

APPEARANCES

BOARD MEMBERS

Oscar Gonzalez, Vice Chairman
Alex Solis, Commissioner
Wendy Mitchell, Commissioner
Dennis Alfieri, Commissioner
Damascus Castellanos, Commissioner

STAFF

Scott Chaney, Executive Director
Cynthia Alameda, Assistant Executive Director
Robert Brodник, General Counsel
Amanda Brown, Staff Counsel
Amanda Drummond, Policy and Regulations Manager
Mike Marten, Associate Analyst
Rick Arthur, Equine Medical Director
Francisco Gonzales, Audit Supervisor

ALSO PRESENT

Cliff Goodrich, California Thoroughbred Horsemen's
Foundation
Mike Machowsky, Fasig-Tipton
Frank Sherren, Los Alamitos Race Course
Cathy Monji, Los Alamitos Race Course
Aiden Butler, The Stronach Group
Eric Sindler, The Stronach Group

APPEARANCES

ALSO PRESENT

Greg Avioli, Thoroughbred Owners of California

Alan Balch, California Thoroughbred Trainers

PUBLIC COMMENT

Bonnie Croker, Horse Racing Wrongs

Jane Cartmill

Martha Sullivan

Tony Falcone

Wayne Johnson

Joe Kaplan

Oscar de la Torre

Nancy Mitchell

Doug O'Neill

Denise Bolbol

Ellen Eriksen

Heather Hyde

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| 15. | Public Comment: Communications, reports, requests for future actions of the Board. Note: During the public comment period, a total of thirty minutes will be allowed for public comments via the teleconference line. After thirty minutes, no further comments will be accepted. Each person will be limited to two minutes. | 124 |

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16. 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," and as authorized by Government Code section 11126(e).
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- C. The Board may convene a Closed Session for the purposes of considering personnel matters as authorized by Government Code section 11126(a).

Adjournment

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P R O C E E D I N G S

9:31 A.M.

TELECONFERENCE

THURSDAY, AUGUST 20, 2020

VICE CHAIR GONZALES: Good morning everyone.

It's a pleasure and honor for me to help facilitate today's
CHRB meeting.

This is a noticed meeting of the CHRB, conducted
by teleconference, pursuant to Executive Order N-29-20.
Today is Thursday, August 20th, just after 9:30 a.m.

I just want to do a quick roll call, just to
ensure that we have quorum.

Do we have Commissioner Alfieri on the line?

COMMISSIONER ALFIERI: Yes.

VICE CHAIR GONZALES: Do we have Commissioner
Castellanos on the line?

COMMISSIONER CASTELLANOS: Present.

VICE CHAIR GONZALES: Do we have Commissioner
Mitchell on the line?

COMMISSIONER MITCHELL: Here with bells on.

VICE CHAIR GONZALES: Thank you.

Commissioner Solis, you with us?

COMMISSIONER SOLIS: Yes.

VICE CHAIR GONZALES: Thank you. Thank you, sir.

1 And we, in addition to the Commissioners, we also
2 have myself present. So I just want to say thank you.

3 We are also joined by Scott Chaney, Executive
4 Director of the CHRB, along with a few staff members of
5 his, Cynthia Alameda, Robert Brodnik, Amanda Brown, Amanda
6 Drummond, Francisco Gonzales, Dr. Rick Arthur, and Chief
7 Steward Darrel McHargue, and others.

8 Just a few housekeeping items.

9 The Board invites comments on matters appearing
10 on the meeting agenda. Procedurally, the Board will first
11 hear from those directly involved in the agenda item. I
12 will then invite public comment on the agenda item. Those
13 wishing to speak must follow the directions of the
14 Operator -- the Operator's name is Kerri, and Mike Marten
15 will be assisting her -- to have their individual line open
16 for comment. Other public speakers are limited to two
17 minutes. By other, I mean non-industry stakeholders.

18 During all public comments a bell will be rung
19 after the first 90 seconds, meaning the speaker will have
20 30 seconds remaining to conclude his or her remarks. And
21 Mike Marten will be handling that part. At two minutes a
22 more distinctive sound will be heard to indicate the
23 speaker's time is up.

24 The Board, the Commissioners in particular, are
25 free to ask any questions of those who decide to speak.

1 However, be mindful that that will extend their two-minute
2 time limit.

3 I, the Vice Chair, will insist that all speakers
4 stay strictly on topic for reach agenda item. We have 14
5 agenda items total. If a speaker stays off -- strays off
6 topic, I will respectfully ask the Operator to move to the
7 next call. So if you have an important point to make, we
8 listen to each of them, I will save it towards the end to
9 avoid any confusion.

10 If a speaker repeats himself or herself, the
11 perfectly -- it's perfectly fine to do that, I'm just going
12 to make reference that there's repetition going on.

13 If anyone has comments of a more general nature
14 that are not specific to agenda items 1 through 14, those
15 comments must wait until agenda item 15, during the public
16 comment period.

17 There will be a 30-minute time limit for item 15
18 on the public comments. Again, I want to repeat that.
19 There will be a maximum of 30 minutes total for item 15.
20 In order to allow as many individuals to speak as possible
21 within that half hour, I will strictly enforce the two-
22 minute time limit for each public speaker.

23 With that, we will commence our meeting.

24 Item number one on the agenda is the approval of
25 the minutes. Prior to each meeting, for those who are

1 tuning in for the first time, each Commissioner is provided
2 a binder with information that has, among other items, a
3 list of minutes.

4 So do I have a motion to approve the minutes?

5 COMMISSIONER MITCHELL: So moved. Commissioner
6 Mitchell.

7

8 COMMISSIONER CASTELLANOS: Castellanos.

9 COMMISSIONER ALFIERI: Second by --

10 COMMISSIONER CASTELLANOS: Second.

11 COMMISSIONER ALFIERI: Okay.

12 VICE CHAIR GONZALES: So we have a first. Do we
13 have a second?

14 Alfieri?

15 COMMISSIONER ALFIERI: Yes.

16 VICE CHAIR GONZALES: Castellanos?

17 COMMISSIONER CASTELLANOS: Yes.

18 VICE CHAIR GONZALES: Mitchell?

19 COMMISSIONER MITCHELL: Yes.

20 VICE CHAIR GONZALES: And Solis?

21 COMMISSIONER SOLIS: Yes.

22 VICE CHAIR GONZALES: Thank you. The minutes
23 have been approved.

24 Next, the Executive Director's Report.

25 And before I hand it over to Scott Chaney, I just

1 want to make just a quick public comment about the great
2 work that Mr. Chaney and his staff have been doing. I
3 can't think of a more hardworking individual who's hit the
4 ground running on so many fronts. And I think I say that
5 on behalf of the Board.

6 So, Scott, I just, once again, want to publicly
7 thank you. I know you're going between Southern California
8 and Sacramento and Northern California is a difficult place
9 to be, given the weather that we're experiencing. So I do
10 appreciate everything that you're bringing in terms of
11 leadership and commitment, along with your staff. So the
12 floor is yours, Scott.

13 MR. CHANEY: Thank you, Mr. Vice Chairman and the
14 rest of the Commissioners.

15 Just from a housekeeping standpoint, and so the
16 listeners know what's going on, I wanted to point out that
17 agenda items eight and nine will be deleted from the agenda
18 today, so they won't be heard. The sort of happening with
19 the Fresno County Fair will be heard at the next Board
20 meeting, which will be in September.

21 In terms of an Executive Director's Report, since
22 the last Board meeting, Staff at CHRB has settled into a
23 two- to three-days per week telework schedule. This plan
24 will continue, at the very least, for the remainder of the
25 year. Licensing offices are fully open and processing live

1 scan fingerprints with appropriate physical distancing
2 protocols.

3 Open satellite wagering facilities have remained
4 unchanged, mostly, since the last Board meeting, meaning
5 about half are open in the state, and a few will open in
6 the near future at several card rooms consider outdoor
7 activities.

8 The COVID spikes at the -- that jockey colonies
9 experienced a few weeks ago have subsided. And racetracks
10 have perfected their protocols to mirror the second wave of
11 COVID cases.

12 I'd like to thank CHRB staff for their resilience
13 and dedication. Even with the latest challenge of heat and
14 fire, the CHRB continue to do excellent work under less
15 than ideal circumstances.

16 I would also like to point out that there will be
17 two significant additions to our website on September 1st.

18 First, the search engine for equine fatalities
19 will be updated and made more user friendly with the goal
20 of providing better information and greater understanding
21 for future injury prevention.

22 Second, a racing reform recommendations' chart
23 will go live with 63 recommendations, mainly from the Santa
24 Anita report that was published earlier this year and will
25 allow all of us to track our progress in terms of pursuing

1 these ideas.

2 Financially, the final numbers in terms of budget
3 and expenses will not be finalized until next month's
4 meeting. But I can report that the CHRB is heading in the
5 right direction on that front and expects to be on sounder
6 financial footing by the end of the current fiscal year.

7 I would also like to point out that a trend that
8 racing has witnessed over the last few years has been
9 greatly accelerated since this pandemic began and that is
10 the migration of wagering dollars from brick-and-mortar
11 facilities to ADW platforms. While this has resulted in a
12 positive overall handle picture, even during COVID, it does
13 have negative consequences for several groups that rely on
14 financial support from brick-and-mortar gambling, mainly
15 healthcare for jockeys, Winners' Foundation, and
16 backstretch services. This trend will have to be addressed
17 by the industry, both in the immediate and a more general
18 sense, going forward.

19 In terms of handle, day racing experienced a 6.1
20 percent increase on the same number of programs as compared
21 to July 2019, whereas night racing experienced a 43.48
22 percent increase in handle on the same number of programs
23 as compared to this past month last year. Both of these
24 resulted in a 9.73 percent increase in overall handle as
25 compared to July 2019.

1 Finally, I'd like to acknowledge the
2 contributions of Steward John Herbuveaux. He retired on
3 July 26th after a stewarding career that started in 1983. I
4 had the opportunity to work with John on several occasions
5 and can personally attest to the immeasurable contributions
6 he made to this sport through experience, intelligence,
7 professionalism, and a sense of humor. He is admired by
8 his fellow stewards and respected by licensees for fairness
9 and judicial temper. John, simply, cannot be replaced.

10 While his everyday stewarding responsibilities
11 are ending, he will fill in from time as needed, so
12 California racing will continue to avail itself of his
13 expertise.

14 I'd like to extend a warm debt of gratitude to
15 John Herbuveaux for his excellent service.

16 And that, Mr. Vice Chairman, is my report.

17 EQUINE MEDICAL DIRECTOR ARTHUR: Mr. Chairman,
18 would you like me to start my report? This is Dr. Arthur,
19 Equine Medical Director.

20 VICE CHAIR GONZALES: Yes. Yes, please start
21 your report.

22 EQUINE MEDICAL DIRECTOR ARTHUR: Good morning.

23 VICE CHAIR GONZALES: Thank you.

24 EQUINE MEDICAL DIRECTOR ARTHUR: Good morning,
25 Commissioners.

1 The California Horse Racing Board's Necropsy
2 Program with the CAVS (phonetic) UC Davis Veterinary School
3 has been an international model for racing. It has
4 provided a better understanding of the pathophysiology of
5 sport horse injuries in general and racehorse injuries in
6 particular. The three primary objectives of the program
7 from the beginning have been to determine the nature of
8 injuries occurring in racehorses, to determine the reasons
9 for these injuries, and to develop injury prevention
10 strategies.

11 Dr. Stover's seminal research on humoral
12 fractures, published just a year or two after the program
13 started, led within a few years to the Dolly Green Nuclear
14 Imaging Facility being operational at Santa Anita. And,
15 subsequently, over 13,000 nuclear scintigraphic
16 examinations have been performed there.

17 Over the years there have been many other peer-
18 reviewed scientific papers based on the CHRB Necropsy
19 Program by Dr. Stover and many others. The most recent was
20 published last month in the Equine Veterinary Journal, an
21 internationally prestigious and the most widely read
22 veterinary medical journal for horses in the world. The
23 article describes a heretofore unrecognized bony changes we
24 see so frequently associated with proximal sesamoid
25 fractures in thoroughbreds, and Quarter Horses as well.

1 As we have discussed previous, this particular
2 lesion is not amenable to standard imaging techniques and
3 was the basis for others and myself advocating for the
4 standing CAT at Santa Anita. The goal of this work and
5 related epidemiological research is to make racing safer.
6 Research, such as this, requires outside funding to support
7 laboratory technicians and specialized instruments need to
8 do the work. And this study was funded by the Grayson-
9 Jockey Club Research Foundation.

10 We are used to dealing with heat in California
11 racing. Dry heat is easy to manage. Every few years, we
12 experience a heat wave with high humidity, as we are having
13 now. There are a number of ways to look at heat stress for
14 equine sporting events but simplest is the heat stress
15 index. The heat stress index can be calculated by readily
16 available online data that includes temperature, humidity,
17 and wind velocity.

18 Horses generate a tremendous amount of heat, even
19 during the relatively short but intense exercise during
20 racing. Horsemen are well versed with properly cooling out
21 horses after training and racing. Horses, as humans,
22 primarily remove excessive heat by sweat and evaporative
23 cooling.

24 Simple physics tell us that high humidity reduces
25 evaporation efficiency. It's a practical matter for us in

1 California. Humidity is more of a problem in the heat.

2 Horses start losing their natural ability to
3 dissipate heat with a heat stress index of around 130.
4 They cannot dissipate naturally at a heat index at or above
5 180.

6 Our tracks currently running are close to the
7 ocean. Del Mar is right on the Pacific. Golden Gate
8 Fields is on San Francisco Bay. And Los Alamitos is only
9 eight miles away from the coast and races at night when
10 it's cooler anyway.

11 While tracks and horsemen should be prepared for
12 a heat stress index over 130, heat mitigation precautions
13 need to be in place whenever heat stress index approaches
14 150. That includes strategically placed hoses for the
15 horses for both before and after the races. Ice buckets
16 with sponges in the unsaddling area, ice in the ambulance
17 and on track veterinarian vehicles, and carefully
18 monitoring for post-race signs of heat stress-related
19 problems. CHRB safety stewards and official veterinarians
20 are tasked with making sure the tracks are prepared.

21 I talked -- contacted CHRB official veterinarians
22 and safety stewards at each of our tracks and none reported
23 any heat-related issues related to this last weekend. And,
24 frankly, the heat stress index was moderate at best. I
25 think the highest projected is about 150 for this coming

1 weekend as well. And that doesn't take into account the
2 wind velocity.

3 Moving on, there were four racing fatalities and
4 one training fatality in July, and two ponies with colics.

5 For those who don't know the race track, our pony horses
6 are not ponies but full-size horses that accompany the
7 racehorse. For those who don't know horses, colic is the
8 second leading cause of death in horses in general, behind
9 only old age.

10 The new CHRB 1846.6 regulation, Postmortem
11 Examination Review, became effective on July 1st. We've
12 already completed the postmortem examination reviews with
13 trainers on six of seven of those cases, including the two
14 ponies.

15 I first proposed this regulation nearly a decade
16 ago. And I want to thank the Board and Staff for getting
17 this done. I believe it will prove to be an important
18 horse safety program.

19 As a reminder, the focus of the program is
20 educational for both the trainer and for the CHRB.

21 Turning to drug testing, in July, there were nine
22 violative samples, seven were post-race, two were working
23 for the official veterinarian, and three of nine -- three
24 of the nine, all involving nonsteroidal anti-inflammatories
25 would not have been a violation in any other state.

1 Looking back at Fiscal Year 1920 [sic], that's
2 July 1st, 2019 to June 30th, 2020, Maddy processed 8,289
3 (indiscernible) blood and urine samples, 472 post-race
4 blood samples, mostly from claimed horses, 884 post-work
5 samples, the horses working through the official vet,
6 primarily -- those were primarily blood but some urine and
7 hair, 1,896 out-of-competition samples, primarily blood but
8 some urine and hair, 343 out-of-competition samples from
9 horses during training, 590 hair samples, both post-race
10 and out-of-competition testing, 12,304 pre-race TC02
11 samples, and 95 various other samples. I'll provide more
12 detail on the Drug Testing Program in the Fiscal Year 1920
13 [sic] annual report.

14 Thank you, Commissioners.

15 VICE CHAIR GONZALES: Thank you, Dr. Arthur.

16 Scott, appreciate your report.

17 At this point, I'd like to open it up for any
18 questions by the Commissioners.

19 OPERATOR: Thank you. And once again, that is
20 star one to ask a question or make a comment, that's star
21 one.

22 VICE CHAIR GONZALES: Operator, we're going to,
23 first, open it up for any Commissioners. If there are
24 none, I have one for Dr. Arthur.

25 Dr. Arthur, I appreciate your overview, and

1 especially appreciate you making reference to the weather
2 pattern we're having of late.

3 A week or so ago there was a Jockey Club
4 Roundtable Conference on matters pertaining to racing.
5 There was a few highlight. I know you follow this closely.
6 Would you like to just briefly touch on some of the
7 takeaways from that and how it might apply to us out here
8 in California?

9 EQUINE MEDICAL DIRECTOR ARTHUR: Excuse me. I
10 muted my line.

11 The Jockey Club Roundtable, I think, is available
12 online. And I would encourage everybody to look at that
13 particular program. The whole issue of the program is
14 trying to improve racing safety and integrity. And,
15 certainly, in terms of the investigation into the drug
16 abuse that was the subject of the investigation into the
17 use of the illicit drugs back east and subject to the
18 indictments in the Southern District of New York, I think
19 highlights the need to be vigilant.

20 And as I -- and it ties into what I -- many of
21 you have heard me say before, I think that the best step
22 for integrity has been the video surveillance system that
23 we have here at Santa Anita.

24 So I do think that the direction of the industry
25 trying to improve horse safety and racing integrity, a more

1 conservation medication regulation is all a step forward.
2 And it's not only going to improve horse safety and racing
3 integrity but is vital for the survival of horse racing
4 long term.

5 VICE CHAIR GONZALES: Appreciate that. Thank
6 you.

7 Commissioners, any questions for Mr. Chaney or
8 Dr. Arthur? Okay.

9 Again, thank you for your report.

10 Operator, let's see who's in the queue. We might
11 have a comment or two.

12 OPERATOR: All right. It looks like we do have a
13 question or comment coming from Bonnie Croker.

14 VICE CHAIR GONZALES: Good morning.

15 MS. CROKER: Yes. Good morning. My comments are
16 regarding medical reports and injury follow-up protocol.

17 Referencing, first, race horse necropsies, if
18 you're able to hear me okay, I hear some static. Can you
19 hear me okay?

20 VICE CHAIR GONZALES: Yes. Very good.

21 MS. CROKER: Thank you. Thank you so much.

22 Therein reviewing the heartbreaking details of
23 stable injuries, like broken legs, severed spinal cords,
24 fractured skulls, and bleeding lungs, these death reports
25 serve as postmortem testimony to the prevalence of long-

1 term suffering that your racehorses endure.

2 For example, I've read many necropsy notes
3 referring to chronic synovitis and gastric ulcers. Sadly,
4 the ankle scanner (indiscernible) heavily but employed
5 sparsely cannot begin to reveal the chronic pain many
6 horses suffer in your industry.

7 One new trend I've noticed is the increasing
8 number of pre-race vet scratches. While it's good to see
9 your mounting concern over preexisting conditions, in
10 truth, you would have very few horses to race if horses
11 could tell you what ails them.

12 Regarding veterinarian recordkeeping, there are
13 large numbers of horses who seem to go missing in action
14 following injuries, such as those noted in stewards
15 minutes. Their profiles on Equibase show no races,
16 workouts, or other actions of any kind following their
17 injuries. They don't appear on CHRB fatalities' list.
18 Where are these horses? If anyone recognizes the few names
19 I have time to mention here, please contact the CHRB so
20 they can somehow (indiscernible) to know the fate of these
21 injured beings. The last Equibase for all was 1,820.

22 The first, Elantra (phonetic), filly, born
23 05/03/16, last raced at Santa Anita 01/10/20. She was
24 bleeding from the nostrils, pulled up in the third race,
25 and vanned off, Trainer, Richard Baltas, Owner, Lorick

1 Stables.

2 Next, Clubhouse Soda (phonetic), filly, born
3 03/18/17, last raced at Golden Gate Fields 01/16/20, went
4 wrong in the mid-stretch, did not finish. Pulled up in
5 first race and vanned off, Trainer and Owner, Debbie
6 Winick.

7 Four Gaels, spelled G-A-E-L-S, gelding, born
8 05/06/11, career starts, 61, last raced at Los Alamitos on
9 03/08/20, took an awkward on the backstretch during the
10 first race and was walked to the van, Trainer, Salvador
11 Nurajo, Owner, Silvia Soto.

12 There are countless more missing souls like these
13 amongst the community of racing enthusiasts who claim to
14 love their horses. Concerned citizens, like myself, are
15 counting on someone coming forward with information on
16 these MIAs, perhaps at the next CHRB meeting.

17 And before I conclude, I want to thank the CHRB
18 for updating their fatalities' list on their website.
19 That's really a great action on your part and it would be
20 much appreciated by concerned citizens like myself.

21 Thank you.

22 VICE CHAIR GONZALES: Now, Operator, is there
23 anyone else in the queue?

24 OPERATOR: Yes. It looks like Cliff Goodrich.

25 MR. GOODRICH: Mr. Vice Chairman, I'm actually in

1 the queue for item four, so I will wait my turn.

2 VICE CHAIR GONZALES: Thank you. Thank you for
3 being in the queue.

4 OPERATOR: Thank you. Our next -- our next --

5 VICE CHAIR GONZALES: Operator, the next. Yeah.

6 OPERATOR: The next --

7 MR. MARTEN: There are --

8 OPERATOR: -- is Jane Cartmill.

9 MR. MARTEN: -- there are seven others. Jane
10 Cartmill is next.

11 VICE CHAIR GONZALES: Okay.

12 MS. CARTMILL: The California Horse Racing Board
13 could have and should have filed an emergency petition
14 under Rule 1435 to suspend race licenses due to the serious
15 need to conserve energy during the current heatwave.
16 Recently, there have been multiple alerts statewide from
17 utility companies concerning energy conservation, consumers
18 warned of power outages and urged to restrict energy use as
19 much as possible. The Union Tribune reported that high
20 temperatures were straining the power grid and likened the
21 heatwave to one in 2006 that led to blackouts and 131
22 deaths.

