

ARIZONA RACING COMMISSION
THURSDAY, JANUARY 14, 2021
683rd 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 683rd Regular Arizona Racing Commission Meeting of January 14, 2021 at 10:00 AM.**Commissioners present via Google Meet are:**

Chuck Coolidge, Vice Chairman
Rory Goreé, Chairman
Holly Hover, Commissioner
Jana Propheter, Commissioner

Also present:

Ted Vogt, Gaming Director
Rudy Casillas, Racing Director
Kelly Wagner, Assistant Attorney General
Kristian Fasching, Agency Counsel
Greg Stiles, Racing Program Manager
Sheri Koss, Records Administrator
Cassie Goodwin, Commission Secretary
Camila Alarcon, Esq. (Agenda Item B.1 only)

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.

No action taken on this matter.

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.

No action taken on this matter.

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

1. Implementation of the Federal Horse Racing Integrity Act and Next Steps. 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.

**Greg stiles addressed the Commission.
Director Casillas addressed the Commission.
Director Vogt addressed the Commission.
Aiden Fleming addressed the Commission.**

No action taken on this Item.

2. Submission Deadlines of A.R.S. § 5-112(T), (U), and IHA §3004 Packets by Permittees to the Department. 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.
Dave Johnson addressed the Commission.
Tom Auther addressed the Commission.**

Commissioner Coolidge moved to require the Permittees to have any simulcast packets to the Department no later than 10:00 AM on the Thursday prior to the next Commission meeting. Commissioner Prophet second. Motion carried. (Ayes: Coolidge, Goreé, Hover, Prophet)

3. Tucson Greyhound Park Greyhound Racing Simulcast Import SIS A.R.S. § 5-112(U). 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.
 - Sports Information Services

**Greg Stiles addressed the Commission.
Alicia Heiserer Federico addressed the Commission.**

Commissioner Prophet moved to give conditional approval to Tucson Greyhound Park to receive the SIS signal but Department should obtain the Oregon Racing Commission approval. Commissioner Hover second. Motion carried. (Ayes: Coolidge, Goreé, Hover, Prophet)

4. Approval of Turf Paradise 2021 Meet COVID-19 Protocols. 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.

**Vincent Francia addressed the Commission.
Director Vogt addressed the Commission.**

Commissioner Coolidge moved to approve the COVID-19 Protocols for the Turf Paradise 2021 Meet. Commissioner Prophet second. Motion carried. (Ayes: Coolidge, Goreé, Hover, Prophet)

5. Turf Paradise's Request for a 45-Day Extension to File a Potential Motion for Review and Rehearing Pursuant to A.A.C. R19-2-124(F) Concerning the December 10, 2020 Commission Decision on IHA § 3004 Consents (Monarch Tracks). 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 Prophet moved to take a five-minute recess. Commissioner Hover second. Motion carried. (Ayes: Coolidge, Goreé, Hover, Prophet)

**Open session recessed at 10:38 AM
Open session reconvened at 10:43 AM**

**Paul Johnson addressed the Commission.
Dave Auther addressed the Commission.**

Commissioner Coolidge moved to approve Turf's request to a 45-day extension to file a Potential Motion for Review and Rehearing. Commissioner Hover second. Motion carried. (Ayes: Coolidge, Goreé, Hover, Prophet)

6. Arizona Downs Request for Off-Track Betting Facilities. 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.

Greg Stiles addressed the Commission.

Dave Auther addressed the Commission.

- A. Dubliner Bar & Grill, 3841 E. Thunderbird Road, Phoenix, AZ 85032

Commissioner Coolidge moved to approve Dubliner Bar & Grill as an Arizona Downs OTB facility. Commissioner Hover second. Motion carried. (Ayes: Coolidge, Goreé, Hover, Prophet)

- B. JJ's Grubb Shack, 2501 W. Happy Valley Road, Phoenix, AZ 85085

Commissioner Coolidge moved to approve JJ's Grubb Shack as an Arizona Downs OTB facility. Commissioner Prophet second. Motion carried. (Ayes: Coolidge, Goreé, Hover, Prophet)

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

1. Oaklawn Park (anticipated dates 01/22/2021 – 05/01/2021)

Greg Stiles addressed the Commission.

Commissioner Coolidge moved to conditionally approve the Oaklawn Park signal through February 15, 2021 unless the AZ HBPA gives consent to extend its approval through the May 1, 2021 date. Commissioner Prophet second. Motion carried. (Ayes: Coolidge, Hover, Prophet)

- B. Turf Paradise

1. Oaklawn Park (anticipated dates 01/22/2021 – 05/01/2021)

Greg Stiles addressed the Commission.

Commissioner Coolidge moved to approve the Oaklawn Park signal. Commissioner Hover second. Motion carried. (Ayes: Coolidge, Hover, Prophet)

D. Information Reports

1. Track Safety Report(s) (Greg Stiles) – **Greg Stiles, Vincent Francia and Leroy Gessmann addressed the Commission.**
2. Budget Report (Director Casillas/Jason La Forest) – **Director Casillas 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 – **Alicia Heiserer Federico addressed the Commission.**
 - 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

Nothing at this time.

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 by 9 a.m. January 14, 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 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).

Bob Berry addressed the Commission.

Paul Johnson addressed the Commission.

G. Announcements

The next regularly scheduled Commission meeting will be at **10:00 AM on Thursday, February 11, 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.

H. Adjournment

Commissioner Coolidge moved to adjourn the meeting. Commissioner Hover second. Motion carried. (Ayes: Coolidge, Hover, Prophet) Meeting adjourned at 11:27 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