


5/24/2022

item 7




City Council

Item 22-721
Status Report on the Lease Agreement
Between the City of Santa Clara and the
Police Activities League (PAL) for the
Operation of a BMX Track

May 24, 2022

1



City of Santa Clara
The Center of What's Possible

April 19th Council Direction

- Direct staff to return on May 24, 2022 with a status report on the following:
 - Insurance
 - Access to PayPal accounts
 - Completion of a fiscal audit
 - USA BMX willingness to work with PAL
 - Feasibility of Parks and Recreation Department assuming responsibility for the BMX park

2

2

POST MEETING MATERIAL

1



Insurance & Programming

- Fully compliant with insurance requirements as of May 19, 2022
- Eligible to resume programming as a practice facility
- Extended offer to USA BMX to sanction for racing
- USA BMX notified City via email that they are not willing to partner with PAL beyond May 24, 2022 and would like City to partner directly with USA BMX and the prior track operator

3

3



Audit and PayPal

- PAL has retained Mr. Richard Gordon of the Withum Firm to conduct a third-party audit of the BMX program
- On May 16, 2022, PAL President Walke confirmed that access to BMX PayPal accounts remains an outstanding issue

4

4



Parks and Recreation

- Department does not have sufficient staffing or resources to effectively take on additional responsibilities
 - 11 FTE vacancies
 - Preliminary estimates:
 - 2 as-needed Recreation Coordinators (1,950 hours) to supervise the volunteer track operations
 - 1 as-needed grounds maintenance worker (1,000 hours) to provide facility support
 - Budget for operations, utilities and maintenance
 - Subject to change following negotiations with provider and evaluation of prior costs

5

5



Council Questions

- Q#1 - Why was the USA BMX proposal to the City not included in the staff report?
 - The proposal was emailed directly to the City Council from USA BMX
 - There is a valid agreement in place. Staff does not have direction from Council to accept alternative proposals
- Q#11 - Will there be any revision of the contract if it is deemed that the community is not being served at a high level?
 - Any revision to the existing agreement would be at the direction of the City Council

6

6



Council Questions (cont)

- Questions #2 - #10, #12 are operational in nature and should be appropriately directed to the PAL Board for their review and response. Those questions are as follows:
 - Q2 = Is the track currently open? If not, when will it be open?
 - Q3 = What are the implications of having no "USABMX" sanctioned events at the track? Do the kids not get to advance to regional or international competitions?
 - Q4 = How many days a week is PAL expecting to have the track open?
 - Q5 = How many clinics is PAL or PAL's new operator planning to run during the summer?
 - Q6 = Is PAL expecting to raise the fees above \$10/rider and is PAL going to charge more for non-residents of the City?
 - Q7 = How will PAL collect fees if not using the USABMX event management software?

7

7



Council Questions (cont)

- Questions #2 - #10, #12 are operational in nature and should be appropriately directed to the PAL Board for their review and response. Those questions are as follows:
 - Q8 = When are we expected to get the audit report from Mr. Richard Gordon of the Withum Firm? Why are we making any decisions before getting the report?
 - Q9 = There are allegations that PAL didn't put any money into maintenance of the track, but PAL says otherwise. Has PAL submitting any documentation of how much money they have spent on maintenance?
 - Q10 = Will there be metrics for ridership/attendance to compare PAL performance versus previous track operator attendance?
 - Q12 = If it is expected to take 1950 hours for City Parks and Rec staff to oversee the track, how much staff time is PAL committing to cover the same tasks?

8

8



Summary

- PAL is currently in compliance with the lease agreement and consequently, will continue under the same terms and conditions
- Staff will refer the operational questions to the PAL Board for their review & response

9

9



Recommendation

- Note and file staff report

10

10

Nora Pimentel

From: Brian Allen <briannelallen@me.com>
Sent: Tuesday, May 24, 2022 4:11 PM
To: Public Comment
Subject: Please Read

Good evening,

My name is Brian Allen, and I am one of the Santa Clara PAL board members. I've been on the board for about a year and a half. Both my wife and I grew up in Santa Clara and our kids attended Santa Clara Schools. Prior to retiring from the Santa Clara Police Department, I was a DARE and School Resource office. In the 1990's, I was also the Santa Clara PAL Fishing Commissioner.

After we moved back to Santa Clara, I decided that I wanted to get involved with Santa Clara PAL because of its mission and the opportunities that PAL has provided our youth over the decades. PAL isn't just a local program, it's a national program where like-minded community members and police organizations provided opportunities to the youth of our nation. I strongly believe in Santa Clara PAL's mission. Santa Clara PAL is truly a nonprofit in that all PAL board is comprised of volunteers, as are the coaches who run the programs. The only compensation that the PAL board and coaches receive is the knowledge that they are providing athletic opportunities for our youth and the youth of our surrounding communities.

I remember when my son raced at the old BMX track at Agnews. It was all dirt, no lights, and nothing liked it is today. The track is something PAL and the City can be proud of. The PAL board is committed to continuing to improve all of our programs which BMX is a big factor in.

I am asking for your continued support of Santa Clara PAL and allowing Santa Clara PAL to continue operating under the current lease agreement.

Thank You

Sent from my iPhone

Nora Pimentel

From: Andrea Scollay <andreascollay@gmail.com>
Sent: Tuesday, May 24, 2022 4:13 PM
To: Public Comment
Subject: PLEASE READ AT CITY COUNCIL MEETING 5/24 ITEM #7

We are a current USA BMX racing family with four racers in our family that race multiple classes. We fully support Santa Clara BMX reopening the track under the management team that was running the track before the shutdown, with Valencia and his team. Opening the BMX track without a USA BMX sanction makes it just another bike park in the area. There's no point in coming to the track if you can't receive points that go towards everything these kids and people have been working for all year. It will be surprising to hear if pal can keep the track open under other circumstances with the cost of insurance and the lack of oversight that USA BMX provides to these tracks. Having a facility in the area that can run national meets, regional meets, state meets, and a local program is very important to the future of BMX racing.

Nora Pimentel

From: Leilani Dela Cruz <leilanidlc@yahoo.com>
Sent: Tuesday, May 24, 2022 7:48 PM
To: Public Comment
Subject: Please read at City Council meeting on 5/24 during agenda item #7

To the City Council of Santa Clara,

This is a follow-up regarding my public comment from last month's city council meeting regarding Santa Clara BMX. It's been 30+ days way too long for kids not to have a track to practice and race on every week. Many have moved on to different sports and many have been discouraged to continue BMX due to these issues affecting the track we all love so much.

Please re-open the track with the USABMX sanction and with the folks that made this track one of the best in America. Please re-instate Joey, Nick, and Marissa to oversee the track operations. We are truly at a loss without them running this ultra-successful program. Re-opening the track as a **practice only** track only means that it will not be used to its full extent. What is Santa Clara BMX without the excitement of racing and the opportunity to reach personal achievements? The kids need to get back to racing.

We support the land lease to be moved to USABMX immediately so racing can resume as soon as possible. USABMX has the knowledge and expertise in this area and should be trusted to the fullest to continue to bring in the revenue that the City has been accustomed to in the past years.

Please do not fail the kids. With everything that is going on in this world, this is one place where the kids have always felt safe and supportive. At the same time, they gain confidence, experience comradery, and form many lifelong friendships. Please let us move forward with USABMX and get these kids back on track!

Thank you,

Jeremy and Leilani Dela Cruz

Nora Pimentel

From: Alma De La Vara <alma.delavara@gmail.com>
Sent: Tuesday, May 24, 2022 9:35 PM
To: Public Comment
Subject: PLEASE READ AT CITY COUNCIL MEETING, 5/24

Ladies and Gentlemen of the Santa Clara City Council:

We would like to express our concerns over possible long-term issues that will affect hundreds of Santa Clara youth that greatly benefit from the activities that PAL sponsors.

I am a board member with softball, a coach, and a team parent. Our family has been involved with PAL for nine years with three girls in softball and soccer. As a board member, I am a witness to how so many of our young players have flourished with confidence because of the sport they play. The question of leadership being learned or inherited has been answered time and time again on our softball and soccer fields. My concern is if PAL is greatly impacted to the point of increased fees for registrations and costs, many of our families will opt to not register their children for a sport they could have greatly benefited from. PAL's 50 year mission and tradition has always been to make sports a positive and supportive outlet for kids to help them occupy their time. PAL has the only recreational softball league in the city, which makes softball and soccer more accessible for many families. While yes, there are many club sports in the San Jose area, we all know recreational leagues are where kids get their first taste for more competitive aspirations. Please help us keep PAL sports accessible for our community, especially in this post-covid era. Kids are truly grateful to be back and able to play the sport they love.

Thank you for your time and I hope you will consider our Santa Clara youth when making your decision.

Respectfully,

Alma De La Vara
VP SC PAL SOFTBALL

Nora Pimentel

From: Brooks Manbeck <brooks.manbeck@gmail.com>
Sent: Tuesday, May 24, 2022 9:39 PM
To: Public Comment
Subject: Santa Clara BMX

Santa Clara City Council

The recommended plan to move forward Santa Clara PAL running and operating the BMX track without sanctioning from USABMX will lead to the end of operations of the Santa Clara BMX.

Three years ago I decided to return to BMX, the sport I spent many years of my youth competing in. (25 years out.) I wasn't sure of my skills or how I was going to return but I found a BMX track 15 min from my house, so I decided to start there.

That track was Santa Clara PAL BMX.

When I arrived I was immediately greeted by a community that pulled me in, answered all my questions and supported me as I reacquainted myself with the sport. I didn't have intentions to compete. Just to ride, practice and get some exercise.

Three months later I found myself competing at all race nights. Tuesday, Friday, Sunday. Paying \$10 per race, I was spending \$30 per week at SCPAL. I was hooked.

I wanted to race more so I purchased a second bike that allowed me to race twice every night. This also doubled the cost to \$60 per week. This brought me to \$240 per month at a track 15 min from my house.

The quantity of racing I was able to do at Santa Clara has not only brought money to the program but has allowed me to hone my skills and be competitive at a State, National and even World level in the sport.

The BMX track in Santa Clara has given myself ,and the 100 or so regulars that come out on 3 nights a week, a place to compete in the sport we love.

Since the track closure I have been unable to race regularly because of the inconvenience of commuting to the next nearest track multiple nights a week.

I respect and appreciate the mission of the Police Athletic League. I think it is important to get members of the police department to interact with the community outside of the role of law enforcement. I think it is great to see the police support youth sports.

However, in the past three years of my time at the SCPAL BMX track have never seen members of the Santa Clara Police department or Police Athletic League volunteering or supporting the PAL BMX track. So the community benefit of having police interact with community has been lost on this program.

The success of the Santa Clara BMX track is something the city should be proud of . It is not often a BMX program can generate income outside its own survival. BMX is a relatively small sport and there a many tracks across the country and around the world that can barely afford to sustain themselves.

Because of the support of this immediate community Santa Clara track has been able to generate \$250k a year. With its income supporting other sports programs under the PAL organization.

The future of the SCPAL BMX track has been questionable for quite some time. With a large development project sitting on the horizon, the current location of the track has an eventual end date.

But the program and the money generated by the program can continue. If the city council could see the value of this sport and proven quality of the program at Santa Clara BMX does not have to end but could instead build a future and continued growth.

To continue this track operation without national sanctioning will end this program. It will also end the supportive community and the revenue stream it provides.

There are multiple baseball and soccer fields in every city. There is rarely a BMX track. Santa Clara BMX is one of three tracks in the immediate Bay Area. Please support and continue this program and help it grow.

Brooks Manbeck

Nora Pimentel

From: Courtney Caron <courtney@adamantlaw.com>
Sent: Tuesday, May 24, 2022 10:04 PM
To: Public Comment
Subject: Please read at meeting.

Hello madam mayor and council. My name is Courtney and I am an attorney. The purpose of this meeting is to discuss specifically the future land lease. This is not a trial nor the proper forum to accuse or slander bmx community members and volunteers. If PAL would like to air their concerns, there are proper legal avenues for this, but this is not it. Please be sure that you are acting in an unbiased manner and keeping the topic focused while making your decisions. Further, as proven in writing, the track operator had written permission to charge personally for camps and clinics from the PAL director at the time. Thank you.

Thank you, Courtney Peters

Nora Pimentel

From: ana Vargas-Smith <avsmith2014@gmail.com>
Sent: Tuesday, May 24, 2022 10:13 PM
To: Public Comment
Subject: SC PAL has 52 years of history of serving our youth

Dear SC leadership

Grateful the track is ready to open for the kids at last.

