

STATE OF CALIFORNIA

HORSE RACING BOARD

In the Matter of:                    )  
  )  
Regular Meeting                        )  
\_\_\_\_\_                                  )

SANTA ANITA PARK RACE TRACK

BALDWIN TERRACE ROOM

285 WEST HUNTINGTON DRIVE

ARCADIA, CALIFORNIA

THURSDAY, OCTOBER 6, 2011

9:43 A.M.

Reported by:  
Martha L. Nelson

APPEARANCES

COMMISSIONERS

Keith Brackpool, Chairperson

David Israel, Vice Chairperson

Jesse Choper

Jerry Moss

STAFF

Robert Miller, Staff Counsel

Jacqueline Wagner, Regulations/Legislation Manager

Mike Marten

ALSO PRESENT

Todd Jones, Huntington Ambulance Service

Michael Wellman

Aase Headley

Rick Baedeker, SCOTWINC

Darrell Haire, Jockey's Guild

Diane Grealish, Hollywood Park

Eual Wyatt, Hollywood Park

Jack Liebau, Hollywood Park

Carlo Fisco, CTT

Jim Cassidy, CTT

Madeline Auerbach

APPEARANCES (CONT.)

Lou Raffetto, TOC

Richard English, Los Alamitos Race Course

Alan Horowitz, California Harness Horsemen's Association

Christopher Korby, California Authority of Racing Fairs

Joe Morris, Golden Gate Fields

Peter Tunney, Golden Gate Fields

Nanette Martin, San Joaquin Fair Board

Rick Pickering, Alameda County Agricultural Fair Association

Stuart Titus, Humboldt County Fair

Mike Ernst, Del Mar

Mike Haines, Santa Anita

Scott Daruty, Santa Anita

Craig Dado, Del Mar

Josh Rubinstein, Del Mar

Mike Cedar, Fairplex

Jim Henwood, Fairplex

John Barr, Oak Tree Racing Association

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Action Items:

8. Closed Session: For the purpose of receiving advice from counsel, considering pending litigation, reaching decisions on administrative licensing and disciplinary hearings, and personal matters, as authorized by section 1126 of the Government Code. 132
- A. The Board may convene a Closed Session to confer with and receive advice from its legal counsel, considering regarding the pending litigation described in the attachment to this agenda captioned "Pending Litigation" as authorized by Government Code section 11126(c).
  - B. The Board may convene a Closed Session to confer with and receive advice from its legal counsel regarding the pending administrative licensing or disciplinary matters described in the attachment to this agenda captioned "Pending Administrative Adjudications," as authorized by Government Code section 1126(c).
  - C. The Board may convene a Closed Session for the Purpose of considering personnel matters as authorized by Government Code section 111256(a).

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PROCEEDINGS BEGIN AT 9:43 A.M.

(The meeting was called to order at 9:43 A.M.)

ARCADIA, CALIFORNIA, THURSDAY, OCTOBER 6, 2011

MEETING BEGINS AT 9:43 A.M.

VICE CHAIR ISRAEL: Okay. We're all going to regale Jim Cassidy with a chorus of hale to the Redskins.

But first, Ladies and Gentlemen, this meeting of the California Racing Board will come to order. Please take your seats. You already have. This is the regular noticed meeting of the California Horse Racing Board on Thursday, October 6th, 2011 at Santa Anita Park, 285 West Huntington Drive, Arcadia, California.

Present at today's meeting are: Keith Brackpool, Chairman; David Israel, Vice Chairman; Jesse Choper, Commissioner; Jerry Moss, Commissions.

Before we go on to the business of the meeting I need to make a few comments. The Board invites public comment on matters appearing on the meeting agenda. The Board also invites comments from those present today on matters not appearing on the agenda during a public comment period if the matter concerns horse racing in California.

Two, in order to ensure all individuals have an opportunity to speak and the meeting proceeds in a timely fashion we will strictly enforce the three-minute time limit rule for each speaker. The three-minute time limit rule will

1 be enforced during discussion of all matters on -- stated on  
2 the agenda, as well as during the public comment period.

3           There is a public comment sign-in sheet for each  
4 agenda matter on which the Board invites comments. Also, there  
5 is a sign-in sheet for those wishing to speak during the public  
6 comment period for matters not on the Board's agenda if it  
7 concerns horse racing in California.

8           Please print your name legibly on the public comment  
9 sign-in sheet, and when a matter is open for public comment  
10 your name will be called.

11           Please come to the podium, introduce yourself by  
12 stating your name and organization clearly. This is necessary  
13 for the court reporter to have a clear record of all who speak.  
14 When your three minutes are up the chairman will ask you to  
15 return to your seat so others can be heard.

16           Six, when all the names have been called the chairman  
17 will ask if there is anyone else who would like to speak on the  
18 matter before the Board. Also, the Board may ask questions of  
19 individuals who speak. If a speaker repeats himself or herself  
20 the chairman will ask the speaker has any new comments to make.  
21 If there are none the speaker will ask to let others make  
22 comments to the Board.

23           We're off and running.

24           COMMISSIONER CHOPER: Mr. Chairman, I think that --  
25 that was a job unmatched --

1 CHAIR BRACKPOOL: He --

2 COMMISSIONER CHOPER: -- in its clarity and  
3 precision.

4 CHAIR BRACKPOOL: He told me he was going to do an  
5 impression of the Fed Ex commercial. I thought he did it  
6 fairly well.

7 Good morning everybody. Let's bring this meeting to  
8 order. Let me start off by saying that on behalf of I think  
9 the entire Board we -- we send our best wishes for a speedy  
10 recovery to our Executive Director Kirk Breed, and we wish him  
11 well.

12 We also are missing Commissioner Rosenberg who was  
13 due to be here. And, unfortunately, in Italy last week his  
14 wife had to have some emergency surgery. So we wish -- wish  
15 them well and a speedy, speedy recovery as well.

16 The -- before we -- well, I guess we'll get going on  
17 the first which is the approval of the minutes of the regular  
18 meeting of August 25th, 2011.

19 VICE CHAIR ISRAEL: Moved.

20 CHAIR BRACKPOOL: Moved.

21 COMMISSIONER CHOPER: Second.

22 CHAIR BRACKPOOL: Any comments, Commissioners? All  
23 in favor?

24 ALL COMMISSIONERS: Aye.

25 CHAIR BRACKPOOL: Okay. Item number two is -- you

1 want to do the little speech before public comment or after?

2 Do it after.

3 VICE CHAIR ISRAEL: No. Because then public comment  
4 may want to comment on it.

5 CHAIR BRACKPOOL: Okay. Counsel is going to read a  
6 short statement on the status of a matter before the Board, and  
7 then we'll get the public comment.

8 Counsel.

9 MR. MILLER: Thank you, Mr. Chairman. Robert Miller,  
10 counsel to the California Horse Racing Board.

11 On April the 15th, 2010 -- 2011, excuse me, the  
12 California Horse Racing Board received a communication from an  
13 organization entitled the California Thoroughbred Horsemen's  
14 Association . The purpose of the communication was to inform  
15 the CHRB that the California Thoroughbred Horsemen's  
16 Association would be going forward with a petition to decertify  
17 the Thoroughbred Owners of California as the organization  
18 empowered by the Board to represent thoroughbred owners.

19 In accordance with CHRB Rule 2040 the CTHA had six  
20 months to obtain the signatures from ten percent of the  
21 qualified members of the TOC agreeing to the decertification.  
22 The CTHA thereafter submitted the requisite number of petition  
23 signatures. The CHRB staff reviewed the petitions to ensure  
24 those signing the petitions were qualified to do so.

25 When the review was completed the CHRB staff randomly

1 selected 300 signers and sent a letter requesting verification  
2 of their signatures. A total of 300 names were chosen to give  
3 the CHRFB a 95 percent confidence factor that the remaining  
4 petitions were true and correct.

5           The CHRFB is now receiving responses from the  
6 individuals selected. Some of the selected individuals have  
7 indicated they did not sign the petition or do not remember  
8 signing the petition. For those selected individuals who do  
9 not respond to the verification the petition signature will be  
10 compared to the signature on their license application.

11           At the November meeting of the CHRFB the staff will  
12 report to the Board regarding efforts to verify the signatures  
13 on the submitted petitions. If the Board determines there are  
14 sufficient verifications to proceed with an election the Board  
15 will then decide how and when the election will be held.

16           The TOC has requested the opportunity to address the  
17 Board regarding the decertification process. They will be  
18 afforded that opportunity at the November meeting. Other  
19 interested parties will also be permitted to make presentations  
20 to the Board at that time. All persons and organizations  
21 wishing to address the Board on this matter are requested to  
22 submit their comments in writing to Jacqueline Wagner on or  
23 before November 1st, 2011 so Board members will have the  
24 opportunity to review the materials in advance of the November  
25 meeting.

1 CHAIR BRACKPOOL: Thank you, Counsel.

2 Moving on to public comment, the first speaker I have  
3 is Todd Jones from Huntington Ambulance.

4 MR. JONES: Good morning.

5 CHAIR BRACKPOOL: I'd have you state your name and  
6 affiliation for the record please.

7 MR. JONES: Todd Jones, Huntington Ambulance Service.

8 CHAIR BRACKPOOL: Good morning.

9 MR. JONES: Good morning. I'm here to talk about the  
10 CHRB Rule 1468, the ambulance service you have imposed.

11 There's been a recent push for the -- excuse me -- ALS service  
12 out here at all the Southern California tracks, and according  
13 to the rule that -- we're in compliance and have been for all  
14 the years, the 40 years that we've been out here. I've been an  
15 EMT for 21 years and have extensive training in, you know,  
16 dealing with these horses. We specialize in this and we've  
17 done it for quite some time.

18 The recent push is something that I don't think has  
19 been taken into consideration and in depth looked at. When it  
20 involves the riders' lives and everything I think there needs  
21 to be more time spent than just this three minutes that we're  
22 allowed the opportunity to speak up. I think it should be, you  
23 know, as much time as it takes to gather information and be  
24 informed about something like this, this type of a situation,  
25 than what's, you know, what's being given.

1           But the difference between ALS and BLS is the  
2 slightly advanced emergency care. They are what you would call  
3 in a non life-threatening situation, given that opportunity,  
4 they -- they can do a little more extensive care. But I think  
5 when it comes down to critical and lifesaving things, getting  
6 them to the emergency room where there's advanced level of care  
7 above ALS is the goal here.

8           When it comes to internal bleedings or hemorrhaging  
9 or anything like that, that's where the ER comes into play, and  
10 the doctors, and that's what makes the difference. The -- the  
11 diagnostic tests that can be done and everything like that in  
12 the emergency room, the staff handling all of that, that's --  
13 that's way above the ALS scope of practice. And I think that's  
14 what's being missed here is getting them over to a higher level  
15 of care than what's been there.

16           Recently you had the ALS out here. You have one  
17 ambulance following. There's no backup whatsoever. You're  
18 depending on the ALS system in the streets, and your response  
19 time is going to be greatly affected. You're -- the more  
20 riders that go down out there the -- your depending on  
21 different cities and counties to respond here. You could have  
22 response times up to 15, 20 minutes when you're depending on  
23 the EMS system.

24           One ALS unit that you have on the grounds can only  
25 transport one patient, one rider. If you have multiple riders

1 going down, which in the past we've had as many six go down and  
2 transported four of them, you know, they can't do that.

3 CHAIR BRACKPOOL: Let me suggest -- let me suggest  
4 this. You started this with the statement that you really  
5 can't do this in three minutes and it deserves a lot more time  
6 and a lot more --

7 MR. JONES: Yes, sir. I believe so.

8 CHAIR BRACKPOOL: I think it's a very important  
9 subject for us to take a look at. What I'd like you to do is  
10 coordinate with Jacqueline Wagner here about how we get this  
11 agenda item for the next meeting where you can have as much time  
12 as, you know, it takes and we can actually have a position  
13 paper in front of us so that we can intelligently respond, ask  
14 questions and -- and have some of the facts in front of us.

15 MR. JONES: Yes, sir.

16 CHAIR BRACKPOOL: And I'd be more than happy to have  
17 that happen.

18 MR. JONES: I think that's an outstanding thing.

19 CHAIR BRACKPOOL: Okay. Thank you very much.

20 MR. JONES: Thank you.

21 CHAIR BRACKPOOL: My next speaker was Stacey O'Bryan,  
22 but I think that's part of --

23 MS. O'BRYAN: Right.

24 CHAIR BRACKPOOL: -- this. We're handled with that;  
25 right? Okay. Thank you very much.

1           The next speaker I have, Michael Wellman.

2           MR. WELLMAN: Good morning, Mr. Chairman, Board  
3 Members and Staff.

4           CHAIR BRACKPOOL: Michael, state your name.

5           MR. WELLMAN: My name is Mike Wellman. I've been a  
6 California thoroughbred owner for 35 years. I have come before  
7 the Board on many occasions but never on an issue that I  
8 believe has more significant importance to the underpinnings of  
9 California's thoroughbred industry.

10           I am a member of the TOC who signed the petition to  
11 decertify. Today I'm incredibly ashamed and disheartened that  
12 the TOC, the organization acknowledged by this Board to  
13 represent California thoroughbred owners, excludes hundreds of  
14 CHRB licensed owners. I'm also deeply concerned that this  
15 Board, rather than vigorously protecting the rights of all CHRB  
16 licensed owners has adopted the TOC policy of discrimination in  
17 the ongoing decertification process. The Board has a  
18 responsibility and a duty to do better.

19           The CTHA submitted over 1,100 signed petitions to  
20 decertify the TOC over six weeks ago. Absent any allegations  
21 of fraud or misrepresentation the CHRB on its own decided to  
22 embark upon a verification procedure. On September 1 the CHRB  
23 announced that it anticipated the verification procedures would  
24 be completed by October 1st. Many are concerned the CHRB is  
25 dragging its feet, that the CHRB has purposely slowed the

1 decertification process. As we speak, the CHRB moves  
2 ponderously along.

3           The TOC and the friends of the TOC have launched an  
4 aggressive, professionally orchestrated public relations  
5 campaign designed to confuse and mislead petitioners into  
6 rescinding their petitions. Their mailers give a new meaning  
7 to junk mail. Clearly desperate times make desperate people.  
8 How long are you going to allow them to go on?

9           At this point I want to refuse to believe that the  
10 CHRB would be a facilitator of the TOC effort to shamelessly  
11 distribute false, misleading and deceptive propaganda, material  
12 designed solely to confuse and deceive California thoroughbred  
13 owners. Their antics are disgusting.

14           What I would like to hear today, and obviously now  
15 I've heard from Mr. Miller but I still would like to hear it  
16 today, and what I expected to hear today was that you would  
17 announce the date of a decertification election. It's time for  
18 the nonsense to end. It's time for the CHRB to support and  
19 encourage free and open elections so that all license owners  
20 can choose how they want to be represented. I look forward to  
21 November.

22           CHAIR BRACKPOOL: Thank you. Next speaker, Aase  
23 Headley. Yeah. Aase. It was the way he put it down.

24           MS. HEADLEY: Aase Headley.

25           CHAIR BRACKPOOL: Yes, it is. I apologize. It was

1 the way he had written it down for me.

2 MS. HEADLEY: I've been a licensed owner in  
3 California since 1961.

4 CHAIR BRACKPOOL: Aase, can you state your name and  
5 affiliation --

6 VICE CHAIR ISRAEL: And speak directly --

7 CHAIR BRACKPOOL: -- for the record please?

8 VICE CHAIR ISRAEL: -- into the microphone.

9 MS. HEADLEY: Aase Headley, A-a-s-e. Okay.

10 CHAIR BRACKPOOL: Thank you.

11 MS. HEADLEY: I've been a licensed owner in  
12 California since 1961. Eleven hundred California owners signed  
13 a petition because they were concerned with the current  
14 direction of the TOC. These 1,100 owners have been subject to  
15 extensive phone calls which appear to be scripted. There are  
16 personal attacks on individuals filled with untruths about what  
17 will happen if a vote occurs, and untruths about TOC's  
18 accomplishments, some of them. These calls are unprofessional,  
19 unacceptable, and demeaning to the TOC board members past and  
20 present whom I like and respect. Thank you.

21 CHAIR BRACKPOOL: Thank you very much. Next speaker,  
22 I have Rick Baedeker from SCOTWINC.

23 MR. BAEDEKER: Good morning. Rick Baedeker from  
24 SCOTWINC.

25 On a lighter note, I would like to invite all of the

1 Board members, CHRB staff, and everyone here in the room to the  
2 opening of the newest minisatellite in Santa Maria at the  
3 Original Roadhouse Grill. It -- we open softly tomorrow. But  
4 we're doing -- because of the distance involved in getting up  
5 to Santa Maria, what the Roadhouse folks would like to do is  
6 have an open house on the weekend of the 15th and 16th.

7 I have an invitation here for anybody that would like  
8 it, and I'll leave it on the front table there, and it simply  
9 is good for food and beverage to encourage you to come up and  
10 see it. Obviously, if you can't make it on that weekend of the  
11 15th and 16th you're welcome at any time.

12 I would like to point out to the Board and -- and the  
13 industry that the Roadhouse has gone over and above, in  
14 addition to all the changes that they've made for the  
15 minisatellite. They've also repainted the entire restaurant,  
16 redone the parking lot, remodeled all of their signage to  
17 reflect the minisatellite. And it -- it amounts to a terrific  
18 investment. So I think we have a very good partner in the  
19 Roadhouse, and we look forward to seeing you all up there.

20 CHAIR BRACKPOOL: And we look forward to hearing  
21 about more, as well.

22 Before we move on to item number three, Commissioner  
23 Choper wishes to make a comment.

24 COMMISSIONER CHOPER: Well, I just wanted to say a  
25 word about the election that's coming up. And what has been

1 said by the -- the two persons, I understand exactly what  
2 they're saying. I can say there's no shortage of emails going  
3 around which are, in the main, making the same point.

4 But, you know, a number -- number one is elections  
5 are messy businesses. I think we all -- we all have enough  
6 experience with that to know what -- what it is.

7 Second, this Board is simply pursuing both  
8 legislative mandates and rules in conducting the -- the  
9 investigation of the ballots and everything else in connection  
10 with this election. And I -- I think that Mr. Miller tried to  
11 make very clear that -- that we're -- that we're on schedule,  
12 that we're doing our best to assure, on schedule, consistent  
13 with statutory authority, and that we're trying to do  
14 everything to ensure that it will be a fair election.

15 The last thing, you would want any public agency to  
16 do is to start sensoring and reviewing, monitoring the speech  
17 that goes on a public election. You know, if -- if every  
18 public official were investigated for exaggerations or, indeed,  
19 untruths we'd have even less room in the jails than we have  
20 today.

21 So I just think you've got to be patient with this  
22 and understand that all that this Board is doing is pursuing  
23 the previously established rules to try to assure a fair  
24 election.

25 CHAIR BRACKPOOL: Thank you. Item number three,

1 public hearing and discussion by the Board regarding the  
2 proposed amendment of CHRB Rule 1433, Application for License  
3 to Conduct a Horse Race Meeting, to revise the form CHRB-17,  
4 Application for License to Conduct a Horse Race Meeting, and  
5 the form of CHRB-18, for the License to Conduct a Horse Race  
6 Meeting of a California Fair.

7 Jackie?

8 MS. WAGNER: Jackie Wagner, CHRB staff. The item  
9 before you is as the chairman has introduced it. I will let  
10 you know that the rule has been noticed for a 45-day comment  
11 period. During the comment period staff received no  
12 proposals -- or no comments on the proposal. And we would  
13 recommend that the Board adopt it as presented.

14 CHAIR BRACKPOOL: I mean, this is obviously one that  
15 we have been working on, discussed at great -- great length.  
16 And I have to commend Vice Chair Israel and Commissioner  
17 Rosenberg for working on this. I think that there has been  
18 some real improvements here, especially on the financial  
19 information that's being submitted that might finally be  
20 helpful and -- and -- and relevant when it comes to that. And  
21 I think, you know, the fact that we're asking for the, you  
22 know, attendance, the fan development, as well, I think is -- I  
23 think is excellent. So I think this was -- this was very good  
24 work.

25 We apparently have no -- no comments. I know you've

1 worked hard with all of the associations and fairs on this,  
2 etcetera.

