

CALIFORNIA HORSE RACING BOARD

1010 Hurley Way, Suite 300
Sacramento, CA 95825
www.chrb.ca.gov
(916) 263-6000 Fax (916) 263-6042



REGULAR MEETING

of the **California Horse Racing Board (CHRB)** will be held **Thursday, April 21, 2016**, commencing at **10:00 a.m.**, at the **Bayview Lounge (Turf Club) at Golden Gate Fields, 1100 Eastshore Hwy, Berkeley, California**. The audio portion only of the California Horse Racing Board regular meeting will be available online through a link at the CHRB website (www.chrb.ca.gov) under "Webcasts."

AGENDA

Action Items:

1. **Approval of the minutes of March 24, 2016.**
2. **Executive Director's Report.**
3. **Public Comment:** Communications, reports, requests for future actions of the Board.
Note: Persons addressing the Board under this item will be restricted to **three (3) minutes** for their presentations.
4. Discussion and action by the Board on the **request from the California Authority of Racing Fairs, (CARF) to reallocate San Joaquin County Fair at Stockton's September 21, 2016 through October 4, 2016 race dates to CARF, to be run at the Alameda County fairgrounds.**
5. Discussion and action by the Board on the **request from the California Authority of Racing Fairs, (CARF) to designate the following 2016 allocated race dates as a combined fair horse racing meeting, pursuant to Business and Professions Code section 19549.1:** Alameda County Fair at Pleasanton, June 15, 2016 through July 5, 2016; California Exposition and State Fair, July 6, 2016 through July 26, 2016; Humboldt County Fair at Ferndale, August 17, 2016 through August 30, 2016; San Joaquin County Fair at Stockton or (CARF at Alameda County Fairgrounds), September 21, 2016 through October 4, 2016 and the Big Fresno Fair, October 5, 2016 through October 18, 2016.
6. Discussion and action by the Board on the **Application to Conduct a Horse Racing Meeting of the Oak Tree Racing Association at the Alameda County Fair (F), at Pleasanton, (Race meeting to be called "Oak Tree at Pleasanton") commencing June 15, 2016 through July 5, 2016, inclusive.**

7. Discussion and action by the Board regarding the request from the **Los Alamitos Quarter Horse Racing Association and the Pacific Coast Quarter Horse Racing Association** to suspend the authorized administration of Albuterol for all horses participating in Quarter Horse races at Los Alamitos for 12 months pursuant to CHRB Rule 1844.1, Suspension of Authorized Medication.
8. Public hearing and action by the Board regarding the **proposed amendment to CHRB Rule, 1689.1, Safety Vest Required**, to include any person licensed by the Board that is mounted on a horse while on a racetrack to the list of those required to wear a safety vest. (Note: This concludes the 45-day public comment period. The Board may adopt the proposal as presented.)
9. Discussion and action by the Board regarding the **proposed amendment to CHRB Rule 2071, License to Conduct Advance Deposit Wagering by a California Applicant and CHRB Rule 2072, Approval to Conduct Advance Deposit Wagering by an out-of-state Applicant**, to amend the application forms to require all applicant business structures to submit financial information.
10. Discussion and action by the Board regarding the **proposed addition of CHRB Rules 1597.5, Microchips Required for All Horses on Grounds; Rule 1597.6, Tampering with Microchips and the proposed amendment to CHRB Rules 1554, Duties of Horse Identifier; Rule 1581.1 Entries; Rule 1588, Horse Ineligible to Start in a Race and Rule 1597, Association to Maintain Records of Horses on Its Grounds**, to implement the requirement that horses be microchipped in order to race in California.
11. **Closed Session:** For the purpose of receiving advice from counsel, considering pending litigation, reaching decisions on administrative licensing and disciplinary hearings, and personnel matters, as authorized by section 11126 of the Government Code.
 - A. The Board may convene a Closed Session to confer with and receive advice from its legal counsel regarding the pending litigation described in the attachment to this agenda captioned "Pending Litigation," as authorized by Government Code section 11126(e).
 - 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 11126(e).
 - C. The Board may convene a Closed Session for the purposes of considering personnel matters as authorized by Government Code section 11126, (a).

Additional information regarding this meeting may be obtained from the CHRB Administrative Office, 1010 Hurley Way, Suite 300, Sacramento, CA 95825; telephone (916) 263-6000; fax (916) 263-6042. This notice is located on the CHRB website at www.chrb.ca.gov. *Information for requesting disability related accommodation for persons with a disability who require aid or services in order to participate in this public meeting, should contact Jacqueline Wagner.

CALIFORNIA HORSE RACING BOARD

Chuck Winner, Chairman
Richard Rosenberg, Vice Chairman
Madeline Auerbach, Member
Steve Beneto, Member
Jesse H. Choper, Member
George Krikorian, Member
Alex Solis, Member
Rick Baedeker, Executive Director
Jacqueline Wagner, Assistant Executive Director

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PENDING LITIGATION APRIL 2016

COURT LITIGATION

- A. **Jose DeLaTorre vs. CHRB**
District Court of Appeal
- B. **San Luis Rey Racing, Inc. (SLRR) vs. CHRB, et al**
District Court of Appeal
- C. **Jeff Mullins vs. CHRB, et al**
Superior Court of California, County of San Diego
- D. **Gustavo DeLaTorre vs. CHRB**
Superior Court of California, County of Los Angeles
- E. **Julio Canani vs. CHRB**
Superior Court of California, County of Los Angeles

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**PENDING ADMINISTRATIVE ADJUDICATIONS
APRIL 2016**

CASE

A. Proposed Decision

Trainer Gerardo Amezcua

Case Numbers: 15LA0282 and 15LA0290

B. Proposed Decision

Respondent Ricardo Sepulveda

Case Number: 15LA0287

PROCEEDINGS of the Regular Meeting of the **California Horse Racing Board** held at the **California Exposition and State Fair, Grandstand Club House**, 1600 Exposition Boulevard, Sacramento, California, on **March 24, 2016**.

Present: Richard Rosenberg, Vice-Chairman
Madeline Auerbach, Member
Steve Beneto, Member
Jesse H. Choper, Member
Rick Baedeker, Executive Director
Jacqueline Wagner, Assistant Executive Director
Robert Miller, General Counsel

APPROVAL OF THE MINUTES OF FEBRUARY 25, 2016

Vice-Chairman Rosenberg asked for approval of the minutes of the Regular Meeting of February 25, 2016. Commissioner Choper said on page 1-5 of the Board meeting package the word "same" should be "more" in regards to the Arabian race. He stated his point was in order to have a decent handle for the Arabian race, the Los Angeles Turf Club needed to provide more information than what was currently provided by the fairs. Commissioner Beneto **motioned** to approve the minutes as amended. Commissioner Auerbach **seconded** the motion, which was **unanimously carried**. Roll Call Vote: Aye: Auerbach, Rosenberg, Choper, Beneto. Nay: None. Motion carried.

EXECUTIVE DIRECTOR'S REPORT.

Executive Director Rick Baedeker reported California Horse Racing Board (CHRB) IT staff would be replacing all CHRB servers, outdated Dell computers at headquarters and field locations, and upgrading outdated software. He stated CHRB IT staff would be deployed to headquarters and satellite offices over two days to implement the transition, with the systems down for 24 to 48 hours. He said once the upgrade was complete staff would begin working on

updating the CHRIS system. He stated CHRB had one investigator and two supervising special investigator vacancies. The investigator position was located at Golden Gate Fields (GGF), and the two supervising special investigator positions were located at Santa Anita and GGF (North and South). He said if the Board knew of anyone that would be interested in applying for an investigator position to refer them to the CHRB website which had information on submitting an application. Executive Director Baedeker stated CHRB staff, which included himself, Assistant Executive Director Jacqueline Wagner, Staff Counsel Philip Laird, and CHRB Equine Medical Director Dr. Rick Arthur met with the California Veterinary Medical Board (VMB) to discuss issues relating to the practice of veterinary medicine on the backside. Topics included indiscriminate use of medication, improper labeling of drugs, improper compounding of drugs, and creating false medical records. He stated the CHRB had established a good working relationship with the VMB and was looking forward to working with the Board in the future. Executive Director Baedeker said Assembly Bill 558 was legislation that would allow for six non-thoroughbred races to be run at a thoroughbred meet with the approval of the horsemen's organization. Philip Laird, CHRB Staff Counsel, stated AB 558 was on the Governor's desk and he expected the bill to be signed by the end of the week. Executive Director Baedeker said the amendment to Rule 1658, Vesting of Title to Claimed Horse, would void a claim if a horse had bled through the nostrils, was approved by the Office of Administrative Law and would become effective July 1, 2016. Executive Director Baedeker stated the financials for the month were not good with business down. Daytime business was off by 3.7 percent; nighttime business gained 6.2 percent due to one extra day of racing. He said total numbers for California were down 2.8 percent for the month, and combined with January 2016 results, the year-to-date numbers were about level with last year.

PUBLIC COMMENT

Alan Balch, California Thoroughbred Trainers, stated the Arcadia Historical Society dedicated the Thoroughbred Racing Walk of Champions in historic downtown Arcadia in 2014, with bronze plaques in the sidewalks representing historical figures in racing. He stated downtown Arcadia would be experiencing a great deal more traffic due to the new Gold Line train. The Arcadia Historical Society was hosting a gala celebration to honor the 2015 and 2016 inductees to the Walk of Champions on May 24, 2016. He said he would be selling tickets to the gala on behalf of the Arcadia Historical Society and offered a special rate for the Commissioners. Scott Stanley, UC Davis, stated UC Davis recently hired a new faculty chemist who would be assisting in advancing the drug testing program and would start in June 2016.

DISCUSSION AND ACTION BY THE BOARD ON THE APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF THE LOS ALAMITOS THOROUGHBRED RACING ASSOCIATION (T) AT LOS ALAMITOS RACE COURSE, COMMENCING APRIL 13, 2016 THROUGH MAY 3, 2016, INCLUSIVE.

Brad McKinzie, Los Alamitos Racing Association (Los Alamitos), stated Los Alamitos' first spring meet would commence on April 14, 2016. He said Los Alamitos was excited to race in April; however, there was some concern over inclement weather that could be faced during a spring meet, such as possible rain, that would not normally be an issue during a summer meet. Los Alamitos' stakes schedule included the \$200,000 Grade 2 Great Lady M, the \$100,000 Grade 3 Los Angeles Stakes, and the \$150,000 California Chrome stakes, which was designed for three year olds that missed the Santa Anita Derby but wanted to prepare before the Preakness or another race. Commissioner Auerbach asked about the Shared Belief stakes; she did not see it on the stakes schedule. Mr. McKinzie stated the stakes name was changed to California Chrome.

He stated Los Alamitos' marketing plan hoped to increase on-track business by including a Welcome Home Chrome Day and five seats for the National Handicapping Contest. He said Los Alamitos recently worked with Orange County Emergency Medical Services to allow paramedics on its ambulance crew. He stated the ambulances were being retrofitted to be paramedic capable, and the paramedics had been hired. Los Alamitos was just waiting on final approval by the Orange County Emergency Medical Services. Executive Director Rick Baedeker asked if injured riders would still be transferred to the fire department paramedics. Mr. McKinzie stated that was correct, the protocol would remain the same. However, having a paramedic on the ambulance crew would allow for a few more life support procedures that could be performed before the patient was transferred to the fire department paramedics. Commissioner Auerbach asked how Los Alamitos determined the California Chrome stakes at \$150,000; why was that amount allotted to an overnight stakes race? Mr. McKinzie said the purpose of the \$150,000 purse was to attract quality three-year-old horses, and to attract national attention to that race. He stated when Los Alamitos attracted a recognized horse to a headline race, its handle, particularly its out-of-state handle, would benefit. Commissioner Auerbach asked if the California Chrome stakes would replace the Los Alamitos Derby. Mr. McKinzie said no; Los Alamitos was working in cooperation with the Thoroughbred Owners of California who had requested that the Los Alamitos Derby continue running. However, the Los Alamitos Derby would not work in April because a \$250,000 race would be in conflict with the Santa Anita Derby. Therefore, the Los Alamitos Derby would run during the Los Alamitos September fair meet. Vice-Chairman Rosenberg asked how Los Alamitos' marketing budget of \$336,800 compared to its prior meets held in December 2015. Mr. McKinzie said a little more money was being spent in 2016 because this would be Los Alamitos' first April meet. Los Alamitos

believed it was important to spend more on marketing in order to be as successful as possible. Commissioner Auerbach **motioned** to approve the Los Alamitos Thoroughbred Racing Association at Los Alamitos Race Course application to conduct a horse racing meeting commencing April 13, 2016 through May 3, 2016. Commissioner Choper **seconded** the motion, which was **unanimously carried**. Roll Call Vote: Aye: Auerbach, Rosenberg, Choper, Beneto. Nay: None. Motion carried.

DISCUSSION AND ACTION BY THE BOARD ON THE APPLICATION FOR LICENSE TO OPERATE A MINISATELLITE WAGERING FACILITY AT THE SAHARA DUNES CASINO DBA LAKE ELSINORE HOTEL AND CASINO IN LAKE ELSINORE, CALIFORNIA.

Executive Director Rick Baedeker stated Sahara Dunes Casino DBA Lake Elsinore Hotel and Casino (Lake Elsinore Hotel and Casino) was already licensed by the California Gaming Commission, so a majority of the background work had already been completed. Lake Elsinore Hotel and Casino had been licensed and in operation as a gaming facility for a long time. George Haines, Southern California Off Track Wagering, Inc. (SCOTWINC) stated SCOTWINC identified Lake Elsinore Hotel and Casino as a prime candidate for a minisatellite location. Lake Elsinore Hotel and Casino was located 14 miles from the Lake Perris Sports Pavilion simulcast facility. Since Lake Elsinore Hotel and Casino was located within 20 miles of a satellite wagering facility, consent from Lake Perris Sports Pavilion was required before Lake Elsinore Hotel and Casino could be approved by the Board. SCOTWINC obtained consent from Lake Perris Sports Pavilion waiving the 20 mile radius provision. He said extensive remodeling was currently in progress on the facility that would house the horse racing wagering area. Ted Kingston, Lake Elsinore Hotel and Casino, stated the Lake Elsinore gaming floor was 6,000

square feet. The restaurant and lounge area was undergoing a remodel that would provide 3,500 square feet for off track wagering. He said Lake Elsinore was licensed to sell alcohol, offered food and beverages, and had 100 hotel rooms, on 12 acres. He stated Lake Elsinore Hotel and Casino received approval from the city of Lake Elsinore to place a digital billboard on the edge of its property near the freeway for marketing and advertising. Vice-Chairman Rosenberg asked if the 20 mile waiver Lake Elsinore Hotel and Casino received from Lake Perris was a contractual waiver. Mr. Kingston said yes. Commissioner Auerbach asked about the occupancy rate for Lake Elsinore Hotel and Casino. Mr. Kingston stated the hotel occupancy ran close to 70 percent, the casino could seat 400, and maximum capacity for the restaurant and lounge was 135. The area for wagering on racing would accommodate close to 300. Vice-Chairman Rosenberg asked Mr. Haines to explain the difference between the agreement SCOTWINC made with Lake Elsinore Hotel and Casino and other minisatellite locations. Mr. Haines stated Lake Elsinore Hotel and Casino was a unique site in that it was the first SCOTWINC developed site. Initially Sportech was going to develop the facility at Lake Elsinore Hotel and Casino, and when it chose not to, SCOTWINC moved forward with assisting Lake Elsinore Hotel and Casino in developing the area for horse racing. Mr. Haines said Mr. Kingston would provide all of the TVs at the facility, while SCOTWINC would provide the signal to the TVs. Vice-Chairman Rosenberg asked about the status of Sportech's involvement in other minisatellites. Mr. Haines said Sportech was focusing all of its efforts on Striders located in San Diego because Sportech had a lot of capital invested in that facility. Sportech's decision to focus on Striders resulted in Sportech delaying another development it had applied for in Norco. Vice-Chairman Rosenberg said Sportech made a presentation two to three years ago stating it was going to operate up to eight new places, but it had since pulled out of them other than the two locations. Mr. Haines

stated that was correct; Striders in San Diego and the Norco site. Commissioner Beneto **motioned** to approve the Sahara Dunes Casino dba Lake Elsinore Hotel and Casino application to operate a minisatellite wagering facility in Lake Elsinore, CA, for the term March 24, 2016 through March 24, 2021. Commissioner Choper **seconded** the motion, which was **unanimously carried**. Roll Call Vote: Aye: Auerbach, Rosenberg, Choper, Beneto. Nay: None. Motion carried.

DISCUSSION AND ACTION BY THE BOARD TO SUSPEND THE AUTHORIZED ADMINISTRATION OF CLENBUTEROL FOR ALL HORSES PARTICIPATING IN QUARTER HORSE RACES FOR 12 MONTHS PURSUANT TO CHRB RULE 1844.1, SUSPENSION OF AUTHORIZED MEDICATION, TO ENSURE THAT THOROUGHBREDS AND APPALOOSAS COMPETING IN SUCH RACES ARE SUBJECT TO THE SAME CONDITIONS AS QUARTER HORSES.

Philip Laird, CHRB Staff Counsel, stated due to the Board's recent approval of a permanent regulation prohibiting the use of clenbuterol in Quarter horses, there was concern that it would create an unlevel playing field for Appaloosa and thoroughbred horses that were permitted to race in limited mixed breed racing, usually held at Los Alamitos and at some racing fairs. He said the purpose of the agenda item was to prohibit the use of clenbuterol in all horses participating in a mixed-breed race, which was officially designated as a quarter horse race under Rule 1743, Thoroughbred and Appaloosa Horses Competing in Quarter Horse Races. He stated it was CHRB's intention to have staff bring a permanent rule change proposal before the Board within a month. Commissioner Choper **motioned** to suspend the authorized administration of clenbuterol for all horses participating in quarter horse races for 12 months pursuant to CHRB Rule 1844.1, Suspension of Authorized Medication. Vice-Chairman Rosenberg **seconded** the

motion, which was **unanimously carried**. Roll Call Vote: Aye: Auerbach, Rosenberg, Choper, Beneto. Nay: None. Motion carried.

DISCUSSION AND ACTION BY THE BOARD REGARDING THE PROPOSED AMENDMENT TO CHRB RULE 1734, WHIPPING, TO CURTAIL AND PREVENT EXCESSIVE USE OF THE WHIP IN HARNESS RACING.

Philip Laird, CHRB Staff Counsel, stated a proposed amendment to Rule 1734, Whipping, was last heard by the Board in August 2015. Staff subsequently worked closely with industry stakeholders to achieve consensus on the most appropriate amendments to the rule. He said stakeholders recommended a minor change to subsection (b)(6) to specifically limit the use of the whip when the horse was no longer in contention for purse money, or no longer in contention for a fifth place or better. He stated staff did not see an issue with the recommended change. The proposed change would most likely clarify the rule. Executive Director Rick Baedeker said a correction was needed on page 7-2 of the Board meeting package where it stated "including above the level of the shafts of the sulky." He said that was incorrect; it should state "including below the level of the shafts of the sulky." Jim Perez, Executive Director, California Harness Horsemen's Association (CHHA), stated CHHA's Vice-President David Siegel worked with Commissioner Solis on the proposed amendment to Rule 1734. He said CHHA supported the proposed amendment; however, the word "contention" remained a problem. He stated the amendment should be clear and not so vague. He said as stated by Mr. Laird, adding "contention for purse money" would make the proposed amendment completely clear and that was the only change CHHA was requesting. Vice-Chairman Rosenberg asked Mr. Perez if he was speaking on behalf of CHHA whose members were composed of drivers and trainers. Mr. Perez said yes, he was speaking on behalf of the industry. Vice-Chairman Rosenberg asked if CHHA's drivers

could live with the language in the proposed amendment. Mr. Perez said it would take the drivers time to get used to the changes but the drivers had agreed to the proposed amendment to Rule 1734. Vice-Chairman Rosenberg said the language in the proposed amendment was more specific and challenging for the stewards, but as long as the drivers were not complaining about the changes, then the Board should not complain about it. For example, raising the elbow above the driver's shoulder height would be a touchy evaluation. Mr. Perez agreed there was a lot to be evaluated by the stewards. He said if a driver was fined they would see the stewards for a hearing and could review the race replay video. If the driver had no violation, the driver would have a valid case in his or her favor. He stated it would be a big change, if the rule was violated the driver would be fined and it would take the drivers awhile to get used to it, but similar rules had already been implemented across the country and there did not seem to be any problems. Christopher Schick, Watch and Wager (WAW), stated WAW was in full support of the amendment to Rule 1734. He said WAW worked closely with CHHA and CHRB staff, and wanted to publicly thank those involved in the process, including Tom McCarthy, Philip Laird, and the stewards. Commissioner Auerbach said she was uncomfortable with the proposed amendment to Rule 1734 because the Board was still in the process of reviewing the whipping rule as it pertained to the rest of horse racing, such as thoroughbred racing. She stated if whipping in thoroughbred races was going to be adjusted, she believed it would best to get the issue resolved before implementing the harness proposal before the Board. Vice-Chairman Rosenberg said while he did not necessarily agree with Commissioner Auerbach, he understood her point; however, if the proposed amendment went out for the 45-day notice period and came back before the Board, it could be reevaluated then. Mr. Schick, (WAW), said the proposed amendment to Rule 1734 was adopted by WAW as a house rule and was operating under the

house rule since December 2015 with very good results. He stated not only did WAW feel confident it was a good rule; it had proven to be successful since implementation. Executive Director Baedeker said he appreciated the fact that all of the parties involved with the proposed rule amendment worked together and the harness industry was cooperative and positive from start to finish. Commissioner Beneto asked if a horse in sixth place could use a whip per the proposed amendment. Executive Director Baedeker stated a horse had to be in contention for fifth place; so any horse that had a chance to be in contention for purse money could be whipped. He said if the stewards wanted to talk to a driver or jockey they would, then watch the films, and make a decision. Commissioner Choper **motioned** to direct staff to initiate a 45-day public comment period regarding the proposed amendment to Rule 1734, Whipping, with the added language "for purse money" at the end of subsection(b)(6). Commissioner Auerbach **seconded** the motion, which was **unanimously carried**. Roll Call Vote: Aye: Auerbach, Rosenberg, Choper, Beneto. Nay: None. Motion carried.

REPORT FROM THE MEDICATION AND TRACK SAFETY COMMITTEE.

Commissioner Auerbach reported on the Medication and Track Safety Committee meeting held on March 16, 2016, at Santa Anita. Commissioner Auerbach said the first item discussed was the feasibility of amending Rule 1658, Vesting of Title to Claimed Horse, to require the trainer of record of a horse that was claimed to provide the new owner with a record of all joint injections within the last 30 days. Dr. Rick Arthur, CHRB Equine Medical Director, stated a continual medical record of a horse would greatly benefit the health of the horse and similar requirements were already in place in other jurisdictions. Darrell Vienna said that the client-veterinary confidential protection did not allow trainers to reveal the records; however, Dr.

