football Stadiums), accessed September 9, 2021, https://www.football-stadiums.co.uk/articles/how-do-football-stadiums-make-money/.

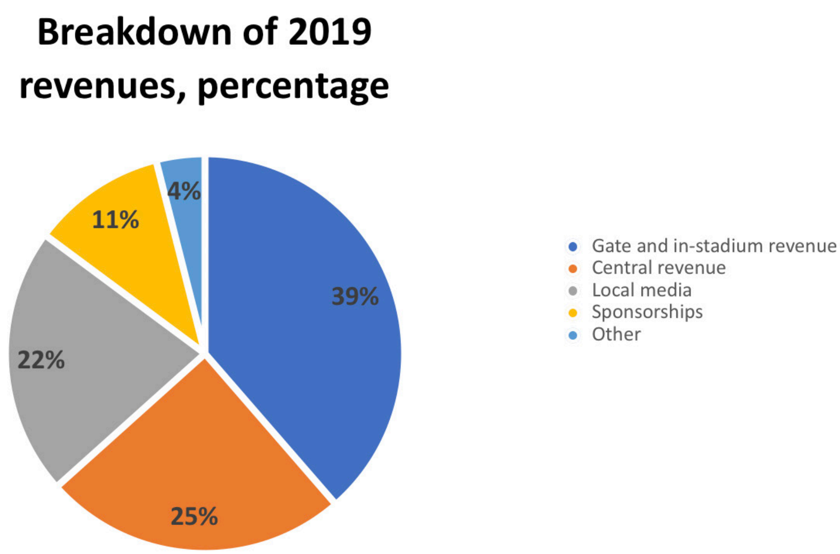
15 "Central Revenue Definition," Law Insider (Law Insider), accessed September 9, 2021, https://www.lawinsider.com/dictionary/central-revenue.

16 "Report: Major League Baseball Projects $640k per Game Loss with No Fans," USA Today (Gannett Satellite Information Network, May 17, 2020), https://www.usatoday.com/story/sports/mlb/2020/05/16/major-league-baseball-revenue-loss-report/5207671002/.

17 Ibid.

18 Christina Gough, "MLB Average Concession Stand Prices 2010-2019," Statista (Statista, November 18, 2020), https://www.statista.com/statistics/202619/concession-stand-prices-in-mlb/.

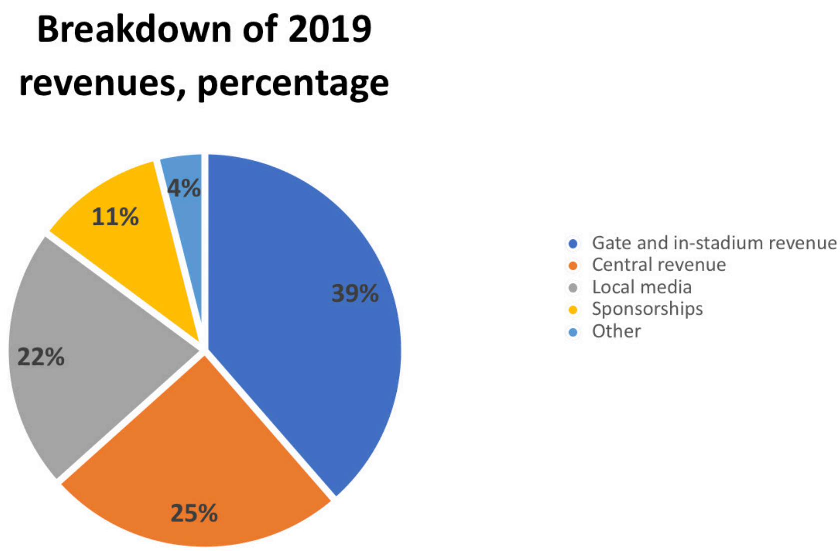
Figure 1: The MLB's reported revenue streams – Credit for the data to USA Today[19]



No matter the way that the revenue is earned, however, the point is that most of it will never be found flowing back into the community directly. Much of franchise payroll is spent on players, of which teams are allowed to have up to 40, and while they play for an organization that is local in identity player lifestyles are usually anything but. Considering that on top of the massive expenditure on players there are owners receiving dividends on their ownership and a league fee (the MLB is headquartered in Midtown Manhattan), and revenue sharing agreements in place that limit a team's net profits, the amount going back to the community either through payroll or just directly is tiny. That also does not account for merchandise or other franchising income independent of the actual stadium. Even when factoring in the recent trend of stadiums being used for other events, civic or private,[20] the amount of additional paid hours for stadium staff is minimal. The cities themselves also rarely, if ever, receive a portion of revenue generated from such activities, despite technically being the representative of the taxpayers who funded such construction.

[19] "Report: Major League Baseball Projects $640k per Game Loss with No Fans"
[20] "Take Me Out To The Non-Ballgame," Front Office Sports, July 30, 2019, https://frontofficesports.com/red-sox-yoga-non-baseball/.

Figure 2: A more segmented perspective of revenue streams breakdown. Credit to Matt Perez[21]



An International Perspective: The Olympics

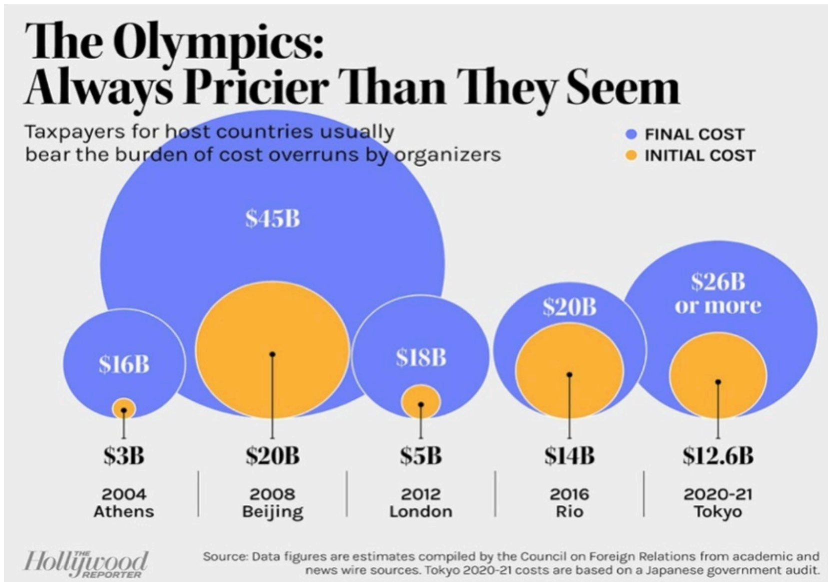
There is perhaps no more atrocious example of how little stadiums contribute to the local economy than the massive, horrendously expensive complexes constructed by nations for the Olympic Games. In a process not unlike the one domestic[22] teams use (see above), the International Olympic Committee (IOC) holds a bidding process in which interested cities will undergo a multistage application process to prove their worthiness to host the games. At various points cities must demonstrate a vision for the games, the capacity of the city and willingness to accept IOC terms, athlete quarters, etc.[23] This process alone costs hundreds of thousands of dollars, if not more – Chicago reportedly spent between $100 - $150 million on an *unsuccessful* bid to host the 2016 games.[24] At a minimum, in fact, national candidates are required to pay $150,000 just to get in the running, while finalists may spend an additional half a million dollars developing their proposals while the IOC deliberates.[25] **This process bares striking similarities to the "race to the bottom" mentality adopted by cities courted by major franchises looking for the best deal, as cities competing for the chance to host the event are under significant pressure to prove that they *really* want it – to the tune of *billions* of dollars being promised.**

Like their more franchise-oriented siblings, Olympic stadiums require massive amounts planning and consideration by their host cities, and not all of it is just regarding the vision for the games. Cities must prove that they can construct massive sports complexes, athlete quarters, and provide the infrastructure and amenities to accommodate tens of thousands of visiting spectators, and more[26] – all by a set date, usually only a few years out. This means that in addition to the billions that cities may have to promise based on their plans, they must be willing to loosen their purse strings quite a bit more. As a timely example of this, consider the 2020-2021 Tokyo Olympics, which the Japanese won

[21] Matt Perez, "Where MLB Receives Its Revenue," Camden Depot (Camden Depot, January 26, 2016), http://camdendepot.blogspot.com/2016/01/where-mlb-receives-its-revenue.html.
[22] Note that hereon "domestic" refers to the United States, as in athletic franchises based in the United States
[23] "Factsheet - Host Cities Election (Update - March 2018)." Lausanne: International Olympic Committee, March 5, 2018.
[24] Jeff Wallenfeldt, "7 Ways Hosting the Olympics Impacts a City," Encyclopædia Britannica (Encyclopædia Britannica, inc.), accessed July 28, 2021, https://www.britannica.com/list/7-ways-hosting-the-olympics-impacts-a-city.
[25] Ibid.
[26] Factsheet - Host Cities Election (Update - March 2018).

with a bid of $7.5 billion USD. As the games begin, it has become clear that the budget increased by at 100% from that initial figure ($15.4 billion USD),[27] and that is before audits – the Japanese government has claimed that the true cost may be closer to *$25 billion USD.*

Figure 3: A visual illustration of recent Olympic costs, projected vs. final. Credit: Patrick Brzeski



One might wonder where the money to fund these overages comes from – unsurprisingly, like their domestic counterparts, it is the taxpayers who end up paying the majority of costs. Initial claims indicate that all but about $6.7 billion USD for the Tokyo Games was (or will be) supplied from taxpayer dollars.[28] Sadly, this is far from an uncommon occurrence – as Figure 3 (right) demonstrates, overages in recent Olympics are somewhat of a regularity.[29] Moreover, as is the case with Tokyo, the IOC is notoriously inflexible when it comes to cancelling or otherwise altering the details of its contract with host cities – while the Games were rescheduled from 2020 to 2021 in light of the COVID-19 health crisis, the IOC made it very clear that little would stop the Games from being held as planned, even if the Japanese government attempted to intervene.[30] This sort of inflexibility mirrors that of cities attempting to bargain or change aspects of their contracts with sports franchises, in that the franchise (in this case, the IOC) holds significant strategic advantages over the host city, especially after a contract to host the games is signed.

However, as with normal stadium proponents, the IOC insists that the privilege of holding the games is not only a prestigious one, but a profitable one, and recent changes to their selection criteria have tried to emphasize the "legacy building" aspect of the Games. That is to say, ensuring that the city hosting the event will have a lasting, positive impact from having hosted it. Increased tourism, the

27 Cheryl Heng, "Deal of Century or a Bad DEAL? The Cost of Hosting an Olympic Games," South China Morning Post, July 21, 2021, https://www.scmp.com/sport/article/3141899/tokyo-2020-what-price-pay-hosting-olympic-games.
28 Ibid.
29 Patrick Brzeski, "NBC Approaches 'Moral Hazard' AMID Tokyo Olympics Push During Pandemic," The Hollywood Reporter (The Hollywood Reporter, June 23, 2021), https://www.hollywoodreporter.com/business/business-news/nbc-olympics-tokyo-health-experts1234972083-1234972083/.
30 Ibid.

benefits of large-scale infrastructure and urban renewal, a more public and positive public image – these are only a few of the purported benefits accorded to hosts,[31] which may sound similar to the promises made by domestic sports franchises seeking public funding for stadiums, because they are. To be fair, there are cities for whom this is true – Los Angelos (1984), Barcelona (1992), and Sydney (2000)[32] are several examples of cities who successfully hosted the Games to benefit, though each in different ways.[33] These all demonstrated that a positive legacy can be achieved, and that it can have truly positive effects when achieved.

Yet these success stories are anomalies within the larger Olympic stadium experience (and stadium building in general), and stadium proponents conveniently forget that there are far more colossal examples of stadiums failing than succeeding. There is no better example of this than Montreal (1976), which saw a cost increase of 4.4x the initial projection and put the city in massive debt that took nearly 30 years to resolve[34] – a tragedy compounded by the fact that the stadium has not had a regular occupant or usage since 2004. Athens's cost overruns and failure to create an enduring legacy following the hosting of the 2004 Olympics led to much of the complex being abandoned and unmaintained. So called "white elephant" Olympic complexes, either those utterly abandoned like Athens or only marginally used like Montreal and Beijing, far outnumber those that have managed to be successfully transformed into hubs of culture and economic power. Chilling photos, like the one in Figure 4, remind us of just how much money is spent on these complexes, and just how quickly things can go wrong – with taxpayers shouldering the mistakes of planners and ambitious advocates of the expensive trinkets that stadiums are.

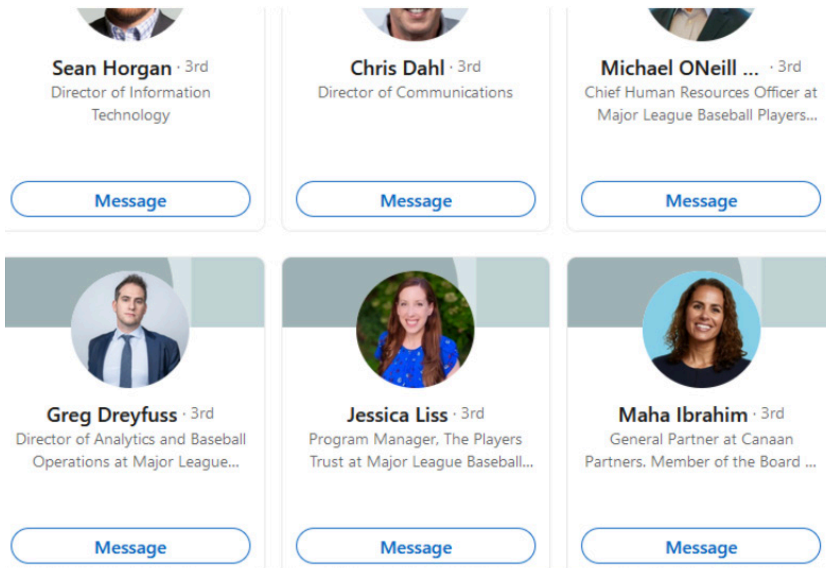
Race and Baseball

Figure 4: The abandoned beach volleyball venue in Neo Faliro, Greece. Credit - Thanassis Stavrakis[35]

[31] Wallenfeldt, "7 Ways Hosting the Olympics Impacts a City"
[32] Ibid.
[33] Respectively – Los Angeles turned a profit off the Games, Barcelona significantly improved its image as a tourist location, and Sydney benefited from significant infrastructure and image improvements (see above reference)
[34] Wallenfeldt, "7 Ways Hosting the Olympics Impacts a City"
[35] Steven Bloor, "Abandoned Athens OLYMPIC 2004 Venues, 10 Years on – in Pictures," The Guardian (Guardian News and Media, August 13, 2014), https://www.theguardian.com/sport/gallery/2014/aug/13/abandoned-athens-olympic-2004-venues-10-years-on-in-pictures.

