

APPEARANCES

BOARD MEMBERS

Gregory Ferraro, Chairman

Oscar Gonzalez, Vice Chairman

Alex Solis, Commissioner

Wendy Mitchell, Commissioner

Dennis Alfieri, Commissioner

Damascus Castellanos, Commissioner

Brenda Washington Davis, Commissioner

STAFF

Scott Chaney, Executive Director

Cynthia Alameda, Assistant Executive Director

Robert Brodnik, General Counsel

Amanda Brown, Staff Counsel

Amanda Drummond, Policy, Regulations, and Administrative
Hearings Manager

Mike Marten, Associate Analyst

Rick Arthur, Equine Medical Director

Francisco Gonzales, Audit Supervisor

ALSO PRESENT

Michael Brown, Arabian Racing Association of California

Richard English, Los Alamitos Racing Association

Dino Perez, Los Alamitos Equine Sale Company, LLC

Frank Sherren, Los Alamitos Race Course

APPEARANCESALSO PRESENT

Cliff Goodrich, California Thoroughbred Horsemen's
Foundation

Larry Swartzlander, California Authority of Racing Fairs

Eric Sindler, The Stronach Group

Greg Avioli, Thoroughbred Owners of California

Aiden Butler, The Stronach Group

Roy Roenbeck, Golden Gate Fields

Alan Balch, California Thoroughbred Trainers

Josh Rubenstein, Del Mar Thoroughbred Club

Joe Harper, Del Mar Thoroughbred Club

Tom Robbins, Del Mar Thoroughbred Club

David Jerkins, Del Mar Thoroughbred Club

Christopher Schick, Watch and Wager

PUBLIIC COMMENT

Bonnie Croker, Horse Racing Wrongs

Martha Sullivan

Jane Cartmill

Joe Kaplan

Denise Bolbol

Ellen Ericksen

Holly Wilson

Heather Wilson

Tony Falcone

APPEARANCES

PUBLIC COMMENT

Lynn Freudenberg

Wayne Johnson

Jill Malato

Patty Shenker

Oscar de la Torre

Ashely Lewis

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16. Public Comment: Communications, reports, requests 137
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.
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).
- B. The Board may convene a Closed Session to confer with and receive advice from its

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legal counsel regarding the pending administrative licensing or disciplinary matters described in the attachment to this agenda captioned "Pending Administrative Adjudications," as authorized by Government Code section 11126(e).

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

Adjournment

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P R O C E E D I N G S

9:32 A.M.

TELECONFERENCE

THURSDAY, SEPTEMBER 24, 2020

CHAIRMAN FERRARO: Thank you very much. This is a noticed September 24th, 2020 meeting of the California Horse Racing Board, conducted by teleconference pursuant to Executive Order N-20-20.

Participating in this meeting are: myself, Dr. Gregory Ferraro, Chair; also, Oscar Gonzales, Vice Chairman; Dennis Alfieri, Commissioner, Damascus Castellanos, Commissioner; Wendy Mitchell, Commissioner. And I'd like to extend a warm welcome to our new Commissioner, Brenda Washington Davis --

COMMISSIONER DAVIS: Thank you.

CHAIRMAN FERRARO: -- Mrs. Davis.

COMMISSIONER DAVIS: Thank you very much.

CHAIRMAN FERRARO: Alex Solis -- you're welcome. You're so welcome.

Alex Solis will not be attending this session.

We are also joined by Scott Chaney, Executive Director; Cynthia Alameda, Assistant Executive Director; Robert Brodnik, Chief Counsel; Amanda Brown, Staff Attorney; Amanda Drummond, Manager of Policy and

1 Regulations; and Dr. Rick Arthur, Equine Medical Director.

2 The Board invites comments on matters appearing
3 on the meeting agenda. Procedurally, the Board will first
4 hear from those directly involved in the agenda item.

5 Following that, I will then invite public comment on the
6 agenda item. Those wishing to speak must follow the
7 directions of the Operator's to have their individual lines
8 open for comment. Unsolicited speakers are limited to two
9 minutes.

10 During all public comments a bell will be rung
11 after the first 90 seconds, meaning the speaker will have
12 30 seconds remaining to conclude his or her remarks. At
13 two minutes a more distinctive sound will be heard to
14 indicate the speaker's time is up.

15 The Board may ask questions of individuals who
16 speak which may extend their two-minute time limit.

17 I will insist, I repeat, I will insist that all
18 speakers stay strictly on the topic for each agenda item 1
19 through 15. If a speaker strays off topic, I will ask the
20 Operator to move on to the next caller. If a speaker
21 repeats himself or herself, I will ask if the speaker has
22 any new comments to make. If there are none, the speaker
23 will be asked to let others make comments to the Board.

24 If anyone has comments of a more general nature
25 that are not specific to agenda items 1 through 15, those

1 comments must wait until agenda item 16 for public
2 comments. There will be a 30-minute time limit for item
3 16, Public Comment, in order to allow as many individuals
4 to speak as possible within that half hour, I will strictly
5 enforce the two-minute time limit for each.

6 So we are ready to move forward with our meeting.
7 Number one item, agenda item, is Approval of the Minutes of
8 August 20, 2020. Do I -- can I have comments or a motion
9 to approve?

10 Mr. Solis is not here. And the Chairman will
11 recuse, as he was not attending the meeting.

12 COMMISSIONER MITCHELL: So moved. Commissioner
13 Mitchell.

14 COMMISSIONER ALFIERI: Second. Alfieri.

15 CHAIRMAN FERRARO: Okay. We have a vote.

16 Commissioner Alfieri?

17 COMMISSIONER ALFIERI: Yes.

18 CHAIRMAN FERRARO: Commissioner Gonzales?

19 VICE CHAIRMAN GONZALES: Yes.

20 CHAIRMAN FERRARO: Commissioner Alfieri -- I
21 mean, Commissioner Mitchell?

22 COMMISSIONER MITCHELL: Yes.

23 CHAIRMAN FERRARO: And Commissioner Castellanos?
24 Commissioner Castellanos?

25 Did we lose him?

1 Commissioner Castellanos?

2 Well, motion approved. And we must have lost him
3 for a time, for a minute.

4 Let's move on to the reports.

5 EXECUTIVE DIRECTOR CHANEY: Dr. Ferraro, Scott
6 Chaney. Sorry to interrupt. We actually need Castellanos'
7 vote because he would be the fourth one. So maybe we can
8 come back to the --

9 CHAIRMAN FERRARO: Oh, right. Yeah.

10 EXECUTIVE DIRECTOR CHANEY: -- come back to the
11 item or --

12 CHAIRMAN FERRARO: Yeah, I guess we'll have to
13 come back to it. Do we know what happened?

14 Mike, do you know what happened to Castellanos?

15 COMMISSIONER CASTELLANOS: I just --

16 MR. MARTEN: I'll check with him right now.

17 COMMISSIONER CASTELLANOS: Damascus here.

18 CHAIRMAN FERRARO: Okay. We've been looking for
19 you.

20 COMMISSIONER CASTELLANOS: I apologize.

21 CHAIRMAN FERRARO: Yeah.

22 COMMISSIONER CASTELLANOS: I got knocked off.

23 CHAIRMAN FERRARO: Yes.

24 COMMISSIONER CASTELLANOS: I don't know what
25 happened.

1 CHAIRMAN FERRARO: Okay. Well, that's all right.
2 We need a vote on the approval of the minutes from you.

3 COMMISSIONER CASTELLANOS: Yes.

4 CHAIRMAN FERRARO: Okay.

5 COMMISSIONER CASTELLANOS: Yeah.

6 CHAIRMAN FERRARO: Motion approved.

7 COMMISSIONER CASTELLANOS: Approve of the
8 minutes.

9 CHAIRMAN FERRARO: Thank you. Thank you.

10 Let's move on to the reports. Executive Director
11 Report please.

12 EXECUTIVE DIRECTOR CHANEY: Thank you, Mr.
13 Chairman and Commissioners.

14 Since the last Board meeting, U.S. Senator
15 McConnell announced that he would be supporting and
16 modifying legislation that has been languishing in congress
17 for a few years. The new bill, entitled the Horse Racing
18 Integrity and Safety Act, now includes the federalization
19 of medication and testing, as well as safety. Actually, to
20 be fair, there's less federalization but, instead,
21 establishes a private not-for-profit authority that would
22 regulate medication, testing, as well as safety standards.

23 The respective bills are moving through both
24 houses of congress fairly quickly. But I think it is fair
25 to say that we have several concerns with this legislation.

1 One, the language is very ambiguous when it comes
2 to actual details regarding funding, budget, amount of
3 regulatory oversight, and duplication of state regulatory
4 functions.

5 Two, the state and budget of Maddy Lab at UC
6 Davis, one of the premiere equine testing laboratories in
7 the world.

8 Three, the rollback of California regulations,
9 particularly those related to safety, which are among the
10 strictest in the nation.

11 Four, the magnitude of the regulatory functions
12 that an authority that does not currently exist is
13 attempting to take on.

14 And five, the incremental costs which will be
15 passed on to stakeholders.

16 To be clear, national standards are a laudable
17 goal. But it is less clear how California, which enjoys a
18 robust, mature, well-funded regulatory structure will
19 benefit.

20 Moving on, in addition to amended Lasix rule
21 going into effect October 1st, the amended crop-use rule
22 will also go into effect next week. This rule will further
23 restrict use of the riding crop, including limiting use to
24 the underhanded position, six times total during the race
25 with two in succession, excluding flagging and on the

1 shoulder with hands on the reins and neck.

2 The rule also calls for harsher penalties for
3 violations, although we have recommended to the stewards to
4 employ the current penalty structure for a short period of
5 time in order to make the transition less difficult for the
6 riders. Crop use will also be restricted during training.

7 It would be fair to say that a few stakeholder
8 groups believe this amended rule is too restrictive.
9 However, in 2020, in California, it appears inadvisable to
10 advocate for more whipping. Just in the last week, New
11 Jersey passed an even stricter regulation than ours. And
12 New York has indicated that it will move quickly in a
13 similar manner. Clearly, the country is heading in a
14 direction where riding crop use is severely restricted or
15 banned entirely except for instances of safety.

16 The CHRB recognizes that this is a change for the
17 riders and appreciates the adaptations that many
18 stakeholders have made over the last two years as we
19 continue to emphasize equine/human safety and welfare.

20 I would also like to point out that, as promised
21 at last month's Board meeting, there were two significant
22 additions to our website on September 1st, the search
23 engine for equine fatalities was modified and made more
24 user friendly with the goal of providing greater
25 understanding for future prevention.

1 Second, a racing reform recommendations chart
2 went live with 63 recommendations, namely from the Santa
3 Anita report that was published last year and will allow
4 all of us to track our progress in pursuing these ideas and
5 recommendations.

6 Lastly, on the financial front, as expressed in
7 terms of handle, day racing experienced a 4.83 percent
8 decrease on 16 less programs, as compared to the handle in
9 August 2019, whereas night racing experienced a 19.6
10 increase in handle on the same number of programs as
11 compared to this past month last year. Both of these
12 result in a 3.13 decrease in overall handle as compared to
13 August 2019.

14 And that, Mr. Chairman, is my report.

15 CHAIRMAN FERRARO: Any questions from the Board?

16 COMMISSIONER MITCHELL: This is Wendy.

17 CHAIRMAN FERRARO: Yes?

18 Are we taking a position on the formal bill?

19 EXECUTIVE DIRECTOR CHANEY: Commissioner
20 Mitchell, we haven't taken a formal position yet. We're,
21 frankly, still trying a handle on what it actually means
22 and how specifically will affect California racing,
23 although, frankly, it's really hard to tell, given the
24 ambiguity of the language in the bill. We are in regular
25 talks with other government agencies and in the process of

1 coming up with a formal position. So, yes, that will
2 happen shortly.

3 COMMISSIONER MITCHELL: All right. Well, just
4 keep me informed as the Chair of Legislation.

5 CHAIRMAN FERRARO: And, Wendy, we wanted to be
6 cooperative with the national group that's running this
7 but, you know, we have to express our concerns. So it's an
8 ongoing process trying to understand exactly what the
9 effect is going to be. And until we have a clear
10 understanding it's hard to take a position.

11 COMMISSIONER MITCHELL: Yes, but I think what
12 Scott raised were significant issues that we have looked
13 at, though. So I just wanted to make sure we stay on top
14 of it and, again, shy away from taking a position --

15 CHAIRMAN FERRARO: Right.

16 COMMISSIONER MITCHELL: -- with, you know --

17 CHAIRMAN FERRARO: Absolutely.

18 COMMISSIONER MITCHELL: -- with regard to the
19 Maddy Lab and all of that. So I appreciate what you just
20 said but it's been kind of like --

21 CHAIRMAN FERRARO: Yeah. We have serious
22 concerns.

23 COMMISSIONER MITCHELL: -- (indiscernible).

24 CHAIRMAN FERRARO: There's no doubt about that.

25 COMMISSIONER MITCHELL: Thank you.

1 CHAIRMAN FERRARO: Hopefully, we'll have some
2 input, you know, as the bill gets finalized or the
3 organization of the process goes on. I'm hoping that
4 there's time for some alteration of the bill or, at least,
5 some input from us.

6 COMMISSIONER ALFIERI: Yeah. Yeah. Alfieri
7 here.

8 I mean, I think we need to stay on the front end
9 of this thing now instead of the back of the bus because we
10 didn't hear -- at the twelfth hour, we heard there was a
11 subcommittee in the house or, you know, related to this,
12 and we learned about it in the twelfth hour.

13 So, I mean, I think we've got to be on the
14 offense here and really watch this closely.

15 CHAIRMAN FERRARO: Yeah, I'm --

16 COMMISSIONER ALFIERI: -- and get a --

17 CHAIRMAN FERRARO: -- seriously concerned --

18 COMMISSIONER ALFIERI: Yeah.

19 CHAIRMAN FERRARO: -- that it will be regressive
20 for our programs. That's my biggest worry. Also, the
21 cost. It seems to me --

22 COMMISSIONER ALFIERI: Well, the cost, yeah.

23 CHAIRMAN FERRARO: -- that the cost could be
24 pretty extensive. And, you know, it's going to come out of
25 the pocket of a horse owner and that's a concern.

1 COMMISSIONER ALFIERI: Well, yeah. I mean --

2 CHAIRMAN FERRARO: Any other comments?

3 COMMISSIONER ALFIERI: -- the costs --

4 CHAIRMAN FERRARO: Yeah.

5 COMMISSIONER ALFIERI: -- the costs could be
6 outrageous. And if this is under -- my understanding, this
7 is under the guise of the Federal Trade Commission. Well,
8 let the Federal Trade Commission pony up some dollars for
9 the expenses here, I mean, to run this thing. Even though
10 it's a nonprofit, I mean, it's like a separate board. That
11 board will report to the Federal Trade Commission.
12 Somebody's got to come up with some funds, other than our
13 stakeholders, again, and others.

14 CHAIRMAN FERRARO: Scott, do you have any
15 comment --

16 EXECUTIVE DIRECTOR CHANEY: No. I think --

17 CHAIRMAN FERRARO: -- before we proceed?

18 EXECUTIVE DIRECTOR CHANEY: -- yeah, I mean,
19 obviously, I have the same concerns that are laid out here.
20 I will talk to Commissioner Mitchell, you know, after the
21 meeting. She's Chairman of the Legislation Committee and
22 has a lot of experience in this department. And, hopefully,
23 we can influence the bill. I mean, frankly, it sounds like
24 most of -- it's moving fairly quickly and they sound pretty
25 serious, although, the word we're getting is, obviously,

1 you know, the senate has sort of changed its focus in the
2 last three or four days, so the timeline is still a little
3 bit unclear.

4 But, currently, we're trying to figure out
5 whether we can influence the legislature, should it pass at
6 this point.

7 CHAIRMAN FERRARO: Anything else?

8 COMMISSIONER MITCHELL: Thank you, Scott.

9 CHAIRMAN FERRARO: All right, let's move on to
10 the Equine Medical Director's Report.

11 EQUINE MEDICAL DIRECTOR ARTHUR: Good morning,
12 Commissioners. This is Dr. Rick Arthur, the Equine Medical
13 Director.

14 At the last meeting, Commissioner Gonzales asked
15 about the Jockey Club Roundtable. A presentation I failed
16 to mention was from Mr. Sal Sinatra, the President and
17 General Manager of the Maryland Jockey Club and a former
18 racing secretary. He proposed racing rethink its reliance
19 on claiming races. Claiming monetizes horses in a way that
20 can be detrimental to horses and, therefore, detrimental to
21 horse racing.

22 Most of the rest of the world relies on
23 handicapping or rating system to put competitive races
24 together. This would be a major paradigm shift to U.S.
25 racing, maybe too big. But subsequent to the roundtable,

1 there was a discussion at Woodbine about doing just that.

2 Mr. Sinatra's presentation is on the Jockey
3 Club's website, if anybody wants to see it.

4 We had several more noteworthy environmental
5 challenges since the last meeting. We are used to dealing
6 with heat. This is California. Years of experience have
7 shown we can safely race in hot weather. That was
8 demonstrated again this last month, although the heat
9 stress indices were really not that concerning. The tracks
10 running were all close to the ocean. Del Mar is right on
11 the Pacific. Golden Gate Fields is on San Francisco Bay.
12 And Los Al is only eight flat miles from the coast and
13 races at night when it's cooler anyway.

14 Keep in mind, the longest race run at Del Mar was
15 a mile-and-three-eighths. That's about 2 minutes and 15
16 seconds. Most races are a little more than a minute. The
17 horses are on the track before the race for less than 12
18 minutes. Horsemen know their horses and sponge or hose
19 their horses off with water before and after the races as
20 they think necessary.

21 The track, with assistance from CHRB Safety
22 Stewards, provided necessary support and supplies so the
23 horsemen had what they needed. Track officials, track and
24 official veterinarians, were prepared and on alert. They
25 do that routinely in hot weather. All horses are bathed

1 and cooled out after their race as a matter of course,
2 regardless of weather.

3 As expected, there were no heat-related problems.
4 In fact, when the rest of us were sweltering, the CHRB
5 official veterinarians reported to me that the weather at
6 our racetracks pleasant, especially Del Mar and Golden Gate
7 Fields.

8 We also had to deal with air quality issues at
9 all of our tracks with smoke from the wildfires plaguing
10 California. I shared guidelines and resources we had used
11 after the Paradise and Lilac Fires with track management,
12 official veterinarians, and safety stewards. Management
13 canceled racing at Santa Anita and Golden Gate Fields and
14 limited training when warranted.

15 As evidenced by the work cap, there was a major
16 reduction in training. But to be clear, the CHRB does not
17 train horses. The CHRB licenses training and they make
18 their individual decisions whether to train their horses or
19 not.

20 I was in contact with track management and
21 official veterinarians and safety stewards throughout the
22 last few weeks. And with all the environmental challenges,
23 horse racing handled the situation conscientiously and
24 appropriately.

25 There were four racing and two training

1 fatalities in August, and four non-exercise fatalities in
2 the stable area. One of the racing fatalities resulted in
3 serious injuries to her jockey, Vinnie Bednar.

4 Dr. Susan Stover and Pita Higgins (phonetic)
5 examined the relationship between catastrophic injuries and
6 jockey injuries as part of the CHRB's 2011-2013 Racing
7 Safety Program at Dr. Sue Stover's Veterinary Orthopedic
8 Research Laboratory at UC Davis. Not surprisingly,
9 catastrophic injuries are the major cause of jockey falls
10 and an even greater cause of serious jockey injury. Those
11 studies are published in the Orthopedic Journal of Sports
12 Medicine and Equine Veterinary Journal.

13 The related Jockey Safety Continued Education
14 Module has been available at the Veterinary Orthopedic
15 Research Laboratory and Jockey Club websites for several
16 years. And a non-CE credit video link is on the CHRB's
17 Racing Safety Page and is available on the CHRB's YouTube
18 channel, as well.

19 For those interested, there is a GoFundMe
20 campaign for Vinnie Bednar, which is easy to find with a
21 Google search.

22 In August, there were eight medication
23 violations, three were post-race, two were working for the
24 official veterinarian, and three were out-of-competition
25 deaths for horses working. All were Class 4 medications.

1 And four of the eight would not have been for all
2 nonsteroidal anti-inflammatories would not have been
3 violations in any other state. And California is the only
4 jurisdiction, to my knowledge, currently regulating
5 medication in training in the U.S.

6 To put these numbers in perspective, Maddy Lab
7 analyzed 1,757 samples in August for 1,005 horses, and
8 that's not including PCO2. That's a positive rate well
9 less than one percent.

10 Most importantly, horse racing tests for more
11 drugs at lower levels than any other professional or
12 amateur sport. The truth is most persons speaking here
13 today would not pass a CHRB post-race drug test.

14 A very important aspect of the CHRB's Drug
15 Testing Program is the internationally-renowned Equine
16 Pharmacology Program that has been so essential to the
17 CHRB's medication regulations, and regulatory changes in
18 California and nationally, for that matter. The program
19 has produced research that allows us to refine regulations,
20 develop additional and more sensitive analytical methods,
21 and advise horsemen how to remain in compliance with CHRB
22 Regulations.

23 The Equine Pharmacology Program is under the
24 direction of Veterinary Pharmacologist Dr. Heather Knych.
25 The program relies heavily on outside funding. Professor

1 Knych has been very successful in obtaining grants from the
2 Grayson-Jockey Club Research Foundation, California
3 Department of Food and Agriculture, Racing Medication and
4 Testing Consortium, Center for Equine Health, and many
5 others. Similar to CHRB'S Necropsy Program, Equine
6 Pharmacology and Drug Testing Program benefits all horses,
7 not just racehorses.

8 Since 2019, Dr. Knych has 31 horse-related
9 scientific papers published, accepted, or submitted to peer
10 review journals.

11 And as part of the School of Veterinary Medicine,
12 Maddy not only analyzes horse samples, but Dr. Knych and
13 Dr. Bowler (phonetic) have assisted in other faculty
14 pharmacology studies and other (indiscernible). In just
15 the last two years, that's included guinea pigs, goats,
16 alpacas, monkeys, calves, parrots, pelicans, koi and more.
17 That research brings additional funding into the
18 laboratory, helps veterinarians care for animals, and
19 expands the lab's analytic chemistry capabilities and
20 expertise. But the core infrastructure, the Maddy Lab and
21 its faculty, was built and is maintained by horse racing
22 funds to the benefit of all animals and all Californians.

