



Washington Youth Soccer

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Summary – SYSA/ECFC/Seattle United situation

This summary is provided by Washington Youth Soccer to provide clarification regarding the history, recent meetings, current status, and options related to this situation. It is not intended as a judgment of any of the parties involved. It is being released to Seattle Youth Soccer Association (SYSA), Seattle United (SU), Emerald City Football Club (ECFC), and the PDL, as all have been directly engaged in recent activities. It is also being released to the Board of Directors and Oversight Committee members for informational purposes.

Background

On February 23rd, 2010, at the request of ECFC during a session with the PDL, Washington Youth Soccer held a meeting to attempt to address the issues between Seattle Youth Soccer Association (SYSA), Seattle United (SU), and Emerald City Football Club (ECFC) resulting from the decision this past summer by SYSA to create Seattle United as the club responsible for all select and premier play in SYSA. The implementation plan that SYSA voted on started with Seattle United taking on the U11-U14 ages, and ECFC continuing with U15 and up, reducing year by year after that.

This decision was the culmination of over a year of work, including a formal, open nine month process evaluating the approach to select and premier soccer in SYSA. ECFC actively participated in this process along with the rest of the SYSA clubs and leadership. This included opportunities prior to and throughout the process for ECFC to take a leadership role in the combined approach to select and premier soccer. While ECFC as an organization did not support the direction to implement a combined select and premier club, they were engaged in the process and had understanding of the outcome. On July 9, 2009, SYSA voted to implement the change, 12-2.

ECFC pursued available avenues to contest this decision by SYSA, as was their right, filing a grievance against SYSA. Washington Youth Soccer convened an independent blue ribbon panel to hear the grievance, which was denied on January 15, 2010. The decision is



G09 001 Emerald
City vs SYSA Decision
attached:

ECFC appealed the finding to USSF. On February 12, 2010, this appeal was denied:



SKMBT_C550100218
15590.pdf

USSF stated to Washington Youth Soccer that it was perhaps the most comprehensive process and finding that they've seen. There are NO other administrative appeals available



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to ECFC. It has been made clear that SYSA acted within their rights as an association in the creation of Seattle United as the sole provider of select/premier soccer for SYSA. It has also been made clear to Washington Youth Soccer by USSF that we do not have the option of overriding that decision.

In spite of this decision, Washington Youth Soccer has continued to stress to all parties involved that an agreement that brings Seattle United and ECFC together as one organization to serve Seattle is the best outcome.

Pre-meetings to the February 23, 2010 meeting

In preparation for the meeting, Washington Youth Soccer met with both parties. In the meeting with Seattle United, we stressed the positives that would come from an agreement to some form of merger of the organizations. We encouraged Seattle United to put forward a solid merger proposal.

We also held a call with ECFC to discuss the meeting. ECFC wanted to see this as an "interest-based negotiation" and document key positions and interests. They agreed to provide their list prior to the meeting, and were informed that they would also receive the Seattle United proposal prior to the meeting.

The other activity that took place was a request by Seattle United to have only board members attend the meeting. They viewed this as an issue of governance. ECFC insisted that Bobby Howe be allowed to attend, and Seattle United agreed to move forward.

The Seattle United proposal and the ECFC interests and positions are embedded here:



SU-ECFC Merger
Cover Letter vfinal.ppt



SU-ECFC Merger
Proposal vfinal.pdf



ECFC interests and
positions v2 W97.doc



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Meeting Notes from February 23, 2010

Attendees:

Washington Youth Soccer: Doug Andreassen, Tom Ament, Terry Fisher
SYSA: Parker Mason, Bob Sigley
ECFC: Joe Picciano, Ruth Nicholson, Bobby Howe
Seattle United: Bret MacPherson, Mike Murphy

Summary:

Doug kicked off the meeting, thanking all for attending and expressing hope that we could work together to reach a positive resolution.

Tom shared the interests of Washington Youth Soccer for the meeting:

- 1) All parties stay focused on finding a solution that provides SYSA players access to the appropriate leagues
- 2) Any solution complies with USSF/USYSA/WSYSA rules. Specifically, no parties should expect Washington Youth Soccer to override the USSF decision upholding the SYSA decision to create Seattle United, starting with the U11-U14 age groups and restricting ECFC to U15-U18 in SYSA. Any modification to that decision would need to come from SYSA/ECFC/SU agreement
- 3) All parties enter the discussion with realistic expectations
- 4) All parties understand the urgency of reaching a solution given the concerns of their member and rapidly approaching tryout dates

The Seattle United proposal was presented before the meeting, but garnered little specific discussion at the meeting. The merger proposal was crafted in an attempt to bring the conflict to closure, given the fact that the transition plan that splits the age groups between the two clubs has been the plan of record for SYSA for nearly nine months.

