



**AMENDED ARIZONA RACING COMMISSION  
THURSDAY, MAY 13, 2021  
686<sup>th</sup> REGULAR MEETING AGENDA**

**Action Taken Denoted In Red**

**The summary written below are notes compiled by ADG staff and are based on their observation of the live meeting. For the official record, please refer to the meeting minutes.**

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(s) on any matter listed on the Agenda. Any such Executive Session will not be open to the public.

**A. Call to Order of the 686<sup>th</sup> Regular Arizona Racing Commission Meeting of May 13, 2021 at 10:00 AM.**  
Commissioner Hover not present.

**B. Executive Session**

The following item is for Executive Session purposes only: **Moved to end of the meeting.**

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 attorney(s) on this matter. **Commission votes to go into Executive Session (11:38 AM) Reconvened (11:44 AM) Commission moves to proceed as discussed in Executive Session.**
2. In re the Appeal of Turf Racing, LLLP dba Turf Paradise 21A-002-RAC; In re the Appeal of Arizona Downs, 21A-003-RAC. Appeals in the Superior Court and 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.

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

1. Monthly Track Maintenance Reports from Permittees. 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. **Commission moves into Execution Session (3-0) 10:02 AM. Reconvenes 10:18 AM. Director Casillas recommended monthly track maintenance reports to be proactive and to help mitigate horse breakdowns and asks for the Commission's support. Commission approves motion to direct Division to move forward with monthly track maintenance reports. (3-0).**
2. COVID-19 Protocols at Arizona Downs. 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 Protocol **Commission votes to approve Arizona Downs COVID-19 protocols (3-0).**

- B. Racing Division Employee Protocol **Commission votes to approve Racing Division Employee COVID-19 protocols (3-0).**
- 3. Turf Paradise and AHBPA Purse Trust Account. 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 **Commission votes to go into Executive Session (10:28 AM) Reconvenes at 10:36 AM. Mr. Hutton (AZHBPA) notifies Commission that he feels that working with Division prior to coming to Commission may be a better solution. Commission moves to next item.**
- 4. Simulcast Agreements Pursuant to A.R.S. § 5-112(U)
  - A. Arizona Downs **Commission votes to approve all Arizona Downs simulcast agreements (3-0).**
    - 1. NYRA Content Management Solutions, LLC (Delta Downs and Finger Lakes)
    - 2. Hastings Entertainment Inc.
    - 3. SunRay Gaming of New Mexico, LLC
  - B. Turf Paradise **Commission votes to approve all Turf Paradise simulcast agreements (3-0).**
    - 1. Horsemen’s Park
    - 2. Woodbine Entertainment Group (Fort Erie and Woodbine)
    - 3. All American Ruidoso Downs
    - 4. Fair Meadows
- 5. Simulcast Horse Racing Import Signals Pursuant to IHA Section 3004(a)(3)
  - A. Arizona Downs **Commission votes to approve all Arizona Downs import signals (3-0).**
    - 1. Delta Downs (anticipated dates 05/10/2021 – 07/21/2021)
    - 2. Hastings Park (anticipated dates 05/01/2021 – 10/23/2021)
    - 3. Finger Lakes (anticipated dates 04/26/2021 – 11/24/2021)
    - 4. SunRay Park (anticipated dates 04/23/2021 – 05/24/2021)
    - 5. Fort Erie (anticipated dates 06/01/2021 – 10/19/2021)
    - 6. Grants Pass (anticipated dates 05/10/2021 – 11/09/2021)
  - B. Turf Paradise
    - 1. Fort Erie (anticipated dates 05/07/2021 – 06/30/2021) **Commission votes to approve (3-0).**
    - 2. Woodbine (anticipated dates 05/07/2021 – 06/30/2021) **Commission votes to approve (3-0).**
    - 3. Horsemen’s Park (anticipated dates 05/06/2021 – 06/05/2021) **Commission votes to approve (3-0).**
    - 4. Delta Downs (anticipated dates 05/10/2021 – 07/21/2021) **Commission votes to approve (3-0).**
    - 5. Ruidoso (anticipated dates 05/28/2021 – 09/06/2021) **Commission votes to conditionally approve pending the submission of required documents to the Division (3-0).**
    - 6. Fair Meadows (anticipated dates 06/04/2021 – 07/25/2021) **Commission votes to conditionally approve pending the submission of required documents to the Division (3-0).**
- 6. Simulcast Agreement Pursuant to A.R.S. § 5-112(T) Between Arizona Downs and Turf Paradise **Commission votes to approve Simulcast Agreement between Arizona Downs and Turf Paradise (3-0).**

#### D. Information Reports

- 1. Track Safety Report(s) **Juan Estrada, Interim Enforcement Manager, addressed the Commission.**
- 2. Horse Necropsy Report / Horse Fatality Report (Dr. Scot Waterman) **Dr. Scot Waterman provided a presentation to the Commission over horse breakdowns in the state.**
- 3. Jockey Concussion Protocols (Darrell Haire, Jockey’s Guild) **Tabled until Next meeting.**
- 4. Budget Report (Director Casillas/Jason La Forest) **Jason LaForest addressed the Commission indicating the budget is in good standing.**
- 5. Permittee Reports – **Not to exceed 3 minutes**
  - a. American Greyhound Racing **Aaron Feinburg, General Manager, addressed the Commission**

- b. Arizona Downs **Michael Weiss, General Manager, addressed the Commission.**
  - c. County Fairs **No Report.**
  - d. Rillito Park **Michael Weiss, General Manager, addressed the Commission.**
  - e. Tucson Greyhound Park **No report.**
  - f. Turf Paradise **Vincent Francia, General Manager, 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 **Lloyd Yother, President, addressed the Commission.**
  - c. Arizona Thoroughbred Breeders Association **Debbie Zimmerman, Executive Director, addressed the Commission.**
  - d. Horsemen’s Benevolent & Protective Association **Leroy Gessmann, President, addressed the Commission.**
  - e. Jockey’s Guild **No Reports**

**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 Commission Secretary, Cassie Goodwin, via EMAIL at [cgoodwin@azgaming.gov](mailto:cgoodwin@azgaming.gov), by 9 a.m. April 19, 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 after 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 541-626-6148 PIN 398 809 873# 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, June 10, 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 Adjourned 11:56 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

1110 W. Washington St., Suite 450, Phoenix, AZ 85007