As alluded to previously, the relationship between baseball and race has a number of notable stains throughout history. The professional leagues of the early to mid-20th century banned Black and brown people from participating in white games and segregated them into the Negro leagues. Fans threatened Hank Aaron as he drew close to, and eventually beat, the legendary Babe Ruth's career home run record. And though Jackie Robinson's joining the Dodgers is widely considered to be the breaking point of *de jure* racism and discrimination in professional baseball, the legacy of the past still haunts the present in less overt ways to the present day.

Figure 5: A screen capture of the MLBPA's "People" tab. Credit to Jacob Scupp via LinkedIn



While the overtly racist policies that caused so much suffering and anguish in the past have largely disappeared, baseball (and many other team sports, for that matter) still face a significant issue – the lack of representation in the C-suite. Of the 30 MLB teams, only one is majority owned by a non-white owner,[36] and none are Black or brown.[37] While other nonwhite individuals have attempted to break into this relatively exclusive club, notably Alex Rodriguez and Jennifer Lopez's attempt in purchasing the Mets in September 2020, they have consistently lost their bids to white owners. For a sport with a fan base that is 60% white[38] and currently struggling with an aging fanbase, it would seem logical for the MLB to try and encourage not only the inclusion of more players of color, but owners of color as well; and for highly visible teams as well. **Yet to date, there has only been one Black majority owner of a professional baseball team – moreover, it happened only a year ago in July of 2020 for a new expansion club under the Atlantic League banner.**[39] This disparity is less present in the Major League Baseball Players Association (MLBPA) however; the current executive director of union and former player, Tony Clark, is the first person of color to lead the union in its

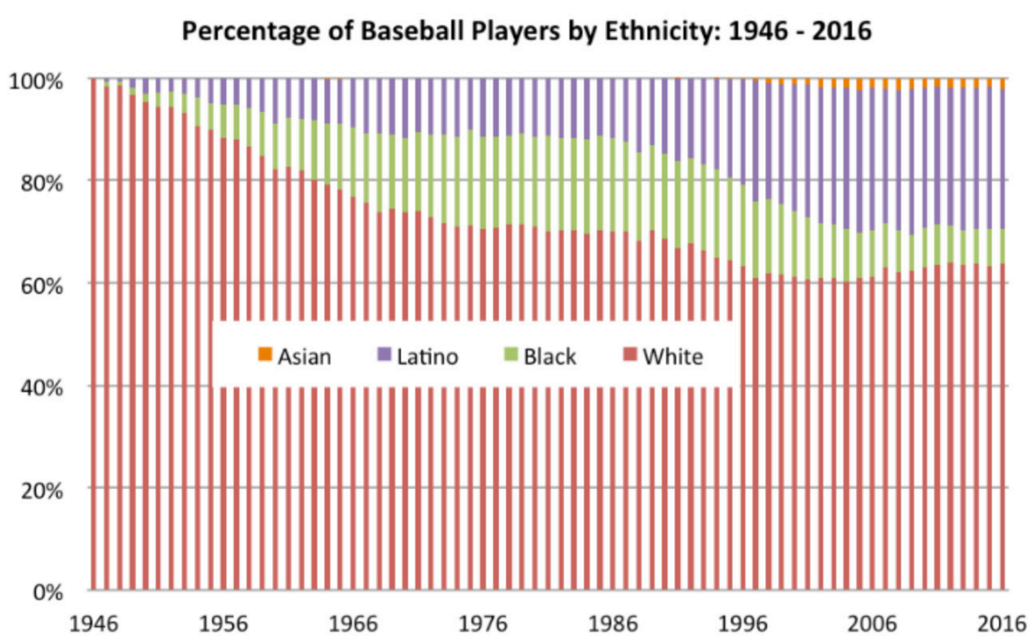
[36] Arturo Moreno, owner of the Los Angeles Angels, is Hispanic. He has owned the team since 2003.
[37] The Atlanta Braves and Seattle Mariners are owned by Liberty Media and First Avenue Entertainment LLLP. The chairpersons of both companies are white.
[38] Christina Gough, "MLB Fans in the U.S. by Ethnicity 2020," Statista, October 15, 2020, https://www.statista.com/statistics/1147621/mlb-fans-ethnicity/.
[39] J.J. Cooper, "Brandon Bellamy Set To Become Only Black Majority Owner In Professional Baseball," College Baseball, MLB Draft, Prospects - Baseball America (Baseball America, July 28, 2020), https://www.baseballamerica.com/stories/brandon-bellamy-set-to-become-only-black-majority-owner-in-professional-baseball/.

history, with Dave Winfield serving as a special advisor.[40] Unfortunately, it seems this diversity at the top does not quite hold with the employee roster, which appears to still be majority white based on LinkedIn job holders. That being said, the number of employees of color is by no means insignificant and indicates that the organization has been taking steps to diversify their staff.

However, black players remain significantly underrepresented in baseball as a whole – just 7.8% of all players employed by all 30 teams in 2020 were Black.[41] While this number is actually an increase from previous years, it is only barely above the number of players in 2016, the lowest percentage since 1957, at a disappointing 6.7% of all players.[42] White players are still the majority in baseball, but not by much; in 2016, 63.7% of players were white, followed by Latinos with 27.4%.[43] And while Black participation is not increasing as dramatically as Latino participation, one must again return to the conundrum at hand - why, despite increasingly diverse team demographics, are the majority of owners still white?

Based off of pure proportions, only about 18 teams should be owned by white owners – the remaining teams should see owners representing a far more diverse cast. Yet this is not so, and it has

Figure 7: Percentage of Baseball Players by Ethnicity (1946 - 2016). Credit - Mark Armour and David R. Levitt.[44]



[40] "MLBPA Staff," Major League Baseball Players Association (MLBPA), accessed September 9, 2021, https://www.mlbplayers.com/departments

[41] Bob Nightengale, "'Starting to Hit Home:' Percentage of Black Players in MLB Still Low, but There Are Signs of Growth," USA Today (Gannett Satellite Information Network, August 14, 2020), https://www.usatoday.com/story/sports/mlb/columnist/bob-nightengale/2020/08/14/mlb-black-players-signs-of-growth-100th-anniversary-negro-leagues/3366480001.

[42] Brandon Jones, "Play Ball? African Americans Interest in Baseball Wanes," Cronkite News - Arizona PBS, January 7, 2021, https://cronkitenews.azpbs.org/2021/01/06/seventy-three-years-after-robinson-broke-color-barrier-baseball-still-struggles-to-lure-african-americans/.

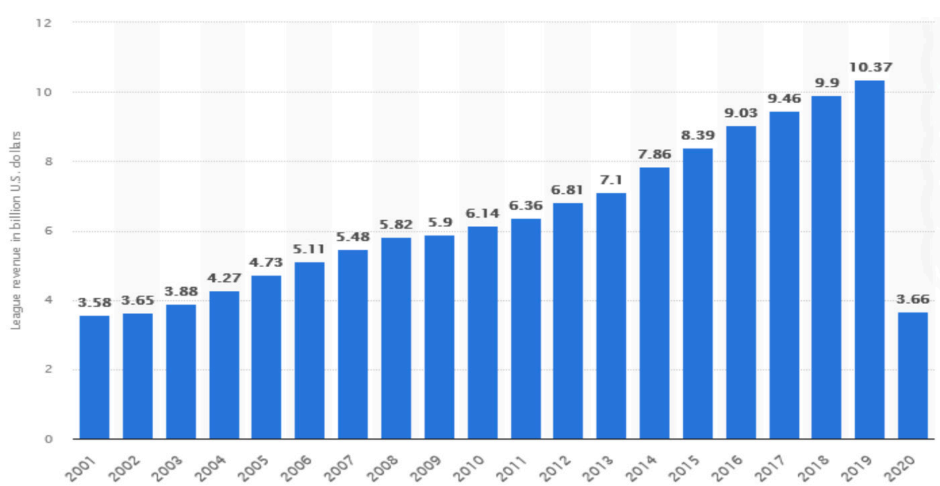
[43] Mark Armour and David R. Levitt, " Baseball Demographics, 1947-2016 ," Society for American Baseball Research (Society for American Baseball Research, April 9, 2020), https://sabr.org/bioproj/topic/baseball-demographics-1947-2016/.

[44] Mark Armour and Danial R. Levitt, "Baseball Demographics, 1947-2016 ," Society for American Baseball Research (Society for American Baseball Research, April 9, 2020), https://sabr.org/bioproj/topic/baseball-demographics-1947-2016/.

potentially troubling implications. At its most banal one could argue that minority businesspersons, or otherwise wealthy nonwhite individuals, simply do not have an interest in owning a team – they do not care for the sport, or maybe just do not see it as a valuable investment. But at its worst it speaks to an ingrained, racist sentiment among the current team owners and within the MLB itself. After all, the MLB and the team owners must both approve of a team's sale; why has it been so hard for a minority individual, let alone a Black or brown one, to be approved?

While representation at the top of baseball is demonstrably important, as has been shown, the symbolism of having Black and brown individuals in ownership and management positions within the organization is not the only reason for increasing racial diversity. **There is a significant economic imperative as well, both for players of color and communities of color, to strive for a more diverse baseball scene.** Between 2001 and 2019, the combined revenue of all MLB teams increased a staggering 290% from $3.58 *billion* to $10.37 *billion*, with an average revenue of $122.1 million per team. Even with the massive decline in total revenue attributable to the onset of the COVID-19 pandemic, the combined revenue was still in the billions. This is incredibly important because, while MLB franchises are not public companies and thus not obliged to share exact revenue and cost figures, there is evidence that player compensation occupies a zone of 40-50% of annual revenue, tending towards the higher.[46] Based on the average compensation and splitting the difference in range to 45%, this means that the average player has a salary of at least $1.3 million, and in truth the number stands much higher – in 2021, the average salary amount was actually $4.17 million.[47]
Yet despite this rosy figure, one has to wonder – are players of color, especially Black players, truly receiving the dividends of this steady climb in revenue, and thus, hypothetically, receiving more

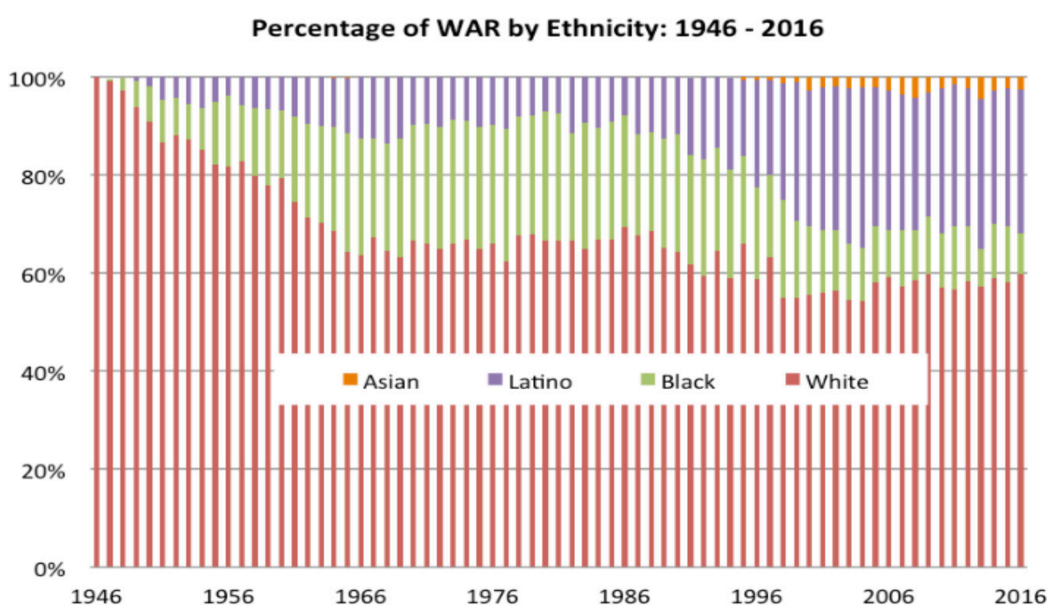
Figure 8: Major League Baseball total league revenue from 2001 to 2020. Credit to Christina Gough, see reference 22.