3 David, did you have anything?

4 VICE CHAIR ISRAEL: No. I'll just -- I'll move  
5 the -- I'll move it.

6 COMMISSIONER MOSS: I'll second.

7 CHAIR BRACKPOOL: So the item is moved for approval  
8 by Vice Chair Israel, seconded by Commissioner Moss. All in  
9 favor?

10 ALL COMMISSIONERS: Aye.

11 CHAIR BRACKPOOL: The motion carries thank you. Why  
12 don't you stay there, Jackie.

13 Item number four, discussion and action by the Board  
14 regarding the proposed amendment to CHRB Rule 1632, the  
15 Jockey's Riding Fee, to revise the jockey riding fee scale  
16 pursuant to Business and Professions Code 19501.

17 MS. WAGNER: Jackie Wagner, CHRB staff. This  
18 proposal is as the chairman has described it. The proposed  
19 amendment is being proposed pursuant to the Business and  
20 Professions Codes. And what it will do is increase the  
21 jockey's riding fees for losing mounts by \$10.00. The lowest  
22 fees -- the -- the three lowest fees are increased by \$5.00.  
23 This is pursuant to Business Code 19501(b)(1).

24 Staff would recommend that you instruct us to  
25 initiate the 45-day comment period.

1 CHAIR BRACKPOOL: But this is also pursuant to recent  
2 legislation; correct?

3 MS. WAGNER: Correct. That's correct.

4 CHAIR BRACKPOOL: So who introduced and sponsored the  
5 legislation?

6 MS. WAGNER: The legislation was introduced in 2007.  
7 And I'm sorry, I don't recall who the sponsor was. It was AB  
8 649.

9 CHAIR BRACKPOOL: Right. Well, that was what I read.  
10 But I couldn't understand, why was it in 2007 that it had to be  
11 effective 2012? That -- that was just a negotiated settlement?

12 Darrell, could I ask you to come up and answer a  
13 couple of questions at the podium please?

14 MS. WAGNER: This is the second increase that we have  
15 done since the legislation went into effect. In 2007 we were  
16 mandated to increase the fees. I can't remember, I think it  
17 was a couple years ago. And there's three different years that  
18 the fees will go up.

19 CHAIR BRACKPOOL: Yes.

20 MR. HAIRE: Yes. Darrell Haire.

21 CHAIR BRACKPOOL: State your name and affiliation for  
22 the record please.

23 MR. HAIRE: Darrell Haire, Western Regional Manager  
24 for the Jockeys' Guild. Yes, the Jockeys' Guild introduced  
25 this.

1 CHAIR BRACKPOOL: Right.

2 MR. HAIRE: And it was over a five year period,  
3 Chairman Brackpool, and this is the third increase that  
4 we're -- we're going to get.

5 CHAIR BRACKPOOL: But it was stipulated at the time  
6 that the increases would take place in the following amounts  
7 over a period of time.

8 MR. HAIRE: Yes. Yes.

9 MS. WAGNER: That's correct

10 CHAIR BRACKPOOL: So mine is more of a process  
11 question, which is why then do we have to send this out for a  
12 rule given that it was a piece of legislation approved, and the  
13 first two elements have already happened?

14 COMMISSIONER CHOPER: They're requiring us to do it.

15 MS. WAGNER: Right. You know, I -- I want the Board  
16 to be aware of what -- what is the -- the law. And we are  
17 going to be looking at trying to do a different process to get  
18 this through the regulatory process without going to the 45-day  
19 comment period if we can, and we're going to investigate that.

20 VICE CHAIR ISRAEL: The law is to take effect January  
21 1st?

22 MS. WAGNER: Correct.

23 VICE CHAIR ISRAEL: So we have enough time to approve  
24 it --

25 CHAIR BRACKPOOL: Just.

1           VICE CHAIR ISRAEL:  -- at the December meeting, just  
2 barely --

3           MS. WAGNER:  Yes.

4           VICE CHAIR ISRAEL:  -- so that it takes effect on  
5 January 1st.

6           MS. WAGNER:  Correct.

7           VICE CHAIR ISRAEL:  Am I correct?

8           CHAIR BRACKPOOL:  Right.

9           MS. WAGNER:  Right.

10          VICE CHAIR ISRAEL:  Okay.

11          MS. WAGNER:  It will take effect on January 1.

12          VICE CHAIR ISRAEL:  All right.

13          CHAIR BRACKPOOL:  And I'm -- I'm --

14          MS. WAGNER:  And we'll make sure that that happens.

15          CHAIR BRACKPOOL:  I'm happy to vote for this.  I just  
16 wonder, when you have a piece of legislation that dictates when  
17 certain events are going to happen and that legislation is  
18 passed, the Board approves, you know, in the first place, I  
19 really don't know why we have to go out for -- for -- for --  
20 for comment periods each and every time.

21          MS. WAGNER:  I am going to try to get around that,  
22 actually.  I'm going to try to do -- yeah.  There's another  
23 process that we can -- that we can go down, and I'm going to  
24 try to -- to do that.

25          VICE CHAIR ISRAEL:  Let me ask, wouldn't the vote in

1 2007 --

2 CHAIR BRACKPOOL: That's what I'm saying.

3 VICE CHAIR ISRAEL: -- have applied because it  
4 adopted the -- the entire measure at the time?

5 MS. WAGNER: No. It wouldn't -- it wouldn't apply  
6 for the whole --

7 CHAIR BRACKPOOL: It was adopted in the first place.

8 MS. WAGNER: -- section of the law because --

9 CHAIR BRACKPOOL: That's what was strange about it.

10 MS. WAGNER: -- the increases were very specific in  
11 terms of when the increases would take place.

12 CHAIR BRACKPOOL: Right. Anyway, I'm happy to make a  
13 motion to approve it.

14 COMMISSIONER MOSS: Second.

15 CHAIR BRACKPOOL: Seconded by Commissioner Moss. All  
16 in favor?

17 ALL COMMISSIONERS: Aye.

18 CHAIR BRACKPOOL: Well, let's just make sure that  
19 this gets done in time.

20 MS. WAGNER: Absolutely. Absolutely.

21 CHAIR BRACKPOOL: Thank you. Thank you, Darrell.

22 Jackie, who is going to be speaking on the  
23 legislation?

24 MS. WAGNER: We can do that together or --

25 CHAIR BRACKPOOL: Yeah. We have a packet, and that's

1 all right.

2           Item number five, discussion by the Board regarding a  
3 summary of the 2011 chaptered horse racing legislation.

4           And, Jackie, why don't you for the benefit of the  
5 audience present and on the virtual streams, just quickly tell  
6 us what the difference between chaptered and enrolled is.

7           MS. WAGNER: The difference between chaptered and  
8 enrolled, if a bill is chaptered that means that the governor  
9 has signed it and the bill will become effective the beginning  
10 of 2012, not unless it has an urgency status which means that  
11 the bill will become effective upon the signing of the  
12 legislation.

13           When this package was prepared AB 270, which is the  
14 first bill that is noted in the packet, wasn't enrolled at the  
15 time. I'm pleased to report that the governor did sign that  
16 bill. That bill is chaptered and it will become effective the  
17 beginning of January 2012.

18           CHAIR BRACKPOOL: Okay. Again, when one looks at  
19 this we realize why the state is in the problem it is if the  
20 legislature is taking it's time to have bills like this  
21 discussed. But I have no questions. They're just so minor,  
22 the things that have been approved --

23           MS. WAGNER: Yes, that's right.

24           CHAIR BRACKPOOL: -- there's nothing of any  
25 significance.

1 Any questions from any other commissioners? Okay.

2 Well, it was a discussion by the Board anyway, not  
3 anything else, so it's there. Okay.

4 Item number six, discussion and action by the Board  
5 on the Application to Conduct a Horse Race Meeting of the  
6 Hollywood Park Racing Association, LLC at Hollywood Park,  
7 commencing November the 9th, 2011 through December the 18th,  
8 2011, inclusive.

9 Can we have the Hollywood Park team step forward?

10 VICE CHAIR ISRAEL: Welcome.

11 MS. WAGNER: Jackie Wagner, CHRB staff. The  
12 application before you is as the chairman has read it.  
13 Hollywood Park is proposing to run 26 days. This is three days  
14 less than 2010. They will be racing four to five days per  
15 week. First post time is 12:30 p.m. daily.

16 Our analysis indicates that there are two items that  
17 are outstanding, one being the CTT agreement, and the workers'  
18 compensation update. I'm pleased to report I did receive the  
19 workers' compensation update. They are in compliance with  
20 that. The only item missing is the CTT agreement.

21 Staff would recommend that if you approve the  
22 application it is contingent upon the receipt of the missing  
23 document.

24 CHAIR BRACKPOOL: Just before we get to this, this is  
25 just a personal peeve, under the recommendation we have staff

1 recommends -- and this is the same always for these -- staff  
2 recommendation, that the application for license not be heard  
3 until the outstanding items be received. It's not practical.  
4 We couldn't be hearing this after the meet was supposed to have  
5 started. We've got to stop having this boiler plate in here --

6 MS. WAGNER: Okay. I'll take that out.

7 CHAIR BRACKPOOL: -- and -- and just start having the  
8 contingent approval or the discussion.

9 MS. WAGNER: Absolutely.

10 CHAIR BRACKPOOL: So please take this one out,  
11 because there's plainly no recommendation you really mean.  
12 Thank you.

13 Names and affiliations for the record, please. And  
14 then tell us about the meet.

15 MS. GREALISH: Diane Grealish, Hollywood Park.

16 MR. WYATT: Eual Wyatt, Hollywood Park.

17 VICE CHAIR ISRAEL: And, Eual, I'd like to commend  
18 you on your dress. We're dressed the same. Never mind.

19 CHAIR BRACKPOOL: Anyway --

20 MR. WYATT: That's why I did it.

21 CHAIR BRACKPOOL: -- so tell us about the new -- tell  
22 us what's going to be different this year to last year, why we  
23 should all be excited about the meet, and anything that you  
24 think in particular we should be aware of. And then I have  
25 some questions.

1 MS. GREALISH: Diane Grealish. I think that the most  
2 exciting thing that we have going right now are the concert  
3 series where we had a very tremendous turnout this last spring.  
4 So we are definitely having two of the better bands that were  
5 with us this past spring coming back, Steel Pulse and  
6 Revolution. They both brought in the area of 15,000 to 20,000  
7 guests.

8 And our biggest success of the spring was the fact  
9 that we were able to double the size of our email database  
10 through sign-ups of our Loyalty Club. And so that brought us  
11 an additional 22,000 sign-ups. And they skewed very young to  
12 the demographic that our consumer research has indicated we  
13 need to pursue aggressively.

14 So that's pretty much one of the high points that  
15 we're looking forward to. And we open with those two groups  
16 November 11th and November 18th, the two Friday nights that we  
17 will run.

18 In addition to that we have our turf festival coming  
19 up which has always been a very well received event, and we're  
20 looking forward to that as well. And the Cash Call Futurity,  
21 which has been a huge stepping stone into the classics, that  
22 will be taking place on the Saturday of our closing weekend.  
23 That is December the 17th.

24 CHAIR BRACKPOOL: Right. How did the conversion of  
25 any of those concert goers that we talked about at the last

1 meet, how did that go during the spring?

2 MS. GREALISH: Well, we actually hosted the larger  
3 band, Revolution, towards the tail end of the meeting. It was  
4 just before the Gold Cup. So it was on July the 9th. And so  
5 this is going to be the proof of the pudding is -- in terms of  
6 the conversion rates. We'll see how things turn out this fall.

7 We're very -- I would say we anticipate a very large  
8 turnout because the schools are back in session now, whereas we  
9 did not have that in July. So we have all the schools in full  
10 swing. And through word of mouth, along with the advertising  
11 that we do targeted towards the colleges in the area, we  
12 believe we'll have a great --

13 CHAIR BRACKPOOL: Good.

14 MS. GREALISH: -- great turnout.

15 CHAIR BRACKPOOL: Eual, I have a couple questions on  
16 the purse program. You know, obviously we have a higher meet  
17 estimate for the purse program than -- than we did last year,  
18 but the overnight stakes is considerable lower. You know, we  
19 had a prior actual of 438, and we have a current meet estimate  
20 of 130. Was that a number -- a plan you worked out with the --  
21 with the horsemen?

22 MR. WYATT: Yes. You want more.

23 CHAIR BRACKPOOL: Yeah. I want a little more as to  
24 why the --

25 MR. WYATT: Okay.

1 CHAIR BRACKPOOL: -- why -- why the number is -- it's  
2 so different.

3 MR. WYATT: We -- we just felt it was -- for a short  
4 meeting it was more important to have more money and to pure  
5 overnight races than any overnight stakes. It is significantly  
6 more than it was last year.

7 CHAIR BRACKPOOL: And the percentage is approximately  
8 20 percent higher than last year for the -- for the regular  
9 overnights?

10 MR. WYATT: It's about -- it's about, yeah, 20, 25  
11 percent actually.

12 CHAIR BRACKPOOL: Right.

13 MR. WYATT: It's 50 against a little over 200.

14 VICE CHAIR ISRAEL: You're only going to run two  
15 overnight stakes though?

16 MR. WYATT: That's the plan at the moment, yeah. We  
17 can add additional overnight stakes with some consultation with  
18 the TOC which --

19 CHAIR BRACKPOOL: And did you and the -- the final  
20 reckoning of your spring meet you ended up with -- with -- two  
21 supplemental payments, purse payments?

22 MR. WYATT: We increased purses during the last  
23 portion of the meeting significantly. And then we had -- we --  
24 we did pay a retro --

25 CHAIR BRACKPOOL: You did pay a retro?

1 MR. WYATT: -- at the close of the meeting.

2 CHAIR BRACKPOOL: Right.

3 MR. WYATT: We do have a carryover to the fall.

4 CHAIR BRACKPOOL: So there's still a carryover for  
5 this?

6 MR. WYATT: To this meeting, yes.

7 CHAIR BRACKPOOL: Right. What was the approximate  
8 amount of the carryover?

9 MR. WYATT: It's about 470,000.

10 CHAIR BRACKPOOL: Fine.

11 COMMISSIONER CHOPER: I take it that that amount,  
12 including the -- the -- what you increased, is included in the  
13 6,078,000?

14 MR. WYATT: Yes.

15 COMMISSIONER CHOPER: So you're going up -- I haven't  
16 figured out -- you know, ten percent, a little over ten percent  
17 over even the increased amount; is that right? That is to say  
18 you go up about 750,000; right?

19 MR. WYATT: That's correct.

20 COMMISSIONER CHOPER: And which is a substantial --

21 MR. WYATT: Yeah.

22 COMMISSIONER CHOPER: -- increase.

23 MR. WYATT: Yes.

24 COMMISSIONER CHOPER: Are you done with your  
25 questions? I've got to ask him --

1 CHAIR BRACKPOOL: No, you go ahead.

2 COMMISSIONER CHOPER: So I'm -- this is -- this is a  
3 pure curiosity question. What do you base it on?

4 MR. WYATT: Well, we base it on, you know, there's a  
5 significant increase in purse money attributable to Senate Bill  
6 1072, ever since, whichever it is.

7 COMMISSIONER CHOPER: That -- that wasn't all in  
8 there in the beginning?

9 VICE CHAIR ISRAEL: Not last fall.

10 MR. WYATT: Not last fall.

11 COMMISSIONER CHOPER: Not last fall. Okay.

12 MR. WYATT: That was this year.

13 COMMISSIONER CHOPER: That -- that -- that answers  
14 that question perfectly clearly.

15 MR. WYATT: Okay.

16 COMMISSIONER CHOPER: Okay. I just wondered where,  
17 you know, if it was coming maybe from heaven or something like  
18 that. I don't -- I don't know. Okay.

19 CHAIR BRACKPOOL: The second question that -- that --  
20 that I have was to do with horses in training this year  
21 compared to last year. How many do you believe -- maybe this  
22 is a question that we need to get the others, as well. But I'm  
23 also trying to get an understanding of exactly how many were in  
24 training, you know, this time last year and what we think the  
25 estimate is this year.

1           MR. WYATT: I don't recall what that number was last  
2 year. I know right now we've got over 1,000 horses on the  
3 grounds which is -- for us at this time of year is -- is not  
4 bad. I'm not saying it's -- you know, it hasn't been more, but  
5 it's not bad.

6           CHAIR BRACKPOOL: Okay. We have a couple of  
7 speakers, so let's hear their questions.

8           COMMISSIONER CHOPER: I have a question.

9           CHAIR BRACKPOOL: Yeah. Please, go ahead,  
10 Commissioner Choper.

11           COMMISSIONER CHOPER: So two -- two sets of  
12 questions. First, Mr. Liebau put out this fact sheet a couple  
13 of days ago. I'm sure you're familiar with that, right, the  
14 fact sheet?

15           MR. WYATT: Yes. Yes.

16           COMMISSIONER CHOPER: So it -- I mean, it paints a  
17 quite positive -- a positive picture, and I should say  
18 particularly relative to the rest of what's going on in  
19 California. Not -- this is not a loaded question or anything.  
20 And to what do we attribute that? I mean, what -- what is it  
21 that you're doing right that someone else can do to help  
22 diminish the amount of reduction in handle all the time? I  
23 mean, maybe you don't know. But I think --

24           MR. WYATT: Mr. Liebau might want to respond to that.

25           MR. LIEBAU: I think --

1 CHAIR BRACKPOOL: Okay. Name and affiliation for  
2 the --

3 MR. LIEBAU: My name is Jack Liebau. I'm president  
4 of Hollywood Park. I think that it was -- we maybe had a  
5 perfect storm during the summer, as our meet is concerned. I  
6 think that the introduction of the Pick 5 and things of that  
7 nature helped our meet considerably.

8 I think that I know that there is some disagreement  
9 as far as Santa Anita's opening meet is concerned. But I think  
10 that, you know, whether there was -- there was a controversy,  
11 there was a lot of noise out there about the takeout, and they  
12 were sort of victims, I think. That's my own personal opinion.  
13 And I know they differ in opinions. And as I said, it was a  
14 perfect storm and we did well. Del Mar did well.

15 You know, it's a tough economy. It might be  
16 getting -- the economy might be getting worse, unfortunately,  
17 than it was during the summer. So I mean, the numbers are what  
18 they are. And I don't really have any explanation as to why,  
19 for instance, the -- on an average daily handle we were down  
20 less than other tracks. But it's -- it's not much. I mean,  
21 it's a tenth of a point with respect to Del Mar, I think.

22 COMMISSIONER CHOPER: Well, Del Mar sort of sits by  
23 itself anyway --

24 MR. LIEBAU: Yes.

25 COMMISSIONER CHOPER: -- in its own way.

1 MR. LIEBAU: Right.

2 COMMISSIONER CHOPER: So let me just really -- one  
3 follow-up question. You referred to the Pick 5, the -- the  
4 \$.50 pick five with the low takeout; right?

5 MR. WYATT: Uh-huh.

6 COMMISSIONER CHOPER: And -- and I noticed that  
7 you -- I think this is the first time you've had a \$.50 Pick 4.  
8 Is that right, this time, or did you have it last time too?

9 MR. WYATT: No. We've had that for some -- quite  
10 awhile.

11 COMMISSIONER CHOPER: Yeah. Does that have a reduced  
12 takeout?

13 MR. WYATT: No.

14 COMMISSIONER CHOPER: No. So let me just focus on  
15 the -- on the Pick 5. All right. Now you know there's been a  
16 lot of stuff --

17 MR. LIEBAU: Noise.

18 COMMISSIONER CHOPER: -- that's right, that's putting  
19 it mildly -- about that. And I'd like to ask you a very simple  
20 question. You've looked at this, I'm -- I'm confident. And  
21 you know, you've made -- I'm sure you've made a pretty good  
22 study of -- of to what extent this has affected the total  
23 handle, to what extent it has cannibalized other bets and, I  
24 guess most important, to what extent it has affected the bottom  
25 line. And I --

1 MR. LIEBAU: It depends on whose bottom line you're  
2 talking about, Mr. Choper.

3 COMMISSIONER CHOPER: You have more than one bottom  
4 line there at Hollywood Park?

5 MR. LIEBAU: We have the horsemen's bottom line and  
6 we have the track's bottom line. And the Pick 5 --

7 COMMISSIONER CHOPER: Both.

8 MR. LIEBAU: Definitely does not enhance the track's  
9 Pick 5. I mean, the bottom line of the tracks.

10 COMMISSIONER CHOPER: The horsemen's goes by the  
11 handle; is that right?

12 MR. LIEBAU: I'm talking about both bottom lines.  
13 The Pick 5 has more of a positive impact upon purses than it  
14 does on the bottom line of the track.