Arthur stated owner-veterinary records would not be involved. Philip Laird, CHRB Staff Counsel, said the records would be trainer treatment records, not veterinary medical records. Ron Ellis said the information would not alter the way he would manage a horse following a claim, and he believed he was representative of most trainers. Mr. Ellis questioned whether trainers would tell the truth in such records and said the CHRB already had access to accurate owner-veterinary confidential records. Alan Balch stated there could be a voluntary way to accomplish the proposal without the need for a CHRB rule, and suggested the Board give California Thoroughbred Trainers and Thoroughbred Owners of California time to work with all interested parties to come up with a solution. Nick Coukos thanked the Committee for having the discussions and agreed with Mr. Balch's suggestion of putting together a task force to further discuss the issues. Dino Perez said quarter horse men would also like to be involved in the discussions. Commissioner Auerbach stated the next item of discussion was requiring trainers to maintain full and accurate records for all treatments given to a horse, including veterinary medical procedures performed, and all medications administered, and the records would be available for inspection by representatives of the CHRB. Commissioner Auerbach asked if the item would be a duplicate of something that was already done. Dr. Arthur said no, each trainer kept records in different ways; some were kept in great detail, while others were not so thorough. He stated medications administered by trainers were the largest source of medication violations. The next item discussed was to require that all veterinary treatments and procedures benefit the horse and be justified by a medical condition based on advice from a veterinarian. Dr. Arthur said he felt this responsibility should be expanded to include trainers as well. Commissioner Auerbach stated the committee also discussed out-of-competition testing. The CHRB had one of the more robust out-of-competition programs, with 1,500 out-of-competition testing samples

reviewed in 2015. The final item was a discussion regarding a draft model rule of out-of-competition testing.

MEETING ADJOURNED AT 11:09 A.M.

Proceedings of the Regular Meeting of March 24, 2016

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A full and complete transcript of the aforesaid proceedings are on file at the office of the California Horse Racing Board, 1010 Hurley Way, Suite 300, Sacramento, California, and therefore made a part hereof.

Chairman

Executive Director

CALIFORNIA HORSE RACING BOARD

APRIL 21, 2016
REGULAR BOARD MEETING

There is no board package material for Item 2

CALIFORNIA HORSE RACING BOARD

APRIL 21, 2016
REGULAR BOARD MEETING

There is no board package material for Item 3

STAFF ANALYSIS
DISCUSSION AND ACTION BY THE BOARD ON THE REQUEST FROM THE
CALIFORNIA AUTHORITY OF RACING FAIRS, (CARF) TO REALLOCATE
SAN JOAQUIN COUNTY FAIR AT STOCKTON'S SEPTEMBER 21, 2016 THROUGH
OCTOBER 4, 2016 RACE DATES TO CARF, TO BE RUN AT THE ALAMEDA
COUNTY FAIRGROUNDS

Regular Board Meeting
April 21, 2016

ISSUE

The San Joaquin County Fair has decided not to hold a fair race meeting this year on the dates that were allocated to them by the California Horse Racing Board (CHRB or Board), September 21 through October 4, 2016. Instead, both the San Joaquin County Fair and the California Authority of Racing Fairs (CARF) are requesting that those dates be reallocated to CARF, so that CARF may run those dates at the Alameda County Fairgrounds as part of a combined fair horse racing meeting.

BACKGROUND

Business and Professions Code section 19530 states that the decision of the Board as to racing dates shall be subject to change only by the Board. CHRB Rule 1430, Allocation of Racing Weeks and Dates, elaborates that allocated race dates may be reconsidered or amended only for conditions unforeseen at the time of the allocations. Business and Professions Code section 19549.1 states the Board may allocate horse racing days for mixed breed meetings and combined fair horse racing meetings pursuant to Food and Agricultural Code section 4058. Food and Agriculture Code section 4058(a) explains that county fairs in the northern zone may form an entity for conducting combined fair horseracing meetings on days other than the days on which general fair activities are conducted.

The Board approved the 2016 race dates calendar for Northern California at its August 20, 2015 Regular Board Meeting. The following fairs were approved to conduct a mixed breed horse racing meeting:

- Alameda County Fair (Pleasanton) – 06/15/16 - 07/05/16
- State Fair/Cal Expo (Sacramento) – 07/06/16 - 07/26/16
- Sonoma County Fair (Santa Rosa) – 07/27/16 - 08/16/16
- Humboldt County Fair (Ferndale) – 08/17/16 - 08/30/16
- San Joaquin County Fair (Stockton) – 09/21/16 - 10/04/16
- Fresno County Fair (Fresno) – 10/05/16 - 10/18/16

ANALYSIS

When the Board allocated the Northern California race dates at its August 2015 meeting, it was asserted and assumed that the San Joaquin County Fair would run a two-week horse race meeting as it had in previous years. This past month, however, it was brought to staff's attention that the San Joaquin County Fair does not intend to hold a race meeting this year, and has instead voted to support the transfer of their dates to CARF. Such circumstances were clearly unforeseen at the Board's initial allocation of 2016 race dates, and as such, the Board now has the opportunity to reconsider and reallocate the race dates initially granted to the San Joaquin County Fair.

Both the San Joaquin County Fair and CARF have formally requested that the dates at issue be reallocated to CARF, so that CARF may run those dates at the Alameda County Fairgrounds as part of their proposed combined fair horse racing meeting. Additionally, the Alameda County Fair Association has also voiced its support for CARF to conduct racing at their facilities from September 21 through October 4, 2016. Under the Food and Agriculture Code, county fairs may form an entity (i.e. CARF) for the purpose of conducting combined fair horseracing meetings on days other than the days on which general fair activities are conducted. Accordingly, CARF indicates it is eligible to be granted the San Joaquin County Fair dates— independent of any individual fair—based on their role as a joint powers authority operating a combined fair horse racing meeting (see Legislative Counsel Opinion attachment).

RECOMMENDATION

This item is presented for Board discussion and action.



1658 South Airport Way | Stockton, CA 95206

sanjoaquinfairgrounds.com | 209.466.5041

April 7, 2016

Mr. Rick Baedeker, Executive Director
California Horse Racing Board
1010 Hurley Way
Sacramento, CA 95814

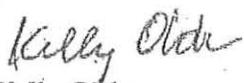
Dear Mr. Baedeker,

This is to advise the California Horse Racing Board that the San Joaquin County Fair Board of Directors has voted to support the request by California Authority of Racing Fairs (CARF) to conduct Fair racing from September 21 through October 4, 2016, at the Alameda County Fair in Pleasanton. Our support includes reallocation of these race dates to CARF to conduct fair racing in September at Pleasanton.

In its action, the Fair Board has authorized CARF to take such actions as may be necessary to implement this change.

We wish to thank the CHRB for its consideration in this matter.

Respectfully submitted,


Kelly Olds
Chief Executive Officer
San Joaquin County Fair



April 7, 2016

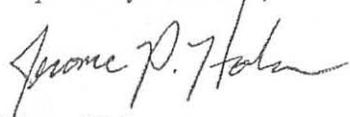
Mr. Rick Baedeker, Executive Director
California Horse Racing Board
1010 Hurley Way
Sacramento, CA 95814

Dear Mr. Baedeker,

I'm writing to advise the California Horse Racing Board that Alameda County Fair Association supports the request by California Authority of Racing Fairs (CARF) to conduct Fair racing from September 21 through October 4, 2016, at the Alameda County Fairgrounds in Pleasanton. We look forward to working with CARF and Oak Tree to make this one of the most successful racing meetings in Northern California.

Thank you for your consideration in this matter.

Respectfully submitted,



Jerome Hoban
Chief Executive Officer
Alameda County Fair

Honorable Gloria Negrete McLeod — Request #0522003 — Page 2

Thus, the pertinent question is whether an entity formed pursuant to a joint powers agreement is considered a "person" for purposes of issuing a license for horse racing, and whether such an entity is a "qualified association" for purposes of receiving racing dates. In that regard, Section 19413 defines "person," for purposes of the Horse Racing Law, to include "any individual, partnership, corporation, limited liability company, or other association or organization." Section 19403 defines "association," for purposes of that law, as "any person engaged in the conduct of a recognized horse race meeting."

The Joint Exercise of Powers Act authorizes two or more public agencies to enter into a joint powers agreement in order to "jointly exercise any power common to the contracting parties" (Secs. 6500.1 and 6502, Gov. C.). Specifically, "two or more public agencies having the power to conduct agricultural, livestock, industrial, cultural, or other fairs or exhibitions shall be deemed to have a common power with respect to any such fair or exhibition conducted by ... an entity created pursuant to a joint powers agreement entered into by such public agencies." (Sec. 6502, Gov. C.). An entity formed pursuant to a joint powers agreement is a public entity separate from the parties to the agreement (Sec. 6507, Gov. C.).

Words in statutes should be construed according to the usual ordinary import of the words (*IT Corp. v. Solano County Bd. of Supervisors* (1991) 1 Cal.4th 81, 98). In our view, the ordinary construction of the word "association" or "organization" would include a situation where two or more agencies choose to associate or organize into a new entity by way of a contractual agreement. In the context of the Horse Racing Law, this would apply to an entity created for purposes of engaging in a horse racing meeting. Section 6502 of the Government Code grants no new powers to an entity created by a joint powers agreement, but merely sets up a procedure for the exercise of existing powers. As such, the statute cannot be said to enlarge the powers separately possessed by the individual member public agencies, but rather merely provides a procedure whereby this power may be exercised in cooperative action (*The City of Oakland v. Williams* (1940) 15 Cal.2d 542, 549). Thus, if the public agencies that enter into a joint powers agreement each individually are qualified to receive from the board racing dates and a license to conduct horse racing, the entity they form vis-à-vis the joint powers agreement will have the same authority. And, in our view, because such an entity would qualify as an organization or association, for purposes of the definition of "person" in the Horse Racing Law that entity would be eligible to receive racing dates and a license for horse racing.

Honorable Gloria Negrete McLeod — Request #0522003 — Page 3

Therefore, it is our opinion that an entity formed pursuant to a joint powers agreement for the purpose of conducting horse racing may be issued a license to conduct horse racing and be eligible to receive racing dates.

Very truly yours,

Diane F. Boyer-Vine
Legislative Counsel

By 
Gwynnac L. Byrd
Deputy Legislative Counsel

GLB:cob

STAFF ANALYSIS

DISCUSSION AND ACTION BY THE BOARD ON THE REQUEST FROM THE CALIFORNIA AUTHORITY OF RACING FAIRS, (CARF) TO DESIGNATE THE FOLLOWING 2016 ALLOCATED RACE DATES AS A COMBINED FAIR HORSE RACING MEETING, PURSUANT TO BUSINESS AND PROFESSIONS CODE SECTION 19549.1: ALAMEDA COUNTY FAIR AT PLEASANTON, JUNE 15, 2016 THROUGH JULY 5, 2016; CALIFORNIA EXPOSITION AND STATE FAIR, JULY 6, 2016 THROUGH JULY 26, 2016; HUMBOLDT COUNTY FAIR AT FERNDALE, AUGUST 17, 2016 THROUGH AUGUST 30, 2016; SAN JOAQUIN COUNTY FAIR AT STOCKTON (OR CARF AT ALAMEDA COUNTY FAIRGROUNDS), SEPTEMBER 21, 2016 THROUGH OCTOBER 4, 2016 AND THE BIG FRESNO FAIR, OCTOBER 5, 2016 THROUGH OCTOBER 18, 2016

Regular Board Meeting
April 21, 2016

BACKGROUND

Business and Professions Code section 19549.1 states the Board may allocate horse racing days for mixed breed meetings and combined fair horse racing meetings pursuant to Food and Agricultural Code section 4058. Food and Agriculture Code section 4058(a) explains that county fairs in the northern zone may form an entity for conducting combined fair horseracing meetings on days other than the days on which general fair activities are conducted.

The Board approved the 2016 race dates calendar for Northern California at its August 20, 2015 Regular Board Meeting. The following fairs were approved to conduct a mixed breed horse racing meeting:

- Alameda County Fair (Pleasanton) – 06/15/16 - 07/05/16
- State Fair/Cal Expo (Sacramento) – 07/06/16 - 07/26/16
- Sonoma County Fair (Santa Rosa) – 07/27/16 - 08/16/16
- Humboldt County Fair (Ferndale) – 08/17/16 - 08/30/16
- San Joaquin County Fair (Stockton) – 09/21/16 - 10/04/16
- Fresno County Fair (Fresno) – 10/05/16 - 10/18/16

In 2007 the Board approved a request from the Solano and Sonoma County Fair to conduct a combined fair horse racing meeting. The Solano County Fair Association and the Sonoma County Fair and Exposition, Inc. entered into a Joint Powers Agreement to combine their fair dates and conduct a four-week mixed breed horse racing meet called the "Sonoma Solano Wine Country Racing." The combined race meeting was introduced to increase handle and attendance. Additionally, the change in the Sonoma County Fair race dates gave fans one more week of turf racing in Northern California. Upon approval of the combined fair horse racing meeting, Sonoma and Solano submitted individual license applications for their respective segments of the combined Sonoma Solano Wine Country Racing meeting; however, specific sections of the applications were modified to capture information reflecting the combined race meeting.

In 2009, the Board approved a request from the California Authority of Racing Fairs (CARF) to conduct a combined fair horse racing meeting, which consisted of the San Joaquin County Fair, the Alameda County Fair, the Solano County Fair, CARF at Golden Gate Fields, and the Fresno County Fair. In submitting its request, CARF asserted that the purpose of the combined fair horse racing meeting was to allow Northern California racing Fairs the mechanism needed to conduct the dates allocated by the Board and to allow flexibility in planning for a changing calendar in Northern California. Upon approval of the combined fair horse racing meeting, each fair submitted individual license applications for their respective segments of the combined fair horse racing meeting; however, specific sections of the applications were modified to capture information reflecting the combined race meeting.

In 2010, CARF again submitted a request to conduct a combined fair horse racing meeting; however, the request was subsequently withdrawn after CHRB staff recommended against its approval, citing issues with under-payment of purses, distribution of the supplemental purse fund for the 2010 fairs, and the criteria used for the distribution.

ANALYSIS

CARF has requested that the Board designate the following dates as a combined Fair horse racing meeting:

- Oak Tree at Alameda County Fair (Pleasanton) – 06/15/16 - 07/05/16
- California State Fair (Sacramento) – 07/06/16 - 07/26/16
- Humboldt County Fair (Ferndale) – 08/17/16 - 08/30/16
- CARF with Oak Tree at Pleasanton – 09/21/16 – 10/04/16
- Fresno County Fair (Fresno) – 10/05/16 – 10/18/16

In its request, CARF states that the recognition of these dates as a combined Fair horse racing meeting will provide a mechanism needed to conduct the dates allocated to Fairs by the Board for 2016. In addition, CARF has stated that in the future the combined Fair meeting will allow flexibility in planning for a changing calendar in Northern California. In support of its request, CARF has submitted an agreement signed by all of the abovementioned Fairs to participate in a combined Fair horse racing meeting (attached).

CARF also requests that license applications be processed for each segment of the combined meeting as has been done in the past, with each Fair submitting an individual application for its own portion of the race meeting. Regarding the San Joaquin County Fair dates, it has been proposed that CARF will be the applicant for that segment, to be conducted at Alameda County Fairgrounds in Pleasanton.

RECOMMENDATION

This item is presented for Board discussion and action.



a California joint powers agency

1776 Tribute Road, Suite 205
Sacramento, CA 95815
Office: 916.927.7223 Fax: 916.263.3341
www.calfairs.com

April 8, 2016

Rick Baedeker, Executive Director
California Horse Racing Board
1010 Hurley Way, Suite 300
Sacramento, CA 95825

Dear Rick,

Pursuant to Ag Code Section 4058 and Business Professions Code Section 19549.1 (attached), the California Authority of Racing Fairs (CARF) requests that the Board designate the following 2016 racing dates as a combined Fair horse racing meeting.

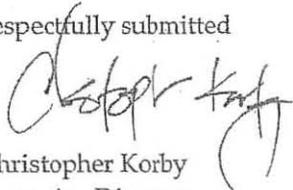
- Oak Trce at Pleasanton—June 15 - July 5, 2016
- California State Fair – July 6 – July 26, 2016
- Humboldt County Fair - August 17-30, 2016
- CARF with Oak Tree at Pleasanton--September 21 - October 4, 2016
- Fresno Fair—October 5-18, 2016.

We are requesting that license applications for each segment of the combined Fair horse racing meeting be filed in the usual manner. California Authority of Racing Fairs, a California joint powers authority operating on behalf of its member Fairs, will be the applicant for the segment conducted at Pleasanton in September.

A combined Fair horse racing meeting will allow Northern California racing Fairs the mechanism needed to conduct the dates allocated by the Board for 2016. In the future, it will allow flexibility in planning for the racing calendar in Northern California.

We note a precedent: In 2009, the Board granted a request that the Alameda, Fresno, Humboldt, San Joaquin and Solano Fair meetings be conducted as a combined Fair horse racing meeting, with CARF licensed to conduct racing during that combined meeting.

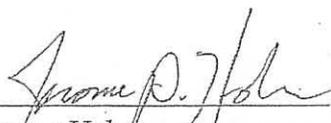
Respectfully submitted

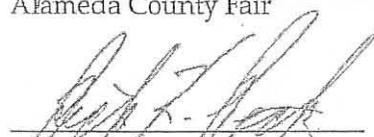

Christopher Korby
Executive Director

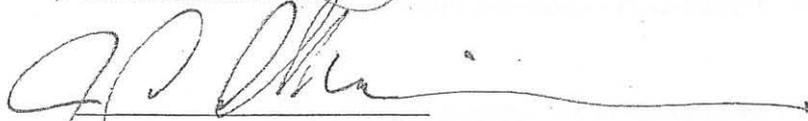
Attachments

-AGREEMENT-
COMBINED FAIR HORSE RACING MEETING

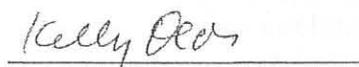
The undersigned Fairs agree to and confirm their participation in a combined Fair horse racing meeting pursuant to the California Food and Agriculture Code Section 4058 and Business and Professions Code Section 19549.1 ff. This agreement is effective April 5, 2016, and will remain in effect until a participating Fair gives notice in writing to CARF that withdraws from participation. These Fairs designate California Authority of Racing Fairs (CARF) to act on their behalf to conduct the combined Fair horse racing meeting.

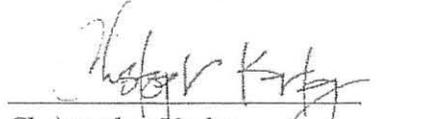

Jerome Hoban
Alameda County Fair


Rick Pickering
California State Fair


John Alkire
Fresno District Fair


Richard Conway
Humboldt County Fair


Kelly Olds
San Joaquin County Fair


Christopher Korby
California Authority of Racing Fairs



1658 South Airport Way | Stockton, CA 95206

sanjoaquinfairgrounds.com | 209.466.5041

April 7, 2016

Mr. Rick Baedeker, Executive Director
California Horse Racing Board
1010 Hurley Way
Sacramento, CA 95814

Dear Mr. Baedeker,

This is to advise the California Horse Racing Board that the San Joaquin County Fair Board of Directors has voted to support the request by California Authority of Racing Fairs (CARF) to conduct Fair racing from September 21 through October 4, 2016, at the Alameda County Fair in Pleasanton. Our support includes reallocation of these race dates to CARF to conduct fair racing in September at Pleasanton.

In its action, the Fair Board has authorized CARF to take such actions as may be necessary to implement this change.

We wish to thank the CHRB for its consideration in this matter.

Respectfully submitted,

A handwritten signature in cursive script that reads "Kelly Olds".

Kelly Olds
Chief Executive Officer
San Joaquin County Fair

LEGISLATIVE COUNSEL

E. Dwyer-Vine

LEGISLATIVE COUNSEL

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Michael Chu
Michael Carter
David D. Damiani, Jr.
Christopher Dawson
Stephen G. Dehrer
Richard D. Dwyer
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Cheryl Z. Goldstein
Lisa C. Goldblatt
Melissa A. Grandham
Larisa Hilliges-Hanke
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Jessica G. Jaffe
Melissa R. Jones
Michael Joseph
Michael J. Kanitz
Christina J. Kerba
Aquilina R. Kinney
Vic K. Krosinger
Mark Lange
Kristina M. Lamey
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Mariloua Marin
Anthony B. Marquez
Francisco A. Martin
Danielle M. Marucio
Cecilia A. Moddelmog
William R. Moddelmog
Sheila R. Mulvan
Alfred Munoz
Michelle E. O'Connor-Ratcliff
Gerardo Partida
Lisa M. Plantner
Robert A. Pata
Stephanie Ramirez-Ridgeway
Paulette Gates Rhodes
Alyson D. Silva
Jessica L. Steele
Thomas Swand
Mark Franklin Terry
Bradley B. Webb

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January 9, 2006

Honorable Gloria Negrete McLeod
Room 5016, State Capitol**HORSE RACING; LICENSES; JOINT POWERS ENTITIES - #0522003**

Dear Ms. Negrete McLeod:

QUESTION

May an entity formed pursuant to a joint powers agreement for the purpose of conducting horse racing be issued a license to conduct horse racing and be eligible to receive racing dates?

OPINION

An entity formed pursuant to a joint powers agreement for the purpose of conducting horse racing may be issued a license to conduct horse racing and be eligible to receive racing dates.

ANALYSIS

The Horse Racing Law, contained in Chapter 4 (commencing with Section 19400) of Division 8 of the Business and Professions Code,¹ regulates horse racing in this state. The California Horse Racing Board (hereafter the board) is vested with the jurisdiction and supervision over horse racing (Sec. 19420). The board is authorized to issue a license to any person to conduct horse racing in accordance with the Horse Racing Law, as long as that person complies with the Horse Racing Law and pays a fee, and the board determines that the issuance of the license will be in the public interest (Sec. 19480). Further, the board is responsible for allocating racing dates to qualified associations (para. (5), subd. (a), Sec. 19440).

¹ All section references are to the Business and Professions Code, unless otherwise specified.

Thus, the pertinent question is whether an entity formed pursuant to a joint powers agreement is considered a "person" for purposes of issuing a license for horse racing, and whether such an entity is a "qualified association" for purposes of receiving racing dates. In that regard, Section 19413 defines "person," for purposes of the Horse Racing Law, to include "any individual, partnership, corporation, limited liability company, or other association or organization." Section 19403 defines "association," for purposes of that law, as "any person engaged in the conduct of a recognized horse race meeting."

The Joint Exercise of Powers Act authorizes two or more public agencies to enter into a joint powers agreement in order to "jointly exercise any power common to the contracting parties" (Secs. 6500.1 and 6502, Gov. C.). Specifically, "two or more public agencies having the power to conduct agricultural, livestock, industrial, cultural, or other fairs or exhibitions shall be deemed to have a common power with respect to any such fair or exhibition conducted by ... an entity created pursuant to a joint powers agreement entered into by such public agencies." (Sec. 6502, Gov. C.). An entity formed pursuant to a joint powers agreement is a public entity separate from the parties to the agreement (Sec. 6507, Gov. C.).

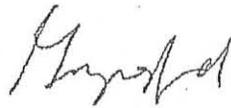
Words in statutes should be construed according to the usual ordinary import of the words (*IT Corp. v. Solano County Bd. of Supervisors* (1991) 1 Cal.4th 81, 98). In our view, the ordinary construction of the word "association" or "organization" would include a situation where two or more agencies choose to associate or organize into a new entity by way of a contractual agreement. In the context of the Horse Racing Law, this would apply to an entity created for purposes of engaging in a horse racing meeting. Section 6502 of the Government Code grants no new powers to an entity created by a joint powers agreement, but merely sets up a procedure for the exercise of existing powers. As such, the statute cannot be said to enlarge the powers separately possessed by the individual member public agencies, but rather merely provides a procedure whereby this power may be exercised in cooperative action (*The City of Oakland v. Williams* (1940) 15 Cal.2d 542, 549). Thus, if the public agencies that enter into a joint powers agreement each individually are qualified to receive from the board racing dates and a license to conduct horse racing, the entity they form vis-à-vis the joint powers agreement will have the same authority. And, in our view, because such an entity would qualify as an organization or association, for purposes of the definition of "person" in the Horse Racing Law that entity would be eligible to receive racing dates and a license for horse racing.

Honorable Gloria Negrete McLeod — Request #0522003 — Page 3

Therefore, it is our opinion that an entity formed pursuant to a joint powers agreement for the purpose of conducting horse racing may be issued a license to conduct horse racing and be eligible to receive racing dates.

