



ARIZONA RACING COMMISSION
THURSDAY, SEPTEMBER 9, 2021
AMENDED 691st 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 691st Regular Arizona Racing Commission Meeting of September 9, 2021 (All Commissioners Present)

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.

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

1. *Notice of Appeal to Arizona Racing Commission of Director's June 25, 2021 Ruling Deeming Ronald A. Simms's License Application to be Incomplete*, filed on July 14, 2021, by Ronald A. Simms. On July 19, 2021, the parties filed a *Joint Stipulation to Stay Consideration of Ronald A. Simms's Notice of Appeal to the Arizona Racing Commission of Director's June 25, 2021 Ruling Deeming Ronald A. Simms's License Application to be Incomplete*, requesting the Commission to stay this matter until at least up through and including the resolution of the petitions and cross-petitions filed with the Arizona Supreme Court (CV-21-0073-PR), and any subsequent proceedings arising from the Arizona Supreme Court's decision. 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 stay the matter (3-0)**
2. Simulcast Agreements Pursuant to A.R.S. § 5-112(U)
 - A. Arizona Downs
 1. Hawthorne Race Course, Inc./Suburban Downs (Hawthorne) **Approved (3-0)**
 2. Keeneland Association, Inc. (Keeneland) **Approved (3-0)**
 3. NYRA Content Management Solutions, Inc. (Belmont Park) **Approved (3-0)**
 4. Churchill Downs NYRA Content Management Solutions, Inc. (Churchill Downs Fall Meet) **No action taken**
 5. NYRA Content Management Solutions, Inc. (Delta Downs) **Approved (3-0)**
 6. NYRA Content Management Solutions, Inc. (Grants Pass Downs) **Approved (3-0)**
 7. Penn National Gaming, Inc. (Zia Park) **Approved (3-0)**
 8. Will Rogers Downs, LLC **Approved (3-0)**

- B. Turf Paradise
 - 1. Hawthorne Race Course, Inc./Suburban Downs (Hawthorne) **Approved (3-0)**
 - 2. Keeneland Association, Inc. (Keeneland) **Approved (3-0)**
 - 3. NYRA Content Management Solutions, Inc. (Belmont Park) **Approved (3-0)**
 - 4. ~~Churchill Downs~~—NYRA Content Management Solutions, Inc. (Churchill Downs Fall Meet) **No action taken**
 - 5. NYRA Content Management Solutions, Inc. (Delta Downs) **Approved (3-0)**
 - 6. NYRA Content Management Solutions, Inc. (Evangeline Downs) **Approved (3-0)**
 - 7. NYRA Content Management Solutions, Inc. (Grants Pass Downs) **Approved (3-0)**
 - 8. Penn National Gaming, Inc. (Zia Park) **Approved (3-0)**
 - 9. Will Rogers Downs, LLC **Approved (3-0)**
 - 10. Kentucky Downs Association, Inc. (Kentucky Downs) **Approved (3-0)**
- 3. Simulcast Horse Racing Import Signals Pursuant to IHA Section 3004(a)(3)
 - A. Arizona Downs
 - 1. Belmont Park (anticipated dates 09/16/2021 – 10/31/2021) **Approved (3-0)**
 - 2. Keeneland (anticipated dates 10/08/2021 – 10/30/2021) **Approved (3-0)**
 - 3. Churchill Downs Fall Meet (anticipated dates 09/16/2021 – 09/30/2021)
 - 4. Delta Downs (anticipated dates 10/13/2021 – 03/05/2022) **Conditionally approved (3-0)**
 - 5. Zia Park (anticipated dates 09/26/2021 – 12/14/2021) **Conditionally approved (3-0)**
 - 6. Hawthorne (anticipated dates 10/01/2021 – 12/16/2021) **Conditionally approved (3-0)**
 - 7. Will Rogers Downs (anticipated dates 09/11/2021 – 11/13/2021) **Conditionally approved (3-0)**
 - 8. Grants Pass Downs (anticipated dates 09/20/2021 – 11/09/2021) **Conditionally approved (3-0)**
 - B. Turf Paradise
 - 1. Kentucky Downs (anticipated dates 09/09/2021 – 09/12/2021) **Approved (3-0)**
 - 2. Hawthorne (anticipated dates 10/01/2021 – 12/16/2021) **Approved (3-0)**
 - 3. Belmont Park (anticipated dates 09/16/2021 – 10/31/2021) **Conditionally approved (3-0)**
 - 4. Will Rogers Downs (anticipated dates 09/11/2021 – 11/13/2021) **Conditionally approved (3-0)**
 - 5. Churchill Downs Fall Meet (anticipated dates 09/16/2021 – 09/30/2021)
 - 6. Grants Pass Downs (anticipated dates 09/20/2021 – 11/09/2021) **Approved (3-0)**
 - 7. Evangeline Downs (anticipated dates 10/01/2021 – 12/30/2021) **Approved (3-0)**
 - 8. Keeneland (anticipated dates 10/08/2021 – 10/30/2021) **Approved (3-0)**
 - 9. Zia Park (anticipated dates 09/26/2021 – 12/14/2021) **Approved (3-0)**
 - 10. Delta Downs (anticipated dates 10/13/2021 – 03/05/2022) **Approved (3-0)**

D. Information Reports

- 1. Track Safety Report(s) (Gary Baze) **No Report**
- 2. Budget Report (Director Casillas/Jason La Forest) **Jason La Forest addressed the Commission**
- 3. Permittee Reports – **Not to exceed 3 minutes**
 - a. American Greyhound Racing N/A
 - b. Arizona Downs **Michael Weiss addressed the Commission**
 - c. County Fairs
 - d. Rillito Park **Michael Weiss addressed the Commission**
 - e. Tucson Greyhound Park
 - 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
 - b. Arizona Quarter Horse Racing Association **Lloyd Yother addressed the Commission**
 - c. Arizona Thoroughbred Breeders Association
 - d. Horsemen’s Benevolent & Protective Association **Leroy Gessmann Addressed the Commission**
 - 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. **Commissioner Goreé requests update on the Federal Horse Racing Legislation at the next meeting.**

F. Call to the Public Multiple members of the public addressed the Commission.

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. September 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 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).

G. Announcements

The next regularly scheduled Commission meeting will be at **10:00 AM on Thursday, October 14, 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

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