



**ARIZONA RACING COMMISSION**  
**THURSDAY, SEPTEMBER 9, 2021**  
**AMENDED 691<sup>st</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 691<sup>st</sup> Regular Arizona Racing Commission Meeting of September 9, 2021 at 10:00 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**  
**Lena Kalkbrenner, Assistant Attorney General**  
**Caitlin Caputo, Agency Counsel**  
**Brian Duncan, Racing Program Manager**  
**Juan Estrada, Interim Racing Program Manager**  
**Sheri Koss, Records Administrator**  
**Cassie Goodwin, Commission Secretary**

**B. Executive Session**

The following item is for Executive Session purposes only:

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 attorneys on this matter.

**No Action on this Item.**

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

1. *Notice of Appeal to Arizona Racing Commission of Director's June 25, 2021 Ruling Deeming Ronald A. Simms's License Application to be Incomplete*, filed on July 14, 2021, by Ronald A. Simms. On July 19, 2021, the parties filed a *Joint Stipulation to Stay Consideration of Ronald A. Simms's Notice of Appeal to the Arizona Racing Commission of Director's June 25, 2021 Ruling Deeming Ronald A. Simms's License Application to be Incomplete*, requesting the Commission to stay this matter until at least up through and including the resolution of the petitions and cross-petitions filed with the Arizona Supreme Court (CV-21-0073-PR), and any subsequent proceedings arising from the Arizona Supreme Court's decision. 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.

**Nathan Novak addressed the Commission.**

**Commissioner Goreé moved to stay the matter until at least up through and including the resolution of the petitions and cross petitions filed with the Arizona Supreme Court and any subsequent proceedings arising from the Arizona Supreme Court's decision. Commissioner Coolidge second. Motion carried. (Ayes: Coolidge, Goreé, Olson)**

2. Simulcast Agreements Pursuant to A.R.S. § 5-112(U)

A. Arizona Downs

1. Hawthorne Race Course, Inc./Suburban Downs (Hawthorne)
2. Keeneland Association, Inc. (Keeneland)
3. NYRA Content Management Solutions, Inc. (Belmont Park)
4. ~~Churchill Downs~~—NYRA Content Management Solutions, Inc. (Churchill Downs Fall Meet)
5. NYRA Content Management Solutions, Inc. (Delta Downs)
6. NYRA Content Management Solutions, Inc. (Grants Pass Downs)
7. Penn National Gaming, Inc. (Zia Park)
8. Will Rogers Downs, LLC

**Brian Duncan addressed the Commission.**

**Juan Estrada addressed the Commission.**

**Commissioner Coolidge moved to approve Arizona Downs Simulcast Contracts as listed above for numbers 1, 2, 3, 5, 6, 7, and 8. Commissioner Goreé second. Motion carried. (Ayes: Coolidge, Goreé, Olson)**

**No Action taken on contract number 4 as Commission Olson abstained from voting.**

B. Turf Paradise

1. Hawthorne Race Course, Inc./Suburban Downs (Hawthorne)
2. Keeneland Association, Inc. (Keeneland)
3. NYRA Content Management Solutions, Inc. (Belmont Park)
4. ~~Churchill Downs~~—NYRA Content Management Solutions, Inc. (Churchill Downs Fall Meet)
5. NYRA Content Management Solutions, Inc. (Delta Downs)
6. NYRA Content Management Solutions, Inc. (Evangeline Downs)
7. NYRA Content Management Solutions, Inc. (Grants Pass Downs)
8. Penn National Gaming, Inc. (Zia Park)
9. Will Rogers Downs, LLC
10. Kentucky Downs Association, Inc. (Kentucky Downs)

**Juan Estrada addressed the Commission.**

**Commissioner Coolidge moved to approve Turf Paradise Simulcast Contracts as listed above for numbers 1, 2, 3, 5, 6, 7, 8, 9, and 10. Commissioner Goreé second. Motion carried. (Ayes: Coolidge, Goreé, Olson)**

**No Action taken on contract number 4 as Commissioner Olson abstained from voting.**

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

A. Arizona Downs

1. Belmont Park (anticipated dates 09/16/2021 – 10/31/2021)
2. Keeneland (anticipated dates 10/08/2021 – 10/30/2021)
3. Churchill Downs Fall Meet (anticipated dates 09/16/2021 – 09/30/2021)
4. Delta Downs (anticipated dates 10/13/2021 – 03/05/2022)
5. Zia Park (anticipated dates 09/26/2021 – 12/14/2021)
6. Hawthorne (anticipated dates 10/01/2021 – 12/16/2021)
7. Will Rogers Downs (anticipated dates 09/11/2021 – 11/13/2021)
8. Grants Pass Downs (anticipated dates 09/20/2021 – 11/09/2021)

**Juan Estrada addressed the Commission.**

**Commissioner Coolidge moved to approve Arizona Downs Simulcast Signals as listed above for numbers 1 and 2. Commissioner Olson second. Motion carried. (Ayes: Coolidge, Goreé, Olson)**

**No Action taken on signal number 3.**

**Commissioner Coolidge moved to conditionally approve the Arizona Downs Simulcast Signals for the above listed numbers 4, 5, 6, 7, and 8 pending the Department receives all out of state horse men's approvals. Commissioners Olson second. Motion carried. (Ayes: Coolidge, Goreé, Olson)**

- B. Turf Paradise
1. Kentucky Downs (anticipated dates 09/09/2021 – 09/12/2021)
  2. Hawthorne (anticipated dates 10/01/2021 – 12/16/2021)
  3. Belmont Park (anticipated dates 09/16/2021 – 10/31/2021)
  4. Will Rogers Downs (anticipated dates 09/11/2021 – 11/13/2021)
  5. Churchill Downs Fall Meet (anticipated dates 09/16/2021 – 09/30/2021)
  6. Grants Pass Downs (anticipated dates 09/20/2021 – 11/09/2021)
  7. Evangeline Downs (anticipated dates 10/01/2021 – 12/30/2021)
  8. Keeneland (anticipated dates 10/08/2021 – 10/30/2021)
  9. Zia Park (anticipated dates 09/26/2021 – 12/14/2021)
  10. Delta Downs (anticipated dates 10/13/2021 – 03/05/2022)

**Commissioner Coolidge moved to conditionally approve Turf Paradise Simulcast Signals as listed in numbers 1, 2, 3, 4, 6, 7, 8, 9, and 10 above until September 23, 2021 unless an agreement is reached with AZ HBPA then the approval is extended to the end of the meets. Commissioner Goreé second. Motion carried. (Ayes: Coolidge, Goreé, Olson)**

**No Action taken on signal number 5.**

#### **D. Information Reports**

1. Track Safety Report(s) (Gary Baze) – **Commission Secretary Cassie Goodwin addressed the Commission.**
2. Budget Report (Director Casillas/Jason La Forest) – **Jason La Forest addressed the Commission.**
3. 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.**
4. 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 – **Leroy Gessmann 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.

**Nothing to report.**

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

**Commissioner Goreé asked that Leroy Gessmann be given an ongoing information report item to update the commission on the IHA progress.**

## 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. September 9, 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).

**Steve Nolan addressed the Commission.  
Craig Braddock addressed the Commission.**

## G. Announcements

The next regularly scheduled Commission meeting will be at **10:00 AM on Thursday, October 14, 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 Coolidge moved to adjourn the meeting. Commissioner Goreé second. Motion carried. (Ayes: Coolidge, Goreé, Olson) Meeting adjourned at 10:45 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