

**ARIZONA RACING
COMMISSION THURSDAY,
DECEMBER 10, 2020
AMENDED 682nd REGULAR MEETING
AGENDA**

Actions taken denoted in red text

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 682nd Regular Arizona Racing Commission Meeting of December 10, 2020

B. Executive Session

The following item is for Executive Session purposes only:

1. *Monarch Content Management LLC, et al. v. Arizona Department of Gaming, et al.*, Case No. CV-19-04928-PHX-JJT, regarding HB2547. 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 attorneys on this matter. **Commission voted to go into executive session (4-0)**
2. *Monarch Content Management LLC v. Arizona Department of Gaming et al.*, Case No. CV2020-005333, regarding a complaint for special action relief and for declaratory relief. 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 on this matter. **Commission did not go into Executive Session for this Item**

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

1. Request for Review or Rehearing by Arizona Downs Regarding the Commission's November 12, 2020 Action on the Monarch Content Management, LLC Proposed Simulcast Agreement with Turf Paradise. 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. **After robust discussion by representatives from AZ Downs, Turf Paradise, various members of the public (including Arizona State Representative David Cook & Mark Finchem), the Racing Commission did not approve a request for review or rehearing. (2-2) Commissioners Coolidge & Goreé vote NO. Commissioners Propheter & Hover vote YES.**
2. Turf Paradise Request for Approval of Off-Track Betting Facility. 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.
 - Longshots Bar and Grill, 13610 N Scottsdale, Road, Scottsdale, AZ 85254 **Approved by Commission (4-0)**
3. COVID-19 Safety Protocols for 2021 Live Racing. 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. **Commission approves COVID-19 safety protocols for 2021 live racing (4-0)**
4. Simulcast Agreements Pursuant to A.R.S. § 5-112(U)
 - A. Arizona Downs
 1. Los Alamitos Quarter Horse **Tabled vote of simulcast agreement to allow Commission to review contract (4-0)**
 2. Penn National Gaming, Inc. **Tabled vote of simulcast agreement to allow Commission to review contract (4-0)**
 3. Parx Racing **Tabled vote of simulcast agreement to allow Commission to review contract (4-0)**

B. Turf Paradise

1. Los Alamitos Quarter Horse Conditional approval of simulcast agreement dependent on out-of-state approvals (4-0)
2. Penn National Gaming, Inc. Tabled vote of simulcast agreement to allow Commission to review contract (4-0)
3. Louisiana Downs Quarter Horse Tabled vote of simulcast agreement to allow Commission to review contract (4-0)
4. Parx Racing Tabled vote of simulcast agreements to allow Commission to review contract (4-0)
5. Turfway Park Conditional approval of simulcast agreements dependent on out-of-state approvals (4-0)

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

A. Arizona Downs

1. Los Alamitos Quarter Horse (anticipated dates 12/28/2020 – 12/31/2021) Tabled vote of simulcast signal (4-0)
2. Charles Town Races (anticipated dates 01/06/2021 – 12/18/2021) Tabled vote of simulcast signal (4-0)
3. Aqueduct (anticipated dates 12/10/2020 – 03/28/2021) Approved simulcast signal through end of 2020 (4-0)
4. Louisiana Downs Quarter Horse (anticipated dates 01/09/2021 – 03/24/2021) Tabled vote of simulcast signal (4-0)
5. Penn National (anticipated dates 01/08/2021 – 12/17/2021) Tabled vote of simulcast signal (4-0)
6. Parx Racing (anticipated dates 01/04/2021 – 12/19/2021) Tabled vote of simulcast signal (4-0)
7. Sam Houston (anticipated dates 01/08/2021 – 04/03/2021) Tabled vote of simulcast signal (4-0)
8. Turfway Park (anticipated dates 01/01/2021 – 03/28/2021) Tabled vote of simulcast signal (4-0)