Very truly yours,

Diane F. Boyer-Vine
Legislative Counsel

By 
Gwynnae L. Byrd
Deputy Legislative Counsel

GLB:cob

STAFF ANALYSIS
 April 21, 2016

Issue: APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF THE OAK TREE RACING ASSOCIATION AT THE ALAMEDA COUNTY FAIR AT PLEASANTON, COMMENCING JUNE 15, 2016 THROUGH JULY 5, 2016

Oak Tree Racing Association (OTRA) filed its application to conduct a horse racing meeting of a California fair at Pleasanton:

- June 15 through July 5, 2016, or 12 days, the same as 2015. The fair proposes to race a total of 140 races. OTRA will be simulcasting on June 15, 22, 29, 30 and live racing will begin on June 16, 2016.
- The OTRA application to conduct a horse race meeting requires the submission of additional documents for completion. OTRA has not provided its: race meet agreement with the California Thoroughbred Trainers, fire clearance, or horsemen approvals for the advance deposit wagering (ADW) agreements. OTRA has provided a letter of explanation for the outstanding items.
- Assembly Bill 1303, (Hall), Chapter 7, Statutes of 2014 added Business and Professions Code section 19549.16, which authorizes the Board to allocate racing days to a fair in the northern zone to be conducted by the fair, or at the fair's request, allow the Board to license a racing association that was licensed to conduct racing meetings in California before 2010, to operate the fair's race meeting during its allocated dates. OTRA conducted a thoroughbred horse racing meeting at Santa Anita in 2009 and a race meeting at Hollywood Park in 2010.
- At the April 21, 2016 regular meeting, the Board will hear a request from the California Authority of Racing Fairs (CARF) to designate the 2016 allocated race dates of the Alameda County Fair (6/15/16 - 7/5/16), Cal-Expo State Fair (7/6/16 - 7/26/16), Humboldt County Fair (8/17/16 - 8/30/16), Los Angeles County Fair (9/7/16 - 9/27/16), San Joaquin County Fair (9/21/16 - 10/4/16), and the Big Fresno Fair (10/5/16 - 10/18/16) as a combined fair horse racing meeting. One characteristic of the proposed 2016 combined fair race meeting is the extended distribution time for the carryover pool. There are no additional attributes identified in relation to the combined fair race meeting.
- Applicant is requesting the distribution date of the carryover pool to be October 16, 2016 (Closing Day of the Big Fresno Fair).
- The proposed race dates are the approved race dates allocated to the Alameda County Fair, these dates will become a part of the 2016 combined fair racing meeting pending approval.

June - 2016						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

July - 2016						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

- Racing Thursday through Sunday for two weeks. Racing Friday through Monday for one week. 10 races on Thursday and 12 races on Fridays, Saturdays, Sundays, and Monday.
- 2015 Race Meeting: Average number of runners per race (TB): 6.76
- 2015 Race Meeting: Average number of runners per race (Arabian): 6.83
- 2015 Race Meeting: Average number of runners per race (Quarterhorse): 5.88
- 2015 Race Meeting: Average number of runners per race (Mules): 5.89
- First post 1:15 p.m. daily and 2:15 p.m. on Fridays
- Wagering program will use CHRB rules and ARCI rules.
 - \$1 Place Pick, \$1 Trifecta, and \$0.10 Superfecta when applicable.
 - \$0.50 Pick 4 on first 4 races and last 4 thoroughbred races – Pick five on last thoroughbred 5 races, with 100% major pool paid for 5 of 5. If no 5 of 5, 75% carryover and 25% minor pool to most winners.
 - \$0.20 Pick 6 on last 6 thoroughbred races each day. 100% pools paid and any prior carryovers for unique tickets selecting 6 winners. If no ticket selects six winners the 40% minor pool paid for the day is paid to tickets selecting the most winners. 60% major pool will be added to the carryover.
 - \$0.20 Pentafecta (Super High 5) selecting first five finishers in the same race. 100% pool paid and any prior carryovers paid for a unique ticket selecting the first five finishers. If no unique ticket selects the first five finishers then 40% minor pool paid to tickets selecting the first five finishers. 60% of major pool will be added to the carryover. If no ticket selects the first five finishers 100% of the pool will be added to the carryover. Super High-5 will be carded on the last race of the day.
- Early wagering will not be offered.
- Specific changes from the 2015 license application:
 - Admission (Advanced) from 30% percent discount online to \$10 Adult/\$8 Senior & Children
 - Admission (Seniors) from \$8.00 to \$10.00
 - Reserved Seating from \$3.50 to \$5.00
 - Fair Admission/Children (6-12) from \$8.00 to \$10.00
 - Season Pass from \$49.99 to \$36.00
- The Advance Deposit Wagering (ADW) providers are XpressBet, TVG, TwinSpire, Bet America - Lien Games and Watch and Wager.

Pursuant to Business and Profession Code section 19604, specific provisions must be met before an ADW provider can accept wagers.

Summary of Business and Profession Code 19604

To accept wagers on races conducted in California from a resident of California.

- The ADW provider must be licensed by the Board.
- A written agreement allowing those wagers exists with the racing association or fair conducting the races on which the wagers are made.
- The agreement shall have been approved in writing by the horsemen's organization responsible for negotiating purse agreements for the breed on which the wagers are made.

To accept wagers on races conducted outside of California from a resident of California.

- The ADW provider must be licensed by the Board.
- There is a hub agreement between the ADW provider and one or both of (i) one or more racing associations or fairs that together conduct no fewer than five weeks of live racing on the breed on which wagering is conducted during the calendar year during which the wager is placed, and (ii) the horsemen's organization responsible for negotiating purse agreements for the breed on which wagering is conducted.

The following ADW providers have submitted all documents required in compliance with Business and Professions Code section 19604, *except* the horsemen's approval:

- ODS Technologies, L.P. dba TVG Network.
- XpressBet LLC. dba XpressBet.com.
- Churchill Downs Technology Initiatives Company, dba TwinSpires.
- Lien Games Racing LLC, dba Bet America.
- Watch and Wager.

Monarch Content Management, LLC (MCM), has shared that "The contracts signed in 2014 with TwinSpires is still in effect. Section 16 of the simulcast agreement states in pertinent part: In the event Monarch permits Guest to continue wagering on Monarch Content after the expiration of the Term without entering into a new agreement, then the terms and provisions of this Agreement shall remain in effect."

- Simulcasting conducted with other out-of-state racing jurisdictions pursuant to Business and Professions Code section 19602; and with authorized locations throughout California.
- Request Darrel Sparks be appointed horse identifier pursuant to CHRB Rule 1525.
- Inspection of backstretch worker housing has been requested and will be completed before the race meeting begins.
- Track safety inspection has been requested and will be completed before the race meeting begins.

ITEMS STILL NEEDED:

1. California Thoroughbred Trainers agreement.
2. Fire clearance.
3. Horsemen approval [Thoroughbred, Quarter, Mules and Arabian] of ADW agreement.

RECOMMENDATION:

If the application is considered for approval, staff recommends a contingent approval pending the submission of outstanding items.



April 13, 2016

California Horse Racing Board
Attn: Rick Baedecker
Assistant Executive Director

Dear Rick,

As of this date the following documents are missing from the 2016 OTP License application:

1. Fire Clearance – A reinspection is scheduled for April 14.
2. ADW documents from Horsemen's organizations – TOC President, Nick Coukos has stated that they are working on the language for the letter as it relates to ongoing negotiations with the ADW providers and does expect to provide it prior to the 21 April CHRB meeting.
3. CTT Agreement – CTT Executive Director Alan Balch has stated he does not anticipate being able to sign the agreement prior to the April meeting. His CTT Board meeting is Friday, April 15. Talks continue at this point.

A handwritten signature in cursive script, appearing to read "Larry A. Swartzlander".

Larry A. Swartzlander
Director of Racing, OTP



ALAMEDA
COUNTY
FAIRGROUNDS
PLEASANTON

March 29, 2016

Mr. Rick Baedeker
Executive Director
California Horse Racing Board
1010 Hurley Way
Suite 300
Sacramento, CA 95825

Dear Mr. Baedeker,

Please accept this as a formal request to the California Horse Racing Board to permit the Oak Tree Racing Association to conduct live racing at Alameda County Fair during the dates allocated to Pleasanton. This request is made pursuant to Business and Professions Code Section 19549.16.

Respectfully submitted,

A handwritten signature in cursive script that reads "Jerome P. Hoban".

Jerome Hoban
CEO

cc: Oak Tree Racing Association
California Authority of Racing Fairs

STATE OF CALIFORNIA
 CALIFORNIA HORSE RACING BOARD
 APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF A CALIFORNIA FAIR
 CHRB-18 (Rev.2/15)

Application is hereby made to the California Horse Racing Board (CHRB) for a license to conduct a horse racing meeting of a California fair as authorized by Article 6.5 of the California Business and Professions Code, Chapter 4, Division 8, Horse Racing Law, and in accordance with applicable provisions and the California Code of Regulations, Title 4, Division 4, CHRB Rules and Regulations.

1. APPLICANT FAIR ASSOCIATION

A. Name, mailing address, telephone, and fax numbers of fair:

Oak Tree Racing Association at Pleasanton
Alameda County Fair Agricultural Association
4501 Pleasanton Avenue, Pleasanton, CA 94566
Phone: 925-426-7600 Fax: 925-426-7599

Oak Tree Racing Association
201 Colorado Place, Arcadia, CA 91007
Phone: 626-833-2209 Fax: 626-574-0852

B. Fair association is a: District Fair County Fair Citrus Fruit Fair
 California Exposition and State Fair Other qualified fair

C. Provide the name, telephone, and email address for the fair contact person:

Jerome Hoban C.E.O., 925-426-7501, jhoban@alamedacountyfair.com

NOTICE TO APPLICANT: Application must be filed not later than 90 days before the scheduled start date for the proposed meeting pursuant to CHRB Rule 1433.

2. DATES OF RACE MEETING

A. Inclusive dates allocated for race meeting: **June 15 – July 5, 2016**

B. Actual dates racing will be held: **June 16, 17, 18, 19, 23, 24, 25, 26 & July 1, 2, 3, 4**

C. Dates racing will NOT be held: **June 20, 21, 27, 28 & July 5. June 15, 22, 29 & 30 will be simulcast only days.**

D. Total number of racing days: **12**

E. Days of the week races will be held:

Wed - Sun Tues - Sat Other (specify) Thurs-Sun

CHRB CERTIFICATION

Application received: 3/17/16
 Reviewed: 

Hearing date: 4/21/16
 Approved date:
 License number:

3. RACING PROGRAM

A. Total number of races: 140

B. Number of races by breed:

Thoroughbreds Quarter Horses Appaloosas
 Arabians Paints Mules

C. Number of races daily:

	Thurs 6/16	Fri 6/17	Sat 6/18	Sun 6/19	Thurs 6/23	Fri 6/24 & 7/1	Sat 6/25 & 7/2	Sun 6/26 & 7/3	Mon Jul 4
Thoroughbred	8	9	9	10	8	9	9	10	10
Other Breeds	2	3	3	2	2	3	3	2	2
Total	10	12	12	12	10	12	12	12	12

D. Total number of stakes races by breed:

Thoroughbreds Quarter Horses Appaloosas
 Arabians Paints Mules

E. Attach a listing of all stakes races and indicate the date to be run and the added money or guaranteed purse for each.

1. Attach a listing of all stakes races for the past two race meetings. The information provided must be for the same timeframe in which the association is applying. Include the date the stakes races were run, and the added money or guaranteed purse for each. Note the races that were designated for California-bred horses.

2. Identify the stakes races listed under item E that have been altered, added, or are new for the current race meeting. Provide details regarding any alterations to the identified stakes races. (e.g., changes in the age, sex, eligibility, purse or substantial calendar changes).

3. Identify the stakes races listed under item E1 that have been dropped or deleted, and the reasons the stakes were dropped or deleted.

Thoroughbred Stakes & Arabian Stakes please see attached.

F. Will provisions be made for owners and trainers to use their own registered colors?

Yes No If no, what racing colors are to be used:

THOROUGHBRED STATES

OTP 2016

(June 15 – July 5, 2016)

STAKES SCHEDULE

PLEASANTON OAKS

\$50,000 Added Overnight Stakes
(Plus up to \$15,000 to Cal-Breds)
Three Year Old Fillies – Six Furlongs
Sunday, June 18

OAKTREE HANDICAP

\$50,000 Added Overnight Stakes
(Plus up to \$15,000 to Cal-Breds)
Three Year Olds & Upward – One and 1/16 Miles
Saturday, June 25

Postponed

Moved Golden State Series to the Everett Nevin Futurity. Last year the race went with only three entries. Southern California runs two stakes before and after this date with same conditions. There is a lack of f/m sprinters in northern California. Golden Gate ran only one stakes with these conditions between Dec 26 and Jun 12.

JUAN GONZALEZ MEMORIAL

\$50,000 Added Overnight Stakes
(Plus up to \$15,000 to Cal-Breds)
Two Year Old Fillies – Five & ½ Furlongs
Saturday, July 2

EVERETT NEVIN FUTURITY (CAL-BREDS)

\$100,000 Guaranteed (\$40,000 CTBA)
Golden State Series
Two Year Old Fillies – five & ½ Furlongs
Sunday, Jul 3

OAK TREE SPRINT

\$50,000 Added Overnight Stakes
(Plus up to \$15,000 to Cal-Breds)
Three Year Olds & Upward – Six Furlongs
Monday, July 4

OTP 2015

(June 17 – July 5, 2015)

STAKES SCHEDULE

PLEASANTON OAKS

\$50,000 Added Overnight Stakes
(Plus up to \$15,000 to Cal-Breds)
3 Year Old Fillies – Six Furlongs
Sunday, June 21

OAKTREE HANDICAP

\$50,000 Added Overnight Stakes
(Plus up to \$15,000 to Cal-Breds)
Three Year Olds & Upward – One and 1/16 Miles
Saturday, June 28

OAK TREE DISTAFF

\$100,000 Guaranteed (\$40,000 CTBA)
Three Year Olds & Upward – Six Furlongs
Saturday, July 27

JUAN GONZALEZ MEMORIAL

\$50,000 Added Overnight Stakes
(Plus up to \$15,000 to Cal-Breds)
Two Year Old Fillies – Five & ½ Furlongs
Saturday, July 5

EVERETT NEVIN FUTURITY (CAL-BREDS)

\$50,000 Added (Plus up to \$15,000 to Cal-Breds)
Golden State Series
Two Year Old Fillies – five & ½ Furlongs
Sunday, July 6

OAK TREE SPRINT

\$50,000 Added Overnight Stakes
(Plus up to \$15,000 to Cal-Breds)
Three Year Olds & Upward – Six Furlongs
Saturday, July 5

OTP 2014

(June 16 – July 6, 2014)

STAKES SCHEDULE

PLEASANTON OAKS

\$50,000 Added Overnight Stakes
(Plus up to \$15,000 to Cal-Breds)
3 Year Old Fillies – Six Furlongs
Sunday, June 22

OAKTREE HANDICAP

\$50,000 Added Overnight Stakes
(Plus up to \$15,000 to Cal-Breds)
Three Year Olds & Upward – One and 1/16 Miles
Saturday, June 29

OAK TREE DISTAFF

\$100,000 Guaranteed (\$40,000 CTBA)
Three Year Olds & Upward – Six Furlongs
Saturday, July 28

JUAN GONZALEZ MEMORIAL

\$50,000 Added Overnight Stakes
(Plus up to \$15,000 to Cal-Breds)
Two Year Old Fillies – Five & ½ Furlongs
Saturday, July 6

EVERETT NEVIN FUTURITY (CAL-BREDS)

\$50,000 Added (Plus up to \$15,000 to Cal-Breds)
Golden State Series
Two Year Old Fillies – five & ½ Furlongs
Sunday, Jul 7

OAK TREE SPRINT

\$50,000 Added Overnight Stakes
(Plus up to \$15,000 to Cal-Breds)
Three Year Olds & Upward – Six Furlongs
Saturday, July 6

ARABIAN STAKES

Sheikh Zayed Bin Sultan Al Nahyan Arabian Cup
\$48,500 Added – Grade III
Three Year Olds & Upward – Six Furlongs
Saturday, July 2

Sheikh Zayed Bin Sultan Al Nahyan Arabian Cup
\$48,500 Added – Grade III
Three Year Olds & Upward – Six Furlongs
Saturday, Jul 5

Sheikh Zayed Bin Sultan Al Nahyan Arabian Cup
\$48,500 Added – Grade III
Three Year Olds & Upward – Six Furlongs
Saturday, July 6

H.H. SHEIKHA FATIMA BINT MUBARAK LADIES IFAHR CUP
\$41,000 Added
Three Year Olds & Upward – Six Furlongs
Saturday, July 2

H.H. SHEIKHA FATIMA BINT MUBARAK LADIES IFAHR CUP
\$41,000 Added
Three Year Olds & Upward – Six Furlongs
Saturday, Jul 5

H.H. SHEIKHA FATIMA BINT MUBARAK LADIES IFAHR CUP
\$41,000 Added
Three Year Olds & Upward – Six Furlongs
Saturday July 6

G. List all post times for the daily racing program:

Race Number	Weekdays	Fridays	Weekends
Race # 1	1:15p.m.	2:15 p.m.	1:15 p.m.
Race # 2	1:45 p.m.	2:45 p.m.	1:45 p.m.
Race # 3	2:15 p.m.	3:15 p.m.	2:15 p.m.
Race # 4	2:45 p.m.	3:45 p.m.	2:45 p.m.
Race # 5	3:15 p.m.	4:15 p.m.	3:15 p.m.
Race # 6	3:45 p.m.	4:45 p.m.	3:45 p.m.
Race # 7	4:15 p.m.	5:15 p.m.	4:15 p.m.
Race # 8	4:45p.m.	5:45 p.m.	4:45 p.m.
Race # 9	5:15 p.m.	6:15 p.m.	5:15 p.m.
Race # 10	5:45 p.m.	6:45 p.m.	5:45 p.m.
Race # 11			6:15 p.m.
Race # 12			6:45 p.m.

** As much as possible, we intend to align our post times to complement the Santa Anita Meet.*

NOTICE TO APPLICANT: Every licensee conducting a horse racing meeting shall each racing day provide for the running of at least one race limited to California-bred horses, to be known as the "California-bred race" pursuant to CHRB Rule 1813.

4. FAIR ASSOCIATION

- A. **Names of the Oak Tree Directors:** John H. Barr, Sherwood C. Chillingworth, Dr. Rick Arthur, Thomas R. Capehart, Richard Mandella, Warren B. Williamson and Robert W. Zamarripa Sr.
- B. **Names of the fair directors:** Chair: Frank Imhof/Vice-Chair, Jack Kavanagh, Jack Balch, Paul Banke, Jason Chin, Gordon Galvan, Jim McGrail, Chuck Moore, Don Sherratt, Craig Smith, Harvey Smith, John Smith, Naomi Wallace, Ron Zeno
- C. **Names of the directors serving on the Racing Committee or otherwise responsible for the conduct of the racing program:** Chair: Frank Imhof/Vice-Chair, Jack Kavanagh, Jack Balch, Paul Banke, Jason Chin, Gordon Galvan, Jim McGrail, Chuck Moore, Don Sherratt, Craig Smith, Harvey Smith, John Smith, Naomi Wallace, Ron Zeno
- D. **Name and title of the fair manager or executive officer and the names and titles of all department managers, fair staff and CARF other than those listed in 12B, who will be listed in the official program:**

Alameda County Fair: **C.E.O. Jerome Hoban, Director of Racing Jeanne Wasserman, Maintenance Operations Manager Richard Sims, Track Superintendent Jim Burns, Track Announcer - TBD & Stable Manager Kevin Ingram.**

Name and title of the person(s) authorized to receive notices on behalf of the fair association and the mailing and email address of such person(s).

Jerome Hoban, C.E.O.
 4501 Pleasanton Avenue
 Pleasanton, CA 94566
 jhoban@alamedacountyfair.com

Jeanne Wasserman, Director of Racing
 4501 Pleasanton Avenue
 Pleasanton, CA 94566
 jeanne@alamedacountyfair.com

5. TAKE OUT PERCENTAGE

1. Will the percentage deducted for any type of wager be adjusted pursuant to Business and Professions Code section 19601.01? If no, proceed to subsection 6. If yes, identify the wager and the proposed takeout percentage.

Yes No

Wager(s) to be adjusted: _____ Proposed percentage: _____%

A. Attach copy of written notice requesting the proposed takeout adjustment, the proposed percentage and the wager(s) affected. The notice must include the written agreement of the fair association and the horsemen's organization for the meeting of the fair association accepting the wager.

NOTICE TO APPLICANT: Pursuant to Business and Professions Code section 19601.01 notwithstanding any other provision of law, a thoroughbred association or fair, upon the filing of a written notice with, and approval by, the board specifying the percentage to be deducted, may deduct from the total amount handled in the pari-mutuel pool for any type of wager an amount of not less than 10 percent nor more than 25 percent. The written notice shall include the written agreement of the thoroughbred association or fair and the horsemen's organization for the meeting of the thoroughbred association or fair accepting the wager. The established percentage to be deducted shall remain in effect until the filing of a subsequent notice with, and approval by, the board, unless otherwise specified in the notice.

6. HANDLE HISTORY

1. Complete the table below providing the last five years of handle and attendance for the fair association. If your association has been operating for fewer than five years, provide information for the period of time it has been in operation.