23 Among recommendations from the power companies
24 for businesses were to switch off all display lights, flood
25 lights, decorative lights, cut down on water use because

1 water pumping and processing uses electricity, defer or
2 reduce all nonessential use of commercial and industrial
3 equipment. For the public, there were pleas to set air
4 conditioners a few degrees higher, use appliances before
5 2:00 or after 9:00 p.m., don't charge electric vehicles,
6 turn off pool pumps, and be aware that a time-of-use
7 surcharge is in effect. And the public and businesses
8 responded well.

9 In light of this, why did live horse racing,
10 regulated by the State of California, continue last
11 Thursday through Sunday at Golden Gate Fields in Berkeley,
12 at Del Mar here in San Diego County, and at Los Alamitos in
13 Orange County where night racing requires extra lighting?
14 All of the tracks use additional water to cool horses
15 during racing which requires pumping and uses more
16 electricity.

17 Why must residents and small businesses restrict
18 their energy use while the nonessential live horse racing
19 continues to consume energy?

20 If this heatwave continues or if there is another
21 extreme heat event ahead, race licenses should be suspended
22 in the affected areas. Racing operations should not get a
23 pass while the public and small businesses are penalized.

24 Thank you.

25 OPERATOR: Thank you. Our next question will

1 come from Martha Sullivan.

2 MS. SULLIVAN: Good morning. This is Martha
3 Sullivan from San Diego County. I wanted to share with --

4 VICE CHAIR GONZALES: Good morning.

5 MS. SULLIVAN: -- the Board members and Staff and
6 the rest of the listeners this recent news report from
7 Thoroughbred Daily news, quote,

8 "In a landmark case that could pave the way of the
9 betters to recoup gambling earnings they may have lost
10 when their picks were beaten by doped horses, a
11 harness racing horse player has received \$20,000 in a
12 settlement after he claimed he was cheated out of
13 winnings in a 2016 race at the Meadowlands.

14 "In 2018, Illinois resident and gambler Jeffrey
15 Tretter went to court in an effort to recoup over
16 \$31,000 he said he's entitled to because his bets
17 would have come in if not for his selections being
18 defeated by a horse that was racing on performance-
19 enhancing drugs. The race in question occurred on
20 January 15th, 2016, at the Meadowlands and was one by
21 Tag Up And Go. An investigation revealed that Trainer
22 Robert Bresnahan, Jr. had allegedly been training Tag
23 Up And Go with EPO. Tretter sued Bresnahan" --

24 COMMISSIONER SOLIS: What? I'm sorry --

25 MS. SULLIVAN: -- "(indiscernible)" --

1 COMMISSIONER SOLIS: -- but, Vice Chairman, what
2 this has to be with the medical report? I don't see --

3 MS. SULLIVAN: The Executive --

4 COMMISSIONER SOLIS: -- anything in common.

5 MS. SULLIVAN: -- this is in response to the
6 Executive Director's Report.

7 VICE CHAIR GONZALES: Thank you, Martha.

8 Yes, thank you.

9 MS. SULLIVAN: This is on the --

10 VICE CHAIR GONZALES: Thank you --

11 MS. SULLIVAN: -- Executive Director's Report.

12 VICE CHAIR GONZALES: -- Commissioner Solis.

13 MS. SULLIVAN: He talked about gambling.

14 VICE CHAIR GONZALES: Martha? Martha, if you
15 could just --

16 MS. SULLIVAN: Item two is --

17 VICE CHAIR GONZALES: -- wrap up your comments?

18 MS. SULLIVAN: -- the Executive Director's Report
19 and the Medical Director's Report.

20 VICE CHAIR GONZALES: You're talking --

21 MS. SULLIVAN: This is about --

22 VICE CHAIR GONZALES: -- you're talking about a
23 different --

24 MS. SULLIVAN: -- gambling.

25 VICE CHAIR GONZALES: -- you're talking about a

1 different topic, Martha. We appreciate you dialing in but
2 let's stay on topic please. You have another -- yeah, just
3 a little bit of time left --

4 MS. SULLIVAN: The Executive Director's Report --

5 VICE CHAIR GONZALES: -- to wrap up.

6 MS. SULLIVAN: -- was on handle. This is about
7 handle.

8 VICE CHAIR GONZALES: It's off topic. It's off
9 topic. This is -- I'm going to give you just another few
10 seconds to wrap up your comments and then we're going to
11 have move on --

12 MS. SULLIVAN: I also want --

13 VICE CHAIR GONZALES: -- Ms. Sullivan.

14 MS. SULLIVAN: -- to point out, I question why
15 Dr. Arthur always discounts the CHRB's rules on drugs when
16 he specifies that in other states of violation of CHRB's
17 Rules would not happen.

18 VICE CHAIR GONZALES: Thank you, Martha.

19 Operator -- and that's on topic. I appreciate you
20 understand, Martha.

21 We have four or five others, Operator. The next
22 caller, please, the next public comment period.

23 OPERATOR: Thank you. Our next comment will come
24 from Tony Falcone.

25 MS. FALCONE: Hi. I have a question and comment

1 for not only Executive -- I'm sorry, Medical Director
2 Arthur but the other veterinarians on staff in California,
3 as well as Dana Stead, William Farmer, Alana Vail
4 (phonetic), Lori Bohannon, as well as others.

5 My question is I know that you did not have an
6 oath to do no harm, as doctors do, but you do have a
7 veterinarians oath that reads,

8 "Being admitted to the profession of veterinary
9 medicine, I solemnly swear to use my scientific
10 knowledge and skills for the benefit of society
11 through the protection of animal health and welfare,
12 the prevention and relief of animal suffering, the
13 conservation of animal resources, the promotion of
14 public health, and the advancement of medical
15 knowledge. I will practice my professional
16 conscientiously, with dignity, and in keeping with the
17 principles of veterinary medical ethics. I accept, as
18 lifelong obligation, the continual improvement of my
19 professional knowledge and competence."

20 I'm wondering how running thousand-pound horses
21 onto bones described by Dana Stead as the size of small
22 walnuts in 90-degree temperatures and participating in the
23 killing of horses on a daily basis fits into that oath?

24 Thank you.

25 VICE CHAIR GONZALES: We'll take that as a

1 comment. Thank you.

2 Operator, next person.

3 OPERATOR: Thank you. Our next comment will come
4 from Dr. Wayne Johnson.

5 MR. JOHNSON: Thank you very much, Commissioner.

6 Question for Dr. Arthur, if he'll answer it. How
7 hot does it have to get before you stop racing these
8 horses?

9 Thank you, Commissioner.

10 VICE CHAIR GONZALES: We'll take that as another
11 comment. Thank you.

12 OPERATOR: Thank you. Our next comment will be
13 from Joe Kaplan.

14 MR. KAPLAN: Yes. Thank you. I'd also like to
15 comment on racing during the hot summer months as record-
16 breaking summer temperatures are the new normal.

17 I'm a Paulick Report article from 2015, Dr.
18 Fernanda Carmago, Equine Extension Professor at the
19 University of Kentucky, said,

20 "When a horse's body temperature reaches 105 degrees
21 Fahrenheit the blood supply to the muscles will begin
22 to shut down. Therefore, the blood supply to the
23 intestines and kidneys will also shut down. The brain
24 and the heart are the last ones but severe and
25 permanent damage may have already taken place."

1 How hot is too hot to force horses to run against
2 their will and risk heatstroke and death?

3 A friend of mine, who is also very concerned
4 about the health of horse racing in the heat, recently
5 emailed CHRB Communications Officer Mike Marten about
6 racing in the heat. He forwarded a .pdf to her [sic] with
7 a heat stress index chart from 3:00 p.m. on July 3rd, 2013,
8 from races at Del Mar, Pleasanton, Hollywood Park, Santa
9 Anita, and Los Alamitos, with heat stress index numbers
10 between 156 and 172. But those chart numbers probably
11 aren't just temperature and relative humidity added
12 together, they seem much too high, because Death Valley, at
13 125 degrees and 10 percent humidity, would have a lower
14 number.

15 So it's still a mystery to us as to exactly how
16 hot is too hot for these poor horses to be racing at
17 California tracks?

18 Thank you.

19 VICE CHAIR GONZALES: Next speaker.

20 OPERATOR: Thank you. Our next comment will be
21 from Oscar de la Torre.

22 MR. DE LA TORRE: Yes. Oscar de la Torre here,
23 worker advocate.

24 Just want to commend the Executive Director for
25 his report and in terms of being more transparent with the

1 accidental horse racing fatalities. Having that
2 information online, I think, goes a long way in terms of
3 expanding our transparency. And I just want to commend the
4 CHRB and the Executive Director for making that happen.

5 Thank you.

6 VICE CHAIR GONZALES: Thank you.

7 OPERATOR: Thank you. And our next comment will
8 be from Nancy Mitchell.

9 MS. MITCHELL: Hi. Good morning to the Board and
10 everybody, listeners. Can you hear me okay?

11 VICE CHAIR GONZALES: Yes, we can.

12 MS. MITCHELL: Okay. Thank you. I'll proceed.

13 I noticed that the CHRB did have a heat index
14 guideline with reference to racing in hot weather. But I
15 was a little surprised to find out that they really didn't
16 have a specific protocol.

17 After reviewing a few other states, for example,
18 I have one here from New York Gaming Commissioner, Scotty
19 Palmer, who is the Equine Medical Director there, and they
20 have issued more stringent requirements for racing in hot
21 weather. Now, understandably, they have higher humidity
22 than we do in California. But I think, like the question
23 that's been raised, how hot is too hot?

24 We are exceeding excessive temperatures here,
25 particularly Southern California, some days of over 110

1 degrees. During high-intensity exercising the rectal
2 temperature or a horse may increase to 103 degrees
3 Fahrenheit, and going up to 105 is considered a dangerous
4 situation, and it stresses, they require immediate
5 veterinary attention.

6 It goes on to say, and I will not read the whole
7 thing for the purposes of time, but there needs to be
8 constant monitoring if they absolutely have to race the
9 horses in this type of weather, which, of course, most of
10 us are highly skeptical they do. But, again, the horses
11 need to be monitored. There needs to be water available,
12 ice-cooling stations. And ambulance needs to be standing
13 by.

14 And, again, there needs to be a more sound
15 protocol for these type of situations. And I just feel
16 that --

17 VICE CHAIR GONZALES: Thank you.

18 MS. MITCHELL: -- you know, I'm a little
19 surprised that California doesn't have one but I strongly
20 urge the CHRB to be doing strict, very strict, monitoring.
21 And if the track --

22 VICE CHAIR GONZALES: Thank you for your comment.

23 MS. MITCHELL: -- (indiscernible) monitoring the
24 horses prior to, during, and after the race. And they need
25 to be there to treat any horse experiencing even minor

1 signs of heat exhaustion. Of course, unfortunately, major
2 signs may be after the fact.

3 But, again, the safety of the horses and the
4 jockeys, too, for that matter, need to be monitored in this
5 heat. And it just seems to me --

6 MS. MITCHELL: Thank you, sir.

7 MS. MITCHELL: -- that for the sake of everything
8 going on, racing can be suspended during an exceptionally
9 hot heatwave.

10 Thank you very much.

11 VICE CHAIR GONZALES: Appreciate your time.

12 Operator, next.

13 OPERATOR: I'm showing now further comments at
14 this time.

15 VICE CHAIR GONZALES: Thank you.

16 Dr. Arthur, Scott, appreciate your reports.

17 Item number three, Race Dates Committee Report.

18 Yesterday, Commissioner Mitchell and I convened a
19 Race Dates Committee meeting.

20 I want to, again, thank Dr. Ferraro for allowing
21 me to serve as Chair. I also want to wish Dr. Ferraro a
22 speedy recovery.

23 Yesterday's meeting lasted about an hour-and-a-
24 half. We heard from industry leaders and stakeholders
25 about 2021 race dates in Northern California and Southern

1 California. And after my brief comments, I'm going to turn
2 it over to Scott, just to get his thoughts.

3 But this is a very important conversation that
4 usually happens right around this time of the year. There
5 seem to be complete agreement on all those that presented
6 that 2021, if it has an of the uncertainty that experienced
7 this year, could require proper coordination and
8 communication.

9 Some of the key highlights on the Northern
10 California end were whether fairs will be allowed to race,
11 whether fans will be present? The leadership at Golden
12 Gate made it clear that they would be willing to
13 accommodate and work with any of the fairs if there were
14 any changes in venue that would not allow racing.

15 We also heard from Southern California interests.
16 They have been meeting regularly, which we, Commissioner
17 Mitchell and I, applaud and always encourage. Other than a
18 conversation, and perhaps a little bit of disagreement on a
19 two-week gap between Los Alamitos and Del Mar, there seems
20 to be agreement.

21 Commissioners, we decided at yesterday's meeting
22 not to take up a formal vote in any kind of a way. This
23 particular item on the agenda will not require you to act
24 or to vote either. We do plan on taking this item up at
25 the September meeting.

1 But among some observations that were made was
2 the longstanding discussion around ADW. Particularly when
3 racing is not happening, it's the racetracks ability to
4 generate revenue without any live racing.

5 I was asking about breaks that happen and what
6 happens at the end of one meet if we can make sure that
7 we're being very much aware that there can sometimes be
8 race cards that go over nine races? On the other hand, a
9 meet that is about ready to start could frontload their
10 card as well. So if we really are going to allow for a
11 break in between meets, that we consider the safety of
12 horses, that we consider any lack of revenue sharing
13 amongst the horsemen, whether they're -- and any of the
14 frontside workers as well.

15 Among other things that were mentioned was that
16 2021, Del Mar will be hosting the Breeders' Cup. There
17 will -- well, we hope there will be a Triple Crown series,
18 we just don't know when that will be.

19 It is also important to mention that under the
20 powers and authorities of the Senate Bill 469, we could see
21 a change if we ever have to exercise those authorities.

22 There was a public comment period towards the
23 end. And I'll jut kind of, just briefly, touch on some of
24 those items. But we also heard from the TOC. We heard
25 from CTT. We heard from the SEIU leadership. And we also

1 had plenty of input from the leadership of fairs. Becky
2 from Santa Rosa was not able to participate because of
3 matters she had to attend to her that are impacting her
4 area and the Santa Rosa facility as an emergency location.

5 During the public comment period we -- it was --
6 we heard references to horse safety, the need for a unified
7 calendar, monitoring and tracking of horses, and also the
8 importance of communicating with other states that border
9 California to make sure that when horses leave the borders,
10 that we know where they're at and how well they're doing.

11 So that sums up my report. What we should be
12 expecting will be some ongoing meetings and conversation,
13 as Commissioner Mitchell and I encourage the parties to do,
14 especially where there may be, you know, just some
15 disagreement.

16 But I will say, and you know, this is -- it was
17 only my second meeting with the Race Dates, that I feel
18 that we've come a long way in terms of really understanding
19 all of the different dynamics, some of the history that
20 exists. I mentioned before about the many one-on-one
21 conversations that Scott and I had, just to get a sense of
22 what we could do, not only as bridge builder but
23 facilitators, and make sure that race dates are done in a
24 very transparent and aboveboard way.

25 Commissioner Mitchell, I don't know if you have

1 anything to add to the report? But if you do, please, you
2 know, please let us know.

3 COMMISSIONER MITCHELL: Okay. No. Thank you for
4 your thorough report. And I look forward to, you know,
5 getting this resolved and looking for a long-term solution.

6 VICE CHAIR GONZALES: Thank you.

7 Scott, I don't know if you want to touch on
8 anything? If so, the floor is yours.

9 MR. CHANEY: Thank you, Mr. Vice Chairman. Yeah,
10 I'll keep my comments brief.

11 So of a specific -- with respect to specifics, it
12 appeared from the meeting that both Northern California and
13 Southern California, with the exception of some minor weeks
14 kind of here and there, that the, you know, the schedule is
15 generally agreed upon. You know, the Committee might have
16 to make some harder decisions with respect to those like
17 specific weeks.

18 And then more generally, it was interesting, I
19 mean, mostly the TOC and a few of the associations brought
20 up the need for kind of a larger look at sort of the racing
21 model and how we assign dates and kind of a global picture,
22 which is probably important to say.

23 And then the last sort of general picture would
24 be this concept of breaks, a week off before and/or after
25 meets start. This year the intent was to have those, to a

1 certain extent, both at Del Mar and through flex dates at
2 Santa Anita. But that model, obviously, sort of changed
3 once COVID hit and, you know, most of the tracks were off
4 for six weeks in general.

5 So it was a good first discussion. I'm hopeful
6 that maybe another meeting will sort of -- and some smaller
7 ones in between will lock down the dates for next year.

8 And then I know the Committee is interested in
9 kind of looking at a multi-year plan, which would be very
10 helpful.

11 Thank you, Mr. Vice Chairman.

12 VICE CHAIR GONZALES: Thank you.

13 Item number four, Amanda, if I could turn it over
14 to you?

15 And I have a feeling we still have Cliff, who's
16 going to be making comments on this. He should be in the
17 queue, Operator.

18 But, Amanda, I'll turn this over to you.

19 MS. DRUMMOND: Yeah. Good morning,
20 Commissioners. Amanda Drummond, Policy Regulations and
21 Administrative Hearings Manager with the CHRB.

22 Pursuant to Board Rule 2049, Designation and
23 Approval of Horsemen's Welfare Fund, the CTHF has requested
24 Board approval of the nominated members to its Board of
25 Directors.

1 There was a clarification in the staff analysis I
2 want to make. So the CTHF is requiring approval of three
3 individuals. They are incumbents who are being reelected,
4 so that does require Board approval. But Ms. Millie
5 Yakteen, who is identified in the analysis, she is actually
6 appointed to the Advisory Board, and this does not require
7 Board approval.

8 So the three Directors that are being reelected
9 to the CTHF Board are Angie Carmona, Dr. Victor Levine, and
10 Eric Sindler.

11 VICE CHAIR GONZALES: Well, thank you.

12 Before we go any further with this agenda item, I
13 believe Commissioner Castellanos has a comment to make
14 pertinent to this agenda item.

15 COMMISSIONER CASTELLANOS: Yes, sir. Thank you
16 very much.

17 Due to the fact that I sit on the CTHF, I will
18 recuse myself from this item.

19 VICE CHAIR GONZALES: Thank you very much.

20 Okay, we can continue.

21 MS. DRUMMOND: That's all I had to say, Vice
22 Chairman.

23 VICE CHAIR GONZALES: Okay.

24 MS. DRUMMOND: If you want to -- if Cliff has
25 anything he wants to add?

1 VICE CHAIR GONZALES: Yes. Thank you.

2 Cliff, are you still on the line?

3 Operator, you may want to let Cliff Goodrich
4 through.

5 OPERATOR: Mr. Goodrich, if you could press star
6 one so we could open your line, star one?

7 VICE CHAIR GONZALES: Okay.

8 MR. GOODRICH: Mr. Vice Chair, can you --

9 OPERATOR: Mr. Goodrich?

10 MR. GOODRICH: -- can you hear me? Yes?

11 VICE CHAIR GONZALES: Yes, we can. Yes.

12 MR. GOODRICH: Okay. Thank you, Mr. Vice Chair
13 and Commissioner.

14 As Amanda said, this is something by rule we do
15 annually. The three directors, who are incumbents, their
16 background information is in the packet. Dr. Levine is a
17 retired emergency room physician after 38 years. Angie
18 Carmona works for the CTT and is very involved in the
19 Grayson Foundation. And Eric Sindler works for The
20 Stronach Group. He's an attorney that helps us a lot in
21 our small, little organization.

22 The reason I cited Millie Yakteen, who Amanda
23 mentioned, is Vice Chair Gonzales and, I think, one or two
24 other Commissioners noted a couple meetings ago our lack of
25 diversity on our Board, especially gender diversity. And

1 because of the coronavirus, we have been comprised. We are
2 not able to interview people in person. We're not able to
3 conduct clinic tours. And so the Nominating Committee and
4 the Board decided it was best to wait until things returned
5 to whatever the new normal will be when we can have face-
6 to-face contacts and do appropriate interviews.

7 But I did interview Ms. Yakteen before the virus
8 broke out. Our Advisory Board is a natural stepping stone
9 to the Board. It allows time for both the candidate and
10 ourselves to get better acquainted, make sure they still
11 have an interest in our foundation, and make sure our
12 directors would welcome them. So I think we can look
13 forward to seeing Ms. Yakteen's name in nomination, along
14 with our continued effort to provide the diversity that
15 Vice Chair Gonzales recommended.

16 So with that, I would ask for approval of the
17 three directors who are nominated for a new three-year term
18 versus the old two-year term.

19 VICE CHAIR GONZALES: Thank you, Cliff.

20 Board, do we have a motion to approve this
21 measure?

22 COMMISSIONER MITCHELL: This is
23 Commissioner Mitchell. I move that we approve this item.

24 VICE CHAIR GONZALES: Is there a second?

25 COMMISSIONER SOLIS: Alex Solis seconds.

1 VICE CHAIR GONZALES: Thank you. And discussion?

2 MR. CHANEY: And, Vice Chairman Gonzales, this is
3 Executive Director Scott Chaney.

4 I think we probably need to do public comment
5 just before the Board votes.

6 VICE CHAIR GONZALES: Okay.

7 COMMISSIONER MITCHELL: Right. That.

8 VICE CHAIR GONZALES: Operator?

9 OPERATOR: And it does look like we have one
10 public comment. And, again, that's star one to ask a
11 comment -- or ask a question or have a comment.

12 We do have Dr. Wayne Johnson.

13 MR. JOHNSON: Yes. Thank you very much,
14 Commissioner Gonzales. You took no public comment on item
15 number three. I wanted to make a comment on item three.

16 VICE CHAIR GONZALES: Sir --

17 MR. JOHNSON: I wanted to thank you for your --

18 VICE CHAIR GONZALES: -- I've got to correct you,
19 sir. You know, I want to just be respectful here.
20 Yesterday's Race Committee meeting, we had plenty of public
21 comment. If you'll look at the agenda, because we're not
22 taking any action, you're going to have to save your
23 comment for race dates for the September meeting. Again,
24 really appreciated you. I think you dialed in yesterday
25 and made a comment towards the end.

