

**ARIZONA RACING COMMISSION
THURSDAY, JANUARY 14, 2021
683rd REGULAR MEETING AGENDA**

Actions Taken Denoted In Red

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

All Commission Members are in attendance.

B. Executive Session

The following items are for Executive Session purposes only: Commission did not go into executive session for these matters.

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.
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.

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. Aiden Fleming, ADG Assistant Director, gave an update regarding the recent Federal Horse Racing Integrity Act. Commission directs the Division to research possible individuals to suggest to appoint to the independent committees associated with this federal legislation.
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. Division notified Commission and Permittees that last minute agenda items will not be included on agendas for regular Racing Commission Meetings. Commission approves motion (4-0) to require Permittees to submit all required paperwork by 10am the Thursday before Commission meetings in order for items to be included on the agenda.
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.
 - a. Sports Information Services The Commission conditionally approves signal pending Oregon Racing Commission approval for the signal.
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. **Commission approves (3-0) Turf Paradise 20201 Meet COVID-19 Protocols. (Commissioner Propheter had technical difficulties and was unable to vote)**

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. **Commission approves request for 45-day extension to file a potential motion for review (4-0).**
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.
 - a. Dubliner Bar & Grill, 3841 E. Thunderbird Road, Phoenix, AZ 85032 **Approved (4-0)**
 - b. JJ's Grubb Shack, 2501 W. Happy Valley Road, Phoenix, AZ 85085 **Approved (4-0)**
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
 - i. Oaklawn Park (anticipated dates 01/22/2021 – 05/01/2021) **Conditionally approved (4-0) through 5/1/2021 if AZHBPA approval is extended from 2/15/2021 through the end of the meet.**
 - b. Turf Paradise
 - i. Oaklawn Park (anticipated dates 01/22/2021 – 05/01/2021) **Approved (4-0).**

D. Information Reports

1. Track Safety Report(s) (Greg Stiles) **Mr. Stiles indicated there are multiple areas of the Turf Paradise backtrack needs improvement. Additionally, Mr. Stiles indicated that there has been three horse fatalities since the start of the meet and all have been sent to a medical center for review. Lastly, there was a licensee who expired on the backtrack and Phoenix police are currently investigating the matter. HBPA Spokesman, Mr. Gessmann, indicated the training track has been opened and is concerns discussed in the 1/6 meeting have been resolved.**
2. Budget Report (Director Casillas/Jason La Forest) **Director Casillas indicated that the budget is in good standing.**
3. Permittee Reports – **Not to exceed 3 minutes**
 - a. American Greyhound Racing
 - b. Arizona Downs **In process of working with AZHBPA to set a live racing meet date. Additionally, in process of acquiring the Turf Paradise simulcast signal.**
 - c. County Fairs
 - d. Rillito Park
 - e. Tucson Greyhound Park
 - f. Turf Paradise **Indicated that Mr. Gessmann and Mr. Francia are closely working together to address the issues with restrooms on the backside. Generally speaking, the handle is up despite the turf course currently not in use. Turf is scheduled to be back in use on 1/25/21.**
4. 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 **Mr. Gessmann indicated that COVID-19 protocols are going well on backtrack and the recently opened training track has been a great help. Additionally, Mr. Gessmann indicated that there will be lawsuits regarding the Federal Horse Racing Integrity and Safety Act.**

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

Member from the public indicated his disapproval of the current Monarch Content Management, LLC simulcast conflict with the state of Arizona.

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).

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