Year	Handle	Attendance	Number of Racing Days
2015	\$31,461,781	75,049	12 Days
2014	\$30,932,233	83,682	12 Days
2013	\$30,357,012	83,874	12 Days
2012	\$32,260,001	94,572	13 Days
2011	\$32,939,567	95,213	13 days

7. PURSE PROGRAM (Excluding supplements, nominations, sponsorships, and starter fees):

A. Purse distribution:

1. All races other than stakes:
 Current meet estimate: \$1,303,945
 Prior meet actual: \$1,353,945

Average Daily Purse (7A1 ÷ number of days):

Current meet estimate: \$108,662

Prior meet actual: \$112,829

2. Overnight stakes:

Current meet estimate: \$282,000

Prior meet actual: \$332,000

Average Daily Purse (7A2 ÷ number of days):

Current meet estimate: \$23,500

Prior meet actual: \$27,667

3. Non-overnight stakes:

Current meet estimate: \$100,000

Prior meet actual: \$100,000

Average Daily Purse (7A3 ÷ number of days):

Current meet estimate: \$8,333

Prior meet actual: \$8,333

4. Total Purses: (7A1+7A2+7A3)

Current meet estimate: \$1,685,945

Prior meet actual \$1,785,945

B. Funds to be generated for all California-bred incentive awards (including breeder awards and owners premiums):

Current meet estimate: \$114,730

Prior meet actual: \$124,707

C. Payment to each recognized horsemen's organization contracting with the fair:

Current meet estimate:

CTT \$ 4,190

TOC \$ 8,379

NTRA \$ 1,741

PCQHRA \$ 1,718

CWAR \$ -0-

ARAC \$ 2,726

AMRA \$ 3,733

CHBPAPEN \$ 12,570

CTHF \$ 12,570

Total \$ 47,627

Prior meet actual:

\$ 4,554

\$ 9,108

\$ 1,892

\$ 1,867

\$ -0-

\$ 2,963

\$ 4,058

\$ 13,663

\$ 13,663

Total \$51,768

D. Amount from all sources to be distributed at the meeting in the form of purses or other benefits to horsemen (7A+7B+7C):

Current meet estimate: \$1,848,302

Prior meet actual: \$1,962,420

Average Daily Purse (7D ÷ number of days):

Current meet estimate: \$154,025

Prior meet actual: \$163,535

- E. Purse funds to be generated from on-track handle and intrastate off-track handle (excluding carry-overs from prior race meet(s) :

Current meet estimate: \$1,577,684

Prior meet actual: \$1,577,684

Average Daily Purse (7E ÷ number of days):

Current meet estimate: \$131,474

Prior meet actual: 131,474

- F. Purse funds to be generated from interstate handle:

Current meet estimate: \$190,038

Prior meet actual: \$190,038

Average Daily Purse (7F ÷ number of days):

Current meet estimate: \$15,836

Prior meet actual: \$15,836

- G. Bank and account number for the Paymaster of Purses' purse account:

On file

- H. Name, address, email and telephone number of the pari-mutuel audit firm engaged for the meeting:

Disher Accountancy Corporation, 1816 Maryal Drive, Sacramento, CA. 95864, (916) 482-4224

NOTICE TO APPLICANT: All funds generated and retained from on-track pari-mutuel handle which are obligated by law for distribution in the form of purses, breeders' awards or other benefits to horsemen, **shall not** be deemed as income to the fair and **shall**, within 3 calendar days following receipt, be deposited in a segregated and separate liability account in a depository approved by the CHRB and shall be at the disposition of the Paymaster of Purses, who shall pay or distribute such funds to the persons entitled thereto. All funds generated from off-track simulcast wagering, interstate wagering, and out-of-state wagering which are obligated by law for distribution in the form of purses and breeders' awards, shall also be deposited within 3 calendar days following receipt into such liability account. In the event the fair is obligated to the payment of purses prior to those obligated amounts being retained from pari-mutuel wagering for such purpose, or as a result of overpayment of earned purses at the conclusion of the meeting, the fair shall transfer from its own funds such amounts as are necessary for the Paymaster of Purses to distribute to the horse owners statutorily or contractually entitled thereto. The fair is entitled thereafter to recover such transferred funds from the Paymaster of Purses' account; and if insufficient funds remain in the account at the conclusion of the meeting, the fair is entitled to carry forward the deficit to its next succeeding meeting as provided by Business and Professions Code section 19615(c) or (d). In the event of **underpayment** of purses which results in a balance remaining in the Paymaster of Purses' account at the conclusion of the meeting after distribution of amounts due to horsemen and breeders and horsemen's organizations, the fair may carry forward the surplus amount to its next succeeding meeting; provided, however, that the amount so retained does not exceed an amount equivalent to the average daily distribution of purses and breeders' awards during the meeting. All amounts in excess shall be distributed retroactively and proportionally in the form of purses and breeders' awards to the horse owners and breeders having earned purses or awards during the conduct of the meeting.

8. STABLE ACCOMMODATIONS

- A. Number of usable stalls available for racehorses at the track where the meeting is held:

684 (100 Portables available if needed)

- B. Minimum number of stalls believed necessary for the meeting:

2,000

- C. Total number of usable stalls to be made available off-site at approved auxiliary stabling areas or approved training centers: **1,440**
- D. Name and location of each off-site auxiliary stabling area and the number of stalls to be maintained at each site: **Golden Gate Field – 1,440 stalls**
- E. Attach each contract or agreement between the fair and the person(s) furnishing off-site stabling accommodations for eligible racehorses that cannot be provided stabling on-site.
Northern California Stabling and Vanning Fund (On File).

Complete subsections F through H if the fair will request reimbursement for off-site stabling as provided by Business and Professions Code sections 19607, 19607.1, 19607.2, and 19607.3; otherwise, proceed to section 9.

- F. Total number of usable stalls made available on-site for the 1986 meeting, pursuant to Business and Professions Code section 19535(c).
884
- G. Estimated cost to provide off-site stalls for this meeting. Show cost per-day per stall:
\$9.84
- H. Estimated cost to provide vanning from off-site stalls for this meeting. Show fees to be paid for Vanning per-horse: **Alameda County Fair will not be Vanning horses.**

9. EQUINE EMERGENCY SERVICES

- A. Name and emergency telephone number of the racing veterinarian onsite during training hours, workouts and during racing for the association and auxiliary sites:
- Dr. Donald Dooley 530-472-1330
 - Dr. Sara Sporer 510-220-4860
1. Attach a schedule listing the dates and times that the racing veterinarian will be available onsite during training hours, workouts and during racing for the association and auxiliary sites.
See Attached

10. PARI-MUTUEL WAGERING PROGRAM

- A. Is the fair applicant a member of the California Authority of Racing Fairs (CARF)? If yes, attach a copy of the CARF recommended wagering format. Yes No **(On File with CHRB)**
- B. Pursuant to Business and Professions Code section 19599, and with the approval of the CHRB, fairs may elect to offer wagering programs using CHRB Pari-mutuel Rules, the Association of Racing Commissioners International (RCI) Uniform Rules of Racing, Chapter 9, Pari-mutuel Wagering, or a combination of both. Please complete the following schedule for the types of wagering other than WPS and the minimum wager amount for each. If applicant is a member of CARF, also indicate if wager is a part of the CARF recommended wagering format:

***PRA/GOLDEN GATE FIELDS - PLEASANTON (AUXILIARY SITE)
EQUINE EMERGENCY SERVICES***

Attachment to PRA/Golden Gate Fields License Application
Section 9A (1)

A.	<u>VETERINARIAN</u>	<u>EMERGENCY CONTACT #</u>
	Dr. Ken Allison	650-642-4636
	Dr. Steve Boyer	510-867-5872
	Dr. William Grantham	415-860-8113
	Dr. Diane Isbell	925-980-1801
	Dr. Kim Kuhlmann	510-867-5871
	Dr. Steve Matuszak	415-860-3001
	Dr. Jerry Parker	650-642-5610
	Dr. Raina Petrov	650-642-5609
	Dr. Don Smith	510-812-9275
	Dr. Sara Sporer	510-220-4860

1.	<u>GOLDEN GATE FIELDS VETERINARIAN SCHEDULE</u>	
	Mondays:	Closed
	Tuesdays:	AM Only – TBD
	Wednesdays:	AM Only – TBD
	Thursdays:	AM - Dr. Diane Isbell PM - Dr. Sara Sporer
	Fridays	AM - Dr. Diane Isbell PM - Dr. Sara Sporer
	Saturdays:	AM - Dr. Diane Isbell PM - Dr. Sara Sporer
	Sunday:	AM – Dr. Diane Isbell PM – Dr. Sara Sporer

2.	<u>PLEASANTON (auxiliary site) VETERINARIAN SCHEDULE</u>	
	Mondays:	Closed
	Tuesdays:	AM Only – TBD
	Wednesdays:	AM Only – TBD
	Thursdays:	AM Only – TBD
	Fridays:	AM Only – TBD
	Saturdays:	AM Only – TBD
	Sundays:	AM Only - TBD

TBD – Rotating schedule amongst list from exhibit A



March 24, 2016

California Horse Racing Board
Attn: Jackie Wagner
Assistant Executive Director

To Whom It May Concern:

The following information is provided for you in response to the 2016 Race Meet Application Review of the Oak Tree at Pleasanton Race Meet:

The following is the CARF wagering format:

Example Race	TYPE OF WAGERS	APPLICABLE RULES
	\$1 E; \$1 Double	CHRB #1959; RCI #VE
Race #1	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF \$.50PNP4	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1 CHRB #1976.9
Race #2	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1
Race #3	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF \$.20PNP6	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1 ARCI 004-105 G. (g)
Race #4	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50PNP5 \$.20PNP6	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1, CHRB 1976.9 ARCI 004-105 G. (g)
Race #5	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50PNP4, \$.50PNP5, \$.20PNP6	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1, CHRB #1976.9 CHRB 1976.9, ARCI 004-105 G. (g)
Race #6	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50PNP4, \$.50PNP5, \$.20PNP6	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1, CHRB #1976.9 CHRB 1976.9, ARCI 004-105 G. (g)
Race #7	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50PNP4, \$.50PNP5, \$.20PNP6	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1, CHRB 1976.9 CHRB 1976.9, ARCI 004-105 G. (g)
Race #8	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50PNP4, \$.50PNP5, \$.20 SUPER HIGH 5	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1, CHRB #1976.9 CHRB #1976.9, ARCI 004-105 X-Pentafecta (5) Option 4
Race #9	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50PNP4, \$.20 SUPER HIGH 5	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1 CHRB #1976.9, ARCI 004-105 X-Pentafecta (5) Option 4
Race #10	\$1E, \$1PK3, \$1TRI,	CHRB #1959, CHRB #1977, CHRB #1979,



	\$2DD, \$.10SF, \$.20 SUPER HIGH 5	CHRB #1957, CHRB #1979.1 ARCI 004-105 X-Pentafecta (5) Option 4
Race #11	\$1E, \$1TRI, \$2DD, \$.10SF, \$.20 SUPER HIGH 5	CHRB #1959, CHRB #1979, CHRB #1957, CHRB #1979.1 ARCI 004-105 X-Pentafecta (5) Option 4
Race #12	\$1E, \$1TRI, \$.10SF, \$.20 SUPER HIGH 5	CHRB #1959, CHRB #1979, CHRB #1979.1 ARCI 004-105 X-Pentafecta (5) Option 4
Race #13	\$1E, \$1TRI, \$.10SF, \$.20 SUPER HIGH 5	CHRB #1959, CHRB #1979, CHRB #1979.1 ARCI 004-105 X-Pentafecta (5) Option 4

This format will be use at the following fairs: Alameda County Fair, The California State Fair, Humboldt County Fair, San Joaquin County Fair and the Big Fresno Fair. The 2005 NCOTWINC Agreement maintained on file at CRRB is still valid.

Respectfully Yours,

Larry A. Swartzlander
Chief Operating Officer

\$.20 PNP6 on the last six thoroughbred races each day. 100% pool paid and any prior carryovers for unique ticket selecting six winners. If no unique ticket selects six winners then the 40% minor pool that day is paid to the tickets selecting the most winners and the 60% major pool will be added to the carryover.

\$.20 Pentafecta (Super High 5) selecting the first five finishers in the same race. 100% pool paid and any prior carryovers paid for a unique ticket selecting the first five finishers. If no unique ticket selects the first five finishers then 40% minor pool paid to tickets selecting the first five finishers and 60% of major pool will be added to the carryover. If no ticket selects the first five finishers 100% of the pool will be added to the carryover. Super High-5 will be carded on the last race of the day.

Use DD for daily double, E for exacta (special quinella), PK3 for pick three, PK4 for select four, PNP for pick (n) pool, PPN for place pick (n), Q for quinella, SF for superfecta, TRI for trifecta, and US for unlimited sweepstakes (pick 9).

Type	Rule Number
Exacta (1E)	1959
Trifecta (1TRI)	1979
Daily Double (2DD)	1957
Superfecta (.10SF)	1979.1
Pentafecta (.20 PF)	ARCI 004-105
PK 3 (1PK3)	1977
PK 4 (.50PNP4)	1976.9
PK 5 (.50PNP5)	1976.9
PK 6 (.20PNP6)	1976.9

FORMAT	TYPE OF WAGERS	APPLICABLE RULES	CARF	WAGERING
Example Race	\$1 E; \$1 Double	CHRB #1959; RCI #VE		Yes X
Race #1	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF \$.50PNP4	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1 CHRB #1976.9		
Race #2	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1		
Race #3	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF \$.20PNP6	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1 ARCI 004-105 G. (g)		
Race #4	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50PNP5, \$.20PNP6	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1, CHRB #1976.9 ARCI 004-105 G. (g)		
Race #5	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50PNP4, \$.50PNP5, \$.20PNP6	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1, CHRB #1976.9 CHRB #1976.9, ARCI 004-105 G. (g)		
Race #6	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50PNP4 \$.50PNP5, \$.20PNP6	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1, CHRB #1976.9 CHRB #1976.9, ARCI 004-105 G. (g)		
Race #7	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50 PNP4 \$.50PNP5, \$.20PNP6	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1, CHRB #1976.9 CHRB 1976.9, ARCI 004-105 G. (g)		
Race #8	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.50PNP4, \$.50PNP5, \$.20 SUPER HIGH 5	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1, CHRB #1976.9 CHRB 1976.9, ARCI 004-105 X-Pentafecta (5) Option 4		
Race #9	\$1E, \$1PK3, \$1TRI \$2DD, \$.10SF, \$.50PNP4 \$.20 SUPER HIGH 5	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1, CHRB #1976.9 ARCI 004-105 X-Pentafecta (5) Option 4		

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Race #10	\$1E, \$1PK3, \$1TRI, \$2DD, \$.10SF, \$.20 SUPER HIGH 5	CHRB #1959, CHRB #1977, CHRB #1979, CHRB #1957, CHRB #1979.1 ARCI 004-105 X-Pentafecta (5) Option 4
Race #11	\$1E, \$1TRI, \$2DD \$.10SF, \$.20 SUPER HIGH 5	CHRB #1959, CHRB #1979, CHRB #1957, CHRB #1979.1 ARCI 004-105 X-Pentafecta (5) Option 4
Race #12	\$1E, \$1TRI, \$.10SF \$.20 SUPER HIGH 5	CHRB #1959, CHRB #1979, CHRB #1979.1 ARCI 004-105 X-Pentafecta (5) Option 4

C. Identify any wagers noted in 10A (the current pari-mutuel wagering program) that were not in the prior year's pari-mutuel program, or that are not being carried forward from the previous year's pari-mutuel wagering program. None.

D. Maximum carryover pool to be allowed to accumulate before its distribution OR the date(s) designated for distribution of the carryover pool: **16 October, the last day of the Fresno Fair.** *(The date is provided is tentative based on approval of the CARF Fair Consolidation Concept by the CHRB - If not approved the final day will be July 5, 2016, the final day of the OTP meet).

E. List any options requested with regard to exotic wagering:

\$1 PPN when applicable; \$1 TRI and \$0.10 SF when applicable

\$0.50 PNP4 on the first four races and the last four thoroughbred races each day

\$0.50 PNP5 on the last five thoroughbred races each day, with 100% major pool paid for 5 of 5. If no 5 of 5, 75% carryover and 25% minor pool to most winners.

\$.20 PNP6 on the last six thoroughbred races each day. 100% pool paid and any prior carryovers for unique ticket selecting six winners. If no unique ticket selects six winners then the 40% minor pool that day is paid to the tickets selecting the most winners and the 60% major pool will be added to the carryover.

\$0.20 Pentafecta (Super High 5) selecting the first five finishers in the same race. 100% pool paid and any prior carryovers paid for a unique ticket selecting the first five finishers. If no unique ticket selects the first five finishers then 40% minor pool paid to tickets selecting the first five finishers and 60% of major pool will be added to the carryover. If no ticket selects the first five finishers 100% of the pool will be added to the carryover. Super High-5 will be carded on the last race of the day.

F. Will "advance" or "early bird" wagering be offered? Yes No

If yes, when will such wagering begin? Specify days and time for "early bird" wagering:

G. Type(s) of pari-mutuel or totalizator equipment to be used by the fair and the simulcast organization, the name of the person(s) supplying equipment, and expiration date of the service contract:

Amtote (Dave Calendine) Expiration: October 30, 2020.

Equipment description on file with Board.

H. List below the takeout percentage for each type of wager identified in 10B:

TAKEOUT PERCENTAGE

Win, Place, Show – 16.77%; Exacta & Daily Double – 24.02%

Pick 3, 4, 5, 6 & all Trifectas, Superfectas & Super High Five – 25.02%

Race #1

Race #2
 Race #3
 Race #4
 Race #5
 Race #6
 Race #7
 Race #8
 Race #9
 Race #10
 Race #11
 Race #12
 Race #13

11. ADVANCE DEPOIST WAGERING (ADW)

- A. Identify the ADW provider(s) to be used by the fair for this race meeting:
Express Bet, T.V.G. (Television Games Network), Twin Spires, Bet America & Watch & Wager.
- B. Attach a copy of the agreement/contracts with each ADW provider to be used for this race meeting. To Be provided by CARF.
- C. Have the contract/agreements been approved by the respective horsemen's groups?
 Yes No

If yes, attach a copy of the approval. – Pending

If no, explain the status of the approval.

NOTICE TO APPLICANT: Pursuant to Business and Professions Code section 19604, ADW providers may accept wagers on races conducted in California from a resident of California if: 1) the ADW provider is licensed by the Board; 2) a written agreement allowing those wagers exists with the racing association or fair conducting the races on which the wagers are made; 3) the agreement shall have been approved in writing by the horsemen's organization responsible for negotiating purse agreements for the breed on which the wagers are made. ADW providers may accept wagers on races conducted outside of California from a resident of California if: 1) the ADW provider is licensed by the Board; 2) there is a hub agreement between the ADW provider and one or both of (i) one or more racing associations or fairs that together conduct no fewer than five weeks of live racing on the breed on which wagering is conducted during the calendar year during which the wagers are placed and (ii) the horsemen's organization responsible for negotiating purse agreements for the breed on which wagering is conducted.

12. SIMULCAST WAGERING PROGRAM

- A. Simulcast organization engaged by the fair to conduct simulcast wagering:
Northern California Off-Track Wagering, Inc. (NOCTWINC)
- B. Attach the agreement between the fair and simulcast organization permitting the organization to use the fair's live audiovisual signal for wagering purposes and providing access to its totalizator for the purpose of combining on-track and off-track pari-mutuel pools.
On File
- C. California simulcast facilities the fair proposes to offer its live audiovisual signal:

NORTHERN CALIFORNIA

Alameda County Fair, Pleasanton
 Bankers Casino, Salinas
 Big Fresno Fair, Fresno
 California State Fair & Exposition, Sacramento
 Club One, Fresno
 Firehouse Restaurant, Bakersfield

SOUTHERN CALIFORNIA

Barona Valley Ranch Resort & Casino, Lakeside
 Cabazon Fantasy Springs Casino, Indio
 Commerce Casino Racebook, Commerce
 Derby Club, Seaside Park, Ventura

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Golden Gate Fields, Albany

*Humboldt County Fair, Ferndale

Jockey Club at San Mateo, San Mateo

Monterey County Fair, Monterey

San Joaquin County Fair, Stockton

Santa Clara County Fair, San Jose

Shasta District Fair, Anderson

Solano County Fair, Vallejo

Sonoma County Fair, Santa Rosa

Stanislaus County Fair, Turlock

Fairplex Park, Pomona

Fantasy Springs Casino, Indio

Los Alamitos Race Course, Los Alamitos

Mermaid Tavern, Thousand Oaks

OC Tavern & Sports Bar, San Clemente

Roadhouse Grill, Santa Maria

Sammy's Restaurant & Bar, Lake Forrest

Santa Anita Park, Arcadia

Santa Clarita Lanes, Santa Clarita

Shalimar Sports Center, Indio

Sports Center, San Bernardino

Sports Pavillion at The Farmers Fair, Lake Perris

Sports Pavillion, San Bernardino Cty. Fair, Victorville

Surfside Race Place at Del Mar, Del Mar

Sycuan Gaming Center, El Cajon

Tilted Kilt, Thousand Oaks

Viejas Casino & Turf Club, Alpine

Watch & Wager, Antelope Valley Fgds, Lancaster

*Open only during Humboldt/Ferndale Fair Racing

D. Out-of-state wagering systems the fair proposes to offer its live audiovisual signal:

Out-of-State & International Imports – Full and/ or Partial Card (Subject to Change)

<u>2016 IMPORT TRACKS</u>	
ARLINGTON	6/15-7/4
BELMONT	6/15-7/4
ASSINIBOIA	6/15-7/4
AUSTRALIAN RACING	6/15-7/4
BEULAH	6/15-7/4
CALDER RACECOURSE	6/15-7/4
CANTERBURY DOWNS	6/15-7/4
CHARLES TOWN	6/15-7/4
CHURCHILL DOWNS	6/15-7/4
DELAWARE	6/15-7/4
DOWNS AT ALBUQUERQUE	6/15-7/4
ELLIS PARK	6/15-7/4
EMERALD DOWNS	6/15-7/4
EVANGELINE DOWNS	6/15-7/4
FORT ERIE	6/15-7/4
GULFSTREAM	6/15-7/4
HASTINGS PARK	6/15-7/4
HAWTHORNE	6/15-7/4
INDIANA DOWNS	6/15-7/4
KEENLAND	6/15-7/4
KENTUCKY DOWNS	6/15-7/4
LAUREL	6/15-7/4
LONE STAR	6/15-7/4
LOUISIAN DOWNS	6/15-7/4
MONMOTH	6/15-7/4
MOUNTAINEER PARK	6/15-7/4
NYRA-AQUEDUCT	6/15-7/4
NYRA-BELMONT	6/15-7/4
NYRA-SARATOGA	6/15-7/4
PENN NATIONAL	6/15-7/4
PHILADELPHIA PARK (PARX)	6/15-7/4
PIMLICO	6/15-7/4

PRAIRIE MEADOWS	6/15-7/4
PRESQUE ISLE	6/15-7/4
RIVER DOWNS	6/15-7/4
SOUTH AMERICAN RACING	6/15-7/4
SUFFOLK DOWNS	6/15-7/4
SUNLAND PARK	6/15-7/4
SUNRAY PARK	6/15-7/4
TAMPA BAY	6/15-7/4
THISTLEDOWN	6/15-7/4
TURFWAY PARK	6/15-7/4
TURF PARADISE	6/15-7/4
UNITED KINGDOM	6/15-7/4
WOODBINE	6/15-7/4

E. Out-of-state wagering systems that will combine their pari-mutuel pools with those of the fair:

2016 CARF Meets

Commingled Locations

AmWest Entertainment	Dover Downs	Maronas (South America)	Saratoga Harness Raceway
Amwest Accounts	Dubuque Greyhound	Maryland Jockey Club	Saratoga Bets (ADW)
Greenbrier (WV)	Elite Turf Club (1 to 12)	Maywood	Scarborough
Riders Up (SD)	Ellis Park	Meadowlands	Scioto Downs
Time Out Lounge (SD)	Emerald Downs	Meadows The Meadows The (ADW) - PA regional	Seabrook Greyhound
Triple Crown (SD)	Evangeline Downs	Millers OTB	Social Gaming
Arapahoe-Mile High	Evangeline Downs AWA	Mobile Greyhound	Sol Mutuel
Arima Race Club	Fair Grounds	Monmouth Park	Southland Greyhound
Arlington I	Fair Grounds ADW	Montana OTB	Sports Creek Raceway
Atlantic City Racecourse	Fair Meadows	Monticello	State Fair (Lincoln, NE)
Balmoral	Favorites at Gloucester	Mountaineer Park	Suffolk District OTB
Balmoral ADW (BETZOTIC)	Finger Lakes	Mt. Pleasant Meadows	Suffolk Downs
Bangor Raceway	Fonner	Nassau Regional OTB	Sunland Park
Batavia	Freehold	New Jersey Casino Assoc.	SunRay Park & Casino
Bettor Racing	Gillespie County Fair	Nevada Pari-Mutuel Assoc.	Tampa Bay Downs
Beulah Park	Global Wagering Solutions	Newport Jai Alai	Taunton Acct Wagering
Birmingham	Bwin International Ltd.	NJ Bets (ADW)	Taunton Dog Track Inc.
Bluffs Run Greyhound	Intl Betting Assoc. Ltd	Northfield	The Downs at Albuquerque
Buffalo Raceway	Magna Bet	Cedar Downs OTB	Thistledown
Canterbury	Race bets	Northville	Tioga Downs
Capital District OTB	Greenetrack	NYRA	Tri-State GH (Mardi Gras)
Catskills OTB	Greyhound @ Post Falls	NYRA Account Wagering	Turf Paradise
Charles Town Race Course	Gulf Greyhound	Oaklawn	Turf Paradise Bets (ADW)
Chester Downs & Marina LLC	Gulfstream	Ocean Downs	Turfway Park
Churchill Downs	Harrington Raceway	Panama	TVG Chester
Club Hipica InTurf	Harrington Bets (DE regional)	PARX	TVG Network
Coeur d' Alene Casino	Hawthorne Race Course	PARX Phone Bet	TVG Prairie
Colonial Downs	Hawthorne ADW	Penn National	Twin River Greyhound
Colonial Downs Phone Bet	Hazel Park	Penn National Telebet	TwinSpires
Columbus Raceway	Hoosier Park	Peru	TwinSpires High Volume
Connecticut OTB	Horseman's Park	Plainridge Race Course	Velocity Wagering Ltd.
Bradley Teletheater, Bristol	Idabet	Plainridge Telephone Wagering	Venezuela OTB
New Britain, Norwalk, Milford	Indiana Downs		Vernon Downs