Chief Frank Sapena founded NPO PAL to serve the underserved youth in our community for 52 years. A man of integrity, honesty and a community heart of gold. A trusted organization by the community for decades—this is his legacy

The track is a fantastic asset no question but it's not the only amazing asset in Santa Clara sports community.

The issue is the resistance to cooperation by the Track operators regarding the audit. This "Why" needs to be addressed.

BMX is also a 501c3. It's very important that both PAL and BMX 501c3s are in compliance with Federal requirements. If not both lose their tax exempt status. A serious loss for all in the community.

Grateful for decades of its community usage—it's been run with integrity from its beginning for the love of community and "not for profit".

Sapena was not about profit. Kids came first. This is the mission of the PAL program. All underserved children in SC benefit from PAL—we have to look at the program holistically.

We are proud of our Santa Clara Mayor and city council as caregivers of the legacy of honesty that Frank Sapena left for generations of Santa Clara kids.

Many thanks
Ana

Nora Pimentel

From: Kara Kotler Mitchell <karalita@gmail.com>
Sent: Tuesday, May 24, 2022 10:29 PM
To: Public Comment
Subject: Re: PLEASE READ AT CITY COUNCIL MEETING on 5/24 during agenda item #7

Hello,

Why was this not read to the meeting and entered into public record?

Thank you,

Kara

On May 24, 2022, at 3:13 PM, Kara Kotler Mitchell <karalita@gmail.com> wrote:

Esteemed Mayor and Santa Clara City Council Members,

I find myself overwhelmed with sadness and frustration as I write this email. Our family has been racing BMX, my two boys and I, for just under 2 years. I can say, without exaggeration, that it has been one of the most positive, unifying experiences we have ever had as a family. We are no strangers to physical activity and competition. The kids play organized soccer and baseball, and we hike and mountain bike regularly as a family. **BMX is different.** I attribute this difference to the environment created by Nick Valencia and his stellar team, as well as the amazing families we compete alongside. The growth I have witnessed in my kids through their time competing, both in skill and confidence, has been profound.

I won't claim to understand the politics and underlying motivations of all the parties involved in this mess. That said, the situation we find ourselves in today, at risk of at once losing USA BMX sanctioning, as well the loss of revenue that funds multiple youth programs throughout Santa Clara, is unacceptable. Leaving the lease with Pal and opening the track as a training facility is a lose, lose situation. The kids lose the opportunity to compete in BMX sanctioned races, and the youth of Santa Clara lose much needed programs. It is not a solution; it is an embarrassment. It will result in the loss of not only our beloved BMX community, but a loss of trust in the institutions that are tasked with championing opportunities for those they represent.

I implore those in charge and those involved **on all sides of this issue**, to put your egos aside, acknowledge your mistakes, and find a way to work together to keep a USA BMX sanctioned track in Santa Clara and along with it, the enormous benefits it brings to the Bay Area community at large.

Lastly, I want to extend my wholehearted appreciation to Nick and his team for the difference they have made in our lives and those of countless others.

The Mitchell Family - Kara, Amy, Cooper and Jesse

Nora Pimentel

From: Mary Ellen Stewart <me24stewart@earthlink.net>
Sent: Tuesday, May 24, 2022 4:52 PM
To: Public Comment
Subject: Please read at Council Meeting on May 24, 2022



Dear Mayor and Council,

My name is Mary Ellen Stewart, I am currently the Executive Board Vice President for Santa Clara PAL.

I was a participant in PAL when I was a child. Knowing the strength of the program and the amount of good it does for the youth of our city when I decided I wanted to volunteer this was the organization that I chose to volunteer with.

I have been involved with SC PAL for the last 15 years in the softball program and as a member of the Executive Board.

I support the city's recommendation to keep the current lease of the BMX track with SC PAL.

Sincerely,

Mary Ellen Stewart

SC PAL Executive Board VP

#7

Nora Pimentel

From: Cynthia Hernandez <crhernandez22@yahoo.com>
Sent: Monday, May 23, 2022 2:55 PM
To: Public Comment
Subject: Please read at city council meeting.

Santa Clara Pal I is a tremendous help to the Santa Clara and Bay Area you they have been supporting children in good characteristics and adult habits such as leader ship teamwork responsibility compassion and to take the support that Paul provides to the community and these children would be a shame because adults don't know how to manage the ability to make to fund this or run long-term maybe our Santa Clara leaders need to look inward and make better decisions so our kids are taken care of and supported so they don't feel abandoned and have something long-term to turn to instead of crime or bad activities. Sports is a positive avenue for these children that we should most definitely never take away.



Carina Navarrete

From: Shprese Demiri-Head <shprese@gmail.com>
Sent: Tuesday, May 24, 2022 1:16 PM
To: Public Comment
Subject: Please READ AT CITY COUNCIL MEETING ON 5/24/22 DURING AGENDA ITEM 7

It's really important that the city council understand the implications of eliminating sanctioned racing, and what that means for the region's ability to host state and national races.--

Furthermore, having a competitive track in a high density area creates a pathway for kids all across the region to develop their skills and rise in the national and world level, even olympic standings. Making the track practice only eliminates those possibilities for our kids.

I WANT USA BMX SANCTION
SHPRESE HEAD

Regards,
Shprese,
Cell: (917) 622-4152

Carina Navarrete

From: Shana Dobrowski <shanab@yahoo.com>
Sent: Tuesday, May 24, 2022 12:27 PM
To: Public Comment
Subject: "PLEASE READ AT CITY COUNCIL MEETING" RE: 7.22-721 PAL Program
Attachments: PAL T-Ball 2017.jpg; PAL Parade.jpg; Softball 2022.jpg

To Whom It May Concern

I am writing this letter as a concerned parent of a PAL Softball player. Our daughter joined PAL Softball in 2017, back when it was called PAL-GAL, she was 6 years old. We wanted to sign her up for a sport, something to get her outside and have fun. A friend recommended PAL Softball, and we felt this was a great option. As an only child, it was a great way for our daughter to make new friends and learn a fun sport. She has continued on this path for the last 5 years, making great friends and developing a love of the sport.

This league has been a great way for any girl who wants to play to feel comfortable at any level. The affordable registration cost has allowed parents to sign up their daughters to try a new sport with an expectation of fun, forming lasting friendships and learning the importance of sportsmanship.

I fear that if there are major changes to the PAL program which may impact the affordable registration cost, this might force potential and/or returning players from signing up. Parents may not be able to afford increased fees to further their daughters advancement or stop new parents from letting their daughter try a new sport.

Please seriously take our children into consideration when making your decision.

Sincerely,
Shana & Nicholas Dobrowski

Enclosed are a couple of pictures of our daughter, Mia. The pictures are from T-Ball (2017), the Parade of Champions and the latest spring season (2022).



Grace

Alexis

Jillian

Nayla

Coach: Mary Ell

Asst. Coaches: Michael, G

SANTA ANITA
WHEEL





Carina Navarrete

From: katiedashiell@gmail.com
Sent: Monday, May 23, 2022 5:21 PM
To: Public Comment
Subject: PLEASE READ AT CITY COUNCIL MEETING!

Dear City Council Members,

Our family has had the joy of playing softball for the past two years with other girls and families from across Santa Clara thanks to PAL. This experience, without a doubt, has been a highlight for our family during a time when we have experienced a lot of uncertainty and disappointment because of the pandemic. The skills and community that we have developed in the past two years are thanks to PAL and the volunteer coaches who believe in the mission of their organization. This league has been key in keeping our bodies and minds strong as we endure an extremely challenging season of life, and the lessons we all have learned will continue to serve us as we invest in our kids and our community. We look forward to many more days of playing in the dirt with our girls, their teammates, and the rest of the PAL softball family!!

Thank you for your time,
Katie Burns and The Burns Family

Carina Navarrete

From: Tom Ostrander <tom@ostranderfamily.com>
Sent: Monday, May 23, 2022 4:48 PM
To: Public Comment; Mayor and Council
Subject: Santa Clara PAL

Hello Councilmembers,

After seeing everything go back and forth between the Santa Clara PAL board and the former BMX board, I wanted to send my thoughts and relevant observations in. I will start by disclosing I am on the board of the Santa Clara PAL Softball league. I played in Santa Clara PAL soccer as a young boy in Santa Clara and have continued that tradition with my daughters participating both in Santa Clara PAL Soccer and Softball. For over 50 years, the Santa Clara PAL organization has selflessly provided opportunities for the children of Santa Clara. My grandmother, Edna Mirrione, is unknown to most or all of you, but she was the first police woman in the City of Santa Clara. For me personally, having my daughters play in Santa Clara PAL was and still is important. I tend to dive into volunteerism when my kids are involved, so it came naturally for me to become very involved in the softball board. During my time on the board, I have had constant interactions with the SC PAL Executive Board and they have been nothing short of amazing for our players. It is funny, I just saw a post in support of BMX that accused SC PAL of raising softball fees year over year. What they don't know is that in the ONE case of a fee increase (this year), it was me, a parent who pays the same fees as everyone else, that plead the case to the SC PAL Executive Board to allow us to raise our fees to make sure we were able to fund our own program. The SC PAL Board was hesitant to raise fees, and it genuinely took us asking for it for them to agree.

I sincerely hope you all have gone into things with your eyes open, for me, from the outside looking in, I see a group of volunteers in BMX that saw an opportunity to better themselves financially at the cost of a program that has been around for much longer than they have. They didn't build the track or fund the creation, they came on as volunteers to help sustain a program that already existed. Credit does go to them for growing the program, but that doesn't entitle a volunteer to financial gain! We saw a 30% growth in softball participation this year compared to last, did I, or any other volunteer all of a sudden ask for ownership? Nope, we kept our heads down with the knowledge of what we were doing was working to encourage others to join a sport we so love. This past season I probably spent at least 30-40 hours a week to make sure our players had what they needed, when added to a full time job and other volunteer commitments came at a very personal cost of time with my family. I would never think to see a dime from that work and ensured that every single penny that came through our softball program went directly to Santa Clara PAL for proper financial record keeping. It is part of the obligation of being on a non-profit board, if the BMX board can't see that, then it is only right that there be a changing of the guard and a return to a mentality that these programs are supposed to be for the youth of Santa Clara not financial gain.

I thank you for your time and wish you all a great week!

Tom Ostrander

Carina Navarrete

From: Melissa Moraida <melissamoraida@gmail.com>
Sent: Monday, May 23, 2022 3:17 PM
To: Public Comment
Subject: Please Read At City Council Meeting

Our family is entering our second year of involvement in Santa Clara PAL softball. My 14 year old daughter hasn't always been the best at making commitments, and her whims mostly just remain quickly discarded ideas. I, honestly, thought the same would happen when she mentioned wanting to play softball. We like to support her in new ventures, but wanted to find somewhere she could try it out and get some experience as a newbie, without the sometimes ridiculous financial and time commitments that are required of parents. We ended up getting so much more out of our first year with SC PAL than we expected. We ended up finding a community of people who didn't just coach our daughter and teach her softball fundamentals, but also have supported her growth as a person, and have taught her important character development lessons like leadership, responsibility, and perseverance. SC PAL ignited a passion in her that I honestly didn't expect, and, after her first year of high school ball, we're excited to be back for our second summer. While she will be aging out after this summer, we hope SC PAL, as it currently functions, will be available to our youngest when she's ready to test the waters.

- Melissa Berninghausen

Carina Navarrete

From: Cynthia Hernandez <crhernandez22@yahoo.com>
Sent: Monday, May 23, 2022 2:55 PM
To: Public Comment
Subject: Please read at city council meeting.

Santa Clara Pal I is a tremendous help to the Santa Clara and Bay Area you they have been supporting children in good characteristics and adult habits such as leader ship teamwork responsibility compassion and to take the support that Paul provides to the community and these children would be a shame because adults don't know how to manage the ability to make to fund this or run long-term maybe our Santa Clara leaders need to look inward and make better decisions so our kids are taken care of and supported so they don't feel abandoned and have something long-term to turn to instead of crime or bad activities. Sports is a positive avenue for these children that we should most definitely never take away.