[45] Christina Gough, "Major League Baseball Total League Revenue from 2001 to 2020 (in Billion U.S. Dollars) ," Statista, June 16, 2021, https://www.statista.com/statistics/193466/total-league-revenue-of-the-mlb-since-2005/.
[46] Ben Lindbergh, "Baseball's Economics Aren't as Skewed as They Seem," The Ringer (The Ringer, February 21, 2018), https://www.theringer.com/mlb/2018/2/21/17035624/mlb-revenue-sharing-owners-players-free-agency-rob-manfred.
[47] Christina Gough, " Average Player Salary in Major League Baseball from 2003 to 2021 (in Million U.S. Dollars)," Statista (Statista, May 25, 2021), https://www.statista.com/statistics/236213/mean-salaray-of-players-in-majpr-league-baseball/.

valuable contracts? In 2021, this does not seem to be the case – only one player of the Top 10, David Price, is Black, and he ranks 7th on that list.[48] Seven of those in that same Top 10 are white, and two are Latino – an allocation strikingly close to the current racial makeup of MLB players as a whole. However, this similarity stops at being a mere curiosity, for while it would suggest that representation at the top is proportionate to the number of Black players, it is only further indictments against the current state of baseball as a rich man's sport. As this analysis of racial differentials in the MLB from 2014 points out in its conclusion that "There are far fewer African-American players nowadays than their share of the United States population would suggest. This mirrors the explanation that lower education and less experience combine to give African-Americans less earning power."[49] This same analysis also found that, due in part to the economic status of the nations that many Latino players are recruited from, they actually earn less than both their white *and* Black counterparts based on their Wins Above Replacement (WAR)[50] value to their team.

Figure 9:Percentage of WAR by Ethnicity (1946 - 2016).
Credit - Mark Armour and Danial R. Levitt.[51]



[48] "Major League BASEBALL Salaries 2021 | USA TODAY Databases | USA Today Network," USA Today (Gannett Satellite Information Network, April 2, 2021), https://databases.usatoday.com/mlb-salaries/.
[49] RJ McDaniel, "Searching for RACIAL Earnings Differentials in Major League Baseball," The Hardball Times, July 14, 2014, https://tht.fangraphs.com/searching-for-racial-earnings-differentials-in-major-league-baseball/.
[50] According to the MLB, WAR is a sabermetric value measuring "a player's value in all facets of the game by deciphering how many more wins he's worth than a replacement-level player at his same position (e.g., a Minor League replacement or a readily available fill-in free agent)." Essentially, if a player is worth keeping based on their net production of value for the team in terms of wins.
[51] Armour and Levitt, "Baseball Demographics, 1947-2016"

V. BRING 'ER HOME: LOOKING AT CITI FIELD

The Black Institute has chosen to focus on Citi Field, home of the New York Mets as an example of promises made, and unsatisfactorily fulfilled, by not only the team's administration but also the City of New York. After examining the data and information that could be obtained, we have pieced together a narrative of the project and, more importantly, what was promised to MWBEs, the Queens community, and the citizens of New York on the whole.

Pre-Construction History

The story of Citi Field began in 2001 when mayor Rudy Giuliani announced that tentative, non-binding agreements had been struck with both the Yankees and Mets regarding the construction of new stadiums for both teams.[52] The original figures projected an estimated cost of $1.6 billion, the teams were expected to pay for roughly half the construction costs and would keep the majority of ticket and parking revenue , and the state was expected to contribute between $300 to $350 million for infrastructure costs in support of the new stadiums.[53] However, Giuliani's proposal was scrapped by succeeding mayor Michael Bloomberg, who exited the agreements based on the discovery of a previously unknown clause from the Giuliani agreement that allowed either team to abandon the city with a 60 day notification if the city looked unable to fulfil their side of the bargain. A skeptic of publicly-funded stadiums and other similar ventures, Bloomberg showed no interest in continuing the negotiations and the end of the Giuliani deal came in 2002 after Bloomberg stated that budget constraints would prevent any sort of public-funding deal from being achieved that year.

It was not until 2006 that the two teams were able to secure a deal with the city to provide substantial public financing as part of a bid by the Bloomberg administration to have New York host the 2012 Olympics. **Following a rejection by the Public Authorities Control Board for a multipurpose Olympic stadium that would also house the Jets, the administration via Deputy Mayor Dan Doctoroff, desperate to save New York's Olympic bid, explored and ultimately settled on an agreement that would fund the construction of a new Mets stadium in Queens.** This stadium would, during the games, would serve as the Olympic Stadium.[54] [55] As the Mets would hypothetically be without a home during the 2012 season, they would play at Yankee Stadium – the Yankees also therefore received a deal with the city for public financing of their own stadium.[56] The construction of these deals reportedly were completed in under 72 hours, and were approved by both sides.

The "PILOT" Program

Before discussing the actual details of the agreement, however, it bears mentioning just how the city could cough up the funds required, and thus how the Mets (and Yankees) got such a sweetheart deal in the process. In 1986 Congress passed Tax Reform Act which, among its various other functions, makes it illegal to use federally subsidized zero-interest municipal bonds for the construction of projects that primarily benefited private interests – such as sports facilities.[57] The 1986 Tax Reform Act spells out that usage of this subsidy program is forbidden if more than 10% of debt service is

[52] Jayson Blair, "Giuliani Says He's Not Rushing to Close Deals on Stadiums," The New York Times (The New York Times, December 26, 2001), https://www.nytimes.com/2001/12/26/nyregion/giuliani-says-he-s-not-rushing-to-close-deals-on-stadiums.html?searchResultPosition=12.

[53] Charles V Bagli, "Bloomberg Says Details On Stadiums Were Omitted," The New York Times (The New York Times, January 16, 2002), https://www.nytimes.com/2002/01/16/nyregion/bloomberg-says-details-on-stadiums-were-omitted.html.

[54] "A Q&A With Former New York City Deputy Mayor Dan Doctoroff," City & State NY, October 17, 2017, https://www.cityandstateny.com/articles/personality/interviews-and-profiles/new-york-city-deputy-mayor-dan-doctoroff-interview.html.

[55] Mitchell L. Moss, "How New York City Won The Olympics" (New York University, November 2011), https://wagner.nyu.edu/files/faculty/publications/Olympics_in_NYC_2012_REPORT_110711.pdf.

[56] Ibid.

[57] Zimbalist and Noll, "Sports, Jobs, & Taxes"

covered by **revenues** from the facility – in the case of baseball stadiums, this would be the revenues collected from games and other events held in a stadium. The idea was that by preventing teams from utilizing tax-free debt, owners would be forced to tap more costly (and taxable) loans, thereby allowing the government to have their cake and eat it as well. However, this intent proved to have the opposite effect. Cities desperate to construct stadiums with high economic promise and symbolic value (as hosting a franchise is often consisted to be the difference between a "true city" and every other municipality) began searching for ways to circumvent the 1986 law to provide the incentive to franchises to move or remain in their cities. Ironically, this gave more power to the teams as they could now leverage the possibility of moving or settling down based upon a city's ability to not only secure tax-free debt, but on what concessions they were willing to make as well.

Doctoroff and his team, in searching for such a way, hit upon the concept of payment in lieu of taxes, or PILOTs. The concept was not original to Doctoroff or his team, having been created through the amendment and rewriting of Public Law (P.L.) 94-565, dated October 20th, 1976, by P.L. 97-258 on September 13th, 1982.[58] This law recognized that, because federally owned lands are exempt from property taxes, the municipalities within whose bounds such lands might fall are bereft of property tax revenue that they would otherwise have been owed were the land privately held.[59] As compensation, PILOTs (referred to as PILTs by the federal government) were instituted – to give a sense of just how massive this program is, as of June 24th, 2021, $529.3 million has been administered to more than 1,900 municipalities.[60] This should indicate how powerful the concept of PILOTs are, which should also give a sense of why their usage in the construction of Citi Field was more then a bit contrived.

Doctoroff and his team petitioned the Internal Revenue Service to recognize a use case of the federal PILOT structure on a more local scale. What they wanted was not for the federal government to disburse funds to them, to be clear. Rather, they wanted to use the idea of "payment **in lieu of** taxes" for the zero-interest stadium bonds which would be serviced, not through rent payments derived from stadium revenue (which would be illegal), but instead by the Mets agreeing to pay the servicing costs of the debt. Essentially, the use case argued that the illegal case of using income to pay off the debt could be construed as a "tax" that the servicing costs would "pay" for, just that technically the servicing was NOT paying the tax. Put another way, Doctoroff's plan was "servicing charges in lieu of debt payments." They argued that because the PILOTs were effectively property taxes, just called by a different name, the arrangement was equivalent to another potential financing form – the usage of general obligation bonds, which are themselves tax exempt, to finance the construction.[61]

The PILOTs proved to be a double blessing for the teams. The IRS approved the Doctoroff PILOT use case as an acceptable way to get around the legal restrictions of the tax-free, zero interest bonds in July 2006.[62] As a result, not only did both the Mets and the Yankees got access to the preferential debt they wanted; they also were effectively absolved of the need to pay property taxes on the stadiums, the servicing charges taking the place of the additional rent or tax they would otherwise be required to pay in order to service the debt that New York City took in their name. Both teams were also were granted several additional boons during the process, which will be covered in the next section.

[58] Codified in Chapter 69, Title 31 of the United States Code
[59] "Payments in Lieu of Taxes," U.S. Department of the Interior, June 24, 2021, https://www.doi.gov/pilt.
[60] "U.S. Department of the Interior," U.S. Department of the Interior, June 24, 2021, https://www.doi.gov/pressreleases/secretary-haaland-announces-5293-million-support-vital-community-services.
[61] Moss, "How New York City Won The Olympics"
[62] Timothy Williams, "Approvals Clear Way for Yankees to Build," The New York Times (The New York Times, July 22, 2006), https://www.nytimes.com/2006/07/22/nyregion/22stadium.html.

Promises Made

The deal that the Mets struck with the Bloomberg administration was as follows. The Bloomberg administration, representing the City of New York, agreed to:

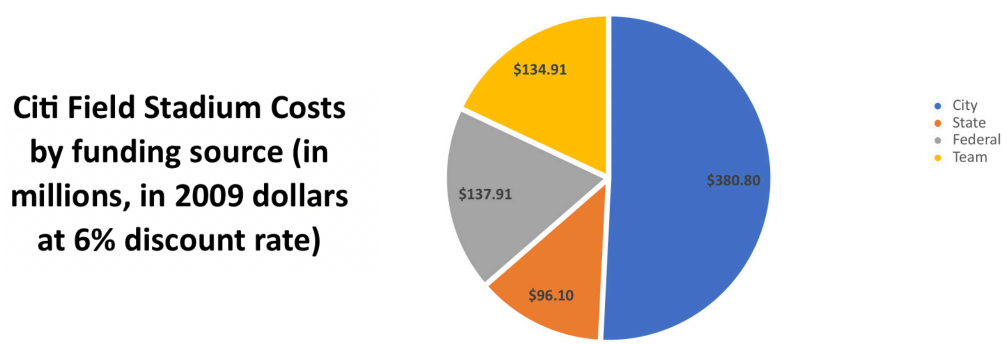
- Allow the construction of the new stadium (Citi Field) on city-owned land, forgoing payment for the property
- In conjunction with the State of New York, provide $180 million for infrastructure improvements and site preparation
- Demolish Shea Stadium at no cost to the Mets
- Offer and facilitate the usage of tax-exempt, zero-interest bonds via the PILOT program
- During the 2012 Olympic Games, pay an estimated $100 million for conversion of the stadium to an 80,000 seat Olympic Stadium and then back to the original configuration at the conclusion

The Mets agreed to:

- Financing the construction of the new field, estimated to cost $600 million when the construction began
- In the event that New York City won its bid for the 2012 Olympics, give up the stadium for the 2012 season
- Pay any and all impositions pursuant to the lease agreement, including rent payments of an annual amount totaling $500,000[63] [64]
- Remain in the City of New York until 2049

Shea Stadium's replacement eventually ended up costing at least $830.60 million, with just under 75% of the total cost paid for or subsidized by public funds.[65] This is a staggering amount, especially considering that the Mets were thereafter exempt from property taxes on the property, retain rights to revenue from lucrative sectors such as parking through the wholly-owned Queens Ballpark LLC subsidiary, and were not obligated to (nor did) share any of the revenue generated from the naming deal that the Mets struck with Citigroup Inc., worth $400 million.[66]

Figure 10: Citi Field Costs by funding source. Credit for figures is Neil DeMause[68]



[63] "New York City Industrial Development Agency PILOT Bonds (Queens Baseball Stadium Project),Series 2009," FMSBonds, Inc., n.d., https://www.fmsbonds.com/wp-content/uploads/2015/07/64971pjm8.pdf.

[64] This amount was based off of a formula which assumed annual ticket sales of at least 2 million. The original lease agreement has been amended several times and this rental amount has decreased to $300,000 or "a percentage of revenues from gross admissions, concessions, wait service, parking, stadium advertising (less $8,000 for scoreboard maintenance), and a portion of cable television receipts."

[65] DeMause, Neil "PRIVATE/PUBLIC COST BREAKDOWN FOR NEW YANKEES/METS STADIUMS, BY NEIL DEMAUSE, FIELDOFSCHEMES.COM, LAST UPDATE JANUARY 2009," Field of Schemes (Wordpress, January 2009), http://www.fieldofschemes.com/documents/Yanks-Mets-costs.pdf.

