



Rudy J. Casillas
Racing Division Director

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 663rd Regular Arizona Racing Commission Meeting of September 13, 2018 at 10:00 AM

Commissioners Present:

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

Also present:

Rudy Casillas, Racing Director
Deanie Reh, Assistant Attorney General
Kristian Fasching, Gaming General Council
Greg Stiles, Division of Racing
Cassie Goodwin, Commission Secretary
Camila Alarcon, Esq. (Agenda Item B.1 only)

B. Executive Session

The following item is for Executive Session purposes only:

1. *Simms v. Arizona Racing Commission, et al.*, Case No. LC2016-000505, Ronald A. Simms's Appeal to the Maricopa County Superior Court of 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) in order to discuss or consult for legal advice with its attorneys.

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

Open Session recessed at 10:02 AM.
Open Session reconvened at 10:16 AM.

No action taken on this matter.

C. New Business

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

1. Status of Off-Track Betting Facility Application Brought to the Commission

Greg Stiles addressed the Commission.

Vice Chair Goreé moved to accept current practice to bring all Off-Track Betting Facility applications to the Commission for approval, regardless of location or 60-mile radius. Commissioner Heiple second. Motion carried. (Ayes: Goreé, Lawless, Heiple, McClintock)

2. Pima County Off-Track Betting Facilities

Greg Stiles addressed the Commission.

Michael Racy, on behalf of Tucson Greyhound Park, addressed the Commission.

Alicia Heiserer, General Manager Tucson Greyhound Park, addressed the Commission.

Michael Vignelli, on behalf of Tucson Greyhound Park, addressed the Commission.

Greg Stiles addressed the Commission.

Vice Chair Goreé moved that Tucson Greyhound Park has control of the OTB's after The Dome expires and it can negotiate with whomever it chooses for the horse race signals. (This motion, at a later point in the meeting, is pulled from consideration and was never seconded.)

David Johnson, Assistant General Manager Turf Paradise, addressed the Commission.

Buzz Alston, Esq., Turf Paradise, addressed the Commission.

Jaye Wells, Rillito Park Foundation, addressed the Commission.

Commission Heiple moved to go into executive session for legal advice. (Motion dies for lack of a second.)

Vice Chair Goreé moved to table this matter until a future meeting. (Motion dies for lack of a second.)

Commission Lawless moved to table this matter and let the stakeholders continue to negotiate. Until it comes to a head there is no need to the Commission to take action. (Motion dies for lack of a second.)

Jaye Wells, Rillito Park Foundation addressed the Commission.

Buzz Alston, Esq., Turf Paradise, addressed the Commission.

Greg Stiles addressed the Commission.

Tom Author, Arizona Downs, addressed the Commission.

Jerry Simms, Owner Turf Paradise, addressed the Commission.

David Johnson, Assistant General Manager, Turf Paradise addressed the Commission.

Greg Stiles addressed the Commission.

Jerry Simms, Owner Turf Paradise, addressed the Commission.

Alicia Heislerer, General Manager, Tucson Greyhound Park, addressed the Commission.

Commission Heiple made a motion to go into executive session. Vice Chair Goreé seconded. Motion Carried. (Ayes: Goreé, Lawless, Heiple, McClintock.)

Open Session recessed at 11:17 AM.

Open Session reconvened at 11:44 AM.

Vice Chair Goreé moved to table this matter and instructed staff to come up with suggestions for the Commission for the October 11, 2018 Arizona Racing Commission Meeting and for the Stakeholders to continue to have discussions on solutions to this issue. Commissioner Heiple second.

Commissioner Lawless stated he agrees with Vice Chari Goreé. As stated in a prior meeting, certain stakeholders may not like the decision if the Commission needs to take action. He encourages the stakeholders to sit down and work this out themselves so the Commission won't have to impose its will on them.

Roll call on the motion: Motion Carried. (Ayes: Goreé, Lawless, Heiple, McClintock.) This matter is tabled and Division of Racing Staff will follow through with information at the October 11, 2018 meeting.

3. Arizona Downs Off-Track Betting Facilities
 - a. Bull Shooters, 3337 W. Peoria Ave., Phoenix, AZ 85029

**Kenny Dong, Owner of Stingers Sports Bar, addressed the Commission.
Greg Stiles addressed the Commission.
Dave Author, Arizona Downs, addressed the Commission.
David Johnson, Assistant General Manager, Turf Paradise, addressed the Commission.**

Vice Chair Goreé moved to approve Bull Shooters as an Off-Track Betting Facility for Arizona Downs. Commission Heiple seconded. Motion Carried. (Ayes: Goreé, Lawless, Heiple, McClintock.)

- b. The Museum Club, 3404 Rt. 66, Flagstaff, AZ 86004

Greg Stiles addressed the Commission.

Vice Chair Goreé moved to approve The Museum Club as an Off-Track Betting Facility for Arizona Downs. Commission Heiple seconded. Motion Carried. (Ayes: Goreé, Lawless, Heiple, McClintock.)

4. Turf Paradise Race Course, LLLC Off-Track Betting Facilities
 - a. Showcase Sports Bar, 2703 S. 4th Ave., Yuma, AZ 85364

Greg Stiles addressed the Commission.

Commissioner Lawless moved to approve Showcase Sports Bar as an Off-Track Betting Facility for Turf Paradise. Commission Heiple seconded. Motion Carried. (Ayes: Goreé, Lawless, Heiple, McClintock.)

5. Commission Approval of County Fair Grant Application Form

Greg Stiles addressed the Commission.

Commissioner Lawless moved to approve the County Fair Grant Application Form as presented by Staff. Commission Heiple seconded. Motion Carried. (Ayes: Goreé, Lawless, Heiple, McClintock.)

6. Approval of the Unique Pick Six Wager

Greg Stiles addressed the Commission.

Commissioner Heiple moved to approve the Unique Pick Six Wager rules change as presented by Staff. Vice Chair Goreé seconded. Motion Carried. (Ayes: Goreé, Lawless, Heiple, McClintock.)

D. Information Reports

1. Safety Report(s) (Greg Stiles) – **Greg Stiles addressed the Commission.**
2. Budget Report (Director Casillas) – **Director Casillas addressed the Commission.**
3. Permittee Reports – **Not to exceed 3 minutes**
 - a. American Greyhound Racing – **No report.**
 - b. Arizona Downs aka Yavapai Downs – **Tom Author addressed the Commission.**
 - c. County Fairs – **No report.**
 - d. Rillito – **Jaye Wells, Rillito Park Foundation, addressed the Commission.**
 - e. Tucson Greyhound Park – **No report.**
 - f. Turf Paradise – **Vincent Francia, 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, Executive Director, addressed the Commission.**
- f. Jockey’s Guild – **No report.**

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. – **No report.**
- 2. Identification of Matters to be placed on future agendas
 - 1. Lifting of the 140-days of racing requirement for any permittee on Off-Track Betting Facilities.**
 - 2. Off-Track Betting Facility Applications Brought to the Commission (“60-mile Radius”)**

F. 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.

Tim Kelly addressed the Commission.

G. Announcements

The next regular Arizona Racing Commission meeting tentatively is scheduled for **10:00 AM on Thursday, October 11, 2018,** 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.

H. Adjournment

Commissioner Heiple moved to adjourn this meeting. Vice Chair Goreé second. Motion Carried. (Ayes: Goreé, Lawless, Heiple, McClintock.) Meeting adjourned at 12:36 PM.