



**ARIZONA RACING COMMISSION
THURSDAY, DECEMBER 9, 2021
694th 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 694th Regular Arizona Racing Commission Meeting of December 9, 2021

B. Executive Session

The following item is for Executive Session purposes only:

1. *Richard Troy Smith v. State of Arizona Racing Commission, through Charles Coolidge, Chairman, and Rory S. Goreé, Tracy Olson members*, regarding an appeal of the Commission's decision to deny Mr. Smith's appeal and affirm the Director's Order of May 19, 2021 upholding the Stewards' decision to deny his license. 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.
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 instruct its attorney on this matter.
3. *Simms v. Simms, et al.*, Case Nos. CV-21-0073-PR, 1 CA-CV 18-0546, and LC2016-000505, regarding a Racing License for Ronald A. Simms. 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.

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

1. Request from Arizona Downs for Off-Track Betting Facility Luke-Greenway American Legion Post #1, 364 North 7th Avenue, Phoenix, AZ 85007. 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.
2. Simulcast Agreements Pursuant to A.R.S. § 5-112(U)
 - A. Arizona Downs
 1. Turfway - CDI
 2. Fair Grounds - CDI
 3. Oaklawn CDI
 4. Tampa Bay Downs - NYRA
 5. Mahoning Valley - NYRA
 6. Charlestown - NYRA
 7. Penn National - NYRA
 8. Parx - NYRA
 9. Aqueduct - NYRA



- B. Turf Paradise
 - 1. Sunland Park – My Way Holdings, LLC.
 - 2. Oaklawn Park - CDI
 - 3. Turfway Park - CDI
 - 4. Fair Grounds - CDI
 - 5. Louisiana Downs - CDI
- 5. Simulcast Horse Racing Import Signals Pursuant to IHA Section 3004(a)(3)
 - A. Arizona Downs
 - 1. Turfway (01/01/2022 – 04/03/2022)
 - 2. Fair Grounds (01/01/2022 – 03/27/2022)
 - 3. Oaklawn (01/01/2022 – 05/08/2022)
 - 4. Tampa Bay Downs (01/01/2022 – 05/07/2022)
 - 5. Mahoning Valley (01/01/2022 – 04/16/2022)
 - 6. Charlestown (01/01/2022 – 12/31/2022)
 - 7. Penn National (01/01/2022 – 12/31/2022)
 - 8. Parx (01/01/2022 – 12/31/2022)
 - 9. Aqueduct (01/01/2022 – 03/27/2022)
 - B. Turf Paradise
 - 1. Sunland Park – 12/31/2021 – 04/03/2022
 - 2. Oaklawn Park – 01/01/2022 – 05/08/2022
 - 3. Turfway Park – 01/01/2022 – 01/31/2022
 - 4. Fair Grounds – 01/01/2022 – 01/31/2022
 - 5. Louisiana Downs – 01/10/2022 – 01/31/2022

D. Information Reports

- 1. Track Safety Report(s) (Susan Gale, DVM)
- 2. Budget Report (Director Casillas/Jason La Forest)
- 3. Report on International Horseracing Integrity Act (Wm. Leroy Gessmann, HBPA)
- 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

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.

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

F. Call to the Public

Those members of the public wishing to address the Commission should please notify Acting Commission Secretary, Max Hartgraves via EMAIL at mhartgraves@azgaming.gov by 9:40 a.m. December 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 Acting Commission Secretary, Max Hartgraves, at 480-528-0344, 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).

G. Announcements

The next regularly scheduled Commission meeting will be at **10:00 AM on Thursday, January 13, 2022 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>).

H. Adjournment

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