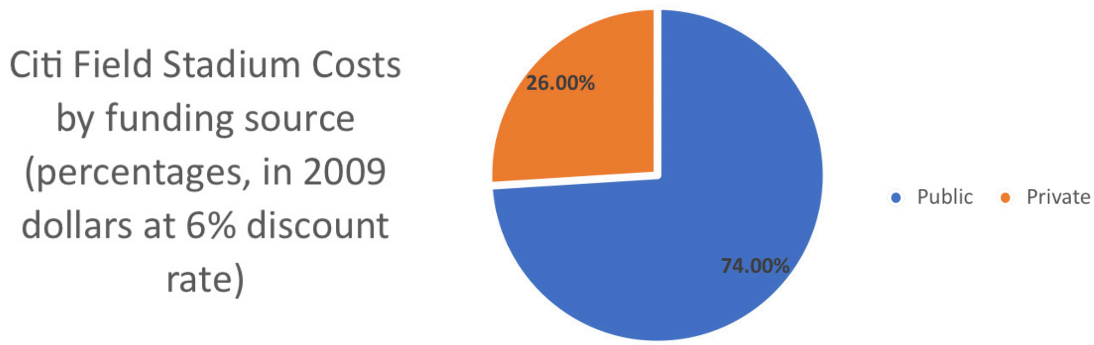
[66] "New York City Industrial Development Agency PILOT Bonds (Queens Baseball Stadium Project),Series 2009,"

[67] Note that federal contributions refer to the value of initial and additional tax-exempt bonds, since as previously noted the bonds utilized were zero-interest and tax exempt due to federal subsidies for municipal usage. The Mets effectively received almost $138 million from the federal government to build this stadium.

[68] DeMause, Neil "PRIVATE/PUBLIC COST BREAKDOWN FOR NEW YANKEES/METS STADIUMS, BY NEIL DEMAUSE, FIELDOFSCHEMES.COM, LAST UPDATE JANUARY 2009,"

While the cost of the project, especially the amount that was shouldered by taxpayers, is interesting in its own right, there were additional promises that the Mets made during lobbying efforts to get the deal passed by the New York City Council. Initial publications noted that the Mets agreed to set aside 25% of its annual charitable contributions for Queens-based groups, would ask for its contractors to promote 25% of its jobs for Queens residents and businesses, and another 25% to MWBEs citywide. However, the exact discussions that led to these speculations, the full content of the promises that the Mets made to the city, or any additional promises made, were never made publicly available.

Figure 11: Citi Field Costs by funding source. Credit for figures is Neil DeMause[69]



However, TBI obtained two documents from the Mets entitled "Minority and Women-Owned Business Participation Plan", which was dated to February 2nd, 2006, and "Community Partnership Program", which was dated to April 25th, 2006. **These documents, the full text of which can be found in Appendixes A and B respectively, confirmed that the Mets had made substantial promises regarding the integration of MWBE and Queens workers, contractors, and cooperation with the community.** In addition to the Mets pledging goals of 25% MWBE and Queens contractor and worker representation[70] and a continuing 25% allocation of Mets annual charitable contributions to the Queens community,[71] the Mets promised to make substantial outreach to community organizations and local schools.[72] The documents also alluded to a continuing commitment by the Mets to maintain the aforementioned participation goals of 25% for MWBE and Queens-based vendors and employees following the construction of the stadium, as well as commitments by the Mets to contribute substantially to beautification efforts around the new stadium.

Most interestingly, however, the Mets committed to supplying quarterly reports to a 'Advisory Committee' regarding the progress and success of the program laid out in "Minority and Women-Owned Business Participation Plan", which was to be monitored by a 'M/WBE Compliance Officer' designated by the Construction Manager,[73] who was also responsible for creating monthly reports that were to be sent to the Mets regarding the status of each contractor and subcontractor working on the stadium construction.[74] The advisory committee's members were named in the document, as follows:

[69] Ibid.
[70] See Appendix B, Section B
[71] See Appendix B, Section D
[72] See Appendix A, "M/WBE Outreach Program"
[73] See Appendix A, "M/WBE Outreach Program"
[74] See Appendix A, "Monitoring and Recordkeeping"

Hon. Helen Marshall (Chairperson)
Queens Borough President

Hon. Gregory Meeks
U.S. Representative, 6th District of New York

Hon. Toby Ann Stavisky
NYS Senate Member, 16th District

Hon. Jeffrion L. Aubrey
NYS Assembly Member, 35th District

Hon. Leroy G. Comrie
NYC Council Member, 27th District

Hon. Hiram Monserrate
NYC Council Member, 21st District

Mr. Armando Rodriguez
The National Hispanic Business Group

Ms. Bonnie Wong
President, Asian Women in Business

The provision of these documents from the Mets indicates a high degree of probability that these two documents laid out most, if not all, of the promises made by the Mets regarding MWBE and Queens-based contractors and workers participating in the construction of Citi Field. They laid a clear outline by which the Mets would be held accountable to the promises they made regarding MWBE and local participation in the new stadium, both during and after the construction. In particular, it noted *by name and position* those that would be responsible for overseeing the Mets' compliance with the MWBE and local participation requirements for the duration of the project. There were no uncertain terms about this:

> ***"During the course of the Project, the Compliance Officer for the Program will prepare and distribute quarterly reports to the Advisory Committee to keep the Committee apprised of the Program's accomplishments and compliance status. The reports will cover past current and planned activities. In addition to these quarterly reports, the Mets and the Construction Manager will make contact with the Committee members through meetings and calls as appropriate to ensure the success of the Program."[75]***

The "New Mets'" Promises

During the research for this report TBI established contact with Mr. David Cohen, Executive Vice President and General Counsel for the New York Mets, in January 2021. David Cohen explained to TBI that the new owner of the Mets, Steve Cohen, had brought with him a desire to increase the commitment of the Mets towards diversity and inclusion. He was anxious to establish an understanding with TBI and was happy to share what information he could regarding the construction period and, more importantly, what the Mets planned to do moving forward. In particular, David Cohen spoke of diversity fellowships provided by the MLB as a whole to encourage the participation of more diverse individuals in baseball at white collar positions within the team's organizational structure.

[75] See Appendix A, "M/WBE Outreach Program"

He was emphatic about the Mets' participation with community organizations in Queens and New York in general, naming Urban Dove, Prep For Prep, and DREAM as just a few of the organizations that the Mets supported. It goes without saying as well that the Mets provided substantial aid to the community during the COVID-19 pandemic, though TBI does not consider this to be as important given the high participation by corporate entities in pandemic relief efforts. He also asserted that the Mets internally were pursuing an aggressive diversity and inclusion policy that had seen tremendous growth in employees that were minorities and/or women. While TBI is at present unable to verify the effects of those efforts, since they are ongoing, it is worthwhile to keep them in mind as Steve Cohen's acquisition and promises recede into the past and the level of commitment behind these pledges are revealed.

VI. UNDER THE MOUND: THE FULFILLMENT OF PROMISES MADE

The promises that the Mets made in order to secure the construction of Citi Field have been uncovered, and the inevitable questions begin to arise. Did the Mets fulfill their promises? Were they held accountable in any way to them? Has Citi Field had the economic effect that champions of stadium building would hope?

Did the Mets fulfill the participation promises it made in order to gain city help and approval for the construction of Citi Field? The short answer is that there is not enough information to conclusively indicate one way or the other. While the Mets were ostensibly forthcoming in providing TBI with whatever documentation was created during that era, there was unfortunately very little documentation to be had. TBI did receive documentation regarding the promises the Mets would adhere to, but TBI was not provided nor were able to find any record of a definitive Community Benefits Agreement (CBA) having been signed. The documents that TBI was provided did have evidence that they were considered the final versions of their respective plans, programs, and promises. However, there is nothing that would suggest that the documents were anything more than good-faith agreements between the Mets and the city. **A distinct lack of signatures, seals, or other officiating evidence on the documentation that was either publicly available or provided to TBI leads us to believe that the Mets, aware of the administration's desperation to secure New York's Olympic bid, were able to evade legally committing to the fulfillment of their MWBE promises.**

While it may be argued that the documentation recovered, thanks in part to the Mets themselves, is sufficient evidence that the Mets were serious about their commitment, TBI believes that there is simply not enough evidence to suggest that. Leaving aside the immense amount of paperwork that a project like Citi Field would generate, the documents we do have state that at the very minimum there should have been not only quarterly reports to the named Advisory Board, but also monthly reports delivered specifically to the Mets themselves regarding the progress of MWBE and Queens-based vendor and worker utilization. Our inquiries with Mr. David Cohen failed to produce anything more than a single report dated to February of 2009, a monthly report which did list figures regarding total workforce and vendor participation by their MWBE status and residency status.

This document did ostensibly show that the Mets and general contractor Hunt-Bovis II did come close to, if not slightly exceeding, the workforce participation promises that they made. TBI remains skeptical of the veracity of this document, however, especially in the absence of a truly "final" report, or any other reports like it. The Mets via David Cohen concluded that no copies appeared to exist in their archive or the files of their owner's representative. Furthermore, to date, neither Hunt Construction Company (now a subsidiary of AECOM) nor Bovis Lend-Lease, who partnered as general contractor for the construction, have responded with records of MWBE or Queens-based workforce utilization. Our skepticism is only compounded by the fact that Ms. Bonnie Wong, one of the listed individuals on the advisory committee who were supposed to receive quarterly updates, stated that she had never served as part of the committee and that her connection with the stadium consisted of being given "free tickets (very bad seats) to a few Mets games when they[Citi Bank] first announced their support for the stadium", noting that she found it "odd" since Citi Bank is not one of the sponsors for her organization. Excepting the late Helen Marshall, no other listed member of the advisory committee has to date responded to inquiries concerning their involvement with this committee. While contact was made with the offices of several mentioned[76] elected officials, none provided information or attempted to reconnect with us regarding this issue. None of our other outreaches yielded copies of either the monthly workforce utilization reports nor the quarterly reports that were supposed to be given to the Advisory Committee. As part of our research TBI submitted multiple Freedom of Information Law (FOIL) requests to both the city and state governments asking for documents produced on the city's part regarding the Mets' obligation to fulfil these promises. These requests either failed to turn up relevant documentation or were refused, sometimes nastily.

The Black Institute strongly believes that promises, especially promises like the ones that the Mets made, must be backed up by hard and fast evidence. Despite the data we have uncovered, provided, and the assurances of the Mets organization itself, there is not enough concrete evidence to suggest that the Mets did in fact make good on them. It seems evident that the Mets had at least gone through the motions to demonstrate that they were committed to fulfilling their promises to the city and the Queens community. However, a lack of concrete obligation or monitoring by the City of New York, New York state, or an authorized third party and a conspicuous lack of concrete paper evidence leads us to the conclusion that these promises may have fallen by the wayside as scrutiny over the stadium deal decreased and construction progressed. Even if the numbers in the monthly workforce report that TBI did receive are accurate, they show that the Mets and the general contractor did not make a substantial effort to exceed the stated amounts. However, we also feel that the general trustworthiness of the report that we received must be intrinsically doubted, as it is clear that the report was supposed to be periodic, despite its inclusion of final figures. It logically follows that a trail of documentation should exist, such that would allow us to evaluate the veracity of the figures in the final report, but this trail either does not exist or the Mets were not willing to give it up. **If the reports were never produced in the first place it is a clear violation of good faith, but even if these reports do exist the unwillingness of the Mets to release them is certainly suspicious.**

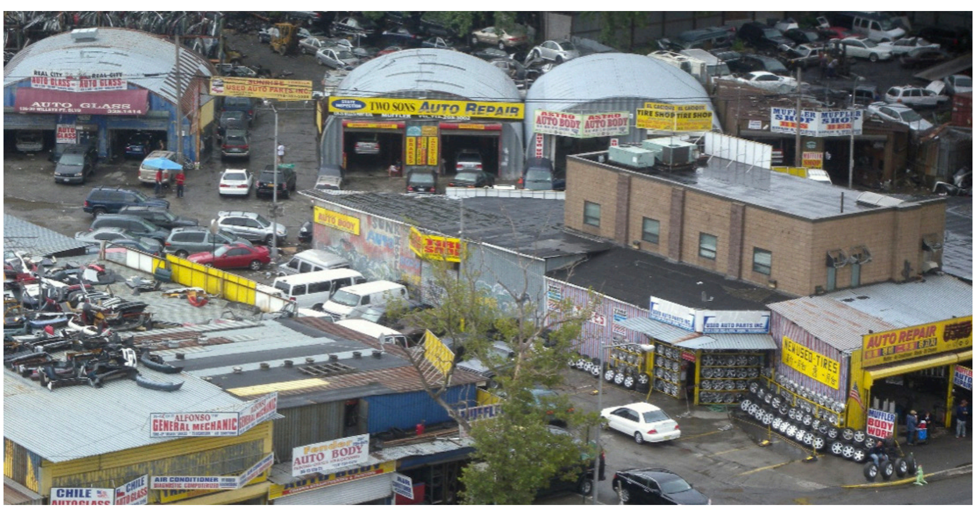
[76] The elected officials whose offices we were able to speak with are: Gregory Meeks, Toby Ann Stavisky Jeffrion Aubry, and Leroy Comrie. As mentioned, none of these offices returned inquiries or followed up despite assurances to the contrary.

VII. EXTRA INNINGS: THE WILPONS AND WILLETS POINT

Any project examining the Mets in the last century must make at least passing reference to the Wilpon real estate dynasty. Fred Wilpon cofounded the beginnings of this in 1972 with the creation of Sterling Equities, which focused on buying properties with minimal tax obligations.[77] This venture was so successful, in fact, that in 1980 Wilpon was able to acquire a one percent stake in the Mets, the remaining interest being held by Doubleday & Co. under president Nelson Doubleday Jr. In 1986 Doubleday moved to sell the company to Bertelsman AG, along with his stake, but Wilpon threatened to scutter the deal through a first-right-of-refusal option on any sale of the Mets, which therefore extended to the company which owned the Mets.[78] Doubleday and Wilpon eventually settled on equal ownership, with Wilpon beginning to exercise more control over the day-to-day operations of the Mets. He became president and CEO of the team in 1980 and began taking management and organizational action including, beginning in 1993, discussions with the city for a new, publicly funded home for the Mets. While this fell through, as previously mentioned, it was the first sign that Wilpon was looking to abandon Shea Stadium for a new home. In 2002, Wilpon bought out the remaining owners for $391 million, leaving him as sole owner of the Mets. After the construction of Citifield was approved, he brought on his son Jeff Wilpon as the COO of the Mets and to manage the construction of the new stadium. And in 2020, the Wilpon dominance of the team came to an end with the sale of controlling interest to Steve Cohen.