15 COMMISSIONER CHOPER: Yeah.

16 MR. LIEBAU: The tracks are -- it's -- it's not a  
17 profitable bet for the tracks.

18 What the Pick 5 does, and I'm a believer in this, is  
19 that it gave us some national publicity. It drew attention  
20 to -- to Hollywood Park. And probably more important than  
21 anything else, by people wanting to bet the Pick 5, and as is  
22 the case with myself, if you're out the first or second legs  
23 you think that you must be doing better in the third, fourth  
24 and fifth legs, and so you bet those individually. And so I  
25 think that the Pick 5 not only contributes to the handle as far

1 as that particular bet, but as to the -- it helps the interior  
2 wagers or lays in the Pick 5.

3 COMMISSIONER CHOPER: More so than the Pick 4? I  
4 mean, the same --

5 MR. LIEBAU: No. I think the same thing is probably  
6 true of the Pick 4.

7 COMMISSIONER CHOPER: Yeah.

8 MR. LIEBAU: The Pick 5, you know, I think that  
9 the -- the Pick 5 is -- the popularity of that is that they --  
10 the fan has a better chance of winning it and getting five  
11 correct than he does in the Pick 6, naturally.

12 COMMISSIONER CHOPER: Yeah.

13 MR. LIEBAU: You have to have one more leg, but it's  
14 a \$.50 bet --

15 COMMISSIONER CHOPER: No, I understand that.

16 MR. LIEBAU: -- compared to a \$2.00 bet and --

17 COMMISSIONER CHOPER: It's -- it's the takeout  
18 that -- that -- I mean, that -- that is the major issue here,  
19 at least for all --

20 MR. LIEBAU: That's why that's popular, I would say,  
21 yes, in my opinion.

22 COMMISSIONER CHOPER: So then -- so the question is,  
23 is -- is that helping us? Is that helping the -- the --

24 MR. LIEBAU: In terms of being popular?

25 COMMISSIONER CHOPER: -- the industry?

1 MR. LIEBAU: Yes. I think -- I think --

2 COMMISSIONER CHOPER: In other words, is that helping  
3 the --

4 MR. LIEBAU: I think it is helping us. It helps us  
5 compete with those tracks that are also showcasing lower  
6 takeouts on particular bets. And what has happened is that the  
7 takeout has become a marketing tool by some -- some tracks, a  
8 lot of tracks.

9 COMMISSIONER CHOPER: That it showed increased --

10 MR. LIEBAU: And I have to tell you that Del Mar is  
11 at --

12 COMMISSIONER CHOPER: -- increased takeout on all  
13 tracks -- on all bets or on other best as well?

14 MR. LIEBAU: YEAH. I mean, what -- what happens  
15 is -- I think that, you know, hats off to Gulfstream. I think  
16 they did a marvelous job as far as, you know, showcasing  
17 certain of their wagers which draw -- drew attention to their  
18 overall program.

19 COMMISSIONER CHOPER: Uh-huh.

20 CHAIR BRACKPOOL: Commissioner Moss?

21 COMMISSIONER CHOPER: Thank you.

22 COMMISSIONER MOSS: Yeah. I just to, first of all,  
23 congratulate you on the concept of the Pick 5. I think it was  
24 a great marketing tool. And I believe that innovation, if  
25 tracks are known for innovation and creating new ideas for the

1 fans to digest and participate in, that it's -- it's a great  
2 thing for racing because it gets people excited about these new  
3 ways of betting or making money or just having a good time.  
4 And I think your success, I believe, will lead to other tracks  
5 to think harder about how they can come up with some new ideas  
6 so the fans can feel a little special. And I think that's the  
7 reason that you had a good meet.

8 MR. LIEBAU: Well, I think that, you know, like every  
9 industry, you have to take risks and not all of them will turn  
10 out. And while the Pick 5 turned out, I think that I go back  
11 in history a long ways. And I think we're the one that pushed  
12 the parlay bet and it turned out to be a complete and total  
13 bust.

14 CHAIR BRACKPOOL: All right. Thank you, Jack.

15 We have a couple of speakers before we get to  
16 discussion of the item. First speaker is Carlo Fisco.

17 MR. FISCO: Good morning, Mr. Chairman,  
18 Commissioners, Mr. Miller. My comments will --

19 CHAIR BRACKPOOL: Will you please -- name and  
20 affiliation for the record.

21 MR. FISCO: Carlo Fisco, CTT. My comments are  
22 related to the outstanding item of the CTT agreement. This  
23 revolves around the ambulance issue. We've already heard from  
24 a gentleman from Huntington. We've exchanged proposals with  
25 Hollywood Park for quite some time. The status of that

1 situation is that Hollywood Park is trying to finalize its  
2 proposal with its anticipated provider. Until we get that  
3 proposal we won't be able to fully understand exactly the nuts  
4 and bolts of the issues that involve CTT, and they are two.

5           Number one is the level of staffing, and that  
6 involves whether or not a paramedic will be part of the staff  
7 of the ambulance. Heretofore, Hollywood Park and CTT have  
8 agreed on that issue that the staffing of the ambulance will --  
9 of the ALS unit will be with paramedics, and that's subject to  
10 any change between now and a subsequent meeting, given the  
11 comments that we've heard this morning.

12           Secondly involves the time in which the race track is  
13 closed at Hollywood Park. There's a potential situation where  
14 there is an injury on the race track. Hollywood Park, unlike  
15 the programs at the other tracks in California, primarily Del  
16 Mar, Hollywood Park closes their race track. And that's causes  
17 a little bit of a problematic situation where you have horses  
18 milling about in service areas and on service roads. So we are  
19 working on that. Mr. Wyatt and I have exchanged several  
20 proposals and we've gotten closer than where we were several  
21 weeks ago. And we are awaiting to see exactly how Hollywood  
22 Park seeks to address that issue when they finalize their  
23 proposal with their service provider.

24           VICE CHAIR ISRAEL: I'm not sure I understand. Wait.  
25 Can I ask you, what do you -- what do you mean they close their

1 track? What -- what period of time are you -- are you talking  
2 about?

3 MR. FISCO: Morning -- my comments deal with morning  
4 training hours. And if there is an injury during a morning  
5 training hour and --

6 VICE CHAIR ISRAEL: Oh, I see.

7 MR. FISCO: -- and an ambulance has to --

8 VICE CHAIR ISRAEL: You left out that part.

9 MR. FISCO: Yeah.

10 VICE CHAIR ISRAEL: All right.

11 MR. FISCO: So --

12 MR. WYATT: I'd like to speak to that, if I may.

13 CHAIR BRACKPOOL: Please.

14 MR. WYATT: Two things. One, everything Mr. Fisco  
15 said is -- is true. We have been working very hard and  
16 seriously with CTT trying to resolve those two points. In  
17 light of what was said earlier today we're, at this point in  
18 time, looking for some direction from the Board. It was out  
19 impression coming into this meeting or in our application  
20 process that we were being required by the Board to have a  
21 paramedic ambulance service.

22 And my question, is that, in fact, the case or is  
23 that -- if it was the case is it now changed or is there some  
24 anticipation that --

25 CHAIR BRACKPOOL: Well, look, I think to -- to be

1 fair Del Mar started this. We then went and -- and we asked  
2 Santa Anita if they would have it for their meet. Certainly it  
3 was out position that we should ask it for you for your meet.  
4 I think that the -- the ambulance people who spoke this morning  
5 raised some interesting points, and I look forward to really  
6 understanding all of the issues that are there.

7 But we're not going to hold that hearing until we're  
8 midway through your meet.

9 MR. WYATT: Correct.

10 CHAIR BRACKPOOL: So my anticipation is that I would  
11 have the requirement for your meet that you have the paramedic.  
12 And then we'll be having this discussion, hopefully in November  
13 if everybody can get, you know, their -- their documents,  
14 papers together. And then we can consider whether that's  
15 something that we believe is a uniform requirement that we  
16 should impose on all race associations. I'm very open to  
17 hearing what the -- what the issues are and -- and  
18 understanding that. But I think for them moment, given that,  
19 you know, the Board had requested that this take place at Santa  
20 Anita, I think we would request it take place with you.

21 MR. WYATT: Understood. To the second issue, the  
22 fact that in -- that we -- our practice in the past has been to  
23 not to allow training if there was not an ambulance on the  
24 grounds that was ready to respond. Now there may be some ways  
25 to make that -- that timeframe much smaller or in some

1 instances to maybe alleviate that need entirely. But it --  
2 it -- our position, frankly, will not change. We may be able  
3 to do some things with the backup ambulance thing, etcetera, to  
4 make the timeframe different. But in all good conscience I  
5 don't know how we can allow horses on the race track unless we  
6 have an ambulance onsite ready to respond.

7 VICE CHAIR ISRAEL: Both a human ambulance and a  
8 horse ambulance?

9 MR. WYATT: Yes, sir.

10 CHAIR BRACKPOOL: Yeah.

11 VICE CHAIR ISRAEL: I agree with that.

12 Carlo, what is your problem with that?

13 MR. FISCO: There's no -- there no issue as to a  
14 horse ambulance, number one.

15 Number two, as I stated, the closure of the race  
16 track, number one, the Del Mar program gives the authority  
17 mostly to the outriders. In the case of an ambulance arrival  
18 on the track, the horse traffic is automatically stopped at  
19 the -- at the gate, for example, and the horse traffic is  
20 directed away from the injury site, and the horses are allowed  
21 to walk onto the track. They're not allowed to mill around in  
22 service areas where vet trucks, feed trucks, service roads --  
23 that is the case in the event this would happen at Hollywood  
24 Park.

25 So the Del Mar program, the Golden Gate program is an

1 example of where oversight of such a situation is given to the  
2 outriders and they keep things moving, but at a very, very slow  
3 rate.

4           The problem with closing the track is you have the  
5 delivery time that -- where the injured person is taken to the  
6 hospital and the ambulance has to return to its spot at the  
7 race track. That time, that entire time, the race track is  
8 closed. And during that time these horses are milling about in  
9 an area --

10           CHAIR BRACKPOOL: Well, what -- what -- what happens  
11 at Santa Anita in that particular situation?

12           MR. FISCO: There is an exchange point that if it is  
13 a non life-threatening injury the ambulance exchanges with the  
14 municipality, 911, in the parking lot. They exchange the  
15 injured person. He's taken to the hospital and --

16           CHAIR BRACKPOOL: So the time period is condensed?

17           MR. FISCO: Correct.

18           CHAIR BRACKPOOL: Right. And that's not the  
19 situation at Hollywood? That's the difference; right? At  
20 Hollywood they're taking them to the -- the --

21           MR. FISCO: Yes.

22           CHAIR BRACKPOOL: -- the hospital?

23           MR. FISCO: Yeah.

24           CHAIR BRACKPOOL: Which I guess is just up the road.

25           VICE CHAIR ISRAEL: Centinela Hospital; right?

1 CHAIR BRACKPOOL: Right.

2 MR. FISCO: Yes.

3 VICE CHAIR ISRAEL: It's across the street, a couple  
4 of blocks.

5 MR. FISCO: Yeah.

6 CHAIR BRACKPOOL: Right.

7 MR. FISCO: But at Del Mar, for example, there's also  
8 an exchange. And the horses are allowed to continue onto the  
9 race track --

10 CHAIR BRACKPOOL: Right. But let me ask --

11 MR. FISCO: -- under the authority --

12 CHAIR BRACKPOOL: Let me ask this question. I mean,  
13 Hollywood has been around for a long time, so I assume this  
14 procedure has been around for a long time. This is not -- this  
15 not a change in your procedure, is it?

16 MR. WYATT: Not to my knowledge, no.

17 CHAIR BRACKPOOL: Right. So is this a new concern  
18 that CTT have based on something or is the -- I'm just trying  
19 to understand why the issue is before us now when this has been  
20 a policy in place for many, many years.

21 MR. FISCO: Mr. Chairman, it's come to a head now.

22 CHAIR BRACKPOOL: Right.

23 MR. FISCO: And I'm sure Mr. Wyatt will agree this  
24 has been -- this has been an issue that's been brewing for many  
25 years. And the trainers are unanimous in their belief that a

1 much safer environment would be to keep these horses moving  
2 onto the track under the authority of the --

3 CHAIR BRACKPOOL: Okay. I got it.

4 MR. FISCO: All right.

5 CHAIR BRACKPOOL: I understand. I just wanted to  
6 understand --

7 MR. FISCO: Yeah.

8 CHAIR BRACKPOOL: -- exactly what -- what -- what --

9 MR. FISCO: It's been -- it's been brewing for many  
10 years.

11 CHAIR BRACKPOOL: Okay. So your position is you're  
12 going to continue to try and work this out?

13 MR. WYATT: Our position is we're going to try and --  
14 and adopt some policies that we don't have in place now,  
15 depending upon the status of our provider. And we have  
16 different proposals that we're looking at now to --

17 CHAIR BRACKPOOL: But we have less than 30 days. And  
18 if we're to approve this today and this issue remains out there  
19 then, you know, this is going to require some mediation,  
20 negotiation, or whatever.

21 MR. WYATT: Well, we -- knowing now that -- that we  
22 will go forward with paramedics for this meeting then I think  
23 we can have something very shortly to present back to CTT.

24 CHAIR BRACKPOOL: Okay.

25 VICE CHAIR ISRAEL: How is the timing different from,

1 for instance, Santa Anita or Del Mar? Because --

2 MR. FISCO: Well, Commissioner --

3 VICE CHAIR ISRAEL: -- Centinela Hospital is across  
4 the street from the track.

5 MR. FISCO: Yes. Let -- let me say, thankfully these  
6 are very, very rare occurrences. However, you can't legislate  
7 for the expected, you have to legislate for the unexpected.  
8 But Del Mar, there is no down time. As I said, the -- the  
9 track remains open. And Santa Anita you -- I don't have a  
10 specific timeframe, but if it's an exchange point in the  
11 parking lot that -- that could be different than if it's an  
12 immediate very, very serious situation where the ambulance  
13 would be required to go to directly to the hospital. There are  
14 different scenarios that affect how much time.

15 VICE CHAIR ISRAEL: But the -- what's hard for me to  
16 grasp is the difference in time, because Centinela hospital is  
17 almost in the parking lot.

18 MR. FISCO: Well, it's -- it's across the street.

19 VICE CHAIR ISRAEL: Yeah.

20 MR. FISCO: However, by the time you leave the race  
21 track to the time you come back, and perhaps the gentleman from  
22 Huntington could give us an idea of what -- that transfer  
23 period. But if you're talking 15 to 20 minutes, again, you've  
24 got this time period where you have all these horses. And Jim  
25 Cassidy is here to tell you exactly onsite of -- of the problem

1 presented by having these horses just milling around and acting  
2 up.

3 CHAIR BRACKPOOL: Well, I think we're all aware of  
4 what the problem is. I'm just trying to figure out why it's  
5 been going on. You've had these meets for so long and it just  
6 came up now. You've explained your position.

7 COMMISSIONER MOSS: Has -- has -- has -- for example,  
8 has there been one incident that you could bring up that would  
9 illustrate this?

10 MR. CASSIDY: Jim Cassidy, vice president of CTT.

11 No. It's -- it apparently started here in the last  
12 few years, and it's been up to 45 minutes that it's been  
13 changed because of the one ambulance problem. And horses  
14 milling around on the outside is -- is up for injury, as well.

15 So it has been 30 to 45 minutes at times, no matter  
16 how -- how close Centinela is, where here it doesn't affect  
17 here or Del Mar at all.

18 VICE CHAIR ISRAEL: Is -- is -- are -- does anybody  
19 have two ambulances onsite at all times?

20 MR. CASSIDY: Huntington did. They had --

21 VICE CHAIR ISRAEL: No. But, I mean, does any track?

22 MR. CASSIDY: Not that I know. I don't know. Like  
23 for instance here this morning we had this new ambulance group  
24 here this morning, and Huntington is not here. And I have no  
25 affiliation with Huntington whatsoever. But all I can tell you

1 is this morning we had someone get kicked in the head at one of  
2 the barns. And the ambulance -- the new ambulance service,  
3 they couldn't get their ambulance started. So they had to send  
4 out for another one, and I don't want to tell you how long that  
5 took. And they never notified anyone.

6 I'm not -- I'm just saying at Hollywood Park it's  
7 been 30 to 45 minutes. The trainers have complained.

8 CHAIR BRACKPOOL: Okay. But to answer Commissioner  
9 Moss's question, there hasn't been a direct incident, it's just  
10 a lingering concern that's getting --

11 MR. CASSIDY: Yes, sir. But --

12 CHAIR BRACKPOOL: -- deeper and deeper?

13 MR. CASSIDY: But it cuts down on the training time.  
14 And then, of course, they've been leaving their track open a  
15 little later, but that still --

16 CHAIR BRACKPOOL: Right.

17 MR. CASSIDY: -- causes great --

18 CHAIR BRACKPOOL: Right.

19 MR. CASSIDY: -- inconveniences for all.

20 CHAIR BRACKPOOL: We have a lot of people milling  
21 around the podium. So let's try and do this. And when you  
22 finish speaking if you'd -- whoever is finished please sit down  
23 because all these people can see in the back.

24 VICE CHAIR ISRAEL: But can I --

25 MR. LIEBAU: Perhaps if I could just interject one

1 thing.

2 VICE CHAIR ISRAEL: Well, I'd like to ask --

3 CHAIR BRACKPOOL: Yeah. But hold on one second.

4 VICE CHAIR ISRAEL: Jack, let me ask you a question.

5 Is -- is it true that you used to have two ambulances onsite  
6 and you've cut back to one?

7 MR. LIEBAU: We never had two ambulances that -- that  
8 were operable in the morning. We had one ambulance in the  
9 morning, just like everybody else has gotten.

10 VICE CHAIR ISRAEL: One human ambulance of one horse  
11 ambulance?

12 MR. LIEBAU: One human ambulance.

13 VICE CHAIR ISRAEL: That's it? Okay.

14 CHAIR BRACKPOOL: Right.

15 MR. LIEBAU: One thing, just to help your  
16 commission --

17 CHAIR BRACKPOOL: Jack -- name. Name.

18 MR. LIEBAU: Can I just help you for --

19 CHAIR BRACKPOOL: Yeah. Because --

20 MR. LIEBAU: My name is Jack Liebau. At Del Mar  
21 there's actually a fire station on the track. At Santa Anita  
22 there is a fire station on the corner of Huntington and --  
23 and -- and Baldwin that used to be part, back in my year, of,  
24 you know, of -- of the thing. So there are fire stations here.  
25 So that's where your transfer is coming from.

1           And you know, this is -- we're trying to work  
2 something out. But we are very concerned about when someone  
3 gets hurt on our track, as is -- are the trainers, I'm sure.  
4 But, I mean, you know, you just can't -- you just can't  
5 decipher how bad things are when somebody goes down, and you  
6 can't have horses continuing to go around, even if they're  
7 walking. They can shy or whatever.

8           So I mean, we understand what the trainers are  
9 saying. We're trying to work on it. We will try to work, you  
10 know, some sort of solution. And you know, we've said that  
11 we'll keep the track open extra, and that's where we are.

12           CHAIR BRACKPOOL: Okay. Madeline, you wish to say  
13 something?

14           MS. AUERBACH: Madeline Auerbach, a horse problem  
15 person.

16           Specifically what got the ball rolling more recently  
17 is one incident that happened at Hollywood Park this past  
18 summer, spring, whatever, a horse went down on the training  
19 track. The -- and the only reason I know it was because it was  
20 a horse from our barn. The rider had to be -- the rider was  
21 okay, but just they weren't sure and they had to transport the  
22 rider to the hospital. The track was down for approximately  
23 somewhere between 42 and 45 minutes.

24           VICE CHAIR ISRAEL: Both the training track and  
25 the -- and the big one?

1 MS. AUERBACH: Yes, because the ambulance is gone.

2 VICE CHAIR ISRAEL: Right.

3 MS. AUERBACH: So everything is shut down, basically.

4 And in talking with a group of the trainers their  
5 concern is that not only did we have to close the track for  
6 obvious safety reasons, but they were not able to get their  
7 horses out because the -- the time allotted for training cuts  
8 off at ten o'clock, and no one was able to contact anybody to  
9 make an executive decision to allow the track to stay open  
10 longer.