23 Happy to answer any questions.

24 CHAIRMAN FERRARO: Questions from the Board? No
25 questions?

1 Operator, do you have a queue for public comment
2 on these reports?

3 OPERATOR: Yes, sir, we do have comments in the
4 queue. We can take our first comment.

5 CHAIRMAN FERRARO: Let's start. Take the first
6 one.

7 OPERATOR: This will come from Michael Brown with
8 the Arabian Racing Association of California.

9 CHAIRMAN FERRARO: Go ahead please.

10 MR. BROWN: My matter -- I wish to comment on
11 items six and seven. You haven't reached that yet.

12 CHAIRMAN FERRARO: Yeah. You'll have to wait
13 until those items -- public comment when those items come
14 up.

15 Operator, can we have the next person please?

16 OPERATOR: Our next comment will come from Bonnie
17 Croker.

18 CHAIRMAN FERRARO: Go ahead please.

19 MS. CROKER: Yes. Good morning. I'll be
20 addressing your public medical reporting of horse injuries
21 and fatalities.

22 I want to begin by thanking the CHRB for your
23 recent website update as it relates to the reporting of
24 horse fatalities. Your forthrightness and transparency in
25 this sensitive area is much needed and appreciated.

1 Whether one is for or against horse racing, unabridged
2 truth in the reporting of information always serves best.

3 That being said, there is an enormous area of
4 information that is currently missing from public view.
5 While Equibase racing charts, horse profiles, race video
6 replays, CHRB vet reports, and stewards minutes provide
7 some information about horse injuries and accidents,
8 concerned citizens who follow these reports are confounded
9 by the enormous number of horses who seem to disappear
10 following the incident in question.

11 One perplexing example involves a horse named
12 Informato. According to Equibase, this three-and-a-half
13 year old gelding last raced on 04/17/20 and raced number
14 one at Los Alamitos. It was his fourth career race,
15 combining both thoroughbred and mixed race results.
16 Informato did not finish his last race. The chart says he
17 ducked in and hit the rail, ejecting the rider in the
18 stretch, and walked off after the race. In this same race,
19 a horse named Ageless Toy (phonetic) suffered a fatal
20 injury. She was vanned off. She was placed on CHRB's long
21 list of 2020 horse fatalities. But where is Informato? He
22 seems to be missing in action, along with hundreds of other
23 injured race horses. The usual sources provide no clears.

24 The word "informato" is Italian. It means to be
25 informed. And that is what I and many others are asking of

1 the CHRB. We request that the CHRB maintains a database
2 wherein post-injury and accident follow-up information is
3 available.

4 I understand that we can try to contact horse
5 owners, trainers, and other interested parties, but CHRB,
6 you are the interested party of concern. When a horse
7 suffers and injury or accident at a CHRB-sanctioned
8 facility, we believe the public has the right to know at
9 least the next step in the horse's recovery or demise.
10 Please don't ignore this request.

11 Thank you.

12 CHAIRMAN FERRARO: Thank you very much.

13 Next please.

14 OPERATOR: Our next comment will come from
15 citizen Martha Sullivan.

16 CHAIRMAN FERRARO: Good morning, Martha.

17 MS. SULLIVAN: Hello. This is --

18 CHAIRMAN FERRARO: Go ahead.

19 MS. SULLIVAN: -- Martha Sullivan.

20 CHAIRMAN FERRARO: Go ahead.

21 MS. SULLIVAN: Hello. This is --

22 CHAIRMAN FERRARO: Go ahead.

23 MS. SULLIVAN: -- Martha.

24 CHAIRMAN FERRARO: Go ahead, Martha.

25 MS. SULLIVAN: This is Martha Sullivan from San

1 Diego County.

2 I would like to point out my research into the 38
3 fatalities at Los Alamitos in 2020. I have checked
4 Equibase.com for each one of these horses. Two of them are
5 pony horses, so they are not in Equibase.

6 According to the data from Equibase on the 36
7 racehorses that have died at Los Alamitos this year, 36
8 percent are two-year-olds and 36 percent are three-year-
9 olds. So almost three-quarters of the fatalities at Los
10 Alamitos are horses three years and younger.

11 I believe this, as well as the fact that there
12 have been eight horse fatalities at Los Alamitos since you
13 allowed Los Al to continue racing on July 10th is more than
14 adequate grounds for the Executive Director and/or the
15 Equine Medical Director to file a petition under CHRB Rule
16 1435 to, once more, consider the suspension of the Los
17 Alamitos race license until -- I mean, clearly the safety
18 plan that this Board accepted on July 20th is not reducing
19 horse deaths. And I think that the fact that almost three-
20 quarters of the horse fatalities at Los Al are three years
21 and younger is very significant and needs to be evaluated
22 and racing stopped at Los Al while that's done.

23 OPERATOR: Once again, if you would like to make
24 a comment, please press star one on your telephone keypad.
25 We will take our next comment. This will come from

1 citizen Jane Cartmill.

2 CHAIRMAN FERRARO: Go ahead please.

3 MS. CARTMILL: I have observed that injuries
4 during training are consistently downplayed by the Board,
5 and also by the media.

6 A recent Paulick Report reinforced that training
7 is just as dangerous as racing and that racing fatalities
8 should not be discounted by the industry and the press.

9 Quoting from the report,

10 "The superficial digital flexor tendons in horses'
11 front legs store energy and play a critical role in
12 the efficiency of the horses trot and gallop.
13 However, these tendons are especially susceptible to
14 injury. They are one of the most common causes of
15 lameness in performance horses. Tendon injuries are
16 difficult to heal, so it's imperative they be detected
17 early and training methods adapted to allow time for
18 tissues to heal.

19 "Doctors O'Brien (phonetic), Marr (phonetic), and
20 Thorpe investigated the biomechanical and biothermal
21 effects of strain on this tendon and how both forces
22 contributed to micro damage. If a tendon is essential
23 for efficient performance and locomotion, it has a
24 very narrow window for error which makes it
25 susceptible to industry [sic]. The trio reviewed 140

1 scientific papers and discovered that most superficial
2 digital flexor tendon injuries occurred during fitness
3 work. Risks to tendons include variations in training
4 intensity, frequency, surfaces, and equipment.

5 "The team suggests that research be done so that
6 recommendations based on scientific principles can be
7 made for training programs. They suggest that those
8 involved in a horse's training understand the
9 physiologic demand high-intensity training places on
10 the tendons, heavy training sessions that limit
11 competition should be closely monitored and only
12 repeated every 72 hours. Factors, such as the horse's
13 age, history of injury, should help guide decision
14 making. Training should be increased incrementally
15 over time using objective measures to gauge each
16 horse's physiologic response."

17 I think it helps to -- this just demonstrates
18 that training injuries are important, should not be
19 discounted and downplayed.

20 Thank you.

21 CHAIRMAN FERRARO: Thank you very much.

22 Next please.

23 OPERATOR: Our next comment will come from
24 citizen Joe Kaplan.

25 MR. KAPLAN: Oh, thank you.

1 CHAIRMAN FERRARO: Go ahead please.

2 MR. KAPLAN: Yeah. Thank you.

3 Dr. Arthur, on Sunday, September 6th, I emailed
4 you, Director Scott Chaney, and Public Information Officer
5 Mike Marten with three email updates regarding the
6 blistering heat in Berkeley when afternoon horse races were
7 scheduled at Golden Gate Fields at 4:09 p.m. that day. My
8 email included a screenshot showing a 2:00 p.m. reading of
9 44 degrees Celsius at Berkeley Aquatic Center, which
10 converts to 111.2 degrees Fahrenheit. So I would say this
11 is not pleasant weather, as you indicated in your comments,
12 even if it is on the San Francisco Bay.

13 Mike Marten had told me recently that Golden Gate
14 Fields uses the air quality values from the Aquatic Center,
15 so I figured the track uses the same monitoring station
16 regarding heat. No one replied to my emails, except an
17 auto-reply from Mike that he was out of the office, and the
18 races went on at 111 degrees.

19 In a memo dated August 18th, 2020, from Dr.
20 Arthur, the heat stress index used by the tracks to
21 determine if racing is safe is temperature plus humidity
22 percent minus wind speed. If this index reaches 170, races
23 would be considered for cancellation, and at 180,
24 definitely canceled, according to the memo. This index is
25 ridiculous. Over-weighting for humidity is far under-

1 weighting temperature. According to the index, Bad Water
2 at 127 degrees in Death Valley with low humidity would be
3 below the 170 threshold, so you would have allowed races
4 there if a track existed there.

5 This is absurd and it illustrates your total
6 disregard for the welfare of the animals that you continue
7 to exploit until the industry is forced to shut down.

8 Thank you very much for your time.

9 CHAIRMAN FERRARO: Thank you.

10 Next please.

11 OPERATOR: And how next comment will come from
12 citizen Denise Bolbol.

13 CHAIRMAN FERRARO: Go ahead please.

14 MS. BOLBOL: Yes. Hello there. My name is
15 Denise Bolbol from the San Francisco Bay Area.

16 You know, Governor Newsom really needs to
17 understand what a farce this Board is. You are sitting
18 here talking from the legislative update. You're talking
19 about how to defeat or water down protections for horses. I
20 mean, you are literally fighting against protecting these
21 horses, just like the circus industry fought again
22 protection for the animals exploited.

23 Here, you hear rationale information. Two- to
24 three-year-olds represent three-quarters of deaths at Los
25 Alamitos and you do nothing. Horses are being forced to

1 run in 111 degree temperatures and you do nothing.

2 Now you guys are sitting here talking about -- I
3 don't know even know if this is legal. I mean, you need to
4 have your lawyer on this. But is it even legal for this
5 Board to be sitting here plotting and planning a lobbying
6 effort targeted at federal legislation on behalf of the
7 State of California and you don't even represent the
8 majority of Californians? The majority of Californians do
9 not support this abuse and torture of horses for your --
10 for enriching yourselves, and for your entertainment.
11 These poor horses are dying because of you. The deaths
12 continue and you do nothing.

13 Governor Newsom needs to wake up and say, why is
14 California in the dark ages with horse racing? And New
15 York and New Jersey and the feds are moving forward and
16 California is in the dark ages. Who is he serving?

17 Governor Newsom, you are not serving the state of
18 California. You're not serving the majority of
19 Californians by having these jerks --

20 CHAIRMAN FERRARO: Thank you. Next please.

21 MS. BOLBOL: -- these industry hacks --

22 CHAIRMAN FERRARO: Operator, next please.

23 OPERATOR: Our next comment will come from Ellen
24 Eriksen as an independent activist.

25 CHAIRMAN FERRARO: Go ahead please.

1 MS. ERIKSEN: Good morning, Board Members. This
2 is Ellen Eriksen from San Diego. I want to talk to you
3 about the health violations at Del Mar this summer because
4 it was noted, there were many health violations that
5 happened at Del Mar. I want to review just a couple.

6 On August 16th --

7 CHAIRMAN FERRARO: Ellen, this has got nothing to
8 do with the executive reports. You'll have to bring that
9 up during that item --

10 MS. ERIKSEN: Okay. Well --

11 CHAIRMAN FERRARO: -- on Del Mar racing.

12 Next please.

13 OPERATOR: Our next comment will come from Dr.
14 Holly Wilson.

15 CHAIRMAN FERRARO: Go ahead please.

16 DR. WILSON: Hello. Good morning. Dr. Holly
17 Wilson here.

18 The root cause of catastrophic horse injuries and
19 subsequent catastrophic to jockeys is horse racing. It's
20 forcing your will on these animals which leads to these
21 fatal and catastrophic events.

22 Why is there a GoFundMe page for a permanently
23 disabled jockey? This multi-billion dollar industry can't
24 provide medical care?

25 And with regards to recent heat concerns and

1 hosing off the horses at the discretion of the jockeys and
2 handlers, do you hose off those who are pulled up and
3 vanned off? This activity, I've only seen in the winner's
4 circle.

5 Dr. Arthur, would you run in 111 degrees, so long
6 as you were hosed off before and after?

7 All of these problems will go away once horse
8 racing goes away. The answer is obvious and clear.

9 Thank you for your time.

10 CHAIRMAN FERRARO: Thank you.

11 Next please.

12 OPERATOR: And our next comment will come from
13 Heather Wilson.

14 CHAIRMAN FERRARO: Go ahead please.

15 MS. WILSON: Yes. Hi. Good morning.

16 So there is a horse missing from your report.
17 Hendavid was a two-year-old colt with two starts. His very
18 first race, being his maiden, this was at Santa Anita on
19 05/25/20. His second race, he was not so lucky. This was
20 at Pleasanton, exactly two months later, on 07/25/20.
21 Hendavid placed second to last. He was pulled up and
22 vanned off. The owner confirmed, on social media, that he
23 sustained sesamoid fractures and the was euthanized a month
24 later.

25 Despite this horse sustaining what ended up being

1 a catastrophic industry on public property, the Alameda
2 County Fairgrounds which is, of course, and I don't need to
3 remind you, but this is a CHRB facility, the CHRB was not
4 forthcoming with releasing any information about him when
5 an inquiry was submitted. Eventually, it was confirmed by
6 the CHRB that this horse was euthanized in Utah.

7 Dr. Arthur, can you please tell me how a horse
8 who breaks his ankle in California ends up in another
9 state? Surely, there are plenty of equine vets that would
10 have treated this poor animal instead of transporting him
11 to what was most likely a long, stressful, and physically
12 painful journey.

13 The final indignity is that the CHRB cannot even
14 acknowledge the sacrifice that this animal made for your
15 industry. Hendavid is likely just one of many vanned off
16 horses that the CHRB would like to (indiscernible) from its
17 record.

18 The pseudo-transparency is really getting old.
19 This needs to change. When we have questions, you need to
20 answer them.

21 Thank you.

22 CHAIRMAN FERRARO: Next please.

23 OPERATOR: Our next comment will come from animal
24 advocate Tony Falcone.

25 CHAIRMAN FERRARO: Go ahead please.

1 MS. FALCONE: Hi. I just want to speak to the
2 Medical Director's comments regarding the heat index, and
3 that there were no issues, and it's fine because these
4 tracks are on the coast, which was absolutely irrelevant
5 the week of the extreme heat index. On the coastal areas,
6 it was 105 degrees. And even though it didn't reach 105
7 degrees at Del Mar, it was high 90s. And they were not
8 racing at night, as he stated. They raced at the height of
9 the afternoon.

10 And that, coupled with the air quality issues
11 that came later in the week, were completely disregarded
12 for the -- not only the welfare of the horses but the
13 welfare of the workers. If you think we believe that there
14 were no issues there and that you're actually reporting
15 anything that goes on behind the scenes that we can't see
16 on the TVG cameras -- we already know, those are all
17 hidden -- and if you think that it's acceptable that a
18 jockey has to post a GoFundMe page because you can't
19 provide proper medical care, you know, the Board needs to
20 take a good hard look at how you're taking care of your
21 people.

22 And I also want to speak to the comments, that he
23 said you take care of more horses than any other industry.
24 What other industry abuses and abuses the number of horses
25 that horse racing does? I'd like to know what industry

1 he's even trying to compare to.

2 Also, I think he should be ashamed of trying to
3 pat himself on the back when a horse died almost every
4 single day at Los Alamitos. And to think that you can just
5 not count the number of horses that die because they're not
6 in a race, and every single one that died in exercising,
7 and in the backstretch, and everywhere that we can't see,
8 that those horses don't count, so you're doing such a bang-
9 up job, you need to take a good hard look at yourself.

10 Thank you.

11 CHAIRMAN FERRARO: Thank you.

12 Next please.

13 OPERATOR: Our next comment will come from cot
14 Lynn Freudenberg.

15 CHAIRMAN FERRARO: Go ahead please.

16 MS. FREUDENBERG: Hey, good morning. Good
17 morning. Thanks for taking my comments.

18 CHAIRMAN FERRARO: Go ahead.

19 MS. FREUDENBERG: I'm also re-commenting about
20 the missing-in-action horses.

21 There was a Captivating Cartel at Los Alamitos,
22 raced on January 24th, 2020, vanned off. It was a claiming
23 race. No -- ever since -- nothing in the Equibase since
24 August 19th.

25 Also, Bragging Rights was also at Santa Anita,

1 February 8th, 2020, third race, dropped back off the rail
2 onto the backstretch and turn, was pulled off up into the
3 stretch and walked off, did not finish. Where is she now?

4 Your own Dr. Rick Arthur says, a direct quote
5 from LAS (phonetic) and the National Geographic,

6 "It's hard to keep an athlete at the top of their
7 fitness 12 months out of the year. Horses are not
8 getting the rest they need, especially in the
9 temperature places like Southern California."

10 Dr. Arthur also admits that as horse racing
11 becomes more competitive, more deaths are happening. I
12 mean, it's just a big, no duh, so you guys really need to
13 stand up for the horses.

14 Since your last meeting of August 20th, ten more
15 horses have died, four at Los Alamitos, three at Golden
16 Gate, and three at Del Mar.

17 As -- anyways, you guys need to do a better job.
18 I don't know why you think you're doing a good job. I'm
19 having a hard time understanding this. Too many deaths are
20 happening.

21 Apparently, the plan didn't work for Los Alamitos
22 because of so many deaths that are happening. So, please,
23 reconsider your thoughts and do something about all the
24 deaths and, you know, you'll have less people calling in at
25 your meetings because nobody wants to see these horses die.

1 Thank you for listening.

2 CHAIRMAN FERRARO: Thank you.

3 Next please.

4 OPERATOR: Our next comment will come from
5 citizen Dr. Wayne Johnson.

6 CHAIRMAN FERRARO: Go ahead please.

7 DR. JOHNSON: Dr. Ferraro, welcome back.

8 Dr. Arthur --

9 CHAIRMAN FERRARO: Thank you.

10 Dr. Arthur -- says that a number -- Dr. Arthur
11 says that a number of horses have died and one jockey has
12 been injured. We are concerned about the jockey and wish
13 him a speedy recovery. These horses that died wanted to
14 live as much as you and I.

15 Citizen Kaplan, unable to get his emails returned
16 from the CHRB isn't the only one. Do you have such
17 contempt for us that you don't even return our emails as
18 citizens?

19 Thank you.

20 CHAIRMAN FERRARO: Thank you.

21 Next please.

22 OPERATOR: At this time there are no public
23 comments.

24 CHAIRMAN FERRARO: Okay. Any further comments
25 from the Board before we move on?

1 EXECUTIVE DIRECTOR CHANEY: Dr. Ferraro, Scott
2 Chaney here, if I may?

3 CHAIRMAN FERRARO: Yeah.

4 EXECUTIVE DIRECTOR CHANEY: I feel like maybe I
5 wasn't clear in my comments, although I think my command of
6 the English is pretty good. It seems like they were -- my
7 comments regarding the national legislation were
8 misconstrued.

9 My specific concern, and I think it's fair to say
10 the concern of the Board, is that national legislation
11 would make California less safe. We have some of the
12 strictest regulations, both on the medication and
13 enforcement front, as well as the safety standards, you
14 know, the crop rule included.

15 Our concern with the national legislation is that
16 all of those restrictions will actually be rolled back and
17 relaxed and, therefore, California would be less safe and
18 animal welfare would be jeopardized because of it.

19 I just wanted to make that clear to the Board.

20 CHAIRMAN FERRARO: Thank you for clarifying that.
21 That is our position.

22 Okay, let's move on to agenda item number three,
23 discussion and action by the Board regarding the
24 distribution of race day charity proceeds of the Los
25 Alamitos Racing Association combined 2019 race meeting in

1 the amount of \$6,266 to four beneficiaries.

2 Francisco Gonzales, I believe you want to speak
3 on this.

4 MR. GONZALES: Yes. Francisco Gonzales, CHR
5 Staff here.

6 Chairman, Commissioners, before you, I believe my
7 understanding is that those two items were going to be --
8 items three and four were going to be combined.

9 CHAIRMAN FERRARO: You can combine them. You
10 can --

11 MR. GONZALES: (Indiscernible.)

12 CHAIRMAN FERRARO: -- you can speak to both of
13 them if you want.

14 MR. GONZALES: All right.

15 CHAIRMAN FERRARO: Go ahead.

16 MR. GONZALES: Well, before you there are two
17 request for approval of the submission of charity date
18 proceeds from Los Alamitos. One of them is for Los
19 Alamitos thoroughbred meet in the amount of \$6,266. And
20 the other one is for Los Alamitos Quarter Horse meet in the
21 amount of \$20,314.

22 Business and Professions Code section 19550
23 requires the racing associations distribute two-tenths of
24 one percent of their association's total on-track handle on
25 the live races conducted by the associations at the

1 meeting.

2 A representative from Los Alamitos is available
3 to answer any questions regarding this request for
4 distribution.

5 CHAIRMAN FERRARO: Thank you.

6 Do we have any questions from the Board for Mr.
7 Gonzales?

8 Operator, is there a Los Alamitos representative
9 who wants to speak to this?

10 OPERATOR: Our next comment will come from
11 Richard English with Los Alamitos Racing Association.

12 MR. ENGLISH: Good morning.

13 CHAIRMAN FERRARO: Go ahead, Richard.

14 MR. ENGLISH: Good morning. This is Richard
15 English, representing Los Alamitos Racing Association. And
16 we respectfully request the Board to approve the
17 distribution of our charity days' proceeds to the equine-
18 related charity organizations listed in our exhibit. And
19 I'd be happy to answer any questions you might have.

20 CHAIRMAN FERRARO: Any questions from the Board?
21 Thank you.

22 Do we have a public comment on this, Operator?

23 OPERATOR: We can take our next comment. This
24 will come from Heather Wilson.

25 CHAIRMAN FERRARO: Go ahead please.

1 MS. WILSON: Yes. Hi. So instead of your own
2 industry charities for jockeys and workers, why not
3 distribute proceeds towards universal healthcare coverage?
4 This would include coverage for catastrophic injuries and
5 coverage for drug and alcohol treatment. Practically every
6 single stewardship has very sad and tragic examples with
7 workers with substance abuse issues, methamphetamine,
8 alcohol, all kinds of medication issues. And it really --
9 it just seems like that Winners Circle Program might not be
10 working.

11 CHAIRMAN FERRARO: Thank you.

12 Next please.

13 OPERATOR: The next comment will come from animal
14 advocate Tony Falcone.

15 CHAIRMAN FERRARO: Go ahead please.

16 MS. FALCONE: I just had a question. Is this
17 what 38 horses lives are worth, \$26,000, a little over
18 \$26,000, not even, \$600, and to be distributed between, I
19 don't know if it's four or eight charities, if it's the
20 same four from agenda item three and agenda item four? But
21 is that what it takes for you guys to be able to sleep at
22 night, to tell yourselves that you're giving \$26,000 --

23 CHAIRMAN FERRARO: I think that's enough.

24 MS. FALCONE: -- out of (indiscernible) --

25 CHAIRMAN FERRARO: Go ahead, Operator. Next

1 please.