Directly adjacent to Citifield is Willets Point, an industrial neighborhood well known for its abundance of automobile repair shops and junkyards. This has been the overarching character of the neighborhood for decades,[79] with the added fact that the majority of these businesses are minority owned and operated. Indeed, many of these shops were not only MWBEs, but immigrant owned and operated MWBEs. See Figure 12[80] for an example of the businesses that operated in Willets Point.

Figure 12: Willet's Point, prior to demolition.
Credit - Jim.henderson (from Wikipedia), circa Summer 2010



[77] Jeffery Toobin, "Madoff's Curveball: Will Fred Wilpon Be Forced to Sell the Mets?," The New Yorker, May 3, 2011, https://www.newyorker.com/magazine/2011/05/30/madoffs-curveball.

[78] Andrew Rice, "Even During Series Mets Partners Spar, Endangering Stadium," Observer, October 3, 2000, https://observer.com/2000/10/even-during-series-mets-partners-spar-endangering-stadium/.

However, for decades this area has been seen as somewhat of a blight on Queens, and after multiple attempts by both private and public interests to renew the area, in May of 2007 then-Mayor Michal Bloomberg announced a plan to redevelop the area into a mixed-use development. He promised that the project would create over 5,300 permanent jobs and 18,000 construction jobs,[81] but not everyone was on board with the mayor's vision for a redeveloped Willets Point. Over the next several years multiple groups and politicians took action against the city or the plan, including a letter signed by a majority of the City Council[82] at the time.[83] but focus was primarily on Queens Community Board 7, who represented the area's regular citizens and whose approval was necessary for the plan to proceed smoothly. The approval came in June 2008, and despite the protests and opposition to various aspects of the plan, including the addition of a massive mall, the City Council eventually approved the plan on October 9th, 2013.[84]

The first phase of the plan, which included the demolition of the auto shops and junkyards, was scheduled to be completed in 2018.[85] However, the election of Bill de Blasio as mayor in 2014 and a successful 2015 lawsuit headed by State Senator Tony Avella and community activists stymied construction, due in no small part to the city's decision not to back developers' appeal of the 2015 ruling.[86] While construction was halted, demolition was not – in July 2016, the last shops closed and demolition began. **The physical demolition of the buildings only capped off the far more destructive aspect of this project – the annihilation of hundreds of jobs and multiple immigrant-owned and MWBE businesses who were bought out or booted out of their locations for cheap.** But the real kicker for this project comes shortly after, if one can believe that this process has yet more insanity to it. In February 2018, the de Blasio administration came to an agreement with the primary developers in the plan to implement a new building agreement, which called for 1,100 affordable apartments, a school, retail space, and related developments to be constructed – but no mall.[87] As part of this agreement the developers, The Related Companies and **Sterling Equities,** agreed to clear all toxic materials from the area by the end of 2020, the start of which was delayed until June 2021.

79 "WILLETS POINT Development: Final Supplemental Environmental Impact Statement; Chapter 1: Project Description" (PDF). New York City Economic Development Corporation. March 2013.

80 Jim Henderson, Willets Point Viewed from Citi Field, 2010, photograph, Wikipedia (New York: Wikipedia, August 12, 2010), https://en.wikipedia.org/wiki/Willets_Point,_Queens#/media/File:Willets_Pt_from_Citi_Field_jeh.jpg.

81 Schuster, Karla (May 2, 2007). "All signs 'Point' to makeover". AM New York (Tribune New York Newspaper Holdings, LLC): p. 4

82 Twenty-nine City Council members opposed the initial plan: Addabbo, Avella, Barron, Comrie, DeBlasio, Dickens, Eugene, Fidler, Gennaro, Gentile, Gioia, S. Gonzalez, James, Koppell, Liu, M. Martinez, Mealy, R. Mendez, Monserrate, Palma, Reyna, J. Rivera, Sanders, Sears, Vacca, Vann, Weprin, T. White and Yassky.

83 Elizabeth Benjamin, "Council Declares Willets Point Plan Dead On Arrival," Daily News, April 21, 2008.

84 CBS New York, "City Council Approves Sweeping Redevelopment Plan For Willets Point," CBS New York (CBS New York, October 9, 2013), https://newyork.cbslocal.com/2013/10/09/city-council-approves-sweeping-redevelopment-plan-for-willets-point/.

85 "WILLETS POINT Development: Final Supplemental Environmental Impact Statement; 2: Land Use, Zoning, and Public Policy" (PDF). New York City Economic Development Corporation. March 2013.

86 Charles V. Bagli, "New York City Declines to Fight in Court for Complex Near Citi Field," The New York Times (The New York Times, August 20, 2015), https://www.nytimes.com/2015/08/20/nyregion/new-york-city-declines-to-fight-in-court-for-complex-near-citi-field.html.

87 Bob Fredericks, "De Blasio Gives Green Light to Long-Delayed Willets Point Redevelopment," New York Post (New York Post, February 6, 2018), https://nypost.com/2018/02/05/de-blasio-gives-green-light-to-long-delayed-willets-point-redevelopment/.

We bring this up because it adds an additional dimension to the public funding and support that the Mets received during the planning and construction of Citi Field. As we can see, Fred Wilpon's trace is present on both of these projects, which are quite literally neighbors. The involvement of Sterling Equities in a redeveloped Willets Points is at the very least a notable correlation to the construction of Citi Field, but we believe it shows a clear connection – in a bid to increase their wealth, the Wilpons leveraged the City to provide much of the funding necessary to redevelop areas and properties in which they had a special interest. While this sort of long-term planning and the nature of the plan itself is not uncommon, we believe this is a further indicator that the Mets, under the Wilpons, saw their MWBE promises as lip service in the service of their greater ambitions. **Coupled with the aggressive takeover and demolition of so many minority-owned and operated businesses in Willets Point, whom received little in the way of compensation during the acquisition process, it shows how time and again minority interests are subverted to the whims and desires of wealthy, white businesses.**

VIII. CONCLUSIONS

Citi Field has been open to the public for over a decade, construction long finished. While TBI feels strongly that the Mets may have been able to get away without fulfilling their inclusion promises, it seems evident that there was at least an effort made and, moreover, a lack of evidence that their promises were anything but good faith agreements with the city. The Mets are compliant with their PILOT payments on the bonds, totaling roughly $20 million a year according to the Mets themselves. Some investigation into a new “tax” on Citi Field (and Yankee Stadium, having received the same if not more preferential treatment with financing) that would not violate the current lease agreements between the team and the city should be considered, especially once the servicing agreements on the municipal bonds is completed.

However, this case clearly demonstrates the need for a far more involved level of oversight and the general ease by which franchises like the Mets can skirt their obligations, good faith or not, assumed as part of a deal for stadiums that contain even a dollar of taxpayer money. Stadiums are hardly the greatest investment for a municipality to make, but if they are to make it, then these projects MUST require MWBE participation and they MUST require accountability for the participation goals. This is especially true given the placement of these stadiums in areas that are populated by lower income and historically marginalized communities. There must be clear evidence that franchises are making meaningful efforts to uplift these communities with their activities.

Furthermore, even if the Mets did fulfill their obligations, the lack of oversight or supervision, the lack of proof, is highly concerning and must be rectified. To wit, the most recent activity undertaken by the city, at least concerning formal audits by the Office of the Comptroller, dates to 2017 and is exclusively concerned with the Parking Facilities Agreements between the City and the Mets via the Queens Ballpark Company. The last time the Mets' compliance with their lease agreements was audited is dated to July 2009, roughly three months after the conclusion of construction. It is worth noting, however, that the 2009 audit claims that the Mets owed the City additional rent totaling close $2.7 million, of which $2.4 million were improperly deducted stadium planning costs,[88] and the 2017 audit alleges additional rent totaling just over $147,000 due to understated net revenue.[89] In the 2009 audit, the Mets claimed that the deductions were allowable due to the necessity of acquiring insurance for the construction of the stadium and paid a total of $181,720, of which $139,821 went to address a secondary issue of overstated revenue sharing with the national MLB organization. No further records were found to indicate that the Mets paid, or that the City pursued, the remaining funds claimed in the report. Of the 2017 parking audit, the Mets protested that report “contained ‘incorrect conclusions due to the auditors' or the Comptroller's misinterpretation of the City agreements and misunderstanding of QBC's [Queens Ballpark Company] accounting and operations'” and while the auditors noted that the Mets stated they would strengthen quality controls for the future, no records exist to indicate that the Mets have paid the outstanding balances to date. This serves to further strengthen the argument that both the Mets and City were disinterested in pursuing the MWBE participation goals that had been requisite for receiving city funding and that said requirements were largely intended as lip service to pass the project through City Council.

[88] Office of the Comptroller. Audit Report on the Compliance of The New York Mets With Their Lease Agreement. New York: Office of the Comptroller, 2009.

[89] Office of the Comptroller. Audit Report on the Compliance of Queens Ballpark Company, L.L.C. with Its City Parking Facilities Agreements. New York: Office of the Comptroller, 2017.

The relationship between cities and sports franchises like the Mets must be rebalanced to be more equitable, if not weighted in favor of the municipalities. The events surrounding the approval of public funding for what became Citi Field are just one case study of what happens every time a franchise seeks a new stadium; a campaign of promises and half-truths. The Mets got lucky in that the Bloomberg administration was desperate to make a deal for other reasons, but even if a city dared try to refuse any sort of funding, they would be faced with threats of relocation - a PR nightmare that politicians would rather avoid by sacrificing a few tens of millions of public funding. The idea that a private enterprise should ever be able to coerce the government, at any level, into providing funding, benefits, or other advantages, must be squashed out. Regulation is needed at the state and federal levels to strengthen the laws concerning public funding of private enterprises like these. Such efforts must also codify more equitable terms by default for municipalities, such as rights to part of revenue from certain stadium segments, and the practice of not sharing revenue from naming rights must be ended. This dark underside to the gargantuan beast that is athletics in this country must see the light of day and finally be cleansed of the taint of corporate greed that has become part and parcel to cheering on these teams.

IX. DEMANDS

The Black Institute, in light of the findings of this report, demand the following:

- That New York City Mayor Eric Adams publicly announce and support renegotiations of contract with the Mets and the Yankees, effective immediately
- That New York City Comptroller Brad Lander formally launch investigations into whether the Mets were compliant with their MWBE promises with the City, effective immediately
- That the City Council support and legislate in favor of audits and investigations into the City's dealings with athletic franchises
- That the City Council support and legislate in favor of increased MWBE participation requirements and increased levels of scrutiny to ensure these requirements are met
- That all individuals, organizations, and applicable successors mentioned as members of the Advisory Committee and the City Administration formally apologize for their lack of enforcement and oversight regarding MWBE utilization in the construction of Citi Field, including:

Former NYC Mayors
Bill de Blasio (served 2014-2021)
Michael Bloomberg (served 2002-2013)

Former NYC Comptrollers
Scott Stringer (served 2014-2021)
John Liu (served 2010-2013)
Bill Thompson (served 2002-2009)

Queens Borough Presidents
Current Queens Borough President Donovan Richards
Current Queens County District Attorney Melinda Katz
Former Queens Borough President Sharon Lee (2020-2020)

Former NYC Council Members
21st District
Former NYC Council Member Hiram Monserrate (2002-2008)
Former NYC Council Member Julissa Ferreras-Copeland (2009-2017)

27th District
Former NYC Council Member Daneek Miller (2014-2021)

Current NYC Council Members
21st District
Current NYC Council Member Francisco Moya

Current New York State Representatives
NYS 14th Senate District
Current NYS Senator Leroy Comrie

All City Council members whom served between 2006 and 2009, whom voted to approve the plans for the construction of new stadiums for the Mets and the Yankees

Gregory Meeks
U.S. Representative, 6th District of New York

Toby Ann Stavisky
NYS Senate Member, 16th District

Jeffrion L. Aubrey
NYS Assembly Member, 35th District

Hiram Monserrate
NYC Council Member, 21st District

Armando Rodriguez
The National Hispanic Business Group

X. APPENDIX A: MWBE PARTICIPATION PLAN

METS DEVELOPMENT COMPANY LLC
MINORITY AND WOMEN-OWNED BUSINESS
PARTICPATION PLAN

COMPANY COMMITMENT

Mets Development Company, LLC and the New York Mets (collectively, the "Mets") are fully committed to the well-being and competitive strength of Minority and Woman-Owned Business Enterprises (M/WBE). It is the Mets' practice to comply with all Federal, State and local law, policy, orders, rules and regulations that prohibit unlawful discrimination, and it is the Mets' policy not to discriminate on the basis of race, ethnicity, creed, color, national origin, sexual orientation, age, disability or marital status.
We will also ensure that all contractors/subcontractors in our employ comply with all Federal, State and local law, policy, orders, rules and regulations that prohibit unlawful discrimination, and not to discriminate on the basis of race, ethnicity, creed, color, national origin, sexual orientation, age, disability or marital status.

The Mets agree, as an element of the performance of its new stadium project in Queens, (the "Project"), to take all necessary and reasonable affirmative action steps to assure that Queens and all New York City based Minority and Women-Owned Business Enterprises, minority group members and women are provided equal opportunity to compete for and perform contracts for construction work, construction-related goods and supplies and professional services. The Mets will take the same steps to assure that minorities and women are provided equal opportunity to participate in the workforce on the Project. We will also ensure that all contractors/subcontractors employed on the Project shall take affirmative actions and make good faith efforts to solicit bids from, and work with, M/WBE subcontractors, professional service providers, vendors or suppliers, and to employ minorities and women in the workforce.