11 So I was asked by certain members of the trainers if  
12 I would please make this an issue this year, which I have. And  
13 Peter Miller and Martin Jones and John Sadler all have asked us  
14 to help them push this issue because it's -- it's a matter, not  
15 only for the trainers but for the owners. If I have horses at  
16 the track and they can not get out to the track to train  
17 because there was an accident that held it closed --

18 CHAIR BRACKPOOL: Right.

19 MS. AUERBACH: -- etcetera, etcetera, so I think  
20 that's why it's coming up now. And I apologize if we've  
21 created a problem, but I think you need to address it.

22 CHAIR BRACKPOOL: It's not a problem. We deal with  
23 problems.

24 Look, I think the best thing to do on this is that  
25 this is an outstanding item. Any approval we give is going to

1 be contingent on that anyway.

2 Is there something different you're going to add  
3 to this, Mr. Fisco?

4 MR. FISCO: No. I was just --

5 CHAIR BRACKPOOL: No. So -- so you know, I think  
6 this is something that you need to negotiate between you. And  
7 frankly, if we give approval for the meet today and it's  
8 conditioned upon this if there is no resolution of it then, you  
9 know, myself and the executive director are going to have to  
10 get involved in figuring out --

11 MR. FISCO: Right.

12 CHAIR BRACKPOOL: -- how we resolve it prior to the  
13 meet anyway.

14 MR. WYATT: I think we can come to a reasonable  
15 solution.

16 CHAIR BRACKPOOL: Okay. Thank you.

17 MR. FISCO: Thank you. Thank you very much.

18 CHAIR BRACKPOOL: Okay. Before we proceed to  
19 anything else, my next speaker on this issue is Lou Raffetto  
20 from the TOC.

21 MR. RAFFETTO: Thank you, Mr. Chairman. Just one  
22 final note.

23 VICE CHAIR ISRAEL: Name.

24 MR. RAFFETTO: Lou Raffetto, president of TOC.  
25 Sorry.

1           The approval, the final approval for the Hollywood  
2 Park Fall Meet was based on the CTT working out this  
3 arrangement on the ambulance with Hollywood Park. I just  
4 wanted to make that final statement.

5           We have an agreement with Hollywood Park. We didn't  
6 want to be obstructionists. But I just want to make one point  
7 as it relates to their schedule. Hollywood Park is seeking  
8 four-day weeks with the exception, I believe, of the last two  
9 weeks going to five days, the last two weeks of their meeting.  
10 A four-day week schedule has been working well. The fields  
11 have been full. And my concern is that the extra day is going  
12 to create a horse shortage where they may be able to fill but  
13 it won't be as solid as it is with -- with a four-day schedule.

14           In addition to that, should it be a situation where  
15 they have to cancel those days because of lack of entries,  
16 that -- that sends a very, very bad signal across the country.  
17 I've been on the other side when they say California is  
18 canceling again. So that's a point I wanted to make.

19           I think the four-day schedule is working well. I'd  
20 like to see, we would like to see the tracks maintain that  
21 schedule to maintain the field size.

22           CHAIR BRACKPOOL: Did you want to say something?

23           VICE CHAIR ISRAEL: Yeah. I was going to point out  
24 to you that -- that Hollywood is very diligent about their  
25 field size. And in the past when they weren't able to fill

1 they were very aggressive about requesting that the day be  
2 canceled. And -- and -- but I prefer to look at this  
3 optimistically and think that they've done an assessment of the  
4 horse population and --

5 (Clapping from the audience.)

6 CHAIR BRACKPOOL: Thank you. Thank you.

7 MR. CASTRO: I can't help myself.

8 CHAIR BRACKPOOL: Well, you can help yourself.

9 VICE CHAIR ISRAEL: Yeah.

10 CHAIR BRACKPOOL: Thank you.

11 VICE CHAIR ISRAEL: And if we can race the extra days  
12 and we can fill the races and -- and the -- the next week is  
13 dark, there's a week off before Santa Anita opens again, I'm  
14 hopeful that -- that we can have those extra days of racing.  
15 It's a vacation period. People may have time to come to the  
16 race track. And I think it could be a good thing.

17 CHAIR BRACKPOOL: Well, let's hear from Hollywood  
18 Park as to the -- the level of confidence that we're not going  
19 to get ourselves into a cancellation situation there.

20 Jack?

21 MR. LIEBAU: First -- Jack Liebau. First and  
22 foremost, I mean, the horse population has -- has definitely  
23 increased, as Eual alluded to earlier. I mean, right now at  
24 the offsite facility we have 1,075 horses as of yesterday, our  
25 track.

1           With respect to us running those last two weeks as  
2 five days, I mean, we've -- we've come off -- Del Mar I think  
3 had larger field sizes and ran five days a week. That's one  
4 thing that I think is a positive.

5           Secondly, we're running up against -- I think we  
6 close on the 18th. There isn't racing again until the 26th.  
7 So I doubt that, you know, we will be impacting detrimentally  
8 Santa Anita at all.

9           And in the past Hollywood has been the first track,  
10 and unfortunately it maybe was timing, that had to cancel on  
11 account of the horse population. So I mean, we -- we do have a  
12 record of making sure that we have, you know, full fields and  
13 put on the best product we can.

14           There's -- there's one other thing that I think we --  
15 is a factor that you should be considering, and that is that  
16 the workforce of the California industry, and I'm talking about  
17 those that get paid by the day and hour, have been severely  
18 impacted by us going from five days to five days. This is  
19 something that will certainly help them before Christmas to get  
20 an extra day, two extra days. And I think that that has to be  
21 a consideration. I mean, I'm sure --

22           CHAIR BRACKPOOL: I don't --

23           MR. LIEBAU: -- that labor would agree with me on  
24 that. And I don't think that we will be sacrificing our  
25 product by running those two.

1           CHAIR BRACKPOOL: I don't think the concern that I'm  
2 hearing from up here is that you shouldn't be running five. I  
3 think the only concern would be what's the message if we don't?  
4 And that was why originally I had asked the question about  
5 horse population. Because from what I'm hearing the horse  
6 population has seen a pretty healthy improvement over last year  
7 when we were projecting, you know, serious doom and gloom on  
8 the horse population. And that to me is a statistic that's --  
9 that's vital to have if we're talking about this. Because, you  
10 know, if there is an increase in the population then I think  
11 it's probably very feasible that we could look at five days.

12           MR. LIEBAU: I think we can, and I think we're being  
13 conservative by only asking to run two five-day weeks. And I  
14 think that, as I said, I feel strongly that we could make it,  
15 and I think it will be in the best interest of our employees.

16           COMMISSIONER CHOPER: How do you account for the more  
17 horses since last year at the same time? Do you have any idea  
18 where they're coming from? More people coming in from out of  
19 town or other states?

20           MR. LIEBAU: Well, I think that we have a purse  
21 structure that is certainly better than we used to have. I  
22 mean, we had -- I think the purses were -- were higher at  
23 Hollywood during our spring-summer meet last -- the last meet  
24 than they were. And we got -- you know, when you look at the  
25 purse schedule that we started out with we actually paid about

1 one point three million over and above that out, either as an  
2 increase or a retroactive payment.

3           So I mean, I think the purses are -- are something.  
4 I hope that the claiming of horses has -- has -- has improved,  
5 and it shows there's more activity, you know?

6           CHAIR BRACKPOOL: The claiming of horses at the  
7 spring meet for yours was -- was particularly strong; correct?

8           MR. LIEBAU: Right. They probably wanted to all run  
9 at Del Mar.

10          VICE CHAIR ISRAEL: Well, that's always the case.

11          CHAIR BRACKPOOL: That's always the case.

12          VICE CHAIR ISRAEL: Yeah, that is.

13          CHAIR BRACKPOOL: Right.

14          MR. LIEBAU: That's right.

15          CHAIR BRACKPOOL: But back to the year before or the  
16 two years before, it wasn't as big.

17          MR. LIEBAU: Right.

18          CHAIR BRACKPOOL: So --

19          VICE CHAIR ISRAEL: Well, there's more liquidity in  
20 the market.

21          MR. LIEBAU: Yeah.

22          VICE CHAIR ISRAEL: There's no question about that.  
23 So -- and when you have an extra three-quarters of a million  
24 dollars in purse money to hand out people are going to be  
25 attracted.

1 MR. LIEBAU: So I would urge you to approve our --  
2 COMMISSIONER CHOPER: Less people --  
3 MR. LIEBAU: -- application.  
4 COMMISSIONER CHOPER: Are less people going away?  
5 Are they taking their horses outside the state, you think? Do  
6 you have some evidence of that? I mean, was --  
7 MR. LIEBAU: I don't hear -- I don't hear --  
8 COMMISSIONER CHOPER: I -- if I understand the --  
9 MR. LIEBAU: I don't hear as much as far as people  
10 claiming horses to take them to Charles Town --  
11 COMMISSIONER CHOPER: Okay.  
12 MR. LIEBAU: -- as I did before.  
13 COMMISSIONER CHOPER: Uh-huh.  
14 VICE CHAIR ISRAEL: And, look, Del Mar ran a  
15 successful ship-in program, which I'm sure they --  
16 COMMISSIONER CHOPER: And I think they stayed.  
17 VICE CHAIR ISRAEL: And I -- there probably is some  
18 evidence that some of those trainers kept horses here. I think  
19 that would -- is that not the case?  
20 MR. LIEBAU: That is the case.  
21 VICE CHAIR ISRAEL: That's what I thought. So --  
22 CHAIR BRACKPOOL: Okay.  
23 COMMISSIONER MOSS: Should we --  
24 CHAIR BRACKPOOL: So I think that that's good. I  
25 would be happy to make a motion to approve the application

1 subject to your agreeing that we'll have the paramedic for this  
2 meet -- it's all an issue that we'll discuss in the future --  
3 and that it's subject to agreement with the CTT, given that  
4 there is not a Board meeting in between now and the time that  
5 you commence your meet. We'll probably have to have some  
6 period of time, you know, let's say ten days before the -- the  
7 start of the meet we have to have the CTT agreement in hand,  
8 you know, or it's going to be something that has to be resolved  
9 by, you know, the executive director or myself if there's a  
10 standoff on the -- on the issue.

11 MR. WYATT: We understand.

12 COMMISSIONER CHOPER: Second.

13 CHAIR BRACKPOOL: So with those conditions I would do  
14 that. My motion is seconded by Commissioner Choper. All in  
15 favor?

16 ALL COMMISSIONERS: Aye.

17 CHAIR BRACKPOOL: Motion approved. Have a great  
18 meet. Thank you.

19 VICE CHAIR ISRAEL: And next we'll come to you.

20 CHAIR BRACKPOOL: Item number seven, race dates. Let  
21 me start by saying that I think we've done the race date thing  
22 slightly differently this year. We've really tried to  
23 encourage the parties to work amongst themselves rather than be  
24 dictatorial from this Board. That said, I think some of us  
25 have been involved in those discussion. I think that they have

1 been, I will say, handled in a professional, cooperative,  
2 collegiate manner. I think there's been some very helpful  
3 debate about what the calendar should look like. And I think  
4 more importantly, there's actually some very healthy debate as  
5 to what future calendars might look like that won't necessarily  
6 be the same as -- as -- as what we're talking about for 2012.

7 I think there are a couple of confusing items in  
8 the -- in the presentation, but maybe it's just me that's  
9 confused and not anybody else.

10 COMMISSIONER CHOPER: No.

11 CHAIR BRACKPOOL: But we'll --

12 COMMISSIONER CHOPER: You're not the only one.

13 CHAIR BRACKPOOL: Okay. Commissioner Choper feels  
14 the same way. But we'll get to those in a moment.

15 I think what I'd like to do is to do sort of what we  
16 did last year. I'd like to start with the North, and then go  
17 to the South. And so --

18 VICE CHAIR ISRAEL: Let's go to harness where we can  
19 get something done.

20 CHAIR BRACKPOOL: What?

21 VICE CHAIR ISRAEL: Let's go to harness where we can  
22 get something done.

23 CHAIR BRACKPOOL: All right. Well, we'll do it that  
24 way then. So Commissioner Israel sensibly suggests that we  
25 start with --

1 VICE CHAIR ISRAEL: Harness and quarters.

2 CHAIR BRACKPOOL: -- with quarters and harness. So  
3 we'll do this in reverse of what's in our pack. I think that's  
4 the best way to do it.

5 So let's start with Los Alamitos. Do we have  
6 representatives from Los Alamitos here? We do. If you'd come  
7 forward.

8 VICE CHAIR ISRAEL: Rick.

9 CHAIR BRACKPOOL: Yeah. Come forward to the table,  
10 if you would.

11 MR. ENGLISH: I wasn't planning on staying that long.

12 CHAIR BRACKPOOL: Well, you aren't.

13 VICE CHAIR ISRAEL: Yeah, you won't. But you might  
14 as well sit anyway.

15 CHAIR BRACKPOOL: We'll have to see.

16 VICE CHAIR ISRAEL: You have to stay here three-  
17 fifths of the time of everybody else.

18 CHAIR BRACKPOOL: Rick, state your name and  
19 affiliation for the record please.

20 MR. ENGLISH: Richard English, Los Alamitos Race  
21 Course.

22 CHAIR BRACKPOOL: Good morning. Jackie, what is  
23 the -- maybe you could sit up, as well, for this -- for all of  
24 these. The proposed calendar for Los Al differs in what if any  
25 way from 2011?

1 MS. WAGNER: I don't believe there's too much  
2 difference in 2011.

3 CHAIR BRACKPOOL: Right.

4 MS. WAGNER: Rick would probably be able to speak to  
5 that.

6 MR. ENGLISH: It's identical to last year, except for  
7 individual dates.

8 CHAIR BRACKPOOL: Individual dates?

9 MR. ENGLISH: Yeah.

10 CHAIR BRACKPOOL: But it's the same 155 days?

11 MR. ENGLISH: Yes, it is.

12 CHAIR BRACKPOOL: Okay. And you've gone to this  
13 three-day week?

14 MR. ENGLISH: Yes. We're continuing with that. Yes,  
15 sir.

16 CHAIR BRACKPOOL: Right. And how is that working  
17 out?

18 MR. ENGLISH: It's worked out well. We've maintained  
19 field size and actually increased them slightly. It's been a  
20 better -- been able -- been able to offer better product to our  
21 customers.

22 CHAIR BRACKPOOL: Right. And handle, how has handle  
23 been?

24 MR. ENGLISH: It's maintained. It's been steady.  
25 It's no dimming. It's gone up slightly on a per daily -- per

1 day basis.

2 CHAIR BRACKPOOL: Right. Right. Okay. I have no --  
3 no questions.

4 VICE CHAIR ISRAEL: I have no questions. But until  
5 Jess comes back we can't vote.

6 CHAIR BRACKPOOL: Well, we can do the whole calendar  
7 at the -- at -- we can do a motion --

8 VICE CHAIR ISRAEL: Okay.

9 CHAIR BRACKPOOL: -- a motion at the end.

10 VICE CHAIR ISRAEL: Okay.

11 CHAIR BRACKPOOL: But I have no questions on the Los  
12 Al calendar, so -- and I know the other two have told me  
13 they -- they don't. So I think --

14 VICE CHAIR ISRAEL: Your business is healthy --

15 CHAIR BRACKPOOL: -- we're --

16 MR. ENGLISH: Yes, it is. Thank you.

17 CHAIR BRACKPOOL: Well, good. I'm glad to hear.

18 MR. ENGLISH: Thank you.

19 CHAIR BRACKPOOL: I'm glad to hear. Glad to hear.

20 VICE CHAIR ISRAEL: Thank you, Rick.

21 CHAIR BRACKPOOL: All right. So now let's do the --  
22 so, Counsel, at the end I'm going to try and do a, you know,  
23 omnibus motion. So we're good with -- with -- with -- with Los  
24 Al.

25 Where is my harness in here, Jackie?

1 VICE CHAIR ISRAEL: Right on the same page, right  
2 there.

3 CHAIR BRACKPOOL: Oh, it's on the other side?

4 VICE CHAIR ISRAEL: Yeah.

5 CHAIR BRACKPOOL: Okay. Sorry. Who's here from Cal  
6 Expo?

7 MS. WAGNER: I did receive communication from Dave  
8 Elliott that he would not be able to attend this meeting. I  
9 don't believe he sent another representative. I have not  
10 seen --

11 VICE CHAIR ISRAEL: Is there any difference --

12 MS. WAGNER: -- anyone.

13 VICE CHAIR ISRAEL: -- in their calendar?

14 MS. WAGNER: There is no difference. They have --  
15 this time around they're only asking for the Board to consider  
16 allocating their dates for the first half of 2012. They are  
17 asking for December 26th, 2011 through June the 16th, 2012.

18 CHAIR BRACKPOOL: Right.

19 MS. WAGNER: They're requesting that we consider  
20 half, and then they would want to come back to the Board at a  
21 later date to get the rest of the --

22 VICE CHAIR ISRAEL: Why?

23 MS. WAGNER: -- the year.

24 VICE CHAIR ISRAEL: And, also, this thing shows  
25 seven-days-a-week racing.

1 MS. WAGNER: What you see on there is the block of  
2 time --

3 CHAIR BRACKPOOL: The block of time.

4 MS. WAGNER: -- the block of time that they are  
5 requesting. The actual dates will be presented at the time  
6 that the --

7 CHAIR BRACKPOOL: Okay. But we do --

8 MS. WAGNER: -- application is --

9 CHAIR BRACKPOOL: We do have -- we do have a  
10 representative. So name and affiliation please.

11 MR. HOROWITZ: Alan Horowitz, California Harness  
12 Horsemen's Association. So I'm not --

13 CHAIR BRACKPOOL: I understand.

14 MR. HOROWITZ: Right.

15 VICE CHAIR ISRAEL: Right.

16 CHAIR BRACKPOOL: Okay.

17 VICE CHAIR ISRAEL: But do you -- you discussed this  
18 with them; right?

19 MR. HOROWITZ: Well, they're not -- we're not always  
20 privy to what's going on in their discussions among themselves.  
21 I think there's some -- there's some buzz that maybe they're  
22 not doing as well as they would like to be doing.

23 CHAIR BRACKPOOL: Same for all of us, isn't it?

24 MR. HOROWITZ: Always. And I think that this may be  
25 a reflection of that, rather than biting off a year's calendar

1 doing it sort of piecemeal.

2 VICE CHAIR ISRAEL: But -- but, you know, we can't  
3 tell from this, Alan, if they intend to run --

4 CHAIR BRACKPOOL: That's --

5 VICE CHAIR ISRAEL: -- three days a week or --

6 CHAIR BRACKPOOL: I think that's -- I think that's  
7 going to be an issue for a lot. I think the best way to do  
8 these calendars is to do the block. And then when we have the  
9 individual application --

10 VICE CHAIR ISRAEL: Okay.

11 CHAIR BRACKPOOL: -- then I think we can decide it  
12 that way.

13 VICE CHAIR ISRAEL: All right. Okay.

14 CHAIR BRACKPOOL: I think that's a better way to be  
15 able to do this.

16 MS. WAGNER: Commissioner, I do know that they -- in  
17 the communication that they did sent that they are estimating  
18 approximately 74 live harness racing dates --

19 VICE CHAIR ISRAEL: Yeah.

20 CHAIR BRACKPOOL: Right.

21 MS. WAGNER: -- during -- during the year.

22 CHAIR BRACKPOOL: Right.

23 MS. WAGNER: And those --

24 CHAIR BRACKPOOL: Right.

25 VICE CHAIR ISRAEL: All right.

1 CHAIR BRACKPOOL: All right.

2 MR. HOROWITZ: And from -- from the horsemen's  
3 standpoint it -- this is the first time in the 35 years that  
4 I've been coming to these meetings that there's a calendar for  
5 less than a year that's being requested. There have been times  
6 when the same block of time has been requested by two tracks,  
7 two operators and the like. But we've never had a situation  
8 where a discussion was held at the Date Allocation Committee  
9 or -- or at the full Board where only half a year is schedule  
10 was requested.