ECFC presented their interests, also attached. They then provided a summary that compared the key elements they saw in the SU proposal with their counter-proposal. This is presented as follows:



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NOTE: Double click on the image below to see the full document

Proposals Related to Resolving Issues Concerning Premier Soccer in Seattle 23 February 2010

Goal: To provide premier-level players in Seattle access to the highest level competition available in the state of Washington in 2010-2011 and beyond

	SU Merger Proposal	ECFC Counter-Proposal
1 Governance	<ul style="list-style-type: none"> SU will provide ECFC with 2 Board of Director seats on the combined board. These 2 positions will run for 2 year terms Individuals nominated for these positions require approval of SU board 	<ul style="list-style-type: none"> Invite SU to have two ex-officio, non-voting rep to the ECFC board. SU reps will be elected by SU & won't require ECFC board approval Two ex-officio, non-voting ECFC reps to be elected by ECFC board to serve on SU board, not subject to SU approval.
2 Management	<ul style="list-style-type: none"> ECFC DOC will get 18 months' severance pay from merged assets of the clubs Severance pay is contingent upon ECFC DOC support of SU & shall be withheld for conduct which undermines or is contrary to the interests of SU, SYSAs, or WYS 	<ul style="list-style-type: none"> ECFC retains separate DOC for ECFC teams paid for from ECFC assets SU & ECFC club assets are not merged All parties, including board members, coaches, & paid staff, agree to refer to each other in professional & accurate manner, including club & association communications SU and ECFC DOCs shall be responsible for all player placement decisions SYSAs, SU, & ECFC shall make their email and mailing lists available to each other
3 Coaches	<ul style="list-style-type: none"> SU DOC evaluates current ECFC coaches' contracts for consideration of adoption by SU. SU DOC may reject contracts Coaches hired by ECFC as of 2/18/10 will be given special consideration for coaching positions at SU with salaries & terms consistent with SU coaching structures 	<ul style="list-style-type: none"> ECFC will work with SU to develop 3-way coaching contracts for coaches with teams in both SU & ECFC SU will retain direct contractual relationships with coaches who only coach SU teams ECFC will retain direct contractual relationships with coaches who only coach ECFC teams
4 Assets	<ul style="list-style-type: none"> ECFC & SU will combine all assets and mutually settle all liabilities. This can only be agreed upon following an examination of a certified accounting of the ECFC assets and liabilities by SU After payment of liabilities, expenses, severances, and other past operating costs, the remainder of the merged assets will be placed in an endowment names in legacy of ECFC ECFC board will determine the purpose of the endowment 	<ul style="list-style-type: none"> ECFC will retain its assets and be solely responsible for its liabilities, expenses, and other operating costs SU will retain its assets and be solely responsible for its liabilities, expenses and other operating costs All SYSAs member clubs, teams and players shall be treated in a non-discriminatory manner, and all fees will be levied equally within the SYSAs on a "per player" basis

ECFC then shared that they were willing to work towards a single club structure, but that to start they would want to keep premier, and have Seattle United focus on addressing the challenge of launching the select level.

There was significant discussion around this topic. Seattle United was voted in place with a charter of U11-U14 nine months ago, and has been building a staff and business model





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based on having all levels for U11-U14. It is also the assumption in place that the other SYSA clubs supported when voting to consolidate their U11-U14 teams. ECFC focused on the difficulty in launching the select level, and pushed instead for an approach that had two clubs working in parallel and developing a working relationship. During discussion, they said they would work from there towards a unified organization. ECFC was vague about timing, and it was unclear whether their proposal allowed the same level of integration of 'select' and 'premier' advocated by Seattle United.

For Seattle United, this approach was unrealistic. They stated that they've been given their charter and direction from SYSA, and needed to continue to move forward.

