



**ARIZONA RACING COMMISSION**  
**THURSDAY, MAY 13, 2021**  
**SECOND AMENDED 687<sup>th</sup> REGULAR MEETING AGENDA**

Pursuant to Arizona Revised Statutes (A.R.S.) § 38-431.03(A)(3), the Arizona Racing Commission (Commission) may vote to go into Executive Session for the purpose of obtaining legal advice from its attorney on any matter listed on the Agenda. Any such Executive Session will not be open to the public.

**A. Call to Order of the 687<sup>th</sup> Regular Arizona Racing Commission Meeting of May 13, 2021 at 10:01 AM.**

**Commissioners present via Google Meet are:**

**Chuck Coolidge, Chairman**  
**Rory Goreé, Vice Chairman**  
**Tracy Olson, Commissioner**

**Also present:**

**Ted Vogt, Gaming Director**  
**Rudy Casillas, Racing Director**  
**Kelly Wagner, Assistant Attorney General**  
**Juan Estrada, Interim Racing Program Manager**  
**Sheri Koss, Records Administrator**  
**Cassie Goodwin, Commission Secretary**  
**Camila Alarcon, Esq. (Agenda Items B.1 only)**

**B. Executive Session**

The following items are for Executive Session purposes only:

**Commissioner Coolidge moved the Executive Session Items to the end of the meeting.**

1. *Simms v. Simms, et al.*, Case No. 1 CA-CV 18-0546, and *Simms v. Arizona Racing Commission, et al.*, Case No. LC2016-000505, regarding a Racing License for Ronald A. Simms, Case No. 14A-020-RAC. The Commission may vote to go into Executive Session under A.R.S. § 38-431.03(A)(3) or (4) in order to discuss with and instruct its attorney(s) on this matter.

**Commissioner Coolidge moved to go into Executive Session. Commissioner Olson second. Motion carried. (Ayes: Coolidge, Goreé Olson)**

**Open session recessed at 11:38 AM**  
**Open session reconvened at 11:44 AM**

**Commissioner Coolidge moved to instruct counsel to proceed as discussed in the Executive Session. Commissioner Olson second. Motion carried. (Ayes: Coolidge, Goreé, Olson)**

2. In re the Appeal of Turf Racing, LLLP dba Turf Paradise 21A-002-RAC; In re the Appeal of Arizona Downs, 21A-003-RAC. Appeals in the Superior Court and the Office of Administrative Hearings by Arizona Downs contesting the Commission's December 2020 decision to deny the rehearing/review of the Commission's November 2020 decision to approve the Turf Paradise and Monarch Content Management simulcast contract pursuant to A.R.S. § 5-112(u). Appeal in the Office of Administrative Hearings by Turf Paradise contesting the Commission's December 2020 decision to deny IHA 3004 consent for wagering on signals imported from racetracks associated with the Monarch Content Management contract previously approved. The Commission may vote to go into Executive Session under A.R.S. § 38-431.03(A)(3) or (4) in order to discuss with and instructs its attorney(s) on this matter.

**Commissioner Coolidge moved to go into Executive Session. Commissioner Olson second. Motion carried. (Ayes: Coolidge, Goreé, Olson)**

**Open session recessed at 11:45 AM  
Open session reconvened at 12:15 PM**

**No action taken on this Item.**

**C. Action Items: Review, discussion and possible action on:**

1. Monthly Track Maintenance Reports from Permittees. The Commission may vote to go into Executive Session under A.R.S. § 38-431.03(A)(3) in order to discuss with its attorneys on this matter.