11 CHAIR BRACKPOOL: Right. I have to say that that  
12 sort of implies that there's probably a deeper problem between,  
13 you know, the harness horsemen and the operators of the, you  
14 know, of the association. And I strongly encourage the two of  
15 you to sit down and try and work this through. I don't think  
16 this Board is going to offer more dates than have been  
17 requested by any applicant. So I think that, you know, you  
18 need to sit down, and I think we probably need, you know,  
19 before January when they apply for their meet, so I guess  
20 they'd be applying for their meet November or December --

21 MS. WAGNER: Correct.

22 CHAIR BRACKPOOL: -- you know, I think we need to  
23 have this issue heard as to, you know, what is the -- the rift  
24 between the two, what are the concerns --

25 MR. HOROWITZ: Yeah. I --

1 CHAIR BRACKPOOL: -- and is this indicative of  
2 perhaps a larger, you know, problem down the road.

3 MR. HOROWITZ: Mr. Chairman, I don't think it's a  
4 rift. I think it's a financial issue.

5 CHAIR BRACKPOOL: Yeah. Thank you.

6 MR. HOROWITZ: And there have been different ways of  
7 trying to cope with it, the three versus two days --

8 CHAIR BRACKPOOL: Right.

9 MR. HOROWITZ: -- has been one attempt.

10 CHAIR BRACKPOOL: I think my bigger concern is  
11 that -- I understand that's the issue -- but that, you know,  
12 you're not in sync with what they're asking for. And so I  
13 think that what this Board needs is the two of you to have  
14 dialogue, and then if you can't reach agreement, you know, come  
15 to us and present your individual positions.

16 MR. HOROWITZ: Well, I think you need to speak to  
17 them. And I'm really sort of surprised that Dave isn't here,  
18 Dave Elliott.

19 CHAIR BRACKPOOL: We will be speaking to both of them  
20 when they -- when -- when -- when the application for the meet  
21 is --

22 MS. WAGNER: Right.

23 CHAIR BRACKPOOL: -- is presented. But --

24 MR. HOROWITZ: Because it certainly sends a very bad  
25 negative signal to the horsemen when horsemen are wondering why

1 this change --

2 CHAIR BRACKPOOL: Yeah.

3 MR. HOROWITZ: -- and if they're looking to have an  
4 escape plan, a plan B.

5 CHAIR BRACKPOOL: Well, we don't know that that's  
6 what it is. So what we've got in front of us is, you know,  
7 approval through June 16th. And you know, I don't think  
8 there's anything at the moment in front of us that would lead  
9 us not to approve something through June 16th. But I think the  
10 bigger questions come when we -- when we start to analyze  
11 the -- the individual association application.

12 MR. HOROWITZ: We would urge you to approve that  
13 part, obviously.

14 CHAIR BRACKPOOL: Exactly. We thank you for your  
15 time.

16 MR. HOROWITZ: Thank you.

17 CHAIR BRACKPOOL: Thank you. So that's where we are  
18 with that. So now let's go to the North.

19 And, Jackie, which ones should I have in front of me?  
20 I should have seven, nine -- seven, eight, and that's all I  
21 should have in front of me?

22 MS. WAGNER: That's correct.

23 CHAIR BRACKPOOL: Exactly.

24 COMMISSIONER CHOPER: The two pages.

25 CHAIR BRACKPOOL: Can we get an extra chair for Mr.

1 Korby please?

2 MR. KORBY: I can stand.

3 CHAIR BRACKPOOL: No. I'd prefer you sit. We can  
4 throw things at you easier from here. No. I want -- I want  
5 the -- I want the presenters up front, and then people  
6 questioning coming there.

7 And I do have speaker cards on this issue. So if  
8 you've given me a speaker card we will be getting to you. I  
9 just need to go through some of this first.

10 Yeah. We need names and affiliations for the record  
11 please.

12 MR. KORBY: Christopher Korby representing California  
13 Authority of Racing Fairs. And if the chair will allow me, I  
14 would just like to note that there are some representative  
15 from -- representatives from fairs here. Some have come a  
16 great distance to be present today. We have some directors  
17 from Humboldt County Fair, Cindy Olsen and Dave Mogni is  
18 here --

19 CHAIR BRACKPOOL: Okay.

20 MR. KORBY: -- along with the fair manager, Stuart  
21 Titus.

22 CHAIR BRACKPOOL: Right.

23 MR. KORBY: And from San Joaquin County Fair we have  
24 Tom Sawyer and Nanette Martin who is chairman of the board of  
25 directors.

1 CHAIR BRACKPOOL: Thank you. And I will afford  
2 anybody an opportunity to speak if that's what they --

3 MR. KORBY: Thank you.

4 CHAIR BRACKPOOL: -- they wish to do.

5 MR. MORRIS: Joe Morris from Golden Gate Fields.

6 MR. RAFFETTO: Lou Raffetto, TOC.

7 MR. TUNNEY: Peter Tunney, Golden Gate Fields.

8 CHAIR BRACKPOOL: Into the microphone please. They  
9 can't hear you on the web.

10 MR. TUNNEY: Peter Tunney, Golden Gate Fields.

11 CHAIR BRACKPOOL: Thank you, Peter. Okay.

12 So I heard -- have spoken with various of you over  
13 the course of the last several months. And I guess what I'd  
14 like to do at this stage is to try and focus in on where we  
15 have remaining disagreement, disagreement being a relative  
16 term, but where we have remaining conflicts that we've yet to  
17 resolve, and do that.

18 So maybe let's first of all hear from you, Chris, as  
19 to what CARF believes are the remaining issues. And then let's  
20 here from Golden Gate as to what they believe they are. And  
21 then we can try and figure out where we go.

22 MR. KORBY: I'll address, first, one difference in  
23 the calendar that we're proposing, which I believe everyone is  
24 in accord with, just to -- to put that one out there for  
25 discussion and confirmation. And that has to do with the two

1 weeks that are being requested and supported by CARF on behalf  
2 of San Joaquin County Fair in late September. That's a  
3 variance from last year's calendar.

4 CHAIR BRACKPOOL: It's a variance from last year's  
5 calendar. And the -- it would move to September.

6 MR. KORBY: Uh-huh.

7 CHAIR BRACKPOOL: But are you saying that San Joaquin  
8 is okay with that?

9 MR. KORBY: They have -- they have asked -- they have  
10 desired that.

11 CHAIR BRACKPOOL: Exactly.

12 MR. KORBY: They requested that.

13 CHAIR BRACKPOOL: Exactly.

14 MR. KORBY: Yes. And they're here to speak to it  
15 if --

16 CHAIR BRACKPOOL: Right.

17 MR. KORBY: -- the Board wishes.

18 CHAIR BRACKPOOL: And I received a very full and  
19 useful letter from the -- from the Board of San Joaquin on that  
20 on that issue which was very helpful.

21 COMMISSIONER CHOPER: So everyone is agreed on that?

22 MR. KORBY: To my knowledge, yes.

23 COMMISSIONER CHOPER: Okay.

24 CHAIR BRACKPOOL: Our Board packet --

25 MR. KORBY: Each --

1 CHAIR BRACKPOOL: -- says something slightly  
2 different.

3 MR. KORBY: Each of the interested parties can --

4 CHAIR BRACKPOOL: Our Board pack indicates that --

5 COMMISSIONER CHOPER: Yeah.

6 CHAIR BRACKPOOL: -- they're not in agreement with  
7 it, which I was confused with because I got the letter saying  
8 this is actually what we'd like.

9 COMMISSIONER CHOPER: Okay. So long as they --

10 MR. KORBY: I am aware of no disagreement.

11 COMMISSIONER CHOPER: Okay.

12 MR. KORBY: But each party --

13 CHAIR BRACKPOOL: Right.

14 MR. KORBY: -- can speak for themselves here.

15 COMMISSIONER CHOPER: Good.

16 CHAIR BRACKPOOL: Right. Right. Okay. So  
17 excellent. That's good.

18 MR. KORBY: A variance -- a variance from the  
19 calendar in which I think everyone is in agreement.

20 CHAIR BRACKPOOL: Okay.

21 MR. KORBY: The -- the -- the second item that I  
22 would --

23 CHAIR BRACKPOOL: That's the only significant  
24 variance, not --

25 MR. KORBY: Well --

1 CHAIR BRACKPOOL: -- not remaining conflict, but  
2 that's the only real big --

3 MR. KORBY: There --

4 CHAIR BRACKPOOL: -- move of a date?

5 MR. KORBY: Depending on the relative meaning of  
6 variance.

7 CHAIR BRACKPOOL: Right.

8 MR. KORBY: Because I would -- I would -- you asked  
9 for differences in proposals.

10 CHAIR BRACKPOOL: Right.

11 MR. KORBY: The second one I would point to is in  
12 mid-June. Alameda County Fair has expressed an interest in  
13 racing a weekend, three days, Friday, Saturday, Sunday prior to  
14 when their meet began in the same calendar slot last year.

15 CHAIR BRACKPOOL: This year.

16 MR. KORBY: This year.

17 CHAIR BRACKPOOL: Right.

18 MR. KORBY: Thank you.

19 CHAIR BRACKPOOL: Right.

20 COMMISSIONER CHOPER: Who had them --

21 MR. KORBY: 2011.

22 COMMISSIONER CHOPER: -- this year?

23 MR. KORBY: Golden Gate Fields.

24 COMMISSIONER CHOPER: So has Golden Gate agreed to  
25 that?

1 CHAIR BRACKPOOL: No.

2 MR. KORBY: Stockton. I'm sorry. Stockton.

3 CHAIR BRACKPOOL: Stockton. And so the question is  
4 where would --

5 COMMISSIONER CHOPER: They've -- they've moved;  
6 right?

7 CHAIR BRACKPOOL: They've moved, so it would go to  
8 Golden Gate under this proposal.

9 MR. KORBY: That is correct.

10 COMMISSIONER CHOPER: No one objects to that?

11 CHAIR BRACKPOOL: Yes. At the moment Alameda County  
12 would like those dates --

13 MR. KORBY: Yes.

14 CHAIR BRACKPOOL: -- that have become free, and  
15 Golden Gate would like those.

16 COMMISSIONER CHOPER: Oh. All right.

17 MR. KORBY: But those were -- those were --

18 CHAIR BRACKPOOL: So --

19 MR. KORBY: Those were previously quote "fair  
20 dates" --

21 COMMISSIONER CHOPER: I know.

22 MR. KORBY: -- insofar as Stockton --

23 COMMISSIONER CHOPER: I understand that.

24 MR. KORBY: -- were asking that calendar slot last  
25 year. Stockton moves. Now we're -- we're asking for

1 consideration --

2 COMMISSIONER CHOPER: Oh.

3 MR. KORBY: -- that Alameda County Fair run --

4 CHAIR BRACKPOOL: Okay.

5 MR. KORBY: -- that weekend. If Golden Gate Fields  
6 would like to see something different we can discuss that.

7 VICE CHAIR ISRAEL: Whose dates is Stockton taking  
8 when it moves to September?

9 MR. KORBY: Those dates this year will run at Golden  
10 Gate.

11 COMMISSIONER CHOPER: That's two weeks?

12 MR. KORBY: Correct.

13 CHAIR BRACKPOOL: Sorry. I was -- I was being told  
14 something by Jackie. Can you repeat that again?

15 VICE CHAIR ISRAEL: What -- what Chris had said was  
16 the dates that they're proposing to take in June for Alameda --

17 MR. KORBY: Yeah.

18 VICE CHAIR ISRAEL: -- were fair dates. And the I  
19 asked -- you know, were fair dates. And then I asked whose  
20 dates were they this year, and they were Golden Gates.

21 CHAIR BRACKPOOL: Right.

22 COMMISSIONER CHOPER: Is it the bottom line --

23 VICE CHAIR ISRAEL: Everything. So --

24 COMMISSIONER CHOPER: -- that the two -- two weeks --

25 VICE CHAIR ISRAEL: -- it's a swap.

1           COMMISSIONER CHOPER:  -- in September were lost by  
2 Golden Gate, and you don't want to lose the other three dates  
3 to Pleasanton?

4           MR. KORBY:  They -- yeah, that's correct.

5           COMMISSIONER CHOPER:  That's the issue.

6           MR. KORBY:  Yeah.

7           COMMISSIONER CHOPER:  Okay.  Got it.

8           VICE CHAIR ISRAEL:  Right.

9           CHAIR BRACKPOOL:  So on -- maybe we're better to try  
10 and, you know, do -- let's get down the differences, and then  
11 we can ask everybody's view.

12                   So -- so three days in June.

13           MR. KORBY:  Yes, sir.

14           CHAIR BRACKPOOL:  Three days in June, which is  
15 Pleasanton versus Golden Gate.  Okay.  Next one?

16           MR. KORBY:  The next one is -- would be the dates for  
17 Humboldt County Fair.

18           CHAIR BRACKPOOL:  Right.

19           MR. KORBY:  And what is being proposed there --

20           CHAIR BRACKPOOL:  We've never had an issue with those  
21 before; right?

22           MR. KORBY:  I've likened these dates' discussion to  
23 painting a bridge.

24           CHAIR BRACKPOOL:  Right.

25           MR. KORBY:  We finish one year and we start all over

1 again.

2 CHAIR BRACKPOOL: Right. Right.

3 MR. KORBY: In the proposal for this year, for 2012,  
4 is that Humboldt run one week with no overlap in mid-August.

5 We have -- I believe --

6 CHAIR BRACKPOOL: But when you say the proposal, the  
7 proposal between --

8 MR. KORBY: CARF --

9 CHAIR BRACKPOOL: -- CARF and --

10 MR. KORBY: -- and Humboldt.

11 CHAIR BRACKPOOL: -- CARF and Humboldt, but -- okay.  
12 I'm just trying to find out where the difference is.

13 MR. KORBY: Right.

14 CHAIR BRACKPOOL: So -- so your proposal is that they  
15 run one week without overlap?

16 MR. KORBY: With no overlap, correct.

17 CHAIR BRACKPOOL: With no overlap.

18 MR. KORBY: And --

19 CHAIR BRACKPOOL: Which is in July?

20 VICE CHAIR ISRAEL: August 15th.

21 CHAIR BRACKPOOL: August 15th. Right.

22 MR. KORBY: Correct.

23 VICE CHAIR ISRAEL: Okay. Where the --

24 CHAIR BRACKPOOL: Right.

25 VICE CHAIR ISRAEL: Yeah.

1 CHAIR BRACKPOOL: Right.

2 MR. KORBY: And a second week with certain  
3 overlapping dates to be determined.

4 VICE CHAIR ISRAEL: Well, your thing says there's  
5 three days, the 24th, 25th and 26th.

6 CHAIR BRACKPOOL: Right.

7 VICE CHAIR ISRAEL: And --

8 MR. KORBY: Correct.

9 VICE CHAIR ISRAEL: -- the proposal from PRA is --  
10 the overlap is six days, and un-overlapped is four days; is  
11 that right?

12 MS. WAGNER: Correct.

13 CHAIR BRACKPOOL: Right.

14 VICE CHAIR ISRAEL: Okay.

15 CHAIR BRACKPOOL: Right.

16 VICE CHAIR ISRAEL: What kind of -- I'll ask the same  
17 question I've probably asked every year when this comes up.  
18 How much money are we talking about being lost? Huh?

19 CHAIR BRACKPOOL: Well, let's --

20 VICE CHAIR ISRAEL: Somebody's got to know the answer  
21 to that question or --

22 CHAIR BRACKPOOL: Well, let's -- let's do this.

23 Let's try and -- I want to get the differences, and then let's  
24 do each one individually, because otherwise we won't have any  
25 order to this. Okay.

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Humboldt?

MR. KORBY: I'll offer this. It may not be my place, so stop me if it's not. But I believe -- I believe there is concurrence between Golden Gate Fields, CARF and Humboldt County Fair, about one week with no overlap, or most of one week with no overlap. And --

CHAIR BRACKPOOL: But this is not necessarily with the TOC?

MR. KORBY: And TOC is not in concurrence with that.

CHAIR BRACKPOOL: Right. Right. Right. Right. Right. Right. Okay.

MR. KORBY: I don't want to speak for them, but I'm just trying to summarize for the Board.

CHAIR BRACKPOOL: I understand. So we'll come to that in a minute.

Are there any other issues on the calendar, or those are the two remaining -- the -- the three -- three days I June, the -- the weekend in June and the Humboldt County issue?

MR. KORBY: That's -- that's correct.

CHAIR BRACKPOOL: And that's really it; right?

MR. KORBY: And -- and aside from that the calendar would remain by and large in 2012 what -- what it was --

CHAIR BRACKPOOL: Right.

MR. KORBY: -- in 2011.

CHAIR BRACKPOOL: Right. I have -- just so that

1 we --

2 VICE CHAIR ISRAEL: Go ahead.

3 CHAIR BRACKPOOL: Do you have something to add?

4 VICE CHAIR ISRAEL: No. No. Well, I just as going  
5 to ask, I want to understand, Golden Gate is completely in  
6 accord with the September move of -- of San Joaquin County?  
7 You're fine with that?

8 MR. MORRIS: Yeah.

9 VICE CHAIR ISRAEL: Okay.

10 CHAIR BRACKPOOL: Okay.

11 MR. MORRIS: Yeah. And then we have -- there's one  
12 typo, and I just want to make sure that's clear. In December  
13 we -- we do plan on running both December 1st and 2nd. And in  
14 the packet I think one of those days wasn't --

15 VICE CHAIR ISRAEL: I think it's the 2nd.

16 MR. MORRIS: -- was --

17 VICE CHAIR ISRAEL: The 2nd did not show up.

18 MR. MORRIS: So -- so both of those need to be done.  
19 As you can see on -- on the schedule it's a schedule from the  
20 TOC in Northern California. So we're in concurrence.

21 I met with the CTT over the weekend. And -- and  
22 after talking to them we'd like to also add December 14th, 15th  
23 and 16th as -- as live days. And -- and that would put us in  
24 concurrence with them also.

25 VICE CHAIR ISRAEL: But, it shows in your -- oh, no.

1 MR. MORRIS: 14th, 15th and 16th --

2 VICE CHAIR ISRAEL: Oh, no, it doesn't.

3 CHAIR BRACKPOOL: Well --

4 MR. MORRIS: -- of December isn't. So if we could  
5 add those we -- we would want them.

6 CHAIR BRACKPOOL: But there's nobody else intending  
7 to run on those days.

8 MR. MORRIS: Correct.

9 CHAIR BRACKPOOL: But what I'm trying to do --

10 MR. MORRIS: Correct.

11 CHAIR BRACKPOOL: -- to make this work --

12 MR. MORRIS: Yeah.

13 CHAIR BRACKPOOL: -- is we'll approve the blocks, and  
14 then you'll come back to us --

15 VICE CHAIR ISRAEL: In the -- yeah.

16 CHAIR BRACKPOOL: -- with -- it would need individual  
17 applications for each one.

18 VICE CHAIR ISRAEL: Right.

19 CHAIR BRACKPOOL: There's no way we could do every  
20 day here. We'd be here until midnight. So do that.

21 MR. KORBY: For the record I would just like to  
22 confirm that that was a Golden Gate Fields' representatives --  
23 representative confirming about Golden Gates concurrence with  
24 the week involving Humboldt mid -- mid-August.

25 VICE CHAIR ISRAEL: I don't think that's --

1 CHAIR BRACKPOOL: We haven't -- we haven't --

2 VICE CHAIR ISRAEL: -- been discussed.

3 CHAIR BRACKPOOL: -- come to that yet.

4 VICE CHAIR ISRAEL: Right.

5 CHAIR BRACKPOOL: So let's -- let's not play, you  
6 know, lawyers on TV, Chris. I mean, you know, there's enough  
7 of that crap on television.

8 MR. KORBY: Oh, no. I don't think --

9 CHAIR BRACKPOOL: We don't need to hear it here.

10 VICE CHAIR ISRAEL: For all eight of our radio  
11 listeners.

12 CHAIR BRACKPOOL: Exactly.

13 MR. KORBY: I don't think Mr. Morris identified  
14 himself when he spoke. That's the only reason. I was not  
15 trying to be flippant.

16 CHAIR BRACKPOOL: Okay.

17 VICE CHAIR ISRAEL: Oh. Okay. I thought you were  
18 trying to win something.

19 CHAIR BRACKPOOL: All right. My first question --  
20 let's just try and get -- to get the -- this done in order.

21 My first question is the Stockton. We have  
22 received -- the Board received a letter from the San Joaquin  
23 Farm Bureau Federation strongly advocating that we not award  
24 the dates in September.