Sent from my iPhone

Carina Navarrete

From: NorCalBike <April@norcalbike.com>
Sent: Friday, May 20, 2022 8:27 PM
To: Public Comment
Subject: 5/24/22 Item No. 7: Lease Agreement between the City and SCPAL for the Operation of a BMX Track

Dear Mayor Gillmor and Councilmembers,

My name is April Smith. I am a life-long resident of Santa Clara County. I have been a parent volunteer and BMX racer at the Santa Clara track for many years. There was no better BMX program and facility than the one that had been operating in Santa Clara. It is a shame that for months it has been unavailable for the community to use and enjoy.

The support of the Santa Clara BMX community, and the track operations team that was fired without cause by the SCPAL (PAL) Board, built the Santa Clara track into the #1 track in the country. The current PAL Board did nothing to build it and has been working hard in recent months to destroy it.

The staff report regarding review of the lease agreement states that the City is facing a significant revenue shortfall in its General Fund. If the Council votes to give up the USABMX sanction, the Council will be giving up considerable future revenue opportunities. Without USABMX, the track cannot attract and satisfy the local, regional, or national ridership that to date has generated millions of dollars in revenue for the hotels, restaurants, gas stations, and sales tax coffers of the City of Santa Clara. The USABMX sanction is needed for the City's BMX racing sports tourism revenue stream to continue.

If the Council votes to take the lease from PAL and considers turning it over to USABMX or a local youth-focused non-profit that USABMX can work with instead, City staff will not need to devote the thousands of hours to the operation and maintenance of the track, as mentioned in the staff report. The track has been self-supporting under the leadership of the dedicated volunteer track operations team, and could be again.

Without USABMX, the track will only be a practice track. No other practice-only track in the Bay Area charges fees to use the facility. Without the revenue from USABMX sanctioned racing events, PAL will not likely be able to provide suitable insurance or oversight, which will put the City at risk of litigation. At this point I would think the Council may agree that the PAL Board has caused enough trouble for the City. Why else would SCPAL as a self-proclaimed "nonprofit organization dedicated to teaching our youth the values and rewards that can be accomplished through athletics: self-determination, self-belief, goal-setting, teamwork, and respect for others," recently spent funds intended for youth programs, to hire a public relations firm to court Councilmembers into their way of thinking?

The national USABMX sanction is critical to the City of Santa Clara. There are no alternate BMX racing sanctions for PAL or the City to seek as a partner. USABMX is the only one. Santa Clara needs USABMX, not the other way around. If USABMX racing does not return to the Santa Clara track, many local families including mine, will no longer use the facility. Local racing families will travel to the USABMX-sanctioned tracks in Napa, Manteca, or Prunedale and pay race fees to USABMX there.

Without USABMX, there will be no BMX racing, competitive points, or competition in the City of Santa Clara for young racers to participate in and enjoy. **BMX Racing is a sport. BMX practice is not a sport.** A practice track to ride around on and BMX racing may seem like the same thing to the PAL Board, the Council or others, but that could not be further from the truth. If the Council allows the ground lease to continue to be held and enjoyed by PAL to operate as a practice-only facility, it is like expecting a young Little Leaguer to accept that tossing around a baseball at a local park is the same activity as pitching a no-hitter in a real baseball game with all their friends and family watching and cheering. There is a clear difference.

The actions of the PAL Board and their unwillingness to be honest or sincere with the track operations crew, the USABMX sanctioning body, the City Council, and the Santa Clara BMX community have caused the track to be unavailable for months, during prime racing season. Section 11.1.5 (Defaults and Remedies) of the lease agreement attached to the staff report indicates that default occurs if there is "A Failure by PAL to accomplish the uses recited in paragraph 4.1, Permitted Use." Section 4.1. (Permitted Use), includes that "PAL shall make the BMX track available for Santa Clara community use, and shall offer the BMX track as an enhancement for youth sports in the city." **PAL has defaulted on the existing ground lease by not making the track available for Santa Clara community use.**

The time has come for the City to move the BMX program away from PAL due to their complete lack of involvement with the success of the program and their toxic mismanagement that has driven USABMX to their decision to no longer work with the PAL Board. The future of BMX Racing in Santa Clara is at stake. You can save it.

Thank you for your time and consideration.

Respectfully,
April Smith

Carina Navarrete

To: Public Comment
Subject: RE: PLEASE READ AT CITY COUNCIL MEETING on 5/24 during agenda item #7

From: Kara Kotler Mitchell <karalita@gmail.com>
Sent: Tuesday, May 24, 2022 3:14 PM
To: Public Comment <PublicComment@santaclaraca.gov>
Cc: Amy Mitchell <3asmitchell@gmail.com>
Subject: PLEASE READ AT CITY COUNCIL MEETING on 5/24 during agenda item #7

Esteemed Mayor and Santa Clara City Council Members,

I find myself overwhelmed with sadness and frustration as I write this email. Our family has been racing BMX, my two boys and I, for just under 2 years. I can say, without exaggeration, that it has been one of the most positive, unifying experiences we have ever had as a family. We are no strangers to physical activity and competition. The kids play organized soccer and baseball, and we hike and mountain bike regularly as a family. **BMX is different.** I attribute this difference to the environment created by Nick Valencia and his stellar team, as well as the amazing families we compete alongside. The growth I have witnessed in my kids through their time competing, both in skill and confidence, has been profound.

I won't claim to understand the politics and underlying motivations of all the parties involved in this mess. That said, the situation we find ourselves in today, at risk of at once losing USA BMX sanctioning, as well the loss of revenue that funds multiple youth programs throughout Santa Clara, is unacceptable. Leaving the lease with Pal and opening the track as a training facility is a lose, lose situation. The kids lose the opportunity to compete in BMX sanctioned races, and the youth of Santa Clara lose much needed programs. It is not a solution; it is an embarrassment. It will result in the loss of not only our beloved BMX community, but a loss of trust in the institutions that are tasked with championing opportunities for those they represent.

I implore those in charge and those involved **on all sides of this issue**, to put your egos aside, acknowledge your mistakes, and find a way to work together to keep a USA BMX sanctioned track in Santa Clara and along with it, the enormous benefits it brings to the Bay Area community at large.

Lastly, I want to extend my wholehearted appreciation to Nick and his team for the difference they have made in our lives and those of countless others.

The Mitchell Family - Kara, Amy, Cooper and Jesse

Carina Navarrete

From: Lorraine Jones <iamlorrainevictoria@gmail.com>
Sent: Tuesday, May 24, 2022 11:58 AM
To: Public Comment
Subject: Please read into public record at 5/24/22 SC council meeting

I saw a NextDoor post on May 15th regarding the Coldplay concert. Council woman Watanabe had jumped on that thread early as a commenter. It was obvious in Watanabe's many comments on this post that she was showing her disdain for all things 49ers (except for her season tickets). I hear that she also has a disdain for the "49er 5" (that's a cute name she has for the 5 council members for which she has an extreme dislike). In the beginning she was only obsessed with the 3 council members who won seats in 2020. Somehow that disdain has spread to the other 2 council members. Hence the "49er 5" chant. She dislikes them so much that she had photos re-taken last weekend at a Hindu gathering (after other council members left) so as not to be in the same photos with them, as well as cropping them out of other photos.

For quite some time several "friends" of Watanabe and the mayor have been tasked with feeding (leaking) hateful stories and lies to bloggers about some of those 5 members, as well as digging up dirt on some for the purpose of trying to have them recalled. Watanabe seemed to be inciting negativity in her comments on the NextDoor thread toward anyone on the council, other than herself and the mayor. She posted the council's email address over and over again so that people would write and complain. According to one of her comments, she was still filing complaints at 1:45 a.m. To whom, I have no idea. She kept encouraging, with the chant of 'it wasn't me!' Here's who you should blame!

Doesn't she want the city to make a little money off this stadium other than a few days a month during football season? And no, popular concerts do not end at 10 p.m. But I agree, Friday and Saturday nights would be much better for the neighbors.

I made a few comments on the NextDoor post that night. Much to my surprise, when I went back to look the next day, one(?) of my comments had been removed. It had not broken any rules. The only person who wouldn't have liked it is council woman Watanabe. Since then, I've heard that mine has not been the only comment about Watanabe to be removed from a NextDoor post. Is she a lead on NextDoor? A moderator? This seems quite unsavory. So, who is removing comments from NextDoor posts for council woman Watanabe?

Thank you for your time,

Lorraine Victoria Jones

Carina Navarrete

To: Public Comment
Subject: RE: Agenda Item #7 PAL BMX

From: Linda Leca <lcalinda2001@yahoo.com>
Sent: Tuesday, May 24, 2022 5:49 PM
To: Public Comment <PublicComment@santaclaraca.gov>
Subject: Agenda Item #7 PAL BMX

Dear Mayor and City Council,

My name is Linda Leca (Lessa) My family and I have lived and worked in Santa Clara for over 20 years. I have been on the Santa Clara Pal board for a lot of those years Everything we do is for the PAL kids. Once all the facts are presented the truth will come out I am asking you to please do the right thing keep the current lease with Santa Clar Pal.

Linda Leca

#7

Nora Pimentel

From: Melissa Moraida <melissamoraida@gmail.com>
Sent: Monday, May 23, 2022 3:17 PM
To: Public Comment
Subject: Please Read At City Council Meeting

Our family is entering our second year of involvement in Santa Clara PAL softball. My 14 year old daughter hasn't always been the best at making commitments, and her whims mostly just remain quickly discarded ideas. I, honestly, thought the same would happen when she mentioned wanting to play softball. We like to support her in new ventures, but wanted to find somewhere she could try it out and get some experience as a newbie, without the sometimes ridiculous financial and time commitments that are required of parents. We ended up getting so much more out of our first year with SC PAL than we expected. We ended up finding a community of people who didn't just coach our daughter and teach her softball fundamentals, but also have supported her growth as a person, and have taught her important character development lessons like leadership, responsibility, and perseverance. SC PAL ignited a passion in her that I honestly didn't expect, and, after her first year of high school ball, we're excited to be back for our second summer. While she will be aging out after this summer, we hope SC PAL, as it currently functions, will be available to our youngest when she's ready to test the waters.

- Melissa Berninghausen



City of Santa Clara

The Center of What's Possible

Date: May 24, 2022

To: City Manager

From: Executive Assistant to the Mayor & City Council

Subject: Correspondence received regarding Item 7 on the May 24, 2022, City Council Meeting Agenda

As of May 24, 2022, at 3:00 p.m. the Mayor and City Council Offices received the attached correspondence regarding agenda item 7 Approval of a Status Report on the Lease Agreement Between the City of Santa Clara and the Police Activities League (PAL) for the Operation of a BMX Track.

Melissa Lee
Executive Assistant to the
Mayor & City Council

Documents Related to this Report:
1) *Communications received*

POST MEETING MATERIAL

Melissa Lee

From: Katia Perez Palma <katiappl21@hotmail.com>
Sent: Monday, May 23, 2022 2:42 PM
To: Lisa Gillmor; Sudhanshu Jain; Kathy Watanabe; Anthony Becker; Kevin Park; Raj Chahal; Karen Hardy; Mayor and Council
Subject: Bmx letter

Hi, I'm katia Pérez and I attach a letter from my 7 years old son. Yesterday I take my son to another track for racing because Santa Clara closed. My son is so desperate for racing. Unfortunately the gate didn't work very good and he has an accident. His foot pinned in the gate. He was so scared because he didn't know the person in a new track. He was screaming of pain. I was lucky the some of his Santa Clara coaches was there and help me to keep my son more calm. Please keep the track open with the USA bmx sanction for racing and make the Kids race again, without the sanction many kids included my son need to find another track.

Thank you

Katia & Sebastian

dear city council please
open the santaclara track

FOR racing with usa
BMX RACING.

BY: (Signature)

Melissa Lee

From: Tom Ostrander <tom@ostranderfamily.com>
Sent: Monday, May 23, 2022 4:48 PM
To: Public Comment; Mayor and Council
Subject: Santa Clara PAL

Hello Councilmembers,

After seeing everything go back and forth between the Santa Clara PAL board and the former BMX board, I wanted to send my thoughts and relevant observations in. I will start by disclosing I am on the board of the Santa Clara PAL Softball league. I played in Santa Clara PAL soccer as a young boy in Santa Clara and have continued that tradition with my daughters participating both in Santa Clara PAL Soccer and Softball. For over 50 years, the Santa Clara PAL organization has selflessly provided opportunities for the children of Santa Clara. My grandmother, Edna Mirrione, is unknown to most or all of you, but she was the first police woman in the City of Santa Clara. For me personally, having my daughters play in Santa Clara PAL was and still is important. I tend to dive into volunteerism when my kids are involved, so it came naturally for me to become very involved in the softball board. During my time on the board, I have had constant interactions with the SC PAL Executive Board and they have been nothing short of amazing for our players. It is funny, I just saw a post in support of BMX that accused SC PAL of raising softball fees year over year. What they don't know is that in the ONE case of a fee increase (this year), it was me, a parent who pays the same fees as everyone else, that plead the case to the SC PAL Executive Board to allow us to raise our fees to make sure we were able to fund our own program. The SC PAL Board was hesitant to raise fees, and it genuinely took us asking for it for them to agree.