The Mets are familiar with construction practices, applicable affirmative action laws, regulations and procedures and with Federal, State and City agency staff personnel who have the responsibility for implementing and monitoring these policies. The Mets and our preconstruction and construction managers, (collectively, the "Construction Manager") will also maintain relationships and open lines of communication with construction union officials and M/WBE worker training and referral facilities that assist to identify and recruit minorities and women in the workforce.

In developing the M/WBE and labor force program outlined below (the "M/WBE Program" or "Program"), the Mets and the Construction Manager sought the input and guidance of an Advisory Committee comprised of certain elected officials from the general area of the Project and business leaders in the M/WBE community. The members of the Advisory Committee are as follows:

Hon. Helen Marshall (Chairperson)
Queens Borough President

Hon. Gregory Meeks
U.S. Representative, 6th District of New York

Hon. Toby Ann Stavisky
NYS Senate Member, 16th District

Hon. Jeffrion L. Aubrey
NYS Assembly Member, 35th District

Hon. Leroy G. Comrie
NYC Council Member, 27th District

Hon. Hiram Monserrate
NYC Council Member, 21st District

Mr. Armando Rodriguez
The National Hispanic Business Group

Ms. Bonnie Wong
President, Asian Women in Business

The Mets appreciate the willingness of the Committee members to give of their time and lend their expertise to our M/WBE Program. During the course of the Project, the Compliance Officer for the Program will prepare and distribute quarterly reports to the Advisory Committee to keep the Committee apprised of the Program's accomplishments and compliance status. The reports will cover past current and planned activities. In addition to these quarterly reports, the Mets and the Construction Manager will make contact with the Committee members through meetings and calls as appropriate to ensure the success of the Program.

M/WBE OUTREACH PROGRAM

The Mets will designate a managerial level representative of the Construction Manager to serve as the M/WBE Compliance Officer. In addition to monitoring the Project's M/WBE compliance and hiring program, this representative will coordinate with Mets officials to implement and execute an outreach program that will contain the following elements:

- Establish an M/WBE Advisory Committee comprised of political and minority business community leaders
- Promote policy initiatives that demonstrate the Mets' support for awarding contracts and subcontracts to M/WBE firms
- Host meetings with Queens Based Small Business Technical Assistance providers:

  SBA Center - LaGuardia Community College
  SBA Center - York college
  Queens Office of Economic Development
  Jamaica Business Resource Center
  Queens One Stop Center

- Inform Queens based organizations of Project requirements and provide list(s) of products/ services needed
- Coordinate with the Port Authority Air Service's Office for recommendations of Queens Based Businesses
- Identify, advertise and outreach to local Spanish, Chinese and Korean publications
- Actively seek qualified M/WBE firms and ensure that M/WBEs fully comprehend the project's requirements and thus are able to bid appropriately
- Provide an M/WBE questionnaire to be completed by each M/WBE seeking to be engaged in connection with the Project
- Insure procurement opportunities are designed to permit the maximum possible participation of M/WBE businesses
- Identify, mentor and develop M/WBE businesses by purchasing from these businesses whenever practical
- Mentor/Protégée Program - Initiative to encourage majority-owned companies to provide various forms of assistance aimed at developing the capabilities of minority/women business enterprises
- Identify organizations that assist small contractors in procuring adequate funding for Project involvement. Consider an accelerated prompt payment process for those M/WBE firms that may require such assistance
- Undertake efforts to determine the potential of M/WBE firms to supply products and services to our company
- Pre-qualify every M/WBE contractor, material supplier and professional service provider that expresses an interest in the project.
- Require prime contractors to complete and submit an M/WBE Contractor Utilization Plan identifying the work which will be subcontracted to M/WBE contractors/vendors/ suppliers they intend to use for services to be subcontracted
- Publish monthly newsletters that will be mailed/e-mailed to all area contractors and M/ WBE organizations/associations who have indicated interest in the Program
- Insist that all potential prime bidders identify a representative responsible to oversee the solicitation and utilization of M/WBEs
- Provide prime subcontractors with a list of M/WBEs for solicitation
- Develop bid packages that provide meaningful M/WBE participation at prime level, as well as M/WBE targeted packages designed to enhance/promote the growth and business development of M/WBE firms
- Monitor compliance of M/WBE participation internally & externally and prepare monthly reports for the Mets on the status of project participation
- Sponsor and participate in M/WBE business opportunity workshops, seminars, trade fairs, procurement conferences, etc. to identify and increase small businesses with whom to partner

- Provide tools necessary for business success, through programs and resources that accelerate growth and profitability of seasoned M/WBE businesses

- Hold bidding strategy sessions to assist M/WBE firms in responding to opportunities

- Provide bonding resources to M/WBE contractors by identifying bonding firms or programs that will work with them to get them "bond ready"

- Establish local business purchasing policies for all project goods and services

- Arrange training for M/WBEs to provide project opportunities and increase participation in union apprenticeship programs

- Intern/Mentorship Program with Local High Schools/Colleges & Universities:
  Establish relationships with Local High Schools (including the newly planned Design, Engineering and Construction Trades High School) and Colleges and Universities. The Intern/Mentorship program gives students the opportunity to gain insight into a career field of their choice and develop a road map for their future. The students are introduced to the construction industry and to the various careers of construction management and interact with professionals (Mets and Construction Manager officials) gaining experience in a work environment.

- The Mets and Construction Manager representatives will participate in career day events with area High School/Colleges & University Juniors/Seniors. Events may take place on site at Shea Stadium, if facilities are of suitable size and are otherwise appropriate and convenient.
  Introduce career paths in construction and build future Mets fan base
  Managerial careers – Skilled trades

MONITORING/RECORD KEEPING

- All efforts to identify and contact qualified minority and women-owned firms

- Assistance offered or provided to M/WBEs

- Compliance measures, outreach efforts and participation in community sponsored events

- Maintain statistics necessary to monitor the effectiveness of the program and alert Mets management to difficulties encountered in attaining and maintaining compliance with established policies

- Retain contractors' and/or subcontractors' required outlines of the services required for their individual scopes of work and those services to be subcontracted in order to fulfill M/WBE objectives

- Monthly reports to be submitted to the Mets on the status of each contractor/subcontractor. This report includes contractor/subcontractor name, trade, contract value, status, status of reports submitted, start work date, percentage of job completed to date and contractor compliance

- Results of efforts to identify and contact M/WBE firms

- Reasons if applicable, for any determination that M/WBE contractors are not qualified or available to perform work on the project

- Assistance offered or provided to M/WBE firms
- Reasons if applicable, why contracts or subcontracts were not awarded to M/WBEs found to be qualified.

MINORITY/WOMEN WORKFORCE PARTICIPATION OUTREACH PROGRAM

Understanding the sensitivity and need for a diversified workforce, the Mets and their Construction Manager will focus on Equal Employment Opportunity for minority and women in the workforce involved in the Project. Every effort will be made to comply with any and all Minority and Female workforce goals that may be instituted on the Project

All subcontractors employed on the Project will be required to aggressively seek to comply with on-site equal employment opportunity and to take workforce affirmative action steps for all minority groups, male and female, and all women, both minority and non-minority. Employment must be substantially uniform throughout the length of the contract in each trade.

Program policies and objectives shall include but are not limited to the following:

- Identify community organizations, public officials, and trade associations for employment referrals.
- Contractors must request (in writing) to the Trade Unions, for referrals of minority and female employees. All correspondence should be sent by certified mail, return receipt requested, to the union representative. The Project's Compliance Officer must be copied on all correspondence and the union's response to this request.
- Prepare overview of the Project and the membership procedures for the various unions to be engaged in the Project.
- Participate and require prime contractors to attend any conference(s) held by the Construction Manager to identify minority and women in unions or those who are eligible for apprenticeship programs who are interested in participating in the Project.
- Cooperate in advertising and other public information activities aimed at informing minority and women workers as to the time and location of any conferences to be held and any other actions such workers may take to participate in the Project.
- Contractors must submit a critical Workforce Employment Utilization Report outlining each trade to be utilized, total number of employees and number of minority and female workers and total work hours of employment for each employee classification in each trade. This report is to be filed by the 5th of each month during term of project.
- Maintain a current file of the names, address and telephone numbers of each minority and female off-the street applicant and minority or female referral from a union, a recruitment source or community organization and what action was taken with respect to each individual.
- Establish and maintain a current list of minority and female recruitment sources, provide written notification to minority and female recruitment sources and to community organizations when the contractor or its unions have employment opportunities available, and maintain a record of the organizations responses.

- Encourage present minority and female employees to recruit other minority persons and women.
- Ensure that seniority practices, job classifications, work assignments and other personnel practices, do not have a discriminatory effect by continually monitoring all personnel and employment related activities to ensure that EEO policy and the contractors' obligations are being carried out.
- Properly display required posters, which describes EEO Law
- Attend Correction Action meetings call by Hunt/Bovis or its designee and comply with all reasonable requests made during such meetings. Subcontractor must make its records accessible and submit copies of all documentation required with or resulting from the contractor's efforts to comply with the projects' affirmative action program. These records must be forwarded to Hunt/Bovis on a monthly basis, and/or as requested by Hunt/Bovis.

The Project's Compliance Officer will monitor the timely submittal of all requested documentation (i.e., Monthly Employment Utilization Report, M/WBE Compliance Report, Request Letters to the Union,) and will work closely with the Mets to ensure that every good faith effort to utilize Minority and Women-Owned firms and workers is made.

Project contractors should submit documentation as follows:

Submit on company letterhead:
Name and title of contractor official making the request

Date of request
Name and title of the person to whom workforce request was made
Action taken by the industry representative and/or community leaders

Area Resources Organizations /Associations to Assist in Outreach Efforts

Representative listing:

- Jamaica Business Resources Center
- SBA Centers – LaGuardia Community College & York College
- Queens Office of Economic Development
- Queens One Stop Center
- Empire State Development Corp.

Affirmative Action Unit ("AAU")
- Regional Alliance for Small Contractors
- Non-Traditional Employment for Women
- The Building Trade Employer's Association
- General Contractor's Association
- National Minority Supplier Development Council
- National Minority Business Council
- Women's Business Enterprise National Council
- Professional Women In Construction
- Association of Minority Entrepreneurs of New York
- National Hispanic Business Group
- US Hispanic Chamber of Commerce
- National Association of Minority Contractors (NAMC)
- Airport Minority Advisory Council (AMAC)

New York Mets New Stadium Project
M/WBE Program Advisory Committee

Hon. Helen Marshall (Chairperson)
Queens Borough President

Hon. Gregory Meeks
U.S. Representative, 6th District of New York

Hon. Toby Ann Stavisky
NYS Senate Member, 16th District

Hon. Jeffrion L. Aubrey
NYS Assembly Member, 35th District

Hon. Leroy G. Comrie
NYC Council Member, 27th District

Hon. Hiram Monserrate
NYC Council Member, 21st District

Mr. Armando Rodriguez
The National Hispanic Business Group

Ms. Bonnie Wong
President, Asian Women in Business

XI. APPENDIX B:
COMMUNITY PARTNERSHIP PROGRAM

Community Partnership Program

The program described below is dated April 25, 2006 and has been developed in contemplation of the new Mets Ballpark Project.

A. Construction Advisory Committee

A Construction Advisory Committee shall be formed, comprised of representatives appointed by the New York Mets and Queens elected officials. The Construction Advisory Committee shall also include certain members of local community organizations and minority and women's organizations.

The purpose of the Advisory Committee will be to cultivate a positive and productive relationship between the New York Mets Organization and the Queens community. The Advisory Committee will also provide advice and guidance with respect to elements of the Project that may impact the community, such as parking, traffic, and similar issues. Representatives of the NY Mets, Mets Development Company and the Project's construction manager will meet on a regular schedule with the Construction Advisory Committee, not less than once a month. As used in this document, "Project" means the construction of a new ballpark by the Mets on the property of Shea Stadium as contemplated in the Memorandum of Understanding between the Mets and the City dated June 23, 2005.

A representative of the Mets shall furnish to the Construction Advisory Committee a monthly written report detailing the status of the Project. The Construction Advisory Committee will meet for the duration of the Project and for the period of the City and State developmental responsibilities, as described within their memorandum of understanding with the NY Mets.

The NY Mets will agree to develop a Project Labor Agreement, which would provide an opportunity for Queens residents to obtain gainful employment on the Project. The NY Mets, through its Construction Manager, have begun discussions, and will, with advice and input from the Construction Advisory Committee continue such discussions with the Building and Construction Trades Council with respect to the terms of the PLA. Among other things, the PLA will facilitate efforts with the trade unions, subcontractors and other appropriate organizations in to expand opportunities for local workers and minorities and women to participate in union apprenticeship programs. The Mets commit to using all reasonable efforts to have a PLA in place before construction commences on the new ballpark.

The Mets will make available to the Advisory Committee information regarding:

- parking areas
- traffic routing plans
- drainage plans
- site management plans

B. Construction Logistics

The Mets are committed, as a significant element of the performance of the Project, to take all necessary and reasonable affirmative action steps to assure that Queens and all New York City based Minority and Women-Owned Business Enterprises, minority group members and women are provided equal opportunity to compete for and perform contracts for construction work, construction-related goods and supplies and professional services. The Mets will provide minorities and women with equal opportunity to participate in the workforce on the Project, with a particular focus and emphasis on the Queens community, and will ensure that all contractors/subcontractors employed on the Project solicit bids from, and work with, M/WBE subcontractors, professional service providers, vendors or suppliers, and to employ minorities and women in the workforce.