1 So if you have something related to the report
2 that was given by Amanda and Cliff in number four, you're
3 free to do that. If not, we could --

4 MR. JOHNSON: Look --

5 VICE CHAIR GONZALES: -- we could wait until the
6 end of this meeting to hear what you've to go say about
7 race dates.

8 MR. JOHNSON: I have nothing to say about number
9 four. But aren't you required to take public comment on
10 each agenda item?

11 VICE CHAIR GONZALES: This was a report. I mean,
12 we took -- I -- we took comments yesterday. With all due
13 respect, we're going to have to move on.

14 Operator, is there anyone in the queue related to
15 agenda item number four?

16 OPERATOR: Yes. It looks like we have Oscar de
17 la Torre again.

18 Please go ahead.

19 VICE CHAIR GONZALES: Okay. Welcome back, Oscar.

20 MR. DE LA TORRE: Yes. Yes. Hi. I want to
21 commend the Board for making sure that we are more
22 inclusive and that we have more diversity, especially
23 women, you know, on the California Thoroughbred Horsemen's
24 Foundation. And it's commendable that we're thinking that
25 way, that we're finding a way to be more inclusive, and

1 diversity is our strength. So I want to commend the Board
2 for considering that important aspect of nominating and
3 bringing people on the Foundation Board.

4 Thank you.

5 VICE CHAIR GONZALES: Thank you, Mr. de la Torre
6 Operator, is there anyone else in the queue --

7 OPERATOR: I'm showing no further --

8 VICE CHAIR GONZALES: -- related to item number
9 four?

10 OPERATOR: -- I'm showing no further comments at
11 this time.

12 VICE CHAIR GONZALES: Okay. Thank you.

13 If it's okay with the Board, we had Commissioner
14 Mitchell make a motion, and I believe it was Commissioner
15 Solis that made a second. Does that still stand, Solis,
16 Mitchell?

17 COMMISSIONER SOLIS: Yes.

18 COMMISSIONER MITCHELL: Yes, sir.

19 VICE CHAIR GONZALES: Okay. Great. Any
20 discussion from the Board on this item? Okay, we'll do a
21 quick roll here.

22 Alfieri, on agenda item four?

23 COMMISSIONER ALFIERI: Yes.

24 VICE CHAIR GONZALES: Okay. Castellanos has
25 abstained. Appreciate that.

1 Commissioner Mitchell?

2 COMMISSIONER MITCHELL: Aye.

3 VICE CHAIR GONZALES: Commissioner Solis?

4 COMMISSIONER SOLIS: Yes.

5 VICE CHAIR GONZALES: And Commissioner Gonzales
6 is also an aye for the record. Thank you.

7 Agenda item number five, discussion and action by
8 the Board regarding Fasig-Tipton's request for
9 authorization of its upcoming horse sale, pursuant to CHRB
10 Rule 1807, Authorized Horse Sales.

11 Do we have Francisco Gonzales, CHRB Audit
12 Supervisor, with us?

13 MR. GONZALES: Yes. Francisco Gonzales, CHRB
14 Staff.

15 Vice Chairman, Board Members, this is a request
16 from Fasig-Tipton seeking Board approval of its upcoming
17 horse sale at Fairplex in Pomona. We have Mike Machowsky,
18 a representative of Fasig-Tipton, available to answer any
19 questions the Board may have regarding this request for
20 approval.

21 VICE CHAIR GONZALES: Okay.

22 Okay, Operator, could you check to see if Mr.
23 Machowsky is on the line?

24 OPERATOR: Yes, sir, one moment.

25 And, Mr. Machowsky, could you please press star

1 one so we can open your line, star one? Thank you.

2 MR. MACHOWSKY: Commissioners, this is Mike
3 Machowsky.

4 VICE CHAIR GONZALES: Yeah. You're on. Thank
5 you for joining us. And appreciate the letter that was
6 sent.

7 MR. MACHOWSKY: And thank you for having us on.

8 Yeah, we have our sale scheduled at Fairplex for
9 October 19th out there. We have about 300 horses entered
10 in the sale.

11 VICE CHAIR GONZALES: Okay. Great.

12 MR. MACHOWSKY: And we've also --

13 VICE CHAIR GONZALES: Thank you.

14 MR. MACHOWSKY: -- submitted a protocol to the
15 L.A. County Health Department, also, and waiting, you know,
16 and waiting for approval or authorization from them as
17 well.

18 VICE CHAIR GONZALES: Excellent. Is there anyone
19 else showing that would like to make any comment?

20 MR. MACHOWSKY: No.

21 VICE CHAIR GONZALES: Okay.

22 Any questions from the Board for Mr. Machowsky,
23 before we open it up for public comment? Okay.

24 Thank you. You answered my question in terms of
25 the number being made available. So, Mr. Machowsky, what's

1 the breakdown, just percentage-wise, between Cal Breds and
2 others?

3 MR. MACHOWSKY: The majority are Cal Breds. We
4 have -- it's a pretty group of horses. We have -- quite a
5 few of the breeders in California have stepped up and been
6 buying, you know, mares in Kentucky that are foaled of
7 Kentucky sires and bringing them up and making them Cal
8 Bred eligible. And we also have guys who have been
9 sending, you know, quality mares back to Kentucky, breeding
10 them, you know, with high-end stallions and bringing them
11 out here and (indiscernible).

12 So we have a -- you know, I don't know the exact
13 percentage, but I would say, you know, just guessing off
14 the top of my head, you know, I'd say probably 80 percent
15 of them are Cal Breds, maybe more.

16 VICE CHAIR GONZALES: Great. We appreciate it.
17 We're going to open it up for public comment.

18 But my only other -- it's not a question, it's a
19 comment, if you do any kind of a written analysis after, it
20 would be great if you shared with Scott Chaney so he could
21 pass that along to the Commission?

22 MR. MACHOWSKY: Okay.

23 VICE CHAIR GONZALES: And if there's ever
24 anything that we can do to help, you know, any, in any
25 operation or help if it's trying to, you know, further

1 California racing, you know, in the manner that you're
2 doing, you know, it needs to be recognized. So, again,
3 thanks for what you're doing.

4 MR. MACHOWSKY: Okay. Thank you.

5 VICE CHAIR GONZALES: Operator, who do we have in
6 the queue related to the upcoming sale scheduled for
7 October 19th at Fairplex.

8 OPERATOR: Thank you. It looks like we have a
9 comment coming from Bonnie Croker.

10 MS. CROKER: Yes. Good morning again. It was so
11 --

12 VICE CHAIR GONZALES: No. Bonnie, I just wanted
13 to say --

14 MS. CROKER: -- it was so nice to --

15 VICE CHAIR GONZALES: -- before you get started,
16 Bonnie --

17 MS. CROKER: Yes.

18 VICE CHAIR GONZALES: -- in all fairness --

19 MS. CROKER: Yes. Uh-huh.

20 VICE CHAIR GONZALES: -- if it's related, this is
21 a very specific issue related to a sale. It's about, you
22 know, it's going to generate jobs, it's going to really
23 make sure that, you know, Cal Breds and the connections are
24 showcased. So if it's related to this, we're going to
25 listen to you.

1 MS. CROKER: Yes.

2 VICE CHAIR GONZALES: Please continue.

3 MS. CROKER: Yes. Thank you. Well, thank you
4 for clarifying. I appreciate it. And feel free to
5 interrupt me if you feel I am straying off topic. I think
6 I've prepared adequately.

7 VICE CHAIR GONZALES: Please state --

8 MS. CROKER: With so much uncertainty --

9 VICE CHAIR GONZALES: -- please continue.

10 MS. CROKER: Thank you. With so much uncertainty
11 regarding the future of horse racing in California, why are
12 we going out of our way to bring horses in from other
13 states and from other countries? Since we keep hearing
14 about your love of horses, why not take care of the ones
15 that are already here before bringing in more?

16 The natural life expectancy of a horse is 30
17 years. The majority of racehorses appear to be done with
18 their careers by the age of five.

19 You've said that closing tracks due to COVID-19
20 is harmful because there are so many horses to take care
21 of. So why is this horse sale request even on the table?

22 Reading a quote from Commissioner Fred Maas on
23 09/19/19 CHRB meeting, "'And just to put some things into
24 perspective,' said Maas, 'last, year, 2018, about 19,000
25 horses were born -- actually, the foal crop, about half of

1 those will never make it to the track, and of the remaining
2 half, probably another half won't race more than once if
3 they race at all.'"

4 So that is 9,500 horses who will never make to
5 the track. Of the remaining 9,500, 4,750 won't race more
6 than once if they race at all. Where are all these horses?

7 Isn't it shameful and responsible --
8 irresponsible, excuse me, to import even more horses from
9 out of state when the ones in California are not all
10 accounted for?

11 If you love horses, you'll do whatever it takes
12 to make sure that each and every single California horse is
13 cared for, for the entire natural course of his or her
14 life, which is upwards of 30 years, including the horses
15 who are not the best runners or who do not want to race at
16 all.

17 Thank you so much for this opportunity to speak.

18 VICE CHAIR GONZALES: Appreciate you staying on
19 topic.

20 Operator, do we have anyone else in the queue
21 related to this topic?

22 OPERATOR: Yes. It looks like our next comment
23 will be from Martha Sullivan.

24 MS. SULLIVAN: Yes. Hello. This is --

25 VICE CHAIR GONZALES: Martha, you're on.

1 MS. SULLIVAN: -- Martha Sullivan from San Diego
2 County again. I want to express my support for the
3 comments from Bonnie Croker just now.

4 With all the talk that we've heard this year
5 about how the industry can't take of the horses it has
6 unless it races, I think it's absolutely, totally
7 irresponsible to bring more horses into California, into
8 the industry. Even if they're, quote, "qualified as Cal
9 Breds," they've been bred via Kentucky, it sounds like to
10 me, even though they're in some, you know, qualification to
11 call them Cal Breds. It's just irresponsible when, on the
12 one hand, you talk about there's too many horses, you know,
13 that have to be cared for if racing can't continue. It just
14 boggles my mind.

15 VICE CHAIR GONZALES: Understood. Understood,
16 Ms. Sullivan. Thank you.

17 Operator, is there anyone else in the queue
18 related to this agenda item number five?

19 OPERATOR: I'm showing no further comments at
20 this time.

21 VICE CHAIR GONZALES: Okay, at this point, I'd
22 like to come back to the Board. Do we have a motion to
23 approve the upcoming sale at Fairplex?

24 COMMISSIONER SOLIS: I, Alex Solis, move to
25 approve the Fasig-Tipton sale.

1 COMMISSIONER ALFIERI: I'll second.

2 VICE CHAIR GONZALES: Is there a second?

3 COMMISSIONER ALFIERI: Alfieri.

4 VICE CHAIR GONZALES: Any discussion? Okay.

5 Commissioner Alfieri?

6 COMMISSIONER ALFIERI: Yes.

7 VICE CHAIR GONZALES: Commissioner Castellanos?

8 COMMISSIONER CASTELLANOS: Yes.

9 VICE CHAIR GONZALES: Commissioner Mitchell?

10 COMMISSIONER MITCHELL: Yes.

11 VICE CHAIR GONZALES: Commissioner Solis?

12 COMMISSIONER SOLIS: Yes.

13 VICE CHAIR GONZALES: And I, Commissioner

14 Gonzales, also votes aye. Thank you.

15 I can now move to agenda item number six,
16 discussion and action by the Board regarding the ??
17 request for an exemption to obtain a fire clearance
18 approval for Los Alamitos Horse Racing Association.

19 Amanda, you're back up.

20 MS. DRUMMOND: Yeah. Good morning,

21 Commissioners. Amanda Drummond again.

22 So Board Rule 1937, Fire Prevention, specifies
23 that a written fire clearance from the fire authority
24 having jurisdiction over the racing and stabling areas must
25 be submitted to the Board before any license shall be

1 granted. The written clearance shall certify that an
2 inspection has been made of the inclosure and any
3 additional location where any excess number of horses will
4 be stalled, and that the facilities conform to the standard
5 of fire safety outlined in Board Rule 1927.

6 LATC II and Del Mar Thoroughbred Club both filed
7 applications to conduct horse race meetings -- horse race
8 meets and specified in their applications that they utilize
9 Los Alamitos Race Course for auxiliary stabling.

10 Los Alamitos submitted a fire clearance letter.
11 However, the fire clearance submitted by Los Alamitos does
12 not comply with certain provisions outlined in Board Rule
13 1927. Specifically, Board Rule 1927 provides that the fire
14 safety inspection shall be conducted within 45 days of the
15 race meet commencement. Additionally, the fire clearance
16 must explicitly state that the inspection ensure that the
17 fire safety provisions complied with Board Rules and
18 Standards described in Board Rule 1927.

19 Additionally, Rule 1927 provides for racing
20 associations to request an exemption or extension to the
21 fire clearance. As a result of all this, Los Alamitos has
22 requested an exemption to obtain a fire clearance that is
23 compliant with Board Rule 1927, and that's included in the
24 packet for consideration.

25 VICE CHAIR GONZALES: Thank you. Thank you,

1 Amanda.

2 Operator, we're going to open it up. The
3 respective party from Los Alamitos, good chance they're
4 going to be dialing in.

5 But before we open up that line, are there any
6 questions from the Board to Amanda about this item? Okay.
7 Thank you.

8 Operator, let's go ahead and open up the line.

9 OPERATOR: Thank you. And it looks like our
10 first comment will come from Frank Sherren.

11 MR. SHERREN: Good morning, Commissioners.

12 VICE CHAIR GONZALES: Frank.

13 MR. SHERREN: This is Frank Sherren. Can you
14 hear me?

15 VICE CHAIR GONZALES: Thank you. Can you give
16 your title? We -- yeah, we know you're at Los Al. Give
17 your title for the group. We got your letter. Just want,
18 just for the record, for the minutes, your title, along
19 with your name, Frank. And thanks for, again, thanks again
20 for the communication you sent.

21 MR. SHERREN: Thank you. Thank you for the
22 opportunity. My name, again, is Frank Sherren. I am the
23 Facilities Manager here at Los Alamitos Race Course. I've
24 been on staff since 1995. Part of my piece here at the
25 race course is to keep all the regulatory agencies that we

1 deal with, keep the race course in compliance, and that
2 includes fire and life safety.

3 VICE CHAIR GONZALES: Okay. Thank you. Do you
4 want to elaborate on anything as it relates to this agenda
5 item?

6 MR. SHERREN: Yes. Thank you. By the way, I'm
7 here with Cathy Monji, our President.

8 VICE CHAIR GONZALES: Hi Cathy.

9 MR. SHERREN: And --

10 MS. MONJI: Hi.

11 MR. SHERREN: Hi. Board Rule 1927 does allow us
12 to request an exemption. And in this case, the barns that
13 we're discussing are explained in the letter that I
14 submitted, legal noncompliance structures in the eyes of
15 the fire authority.

16 So as you guys are well aware, each year we have
17 not only fire inspections conducted by the Orange County
18 Fire Authority, we also have -- CHRB has a housing
19 requirement that we do annually with participants from the
20 race course, including janitorial, CHRB officials, and a
21 building official from the City of Cypress and the Housing
22 Authority. So all those inspections are conducted on an
23 annual basis. And as you know, we are currently, and have
24 been for a number of years, completely in compliance with
25 all the regulatory agencies.

1 So I'm happy to answer any questions.

2 VICE CHAIR GONZALES: Well, thank you. If you
3 could just sit tight?

4 Scott, do you want to elaborate on anything? I
5 know there's going to be a follow-up agenda item.

6 But, again, in the letter that you sent, Frank --
7 this is Commissioner Gonzales -- there was a letter by the
8 Orange County Fire Authority dated July 1st that said
9 you're cleared, Los Alamitos is cleared, up until the end
10 of 2020. So I do appreciate the written correspondence.

11 Scott, is there anything you want to -- and I've
12 go to, again, commend you, Scott. I just want to make
13 sure, for anybody who is going to weigh in on the public
14 comment then, that we are taking fire safety extremely
15 seriously. This Board, together with Scott Chaney and his
16 staff, are making sure that all the Ts are crossed and all
17 the Is are dotted.

18 So, Scott, I don't know if you want to just
19 reference, you know, your approach, what you're doing? And
20 then we can then open it up for public comment and then any
21 questions from the Board.

22 MR. CHANEY: Thank you, Mr. Vice Chairman. I
23 will.

24 So Regulation 1927 is quite old. And to be fair,
25 probably outdated to a certain extent. Staff and I are

1 working on some new language. And, hopefully, we'll have a
2 suggested new regulation to the Board in the next meeting
3 or two.

4 In terms -- and the goal will be to maintain the
5 same amount of fire safety but, at the same time, make it
6 less burdensome on tracks. I mean, what we're learning is
7 that it's just not possible to get -- you know, Golden Gate
8 Fields, for example, runs three different meets each year.
9 And so this requirement of getting a fire clearance 45 days
10 before the start of each meet is not only burdensome but
11 impossible because fire authorities are just too busy,
12 which is, you know, made no more clearer than sort of the
13 current situation in California.

14 So provisions like that are burdensome and,
15 actually, don't really add anything in terms of fire
16 safety. So we're coming up with a new regulation that will
17 actually, probably, make it a less burdensome on tracks
18 but, at the same time, maintain the same amount of fire
19 safety.

20 So we're trying to, you know, strictly enforce
21 the provisions of 1927. And so that's why the Board has
22 received these, sort of a series of fire clearance issues.

23 With respect to Los Alamitos, they're applying
24 for, too, this exemption from the 45-day requirement,
25 because not only do they run their, you know, their Quarter

1 Horse meet for the entire year, but they also serve as an
2 auxiliary training facility. So these same provisions, in
3 terms of 45 days and so on, also apply to auxiliary
4 training facilities. So in terms -- so they are asking for
5 an exemption.

6 And Santa Anita, later in the agenda, will need
7 that same exemption to the extent that, you know, the
8 fire -- the latest fire clearance, you know, was conducted
9 when the meet originally opened.

10 More importantly, I think there is another
11 compliance issue with respect to reasonable fire safety in
12 1927, and that's with respect to sprinklers. And you can
13 see in the agenda packet that they're asking for an
14 exemption on that front as well.

15 So that's kind of a brief sort of history on why
16 we're here. And this will also apply to the following
17 agenda item when we get to San Luis Rey Downs.

18 VICE CHAIR GONZALES: Okay. And, Scott, this is
19 Oscar. The barns at Los Alamitos, I know you spent some
20 time there, how would you describe their composition in
21 terms of material structure?

22 MR. CHANEY: Yeah. I think Frank Sherren can
23 probably give a little -- a much more accurate description
24 than I can. There are two types of barns. And, obviously,
25 like it's changed over time. There are some newer barns

1 that were built for thoroughbreds when they expanded their
2 track a few years ago. And then sort of original barns
3 from Quarter Horse racing that's been going on for a long
4 time.

5 So in terms of exact materials, I wish I could --
6 I was completely up to speed. But I'm sure Frank can you
7 give the exact sort of breakdown in terms of number of
8 stalls, what kinds of barns, and how -- you know, the fire
9 safety measures that they undertake.

10 I should point out to the Board that this is not
11 a new issue, it's just it's new to the CHRB because we're
12 requiring the request for exemption. So I really
13 appreciate the tracks, all of the associations sort of
14 cooperation as we go down this road.

15 VICE CHAIR GONZALES: Okay. Well, we'll go to
16 public comment at this time.

17 Operator or Mike Marten, who do we have in the
18 queue?

19 MR. SHERREN: Did you want me to --

20 VICE CHAIR GONZALES: And how many?

21 MR. SHERREN: Excuse me. This is Frank Sherren.
22 Did you want me to explain --

23 VICE CHAIR GONZALES: Yes. Yes, please.

24 MR. SHERREN: -- just prior to that?

25 VICE CHAIR GONZALES: Yeah. If you could, Frank,

1 yes? If you could, please?

2 MR. SHERREN: I'd be happy to.

3 So these barns in question are constructed from
4 concrete cinder block and they have metal roofs. There's
5 no wood materials whatsoever in the floors, walls or roofs
6 of these buildings, and so they're considered
7 noncombustible materials. We do have, as referenced by Mr.
8 Chaney, we do have some new barns that were built in 2014
9 as part of our thoroughbred expansion. Those particular
10 barns are all in updated compliance and are sprinklered and
11 are monitored.

12 In this case, we're requesting this exemption
13 just as it pertains to the fire sprinklers in these
14 noncombustible barns. Those are our barns that have been
15 in existence since around 1970. And again, they haven't
16 been -- and they haven't been upgraded, although, if you
17 look at our packet, they do have all the fire safety
18 measures in place, which are heat sensors, smoke alarms,
19 fire notify board, sirens, post stations. There is fire --
20 hose cabinets located at the end of each barn. And per the
21 code, there is fire hydrants located every 300 feet. I
22 tried to depict that in the photographs that we submitted -
23 -

24 VICE CHAIR GONZALES: Um-hmm.

25 MR. SHERREN: -- along with the request.

1 So that's primarily the situation down there.
2 They're all noncombustible materials.

3 VICE CHAIR GONZALES: Thank you.

4 Commissioners, any questions for Frank, Scott or
5 Amanda, before we open it up for public comment? Okay.

6 Hearing none, we will open it up for public
7 comment.

8 Operator?

9 OPERATOR: Thank you. It does look like we have
10 a public comment coming from Bonnie Croker.

11 MS. CROKER: Yes. Good morning again.

12 I just wanted to say that human time constraints
13 are not an excuse to lessen or adjust your rules. Humans
14 need to adjust their time schedules.

15 You think that fire compliance is a burden?
16 Think what a burden it is to be burned alive.

17 We must recall the Lilac Fire in 2017 which
18 killed 46 horses at San Luis Rey Downs. Also, recall the
19 track racing death of one of the surviving horses of the
20 Lilac Fire. Tap the Wire, a chestnut gelding, escaped the
21 Lilac Fire, only to be killed at Los Alamitos a little over
22 two years later. On May 19th, 2020, he broke his leg as he
23 won the race, earning his capturers \$11,800. The CHRB has
24 still not acknowledged his death.

25 Take a moment to recall the Paradise Fire which

1 destroyed an entire town. Fire kills, tortures, and
2 destroys.