**Director Casillas addressed the Commission.**

**Commissioner Olson moved to go into Executive Session. Commissioner Goreé second. Motion carried. (Ayes: Coolidge, Goreé, Olson)**

**Open session recessed at 10:02 AM  
Open session reconvened at 10:18 AM**

**Commissioner Coolidge moved to instruct Permittees to provide a monthly track maintenance report to the Department no later than the Friday before a monthly Commission meeting. Commissioner Goreé second. Motion carried. (Ayes: Coolidge, Goreé, Olson)**

2. COVID-19 Protocols at Arizona Downs. The Commission may vote to go into Executive Session under A.R.S. § 38-431.03(A)(3) in order to discuss with its attorneys on this matter.
  - A. Arizona Downs Protocol

**Commissioner Coolidge moved to approve the COVID-19 Protocols as submitted by Arizona Downs. Commissioner Goreé second. Motion carried. (Ayes: Coolidge, Goreé, Olson)**

- B. Racing Division Employee Protocol

**Director Casillas addressed the Commission.**

**Commissioner Coolidge moved to approve the Racing Division Employee COVID-19 Protocols. Commissioner Olson second. Motion carried. (Ayes: Coolidge, Goreé, Olson)**

3. Turf Paradise and AHBPA Purse Trust Account. The Commission may vote to go into Executive Session under A.R.S. § 38-431.03(A)(3) in order to discuss with its attorneys on this matter.

**Commissioner Coolidge moved to go into Executive Session. Commissioner Olson second. Motion carried. (Ayes: Coolidge, Goreé, Olson)**

**Open session recessed at 10:28 AM  
Open session reconvened at 10:36 AM**

**This Item Tabled.**

4. Simulcast Agreements Pursuant to A.R.S. § 5-112(U)
  - A. Arizona Downs
    1. NYRA Content Management Solutions, LLC (Delta Downs and Finger Lakes)
    2. Hastings Entertainment Inc.
    3. SunRay Gaming of New Mexico, LLC

**Commissioner Coolidge moved to approve the Simulcast Contracts as submitted by Arizona Downs in numbers 1, 2, and 3 above. Commissioner Goreé second. Motion carried. (Ayes: Coolidge, Goreé, Olson)**

B. Turf Paradise

1. Horsemen's Park
2. Woodbine Entertainment Group (Fort Erie and Woodbine)
3. All American Ruidoso Downs
4. Fair Meadows

**Commissioner Coolidge moved to approve the Simulcast Contracts as submitted by Turf Paradise in numbers 1, 2, 3, and 4 above. Commissioner Olson second. Motion carried. (Ayes: Coolidge, Goreé, Olson)**

5. Simulcast Horse Racing Import Signals Pursuant to IHA Section 3004(a)(3)

A. Arizona Downs

1. Delta Downs (anticipated dates 05/10/2021 – 07/21/2021)
2. Hastings Park (anticipated dates 05/01/2021 – 10/23/2021)
3. Finger Lakes (anticipated dates 04/26/2021 – 11/24/2021)
4. SunRay Park (anticipated dates 04/23/2021 – 05/24/2021)
5. Fort Erie (anticipated dates 06/01/2021 – 10/19/2021)
6. Grants Pass (anticipated dates 05/10/2021 – 11/09/2021)

**Commissioner Coolidge moved to approve the Simulcast Signals as submitted by Arizona Downs in numbers 1, 2, 3, 4, 5, and 6 above. Commissioner Goreé second. Motion carried. (Ayes: Coolidge, Goreé, Olson)**

B. Turf Paradise

1. Fort Erie (anticipated dates 05/07/2021 – 06/30/2021)
2. Woodbine (anticipated dates 05/07/2021 – 06/30/2021)
3. Horsemen's Park (anticipated dates 05/06/2021 – 06/05/2021)
4. Delta Downs (anticipated dates 05/10/2021 – 07/21/2021)
5. Ruidoso (anticipated dates 05/28/2021 – 09/06/2021)
6. Fair Meadows (anticipated dates 06/04/2021 – 07/25/2021)

**Commissioner Coolidge moved to approve the Simulcast Contracts as submitted by Turf Paradise in numbers 1, 2, 3 and 4 above. Commissioner Goreé second. Motion carried. (Ayes: Coolidge, Goreé, Olson)**

**Commissioner Coolidge moved to conditionally approve the Simulcast Contracts as submitted by Turf Paradise in numbers 5 and 6 above, pending receipt of the required out of state horsemen's approvals. Commissioner Goreé second. Motion carried. (Ayes: Coolidge, Goreé, Olson)**

