

ARIZONA RACING COMMISSION
THURSDAY, JULY 8, 2021
689th 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 689th Regular Arizona Racing Commission Meeting of July 8, 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
Kelly Wagner, Assistant Attorney General
Caitlin Caputo, Agency Counsel
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.

This Item Tabled.

2. In re the Appeal of Turf Racing, LLLP dba Turf Paradise 21A-002-RAC-RES; In re the Appeal of Arizona Downs, 21A-003-RAC-RES. Appeals in 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 10:04 AM
Open session reconvened at 10:19 AM

No action taken on this Item.

C. Hearings

1. Permit Renewal Hearing for Tucson Greyhound Park for Years 2020, 2021, and 2022 pursuant to A.R.S. § 5-108.01. 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.

**Alicia Heiserer Federico addressed the Commission.
Director Casillas addressed the Commission.
Juan Estrada addressed the Commission.**

**Commissioner Goreé moved to approve Tucson Greyhound Park Permit for 2020, 2021, and 2022.
Commissioner Coolidge second. Motion carried. (Ayes: Coolidge, Goreé, Olson)**

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

1. Request from Arizona Downs for Off-Track Betting Facilities:
 - a. Mr. Haney's Castaways Sports Bar, 5110 E. McDowell Rd., Phoenix, AZ 85008
 - b. Padre Murphy's Sports Bar, 4338 W. Bell Rd., Glendale, AZ 85308.

**Juan Estrada addressed the Commission.
Dave Auther addressed the Commission.
Dave Johnson addressed the Commission.
Scott Claus addressed the Commission.
Kory Langhofer addressed the Commission.
Jerry Simms addressed the Commission.**

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

**Open session recessed at 11:03 AM
Open session reconvened at 11:26 AM**

**Commissioner Olson moved to approve Castaways as an Arizona Downs Off-Track Betting facility.
Commissioner Coolidge second. Motion Carried. (Ayes: Coolidge, Goreé, Olson)**

No action taken on Padre Murphy's Sports Bar Off-Track Facility application.

2. Simulcast Agreements Pursuant to A.R.S. § 5-112(U)
 - A. Arizona Downs
 1. Churchill Downs (Presque Isle Downs)
 2. New York Racing Association, Inc. – NYRA (Saratoga)

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

- B. Turf Paradise
 1. New York Racing Association, Inc. – NYRA (Saratoga)
 2. NYRA Content Management Solutions, LLC – NCMS (Colonial Downs)

Commissioner Coolidge moved to approve the Turf Paradise Simulcast Contracts as listed above numbers 1 and 2, Commissioner Goreé second. Motion carried. (Ayes: Coolidge, Goreé, Olson)

3. Simulcast Horse Racing Import Signals Pursuant to IHA Section 3004(a)(3)
 - A. Arizona Downs
 1. Presque Isle Downs (anticipated dates 07/05/2021 – 10/07/2021)
 2. Saratoga (anticipated dates 07/14/2021 – 09/06/2021)

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

B. Turf Paradise

1. Saratoga (anticipated dates 07/15/2021 – 09/06/2021)
2. Colonial Downs (anticipated dates 07/19/2021 – 09/01/2021)

Commissioner Coolidge moved to approve the Turf Paradise Simulcast Contracts as listed above numbers 1 and 2, Commissioner Goreé second. Motion carried. (Ayes: Coolidge, Goreé, Olson)

4. 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. Turf Paradise-Monarch and Monarch Affiliated

- 1) Gulfstream Park (anticipated dates 07/08/2021 – 09/30/2021)
- 2) Lone Star Park (anticipated dates 06/11/2021 – 12/18/2021)
- 3) Monmouth Park (anticipated dates 07/08/2021 – 09/26/2021)
- 4) Latin American Racing (anticipated dates 12/08/2021 – 12/31/2021)
- 5) Laurel Park (anticipated dates 07/08/2021 – 12/31/2021)
- 6) Pimlico (anticipated dates 07/08/2021 – 12/31/2021)
- 7) Melbourne Racing Australia (anticipated dates 07/08/2021 – 12/31/2021)
- 8) Timonium (anticipated dates 08/27/2021 – 09/06/2021)
- 9) Del Mar (anticipated dates 07/16/2021 – 11/30/2021)
- 10) Golden Gate (anticipated dates 07/23/2021 – 12/31/2021)
- 11) Los Alamitos (anticipated dates 12/01/2021 – 12/14/2021)
- 12) Los Alamitos – LA County Fair (anticipated dates 09/08/2021 – 09/28/2021)
- 13) Santa Anita (anticipated dates 09/29/2021 – 12/31/2021)
- 14) Sonoma County Fair Santa Rosa (anticipated dates 08/04/2021 – 08/17/2021)

Lloyd Yother addressed the Commission.

Scott Clause addressed the Commission.

Kory Langhofer addressed the Commission.

Tom Auther addressed the Commission.

Jerry Simms addressed the Commission.

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

Open session recessed at 12:08 PM

Open session reconvened at 12:19 PM

Commissioner Goreé moved to Table this Item. Commissioner Olson second. Motion carried. (Ayes: Goreé, Olson; Nays: Coolidge)

E. Information Reports

1. Track Safety Report(s) (State Steward Gary Baze) – **Magdaleno Perez addressed the Commission.**
2. Budget Report (Director Rudy Casillas/Jason La Forest) – **No report.**
3. Turf Paradise and AHBPA Purse Trust Account (Rudy Casillas) – **Rudy Casillas addressed the Commission.**
4. New Application from Ronald Simms (Rudy Casillas) – **Juan Estrada 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 – **No report.**
 - 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 – **Leroy Gessmann addressed the Commission.**
 - e. Jockey’s Guild – **Darryll Haire addressed the Commission.**

F. 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 discussed track management informatoinfrom other jurisdictions with Bob Hutton.

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

Commission Goreé asked to have Dr. Mick Peterson added to next Agenda for information report on Racetrack Safety Protocols.

G. 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. July 8, 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).

H. Announcements

The next regularly scheduled Commission meeting will be at **10:00 AM on Thursday, August 12, 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.

I. Adjournment

Commissioner Goreé moved to adjourn the meeting. Commissioner Olson second. Motion carried. (Ayes: Coolidge, Goreé, Olson) Meeting adjourned at 12:41 PM.

J. 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