The Mets and the Queens Delegation agree that the following contracting and employment goals are appropriate for the Project. The Mets will work closely with the Administrator of the M/WBE Program and the Program's Advisory Committee to use all reasonable efforts to meet or exceed these goals in connection with the Project:

(a) At least Twenty-five Percent (25%) of construction contracts or subcontracts awarded to qualified M/WBE firms;

(b) At least Twenty-five Percent (25%) of construction contracts or subcontracts awarded to qualified Queens-based firms;

(c) Employment of minority and female persons qualified to perform required responsibilities during the construction of the Project equal to at least Twenty-five Percent (25%) of the total Project job force;

(d) Employment of Queens residents qualified to perform required responsibilities during the construction of the Project equal to at least Twenty-five Percent (25%) of the total Project job force.

The Mets are familiar with construction practices, applicable affirmative action laws, regulations and procedures and with Federal, State and City agency staff personnel who have the responsibility for implementing and monitoring these policies. The Mets and its Construction Manager will also maintain relationships and open lines of communication with construction union officials and M/WBE worker training and referral facilities that assist to identify and recruit minorities and women in the workforce.

Understanding the sensitivity and need for a diversified workforce, the Mets and its Construction Manager will focus on Equal Employment Opportunity for minority and women in the workforce involved in the Project. Every effort will be made to achieve the goals set forth above, in coordination with the Advisory Committee.

The Mets will work with the Advisory Committee to accomplish the following additional goals:

- Engage in outreach efforts to attract bids from Queens based firms qualified to perform the required responsibilities, with an emphasis on qualified M/WBE firms based in Queens.

- Equal employment of Queens residents qualified to perform the required responsibilities.

- The Mets have engaged their Construction Manager as a third party with experience in minority, women's and local business enterprise programs, Queens community affairs and the construction industry.

C. Community Beautification

The NY Mets Organization is making one of the largest private investments in the history of the Borough of Queens. The Mets believe the Project will be a major catalyst to the revitalization of the Flushing/Corona area of Queens, and will encourage significant ancillary economic development.

In conjunction with this major private investment, the Mets agree with the Queens delegation and other local leaders that the area surrounding the new ballpark should be kept and maintained in a manner that is consistent with a vibrant and revitalized area. The Mets will cooperate with the New York City Council Queens delegation in an effort to achieve the following area beautification goals:

1. Improvement of the surrounding areas including, but not limited to,
   - Roosevelt Avenue, from 114th Street to 126th Street
   - Northern Boulevard from 114th Street to the Bridge located on Willets Point Boulevard.

2. Examples of such improvements include:
   - New Lighting systems on pedestrian walkways
   - Institution of a "Doe Fund" or similar project in 2006 in order to facilitate street cleaning, graffiti removal, and similar activity in the vicinity of the stadium along Roosevelt Avenue
   - Decorative street enhancements to be determined by the Advisory Committee such as:
     - planting of trees on local streets
     - landscaping
     - increase number of traffic agents
     - rodent control—rodent trash cans
     - safety controls

3. In cooperation with the City and State of New York, work to enhance and improve the current traffic situation, both into and out of the Stadium area, to alleviate congestion in surrounding communities during NY Met home games and other Stadium events. Desired enhancements include, for example, developing alternative highway access, increased public transportation, including shuttles and buses and improving access and frequency of the number 7 line.

D. Resources for the Community

The New York Mets organization has for many years played an active role in reaching out to the communities of the New York City metropolitan area. The Mets have consistently served the community in a variety of ways, including financial donations; donations of merchandise and equipment; donations of tickets; donations of memorabilia, premium items and unique events/experiences for fundraisers/raffles; appearances in the community by players, coaches and staff members; discounted ticket programs used by community and charitable organizations as fundraisers, reading/mentoring, educational and other special programs benefiting school-age children; special events hosted at Shea Stadium; and, similar donations and activities. The total value of all such activities by the Mets in 2005 was approximately $2 Million.

In continuing this effort during and following the completion of the Project and allocating its community outreach resources in a manner that serves the best interests of the local communities, the Mets pledge to continue annual levels of financial and other contributions to the community. The Mets pledge to allocate at least Twenty-five Percent (25%) of the annual value of its donations and activities to the Queens community, with a fair representation of financial donations within that pledged percentage. The Mets would be happy to communicate the full scope of its annual community outreach activities as well as its Queens-based community activities to a committee whose members would be selected by the NY Mets and local elected officials, including the Queens

Council Delegation (the "Community Resource Committee"). The Mets will work with the Committee to distribute such resources in an equitable manner throughout the Borough of Queens. Examples of projects to be considered by the Mets and this Committee are the following:

a. Financial support for the construction or renovation of playing fields or recreational facilities in public parks within the Borough of Queens.

b. Continued support for Youth Baseball and Softball programs in the Borough of Queens with an emphasis on raising funds for, and encouraging participation in playing the game and getting exercise. Such support may include (a) a Queens Little League Day at Shea that will allow local Little Leagues to raise funds through sale of discounted tickets, (b) participation and support of other fundraising efforts through appearances at functions, donation of prizes, and similar activities, (c) an annual fundraising event with all proceeds dedicated to Queens Youth Baseball and Softball programs, to be shared equally throughout the Borough of Queens, and (d) other similar fundraising events. The event(s) will be in the nature of similar Mets fundraisers for other charitable causes, such as a sponsored cruise or charity celebrity bowling event.

c. Support for Queens High School boys baseball and girls softball programs, which would include donation of equipment, with such programs selected in consultation with the Community Resource Committee.

d. Extension of the NY Mets "Power Lunch" reading/mentoring program at PS 92 in Corona or similar programs to other schools in the Borough of Queens.

e. Expanding literacy projects and promotional appearances by the NY Mets Organization throughout the Borough.

f. Networking and informational seminars for Queens based not-for-profit entities.

g. Continued donation of tickets to Mets baseball home games, to duly constituted Queens not-for-profit institutions, schools and youth and sports groups and senior citizens.

h. Creation of an "Adopt-A-Park" program. The program will attract donors for maintenance for designated parks in the Borough of Queens, to be selected by the Mets in consultation with the Community Resource Committee.

i. Support of local scholarships, cultural & youth events and senior citizen programs.

j. Support of duly constituted Queens-resident not-for-profit institutions and community-based organizations.

E. Post Construction

The Mets are committed, following completion of the Project, to take all necessary and reasonable affirmative action steps to assure that Queens-based companies and New York City-based Minority and Women-Owned Business Enterprises, minority group members and women are provided equal opportunity to compete for and perform contracts for services, goods and supplies as well as employment positions in connection with the ongoing operation of the new ballpark. In addition, the Mets will communicate and interact with their neighbors and to coordinate new ballpark operations with sensitivity to neighborhood concerns and issues. In that regard, the Mets pledge following completion of the Project to use all reasonable efforts to meet or exceed the following:

1. Mets will meet quarterly with the Advisory Committee to address issues regarding the impact of the Stadium upon the community.

2. Mets pledge to continue efforts to promote local and entrepreneurial business opportunities and professional staff development.

3. Mets will make specific efforts to solicit bids for contracting dollars including supplier and vending contracts from businesses that are either (A) located in Queens or (B) have Queens residents comprising at least 50% of their workforce and are qualified to perform procurement requirements. The Mets will make all reasonable efforts to award 15% to 25% of its vendor/supplier contracts and awards to such Queens-based qualified businesses.

4. Employment of Queens residents in post-construction jobs in connection with the operation of the new ballpark project who are qualified to perform the required responsibilities equal to at least Twenty-five Percent (25%) of the total new job force.

XII. APPENDIX C:
COMMUNITY OUTREACH PROGRAMS

COMMUNITY SUMMARY

2020 COMMUNITY EFFORTS DURING PANDEMIC:

Feeding doctors and nurses: Donated 7,500 meals to doctors, nurses and healthcare workers

- Hospitals helped:
  - Elmhurst Hospital Center (NY)
  - North Shore University Hospital (NY)
  - St. Joseph's Hospital (SYR)
  - Queens Hospital (NY)
  - NYU Langone (NY)
  - Maimonides Medical Center (BK)
  - Upstate University Hospital (SYR)
  - Coney Island Hospital (BK)
  - Community General Hospital (SYR)
  - Crouse Hospital (SYR)
  - Flushing Hospital (NY)
  - Onondaga County Triage Unit/County Health Inspectors (SYR)
  - Saint Barnabas Hospital (NY)
  - NYU Lutheran Medical Center (NY)
  - St. Albans Queens VA Hospital (NY)
  - Bellevue Hospital (NY)
  - New York Presbyterian Queens (NY)
  - Long Island Jewish Medical Center (NY)
  - Brooklyn VA Hospital (BK)
  - Lenox Hill Hospital (NY)
  - Long Island Jewish Forest Hills (NY)

Masks: 250,000 face coverings donated to NY State essential workers and MTA workers (total spent Mets Foundation: $237,500)

School Supply Drive: 10,000 Students supported with school supplies (total spent Mets Foundation: $147,000)

- Schools supported:
  - PS 13 – 11373
  - Common Pantry – 10029
  - Pioneer Academy – 11368
  - Hispanic Brotherhood – 11570
  - PS 12 – 11377
  - PS 19 – 11368
  - PS 20 – 11355
  - PS 149 – 11368
  - The INN – 11550
  - PS 191 – 11233

- River Fund – 11418
- PS 143Q – 11368

- PS 330Q – 11368
- NICE – 11372
- PS 110Q – 11368
- PS 89Q – 11373
- S 14Q – 11368
- PS 211/Elm Tree Elementary – 11368

Sneaker Donation: 5,000 New Balance Sneakers donated to local students (total spent Mets Foundation: $128,000)

- Schools/orgs supported:
  - Pioneer Academy – 11368
  - PS 19 – 11368
  - PS 143Q – 11368
  - River Fund – 11418
  - NICE – 11372
  - New York Common Pantry – 10029
  - PS 115

Hunger Relief: 154,330 families supported with food donations

- Organization/boroughs supported:
  - NICE – Queens
  - Elmcor – Queens
  - PS 19 Food Pantry – Queens
  - Catholic Charities BK & Queens – BK & Queens
  - Hispanic Brotherhood – Long Island
  - Mary Brennan INN – Long Island
  - Island Harvest – Long Island
  - New York Common Pantry – All five boroughs
  - Bowery Mission – Manhattan
  - St. Francis Food Pantries (Annual Turkey Giveaway) – All five boroughs

Technology Donation: 1,000 Tablets donated to local students (total spent Mets Foundation: $483,000)

- Schools supported:
  - PS 19 – 11368
  - PS 149 – 11372
  - Pioneer Academy – 11368
  - PS 110 – 11368
  - PS 330 – 11368
  - PS 143 – 11368
  - PS 211/Elm Tree Elementary – 11368
  - PS 191 – 11233

NYCP: The Mets Foundation donated $80,000 to New York Common Pantry for the purchase of a brand-new mobile pantry that helps feed 15,000 seniors a month in all five boroughs

Coat Drive: Mets Foundation donated $100,000 to New York Cares to purchase 5,000 new coats for

- Queens Public Library
- Together We Can
- The River Fund NY

Turkey Giveaway: The Mets Foundation purchased 4,000 turkeys to help New Yorkers in need for Thanksgiving (total spent: $77,000)

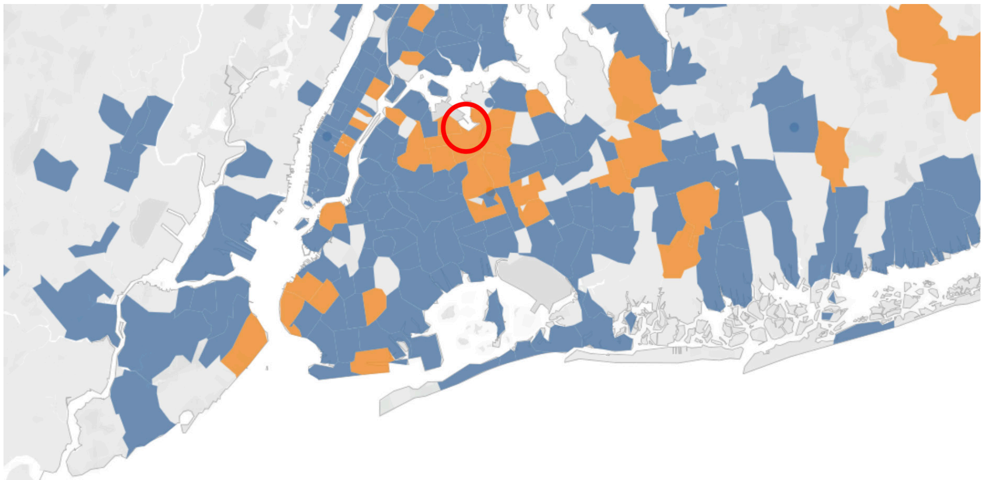
- Orgs helped + zip codes:
    - River Fund – 11418
    - NY Common Pantry – 10029
    - The Mary Brennan INN – 11550
    - Hope Line – 10459
    - Project Hospitality – 10302
    - Agape Food Rescue – 11208
    - Bowery Mission – 10002
    - Child Center of NY – 11692
    - Hispanic Brotherhood – 11570
    - Coney Island Gospel Assembly – 11224
    - Elmcor – 11369
    - NICE – 11372

Holiday Giveaway: The Mets Foundation distributed 30,000 winter hats, gloves and gifts to local children in need (total spent: $76,000)

- Flushing YMCA – 11354
- ACS (Administration for Children's Services) – 10038
- NICE – 11372
- River Fund NY – 11418
- New Alternatives – 11010
- Agape Food Rescue – 11208
- Bronx Works – 10455
- Saratoga Homeless Shelter – 11701
- PS 280Q – 11372

Commissioner Ticket Program: Donated 35,000 game tickets to local underserved communities