6. Simulcast Agreement Pursuant to A.R.S. § 5-112(T) Between Arizona Downs and Turf Paradise

**Commissioner Coolidge moved to approve the Simulcast Contract between Arizona Downs and Turf Paradise. Commissioner Goreé second. Motion carried. (Ayes: Coolidge, Goreé, Olson)**

**D. Information Reports**

1. Track Safety Report(s) (Juan Estrada) – **Juan Estrada addressed the Commission.**
2. Jockey Concussion Protocols (Darryll Haire, Jockey's Guild) – **No Report.**
3. Horse Necropsy Report / Horse Fatality Report (Dr. Scot Waterman) – **Dr. Waterman addressed the Commission.**
4. Budget Report (Director Casillas/Jason La Forest) – **Director Casillas addressed the Commission.**
5. Permittee Reports – **Not to exceed 3 minutes**
  - a. American Greyhound Racing – **No Report.**
  - b. Arizona Downs – **Mike Weiss addressed the Commission.**
  - c. County Fairs– **No Report.**
  - d. Rillito Park – **Mike Weiss addressed the Commission.**
  - e. Tucson Greyhound Park– **No Report.**
  - f. Turf Paradise – **Vincent Francia addressed the Commission.**
6. Optional Industry Stakeholder Association Updates (limited to officers or officially designated spokesperson) – **Not to exceed 3 minutes**
  - a. Arizona Counties Racing Association– **No Report.**
  - b. Arizona Quarter Horse Racing Association – **No Report.**

- c. Arizona Thoroughbred Breeders Association– **No Report.**
- d. Horsemen’s Benevolent & Protective Association – **Lloyd Yother addressed the Commission.**
- e. Jockey’s Guild– **No Report.**

## **E. Commission Reports**

1. Summary of Current Events Affecting the Arizona Racing Commission. A.R.S. § 38-431.02(K) – Only Commission Members or the Director may report. No discussion or action may be taken on matters reported unless properly noticed for legal action or discussion.

**Director Casillas indicated there would need to be a Special Meeting to address the signals for The Preakness scheduled for May 14 & 15, 2021.**

2. Identification of Matters to be placed on future Agendas.

## **F. Call to the Public**

Those members of the public wishing to address the Commission should please notify Commission Secretary, Cassie Goodwin, via EMAIL at [cgoodwin@azgaming.gov](mailto:cgoodwin@azgaming.gov) by 9 a.m. May 13, 2021 with your name and the portion of the Agenda for which you wish to address the Commission. If any person wishes to address the Commission once the meeting has commenced, those persons may TEXT Commission Secretary, Cassie Goodwin, at 480-276-5005, giving their name and the portion of the Agenda for which they wish to address the Commission, and the information will be provided to the Chair of the Racing Commission during the meeting. They may also submit a request via the “chat” feature in Google Meet. The Chair will recognize the request and, time permitting, each presentation will be given approximately three (3) minutes to speak. Those requesting to speak should be prepared to use a phone to call into the meeting at 478-845-1127 PIN 882 780 379# or the microphone on their device as soon as the Chair recognizes them to speak. Action taken as a result of public comment will be limited to directing staff to study the matter or ask that the matter be placed on a future Agenda, pursuant to A.R.S. § 38-431.01(H).

## **G. Announcements**

The next regularly scheduled Commission meeting will be at **10:00 AM on Thursday, June 10, 2021** at **1110 W. Washington St., Phoenix, Arizona** or via **Google Meet**, and is subject to change based on a quorum. For current information about the Arizona Racing Commission meeting schedule, please visit the Arizona Department of Gaming-Racing Division website (<https://racing.az.gov/racing-commission/commission-calendar-schedule>) or call Cassie Goodwin at 602-771-4263.

## **H. Adjournment**

**Commissioner Olson moved to adjourn the meeting. Commissioner Coolidge second. Motion carried. (Ayes: Coolidge, Goreé, Olson) Meeting adjourned at 11:56 AM.**

## **I. Materials**

A copy of the Agenda and background material and Commission packets (excluding materials exempt from public inspection) will be available at least 24 hours in advance of the meeting, at the Department of Gaming, located at 1110 W Washington St., Ste. 450, Phoenix, AZ 85007