I sincerely hope you all have gone into things with your eyes open, for me, from the outside looking in, I see a group of volunteers in BMX that saw an opportunity to better themselves financially at the cost of a program that has been around for much longer than they have. They didn't build the track or fund the creation, they came on as volunteers to help sustain a program that already existed. Credit does go to them for growing the program, but that doesn't entitle a volunteer to financial gain! We saw a 30% growth in softball participation this year compared to last, did I, or any other volunteer all of a sudden ask for ownership? Nope, we kept our heads down with the knowledge of what we were doing was working to encourage others to join a sport we so love. This past season I probably spent at least 30-40 hours a week to make sure our players had what they needed, when added to a full time job and other volunteer commitments came at a very personal cost of time with my family. I would never think to see a dime from that work and ensured that every single penny that came through our softball program went directly to Santa Clara PAL for proper financial record keeping. It is part of the obligation of being on a non-profit board, if the BMX board can't see that, then it is only right that there be a changing of the guard and a return to a mentality that these programs are supposed to be for the youth of Santa Clara not financial gain.

I thank you for your time and wish you all a great week!

Tom Ostrander

Melissa Lee

From: MIKE WALKE <mmwalke@comcast.net>
Sent: Tuesday, May 24, 2022 6:20 AM
To: Mayor and Council; Lisa Gillmor; Sudhanshu Jain; Anthony Becker; Karen Hardy; Raj Chahal; Kevin Park; Kathy Watanabe
Cc: Rajeev Batra; Cynthia Bojorquez; danracimo@comcast.net
Subject: News: Santa Clara PAL BMX Track to Re-Open Tuesday 5/31

Santa Clara PAL BMX Track to Re-Open Tuesday 5-31

(May 23, 2022) Today Santa Clara Police Activities League (PAL) announced their popular Santa Clara PAL BMX Track will reopen on Tuesday, May 31st. PAL has obtained the necessary insurance and has received final sign-off from the City of Santa Clara.

“The primary focus of PAL has to get this track open ASAP for the kids,” said Mike Walke, President of Santa Clara PAL Executive Committee. “We have been working day and night to obtain insurance and City approval and we are thrilled to announce this track is reopening next Tuesday so riders can get back on their bikes.”

The Santa Clara PAL BMX track closed on April 1st after it was uncovered that the volunteer management group had not adhered to standard and transparent accounting practices, and had hidden sources of revenue from PAL. PAL immediately asked for financial records, but a full account was not provided, and the track was closed by the management group in response.

PAL was forced to scramble in order to get the track back open for riders. PAL immediately sought out track insurance and it was approved by the City last week.

“The thing that is most tragic about this is how the kids have not been able to ride due to the adults not following the rules,” said Walke. “PAL has managed this track for 22 years and this is the first time something like this has ever happened.”

PAL also stated they have an experienced new management in place to assume track operations.

PAL also made the following commitments going forward to the Santa Clara BMX community:

- Investing 50-75% of revenue back into the BMX program
- No fee increases in 2022 (despite surrounding facilities all seeing 20%+ fee increases)
- Replacement of rental bikes and helmets
- Replacement of SQORZ Timing System with 5 timing loops (2 more than Golden State Nationals)
- Holding clinics with USABMX licensed coaches and hosting private parties and events at the track
- Responding to all requests submitted by the new management group in writing within 10 business days
- Continuing to pay for all track operating expenses
- Continuing to financially prepare for a future track relocation

Meanwhile, a third-party audit is underway to try to obtain a full financial account of the previous management group.

Santa Clara PAL is a 501c3 non-profit organization that has operated successfully for 52 years. The goal of SCPAL is to provide sports activities at a low cost to all young people.

Melissa Lee

From: Adam Thompson <adamoldquad@gmail.com>
Sent: Tuesday, May 24, 2022 10:25 AM
To: Mayor and Council
Cc: Nora Pimentel; Cynthia Bojorquez
Subject: Santa Clara BMX Track - May 24th 2022 Item #22-721
Attachments: Santa Clara BMX Track Lease_Operation - 05.17.22.docx

Mayor and Council,

I was asked to attend a meeting by Council member A. Becker set up by a consulting firm Canyon Snow on behalf of SCPAL. Notes from the discussion have been included along with some additional information collected while I was looking into the issues surrounding the SC BMX track.

I am a lifelong Santa Clara resident and used to race on the track in the 90's. This BMX track is something unique, something that no other Bay Area city has and ultimately is a regional and national draw for us.

After attending the meeting last Tuesday to discuss the track with SCPAL and following up with USA BMX to confirm and get clarity on some additional questions I have come up with the real question before you all tonight.

Does The City of Santa Clara want a nationally sanctioned BMX track and facility?

I know I do as a resident. I am looking forward to my children (Otto - 5 & Juniper 3) to have a choice to participate in a truly unique sport. The kids have been mentioned by everyone throughout the process as the "priority" and they absolutely should be in this case.

There has been a significant lack of oversight and management over the years that have allowed the program to get to this impasse. That doesn't mean people should not be held accountable for their decisions and actions. As elected officials, and leaders of the city, it falls on your shoulders to figure out how to keep the program going. Sometimes that means making big changes to the status quo. Management entities sometimes need to be changed for the viability of the program.

I am deeply concerned that there were no provisions in the DA with Related to relocate the BMX track when they take over the land for their development. As someone who has been intimately involved in multiple development negotiations this seems to be a "clear miss" and something we now must deal with long term on top of these management issues.

Finally, with the financial misconduct allegations at the BMX track, the additional financial concerns with the girls PAL Softball program (email included in attachment), and issues found with SJ PAL when conducting an audit in 2018; I would like to request a full audit of the SC PAL organization for the previous 5-years prior to the City of Santa Clara providing any additional funding, grants, salaries, leases, and or other financial assistance to the organization. This is only to provide transparency and should be completed moving forward on a 3-5 year cadence. This is something that was discussed with the SCPAL Treasure and he seemed to be "OK" with this request.

I appreciate your time and trust you will keep the program alive and well for Santa Clara in the future.

Cheers,

Adam Thompson
OQRA Board Member

Meeting: Santa Clara BMX Track Lease and Operation Discussion

Attendees: Council Member - Anthony Becker

Police Athletics League (PAL) – Dan Racimo & Greg Byrkit

Resident - Adam Thompson

Canyon Snow (Government Affairs Consultant) – Leslee Guardino, Principal & Kathy Duong

Date: May 17th, 2022

Time: 11:00am – 12:15pm

Background:

Meeting was requested by Kathy Duong on behalf of the Santa Clara Police Athletics League (PAL) to discuss the future lease and operations of the Santa Clara BMX track located at 5451 Lafayette St. The Santa Clara City Council's May 24th agenda includes a discussion on this topic.

The PAL board has accused the long-standing Volunteer Group (VG) operating the BMX Track of financial misconduct and has terminated the volunteer group's involvement with the program. The volunteer group has refuted these allegations, stating they have been operating under the direction last received by former PAL liaison, SCPD officer Robert Martinez. The volunteer group has counter claims that PAL has had minimum involvement with the program for years.

Currently the Santa Clara BMX track is located on part of the future Related Santa Clara site and will be required to be relocated or dissolved once the developer notices the city.

Meeting Notes:

Meeting opened with introductions by all attendees and then continued into a Q&A discussion described below. Questions were asked by Council Person Becker or Resident Adam Thompson; responses were provided by PAL Treasurer Dan Racimo or past track operator Greg Byrkit. Canyon Snow facilitated.

Q: The timing on the removal of the long-standing Volunteer Group (VG) seems to coincide with a request by the VG to relocate the BMX track to existing underutilized soccer fields located behind the stadium. Is there a connection and/or political motivation to remove the VG due to this request?

A: No, this is not politically motivated. We have concerns about the financial misconduct by the current VG operators.

Q: The PAL accusations state that there have been multiple years of potential financial misconduct. Why did it take the board so long to identify and address these issues?

A: Lack of having established processes in place to handle and manage financial activities within the program, and not enough oversight and involvement by the PAL board.

Q: Can you provide additional details regarding the accusations of financial misconduct?

A: This is still an ongoing audit, and we don't have details currently. I can provide some issues we had leading up to the dispute.

One issue was one of the VG operators, Nick Valencia would use a personal credit card to make purchases for items needed for the track and would submit expense reports to be refunded. We had asked him and the other VG operators not to do this to maintain records. We issued a debit card to him but would still receive expense reports with his personal credit card charges.

We believe there is a financial shortfall in the revenue reporting received. Using the USA BMX track records, we believe the revenue for 2021 should have been \$353,000 but only received \$212,000 in deposits.

Nick V. has used kids as a shield and is now trying to strong arm the lease away from PAL.

Nick V. has been using Facebook to message and bully the community into supporting his cause to remove the lease from PAL. (APENDIX – A)

There has been a large sum of money collected for providing clinics and camps that was not reported and/or collected by PAL. We estimate this sum to be around \$102,000 for the 2021 year, we are not able to confirm this due not having access to the Pay-Pal account. There was direction from a previous PAL liaison, SCPD officer Robert Martinez to allow the VG to have private instruction and camps for pizza money for the volunteers. (APENDIX – B)

We believe there is roughly \$39,000 missing from the deposits collected based on the information we have from USA BMX.

Q: What has been PALs long term plan for the track knowing that the Related Santa Clara project will require the track to be relocated once construction begins? If so, what have those discussions included?

A: We have discussed relocating the track to a site located in Alviso, but there were parking issues with the site. We have been focused on options and continue to work on this issue.

Q: What is the estimated timeline to receive the audit findings?

A: We do not have a current timeline but will provide what we have at the May 24th council meeting.

Q: What was the revenue and expenses for the SC BMX program for fiscal years 2019, 2020, & 2021?

A: My memory is not that good, but we had roughly \$84,000 in 2021 from the SC BMX program. This is after all expenses and administrator costs were paid. We allocated most of the PAL admin costs to the SC BMX program due to the size of the program.

Q: How much of the \$84,000 profit from the SC BMX program was reinvested into the program?

A: Since expenses to maintain the track were already covered from the revenue collected the remaining funds were used for other PAL programs.

Q: What is the current monthly rent PAL pays to the city for the ground lease?

A: I don't have a number, but it is very low.

Q: How many hours in 2021 did any PAL board member volunteer to help operate the SC BMX track? How many hours in 2021 did the SCPD liaison spend managing the SC BMX program?

A: We tried recently to become more involved but ultimately the time spent was insufficient. I don't have exact numbers. The officer position was eliminated in 2021 due to budget constraints so no time was spent out there by an SCPD officer in 2021.

Q: We have heard that USA BMX is not willing to sanction the PAL organizations? Can you please confirm the status of negotiations?

A: We believe they are waiting for the council meeting on the 24th before taking a position. They are a business and will ultimately take the money.

Q: If you are unable to be sanctioned by USA BMX, what options are there and how would the operations be affected?

A: We plan on running the track for practice runs. We will not be able to have races or log points for the riders. We will not be able to host regional and national events if we are not sanctioned.

Q: Due to USA BMX holding the insurance to operate, will PAL be able to get the proper insurance to operate the track? Are you maintaining the same limits as provided by USA BMX?

A: We are currently working with the city on getting the proper insurance in place. I don't have the details on coverage, but we intend to meet the city requirements.

Q: Do you plan on making any additional adjustments to the operations at the SC BMX track?

A: We are going to increase the SC BMX board to seven members and plan on making the track operator a paid position along with hiring a bookkeeper to improve record keeping.

Q: How much reserves does PAL have to pay for the expected costs to relocate the SC BMX Track?

A: We currently have \$300,000 in available reserves. We can use this for any emergency the PAL organization has.

PAL Comments: There was an attempt to take over the Livermore and Tracy track by Nick and now the track in Livermore is permanently closed. There are public documents talking about the Tracy track closure. Also there is a long relationship between the USA BMX track director and Nick, they went to high school together.