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East Haven, Hartford, Putnam	Clarksville/Evansville OTB	Player Management Group	WatchandWager
Shoreline Star, Sports Haven	Intermountain Racing	Pocono Account Wagering	Western OTB
Torrington, Waterbury	Keeneland	Pocono Downs and OTB	Wheeling Downs
Manchester, New London	Keeneland Select ADW	Portland Meadows	Will Rogers Downs
Willimantic, Sanford OTB	Kentucky Downs	Potawatomi Casino/ OTB	Wyoming OTB
John Martin's Manor Restaurant	Kentucky OTB	Prairie Meadows	Wyoming Downs
Connecticut OTB ADW	Lebanon	Premier Turf Club	XpressBet
Coushatta Casino	Les Bois (Treasure Valley)	Presque Isle Downs	Yonkers Raceway
Paragon Casino	Lewiston OTB's	Raceway Park	Yonkers ADW
Ho-Chunk Casino and Racebook	Lien Games	Racing2Day LLC	Youbet Group 1
Mohegan Sun Casino	Chips Lounge and Casino	Racing2Day Intl. (Stan James)	Zia Park
Oneida Bingo and Casino	Howard Johnsons OTB	Remington Park	123Gaming
Pony Bar Simulcast Center	Rumors OTB	Remington OTB Network	
Tote Investment Racing	Skydancer Casino OTB	Retama	
Randall James Racetrack	Lien Games ADW	Racing & Gaming Services	
Millenium Racing	Bet America and Offtrackbetting	Rillito Park	Separate Pool Locations
Royal Beach Casino	Lone Star	River Downs	Camarero (Puerto Rico)
Divi Carina Bay Casino	Louisiana Downs	Rockingham Park	Caymanas (Jamaica)
Fair Chance, Winner's Circle	LVDC	Rockingham Account Wagering	Codere (Mexico/Spain)
Camouflage Gaming	Atlantis Paradise Casino	Ruidoso Downs	MIR Books (Caliente)
Corpus Christi Greyhound	Avatar Ventures	Running Aces Harness Park	NDS Books (Nevada)
Delaware	Buffalo Thunder Resort	Saddle Brook Park	Tabcorp (Australia)
Delta Downs	Foxwoods Resort Casino	Sam Houston	Tattsbet (Australia)
Derby Jackpot	Meskwaki Bingo & Casino	Valley Greyhound Park	New Zealand Racing Board

Canadian Locations

Alberta Downs, Assiniboia, Barrie, Charlottetown, Clinton Teletheatre, Dresden, Elmira Raceway; Evergreen Park, Exhibition Park, Flamboro Downs, Fraser Downs, Fort Erie, Fredericton Raceway, Georgian Downs, Grand River, Hanover Raceway, Hastings Park, Hiawatha, Hipodrome de Quebec, Inverness Raceway, Kawartha Downs, Marquis Downs, Mohawk, New Brunswick, Northlands, Northside Downs, Picov Downs, Quinte Raceway, Rideau Carlton, Rocky Mountain Turf Club, Royal Britiana Hub, St. Johns, Sudbury Downs, Summerside, TBC Sandown, TBC Teletheaters, Truro Raceway, Western Fair, Woodbine,

F. California mini-simulcast facilities the fair proposes to offer its live audiovisual signal:

OC Tavern & Sports Bar, San Clemente; Commerce Club, City of Commerce; Fresno Club One, Firehouse Restaurant Mermaid Tavern, Original Road House Grill, Santa Clarita Lanes, Bankers Casino, Firehouse Restaurant, Bakersfield, Tilted Kilt, Striders, San Diego, Thousand Oaks, Sammy's Restaurant & Bar, Lake Forest.

G. List the host tracks from which the fair proposes to import out-of-state and/or out-of-country thoroughbred races. Include the dates imported races will be held and whether or not a full card will be accepted. If the full card will not be imported, state "selected feature and/or stakes races":

N/A

NOTICE TO APPLICANT: Business and Professions Code section 19596.2(a) stipulates that on days when live thoroughbred or fair racing is being conducted in the state, the number of thoroughbred races which may be imported by an association or fair during the calendar period the association or fair is conducting its racing meeting cannot exceed a combined daily total of 50 imported thoroughbred races statewide. The limitation of 50 imported thoroughbred races per day statewide does not apply to those races specified in Business and Professions Code section 19596.2(a)(1), (2), (3) and (4).

THOROUGHBRED SIMULCAST RACES TO BE IMPORTED

Name of Host Track	Race Dates	Full Card or Selected Feature and/or Stakes Races
See 12D above.	TBD	

- H. List imported simulcast races the fair plans to receive during the racing meeting which use breeds other than the breed of the majority of horses racing at its live horse racing meeting. Include the name of the host track, the dates imported races will be held, and how many races will be imported:
N/A

OTHER BREED SIMULCAST RACES TO BE IMPORTED

Name of Host Track	Breed of Horse	Race Dates	Number of Races to be Imported
Los Alamitos	Quarter Horses	Per CHRB Calendar Full Card	
Cal Expo	Harness Horses	Per CHRB Calendar Full Card	

- I. If any out-of-state or out-of-country races will commence outside of the time constraints set forth in Business and Professions Code sections 19596.2 and 19596.3, attach a copy showing agreement by the appropriate racing association(s).
N/A

NOTICE TO APPLICANT: All interstate wagering to be conducted by a fair is subject to the provisions of Title 15, United States Codes, which require specific written approval of the CHRB and of the racing commission having jurisdiction in the out-of-state venue. All international wagering to be conducted by a fair is subject to the provisions of Business and Professions Code sections 19596, 19596.1, 19596.2, 19596.3, 19601, 19602, and 19616.1, and will require specific written approval of the CHRB.

Every fair shall pay to the simulcast organization within 3 calendar days following the closing of wagering for each racing program, or upon receipt of the proceeds, such amounts that are retained from off-track simulcast wagering, interstate and out-of-state wagering and which are obligated by statute for guest commissions, simulcast operator's expenses and promotions, equine research, local government in-lieu taxes, and stabling and vanning deductions. Every fair shall pay to its Paymaster of Purses' account within 3 calendar days following the closing of wagering for each racing program, or upon receipt of the proceeds, such amounts that are retained or obligated from off-track simulcast wagering, interstate and out-of-state wagering for purses, breeders' awards or other benefits to horsemen. (See Notice to Applicant, Section 7.)

13. RACING OFFICIALS, OFFICIALS, AND OFFICIATING EQUIPMENT

- A. Racing officials nominated:
- Association Veterinarian(s) – Sarah Sporer, D.V.M.
 - Clerk of Scales – Kenneth Sjordal
 - Clerk of the Course – Dolores Collins (E-Breeds) & Tina Walker (Thoroughbreds)
 - Film Specialist – Danny Winick & Assistant Clerk of Scales
 - Horse Identifier – Darrel Sparks
 - Horseshoe Inspector – Augustine Rayas
 - Paddock Judge – Matt Nichols
 - Patrol Judges – Lisa Jones & Matt Nichols
 - Placing Judges – McKenzie Talbot & Cheryl White
 - Starter – Todd Stephens
 - Timer – Melody Truitt
- B. Management officials in the racing department:
- Director of Racing Oak Tree at Pleasanton (OTP) – Larry A. Swartzlander
 - Racing Secretary – Tom Doutrich
 - Assistant Racing Secretary – Linda Anderson
 - Paymaster of Purses – Victoria Layne (C.A.R.F.)

Others (identify by name and title)

- C. Name, address, email and telephone number of the reporter employed to record and prepare transcripts of hearings conducted by the stewards:

Nicoli Reporting
619 Pilgrim Dr.
Foster City, CA 94404
Telephone: 650-573-9339
pdqcsr@comcast.net

- D. Photographic device to be used for photographing the finish of all races, name of the person supplying the service, and expiration date of the service contract:

Plusmic Corporation USA – Bill O'Brien (Expires 12/7/18)

- E. Photopatro video equipment to be used to record all races, name of the person supplying the service, and expiration date of the service contract. Specify the number and location of cameras for dirt and turf tracks.

Pegasus Communication, Inc. – Jim Porep) Contract (Expires 4/30/18)
Equipment description list attached.

- F. Type of electronic timing device to be used for the timing of all races, name of the person supplying the service, and expiration date of the service contract:

Pegasus Communication, Inc. – Jim Porep - Contract (Expires 4/30/2018)

14. SECURITY CONTROLS

- A. Name and title of the person responsible for security controls on the premises. Include an organizational chart of the security department and a list of the names of security personnel and contact telephone numbers. **See Attached**

Racetrack/Grandstand: Alameda County Sheriff Chief in Charge
Liaison Officer: Commander Don Buchanan 510-225-5889

- B. Estimated number of security guards, gatemen, patrolmen or others to be engaged in security tasks on a regular full-time basis:

Racetrack/Grandstand: 8 Sheriff's Deputies
Barn Area: 3 Licensed Gatemen based on 8/hour shifts, per day, 7 days per week. 1 night rover, 7 nights per week.

1. Attach a written plan for enhanced security for graded stakes races, and races of \$100,000 or more, to include the number of security guards in the restricted areas during a 24-hour period and a plan for detention stalls.

One security guard shall be assigned to observe each horse entered in a \$100,000 race. The guard will assume their position 6 hours prior to the post time of the stakes race. The guard will have a communications device and a notepad. The guard must log every person who enters the stall of the race horse. Information logged will include name, time, CHRB license number and type of license.

2. Detention Stalls:

A. Attach a plan for use of graded stakes or overnight races.

N/A. Addressed in B1 above.

Video patrol system equipment - 2016

Video Production

Three Tier Expando (37' x 12'6")
3 Position production deck
5 Position mid deck
4 Position rear deck
32 input 2ME Switcher
144x144 Video/Audio Router
7 HD Sony Broadcast cameras and support gear
2 Other cameras HD POV remote
5 Box Lenses 75x to 55x
4 Eng Lenses 20x
Pegasus DataLinks interface / HD broadcast graphics system
15/10 CH Record playback, multi channel slow motion instant replay

Audio

Yamaha PM 4000 52X8X2 console
Genelec monitors
8 Channels of DBX Compressor/Limiters
Bluray/DVD/CD Player
3 Sennheiser HMD 24 announce
headsets
3 Daltec announce boxes w/ talkback
4 short shotguns
2 long shotguns
6 EV 635
Sony ECM 44B Lav mic
5 line amps

Intercom

RTS Adam CS
64 ports
9 PL channels, 12 IFB channels 12 BP 325

Power/Dimensions

208v, 3 phase, 200amp
150' Camlock cable
12 ton HVAC
53' trailer + AC = 57'
37' X 4" expando
13'6" height clear
8'6" wide clear (transport)
80,000 lbs

Item #14 A:**Security Organizational Chart**

Security during the Live Race Meet is coordinated by a number of groups. Day-to-day training security items are handled by the Stable Manager in concert with Security Eye personnel assigned to the Guard Shacks and Barn Area. Race Track, Grandstands and Fairgrounds security items are coordinated between Fair Management, Alameda County Sheriff's Department and Security Eye patrol. Daily meetings are held and as issues escalate, Fair Management, Security Eye Management, and the Sheriff's Department become involved as necessary.

Alameda County Agricultural Fair Association

Jerome Hoban, CEO	925-567-6032
Richard Sims, Manager of Maintenance Operations	925-596-5744
Judy Carrico, Fair Operations Manager	925-567-6039
Randy Magee, CFO Risk Manager	925-567-6034

Security Eye

Dave Rezendes, President	925-455-6585
Dave Graber, Vice President	925-455-6585
Barn Area Guard Shack, various personnel	925-426-7519

Alameda County Sheriff Department

Fairgrounds Command Center	925-426-7525
Commander Don Buchanan	510-225-5889

Note: Confidential cell phone numbers are made available to CHRB staff. Additional security related personnel are available by direct radio contact.

B. Number of security guards in the detention stall area during a 24-hour period.

One

C. Describe number and location of surveillance cameras in detention stall area.

Surveillance cameras at each end of the detention shed row and two in between.

3. TCO2 Testing:

A. Number of races to be tested, and number of horses entered in each race to be tested.

All horses in thoroughbred races where the number is determined by a random algorithm generator.

B. Plan for enhanced surveillance for trainers with high-test results.

Trainer with high test results will be moved to the detention area.

C. Plan for detention stalls for repeat offenders.

Ten (10) stalls adjacent to Test Barn, which are under 24-hour video surveillance

D. Number of security personnel assigned to the TCO2 program.

One (1) 24-hour security guard when detention stalls are occupied.

C. Describe the electronic security system.

C.A.R.F. surveillance equipment and program that travels between racing Fairs.

1. Location and number of video surveillance cameras for the detention stall and stable gate.

4 surveillance cameras monitoring this area

15. EMERGENCY SERVICES

A. Name, address and emergency telephone number of the ambulance service to be used during workouts and the running of the races: **Westmed Ambulance Service, 2424 Whipple Road, Hayward, CA 94544, 510-504-3616.**

1. Attach a certification from the Ambulance Company(s) listed in 14A, certifying that the paramedic staff are licensed with the California Emergency Medical Services Authority.

See Attached

B. Name, address and emergency telephone number of the ambulance service to be used during workouts at auxiliary sites:

Golden Gate Fields

Turf Rescue LLC

4470 Hillsborough Drive

Castro Valley, CA 94546

510-581-8470

1. Attach a certification from the Ambulance Company(s) listed in 14B, certifying that the paramedic staff are licensed with the California Emergency Medical Services Authority.

See Attached

C. Describe the on-track first aid facility, including equipment and medical staffing:

See Attached



January 25, 2016

Coleen Seymour
Westmed Ambulance Service
14275 Wicks Blvd.
San Leandro, Ca. 94544

To Whom It May Concern:

This letter shall serve as a statement of affirmation that Westmed Ambulance Service is a certified provider of Basic Life Support Non Emergency Service in the County of Alameda Certified through the Alameda County Emergency Medical Service Agency. Every Emergency Medical Technician employed by Westmed Ambulance is trained, background checked and state certified in order to fulfill their job duties as authorized by the State of California Emergency Medical Services Authority.

Should you have any additional questions or concerns please feel free to contact me at coleens@westmedambulance.com.

Best,

A handwritten signature in cursive script that reads "Coleen Seymour".

Coleen Seymour
Director of Operations
Westmed Ambulance
510.504.3616

Westmed Ambulance Service
14275 Wicks Blvd San Leandro, CA
510.614.1420



ALAMEDA COUNTY EMERGENCY MEDICAL SERVICES

A Division of the Alameda County
Public Health Department



NON-EMERGENCY AMBULANCE CERTIFICATE OF OPERATION

This is to certify that:

Westmed Ambulance

is authorized to provide non-emergency ambulance transportation within the boundaries of Alameda County. The above meets all of the requirements contained in the Alameda County Ambulance Ordinance and has passed equipment, staffing and vehicle inspections.

This certificate is valid from **December 17, 2014** to **December 16, 2016**

for **BASIC LIFE SUPPORT and CRITICAL CARE NON-EMERGENCY TRANSPORT**

Fred Clardge
EMS Director

Karl Spohn, MD
Alameda County EMS Medical Director

An embossed seal should appear in a grey box

BLS CHECK OUT



Date: _____ Shop: _____ Unit: _____ Mileage: _____

GAS CARD# _____ AED TEST OK _____ In House O2 PSI _____

RADIO# _____ PAGER# _____

EMT 1: _____ EMT 2: _____

	Tag #	QTY
CAB A	Stretcher Sheets (2 - 5packs)	10
	Disposable Sheets	5
	CHUX Underpads	6
	Pillow Cases	10
CAB B	Tag #	QTY 53
	KTD Traction Splint	1
	Sterile OB Kit	1
	Newborn Stocking Cap	1
	Bulb Sryinge	1
	Nitrile Tourinquet	2
	Combat Tourinquet	2
	Oral Glucose (25g tube)	2 tubes
	Alcohol Preparation Pads	5
	Bite Sticks	2
	Tongue Depressors	4
	Cloth Tape 1"-2" (2 each)	4
	Transpore Tape 1"-2" (2 each)	4
	Eye Wash (Bottle)	1
	Metal Eye Shield	2
	Digital Thermometer	1
	Thermometer Sheaths	1 box
	Trauma Shears	1
	Sterile Water (2000cc)	4
	Irrigation Saline (2000cc)	4
BP Cuff (INF,Pedi,Adult, LG AD)	1 ea (4)	
Penlight	2	
CAB C	Tag #	QTY 117
	Band Aids	1 box
	4X4 Gauze Pad	1 box
	Roll Bandage 2" - 3" - 4" (3 each)	9
	Chemical Activated Cold Packs	8
	Chemical Activated Heat Packs	2
	5X9 ABD Pads	2
	Triangle Bandage	4
	Petroleum Gauze	2
	BloodStoppers	6
	10X30 Trauma Dressing	6
	Burn Sheet (with exp. Date)	1
	4" Bulky Gauze Roller	2
	Triage Tags (DMS version) (County Approved)	20
CAB D	Tag #	QTY 30
	Adult BVM	2
	Pedi BVM	2
	Infant BVM	2
	NPA 14,18,22,24,26,28,30,32,34	1 ea (10)
	NPA Lubrication Packet	6
OPA #1-8	1 ea (8)	

	Tag #	QTY
CAB E	Adult NRB	3
	Pedi NRB	2
	Infant O2 Mask	2
	Adult Nasal Cannula	2
	Pedi Nasal Cannula	2
	Infant Nasal Cannula	2
	Soft Tip 6,8,10,12,14,16,18	2 ea (14)
CAB F	Tag #	QTY 39
	Hard Suction	2
	Suction Tubing	2
	P100 Masks	4
	N95 Masks	4
	Surgical Masks	4
	Eye Protection	2
	Disposable Gowns	4
	Shoe Covers	4
	Surgical Head Covers	4
CAB G	Tag #	QTY 21
	Bactericidal/Virucidal Hand Wipes (box of 25)	1
	Face Shield	2
	Nitrile Gloves - S,M,L, XL	1 box ea
	BioHazard Bags	5
	Suction Canister/Lids	2 ea
	Portable Suction-V.VAC	1
	V.VAC Repl Cartridge	1
	Urinal and Bed pan	1 ea
	Drinking Water 12 oz	8
CAB H	Tag #	QTY 21
	Disposable Cups	8
	Foil Blankets	2
	Paper towel roll	1
	Pair of Leather Workgloves	2
	Ear Protection	2

Oxygen System		
In house O2	1	
Wall O2 regulator	1	
In house O2 wrench	1	
D tanks / w/ 1 regulator	2	

AED		
Adult Pads	2	
Pedi Pads	1	

Side Storage		
XL Carboard Splint	2	
Stair Chair	1	
Trash Bin	1	



Jump Bag	C-Collar	1	
	Adult BVM	1	
	Adult NRB	2	
	Adult NC	2	
	Pedi NRB	1	
	Pedi NC	1	
	Infant Mask	1	
	Infant NC	1	
	Trauma Shears	1	
	Blood Stoppers	2	
	Gauze Pads 2",4",6" (6 ea)	18	
	Gauze Rolls 2",3",4" (2ea)	6	
	Tape 1", 2" (1 ea)	2	
	Hot/Cold Pack (1ea)	2	

Behind Jump Seat	D Tanks	2	
	Pillows	2	
	Blankets	2	

Mechanical	Registration		
	Insurance		
	Incident Kit		
	Fire Extinguisher		
	Spare Tire/Jack		
	Oil Level		
	Transmission Fluid Level		
	Radiator Coolant Level		
	Tires		
	Headlights/High Beam		
	Tail Lights		
	Brake Lights		
	License Plate Light		
	PT Compartment Lights		
	MAP/CAB Lights		
	Windshield Wipers		
	A/C, Heater/Defroster		
	Mirrors		
	Seatbelts		
	Keys (2)		
	Flash Lights (2)		
Leather Gloves (2 pair)			
Code 3 Lights			
Warning (Secondary) Lights			
Flood Lights			
Sirens/Horn			

On Gurney	D Tank w/Holder	1	
	Pedi-Mate	1	
	Velcro Restraints	4	
	Leather Restraints (SCC)	4	

Top of Bench/ Webbing	Stethoscope	1	
	Adult BP Cuff	1	
	Penlight	1	

Under Bench Seat	KED	1	
	Cardboard Splints S,M,L (2 ea)	6	
	Calvicide Wipes (container)	1	
	Fitted sheets (1 pack)	1	
	Nitrile Gloves box S,M,L,XL	4	
	Rain Blankets	10	
	Large Tarp	1	
	Flares	3	
	Backboard (2 for SCC)	2	
	Scoop	1	
C-spine bag - 3 adult collars, 3 pedi collars, 3 headbeds, 2 sets of straps	1 bag		

SCC ONLY REQ.	SCC Radio	1	
	SCC Pager	1	
	Blue Helmets	2	
	Reflective SCC jacket	2	
	MPMP		
	FOG		
	ICS T-Card	2	
	Emer. Response guide FIRE	1	
	Emer. Response guide EMS	1	
Leather restraints (1 set)	4		

COMMON STOCK SHELF	AS NEEDED
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RESTOCKING NOTES:

TURF RESCUE, LLC

4470 Hillsborough Drive
Castro Valley, CA 94546
510-581-8470

September 20, 2015

California Horse Racing Board
1010 Hurley Blvd., Suite 300
Sacramento, CA 95825

Re: Turf Rescue, LLC licensed personnel in 2016

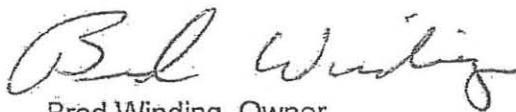
To Whom It May Concern:

This is to inform you that Turf Rescue, LLC operations and procedures are well within the standard care Operating Procedures set forth by Alameda County E.M.S.

Turf Rescue, LLC employs only licensed Paramedics and Emergency Medical Technicians that meet and follow the licensing requirements for Alameda County E.M.S.

If you have any further questions please feel free to contact me.

Sincerely,



Brad Winding, Owner
Turf Rescue, LLC

TURF RESCUE, LLC

4470 Hillsborough Drive
Castro Valley, CA 94546
510-581-8470

September 20, 2015

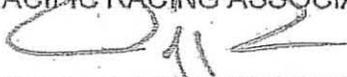
Calvin Rainey
Pacific Racing Association / Golden Gate Fields
1100 Eastshore Highway
Albany, CA 94706

This "Letter of Agreement" serves to confirm a mutual understanding that our Contract will be extended for a period of one (1) year, covering your 2016 race meetings.

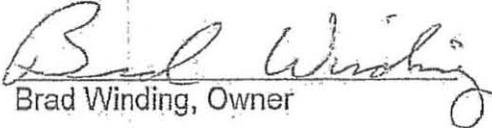
It is further mutually understood and agreed that all terms and conditions of the aforesaid Contract shall be in force and effect during the extended period, with one exception; the hourly billing will be subject to change in accordance with insurance premiums.