3 The Mercury News at 12:42 p.m. yesterday
4 published a warning titled, in quotes,

5 "With 367 wildfires raging, Cal Fire says to all
6 citizens of California," in quotes, "be ready to go."

7 The warning goes on to describe, "Last Sunday's
8 historical siege of lightening with more than 10,800
9 strikes which sparked 367 fires. This wind-driven
10 lightening stoked fires through every county in the
11 Bay Area, except San Francisco. 'We experiencing
12 fires the likes of which we haven't seen in many
13 years,' Governor Newsom said Wednesday. 'We have to
14 maintain vigilance.'"

15 Southern California has been burning furiously
16 this season as well, the Apple Fire, Lake Fire, Grant Fire.
17 Many are familiar with the painful statistics related to
18 these.

19 Members of the California Horse Racing Board,
20 this is not the time to loosen your fire rules and grant
21 exceptions or extensions for fire clearance documentation.
22 If anything, you should be tightening regulations and
23 restrictions for the safety of the horses and the humans
24 you are ultimately responsible for.

25 Thank you.

1 VICE CHAIR GONZALES: Operator, next comment.

2 OPERATOR: Thank you. Our next comment will be
3 from Dr. Wayne Johnson.

4 MR. JOHNSON: Thank you, Commissioner. I have
5 two words for you, Lilac Fire.

6 How dare you consider an exemption to 1927 when
7 this danger is at its absolute height right now?

8 It is no surprise that Los Alamitos is asking for
9 this. Los Alamitos has killed 32 horses since January 1st.
10 Why would they have any conscience at all about fire?

11 Thank you.

12 VICE CHAIR GONZALES: Operator, is there anyone
13 else in the queue?

14 OPERATOR: Showing no further comments at this
15 time.

16 VICE CHAIR GONZALES: Okay, let's turn it back
17 over to the Board, now that we've done the presentation,
18 public comment. Is there a motion to approve this measure?

19 COMMISSIONER CASTELLANOS: Castellanos. Motion.

20 VICE CHAIR GONZALES: Second?

21 COMMISSIONER SOLIS: I second. Alex Solis.

22 COMMISSIONER MITCHELL: I'll second.

23 VICE CHAIR GONZALES: Okay. We've got
24 Castellanos making the motion, Solis as the second. Any
25 discussion amongst the Board on this matter, or questions?

1 Okay. Let's do a quick roll.

2 Commissioner Alfieri, how do you stand on this
3 issue?

4 COMMISSIONER ALFIERI: Yes.

5 VICE CHAIR GONZALES: Commissioner Castellanos?

6 COMMISSIONER CASTELLANOS: Yes.

7 VICE CHAIR GONZALES: Commissioner Mitchell?

8 COMMISSIONER MITCHELL: Yes.

9 VICE CHAIR GONZALES: Commissioner Solis?

10 COMMISSIONER SOLIS: Yes.

11 VICE CHAIR GONZALES: And Commissioner Gonzales
12 is also a yes. Thank you.

13 Moving on to agenda item number seven, on this
14 one, I'm going to be asking both Amanda and Rob Brodnik to
15 coordinate communication to us on this. But let me just
16 read this.

17 It's discussion and action by the Board regarding
18 the request for an extension to obtain a fire clearance
19 approval for the San Luis Rey Downs auxiliary training
20 facility.

21 Amanda? And, if necessary, Rob.

22 MS. DRUMMOND: Good morning again, Commissioners.
23 Amanda Drummond.

24 As discussed previously, Board Rule 1927
25 specifies that a written fire clearance from the fire

1 authority having jurisdiction over the racing and stabling
2 areas must be submitted to the Board before any license
3 shall be granted.

4 So San Luis Rey Downs auxiliary training facility
5 is an auxiliary site where horses are stabled for various
6 horse racing associations that conduct racing in
7 California. As such, a fire clearance compliant with Board
8 Rule 1927 is required for San Luis Rey Downs to be utilized
9 as an auxiliary training facility.

10 The Stronach Group, which owns San Luis Rey, has
11 not submitted a fire clearance compliant with Board Rule
12 1927. However, they have submitted a request to the Board
13 for an extension to meet certain requirements prescribed in
14 Board Rule 1927 regarding the reasonable standard of fire
15 safety.

16 The Stronach Group also requested an exemption
17 from the 45-day provision that's specified in Rule 1927 as
18 well.

19 VICE CHAIR GONZALES: Thank you.

20 And any clarifying points, Rob, that you'd like
21 to make on this?

22 MR. BRODNIK: Thank you, Vice Chairman Gonzales.

23 No, not at this point. If the Board has any questions,
24 I'm happy to answer them.

25 VICE CHAIR GONZALES: Okay. Thank you.

1 Can we have somebody from San Luis Rey Downs
2 weigh in?

3 Operator, you probably have somebody in the
4 queue.

5 OPERATOR: And are we looking for a specific
6 person?

7 VICE CHAIR GONZALES: They could -- it could be
8 Aiden, Aiden Butler.

9 OPERATOR: Okay. Yes.

10 VICE CHAIR GONZALES: He sent us a letter that --
11 okay.

12 OPERATOR: All right. Aiden Butler, your line is
13 live.

14 MR. BUTLER: Thank you. And thank you,
15 Commissioners.

16 Yeah, as you'll see by the letter sent in,
17 currently, we have roughly half of San Luis Rey Downs
18 covered by fire sprinklers. At the moment there is, I
19 believe, a little less than 50 percent occupancy. And we
20 have asked for this pass, basically, due to the fact that
21 we believe there's not that many horses currently in the
22 older barns, one. And two, we have started on getting
23 quotes to have sprinklers put in. We're pretty sure we can
24 get them done by July of next year. We've got a few quotes
25 out. We're just waiting to finalize it.

1 So that, combined with, you know, the 24-hour
2 guards and just being extremely diligent over at San Luis
3 Rey after, as people have quite rightly pointed out, after
4 the Lilac Fire. We believe we would like to ask for a pass
5 on the rule.

6 The second piece to this is the inspection. We
7 did submit a clearance letter. The clearance letter was
8 from July, I believe, and it's so quite close to the 45
9 days. But I think, as you quite rightly pointed out, it is
10 quite difficult, especially in that part of the county, to
11 get the fire chief out that often.

12 So it would be okay, I'd like Eric Sindler from
13 The Stronach Group to give a little more color, or if you
14 have any questions directly for me, I'd be happy to answer
15 them.

16 VICE CHAIR GONZALES: Okay.

17 MR. BUTLER: Eric, would you like to come up?

18 OPERATOR: Thank you. Our next comment --

19 VICE CHAIR GONZALES: Well, is that -- are you
20 going to patch Eric Sindler through, Operator?

21 OPERATOR: Yes. He is in here with us.

22 VICE CHAIR GONZALES: Oh, thank you.

23 OPERATOR: Um-hmm.

24 VICE CHAIR GONZALES: Great.

25 OPERATOR: Eric, your line is live.

1 MR. SINDLER: Yes. Good morning. I don't have,
2 actually, a lot to add, other than what Aiden's already
3 said. About 200 of our barns are in compliance with code.
4 It is the remaining barns that we are working to get up.
5 So we're not actually asking for a pass, as Aiden said.
6 We're actually just asking for an extension on time.

7 So it's slightly different than Los Alamitos.
8 Los Alamitos was requesting to never install them. We are
9 saying that we're going to, it's just we're asking for time
10 to do so.

11 VICE CHAIR GONZALES: Thanks for clarifying.

12 MR. SINDLER: And I'm happy to answer any
13 questions that you have.

14 VICE CHAIR GONZALES: Thank you.

15 Commissioners, any questions for Aiden or Eric?

16 Okay.

17 Hearing none, Operator, we can -- well, how many
18 people do we have in the queue?

19 OPERATOR: Right now we have three public
20 comments.

21 VICE CHAIR GONZALES: Okay. And I'm just --
22 because I know that the previous agenda item made reference
23 to San Luis Rey. So again, I just want those that are
24 going to be making public comments, that if you are going
25 to be repeating what you said previously, if you could just

1 shorten that up? Otherwise, I'm going to have to ask the
2 Operator to give someone else an opportunity to speak.

3 So, Operator, let's go with the first person.

4 OPERATOR: Thank you. Our first comment is going
5 to come from Dr. Wayne Johnson.

6 MR. JOHNSON: Well, Commissioner, why should The
7 Stronach Group, a multi-million dollar company, get an
8 extension on sprinklers? Sprinklers are essential. San
9 Luis Rey Downs is the site three years ago of 46 dead
10 horses.

11 Do not grant this corporation an extension. Make
12 them do the essential sprinklers now.

13 VICE CHAIR GONZALES: Thank you, Dr. Johnson.

14 Next, Operator.

15 OPERATOR: Thank you. Our next comment will be
16 from Bonnie Croker.

17 MS. CROKER: Yes. Hi. I know that I spoke on
18 agenda item number six. I thought I had said all that I
19 was going to say but I'm shocked to hear excuses coming
20 from Aiden Butler regarding there aren't that many horses
21 there, we're going to get around to it. I mean, this is
22 total irresponsibility.

23 As I said before, human time constraints are not
24 the issue. You need to adjust your time. You need to
25 spend your money where you should to protect horses and

1 people. So that is not an excuse. Please do not grant
2 this extension of time. They should have been up and ready
3 to go.

4 California is on fire.

5 Thank you.

6 VICE CHAIR GONZALES: Operator, next comment.

7 OPERATOR: Our next comment will be from Martha
8 Sullivan.

9 Go ahead, ma'am.

10 MS. SULLIVAN: This is Martha Sullivan, again,
11 from San Diego County, which has definitely had our share
12 of wildfire and fire devastation.

13 I am, once again, astounded that The Stronach
14 Group failed, after the Lilac Fire three years ago, to
15 complete the installation of sprinklers throughout San Luis
16 Rey Downs training center. That is completely, completely
17 irresponsible and inexcusable.

18 And, frankly, Los Alamitos, the fact that, you
19 know, where they don't have sprinklers, they've been like
20 that, apparently, since 1970, I don't get the excuse for
21 that either.

22 This Board --

23 VICE CHAIR GONZALES: Thanks for your input.

24 MS. SULLIVAN: -- you've got to set --

25 VICE CHAIR GONZALES: Martha, you were --

1 MS. SULLIVAN: -- the standard here.

2 VICE CHAIR GONZALES: -- you were going off topic
3 a little bit.

4 MS. SULLIVAN: You've got to set the standard
5 here.

6 VICE CHAIR GONZALES: We have new leadership,
7 Martha. And every single comment on this topic matters. I
8 want you all to know that. Thank you, Martha.

9 Thank you, Bonnie.

10 Thank you, Dr. Johnson.

11 Operator, is there anyone else in the queue?

12 OPERATOR: I'm showing no further comments at
13 this time.

14 VICE CHAIR GONZALES: Thank you.

15 Commissioner, is there a motion to approve this
16 matter?

17 COMMISSIONER ALFIERI: So moved. Dennis Alfieri.

18 VICE CHAIR GONZALES: Is there a second?

19 COMMISSIONER CASTELLANOS: Castellanos. Second.

20 VICE CHAIR GONZALES: We'll do a discussion if
21 there warrants any. Any questions of one another on the
22 information that was shared? Thank you.

23 Okay, Alfieri, on this item?

24 COMMISSIONER ALFIERI: Yes.

25 VICE CHAIR GONZALES: Thank you.

1 Commissioner Castellanos?

2 COMMISSIONER CASTELLANOS: Yes.

3 VICE CHAIR GONZALES: Commissioner Mitchell?

4 COMMISSIONER MITCHELL: Yes.

5 VICE CHAIR GONZALES: Commissioner Solis?

6 COMMISSIONER SOLIS: Yes.

7 VICE CHAIR GONZALES: And Commissioner Gonzales
8 is also a yes.

9 As was mentioned at the beginning of the meeting,
10 agenda item number eight and number nine has been removed.
11 Appreciate Rob and Amanda having prepared for those items
12 but we will not be discussing those.

13 Agenda item number ten, and Rob will be
14 addressing this, I'll give a description here.

15 It's discussion and action by the Board regarding
16 approval of an agreement, pursuant to CHRB Rule 1581,
17 Racing Secretary to Establish Conditions, between the Los
18 Angeles Turf Club II and the Thoroughbred Owners of
19 California, regarding entry conditions and specified drug
20 substances or medications to be implemented by the L.A.
21 Turf Club at Santa Anita.

22 Rob?

23 MR. BRODNIK: Good morning, Vice Chairman and
24 Commissioners. Robert Brodnik, California Horse Racing
25 Board.

1 This agenda item deals with Rule 1581, allowing
2 the Racing Secretary to establish conditions for the
3 running of the race. This rule has come before you before.
4 This is a similar agreement that has been reached between
5 the TOC and the racing assoc.

6 This agreement, similar to previous agreements,
7 would eliminate Lasix for two-year-olds, would restrict the
8 amount of Lasix to half of it's permitted levels, and would
9 also reduce the number of joint injections -- or, excuse
10 me, restrict the number of joint injections. This
11 agreement was agreed to by The Stronach Group through Los
12 Angeles Turf Club and the TOC.

13 The agreement is in your packet and it is,
14 simply, up for your approval today.

15 Thank you.

16 VICE CHAIR GONZALES: Thank you.

17 Operator, in the queue is going to be Eric and,
18 possibly, Aiden on this agenda item. So if they're on,
19 you'll let them in and then they can make any comments, and
20 then we'll open it up for some questions.

21 OPERATOR: All right. We do have Eric on the
22 line.

23 Your line is live.

24 MR. SINDLER: Yes. Good morning again.

25 As Rob just mentioned, this is a similar

1 agreement to what we've been doing for the last few meets,
2 it's just a continuation. There is nothing new but I'm
3 certainly happy to --

4 VICE CHAIR GONZALES: Okay. Thank you.

5 MR. SINDLER: -- answer any questions that you
6 have.

7 VICE CHAIR GONZALES: Thank you.

8 You know, Operator, I'm just going to just make a
9 -- is there anyone else from the stakeholder end? TOC?
10 Anyone else that would like to reinforce this agenda item?
11 Madam Operator, you may Mr. Avioli on the line.

12 OPERATOR: Yes, I do. One moment.

13 Greg, your line is live.

14 MR. AVIOLI: Hey, it's Greg Avioli from the TOC.
15 We support and have signed this agreement.

16 VICE CHAIR GONZALES: Thank you.

17 If you both could just sit tight in case, you
18 know, the Commissioners have any questions.

19 So, Operator, at this point, we're going to open
20 it up for public comment. How many individuals do we have
21 on hold for this item?

22 OPERATOR: I'm showing no public comments on hold
23 at this time.

24 VICE CHAIR GONZALES: Okay. Let's now turn it
25 over to the Board.

1 Is there a motion to approve this item?

2 COMMISSIONER CASTELLANOS: Castellanos. Motion.

3 COMMISSIONER MITCHELL: Second. Commissioner
4 Mitchell.

5 VICE CHAIR GONZALES: Thank you. Any discussion,
6 questions for one another on this? Okay.

7 Hearing none, Commissioner Alfieri?

8 COMMISSIONER ALFIERI: Yes.

9 VICE CHAIR GONZALES: Commissioner Castellanos?

10 COMMISSIONER CASTELLANOS: Yes.

11 VICE CHAIR GONZALES: Commissioner Mitchell?

12 COMMISSIONER MITCHELL: Yes.

13 VICE CHAIR GONZALES: Commissioner Solis?

14 COMMISSIONER SOLIS: Yes.

15 VICE CHAIR GONZALES: And I, the Vice Chair, also
16 votes yes. Thank you.

17 Now going to agenda item -- wait. Let me just --
18 I'm losing my note here. Okay.

19 Agenda item 11, I'll read it. It's discussion
20 and action by the Board on the Application for License to
21 Conduct a Horse Racing Meeting of the L.A. Turf Club at
22 Santa Anita, commencing September 9th through October 27th,
23 2020, inclusive.

24 Amanda?

25 MS. DRUMMOND: Good afternoon, Commissioners.

1 Amanda Drummond again.

2 So agenda item 11 is the approval of the race
3 meet application for LATC II to run at Santa Anita from
4 September 9th through October 27th. Live racing will
5 commence on September 19th.

6 In terms of outstanding items to deem the
7 application complete, the following items are still needed
8 to be received, the TOC agreement, the CTT agreement, and a
9 fire clearance that complies with Board Rule 1927. Santa
10 Anita did send in a fire clearance, however, it was more
11 than 45 days before the start of the race meet and,
12 therefore, does not comply with Rule 1927. So Santa Anita
13 did send in a request for an exemption of the 45-day
14 requirement.

15 VICE CHAIR GONZALES: Thank you.

16 Operator, back to Aiden and/or Eric for any
17 comments.

18 OPERATOR: Yes. It looks like Aiden is up for
19 comments next.

20 VICE CHAIR GONZALES: Thank you.

21 MR. BUTLER: Hello Commissioners. So I'd like to
22 start this one off with a little brief explanation of why
23 we are not going live on the 9th, as it says, on the 9th of
24 September, as it says in the agenda, and we've chosen the
25 week after.

1 In short, when this was originally requested we
2 didn't see the COVID pandemic happening. And because Del
3 Mar runs through Monday the 7th, and we are actually open
4 on the 5th, it's very prudent for us to take a week break
5 so we can make sure all the horses are settled and all
6 COVID protocols are up and running and, you know, make sure
7 everybody is as safe as they can be.

8 With regards to the exemption on the fire
9 request, I believe we've talked that one through. And I'd
10 like to ask for the same extension -- exemption, rather,
11 that the San Luis Rey facility has been granted, albeit
12 Santa Anita is fully up to code with all the other fire
13 safety protocols.

14 The TOC agreement, I believe it was sent over, so
15 I will ask Eric to clarify that. You should now have the
16 TOC agreement. If not, I believe it's just awaiting a
17 signature from the TOC but I don't believe there is any
18 issues with that, so apologies there for tardiness.

19 And regarding the CTT agreement, I believe the
20 Commissioners are all aware that there are -- there has
21 been a lot of back and forth with the trainers, or rather
22 the trainers association, and that one is a holding
23 pattern.

24 So any questions, please feel free to ask me.

25 VICE CHAIR GONZALES: Okay. Thank you.

1 Commissioners, any questions for either Amanda or
2 Mr. Butler?

3 COMMISSIONER MITCHELL: This is Wendy. I just
4 have a comment.

5 The tardiness needs to not happen anymore. You
6 know, we have a staff that's working hard. They put out
7 deadlines for a reason. And, you know, sort of not abiding
8 by them and then expecting the staff to struggle the last
9 minute or, you know, do the work after agendas have been
10 prepared are not acceptable from my perspective.

11 So I appreciate the apology. Let's just hope it
12 doesn't happen again.

13 VICE CHAIR GONZALES: Thank you, Commissioner.

14 Any other comments or questions for Aiden
15 regarding the upcoming Santa Anita meet? Okay.

16 Aiden, I've got just two short ones. Thank
17 you --

18 MR. BUTLER: Certainly.

19 VICE CHAIR GONZALES: -- for a very comprehensive
20 package.

21 Oh, on the marketing plan, which is probably one
22 of the best that I've seen, and I encourage any of the
23 other racetracks to take a look at what the team has put
24 together, I really appreciate you including, you know, just
25 some of the realities you're dealing with. You touched

1 heavily on COVID and how the leadership there on your end
2 is connecting with fans while they're at home. So this,
3 again, goes in line with marketing.

4 I also appreciate the digital spots that was
5 mentioned, you know, to really showcase key leaders who I
6 feel, you know, jockeys, front-line trainers are sometimes
7 the best ambassadors.

8 One of the only deviations that I did notice from
9 previous marketing plans is any kind of multi-
10 cultural/multi-lingual engagement. Both Golden Gate, last
11 year, and Santa Anita had different inroads made to the
12 Spanish-speaking community, or Mandarin, et cetera.

13 So not -- just more of a comment, not a question
14 necessarily but, you know, I'd like for you just to
15 consider how not to drop off from that. I mean, we
16 heard -- we will continue to hear just about, you know,
17 diversity and inclusiveness. And I just think, as long as
18 we apply that across the board, that would be great.

19 The other thought that I have was --

20 MR. BUTLER: Commissioners, would --

21 VICE CHAIR GONZALES: Oh. Yes.

22 MR. BUTLER: Sorry.

23 VICE CHAIR GONZALES: Go ahead. No. Go ahead.

24 MR. BUTLER: I'd love to talk because diversity,
25 obviously, is a key into the core of what The Stronach

1 Group is aiming for. We understand our fan base, not just
2 our current fans but our fan base, you know, on a growth,
3 on a trajectory to growth, really is all about inclusivity.

4 And I can assure you, from a corporate standpoint, it
5 sometimes doesn't come across because you just see these
6 California (indiscernible). But from a corporate
7 standpoint we have lots of initiatives in place to not only
8 deal with a Spanish-speaking telecast but even,
9 potentially, covering Mandarin.

10 We did have some quite exciting plans based for
11 Santa Anita that I've been heavily involved with, with our
12 marketing department, to actually change some of the
13 physical presence or physical kind of location at Santa
14 Anita to allow some of our Asian fans from the surrounding
15 areas to come and enjoy and have a little bit of an easier
16 time understanding from a language standpoint. COVID,
17 again, has derailed that. But I'm hoping you'll see some
18 quite exciting stuff coming forth from all of our tracks
19 but, primarily, the ones in California, so I'm --

20 VICE CHAIR GONZALES: Thank you.

21 MR. BUTLER: -- quite happy about that.

22 VICE CHAIR GONZALES: Thank you. My only other
23 question is I didn't see anything in the packet, and I
24 brought this up the first month or two as a Commissioner,
25 regarding the status of the six-and-a-half furlong historic

1 off-the-hill races. Can you just weigh in on that? We
2 will ever be seeing that resume anytime soon?

3 MR. BUTLER: Yeah. Absolutely. So we were quite
4 lucky. We've just been granted authority by the Arcadia
5 Planning to actually build a second chute for the turf
6 racing. What we found is that the six-and-a-half down the
7 hill was, potentially, over utilized in our minds. It's
8 such a spectacular race. We believe it should remain a
9 spectacular race. So what we're hoping to do is we're
10 hoping -- it wouldn't be ready, unfortunately, for a while.

