



Rudy J. Casillas
Racing Division Director

AMENDED 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 664th Regular Arizona Racing Commission Meeting held October 11, 2018 at 10:00 AM

Commissioners Present:

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

Also present:

Rudy Casillas, Racing Director
Deanie Reh, Assistant Attorney General
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.

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

Open Session recessed at 10:02 AM.
Open Session reconvened at 10:15 AM.

No action taken on this matter.

C. New Business

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

1. Discussion Regarding:
 - a. Off-Track Betting Contracts
Greg Stiles addressed the Commission.
No action taken on this matter.

- b. Rescission of 140-Day Race Requirement (A.R.S. §5-111(D) and (E))
Chair McClintock read into the record that the correct citation for this matter is A.R.S. § 5-112 (C), (D) and (E) to correct the Agenda posting.

**Greg Stiles addressed the Commission.
Jaye Wells, Rillito Park Foundation, addressed the Commission.
Vincent Francia, General Manager Turf Paradise, addressed the Commission.
Jerry Simms, Owner Turf Paradise, addressed the Commission.**

Vice Chair Goreé moved to rescind the 140-day racing requirement in A.R.S. § 5-112(C), (D) and (E) to allow Rillito Park to participate in off-track betting facilities. Commission Lawless second. Motion carried. (Ayes: Goreé, Lawless, Heiple, McClintock.)

2. Approval of Turf Paradise OTB Network
Greg Stiles addressed the Commission.

Commissioner Lawless moved to approve Turf Paradise's OTB network. Vice Chair Goreé seconded. Motion Carried. (Ayes: Goreé, Lawless, Heiple, McClintock.)

3. Approval of Rillito Park Race Track 2019 Race Dates:
a. February 9, 10, 16, 17, 23, 24 and March 2, 3, 9, 10, 16, 17
b. March 23 & 24 as designated "rain out days" in event of rain cancellation
Greg Stiles addressed the Commission.

Commissioner Heiple moved to approve Rillito Park Race Track's 2019 Race dates as February 9, 10, 16, 17, 23, 24 and March 2, 3, 9, 10, 16, 17 and approved March 23 and 24 as designated rain days in the event of rain cancellation. Commissioner Lawless seconded. Motion Carried. (Ayes: Goreé, Lawless, Heiple, McClintock.)

4. Arizona Downs Off-Track Betting Facilities:
a. Gallagher's Dining & Pub, 3524 McCulloch Blvd North, Lake Havasu City, AZ 86406
Greg Stiles addressed the Commission.

Commissioner Lawless moved to approve Gallagher's Dining & Pub as an Off-Track Betting Facility for Arizona Downs. Vice Chair Goreé seconded. Motion Carried. (Ayes: Goreé, Lawless, Heiple, McClintock.)

- b. Connolly's Sports Grill, 2605 W. Carefree Hwy., Phoenix, AZ 85085
Greg Stiles addressed the Commission.

Commissioner Lawless moved to approve Connolly's Sports Grill as an Off-Track Betting Facility for Arizona Downs. Vice Chair Goreé seconded. Motion Carried. (Ayes: Goreé, Lawless, Heiple, McClintock.)

5. TP Racing, L.L.L.P. Request for Approval of 2018 Charity Race Dates:
Saturday, November 3~~2~~, 2018, Friday, November 23, 2018 and Saturday, November 24, 2018
Chair McClintock confirmed the November 3rd date with Vincent Francia.

Commissioner Heiple moved to approve TP Racing, L.L.L.P.'s request for charity dates on November 3, 2018, November 23, 2018 and November 24, 2018. Commissioner Lawless seconded. Motion Carried. (Ayes: Goreé, Lawless, Heiple, McClintock.)

6. American Greyhound Racing Request for approval of a Dog Race OTB at:
 - a. The Brookside II Lounge, 15170 W. Bell Rd., Ste. 115, Surprise, AZ 85374
Greg Stiles addressed the Commission.

Commissioner Heiple moved to approve The Brookside II Lounge Connolly's Sports Grill as an Off-Track Betting Facility for American Greyhound Racing. Commissioner Lawless 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 – **Aaron Feinberg, General Manager American Greyhound Racing, addressed the Commission.**
 - b. Arizona Downs – **Dave Author, Jacor Partners, addressed the Commission.**
 - c. County Fairs – **No report.**
 - d. Rillito Park – **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, and Bob Hutton, President, 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.
Commission Secretary Goodwin advised there might be a quorum of the Commission at Turf Paradise for opening day on Saturday, October 13, 2018, but there would be no Commission business occurring.
2. Identification of Matters to be placed on future agendas.
Commissioner Lawless requested that there be a discussion regarding the interaction of the three (3) Arizona Permittees.

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.

Kevin Owens, Arizona Breeder, addressed the Commission.
Steve Nolan addressed the Commission.

G. Announcements

The next regular Arizona Racing Commission meeting tentatively is scheduled for **10:00 AM on Thursday, November 8, 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

Vice Chair Goreé moved to adjourn this meeting. Commissioner Heiple second. Motion Carried. (Ayes: Goreé, Lawless, Heiple, McClintock.) Meeting adjourned at 11:22 AM.