



**Koa Testimony On Historical Use
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I am here on behalf of Koa Sports. Koa is a youth sports organization based in Montgomery County. We provide coaching and leagues for boys and girls sports, including baseball, softball, flag football, field hockey, and basketball, among others. Koa has 2000 families in its system, and 2600 athletes. In 2010 Koa was featured in the Washington Post, the Gazette, and on Comcast news.

As a new user, Koa has been very frustrated at the current field allocation policy in the County. Roughly 6 months ago, we commissioned a task force to study “historical use.” (Note: the study did not apply to indoor gyms or classrooms, only fields.) The conclusion from our study is that awarding fields based on historical use stymies competition, inhibits creativity, and creates a monopoly. Our Country, and our County, were both founded upon free enterprise. Fields are the lifeblood of all sports organizations, and assigning fields to a user group without an end date is wrong.

As part of our study, we examined both the economic impact and the legal considerations. We began by researching the policies of other municipalities in Maryland, Virginia, Delaware, Pennsylvania, Washington, California, and others. We learned that most jurisdictions are intent on providing equal access to user groups in a fair and equitable manner. For example, in its preamble, the Community Use of Fairfax County (CUFC) makes clear that “the field scheduling process is designed to maximize use of available resources in a fair and equitable manner.” (CUFC Field Allocation Policy, Spring 2009). Allocation is not based on historical use. Because of the limited time for which I have the floor, I cannot discuss all of the findings from the other jurisdictions; but I have enclosed a chart that summarizes the key findings. Where fields are not in demand, historical use is fine. Where there is a shortage of fields, however, allocating based on historical use is inequitable to new user groups, and results in the residents of Montgomery county being denied the benefits of free choice and competition.

Koa has widespread support for the abolishment of indefinite historical use. I have before me several hundred petitions signed by members calling for a termination. Koa continues to gather new petitions daily. Additionally, the task

force is currently studying whether the never-ending award of fields to a user group is constitutional because it infringes upon free trade.

There is another very pressing component to historical use which, in this economic environment, deserves serious attention. That component is financial. For fields that are in high demand, there should be a competitive bid process where the field is awarded to the highest bidder. During this past season, Koa has had to be very creative with its use of baseball fields, for example. For younger players, Koa was able to structure practices where two teams utilized a single field, and in some instances three teams. This was done in a safe manner, and mirrored what often occurs in collegiate practices where multiple players use a single field. This creativity allowed Koa to survive with fewer fields. This is how competition inspires creativity and Koa knows of no other baseball user who operates in this manner.

Currently, fields typically cost users \$5 per hour. For many fields, that price represents but a fraction of what the market would bear. For some private fields, Koa pays \$25 - \$100 per hour. I have attached for the Board's review a document which shows how much additional revenue could be generated, assuming an open and fair bid process. The results are remarkable, and substantial. Please turn to Exhibit "A." Some user groups may say that they are unable to pay for such an increase, and that objection illustrates Koa's point exactly: free trade, not monopolies, create good user groups. If good user groups can pay more money because they are well run, and think outside of the box, then the residents of the County are better off. Given the County's budget cuts, increasing revenue is of utmost importance.

At this time Koa requests that a subcommittee be charged with fully and exhaustively studying historical use field allocation – from an economical, legal, and fairness standpoint. Koa also requests that the subcommittee consist of, at a minimum, a new user group such as Koa, as well as a County representative with knowledge of the economics of revenue derived from field permitting.

Thank you.

Revenue Assessment

Avenel Park: Current Rate = \$5/hour
Open Market Bid Rate = \$45/hour

Assume: 6 hours use on Saturday, and 6 hours use on Sunday
Current Weekend Revenue = \$60
New Weekend Revenue = \$540

Over an 8 week season the revenue difference is \$480 versus \$4320 for just 1 field

Potomac Elem: Current Rate = \$5/hour
Open Market Bid Rate = \$20/hour

Assume: 6 hours use on Saturday, and 6 hours use on Sunday
Current Weekend Revenue = \$60
New Weekend Revenue = \$240

Over an 8 week season the revenue difference is \$480 versus \$1920 for just 1 field.

** If the usage is extrapolated over multiple fields including practice times, the revenue generation is very substantial.

State	County/City/Township	Language in Allocation Guidelines
MD		
	Anne Arundel County	"If competing facility use requests for these facilities are of equal status, compliance with the facility scheduling process, attendance at the facility scheduling meeting and historic use will be considered."
	Calvert County	No information available
	Cecil County	No historical use consideration is mentioned in the User Priority guidelines
	Charles County	After high school events and recreation programs, priority is given to user groups who are open to all players (i.e., recreational sport teams), after that allocations are made to select and/or travel teams. For the spring and summer seasons, priority is given to baseball, softball and lacrosse organizations. For the fall season, priority is given to soccer and football organizations. If a conflict arises for a particular field, the field in question is relocated so that all users have access. In majority of cases, fields used as either game or practice fields.
	Frederick County	"Use of FCPRD fields the previous year qualifies the user to receive prior use consideration with regard to field allocation the following year for the same times, dates and locations, providing a Full Application is submitted by the due date, dues are paid on time, and the user is in "Good Standing." Additionally, "Use the previous year does NOT guarantee use in the current year."
	Howard County	Regulations are in the process of being revised. Information is not available at this time.
	Montgomery County	"Field allocation for leagues will be based on prior use (i.e., the previous year's game schedules). Allocation of athletic fields for games is determined by the following priority system: FIRST PRIORITY: Montgomery County Department of Recreation Programs, City of Takoma Park Recreation Programs, Adopt-a-Field groups, public/private partnerships or other contractual agreements, and special event/tournament requests. SECOND PRIORITY: Montgomery or Prince George's County community-based leagues and schools, including organized youth leagues."
	Prince George's County	No historical use consideration. Regs being amended. Policies being reviewed.