At this point, Tom put forward the suggestion that if ECFC was now willing to work towards a single organization, the real gap was in the starting point. ECFC wanted to maintain U11-U18, and phase in Seattle United. Seattle United was executing their U11-U14 charter and launch plans. Given that SYSA had made their decision, and how far the organizations were in the process, the most feasible approach would be to use the original transition plan of splitting the age groups as the starting point, and focus on what needed to take place to reach a positive outcome. Key elements of this proposed approach were:

- 1) Use the transition plan as the starting point, with SU having U11-U14, and ECFC having U15-U18
- 2) Each club provides two "cross-over" board members (from the ECFC proposal)
- 3) A task force with representatives from both clubs and an independent mediator would be established to assist the two clubs in working together as they get started, and completing a merger process over a 12-24 month time-frame (suggested by Doug)
- 4) ECFC would discuss with their board, and ideally come back with their list of "asks". Areas identified and discussed in the meeting included:

- a. SU and ECFC DOCs would review the coaching slate at U11-U14 to determine what opportunities could exist for the current ECFC coaches; SU DOC would have final say since it would be his staff
- b. ECFC would identify what financial support was needed for the ability to operate successfully with a reduced scope and revenue stream
- c. ECFC would make a request regarding incorporation of the ECFC logo/history into the merged organization
- d. ECFC was encouraged to consider these and others



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During this discussion, Bobby Howe brought up the point that the PDL had made it clear that Seattle United would not qualify. Tom responded that if Bobby brought forward this approach as an agreed upon framework for a merger of Seattle United and ECFC, Bobby would almost certainly be able to gain approval.

ECFC agreed to take this to their board meeting on Friday, February 26th, and give feedback on Saturday February 27th. All agreed to treat the meeting as confidential. These notes are being shared at this point due to the fact that multiple incomplete summaries of the meeting have been provided by ECFC to various audiences.

In summary, this was a difficult discussion with two parties that entered with very different starting points. While ECFC did express a willingness to move towards a single organization to serve the upper ages in SYSA, their suggested starting point did not recognize the decisions of the SYSA clubs and the activities of the past nine months. Seattle United remained committed to serving the age groups they've been chartered to serve by SYSA, but opened up to a very different process in terms of crossover board members and a task force to develop a complete merger. This limits the opportunity for ECFC and Seattle United – if they are to work together, it will need to be based on the starting point from the SYSA vote and transition plan.

Post Meeting

On Saturday, February 27th, Joe Picciano communicated the following regarding the ECFC board meeting:

The Emerald City board met last evening to discuss our current situation with regard to SYSA/Seattle United, review our options and, specifically, consider the directive resulting from our meeting this past Tuesday night (i.e., to accept the SYSA framework, reduce our club operations in the coming season to U15 and above, and agree to cede an age group each year thereafter). We did not reach a final decision. The meeting was time limited due to a previously scheduled coaches meeting, so the board decided to discuss our situation with our coaching staff last night and continue our deliberations at our regularly scheduled board meeting on March 8th.

Our board was perplexed that the merger offer that we proposed on Tuesday evening was not given more consideration. Our proposal offers a solution that would have put us on an immediate course to achieve the primary goals of SYSA/Seattle United (a unified, integrated system) while at the same time provide for cessation of the turmoil affecting our parents, players and coaching staff.

The ECFC board will continue to discuss your directive and our options in March. In the



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meanwhile, I will continue to explore and pursue options that have been suggested by the PDL leadership.

Given the urgency of the situation, this is not a reasonable timeframe.

Additionally, ECFC put out a newsletter that included the following from Joe Picciano:

1. On February 23rd, we met with SYSA/Seattle United in a meeting convened by Washington Youth Soccer (WYS). You may recall from earlier club communication that in early February, the PDL membership requested that WYS bring the parties together to seek common ground and find a resolution to our conflict. A description of that meeting can be found in a [post-meeting letter](#) that we sent to the other PDL clubs. At the SYSA/SU meeting, Seattle United offered a proposal that included incorporation of ALL teams at ALL age levels into Seattle United within the next year, the combination of all club financial assets, and the severance of the ECFC Director of Coaching, Bobby Howe with his severance pay contingent on a conduct clause. In contrast, we offered to merge ECFC into a single select/premier soccer entity in Seattle in a two-year time-frame. The result of our proposal would have been continued access to the PDL for the coming season and beyond, an immediate integration of coaching staffs directed in a collaborative effort by our Director of Coaching and Seattle United's Director of Coaching, and a plan for representatives from both sides to develop a compromise to merge the two into a single organization within two years. A comparison of the primary features of the most recent Seattle United proposal and our counter-offer to merge can be found in this [summary document](#).