11 You know, a best guesstimation is we, maybe, are
12 to get it ready for the next application to the next meet,
13 but our intent is to put in another chute to allow us to
14 not only have a six-and-a-half start on the turf oval but
15 to actually have a six-furlong (indiscernible). So then
16 that will give us 5/8ths, five-and-a-half, six furlongs,
17 and six-and-a-half on the turf oval. And I believe, at
18 that point, we can then, after the fact, look at making the
19 six-and-a-half down the will, which is a specialized race.
20 It's the only one of its kind --

21 VICE CHAIR GONZALES: Um-hmm.

22 MR. BUTLER: -- in the United States. We can
23 look at, then, potentially bringing that back slowly and
24 keeping it for special purposes.

25 It also gives us the benefit of having, you

1 know, not cutting up six-and-a-half races. As I'm sure you
2 guys are all aware, they are sprints, so they get cut up
3 quite a lot from, you know, from the track's standpoint.
4 So having both, if we can, down the hill and on the oval,
5 will gives us a lot more programmability. And with the
6 extra starting distances, primarily six furlongs, we think
7 it's good for the horsemen and good for the opportunities
8 for owners.

9 VICE CHAIR GONZALES: Thank you. Thank you for
10 that update. And, as always, you know, engage horsemen,
11 jocks, trainers, owners. It looks like there's some
12 forward meeting. And keeping safety at the top of the
13 list. And just really thinking about, you know, the fans
14 and, really, what draws them to California, Santa Anita
15 race, so thank you for that.

16 MR. BUTLER: Thank you, Commissioner.

17 COMMISSIONER SOLIS: I have a question, Vice
18 Chairman.

19 VICE CHAIR GONZALES: Yes, Commissioner Solis.

20 COMMISSIONER SOLIS: Aiden, do we have any
21 information about the new barn? Any status on that?

22 MR. BUTLER: Not at the moment. We've actually,
23 Commissioner Solis, we've actually reengaged our expert.
24 As your quite -- as you're aware, we do have -- and it's
25 not an issue because it's a thing that's part of a history

1 and part of the historic stance of Santa Anita -- but on
2 the backside a lot of the barns do and are, potentially,
3 could be, on the historic registry. So we're going back
4 and forth. We have a plan in place to reach out to, I
5 believe it's the Japanese Cultural Society, to see if we
6 can -- what we can do there. But at the moment they are
7 still -- it's still a bit of a work in progress.

8 These things, I understand, people get frustrated
9 at The Stronach Group not moving. Things take a long time.
10 And we're going to make sure whatever we do is done in a
11 very thoughtful manner. That, coupled with just movement
12 in the industry, you know, San Luis Rey being one, is there
13 a potential of making San Luis Rey bigger? Or, you know,
14 Los Alamitos being an auxiliary facility, that's good for
15 the next little while, but what is it for the next, you
16 know, decade? We are still looking at all viable options.
17 But I can assure you, we are taking it extremely seriously.

18 VICE CHAIR GONZALES: Commissioner Solis --

19 COMMISSIONER SOLIS: Thank you.

20 VICE CHAIR GONZALES: -- thank you for asking
21 that question. And if I could just, you know, just briefly
22 share with the Board, Commissioner Mitchell and Dr. Ferraro
23 and I had the opportunity to recently go through a Senate
24 confirmation process. And during the Q&A with Senate
25 Rules, many questions came up about backstretch workers

1 housing and our commitment.

2 So, Commissioner Solis, I just want to say, thank
3 you for asking that question.

4 You know, while you have the floor, Commissioner
5 Solis, and we're on the subject of Santa Anita, one of the
6 more legends of Santa Anita recently passed away and that's
7 Mr. Mel Stute, a family man, somebody who really gave back
8 to the industry. One of his best horses is one that you
9 rode, Commissioner Solis, Snow Chief, having one the Santa
10 Anita Derby and then the Preakness. So I know our hearts
11 and condolences go out to the Stute family and everything
12 that he gave to the industry.

13 And I know Mr. Stute was very special to,
14 Commissioner Solis, so I just wanted just to publicly
15 acknowledge that tremendous loss for the industry and,
16 also, the special important connection that you had to Mr.
17 Stute.

18 COMMISSIONER SOLIS: Yeah. I'm grateful. I'm so
19 very sad to see such an incredible man pass away. He was
20 one of the most amazing persons, very positive, loved
21 racing, and we're really going to miss him. He gave me
22 such great opportunities when I came to California, so I'm
23 very grateful for the year that I spent with him. He was
24 well-loved on the backside (indiscernible).

25 VICE CHAIR GONZALES: Well, thank you,

1 Commissioner. And he'd be proud that you asked a question
2 about the backside. I think it's what made your connection
3 to him and so many others that much more meaningful. And I
4 just thought that it was very fitting, since we're on the
5 subject of Santa Anita, that we pay tribute to him and his
6 legacy. So, again, thank you very much.

7 With that, Aiden, if you could just sit tight,
8 assuming there's more questions from the Board.

9 So, Operator, if we can open up for public
10 comment? First, give us how many have dialed in?

11 OPERATOR: It looks like we did have Eric and
12 Greg, and we did have three others for public comments --

13 VICE CHAIR GONZALES: Okay. Let's go --

14 OPERATOR: -- for a total of five.

15 VICE CHAIR GONZALES: Okay. So why don't we do
16 with -- so Eric is part of the Stronach team, so he could
17 be on hold. Aiden covered it. If we could have
18 Mr. Avioli -- patch him through. And then we will continue
19 with public comments.

20 So, Avioli, are you on?

21 MR. AVIOLI: Yes.

22 OPERATOR: Yes.

23 MR. AVIOLI: Greg Avioli.

24 OPERATOR: He's live.

25 MR. AVIOLI: Greg Avioli, TOC. I just wanted to

1 comment on the horsemen's agreement.

2 It is, essentially, complete. And I appreciate
3 Commissioner Mitchell's concerns about timing. In this
4 case, we have a new provision in our horsemen's agreement
5 that tried to lock with some certainty the amount of the
6 purse account overpayment or underpayment going into the
7 meet. And those numbers actually take some time to be
8 finalized. Believe it not, they take months to be
9 finalized because it's all the data that comes in and all
10 the wagering that comes in after the meet is over.

11 So in this case, that's the last outstanding
12 item. And we should have that in a matter of days.

13 VICE CHAIR GONZALES: Thank you.

14 Okay, Operator, let's go ahead and open it up for
15 public comment that is pertinent to the Santa Anita license
16 application. So --

17 OPERATOR: Thank you.

18 VICE CHAIR GONZALES: -- Operator, it's all
19 yours.

20 OPERATOR: All right. It looks like we do have a
21 comment coming from Alan Balch.

22 MR. BALCH: Yes. Alan Balch, California
23 Thoroughbred Trainers. Thank you, Commissioners.

24 First of all, I want to especially express our
25 appreciation for the mention of Mel Stute, who was a giant

1 in lots of ways for the industry. And all of us who knew
2 him not only knew of his great training skills and
3 commitment to the backstretch but also the game itself.

4 In fact, one of the nicer stories about Mel is
5 after he and Commissioner Solis one the Preakness, he was
6 supposed to be at media conference and they couldn't find
7 him and they couldn't find him. And finally they found him
8 and he was in line to cash his tickets.

9 And I said, "You've got to get over here to the
10 meeting."

11 He said, "Not until I cash my tickets."

12 So that was vintage Mel Stute who helped the game
13 in lots and lots of ways.

14 On the housing issue, I do want to express our
15 appreciate to The Stronach Group and Aiden Butler, in
16 particular, who's taken the mid-season or between-season
17 refurbishment and cleanliness and rehabilitation of the
18 backstretch living conditions and lavatories and so forth
19 very seriously. We'd like to see that continue and always
20 continue to be enhanced. And so I wanted to mention our
21 appreciation for that.

22 And especially add appreciation for the
23 groundbreaking and the work underway on the new six-and-a-
24 half furlong turf extension adjacent to the 7/8ths chute,
25 main track chute. I went out there this morning and looked

1 at it. It's well underway. That's going to add a
2 tremendous amount of options and variety to the racing
3 program, especially given how much more, as a proportion of
4 overall racing, is on the turf. And it's going to be a
5 great step forward for Santa Anita, and particularly in
6 conjunction with the specialized use we hope to return
7 sometime soon of the full hillsides, and that is very much
8 appreciate. And we thank The Stronach Group for moving
9 forward with that.

10 On a separate and different note, unfortunately,
11 we do not have a CTT race meet agreement. We were notified
12 on August the 12th by the Racing Board that they would like
13 to see us get together to continue these negotiations. I
14 immediately, that day, eight days ago, emailed Mr. Sindler
15 requesting availability for a meeting to be overseen, if
16 possible, by Commissioner Gonzales. Up to this point, we
17 do not have a response but we are ready, willing and able
18 to continue to that negotiation because we believe it is
19 very important.

20 And with that, that's the end of my comment.
21 Thank you for your time.

22 VICE CHAIR GONZALES: Thank you, Alan.
23 Appreciate your comments about Mr. Stute as well. Thank
24 you very much.

25 Operator, let's go ahead and let others in. Who

1 do we have next?

2 OPERATOR: All right. Next, I do have Martha
3 Sullivan.

4 MS. SULLIVAN: Hello again. Martha Sullivan from
5 San Diego County.

6 I would like to note for the record that Los
7 Angeles County continues, as it has been all along, to be,
8 you know, the top COVID-19 count for the state of
9 California by far.

10 And I also would like to note that a week ago
11 Turf Paradise in Arizona announced that it will run a
12 shortened season -- well, actually, that was earlier. Now
13 they've canceled their 2021 meet completely due to
14 challenges related to COVID-19, which Turf Paradise told
15 the Arizona Racing Commission a week ago. So in Arizona
16 the racing industry recognizes the threat of COVID-19 and
17 has canceled their planned season for the rest of this year
18 and 2021.

19 Why, in California and in Los Angeles County,
20 which has the highest, far and away, number of counts of
21 COVID-19 in California and continues to struggle with
22 COVID-19, why horse racing continues in Los Angeles County
23 is a mystery.

24 And, again, Stronach Group shows its
25 irresponsibility. And the Horse Racing Board rubberstamps

1 it.

2 VICE CHAIR GONZALES: Operator, next comment.

3 OPERATOR: All right. We do have a comment
4 coming from Eric Sindler.

5 MR. SINDLER: Yes. Good morning. I just called
6 in case there are any questions. But as Mr. Avioli summed
7 up where we are with the TOC agreement, I have nothing more
8 to add on that.

9 As Mr. Balch indicated, the parties do not have
10 an agreement on terms. And there is no CTT agreement.

11 And I believe Aiden has already addressed the 45-
12 day exemption request for Santa Anita. And in the packet
13 there is a pretty detailed letter about all these fire
14 prevention and safety measures Santa Anita does take.

15 So I am happy to answer any questions that the
16 Board may have.

17 VICE CHAIR GONZALES: Thank you, Eric.

18 Operator, next.

19 OPERATOR: Thank you. Our next comment will be
20 from Tony Falcone.

21 MS. FALCONE: I'd like to urge the Board not to
22 approve the license for Santa Anita. They did not meet the
23 requirements set forth for them to be compliant.

24 It should be called a license to conduct a horse
25 killing meeting because last year they had record numbers

1 of horses that they killed and they're going to do it
2 again, on top of jockeys will likely get injured,
3 backstretch workers will be exploited, and you most
4 certainly will be spreading COVID-19.

5 Their running horses in record temperatures.
6 They're floating fire safety requirements and illegally
7 touting themselves as an essential business, when all it is
8 a vehicle to kill horses for money.

9 And I'd like to propose that it be renamed as the
10 Los Angeles Turf Slaughterhouse at Santa Anita.

11 VICE CHAIR GONZALES: That's inappropriate.

12 Next comment, Operator.

13 OPERATOR: Thank you. Our next comment will be
14 from Oscar de la Torre.

15 MR. DE LA TORRE: Yes. Oscar de la Torre here
16 and worker advocate.

17 I've been talking to a lot of the workers in the
18 backstretch at Santa Anita and, most recently, to Del Mar.
19 And you know, everybody's very appreciative of the improved
20 living conditions and the investment that's being made in
21 the backstretch. We want to acknowledge the work of Aiden
22 Butler and The Stronach Group for that investment and for
23 looking out for the workers that are the backbone of this
24 industry, so that's really important to mention. Workers
25 are very happy about that.

1 The protocols that have been put in place, also,
2 in terms of COVID-19 and prevention, you know, have kept
3 people safe. And you know, we see the data, you know, we
4 see the improvements, also, at Del Mar.

5 You know, so these protocols, you know, Santa
6 Anita, you know, there was no playbook on it and Santa
7 Anita did a great job being the first, you know, to make
8 those protocols come to life with the engagement of the Los
9 Angeles County Department of Public Health. And that's
10 really important to know is that the public health experts,
11 you know, the regulatory agencies have been involved in
12 developing those protocols. Those protocols were
13 strengthened at Del Mar.

14 And the workers that I've talked to at Del Mar
15 and that I'm working with all feel safer there. They say,
16 hey, they're, you know, happy that they can continue live
17 racing so that they can keep their jobs, their housing, and
18 their medical benefits. They feel that it's a lot safer
19 for them to be working at the racetrack than to be out in
20 the street without a job in this economy during pandemic.

21 You know, that's very -- that lacks compassion.

22 So I just want to thank Santa Anita, Aiden
23 Butler, the management there for all the good work that
24 they're doing.

25 Thank you.

1 VICE CHAIR GONZALES: Operator --

2 OPERATOR: Thank you.

3 VICE CHAIR GONZALES: -- do we have any others?

4 OPERATOR: Yes. Our next comment will be from
5 Dr. Wayne Johnson.

6 MR. JOHNSON: The Stronach Group has enough money
7 to make repairs to the track, to make new emendations to
8 the track but not enough money for immediate sprinklers.
9 There's something wrong with this picture.

10 Thank you, Commissioner. I'm done.

11 VICE CHAIR GONZALES: Operator, anyone else in
12 the queue?

13 OPERATOR: Yes. Our next comment will be from
14 Doug O'Neill.

15 MR. O'NEILL: Hell, you guys. Can you hear me?

16 VICE CHAIR GONZALES: Welcome. Yes, we can.
17 Welcome.

18 MR. O'NEILL: All right. Great. Thank you,
19 Commissioner Gonzales and the rest of the Board members for
20 letting me take a couple of your minutes.

21 But I just wanted to tell you first hand, being
22 back in the barn area here at Del Mar Race Track that Del
23 Mar management has done an unbelievable job of horse
24 safety, you know, with, knock on wood, there was no equine
25 accidental fatalities during racing all of last year and,

1 so far, none this year. So just credit to them of keeping
2 the riders and horsemen in safe conditions.

3 And then as far as the barn area goes, the COVID-
4 19 protocols have been exceptional. And you know, there's
5 just no way to get around being thoroughly checked over
6 before you're allowed in. And credit to Santa Anita who
7 started that. And like one of the callers earlier
8 mentioned, you know, they were the first ones on the scene.
9 And Aiden Butler and the whole Santa Anita team did a
10 wonderful job of keeping the dormitories safe and clean,
11 the restrooms. They had handwashing, you know, places all
12 over the place.

13 And so, anyway, I just want to just tell you
14 first hand. I've heard a few of the comments from people
15 who probably have never set foot in the barn area. So I
16 just want to let you know, I'm in the barn area and it's
17 very safe. And like Oscar de la Torre said, who's been so
18 great coming by and talking to the men and women who have
19 chosen a career to work alongside horses as their
20 livelihood, and they feel safe and happy. And again, the
21 dormitories, their medical care, everything feeds off live
22 racing.

23 So I just want to thank you guys, thank Del Mar
24 management and Santa Anita management for exceptional jobs,
25 and thanks for your time.

1 VICE CHAIR GONZALES: Thank you. Operator?

2 OPERATOR: Thank you. Our next comment will be
3 from Cliff Goodrich.

4 MR. GOODRICH: Good morning again. On behalf of
5 the CTHF, we support the license application of Santa Anita
6 because, when they race, our backstretch workers' jobs are
7 secure.

8 And speaking of the animal rights advocates,
9 certainly, the COVID outbreak, potential fire hazards, the
10 weather are all considerations in granting a license, as
11 the improvement in the procedures and protocols of the
12 Racing Board should also be acknowledged.

13 I think we need to keep in mind, however, that
14 the animal rights advocates will oppose any license to race
15 for a thorough or Quarter Horse meeting because, in their
16 minds, horses are racing and training, along with a human
17 on their back, which in their opinion is against what they
18 feel, being a horse is meant to run free without a rider on
19 their back. And this really goes against human history and
20 the care of horses over the long history of the world.

21 So, one, we support the license application
22 because it secures our employees' jobs. And I just wanted
23 to note that even if things were perfect the animal rights
24 advocates would be opposing this license.

25 Thank you.

1 VICE CHAIR GONZALES: Operator, any others?

2 OPERATOR: I'm showing no further comments at
3 this time.

4 VICE CHAIR GONZALES: Okay. Thank you, Operator.

5 Before we come back to the Board, I just want to
6 make sure, Scott, that you're helping us to understand what
7 it is that we're voting on, what it is that we're
8 considering here on agenda item number 11.

9 MR. CHANEY: Thank you, Mr. Vice Chairman. I
10 just kind of wanted to address the three issues, you know,
11 if the Board decides to vote and approve on this license.
12 Hopefully, these three agenda items will be addressed in
13 the vote.

14 A, the TOC agreement, it sounds like that's
15 complete. If it's not completed already it will be soon. I
16 think last month in a license app the Board just required
17 that that be submitted to the CHRB at least a week before
18 the meet was scheduled to open. We would certainly urge
19 the Board to include that, as well, in this license
20 agreement.

21 The second one is the CTT agreement. It seems
22 clear that the association and the CTT will not come to an
23 agreement. I would urge the Board then, rather than go
24 through the cumbersome process of holding a hearing, that
25 they would -- could circumvent that and, like you did last

1 month, impose the CTT agreement that was in place for the
2 last meeting at Santa Anita.

3 And then lastly, with respect to the fire
4 clearance, the 45-day exemption request, it kind of
5 highlights where 1927 falls short. Santa Anita has full
6 fire clearance, is in complete compliance with every
7 provision of 1927, it just happens to be that it was
8 inspected about, I think, 60 days ago as opposed to 45 days
9 ago.

10 And then the other two exemptions are with
11 respect to their fire -- their auxiliary fire -- auxiliary
12 training facility, sorry, at San Luis Rey and Los Al. And
13 the Board considered those exemptions earlier.

14 So with respect to fire clearance, I would urge
15 the Board to accept their exemption request as well.

16 Thank you, Mr. Vice Chairman.

17 VICE CHAIR GONZALES: Okay. Thank you, Scott.

18 Is it fair to also assume that the race meet agreement
19 between CTT and The Stronach Group -- can you just share,
20 you know, the status of that and how the staff will be
21 handling that?

22 MR. CHANEY: Yes. I mean, obviously, it's become
23 a complicated issue. It's also the subject of litigation
24 right now. It's thorny. And, clearly, we go through this
25 every month with each new association that seeks a license.

1 I'd like to thank your work in terms of trying to bring
2 the parties together.

3 Mr. Balch was correct in that I think the last
4 interaction we had via email was to bring the parties
5 together again and so that's kind of the general plan. We
6 would like to continue to work with all associations and
7 the CTT to come up with some acceptable RMA for -- that
8 will work in every case, and so we don't have to kind of go
9 through this process every time. And the process should
10 include something that the CTT thinks protects, you know,
11 licensee rights, as well as associations with respect to
12 property rights and that sort of thing.

13 So there are complicated thorny issues. And
14 maybe at some point the court will, you know, give us more
15 clear direction. But in the time being, Staff, and with
16 your help, we continue to work on an agreement in the
17 meantime.

18 VICE CHAIR GONZALES: Thank you, Scott.
19 Appreciate the clarification of what the Board will be
20 considering.

21 Is there a motion to adopt the measure as
22 outlined by Scott and the Santa Anita license --

23 COMMISSIONER CASTELLANOS: Commissioner, if I
24 could --

25 VICE CHAIR GONZALES: -- as detailed in --

1 COMMISSIONER CASTELLANOS: Castellanos. Oscar.

2 VICE CHAIR GONZALES: Castellanos makes -- yes.

3 COMMISSIONER CASTELLANOS: So I think what we
4 just need to understand exactly what Scott is saying. And
5 I would make the motion but it would be contingent upon the
6 submission of the outstanding items. Those items need to
7 be presented. So that's the way I will make the motion.

8 VICE CHAIR GONZALES: Great. Scott, is that
9 satisfactory, before we get a second on that?

10 MR. CHANEY: Yes, I think that's right. That
11 probably just applies to the TOC agreement. I would ask
12 the Board to, in approving their license application,
13 impose the CTT RMA that we used last time with Santa Anita,
14 and then also approve the fire exemption with the vote.

15 VICE CHAIR GONZALES: Are you okay with that,
16 Commissioner Castellanos, as described --

17 COMMISSIONER CASTELLANOS: Yes, sir.

18 VICE CHAIR GONZALES: -- by Scott? Thank you
19 very much.

20 Is there a second to Mr. Castellanos' motion?

21 COMMISSIONER MITCHELL: Second.

22 VICE CHAIR GONZALES: Commissioner Mitchell
23 seconds.

24 Any other discussion, questions for one another?

25 Any additional information sharing? Okay.

1 Hearing none, Commissioner Alfieri?

2 COMMISSIONER ALFIERI: Yes.

3 VICE CHAIR GONZALES: Commissioner Castellanos?

4 COMMISSIONER CASTELLANOS: Yes.

5 VICE CHAIR GONZALES: Commissioner Mitchell?

6 COMMISSIONER MITCHELL: Yes.

7 VICE CHAIR GONZALES: And Commissioner Solis?

8 COMMISSIONER SOLIS: Yes.

9 VICE CHAIR GONZALES: And I, Commissioner
10 Gonzales, also votes yes. Thank you for that.

11 Item number 12, I'm going to turn to Amanda and
12 Scott. If you can also provide any additional support on
13 this agenda item it would be appreciated.