2 OPERATOR: At this time there are no public
3 comments.

4 CHAIRMAN FERRARO: Any other questions of
5 comments from the Board? Can I have a motion to accept
6 item three, distribution of charity proceeds of the Los
7 Alamitos Racing Association for \$6,200?

8 COMMISSIONER CASTELLANOS: Motion. Castellanos.

9 CHAIRMAN FERRARO: Second?

10 VICE CHAIRMAN GONZALES: Oh. Gonzales seconds.

11 CHAIRMAN FERRARO: Do we have a --

12 COMMISSIONER MITCHELL: Yeah.

13 CHAIRMAN FERRARO: Okay. Vote from the Board.
14 Oscar Gonzales?

15 VICE CHAIRMAN GONZALES: Yes.

16 CHAIRMAN FERRARO: Commissioner Alfieri?

17 COMMISSIONER ALFIERI: Yes.

18 CHAIRMAN FERRARO: Commissioner Mitchell?

19 COMMISSIONER MITCHELL: Yes.

20 CHAIRMAN FERRARO: Commissioner Castellanos?

21 COMMISSIONER CASTELLANOS: Yes.

22 CHAIRMAN FERRARO: Commissioner Davis?

23 COMMISSIONER DAVIS: Yes.

24 CHAIRMAN FERRARO: And the Chairman votes yes.

25 The item is approved.

1 Now, for item number four, may we have a motion
2 to accept the distribution of Quarter Horse racing proceeds
3 in the amount of \$20,314? Do I have a motion to approve?

4 COMMISSIONER MITCHELL: Commissioner Mitchell.
5 Move.

6 CHAIRMAN FERRARO: Second?

7 COMMISSIONER CASTELLANOS: Second. Castellanos.

8 CHAIRMAN FERRARO: Vote from the Board.

9 Oscar Gonzales?

10 VICE CHAIRMAN GONZALES: Yes.

11 CHAIRMAN FERRARO: Dennis Alfieri?

12 COMMISSIONER ALFIERI: Yes.

13 CHAIRMAN FERRARO: Wendy Mitchell?

14 COMMISSIONER MITCHELL: Yes. Sorry.

15 CHAIRMAN FERRARO: Damascus Castellanos?

16 COMMISSIONER CASTELLANOS: Yes.

17 CHAIRMAN FERRARO: And the Honorable Brenda

18 Davis?

19 COMMISSIONER DAVIS: Yes.

20 CHAIRMAN FERRARO: And the Chairman votes yes.

21 Both items are approved.

22 We move on to agenda item number five, discussion
23 and action by the Board regarding Los Alamitos Equine Sale
24 Company, LLC, request for authorization of its upcoming
25 horse sale, pursuant to CHRB Rule 1807, Authorized Horse

1 Sales.

2 Francisco Gonzales is going to inform us on this
3 one as well.

4 MR. GONZALES: Francisco Gonzales, CHRB.

5 CHAIRMAN FERRARO: Mr. Gonzales?

6 MR. GONZALES: Chairman, Commissioners, before
7 you is a request for approval of Los Alamitos Equine Sales,
8 LLC, to conduct a horse sale to be held this upcoming
9 October 3rd and 4th. Board Rule 1807 requires that the
10 Board approve any horse sales that take place.

11 We have Dino Perez from Los Alamitos to answer
12 any questions regarding this sale.

13 CHAIRMAN FERRARO: Mr. Perez, do you have
14 comments to make?

15 OPERATOR: We do have a comment. This will come
16 from Dino Perez --

17 CHAIRMAN FERRARO: Good.

18 OPERATOR: -- with Los Alamitos --

19 CHAIRMAN FERRARO: Yes.

20 OPERATOR: -- Equine Sale.

21 CHAIRMAN FERRARO: Go ahead. Go ahead, Mr.
22 Perez.

23 MR. PEREZ: Okay. We're here, obviously, to
24 request authorization under CHRB Rule 1807. Our sale will
25 be held October 3rd and 4th. This is the 16th year we've

1 had the Los Alamitos Equine Sale. The owners of the sale
2 are Dr. Allred and Dr. Burns. This year, we're selling
3 approximately 315 head, 85 of those are yearlings, 85
4 percent, and 14 percent is the mares and mixed stock. Our
5 sale is an outdoor venue.

6 And we're here to ask any -- answer any questions
7 that you might have.

8 CHAIRMAN FERRARO: I have one question. Do you
9 have procedures in place regarding the protection for
10 COVID-19?

11 MR. PEREZ: We do. And we'll have Frank Sherren
12 address those.

13 MR. SHERREN: Good morning. Frank Sherren, Los
14 Alamitos Race Course Facility's Manager.

15 We do have COVID-19 protocols in place. These
16 protocols were thoroughly approved by the Orange County
17 Health Department. We also have Orange County Fire
18 Department and a temporary use permit approvals in place,
19 which we do each year, in addition to the COVID-19
20 approvals that we have by the County Health Department.

21 CHAIRMAN FERRARO: Any questions from the Board
22 for these two gentlemen? All right.

23 Thank you both very much.

24 Do we have --

25 MR. SHERREN: Thank you.

1 CHAIRMAN FERRARO: -- public comment, Operator?

2 OPERATOR: Our next public comment will come from
3 Richard English with Los Alamitos Racing Association.

4 CHAIRMAN FERRARO: Go ahead please.

5 MR. ENGLISH: I meant to comment on issues three
6 and four, not on this particular one.

7 CHAIRMAN FERRARO: Okay. Thank you.

8 Any other comments, Operator?

9 OPERATOR: The next comment will come from Cliff
10 Goodrich with California Thoroughbred Horsemen's
11 Foundation.

12 CHAIRMAN FERRARO: Go ahead please.

13 MR. GOODRICH: Mr. Chairman, Commissioners, I hit
14 star one when you were on item three but I, for some
15 reason, I guess, didn't get in. And I wondered if I could
16 make a brief comment in regards to the lack of insurance
17 for jockeys and backstretch workers that one of the ladies
18 mentioned?

19 CHAIRMAN FERRARO: It's kind of an exception but
20 go ahead and make it quick.

21 MR. GOODRICH: Well, I just want everyone to be
22 aware that the racetracks and horsemen statutorily
23 contribute over a million-and-a-half dollars a year to go
24 to our foundation, who we provide the healthcare for the
25 backstretch trainers, including trainers and assistant

1 trainers.

2 In addition, racetracks contribute charity day
3 proceeds to our foundation to help the healthcare of the
4 workers.

5 Racetracks, I believe, have agreements with the
6 Jockeys' Guild in regard to the catastrophically-injured
7 jockeys. And racetracks also, through their charity day
8 donations, contribute to the Winners Foundation for
9 substance abuse and mental health counseling.

10 So when the statement is made that, basically, we
11 don't take care of our own, it is absolutely false, and I
12 just wanted to make that clear.

13 CHAIRMAN FERRARO: Well, thank you very much.

14 Any other comments regarding this race day -- I
15 mean this horse sale?

16 OPERATOR: The next comment will come from Bonnie
17 Croker.

18 CHAIRMAN FERRARO: Go ahead please.

19 MS. CROKER: Please do not grant Los Al
20 authorization to conduct a horse sale. Los Alamitos Race
21 Track shouldn't be selling anything except the property
22 they are located on.

23 There have been 38 horse fatalities at Los Al in
24 2020, including Tap the Wire whose May 9th, 2020 racing
25 death has not yet been recognized --

1 CHAIRMAN FERRARO: We're talking about --

2 MS. CROKER: -- by the CHRB.

3 CHAIRMAN FERRARO: -- the horse sale. We're not
4 talking about training. So if you have comments regarding
5 the sale, go ahead, but we're not going to let you get into
6 training issues on this item.

7 Go ahead, Operator. Next please.

8 OPERATOR: The next comment will come from
9 Heather Wilson.

10 CHAIRMAN FERRARO: Go ahead please.

11 MS. WILSON: Yes. So this horse sale is an
12 annual event in its 15th year. Why is this even on the
13 CHRB agenda? Is there anything that could possibly cancel
14 this event? We already know the answer to that, so that's,
15 basically, a rhetorical question. The CHRB just
16 rubberstamps approval on anything and everything related to
17 profiting off of horses.

18 Additionally, this horse sale event has been
19 advertised for quite some time. So shouldn't Los Alamitos
20 have asked for approval prior to making such definitive
21 plans? This is a clear example of how Los Al just does
22 whatever it wants. This horse sale event was definitely
23 not contingent upon CHRB approval.

24 That's it.

25 CHAIRMAN FERRARO: Thank you.

1 Next please.

2 OPERATOR: Our next comment will come from
3 citizen Martha Sullivan.

4 CHAIRMAN FERRARO: Go ahead please.

5 MS. SULLIVAN: Yes. I would like to point out
6 that the owners of this horse sale company, Doctors Allred
7 and Burns, are horse breeders themselves. And in checking
8 Equibase.com for the breeder of each of the 38 horses that
9 have died at Los Al, I found that 3 of these horses were
10 bred by Dr. Allred, and 2 of them were bred by Dr. Burns.
11 Dr. Allred owned two of them. Two of the Allred-bred
12 fatalities were other, respiratory and laminitis.

13 CHAIRMAN FERRARO: Martha, what has this got to
14 do --

15 MS. SULLIVAN: And both of them were --

16 CHAIRMAN FERRARO: -- with the sale --

17 MS. SULLIVAN: -- three years old.

18 CHAIRMAN FERRARO: -- with the horse sale?

19 Martha --

20 MS. SULLIVAN: I'm talking about --

21 CHAIRMAN FERRARO: -- we're talking about --

22 MS. SULLIVAN: -- the fitness --

23 CHAIRMAN FERRARO: -- a horse sale.

24 MS. CROKER: -- of the horse sale owners to hold
25 their sale. Should they be selling any more horses when

1 they breed horses that die? Do we want to just -- it's
2 like a puppy mill. These are the only owners of multiple
3 horses who died at Los Alamitos. This is worth looking at.
4 You can't just --

5 CHAIRMAN FERRARO: All right.

6 MS. SULLIVAN: -- you know --

7 CHAIRMAN FERRARO: Thank you.

8 MS. SULLIVAN: -- brush this --

9 CHAIRMAN FERRARO: Next. Next please, Operator.

10 OPERATOR: Our next comment will come from
11 citizen Jill Malato.

12 CHAIRMAN FERRARO: Go ahead please. Confine your
13 comments --

14 MS. MALATO: Good morning.

15 CHAIRMAN FERRARO: -- to the sale. Go ahead.

16 MS. MALATO: California cannot even keep --
17 California cannot even keep track of the racehorses that
18 are already here. Why are we encouraging events that
19 promote purchasing and breeding even more horses?

20 So many horses end up being shipped out of state
21 when their so-called careers are over in California. A
22 perfect example is Liberty Park. The six-year-old gelding
23 with 18 starts has raced at every major track in
24 California. He's been available for purchase for quite
25 some time, with his last 11 races as claiming. His last

1 California race was at Los Alamitos in December of 2019.
2 He was injured at Santa Anita in January of this year.
3 Then, in June, he pops up at Emerald Downs in Washington.

4 CHAIRMAN FERRARO: What does this have to do --

5 MS. MALATO: California does not need to be --

6 CHAIRMAN FERRARO: -- with the sale, ma'am?

7 MS. MALATO: -- importing any more horses --

8 CHAIRMAN FERRARO: What does this have to do --

9 MS. MALATO: -- from outside --

10 CHAIRMAN FERRARO: -- with the sale --

11 MS. MALATO: -- the country or state when there
12 are still so many here that need to be cared for. Horses
13 are not toys for you to break and then throw away when you
14 are done with them.

15 CHAIRMAN FERRARO: Thank you.

16 Next please.

17 OPERATOR: Our next comment will comment from Dr.
18 Holly Wilson.

19 CHAIRMAN FERRARO: Go ahead please.

20 DR. WILSON: Yeah. Just a super quick comment
21 regarding the backstretch workers and healthcare.

22 So if these workers have healthcare, then why did
23 The Stronach Group take out a full page ad --

24 CHAIRMAN FERRARO: That's not --

25 DR. WILSON: -- in *The L.A. Times*? Why did they?

1 CHAIRMAN FERRARO: Next please.

2 DR. WILSON: Because they're not --

3 OPERATOR: This comment will come from Denise
4 Bolbol with -- a California resident.

5 CHAIRMAN FERRARO: Go ahead please.

6 MS. BOLBOL: So regarding the sale, you have to
7 authorize a sale within the California state laws.
8 California Penal Code 598(c) requires that it is illegal to
9 export or sell or buy or give away any horse with the
10 intent of having the animal killed.

11 So what assurances is this Board taking to ensure
12 none of these horses going up for sale are being sold to
13 kill buyers?

14 And, also, you know, Chairman, you really are
15 stupid. You allow the representatives of the horse racing
16 industry to speak off topic, yet other people who try to
17 address the lies he says, you don't allow them to have an
18 opportunity to speak. And, you know, that is un-American.
19 It's undemocratic. This is how you're running this Board.
20 You don't even want to hear public comments. Shame on
21 you.

22 You know, this -- if the horse -- if the
23 backstretch workers are so well taken care of, let's have
24 full access --

25 CHAIRMAN FERRARO: You're getting off topic.

1 MS. BOLBOL: -- to see how they're living.

2 CHAIRMAN FERRARO: If you have comments on the
3 sale --

4 MS. BOLBOL: Yeah, but you (indiscernible) --

5 CHAIRMAN FERRARO: -- if you have some
6 comments --

7 MS. BOLBOL: -- you (indiscernible) talk.

8 CHAIRMAN FERRARO: -- regarding the sale --

9 MS. BOLBOL: Why would you allow one individual
10 to talk off topic --

11 CHAIRMAN FERRARO: Next please, Operator.

12 MS. BOLBOL: -- and not another one?

13 OPERATOR: At this time there are no --

14 CHAIRMAN FERRARO: Next please.

15 OPERATOR: -- public comments in queue.

16 CHAIRMAN FERRARO: Any comments or questions from
17 the Board regarding this item? Do we have a motion to
18 approve?

19 VICE CHAIRMAN GONZALES: Motion. Gonzales.

20 COMMISSIONER CASTELLANOS: Motion. Castellanos.

21 VICE CHAIRMAN GONZALES: I'll second that
22 (indiscernible).

23 CHAIRMAN FERRARO: Second?

24 VICE CHAIRMAN GONZALES: I'll second it.
25 Gonzales seconds.

1 CHAIRMAN FERRARO: Okay. Vote from the Board.

2 Commissioner Gonzales?

3 VICE CHAIRMAN GONZALES: Yes.

4 CHAIRMAN FERRARO: Commissioner Alfieri?

5 COMMISSIONER ALFIERI: Yes.

6 CHAIRMAN FERRARO: Commissioner Mitchell?

7 COMMISSIONER MITCHELL: Yes.

8 CHAIRMAN FERRARO: Commissioner Castellanos?

9 COMMISSIONER CASTELLANOS: Yes.

10 CHAIRMAN FERRARO: Commissioner Davis?

11 COMMISSIONER DAVIS: Yes.

12 CHAIRMAN FERRARO: And the Chairman votes yes.

13 The motion passes.

14 We'll move on to item number six. This is
15 discussion and action by the Board regarding the
16 reallocation of The Big Fresno Fair's 2020 Race Dates to
17 the Pacific Racing Association II, PRA II.

18 Amanda Drummond has some comments for us.

19 MS. DRUMMOND: Yes. Good morning, Commissioners.

20 Amanda Drummond, Policy, Regulations, and Administrative
21 Hearings Manager with the CHRB.

22 So at the December Board meeting the Board
23 allocated the dates of October 7th through October 20th to
24 The Big Fresno Fair. However, due to COVID-19, that fair
25 has been canceled.

1 CARF and Golden Gate have come to an agreement to
2 allocate The Fresno Fair dates to Golden Gate Fields, which
3 would then allow Golden Gate to run until October 20th.

4 BPC section 19531 stipulates that the maximum
5 number of racing weeks that may be allocated for
6 thoroughbred horse racing in the northern zone shall be 44
7 weeks per year. And BPC section 19532 stipulates that any
8 association licensed to conduct thoroughbred racing in the
9 northern zone may receive no more than 35 weeks of racing.

10 PRA operates with two different entities, PRA I
11 and II. So should the Board approve the reallocation of
12 the Fresno dates, they could be assigned to PRA I, which
13 would put them at ten weeks for the calendar year, and
14 then -- oh, sorry, PRA II, my apologies. And then PRA I
15 and II combined would put them at 44 weeks for Golden Gate
16 for the calendar year, which then put them in compliance
17 with both of those BPC Codes.

18 So this is presented to you for discussion and
19 approval for reallocation of those dates.

20 CHAIRMAN FERRARO: Do we have comments from
21 either Pacific Racing Association or The Fresno Fair
22 representatives?

23 OPERATOR: We'll take a comment from Larry
24 Swartzlander with the California Authority of Racing Fairs.

25 CHAIRMAN FERRARO: Go ahead, Larry.

1 MR. SWARTZLANDER: Yeah. Good morning. Good
2 morning, Chairman and Commissioners. This is Larry
3 Swartzlander, Executive Director of CARF. And I'd
4 certainly like to welcome Commissioner Davis from all the
5 fairs. Appreciate you joining the group.

6 I just want to state that, obviously, this year
7 has been very demanding on this industry. And we've
8 reached a situation where the fairs were -- basically, have
9 all been canceled. And we have great concerns on,
10 obviously, the COVID-19 to transmission.

11 I'd like to applaud Greg Avioli with the TOC and
12 Aiden Butler with The Stronach Group, that we've reached an
13 agreement. I think this is best for the horsemen. And I
14 think the dates being run at Golden Gate which has proven
15 it's a very safe location for both the horses and the
16 horsemen.

17 Thank you.

18 CHAIRMAN FERRARO: Thank you very much.

19 Any questions for Mr. Swartzlander from the
20 Board?

21 Do we have comments from either TOC or Pacific
22 Racing Association?

23 OPERATOR: Our next comment will come from Eric
24 Sindler with The Stronach Group.

25 CHAIRMAN FERRARO: Go ahead please, Eric.

1 MR. SINDLER: Good morning. Actually, not much
2 more to add. I think Ms. Drummond and Mr. Swartzlander
3 summed it all up very nicely. So just happy to answer any
4 questions you may have.

5 CHAIRMAN FERRARO: Any questions from the Board?
6 All right.

7 Do we have a public queue, Operator?

8 OPERATOR: This comment will come from citizen
9 Martha Sullivan.

10 CHAIRMAN FERRARO: Go ahead please, Martha.

11 MS. SULLIVAN: Yeah. I would like to, you know,
12 as a former utility regulator, I recognize the allocation
13 of the dates among different entities complies with the
14 law, but it still means that the horses, with item six,
15 seven and nine on your agenda today, will be racing -- you
16 know, there will be solid racing through December 22nd with
17 no break at Golden Gate. This is after the 21st horse died
18 this past Sunday at Golden Gate. So you've had 21 horse
19 fatalities at Golden Gate so far this year. And you're
20 talking about having racing with no breaks at Golden Gate
21 Fields from now until December 22nd.

22 So if that seems like a good idea to you, Board
23 Members, by all means, approve their request, but I ask you
24 to really think about this.

25 CHAIRMAN FERRARO: Thank you, Martha.

1 Next please.

2 OPERATOR: Our next comment will come from Greg
3 Avioli with TOC.

4 CHAIRMAN FERRARO: Good morning, Greg.

5 MR. AVIOLI: Good morning, Mr. Chairman. TOC
6 supports this agreement. Just wanted to -- like Mr.
7 Sindler, I'm available to answer any questions.

8 CHAIRMAN FERRARO: Any questions from the Board
9 for Mr. Avioli?

10 Thanks. Thanks very much.

11 Next please.

12 OPERATOR: At this time there are no public
13 comments.

14 CHAIRMAN FERRARO: Comments from the Board?
15 Discussion? Do I have a motion to approve?

16 COMMISSIONER ALFIERI: I'll make a motion.

17 COMMISSIONER CASTELLANOS: Motion. Castellanos.

18 COMMISSIONER ALFIERI: Alfieri.

19 CHAIRMAN FERRARO: Alfieri makes the motion. Do
20 we have a second?

21 COMMISSIONER CASTELLANOS: Second. Castellanos.

22 CHAIRMAN FERRARO: All right. Vote from the
23 Board.

24 Commissioner Gonzales? Commissioner Gonzales?
25 We've lost Commissioner Gonzales.

1 Commissioner Alfieri?

2 COMMISSIONER ALFIERI: Yes.

3 CHAIRMAN FERRARO: Commissioner Gonzales? Yeah.

4 Commissioner Alfieri?

5 COMMISSIONER ALFIERI: Yes.

6 CHAIRMAN FERRARO: Commissioner Mitchell?

7 COMMISSIONER MITCHELL: Yes.

8 CHAIRMAN FERRARO: Commissioner Castellanos?

9 COMMISSIONER CASTELLANOS: Yes.

10 CHAIRMAN FERRARO: Commissioner Davis?

11 COMMISSIONER DAVIS: Yes.

12 CHAIRMAN FERRARO: And just to clarify,

13 Commissioner Gonzales, are you back on line?

14 VICE CHAIRMAN GONZALES: Yes. Yes.

15 CHAIRMAN FERRARO: Is that a yes?

16 VICE CHAIRMAN GONZALES: I'm back.

17 CHAIRMAN FERRARO: Okay.

18 VICE CHAIRMAN GONZALES: Yes, sir.

19 CHAIRMAN FERRARO: Okay. Thank you.

20 And the Commissioner -- and the Chairman votes

21 yes. The motion is approved.

22 Let's move on to item number seven, discussion

23 and action by the Board on the amendments of the

24 Application for License to Conduct a Horse Race Meeting of

25 the Pacific Racing Association at Golden Gate, commencing

1 August 12th to October 20th, inclusive.

2 Amanda?

3 MS. DRUMMOND: Yes. Hi again, Commissioners.

4 Amanda Drummond.

5 As previously discussed and approved, The Big
6 Fresno Fair dates have been reallocated to PRA II, which
7 would now allow them to run until October 20th. Since that
8 application has been previously approved at the July
9 meeting, the Board will now have to consider going back and
10 reapproving that application and extending the application
11 and the additional documents for the two weeks that have
12 now been allocated.