ACCEPTED:

PACIFIC RACING ASSOCIATION / GOLDEN GATE FIELDS


Calvin Rainey, General Manager and Vice President

TURF RESCUE, LLC


Brad Winding, Owner

Item #15 C:**ALAMEDA COUNTY FAIR EMERGENCY CARE AND MEDICAL FACILITIES**

Alameda County Fair as well as all Racing Fairs provides emergency care including comprehensive medical care for jockeys, track staff and allied personnel. Emergency care focuses on immediate stabilizing, comfort and evacuation of injured racetrack personnel to appropriate hospital facilities.

Physical Resources & Staffing

The Alameda County Fair provides multiple levels of safety and medical support for its many racing participants. Specifically: an Ambulance, a fully equipped Alameda County Fire Department Paramedic Engine, a permanent First Aid building, a licensed Physician, Sheriff Deputies and security personnel, redundant communications system, local Fire Station, Horse Ambulance, etc...

Ambulance - A fully staffed and equipped ambulance is provided through a contract with Westmed Ambulance Service and located at the Track. Two Emergency Medical Technicians are on the ambulance. One Paramedic from the Alameda County Fire Dept. is stationed on a golf cart with stretcher and equipment at the entrance to the race track, ready to go out, if needed, for each race. The ambulance and crew are at the Track whenever horses are on the Track (during both racing and training hours) and are responsible for initiating basic life support measures, including immediate medical stabilization, care and transport to medical care facilities. This ambulance follows the horses during each race, at a safe distance. This is a competitively bid contract.

Fire Department Paramedic Engine – During the Live Race Meet, a fully equipped Alameda County Fire Department Paramedic Engine is parked roughly 100 feet from the Jockey's Clubhouse. The Engine is staffed with four County of Alameda Firefighters, including at least two licensed Paramedics. The Alameda County Fire Department has provided the attached 10 page listing of major equipment and supplies carried by its various Fire Engines.

Permanent First Aid Building – A permanent First Aid building is located approximately 100 feet west of the Jockey's Club House. During the Live Race Meet, the Alameda County Fire Department staffs the First Aid Building with a full Engine Company, which includes at least two certified Paramedics. The First Aid Building includes two beds, restrooms, receiving area, triage area, medical equipment, medications, etc... In addition to the array of emergency medical equipment and supplies on the Paramedic Fire Engine, the Alameda County Fire Department annually determines the equipment and supply needs of the First Aid Building.

Licensed Physician - During the Live Race Meet, a licensed Physician is on duty and is responsible for care on an ongoing basis for jockeys, track staff and allied personnel

requiring non-emergency medical care. The Licensed Physician is also associated with Valley Care Hospital, which is located 2.7 miles from the Track.

Sheriff Deputies and security personnel – Around the clock protection of the Track, Barn Area and Grandstands are provided by numerous Alameda County Sheriff Deputies and trained Security Guards (both in uniform and undercover.) For security purposes, the Fair Association does not publish the precise details of its security plans.

Redundant Communications System – During the Live Race Meet and Annual Fair redundant communications are provided to ensure constant contact between all emergency care personnel. Two way radio networks are established within the racing operations as well as fair emergency operations. All key emergency care personnel also carry cell phones and each is provided a laminated card containing all contact numbers. The Fair also has an emergency response team which responds to all emergencies both medical as well as non-medical.

Local Fire Station – A fully staffed Fire Station is located immediately across the street from the Fairgrounds on Valley Avenue. This Fire Station provides emergency medical support as requested by the County of Alameda.

Horse Ambulance – The Alameda County Fair provides the services of a state of the art Kimzey Horse Ambulance as well as a senior experienced driver who is responsible for the evacuation and disposition of injured horses at all racing fairs.

- D. Name and emergency telephone number of the licensed physician on duty during the race meeting:
Dr. Tom Streeter Cell 209-608-8009
- E. Name, address and emergency telephone number of the hospital to be used for admittance and treatment of emergency injuries in the event of an on-track injury to a jockey:
Valley Care Medical Center, 5555 W. Las Positas, Pleasanton, CA 94588, 925-416-3418
- F. Attach, in English and Spanish, the emergency medical plan procedures that will be posted in each jockey's room to be used in the event of an on-track injury to a jockey:
See Attached
- G. Name of health and safety manager and assistant manager responsible for compliance of health and safety provisions pursuant to Business and Professions Code section 19481.3(d):
Randy Magee, Health & Safety Manager, Patti Coonce, Assistant Manager
- H. Attach a fire clearance from the fire authority having jurisdiction over the premises.
Awaiting reinspection April 14, 2016.
- I. Name of the workers' compensation insurance carrier for the fair and the number of the insurance policy (if self-insured, provide details):
Self-Insured, see 14J attachment
- J. Attach a Certificate of Insurance for workers' compensation coverage. The CHRB is to be named as a certificate holder and given not less than 10 days' notice of any cancellation or termination of insurance that secures the liability of the fair for payment of workers' compensation.
See Attached

NOTICE TO APPLICANT: Every licensee conducting a horse racing meeting shall pursuant to Business and Professions Code section 19481.3 maintain, staff, and supply an on-track first aid facility, that may be either permanent or mobile, and which shall be staffed and equipped as directed by the board. A qualified and licensed physician shall be on duty at all times during live racing, except that this provision shall not apply to any quarter horse racing at the racetrack if there is a hospital situated no more than 1.5 miles from the racetrack and the racetrack has an agreement with the hospital to provide emergency medical services to jockeys and riders. An ambulance licensed to operate on public highways provided by the track shall be available at all times during live racing and shall be staffed by two emergency medical technicians licensed in accordance with Division 2.5 (commencing with Section 1797) of the Health and Safety Code, one of whom may be an Emergency Medical Technician Paramedic, as defined in Section 1797.84 of the Health and Safety Code. (b) Each racing association and racing fair shall adopt and maintain an emergency medical plan detailing the procedures that shall be used in the event of an on-track injury. The plan shall be posted in each jockey room in English and Spanish. (c) Prior to every race meeting, the racing association or racing fair shall contact area hospitals to coordinate procedures for the rapid admittance and treatment of emergency injuries. (d) Each racing association or racing fair shall designate a health and safety manager and assistant manager, who shall be responsible for compliance with the provisions of this section and one of whom shall be on duty at all times when live racing is conducted. The health and safety manager may, at the discretion of the racing association, be the person designated to perform risk management duties on behalf of the association.

16. CONCESSIONAIRES AND SERVICE CONTRACTORS

- A. Names and addresses of all persons to whom a concession or service contract has been given, **other than those already identified**, and the goods and/or services to be provided by each:
Food & Beverage:
Yogurt-a-Fair: William Heher, 809 Riordan Road, Suite #202, Flagstaff, AZ 86001
Sharp Concepts, Inc.: Roger Sharp, P.O. Box 3767, Paso Robles, CA 93447, G/S Downstairs

Item #15F English:**Alameda County Fair Racing Accident Procedures**

In case of an accident on the racetrack, the following procedures are to be implemented:

Track Ambulance

The track ambulance will travel immediately to the scene of an accident and assume triage and patient care responsibilities and evacuate.

Security

1. As soon as possible, a member of the track security staff shall report to the scene of the accident and thereafter take direction from the EMT responsible for the accident scene management. The track security representative shall be responsible for keeping bystanders away from the accident scene.
2. A member of the track security staff shall proceed to the Jockey's Room to secure the ambulance transfer area and prevent visitation from bystanders away from the accident area.
3. A member of the track security staff shall be responsible for escorting emergency vehicles.
4. The security staff shall be responsible for all "crowd control" activities.

Racing Staff/Track Veterinarian

1. Upon arrival at the scene, the Outrider should hold the injured horse in order to prevent further harm to people, horses and property.
2. Horses with severe injuries should be transported off the track via the horse ambulance whenever it is practical to do so.
3. The track veterinarian shall make the decision as to the necessity of euthanasia on the track.
4. The screen blocking the public's view of the injured horse shall be set-up prior to the euthanasia procedure.
5. Outriders are responsible for the removal of any debris from the racetrack following the removal of the injured person or horse from the track.

Plant Staff

1. The Horse Ambulance shall travel immediately to the scene of an accident whenever it appears that a horse will require transport.
2. Members of the plant department who are near the accident site shall assist in screening the accident scene from the public view and shall take direction from the EMT that is responsible for the management of the accident scene.

Announcer

The announcer shall make riders aware of the details of the situation (such as the location of a loose horse, the necessity to pull up, etc), enabling them to take the necessary steps to mitigate additional problems.

Senior Management

1. A senior management representative should quickly proceed to the location on the racetrack where the accident has occurred. The manager should report to other members of the management team as to the accident status.
2. An additional member of the management team should report to the video department in order to monitor the scene and determine the extent of video coverage to be transmitted to the public.
3. A member of the management team should provide input as to announcements to be made by the track announcer.
4. A member of the senior management team should be responsible for seeing that information regarding the accident is communicated to family members of the injured. Efforts need to be made to escort family members to the hospital, if necessary. In this regard, a current compilation as to who should be notified in the case of an injured jockey is kept on file.
5. All public address announcements and responses to press inquiries are within the sole purview of the senior member of the management team then available.

All Department Heads

All Department heads shall communicate to their employees that, although intentions are good, the treatment of the injured rider must be left up to trained personnel, and all other employees must stay away from the scene of an accident.

Item #15 F Spanish:**Procedimiento en caso de Accidente en Alameda County Fair**

De ocurrir un accidente en el hipodromo, se debe hacer lo siguiente:

El personal de la Ambulancia

El personal de la ambulancia trasladarse inmediatamente al lugar del accidente siempre que lo necesario para tratar a la(s) victima(s).

Seguridad

1. Tan pronto como sea posible, un miembro de seguridad del hipodromo debera reportarse al lugar del accidente y desde ahi recibir las instrucciones del Paramedico responsable del lugar del accidente. El miembro de seguridad sera responsable de mantener a los transeuntes fuera del lugar del accidente..
2. Un miembro del departamento de seguridad del hipodromo se acercara al cuart del jockey para aguardar el area donde la ambulancia estara y prevenir que transeuntes y personas ajenas se acerquen.
3. Un miembro de seguridad del hipodromo sera responsable de escoltar a los vehiculos de emergencia..
4. Los miembros de seguridad seran responsable de controlar a la multitud.

Personal de Carreras/Veterinario del hipodromo

1. Una vez en el lugar del accidente, el Outrider/escolta debera sujetar al caballo herido para evitar que lastime a la gente, a otros caballos o a la propiedad.
2. Los caballos muy mal heridoa deberan ser sacados de la pista con la ambulancia para caballos, siempre que sea posible hacerlo de esa manera.
3. El veterinario del hipodromo debera decidir si se sacrifica al caballo en la pista.
4. Sea posible hacerlo, se debe colocar la pantalla/screen para tapa la vista al publico, antes de iniciar el procedimiento de sacrificio del animal.
5. Los Outriders son responsables de remover cualquier desecho en la pista despues de que la persona o caballo accidentado haya sido trasladado del lugar.

Personal de Planta/Plant Staff

1. La Ambulancia de Caballos debera trasladarse inmediatamente al lugar del accidente siempre que un caballo este severamente lesionado y necesite transporte.
2. Los miembros del departamento de planta que esten cerca del accidente deberan ayudar a fapar el lugar para que el pulico no pueda ver lo que sucede, ademas deberan recibir instrucciones del Paramedico responsable del lugar del accidente.

Locutor

El locator debera informar a los jinetes acerca de los detalles de la situacion (como la ubicacion del caballo suelto, la necesidad de adelantar, etc.) para que puedan hacer lo necesario y mitigar otros problemas.

Gerencia

1. Un representante de la gerencia se apersonara rapidamente al lugar del accidente en el hoipodromo. El genente informara a los otros gerents sobre las lesions sufridas.
2. Otro representante de la gerencia debera informar al departamento de video para monitorear la escena y ver la cobertura de video que sera transmitida al publico.
3. Un miembro de la gerencia debera aportar con informacion sobre los anuncios que debera hacer el locutor.
4. Un miembro de la gerencia sera responsable de ver que la informacion con respecto al accidente sea dada a los familiars de los heridos. Se debe hacer lo necesario para acompanar a los familiars a los hospitals, de ser el caso. Al respecto, es necesario tener un registro de la persona a quien se debe comunicar en caso de que un jockey sufra un accidente.
5. Todos los anuncios publicos y respuestas a la prensa las realice unicamente el funcionario de gerencia de alto nivel que se encuentre disponible en ese momento.

Todo los Jefes de Departamento

Todos los Jefes de Departamento deben comunicar a sus empleados que, a pesar de que las intenciones sean buenas, el tratamiento de un jinete/jockey herido debe ser realizado por el personal calificado para ello, y todos los demas empleados deben permanecer lejos del lugar del accidente.



February 12, 2016

To: California Horse Racing Board
1010 Hurley Way, Suite 300
Sacramento, CA 95825

Re: Alameda County Fair
4501 Pleasanton Avenue
Pleasanton, CA 94566

Please be advised that the Alameda County Fair is a member of the California Fair Services Authority (CFSA), and participates in the following self-insurance and loss pooling programs which are administered by CFSA:

I. GENERAL LIABILITY PROGRAM

- A. Coverage Limits \$10,000,000 California Fair Services Authority (includes Liquor Liability)
Coverage continuous until cancelled

II. WORKERS' COMPENSATION AND EMPLOYERS' LIABILITY PROGRAM

- A. Primary Coverage \$500,000 self-insured retention California Fair Services Authority
Coverage continuous until cancelled
- B. Excess Coverage (a) Workers' Compensation: Statutory Limit in excess of \$500,000
(b) Employers' Liability: \$4,500,000 in excess of \$500,000
Coverage provided by CSAC, Excess Insurance Authority
Term: 07/01/2015 to 07/01/2017

CFSA represents to the California Horse Racing Board that within the above limits, terms and provisions of the coverage stated, to the extent provided by law, CFSA will provide defense, payment, and indemnification on loss funding in accordance with the terms of the contractual assumption of the Alameda County Fair as set forth in the California Horse Racing Board's "Insurance Requirements".

You will be given at least thirty (30) days notice of any change in the foregoing information. We trust that this commitment will satisfy your insurance requirements.

Please feel free to contact this office on all matters including possible claims.

Sincerely,

Lianne Lewellen

Lianne Lewellen
Risk Analyst

1776 TRIBUTE ROAD, SUITE 100
SACRAMENTO, CA 95815
PHONE: (916) 921-2213 | FAX: (916) 646-1238

Food Service: Spectra, Charlie Neary, 4501 Pleasanton Ave., Pleasanton, CA 94566

Tip Sheets: West Coast Wheelie

Racing Form: Daily Racing, Wicks Sports, 100 Broadway, 7th Floor, New York City, N.Y. 1005

Program: Daily Racing, Wicks Sports, 100 Broadway, 7th Floor, New York City, N.Y. 1005

Winners Circle Photos: Vassar Photo, Bill Vassar, 5075 Double Point Way, Discovery Bay, CA 94514

Jockey Laundry Service: Bailey Mobile, Lorene Dutton, 3263 Vineyard Venue, #35, Pleas.CA 94566

Starting Gate: United/Puett Start Gate, Michael Costello, 1 Soundview Loop, S. Salem, N.Y.10590

Sound System: Precision Sound Craft, Steve Hendrickson, 203 Cockrobin Ave., Windsor, CA 95492

Armor Car: NOTWINC, 11875 Dublin Blvd., #D275, Dublin, CA 94568

B. Does the fair plan to provide its own concessions? Yes No

17. ON-TRACK ATTENDANCE/FAN DEVELOPMENT

A. Attach a copy of the promotional and marketing plans for the race meeting:

See Attached

B. Promotional/ Marketing budget for this race meeting:

Promotional/Marketing budget for prior race meeting:

See Attached

C. Number of hosts and hostesses employed for meeting:

N/A

D. Describe facilities set aside for new fans:

Daily Racing Seminars, located on the Grandstand Stage

E. Describe any improvements to the physical facility in advance of the meeting that directly benefits:

1. Horsemen and Fans: the Grandstand has all new flat screen, HD, TV's. The project started for the 2015 race meet and is being finished for 2016. \$25,000 in TV's and new cabling, including labor, is being spent in 2016.
2. Fans: Infield tent for parties
3. Facilities in the restricted areas: Doors to stalls in some of the barns have been painted. The painting project is on-going.

18. SCHEDULE OF CHARGES

A. Proposed charges, note any changes from previous year:

Admission, Grandstand (general) **Free with Fair Admission**

Admission, Fair \$12

Admission, Advanced \$10 Adult/\$8 Senior & Children (previous 30% disc on-line)

Admission, Seniors \$10 (Free on Thursday's) (Increase from \$8)

Admission (clubhouse) N/A

Reserved seating, 1 box seat \$5 (Increase from \$3.50)

Reserved seating (clubhouse) N/A

Fair Admission/Children (6-12) \$10 (free on Fridays) (Increase from \$8)

Parking (general) \$10 (pre fair \$8 on-line)

CHRB-18 (Rev. 2/15)

Parking (preferred)	\$15
Parking, WP Lot	\$20
Parking (valet)	N/A
Programs (on-track)	\$2.50
(Off-track)	\$2.50

B. Describe any "Season Boxes" or other special accommodation fees:

Box seats sold by the box for the seasonal race meet. We have 4-seat, 6-seat and 8-seat boxes. Box seat holders are offered a promotional 5% discounted price if paid for by May 15, 2016.

C. **Fun Pack:** (\$58 Value for \$40) 4-General Admission, 1 General Parking

Season Pass: (\$36.00) Fair Admission for all 18 days (Reduced from \$49.99)

Trackside Terrace: Table for the day with upscale buffet lunch: \$45 Pre-Fair, includes Fair admission. \$40 walk-in's after Fair opens. Reservations accepted beginning May 1, 2016.

19. JOCKEYS' QUARTERS

A. Check the applicable amenities available in the jockeys' quarters:

<input checked="" type="checkbox"/> Corners (lockers and cubicles)	How many	<input type="text" value="40"/>
<input checked="" type="checkbox"/> Showers	<input checked="" type="checkbox"/> Steam room, sauna or steam cabinets	<input checked="" type="checkbox"/> Lounge area
<input checked="" type="checkbox"/> Masseur	<input checked="" type="checkbox"/> Food/beverage service	<input checked="" type="checkbox"/> Certified platform scale

B. Describe the quarters to be used for female jockeys:

Separate area containing an office, lounge area, sauna, showers, restroom, lockers, & bunks. Jockeys & Jockettes share the scale.

20. BACKSTRETCH EMPLOYEE HOUSING

A. Inspection of backstretch housing has been requested and will be completed prior to the beginning of the race meet.

B. Number of rooms used for housing on the backstretch of the racetrack: **95**

C. Number of restrooms available on the backstretch of the racetrack: **9 (Total commodes =17)**

D. Estimated ratio of restrooms to the number of backstretch personnel: **1 to 10.**

21. TRACK SAFETY

A. Total distance of the racecourse - measured from the finish line counterclockwise (3' from the inner railing) back to the finish line: feet.

B. Describe the type of track surface at the facility, including the specific track surface composition: **Organic dirt, silt, clay, sand, and Fir bark (composition and amendments per routine lab tests)**

C. The percent of cross slope in the straight-aways is: **5.3% - 5.4%**
The percent of cross slope in the center of the turns is: **5.6%**

D. Describe the type(s) of materials used for the inner and outer railings of the race course, the type

of inner railing supports (i.e., metal gooseneck, wood 4" x 4" uprights, offset wood 4" x 4" supports, etc.), the coverings, if any, on the top of the inner railing, and the approximate height of the top of the inner railing from the level of the race course.

Inner Rail: Fontana Safety Rail

Outer Rail: Aluminum gooseneck, supports with aluminum top rail

Inner Rail Height: ¼ mile/42", ½ mile/40.5", ¾ mile/40", 1 mile/42" (finish line)

- E. Name of the person responsible for supervision of the maintenance of the racetrack safety standards pursuant to CHRB Rule 1474: **Jim Burns.**
- F. Attach a Track Safety Maintenance Program pursuant to CHRB Rule 1474. **On file**
- G. If the fair is requesting approval to implement alternate methodologies to the provisions of Article 3.5, Track Safety Standards, pursuant to CHRB Rule 1471, attach a Certificate of Insurance for liability insurance which will be in force for the duration of the meeting specified in Section 2. The CHRB is to be named as a certificate holder and given not less than 10 days' notice of any cancellation or termination of liability insurance. Additionally, the CHRB must be listed as additionally insured on the liability policy at a minimum amount of \$3 million per incident. The liability insurance certificate must be on file in the CHRB headquarters office prior to the conduct of any racing. **No.**

22. DECLARATIONS

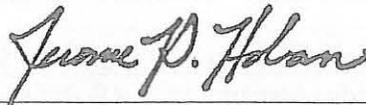
- A. All labor agreements, concession and service contracts, and other agreements necessary to conduct the entire meeting have been finalized except as follows (if no exceptions, so state):
No Exceptions
- B. Attach each horsemen's agreement pursuant to CHRB Rule 2044.
CTT agreement pending.
- C. All service contractors and concessionaires have valid state, county or city licenses authorizing each to engage in the type of service to be provided and have valid labor agreements, when applicable, which remain in effect for the entire term of the meeting except as follows (if no exceptions, so state):
No Exceptions
- D. Absent natural disasters or causes beyond the control of the fair, its service contractors, concessionaires or horsemen participating at the meeting, no reasons are believed to exist that may result in a stoppage to racing at the meeting or the withholding of any vital service to the fair except as follows (if no exceptions, so state):
No Exceptions

NOTICE TO APPLICANT: Pursuant to CHRB Rules 1870 and 1871, the CHRB shall be given 15 days' notice in writing of any intention to terminate a horse racing meeting or the engagements or services of any licensee, approved concessionaire, or approved service contractor.

23. CERTIFICATION BY APPLICANT

I hereby certify under penalty of perjury that I have examined this application, that all of the foregoing statements in this application are true and correct, and that I am authorized by the fair to attest to this application on its behalf.

Jerome Hoban
Alameda County Fair CEO

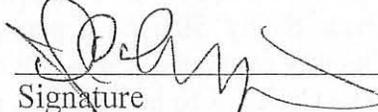


Signature

3-30-16

Date

Sherwood C. Chillingworth
Executive Vice-President, Oak Tree



Signature

3/29/16

Date

STAFF ANALYSIS

DISCUSSION AND ACTION BY THE BOARD REGARDING THE REQUEST FROM THE LOS ALAMITOS QUARTER HORSE RACING ASSOCIATION AND THE PACIFIC COAST QUARTER HORSE RACING ASSOCIATION TO SUSPEND THE AUTHORIZED ADMINISTRATION OF ALBUTEROL FOR ALL HORSES PARTICIPATING IN QUARTER HORSE RACES AT LOS ALAMITOS FOR 12 MONTHS PURSUANT TO CHRB RULE 1844.1, SUSPENSION OF AUTHORIZED MEDICATION

Regular Board Meeting

April 21, 2016

ISSUE

On April 10, 2016, the Los Alamitos Quarter Horse Racing Association (LAQHRA) and the Pacific Coast Quarter Horse Racing Association (PCQHRA) formally requested by letter that the Board, pursuant to CHRB Rule 1844.1, Suspension of Authorized Medication, suspend for 12 months the authorized administration of Albuterol for all horses participating in Quarter Horse races at Los Alamitos Racecourse.