Note**There is no Tracy track, but there is one in Manteca.

Q: With San Jose PAL being audited recently and found to have internal management issues would Santa Clara PAL be willing to complete a full audit of their organization and provide for transparency for the public and council?

A: Absolutely, and we could complete them on a 3-5 year cadence moving forward.

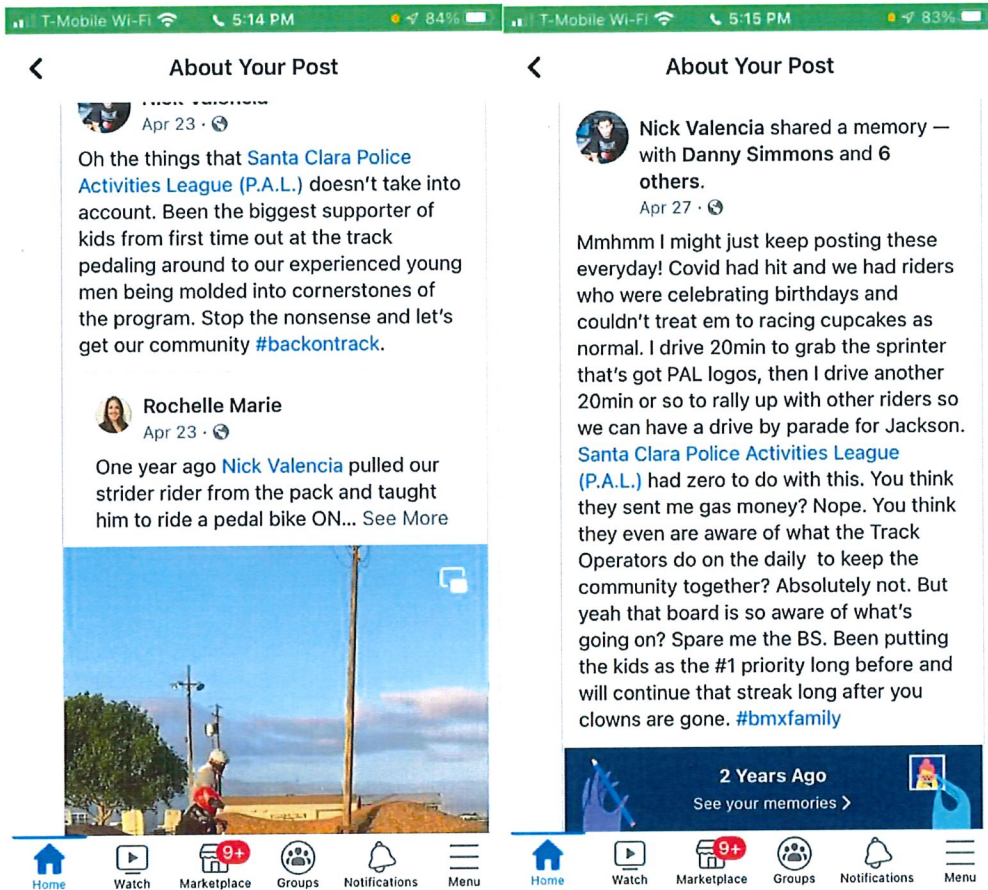
Q: Why was a consulting firm, Canyon Snow, hired to assist with this even though PAL has been involved with the city for 50+ years and has strong roots? What is the cost of this service and where is it being funded from?

A: We brought them onboard because many people are polarized on this issue, the VG are strong communicators and have been posting on FB, ultimately getting banned for 30-days.

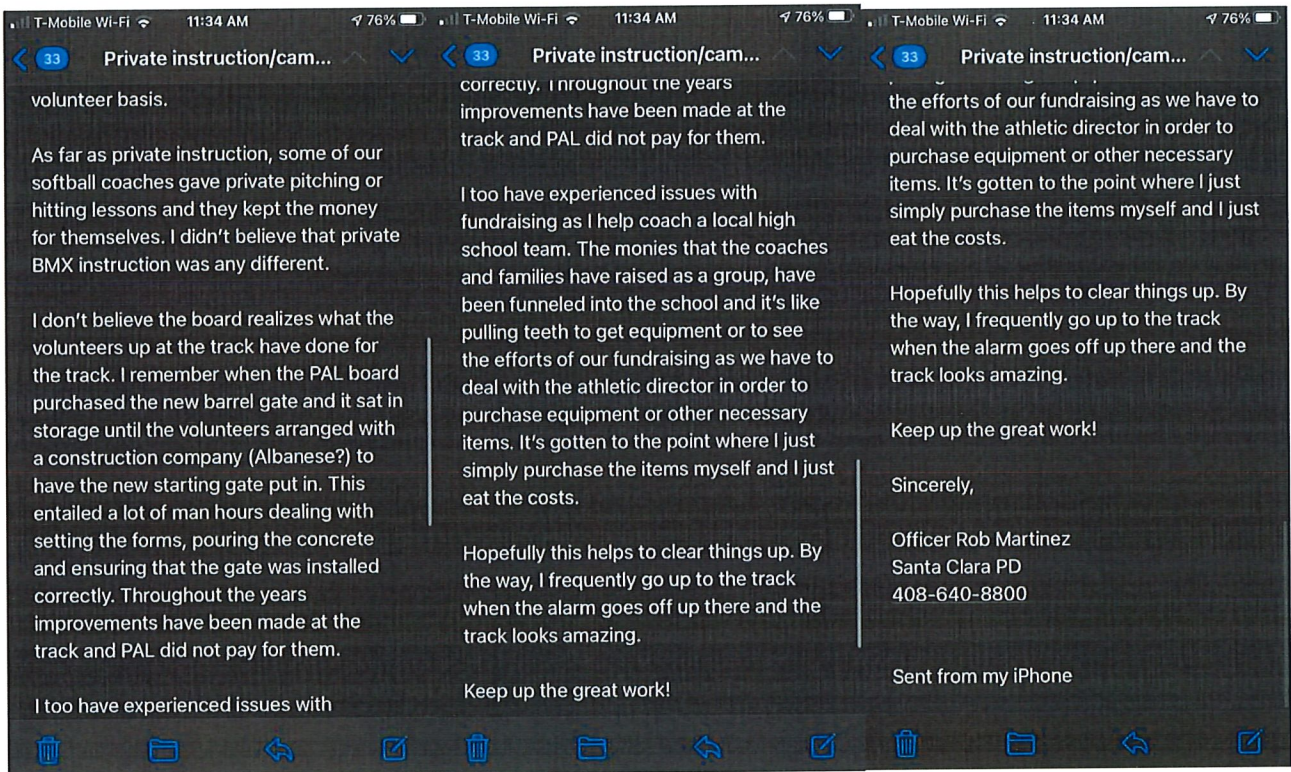
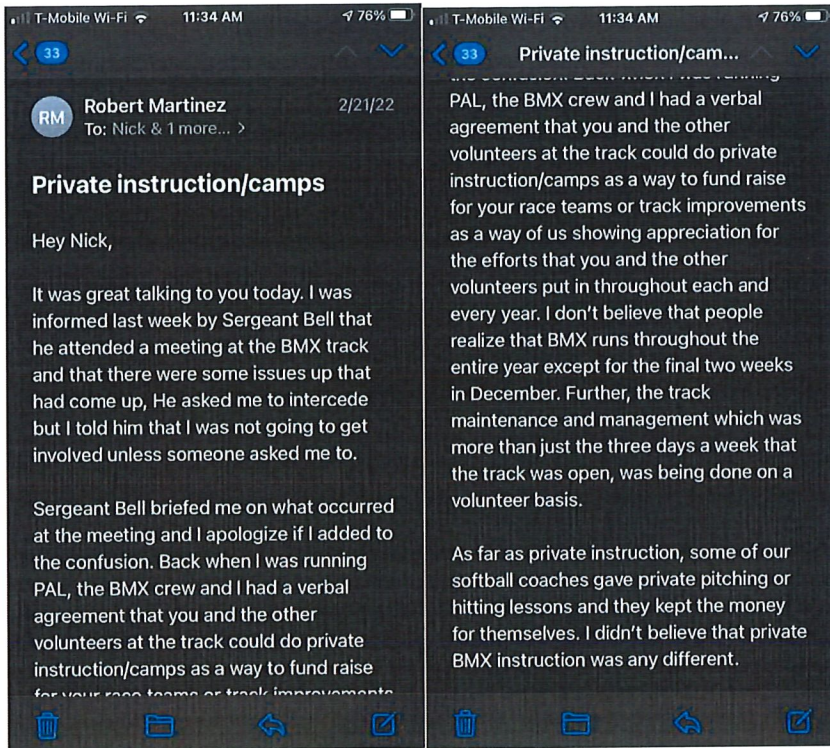
PAL Comments: Recently Nick was told to remove his personal items for the site ahead of the council meeting. Nick removed (20) rental bikes, loner helmets, sprinter van, gate, finish poles, and other misc. items.

Meeting wrapped up and ended.

APENDIX – (A) Facebook Posts



APENDIX – (B) SCPD Officer Robert Martinez Email on Camps/Clinics



APENDIX – (C) PAL Softball Financial Questions and Responses

5/18/22, 9:06 AM

Gmail - Fwd:



Adam Thompson <adamoldquad@gmail.com>

Fwd:

1 message

Todd Kleinheinz <tkleinheinz@gmail.com>
To: adamoldquad@gmail.com

Fri, Apr 8, 2022 at 7:59 PM

TK

Begin forwarded message:

From: Kleinheinz Phil & Kathy <kleinheinz@aol.com>
Date: May 13, 2019 at 5:55:28 PM PDT
Subject: Re:

I would suggest that maybe we should talk by phone. Anytime at your convenience is fine.

Tough situation, for sure.

Dad

On May 13, 2019, at 5:39 PM, Todd Kleinheinz <tkleinheinz@gmail.com> wrote:

Can you give me your thoughts on this email? I'm at my wits end trying to deal with this cop and get clear answers. Or even if I should send it.

The part just below is what I've written up but haven't sent.

Thanks,
Todd

Wali –

Your numbers are incorrect and misleading.

As a PAL Softball board member from 2013-2018, co-director of the Sparks Program from 2015-2018 and PAL Tournament Director from 2015-2018 I'm well aware of the finances associated with softball, specifically the Sparks Program and running the Tony Sanchez Softball Tournament.

The Sparks cost per player has never been above \$500, so the notion that it was \$550 last year and has been discounted by \$50 is incorrect.

PAL has previously funded three tournaments per age division and this year they are only covering the cost of two. So the \$4000 in tournament fees is still a 33% drop from last year. Despite more money coming in (more Sparks players this year compared to last year).

In 2018 the \$500 per player covered the cost of two tournaments; two high-quality, embroidered uniforms; a helmet with logo and number; a personalized equipment bag with name and number; registration with USA Softball and team sweatshirt. Each team then had a pool of about \$200 that the manager or team parent used for umpire costs for scrimmages, sunscreen, eye black, etc. Small

5/18/22, 9:06 AM

Gmail - Fwd:

items that each team needed. This year there are 15 girls on the 12U team, compared to 12 last year, yet I am being told there is no money left over.

The cost of hosting the PAL Tournament has never fallen on the shoulders of the parents and players. The cost of stocking the shack bar, purchasing tournament awards and game balls was covered by PAL, as all of the proceeds from the tournament (team fees, entrance fees, snack shack, etc.) went back into the general PAL account. So why the parents are now being asked to fund the entire tournament, without having the proceeds come back to the teams is troubling, and questions about where the money has gone is being asked.

This year the uniforms are significantly lower quality, the players are getting a backpack opposed to a softball bag, and they are not getting their names on them. Like previously mentioned, in past years PAL has covered the cost of three tournaments, this year they are only covering two.

You also mentioned insurance. The insurance cost has always been carried over from spring, and even if that has changed, the insurance cost per team is less than \$40, less than \$2 per player. So this minute cost should have little to no impact on the cost to parents.

All of this adds up to the parents paying the same price as years past, but getting significantly less and without an explanation.

Finally, because of mistakes made by the PAL Softball board, this past Saturday USA Softball has pulled our teams out of all USA Softball tournaments. Gary Catalano, USA Softball Commissioner and former PAL President, informed us on Saturday that because payments have not been made in a timely manner, and the appropriate forms have not been submitted, the Sparks teams are currently in default and barred from registering or signing up for any tournaments.