13 And that's it.

14 CHAIRMAN FERRARO: Are all documents in place?

15 MS. DRUMMOND: Yes.

16 CHAIRMAN FERRARO: Questions or comments from the
17 Board?

18 Do we have comments from the representatives from
19 Pacific Racing Association?

20 OPERATOR: We can take our next comment. This is
21 coming from --

22 MR. MARTEN: Eric Sindler please.

23 CHAIRMAN FERRARO: And to clarify, Pacific Racing
24 Association representative?

25 OPERATOR: Our next comment will come from Eric

1 Sindler with The Stronach Group.

2 CHAIRMAN FERRARO: Okay. That's fine. Thank
3 you.

4 Go ahead, Mr. Sindler.

5 MR. SINDLER: Good morning, Commissioners. As
6 Ms. Drummond just stated, yes, we just need our application
7 extended through October 20th. Everything else will be
8 extended, including the mandatory payout date. That will
9 now be on the new closing date of October 18th.

10 And just happy to answer any questions you may
11 have about the extra two weeks of racing.

12 CHAIRMAN FERRARO: Any questions from the Board?

13 VICE CHAIRMAN GONZALES: Dr. Ferraro, I just have
14 a couple comments as it relates to the license application,
15 nothing specific to extending those two weeks. But is it
16 the time now to ask questions about the Golden Gate license
17 agreement or is that --

18 CHAIRMAN FERRARO: Yes.

19 VICE CHAIRMAN GONZALES: -- another item?

20 CHAIRMAN FERRARO: Go ahead. Go ahead.

21 VICE CHAIRMAN GONZALES: Yeah. Just a couple
22 comments.

23 I really appreciate the very comprehensive
24 license application, especially around COVID safety. I did
25 notice there's quite a bit of worker-related compliance and

1 engagement from jockeys and valets to grooms and so forth.
2 And I'd just ask management to make sure that they're
3 staying engaged, that the Teamsters abatement were also
4 referenced, so really appreciate the cooperation and buy-
5 in. But just my only recommendation is to continue to get
6 their thoughts, making sure that any COVID-related
7 compliance measures are adhered to.

8 There's another couple of items. One is related
9 to a letter in the license application about, and I'll
10 quote, "Also effective immediately, no outside pets will be
11 allowed into Golden Gate Fields until further notice."

12 And I just, as a former groom and, you know,
13 somebody who lived on the backside, I know the value of
14 certain pets, whether it's a goat to keep a horse a little
15 bit more calm, you know, well-behaved cats can also provide
16 tremendous value.

17 So I don't know if Dr. Arthur is still on the
18 line, but I'd like just to get his thoughts about, you
19 know, such a policy. I get what we're trying to do in
20 terms of managing COVID better but I just wanted just to
21 get some thoughts on that.

22 And then, finally, I'll go and I'll reference the
23 marketing plan, as I did for The Stronach Group's previous
24 one. I think that there's an opportunity that is being
25 missed by not including or incorporating cultural or ethnic

1 markets that are out there. A perfect example is during
2 The Kentucky Derby, there was an important NBC segment
3 about the contributions of African Americans to the sport
4 of horse racing. In and around Golden Gate, you not only
5 have a vibrant African American community, but also Asian
6 Pacific Islander, Spanish-speaking Latinos, and others.

7 So I just -- you know, I know in previous
8 marketing plans specific to Golden Gate, I have actually
9 seen investments that are being made. So I just ask that
10 they institute or reconsider on the marketing front. I
11 know it's a difficult time to get people to the stands, and
12 that's not what I'm referring to. It's more making sure
13 that they understand horse racing, especially California
14 horse racing.

15 So those are my only real comments as it relates
16 to the entire application that I read. Thank you.

17 CHAIRMAN FERRARO: Thank you, Commissioner.

18 Dr. Arthur, do you have a comment about the pet
19 issues?

20 EQUINE MEDICAL DIRECTOR ARTHUR: Well, obviously,
21 I'm in support of people having pets, and horses having
22 pets as well. I think the risk of complicating the COVID
23 situation with pets is a very low risk, even though there
24 have been instances where cats, felines, have actually had
25 COVID, but it's certainly very rare in relation to their

1 exposure.

2 So I certainly support Commissioner Gonzales and
3 that questioning the need for a pet restriction as part of
4 the COVID plan. But having not actually read it, I'm
5 trying to figure out, really, what they're trying to
6 accomplish with it.

7 VICE CHAIRMAN GONZALES: Thank you, Dr. Arthur.
8 I appreciate that. And, you know, perhaps there can be a
9 conversation. And the letter did preface that they're
10 going to be looking at this a lot closer.

11 But, again, I just want to, you know, commend the
12 leadership at Golden Gate for a very comprehensive A
13 through Z approach as it relates to COVID compliance,
14 really robust. But this one just caught my eye. So
15 perhaps the veterinarian community up there, and with your
16 leadership, Dr. Arthur, can take a look at maybe, perhaps
17 with engagement from the trainers and any others, just to
18 kind of get some presence of well-mannered, behaved small
19 pets that are helpful to a backstretch worker who may need,
20 you know, a comfort pet or a horse that may need, you know,
21 a pet by his or her side. Again, I'm just drawing on my
22 years of being a backstretch worker and living back there.

23 So -- but thank you again. Thank you, Doc.
24 Appreciate that.

25 CHAIRMAN FERRARO: Does The Stronach Group have a

1 comment on this?

2 MR. SINDLER: As it relates to the -- yes. I'm
3 sorry. Am I still live?

4 CHAIRMAN FERRARO: Yes. Go ahead.

5 OPERATOR: Yeah, we hear you.

6 MR. SINDLER: Yes. As it relates to the pet
7 policies, I would ask -- I believe Dave Duggan is on the
8 line and he could address it a little bit more thoroughly
9 about the pet policies specifically. So I would defer to
10 Mr. Duggan about the pet policy.

11 CHAIRMAN FERRARO: Mr. Duggan, can we get you
12 live for a comment?

13 MR. MARTEN: Who were you asking for again?

14 CHAIRMAN FERRARO: Dave Duggan.

15 OPERATOR: Once again, if you would like to make
16 a comment, please press star one on your telephone keypad.

17 MR. MARTEN: We have Larry Swartzlander, Aiden
18 Butler, Michael Brown, if any of them are with the group
19 you're asking about.

20 CHAIRMAN FERRARO: Well, it's just that Mr.
21 Sindler referenced Mr. Duggan, but we can let that go.

22 Any other comments from the Board? Okay.

23 Operator, let's hear public comments.

24 OPERATOR: Our next public comment will come from
25 Larry Swartzlander with California Authority of Racing

1 Fairs.

2 CHAIRMAN FERRARO: Go ahead, Larry.

3 MR. SWARTZLANDER: Eric answered (indiscernible).

4 This is Larry Swartzlander with CARF.

5 Eric answered my question. I just wanted to
6 ensure that the satellite agreement that was signed for the
7 previous works extend to the last two weeks.

8 Thank you.

9 CHAIRMAN FERRARO: Next please.

10 OPERATOR: Our next comment will come from Aiden
11 Butler with The Stronach Group.

12 CHAIRMAN FERRARO: Go ahead please. Mr. Butler?

13 MR. BUTLER: Good morning, Commissioners.
14 Apologies. I just wanted to touch quickly on Commissioner
15 Oscar's point about the fact that rule was changed pretty
16 much immediately after the paperwork was sent in. So
17 apologies that you didn't get the updated notes on that.
18 But normally goats -- well, we actually think of goats not
19 really as pets and have them more companion and working
20 animals on the backside. But even the pets on the front
21 side, the Racing Office and staff's companions, are allowed
22 at Golden Gate Fields. So apologies for not updating you.

23 CHAIRMAN FERRARO: Thank you --

24 VICE CHAIRMAN GONZALES: Thanks Aiden.

25 CHAIRMAN FERRARO: -- very much.

1 Next please.

2 OPERATOR: This comment will come from Michael
3 Brown with the Arabians Racing Association of California.

4 CHAIRMAN FERRARO: Go ahead please.

5 MR. BROWN: If the Board will indulge me, I'd
6 like to take ten seconds to reply to some comments I've
7 heard today, and that is that I've watched the Board, over
8 the last year, take extraordinary action to protect horses.
9 And I resent the criticism of the Board. I think you've
10 worked as hard as you possibly could within the limits that
11 you have. Having said that, let me move on to my -- the
12 reason I called.

13 I asked -- at the beginning of this meeting, I
14 was -- I called and I said I wanted to speak to item six. I
15 wasn't able to speak at that time and you approved it. But
16 what I want to find out is, is the two weeks that is going
17 to be the Fresno dates, now at Golden Gate Fields, are
18 those fair dates or are those thoroughbred dates? The
19 reason I ask is that Golden Gate Fields already has all the
20 thoroughbred dates they're allowed to have. And the two
21 additional weeks that they're going to get must be
22 considered fair dates, otherwise they're beyond the
23 statutory time limits that were read to you when this was
24 being heard.

25 I also want to point out that it keeps referring

1 to PRA I and PRA II. Those are not different
2 organizations. They are all a part of The Stronach Group.
3 They have the same home office, the same officers and
4 directors. They are not separate organizations and they
5 should not be treated as separate organizations.

6 So that if you -- for that reason, the dates that
7 are now assigned to Golden Gate Fields from Fresno must be
8 determined as fair dates with the appropriate distribution
9 of purse funds to the -- all of the associations that
10 normally receive fair date funding, and that includes the
11 Arabian Racing Association. I'm speaking not just as their
12 treasurer but also as their lawyer. It would be illegal
13 for you to assign those as thoroughbred dates. They must
14 be assigned as fair dates. And I'd like to know if that is
15 the intent of the Board?

16 CHAIRMAN FERRARO: Thank you.

17 Next please.

18 MR. BROWN: Would you answer my question please?

19 CHAIRMAN FERRARO: We will. Just a minute.

20 Next please.

21 EXECUTIVE DIRECTOR CHANEY: Dr. Ferraro,
22 Executive Director Scott Chaney. I don't mind jumping in
23 here.

24 The caller is incorrect. Golden Gate Fields
25 taking these two weeks gives them a total of 44, which is

1 in the statutory limitation. I'm guessing you might be
2 confused with respect to the Sonoma County Fair dates,
3 which were not assigned. Those were fair dates, even
4 though it was run at Golden Gate Fields. But with this
5 move that the Board is taking, it does comply with the B
6 and P Code, giving them 44 weeks.

7 Thank you, Mr. Chairman.

8 MR. BROWN: I was not referring --

9 CHAIRMAN FERRARO: Thank you.

10 MR. BROWN: -- to the Sonoma dates. Those were
11 not -- I did not count those dates.

12 CHAIRMAN FERRARO: Okay. Next comment please.

13 MR. BROWN: And the PRA II is not a separate
14 association.

15 CHAIRMAN FERRARO: Next please --

16 OPERATOR: Our next comment --

17 CHAIRMAN FERRARO: -- Operator.

18 OPERATOR: -- our next comment will come from
19 Larry Swartzlander with the California Authority of Racing
20 Fairs.

21 CHAIRMAN FERRARO: Go ahead, Larry.

22 MR. SWARTZLANDER: Yes, this is Larry. This is
23 Larry.

24 Yeah, I'll just -- first, Mr. Chaney answered the
25 question. I have no further comment.

1 CHAIRMAN FERRARO: Okay. Next please.

2 OPERATOR: The next comment will come from Denise
3 Bolbol.

4 CHAIRMAN FERRARO: Go ahead please. Go ahead.
5 Next please, Operator.

6 OPERATOR: We will take our next comment.
7 Caller, please state your name.

8 CHAIRMAN FERRARO: We're not getting anywhere,
9 Operator.

10 OPERATOR: We will take our next comment. And
11 this will come from Golden Gate Fields.

12 CHAIRMAN FERRARO: Go ahead please.

13 MR. ROENBECK: Yes. This is Roy Roenbeck,
14 Environmental Health Director. I'm here, also, with David
15 Duggan, the General Manager. We just wanted to respond to
16 the pet policy that was inserted in our COVID program.

17 We echo and concur with what Aiden said. The
18 genesis of that two-paragraph pet policy came from our
19 County Health Department. They were concerned about the
20 potential for a zoonotic transmission and that's why the
21 vets drafted the policy. It's really not applicable to
22 domicile pets, such as goats and chickens, that are within
23 the stable. We also permit comfort and service dogs within
24 the area, so it's not very restrictive.

25 It's concerned, predominantly, with pets that

1 come and go that live outside the stable area and that come
2 in on occasion but do reside out in uncontrolled
3 conditions. So that was really what the pet policy for the
4 COVID-19 program related to.

5 VICE CHAIRMAN GONZALES: Thank you.

6 CHAIRMAN FERRARO: Thank you.

7 Next please.

8 OPERATOR: At this time there are no public
9 comments in queue.

10 CHAIRMAN FERRARO: Thank you.

11 Any discussion or questions from the Board
12 regarding this item?

13 COMMISSIONER MITCHELL: This is Commissioner
14 Mitchell. I had a question.

15 I just wanted to make sure I echo what
16 Commissioner Gonzales had referenced, that Golden Gate
17 continues to work with their unions, and particularly the
18 laborers. I know that there were some outstanding issues,
19 so I just wanted to make sure that that was continuing.

20 And I'll move the item.

21 CHAIRMAN FERRARO: Second?

22 VICE CHAIRMAN GONZALES: And I'll second. Oscar
23 Gonzales seconds.

24 CHAIRMAN FERRARO: A vote from the Board.

25 Commissioner Gonzales?

1 VICE CHAIRMAN GONZALES: Yes.

2 CHAIRMAN FERRARO: Commissioner Alfieri?

3 COMMISSIONER ALFIERI: Yes.

4 CHAIRMAN FERRARO: Commissioner Mitchell?

5 COMMISSIONER MITCHELL: Yes.

6 CHAIRMAN FERRARO: Commissioner Castellanos?

7 COMMISSIONER CASTELLANOS: Yes.

8 CHAIRMAN FERRARO: Commissioner Davis?

9 COMMISSIONER DAVIS: Yes.

10 CHAIRMAN FERRARO: And Chairman votes yes. The
11 item is approved.

12 Moving on to item eight, discussion and action by
13 the Board regarding approval of an agreement pursuant to
14 CHRB Rule 1581, Racing Secretary to Establish Conditions,
15 between the Pacific Racing Association and the Thoroughbred
16 Owners of California, regarding entry conditions and
17 specified drug substances or medications to be implemented
18 by the PRA at its October 21st, 2020 through December 22,
19 2020 race meeting at Golden Gate Fields.

20 Let's see. I think, Amanda, you're going to
21 speak on that, are you not -- or no.

22 Robert Brodnik.

23 MR. BRODNIK: Yes. Good morning, Commissioners.
24 Robert Brodnik, California Horse Racing Board. Thank you.

25 Agenda item number eight deals with a request

1 under Rule 1581 which allows the racing secretary to
2 establish conditions for any race run during the race
3 meeting. In instances where the racing secretary wishes to
4 set a condition based on the participating horse's use or
5 non-use of a drug substance or medication, they must first
6 obtain approval from the Thoroughbred Owners of California,
7 and as well as the Board.

8 Here, PRA has entered into an agreement with the
9 TOC which reduces the permitted amount of Lasix, as well as
10 prohibits Lasix in two-year-olds. Those, actually, are
11 redundant from a new rule that Executive Director Chaney
12 mentioned earlier today that will be going into effect
13 October 1.

14 But this agreement goes further. It also
15 prohibits horses from racing for 14 days if they've
16 received a joint injection, prohibits a horse from
17 performing a timed workout within ten days of a joint
18 injection, and prohibits a horse from racing within 30 days
19 if it has received an injection in a metacarpophalangeal
20 joint.

21 This agreement, as I said, was approved by the
22 TOC and is up for approval today before the Board.

23 CHAIRMAN FERRARO: There are -- it's my
24 understanding that there's not an agreement, however,
25 regarding satellite wagering facilities and Golden Gate

1 Fields?

2 MR. BRODNIK: Yes. Thank you, Chairman. That,
3 actually, that issue, that outstanding issue will be
4 discussed in the next agenda item which deals with their
5 application. This agenda item is simply dealing with the
6 approval under Rule 1581.

7 CHAIRMAN FERRARO: Okay. We'll do -- we'll take
8 it up there then.

9 Any questions from the Board?

10 Do we have comments from The Stronach Group or
11 Golden Gate Fields?

12 OPERATOR: Once again, if you would like to make
13 a comment, please press star one on your telephone keypad.

14 Our next comment will come from Eric Sindler with
15 The Stronach Group.

16 CHAIRMAN FERRARO: Go ahead.

17 MR. SINDLER: Good morning again. Good morning
18 again. This is the same agreement we have had in place
19 with the TOC going back to, I believe, March of last year.
20 And we'd just ask for your approval once again.

21 I'm happy to answer any questions you may have.

22 CHAIRMAN FERRARO: Any questions from the Board?

23 Any comments from TOC?

24 MR. MARTEN: No one else in queue.

25 CHAIRMAN FERRARO: Okay. Then go ahead,

1 Operator, with your queue.

2 MR. MARTEN: There's none.

3 CHAIRMAN FERRARO: There's none? All right.

4 Impressive.

5 Do I have a motion from the Board to approve?

6 COMMISSIONER CASTELLANOS: Castellanos.

7 COMMISSIONER MITCHELL: I just want --

8 COMMISSIONER CASTELLANOS: Motion.

9 COMMISSIONER MITCHELL: -- to be clear.

10 CHAIRMAN FERRARO: Go ahead, Wendy.

11 COMMISSIONER MITCHELL: There's no public

12 comment? There's no public comment?

13 MR. MARTEN: There's nobody --

14 CHAIRMAN FERRARO: Is that correct, Michael?

15 MR. MARTEN: -- in queue for public comment.

16 CHAIRMAN FERRARO: Okay.

17 COMMISSIONER MITCHELL: Okay. Sounds good.

18 CHAIRMAN FERRARO: Motion to approve?

19 COMMISSIONER MITCHELL: I'll second then.

20 CHAIRMAN FERRARO: Who's the --

21 COMMISSIONER MITCHELL: (Indiscernible.)

22 CHAIRMAN FERRARO: Who made the motion?

23 COMMISSIONER CASTELLANOS: Castellanos.

24 CHAIRMAN FERRARO: Okay. And Mitchell seconded;

25 is that correct?

1 COMMISSIONER MITCHELL: Yeah. Correct.

2 CHAIRMAN FERRARO: All right. Vote from the
3 Board.

4 Commissioner Gonzales?

5 VICE CHAIRMAN GONZALES: Yes.

6 CHAIRMAN FERRARO: Commissioner Alfieri?

7 COMMISSIONER ALFIERI: Yes.

8 CHAIRMAN FERRARO: Commissioner Mitchell?

9 COMMISSIONER MITCHELL: Yes.

10 CHAIRMAN FERRARO: Commissioner Castellanos?

11 COMMISSIONER CASTELLANOS: Yes.

12 CHAIRMAN FERRARO: And Commissioner Davis?

13 COMMISSIONER DAVIS: Yes.

14 CHAIRMAN FERRARO: And Chairman votes yes. Item
15 is approved.

16 Moving on to item eight [sic], discussion and
17 action by the Board on the Application for a License to
18 Conduct a Horse Racing Meeting of the Pacific Racing
19 Association at Golden Gate Fields, commencing October 21st,
20 2020 through December 22nd, 2020, inclusive.

21 Amanda, do you want to speak to this please?

22 MS. DRUMMOND: Yes. Hi Commissioners. This is
23 Amanda Drummond again.

24 So I believe we're on agenda item nine, so this
25 is regarding --

1 CHAIRMAN FERRARO: You're right.

2 MS. DRUMMOND: -- yeah, so this is regarding the
3 approval of the race meet application for PRA II to run at
4 Golden Gate -- for PRA I to run at Golden Gate Fields from
5 October 21st to December 22nd. Live racing will commence
6 on October 22nd.

7 A few things to update from the Staff analysis.

8 We did receive fire clearance that complies with
9 Board Rule 1927 and the TOC agreement.

10 And then in terms of outstanding items to deem
11 the application complete, the following items are still
12 needed to be received, the CTT agreement, and then an
13 agreement to broadcast the northern satellites.

14 CHAIRMAN FERRARO: Questions from the Board?

15 COMMISSIONER MITCHELL: I understand the -- this
16 is Commissioner Mitchell.

17 I understand the TCC [sic]. What's the other
18 agreement that's outstanding and why? Could somebody talk
19 about this (indiscernible) stuff in on time
20 (indiscernible)?

21 CHAIRMAN FERRARO: Robert, you could explain
22 that?

23 MR. BRODNIK: Yeah. Sure. Good morning,
24 Commissioner Mitchell.

25 So the application that was submitted by Golden

1 Gate Fields, when we're reviewing it, there's -- their
2 application fails to include any Northern California
3 satellite wagering facilities in their proposal to submit
4 their live racing signal to satellite wagering facilities.
5 This is not something new. This has been going on for a
6 little over a year-and-a-half now, almost two years.

7 When this first started the Board was confronted
8 with this and heard testimony from various members of the
9 industry, including the TOC and the satellite wagering
10 facilities in Northern California and, in essence,
11 conditioned the license back in June of 2018, and has done
12 so each time since, conditioned the license on the
13 condition that they send their live racing signal to all
14 the Northern California satellite wagering facilities, as
15 well as Southern California satellite wagering facilities.

16 We, Legal Staff and Staff at the CHRB, has looked
17 into this. And we agree that that's a correct application
18 of law by the Board.

19 Currently, under the Business and Professions
20 Code, 19608 requires an association, such as Golden Gate,
21 which makes more than \$1.5 million in average daily handle
22 needs to make its audio-visual signal available to
23 authorized satellite wagering facilities, and that includes
24 those in Northern California.

25 Furthermore, our rule, Rule 2058(b), states that

1 all wagers made available by a host association may --
2 shall be made available to all simulcast facilities.

3 So in looking at their application, as we've done
4 in years -- in the past two years for each PRA application,
5 Staff views this application to be in violation of the law
6 in light of the fact that it does not intend to make its
7 signal available to Northern California satellites.

8 Just as a little bit of background, CHRB was
9 challenged when this condition was set. And a court has
10 subsequently ruled in the CHRB's favor. That litigation is
11 still in existence. But, again, there was a preliminary
12 determination by a court that the requirement or the
13 condition that the Board has placed on PRA's license, that
14 they send their signal to Northern California satellites,
15 was within the Board's authority and in compliance with the
16 law. So for those reasons, the Board, under 19560, can set
17 any condition on a license that it deems is necessary or
18 desirable.

