



**AMENDED AGENDA**

Pursuant to A.R.S. § 38-431.03(A)(3), the 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. A. Call to Order of the 676<sup>th</sup> Regular Arizona Racing Commission Meeting of December 12, 2019 at 10:00 AM.**

**Commissioners Present:**

**Chairman Rory Goreé (Telephone)**  
**Vice Chair Thomas Lawless**  
**Commissioner Jay McClintock**  
**Commissioner Charles "Chuck" Coolidge (Telephone)**

**Also present:**

**Rudy Casillas, Racing Director**  
**Kelly Wagner, Assistant Attorney General**  
**Kristian Fasching, Gaming General Counsel**  
**Greg Stiles, Racing Program Manager**  
**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 taken on this matter.**

**C. Action Items**

1. Discussion and Potential Action Regarding Retroactivity of Amendments to Post-August 27, 2019 Simulcast Signal Contracts

**Gerald "Buzz" Alston, Attorney for Turf Paradise, addressed the Commission.**  
**Dave Auther, Arizona Downs, addressed the Commission.**  
**Tom Auther, Arizona Downs, addressed the Commission.**  
**Jerry Simms, Turf Paradise, addressed the Commission.**  
**Dave Johnson, Turf Paradise, addressed the Commission.**  
**Tom Auther, Arizona Downs, addressed the Commission.**  
**Dave Johnson, Turf Paradise, addressed the Commission.**

**No action taken on this item.**

2. Discussion and Potential Action Regarding Simulcast Horse Racing Import Signals
  - A. Arizona Downs
    1. Sunland Park NCMS Simulcast Agreement

**Commissioner McClintock moved to approve the Sunland Park simulcast signal to Arizona Downs. Chairman Goreé second.**

**Ms. Wagner addressed the Commission.**

**Greg Stiles addressed the Commission.**

**Tom Auther, Arizona Downs, responded to a question from the Commission.**

**After discussion, Commissioner McClintock moved to amend his motion to conditionally approve the Sunland Park simulcast agreement with Arizona Downs pending review of the Sunland Park agreement with Turf Paradise, and making sure they are identical.**

**After further discussion, and before a second it made to his motion, Commissioner McClintock withdraws his motion.**

**Dave Johnson, Turf Paradise, addressed the Commission.**

**Chair Goreé moved to conditionally approve Sunland Park simulcast signal agreement with Arizona Downs provided that all the conditions are similar when the agreement is submitted for Turf Paradise, including all OTBs and approvals. Commissioner Lawless second. Motion Carried. (Ayes: Coolidge, Goreé, Lawless, McClintock.)**

- B. Turf Paradise
  1. Aqueduct (NYRA) Winter 19-20 Simulcast

**Commissioner McClintock moved to approve Aqueduct sending its Winter 19-20 simulcast signal to Turf Paradise. Commissioner Lawless second. Motion Carried. (Ayes: Coolidge, Goreé, Lawless, McClintock.)**

2. Fairgrounds Winter Meet Simulcast

**Commissioner McClintock moved to approve Fairgrounds Winter Meet simulcast signal to Turf Paradise. Commissioner Lawless second. Motion Carried. (Ayes: Coolidge, Goreé, Lawless, McClintock.)**

3. Discussion and Potential Action Regarding Late December 2019 and January 2020 Simulcast Signals
  - A. Arizona Downs: Charlestown, Hawthorne, Laurel Park, Los Alamitos Quarter Horse, Louisiana Downs, Mahoning Valley, Parx Racing, Penn National, Santa Anita, Golden Gate

**Dave Johnson, Turf Paradise, addressed the Commission.**

**Commissioner McClintock moved to approve all tracks listed in Item C.3.A. temporarily for Arizona Downs. Commissioner Lawless second. Commissioner Lawless amends the motion to temporarily approve until the next Arizona Racing Commission meeting on January 9, 2020. Commissioner McClintock accepts this amendment. Motion Carried. (Ayes: Coolidge, Goreé, Lawless, McClintock.)**

- B. Turf Paradise: Charlestown, Hawthorne, Laurel Park, Los Alamitos Quarter Horse, Louisiana Downs, Mahoning Valley, Parx Racing, Penn National, Sunland Park, Turfway Park, Santa Anita, Golden Gate

**Commissioner Lawless moved to approve all tracks listed in Item C.3.B. temporarily approve the signals for Turf Paradise until the next Arizona Racing Commission meeting on January 9, 2020.**

**Tom Auther, Arizona Downs, addressed the Commission.**

**Jerry Simms, Turf Paradise, addressed the Commission.**

**Commissioner McClintock second. Motion Carried. (Ayes: Coolidge, Goreé, Lawless, McClintock.)**

4. Discussion and Potential Action Regarding Turf Paradise Request to Add Live Race Day on December 20, 2019

**Directory Casillas addressed the Commission.**

**Commissioner McClintock moved to allow Turf Paradise to add a live race day on December 20, 2019, to make up for a previously lost day. Commissioner Lawless second. Motion Carried. (Ayes: Coolidge, Goreé, Lawless, McClintock.)**

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

1. Safety Report(s) (Greg Stiles) – **Greg Stiles, Program Manager, addressed the Commission.**
2. Budget Report (Jason La Forest) – **Rudy Casillas, Director, addressed the Commission.**
3. Permittee Reports – **Not to exceed 3 minutes**
  - a. American Greyhound Racing – **No report.**
  - b. Arizona Downs – **Tom Auther addressed the Commission.**
  - c. County Fairs – **No report.**
  - d. Rillito Park – **No report.**
  - e. Tucson Greyhound Park – **No report.**
  - f. Turf Paradise – **No report.**
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 Greyhound Association – **No report.**
  - c. Arizona Quarter Horse Racing Association – **No report.**
  - d. Arizona Thoroughbred Breeders Association – **No report.**
  - e. Horsemen's Benevolent & Protective Association – **No report.**
  - f. Jockey's Guild – **No report.**

**Chair Goreé announced this month's Integrity Challenge Coins go to Cassie Goodwin and Greg Stiles.**

#### **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

**Commissioner McClintock wants everyone to come up with ideas on how to get Monarch to send its signal to Arizona Downs.**

2. Identification of Matters for future agendas

**Director Casillas indicated that Steve Nolan had asked that R19-2-104 Permittee Responsibilities be placed on this month's Agenda. We failed to do so and will place it on the January 9, 2020 Agenda for discussion.**

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

Those members of the public wishing to address the Commission must sign the signup sheet and be recognized by the Chair. Time permitting; each presentation will be given approximately two minutes. Action taken as a result of public comment will be limited to directing staff to study the matter or re-schedule the matter for further consideration at a later date.

**Stacy Campo addressed the Commission.**

#### **G. Announcements**

The next regular Arizona Racing Commission meeting tentatively is scheduled for **10:00 AM on Thursday, January 09, 2020,** at 1110 West Washington St., Building Conference Room 250, 2nd Floor, Phoenix, Arizona, 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 McClintock moved to adjourn the meeting. Commissioner Lawless second. Motion Carried. (Ayes: Coolidge, Goreé, Lawless, McClintock.) Meeting adjourned at 11:41 AM.**