This brings me to your condescending point of only discussing finances with those that "need to know." I'm a former board member and tournament director, I'm a current parent who has given \$500 to PAL for the Sparks program (this year and for the past 6 years), I believe I qualify as someone that needs to know; especially now that USA Softball is calling into question our league and its leadership, and barring us from playing. The lack of transparency is appalling for a city run non-profit. If you don't believe that you should provide specific documentation regarding the finances to me and the parents after what has gone on, then I too question your leadership. Which is why Linh Lam, City of Santa Clara Auditor and Brian Doyle, City of Santa Clara Attorney have been contacted. Perhaps someone in their office reaches your criteria of "need to know."

Mike and Dan, I welcome your input as my requests to members of the softball board and Wali have continually been meet with hostility, or more times then not, silence.

Thank you,

TODD KLEINHEINZ
Communications Manager

KAISER PERMANENTE
South Bay Public Affairs
[19000 Homestead Rd.](mailto:tklein@kaiserpermanente.com)
Cupertino, CA [95011](tel:4083664015)

(408) 366-4015 (office)
(408) 769-0564 (mobile phone)

kp.org/santaclara

Join the conversation

[<image001.png>](#)[<image002.png>](#)[<image003.png>](#)[<image004.png>](#)[<image005.png>](#)

From: Wali Aminyar <WAMinyar@santaclaraca.gov>
Sent: Thursday, May 09, 2019 12:36 PM
To: Todd M. Kleinheinz <Todd.M.Kleinheinz@kp.org>; Dan Racimo <dan@missioncityfcu.org>
Subject: RE: PAL Softball Budget

Todd- The price of the league is \$500 and it covers everything you listed, but failed to include the cost of insurance, snack bar, tournament (equipment fees). Santa Clara PAL is providing a service (softball league) for \$500. If you choose to participate, then the cost is \$500. Additionally, as mentioned already, we will not be discussing specific PAL finances with anyone who is not in a "need to know" capacity. Keep in mind that we have dropped the price of registration by \$50 per player and continue to support the program by paying for two of the tournaments. That's almost \$4000.00 in just tournament fees alone.

I hope this clears up any confusion you or your parents may have.

From: Todd M. Kleinheinz <Todd.M.Kleinheinz@kp.org>
Sent: Thursday, May 09, 2019 8:48 AM
To: Dan Racimo <dan@missioncityfcu.org>
Cc: Wali Aminyar <WAMinyar@santaclaraca.gov>
Subject: RE: PAL Softball Budget

Thank you Dan.

Wali – Below is the email that has been sent to Alma and Aaron. Please let me know where the additional money is being spent, so I can provide the information to my team and families. Because of the delay parents are starting to spend additional money out of their pocket and I want to assure the families that the \$500 they have already given to PAL is going towards their summer softball experience. Thank you.

"Can you please let me know what additional costs have been added from previous years? The current total, based on tournament fees, USA Softball fees, helmets, bags, uniforms and sweatshirts indicate that the per player cost would be \$439, even rounding that up to \$450, would allow flexibility of \$50 per player, and with 15 players on my team, a total of \$750.

My meeting with parents is tonight, please provide a line item invoice with summer costs.

Tournament 1	\$0	\$0 per player	Paid by PAL
Tournament 2	\$0	\$0 per player	Paid by PAL
Tournament 3	\$0	\$0 per player	Paid by PAL
Tournament 4	\$595	\$40 per player	
Tournament 5	\$550	\$37 per player	
Tournament 6	\$550	\$37 per player	

USA Softball Registration \$540 \$36 per player

Uniforms	\$2850	\$190 per player
Sweatshirt	\$450	\$30 per player

Helmets	\$600	\$40 per player
Roller bags	\$450	\$30 per player

5/18/22, 9:06 AM

Gmail - Fwd:

Total cost \$6,585 \$439 per player

Thank you,
Todd"

TODD KLEINHEINZ
Communications Manager

KAISER PERMANENTE
South Bay Public Affairs
[19000 Homestead Rd.](#)
Cupertino, CA 95011

(408) 366-4015 (office)
(408) 769-0564 (mobile phone)

kp.org/santaclara

Join the conversation

[<image018.png>](#)[<image019.png>](#)[<image020.png>](#)[<image021.png>](#)[<image022.png>](#)

From: Dan Racimo <dan@missioncityfcu.org>
Sent: Wednesday, May 08, 2019 10:40 AM
To: Todd M. Kleinheinz <Todd.M.Kleinheinz@kp.org>
Cc: Wali Aminyar <WAMinyar@santaclaraca.gov>
Subject: RE: PAL Softball Budget

Caution: This email came from outside Kaiser Permanente. Do not open attachments or click on links if you do not recognize the sender.

Hi Todd,

Thank you for your email.
I want to direct the question to our SCPAL Director Wali Aminyar.

Wali, can you connect with Todd on this matter?

Thank you both so much for what you do for our local youth.

Deeply sincere,

Dan Racimo

From: Todd M. Kleinheinz <Todd.M.Kleinheinz@kp.org>
Sent: Tuesday, May 07, 2019 3:45 PM
To: Dan Racimo <dan@missioncityfcu.org>
Subject: PAL Softball Budget

Hi Dan –

Would you be the person to contact regarding oversight of the PAL Summer Softball budget?

I'm the coach of the Santa Clara Sparks 12U softball team. As we prepare for the summer season, the families on the team have paid \$500 to PAL, and despite repeated efforts via email and phone calls to Aaron Ippolito and Alma

5/18/22, 9:06 AM

Gmail - Fwd:

Valdez, we haven't received a breakdown of what the \$500 is covering. Any help you can provide would be appreciated.

Sorry if this isn't your area, I'm just trying to track down the information.

Thanks,

NOTICE TO RECIPIENT: If you are not the intended recipient of this e-mail, you are prohibited from sharing, copying, or otherwise using or disclosing its contents. If you have received this e-mail in error, please notify the sender immediately by reply e-mail and permanently delete this e-mail and any attachments without reading, forwarding or saving them. Thank you.

Questions To USA BMX About Concerns

5/24/22, 8:49 AM

Gmail - Santa Clara PAL BMX Track



Adam Thompson <adamoldquad@gmail.com>

Santa Clara PAL BMX Track

Cody Wilson <cody@usabmx.com>
To: Adam Thompson <adamoldquad@gmail.com>

Wed, May 18, 2022 at 3:48 PM

Adam,

Thanks for reaching out. We are always happy to answer any questions. As a sanctioning body it is our responsibility to remain neutral and to protect and provide for our membership, our municipal partners and the volunteers that create our programs.

You are correct in your understanding of our negotiations. I want to reiterate and clarify negotiations had turned into an avenue to implement an immediate solution that would get riders back on the track and was offered in early April. That solution is not a long term option for either party. We find it impossible to sanction PAL past May 24th nor provide insurance for events occurring at the facility. This translates to zero points or ranking within the USA BMX system for riders participating at BMX events in Santa Clara.

The ridership and fees collected are fairly straightforward and essentially public information via our online race results. To help, I have broken this down in a spreadsheet attached to this email. There are 5 events that charge something other than the \$10 per rider. Three of those 5 events were hosted for other entities so the revenue share could have caused a drastic decrease in the perceived entry fee that would have been published. Beyond that every event should be nearly as straightforward as a \$10 entry fee multiplied by the rider count. Balance bike and volunteer comp races would be a decreasing factor that USA BMX would not be aware of.

USA BMX does not believe any misconduct has occurred based on the fulfillment of the sanction agreement requirements. As stated above, we are the sanctioning body so our intimate knowledge of the track operation stays within our sanctioning guidelines and ultimately we don't see nor has PAL lead us to any direct factual information that would lead us to any further investigation beyond allegations.

All staff at USA BMX, including myself, have a direct relationship with Nick and the entire parent group via their longstanding participation in the sport. I don't have a personal relationship with any of them besides having them work on numerous projects to support the sport of BMX and directly working with them as top track operators within our network.

All of the property was not something we would tangibly have assets onsite. We installed a timing system prior to the national that was donated directly to Nick but outside of that asset we ultimately did not fund assets on the property.

If I can help with any other questions or clarifications I am happy to assist.

Thanks!

CODY WILSON
Director Of Track Operations

USA BMX | BMX Canada
USA BMX Freestyle



Adam Thompson <adamoldquad@gmail.com>

Santa Clara PAL BMX Track

Adam Thompson <adamoldquad@gmail.com>
To: Cody Wilson <cody@usabmx.com>

Wed, May 18, 2022 at 11:29 AM

Cody,

I am a local resident of Santa Clara and a rider of the BMX track in the mid 90's. I have been involved in many recent development negotiations in Santa Clara and this was brought to my attention since it fell into the Related Santa Clara project. After digging into the Development Agreement it looks like there were no provisions included to relocating the track when the development proceeds (very concerning this was not part of the entitlements). My goal is to understand the current issues with operations of the track and work to make sure the program survives and thrives for years to come. I recently heard about some ongoing issues with the operations and I would like to get some additional information if available ahead of the May 24th Council meeting.

Would you please provide the current status of the negotiations between USA BMX and SCPAL? It is my understanding that you are working with them to sanction the track with a new operations team being led by a Mr. Greg Byrkit.

Could you please provide any data on the ridership and fees collected during 2021?

Do you believe that there has been any misconduct (financial or other) by the volunteer group that had been operating the track until recently?

Do you have any relationship (professional or personal) with the volunteer group that was operating the track? Specifically Nick Valencia?

Are there any items/equipment/materials that were and/or are on-site that are property of USA BMX?

Please let me know if you would like any additional information about myself and/or my affiliations in Santa Clara.

--

Cheers,

Adam Thompson
OQRA Board Member

Melissa Lee

From: Dilustro, Krissy <Dilustrok@esuhsd.org>
Sent: Tuesday, May 24, 2022 10:53 AM
To: Lisa Gillmor; Sudhanshu Jain; Kathy Watanabe; Anthony Becker; Kevin Park; Raj Chahal; Karen Hardy; Mayor and Council
Subject: We Need a Sanctioned BMX Track

Good morning,

I am disgusted to see that a city council member has posted false information on NextDoor. She states that the previous management team hid revenue and was not transparent. The fact is the management team was "fired" several days before the deadline for the track operator to submit paperwork for an audit. PAL has stated multiple times that they could care less if the track was only a practice track. They got caught in a dead lie at the last city council meeting. They stated they were in current negotiations with USA BMX to reopen the track. Minutes later, someone from USA BMX got on the call and said that was completely false and that negotiations had ended and that the track was unsanctioned and uninsured. They tried to hold a free practice the night of the city council meeting in an attempt to get riders to show up there instead of the city council meeting. Their plan failed once it was found out that the track was uninsured. Once again, the email posted on NextDoor saying that the track will be reopening is a blatant attempt to not get people to show up to the City Council meeting.

PAL does not have the best interests of the kids in mind. If they did, they would allow the transfer of the lease so that USA BMX can take it over so we can all resume racing at a fully sanctioned BMX track. It is the #1 track in the country and it's an absolute shame that PAL is going to be allowed to turn it into a practice track and run it into the ground. We have plenty of practice tracks around. We don't need another one. Not only will turning this into a practice track hurt our kids, it will also majorly decrease revenue that is used to fund other programs. I urge you to not allow this to happen. If you say that you are in the best interests of the kids, PROVE IT.

--

Krissy DiLustro
Santa Teresa High School
AP Biology & Forensic Science

Melissa Lee

From: Krissy Gerrior <krissygerrior@gmail.com>
Sent: Tuesday, May 24, 2022 11:00 AM
To: Lisa Gillmor; Sudhanshu Jain; Kathy Watanabe; Anthony Becker; Kevin Park; Raj Chahal; Karen Hardy; Mayor and Council
Subject: WE NEED A USA BMX SANCTIONED TRACK NOT A PRACTICE TRACK

Good morning,

I am disgusted to see that a city council member has posted false information on NextDoor. She states that the previous management team hid revenue and was not transparent. The fact is the management team was "fired" several days before the deadline for the track operator to submit paperwork for an audit. PAL has stated multiple times that they could care less if the track was only a practice track. They got caught in a dead lie at the last city council meeting. They stated they were in current negotiations with USA BMX to reopen the track. Minutes later, someone from USA BMX got on the call and said that was completely false and that negotiations had ended and that the track was unsanctioned and uninsured. They tried to hold a free practice the night of the city council meeting in an attempt to get riders to show up there instead of the city council meeting. Their plan failed once it was found out that the track was uninsured. Once again, the email posted on NextDoor saying that the track will be reopening is a blatant attempt to not get people to show up to the City Council meeting.