19 Again, just as background, and the TOC can
20 speak on this if they would like to but they've previously
21 represented that by not sending their signal, by Golden
22 Gate not sending their signal to Northern California
23 satellites, that would significantly reduce the amount of
24 handle, which would negatively impact purses and
25 commissions, which would affect the TOC. That would also,

1 in effect, negatively impact the satellite wagering
2 facilities in Northern California.

3 So those have been representations made by
4 industry stakeholders before. And I anticipate they would
5 be the same here today.

6 The Board is free to do as its done previously,
7 which is condition PRA's license on the requirement that
8 they obtain agreements with each Northern California
9 satellite wagering facility to send their signal and
10 receive the wagers. And my appreciation of Golden Gate's
11 position on this is that they are prepared to do so but
12 they, simply, are requiring the Board to set this as a
13 condition of their license.

14 COMMISSIONER MITCHELL: Got it.

15 CHAIRMAN FERRARO: Any questions from the Board?
16 Any other questions?

17 EXECUTIVE DIRECTOR CHANEY: Mr. Chairman, this is
18 Scott Chaney again.

19 Just the other outstanding item is the CTT
20 agreement. And I know it seems like Groundhog Day but what
21 we've done with the past few applications is that the CTT
22 has -- given that there's no current agreement between
23 Golden Gate and the CTT, when you approve the license, I
24 would recommend that the Board recognize the agreement
25 that's contained in the current PRA II license as the CTT

1 agreement.

2 CHAIRMAN FERRARO: Will do. Will do.

3 Do we have a representation of Pacific Racing
4 that needs to speak please?

5 Any representative from The Stronach Group or
6 Golden Gate Fields that wants to speak on this?

7 OPERATOR: Will take our next comment from Eric
8 Sindler with The Stronach Group.

9 CHAIRMAN FERRARO: Go ahead please.

10 MR. SINDLER: Good morning again.

11 So, yes, I believe Rob succinctly summarized
12 where we stand with the Northern California satellites. We
13 continue to disagree. But as he mentioned, if you do set
14 that condition, we will continue to comply as we have for
15 the last three years. So if that is a condition, we will
16 continue to comply, absolutely.

17 As Mr. Chaney accurately pointed out, we do not
18 have an agreement with the CTT. There is no understanding
19 of terms. And as he mentioned, there's no agreement in
20 place.

21 Other than that, we do have all of our documents
22 submitted. And just happy to answer any questions you may
23 have about it. It will be a different meet than usual
24 because, obviously, of the current COVID situation. But it
25 will be the same as what has been going on at Golden Gate

1 Fields since the pandemic started.

2 Happy to answer any questions you may have.

3 CHAIRMAN FERRARO: Questions from the Board? No
4 questions?

5 Does TOC wish to comment on this?

6 OPERATOR: We'll take our next comment, which
7 will come from Greg Avioli with the TOC.

8 CHAIRMAN FERRARO: Go ahead please.

9 MR. AVIOLI: Yes. Greg Avioli, TOC, Mr. Chair.
10 Just to confirm, the TOC's agreement is
11 consistent with what Scott and Eric said. And just an
12 added point that it is critical. It's critical to the
13 funding of the overall northern network to keep the
14 satellites around and operating. So to the next that we
15 would end up where Golden Gate would not do that, the TOC
16 would withdraw its horsemen's agreement.

17 So I think, right now, they've agreed to abide by
18 the conditions. So it would be easier for everybody in the
19 future if they would just put this in their application. I
20 will talk to Aiden and Eric and Craig Fravel about that
21 because it's a bit of a circus going on, I think, the fifth
22 or sixth time.

23 But the net-net is, provided that the Commission
24 imposes the condition for them to continue selling to the
25 satellites, the TOC supports this.

1 Thank you.

2 CHAIRMAN FERRARO: Thank you.

3 Questions from the Board? All right.

4 Public comment. Go ahead.

5 COMMISSIONER DAVIS: I do. I have a question,

6 too for --

7 CHAIRMAN FERRARO: Go ahead.

8 COMMISSIONER DAVIS: This is Brenda Davis. I'm
9 looking for the conditions.

10 Scott, can you point it out to me because --

11 EXECUTIVE DIRECTOR CHANEY: Commissioner Davis,
12 what condition? To which condition are you referring?

13 COMMISSIONER DAVIS: The one where we're
14 requiring them to have the satellites broadcast.

15 EXECUTIVE DIRECTOR CHANEY: Right. Rob Brodnik
16 is way more intelligent on this than I am. I'll let him
17 answer that question.

18 MR. BRODNIK: Good morning, Commissioner Davis.

19 COMMISSIONER DAVIS: Yeah. I just need some
20 clarification.

21 MR. BRODNIK: Yes. No problem.

22 The way that the Board has handled this over the
23 last two years is, in voting to approve the license, the
24 Board has verbally mandated the condition. Generally, the
25 language of the condition has, basically, been as such, one

1 member of the Board has moved to approve the race meet
2 license for the dates of October 21, 2020 through December
3 1st, 2020, contingent on the receipt of agreements with
4 each satellite wagering facility in Northern California as
5 required by law by the close of business on a certain
6 dates. And that's generally how the Board has handled this
7 matter.

8 So there's nothing written specifically in the
9 Board packet regarding the condition. We just flag it as
10 an outstanding item and then bring this issue to the
11 forefront during the Board's discussion. And then it's up
12 to the Board whether they want to set the condition. And
13 if the desire is to do so, then language, such as that, can
14 just be stated and voted on prior to Board action.

15 COMMISSIONER DAVIS: That would be stated in the
16 motion?

17 MR. BRODNIK: Yes, ma'am.

18 COMMISSIONER DAVIS: Thank you.

19 CHAIRMAN FERRARO: Okay. Do we have public
20 comments on this, Operator?

21 OPERATOR: We will take our next public comment.
22 This will come from Alan Balch with the California Thorough
23 Trainers.

24 MR. BALCH: This is Alan Balch.

25 CHAIRMAN FERRARO: Go ahead please, Alan.

1 MR. BALCH: Thank you, Chairman, and good morning
2 everyone.

3 I just want to reiterate Mr. Chaney's comment as
4 to Groundhog Day with the CTT agreement. But we would very
5 much appreciate and be welcome to have the Board condition
6 this license application on renewal of the previously
7 existing race meet agreement, which we fully support.

8 Thank you for your consideration.

9 CHAIRMAN FERRARO: Thank you.

10 Next please.

11 OPERATOR: The next comment will come from Larry
12 Swartzlander with the California Authority of Racing Fairs.

13 CHAIRMAN FERRARO: Go ahead, Larry.

14 MR. SWARTZLANDER: Yes, Chairman, it's Larry.

15 Yeah, I'd just like to echo Greg Avioli's
16 comments. You know, this has gone on long enough. CARF
17 will, as representing the northern fairs, will sign the
18 agreement. This needs to be settled.

19 In regards to Ms. Davis' comment, I'd be glad to
20 have lunch with you because there's a lot of background to
21 this.

22 Thank you.

23 CHAIRMAN FERRARO: Thank you, Larry.

24 Next please.

25 OPERATOR: The next comment will come from

1 Heather Wilson.

2 CHAIRMAN FERRARO: Go ahead please.

3 MS. WILSON: Yes. So there are 21 horses at
4 Golden Gate that would disagree with your safety success.
5 And I would say that there is likely more.

6 Many horses are raced and trained at Golden Gate
7 and they go missing. Here's one in particular. Where is
8 Warrens Lil Margie? This is a nine-year-old mare with 81
9 starts. That's right, you heard me, 81. The trainer-owner
10 of this mare is Teri, with an I, Teri Eaton. Warrens Lil
11 Margie, her last workout was 02/07/20 at Golden Gate
12 Fields. She was last raced 02/23/20, also at Golden Gate.
13 Per the racing chart, she had no speed, trailed throughout,
14 then bled in the stretch and stopped.

15 Does anybody have any information on this horse?
16 Where is she?

17 And when the public are asking questions about
18 these horses, these are not rhetorical questions. We
19 genuinely want to know, where are these animals? Because
20 we really do believe that you are concealing fatalities.
21 The 83 that we have for 2020 is an underrepresentation.

22 I want to know, where is Warrens Lil Margie? And
23 is she even alive? Last scene at Golden Gate Fields.

24 CHAIRMAN FERRARO: Thank you.

25 Next please.

1 OPERATOR: We will take our next comment. This
2 will come from Jill Malato.

3 CHAIRMAN FERRARO: Go ahead please.

4 MS. MALATO: California -- thank you. California
5 has already killed 82 horses so far in 2020. Golden Gate
6 Fields alone is responsible for 21 of those deaths. Golden
7 Gate Fields also has a long list of horses that have left
8 by van following injury, who did not finish the race, who
9 were pulled up bleeding, or who might otherwise raise a red
10 flag to someone who actually cares about the welfare and
11 well-being of horses.

12 Bay Meadows stopped racing in 2008. The land has
13 been repurposed and there are now apartments, restaurants,
14 shopping, office, bike trails, parks, et cetera, tons of
15 jobs created and the community is thriving.

16 Golden Gate Fields is a rundown dump and a huge
17 waste of real estate.

18 CHAIRMAN FERRARO: Thank you.

19 Next please.

20 OPERATOR: We will take our next comment. This
21 will come from Eric Sindler with The Stronach Group.

22 CHAIRMAN FERRARO: Go ahead please.

23 MR. SINDLER: Yes. Good morning.

24 Just to reiterate, yes, if the Board does
25 condition our license, as it has in the past, we absolutely

1 will enter into the agreement.

2 And also, just to clarify, I believe Mr. Chaney
3 said at the beginning that you would recommend that the
4 Board just accept the CTT agreement. I just wanted to make
5 sure that is going to be accepted as opposed to conditions
6 because there actually is quite a large difference between
7 those to.

8 CHAIRMAN FERRARO: Okay. Thank you.

9 Next please.

10 OPERATOR: At this time there are no more public
11 comments in queue.

12 Any questions from the Board? Discussion? The
13 Chairman would make a motion.

14 Go ahead.

15 EXECUTIVE DIRECTOR CHANEY: Yeah, Dr. Ferraro,
16 Scott Chaney.

17 Just to kind of reiterate, if and when anybody
18 makes a motion, we would just ask that you would include
19 Rob's language, as well as order the -- recognize the CTT
20 agreement from the previous race meet.

21 CHAIRMAN FERRARO: That's about to happen. Okay.

22 The Chair makes -- would like to make a motion.
23 I move to approve the race meet license to PRA for dates of
24 October 21st, 2020 through December 1st, 2020, contingent
25 on the receipt of agreements with each satellite wagering

1 facility in Northern California as required by law,
2 including the TOC horsemen's agreement, by the close of
3 business on October 10th, 2020.

4 Additionally, I move that Pacific Racing
5 Association accept the existing agreement between the CTT
6 and the track regarding the horsemen's agreement.

7 These motions are being made as these
8 contingencies are in the public interest and serves the
9 purpose of Horse Racing Law.

10 Do I have a second? I've moved.

11 COMMISSIONER CASTELLANOS: Castellanos seconds.

12 CHAIRMAN FERRARO: Discussion from the Board?
13 Move to our discussion item -- move to the Board for a
14 vote.

15 Commissioner Gonzales?

16 VICE CHAIRMAN GONZALES: Yes.

17 CHAIRMAN FERRARO: Commissioner Alfieri?

18 COMMISSIONER ALFIERI: Yes.

19 CHAIRMAN FERRARO: Commissioner Mitchell?

20 COMMISSIONER MITCHELL: Yes.

21 CHAIRMAN FERRARO: Commissioner Castellanos?

22 COMMISSIONER CASTELLANOS: Yes.

23 CHAIRMAN FERRARO: Commissioner Davis?

24 COMMISSIONER DAVIS: Yes.

25 CHAIRMAN FERRARO: And the Chairman, obviously,

1 votes yes. Motion is approved.

2 We move on to item number ten, discussion and
3 action by the regarding approval of an agreement, pursuant
4 to CHRB Rule 1581, Racing Secretary to Establish
5 Conditions, between the Del Mar Thoroughbred Club and the
6 Thoroughbred Owners of California regarding entry
7 conditions and specified drug substances or medications to
8 be implemented by the DMTC at its October 28, 2020 through
9 December 1, 2020 race meeting at the Del Mar Racetrack.

10 Robert, do you need to speak on this?

11 MR. BRODNIK: Yes. Good morning, Chairman,
12 Members of the Board. Robert Brodник, California Horse
13 Racing Board.

14 Very similar to agenda item number eight, agenda
15 item number ten addresses CHRB Rule 1581, which allows the
16 racing secretary to establish conditions for any race for
17 entering the race meeting.

18 In this instance, Del Mar Thoroughbred Club has
19 reached an agreement with the TOC which reduces the
20 permitted amount of Lasix, as well as prohibits Lasix in
21 two-year-olds. Again, that's redundant in light of our new
22 regulation, which is going into effect next week on October
23 1st.

24 However, the agreement goes further. It also
25 prohibits a horse from racing for 14 days if it's received

1 a joint injection, prohibits a horse from performing a
2 timed workout within 10 days of a joint injection, and
3 prohibits a horse from racing for 30 days if it's received
4 an injection in the metacarpophalangeal joint. This
5 agreement was approved between Del Mar and the TOC as
6 required under 1581 and is before the Board for approval
7 today.

8 CHAIRMAN FERRARO: Questions from the Board?
9 Do we have a representative of Del Mar
10 Thoroughbred Club who wishes to speak?

11 OPERATOR: We will take our next comment. This
12 will come from the Del Mar Thoroughbred Club.

13 CHAIRMAN FERRARO: Go ahead please.

14 Good morning, Mr. Chairman and Commissioners.
15 Josh Rubenstein, Del Mar Thoroughbred Club.

16 MR. RUBENSTEIN: As Mr. Brodnik pointed out, the
17 document in agenda item ten is the same agreement that
18 we've had in place for the TOC over the last 18 months
19 regarding medication, regulations, and testing.

20 CHAIRMAN FERRARO: No difference from the summer
21 meet then; correct?

22 MR. RUBENSTEIN: Correct.

23 CHAIRMAN FERRARO: Questions from the Board?

24 Thank you, Josh.

25 Does TOC wish to comment on this?

1 MR. MARTEN: No one in queue for TOC. Okay,
2 Avioli just showed up.

3 CHAIRMAN FERRARO: Go ahead please.

4 MR. AVIOLI: The comment is that we have signed
5 the agreement and we support it.

6 CHAIRMAN FERRARO: All right. Thank you.
7 Let's move on to public comment.

8 Go ahead, Operator.

9 OPERATOR: We will take our next comment. This
10 will come from concerned citizen Patty Shenker.

11 CHAIRMAN FERRARO: Go ahead please.

12 MS. SHENKER: I'm sorry. I wanted to comment on
13 number nine, which I never really heard. It seemed like
14 you skipped from eight to ten. So I will wait until --

15 CHAIRMAN FERRARO: It's too late.

16 MS. SHENKER: -- the public comment. Thank you.

17 CHAIRMAN FERRARO: Thank you.

18 Next please.

19 OPERATOR: The next comment will come from
20 citizen Dr. Wayne Johnson.

21 DR. JOHNSON: These regulations did not prevent
22 three horses from dying at Del Mar.

23 Thank you.

24 CHAIRMAN FERRARO: Next please.

25 OPERATOR: At this time there are no public

1 comments in queue.

2 CHAIRMAN FERRARO: Any further questions from the
3 Board? Can I have a motion to approve?

4 COMMISSIONER CASTELLANOS: Castellanos. Motion.

5 CHAIRMAN FERRARO: Second?

6 COMMISSIONER DAVIS: Davis seconds.

7 CHAIRMAN FERRARO: Thank you. Vote.

8 Commissioner Gonzales?

9 VICE CHAIRMAN GONZALES: Yes.

10 CHAIRMAN FERRARO: Commissioner Alfieri?

11 COMMISSIONER ALFIERI: Yes.

12 CHAIRMAN FERRARO: Commissioner Mitchell?

13 COMMISSIONER MITCHELL: Yes.

14 COMMISSIONER DAVIS: Hello?

15 COMMISSIONER MITCHELL: What happened? Did you
16 hear my vote?

17 COMMISSIONER CASTELLANOS: Everybody went blank.

18 COMMISSIONER DAVIS: Yes.

19 COMMISSIONER CASTELLANOS: Are you there?

20 COMMISSIONER DAVIS: Okay. Oh, okay. So it
21 wasn't just me? Okay.

22 COMMISSIONER CASTELLANOS: No.

23 COMMISSIONER MITCHELL: No.

24 COMMISSIONER CASTELLANOS: No. It's everybody.

25 EXECUTIVE DIRECTOR CHANEY: Commissioners, I

1 think this is what happened, I think Dr. Ferraro went blank
2 was the problem, so we'll probably have to give him an
3 opportunity to jump back on again.

4 COMMISSIONER DAVIS: Oh.

5 VICE CHAIRMAN GONZALES: Scott, if you'd like, I
6 can call the question as the Vice Chair, so we can resume
7 and give Dr. Ferraro a minute.

8 EXECUTIVE DIRECTOR CHANEY: Yeah. I think that
9 would make sense. We were duly voting, so --

10 VICE CHAIRMAN GONZALES: Right. And we still
11 have quorum, don't we? So let's just go through this and
12 then we'll get him. So we have first --

13 CHAIRMAN FERRARO: I've got it.

14 VICE CHAIRMAN GONZALES: -- and we have a --

15 CHAIRMAN FERRARO: I'm back online.

16 VICE CHAIRMAN GONZALES: Okay, Chair.

17 CHAIRMAN FERRARO: Sorry about that.

18 VICE CHAIRMAN GONZALES: All right. No worries.

19 I was getting to take --

20 CHAIRMAN FERRARO: I don't know what happened but
21 I got cut off.

22 So we're in the middle of voting for item number
23 ten, so can we repeat that?

24 Commissioner Gonzales?

25 VICE CHAIRMAN GONZALES: Yes.

1 CHAIRMAN FERRARO: Commissioner Alfieri?

2 COMMISSIONER ALFIERI: Yes.

3 CHAIRMAN FERRARO: Commissioner Mitchell?

4 COMMISSIONER MITCHELL: Yes.

5 CHAIRMAN FERRARO: Commissioner Castellanos?

6 COMMISSIONER CASTELLANOS: Yes.

7 CHAIRMAN FERRARO: Commissioner Davis?

8 COMMISSIONER DAVIS: Yes.

9 CHAIRMAN FERRARO: And the Chairman votes yes.

10 The motion is approved.

11 We move on to item 11, discussion and action by
12 the Board on the Application for License to Conduct a Horse
13 Racing Meeting from the Del Mar Thoroughbred Club at Del
14 Mar, commencing October 28, 2020 through December 1, 2020,
15 inclusive.

16 Amanda, would you like to inform us about this?

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

19 Agenda item 11 is the approval of the race meet
20 application for Del Mar to run at Del Mar from October 28th
21 through December 1st. Live racing will commence on October
22 31st.

23 In terms of outstanding items to deem the
24 application complete, the following items are still needed
25 to be received. We are missing the CTT agreement. And we

1 are missing a fire clearance that complies with Board Rule
2 1927 for Del Mar.

3 And then at the last Board meeting, we did
4 approve an exemption for auxiliary stabling facilities for
5 San Luis Rey and Los Alamitos. But the Board would just
6 need to be aware of that and approve that for Del Mar, for
7 this race, as well.

8 CHAIRMAN FERRARO: Can you clarify that? Say
9 that again.

10 MS. DRUMMOND: Yes. So at the last Board meeting
11 the Board approved an exemption request for San Luis Rey
12 and Los Alamitos to obtain a fire clearance in compliance
13 with Board Rule 1927. But since those are both listed as
14 auxiliary stabling facilities for Del Mar, just for
15 consistency and clarity purposes, the Board should clarify
16 when they do their vote that they are saying that they are
17 recognizing that an exemption was approved at the last
18 meeting and that, as an auxiliary stabling, that they are
19 approving exemption Del Mar, as well, in this instance.

20 CHAIRMAN FERRARO: Mr. Chaney, do you have
21 something to say about this?

22 EXECUTIVE DIRECTOR CHANEY: Yeah. I know this
23 has been kind of confusing over the last few months. In
24 this particular case, 1927, Del Mar actually does -- let me
25 clear, Del Mar does have a fire clearance that is in

1 existence. The only exemption they need for their track is
2 it hasn't been done in the last 45 days but it's -- so
3 that's the exemption they're asking for.

4 We just wanted to point out that, with respect to
5 their two auxiliary training facilities, San Luis Rey Downs
6 and Los Alamitos, that they have fire exemptions as well.
7 And the Board approved those exemptions and extensions, you
8 know, in the last month or two, and that approving Del
9 Mar's application, you would be approving those things, as
10 well, for a second time.

11 CHAIRMAN FERRARO: Do those have to be included
12 in the motion to approve, stated?

13 EXECUTIVE DIRECTOR CHANEY: I don't think so
14 because they're included in the license app and the
15 package. I just wanted to make sure that the Board was
16 clear, you know, what they were voting for.

17 One thing that probably does have to be mentioned
18 again is the CTT agreement, of course, is missing. And so
19 the Board would have to order the recognition of the
20 agreement used this past summer at Del Mar.

21 CHAIRMAN FERRARO: Okay. Questions from the
22 Board?

23 Do we have a representative from Del Mar who
24 would like to speak on this?

25 OPERATOR: We will take Josh Rubenstein with Del

1 Mar Thoroughbred Club.

2 MR. RUBENSTEIN: Yeah. I'm going to turn things
3 over to Joe Harper.

4 MR. HARPER: Yeah. This is Joe Harper.

5 CHAIRMAN FERRARO: I'm surprised you're still
6 functioning, Joe?

7 MR. HARPER: Well, yes, I'm sitting down. Okay.
8 I just wanted to go over a couple of items, that the COVID
9 thing is still in operation down here. We had a great
10 relationship with the Health Department last summer and
11 that will continue with the same protocols and procedures.
12 You know, also, we're going to continue to only have
13 licensed owners on the track and essential workers only.

14 We had a very good meeting last summer regarding
15 the health of not just the employees but, also, the horses.
16 And we're going to continue with all the safety and
17 priorities that we've put in that we've the last summers,
18 which has been very good and has led us to be the safest
19 racetrack in North America the last couple of years.