2019 COMMUNITY EFFORTS: Heat Map:
***Red outline indicates Citi Field.**



throughout all five boroughs.
Sandlot Stars Equipment Donation: (Mets Foundation, total spent: $100,000)

- Queens – 33 teams
- Bronx – 10 teams
- Brooklyn – 20 teams
- Manhattan – 10 teams
- Staten Island – 10 teams
- New Jersey – 10 teams
- Long Island – 7 teams

Baseball FUNdamentals Equipment Donation: (Mets Community, total spent: $10,000)

- PS 48 – 11433
- PS 108 – 11420
- PS 330 – 11368
- PS 199 – 11104
- PS 14Q – 11368
- PS 20 – 11355

Service Drives: All support local NYC organizations and families

- Coat – NY Cares
  2019 – 1,307 coats collected
- Food – River Fund NY
  2019 – 2,664 lbs of food collected
- Blood – New York Blood Center
  2019 (both in season and off-season drives) – 883 donors (2,883 lives saved)
  2020 (only did one drive before COVID) – 538 donors (1,614 lives saved)

Ya Gotta Read:

- 2019 Totals:
  10 participating schools in Queens and Brooklyn
  4,484,636 total minutes read

Eat Smart with the Mets: Health and wellness (specifically nutrition) program for NYC public school students (Mets Foundation, total spent: $35,000)

- Participating schools:
  East Elmhurst Community School – Queens, NY
  PS 14Q – Queens, NY
  PS 115K – Brooklyn, NY
  Cultural Arts Academy at Spring Creek – Brooklyn, NY

MetsGiving – Turkey Giveaway: The Mets Foundation donated 2,000 turkeys to help feed the hungry in New York City and Long Island (total spent: $40,500)

- Food pantry recipients:
  - River Fund – 11418
  - NY Common Pantry – 10029
  - The Mary Brennan INN – 11550
  - Hope Line – 10459
  - Project Hospitality – 10302
  - Agape Food Rescue – 11208
  - Bowery Mission – 10002
  - Child Center of NY – 11692
  - Hispanic Brotherhood – 11570
  - Coney Island Gospel Assembly – 11224

KaBOOM! Playground Build: The Mets partnered with KaBOOM!, Workforce Housing Group and The Child Center of New York to build a playground in an underserved Far Rockaway community. More than 150 of Mets employees volunteered to help transform an empty site into a kid-designed, state-of-the-art playground in just six hours. The Mets Foundation funded the project that will help make play the easy choice for kids and families in Far Rockaway for many years to come.
Total spent: $186,000

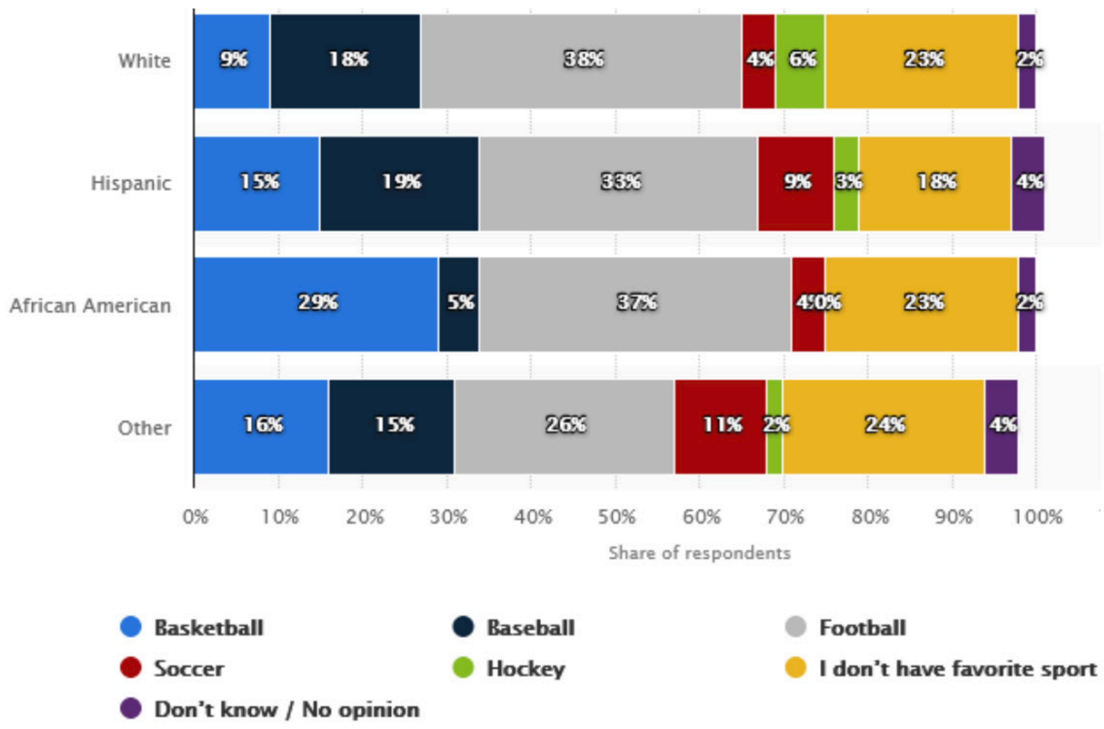
XIII ADDENDUM

But What About Other Sports?

In its intrinsic purpose of discussing the promises that the New York Mets made to New York City and the MWBE community, this report has focused almost exclusively on baseball and baseball stadiums. Yet as this report was being compiled, questions arose about the greater world of athletic franchises and stadium building, with regards to their interactions and promises to communities of color. After all, as previously mentioned in this report, baseball is not the most diverse sport in the country; more than half of all players and most of the ownership are white, for one. Through the lens of our case study on the Mets, we concluded that the Mets were at best not transparent about their implementation and success at fulfilling their promises, and at worst failed to do so. However, with Black players being such a minority, it leads to the obvious question – does what happened with the Mets occur in sports where Black players are a majority? Is the Mets' failure due to an attitude of indifference among the mostly white ownership for a racially minor segment of the players, or does it extend beyond baseball into athletics with a greater percentage of players of color and owners of color? This addendum aims to briefly examine athletic franchises in the United States where Black players are a majority and to examine whether what was seen with the Mets is an anomaly or the norm.

Before diving into whether athletic franchises aside from the MLB have better standing with regards to interacting with local MWBE contractors and vendors, it bears discussing whether these sports are themselves are more or less racially diverse than the MLB. For the sake of brevity, only three other franchises will be considered: the National Football League (NFL) and the National Basketball Association (NBA). Together with the MLB, these represent the three most popular sports in America, being American football, baseball, and basketball.[1]

Figure 1:Favorite sports among adults in the United States as of December 2019, by ethnicity. From Statista.



[1] Rajani Gurung, "Top 12 Most Popular Sports in America [2021 Edition]," PlayersBio, July 12, 2021, https://playersbio.com/most-popular-sports-in-america.

In terms of players, both the NFL[2] and the NBA[3] beat out the MLB in representation for persons of color. According to The Institute for Diversity and Ethics in Sport (TIDES), which releases annual reports on the gender and racial diversity of various leagues including the three discussed in this addendum, the NFL and NBA player bases are 69.4% and 83.1%, respectively. By comparison, the MLB only comes in at 37.6%,[4] although TIDES consistently stresses that based on federal diversity standards, this number technically makes the MLB overall a diverse franchise. However, there is a marked difference between "diversity" and diversity, the former acting as a convenient excuse for organizations to stop trying and the latter being the result of concerted, wholehearted efforts to empower the historically marginalized. In this regard, the NBA is a beacon of progress for teams and the nation as a whole. With such high representation of Black and brown players, it makes sense why the second most popular sport among African Americans is basketball.[5]

However, it is surprising and somewhat disconcerting that while the NBA remains far ahead of the MLB in terms of owners of color and coaches of color, the NFL is less consistently so. Granted, we do not believe that minority ownership of 13% of the NBA's teams is diversity at its finest in any sense, but four teams owned primarily by persons of color[6] certainly beats out the NFL's two teams[7] and the MLB's one.[8] Ditto for coaches and administrative staff, which the NBA leads the MLB and NFL in as well,[9] with 30% of head coaches being people of color and nearly half assistant coaches as well. What is surprising is that here the NFL performs worse than the MLB, with 12.5% of head coaches being people of color compared to 20% of managers, respectively. The same holds true for assistant coaches, 35% vs. 40%, though it should be mentioned at this point that the NFL does have two more teams than both the MLB and the NBA, skewing the percentages slightly. However, ultimately, we believe that the NFL and certainly the NBA are more diverse than the MLB. Despite TIDES assigning both the MLB and the NFL the same grade[10] in 2020, due to higher visibility for players, coaches, and owners of color compared to the MLB, which seems to focus more of its diversity hiring in supporting roles. However, that is in no way to disparage or discredit the efforts by all these franchises, including the MLB, to make their teams and organizations more diverse – we simply wish to point out that there remains much more work to be done.

Concerning stadiums, the issue is slightly muddier. For the most part NFL stadiums are about even with regards to how many have been built in the last two decades, with just over half of the 30 total being built after the turn of the century. Most of these newer stadiums, however, have been built in predominantly white cities with just Sofi Stadium, Mercedes-Benz Stadium, Lincoln Financial Field, Ford Field and FirstEnergy Stadium being built in cities with a majority-minority population. Of these, only Mercedes-Benz Stadium (located in Vine City, a historically diverse neighborhood in Atlanta), has a documented MWBE utilization program. Said program, which is referenced as the Equal Business Opportunity (EBO) plan, states a participation goal of 31% in the design and construction of Mercedes-Benz Stadium.[11] However, while the Mets received de facto no oversight, the Falcons' construction company StadCo[12] were explicitly delegated

[2] Rajani Gurung, "Top 12 Most Popular Sports in America [2021 Edition]," PlayersBio, July 12, 2021, https://playersbio.com/most-popular-sports-in-america.
[3] Richard E. Lapchick, The 2020 Racial and Gender Report Card: National Basketball Association, ed. David Zimmerman et al. (San Francisco, CA: The Institute for Diversity and Ethics in Sport, 2020).
[4] Richard E Lapchick, The 2021 Racial and Gender Report Card: Major League Baseball, ed. Daniel Bowman (San Francisco, CA: The Institute for Diversity and Ethics in Sport, 2020).
[5] Gough, Christina. "Favorite Sports among Adults in the United States as of December 2019, by Ethnicity." Statista. Statista, March 1, 2021. https://www.statista.com/statistics/1098470/favorite-sports-ethnicity/.
[6] Lapchick, Zimmerman et al. The 2020 Racial and Gender Report Card: National Basketball Association
[7] Lapchick, Zimmerman et. al The 2020 Racial and Gender Report Card: National Football League
[8] See Lapchick, Bowman et al. The 2021 Racial and Gender Report Card: Major League Baseball and page 12 of this report
[9] Lapchick, Zimmerman, et al. The 2020 Racial and Gender Report Card: National Basketball Association
[10] Richard E Lapchick, 2020 Racial and Gender Report Card, ed. Daniel Bowman et al. (San Francisco, CA: The Institute for Diversity and Ethics in Sport, 2020).
[11] "Ebo Plan," Mercedes Benz Stadium, January 5, 2017, https://mercedesbenzstadium.com/ebo-plan/.
[12] Which occupy Mercedes-Benz Stadium

the responsibility for implementing the plan. As stated in the planning document section 4.2, sub section a, the company "has primary responsibility to implement this Plan. In doing so, StadCo will use its best efforts to require that the Contracting Parties cooperate with StadCo's implementation plan…" Sadly, no evidence was readily available to confirm that StadCo's MWBE utilization goals were met, as it appears that like the Mets' own plan, StadCo's EBO plan allowed enough leniency to miss the goal without repercussion.

Of the 29 active NBA stadiums, less than half have been built after the turn of the century, but of those the majority have been built in cities with a majority-minority population. These stadiums are: Chase Center, Fiserv Forum, Little Caesars Arena, Golden 1 Center, Barclays Center, Spectrum Center, FedExForum, and the Toyota Center. Of these, none have readily accessible evidence that there were ever commitments made to actively involve MWBEs in any capacity during the planning processes. This is incredibly disappointing given that the NBA, of all major professional athletic organizations, boasts such incredible diversity in the teams and organizational staffing of them.

However, it should be noted that many teams in all three of the organizations mentioned in this addendum have active supplier diversity programs listed on their stadium pages to encourage greater diversity in providing goods and services to these stadiums. Unfortunately, actual statistics on the effectiveness and support behind these programs are undeniably lacking, which we interpret as timidness on the part of teams to show that progress has been much slower than what we would like to see.

Ultimately, we conclude that what happened with the Mets is indeed an isolated incident, though not in the way that we hoped. Due to the variable nature of MWBE certifications around the nation, the relative slowness of states and organizations to implement meaningful goals and enforcement mechanisms, most stadiums lack the participation levels that we would have liked to have seen. While we originally hoped that organizations like the NBA and NFL, which are considerably more diverse than the MLB, would have a more extensive and available record of supporting MWBEs via stadium construction and vending, this was sadly not the case. The Mets are an outlier not because they likely failed to meet their participation goals, but because they produced a plan to have MWBE participation in the first place. However, looking to the future, we see a promising glimmer of hope. Many of these stadiums were constructed before the issue of integrating minority businesses was, if not a legal obligation, a PR and social one. As the conversation about race and equality in the business world continues to move forward, we remember that many major stadiums are aging and out of date – an issue that, given previous discussions in this report about the stadium as a status symbol, must be on their owners' minds. Coupled with the increasing need to openly support minority enterprises and the development of more comprehensive MWBE utilization guidelines, The Black Institute is hopeful that in the coming decade we will see this sad deficiency corrected. Diversity unfortunately does not mean equity right now, but when it comes to stadiums, there is plenty of room for improvement.

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