B. Turf Paradise

1. Los Alamitos Quarter Horse (anticipated dates 12/28/2020 – 12/31/2021) Conditional approval of simulcast signal dependent on out-of-state approvals (4-0)
2. Charles Town Races (anticipated dates 01/06/2021 – 12/18/2021) Tabled vote of simulcast signal (4-0)
3. Aqueduct (anticipated dates 12/10/2020 – 03/28/2021) Conditional Approval of simulcast signal dependent on out-of-state approval (4-0)
4. Louisiana Downs Quarter Horse (anticipated dates 01/09/2021 – 03/24/2021) Tabled vote of simulcast signal (4-0)
5. Penn National (anticipated dates 01/01/2021 – 12/17/2021) Tabled vote of simulcast signal (4-0)
6. Parx Racing (anticipated dates 01/04/2021 – 12/19/2021) Tabled vote of simulcast signal (4-0)
7. Sam Houston (anticipated dates 01/08/2021 – 04/03/2021) Tabled vote of simulcast signal (4-0)
8. Turfway Park (anticipated dates 01/01/2021 – 03/28/2021) Conditional Approval of simulcast signal dependent on out-of-state approval (4-0)

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

A. Turf Paradise-Monarch and Monarch Affiliated

- 1) Golden Gate (anticipated dates 12/23/2020 – 06/15/2021) FAILED Conditional Approval dependent of out of state approval (2-2) Commissioners Hover & Propheter vote NO. Commissioners Goreé & Coolidge vote YES.
- 2) Gulfstream Park (anticipated dates 12/02/2020 – 03/28/2021) FAILED Conditional Approval dependent of out of state approval (2-2) Commissioners Hover & Propheter vote NO. Commissioners Goreé & Coolidge vote YES.
- 3) Laurel Park (anticipated dates 10/08/2020 – 12/31/2020) Conditional Approval FAILED Conditional Approval dependent of out of state approval (2-2) Commissioners Hover & Propheter vote NO. Commissioners Goreé & Coolidge vote YES.
- 4) Laurel Park (anticipated dates 01/01/2021 – 03/31/2021) Conditional Approval FAILED Conditional Approval dependent of out of state approval (2-2) Commissioners Hover & Propheter vote NO. Commissioners Goreé & Coolidge vote YES.
- 5) Los Alamitos Thoroughbred (anticipated dates 12/02/2020 – 12/20/2020) Conditional Approval FAILED Conditional Approval dependent of out of state approval (2-2) Commissioners Hover & Propheter vote NO. Commissioners Goreé & Coolidge vote YES.
- 6) Santa Anita (anticipated dates 12/26/2020 – 06/27/2021) Conditional Approval FAILED Conditional Approval dependent of out of state approval (2-2) Commissioners Hover & Propheter vote NO. Commissioners Goreé & Coolidge vote YES.

7. Turf Paradise Export of Live Race Signal for 2020-2021 Meet Pursuant to IHA Section 3004(a)(2) Approved (4-0)

D. Information Reports

1. Track Safety Report(s) (Greg Stiles) ADG gave a brief safety report on the status of the Turf Paradise track.
2. Healthy Humans Healthy Horses Substance Abuse Program (Magdaleno Perez) ADG delivered a power point

presentation highlighting increased regulation surrounding drug use at Arizona tracks. Director Vogt stated he fully supports the program. Chairman Goreé voiced support for the program.

3. Budget Report (Director Casillas/Jason La Forest) Aiden Fleming delivered a budget update stating a budget request for an additional safety veterinarian for the upcoming legislative session.
4. Permittee Reports – **Not to exceed 3 minutes**
 - a. American Greyhound Racing
 - b. Arizona Downs
 - c. County Fairs
 - d. Rillito Park
 - e. Tucson Greyhound Park
 - f. Turf Paradise
5. Optional Industry Stakeholder Association Updates (limited to officers or officially designated spokesperson) – **Not to exceed 3 minutes**
 - a. Arizona Counties Racing Association
 - b. Arizona Quarter Horse Racing Association
 - c. Arizona Thoroughbred Breeders Association
 - d. Horsemen’s Benevolent & Protective Association
 - e. Jockey’s Guild

A. 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
2. Identification of Matters to be placed on future agendas

B. 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 by 9 a.m. December 10, 2020 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 meetings. 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). Kevin Owens, a breeder and owner, requested that any future COVID-19 protocols include the ability for horse owners to enter the backside of the racetrack.

C. Announcements

The next regularly scheduled Commission meeting will be at **10:00 AM on Thursday, January 14, 2021** at **1110 W. Washington St., Phoenix, Arizona** or via **Google Meetings**, 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.

D. Adjournment

E. 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