PAL does not have the best interests of the kids in mind. If they did, they would allow the transfer of the lease so that USA BMX can take it over so we can all resume racing at a fully sanctioned BMX track. It is the #1 track in the country and it's an absolute shame that PAL is going to be allowed to turn it into a practice track and run it into the ground. We have plenty of practice tracks around. We don't need another one. Not only will turning this into a practice track hurt our kids, it will also majorly decrease revenue that is used to fund other programs. I urge you to not allow this to happen. If you say that you are in the best interests of the kids, PROVE IT.

Melissa Lee

From: Cody Wilson <cody@usabmx.com>
Sent: Tuesday, May 24, 2022 1:51 PM
To: Mayor and Council
Subject: BMX Track "Re-Opening"
Attachments: Santa Clara 10.06.54 AM.pdf

Mayor & Council,

It has come to our attention via an announcement yesterday that Santa Clara PAL intends to operate a non-sanctioned BMX track that will not align with USA BMX rankings or the member benefits such as the secondary accident insurance.

As a sanctioning body it is our responsibility to remain neutral and to protect and provide for our membership, our municipal partners and the volunteers that create our programs. The PAL board has proven to us, directly, multiple times that they are not vested in what is best for ridership and altruism in the sport of BMX racing as a whole. This announcement is the latest direct approach to optically show a step forward for BMX activity in Santa Clara but functionality of some bullet points simply is not feasible as we ultimately hold the proprietary software that allows things such as the timing system. These are all beneficial items of being a sanctioned track under our network.

In-the-end the council needs to decide what meaningful BMX programming the city wants to provide for its citizens and act accordingly. Make no mistake that non sanctioned racing is simply an activity and not a programmed and functional BMX track as we proposed with our direct ground lease request. I have attached that programming to this email so you can see the highlighted areas of community involvement we can certainly provide with the right arrangement. The sanction and insurance fees to USA BMX for this facility equates to a little over \$10K for 2021 so the Police Activities League is certainly the benefactor in the situation with revenue over \$200K and we would love to provide direct economic relief to any city budget in the way of a land lease resulting in upwards of \$24K per year which far exceeds the roughly \$2,500 per year of the current lease.

USA BMX remains committed to exploring an opportunity for BMX in Santa Clara, unfortunately not unless we can find a commitment that works for success. We as the sanction would be happy to lease the property directly from the city or work with the Park and Recreation department if they are chosen to hold the lease, to further the success of the BMX program and ultimately keep BMX dollars directly at the Santa Clara BMX facility.

We have openly proposed an arrangement to the city manager and will await your decision and response regarding that direct ask to obtain the land ground lease. High level programming of such nature is guided and flagshipped by direct sanction involvement. The attached document was provided to the city manager with our request. USA BMX holding the lease can engage additional citizens with the programs that make your community BMX track rich with features that depend on a direct land lease rather than just a sanction agreement with a local promoter.

Thanks,

CODY WILSON
Director Of Track Operations

USA BMX / BMX Canada
USA BMX Freestyle
USA BMX Foundation

O: 480-961-1903 X145

cody@usabmx.com

LEGAL NOTICE: Unless expressly stated otherwise, this message is confidential and may be privileged. It is intended for the addressee(s) only. Access to this e-mail by anyone else is unauthorized. If you are not an addressee, any disclosure or copying of the contents of this e-mail or any action taken (or not taken) in reliance on it is unauthorized and may be unlawful. If you are not an addressee, please inform the sender immediately.



Our goal is to positively impact your community through BMX racing to build a safe and family friendly environment for kids to get active and lead healthy lifestyles.



A BRIEF HISTORY

BMX racing has seen unprecedented growth over the past ten years. From a small pocket of California riders in the 1970s, to the Olympic Games today, BMX has evolved into a global sport for hundreds of thousands of racers around the world.

As we approach our 45th year, USA BMX continues to serve as the leader in this meteoric rise. Founded in 1977 in Chandler, Arizona, USA BMX has evolved into the world's largest sanctioning body for BMX racing. Today, the organization has over 70,000 members racing at more than 300 sanctioned tracks across North America. These local races are augmented with a 33 race national series, culminating each year at the largest BMX race on earth, the USA BMX Grand Nationals.

In today's challenging youth landscape, families are looking for multiple avenues to get kids active, and to grow participation in sports. We are proposing a direct lease with the city or the parks department to continue the youth cycling sport of bmx racing program to Santa Clara, CA.

We understand that there may have been some differences of opinion regarding the track facility in the past, however we want to make it clear we are very interested in working WITH the city to help a program be successful. At this time we just want to discuss the possibilities of a facility to host the program on. We look forward to partnering with Santa Clara on this mission critical initiative for our youth.



A USA BMX Track will continue to provide one of the highest trafficked sporting field assets in your community. USA BMX has invested heavily in the sports tourism market and we have developed many valuable relationships with DMO's across the United States.

BMX tracks are typically developed in partnership with a City/County entity and a DMO. A partnership for Santa Clara is as simple as land-use. USA BMX can instill all programming with the resources backed by the national sanction.

USA BMX always works with a Local Advocacy Parent Group to create a local club and BMX racing facility and program. This helps to ***ensure success through passion and dedication to the sport.***

To create autonomy for an amazing board of directors that will continue to support BMX in the city of Santa Clara, we formally ask that the city lease the property the BMX track is on directly to USA BMX immediately.

On-Going Management

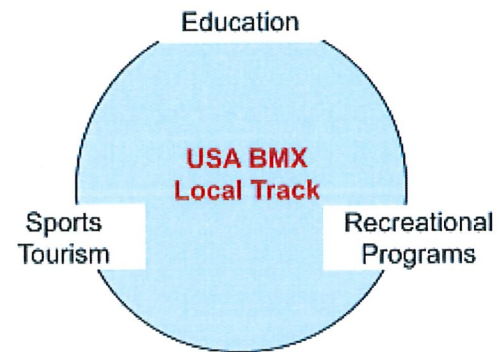
- Facility maintained through a partnership with the local organization.
- Day to Day programming and business managed through a use agreement with the local parent organization.
- Local organization trained by USA BMX
- USA BMX full time support staff for local organization

Facility use agreement

- There are multiple versions of facility use agreements. Santa Clara is best suited for a Land Lease:
 - Municipality owns the park or property, and leases land to USA BMX.
 - Lease can provide up to \$24,000 yearly for the city budget
 - Local Club is responsible for planning and building the facility
 - Maintenance of the facility is the responsibility of the Club
 - Operational expenses are the responsibility of the Club
 - All revenue generated by the club, belongs to the Club

360 DEGREES OF COMMUNITY INTEGRATION

1. We are the first and only Olympic Sport with accredited* educational programming and curriculum for elementary students
2. Our weekly and seasonal recreational programs receive the same and many times higher participation rates than traditional stick and ball type sports
3. USA BMX has unprecedented Sports Tourism programs that every track and community is able to benefit from.



WE WILL IMPACT KIDS THROUGH EDUCATION

In 1995 the USA BMX Foundation was created to promote active and healthy lifestyles through physical fitness and nutritional education in a safe and positive environment. In addition to these healthy lifestyle initiatives, the Foundation also hosts annual scholarship races across the country and awards more than \$40,000 in college scholarships each March.



- In 2013, the Foundation helped us become the first national sanctioning body to develop and implement its own STEM curriculum for an Olympic sport.
- In 2018, the Foundation started a program in 4th grade classrooms that taught kids how to build a BMX track. This program engages the students in the classroom, and then introduces them to the sports at an actual wtrack during a field trip that is part of the capstone class.
- In 2019 alone, our STEM related programs served more than 225,000 * youth throughout the Continental United States.
 - a. Our education programs have been recognized by the National Science Teachers Association
 - b. Our education programs are aligned with Next Generation Science Standards and utilize the Three-Dimensional Learning Model framework
 - c. Our education programs are top sellers - reword this
 - d. Our education programs are independent of having a BMX Track
 - i. Read 2 Ride
 - ii. STEM kit
 - iii. Track Modeling Program
 - iv. Motivational Olympic Speakers

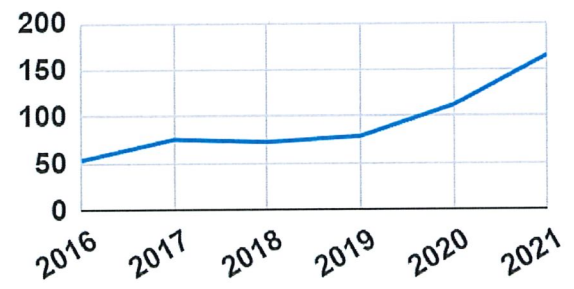
WE WILL CONTINUE THE TRADITIONAL RECREATIONAL PROGRAMMING

Local Program Participation is equal or higher than traditional sports programming

- Data proves there is a market of taxpayers (constituents) who are completely underserved by traditional sports
- We offer programming which meets the requirements to be offered through recreational department partnerships.
- BMX Racing League

The current club that manages the facility at Santa Clara PAL has outgrown the relationship of the current land lease at the facility and is in need of a land-use agreement that will provide the ability for continued growth. Average Rider Count generally fluctuates with a change of Track Operators as each new parents group learns how to operate. Starting in 2016 when the current parent group formed the “Dream Team” average rider count has steadily increased and the program has grown to one of the largest in the country.

Local Rider Count



As a top three parent group in the US year after year, a direct land lease with USA BMX will provide the ability to serve more members of the community, increase outreach programs and solidify the club’s status as a premier destination.

Year	2016	2017	2018	2019	2020	2021
Unique Members	515	619	615	746	701	1333
Average Rider Count	54	76	73	79	112	165
Local Events	86	105	130	103	72	131
RFL Riders	96	68	69			
BWR Riders	67	164	68			186
EDBL Riders	286					
Regional / GCQ Riders		201				
State Event Riders	404	378	470	370	564	610
SCP Riders			340	0		
SCF Riders			660	667	500	
National Riders						952
Total Local Riders	4644	7980	9490	8137	8064	21615
Total Throughput	5497	8791	11097	9174	9128	23363
Sport Tourism Riders	404	579	1470	1037	1064	1562
Sport Tourism Spectators	1293	1853	4704	3318	3405	4998
Est. Direct Impact	\$487,386	\$698,506	\$1,773,408	\$1,251,037	\$1,283,610	\$1,884,397
Est. Indirect Impact	\$361,984	\$518,784	\$1,317,120	\$929,152	\$953,344	\$1,399,552
Est. Total Impact	\$849,370	\$1,217,290	\$3,090,528	\$2,180,189	\$2,236,954	\$3,283,949

Why USA BMX...

- Event Insurance and 24/7 Liability and Attractive Nuisance coverage is provided by USA BMX to each club

- Training
 - We train the Local Advocacy Group on all operational procedures, track maintenance, rules, regulations, reporting, programs, coaching and best practices.

- Marketing support
 - Centralized integrated database driven customizable website is provided at no cost to each club
 - Admatch credit as well as paid advertising for the BMX Racing League program is provided
 - Marketing best practices and examples are provided via a special online Track Operator Dashboard

- Business model and operations support
 - Proprietary event management, scoring and membership software provided
 - Business model with best practices and recommended pricing structure provided

- Membership services
 - Fully staffed membership department is available for all membership, point and race series related questions

- Points and race series services
 - Members are able to race at any USA BMX club in the country and race programming will be the same, allowing for points and information to be integrated back to the local racing club.
 - Multiple levels of race series are tracked and managed including.
 - BMX Racing League
 - Local programs
 - District series
 - State series
 - Regional series
 - National series

- 24/7 support and access to our team of Track Directors.
 - The Parent Group will be able to call our support team at any time with any question or concern and our staff with over 200 combined years of experience will be available to answer.

Community Is Everything

Ask any current member about their “BMX family” and they will glow with pride before they start recanting stories of sticking together through the hard times, lifting each other up when they are down, car-pooling to races, training to be faster and working hard to keep their local track in tip-top shape.

There is something magical about a BMX track that brings people of all walks of life together. From children that don’t exactly fit in with traditional team sports to families that use BMX racing as a way to spend time together in an activity everyone can participate in, a BMX track creates a community.

How we integrate our community with your community

We understand that bringing a USA BMX track to your community can seem like a niche situation with a niche sport and a niche facility. Through our community programs, we are here to tell you that your BMX track has the potential to be utilized by your community as much or more than your current sports facilities.