20 So Josh has got all the rest of the stuff that he
21 can talk about quickly. Here's Josh.

22 MR. RUBENSTEIN: Thanks Joe.

23 CHAIRMAN FERRARO: Thank you.

24 MR. HARPER: Thank you.

25 MR. RUBENSTEIN: As Ms. Drummond mentioned, we

1 are requesting a 5-week, 15-day race meet from October 31
2 through December 6th. Racing will be Friday through
3 Sunday, with the exception of opening week which will be a
4 shorter week, Saturday and Sunday, and closing week over
5 Thanksgiving, four days, Thursday through Sunday. We're
6 scheduled to offer nine races on weekends and eight on
7 weekdays.

8 As Joe mentioned, we are implementing the same
9 COVID response protocols that were executed this summer.
10 This includes daily health screenings, mask wearing is
11 required, enhanced janitorial and sanitizing protocols, a
12 modified footprint to the jockeys' room to provide
13 incremental space between riders, additional handwashing
14 and sanitizing stations throughout the facility and stable
15 area, and additional medical personnel onsite.

16 Also, as Joe mentioned, our procedures and
17 protocols had the benefit of insight from medical experts
18 at Scripps Health, including their Chief Medical Officer,
19 Dr. Ghazala Sharieff.

20 As was the case during the summer, we will
21 allocate significant resources for our COVID response plan
22 this fall. But, ultimately, the success of any plan
23 requires buy-in from stakeholders. And we had tremendous
24 support from everyone who participated at Del Mar this
25 summer, especially the backstretch and community --

1 backstretch community and the jockeys. And, again, we look
2 forward to this wonderful stakeholder buy-in that we got
3 this summer.

4 On the business side, we will again rely heavily
5 on our partnership with TVG to broadcast our races to a
6 national audience when we're not allowed to have fans
7 onsite, and very limited brick and mortar. What we saw
8 this summer, obviously, the ADW numbers went up
9 significantly with no fans onsite and very little brick and
10 mortar. In-state ADW is up 130 percent. And out-of-state
11 rose by 65 percent. This summer, we saw total wagering at
12 Del Mar increase by just under 9 percent, 8.8 percent, even
13 with 25 percent fewer race days, for an average of -- or
14 excuse me, an average of \$17 million a day in total handle.

15 I will now toss things over to Tom Robbins and
16 David Jerkins regarding details of our racing problem.

17 MR. ROBBINS: Thank you, Josh. Tom Robbins from
18 Del Mar Thoroughbred Club. A few details about the
19 upcoming fall meet.

20 Horses will be allowed to first arrive on Sunday
21 October 25th, with the main track opening the next day,
22 Monday October 26th. Opening day, as has been mentioned,
23 will be Saturday, October 31.

24 Unlike the summer meet, where we usually stable
25 around 1,900 horses, the fall meet is largely a ship-in

1 meet with about 350 to 400 horses stabled onsite. As Josh
2 and Joe have mentioned, we received tremendous support from
3 the backstretch community this summer in response to COVID.

4 While we'll have a smaller group of people here for the
5 fall meet, our stable area protocols that we had in place
6 for the summer will also be in place for this fall meet.

7 On the equine and rider safety side, we will
8 continue to implement the programs that we've had in place
9 the last few years. There have been a lot of changes which
10 have produced extraordinary safety results. And I'd like
11 to thank the owners and the trainers for all of their
12 support. Primarily, we have increased veterinary oversight
13 and have worked very closely with the CHRB, and
14 specifically Californians Equine Medical Director, Dr.
15 Arthur, in coordinating all of these important efforts.

16 When we submitted the fall license app about a
17 month-and-a-half ago we weren't sure what our purses were
18 going to look like, so I'm happy to report that, as you've
19 heard, because of better than expected business from the
20 summer meet, four stakes races that appear in our license
21 app at reduced levels, two Grade 1s and two Grade IIs, have
22 been restored to their previous levels.

23 With that, I'll turn it over to our Racing
24 Secretary David Jerkins to speak about some of the other
25 details of the fall meet.

1 MR. JERKINS: Thanks Tom. David Jerkins, Del
2 Mar.

3 For this fall, we're presenting 16 stakes races
4 in 15 days, which will be highlighted by our two Grade I
5 Stakes, the Hollywood Derby and the Matriarch, that are run
6 on our final weekend when we have our Turf Festival.

7 Good news. Thanks to the success of our summer
8 meet, overnight purses will be increased by roughly ten
9 percent from last fall. In today's climate, with many
10 tracks that are cutting back across the country, this is an
11 accomplishment. And we thank our owners, trainers, and
12 betting customers for their support from our summer meet.

13 One program that's vital for us in recruitment of
14 horses is Ship and Win. It's a program that incentivizes
15 local owners and trainers to acquire horses that previously
16 started out of state. For our summer meet, we attracted
17 over 100 horses. Out of those 100 horses, roughly 80
18 percent of those were from California owners and trainers,
19 again, identifying horses from elsewhere, bringing them to
20 Del Mar. And it helps all circuits in California as most
21 of these horses remain running in California, not just at
22 Del Mar but Santa Anita, Los Al, Golden Gate as well.

23 We're looking forward to building off our
24 momentum from last summer, excited to get started, and I'll
25 pass it off to Craig to discuss marketing.

1 MR. FRAVEL: Thanks David. Craig Dato, Del Mar.

2 With no fans allowed at the track for this
3 upcoming Bing Crosby season, obviously, our marketing
4 efforts will be different than those of past seasons. We
5 will be promoting Del Mar through our database and social
6 media channels, as well as through local and national
7 racing radio shows, and a handful of racing publications.

8 A couple of notes. We hosted a very successful
9 online handicapping contest with TVG this past summer. We
10 will be offering another handicapping contest during the
11 fall meet, same format that was approved this Board last
12 summer.

13 Finally, we are modifying the Pick 6. Our most
14 popular bets in the last couple of years have been the
15 fifty cent Pick 4 and the fifty cent Pick 5. Therefore, we
16 are going to experiment this fall with a fifty cent Jackpot
17 Pick 6. Quick details on that bet: 80 percent of the net
18 pool will be paid to those with six of six; 20 percent of
19 the net pool will go to the single-ticket jackpot. In the
20 unlikely event no one has six of six, the pool will be
21 carried over to the next racing day. And one final thing.
22 In order to get the single-ticket jackpot, the player must
23 bet the minimum amount of fifty cents.

24 So, again, we expect to increase our Pick 6 pool
25 with this change. But, again, this is an experiment, so we

1 will monitor it closely.

2 So that's all we have. We're happy to answer any
3 questions.

4 CHAIRMAN FERRARO: Questions from the Board?

5 VICE CHAIRMAN GONZALES: Chairman, this is
6 Commissioner Gonzales. I do have a point, and then a
7 question.

8 This past summer there was an issue dealing with
9 the timing of races. And I just wanted to know, and I was
10 looking through the packet and was thumbing through it
11 again, if there's been, you know, any addressing of that
12 for the upcoming Del Mar meet as it relates to, you know,
13 clocking, the timing of races, and any of the challenges
14 that they experienced?

15 MR. RUBENSTEIN: Thank you for that question,
16 Vice Chair Gonzales. Josh Rubenstein.

17 As you mentioned, we did have a new timing system
18 installed this summer. It's a GPS system by a company by
19 the name of Gmax. And the challenges that we saw -- the
20 main track was terrific. The times all checked out. All
21 of the GPS times checked out with our backup hand-timed
22 system. The vendor noticed, though, on the turf, when the
23 rail positions were moved, there were some challenges. So
24 when we discovered the issue, we hand-timed our turf races
25 for the final week-and-a-half.

1 And at the conclusion of the summer meet, over
2 the last two weeks, our turf course is being resurveyed
3 digitally. And that will be installed into the new Gmax
4 GPS system. And we expect no problems with turf timing
5 through the GPS system this fall.

6 VICE CHAIRMAN GONZALES: Okay. Great. Just a
7 couple of other quick points for you, Josh.

8 I appreciate you including Exhibit 16 as it
9 relates to union contracts currently in negotiation. I had
10 noticed, just about every entry there's either extensions
11 or day-to-day extensions. I cannot urge you enough to work
12 with the various unions. And this message goes out to all
13 the other racetracks.

14 Our men and women who are front lines are
15 probably our biggest resource and asset that we have as an
16 industry. I just cannot emphasize enough to honor and work
17 through any agreements. I sure would hate to see the day
18 come where this Board is having to go beyond just a verbal
19 word of encouragement. I do plan on reaching out to a few
20 of the unions, just to see if there is anything that we can
21 do in the meantime, so that's one point.

22 The other, and I know, Josh, you and I have had
23 separate, you know, one-on-one conversations, and I know
24 your commitment, and you feel the same way about your
25 front-line workers, so I do appreciate that.

1 The other thing, you do know that come October 1,
2 the riding crop issues is going to be in full effect. I
3 know between you and your leadership, Mr. Harper, in
4 particular, have weighed in, in a proactive manner. Golden
5 Gate will be experiencing this, as will Santa Anita. I
6 just want to make sure that I encourage you to have a
7 system and a process in place because real-time feedback is
8 going to be very important. You know, we did commit to the
9 Jockeys' Guild and other leaders that we were going to be
10 making sure that we're paying very close attention.

11 So, Josh, if I could just ask you just briefly
12 about your -- you know, how prepared you'll be to have a
13 new riding crop in place for the fall meet at Del Mar?

14 MR. RUBENSTEIN: Yeah. Thank you, Vice Chair
15 Gonzales. This will, obviously, be an extension of what
16 will be implemented at Santa Anita come October 1, so we
17 are certainly prepared for that. We've had discussions
18 with Santa Anita. We've had discussions with the jockeys,
19 you know, going on a couple of years now on the subject.

20 So, yes, we will be prepared, like all California
21 racing associations, to have this rule implemented. And
22 for Del Mar, it will start with our fall meet on October
23 31.

24 VICE CHAIRMAN GONZALES: Okay. Thank you for
25 that, Josh. Have a great meet.

1 MR. RUBENSTEIN: Thank you.

2 CHAIRMAN FERRARO: Any other questions from the
3 Board?

4 Do we have CARF or TOC or trainers association?

5 MR. MARTEN: No one from TOC or CTT in queue.
6 Greg Avioli just entered. Both of them just entered.

7 CHAIRMAN FERRARO: All right. Can we get them
8 online please?

9 MR. AVIOLI: We have a horsemen's agreement with
10 TOC and we're looking forward to the meet.

11 CHAIRMAN FERRARO: All right. Thank you.

12 CTT? Alan Balch? No comment for CTT?

13 MR. BALCH: Hello. Can you hear me?

14 CHAIRMAN FERRARO: Yes.

15 MR. BALCH: Okay.

16 CHAIRMAN FERRARO: Go ahead.

17 MR. BALCH: Alan Balch, again, just hoping that
18 you will extend the previous meet agreement since we,
19 regrettably, do not have a new one negotiated. And we've
20 made ourselves available for further conversations and
21 negotiations so we can try to get this resolved.

22 But I would want to take this opportunity, Mr.
23 Chairman and the Board, to express the trainers'
24 appreciation for the Racing Departments management and the
25 overall management of Del Mar in their continued efforts to

1 improve the conditions at Del Mar. Particularly, I want to
2 mention Ship and Win because their ingenuity, they
3 developed the Ship and Win Program, to begin with, many
4 years ago. And they've constantly monitored the objective
5 data.

6 And I just want to emphasize the point that Mr.
7 Jerkins made in passing, which is that the Ship and Win
8 Program, particularly as it has been developed and
9 improved, benefits all of California racing. And it's
10 critically important, and we really appreciate their doing
11 it, and their continued effort to make sure that horsemen
12 in California, existing horsemen in California, trainers
13 and owners, realize how they can benefit from this program,
14 which also involves, of course, important contributions
15 from TOC to purses to bring more horses to California, so
16 we express our appreciation to them for that.

17 Thank you.

18 CHAIRMAN FERRARO: Do we have a queue for this,
19 Operator?

20 OPERATOR: We can take our next comment. This
21 will come from Heather Wilson.

22 CHAIRMAN FERRARO: Go ahead please.

23 MS. WILSON: Yes. Thank you.

24 At a recent Del Mar Fairgrounds meeting, industry
25 folks were bragging about the COVID safety measures. But

1 the Stewards Minutes, that are posted online, tell a very
2 different story. There are numerous mask violations
3 reported during the course of the summer meet.

4 This was particularly concerning. This was
5 published in the Del Mar Stewards Minutes on August 28th
6 regarding a Mr. Perry. On 06/16/20, owner Sean Perry was
7 tested for COVID-19 in Southern California. He had
8 apparently been ill for several days after returning from a
9 horse sale in Florida the week before. A few days later,
10 he was advised that he had tested positive, and he then
11 posted those positive results on Twitter. The following
12 day, he attended a hearing at Los Alamitos without wearing
13 a mask or informing anyone that he had tested positive for
14 COVID.

15 The following Friday, 06/26, he attended the
16 races at the Alameda County Fair in Pleasanton, coming into
17 direct contact with several people during the day. He was
18 observed many times not wearing a mask. And this is
19 actually alarming. During one of the contacts, he was
20 belligerent and hostile towards a female employee, even
21 placing his face within inches of her face -- I can't
22 imagine how scary that would be -- all the while shouting
23 at her without wearing a mask. I mean, that is absolutely
24 disgusting. And you want to call yourselves professionals.

25 So for all of this, the CHRB gives him a mere

1 suspension of ten days. This is a person with a deadly,
2 contagious virus who tested positive. He could have been
3 an asymptomatic carrier. But it was admitted that he was
4 feeling ill, which is why he got tested, and he's blowing
5 his germs into other people's faces, deliberately placing
6 other lives at risk, and you give him a slap on the wrist
7 with a ten-day suspension. That just shows you how much
8 this industry and the Horse Racing Board cares about its
9 employees and the people that it comes into contact with.

10 This is absolutely unacceptable.

11 CHAIRMAN FERRARO: Okay. Thank you.

12 Next please.

13 OPERATOR: We will take our next comment. This
14 will come from citizen Martha Sullivan.

15 CHAIRMAN FERRARO: Go ahead, Martha.

16 MS. SULLIVAN: Hello. This is Martha Sullivan
17 from San Diego County again.

18 I want to point out, as somebody who attends the
19 meetings of the Del Mar Fairgrounds Board regularly over
20 the last year or more, that since at least 2015, as has
21 been reported by KPBS News, the Del Mar Thoroughbred Club
22 has been unable to cover the \$3.2 million annual bond
23 payment for the racetrack, which means the Fairgrounds has
24 had to cover it. It also means that that's why the
25 Fairgrounds is in such dire economic conditions.

1 We also heard the Fairgrounds Board briefed at
2 their last meeting about a \$10 million stormwater treatment
3 plant, water treatment plant, that's being built by the
4 Fairgrounds at, you know, the Fairgrounds expense to treat
5 runoff from the racetrack, primarily. It's animal runoff
6 which, as a result of litigation, the Fairgrounds being
7 sued, the Fairgrounds is now putting in water treatment
8 facilities, you know, at the cost of \$10 million. And they
9 don't even know yet what their recurring annual operating
10 expense is going to be for operating that water treatment
11 facility when it's completed next year.

12 So I'm bringing this up because this Board in the
13 past, and the industry, has bragged about how horse racing
14 is not subsidized by California government. Well, in the
15 case of Del Mar, the Del Mar Fairgrounds, which is a state-
16 owned and operated facility, horse racing has definitely
17 been subsidized. I mean, the 45 days of racing each year
18 has decimated the finances of this, of the Del Mar
19 Fairgrounds, which is a state entity, and put it in serious
20 jeopardy.

21 The neighboring Orange County Fairgrounds came
22 into the COVID pandemic with a surplus of \$50 million. Del
23 Mar -- the Del Mar Fairgrounds district is struggling and
24 its because of horse racing, and they know it's because of
25 horse racing.

1 So you need to get a grip.

2 CHAIRMAN FERRARO: Thank you.

3 Next please.

4 OPERATOR: Our next comment will come from
5 independent activist Ellen Eriksen.

6 CHAIRMAN FERRARO: Go ahead please.

7 MS. ERIKSEN: Hi. Ellen Eriksen again.

8 I just wanted to say that it sounds like we're
9 talking about two different racetracks here at Del Mar.
10 And what Mr. Harper and Mr. Rubenstein stated is not true.

11 Let's review again why this Board gives
12 permission to grant a license to race horses at Del Mar
13 during a worldwide pandemic.

14 This summer at Del Mar there was noncompliance at
15 the racetrack. Backstretch workers were filmed and
16 recorded not adhering to guidelines set forth by the State
17 of California. These workers did not wear masks, did not
18 distance, and I am sure did not follow proper hygiene
19 practice. People were coming and going from the stable
20 gate all summer, with no masks, into the community.
21 Pictures and videos were sent to the County and HHS.

22 Why is it that a whistleblower from inside this
23 racetrack confirmed over 60 to 80 positive cases, and yet
24 the public was not made aware of this information, like
25 every other business that is required in San Diego to

1 report these positive cases?

2 The lack of this Board's blatant disregard for
3 the well-being of the workers, not to mention the people
4 that live in San Diego, is criminal. And let's not forget
5 about the five dead horses this summer.

6 I want to know if all the workers coming back
7 from Santa Anita are going to be tested before allowing to
8 return to Del Mar?

9 We urge this Board not to issue a license during
10 this pandemic.

11 Thank you.

12 CHAIRMAN FERRARO: Thank you.

13 Next please.

14 OPERATOR: Our next comment will come from Tony
15 Falcone.

16 CHAIRMAN FERRARO: Go ahead please.

17 MS. FALCONE: We do not want horse racing at Del
18 Mar. It's not just us. Attendance has been on a steady
19 decline for years. You don't have one member of the public
20 attending these meetings stating that they want horse
21 racing at Del Mar. We don't want the corruption inherent
22 in this entire industry in our town. We are disgusted with
23 the conflicts of interest in the regulation of this
24 industry in California.

25 We don't want the disregard for the welfare of

1 the horses and their companion animals.

2 We do not want the coverup of horse deaths just
3 because they died exercising or in their stall and not
4 during a race.

5 We don't want the disregard of the environmental
6 impact of animal waste, and the legal and illegal drugs
7 included therein, dumped into our ocean.

8 We don't want the exploitation of backstretch
9 workers living in substandard housing conditions and
10 exposed to a COVID outbreak of over 70 cases, covered up by
11 the track and the County Health Department.

12 Oscar de la Torre, the self-proclaimed worker
13 advocate, stated at last week's 22nd Agricultural District
14 Meeting that everyone was following the safety protocols.
15 But reading your own agency's Stewards Minutes, there are
16 listings of violation after violation, contradicting his
17 accounts. He, himself, described having to quarantine
18 personnel in hotel rooms.

19 As we have stated before, you can stand at the
20 entrance and videotape for ten minutes any time of the day
21 and see dozens of people coming in and out of the track and
22 not following protocols, and they are coming into our
23 community. We have to live here.

24 We don't want the winter season at Del Mar.

25 CHAIRMAN FERRARO: Thank you.

1 Next please.

2 OPERATOR: Our next comment will come from
3 citizen Dr. Wayne Johnson.

4 CHAIRMAN FERRARO: Go ahead please.

5 DR. JOHNSON: Dr. Ferraro, if you can believe
6 this, in your absence last time, as stated, this Board
7 unanimously cleared fire clearance at San Luis Rey where
8 the site of 42 horses died in a fire. That's right. With
9 California currently on fire, the California Horse Racing
10 Board is approving unanimously fire clearances.

11 Mr. Drummond [sic] says it's the safety track in
12 America, Del Mar. He doesn't talk to us about
13 Irreproachable, a four-year-old gelding that died on August
14 the 24th, or Lovely Lilia who died on the 11th day of July.
15 What about those horses, Mr. Drummond? Are you concerned
16 about them?

17 Thank you.

18 CHAIRMAN FERRARO: Next please.

19 OPERATOR: Our next comment will come from worker
20 advocate Oscar de la Torre.

21 CHAIRMAN FERRARO: Go ahead please.

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

24 You know, if the (indiscernible) for activists
25 who are calling for a ban on horse racing to state that

1 they care about the workers catching COVID. We all know
2 that a ban on horse racing would leave these workers with
3 no jobs, no medical benefits, and no housing. It's better
4 to be at the racetrack working and having a salary and
5 those benefits than to be homeless and unemployed.

6 I had the opportunity at Del Mar this summer to
7 participate in a few actions that would protect workers in
8 countering the demonstrations that these activists have
9 been organizing in front of the racetracks. All of the
10 workers that I've talked to, they appreciate the new
11 protocols. They did even say that it was very strict and
12 challenging because they prohibited any visits out of
13 country. So people that had family in Tijuana, Mexico were
14 prohibited from making those trips.

15 Wearing masks daily, physical distancing, daily
16 temperature checks, that was just part of the operation
17 that kept a lot of people safe and kept people negative in
18 terms of, you know, catching COVID, so people are very
19 appreciative of that. Also, paying for the tests, paying
20 for -- you know, the racetrack paying for the tests, and
21 quarantining workers who exhibited signs of illness. And
22 that's really important to state that, you know, total
23 transparency, you know, when the racetrack has reported
24 that.

25 It's also very important to note that these

1 protocols were implemented with the Public Health
2 Department's advice and guidance. So it's not just the
3 racetrack making things up. The Public Health officials
4 are working closely and monitoring the situation there to
5 keep everybody safe. And we want to keep everybody safe.
6 We want live racing to continue to finance the jobs and the
7 medical benefits and the housing that's provided to these
8 workers.

9 So I just wanted to say that Del Mar Thoroughbred
10 Club has done an excellent job because I've heard from the
11 workers themselves and the workers that feel safe and
12 secure working at the racetrack.

13 Thank you very much.

14 CHAIRMAN FERRARO: Thank you.

15 Next please.

16 OPERATOR: We will take our next comment. This
17 will come from concerned citizen Patty Shenker.

18 MS. SHENKER: Yes. Good morning. Patty Shenker.

19 CHAIRMAN FERRARO: Go ahead please.

20 MS. SHENKER: Patty Shenker from Los Angeles.

21 Del Mar always brags about its safety, stating it
22 is the safest track, per the Jockey Club, the same Jockey
23 Club that will not support a slaughter-free industry. So
24 the safety is not only not at the races, but definitely not
25 after.

1 We reported that the video showed that Mean
2 Sophia stumbled, injuring herself when leaving the starting
3 gate, with an accident report attached. But the truth is
4 Mean Sophia, which is a terribly name, wasn't just injured,
5 she was killed.