14 But for those who don't have an agenda in front
15 of them, I'll read it, it's discussion and action by the
16 Board regarding the proposed adoption of CHRB Rule 1415,
17 Public Participation in Meetings, to define the rules
18 regarding public participation during meetings of the
19 Board.

20 Amanda?

21 MS. BROWN: Yeah. Good morning, Commissioners.
22 This is Amanda Brown, Staff Counsel with the CHRB.

23 So Staff's recommending that the Board formally
24 adopt in regulation into existing meeting processes as it
25 comes to public participation. So the structure -- the

1 proposed structure and format and the contents of this
2 language is pulled from a few different state agencies but
3 also aligns with CHRB's current practices. Adopting these
4 regulations would allow the Board to show that it acts
5 consistently and have a transparent meeting process in
6 place.

7 So that's why this item is up for your
8 consideration and discussion and I'm available for any
9 questions.

10 COMMISSIONER MITCHELL: This is Wendy. I just
11 wanted to say, I appreciate that we're making this a
12 regulation, and the efforts that the staff has gone through
13 for this.

14 I've served on other boards in the past that, you
15 know, don't have regulations with regard to the processes
16 and don'ts. And this is a very transparent, authentic, and
17 honest way to behave a as state agency, so just wanted to
18 commend you all for doing it.

19 MS. BROWN: Great.

20 VICE CHAIR GONZALES: Scott, do you want to add
21 any background? I just want to make sure, just because on
22 the face of it, if anyone reads this, I'm pretty confident
23 that any public input, they're wanting to make sure that
24 their voices are still going to be heard. I believe this
25 Board here values and respects all opinions. We may not

1 agree with all of them but we do want for there to be full
2 transparency and engagement.

3 So, Scott, is there any other additional info
4 that you would like to add to what Commissioner Mitchell
5 and Amanda have provided on this front?

6 MR. CHANEY: Thank you, Mr. Vice Chairman. Scott
7 Chaney, Executive Director.

8 I think that the regulation speaks for itself.
9 What's been, up to this point, mostly policy by the
10 California Horse Racing Board, we would like to memorialize
11 in regulation because I think it does then provide
12 transparency, both for our stakeholders, licensees, as well
13 as concerned citizens.

14 In addition to that, I would kind of like to
15 highlight another change or a difference we'll be making
16 with respect to this regulation. This is first impression.
17 This is the first time the Board's heard it.

18 In the past we've had -- often times we'll --
19 passed, this will go out for 45-day public comment. And I
20 feel like we, as a Board, have been sort of lazy in terms
21 of tightening up regulations before sending it out for 45-
22 day public comment.

23 So kind of two measures that we're interested in
24 taking on that front are, A, the use of the Committee
25 structure in which we can, like yesterday, with respect to

1 race dates, have robust public comment and get regulations
2 up to a point where, you know, they're ready to become a
3 regulation when the Board hears them.

4 The second piece of that will be when we sent it
5 out for 45-day public comment, if we don't get a request
6 for a hearing and/or any relevant comments with respect to
7 that regulation, if it passes the agency and OAL, it would
8 not be coming back to the Board for another vote.

9 So I just want the Board to be aware that we're
10 not going to apply that retroactively to the regulations
11 that are currently in the process. But for this one, for
12 the first time that the Board is hearing, there is a
13 possibility, if it doesn't receive relevant comment or a
14 request for a hearing, it will not be coming back to the
15 Board for a vote, and just wanted the Board to know that.
16 That will also be clearly spelled out when we notice it for
17 the 45-day public comment.

18 Thank you, Vice Chairman.

19 VICE CHAIR GONZALES: Thank you.

20 Operator, we're going to open it up here in a
21 minute.

22 But before we do that, Commissioners, are there
23 any other questions you have on this matter for either
24 Amanda or Scott? Okay.

25 Hearing none, Operator, how many folks do we have

1 in the queue?

2 OPERATOR: We have four at this time.

3 VICE CHAIR GONZALES: Okay. Let's proceed, the
4 first one.

5 OPERATOR: All right. Our first comment will
6 come from Ms. Martha Sullivan.

7 MS. SULLIVAN: Hello again. Martha Sullivan from
8 San Diego County.

9 And reading the proposed -- well, reading the
10 agenda item, and then the proposed rule, I note the
11 emphasis on efficiency. And I would just like to note that
12 if the Board wants to make more efficient use of its
13 meeting time, I would highly recommend that you put more
14 effort into managing the amount of time that's spent on
15 presentations and discussions with the industry
16 stakeholders, so to speak.

17 I mean, I've sat through these Board meetings
18 since last summer. And it's very clear to me that if
19 you're concerned about the efficient use of time and
20 excessive amount of time, it's not from public comments,
21 it's from repeated over and over and over discussions of
22 race dates and whip rules and the agreements with the
23 trainers. So I'm really kind of, frankly, disturbed at the
24 emphasis of this agenda item and rule on, quote,
25 "efficiency," when it comes to public participation, but no

1 discussion about being more disciplined in the Board's
2 management of its own time in terms of presentations and
3 discussions with the industry stakeholders.

4 VICE CHAIR GONZALES: Duly noted. We will take
5 that into account. We're trying to get better, Martha. We
6 rarely react or respond to public comment but there's
7 always room for improvement. So you've got our word and
8 our commitment that we will get more efficient across the
9 Board. Thank you.

10 Operator?

11 OPERATOR: Thank you. Our next comment will be
12 from Bonnie Croker.

13 MS. CROKER: Yes. Thank you. I've spoken quite
14 a bit today and I certainly appreciate the opportunity to
15 do so.

16 Discussion of rules regarding public
17 participation during meetings of the CHRB makes this a
18 relevant time to reference the Bagley-Keene Open Meeting
19 Act of 2004 set forth in Government Code sections 11120
20 through 11132, The Act covers all state boards and
21 commissions. I will quote the purpose of The act.

22 "Operating under the requirements of The Act can
23 sometimes be frustrating for both board members and
24 staff. This results from the lack of efficiency built
25 into the act and the unnatural communication patterns

1 brought about by compliance with its rules.

2 "If efficiency were the top priority, the legislature
3 would create a department and then permit the
4 department head to make decisions. However, when a
5 legislature creates a multi-member board, it makes a
6 different value judgment. Rather than striving
7 strictly for efficiency, it concludes that there is a
8 higher value to having a group of individuals with a
9 variety of experiences, backgrounds and viewpoints
10 come together to develop a consensus. Consensus is
11 developed through debate, deliberation, and give and
12 take. This process can sometimes take a long time and
13 is very different in character than the individual
14 decision-maker model. Although some individual
15 decision makers follow a consensus building model in
16 the way that they make decisions, they are not
17 required to do so.

18 "When the legislature creates a multi-member body it
19 is mandating that the government go through this
20 consensus-building process. When the legislature
21 enacted the Bagley-Keene Act, it imposed, still,
22 another value judgment on the governmental process.
23 In effect, the legislature said that when a body sits
24 down to develop its consensus there needs to be a seat
25 at the table reversed for the public. By reserving

1 this place for the public the legislature has provided
2 the public with the ability to monitor and participate
3 in its decision-making process.

4 "If the body were permitted to meet in secret, the
5 public role in the decision-making process would be
6 negated. Therefore, absent a specific reason to keep
7 the public out of the meeting, the public should be
8 allowed to monitor and participate in the decision-
9 making process.

10 "If one accepts the philosophy behind the creation of
11 a multi-member body and the reservation of a seat at
12 the table for the public, many of the particular rules
13 that exist in the Bagley-Keene Act become much easier
14 to accept and understand. Simply put, some efficiency
15 is sacrificed for the benefit of greater public
16 participation and government."

17 Thanks so much for listening.

18 VICE CHAIR GONZALES: Operator, any others?

19 OPERATOR: Thank you. Our next comment will be
20 from Dr. Wayne Johnson.

21 MR. JOHNSON: Yeah. Bagley-Keene at 1125.7 says,
22 quote, "Public comment in open meetings shall include
23 criticism of programs, policies and officials of the state
24 body."

25 This is a state that has 40 million people. In a

1 state with 40 million people, you allow 30 minutes and 2
2 minutes apiece. So that means in a state of 40 million
3 people, pro and con, there are 15 people allowed to comment
4 in the open comment period at the end.

5 So if you're talking about efficiency, how about
6 giving us a little more time so both us and the industry
7 can say what we have to say and we're not being cut off?

8 Thank you.

9 VICE CHAIR GONZALES: Operator, any others in the
10 queue?

11 OPERATOR: Yes. Our next comment will come from
12 Tony Falcone.

13 MS. FALCONE: Actually, I was just going to make
14 that exact same comment, that when there is almost 40
15 million people living in California, that you're allowing
16 30 minutes with 2 minutes each, which is 15 people
17 representing 40 million people. So I would urge you to
18 extend that time.

19 I also want to point out a couple of other things
20 that I've seen in previous meetings that I've been going to
21 for years now.

22 I just want to remind the Board that votes are
23 not supposed to be taken before public comment. I've been
24 at many meetings where votes -- you started voting before
25 hearing us. And there wasn't even the veil of caring what

1 the public had to say. And there was some pretty horrible
2 behavior from previous Board Members.

3 Also, you shouldn't be able to choose which
4 agenda items the public gets to speak at. We've had some
5 of that today. And we're supposed to be allowed to speak
6 on every agenda item in the public meeting.

7 I also want to address some of the behavior of
8 the Board Members I've seen in the past, especially in the
9 in-person meetings before COVID hit. People would get up
10 and decide to go to the bathroom, roll their eyes, eat a
11 sandwich, and not even pretend to care what we have to say.
12 So I'd like you guys, maybe, to monitor your behavior a
13 little better going forward if we get back to in-person
14 meetings.

15 Thank you.

16 OPERATOR: Thank you. I'm showing no further
17 comments at this time.

18 VICE CHAIR GONZALES: Okay. You know, before we
19 go to the Commissioners, I want to -- Scott, if you could
20 just weigh in?

21 I mean, I've got to tell you, I've now done a
22 year of the meetings and just want to, you know, express
23 appreciation for each of these public comments that came
24 in. They were right on point. It's obviously a very
25 studious and efficient group in their own right as it

1 relates to running meetings and what should be done. And I
2 know every Commissioner that I ever speak to not only
3 listens to comments but any written comments that come
4 through, typically that will come through Mike Marten, and
5 every single one of us get an email about what comes
6 through, regardless of the person's title or the topic.

7 So we feel that we've made tremendous strides and
8 we're going to do so. And it's because of transparency and
9 engagement.

10 So the reason I'm asking to go back to Scott
11 before we go to the Commission is, Scott, if you want to --
12 you know, we try to, you know, not go point/counterpoint
13 with any of the public speakers. But just because of the
14 seriousness of this, I just want to just make sure that we
15 are heading in the right direction here.

16 So, Scott, just one more, and then we'll go to
17 the Commission here for consideration.

18 MR. CHANEY: Thank you, Mr. Vice Chairman, for
19 allowing me to speak again.

20 I will push back on one point from public comment
21 and that is that we -- there was an agenda item today that
22 we didn't allow public comment. That's true. It was
23 racing dates, which was -- it was a Committee meeting
24 yesterday which had robust public comments. So there's no
25 legal requirement to then have public comment when it comes

1 around -- when the Committee report came around today. The
2 idea is that it would be repetitive after listening to
3 probably about 45 minutes to an hour of public comment
4 yesterday, then to allow it again today. So that's a
5 normal Bagley-Keene Committee requirement.

6 But in a more general sense, I think this Board
7 and the goal is to provide -- I mean, we have two things
8 that we do at this meeting is we've passed some fantastic
9 regulation, specifically over the last year-and-a-half, but
10 as a Board over time. The other piece is we like to
11 encourage and welcome public comment.

12 And so the idea with this regulation is actually
13 to promote that and to promote the due process and openness
14 that Bagley-Keene requires. So I look at this regulation
15 as not as a limiter but, actually, codifying policy A that
16 already exists, but actually making it known to the public,
17 you know, what the rules are regarding our meetings.

18 Lastly, I want to commend Amanda Drummond and her
19 team who have done excellent work in terms of marshaling
20 both written comments on agenda items, as well as public
21 comment. And you can just look at the Board packet every
22 month to appreciate how much work they do in terms of
23 promoting those ideals.

24 Thank you, Mr. Vice Chairman.

25 VICE CHAIR GONZALES: Sure thing. Should the

1 Commission -- we may have a question or two, if you could
2 just sit tight?

3 Let's go ahead and now, before we can have any
4 official discussion on this matter, we have to have a
5 motion and a second. So as it relates to agenda item
6 number 12 as outlined and as discussed, given the public
7 input, do we have a motion to approve this measure, which
8 will then allow for internal discussion? Is there a
9 Commissioner that would like to move in favor or?

10 COMMISSIONER MITCHELL: This is Commissioner
11 Mitchell.

12 COMMISSIONER CASTELLANOS: Castellanos. Motion.

13 COMMISSIONER MITCHELL: I will move.

14 VICE CHAIR GONZALES: Okay. I heard --

15 COMMISSIONER SOLIS: I'll second.

16 VICE CHAIR GONZALES: -- everybody --

17 COMMISSIONER SOLIS: Alex Solis.

18 VICE CHAIR GONZALES: Okay. I heard Commissioner
19 Castellanos and Commissioner Solis on the second. Any
20 discussion on this here?

21 VICE CHAIR GONZALES: If I could, I just have a
22 quick question for Scott?

23 Is there -- do we need to take this up at this
24 moment? I mean, what -- can you let us know, what are some
25 of the things that are on the horizon timing-wise? Because

1 I just want to make sure, you know, that -- I understand,
2 you know, the objective here. But what is the -- I mean,
3 because this would not go into effect until when? Let's
4 just say, if we did adopt it today, when would it go into
5 effect?

6 MR. CHANEY: Right. I'll defer to Amanda
7 Drummond in terms of a timeline. But there is, obviously,
8 a bit of a lengthy regulatory process. I'll let her --

9 MS. DRUMMOND: Best case scenario, I would
10 estimate, approximately a year. Obviously, you know, if --
11 so if you approve it today there is the normal process of
12 developing the file. It goes to agency. That usually
13 takes some time for their review. Then we notice it for 45
14 days. Then, just depending on if we have a hearing or
15 comments, it may come back. That, obviously, can delay it
16 some. And then it goes through the OAL review process
17 which, in light of COVID, they are delayed right now. So
18 normally that process takes about a year. But with
19 everything going on, due to COVID, it could take even
20 longer.

21 VICE CHAIR GONZALES: Great. Understood. And
22 part of Scott's description of to help rules move along,
23 and I do know that every public comment, they want to
24 changes and they want to see reform. The way that happens
25 is through rulemaking. And there has been tremendous

1 progress that has been made on that front.

2 I was, originally, going to probably abstain just
3 because I, you know, I probably need to brush up on this.
4 But I more than likely will be in favor of, simply because
5 the rulemaking process will be expediated, is how it sounds
6 to me.

7 So we had a first, we have a second. Pardon me
8 for taking a point of personal privilege to just say where
9 I'm at and ask a question.

10 But for the rest of the Commission, do you have
11 any other questions on this agenda item?

12 COMMISSIONER ALFIERI: Just a comment from
13 Alfieri.

14 I think it's well written. The intent is what we
15 need in Rule 1415. And it keeps us concise, to the point.
16 And with the length of time that -- you know, which we just
17 heard from Amanda, a year, we need to act on this
18 immediately, in my opinion, so I'm all for it.

19 VICE CHAIR GONZALES: Understood, Commissioner.
20 Any comments?

21 COMMISSIONER MITCHELL: This is Commissioner
22 Mitchell.

23 I would just say, too, this is really codifying
24 our existing practices. And while it's not perfect for
25 anyone, it is -- then it will be clear, the process, and

1 it's consistent with what we've been doing. So I am with
2 Commissioner Alfieri and look forward to this moving today.

3 VICE CHAIR GONZALES: Thank you.

4 Well, before I call the question, I just -- and,
5 Mike, I know you're listening, any written feedback that
6 you get as is always the case, on this particular agenda
7 item, make sure you route that, as you normally do, to
8 Board staff and to the Board.

9 Well, let's go ahead and call the question on
10 this.

11 Commissioner Alfieri, on agenda item 12, how do
12 you stand?

13 COMMISSIONER ALFIERI: Yes.

14 VICE CHAIR GONZALES: Thank you.

15 Commissioner Castellanos?

16 COMMISSIONER CASTELLANOS: Yes.

17 VICE CHAIR GONZALES: Commissioner Mitchell?

18 COMMISSIONER MITCHELL: Yes.

19 VICE CHAIR GONZALES: Commissioner Solis?

20 COMMISSIONER SOLIS: Yes.

21 VICE CHAIR GONZALES: And I, Vice Chair Gonzales,
22 is also in the yes column. Thank you.

23 We have just two agenda items left. We'll open
24 it up for public comment. And then we're going to go into
25 a closed session. I do appreciate Dr. Arthur hanging in

1 there with us, as always. The last two involve matters
2 that he'll be weighing in on.

3 Amanda, let's go ahead and turn things over to
4 you.

5 I'll just, for those that are listening in,
6 again, and don't have the agenda in front of you, I'll read
7 it. It's discussion and action by the Board regarding the
8 proposed emergency amendment of CHRB Rule 1843.2,
9 Classification of Drug Substances, to update the
10 Alphabetical Substances List to align with the ARCI Uniform
11 Classification Guidelines for Foreign Substances.

12 For those people that don't know, ARCI stands for
13 the Association of Racing Commissioners International of
14 which we, CHRB, is no longer a member, but we still look at
15 them for their guidelines.

16 So, Amanda, let me let you tee this up.

17 And the, Dr. Arthur, weight in as you see fit,
18 sir.

19 MS. DRUMMOND: Yeah. Good afternoon, again,
20 Commissioners. This is Amanda Drummond.

21 So in 2019, Board Rule 1843.2, which is
22 Classification of Drug Substances, was amended to update
23 the Board's Classification of Foreign Substance
24 Alphabetical Substance List, which is a document
25 incorporated by reference. And it was updated to align

1 with updates from the ARCI Uniform Classification
2 Guidelines.

3 The most recent amendment to Board Rule 1843.2 in
4 2019 is based on the 2018 updates from ARCI. The most
5 current Uniform Classification provided by ARCI was updated
6 in January of this year, so 2020. As such, our
7 Classification of Foreign Substance Alphabetical List is
8 outdated and needs to be amended to align with the current
9 ARCI recommendations.

10 The proposed Classification List is consistent
11 with the 2020 ARCI Guidelines, with the exception of the
12 following substances, so CBD, albuterol, cobalt,
13 clenbuterol, dibromine and furosemide. In order to quickly
14 update our regulations and come into line with the ARCI
15 Guidelines, Staff is recommending this regulatory change,
16 if the Board approves it, that we do those in an emergency
17 regulation to expedite the process.

18 Additionally, since the ARCI Guidelines are
19 modified annually, the Board may want to consider adopting
20 an emergency regulation at the beginning of every year to
21 ensure we are always in compliance.

22 VICE CHAIR GONZALES: Thank you, Amanda.

23 Dr. Arthur, any information that you feel needs
24 to be added there?

25 EQUINE MEDICAL DIRECTOR ARTHUR: No. This is an

1 ongoing process. The classifications of drugs, both in
2 terms of the drug class and penalty, changes all the time.
3 Drugs are added all the time. For example, dipyron was
4 classified as a 4B drug, Penalty Class B, because it was
5 not FDA approved. And subsequent to the last
6 classification, it has received FDA approval for use in a
7 horse. It's used to treat spasmodic colic. Those are the
8 types of changes that we see.

9 So all -- most of the other ones, changes, are
10 spelling errors, minor changes, and have some comments
11 relative to drugs we see that are -- often times,
12 inadvertently, causes violations. And some of those, for
13 example, with methamphetamine, we often times see the --
14 there's an employee that is using the drug. The levels are
15 such that they would not be an administration or an
16 incidental. And what our provisions actually allow is that
17 the Board of Stewards or the Board can, if the evidence
18 presents itself, rather than have a 1A, have it a 1B
19 violation and those sorts of things.

20 So, for the most part, it's worked quite well.
21 But this is a process that changes every year. And we will
22 see additional changes this year as well.

23 VICE CHAIR GONZALES: Thank you, Dr. Arthur.
24 Appreciate that overview.

25 Board, any questions for Dr. Arthur or Amanda on

1 this item before we open it up for public comment? Okay.

2 Kerri Operator, how many folks do we have in the
3 queue?

4 OPERATOR: It looks like we just have one at the
5 moment.

6 VICE CHAIR GONZALES: Okay. Let's allow that
7 person in.

8 OPERATOR: All right. It looks like Denise
9 Bolbol.

10 MS. BOLBOL: Hello. Can you hear me?

11 VICE CHAIR GONZALES: Yes, we can. Thank you for
12 dialing in.

13 MS. BOLBOL: Thank you. So you might want to
14 update your website so that people know how to be able to
15 speak. I know I've participated in meetings in that past
16 that I've forgot how to be able to speak. So there were a
17 number of agenda items I was trying to figure out what
18 button to push to raise my hand but I couldn't. So it
19 would be nice if you added that to your website.

20 For this item --

21 VICE CHAIR GONZALES: Will do.

22 MS. BOLBOL: -- I would -- thank you very much.

23 For this item, I would say that, you know, this
24 Commission is -- I know you guys are all supporters of the
25 horse racing industry. And many of you are probably

1 connected to it or were connected to it or remain connected
2 to it. So you have a disadvantage -- or a disincentive to
3 do the right thing, in my opinion. You have a disincentive
4 to represent the vast majority of Californians. We don't
5 want to see horses being put on drugs to race.

6 So instead of updating your drug race -- your
7 drug list, you should be adopting a policy, if horses need
8 to be put on drugs, they shouldn't be allowed to race.
9 Then you wouldn't need this list.

10 And I really don't see you disassociated with the
11 Association of Racing Commissioners International, right,
12 for a reason. Yet, now, you're just going to be in
13 conformance with their drug list.

