

AGENDA**A. Call to Order 10:00 AM**

Chair Jay McClintock
Vice Chair Rory Goreé (Telephonically)
Commissioner Thomas Lawless
Commissioner Bill Feldmeier
Commissioner David Heiple

B. New Business

The following New Business items are for a status report, presentation, discussion, and possible action for the Commission.

1. Procedural issues and deadlines regarding Jeremy E. Simms' Appeal to the Arizona Racing Commission of Director's Ruling to Grant a Racing License to Ronald A. Simms, Case No. 14A-020-RAC.

Commissioner Lawless moved to go into Executive Session for legal advice. Commissioner Heiple second. Motion Carried. (Ayes: McClintock, Goreé, Lawless, Feldmeier, Heiple)

Open Session recessed at 12:00 PM.

Open session reconvened at 12:30 PM

2. *Simms v. McClintock et al.*, Case No. LC2015-000466, Maricopa County Superior Court. The Commission may vote to go into Executive Session under A.R.S. § 38-431.03(A)(4) in order to discuss or consult the attorneys of the Commission in order to receive legal advice, consider its position, and instruct its attorneys regarding the Commission's position.

Commissioner Feldmeier moved to go into Executive Session for legal advice. Commissioner Lawless second. Motion Carried. (Ayes: McClintock, Goreé, Lawless, Feldmeier, Heiple)

Open Session recessed at 1:01 PM

Open session reconvened at 1:14 PM

Commissioner Feldmeier moved to instruct Council Camila Alarcon to act as instructed during Executive Session. Commissioner Lawless second. Motion Carried. (Ayes: McClintock, Goreé, Lawless, Feldmeier, Heiple)

3. Motion to Compel Production of Documents Responsive to Subpoenas Duces Tecum to Arizona Department of Gaming and Arizona Racing Commission Dated October 15, 2015 in TP Racing L.L.L.P. v. Simms, et al., Case No. CV2010-022308, Maricopa County Superior Court. The Commission may vote to go into Executive Session under A.R.S. § 38-431.03(A)(3) and (4) in order to receive legal advice, consider its position, and instruct its attorneys regarding the Commission's position.

Commissioner Feldmeier moved to go into Executive Session for legal advice. Commissioner Lawless second. Motion Carried. (Ayes: McClintock, Goreé, Lawless, Feldmeier, Heiple)

Open Session recessed at 1:17 PM.

Open session reconvened at 1:22 PM

Commissioner Lawless moved to instruct Council Camila Alarcon to act as instructed during Executive Session. Commissioner Heiple second. Motion Carried. (Ayes: McClintock, Goreé, Lawless, Feldmeier, Heiple)

4. TP Racing, L.L.L.P. Permit Application Issues

a. Consideration of Three Year Permit (FY 2016, 2017 and 2018)

Commissioner Lawless moved to approve TP Racing L.L.L.P Permit for three years. Vice Chair Goreé second. Motion Carried. (Ayes: McClintock, Goreé, Lawless, Heiple. Nays: Feldmeier)

b. Consideration of a Teletrack Permit

Commissioner Heiple moved to approve the Teletrack permit for TP Racing L.L.L.P. Commissioner Lawless second. Motion Carried. (Ayes: McClintock, Goreé, Lawless, Feldmeier, Heiple)

c. Consideration of Advanced Deposit Wagering Permit (ADW)

Commissioner Lawless moved to approve the ADW permit. Commissioner Heiple second. Motion Carried. (Ayes: McClintock, Goreé, Feldmeier, Lawless, Heiple)

d. Approval of Charity Race Dates

Commissioner Feldmeier moved to approve Turf Paradise's Charity Race Dates November 27, 28 and December 5, 2015. Commissioner Lawless second. Motion Carried. (Ayes: McClintock, Goreé, Feldmeier, Lawless, Heiple)

5. Rillito Racing request for live race dates

Commissioner Heiple moved to approve the live race dates of January 30 & 31, 2016, February 6, 13, 14, 20, 21, 27 & 28, 2016, and March 5, 6, 12 & 13, 2016, for Rillito Racing. Commissioner Lawless second. Motion Carried. (Ayes: McClintock, Goreé, Feldmeier, Lawless, Heiple)