The pages below showcase some of the programs that make your community BMX track rich with features that depend on a direct land lease rather than just a sanction agreement with a landowner. Spend some time reading through the programs and understand this type of programming can begin in Santa Clara, CA.



BMX Racing League

“How do our kids start racing?” This is the question most often raised when a new family explores the USA BMX track for the first time in your community. The answer is the BMX Racing League.

The BMX Racing League is designed to fit right into the recreational offerings of the Park and Rec department of any community.

The League allows new families to learn how the sport works, and riders to progress gradually, riding only with other beginners. At this level, the focus is on fun, developing bike handling skills, spending quality family time, and meeting new friends.

In addition to all instruction & racing, each BMX Racing League season includes a League jersey, number plate, end-of-season award & pizza party, as well as access to loaner bikes & helmets.



The USA BMX Foundation

Connecting BMX racing facilities with schools through education.

Specifically, the USA BMX Foundation's goals are to:

- Promote an active and healthy lifestyle through physical fitness and nutritional education
- Reinforce the importance of Science, Technology, Engineering and Math in our daily lives
- Introduce new youth participants to BMX in a safe, positive and fun environment
- Increase the awareness of the sport of cycling
- Provide a clear transition path from educational programs to a BMX member track
- Assist students and educators in their pursuit of educational opportunities

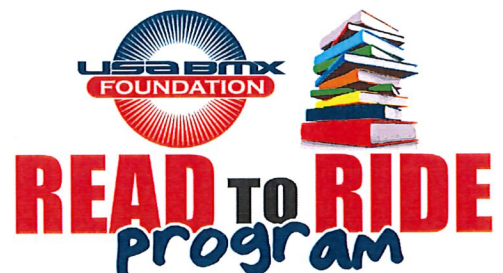


Where the BMX Racing League is designed to connect your new facility with your recreation department, the following USA BMX Foundation programs are designed to integrate your school district with your new BMX track through S.T.E.M., Modeling, Reading, and Motivational Speaking.

Read to Ride

The USA BMX Read to Ride Program is available for schools or libraries. The program is designed to encourage, motivate, and inspire youth to develop and improve their reading skills during non-school hours and combat learning loss over extended school breaks.

A BMX bike and helmet are given to the top overall reader, as well other prizes for each grade/age level reader. All students are given a Certificate of Accomplishment and a free one-day membership to USA BMX which entitles them to a day of riding at the track along with a bike & helmet to use.



Track Modeling

Created exclusively for 4th graders, the Track Modeling Program is aligned with Next Generation Science Standards and uses the Three-Dimensional Learning Model framework. Through science and engineering practices, cross-cutting concepts and disciplinary core ideas, students have an opportunity to conceptualize, design and build a scale BMX track.

This STEAM program is designed to cover one weeks worth of material, or 25+ hours of classroom time. This program is free to schools through donations and sponsorships. The USA BMX Foundation provides all materials needed, including classroom curriculum for teachers. The program is truly turn-key.



Students start by reviewing still images and video of different tracks from around the world to fuel ideas and creativity before they create sketches of their own track vision. Next, they Skype with an Elite Level Pro BMX Rider to ask questions to help shape their concepts. From there, students form teams where they share their individual ideas in an effort to come up with a collaborative team-designed track. Still in their groups, they formulate questions to submit to a BMX track builder.

Working from the track builders' responses, teams start to finalize their designs by the end of day two. On day three, they take a field trip to a local BMX track where they walk the facility, take a tour of the inner workings of the business, ride the track and gain a first-person perspective of the track. Back in the classroom, they work with different types of soil mixtures to create the ideal track dirt with a heavy focus on earth sciences.

On the final two days, they compile their experiences and form project roles and responsibilities to engineer a scale model of their track blueprint complete with turns, berms, and jumps.

Students take pride in showcasing their vision and creativity while learning about various career opportunities at the intersection of engineering, architecture, construction, and sport.

As part of the culminating event, students' work is put on display and evaluated by a community panel. USA BMX Foundation provides all participants awards, along with trophies for the top categories.

BMX STEM Program

Science, Technology, Engineering, and Math (S.T.E.M)

This project-based program is best suited for elementary students (grades 3-5) but can be expanded for middle school students. The eight (8) module curriculum is equal parts education, athletics, and exercise. Students use BMX bikes to perform various experiments to explore the world of STEM.

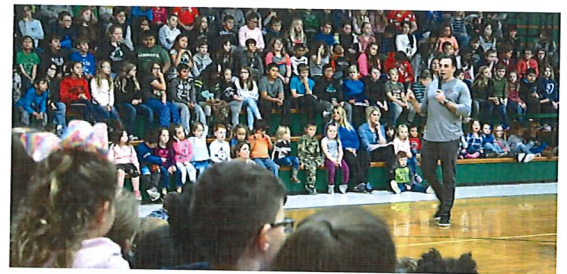
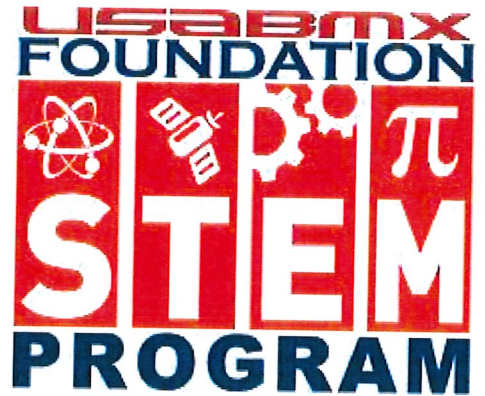
The flexible modules are designed to be used in a variety of settings including school day, after-school, as well as summer camps and programs.

Funding for the program is traditionally secured through grants, donations and sponsors. In addition, the program is aligned with many state STEM standards, including NGSS, and incorporates a pre/post testing element that assists with outcome-based reporting.

Motivational Speaking

Each year, our Elite Pro Riders visit schools around the country spreading their messages of inspiration to tens of thousands of students.

These athletes, both men and women, include current World Champions, Olympic Medalists, Future Olympic Hopefuls, and Retired Legends. While their backgrounds and last names are all different, their messages are all the same – inspiring and impactful.



For more information about our programs,
please visit www.usabmxfoundation.org

Carina Navarrete

To: Clerk
Cc: Nora Pimentel; Deon Sailes
Subject: RE: Santa Clara BMX Track

From: DeeGeeDoll <deegeedoll@gmail.com>

Sent: Friday, May 6, 2022 11:53 AM

To: Lisa Gillmor <LGillmor@SantaClaraCA.gov>; Sudhanshu Jain <SJain@SantaClaraCA.gov>; Kathy Watanabe <KWatanabe@SantaClaraCA.gov>; Anthony Becker <ABecker@SantaClaraCA.gov>; Kevin Park <KPark@Santaclaraca.gov>; Raj Chahal <RChahal@SantaClaraCA.gov>; Karen Hardy <KHardy@SantaClaraCA.gov>; Mayor and Council <MAYORANDCOUNCIL@SantaClaraCA.gov>

Subject: Santa Clara BMX Track

Please read this out loud in the May 24th meeting

Dear City Council Members,

I am writing to you in hopes that you can help stop the destruction of the Santa Clara BMX track program at the hands of PAL. Dan Racimo used Facebook customer service last week to improperly access the page, claiming that it was "his page". Through these lies, he was able to gain access, and immediately removed Nick Valencia, as well as Tyler, as admins. Tyler is a Facebook employee and has been instrumental in donating thousands of dollars in Facebook ad-spend to assist the Santa Clara BMX track in growing both the page and the track—a huge help both to the track and to the city. In their extreme ignorance, PAL has now completely severed that relationship, essentially losing the city of Santa Clara—your city—thousands of dollars in their continued personal squabble to "win" at all costs.

They have already lost all trust with USABMX, who will absolutely NOT sanction the track unless the land lease is transferred to another entity. PAL are liars, they are shady, and they remind me of the "Good 'ol boys clubs" I thought I left behind when I moved out of Texas.

If the city of Santa Clara decides to keep the land lease for Santa Clara BMX with PAL, you will not only disappoint, frustrate, and sadden all the kids and adults who will no longer be able to ride, but you will miss out on the thousands of dollars that this well-run, beautiful BMX track brings to the city. To me, this would be the equivalent of you owning a Ferrari, and the team of people you have managing your beautiful race machine state (on multiple occasions) that they never wanted (or could) manage the Ferrari, but just wanted an old beater.

My question to you is, are you going to protect your valuables?

Please transfer the land lease before our track—the one that puts the city of Santa Clara on the map for thousands of BMXers all over the United States—is diminished to rubble.

Hold PAL accountable for their under-handedness and lies. Don't put up with this in your own backyard.

Sincerely,

Erin Elizabeth Artzner

BMX Racer

Carina Navarrete

From: Leilani Dela Cruz <leilanidlc@yahoo.com>
Sent: Tuesday, April 19, 2022 10:09 PM
To: Public Comment
Subject: Fwd: Re-Open Santa Clara PAL BMX

To the City Council of Santa Clara,

It is with great sadness to have to write this letter. We don't understand how suddenly one of our favorite BMX tracks is now closed. Please reopen the track immediately under USABMX sanctions and not just as a practice track. The current staff has put in a lot of blood and sweat making this track a top-notch facility for kids and all kids alike. What a waste it would be to not put this track back to becoming #1 in America.

There is a very high standard to be held here. The current team of Joey, Nick and Marisa, as well as many other countless volunteers, have done an amazing job running this track. They ran Worlds Qualifiers, Nationals, State and Local races so smoothly with everything always in order. We never had an issue with them or the way they ran the events. Their work was always done with the utmost passion for the sport and the community. For that, we are truly grateful.

With our son, Samuel, being the unofficial poster boy (he is on the billboard of the track #707), we have always taken great pride in this facility. Joey, Nick, and Marisa have always made this facility a safe and fun place for our kids to do what they love most...race BMX. I kindly urge you to please re-instate their positions as they have always gone above and beyond for us and the community. I also kindly urge you to re-open the track under USA BMX sanctions, so we can get back to putting Santa Clara on the map for being one of the best places to race BMX!

Thank you,
Jeremy and Leilani Dela Cruz

5/24/2022

Iken 7

Melissa Lee

From: Michael Head <suppressingfire@gmail.com>
Sent: Wednesday, May 25, 2022 1:13 AM
To: Mayor and Council
Subject: Disappointed with the outcome of the BMX park item

Thank you Mayor and council for spending so much time on the topic this evening. Based on all of your remarks, I'm confident you all understand the needs of the BMX riding community.

I really appreciated Councilmember Park's reflection on the range of comments. I strongly agree with the point of view that the city should endeavor to get the track reopened for sanctioned racing as soon as possible. The ideal outcome is indeed that PAL and USABMX resume negotiations immediately to get the track reopened. At the same time, I'm unsure if there's a pathway to reconciliation, and as the leaseholder, the city has a role here.

So I was surprised that Councilmember Hardy felt (and Councilmember Becker agreed) that the city had no power here. The city council most definitely has the power to accelerate those discussions by beginning the process of ending the lease which would create a deadline for negotiations to complete. Without that, I'm unsure what will bring PAL to the table. Public requests from the council and riders and parents in past meetings haven't seemed to have had much effect thus far.

I appreciated the Mayor's optimism about PAL's openness to get the track opened, but I was at the public meeting with PAL at the BMX track in February, and watched the city council meetings and I cannot share that optimism, especially after watching tonight's interview (<https://www.ktvu.com/news/bmx-riders-make-plea-to-remove-pals-control-over-santa-clara-racetrack>). PAL appears to continue to have a "my way or the highway" approach.

The discussion of monopolies by Vice Mayor Jain was apt. Indeed, USABMX (like nearly all sports governing bodies) is a monopoly, in furtherance of the goal of expanding the sport, setting uniform rules, etc. However, as long as PAL holds the lease on the track, the city council vests PAL with monopoly power over use of the track. Perhaps this is what empowers PAL's (apparently) negotiation approach.

Furthermore, I recall Councilmember Becker calling for an audit of PAL itself. I was curious why a request for an update on such an audit didn't make it into the motion.

Anyway, I was disappointed that after hours of presentations and public comment, the council ended up taking minimal action to further the goal of opening the track for sanctioned racing.

Thank you,
-- mike

--
Michael R Head <suppressingfire@gmail.com>
<http://www.cs.binghamton.edu/~mike>

POST MEETING MATERIAL