



## **AGENDA**

Pursuant to A.R.S. § 38-431.03(A)(3), the 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 December 13, 2018 Special Meeting of the Arizona Racing Commission at 10:00 AM**

#### **Commissioners Present:**

**Chair Jay McClintock**  
**Vice Chair Rory Goreé**  
**Commissioner David Heiple**  
**Commissioner Thomas Lawless**

#### **Also present:**

**James Ashley, Interim Director**  
**Rudy Casillas, Racing Director**  
**Deanie Reh, Assistant Attorney General**  
**Greg Stiles, Division of Racing**  
**Kristian Fasching, Agency Counsel**  
**Cassie Goodwin, Commission Secretary**  
**Sheri Koss, ECU Supervisor/Hearing Supervisor**  
**Camila Alarcon, Esq., Commission Attorney (Item B.1. only)**

### **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 the Arizona Racing Commission's Order to Reject the Gaming Director's Ruling to Grant a Racing License to 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.

**Commissioner Heiple moved to go into Executive Session. Vice Chair Goreé second. Motion carried. (Ayes: Goreé, Lawless, Heiple, McClintock.)**

**Open Session recessed at 10:01 AM.**  
**Open Session reconvened at 10:28 AM.**

**Commissioner Heiple moved to instruct Ms. Alarcon to proceed as directed in executive Session. Vice Chair Goreé second. Motion carried. (Ayes: Goreé, Lawless, Heiple, McClintock.)**

### **C. Action Items**

1. Consideration of Removal of the 140-Day Race Requirement for Rillito Race Track (A.R.S. § 512(C), (D), and (E))

**Commissioner Heiple moved to go into Executive Session. Commissioner Lawless second. Motion carried. (Ayes: Goreé, Lawless, Heiple, McClintock.)**

**Open Session recessed at 10:32 AM.  
Open Session reconvened at 10:55 AM.**

**Vice Chair Goreé moved to deny the removal of the 140-day race requirement for Rillito and give instructions. Commissioner Heiple second. Motion carried. (Ayes: Goreé, Lawless, Heiple, McClintock.)  
Vice Chair Goreé instructed Mr. Wells to seek changes at the legislature on this issue as it was left “unfinished” when the matters relating to the greyhound racing were changed.**

**Jaye Wells, Rillito Park Foundation, addressed the Commission.  
Kevin DeMenna, Lobbyist for Rillito Park Foundation, addressed the Commission.**

Tucson Greyhound Park Off-Track Betting Facility:  
a. Riverside Inn Saloon, 761 E 4<sup>th</sup> St, Benson, AZ 85602

**Greg Stiles addressed the Commission.  
Alicia Heiserer-Frederico, Tucson Greyhound Park, addressed the Commission.**

**Vice Chair Goreé moved to approve Riverside Inn Saloon as a Tucson Greyhound Park OTB location.  
Commissioner Lawless second. Motion carried. (Ayes: Lawless, Heiple, McClintock.)**

#### **D. Discussion Items**

1. Transmission of Signals Between Arizona Race Tracks

**Tom Auther, AZ Downs, addressed the Commission.  
Leroy Gessmann, AZHBPA, addressed the Commission.**

2. Permittee Proposed Changes to A.A.C. R19-2-419 – Simulcast Wagering

**Tom Auther, AZ Downs, addressed the Commission.  
Gerald Alston, Esq., Turf Paradise Race Course, L.L.L.P., addressed the Commission.  
Jaye Wells, Rillito Park Foundation, addressed the Commission.**

#### **E. Information Reports**

1. Safety Report(s) (Greg Stiles) – **Greg Stiles addressed the Commission. Steven Nolan addressed the Commission.**
2. Budget Report (Director Casillas) – **Lori Anderson, Comptroller, addressed the Commission.**
3. Permittee Reports – **Not to exceed 3 minutes**
  - a. American Greyhound Racing – **No report.**
  - b. Arizona Downs – **Tom Auther addressed the Commission.**
  - c. County Fairs – **No report.**
  - d. Rillito Park – **Zachary Taylor, Acting Assistant General Manager, addressed the Commission.**
  - e. Tucson Greyhound Park – **Alicia Heiserer-Frederico, General Manager, addressed the Commission.**
  - f. Turf Paradise – **Vincent Francis, General Manager, 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 – **No report.**
  - b. Arizona Greyhound Association – **No report.**
  - c. Arizona Quarter Horse Racing Association – **No report.**
  - d. Arizona Thoroughbred Breeders Association – **No report.**
  - e. Horsemen’s Benevolent & Protective Association – **Leroy Gessmann, addressed the Commission.**
  - f. Jockey’s Guild – **No report.**

## F. 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

**Commission asked that the Department look into making rule charges and comeback with a report and recommendation to them.**

2. Identification of Matters to be placed on future agendas

**Vice Chair Goreé requested that the February Agenda contain a legislative update on issues affecting Racing.**

## G. 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.

**No one addressed the Commission.**

## H. Announcements

The next regular Arizona Racing Commission meeting tentatively is scheduled for **10:00 AM on Thursday, January 10, 2019**, at 1110 West Washington St., Building Conference Room 250, 2nd Floor, Phoenix, Arizona, 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.

## I. Adjournment

**Commission Heiple moved to adjourn this meeting. Vice Chair Goreé second. Motion Carried. (Ayes: Lawless, Heiple, McClintock.) Meeting adjourned at 11:49 AM.**