6. La Paz County Fair Request for County Fair Race Dates at Turf Paradise

Commissioner Feldmeier moved to approve La Paz County Fair Race Dates for live racing: January 22, 23, 29 & 30, 2016 and January 20, 21, 27 & 28, 2017 at Turf Paradise Race Track. Commissioner Lawless second. Motion Carried. (Ayes: McClintock, Goreé, Feldmeier, Lawless, Heiple) Motion to approve the live racing dates which were Amended on October 26, 2015: January 23, 24, 30 & 31 2016, and January 21, 22, 28 & 29, 2017. Commissioner Lawless made a motion to amend the La Paz County Fair Race Dates for 2016 & 2017. Commissioner Heiple second. Motion Carried (Ayes: McClintock, Goreé, Feldmeier, Lawless, Heiple)

7. Maricopa County Fair Request for County Fair Race Dates at Turf Paradise

Commissioner Lawless moved to approve Maricopa County Fair Race Dates for live racing: January 2, 3, 9, & 10, 2016, January 7, 8, 14 & 15, 2017 and January 6, 7, 13 & 14, 2018 at Turf Paradise Race Track. Commissioner Feldmeier second. Motion Carried. (Ayes: McClintock, Goreé, Feldmeier, Lawless, Heiple)

8. Approval of the 2016 Arizona Racing Commission Meeting Dates

Chair McClintock made a motion to approve the 2016 Arizona Racing Commission Meeting Dates with one exception, January 14, 2016 which he requested the date be moved up to January 7th. Staff informed the Commission that the room availability would determine if they could move the date. Commissioner Lawless moved to approve the Arizona Racing Commission Meeting Calendar with the exception of the January 14th date, February 11, March 10, April 14, May 12, June 9, September 8, October 13 and November 10. Commissioner Heiple second. Motion Carried. (Ayes: McClintock, Goreé, Feldmeier, Lawless, Heiple)

C. Informational Report

1. Changes in Minutes Procedures – Rudy Casillas, Director Racing Division
2. Turf Paradise Safety Report – Juan Estrada, Safety Steward
3. Tucson Greyhound Park Inspection Updates – Daniel Reinertson, Chief Greyhound Steward
4. Permits in Process – Updates – Greg Stiles, Department of Gaming/Division of Racing
5. Permittee Reports – Not to exceed 3 minutes

- a. American Greyhound Racing – **No Report**
 - b. County Fairs – **Dr. JoAnn di Filippo representing Sharon Denham**
 - c. Rillito – **Mike Weiss, General Manager Rillito Park**
 - d. Tucson Greyhound Park – **Dale Popp, General Manager Tucson Greyhound Park**
 - e. Turf Paradise – **Vince Francia, General Manager Turf Paradise**
6. Optional Industry Stakeholder Association Updates (limited to officers or officially designated spokesman)
– **Not to exceed 3 minutes**
- a. Arizona Greyhound Association – **No Report**
 - b. Arizona Quarter Racing Association – **No Report**
 - c. Arizona Thoroughbred Breeders Association – **No Report**
 - d. Horsemen’s Benevolent & Protective Association – **Lloyd Yother, President**
 - e. Jockey’s Guild – **No one responded**

D. 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 Feldmeier would like to see the Safety Report Updates on the next Commission meeting agenda.

E. Call to the Public

Those members of the public wishing to address the Commission must sign the signup sheet and be recognized by the Chair. Time permitting; each presentation will be given approximately two minutes. Action taken as a result of public comment will be limited to directing staff to study the matter or re-schedule the matter for further consideration at a later date.

Announcements

The next regular Arizona Racing Commission meeting will be held on **Thursday January 14, 2016, at 10:00 a.m.** in the Building Conference Room 250, 2nd Floor, located at 1110 West Washington St., Phoenix, Arizona.

Adjournment

Meeting adjourned at 1:24 PM