BACKGROUND

Business and Professions Code section 19440 provides that the Board shall have all powers necessary and proper to enable it to carry out fully and effectually the purposes of the Horse Racing Law. Responsibilities of the Board include adopting rules and regulations for the protection of the public and the control of horse racing and pari-mutuel wagering. Business and Professions Code section 19562 states the Board may prescribe rules, regulations and conditions under which all horse races with wagering on their results shall be conducted in California. Business and Professions Code section 19580 requires the Board to adopt regulations to establish policies, guidelines, and penalties relating to equine medication to preserve and enhance the integrity of horse racing in California. Business and Professions Code section 19581 provides that no substance of any kind shall be administered by any means to a horse after it has been entered to race, unless the Board has, by regulation, specifically authorized the use of the substance and the quantity and composition thereof. CHRB Rule 1844, Authorized Medication, names drug substances and medications authorized by the Board that may be administered to safeguard the health of the horse entered to race. The rule lists the drug substances that may be found in official blood and urine test samples and the level at which such drugs may occur. CHRB Rule 1844.1, Suspension of Authorized Medication, allows the Board to suspend the authorized administration to a horse entered to race any drug, substance or medication that is otherwise permitted under Rule 1844 for any cause.

ANALYSIS

LAQHRA and PCQHRA (the parties) have requested that authorized use of Albuterol be suspended for 12 months for all Quarter Horse races at Los Alamitos Racecourse so that they may “fully implement the contractual intent of the Race Meet Agreement and its amendments.” The parties explain in their request that they are aware of the use of certain drugs—including

Albuterol—that “can and do enhance a horse’s performance in a manner that disadvantages the wagering public and other participants, and which undermines the genetic integrity of the breed.” Accordingly, the parties have agreed to restrict and condition the eligibility of horses nominating to, entering into, and/or competing in stakes, overnight stakes, trials, and other qualifying races during its 2016 meet to those horses that have not been administered, Clenbuterol, Albuterol, Zilpaterol, or Ractopamine. Zilpaterol and Ractopamine are currently prohibited under CHRB Rule 1867, Prohibited Veterinary Practices, and Clenbuterol has been de-authorized in quarter horses pursuant to an emergency regulation passed last year by the Board.

In their letter, the parties assert that Albuterol is a beta-2 agonist that it is understood to prolong the secondary anabolic-like steroidal effects of long-term Clenbuterol use. Consequently, the parties have concluded that Albuterol is a performance enhancing substance which undermines the integrity of their races from a competitive and wagering standpoint. They also note that prohibition of Albuterol and Clenbuterol has show to have positive impacts on the willingness of horsemen to participate in, and bettors to wager on, Quarter Horse races.

RECOMMENDATION

This item is presented to the Board for discussion and action.

couto&associates

April 10, 2016

California Horse Racing Board
Attn: Executive Director. Rick Baedeker and Mr. Phillip Laird, Esq.
1010 Hurley Way
Suite 300
Sacramento, California 95825

Via Email

RE: Request for Suspension of CHRB Rule 1844(e)(3)

Dear Messers Baedeker and Laird,

The purpose of this letter is to request partial suspension of CHRB Rule 1844, pursuant to CHRB Rule 1844.1.

This request is submitted on behalf of Los Alamitos Quarter Horse Racing Association and the Pacific Coast Quarter Horse Racing Association (collectively referred to herein as the 'Parties'). Both Parties are signatories to the Race Meet Agreement and Amendments controlling the 2016 Quarter Horse race meet currently being conducted at Los Alamitos Racecourse, having done so pursuant to their statutory obligations under both state and federal law.

The Rule suspension is requested so that the Parties may fully implement the contractual intent of the Race Meet Agreement and its amendments. Specifically, they seek to enforce certain eligibility conditions applying to stakes, overnight stakes, trials, and/or qualifying races offered and conducted during the 2016 race meet. The races to which such conditions apply are identified in EXHIBIT B of the Agreement, a copy of which was previously submitted to the CHRB as part of the track's Application to Conduct a Race Meet.

RELEVANT CHRB REGULATIONS

For the benefit of participating horsemen and the wagering public, the Parties seek to ensure that stakes, overnight stakes, trials, and other qualifying races offered by and run at Track during the 2016 Meet are conducted under conditions that further protect and enhance the integrity and fairness of each contest.

Both Parties are aware that the use of certain drugs, including two generally considered to be permissible under current CHRB rules, can and do enhance a horse's performance in a manner that disadvantages the wagering public and other participants, and which undermines the genetic integrity of the breed.

For these reasons the Parties have agreed to restrict and condition the eligibility of horses nominating to, entering into, and/or competing in stakes, overnight stakes, trials, and other qualifying races offered by and run at Track during the 2016 Meet, to those horses that have not been administered Clenbuterol, Albuterol, Zilpaterol, and/or Ractopamine.

The presence, administration, and/or use of the latter two drugs is prohibited pursuant to CHRB Rule 1867. Clenbuterol and Albuterol are currently listed, generally, as "Authorized Medications" under Rule 1844.

Clenbuterol and Albuterol are both beta-2 agonist, with the former providing muscle building effects closely mimicking that provided by anabolic steroids, and is in fact classified as an anabolic agent by

the World Anti-Doping Agency. Albuterol is understood to prolong the secondary anabolic-like steroidal effects of long-term use of Clenbuterol.

The Parties individually and collectively recognize these drugs as performance enhancing substances the use of which undermines the integrity of the races listed in Exhibit B both from a competitive and wagering standpoint. The prohibition of these drugs has been observed by the Parties to have had positive impacts on the willingness of horsemen to participate and on the willingness of bettors to perceive such races as fairer wagering propositions.

Because of these concerns and objectives, Emergency Rule 1866.1 was adopted by the CHRB as part of an effort to eliminate the use of Clenbuterol in Quarter Horses competing in Quarter Horse races conducted in the State.

REQUEST FOR RULE SUSPENSION

The Parties request the following specific rule provision be suspended as to such Quarter Horse races conducted at Los Alamitos during 2016:

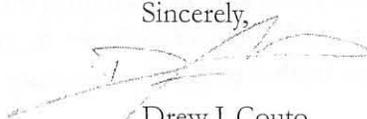
- Pursuant to CHRB Rule 1844.1, **Rule 1844(e)(3)** be suspended such that **Albuterol** not be identified, recognized, construed, nor considered as an "Authorized Medication" for the purpose of determining the eligibility of Quarter Horses seeking to nominate to, enter into, and/or run/compete in stakes, overnight stakes, trials, and other qualifying races offered by and run at Los Alamitos during the 2016 Meet.

Lastly, the Parties ask that the suspension requested pursuant to CHRB Rule 1844.1 be noticed for action at the upcoming April 21, 2016 CHRB meeting.

Should there be any questions about this request, please do not hesitate to contact me.

Thank you.

Sincerely,



Drew J. Couto
Attorney at Law

STAFF ANALYSIS
PUBLIC HEARING AND ACTION BY THE BOARD REGARDING THE PROPOSED
AMENDMENT TO CHRB RULE 1689.1, SAFETY VEST REQUIRED, TO INCLUDE ANY
PERSON LICENSED BY THE BOARD THAT IS MOUNTED ON A HORSE WHILE ON A
RACETRACK TO THE LIST OF THOSE REQUIRED TO WEAR A SAFETY VEST

Regular Board Meeting
April 21, 2016

ISSUE

The California Horse Racing Board (Board) is proposing to amend Rule 1689.1, Safety Vest Required, to include any person licensed by the Board that is mounted on a horse while on a racetrack to the list of those required to wear a safety vest. The rule currently only requires jockeys, apprentice jockeys, exercise riders, drivers, and assistant starters to wear a safety vest on the grounds of a racing association or racing fair.

ANALYSIS

The proposed amendment to Rule 1689.1 would add subsection (a)(1) to state that any person licensed by the Board mounted on a horse on a track of a racing association, racing, fair, or authorized training facility shall wear a safety vest. The track on a racing association, racing fair, or authorized training facility is used to train and race horses, and safety on the track is an ongoing concern of the Board. The proposed amendment will increase rider safety by adding any person licensed by the Board mounted on a horse while on a race track to the list of those who must wear a safety vest. Rule 1689.1 was last amended on July 2010 when harness drivers and assistant starters were added to the list of those who must wear a safety vest. The starting gate crews are addressed in the current rule under subsection 1689.1 (b), which provides that an assistant starter shall not handle any horse unless wearing a safety vest.

BACKGROUND

Business and Professions Code section 19420 provides that jurisdiction and supervision over meetings in the State where horse races with wagering on their results are held or conducted, and over all persons or things having to do with the operation of such meetings, is vested in the Board. Business and Professions Code section 19481 states that in performing its responsibilities, the Board shall establish safety standards governing equipment for horse and rider to improve the safety of horses, riders, and workers in the racing inclosure. Business and Professions Code section 19562 states the Board may prescribe rules, regulations, and conditions, consistent with the provisions of this chapter, under which all horse races with wagering on their results shall be conducted in California. Board Rule 1689.1 requires jockeys and apprentice jockeys to wear safety vests when riding in a race. Additionally, the rule provides that jockeys, apprentice jockeys, and exercise riders must wear a safety vest when they train or exercise any horse on the grounds of a racing association, racing fair, or authorized training facility. Rule 1689.1 specifies that safety vests shall meet the British Equestrian Trade

Association (BETA) standard for horse riders' body and shoulder protectors. Safety vests protect the inner organs, ribs and spine. The padding helps prevent or lessen an injury from the impact of a fall, and reduce the amount of damage should the wearer be hit by a hoof.

In March 2015 the proposed amendment to Board Rule 1689.1, Safety Vest Required, was submitted to the Office of Administrative Law (OAL) for review. The proposed amendment at that time provided that no pony rider shall pony or lead a horse or be mounted on a horse on the grounds of a racing association, racing fair, or authorized training facility unless wearing a safety vest. The transcript of the hearing for adoption of Rule 1689.1 submitted to OAL with the closing file revealed that the Board was unclear on who would be required to wear a safety vest. The discussion during the June 19, 2014 adoption hearing questioned if the proposed regulation also included trainers who would be required to wear a safety vest, or if everybody who is on a horse while on the race track would be required to wear a safety vest. The OAL disapproved the rulemaking action based on the Clarity standard of Government Code section 11349.1. The OAL disapproval stated the language of the regulation that no "pony rider" shall pony or lead a horse unless wearing a safety vest appeared to conflict with the Board's description of the intent of the regulation at the adoption hearing and in the Final Statement of Reasons that "...everybody who is on a horse on the race track should be wearing a vest."

The text of the regulation was modified to address OAL's concerns and was discussed at the August 19, 2015, Medication and Track Safety Committee Meeting. At the October 22, 2015, Regular Board meeting, the Board discussed two options of proposed text and amended one of the options during the meeting. The Board subsequently directed staff to initiate the 45-day public comment period regarding the proposed amendment to Rule 1689.1. The 45-day public comment period ended April 11, 2016. No comments were received.

RECOMMENDATION

This item is presented for Board discussion and action. Staff recommends the Board adopt the proposed amendment as presented.

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
ARTICLE 8. RUNNING THE RACE
PROPOSED AMENDMENT TO
RULE 1689.1. SAFETY VEST REQUIRED

1689.1. Safety Vest Required.

(a) No jockey or apprentice jockey shall ride in a race unless wearing a safety vest, nor shall a jockey, apprentice jockey, or exercise rider, train or exercise any horse on the grounds of a racing association, racing fair, or authorized training facility unless wearing a safety vest.

(1) Any person licensed by the Board mounted on a horse on a track of a racing association, racing fair, or authorized training facility shall wear a safety vest.

(b) No driver shall be mounted in or riding on a sulky, nor shall an assistant starter handle any horse on the grounds of a racing association, racing fair, or authorized training facility unless wearing a safety vest.

(c) Safety vests required to be worn in accordance with this regulation shall:

(1) Provide a minimum of shock absorbing protection to the upper body, as evidenced by a label indicating that the safety vest meets one of the following standards:

(A) "Level 1" under the British Equestrian Trade Association (BETA) 2009 Standard for Horse Riders' Body and Shoulder Protectors, or

(B) American Society for Testing Materials (ASTM) standard F2681-08, or

(C) Shoe and Allied Trades Research Association (SATRA) (1999) Jockey Vest Standard, Document M6 Issue 3, Australian Racing Board (ARB) 3.

(2) Cover the entire torso from the collarbone to a line level with the hip bone allowing a vee opening in the front neckline;

(3) Weigh no more than 2 pounds.

(4) No vest shall be altered from its original manufactured design. This includes, but is not limited to:

(A) Cutting the vest to customize fit.

(B) Removal of manufacturer's labels.

(C) Removal of protective padding.

(d) The weight of a safety vest shall not be included in the weight of a jockey or apprentice jockey when weighing out or weighing in or when adding weight to make up a weight assignment.

Authority: Sections 19420, 19481 and 19562,
Business and Professions Code.

Reference: Sections 19481,
Business and Professions Code.

STAFF ANALYSIS

DISCUSSION AND ACTION BY THE BOARD REGARDING THE PROPOSED
AMENDMENT TO CHRB RULE 2071, LICENSE TO CONDUCT ADVANCE DEPOSIT
WAGERING BY A CALIFORNIA APPLICANT AND CHRB RULE 2072, APPROVAL TO
CONDUCT ADVANCE DEPOSIT WAGERING BY AN OUT-OF-STATE APPLICANT, TO
AMEND THE APPLICATION FORMS TO REQUIRE ALL APPLICANT BUSINESS
STRUCTURES TO SUBMIT FINANCIAL INFORMATION

Regular Board Meeting

April 21, 2016

ISSUE

Rule 2071, License to Conduct Advance Deposit Wagering by a California Applicant, and Rule 2072, Approval to Conduct Advance Deposit Wagering by an out-of-state Applicant, were created in 2001. In the intervening period of time, the Board has identified an item that it would like to see included in the application forms required pursuant to Rule 2071 and 2072. Application forms CHRB-132, Application for License to Conduct Advance Deposit Wagering, and CHRB-133, Application for Approval to Conduct Advance Deposit Wagering, currently require applicants that are applying for a license to conduct Advance Deposit Wagering whose business structure is a Corporation or Limited Liability Company to submit specified financial information. However, the CHRB-132 and CHRB-133 forms do not require applicants whose business structure is a partnership/sole proprietor to submit financial information. Therefore, the forms must be revised to require the submission of financial information by partnership/sole proprietor applicants to create consistency among the various business structures.

ANALYSIS

Rule 2071, License to Conduct Advance Deposit Wagering by a California Applicant and Rule 2072, Approval to Conduct Advance Deposit Wagering by an out-of-state Applicant, provides that every applicant that intends to accept advance deposit wagering must file a completed application with the Board at least 90 days prior to its scheduled start date of operation. The forms CHRB-132, Application for License to Conduct Advance Deposit Wagering, and CHRB-133, Application for Approval to Conduct Advance Deposit Wagering, are incorporated by reference in Rule 2071 and 2072; therefore, any revisions to the applications would necessitate an amendment to the rule.

The amendment to Rule 2071 and 2072 will revise forms CHRB-132 and CHRB-133. The CHRB-132 and CHRB-133 forms will be amended to collect the financial information an applicant must provide if a partnership/sole proprietor. The amendments will assist the Board with ensuring the ADW applicants are in compliance with the requirements of the Business and Professions Code section 19604, which identifies specific provisions must be met before an ADW provider may accept wagers on races.

Proposed changes to forms CHRB-132 and CHRB-133 include:

Section 3, Business Structure: Subsection D3 has been added to CHRB-132 and CHRB-133 to collect the financial information an applicant must provide if a partnership/sole proprietor. The subsection spells out the items that must be included in the audited financial statement, including balance sheet, profit and loss statement, etc.

BACKGROUND

Business and Professions Code section 19440 provides that the Board shall have all powers necessary and proper to enable it to carry out fully and effectually the purpose of this chapter. Responsibilities of the Board shall include, but are not limited to, adopting rules and regulations for the protection of the public and the control of horse racing and pari-mutual wagering. Business and Professions Code section 19460 provides that all licenses granted under this chapter shall be in writing, are subject to all rules, regulations, and conditions prescribed by the Board, and shall contain such conditions as are deemed necessary by the Board for the best interests of horse racing and the purposes of this chapter. Business and Professions Code section 19590 states the Board shall adopt rules governing, permitting, and regulating pari-mutuel wagering. Pari-mutuel wagering shall be conducted only by a person or persons licensed under this chapter to conduct a horse racing meeting or authorized by the Board to conduct advance deposit wagering. Business and Professions Code section 19604 provides the Board may authorize any racing association, racing fair, betting system, or multijurisdictional wagering hub to conduct advance deposit wagering in accordance with this section.

RECOMMENDATION

This item is presented for Board discussion and action.

STATE OF CALIFORNIA
 CALIFORNIA HORSE RACING BOARD (CHRB)
 APPLICATION FOR LICENSE TO CONDUCT ADVANCE DEPOSIT WAGERING
 CHRB-132 (New 9/01 Rev 4/16)

Application is made to the CHRB for a license to conduct Advance Deposit Wagering in accordance with the California Business and Professions (B&P) Code and CHRB Rules and Regulations (Rule) and the provisions of the Interstate Horseracing Act, 15 U.S.C. 3001 to 3007.

Application must be filed not later than 90 days in advance of the date scheduled to conduct Advance Deposit Wagering and must be accompanied by a bond from a surety company admitted in the state of California or other form of financial security in the amount of \$500,000.

1. APPLICANT

- A. Racing Association (Licensee) Racing Fair (Licensee)
 Betting System CA Multi-jurisdictional Wagering Hub (CA Hub)
- B. Name, mailing address, telephone and fax numbers:
- C. Names and titles of all management personnel:

NOTICE – All management personnel must be CHRB licensed.

- D. Racing Fairs are not required to complete Section 3, Business Structure.
- E. Betting Systems and CA Hubs - attach the contract with the Licensee and the required horsemen's approval under the Interstate Horseracing Act that permits you to provide Advance Deposit Wagering services and identify the amount of the market access fee to be paid to the Licensee for access to the California market for wagering purposes.

2. DATES OF OPERATION

- A. Dates Advance Deposit Wagering will be conducted:
- B. Hours Advance Deposit Wagering will be conducted:

3. BUSINESS STRUCTURE

- A. Corporation (complete subsection B)
 LLC (complete subsection C)
 Other (specify, and complete subsection D)

Complete the applicable subsection

CHRB CERTIFICATION

Application received:
 Reviewed:
 Hearing date:

Approval date:
 License number:

B. CORPORATION

1. Registered name of the corporation:
2. State where incorporated:
3. Registry or file number for the corporation:
4. Name of all officers and directors, titles, and number of shares of the corporation held by each:
5. Names (true names) of all persons, **other than the officers and directors listed above**, that hold 5% or more of the outstanding shares in the corporation and the number of shares held by each:
6. Number of outstanding shares in the corporation:
7. Are the shares listed for public trading? Yes No
If yes, on what exchange and how is the stock listed:
8. Name of the custodian of the list of shareholders and/or the transfer agent for the share holdings of the corporation:
9. If more than 50% of the shares are held by a parent corporation or are paired with any other corporation or entity, give the name of the parent and/or paired corporation or entity:
10. Attach the most recent annual financial statement for the corporation, including balance sheet and profit and loss statement, and a copy of a report made during the preceding 12 months to shareholders in the corporation and/or the Securities and Exchange Commission and/or the California Corporations Commission.
11. Attach a business plan to include a detailed budget that shows anticipated revenue, expenditures and cash flow by month projected for the term of the license.

C. LLC

1. Registered name of the LLC:
2. State where articles of organization are filed:
3. Registry or file number for the LLC:
4. Names of all officers and directors, titles, and the number of shares of the LLC held by each:
5. Names (true names) of all members, **other than the officers and directors listed above**, that hold 5% or more of the outstanding shares in the LLC and the number of shares held by each:
6. Are the shares listed for public trading? Yes No
If yes, on what exchange and how is the stock listed:

7. If more than 50% of the shares are held by a parent corporation or are paired with any other corporation or entity, give the name of the parent and/or paired corporation or entity:
8. Attach the most recent annual financial statement for the LLC, including balance sheet and profit and loss statement, and a copy of a report made during the preceding 12 months to shareholders in the LLC and/or the Securities and Exchange Commission and/or the California Corporations Commission.
9. Attach a business plan to include a detailed budget that shows anticipated revenue, expenditures and cash flow by month projected for the term of the license.

D. OTHER

1. Name(s) of partners/sole proprietor:
2. If a partnership, attach partnership agreement.
3. Attach the most recent annual financial statement for the partnership/sole proprietor, including balance sheet and profit and loss statement, and a copy of a report made during the preceding 12 months to shareholders in the partnership/sole proprietor and/or the Securities and Exchange Commission and/or the California Corporations Commission.
4. Attach a business plan to include a detailed budget that shows anticipated revenue, expenditures and cash flow by month projected for the term of the approval.

4. **ESTABLISHING ADVANCE DEPOSIT WAGERING ACCOUNTS** – must comply with Rule 2074.

- A. List the procedures to establish an Account:
- B. If an application form is used to establish an Account attach a copy of the form.
- C. Name and address of the third party you will use to verify identity, residence and age verification:

5. **OPERATION OF ADVANCE DEPOSIT WAGERING ACCOUNTS** – must comply with Rule 2073.

- A. Submit a copy of your plan for operation.
- B. List the type of deposits you will accept:
- C. Identify any fees or transaction-related charges and the amount that will be assessed:

6. **SECURITY ACCESS**

- A. Attach your security access policy and safeguards pursuant to B&P Section 19604 (c) (2). Policy must include the following:
 1. Description of the technology to ensure identity, residence, and age verification when an Account is established:

- 2. Description of the technology to ensure confidentiality of the Means of Personal Identification:
- 3. Methods and locations available for Account Holders to withdraw funds from their Account:
- 4. If the Advance Deposit Wagering records will be maintained at a site other than the applicants provide the name, address, telephone and fax numbers and the hours of operation:

7. PARI-MUTUEL

- A. Name, address and telephone number of the pari-mutuel audit firm:
- B. Type(s) of pari-mutuel or totalizator equipment to be used and the simulcast organization, name of the entity supplying equipment, and expiration date of the service contract:
- C. List the locations of the racing venues on which Advance Deposit Wagering will be accepted:

NOTICE – The pari-mutuel system used must use a device or combination of devices authorized and operated exclusively for placing, receiving, or otherwise making a wager and by which a person must subscribe to in order to place, receive or otherwise make a wager; an effective customer and age verification system and the appropriate data security standards to prevent unauthorized access by any person who has not subscribed or who is under the age of 18.

8. CONTRACTS AND AGREEMENTS

- A. List name and address of all organizations you will contract with to facilitate Advance Deposit Wagering that are not provided in other sections of this application:
- B. List each contract or agreement to facilitate Advance Deposit Wagering that is not finalized and signed:

NOTICE – Pursuant to B&P Section 19604 (c) (1) you must contract with the bona fide labor organization that has historically represented the same or similar classifications of employees at the nearest horse racing meeting.

9. ADVERTISING

Name and address of the advertising agency you will use:

NOTICE – Pursuant to Rule 2071 (h) all advertisements shall contain a statement that persons under 18 are not allowed to open or have access to Accounts. All advertisements shall contain contact information for a recognized problem-gambling support organization. Additionally, pursuant to B&P Section 19604 (D) (3) advertisements shall not be deceptive to the public.

10. CERTIFICATION

I hereby certify under penalty of perjury that I have examined this Application, that all of the foregoing statements in this Application are true and correct, and that I am authorized to attest to this Application.

Print Name

Signature

Print Title

Date

STATE OF CALIFORNIA
 CALIFORNIA HORSE RACING BOARD (CHRB)
 APPLICATION FOR APPROVAL TO CONDUCT ADVANCE DEPOSIT WAGERING
 CHRB-133 (New 9/04 Rev 4/16)

Application is made to the CHRB for approval to conduct Advance Deposit Wagering in accordance with the California Business and Professions (B&P) Code and CHRB Rules and Regulations (Rule) and the provisions of the Interstate Horseracing Act, 15 U.S.C. 3001 to 3007.