25 Do we have a representative, you said, from the San

1 Joaquin Fair Board here?

2 MR. KORBY: We do. And I believe they're prepared to  
3 speak to that issue.

4 CHAIR BRACKPOOL: So that would be good if somebody  
5 could come up to the podium who is representing the San Joaquin  
6 Fair. You can state your name for the record please.

7 MS. MARTIN: Nanette Martin. I'm the president of  
8 the San Joaquin Fair Board.

9 CHAIR BRACKPOOL: Thank you. If you could just give  
10 the Board a little color on why you're at odds with the Farm  
11 Bureau here and whether that's something that is -- should be  
12 of concern to us.

13 VICE CHAIR ISRAEL: And when you do, I'm a city boy,  
14 can you please explain to me what the Farm Bureau is?

15 MS. MARTIN: The Farm Bureau is a group of farmers in  
16 the San Joaquin Valley, the San Joaquin Farm Bureau. And they  
17 are very interested in all aspects of farming. They're  
18 involved in many different things.

19 VICE CHAIR ISRAEL: So it's a group of working  
20 farmers? It's an organization?

21 MS. MARTIN: A lot of working farmers, yes.  
22 Absolutely.

23 That letter came as a surprise to the San Joaquin  
24 Farm -- Fair Board. They did not come to us. We wish they  
25 with their concerns. We have been discussing moving to

1 September since September of 2010. We are working with their  
2 concern mainly. They -- it was a livestock show in June, and  
3 the children being in school in September. We're addressing  
4 those issues. We have been for a long time. We're working  
5 with the Department of Education, with all the 4H clubs and FSA  
6 clubs in the county to make sure that all children will be able  
7 to show in September. And, in fact, the children are already  
8 breeding their animals for September of 2012.

9           There has been -- I'm trying to put it nicely --  
10 there's been one rogue member whose husband is a director in  
11 Farm Bureau who has been trying to undermine our Fair Board by  
12 having these -- trying to get the June -- wanting to have a  
13 livestock show in June. And she has never attended our  
14 meetings. Farm Bureau doesn't attend our meetings. If they  
15 would, we are an open meeting. Our minutes are online.

16           CHAIR BRACKPOOL: Okay. Our job is not to pry into  
17 the internal politics of whatever is going on --

18           MS. MARTIN: Right.

19           CHAIR BRACKPOOL: -- in the San Joaquin. I just --  
20 let me ask perhaps a more simple question. The San Joaquin  
21 Fair Board is majority in favor of moving these dates,  
22 unannounced in favor?

23           MS. MARTIN: Unannounced in favor.

24           CHAIR BRACKPOOL: Unannounced in favor. And it's  
25 something you would really like to see happen?

1 MS. MARTIN: Yes. We have been working very hard --  
2 CHAIR BRACKPOOL: Thank you.  
3 MS. MARTIN: -- to make this work.  
4 CHAIR BRACKPOOL: That was what I needed to know.  
5 MS. MARTIN: Thank you.  
6 CHAIR BRACKPOOL: Thank you very much.  
7 MR. KORBY: This is Chris Korby. If I may offer a  
8 couple of additional facts very briefly.  
9 The members of the San Joaquin County Fair Board,  
10 which is also formally known as the 2nd District Agricultural  
11 Association --  
12 CHAIR BRACKPOOL: Yeah.  
13 MR. KORBY: -- are appointed by the governor.  
14 CHAIR BRACKPOOL: Uh-huh.  
15 MR. KORBY: Their meetings are open.  
16 CHAIR BRACKPOOL: Uh-huh.  
17 MR. KORBY: Anyone can come.  
18 CHAIR BRACKPOOL: Uh-huh.  
19 MR. KORBY: Anyone from the public, any interested  
20 party can ask for an item to be on the agenda.  
21 CHAIR BRACKPOOL: Yeah.  
22 MR. KORBY: Their minutes are published. It's a very  
23 open process they went through on the decision making, and the  
24 board is unanimously in favor of this.  
25 CHAIR BRACKPOOL: The same would apply to anything

1 that you've just said about us, but we're accused of  
2 malfeasance by the hour. To I was just asking the question.

3 MR. KORBY: Oh.

4 CHAIR BRACKPOOL: Okay. So that's where we are as  
5 far as Stockton. So I have no -- you know, I would certainly  
6 be in favor of that --

7 COMMISSIONER CHOPER: The Stockton thing? Stockton?

8 CHAIR BRACKPOOL: -- and going from there, on the  
9 Stockton --

10 COMMISSIONER CHOPER: Yeah.

11 CHAIR BRACKPOOL: -- side.

12 VICE CHAIR ISRAEL: Right.

13 CHAIR BRACKPOOL: Let's get to the Alameda County  
14 Fair versus Golden Gate on that weekend. I had the pleasure of  
15 visiting the fair this year and seeing the level of enthusiasm  
16 that was generated there, as well as the level of heat that was  
17 apparent on that particular day.

18 But seriously, I'd like to hear, how many days -- so  
19 it would add three days to Pleasanton from what they had this  
20 year. Would it also, if we awarded it to Golden Gate, add  
21 three days to Golden Gate? I'm trying to work out the math of  
22 where we were compared to last year. Because these came from  
23 what were the Stockton dates. And so I'm just trying to do  
24 the -- the math. Would it be a net add of three to either  
25 association?

1 MR. MORRIS: We ran 157 days last year. And this  
2 schedule here would be 154 days.

3 CHAIR BRACKPOOL: Okay.

4 MR. MORRIS: So --

5 VICE CHAIR ISRAEL: In -- in -- in your -- in your  
6 proposed schedule?

7 MR. MORRIS: Yes.

8 VICE CHAIR ISRAEL: So even with the three days  
9 you're --

10 MR. MORRIS: It's three less days.

11 VICE CHAIR ISRAEL: -- you're three days shorter?

12 CHAIR BRACKPOOL: But Alameda County would be getting  
13 three days more than it had this current year?

14 MR. KORBY: Yes.

15 CHAIR BRACKPOOL: Mr. Pickering?

16 MR. KORBY: In the scenario of adding that weekend --

17 CHAIR BRACKPOOL: Excuse me. Right.

18 MR. PICKERING: -- there would be three more days.

19 CHAIR BRACKPOOL: Mr. Raffetto.

20 MR. RAFFETTO: I think the -- the point here is that  
21 Golden Gate has given up two weeks, or I guess eight racing  
22 days in September. And we're supportive of Golden Gate running  
23 that weekend in a tradeoff with Stockton and picking up the  
24 four days from the 14th through the 17th.

25 Additionally, as I understand it, I don't believe

1 that Pleasanton actually has a fair going at that point in  
2 time. I'm not sure about that. And if the fair was not  
3 actually being conducted I think that would impact negatively.  
4 So we're supportive of Golden Gate.

5 COMMISSIONER CHOPER: Rick -- Rick, is that --

6 CHAIR BRACKPOOL: Is that correct, that the fair  
7 would not be on? If you'd -- name and affiliation for the  
8 record please, Rick.

9 MR. PICKERING: Rick Pickering, CEO of the Alameda  
10 County Agricultural Fair Association.

11 VICE CHAIR ISRAEL: Alameda County?

12 MR. PICKERING: Alameda County Agricultural Fair  
13 Association, a private nonprofit 503(c)

14 CHAIR BRACKPOOL: Whatever. But anyway, there was a  
15 question. The answer is yes or no?

16 MR. PICKERING: The answer --

17 CHAIR BRACKPOOL: Will the fair be open during that  
18 weekend?

19 MR. PICKERING: We had not intended to open the fair  
20 early because of when school will be closing in June.

21 CHAIR BRACKPOOL: Right.

22 MR. PICKERING: But we'd also wish to point out to  
23 the Board, Golden Gate Fields did receive an extra 18 weeks of  
24 racing when Bay Meadows closed. The fairs did not receive any  
25 of those weeks.

1 CHAIR BRACKPOOL: Thank you. Okay. Well, I think  
2 that based on that I would -- I would probably tend to --  
3 leaving those -- leaving those -- giving those dates to Golden  
4 Gate, but seeing how it goes this year and -- and then making a  
5 determination as to whether Pleasanton could perhaps get them  
6 next year. Perhaps next year the fair would be open earlier,  
7 etcetera. That's something that we could certainly --  
8 certainly -- certainly talk about. Does that work for --

9 VICE CHAIR ISRAEL: Yeah.

10 CHAIR BRACKPOOL: -- for you?

11 VICE CHAIR ISRAEL: Yes. I'd prefer that.

12 CHAIR BRACKPOOL: Commissioner Choper?

13 COMMISSIONER CHOPER: I guess.

14 CHAIR BRACKPOOL: Well, if it's -- if it's -- if  
15 it's -- if it's not let's talk about it.

16 VICE CHAIR ISRAEL: It's better for you.

17 COMMISSIONER CHOPER: Uh-huh.

18 VICE CHAIR ISRAEL: It's easier for you to get to  
19 Golden Gate.

20 COMMISSIONER CHOPER: You know, I don't understand  
21 this. I see the two sides of the picture here. This is  
22 what -- and they both say Pleasanton has got 13 dates, even --  
23 on everybody's proposals. Do you see that? Don't count them.  
24 Take a look at the top. So what I -- I'm having a little  
25 trouble figuring that out, if you see what I mean.

1 VICE CHAIR ISRAEL: Yeah. On the --

2 CHAIR BRACKPOOL: Mr. Tunney?

3 COMMISSIONER CHOPER: How many dates did Pleasanton  
4 have last year?

5 CHAIR BRACKPOOL: This -- this year.

6 COMMISSIONER CHOPER: This past -- yeah, this  
7 current --

8 VICE CHAIR ISRAEL: 2011.

9 COMMISSIONER CHOPER: -- 2011.

10 MR. PICKERING: Rick Pickering, Alameda County Fair.  
11 Commissioner, we had 13 days of racing.

12 COMMISSIONER CHOPER: And is it fair to say you're  
13 requesting 16 this time?

14 MR. PICKERING: Sixteen live days and two -- two days  
15 simulcast only, which would be June 13th and the 14th.

16 COMMISSIONER CHOPER: Did you have two days as  
17 simulcast only last year?

18 MR. PICKERING: Yes, we did. Yes.

19 CHAIR BRACKPOOL: So it's really 13 out of 16 days.

20 COMMISSIONER CHOPER: So you're asking for three more  
21 days?

22 CHAIR BRACKPOOL: Which is those three we're talking  
23 about.

24 COMMISSIONER CHOPER: But Golden Gate gave up two  
25 weeks, ten days, whatever, nine days, ten days last time.

1           VICE CHAIR ISRAEL:  Actually, the days on the  
2 calendar submitted by the PRA, unless I'm reading this  
3 incorrectly -- oh.  You know what, wait.  You're -- so  
4 Pleasanton, Rick, you run from the 4th through the 8th of July;  
5 is that right?

6           COMMISSIONER CHOPER:  Yeah.

7           MR. PICKERING:  Yes.  That's part of the meet.  Yes,  
8 sir.

9           VICE CHAIR ISRAEL:  Okay.  Because those dates are  
10 not shaded on the --

11          COMMISSIONER CHOPER:  No.  It's very hard to read  
12 that.

13          MR. PICKERING:  I think one -- just one --

14          COMMISSIONER CHOPER:  It's hard to read.

15          VICE CHAIR ISRAEL:  Yeah.

16          MR. PICKERING:  One element of confusion may be that  
17 different calendars showed different live racing days --

18          COMMISSIONER CHOPER:  Yeah.

19          MR. PICKERING:  -- versus simulcast only days.  We  
20 are -- in our discussions at CARF we talked about blocks of  
21 dates, because at this point I don't know that any of us can  
22 determine precisely which days are --

23          CHAIR BRACKPOOL:  That's what I said, we're doing  
24 blocks of things.  And then each individual --

25          MR. PICKERING:  Thank you.  Right.

1 CHAIR BRACKPOOL: -- association will come back.

2 MR. PICKERING: So some of these calendars may show  
3 individual dates. Others may show blocks.

4 CHAIR BRACKPOOL: Right.

5 COMMISSIONER CHOPER: And Pleasanton did have -- does  
6 have three -- three weeks, you know, of racing now; right?

7 MR. PICKERING: Three weekends. That is correct.

8 COMMISSIONER CHOPER: As opposed -- my recollection,  
9 two weeks before Bay Meadows closed.

10 MR. PICKERING: Correct. We had 2 weeks at 11 days.  
11 Now we have 3 weeks at 13 days. So whether we count weeks or  
12 count dates.

13 COMMISSIONER CHOPER: Well, I mean, I tell you, I --  
14 look, I think --

15 CHAIR BRACKPOOL: Let me ask you a question first,  
16 Commissioner Choper.

17 COMMISSIONER CHOPER: Yeah, sure.

18 CHAIR BRACKPOOL: Can you just recap for us, Rick,  
19 what your performance results were like for 2011 versus 2010  
20 for attendance, handle?

21 MR. PICKERING: We're outstanding. Our average daily  
22 handle was up close to nine percent. But you -- you will  
23 recall, we ran two days less and used those horses on a  
24 Thursday through Sunday schedule instead of a Wednesday through  
25 Sunday schedule.

1 CHAIR BRACKPOOL: So your aggregate handle was nine  
2 percent, not a pro rata handle but your -- your total handle?

3 MR. PICKERING: Our average -- our average daily  
4 handle.

5 CHAIR BRACKPOOL: Your average daily handle --

6 MR. PICKERING: Yeah. Correct.

7 CHAIR BRACKPOOL: -- was up nine percent. What was  
8 your total handle?

9 MR. PICKERING: Our total handle was down about one-  
10 and-a-half percent.

11 CHAIR BRACKPOOL: And you ran two days less?

12 MR. PICKERING: That's correct.

13 CHAIR BRACKPOOL: Right.

14 VICE CHAIR ISRAEL: That's pretty good.

15 MR. PICKERING: Not a bad meet.

16 CHAIR BRACKPOOL: What about attendance?

17 MR. PICKERING: Our attendance --

18 CHAIR BRACKPOOL: Just approximately.

19 MR. PICKERING: I would -- I would anticipate our  
20 attendance was roughly flat. The attendance for the fair was  
21 our all-time record at 452,000.

22 COMMISSIONER CHOPER: Do you, you know --

23 MR. PICKERING: If it's the desire of this Board that  
24 Pleasanton talk with the new management representatives at  
25 Golden Gate Fields and return back, I think we could certainly

1 be willing to do that.

2 COMMISSIONER CHOPER: Always. I would always  
3 encourage that, number one.

4 And number two is the -- the point that the chairman  
5 made about the fair, you know, perhaps being open in -- in 2013  
6 might make a difference. I mean, it -- don't you -- I guess  
7 what I want to ask you is, look, I think it's going to make a  
8 difference in the attendance at the track if the fair is open  
9 or not, don't you?

10 MR. PICKERING: Absolutely. And it depends on where  
11 the 4th of July falls in a calendar. For 2012 the 4th of July  
12 falls on a Wednesday, which makes the Alameda County Fair open  
13 a little bit earlier in the year. When the 4th of July falls a  
14 little bit later then the fair actually goes two weeks beyond  
15 the 4th of July instead of one week.

16 COMMISSIONER CHOPER: Uh-huh.

17 MR. PICKERING: So the issue we have is where it  
18 falls in 2012, the 4th of July. If we attempted to open the  
19 fair on let's say June 13th or 14th, school is getting out  
20 right then. And a lot of our employees are teachers and  
21 coaches --

22 COMMISSIONER CHOPER: I got you.

23 MR. PICKERING: -- that are in the school systems.

24 COMMISSIONER CHOPER: But you're open on --

25 MR. PICKERING: So if you would suggest --

1           COMMISSIONER CHOPER:  You're always open on the 4th;  
2 right?

3           MR. PICKERING:  We're always open on the 4th, but  
4 it's usually two weeks after the 4th --

5           CHAIR BRACKPOOL:  Right.

6           MR. PICKERING:  -- not just --

7           CHAIR BRACKPOOL:  Right.

8           MR. PICKERING:  -- one weekend after the 4th.

9           COMMISSIONER CHOPER:  Yeah.

10          MR. PICKERING:  So that pushes us early.  If you'd  
11 like us to focus on this for 2013 we certainly will keep  
12 looking for options for racing in Northern California for the  
13 future.

14          COMMISSIONER CHOPER:  Well, I sure would be in favor,  
15 before we have to finalize these dates, which you don't want to  
16 do that now, as to if you would talk to Golden Gate, reach an  
17 agreement that's, of course, a totally different, as I say, a  
18 horse of a different color.

19          MR. KORBY:  I think the chairman's -- Chris Korby  
20 from CARF.  I think the chairman's comments about looking  
21 forward several years are very perceptive because we're --  
22 we're looking at a calendar that's in evolution.  There are  
23 circumstances changing all the time.  I think the important  
24 element here is that we are talking with one another and we're  
25 trying to cooperate as best we can.  We had a terrific

1 relationship with a former general manager at Golden Gate. We  
2 hope to reestablish that with -- with -- with Joe who is  
3 stepping into that position. We've been talking with Lou and  
4 TOC frequently. I think our communications are very good.  
5 It's just a matter of ironing out --

6 CHAIR BRACKPOOL: Well, look, I think --

7 MR. PICKERING: -- what the best interests of  
8 everyone are.

9 CHAIR BRACKPOOL: I think those numbers that -- that  
10 Mr. Pickering just went through are impressive given, you know,  
11 how dire the economy is, that they were basically flat with two  
12 days less, up on average handle. I think that's good. I can  
13 certainly say that having visited, you know, that fair and  
14 others that I thought it was a great atmosphere that was there.

15 But I do go to the point that Commissioner Choper  
16 just made which is it is a very different atmosphere if the  
17 fair is taking place at the time. So I think we're giving you  
18 a bit of a roadmap as to what 2013 should look like and what  
19 should happen, and hopefully that -- that gets into the -- that  
20 gets into the design.

21 So for me this isn't let's not give the fairs  
22 anymore, you know, dates. Let's give them to -- to Golden  
23 Gate. But on this particular case I think the equitable  
24 resolution, because Golden Gate has been good in giving up  
25 the -- the dates to Stockton for the dates that they want, I

1 think that I would lean towards giving these three to Golden  
2 Gate for 2012. But I would probably have a different view if I  
3 found that the fair was open in 2013. So let's -- let's --  
4 let's do that and see where we -- and see where we are.

5 So does that work for you, Commissioner Choper?

6 So we're all good on that.

7 So now let's do just Humboldt County and do that. So  
8 just remind -- remind us one more time, you know, what we did  
9 in 2011. 2011, my understanding of the resolution that we  
10 reached was that we had a certain number of non-overlapped  
11 days, which was five?

12 MR. KORBY: It ended up being three.

13 CHAIR BRACKPOOL: Three non-overlapped days.

14 Stuart, would you please come up to the podium there?  
15 Right now I don't want you to advocate. I just want you to  
16 give me the -- the facts. So in 2011 how many non-overlapped  
17 days did we end up having? And then we had the deal with  
18 Golden Gate that was slightly different.

19 MR. TITUS: Stuart Titus, general manager, Humboldt  
20 County Fair.

21 Mr. Chairman, we had two days un-overlapped in 2011.  
22 And in agreement with Golden Gate Fields to split the host --  
23 the host fees on one other day, the Friday. So we had  
24 Wednesday and Thursday of week two of this year.

25 CHAIR BRACKPOOL: Was it just one day you split the

1 host fee?

2 MR. TITUS: For just one day, yes. So --

3 CHAIR BRACKPOOL: I thought it was more than that,  
4 but okay.

5 MR. TITUS: We described it as two-and-a-half days  
6 un-overlapped --

7 CHAIR BRACKPOOL: Okay.

8 MR. TITUS: -- but that was the compensation.

9 CHAIR BRACKPOOL: And then how many days did you race  
10 overlapped in addition to that?

11 MR. TITUS: Five.

12 CHAIR BRACKPOOL: So you raced a total of eight days?

13 MR. TITUS: Correct.

14 CHAIR BRACKPOOL: Okay. All right. And this year,  
15 just -- I'm just trying to do like for like, the -- the --  
16 is -- CARF and Humboldt are in alignment with the request?