14 So I don't know, it seems to me, you're proving a
15 point that, yeah, you can call us -- you know, we're the
16 anti-horse-racing community, which is the vast majority of
17 Californians. But it seems to me, you guys just keep doing
18 this business as usual thing. And you guys aren't willing
19 to push the envelope.

20 Horses continue to die, you guys continue to
21 approve drug lists, and the wheel just keeps turning.

22 Thank you.

23 VICE CHAIR GONZALES: Thank you.

24 Operator, is there anyone else in the queue?

25 OPERATOR: I'm showing none to this time.

1 And, again, that's star one to make a comment.

2 VICE CHAIR GONZALES: Okay. Two quick points.

3 We will make sure that we get clear information on how to
4 participate and dial in.

5 And, number two, just a point of clarification,
6 this Board never will and never has referred to anybody in
7 a derogatory manner that comes before us. We appreciate
8 the courtesy and respect that's extended to us. And when
9 we don't feel that, Commissioner Ferraro or myself will
10 quickly correct that. We feel, you know, transparency also
11 involves a degree of respect.

12 So we do appreciate those that have dialed in and
13 extended that courtesy to us because that's what we believe
14 and that's what guides us.

15 So now --

16 EQUINE MEDICAL DIRECTOR ARTHUR: Mr. Chairman,
17 this is Dr. Arthur. I would like to --

18 VICE CHAIR GONZALES: Okay.

19 EQUINE MEDICAL DIRECTOR ARTHUR: -- to make one
20 comment.

21 VICE CHAIR GONZALES: Yes.

22 EQUINE MEDICAL DIRECTOR ARTHUR: This list is not
23 a permissive list. It is a list of the penalties
24 associated with these particular substances. This is how
25 they are classified. It does not mean that these are

1 permitted drugs. It just defines what the penalty is for
2 those violations when they do occur. All these drugs would
3 be a violation is they are -- come out of the laboratory.

4 VICE CHAIR GONZALES: Appreciate that.

5 EQUINE MEDICAL DIRECTOR ARTHUR: It's not a
6 permitted list.

7 VICE CHAIR GONZALES: Appreciate that
8 clarification, very, very important.

9 Amanda, do you have anything to add before we
10 turn it over to the Commissioners?

11 MS. DRUMMOND: No. Thank you though.

12 VICE CHAIR GONZALES: Okay. Appreciate the
13 public comment and appreciate Dr. Arthur and Amanda
14 handling this item for us.

15 So is there a motion to adopt this measure,
16 agenda item 13?

17 COMMISSIONER CASTELLANOS: Castellanos. Motion.

18 COMMISSIONER MITCHELL: Mitchell. Second.

19 VICE CHAIR GONZALES: Castellanos, Mitchell
20 leading things off. Any discussion? Any further
21 discussion, questions for one another, additional
22 information needed? Okay. So we'll do -- call the
23 question here.

24 Commissioner Alfieri?

25 COMMISSIONER ALFIERI: Yes.

1 VICE CHAIR GONZALES: Commissioner Castellanos?

2 COMMISSIONER CASTELLANOS: Yes.

3 VICE CHAIR GONZALES: Commissioner Mitchell?

4 COMMISSIONER MITCHELL: Yes.

5 VICE CHAIR GONZALES: Commissioner Solis?

6 COMMISSIONER SOLIS: Yes.

7 VICE CHAIR GONZALES: Myself, Commissioner

8 Gonzales, is also a yes. Thank you.

9 We now have the final agenda item which reads,
10 public hearing and action by the Board regarding the
11 proposed amendment to CHRB Rule 1842, Veterinarian Report,
12 to require such reports be submitted electronically. In
13 parenthesis, there's a note. It says, "This concludes the
14 15-day public comment period. The Board may adopt the
15 proposal as presented."

16 Amanda?

17 MS. DRUMMOND: Yes. Good afternoon, again,
18 Commissioners. Amanda Drummond.

19 So the proposed amendment to Board Rule 1842,
20 Veterinarian Report, requires every veterinarian who treats
21 a horse within the inclosure to report to the official
22 veterinarian via an electronic online form.

23 Upon submitting this regulation to the Office of
24 Administrative Law, they had some recommended clarifying
25 amendments that they wanted us to make. Those amendments

1 included adopting gender-neutral terms, adding requirements
2 as identified in Business and Professions Code section
3 19583 for consistency, and declare that the only other
4 information requested shall be veterinary medical
5 information related to the treated horse's health.

6 So those amendments were noticed for 15 days from
7 July 14th to July 29th. We did receive two comments and
8 those are included in the packet for your reference and
9 consideration.

10 And that's it.

11 VICE CHAIR GONZALES: Thank you.

12 Dr. Arthur, do you have anything to add before we
13 go to public comment?

14 EQUINE MEDICAL DIRECTOR ARTHUR: No, it's just
15 that the changes that you're discussing are actually
16 requests by the Office of Administrative Law to be
17 compliant with the current way regulations are written.

18 But it is important for us to have electronic
19 records for the health and welfare of the horse to be able
20 to monitor veterinary treatments and medication
21 administrations. This is a major step forward.

22 VICE CHAIR GONZALES: Excellent. You know, we
23 rarely hear from private vets who dial in. Can you just
24 give us any sentiments that may be shared amongst that
25 professional group?

1 EQUINE MEDICAL DIRECTOR ARTHUR: There's
2 certainly the attending veterinarians. It's going to
3 change the way that they report. It's going to mean that
4 they're going to have to deal with a program they haven't
5 had to deal with before. It will eliminate submitting
6 handwritten documents that we can't read sometimes. But it
7 is going to be a challenge for veterinarians. Any new
8 program that you have to deal with, electronic program, is
9 a hassle. And I certainly respect the frustration of
10 veterinarians trying to learn a new program.

11 We did have a Zoom with the InCompass people
12 about how this program would work with the attending
13 veterinarians earlier this year. And veterinarians have
14 been signing up and getting their practices set up for the
15 program when it becomes effective.

16 I would expect, because of the fact that this was
17 sent back by OAL, this won't become effective until January
18 1st. It gives us more time to get everybody up to speed.

19 VICE CHAIR GONZALES: Thank you.

20 Okay, Commissioners, any questions for Amanda or
21 Dr. Arthur before we go to public comment? Great.

22 Hearing none, Kerri Operator, do we have and how
23 many?

24 OPERATOR: I'm showing no public. Oh, it looks
25 like we do have one. Now we have three.

1 VICE CHAIR GONZALES: Oh.

2 OPERATOR: And our first one will be coming from
3 Oscar de la Torre.

4 MR. DE LA TORRE: Yes. As our country reaches a
5 point of reckoning as it relates to racism, I think it's
6 really important for us to think about some of the
7 experiences that we're having right now.

8 VICE CHAIR GONZALES: Mr. de la Torre?
9 Mr. de la Torre, I'm sorry --

10 MR. DE LA TORRE: Yes?

11 VICE CHAIR GONZALES: -- I think you're on hold
12 for public comment. If you could just sit tight? This is
13 on the veterinarian issue.

14 MR. DE LA TORRE: Oh, I'm sorry. I'm sorry.

15 VICE CHAIR GONZALES: If it's okay --

16 MR. DE LA TORRE: I thought -- okay.

17 VICE CHAIR GONZALES: That's okay. No worries.
18 It happens a lot.

19 MR. DE LA TORRE: Yeah.

20 VICE CHAIR GONZALES: No worries. We're good.
21 We're good.

22 Operator, if you could keep Mr. de L.A. Torre in
23 the queue? He's on top of it as always. And then we will
24 go to the next comment.

25 Again, I just want to add a point of

1 clarification. This is agenda item 14. It's the last and
2 final agenda. So individuals typically like to dial in a
3 little early, Operator. So we will allow for the next
4 person to come in, providing it is specific to agenda item
5 14. So the next public comment.

6 OPERATOR: Thank you. Our next comment will come
7 from Jane Cartmill.

8 MS. CARTMILL: I was in the queue for public
9 comment, not this item.

10 VICE CHAIR GONZALES: Oh. Thank you, Jane.
11 Appreciate your understanding and your cooperation.

12 Operator, we'll go to the next up in the queue.

13 OPERATOR: All right. Next one in the queue is
14 Bonnie Croker.

15 MS. CROKER: Yes. I apologize.

16 VICE CHAIR GONZALES: Bonnie, are you --

17 MS. CROKER: I, too, was waiting for public
18 comment.

19 VICE CHAIR GONZALES: Okay.

20 MS. CROKER: I'm sorry.

21 VICE CHAIR GONZALES: Okay. Understand.

22 MS. CROKER: I've been waiting in the queue
23 and --

24 VICE CHAIR GONZALES: Thank you, Bonnie. It's
25 okay. I have a feeling we're going to go four for four

1 here.

2 Operator, let's hear the next person, especially
3 if it's related to agenda item 14.

4 OPERATOR: And I'm showing no further comments at
5 this time.

6 VICE CHAIR GONZALES: Okay. And just remember
7 the order that -- I want to just, you know, pay the
8 courtesy to the folks who dialed in.

9 Okay, Commissioners, this brings us to the last
10 agenda item. You know, we've heard from Amanda. We're
11 heard from Dr. Arthur. There's been no public comment. Is
12 there a motion to adopt this measure?

13 COMMISSIONER SOLIS: I move. Alex Solis.

14 COMMISSIONER ALFIERI: So moved. Sorry.

15 VICE CHAIR GONZALES: I heard Solis and I heard
16 Alfieri with a second. Any discussion amongst us as a
17 group? Okay. Let's call the question.

18 Commissioner Alfieri?

19 COMMISSIONER ALFIERI: Yes.

20 VICE CHAIR GONZALES: Commissioner Castellanos?

21 COMMISSIONER CASTELLANOS: Yes.

22 VICE CHAIR GONZALES: Commissioner Mitchell?

23 COMMISSIONER MITCHELL: Yes.

24 VICE CHAIR GONZALES: Commissioner Solis?

25 COMMISSIONER SOLIS: Yes.

1 VICE CHAIR GONZALES: And myself, Commissioner
2 Gonzales, is also a yes.

3 Thank you, Amanda.

4 Thank you, Dr. Arthur.

5 We now are going to proceed to agenda item 15,
6 which is public comment period. I read, from the outset of
7 the meeting, just kind of the outline. You know, again,
8 we're going to a 30-minute maximum. If for some reason you
9 hear somebody make a point that you already made, it's
10 perfectly okay to say that you stand or you want to
11 associate yourself with certain comments. That will then
12 allow somebody who will be, probably, reinforcing your
13 message to say something different.

14 But before we go to public comment, I, you know,
15 I just want to say that it was a privilege to help Chair
16 this meeting. And I just, again, want to wish a speedy
17 recovery to Dr. Ferraro.

18 I also want to open this up, just for like maybe
19 a minute, any other Commissioners, before we go to public
20 comment, you know, that want to -- you know, any
21 announcements? Anything you'd like to share?

22 I also felt, Commissioner Solis, your remarks and
23 comments about one of your mentors and dear fiends, Mel
24 Stute, I thought that that was fitting and very special.
25 So we'll make sure that that is for the record.

1 Any other comments or thoughts from the
2 Commissioners before we go to public comment? Okay.
3 Hearing none, we'll proceed.

4 Mike, you're -- so if you could, you know, just
5 help out with Kerri. I know she's an expert and doing a
6 wonderful job at this. So why don't we go ahead and begin
7 going to the queue.

8 Who do we -- how many people do we have so far,
9 Kerri?

10 OPERATOR: Right now I have six.

11 VICE CHAIR GONZALES: Okay. Well, if you can in
12 the order, if Mr. de la Torre is still on? And then I
13 think it was Bonnie after that. But let's go ahead and
14 pick up where we we're at here.

15 MR. MARTEN: Well, let me just interrupt.
16 Bonnie, if you -- you were dropped from the queue, so
17 you'll have to press star one again to get back up close to
18 the first in the line.

19 OPERATOR: Thank you.

20 VICE CHAIR GONZALES: Thanks Mike.

21 OPERATOR: And it looks like Oscar de la Torre is
22 our first, so let's go ahead and take him.

23 VICE CHAIR GONZALES: Okay. Welcome back.

24 OPERATOR: Oscar, go ahead.

25 MR. DE LA TORRE: Yes. Our country has reached a

1 point of reckoning as it relates to racism. George Floyd's
2 tragic death at the hands of Minnesota Police was a
3 flashpoint that inspired activism not seen since the days
4 of the civil rights movement that has led to a worldwide
5 examination of personal and corporate commitments to
6 equality and diversity and has spurred a national
7 conversation about systemic racism, inherent bias, and
8 unequal treatment of people of color, some conscious racism
9 by people of ill will and some unconscious support of
10 systems and institutions that need mending.

11 Based on my experience over the last several
12 years helping to organize, largely, immigrant Latino
13 workers in the horse racing community in California, known
14 as backstretch workers, it is time for the animal advocacy
15 extremists who oppose this sport to take a long look in the
16 mirror and ask themselves some hard questions too.

17 In the last 18 months, as backstretch workers had
18 rallies to protect their livelihood, confronting animal
19 advocates at California's racetracks and at public
20 meetings, such as this one in the CHRB, our people have
21 been subjected to openly hostile racism from those who
22 demand a ban on horse racing.

23 At one demonstration an activist supporting a ban
24 on horse racing called us uneducated monkeys, and another
25 told our workers to go back to their taco truck.

1 The reality is that this racism has not been
2 confronted. The racist remarks and treatment we have
3 experienced points to a deeper problem within these groups.

4 The people I work with provide horse --
5 racehorses the best care possible and are always looking
6 for ways to improve, which is why the horse racing
7 community welcomed reforms to strengthen the oversight and
8 safety of the horses, recently implemented by the
9 California Legislature, Governor Newsom, and the CHRB.

10 These animals are attended to around the clock
11 and kept strong, fit and healthy. The animal advocacy
12 extremists want racing banned with no consequences for the
13 impact of that ban on workers. The prohibition of this
14 sport would create a humanitarian crisis. It would end
15 tens of thousands of jobs for decent, hardworking people
16 and put them at economic risk in the midst of a global
17 pandemic. It would also create an animal welfare crisis as
18 these horses are trained and cared for at the racing
19 facilities they call home.

20 But put aside, for a moment, our vastly different
21 points of view about horse racing as the country reflects
22 on systems and ideologies that oppress and marginalize
23 people of color, it is time to call out the hypocrisy of
24 those who espouse to advocate for animal rights while, at
25 the same time, show blatant disregard for human rights.

1 Thank you very much.

2 VICE CHAIR GONZALES: Operator, next.

3 OPERATOR: Thank you. Our next comment will be
4 from Bonnie Croker.

5 MS. CROKER: I want to address the comments made
6 by the gentleman who said, essentially, that animal rights
7 advocates strive to ignore or alter the course of human
8 history as it pertains to horse racing. The gentleman was
9 right about one thing. Animal rights advocates do learn
10 from the mistakes, blatant cruelty, in a short time in
11 human history, i.e. the holocaust, slavery, child labor.
12 We don't ignore human history but, yes, we do seek to alter
13 the current course of human history as it pertains to the
14 oppression and cruelty still being perpetrated against
15 animals and humans.

16 Mr. de la Torre, please understand that we also
17 fight for the right of people of color and people who have
18 less opportunity to succeed in life. We are teachers. We
19 are nurses. We are doctors. We are lawyers. We have
20 careers, just like you have. We have spent them advocating
21 for humans, and we still continue to, it's just that we
22 want a full scope, a full circle of compassion, not limited
23 only to humans but to animals, as well, and to the earth as
24 well.

25 Thank you all for listening.

1 VICE CHAIR GONZALES: Ready for the next one,
2 Operator.

3 OPERATOR: Thank you.

4 VICE CHAIR GONZALES: Next comment.

5 OPERATOR: Our next comment will be from Martha
6 Sullivan.

7 MS. SULLIVAN: Hello once more. This is Martha
8 Sullivan from San Diego County.

9 I actually listened into the Jockey Club
10 Roundtable this last Sunday. And I was particularly
11 interested in the segment on claiming races by the head of
12 the Maryland Jockey Club, Sal Sinatra. I wanted to share
13 some very useful and interesting statistics which he gave.

14 Claiming races are 80 percent of all races. The
15 average claiming sale price in 2019 was the same in 2000,
16 about \$13,000, while the average purse has increased 80
17 percent in that time period.

18 He -- Mr. Sinatra said that claiming races are,
19 quote, "detrimental to the horse and unsustainable for the
20 owner," end quote, and referred to claiming races as,
21 quote, "a race to the bottom."

22 His recommendations were to triple or quadruple
23 the claiming price and, also, establish a rating system for
24 racehorses in the U.S., similar to that in Europe and
25 Australia, so that horses race with comparable horses.

1 I felt this was good information to share.

2 OPERATOR: Thank you.

3 VICE CHAIR GONZALES: Operator, we're ready for
4 the next public speaker.

5 OPERATOR: Our next comment will be from Dr.
6 Wayne Johnson.

7 MR. JOHNSON: Yes. First of all, I want to say,
8 and I think on behalf of my animal rights' colleagues, that
9 we express the sorry for the loss of Mr. Stute too. I think
10 that's how you pronounce it right. We didn't know him, I
11 don't think, but I'm sorry for his loss.

12 Secondly, I want to express a speedy recovery for
13 Dr. Ferraro.

14 Thirdly, I want to commend Mr. de la Torre for
15 his excellent statement and invite him to my anti-racism
16 protest on Saturday at 11 o'clock in Santa Monica.

17 If one of our members called one of you monkeys
18 or talked about taco trucks, we should be ashamed of
19 themselves. We should be ashamed to have that. We are not
20 about racism. We are about equality for all, including
21 non-human animals.

22 Mr. de la Torre is a historic figure in the fight
23 for racial justice and we give total respect to his
24 advocacy for the backstretch workers and only ask that his
25 passion extend to horses, as well as human beings.

1 Now with regards to the meeting itself, I want to
2 commend Mr. Gonzales for running, in general, a fair
3 meeting. You slipped up a couple times. One is on agenda
4 item three. It doesn't matter whether that was yesterday.

5 His characterization of the public comment yesterday left
6 out the fact that several people, several people, were
7 against racing dates. And I personally said that the
8 Breeders' Cup should not be at Del Mar because Mongolian
9 Groom was killed at Santa Anita in the Breeders' Cup last
10 time.

11 Finally, in terms of sprinklers, can you
12 understand, Mr. Gonzales and the rest of the Commission,
13 why we feel you have nothing but contempt for us as animal
14 rights activists? Sprinklers, something as basic as
15 sprinklers, no discussion. No Commissioner said a thing.
16 There was no horsemen that called up and said, sprinklers
17 are essential. We can't have another Lilac Fire. That's
18 why we think you don't respect us.

19 Full respect to you and thank you for the time.

20 OPERATOR: Thank you. Our next comment will be
21 from Ellen Eriksen.

22 MS. ERIKSEN: Good afternoon, Commissioners. I
23 just wanted to say this with the utmost respect that I
24 comment today.

25 Once again, the Board is ignoring the COVID-19

1 pandemic. We will continue to bring this matter up since
2 it has been left off your meeting agenda today. I guess
3 you don't think the safety and well-being of the
4 backstretch workers is important enough to discuss.

5 It has been brought to attention from an
6 anonymous tip from a whistleblower that there are 60 to 70
7 confirmed COVID-19 infected backstretch workers here at Del
8 Mar. It is very interesting that the public has not been
9 made aware of these findings. These cases have been
10 reported as of August 15th by the Public Health physician.
11 The deceit and corruption of this Board, the County of San
12 Diego, and the entire horse racing business is
13 questionable.

14 I can, again, attest to the fact that Del Mar is
15 not a closed, contained (indiscernible) this summer. I
16 still witness people coming and going from this track, not
17 wearing masks or face coverings, go into this community.

18 Del Mar, two weeks ago, locked a fence by the
19 backstretch workers housing to avoid being caught again on
20 camera not socially distancing or wearing masks. But
21 that's okay. We all know what's going on inside the
22 racetracks.

23 All the county agencies have been contacted
24 regarding the silencing of the outbreak at this track. You
25 can all lie and cover up what's going on. Oh, but wait,

1 that happens all the time with the horses, the trainers,
2 the doping, and every other corrupt thing that happens at
3 racetracks here in California. Why would this be any
4 different? Just like Santa Anita not reporting all their
5 positive cases until after the meet was finished.

6 There are over 1,800 horses stabled at Del Mar
7 with 1,300 humans working as -- in a nonessential business.
8 Many of these workers came from infected racetracks.

9 The living conditions at Del Mar are substandard
10 in dorm-like settings. We all know that this type of
11 living allows for the spread of COVID.

12 We urged and begged you today not to issue a
13 license for Santa Anita. And, again, it was ignored.

14 And I just want to say that it works two ways
15 with the backstretch workers. You know, if anyone did make
16 some racial comments, I apologize. I'm not sure who they
17 were. But like I said, it works both ways. We get a lot
18 of disrespect --

19 VICE CHAIR GONZALES: Ma'am --

20 MS. CROKER: -- (indiscernible) personal attacks.

21 VICE CHAIR GONZALES: -- I'm so sorry. If you
22 could wrap up? If you could wrap up?

23 MS. ERIKSEN: Okay. Anyway, it works both ways.
24 And thank you for your time today.

25 OPERATOR: Thank you.

1 VICE CHAIR GONZALES: Well, good afternoon.

2 OPERATOR: Our next comment will be from Joe
3 Kaplan.

4 MR. KAPLAN: Yes. Thank you. On Sunday, August
5 3rd, I was watching the live broadcast of race four at
6 Golden Gate Fields. It was a close race as the horses were
7 nearing the finish. Snow Pack, a three-year-old filly, had
8 been trailing and was no charging toward the pack but was
9 suddenly and awkwardly pulled up by her jockey with what
10 looked like a broken front leg. Later that day she was
11 euthanized, the 17th horse to die at Golden Gate Fields in
12 2020.

13 I thought it was odd that Track Announcer Matt
14 Dinerman never mentioned Snow Pack's horrific injury during
15 his call of the race, even though it was in plain site.
16 Why would he do that?

17 After the race, I was concerned about Snow Pack,
18 and I was eager to watch the replay. But someone had
19 edited out her fatal injury from the RTM video with a
20 clever splicing job.