6 Then, on August 31st of this year, your minutes
7 wrote that Great Power, a young colt, hit the heel of
8 another horse, Hammering Lemon, and fell, and then
9 Hammering Lemon went over the leg of Great Power. He also
10 wrote that Great Power was vanned off and taken off to a
11 stable with minor lacerations when, in fact, he was
12 trampled, and the jockey was also injured. Both had their
13 video replayed, edited, or deleted.

14 I have seen the videos of both of these tragic
15 instances. And while I understand you're wanting to hide
16 what happened to these two horses, because it is very
17 upsetting and heartbreaking, and will only lead to more
18 critics, you edited or deleted the original video. You
19 should not be able to do that. You should not be allowed
20 to do that. Why have they been deleted?

21 Where is your transparency? And why are these
22 horses still missing in action as of today? It is
23 unconscionable that you are asking for more racing dates
24 when there is still so much unfinished and undisclosed
25 business.

1 Thank you.

2 CHAIRMAN FERRARO: Thank you very much.

3 Next please.

4 OPERATOR: Our next comment comes from citizen
5 Jane Cartmill.

6 CHAIRMAN FERRARO: Go ahead please.

7 MS. CARTMILL: There was quite a hue and cry when
8 it was proposed a while back that Del Mar have a cannabis-
9 oriented event at the Fairgrounds. People were very
10 concerned about the bad influence this would have on the
11 community. And yet, by granting a license for horse
12 racing, we get alcohol, drugs, gambling, animal abuse, and
13 organized crime. I'd rather have stoners.

14 Please do not grant this license to kill.

15 CHAIRMAN FERRARO: Thank you.

16 Next please.

17 OPERATOR: At this time there are no public
18 comments in queue.

19 CHAIRMAN FERRARO: Questions or discussion from
20 the Board? Do we have a motion to approve? We need to
21 include in the motion the acceptance of the CTT agreement
22 with the track. Motion? Somebody wants to make a motion?

23 COMMISSIONER ALFIERI: So moved. Dennis Alfieri.

24 CHAIRMAN FERRARO: Okay.

25 VICE CHAIRMAN GONZALES: And I'll second that

1 with the reference to accepting the CTT agreement, Mr.
2 Chairman.

3 COMMISSIONER ALFIERI: Right.

4 CHAIRMAN FERRARO: Okay.

5 COMMISSIONER ALFIERI: I'm fine with that. Yeah.

6 CHAIRMAN FERRARO: Okay. Can we call a vote
7 then?

8 Commissioner Gonzales?

9 VICE CHAIRMAN GONZALES: Yes, sir.

10 CHAIRMAN FERRARO: Commissioner Alfieri?

11 COMMISSIONER ALFIERI: Yes.

12 CHAIRMAN FERRARO: Commissioner Mitchell?

13 COMMISSIONER MITCHELL: Yes.

14 CHAIRMAN FERRARO: Concentration?

15 COMMISSIONER CASTELLANOS: Yes.

16 CHAIRMAN FERRARO: Commissioner Davis?

17 COMMISSIONER DAVIS: Yes.

18 CHAIRMAN FERRARO: And the Chairman votes yes.

19 The motion approved.

20 Let's see, do we keep going or would the Board
21 like a break?

22 COMMISSIONER ALFIERI: Let's have a break,
23 everyone.

24 VICE CHAIRMAN GONZALES: Yeah.

25 CHAIRMAN FERRARO: All right. Let's take a five-

1 minute break. So it's 12 o'clock. 12:05, we'll commence.

2 (Off the record at 12:00 p.m.)

3 (On the record at 12:05 p.m.)

4 CHAIRMAN FERRARO: Discussion and action by the
5 Board on the Application for a License to Conduct a Horse
6 Race Meeting of Watch and Wager LLC, paragraph -- in
7 parenthesis, (h), at Cal Expo, commencing on October 30th,
8 2020 through December 22nd, 2020, including.

9 Amanda?

10 MR. BRODNIK: Good morning, Commissioners.
11 Robert Brodnik, California Horse Racing Board. Ms.
12 Drummond just stepped out. I'd be happy to start this
13 discussion, though, if you like.

14 In just looking at the Staff analysis, it appears
15 that there's still an item that's outstanding, and that's
16 with regard to the fire clearance. Under Rule 1927, they,
17 Watch and Wager, submitted a petition for a time extension
18 on the submittal of the required fire clearance for the
19 Board approval.

20 Additionally, it appears that, from the Staff
21 analysis, there's an agreement that needs updating, which
22 is the ADW agreements between Watch and Wager and TVG. TVG
23 is our advance deposit -- or an advance deposit wagering
24 licensee. It appears that that license will expire -- or
25 that agreement will expire on November 9th, and so it will

1 need to be extended as the period of the licensing for
2 Watch and Wager will go through that time, until November
3 22nd.

4 And if Ms. Drummond has anything else, she can
5 add it.

6 Do you have anything else, Amanda?

7 MS. DRUMMOND: No. So the only thing that's
8 outstanding is the fire clearance. That's the only thing.

9 CHAIRMAN FERRARO: Mr. Chaney, you've been
10 dealing with this. Can you fill us in a little more on
11 what's up with the fire clearance?

12 EXECUTIVE DIRECTOR CHANEY: Yes, of course.

13 This extension that they are requesting is a
14 little bit different in the sense that they don't currently
15 have a fire clearance. And my understanding is that the
16 fire inspector is scheduled to come out in the near future.

17 So my recommendation to the Board, if it chooses
18 to grant them a license under agenda item 12, that they
19 condition it upon obtaining a fire clearance, I would say,
20 by October 8th because that would give us an opportunity,
21 if they are unable to obtain the fire clearance, to place
22 that item on the Board's agenda for October.

23 CHAIRMAN FERRARO: Okay. The problem is that
24 it's a state facility, right, and we can't get the state
25 people to move on it?

1 EXECUTIVE DIRECTOR CHANEY: Yeah. My
2 understanding is that it's a little bit more complicated
3 than a local fire clearance, but I'm certainly not an
4 expert.

5 CHAIRMAN FERRARO: Okay. Do we have any
6 questions from the Board for Amanda or Scott?

7 Do we have a representative of the Watch and
8 Wager Cal Expo meet?

9 OPERATOR: We will take comment from Christopher
10 Schick with Watch and Wager.

11 CHAIRMAN FERRARO: Christopher, go ahead please.

12 MR. SCHICK: Good afternoon. Good afternoon,
13 Chairman Ferraro and Members of the Commission.
14 Christopher Schick, Watch and Wager.

15 Watch and Wager has been the operator of
16 Standardbred racing at Cal Expo since 2012. Our purses,
17 since the time we've taken over, are up 40 percent. We're
18 very proud of that.

19 Our current situation, as the Board knows, we
20 were shut down early last spring. We were in the middle of
21 a meet that was up three percent plus, and that was over a
22 meet that was up over eight percent the year before. So
23 our purse pool is in good shape.

24 Obviously, there as lot of unknowns out there in
25 the future, but we're agreed with the CHHA to keep the

1 purse pool at the increased level that it was when we were
2 operating last spring. Our stakes program is fully in
3 tact, just like last fall, so we're happy about that.

4 Regarding the outstanding items, first of all,
5 regarding the TVG agreement, as Mr. Brodник pointed out,
6 that expires November 9th. And I don't see any problem
7 with our relationship with TVG. It's very good and I
8 expect that to totally continue.

9 Regarding the fire marshal, since I submitted
10 that, we actually were having an issue getting CAL FIRE
11 out, but we did have an inspection last Friday of the
12 grounds. There were a couple of issues that were
13 outstanding that we've made corrections on. And it's my
14 understanding that the fire marshal is going to be back
15 out, either tomorrow or Monday, for a reinspection.

16 So I think what Mr. Chaney said about October 8th
17 is a reasonable time frame for us to have that fire marshal
18 clearance. The inspection went very well. In fact, the
19 fire marshal gave us permission to open the barn area,
20 which we will next Thursday, October 1st, to start taking
21 horses in. So I'm optimistic, based on that, that we will
22 have the clearance in place, Mr. Chairman.

23 CHAIRMAN FERRARO: Thank you very much.

24 Questions from the Board?

25 Do we have a queue on this, Operator?

1 Thank you, Christopher.

2 OPERATOR: We can take our next comment. This
3 will come from citizen Heather Wilson.

4 CHAIRMAN FERRARO: Go ahead please.

5 MS. WILSON: Yes. Thank you.

6 So first of all, I mean, the fact that you're
7 even considering this meet without the fire clearance, I
8 mean, this should just be moved on to next month.

9 So earlier this month, published in *The*
10 *Sacramento Bee*, The Cal Expo received a \$6 million bailout
11 package. Cal Expo said half would be a one-time payment,
12 the other half as a loan. The bill also gives Cal Expo the
13 option to ask for \$3 million more down the road. This is
14 taxpayer money that is subsidizing harness racing. Cal
15 Expo was already losing money, and that was pre-COVID.

16 So with so many alternatives to entertainment and
17 gambling, Californians should not be expected to fund an
18 antiquated so-called sport that is already on its way out.

19 Furthermore, there is a list of injured horses
20 from Cal Expo that ended up out of state or whose
21 whereabouts are unknown. This was covered last month
22 during public comment. One of these injured horses even
23 ended up in Alberta, Canada, where they eat horses. Where
24 are all these horses?

25 And I know Commissioner Gonzales did agree that

1 you need to do a better job following up on these horses.
2 And I'm going to ask you again, when we have questions
3 about specific horses, they need to be answered, especially
4 at Cal Expo. This is public property that is now being
5 funded with my tax dollars, and other people that do not
6 want to support horse racing.

7 So these whereabouts need to be made known to the
8 public when questions are asked, especially while these
9 horses are under a CHRB jurisdiction, and most especially
10 when this is public property, on state-funded property.

11 Thank you.

12 CHAIRMAN FERRARO: Next please.

13 OPERATOR: At this time there are no public
14 comments in queue.

15 CHAIRMAN FERRARO: Any questions or comments from
16 the Board?

17 COMMISSIONER ALFIERI: Dennis Alfieri. I like
18 Scott's suggestion we just make sure that we monitor that
19 situation, that they do get their approval from licensing
20 from fire marshals, and give them until the 8th, I guess
21 that's fine, but keep on it, monitor it. I'll agree to
22 (indiscernible).

23 CHAIRMAN FERRARO: Any other comments? Can we
24 put that in a form of a motion to accept, to approve the
25 Watch and Wager meet at Cal Expo October 30th through

1 December 22nd, pending fire inspection and approval by
2 October 8th, 2020? Do I have a second for that motion?

3 COMMISSIONER ALFIERI: Second.

4 VICE CHAIRMAN GONZALES: Gonzales.

5 COMMISSIONER ALFIERI: Alfieri.

6 VICE CHAIRMAN GONZALES: Second.

7 CHAIRMAN FERRARO: Okay. Alfieri seconds. We'll
8 vote.

9 Commissioner Gonzales?

10 VICE CHAIRMAN GONZALES: Yes.

11 CHAIRMAN FERRARO: Commissioner Alfieri?

12 COMMISSIONER ALFIERI: Yes.

13 CHAIRMAN FERRARO: Commissioner Mitchell?

14 Commissioner Mitchell? We lost her.

15 Commissioner Castellanos?

16 COMMISSIONER MITCHELL: Sorry. Sorry.

17 COMMISSIONER CASTELLANOS: Yes.

18 COMMISSIONER MITCHELL: Yes. Yes. Commissioner
19 Mitchell. Yes.

20 CHAIRMAN FERRARO: Oh, okay. Thank you.

21 CHAIRMAN FERRARO: And Commissioner Davis?

22 COMMISSIONER DAVIS: Yes.

23 CHAIRMAN FERRARO: And the Chairman votes yes.

24 The motion is approved.

25 We move to 13, discussion and action by the Board

1 regarding the proposal to suspend CHRB Rule 1845(a)(1),
2 Authorized Bleeder Medication, pursuant to CHRB Rule 1406,
3 Suspension of Rule.

4 Dr. Arthur, would you like to explain this?

5 EQUINE MEDICAL DIRECTOR ARTHUR: Yes. This is
6 Dr. Arthur, Equine Medical Director.

7 Last year, when the Board approved the Los
8 Alamitos Quarter Horse night racing license, it did not
9 require that two-year-old Quarter Horses race without Lasix
10 at the meet. Subsequently, two-year-old Quarter Horses
11 have been racing on Lasix. And, accordingly, we are in a
12 situation where, unless the Board suspends 1845(a)(1)
13 provision, two-year-old Quarter Horses that have been
14 racing on Lasix will have to be taken off Lasix just to be
15 put back on in January.

16 There are two problems with this. First, the
17 trainers do not know which horses have bleeding conditions
18 or racing without Lasix may impact their performance or
19 health. And the second problem is that the public wagering
20 on two-year-old Quarter Horse races will be relying on past
21 performances where the horses were receiving Lasix and now
22 won't.

23 And I'm sure that you'll agree, Dr. Ferraro,
24 Lasix can make a significant difference in an individual
25 horse's performance. This on, off, on again Lasix

1 situation would not protect the wagering public.

2 For the record, there have been no two-year-old
3 thoroughbred maiden races at Los Alamitos' night meet. And
4 the Racing Secretary has assured me there won't be any
5 through 2020.

6 The Los Al December thoroughbred meet, a separate
7 meet, will have to come before the Board for the same
8 license and will have the same no-Lasix two-year-old
9 provision as we have done with all thoroughbred meets this
10 year.

11 This suspension will affect only Quarter Horses
12 as Chris Schick has informed that there will be no two-
13 year-old harness starts this fall at Watch and Wager. I
14 think last year there were only two in the fall -- two-
15 year-old starts all year.

16 This is a reasonable request from Los Alamitos.
17 If the Board agrees to suspend 1845(a)(1), my
18 recommendation is the suspension only go through December
19 25th, which is the end of our historical racing calendar.

20 And as an aside, this regulation only became
21 effective on October 1st because of the efficiency of our
22 Regulatory Staff under Amanda Drummond, and an unusually-
23 cooperative OAL. Ordinarily, we would have expected this
24 to become effective on January 1st, which would have
25 resolved this problem.

1 That's all I have to say.

2 CHAIRMAN FERRARO: Do we have questions from the
3 Board for Dr. Arthur regarding this?

4 I think the major issue is that the betting
5 public, it would really affect their ability to analyze the
6 races because of no history of horses being off Lasix and
7 having to bet on in the last two months.

8 Do we have comments from a representative of Los
9 Alamitos Quarter Horse Racing?

10 OPERATOR: Yes. We have Cathi Monji in queue to
11 speak for Los Alamitos.

12 DR. ALLRED: Can you hear me?

13 CHAIRMAN FERRARO: Go ahead please.

14 DR. ALLRED: Ed Allred, Chairman, Los Alamitos.
15 There is some confusion about this on a national level. We
16 have horses coming in from the southwest and other
17 jurisdictions where Lasix is permitted. And owners -- our
18 system of racing relies heavily on futurities, which are
19 two-year-old races, some of them as much as \$2 million. We
20 had three races for over \$1 million. People have been
21 paying into these races since they were weanlings,
22 actually. And so to change this rule now, they'll know
23 next year and there will be no problem. But we would like
24 to be consistent with our people. And owners who send
25 their -- pay their money, their payments, to not just throw

1 their money away.

2 Also, I would like to point out that the American
3 Quarter Horse Association Foundation is doing -- has
4 provided the money now for some research to see if there
5 are any breed-specific problems with Quarter Horses in so
6 far as the short distances that we run, perhaps, the theory
7 might be increased blood pressures, whatever. Pulmonary
8 hemorrhage is more common with Quarter Horses than other
9 breeds. We won't know that information for several years
10 and has nothing to do with us right now. But I thought
11 that we'd bring it up, that the money has been funded,
12 provided for that purpose.

13 We appreciate your attention and we hope we can
14 get this done today.

15 CHAIRMAN FERRARO: Questions from the Board for
16 Dr. Allred?

17 Thank you, Doctor.

18 Do we have a queue on this, Operator?

19 OPERATOR: We will take our next comment. This
20 will come from Michael Brown with the Arabian Racing
21 Association of California.

22 MR. BROWN: No, I want to speak to the final
23 item. I don't know how to -- how do I select which item I
24 want to speak to?

25 CHAIRMAN FERRARO: I don't know the answer to

1 that, but you'll have to get in the queue for item number
2 16. Maybe the Operator --

3 MR. BROWN: That's what I'm trying to do.

4 CHAIRMAN FERRARO: -- can assist you with that.

5 MR. MARTEN: But, no.

6 CHAIRMAN FERRARO: Okay.

7 MR. MARTEN: Excuse me. Just wait until they
8 announce item 16 and then enter the queue. Don't enter the
9 queue before then.

10 MR. BROWN: Thank you.

11 CHAIRMAN FERRARO: Next. Operator, next please.

12 OPERATOR: We will take our next comment in
13 queue. This will come from citizen Heather Wilson.

14 CHAIRMAN FERRARO: Go ahead please.

15 MS. WILSON: Yes. Thank you.

16 So it's really frustrating. I keep hearing Lasix
17 being referred to as an anti-bleeding medication. Lasix or
18 furosemide is not an anticoagulant, so why do you keep
19 calling it an anti-bleeding drug?

20 Exercise-induced pulmonary hemorrhage is defined
21 as bleeding from the lungs as a consequence of exertion.
22 This is exertion that is induced by humans. Horses that
23 are running so artificially fast while they're being
24 whipped and drugged and forced to perform, this is why
25 they're bleeding. And you're talking about giving a potent

1 diuretic that causes dehydration and electrolyte imbalance
2 to young horses. I mean, this is a drug used in heart
3 disease.

4 My dog has dilated cardiomyopathy. He is on
5 diuretics and I monitor him very closely. And I wouldn't
6 even dream of exerting him with his condition.

7 So here you have these young, otherwise healthy
8 horses that are being forced to run until their lungs
9 bleed, and then you're giving them diuretics. I mean, this
10 makes absolutely no sense.

11 And I am a healthcare professional. I have over
12 30 years of experience. I have given countless patients in
13 the emergency room, and on floors, and in the operating
14 room, diuretics. And it's never because their lungs are
15 bleeding.

16 So if you want to solve the problem and stop this
17 bleeding, then you need to stop racing these horses. Let
18 them run on their terms. And there's nothing that gives me
19 greater joy than watching a horse throw his or her rider
20 and run at their own pace.

21 Thank you.

22 CHAIRMAN FERRARO: Next please.

23 OPERATOR: Our next comment will come from
24 citizen Dr. Wayne Johnson.

25 CHAIRMAN FERRARO: Go ahead please.

1 DR. JOHNSON: Regarding Lasix, maybe Dr. Allred
2 can tell us if that will make a difference or not in the
3 fact that 38 horses have died on his track.

4 Thank you very much.

5 CHAIRMAN FERRARO: Thank you.

6 Next please.

7 OPERATOR: We will take a comment from Lynn
8 Freudenberg.

9 CHAIRMAN FERRARO: Go ahead please.

10 MS. FREUDENBERG: Hi there. Just -- hi. Just a
11 comment on Lasix.

12 This is pure cheating. There should not be any
13 drugs with horse racing. This is sensor enhancement, and
14 you guys are even aware of this. But, still, it's not fair
15 to all the horses. Just don't give them drugs. There's no
16 reason for it. I back everything that the activists are
17 saying on this. It's just unbelievable that a Horse Racing
18 Board would back drugging horses.

19 Thank you.

20 CHAIRMAN FERRARO: Next please.

21 OPERATOR: At this time, there are no public
22 comments in the queue.

23 CHAIRMAN FERRARO: Questions or comments from the
24 Board? Can I have a motion to approve?

25 COMMISSIONER CASTELLANOS: Castellanos. Motion.

1 CHAIRMAN FERRARO: Second please?

2 VICE CHAIRMAN GONZALES: Gonzales. Second.

3 CHAIRMAN FERRARO: Okay. We'll take the vote.

4 Chairman [sic] Gonzales?

5 VICE CHAIRMAN GONZALES: Yes.

6 CHAIRMAN FERRARO: Chairman [sic] Alfieri?

7 COMMISSIONER ALFIERI: Yes.

8 CHAIRMAN FERRARO: Commissioner Mitchell?

9 COMMISSIONER MITCHELL: Yes.

10 CHAIRMAN FERRARO: Commissioner Castellanos?

11 COMMISSIONER CASTELLANOS: Yes.

12 CHAIRMAN FERRARO: Commissioner Davis?

13 COMMISSIONER DAVIS: Yes.

14 CHAIRMAN FERRARO: And the Chairman votes yes.

15 Moving on to item 14, discussion and action by

16 the Board regarding a proposal to suspend CHRB Rule

17 1845(h), Authorized Bleeder Medication, pursuant to CHRB

18 Rule 1406, Suspension of Rule.

19 Dr. Arthur, can you explain please?

20 EQUINE MEDICAL DIRECTOR ARTHUR: Yes. We visited

21 this before the Del Mar meet. And 1845(h) requires that

22 the syringe used for Lasix injections be retained until

23 after all the tests have cleared. The need for this

24 provision was questioned at the time the original

25 regulation passed. And we talked about eliminating this

1 requirement almost from the start of the third-party Lasix
2 program. New York has never done this. Kentucky has done
3 it but has rarely been used. And it's rarely used in any
4 cases in California.

5 With COVID, we experimented at Del Mar with
6 eliminating this requirement to reduce the paperwork and
7 passing items back and forth between the Lasix vets and the
8 stable personnel, and to improve the program cost
9 efficiencies. Owners reimburse the cost for this program
10 to the tracks. And third-party Lasix, and with the
11 elimination of two-year-old Lasix, the cost per horse to
12 receive Lasix has to go up unless other efficiencies are
13 being implemented.

14 Del Mar operated with one Lasix vet and two
15 registered veterinary technicians, eliminating the need for
16 another veterinarian, which we were able to use our Track
17 Safety Program because of the -- just because of the
18 elimination of the syringe retention requirement. It
19 worked well.

20 Suspension makes this a statewide suspension.
21 And the Board will see an amendment next month to make this
22 permanent.

23 CHAIRMAN FERRARO: Any questions from the Board?
24 Do we have a queue, Operator?

25 OPERATOR: We can take our next comment. This

1 will come from Greg Avioli with TOC.