17 MR. KORBY: Yes, sir.

18 CHAIR BRACKPOOL: Okay. So -- so the -- the request  
19 for this year, just so that I can compare, is how many days  
20 non-overlapped?

21 MR. FISCO: Five.

22 CHAIR BRACKPOOL: Five. How many -- no days sharing  
23 the host fee. And how many days overlapped?

24 VICE CHAIR ISRAEL: Just three.

25 MR. KORBY: On the -- on the calendar shown here,

1 three.

2 CHAIR BRACKPOOL: Three; right? So it's the same  
3 eight days. The difference is you want to go from two-and-a-  
4 half, as you described it, to five?

5 MR. KORBY: Correct.

6 CHAIR BRACKPOOL: Okay. And the -- the TOC's -- I  
7 assume TOC and Golden Gate are aligned with the alternate  
8 calendar here?

9 MR. RAFFETTO: Yes, we are. I had a conversation  
10 with Robert Hartman before he left. And Robert told me he had  
11 a conversation with the Humboldt County Fair as it relates to  
12 running a week -- where they would have a week non-overlapped.  
13 Subsequently he agreed -- we agreed on a schedule that would  
14 have six days of overlap and four days for Humboldt to be non-  
15 overlapped, those four days being two Wednesdays and two  
16 Thursdays.

17 CHAIR BRACKPOOL: So that gets you ten days.

18 MR. RAFFETTO: If they so desire to race that many.  
19 The concern -- the concern here was for, in the calendar, for  
20 just the wagering calendar what would be offered in the State  
21 of California.

22 CHAIR BRACKPOOL: Right. But I -- before we get to  
23 the arguments, because I really don't what the advocacy to  
24 start just for the moment, I'm assuming, Stuart, that you would  
25 have real trouble filling ten days of racing; right?

1 MR. TITUS: Yes.

2 CHAIR BRACKPOOL: Right.

3 MR. TITUS: Quite a bit of trouble, yes.

4 CHAIR BRACKPOOL: Right. Right. Right. And do  
5 that. I think we also heard last year from representatives at  
6 Del Mar on this issue about, you know, their concerns. Your  
7 comments, I assume, are reflective of -- of those as well?

8 MR. RAFFETTO: Yes, they are, Mr. Chairman.

9 CHAIR BRACKPOOL: Okay. But I'm still struggling to  
10 see -- if you're prepared to offer them four non-overlapped  
11 then -- then the issue on those four, which is not radically  
12 different to what CARF is asking for, is the particular days  
13 rather than the aggregate amount of days; is that correct?  
14 Because you're offering them a Wednesday and a Thursday rather  
15 than a weekend.

16 VICE CHAIR ISRAEL: Right. Yeah. Because they don't  
17 want to run the second Wednesday and Thursday.

18 MR. KORBY: Yes, that's correct. But I must say  
19 there's a logistical issue that comes into play here on that  
20 first Wednesday.

21 VICE CHAIR ISRAEL: Wednesday the 15th?

22 MR. KORBY: Wednesday the 15th, that is correct.

23 VICE CHAIR ISRAEL: Why is that?

24 MR. KORBY: The amount of time between the closing of  
25 the prior fair, Santa Rosa, and whether or not there will be

1 enough horses present at --

2 CHAIR BRACKPOOL: The track.

3 MR. KORBY: -- Humboldt to make -- to maximize the  
4 affect of being able to run without an overlapping signal on  
5 that Wednesday. That typically is not an opening day for  
6 Humboldt County Fair.

7 VICE CHAIR ISRAEL: Well, it's -- it's the one --

8 MR. KORBY: Maybe Stuart can speak to that.

9 VICE CHAIR ISRAEL: It's one of the two days upon  
10 which everybody agrees it seems. The only agreement is on the  
11 15th ad the 16th on both of the two calendars. So you've  
12 already agreed to that.

13 COMMISSIONER CHOPER: They show ten days, see?

14 VICE CHAIR ISRAEL: No. On one side -- one side it's  
15 ten days.

16 COMMISSIONER CHOPER: They don't want to run ten  
17 days.

18 VICE CHAIR ISRAEL: Yeah, I know. But the problem --

19 COMMISSIONER CHOPER: They have the 22nd and 23rd.

20 VICE CHAIR ISRAEL: The 22nd and 23rd don't --

21 COMMISSIONER CHOPER: You're right. You're right.  
22 You're right.

23 VICE CHAIR ISRAEL: Yeah.

24 COMMISSIONER CHOPER: Excuse me.

25 VICE CHAIR ISRAEL: They've already asked for those.

1 They asked for that.

2 COMMISSIONER CHOPER: Yeah.

3 MR. KORBY: Well, the -- the -- the difference would  
4 be how they -- how the -- the number of available runners are  
5 managed by the racing office. It would be significantly  
6 different if there were two non-overlapped days separated by a  
7 block of overlapped days in between. In other words, we would  
8 want to offer -- we would want to offer the best racing we  
9 could on those days that we're not overlapped.

10 CHAIR BRACKPOOL: Yeah.

11 MR. KORBY: This is a nuance, gentlemen.

12 CHAIR BRACKPOOL: No, I understand. But let me ask  
13 this question.

14 MR. KORBY: One that we have -- we have  
15 consideration.

16 CHAIR BRACKPOOL: So -- so two distinctly different  
17 issues here, apart from, you know, the -- the -- the help of  
18 Humboldt County, which I'm not disregarding. But there are  
19 two -- there are two separate issues here.

20 Does the issue in the south, which is making sure, as  
21 far as I understand from the people at Del Mar last year, that  
22 we're offering a product that traditional patrons of Del Mar  
23 actually want to wager on and the Humboldt product struggles,  
24 whereas the Golden Gate product is a little more traditional, a  
25 little more comfortable to those. And then there's the issue

1 of, you know, who gets the host fee, etcetera. So how we tried  
2 to resolve that last year was by really doing both, right,  
3 which was that we offered the product of both Golden Gate and  
4 Humboldt to the patrons of Del Mar, and yet Golden Gate had to  
5 give up some of the host fee to actually make that happen.

6           Is there not a solution in the works that's -- that's  
7 not dissimilar to that for next year? I mean, we are talking  
8 about, you know, a couple of days. And if everybody is so  
9 convinced that the Humboldt product, you know, just doesn't --  
10 doesn't work on a Friday or a Saturday is that not an area that  
11 we should be pushing towards? I mean, we're talking one day  
12 here I think.

13           MR. MORRIS: Yeah. I have -- Joe Morris from Golden  
14 Gate. I'm not sure which days Humboldt is asking for, to be  
15 honest with you. I mean, we -- it looks like there's ten of  
16 them on there, but maybe there isn't ten.

17           VICE CHAIR ISRAEL: No. No.

18           CHAIR BRACKPOOL: No.

19           VICE CHAIR ISRAEL: They're -- I can tell you the  
20 days. They're asking for un-overlapped August 15, 16, 17, 18  
21 and 19. They're asking to be dark and at a simulcast facility  
22 only on 22 and 23 of August.

23           MR. MORRIS: All right.

24           VICE CHAIR ISRAEL: And then they want to be  
25 overlapped 24, 25 and 26.

1           Your proposal is for ten days.

2           MR. MORRIS: Yeah.

3           VICE CHAIR ISRAEL: Has -- has them racing un-  
4 overlapped 15, 16, 22, 23.

5           MR. MORRIS: Yeah. There's -- that's right.

6           VICE CHAIR ISRAEL: And then you're overlapped all  
7 the other days.

8           MR. MORRIS: Right.

9           CHAIR BRACKPOOL: Right.

10          MR. MORRIS: And as you know, I come late to the  
11 negotiations. And I'll split this into two parts.

12                 One, I have seen our financial situation at Golden  
13 Gate, and I don't believe we're in a financial situation to be  
14 supplementing any other place.

15                 But, two, I have not had the opportunity to meet or  
16 sit down with the Humboldt people. So I mean, we're willing to  
17 do that and talk to them.

18                 I mean, as you can see, we've moved our schedule  
19 around under Robert to accommodate some of the other fairs. I  
20 actually thought most of this stuff had already been worked  
21 out, so -- from -- from what Robert had told me.

22                 COMMISSIONER CHOPER: Can I -- can I ask you, this is  
23 between Friday and Sunday. Is there any difference between  
24 those two days? Is Sunday better than Friday?

25                 MR. MORRIS: Sunday is better than Friday.

1 COMMISSIONER CHOPER: Well --

2 VICE CHAIR ISRAEL: Is that --

3 COMMISSIONER CHOPER: -- maybe there's some room --

4 MR. MORRIS: Yeah.

5 COMMISSIONER CHOPER: -- to give there.

6 VICE CHAIR ISRAEL: Well, I'd like to ask -- I want  
7 to understand the financial impact of this. I mean, we did  
8 this a couple years ago and -- and I'm still dissatisfied with  
9 how this has worked out.

10 How much money is lost on a daily basis by owners  
11 when Humboldt runs un-overlapped?

12 MR. RAFFETTO: Obviously, like Joe, new -- new to the  
13 party here, and I can't give you a straight answer other than  
14 to say that I -- and Chris might have a better idea of how many  
15 of those races run at Humboldt are actually thoroughbred races.  
16 That is -- so there is -- it's quite a difference in that  
17 regard.

18 VICE CHAIR ISRAEL: Well, I -- well, maybe somebody  
19 from Del Mar can answer that question.

20 COMMISSIONER CHOPER: Yeah.

21 MR. ERNST: I'm Mike Ernst, the chief financial  
22 officer for Del Mar. And when Humboldt runs solo there's  
23 roughly about a \$20,000 decline in the purses and commissions  
24 that are generated than when they -- when they run together.

25 CHAIR BRACKPOOL: Per day?

1 MR. ERNST: Per day.

2 VICE CHAIR ISRAEL: Per day?

3 MR. ERNST: Per day.

4 CHAIR BRACKPOOL: Okay.

5 VICE CHAIR ISRAEL: So if -- it's a total, both North  
6 and South, or just for you?

7 MR. ERNST: For the southern course owners in  
8 commissions.

9 VICE CHAIR ISRAEL: Okay. So can we -- is there --

10 CHAIR BRACKPOOL: But if -- let me -- let me ask the  
11 second question then. If Golden Gate and Humboldt are running  
12 are the same time, and leaving aside Golden Gate's lack of  
13 desire to hand over their host fee, which I understand, but if  
14 Golden Gate and Humboldt are running at the same time then I  
15 assume there's no decline in -- in that -- that \$20,000 still  
16 exists at that stage.

17 MR. ERNST: Yes. Yes.

18 CHAIR BRACKPOOL: I mean, in the sense that there is  
19 no loss at that stage because you're offering both of the  
20 products.

21 MR. ERNST: That's correct.

22 CHAIR BRACKPOOL: Right. Right.

23 VICE CHAIR ISRAEL: Okay.

24 CHAIR BRACKPOOL: So --

25 VICE CHAIR ISRAEL: Is there a formula where you can

1 compare North and South? If North -- if South is losing  
2 20,000, and North on an average basis will lose 13,000, is  
3 there some --

4 MR. ERNST: You know, I --

5 VICE CHAIR ISRAEL: -- ratio?

6 MR. ERNST: I'm sure we can work it up.

7 Unfortunately, I -- being a southern guy I'm not familiar with  
8 the north.

9 CHAIR BRACKPOOL: I mean, it --

10 MR. ERNST: But we could certainly work that up  
11 quickly.

12 CHAIR BRACKPOOL: It seems to me that that's -- you  
13 know, that that's still the place to go. It's where Robert was  
14 obviously trying to go before he -- before he left, etcetera.

15 I'm loathe, Chris, to put this over because we're  
16 down to one or two days. I mean, we're -- we're almost there.  
17 So I'd like to get this resolved if possible; right? So --

18 MR. KORBY: Might -- might I offer this?

19 CHAIR BRACKPOOL: Yeah.

20 MR. KORBY: We -- we were in not a dissimilar  
21 situation last year.

22 CHAIR BRACKPOOL: Right.

23 MR. KORBY: And we -- there -- there was one  
24 outstanding issue in the northern California. It was the same  
25 issue.

1 CHAIR BRACKPOOL: Right.

2 MR. KORBY: And we -- we at CARF facilitated  
3 discussions between Humboldt County Fair and Golden Gate  
4 Fields. And I would offer that we'll be glad to serve in that  
5 role again and come back to the Board with a resolution --

6 CHAIR BRACKPOOL: Well, here's -- yeah. And --

7 MR. KORBY: -- if -- if the TOC and Golden Gate  
8 are -- are forced to do that.

9 CHAIR BRACKPOOL: I mean, it seems to me that if --  
10 if what we could be talking about is approving this calendar,  
11 and the only issue you're going to come back to us on at the  
12 next meeting for final approval is which of those days are  
13 solely Humboldt, solely --

14 MR. KORBY: Uh-huh.

15 CHAIR BRACKPOOL: -- Golden Gate, and which of those  
16 days are both, but which of those days have a common host fee,  
17 then I think that would be a discussion that you would all be  
18 better served having over a few days rather than two minutes  
19 now and us ruling on something.

20 MR. KORBY: We'll offer to -- to do that again this  
21 year, as we did last year, if others are willing as well.

22 VICE CHAIR ISRAEL: I'm still having a hard time.  
23 What was wrong with last year's solution and why can't it be  
24 implemented this year? Who is objecting to that?

25 COMMISSIONER CHOPER: Humboldt.

1 MR. RAFFETTO: Again, I'm going to speak since Joe's  
2 new here. The only thing that I know about last year's  
3 situation in my conversations with Robert Hartman was the fact  
4 that -- and again, I'm not sure of the number. I think he said  
5 in splitting fees, in -- in doing the deal last year he said I  
6 think it was \$30,000 it cost him to do that, and he wasn't  
7 prepared to do it again when we had the conversation. But I  
8 can't swear that that's the figure.

9 VICE CHAIR ISRAEL: So -- so the objection now is  
10 coming from PRA, not --

11 MR. RAFFETTO: Correct.

12 VICE CHAIR ISRAEL: Okay.

13 MR. RAFFETTO: Right. Right.

14 CHAIR BRACKPOOL: I think this is the way to -- this  
15 is the way to do this calendar, which is that we approve the  
16 calendar. We've approved the change in Stockton. We have  
17 approved the extra weekend going to Golden Gate, with my  
18 comments for 2013 withstanding. And what you're going to come  
19 back to us on at the November meeting is you're going not  
20 present us either the agreement or the remaining dispute on how  
21 we handle those overlapped, non-overlapped host fee days.

22 Before we take a vote on that, Stuart, you wanted to  
23 say something?

24 MR. TITUS: Just -- just to mention a few things for  
25 the record, Mr. Chairman. And thank you for giving me the

1 time.

2           This year's calendar that was approved by CARF, all  
3 members of CARF, came at no small sacrifice to Humboldt in that  
4 we have agreed to -- to start our fair and race meet one week  
5 later in the month to eliminate the overlap with the Sonoma  
6 County Fair in Santa Rosa and take the pressure off from the  
7 industry overall in trying to spread these horses out.

8           That offer also came with the caveat that if we got  
9 the first five days allocated to us un-overlapped we would  
10 forgive in the second week any many that might be due us from  
11 Golden Gate Fields by way of legislation.

12           The key for us in terms of 2012 is the fact that  
13 there is no supplemental purse fund, at least nothing to the  
14 degree that we've had in the past, to underwrite our program.  
15 That's gone away with the state budget, as well as state  
16 funding. So we're happy to -- to have the opportunity to meet  
17 with Golden Gate Fields and the TOC. This is a financial  
18 issue.

19           We understand and appreciate your concerns about the  
20 overall industry impact when Humboldt runs solo, and that it --  
21 we understand that it's a lesser concern of the Board's as to  
22 the financial impact of the Humboldt County Fair Association.

23           CHAIR BRACKPOOL: It's a different concern. I  
24 wouldn't categorize it as a lesser concern.

25           MR. TITUS: Okay.

1 CHAIR BRACKPOOL: It's a different concern.

2 MR. TITUS: It's -- it's a different concern.

3 I can say this, from a financial standpoint  
4 internally we likely will not be coming to this Board applying  
5 for a license next year if we had to do it over again the same  
6 way we did in 2011. It just doesn't -- it doesn't pencil out.

7 CHAIR BRACKPOOL: Right.

8 MR. TITUS: The five days are critical to us.

9 CHAIR BRACKPOOL: Right.

10 VICE CHAIR ISRAEL: So compromise is bad for both  
11 sides?

12 COMMISSIONER CHOPER: The same.

13 MR. TITUS: Compromise is bad for both sides?

14 VICE CHAIR ISRAEL: I'm saying because I just -- when  
15 I asked the question I was told that PRA is not interested in  
16 the same deal. And now you're saying you're not interested in  
17 the same deal.

18 MR. TITUS: Perhaps for different reasons, but I  
19 guess so.

20 CHAIR BRACKPOOL: All right. Look, I think the best  
21 thing we can do is to do what we've -- we've done here. I  
22 don't think anybody really is going to benefit if the four of  
23 us sit here and just make a determination that I don't think,  
24 you know, is the right -- right way to do this.

25 So that's what I'd like to do is to say we have the

1 whole of north agreed, apart from how that is handled, and we  
2 will review that at the November meeting. And I encourage you  
3 all to, you know, do that. And feel free to use, you know, our  
4 offices for -- for any help you need on -- on that and do that.  
5 So I think that's where we are on the north. Thank you,  
6 everybody.

7           Just before everybody leaves, I have two speakers.  
8 And I want to do the south before I do that. But I -- John  
9 Barr, I'm sure, is to speak on, you know, the -- the southern  
10 part.

11           Carlo, is yours particular to the north or can it  
12 wait -- it is?

13           MR. FISCO: Yes.

14           CHAIR BRACKPOOL: Then you better come up and speak  
15 before we move on to the south.

16           MR. FISCO: Thank you, Mr. Chairman. On behalf of  
17 CTT I've been asked to make --

18           CHAIR BRACKPOOL: Name for the record. Name.

19           MR. FISCO: Carlo Fisco, CTT. I've been asked to  
20 make these following statements which show the hopes and wishes  
21 of the trainers, the CTT constituency, as to the Pleasanton  
22 request. The CTT and the horsemen sponsor and support the PRA  
23 proposal. Likewise, for the Ferndale proposal as submitted in  
24 the packet, CTT supports the PRA proposal.

25           CTT is also thankful that the PRA at GGF meet is

1 extended until December 16th with only one peculiarity.  
2 December 14th, 2012 is a Friday. And the horsemen would like  
3 to defer the decision that day as to whether or not Hollywood  
4 Park races. If Hollywood Park races at night the trainers  
5 would ask that there be no racing at Golden Gate. If Hollywood  
6 Park --

7 CHAIR BRACKPOOL: Okay. What we're doing is the  
8 block of calendar. Individual race dates are going to be  
9 handled at each application.

10 MR. FISCO: Understood. I just wanted to point out  
11 that one single date, but we'll come again.

12 CHAIR BRACKPOOL: And so when we do that I'd like you  
13 to point that out again at that -- at that -- that --

14 COMMISSIONER CHOPER: It's a preview. You gave us a  
15 preview.

16 CHAIR BRACKPOOL: You gave me a preview of your  
17 forthcoming comment.

18 MR. FISCO: There you go. Thank you.

19 CHAIR BRACKPOOL: All right. Thank you.

20 VICE CHAIR ISRAEL: I'll remember. It's a week after  
21 Pearl Harbor Day you don't want to do something.

22 CHAIR BRACKPOOL: Okay. So thank you, everybody, for  
23 that.

24 Lou, maybe you should stay where you are, and the  
25 other northern representatives. Thank you. And if we could

1 now have the southern representatives come forth. Maybe grab a  
2 couple extra chairs.

3           So let's go around for the -- for the record who  
4 we -- who we have. Let's go left to right.

5           George, grab that microphone and just speak into it  
6 please.

7           MR. HAINES: George Haines, Santa Anita.

8           MR. DARUTY: Scott Daruty, Santa Anita.

9           MR. DADO: Craig Dado, Del Mar.

10          MR. RUBINSTEIN: Josh Rubinstein, Del Mar.

11          MR. RAFFETTO: Lou Raffetto, TOC.

12          MR. LIEBAU: Jack Liebau, Hollywood Park.

13          MR. CEDAR: Mike Cedar, Fairplex.

14          MR. HENWOOD: Jim Henwood, Fairplex.

15          CHAIR BRACKPOOL: Thank you. We have a rather  
16 remarkable thing here that we're -- have very little -- very  
17 little dispute on this. So maybe the -- maybe the revised  
18 system of the way we did it his year worked a little better  
19 than how we did it in -- in the past.