21 Over and over I see this pattern of strategies to
22 ignore and conceal often fatal injuries from public view.

23 On July 12th at Los Alamitos, five-year-old Casey
24 (phonetic) broke her front leg while racing. And her
25 injury, too, was deleted from the replay.

1 When a new videography is hired are they told to
2 delete video footage on day one at the orientation? Or is
3 there an instruction manual with helpful tips on how to
4 whitewash horse injuries from public view? This behavior
5 is alarming, it's shameful, and I find it's pathetic.

6 You refer to horse racing as a sport and the
7 horses as athletes. But unlike real sports, like football
8 and basketball, where the networks show replays of injuries
9 from multiple angles, and sometimes even in slow motion,
10 the horse racing industry does whatever it takes to conceal
11 the racing injuries because witnessing the injuries would
12 offer the public a window into the exploitation, the
13 suffering, and the violence this industry subjects upon
14 horses.

15 Thank you very much for your time.

16 VICE CHAIR GONZALES: Operator, before we
17 continue on, I would like to ask Mike Marten, what's the
18 total time so far for public comment?

19 MR. MARTEN: Just 12 minutes so far. We're not
20 going to exceed 30.

21 I would comment --

22 VICE CHAIR GONZALES: Okay.

23 MR. MARTEN: -- that Ellen Eriksen has rejoined
24 the queue. And she had over two minutes before. You would
25 have to give special authorization to allow her to speak

1 again.

2 VICE CHAIR GONZALES: Was it -- is it during this
3 time? I mean, she -- right, so this will be her second
4 comment?

5 MR. MARTEN: Yes. And she is the one that, after
6 about two-and-a-half minutes, you said that -- let's move
7 on.

8 VICE CHAIR GONZALES: Correct. Correct. If you
9 could, just convey to Ellen, I have a feeling you have her
10 email, if you could, just convey that, you know, in the
11 interest of time, you know, we do have a closed session for
12 the public who doesn't have an agenda in front of them, so
13 there is an agenda item 16 for us.

14 But, Operator, do we have any others on the line?

15 OPERATOR: Thank you. We have --

16 MR. MARTEN: Well, there's three more.

17 OPERATOR: -- three others.

18 VICE CHAIR GONZALES: Okay. With all due respect
19 to Ellen, we're going to have to take the others up. So,
20 please, let's hear from the others.

21 OPERATOR: All right. We do have a comment from
22 Alan Balch.

23 MR. BALCH: Yes. Thank you. I just, hearing
24 these rather remarkable comments, many of them, we talk
25 about respect but a lot of the language is certainly not

1 respectful. But respect doesn't mean agreement. And,
2 clearly, w have some serious disagreements amongst
3 ourselves as part of the 40 million citizens of California.

4 So I want -- my comments are meant to put some of
5 these things in perspective. Because those of us in racing
6 are ever increasing our efforts to breed and race a sounder
7 horse and enhance soundness and care and animal welfare.
8 And I appreciate Ms. Sullivan paying attention and
9 attending the Jockey Club Roundtable because that's -- the
10 claiming issue is certainly something that needs to be
11 improved.

12 We, in racing, are somewhat confused when the
13 animal rights extremists don't respect or appreciate the
14 efforts that we make to improve animal welfare but we
15 really shouldn't be because to these extremists the two
16 concepts are fundamentally incompatible. To a human who
17 believes that any, quote unquote, "other animals," is
18 equivalent to a human, that is therefore entitled to
19 express its informed consent before undertaking any
20 activity, the very concept of human husbandry of nonhuman
21 animals is moronic.

22 To the true believers, the extremists, some of
23 whom are on this call, who drive opposition to racing, no
24 animal can be raised or processed for food or any
25 byproduct. No animal could be a pet. No animal can be

1 farmed, meaning bred, for any purpose at all because their
2 informed consent of those animals, those nonhuman animals,
3 is literally impossible.

4 Then, on top of that, these extremists seek to
5 impose their own beliefs and conduct on all the rest of us,
6 which are a big part of the 40 million people in
7 California, and 350 million in the United States, while
8 they are secretly ridiculing and marginalizing any effort
9 to improve animal welfare, which is very frustrating for
10 those of us who believe in animal welfare.

11 So let us recognize that only the tiniest
12 fraction of the public would support such extreme views as
13 we're hearing if their motives were really understood. Nor
14 would the public accept such a draconian restriction on the
15 freedom of others if they knew what was at stake.

16 People who believe in veganism are entitled to
17 practice it. People who believe that no animal or animal
18 byproduct should ever exist are entitled to that belief.
19 But they should not be permitted to impose their beliefs on
20 their fellow citizens.

21 Thank you.

22 VICE CHAIR GONZALES: Operator, how many do we
23 have left?

24 OPERATOR: Thank you. We have three now. I just
25 had someone else queue up. But our next one will be Tony

1 Falcone.

2 VICE CHAIR GONZALES: Okay.

3 MS. FALCONE: Hello. First of all -- hello. Can
4 you hear me?

5 VICE CHAIR GONZALES: Yes.

6 MS. FALCONE: Okay. Sorry. First of all, I'd
7 like to rebut Oscar de la Torre, since he did make some
8 pretty inflammatory accusations about the protestors. I
9 hope that it did not happen that there were racist comments
10 made at a protest. But knowing him, I would not be shocked
11 if it was completely fabricated. I hope it did not happen.
12 But they have had counter protestor that actually rolled on
13 the floor and feigned an injury.

14 He claims to be a workers advocate but I'm
15 curious what he's actually done to advocate for those
16 backstretch workers that he keeps coming up and speaking
17 about? Because I haven't seen him try and create a union
18 to protect them. I haven't seen him try and fight to
19 overturn their specific exclusion from California laws in
20 protecting them from employment housing.

21 I have seen him fight to keep them working in
22 conditions where protocols are not being followed. And Del
23 Mar's solution to that, instead of addressing those
24 protocols, put up barriers so the public can't see.

25 I have seen him pay \$10.00 to further exploit

1 those workers by paying them \$10.00 to stand out there in
2 the heat to tell everybody how much they love their jobs at
3 counter protests.

4 I have seen him at those protests in meetings
5 with Josh Rubenstein, finding out what he's supposed to be
6 doing and saying, because he is a puppet of the industry.

7 I want to address his other comment about -- and
8 the previous gentleman about -- that we're going to be
9 overrun with horses. Nobody's going to be able to take
10 care of them. Twenty thousands horses are raised -- are
11 bred every year for horse racing. You can easily not breed
12 those. Many of those go to slaughter, never even making it
13 to a track.

14 So this thing that we're extremists, you
15 misrepresent our view that we don't any animals anywhere.
16 It's not true.

17 I see -- and my last comment, I'd just like to
18 say a see a lot of moral bankruptcy in this industry, in
19 The Stronach Group, in the owners and their various
20 associations, the trainers, the horsemen's associations,
21 the veterinarians, Joe Harper, Josh Rubenstein, Oscar, I
22 just see a lot of moral bankruptcy.

23 You say -- call us extremists but what are we
24 asking for that's so extreme? We're asking for protection
25 for horse welfare, we're asking for protection for the

1 workers, and protection from COVID-19.

2 VICE CHAIR GONZALES: Thank you.

3 MS. FALCONE: I'm not sure what --

4 VICE CHAIR GONZALES: Thank you for --

5 MS. FALCONE: -- exactly is so extreme --

6 VICE CHAIR GONZALES: -- your comment.

7 MS. FALCONE: -- about those views. Thank you.

8 VICE CHAIR GONZALES: Okay, Operator, I just want
9 to make sure, do you know the names of those that are
10 coming through?

11 OPERATOR: Yes. I have Jane Cartmill, Ellen
12 Eriksen, and Heather Hyde just queued up.

13 VICE CHAIR GONZALES: Yeah. Okay. Heather. We
14 have not heard from Heather, I don't believe.

15 Mike, can you correct me if I'm wrong? Has
16 Heather --

17 MR. MARTEN: Right. Heather has not been heard.
18 Jane Cartmill --

19 VICE CHAIR GONZALES: Okay. Let's hear Heather.
20 Let me just make a quick --

21 MR. MARTEN: And then just --

22 VICE CHAIR GONZALES: -- let me just make a quick
23 comment here to what appears to both sides is I'm going to,
24 you know, do my very best, if I'm ever afforded this
25 opportunity again, just to make sure that we really kind of

1 tone down, just kind of tone down the back and forth.

2 And I think that this Board and this
3 administration is making tremendous strides. We have
4 leadership now around the table. CHRB, the Board, has
5 taken what we do very, very seriously. And we, again,
6 listen to every issue, every concern, every suggestion.

7 I just think, you know, dialing it down will
8 mater. It will make a difference.

9 So if we can, let's have Heather dial in. And
10 the others that dialed in for a second or third time, just,
11 please, have them submit their item in writing and we will
12 review it. My concern is that if we give somebody a second
13 or a third time, even though we're under the 30-minute
14 mark, that it's just simply going to be more of the back
15 and forth.

16 Btu, again, my advice to all professionals and
17 members of the public who do dial in, we're going to start
18 to dial this down here. Okay.

19 So, Heather, thanks for joining this public
20 comment.

21 MR. MARTEN: Well --

22 OPERATOR: All right.

23 MR. MARTEN: -- just to clarify, there's Jane,
24 Heather and Denise who have not spoken, and that would take
25 us --

1 VICE CHAIR GONZALES: Okay.

2 MR. MARTEN: -- to the 30 minutes.

3 VICE CHAIR GONZALES: That's fine.

4 MR. MARTEN: And that would leave Ellen Eriksen
5 in queue trying to speak a second time.

6 VICE CHAIR GONZALES: Okay, Operator, you're
7 doing a wonderful job.

8 And, Mike, thank you for moving things along.

9 So welcome to public comment period. We're
10 interested in hearing what you have to say.

11 OPERATOR: And Jane Cartmill, you are live.

12 MS. CARTMILL: Thank you. I've been called a
13 fraud and a hypocrite for speaking against horse racing
14 because I did not take part in the rescue efforts at San
15 Luis Rey during that terrible Lilac Fire. And yet today, I
16 hear you granting extensions and exemptions to your own
17 fire clearance regulations for racing facilities.

18 I assume the Board put in a great deal of time
19 and deliberation creating those rules. You've told us
20 several times today how seriously you take all of the
21 issues. And I believe you work hard at them and to so
22 readily allow them to be violated undermines your
23 credibility and makes a mockery of your own work.

24 I am just appalled, that with fires raging across
25 the state, you would grant these exemptions and extensions

1 so easily.

2 People were horrified and heartsick over what
3 happened to the horses in that fire. And I suspect they
4 will be horrified to hear the decisions that you made today
5 to allow all these excuses.

6 Thank you.

7 VICE CHAIR GONZALES: Operator?

8 OPERATOR: Thank you. Our next question or
9 comment will be from Heather Hyde.

10 MS. HYDE: Hello. This is Heather Hyde. Can you
11 hear me?

12 VICE CHAIR GONZALES: Yes, we can, Heather.

13 MS. HYDE: Okay. I do want to thank you for your
14 time. And I appreciate what you had just said. And I have
15 to say that I do some sort of difference and some
16 improvement and acknowledgment in regards to the horses
17 that we keep calling about.

18 Yes, I'm an activist. I've been since I was 11
19 years old. And, you know, I come from a long line of
20 horsemen, so it's not something that I'm just calling about
21 as an activist. I grew up with famous horsemen. You know,
22 my grandfather rode with John Wayne, Gene Autry. You know,
23 all these people rode in parades with them. I cared for
24 horses personally. But, you know, I have family members
25 that do work at the tracks and have worked at the tracks.

1 And, yes, it's a concern for job and humane welfare but,
2 also, animal welfare.

3 But the fact of the matter is, is things are
4 still being done to these horses that are vulnerable and
5 innocent. And we just really need you to take a good look
6 at who is doing these things and not only penalize them but
7 block them from the industry. You know, there has to be
8 some sort of serious outcome for these criminal acts that
9 are being done to these animals, you know?

10 And I'm not going to go on like I usually do
11 because, you know, I don't want to upset you and have you
12 put your walls up. And I know that people get defensive
13 once things like that get said. But the fact of the matter
14 is I just don't know how anybody sleeps at night when these
15 things are done to the animals.

16 You know, me as an activist, I have not been
17 violent towards anybody or anything. But some of the
18 people that you have working at Santa Anita Race Track,
19 like Oscar de la Torre allowed his protestors to literally
20 push me in the street at Santa Anita with the oncoming cars
21 coming into the track. I almost got hit in the street.

22 You know, another horse trainer/owner punched me
23 in one of the meetings that I was at. It was the L.A.
24 Animal Services Meeting. And then I've had death threats
25 against me.

1 So if these people are so easily throwing out
2 violence and death threats because of mine and others'
3 concern for the animals, it's a criminal act. So if these
4 people are easily pushing a human or hitting a human, I
5 can't imagine what they're doing to these animals behind
6 the closed doors, you know? And I love animals. They
7 might say they love their animals but the fact of the
8 matter is you just don't confine and drug and allow these
9 jockeys to be hitting a horse. It doesn't matter if they
10 say the whip doesn't hurt, a whip is a whip, you know?
11 Drugs are drugs.

12 VICE CHAIR GONZALES: Understood.

13 MS. HYDE: So --

14 VICE CHAIR GONZALES: Well, thank you --

15 MS. HYDE: -- I just really --

16 VICE CHAIR GONZALES: -- Heather, for your time.

17 MS. HYDE: Okay. All right. Thanks. Bye.

18 VICE CHAIR GONZALES: Have a good afternoon.

19 Thank you.

20 OPERATOR: Thank you.

21 VICE CHAIR GONZALES: Operator?

22 OPERATOR: Our next comment will be from Denise
23 Bolbol.

24 MS. DAI: Hi there. So --

25 VICE CHAIR GONZALES: It's Denise; right?

1 MS. BOLBOL: It is.

2 VICE CHAIR GONZALES: I just want to make sure --

3 MS. BOLBOL: It's Denise.

4 VICE CHAIR GONZALES: -- we got your name
5 correctly. It's Denise. Okay. Thank you, Denise.

6 MS. BOLBOL: It is. Thank you very much.

7 So I want to say that transparency -- what the
8 gentleman said earlier about transparency is really
9 important. And if you care at all about it, I think there
10 are two things that the Commission should look at doing
11 because the public has the right to know. They need to
12 know what's going on.

13 The videos, the Commission should require that
14 all videos of horses that have accidents on the field be
15 restored -- saved and sent to the Commission. Those videos
16 should then be put on the Commission's website.

17 Also, all the injury and death reports should be
18 made publicly available on your website within 24 to 48
19 hours of the horses death or injury.

20 I think we need to have an accounting here. If
21 you guys think things are getting better, then it will be
22 proven. If things are staying the same, it will be proven.
23 If things are getting worse, it will be proven. But let's
24 all work from the same set of facts. And facts means you
25 don't hide the truth; right? That's number one.

1 Number two is I agree with the women who spoke
2 earlier about the exemptions and exceptions for safety
3 protocols. That's just shameful. I mean, California is on
4 fire. I mean, people's homes are being devastated right
5 now and you guys are treating these things like they're
6 just little incidentals.

7 Lastly, I want to say, I was going to compliment
8 you, Commissioner Gonzales, on -- I think that your tone
9 that you've brought to this meeting was really -- it set a
10 different tone for the whole meeting, I felt, at least I
11 felt that. But when you started saying recently about
12 dialing it down, you know, when Mr. de la Torre was saying
13 his inflammatory racist comments, you didn't say anything.
14 But when the animal activists come on you talk to us about
15 dialing it down. And I have to urge you that that's not
16 what free speech is; right? Free speech isn't what you
17 think needs to be dialed down. We're supposed to be able
18 to say it.

19 I agree about the respectfulness. And I think
20 you've been very, very lenient on the times and I
21 appreciate that.

22 And, lastly, my last point is racism is never
23 tolerable, it's never right, it's always wrong. And as an
24 animal rights person, I care equally about humans. And I
25 care equally about those backstretch worker. And I had a

1 conversation with Mr. de la Torre. I worked with Latino
2 gang members in Salinas and I care about all people and all
3 animals. And I agree with the other person who said, if
4 someone said something derogatory, that is shameful. That
5 is as shameful as the abuse of the animals.

6 And I want to just say that for the record,
7 everybody I know -- well, not everybody but all the -- most
8 of the animal rights people I know would (indiscernible)
9 that call against any racism of any sort.

10 And thank you very much and have a very good,
11 safe day.

12 VICE CHAIR GONZALES: Thank you. You do the
13 same.

14 And just for clarification, I meant that comment
15 for both sides. And for, you know, anyone who thinks
16 otherwise, this is a fair process. It's because it's what
17 the Commissioners expect of anyone who's facilitating the
18 meeting. So dialing it down means let's try to make this
19 industry better, try to keep horses safer, try to make sure
20 workforce, backstretch workers, frontside workers, jockeys
21 and others are safe. We want to focus in that and I know
22 we're making progress on that front.

23 So, again, I just appreciate, you know, the
24 people who dialed in. I appreciate the Commissioners
25 taking notes, as I often do, when it comes to this so we

1 can then, you know, continue to make things better.

2 So, Operator and Mike, I have a feeling we're
3 getting real close to the 30-minute mark. How many do we
4 have in the queue? And I understand there's individuals
5 from both sides that are trying to get in, you know, but we
6 want to just give individuals a chance who have been
7 patiently waiting who have not had a chance to speak yet.

8 MR. MARTEN: Well, everyone has spoken, and it's
9 been 30, and there's two individuals --

10 VICE CHAIR GONZALES: Okay.

11 MR. MARTEN: - Ellen Eriksen and Oscar de la
12 Torre, that want to speak a second time who previously
13 spoke for two minutes.

14 VICE CHAIR GONZALES: Well, you know what I want
15 to do, Mike? And this is just for the record. I want
16 to -- I hope, and I'm going to check with legal counsel on
17 this, I want to have -- set up a conversation with those
18 two separate, we're going to do this early next week,
19 because we've got to figure out a better way here. So you
20 let both of them know that expect, if they so choose, to be
21 part of a conversation that I want to convene about how
22 we're going to be on better footing. I know both
23 individuals care. They don't like when things are alleged
24 against them, either side, but you're going to see me try
25 to pull the group together. And, if at some point, we've

1 got to enlarge that group, that's what we're going to do
2 here because it's about making progress. We are on the
3 taxpayer dime and I think that's what they expect of us
4 here.

5 So with that, Commissioners, I want to just say,
6 you know, I appreciate you bearing with me as I, you know,
7 facilitated, chaired my first meeting here, other than the
8 Racing Dates. I thought we covered a lot of ground.

9 Before we go into closed session, Scott, Mike, I
10 want to turn it over to you for any admin, logistical, or
11 any other matters before we adjourn. And so, Mike, Scott,
12 how do we, you know, how do we, you know, go to the next
13 step here? Please advise.

14 MR. CHANEY: Thank you, Mr. Chairman. This is
15 Scott Chaney, Executive Director.

16 The next step is we'll be going into an executive
17 session. And Bagley-Keene requires us to adjourn the
18 meeting publicly. So for those who -- where that's
19 important, we'll be adjourning the meeting after executive
20 session to the broadcast but no longer on this line. So
21 once we go into executive session, this piece of the
22 conference call will end.

23 VICE CHAIR GONZALES: Mike, is there any
24 information that you want to share with the group before we
25 conclude here?

1 MR. MARTEN: No, only that the CAL-SPAN portion
2 of this is going to end in a second. And then anyone who
3 then wants --

4 VICE CHAIR GONZALES: Okay.

5 MR. MARTEN: -- to listen to the adjournment,
6 it's going to -- would need to go to the website to the
7 webcast link.

8 VICE CHAIR GONZALES: Okay. Commissioners, we
9 all know how to join the closed session.

10 Do we need to do an official motion to adjourn or
11 is that not --

12 MR. CHANEY: Vice Chairman Gonzales, no. That
13 will happen at the end of -- when we adjourn the meeting
14 after executive session.

15 VICE CHAIR GONZALES: Understood. Okay. Very
16 clear. So I want to just, again, thank CHRB Staff, the
17 public.

18 And I also want to just say thank you to Kerri,
19 our Operator. She's calling in from the southern part of
20 the United States, so be safe. Thank you for your time.

21 And we will be connecting here momentarily,
22 Commissioners.

23 Thank you very much everyone. Have a great day.

24 (The Board adjourned into closed session from 12:44
25 p.m., until 2:22 p.m.)

1 MR. CHANEY: So, Vice Chairman Gonzales, I think
2 we're live broadcast and ready for an adjournment.

3 VICE CHAIR GONZALES: Okay. Well, thank you.
4 Appreciate all your help on the technical end. Vice
5 Chairman Oscar Gonzales facilitated the meeting.

6 Do I have a motion to adjourn, official adjourn?

7 COMMISSIONER CASTELLANOS: Castellanos. Motion.

8 VICE CHAIR GONZALES: Thank you, sir.

9 Do we have a second?

10 COMMISSIONER ALFIERI: Yeah. Second. Alfieri.

11 VICE CHAIR GONZALES: We'll call the question,
12 assuming there's no questions or debate?

13 Alfieri?

14 COMMISSIONER ALFIERI: Yes.

15 VICE CHAIR GONZALES: Castellanos?

16 COMMISSIONER CASTELLANOS: Yes.

17 VICE CHAIR GONZALES: Solis?

18 COMMISSIONER SOLIS: Yes.

19 VICE CHAIR GONZALES: Mitchell?

20 COMMISSIONER MITCHELL: Yes.

21 VICE CHAIR GONZALES: And Oscar Gonzales is in
22 favor of adjournment.

23 Okay. Thank you all.

24 (The teleconference regular meeting of the
25 California Horse Racing Board adjourned at 2:23 p.m.)

CERTIFICATE OF REPORTER

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were reported by me, a certified electronic court reporter and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

IN WITNESS WHEREOF, I have hereunto set my hand this 28th day of August, 2020.



MARTHA L. NELSON, CERT**367

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I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were transcribed by me, a certified transcriber and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

I certify that the foregoing is a correct transcript, to the best of my ability, from the electronic sound recording of the proceedings in the above-entitled matter.



MARTHA L. NELSON, CERT**367

August 28, 2020