NOTICE – By submitting the Application the out-of-state Applicant consents to the jurisdiction of California courts and the application of California law as to all California wagers and operations.

Application must be filed not later than 90 days in advance of the date scheduled to conduct Advance Deposit Wagering and must be accompanied by a bond from a surety company admitted in the state of California or other form of financial security in the amount of \$500,000.

1. OUT-OF-STATE MULTI-JURISDICTIONAL WAGERING HUB (out-of-state Hub)

- A. Name, mailing address, telephone and fax numbers:
- B. Name, title, license number and racing jurisdiction where licensed for all management personnel:
- C. Name, title and mailing address of the California agent for receipt of service of process:
- D. Attach the contract with the California racing association or fair and the required horsemen's approval under the Interstate Horseracing Act that permits you to provide Advance Deposit Wagering services and identify the amount of the market access fee to be paid to the California racing association or fair for access to the California market for wagering purposes.

2. DATES OF OPERATION

- A. Dates Advance Deposit Wagering will be conducted:
- B. Hours Advance Deposit Wagering will be conducted:

3. BUSINESS STRUCTURE

- A. Corporation (complete subsection B)
- LLC (complete subsection C)
- Other (specify, and complete subsection D)

Complete the applicable subsection

B. CORPORATION

- 1. Registered name of the corporation:

CHRB CERTIFICATION

Application received:
 Reviewed:

Hearing date:
 Approval date:

2. State where incorporated:
3. Registry or file number for the corporation:
4. Name of all officers and directors, titles, and number of shares of the corporation held by each:
5. Names (true names) of all persons, **other than the officers and directors listed above**, that hold 5% or more of the outstanding shares in the corporation and the number of shares held by each:
6. Number of outstanding shares in the corporation:
7. Are the shares listed for public trading? Yes No
If yes, on what exchange and how is the stock listed:
8. Name of the custodian of the list of shareholders and/or the transfer agent for the share holdings of the corporation:
9. If more than 50% of the shares are held by a parent corporation or are paired with any other corporation or entity, give the name of the parent and/or paired corporation or entity:
10. Attach the most recent annual financial statement for the corporation, including balance sheet and profit and loss statement, and a copy of a report made during the preceding 12 months to shareholders in the corporation and/or the Securities and Exchange Commission and/or the corresponding state where you registered your corporation.
11. Attach a business plan to include a detailed budget that shows anticipated revenue, expenditures and cash flow by month projected for the term of the approval.

C. LLC

1. Registered name of the LLC:
2. State where articles of organization are filed:
3. Registry or file number for the LLC:
4. Names of all officers and directors, titles, and the number of shares of the LLC held by each:
5. Names (true names) of all members, **other than the officers and directors listed above**, that hold 5% or more of the outstanding shares in the LLC and the number of shares held by each:
6. Are the shares listed for public trading? Yes No
If yes, on what exchange and how is the stock listed:
7. If more than 50% of the shares are held by a parent corporation or are paired with any other corporation or entity, give the name of the parent and/or paired corporation or entity:
8. Attach the most recent annual financial statement for the LLC, including balance sheet and

profit and loss statement, and a copy of a report made during the preceding 12 months to shareholders in the LLC and/or the Securities and Exchange Commission and/or the corresponding state where you registered your corporation.

9. Attach a business plan to include a detailed budget that shows anticipated revenue, expenditures and cash flow by month projected for the term of the approval.

D. OTHER

1. Name(s) of partners/sole proprietor:
2. If a partnership, attach partnership agreement.
3. Attach the most recent annual financial statement for the partnership/sole proprietor, including balance sheet and profit and loss statement, and a copy of a report made during the preceding 12 months to shareholders in the partnership/sole proprietor and/or the Securities and Exchange Commission and/or the corresponding state where you registered your corporation.

4.3. Names of all officers and directors, titles, and the number of shares of the LLC held by each:

4. ESTABLISHING ADVANCE DEPOSIT WAGERING ACCOUNTS – must comply with Rule 2074.

- A. List the procedures to establish an Account:
- B. If an application form is used to establish an Account attach a copy of the form.
- C. Name and address of the third party you will use to verify identity, residence and age verification:

5. OPERATION OF ADVANCE DEPOSIT WAGERING ACCOUNTS – must comply with Rule 2073.

- A. Submit a copy of your plan for operation.
- B. List the type of deposits you will accept:
- C. Identify any fees or transaction-related charges and the amount that will be assessed:

6. SECURITY ACCESS

- A. Attach your security access policy and safeguards pursuant to B&P Section 19604 (c) (2). Policy must include the following:
 1. Description of the technology to ensure identity, residence, and age verification when an Account is established:
 2. Description of the technology to ensure confidentiality of the Means of Personal Identification:
 3. Methods and locations available for Account Holders to withdraw funds from their Account:
 4. If the Advance Deposit Wagering records will be maintained at a site other than the out-of-state

Hub provide the name, address, telephone and fax numbers and the hours of operation:

7. PARI-MUTUEL

- A. Name, address and telephone number of the pari-mutuel audit firm:
- B. Type(s) of pari-mutuel or totalizator equipment to be used and the simulcast organization, name of the entity supplying equipment, and expiration date of the service contract:
- C. List the locations of the racing venues on which Advance Deposit Wagering will be accepted:

NOTICE – The pari-mutuel system used must use a device or combination of devices authorized and operated exclusively for placing, receiving, or otherwise making a wager and by which a person must subscribe to in order to place, receive or otherwise make a wager; an effective customer and age verification system and the appropriate data security standards to prevent unauthorized access by any person who has not subscribed or who is under the age of 18.

8. CONTRACTS AND AGREEMENTS

- A. List name and address of all organizations you will contract with to facilitate Advance Deposit Wagering that are not provided in other sections of this application:
- B. List each contract or agreement to facilitate Advance Deposit Wagering that is not finalized and signed:

9. ADVERTISING

Name and address of the advertising agency you will use:

NOTICE – Pursuant to Rule 2072 (h) all advertisements shall contain a statement that persons under 18 are not allowed to open or have access to Accounts. All advertisements shall contain contact information for a recognized problem-gambling support organization. Additionally, pursuant to B&P Section 19604 (D) (3) advertisements shall not be deceptive to the public.

10. CERTIFICATION

I hereby certify under penalty of perjury that I have examined this Application, that all of the foregoing statements in this Application are true and correct, and that I am authorized to attest to this Application.

Print Name

Signature

Print Title

Date

STAFF ANALYSIS

DISCUSSION AND ACTION BY THE BOARD REGARDING THE PROPOSED ADDITION OF CHRB RULES 1597.5, MICROCHIPS REQUIRED FOR ALL HORSES ON GROUNDS; RULE 1597.6, TAMPERING WITH MICROCHIPS AND THE PROPOSED AMENDMENT TO CHRB RULES 1554, DUTIES OF HORSE IDENTIFIER; RULE 1581.1 ENTRIES; RULE 1588, HORSE INELIGIBLE TO START IN A RACE AND RULE 1597, ASSOCIATION TO MAINTAIN RECORDS OF HORSES ON ITS GROUNDS, TO IMPLEMENT THE REQUIREMENT THAT HORSES BE MICROCHIPPED IN ORDER TO RACE IN CALIFORNIA

Regular Board Meeting

April 21, 2016

BACKGROUND

Since 2014, the California Horse Racing Board (CHRB) has been operating a Microchip Pilot Project in Northern California at the Golden Gate Fields and Alameda County Fairgrounds racetracks. The purpose of the Pilot Project has been to test all operational aspects of a horse identification system that utilizes state-of-the-art microchip technology to implement an accurate process for regular inventory reporting and horse movement tracking at all Board-licensed racetrack and training facilities in California. With the Pilot Project nearing completion, the next step in the initiative is for the Board to enact regulations that require all racing horses in California be implanted with an identifying microchip. The major goals of such an initiative are to track horse movement in and out of licensed CHRB inclosures, improve identification capabilities, and prevent breakouts of infectious diseases.

Concurrent to this initiative, The Jockey Club has recently announced that, beginning in 2017, microchips will be required for the registration of all thoroughbred foals. Starting in 2016, however, owners will already have the option to request free microchips with registration application kits when they report the birth of a live foal. Accordingly, this means that some 2016 foals with microchips will arrive at California racing and training facilities as early as 2018.

Business and Professions Code section 19440 provides that the California Horse Racing Board shall have all powers necessary and proper to enable it to carry out the purposes of this Chapter, which includes adopting rules and regulations for the protection of the public and the control of horse racing and parimutuel wagering. Rule 1597, Association to Maintain Records of Horses on Its Grounds, requires that all licensed associations maintain a record of horses admitted into their inclosure, and that each entry and exit by a horse be recorded within 48 hours of said occurrence. Rule 1853, Examination Required, states that the horse identifier shall examine each horse to identify such horse from the Board's identification record and the photographs, record of pedigree, tattoo or brand number and such other points of identification as may be available.

ANALYSIS

With the Pilot Project well under way, and the fast approaching arrival of The Jockey Club's first microchipped thoroughbreds, staff has determined that it is an appropriate time to commence the rulemaking process if the Board wishes to enact regulations that will require microchips in all horses racing in California by the end of 2017. Accordingly, staff has prepared a series of proposed rule additions and amendments that it believes will adequately carry out such a requirement.

The first regulation to be amended is Rule 1554, Duties of Horse Identifier. Because one of the major goals of a microchip requirement is to advance horse identification capabilities, revision of the Horse Identifier's duties is an essential component of this effort. Essentially, the amendment would require that the Horse Identifier supervise the microchipping implantation process in the same way he or she does the tattooing process. It also would require that the Horse Identifier be responsible for verifying the microchip number that is assigned to the horse, and finally, that they scan all horses about to race to verify their identities prior to departure for the post. Any entered horse found not to have a microchip or waiver at post time will be scratched.

The next regulations to be amended are Rule 1581.1, Entries, and Rule 1588, Horse Ineligible to Start in a Race. These amendments would make any horse that does not carry a microchip, or has not received a valid waiver from the Board of Stewards, ineligible to enter or start in a race. Ultimately, these amendments are necessary to carry out the enforcement component of the microchip requirement. By making a validly implanted microchip a requirement for eligibility to enter and start in a race, the CHRB can assure that no horse is able to evade other aspects of the microchip requirements and still run in a race.

Next, Rule 1597, Association to Maintain Records of Horses on Its Grounds, will also be amended. Specifically, the amendment would require that records maintained of each horse include microchip numbers, and that accurate inventories of all horses on the grounds of each inclosure be maintained by the racing secretary in a manner that is subject to Board approval.

The cornerstone of these regulatory changes will be the addition of Rule 1597.5, Microchips Required for All Horses on Grounds. This rule would require that all horses present within the inclosure carry an identifying microchip unless they are granted a waiver by the Board of Stewards to participate in a single stakes race at that racetrack. For horses not yet microchipped and not granted a waiver, the rule would also create a process for bringing such horses into the inclosure and having them implanted with an identifying microchip within 72 hours of their arrival, and under the supervision of the Board of Stewards. The rule would further require that no horse be entered into a race without an identifying microchip or valid waiver.

Next is the addition of Rule 1597.6, Tampering with Microchips. This rule simply states that "No person shall tamper with, remove, or replace a microchip implanted in a horse without approval from the Board." The rule is intended to safeguard against unauthorized changes to a horse's assigned microchip so that inventory and identification functions are not corrupted by

such tampering. Accordingly, the Board would be able to fine and/or suspend any licensee that violates the rule.

Finally, Rule 1853, Examination Required, will be amended to include "microchip number" as one of the points of identification that the Horse Identifier is to examine.

These proposed regulatory changes were presented to the Legislative, Legal, and Regulations Committee at their February 24, 2016 meeting, where they approved the proposed regulations and amendments to go before the full Board for consideration.

RECOMMENDATION

This item is presented to the Board for discussion and action.

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
ARTICLE 5. RACING OFFICIALS
PROPOSED AMENDMENT OF
RULE 1554. DUTIES OF HORSE IDENTIFIER

1554. Duties of Horse Identifier.

The horse identifier shall:

(a) make an inspection of each horse prior to its departure for the post, and scan each horse to verify the horse's microchip number. He or she shall immediately report to the stewards and the paddock judge any horse which is not properly identified, or has any irregularities from the official identification record of the Board, or does not carry a microchip in accordance with Rule 1597.5. If the horse does not carry a microchip or its microchip number cannot be verified, and there is no approved waiver in the racing office, the horse shall be scratched.

(b)The horse identifier shall inspect, identify, and prepare identification records and photographs of all horses within the inclosure not previously identified in California, as well as verify the microchip number assigned to a horse under the provisions of Rule 1597.5.

(c) He shall inspect documents of ownership, eligibility, registration, or breeding, as may be necessary to insure proper identification of each horse eligible to compete at the race meeting.

(d) He shall supervise and verify the accurate tattooing, microchipping or branding for identification of any horse within the inclosure.

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
ARTICLE 6. ENTRIES AND DECLARATIONS
PROPOSED AMENDMENT OF
RULE 1581.1. ENTRIES

1581.1. Entries.

No person shall enter or attempt to enter a horse for a race unless such entry is a bonafide entry made with the intention that such horse is to compete in the race for which entry is made.

(a) No horse having been drawn for a post position for any race to be run shall be entered for any subsequent race, other than for a stakes race, until or unless excused by the stewards from the race in which drawn for valid reason or until the race in which it has drawn has been run.

(b) No person shall attempt to enter or enter any horse for a race unless such person is authorized to do so in accordance with the rules.

(c) Every horse drawn in for a post position in a race shall have a jockey or driver named to ride or to drive such horse before the draw is finalized and no jockey or driver shall be named to ride or to drive more than one such drawn horse in each race.

(d) No horse shall be entered for a race that does not carry a microchip, or has not received a waiver from the stewards, in compliance with Rule 1597.5.

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
ARTICLE 6. ENTRIES AND DECLARATIONS
PROPOSED AMENDMENT OF
RULE 1588. HORSE INELIGIBLE TO START IN A RACE

1588. Horse Ineligible to Start in a Race.

In addition to any other valid ground or reason, a horse is ineligible to start in any race:

(a) if such horse is not registered by the Jockey Club if a thoroughbred, the United States Trotting Association if a standardbred, the American Quarter Horse Association if a quarter horse, the Appaloosa Horse Club if an appaloosa horse, the Arabian Horse Registry of America if an Arabian horse, or the American Paint Horse Association if a paint horse;

(b) if the parentage verification to both the sire and the dam of all horses foaled in 1992 and thereafter has not been certified by the Jockey Club if a thoroughbred, the United States Trotting Association if a standardbred, the American Quarter Horse Association if a quarter horse, the Appaloosa Horse Club if an appaloosa horse, the Arabian Horse Registry of America if an Arabian horse, or the American Paint Horse Association if a paint horse;

(c) if, unless the stewards permit otherwise, the certificate of foal registration, eligibility papers, or other registration issued by the official registry for such horse is not on file with the racing secretary at the time of entry;

(d) if such horse has been entered or raced at any recognized race meeting under any name or designation other than the name or designation duly assigned by and registered with the official registry;

(e) if the certificate of foal registration, eligibility papers or other registration issued by the official registry has been altered, erased, or forged;

(f) if the identification markings of the horse do not agree with the identification

markings as set forth in the registration of such horse;

(g) unless he is eligible to enter said race and is duly entered for such race;

(h) when such horse is owned in whole or in part by an unlicensed person or is in the care of an unlicensed trainer;

(i) when such horse is on the Steward's List, the Starter's List or the Veterinarian's List;

(j) when, except with prior approval of the stewards for good cause, such horse is on the Veterinarian's List in another racing jurisdiction. Good cause includes:

(1) unforeseen administrative issues in removing the horse from the Veterinarian's List of another racing jurisdiction;

(2) the location of the horse prevents it from being evaluated by the official veterinarian of another racing jurisdiction and cleared from that jurisdiction's Veterinarian's List, and the horse is approved to race by a California official veterinarian; or

(3) any other unforeseen event or reason that would prevent a horse that would otherwise not be on a Veterinarian's List from being cleared from the Veterinarian's List of another racing jurisdiction.

(k) when, except with prior approval of the stewards, such horse has not been on the grounds of the association or its approved auxiliary stable area for at least 24 hours prior to the time the race is to be run.

(l) when such horse does not carry a microchip or has not received a waiver from the stewards in accordance with Rule 1597.5.

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
ARTICLE 6. ENTRIES AND DECLARATIONS
PROPOSED AMENDMENT OF
RULE 1597. ASSOCIATION TO MAINTAIN RECORDS
OF HORSES ON ITS GROUNDS

1597. Association to Maintain Records of Horses on Its Grounds.

The association, fair, or authorized training facility shall maintain a ~~list or~~ current record of all horses admitted to its grounds ~~for racing~~ by name and by microchip number in compliance with Rule 1597.5, and such ~~list or~~ record shall also contain the name of the owner or owners of such horses, and the name of the trainers having care of such horses. The racing secretary shall maintain these records in a manner and format that is subject to Board approval, and record the entry to and exit from the inclosure of every horse within 48 hours of each occurrence. The racing secretary shall make these records available to the Stewards and the Board upon request. ~~Such list or record shall be available for inspection by the stewards or the Board. Additions and deletions of horses entering or leaving the grounds shall be made to such list or records within 48 hours of the entering or leaving of a horse.~~

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
ARTICLE 6. ENTRIES AND DECLARATIONS
PROPOSED ADDITION OF
RULE 1597.5. MICROCHIPS REQUIRED FOR ALL HORSES ON GROUNDS

1597.5. Microchips Required for All Horses on Grounds

All horses present within the inclosure of a licensed racing association, racing fair, or training facility shall carry a microchip unless it is exempt under the provisions of this Rule. For purposes of this Division, a "microchip" is any International Organization for Standardization compliant (ISO 11784/11785) fifteen digit, 134.2-kHz, FDX-B passive transponder microchip.

(a) The trainer and/or owner of a horse that comes into the inclosure of a licensed racing association, racing fair, or training facility without a microchip shall:

(1) Immediately notify the stable superintendant that the horse does not carry a microchip;

(2) Complete CHRB Form 236, Microchip Request (New 04/16), and submit it to the Board of Stewards;

(3) Post CHRB Form 235, Horse Not Microchipped (new 04/16), on the individual stall that the horse is stabled in until the horse has successfully been implanted with a microchip;

(4) Have the horse implanted with a microchip within 72 hours of arriving on the racing association, racing fair, or training facility grounds in accordance with subsection (f);

(b) If a horse has not received a microchip after 72 hours from the time it arrives at the inclosure, it shall be removed from the grounds of the racing association, racing fair, or training facility unless a request for an extension is made in writing to the Board of Stewards by the horse's owner or trainer and the request is granted.

(c) A trainer may apply to the Board of Stewards for a waiver from the microchip requirements in this Rule when shipping a horse in from another racing jurisdiction for the purpose of the horse's participation in a single stakes race. The request for a waiver shall be made on CHRB Form 237, Microchip Waiver Request (new 04/16), and should be submitted to the stewards at least 24 hours before the horse is to arrive on the grounds. If a waiver is granted, the trainer shall post CHRB Form 235, Horse Not Microchipped (new 04/16), on the individual stall that the horse is stabled in until the horse is removed from the grounds of the racing association, racing fair, or training facility. All waivers will expire 72 hours after the running of the race for which the waiver is granted.

(d) A horse that has not been implanted with a microchip, or has not been granted a waiver in accordance with subsection (c), shall not be eligible to enter a race or participate in a race.

(e) The racing secretary shall not accept an entry to any race if it cannot be verified that the horse carries a microchip or has otherwise been granted a waiver in accordance with subsection (c).

(f) Anytime a horse is implanted with an identifying microchip while in the inclosure of a licensed racing association, racing fair, or training facility, the following procedures shall be followed:

(1) The Board of Stewards will assign the microchip number for each horse to be implanted.

(2) The microchip shall be implanted by a Board-licensed veterinarian or registered veterinary technician who has been authorized by the official veterinarian and while under the supervision of the horse identifier and a steward.

(3) The licensed owner of the horse shall be responsible for any veterinary service fees for implantation of the microchip.

(4) The horse identifier, in collaboration with the Board of Stewards, shall verify the individual microchip identification number assigned to the horse. The Board of Stewards will record the individual horse microchip identification number with the racing secretary in a manner and format that is subject to Board approval. Records of the microchip identification numbers shall be maintained by the racing secretary and in accordance with Rule 1597.

(g) A horse that comes into the inclosure of a licensed racing association, racing fair, or training facility, and carries a microchip but has not had its individual microchip identification number recorded by the racing secretary, shall have its microchip verified and recorded in accordance with subsection (f)(4). No person shall prevent the Board of Stewards, the horse identifier, or the racing secretary from assigning, verifying, or recording a horse's microchip number.

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
ARTICLE 6. ENTRIES AND DECLARATIONS
PROPOSED AMENDMENT OF
RULE 1597.6. TAMPERING WITH MICROCHIPS

1597.6. Tampering with Microchips

No person shall tamper with, remove, or replace a microchip implanted in a horse without approval from the Board.

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
ARTICLE 15. VETERINARY PRACTICES
PROPOSED AMENDMENT OF
RULE 1853. EXAMINATION REQUIRED

1853. Examination Required.

(a) The official veterinarian shall examine each horse that is scheduled to race to determine its fitness to start. The horse identifier shall examine each horse to identify such horse from the Board's identification record and the photographs, record of pedigree, tattoo or brand number, microchip number, and such other points of identification as may be available. The horseshoe inspector shall inspect the horseshoes of each horse. No horse shall be eligible to start in a race, and shall be declared by the stewards, if it is found to be unfit to race, not properly identified, or improperly shod.

(b) A thoroughbred horse that is not shod is eligible to start in a race if the trainer declares at the time of entry that the horse will race unshod.

(1) At the time of entry a trainer shall declare if a thoroughbred horse that raced unshod in its previous start will race shod.

(2) Any declaration made under subsections (b) or (b)(1) above shall be noted in the official program, and shall state if the horse will race without horseshoes in the front or back or all around.

(3) For the purposes of this regulation "unshod" means running without horseshoes in the front or back or all around.

CALIFORNIA HORSE RACING BOARD



HORSE NOT
MICROCHIPPED

STATE OF CALIFORNIA
CALIFORNIA HORSE RACING BOARD
HORSE NOT MICROCHIPPED
CHRB-235 (New 04/16)

STATE OF CALIFORNIA
CALIFORNIA HORSE RACING BOARD
MICROCHIP REQUEST
CHRB-236 (New 04/16)

MICROCHIP REQUEST

REQUESTER NAME: _____

HORSE NAME: _____ TATTOO #: _____

HORSE AGE: _____ SEX: _____ COLOR: _____

TRAINER: _____

OWNER: _____

DATE: _____ TIME: _____

NAME OF IMPLANTING VETERINARIAN: _____

RACETRACK/TRAINING FACILITY NAME: _____

MICROCHIP IMPLANTED? Yes _____ NO _____

(Horse Identifier Signature)

STATE OF CALIFORNIA
CALIFORNIA HORSE RACING BOARD
MICROCHIP WAIVER REQUEST
CHRB-237 (New 04/16)

MICROCHIP WAIVER REQUEST

REQUESTER NAME: _____

HORSE NAME: _____ TATTOO #: _____

HORSE AGE: _____ SEX: _____ COLOR: _____

RACING JURISDICTION HORSE IS COMING FROM: _____

STAKES RACE HORSE WILL PARTICIPATE IN: _____

NAME OF RACETRACK: _____ DATE OF RACE: _____

TRAINER: _____

OWNER: _____

DATE OF REQUEST: _____ TIME: _____

WAIVER GRANTED? Yes _____ NO _____

(CHRB Steward Signature)