VA	Albemarle County	"Fields have traditionally been allocated to organizations based on historical use and demonstrated need. ..With the continuing trend toward year-round seasons for specific sports, the emergence of new organizations, an increasing number of higher level competitive travel teams, and an increased interest by "for profit" organizations in the use of public field space, the directors of both the County and City Parks and Recreation Departments agree that there is a need to develop a formal written field allocation policy."
VA	Fairfax County	"Expansion programs or new sports organizations submitting applications for fields for their first season must submit the application 6 months prior to the application date noted in Table 2." If the application is submitted 6 months prior to the deadline, then it is not considered a lower priority.
VA	City of Manassas	"Field usage is allocated on a first-come, first-served basis." **Question on application: Has your organization/group of individuals previously received facility allocations from the city?
VA	Virginia Beach	"Approval for all requests will be made on a first come, first serve basis...An attempt will be made to accommodate all requests. If a conflicting request is made on the same day on the same field , the following criteria will be used to determine a decision, keeping the City's best interest in mind. A) Number of fields requested, B) Type of event or tournament (local, state, regional, or world), C) Other scheduled events, D) Rental history with the requesting person/organization"
DE	New Castle County	"Conflicts with facility dates between early mail in applications will be resolved by lottery if necessary. New Castle county also reserves the right to issue a 'Grandfather Privilege' to any group/organization that provided a noteworthy and successful service/activity for the general community at a county park during the previous year...Permits for all functions/facilities are issued on a first-come, first-served basis after application and payment are received."
PA	Newtown Township	"Facility use is on a first com, first serve basis. Because of such high demand for athletic fields during the Spring Season, new or individual single day use CANNOT be accommodated. Athletic League field use typically follows the previous season's schedule. A change in Spring usage only occurs if an Athletic League voluntarily reduces the number of fields their organization needs. If an Athletic League relinquishes

		<p>use of a field in the Spring Season, use then will be assigned on a first come , first serve basis if available."</p> <p>(continued from the previous page)</p>
PA	Salisbury Township	"Field permits will be given based on availability with priority given to [established youth associations with the majority of participants residing within the township]...Field permits are issued based on the Associations base location."
PA	West Whiteland Township	"Allocations for games and practices are based on the total number of requests received, availability and priority outlines." N.B. Priority outline does not distinguish between new and prior users
PA	Worchester Township	"A request for a particular athletic field/facility does not guarantee availability or assignment to a specific organization...Prior permit allocation does not guarantee similar use in the future." Priority is based on solely on use of the field by a sports organization and the percentage of residents from that township.
PA	Township of Pine	"All fields will be scheduled on a year to year basis...Priority for use of fields will be given to youth sports over adult sports and to league organizations over individual teams."
CA	City of Costa Mesa	"To resolve a discrepancy between two youth organizations in the same Priority Use class that request use of the same site/field and that cannot be worked out between the two organizations, the following formula will be used to determine the amount of field use that will be allocated to each organization...based on the percentage of verifiable Cost Mesa residents registered within that organization in relation to the total number of all registered Costa Mesa residents in all organizations in that Priority Use class combined."
WA	City of Bellevue	"Historical Use-guideline only, not a guarantee. Field availability, demand & demographics are subject to change annually."

CA	City of Belmont	"If the new youth sports organization is in direct competition (age, sport, or gender) with an existing youth sports program, it will only receive field space if available. If the new youth sports organization offers either a new sports opportunity, or an age not being offered by an existing program, it may receive consideration before a new youth sports organization that is in direct competition with an existing sports program."
WA	City of Bothell	"The City gives priority to those organizations with the highest number of players residing within Bothell city limits...If two groups are equal, historical use will be used as a factor when determining priority."
WA	City of Kirkland	"City use and Lake Washington School District use take precedence for all park and school locations...User groups, clubs, and organizations residing within Kirkland with past historical use follow in priority. New user groups', clubs', and organizations' requests will be dealt with on an individual basis."
CA	City of Menlo Park	"The Community Services Department will make every attempt to accommodate all groups and allow for a diverse use of the City's sports fields...Prior use by a particular Field User Group does not guarantee future allocations to a specific field."
WA	City of Mercer Island	"The City shall recognize historic use and establish it as a benchmark for field allocation. The BUG shall conduct pre-season allocation meetings to review historic use/prior year use and determine if those patterns should remain or be modified in order to better accommodate existing users, consider new users' needs, and help determine allocation for any new fields that become available."
AZ	City of Tempe	"The City of Tempe embraces the philosophies of the National Alliance for Youth Sports..."National Standards for Youth Sports," some of the nation's leading experts ...have outlined a set of standards which the City of Tempe endorses and which, if followed, will give preference to youth sports organizations who embrace them in their efforts for securing playing fields."