20                 Again, we're not doing individual days here. And I  
21 do have some questions, as I'm sure do other Board members, on,  
22 you know, the pros and cons of running on a particular day  
23 within the -- within the -- within the block.

24                 But, Jackie, are there any particular comments here?

25                 I tell you one thing that's confusing in the staff

1 report, and again, maybe it's me, which is where, you know,  
2 the -- the arrangement between Hollywood Park and Santa Anita  
3 with respect to the Breeders' Cup --

4 MS. WAGNER: Right.

5 CHAIR BRACKPOOL: -- has two aspects that pertain to  
6 this. Right.

7 Number one is that Hollywood Park wants to start  
8 racing the day after the Breeders' Cup, which to me makes  
9 little sense at all because everyone is going to be in town.  
10 They're all staying up here, etcetera, etcetera. We've got  
11 tote boards to move. We've got everything. And to me it makes  
12 no sense to race here on Friday and Saturday with the world  
13 championships and then, you know, spend all night moving  
14 down -- down there. That's my personal opinion. I'll hear  
15 from other commissioners.

16 MR. LIEBAU: With your vote being essential I  
17 don't -- we get the message.

18 CHAIR BRACKPOOL: The -- the second thing is in the  
19 staff report here it says that -- and I've seen the letter, but  
20 I think the letter is to do with 2013, not 2012. So it says,  
21 "In lieu of Hollywood Park racing having one less week of  
22 racing in Fall 2012 as would customarily be the case, LATC  
23 shows support and in doing so used its best efforts to  
24 cause the Board to allocate six weeks of live racing to  
25 Hollywood Park in November and December of 2012."

1 Right. That's supposed to be '13, isn't it, not '12?  
2 It's just a typo?

3 MR. LIEBAU: Yeah.

4 MS. WAGNER: Yeah.

5 VICE CHAIR ISRAEL: You have six weeks in 2012.

6 MS. WAGNER: No. I think --

7 CHAIR BRACKPOOL: Right. We'll start --

8 MR. LIEBAU: The theory is that we would -- the week  
9 that Hollywood would be giving up in 2012 because --

10 CHAIR BRACKPOOL: Giving up being a relative term --

11 MR. LIEBAU: Well, I --

12 CHAIR BRACKPOOL: -- because this Board gives out.

13 MR. LIEBAU: I understand that --

14 CHAIR BRACKPOOL: Right. Right.

15 MR. LIEBAU: -- Chairman Brackpool. The -- the  
16 transaction or the arrangement that was made, and Hollywood  
17 Park was very helpful as far as --

18 CHAIR BRACKPOOL: I agree.

19 MR. LIEBAU: -- the Breeders' Cup is concerned in  
20 that we had to agree to be the alternate site. And so there  
21 were some quid pro quos. And the -- the idea was that if we  
22 were thought to be giving up a week in 2012 --

23 CHAIR BRACKPOOL: Right.

24 MR. LIEBAU: -- that we would be compensated for  
25 that, subject to approval by the Horse Racing Board in 2013.

1 CHAIR BRACKPOOL: Right. But my point is it's not a  
2 2012 issue.

3 MR. LIEBAU: Right.

4 CHAIR BRACKPOOL: It was a typo here.

5 MR. LIEBAU: Right. Yeah.

6 CHAIR BRACKPOOL: That was all.

7 MS. WAGNER: I just wanted to -- Jack just mentioned  
8 that to me. Because I took that verbatim out of the letter.

9 CHAIR BRACKPOOL: Right.

10 MS. WAGNER: And the letter was incorrect. So --

11 CHAIR BRACKPOOL: Right. Right.

12 MR. LIEBAU: Right.

13 CHAIR BRACKPOOL: But it was just -- there was just a  
14 typo.

15 MS. WAGNER: We just -- we just didn't get a chance  
16 to change it.

17 CHAIR BRACKPOOL: Because we're not doing --

18 MS. WAGNER: Yeah.

19 CHAIR BRACKPOOL: -- 2013 yet.

20 MR. LIEBAU: We're not -- we're not doing 2013.

21 CHAIR BRACKPOOL: I understand what the --

22 MS. WAGNER: Yeah. Yeah.

23 CHAIR BRACKPOOL: -- what the request is for you each  
24 applying, but we'll handle that in a year's time.

25 MS. WAGNER: Yes.

1 CHAIR BRACKPOOL: -- all right, and -- and do that.

2 And for --

3 MR. LIEBAU: And hopefully --

4 CHAIR BRACKPOOL: And for --

5 MR. LIEBAU: -- we'll both be here.

6 CHAIR BRACKPOOL: We all feel -- we all feel the same  
7 about ourselves.

8 And for the record, at the Breeders' Cup announcement  
9 a point was made to thank Hollywood Park for -- by -- by all  
10 for its cooperation in being the backup track and doing what  
11 was necessary.

12 But I just wanted to clear that up. So there's not a  
13 disagreement on 2012 --

14 MS. WAGNER: No.

15 CHAIR BRACKPOOL: -- because that was a question you  
16 asked me this morning, I believe, Mr. Choper.

17 So we would start here at Santa Anita on the  
18 traditional 26th of December.

19 MS. WAGNER: Right.

20 CHAIR BRACKPOOL: And we would go through the 22nd of  
21 April, which is substantially the same as this year, give or  
22 take the week -- the weekday calendar?

23 MR. HAINES: Yeah. Seventeen weeks.

24 CHAIR BRACKPOOL: Exactly.

25 MR. HAINES: Right.

1 CHAIR BRACKPOOL: So the same as normal. We would  
2 then go to the spring meet, which we've got to use different  
3 colors. This dark green is really tough to --

4 MR. LIEBAU: Is the 24th, though, your simulcast day?  
5 You don't have a -- when he said you would close on the --

6 MS. WAGNER: 22nd.

7 CHAIR BRACKPOOL: 22nd.

8 MR. LIEBAU: -- 22nd --

9 MR. HAINES: But the 24th and 25th would be  
10 simulcast.

11 MR. LIEBAU: 24th and 23rd. 23rd and 24th.

12 MR. HAINES: 23rd and 24th --

13 MR. LIEBAU: Right.

14 MR. HAINES: -- would be simulcast.

15 MR. LIEBAU: Right.

16 MR. HAINES: Right.

17 VICE CHAIR ISRAEL: For LATC?

18 MR. HAINES: Yes.

19 MS. WAGNER: But those need to be allocated.

20 MR. LIEBAU: Right. That -- that was my point.

21 MS. WAGNER: So we would need to --

22 MR. LIEBAU: They've blocked those.

23 MS. WAGNER: -- to the 24th.

24 CHAIR BRACKPOOL: They've blocked those --

25 MR. LIEBAU: They've blocked those to the 24th.

1 CHAIR BRACKPOOL: -- to the 24th. And then Hollywood  
2 Park would start on the 25th all the way through the 15th of  
3 July.

4 MR. LIEBAU: 17th.

5 VICE CHAIR ISRAEL: 17th, it shows.

6 CHAIR BRACKPOOL: So again, I'm just saying, because  
7 on this it's the same thing, you've got to add the two  
8 simulcast days.

9 MR. LIEBAU: Right.

10 CHAIR BRACKPOOL: Right. So it goes to the 17th.  
11 And then, Craig, Del Mar would start the 18th of July, go  
12 through to the 5th of September?

13 MR. DADO: Correct.

14 VICE CHAIR ISRAEL: With the 6th being your simulcast  
15 day or Fairplex's?

16 MR. DADO: No. That's Fairplex's.

17 CHAIR BRACKPOOL: Fairplex.

18 VICE CHAIR ISRAEL: the 6th is Fairplex.

19 CHAIR BRACKPOOL: Yeah.

20 VICE CHAIR ISRAEL: Okay.

21 CHAIR BRACKPOOL: Yeah. They close on the day they  
22 close and they do that.

23 And then, Jim, you would start the 6th, not the 7th  
24 as it says here; right?

25 MS. WAGNER: You're going to simulcast that?

1 CHAIR BRACKPOOL: All right. Because I'm not doing  
2 individual race meet applications at this calendar. And you'd  
3 go through the --

4 MR. HENWOOD: 25th.

5 CHAIR BRACKPOOL: -- 23rd.

6 MR. HENWOOD: It should be the 25th.

7 CHAIR BRACKPOOL: The 25th. So you're going to add  
8 the two days of simulcast there.

9 MR. HENWOOD: But the 23rd is --

10 CHAIR BRACKPOOL: The 23rd is your proposed cutoff  
11 live day --

12 MR. HENWOOD: That's correct.

13 CHAIR BRACKPOOL: -- it will be your --

14 MR. HENWOOD: Yes.

15 CHAIR BRACKPOOL: But again, I'm not doing that.

16 COMMISSIONER CHOPER: Santa Anita from the 26th --

17 CHAIR BRACKPOOL: Santa Anita --

18 COMMISSIONER CHOPER: -- to the 3rd.

19 CHAIR BRACKPOOL: -- would then be 24th, George; is  
20 that correct?

21 MR. HAINES: 26th.

22 MS. WAGNER: 26th.

23 CHAIR BRACKPOOL: It says the 26th.

24 COMMISSIONER CHOPER: Yeah. There's a little  
25 difference between them.

1 CHAIR BRACKPOOL: Right.

2 VICE CHAIR ISRAEL: So you have the 24th and 25th?

3 CHAIR BRACKPOOL: Yeah.

4 VICE CHAIR ISRAEL: Okay.

5 MR. HAINES: Same as this year.

6 CHAIR BRACKPOOL: So you'd be the 26th through the  
7 3rd of --

8 VICE CHAIR ISRAEL: November.

9 CHAIR BRACKPOOL: -- November. But it's not the 3rd  
10 of November because it's going to be the Sunday.

11 VICE CHAIR ISRAEL: So it will be the 4th.

12 MR. HAINES: The 4th.

13 CHAIR BRACKPOOL: The 4th.

14 MS. WAGNER: So the 4th is going to belong to them?

15 CHAIR BRACKPOOL: The 4th is going to belong to them.

16 COMMISSIONER MOSS: Are the 2nd and 3rd Breeders'  
17 Cup?

18 CHAIR BRACKPOOL: Yes.

19 COMMISSIONER MOSS: Yeah.

20 CHAIR BRACKPOOL: Yeah.

21 COMMISSIONER MOSS: It's going to belong to --

22 VICE CHAIR ISRAEL: Santa Anita.

23 CHAIR BRACKPOOL: It's going to belong to Santa  
24 Anita.

25 COMMISSIONER MOSS: I see.

1 CHAIR BRACKPOOL: Because I think the idea of moving  
2 it is --

3 VICE CHAIR ISRAEL: The autumn meet.

4 CHAIR BRACKPOOL: -- just too much. Right. So  
5 you'll get the 4th, as well. Okay.

6 Then, Jack, you would actually start on the 5th as  
7 far as simulcast goes; right?

8 MR. LIEBAU: Yes, if we don't get the 4th.

9 CHAIR BRACKPOOL: You're not getting the 4th, so the  
10 5th.

11 MS. WAGNER: The 5th is going to be simulcast. Okay.

12 VICE CHAIR ISRAEL: You've got the day in between.  
13 Jackie, you got admit it's crazy to race in one place on a  
14 Saturday --

15 CHAIR BRACKPOOL: Let's not -- let's not ask them to  
16 negotiate it.

17 Anyway, so the 5th --

18 MS. WAGNER: Is Hollywood Park.

19 CHAIR BRACKPOOL: -- is Hollywood Park --

20 MS. WAGNER: Right.

21 VICE CHAIR ISRAEL: The leading question.

22 CHAIR BRACKPOOL: -- through the 16th of December.

23 MR. LIEBAU: The 25th. Yeah.

24 COMMISSIONER CHOPER: 24th.

25 CHAIR BRACKPOOL: The 25th for simulcast purposes.

1 MR. LIEBAU: Right. Correct.

2 CHAIR BRACKPOOL: Correct.

3 MS. WAGNER: Okay. So you want to allocate it to the  
4 25th?

5 CHAIR BRACKPOOL: Correct.

6 MR. LIEBAU: Right.

7 MS. WAGNER: Okay.

8 CHAIR BRACKPOOL: I was getting to that, buddy. I  
9 was getting to that. Anymore from the peanut gallery and  
10 we'll -- the 25th. Right.

11 Now, Lou, you're surrounded by the most unusual set  
12 of circumstances you could ever imagine, which is all these  
13 people sitting here and agreeing. So if you screw this up in  
14 your comments I'm going to remember this for a long time. But  
15 that said, please go ahead with your comments.

16 MR. RAFFETTO: I think Hollywood should race six days  
17 a week in the fall. That's one of my points. No. Yeah,  
18 it's -- it's great to be here with all our allies and -- and be  
19 in agreement on the schedule. And the TOC is in agreement on  
20 the blocks as they've been presented here today. So I'm happy  
21 to report that.

22 CHAIR BRACKPOOL: Right. I would also point out  
23 that, as Commissioner Moss said and we should just again state  
24 for the record, that November the 2nd and 3rd will be Breeders'  
25 Cup --

1 MS. WAGNER: Right.

2 CHAIR BRACKPOOL: -- Day at Santa Anita. And so when  
3 that license application comes in, I know we handle those two  
4 days slightly differently as to the meet, but -- so we are  
5 affirming what has already been announced, that those two days  
6 will be the Breeders' Cup --

7 MS. WAGNER: Okay.

8 CHAIR BRACKPOOL: -- days. So do I have any other  
9 questions?

10 VICE CHAIR ISRAEL: Well, I -- why is there a  
11 submission from TOC that's different?

12 CHAIR BRACKPOOL: Because they were trying -- in my  
13 understanding --

14 VICE CHAIR ISRAEL: They're trying to figure out the  
15 actual race dates?

16 CHAIR BRACKPOOL: The actual race dates.

17 VICE CHAIR ISRAEL: Race three days or --

18 CHAIR BRACKPOOL: And we're -- we're just not doing  
19 that.

20 VICE CHAIR ISRAEL: -- or more days. All right. I  
21 got you.

22 CHAIR BRACKPOOL: Right. That was -- that was all.

23 VICE CHAIR ISRAEL: So -- but you -- and you have no  
24 objection to the calendar at all?

25 MR. HAINES: None whatsoever.

1 VICE CHAIR ISRAEL: All right.

2 COMMISSIONER CHOPER: Because it's liable to more  
3 days off anyway.

4 VICE CHAIR ISRAEL: Well, no. I mean, you -- yeah.  
5 It's --

6 COMMISSIONER CHOPER: The horse population isn't  
7 there.

8 VICE CHAIR ISRAEL: It's -- it's -- it's obvious on  
9 September 4th that they're not racing at Del Mar. It's, you  
10 know, it's blue on one and white on the other.

11 CHAIR BRACKPOOL: I would like -- before we go too  
12 much further I have a speaker on this issue. John Barr.

13 MR. BARR: John Barr, Oak Tree Racing Association.  
14 Far be it for me to mess a nice garden party. So on behalf of  
15 Oak Tree Racing Association we fully support the applications  
16 that are before you and we urge you to pass them. Thank you.

17 VICE CHAIR ISRAEL: Thank you, John.

18 CHAIR BRACKPOOL: Thank you, John. And -- and I will  
19 say that I was remiss at the start of this meeting when I  
20 wished our executive director well. I also, on behalf of the  
21 Board, want to wish Sherwood Chillingworth well who has been  
22 taken ill, and he's a dear valued friend to -- to the whole  
23 industry. So we -- we send him our very, very best wishes for  
24 a full speedy recovery.

25 MR. BARR: Chilly is doing very nicely. He's coming

1 along. He's been out of the hospital about four days and  
2 he's --

3 CHAIR BRACKPOOL: Well, he -- called me to lobby me  
4 on something last night, so I realize he's recovering --

5  
6 MR. BARR: Well, I know.

7 CHAIR BRACKPOOL: -- his strength quickly.

8 MR. BARR: He's -- I started to say 90 percent of the  
9 time he's doing what his doctor tells him to. And I urged him  
10 not to come here today. But I talked to him no less than four  
11 or five times yesterday. Because you know Chilly, he wants to  
12 be involved but -- and I'm sure he wishes he was here. But  
13 I'll make -- if he's not listening, I don't know if he's tuned  
14 in at home or not, but I'll be sure and pass on your --

15 CHAIR BRACKPOOL: All right. You do that.

16 MR. BARR: Thank you.

17 CHAIR BRACKPOOL: And let me just again state that  
18 the conversations that have been going on, I think, have  
19 resulted I this 2012 calendar. But I am very encouraged by the  
20 dialogue that's been going on for the more permanent calendar  
21 in the future. And we very much appreciate the input that Oak  
22 Tree has been giving in that, etcetera. And so I think it's  
23 been a very, very valuable exercise and we thank you, your  
24 organization once again for the -- for the professionalism you  
25 display.

1 MR. BARR: And we thank you and all you gentlemen  
2 seated up there, seated in front of me too. Thank you very  
3 much.

4 CHAIR BRACKPOOL: Thank you. So if there are no  
5 other speakers on this issue I would propose something really  
6 quite remarkable, which is that we approve the Southern  
7 California calendar for 2012 in its entirety.

8 COMMISSIONER CHOPER: Agreed.

9 COMMISSIONER MOSS: Second.

10 CHAIR BRACKPOOL: And seconded by Commissioner Moss.  
11 All in favor?

12 ALL COMMISSIONERS: Motion approved. Thank you.

13 MR. HAINES: Thank you.

14 MR. LIEBAU: Thank you.

15 VICE CHAIR ISRAEL: We need to do the other. We  
16 never did vote.

17 CHAIR BRACKPOOL: Oh. And so we also need to  
18 approve -- shall I do this as one motion or four separate  
19 motions?

20 MS. WAGNER: Four.

21 MR. MILLER: Four separate motions.

22 CHAIR BRACKPOOL: Okay. So we approved the harness  
23 calendar through June the 16th of 2012.

24 VICE CHAIR ISRAEL: I'll move it.

25 COMMISSIONER MOSS: Second.

1 CHAIR BRACKPOOL: Moved by Commissioner Israel.  
2 Seconded by Commissioner Moss. All in favor?  
3 ALL COMMISSIONERS: Aye.  
4 VICE CHAIR ISRAEL: Jess --  
5 CHAIR BRACKPOOL: Mr. Choper --  
6 VICE CHAIR ISRAEL: Jess, we got two more votes. Say  
7 aye.  
8 COMMISSIONER CHOPER: Aye.  
9 VICE CHAIR ISRAEL: Okay.  
10 CHAIR BRACKPOOL: The -- the Los Alamitos calendar as  
11 presented, a motion proposed by --  
12 COMMISSIONER CHOPER: Moved.  
13 VICE CHAIR ISRAEL: Second.  
14 CHAIR BRACKPOOL: -- Commissioner Choper, seconded by  
15 Vice Chair Israel. All in favor?  
16 ALL COMMISSIONERS: Aye.  
17 CHAIR BRACKPOOL: The Northern California I propose  
18 that we approve the calendar subject only to the resolution of  
19 the Humboldt-Golden Gate issue which is going to come back to  
20 us in November. I have a second for that?  
21 COMMISSIONER MOSS: Second.  
22 CHAIR BRACKPOOL: Seconded by Commissioner Moss. All  
23 in favor?  
24 ALL COMMISSIONERS: Aye.  
25 CHAIR BRACKPOOL: Motion approved.

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That now concludes the open part of our meeting. We will now adjourn to closed session and come back to close the meeting afterwards. Thank you for your attendance.

(Thereupon the California Horse Racing Board Regular Meeting went into a Closed Session at 11:58 a.m., then was adjourned.)

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TRANSCRIBER'S CERTIFICATE

I, Martha L. Nelson, attest that the foregoing proceedings were transcribed to the best of my ability.

I further certify that I am not a relative or employee of any attorney of the parties, nor financially interested in the action.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated this 10th day of October, 2011.

          /s/ Martha L. Nelson          

Martha L. Nelson, CERT\*00367