Our proposal was quickly rejected by SYSA, Seattle United and WYS representatives. As a result, your Board of Directors is now exploring an alternate plan of action. Central to this option is that we affiliate our club with an Association that is not SYSA. We have had preliminary discussions with some of our neighboring associations and will continue on this path. This plan of action was suggested, and is supported, by the leadership of the PDL. There is also preliminary support for this concept among our neighboring associations, but a number of complex steps are needed in order to sort out the details. Discussions with multiple associations are currently underway.

2. In addition, the ECFC Board will be voting at their March meeting on affiliating all of our teams next season with US Club Soccer. Some of our individual teams are currently affiliated with US Club Soccer, including M93 Green who were finalists in the US Club National Cup VIII Finals, held in Virginia Beach last summer. There are a number of benefits to affiliating as a club with US Club Soccer. In most of the western United States and British Columbia, more and more clubs, and specifically Premier level clubs, are registering with US Club solely or in addition to US Youth Soccer (e.g., state associations like WYS). An affiliation with US Club will provide us with a base of operations inside Seattle as an independent club. Combined with an affiliation with a neighboring US Youth Association, we could retain our acknowledged place within the PDL for the coming seasons, as well as gain the ability to access a wider variety of competitive



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opportunities for our teams. Our players would have access to ODP as well as a comparable US Club program that is significantly less expensive for players and families.

Recent Communication from Seattle United. In addition, many of you are aware that our coaches and team managers received an email from Seattle United – on a Sunday night of a holiday weekend – inviting them to sign their teams up for next year with Seattle United. The overture was met with both bewilderment and anger, not only by those affiliated with ECFC but by members of the PDL as well. A team manager cannot simply move a team between clubs and associations. Several members of the PDL view this migration invitation as a violation of the state's "no recruiting" rules in effect until the end of state cup play. Furthermore, at the February 9th PDL membership meeting, several PDL members questioned the ethics of Seattle United's coaching recruiting practices and requested WYS leadership to sanction SU. The team migration process appears to be a questionable attempt to recruit players. To sign players up to teams prior to tryouts is unethical.

Brief update on the PDL/WYS discussions to bring the PDL in alignment with WYS. The January 2010 resolution that suspended formal negotiations between the PDL and WYS to integrate the PDL into a new state premier league is still in effect. Part of the impetus behind that resolution was the PDL's demand that WYS find a solution to allow our club to field teams at all ages in the coming season. My discussions with other PDL club leaders indicate that no one currently expects the PDL to operate any differently in the 2010-2011 season.

At this stage in the process, it's important for Washington Youth Soccer to provide some comment/ feedback on these statements.

1) The summary provided of the meeting is incomplete and because of that, inaccurate. Specifically, it ignores elements of the Seattle United merger proposal, and more importantly does not share the actual option developed during the meeting

2) The statement by ECFC that they can be a US Club organization is true. However, it has nothing to do with access to any WSYS programs. That requires WSYS membership. At this point, there are only two avenues available to accomplish that:

- a. Comply with the transition plan, reducing age groups and working towards a merger in SYSA
- b. Join another association, or merge with another association's premier club. It needs to be clearly understood that movement to another association is a complete move. Teams will not be able to practice, play, or advertise tryouts within SYSA boundaries. US Club cannot be used as a vehicle for doing so – as a dual affiliated



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member, ECFC would be bound by the stricter of the rules, meaning they could not violate WSYSA rules, including boundaries

3) The USSF has upheld the rights of SYSA to create Seattle United. This includes the decision that they provide all soccer in SYSA for U11-U14. Inviting teams to be part of Seattle United is in compliance with a USSF ruling

4) The PDL request of WSYSA was to make an attempt to resolve the conflict in SYSA. It was not a request to allow ECFC to field teams at all age groups. The enhancements to the original transition plan created the real opportunity of a merger process

Conclusion

At this point, there are three distinct options for ECFC

1) Request the opportunity to agree to the transition plan with the additional conditions explored in the February 23rd meeting

2) Gain acceptance as a club by another association. This is a complete exit from SYSA as discussed above

3) Leave WSYSA for US Club Soccer. This will be a complete exit from WSYSA, eliminating access to all WSYSA sanctioned programs, leagues, and state tournaments. This includes RTC programs, state championships, and the PDL. The PDL is a WSYSA sanctioned league. It cannot accept US Club only members and retain its sanction as a WSYSA league, or subsequently have its participating teams be eligible for WSYSA or USYSA Cup championships.

This continues to be a very difficult situation. Washington Youth Soccer would ask that all parties involved be realistic about the options, and open and accurate with their membership about the impact of those options.



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