



Arizona Department of Gaming

TRIBAL GAMING • RACING • BOXING & MIXED MARTIAL ARTS

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AGENDA

A. Call to Order of the 641st Regular Arizona Racing Commission Meeting 10:04 AM

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

Also present:

Camelia Alarcon, Esq. for Items B1 and B2 only
Michael Raine, Assistant Attorney General
Rudy Casillas, Racing Division Director
Vicki Huguenard, Commission Secretary

B. Executive Session

The following items are for Executive Session purposes only and possible action by the Commission.

1. *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.

Chair McClintock called for a motion to move into Executive Session. Commissioner Heiple moved to go into Executive Session for Item B1. Commissioner Feldmeier second. Motion Carried. (Ayes: McClintock, Goreé, Feldmeier, Heiple)

Open Session Recesses at 11:25 AM

Executive Session Begins 11:28 AM

Executive Session Ends 11:44 AM

Open Session Resumes 11:45 AM

Vice Chair Goreé moved to instruct Ms. Alarcon to proceed as instructed during Executive Session. Commissioner Lawless second. Motion Carried. (Ayes: McClintock, Goreé, Lawless, Feldmeier, Heiple)

2. Subpoenas Duces Tecum to members of the Arizona Racing Commission dated November 25, 2015, in *TP Racing 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.

Chair McClintock stated for the record that they would not be holding an Executive Session for this Agenda item.

C. New Business

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

1. Election of Racing Commission Officers

Commissioner Feldmeier moved to nominate Vice Chair Goreé as Chair of the Arizona Racing Commission for 2016. Commissioner Heiple second. Motion Carried. (Ayes: McClintock, Goreé, Feldmeier, Heiple)

Vice Chair Goreé nominated Commissioner Feldmeier as Vice Chair of the Arizona Racing Commission for 2016. Commissioner Heiple second. Motion Carried. (Ayes: McClintock, Goreé, Feldmeier, Heiple)

2. Xpressbet, L.L.C. consideration of a three-year permit, 2016, 2017, 2018

Greg Stiles, Program Manager for the Division of Racing gave a brief review. Commissioner Heiple moved to approve Xpressbet L.L.C.'s three-year permit for 2016, 2017 and 2018. Vice Chair Feldmeier second. Motion Carried. (Ayes: McClintock, Goreé, Feldmeier, Heiple)

3. ODS Technologies, L.P. dba TVG Network consideration of a three-year permit, 2016, 2017, 2018

Greg Stiles, Program Manager for the Division of Racing gave a brief review. Vice Chair Feldmeier moved to approve ODS Technologies, L.P.'s three-year permit for 2016, 2017, and 2018. Commissioner Heiple second. Motion Carried. (Ayes: McClintock, Goreé, Feldmeier, Heiple)

4. Proposed Amendment to the Arizona Administrative Code R19-2-205(B) (Regulatory Wagering Assessment of Pari-Mutuel Rules)

This Item was tabled.

5. Graham County Parks & Recreations' request for Three-Year Permit.

Commissioner McClintock made a motion to approve Graham County Parks & Recreation's three-year county fair permit for fiscal years 2016, 2017 and 2018 contingent upon a final inspection of required track improvements. Commissioner Heiple moved to approve. Vice Chair Feldmeier second. Motion Carried. (Ayes: McClintock, Goreé, Feldmeier, Heiple)

6. Navajo County Fair, Inc. Request Live Race Dates at Turf Paradise Race Course.

Vice Chair Feldmeier moved to approve Navajo County Fair, Inc.'s request for live race dates at Turf Paradise on March 5, 6, 12 and 13, 2016 and March 4, 5, 11, and 12, 2017. Commissioner Heiple second. Motion Carried. (Ayes: McClintock, Goreé, Feldmeier, Heiple)

D. Information Reports

1. Turf Paradise Safety Report – **Greg Stiles Division of Racing**
2. Tucson Greyhound Park Inspection Updates – **Greg Stiles Division of Racing**
3. Permittee Reports – Not to exceed 3 minutes
 - a. American Greyhound Racing – **No report**
 - b. County Fairs – **No report**
 - c. Rillito – **Jaye Wells, Rillito Park Foundation**
 - d. Tucson Greyhound Park – **Dale Popp, General Manager Tucson Greyhound Park**
 - e. Turf Paradise – **Vince Francia, General Manager Turf Paradise**
4. Optional Industry Stakeholder Association Updates (limited to officers or officially designated spokesman) – **Not to exceed 3 minutes**
 - a. Arizona Greyhound Association – **Bill Rice**
 - b. Arizona Quarter Racing Association – **No report**
 - c. Arizona Thoroughbred Breeders Association – **No report**
 - d. Horsemen's Benevolent & Protective Association – **Tom Metzen, President**
 - e. Jockey's Guild – **No one responded**

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.
Solution to Division of Racings Funding

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.

No one signed up to speak.

Announcements

The next regular Arizona Racing Commission meeting will be held on **Thursday, March 10, 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 11:46 A.M.