2 CHAIRMAN FERRARO: Go ahead please.

3 MR. AVIOLI: Greg Avioli, TOC.

4 As previously indicated to Dr. Arthur, the TOC
5 supports the waiver of this requirement.

6 CHAIRMAN FERRARO: Thank you.

7 Next please.

8 OPERATOR: Our next comment will come from
9 citizen Jane Cartmill.

10 CHAIRMAN FERRARO: Go ahead please.

11 MS. CARTMILL: My comment was for the last item
12 and I wasn't called. I don't know what to say.

13 CHAIRMAN FERRARO: Okay. Well, I'm sorry about
14 that.

15 Next please.

16 OPERATOR: And at this time, the questioning
17 queue is clear.

18 CHAIRMAN FERRARO: Comments from the Board?

19 MR. MARTEN: I would interject, the Operator was
20 correct, that there was no one in the queue when he was
21 asked, and Jane entered after that announcement.

22 CHAIRMAN FERRARO: Okay. That's fine.

23 Comments from the Board? Do we have a motion of
24 some kind?

25 COMMISSIONER CASTELLANOS: Castellanos. Motion.

1 CHAIRMAN FERRARO: Second?

2 COMMISSIONER DAVIS: Davis seconds. Davis
3 seconds.

4 CHAIRMAN FERRARO: Thank you. And I'll take the
5 vote.

6 Commissioner Gonzales?

7 VICE CHAIRMAN GONZALES: Yes.

8 CHAIRMAN FERRARO: Commissioner Alfieri?

9 COMMISSIONER ALFIERI: Yes.

10 CHAIRMAN FERRARO: Commissioner Mitchell?

11 COMMISSIONER MITCHELL: Yes.

12 CHAIRMAN FERRARO: Commissioner Castellanos?

13 COMMISSIONER CASTELLANOS: Yes.

14 CHAIRMAN FERRARO: Commissioner Davis?

15 COMMISSIONER DAVIS: Yes.

16 CHAIRMAN FERRARO: And the Chairman votes yes.

17 Moving on to item 15, public hearing and action
18 by the Board regarding the proposed addition of CHRB Rule
19 1866.2, Shockwave Therapy Restricted, to provide procedures
20 for the use of Extracorporeal Shockwave Therapy or Radial
21 Pulse Wave Therapy within a CHRB inclosure Note: This
22 concludes the 15-day public comment period. The Board may
23 adopt the proposal as presented.

24 Amanda, can you clarify where we are on this bill
25 and what the 15-day public comment period was about?

1 MS. DRUMMOND: Yes. So good afternoon, again,
2 Commissioners. Amanda Drummond.

3 So at the June Board meeting the Board did
4 approve this rulemaking file for Rule 1866.2, Shockwave
5 Therapy Restricted. However, upon submitting this file to
6 OAL, they did determine that the modified language was
7 acceptable, but they did want us to add additional
8 documents to the rulemaking record. And so we did needed
9 to add those and send it out for another 15-day comment
10 period.

11 During that 15-day comment period, which was
12 between August 11th through August 26th, we did receive
13 another comment during that time. And because that comment
14 was considered relevant by OAL, we did need to return this
15 file back to the Board for your consideration, in case you
16 did want to consider any further amendment to the file.

17 If you do approve this file, then we will
18 finalize it and submit it to OAL, and then it should be
19 effective for January 1st, 2021.

20 CHAIRMAN FERRARO: Well, so the rule is the same
21 rule we passed in July, they're just --

22 MS. DRUMMOND: Correct. The text has not been
23 modified further.

24 CHAIRMAN FERRARO: Okay. Any questions from the
25 Board?

1 Do we have a queue on this, Operator?

2 OPERATOR: We can take a comment from Citizen
3 Bonnie Croker.

4 CHAIRMAN FERRARO: Go ahead, please.

5 MS. CROKER: Yes. I apologize. Hi. Excuse me.
6 I apologize. I meant to queue in for item number 16.
7 Thank you.

8 CHAIRMAN FERRARO: Okay. Next please.

9 OPERATOR: At this time the commenting queue is
10 clear.

11 CHAIRMAN FERRARO: Wow. All right. We need a
12 motion to approve.

13 BOARD MEMBER CASTELLANOS: Castellanos. Motion.

14 CHAIRMAN FERRARO: Second?

15 VICE CHAIRMAN GONZALES: Gonzales. Second.

16 CHAIRMAN FERRARO: Vote. Commissioner Gonzales?

17 VICE CHAIRMAN GONZALES: Yes.

18 CHAIRMAN FERRARO: Commissioner Alfieri?

19 COMMISSIONER ALFIERI: Yes.

20 CHAIRMAN FERRARO: Commissioner Mitchell?

21 COMMISSIONER MITCHELL: Yes.

22 CHAIRMAN FERRARO: Commissioner Castellanos?

23 COMMISSIONER CASTELLANOS: Yes.

24 CHAIRMAN FERRARO: And Commissioner Davis?

25 COMMISSIONER DAVIS: Yes.

1 CHAIRMAN FERRARO: And Chairman approves.

2 All right, moving on to item number 16, Public
3 Comment period.

4 I'm sure we have a queue, Operator; correct?

5 OPERATOR: That is correct, sir. We will take
6 our first comment. This will come from citizen Doctor --

7 CHAIRMAN FERRARO: How many in queue?

8 OPERATOR: We have --

9 CHAIRMAN FERRARO: Go ahead.

10 OPERATOR: -- in queue.

11 CHAIRMAN FERRARO: Okay. Thank you.

12 OPERATOR: You're welcome.

13 CHAIRMAN FERRARO: Go ahead please.

14 OPERATOR: We will take our next comment. This
15 will come from citizen Dr. Wayne Johnson.

16 CHAIRMAN FERRARO: Go ahead, Wayne.

17 DR. JOHNSON: Thank you very much, Mr. Chairman.
18 Let's begin at the beginning with the federal legislation.

19 Does anyone seriously expect that the senior
20 senator from Kentucky is going to do anything that will
21 help horses?

22 We see today that corruption, which is rife in
23 the horse racing industry, has now extended, no surprise,
24 to the media that cover it.

25 *The Los Angeles Times* reports that the Sports

1 Editor of The Times, who, of course, supervise the horse
2 racing coverage, was in bed with Santa Anita Racetrack, so
3 much so that he threw an un-reimbursed party at Santa
4 Anita. The Executive Editor of *The L.A. Times* called that
5 a serious lapse, a serious lapse, which helps explain the
6 fan-boy coverage of racing by the L.A. Times.

7 In April, the Chairman said that after your
8 comments on individual items, you were free, quote, "to say
9 anything you want during public comment." You had it
10 right, Dr. Ferraro, and your legal staff has it wrong in
11 the new revised public comment rules. Under no
12 circumstances should you be able to correct us or tell us
13 what we are saying is wrong. Free speech demands that we
14 can say anything we want. Mr. Goodrich can say anything he
15 wants. Mr. Balch can say anything he wants. We don't need
16 to be directed anywhere. We are free to say anything we
17 want.

18 And, finally, Mr. Chaney says that the California
19 horse racing is the most highly regulated of any state.
20 You are approaching 100 deaths again for the -- I don't
21 know how many straight years, 100 deaths. If you're the
22 most highly regulated state, God help us.

23 Thank you.

24 CHAIRMAN FERRARO: Thank you.

25 Next please.

1 OPERATOR: As a reminder, if you would like to
2 make a comment, please press star one on your telephone
3 keypad.

4 We will take our next comment. This will come
5 from Dr. Holly Wilson.

6 DR. WILSON: Thank you. The CHRB are appointed
7 by the Governor and they are charged with overseeing horse
8 racing in the state of California. That means it is your
9 responsibility to monitor the health, the welfare, and the
10 whereabouts of the animals.

11 When horses are injured, vanned off, listed as
12 DNF, et cetera, and these inciting events occur on track
13 and in facilities that are supposed to have CHRB oversight,
14 then you must inform the public and there must be
15 transparency, while making information readily available
16 when asked.

17 The following are two horses that are MIA. I am
18 insisting on knowing where they are and if they are still
19 alive.

20 Df Bannister Sister. The trainer is Angela
21 Aquino. The owner is Ashley T. Garcia. This is a filly
22 and she was born on 01/08/16. On 04/05/2020, at Los
23 Alamitos during the fifth race, she was a DNF. She blew
24 the turn, jumped the rail, nothing is seen in replay.
25 Where is this animal? Is dead or alive? Or was she

1 shipped to another state to be killed?

2 Chiseled Waved (phonetic). The Trainer is Alexis
3 Barba. Owner, Barbara Alexis Gerard Williams and
4 McWilliams, Teresa. This is a gelding that was born on
5 02/23/2016. This horse was raced at Santa Anita. And
6 during the fifth race, on 06/05/20, placed sixth out of
7 eight horses. This animal was chased off the rail between
8 poles, went outside a, quote, "rival" on the turn, and then
9 between poles, entered the stretch, weakened, then
10 unsaddled on the clubhouse turn, and was vanned off. Is
11 this animal dead or alive? Where is this animal? We need
12 to know. And I am demanding an answer.

13 Thank you.

14 CHAIRMAN FERRARO: Next please.

15 OPERATOR: Our next comment will come from
16 citizen Martha Sullivan.

17 CHAIRMAN FERRARO: Go ahead, Martha.

18 MS. SULLIVAN: Hello. This is Martha Sullivan
19 from San Diego County again.

20 I sent an email on September 9th to Executive
21 Director Chaney, Equine Medical Director Arthur, and Policy
22 Director Drummond, with the subject line that the CHRB
23 needs a relevant policy for racing in hot weather. This is
24 because, as we found during the recent excessive heat
25 warnings over the last month, for some bizarre reason the

1 CHRB's Equine Medical Director, who is appointed and
2 employed by the UC Davis Veterinary School, relies on a
3 heat index by the University of Minnesota, rather than the
4 advice that the Equine Health Center at the UC Davis
5 Veterinary School of Medicine which specifically calls for
6 caring for competition horses in high heat by limiting what
7 to do with your horse during peak heat, by riding or
8 competing in the early mornings or evenings when it's
9 cooler, and to go slower, and provide frequent breaks for
10 your horse in the shade. This is on the website of UC
11 Davis Veterinary School, Equine Health Center.

12 I also recommended in this email that you adopt
13 the heat policy by Racing New South Wales in Australia, the
14 state which includes Sydney, which sets as a threshold for
15 limiting horse racing at 79 Fahrenheit shade and 95
16 Fahrenheit unshaded. So there's another racing regulator
17 that specifically sets a temperature threshold. It has
18 nothing to do with humidity. And the New South Wales is
19 certainly much more similar to California weather, coastal
20 California weather, than Minnesota.

21 So stop. Stop enabling horse racing by using the
22 least relevant heat protection standard and use those of UC
23 Davis and New South Wales, which is certainly more relevant
24 to our conditions here in coastal California.

25 Thank you.

1 CHAIRMAN FERRARO: Thank you.

2 Next please.

3 OPERATOR: Our next comment will come from
4 Michael Brown with the Arabian Racing Association of
5 California.

6 MR. BROWN: Thank you.

7 CHAIRMAN FERRARO: Go ahead please.

8 MR. BROWN: Yeah. I spoke to you a few minutes
9 ago about the racing at Golden Gate Fields. And I want to
10 point out something that I got cut off and wasn't able to
11 explain to you, and that is that I was told by Amanda
12 that -- and we were told that they -- this will now give
13 them 44 days of racing. That's not correct. As a matter
14 of fact, the Pacific Racing Association and Pacific Racing
15 Association II are not two different associations. They
16 are identical. They are the same. They are the same
17 owners. They are a part of Golden Gate Fields and The
18 Stronach Group.

19 They are, actually, conning the Board because
20 they're claiming to be two separate racing associations
21 when, in fact, they are one. Their home offices are at the
22 same address as The Stronach Group, that is 455 Magna Drive
23 in Aurora, Canada. Their boards and -- their boards of
24 directors and their officers are identical. The president
25 of the PRA and PRA I was the chief operating officer of The

1 Stronach Group. They are, in fact, nothing more than one
2 subsidiary of The Stronach Group and they are one
3 association, they are not two. And to assign them as two
4 separate associations is in violation of the code.

5 Moreover, it appears that by not being a fair
6 race, that the assignment was just given to them, somebody
7 has violated the state law regarding open meetings because
8 I am informed, and I've had it confirmed by at least one
9 source on the Board, that there was a financial arrangement
10 between the Fresno Fair and Golden Gate Fields for a
11 payment to go to the Fresno Fair in return for getting
12 those racing dates. That is not something that was done in
13 public. It's a violation of the Brown Act. It's a crime.
14 And somebody's going to be held accountable.

15 So what I'm suggesting to you is, and asking that
16 you do, is put on your agenda and look into -- I sent this
17 information to Amanda over a month ago or about a month
18 ago, never got a reply. She said she would refer it to the
19 appropriate persons. You've been conned into thinking that
20 these are two separate associations and they're not,
21 they're only one. And by giving those dates, you have
22 violated the 35 Race Rule for each association. And I
23 think you have to take another look at this.

24 The Arabian Racing Association had a very
25 successful program last year which concluded at Fresno with

1 horses from all over the country. It had to be canceled
2 this year because Fresno's races are not now fair races.
3 So we have no choice but to cancel that program. It's
4 going to be a financial hardship to the Arabian Racing
5 Association of California. And we're probably going to
6 look to Fresno and the CHRB and Golden Gate Fields for
7 reimbursement if this is not deemed a fair race and if we
8 do not get the administrative fees that we're entitled to
9 because of a fair race.

10 So this is something that the Board has to look
11 into. It's a legal matter. You'll be looking in your
12 closed session at the results of the writ of mandate by the
13 Pacific Racing Association -- or rather by the -- which is
14 against the CHRB out of having to do with the satellite
15 wagering. If you look at everything that is existing --

16 CHAIRMAN FERRARO: Sir --

17 MR. BROWN: -- including --

18 CHAIRMAN FERRARO: -- your two minutes are way
19 over.

20 MR. BROWN: Well, let --

21 CHAIRMAN FERRARO: You're way over --

22 MR. BROWN: -- let me conclude.

23 CHAIRMAN FERRARO: -- way over, so --

24 MR. BROWN: Let me conclude.

25 CHAIRMAN FERRARO: -- so --

1 MR. BROWN: Let me conclude with this.

2 CHAIRMAN FERRARO: -- conclude.

3 MR. BROWN: Well, let me conclude. Let me
4 conclude with this then.

5 The Golden Gate Fields internet website, under
6 terms of use, begins with the following, "This website is
7 provided by Pacific Racing Association and Pacific Racing
8 Association II," parentheses, "(collectively Golden Gate
9 Fields)," end parentheses. They are all one and the same
10 entity. And by giving them more racing dates than they're
11 allowed, there's been a violation of law. And if it's not
12 a fair race --

13 CHAIRMAN FERRARO: Operator, let's go on to the
14 next one.

15 OPERATOR: We will take our next comment. This
16 will come from citizen Bonnie Croker.

17 CHAIRMAN FERRARO: Go ahead please.

18 MS. CROKER: Thank you. Thank you so much. I
19 appreciate this opportunity for the expression of diverse
20 viewpoints.

21 I am opposed to horse racing entirely. But I do
22 appreciate the efforts of anyone who is working to
23 alleviate the suffering of animals subjected to human use
24 and entertainment, such as they are in horse racing.
25 Reduction in animal suffering before a mandated

1 discontinuation of the harmful activity is a small step in
2 the right direction. It is, after all, an admission by
3 those conducting the activity that animal suffering takes
4 place at their hands.

5 During the last CHRB teleconference a gentleman
6 stated that animal rights activists hold fast to a delusion
7 that requires the consent of any animal before that animal
8 is used or directed by humans to perform a task. This was
9 a grossly dramatized and largely false characterization of
10 most animal rights activists.

11 In truth, most of us simply hold fast to the
12 popular statement, due under others as you would have done
13 to yourself. If, for example, you don't want to be ridden
14 and whipped until your lungs bleed or your bones break,
15 then don't do it to someone else. And we do believe each
16 animal is a someone, not a thing or a commodity. The life
17 of every sentient being matters and is worthy of respect.

18 I do not ask my dogs if they will consent to
19 being examined by a vet. If I did, and they were able to
20 oppose, I would save thousands of dollars of vet bills. It
21 is simply my duty and the duty of all human beings to
22 protect animals who can't protect themselves. If they can
23 protect themselves, then it is our duty to leave them the
24 hell alone.

25 Thank you.

1 CHAIRMAN FERRARO: Next please.

2 OPERATOR: We will take our next comment. This
3 will come from citizen Heather Wilson.

4 CHAIRMAN FERRARO: Go ahead please.

5 MS. WILSON: Yes. Thank you. I would like to
6 just make a brief statement.

7 Everybody in the queue should have an opportunity
8 to speak because that other gentleman from the Arabian
9 Horses went way over. And we have all been keeping under
10 two minutes.

11 So you, the CHRB, are supposed to be --

12 CHAIRMAN FERRARO: My fault.

13 MS. WILSON: -- thank you -- overseeing --

14 CHAIRMAN FERRARO: My fault.

15 MS. WILSON: -- the health --

16 CHAIRMAN FERRARO: My fault. I'm sorry about
17 that. It's my fault. It won't happen again.

18 MS. WILSON: Okay. Yeah. I just think the rules
19 need to apply to everybody. And if you let other people
20 talk off topic and other people go over that are pro-
21 racing, it is just, it is not fair.

22 So you are supposed to be overseeing the health
23 and welfare of the horses, yet you are in constant
24 dereliction of your duties. Many times, I have inquired
25 about a particular horse, only to get the canned response,

1 I have not received a fatality report. And as we have seen
2 with Tap the Wire and Hendavid, if taken to a non-CHRB
3 facility, they go missing. When pressed, I'm told that I
4 can contact the owner or trainer myself.

5 And, you know what, how dare you suggest the
6 public do your job? You need to answer these questions.
7 If we have a question about a particular horse, we want
8 information.

9 Here is a horse I'm very concerned about, check
10 out Check Out Happy Corona. The trainer is Juan G. Aleman,
11 and he's the big trainer over at Los Al. This was a six-
12 year-old mare with only one start at Los Alamitos over four
13 years ago on 06/04/16. Race number one on 07/03/20 at
14 Pleasanton, a CHRB facility, I personally witnessed this
15 horse slip in the starting gate. She reared super high.
16 She threw her rider and came crashing down. Her head
17 slammed into the back of the starting gate. She was lying
18 on the ground. And then the cameras, of course, moved.
19 There was a huge delay with reloading. And she was a late
20 scratch. Where is she now? This horse is just one of
21 many.

22 Many horses go missing, bleeding, injured,
23 scratched, leaving by van, DNF, horses seen on camera
24 collapsing, trampled, taking bad steps, dragging their hind
25 legs, getting pulled up, taken out of the race. You, the

1 CHRB, should be concerned about these animals. And when we
2 inquire about them, you should already know their
3 whereabouts.

4 So I want to know, where is Check Out Happy
5 Corona? Is this mare even still alive?

6 Thank you for letting me speak.

7 CHAIRMAN FERRARO: Thank you.

8 Next please.

9 OPERATOR: The next comment comes from citizen
10 Ashley Lewis.

11 CHAIRMAN FERRARO: Go ahead please.

12 MS. LEWIS: Hello Commissioners. My name is
13 Ashley. Thank you so much for taking my comment.

14 I, too, have become increasingly concerned about
15 the number of horses that have gone missing in this
16 industry. I'm concerned that the CHRB, a government-
17 appointed Board with a civic duty to respond when inquiries
18 are made by the general public, seems only to serve their
19 best interests and don't respond when asked.

20 The CHRB has blocked me on Twitter for
21 respectfully calling out these failures to public service,
22 which happens to be illegal according to a Federal Appeals
23 Court and refuses to acknowledge these horse deaths until
24 forced to.

25 I have just two more examples.

1 Silent Fury, born February 3rd, 2017, was a DNF
2 on March 14th, 2020, at Santa Anita. Silent Fury has gone
3 MIA after not finishing.

4 Spectator Dream, born March 13th, 2016, was a Did
5 Not Finish on June 6th, also at Santa Anita.

6 Where are these horses?

7 If you're truly trying to serve the people of
8 climate and these horses, I ask that you please do better
9 with regards to your reporting on the subject. You are not
10 absolved of your responsibility just because a horse is
11 transferred to a non-CHRB facility or moved out of state.

12 Thank you.

13 CHAIRMAN FERRARO: Thank you.

14 Next please.

15 OPERATOR: Our next comment will come from
16 citizen Jane Cartmill.

17 CHAIRMAN FERRARO: Go ahead please.

18 MS. CARTMILL: A few minutes ago -- a few minutes
19 ago, Dr. Arthur talking was talking about Lasix, said that
20 the on and off use of Lasix will not protect the horses.
21 Oh, wait, no. That's what I thought he was going to say.

22 What he said was that the on and off use of Lasix
23 will not protect the wagering public. You know, as jaded
24 as I am about horse racing, I found that comment just
25 stunning and not in a good way.

1 But since I do care about the horses and not
2 about the gamblers, I also have some horses that are
3 missing in action that I'd like to find out the disposition
4 of.

5 Jamie James, a filly born January 23rd, 2016, in
6 the eighth race on June 27th at Pleasanton, went wrong --
7 it's always the horse's fault -- went wrong leading the
8 furlong pole and was pulled up but walked off. And if she
9 was pulled up, how is it that it shows that she placed
10 fourth out of seven? Where is she now?

11 And Rick's Dream, a six-year-old gelding injured,
12 vanned, did not finish, Del Mar, September 7th in the
13 fourth race. Ominous words from the chart, Rick's Dream
14 chased off the rail too wide into the lane, injured at the
15 eighth pole and was vanned off.

16 Where are these horses? What is their diagnosis?
17 What is their prognosis? We keep hearing about
18 transparency but the information is not forthcoming.

19 And, finally, I hope some progress has been made
20 toward installing sprinklers at San Luis Rey Down. As we
21 know, October is usually a time of high fire danger, which
22 it even is right now. And mid-2021, when Mr. Butler said
23 these sprinklers will be completed, is a long way off. In
24 light of what happened there during the Lilac Fire, it is,
25 in my mind, irresponsible and reckless, at best, that this

1 has not been done sooner.

2 And why even have fire regulations if you, as a
3 Board, are going to waive them repeatedly, finding them
4 unworthy of enforcement? That's just not -- it's just not
5 right. And it's terribly irresponsible during a time when
6 we have fires raging across the state.

7 Thank you.

8 CHAIRMAN FERRARO: Next please.

9 OPERATOR: Our next comment will come from
10 citizen Jill Malato.

11 CHAIRMAN FERRARO: Go ahead please.

12 MS. MALATO: So I feel the need to touch on
13 transparency and how you are viewed by the public.

14 The California Horse Racing Board ought to be
15 renamed the California We-Race-Horses-No-Matter-What Board.

16 Between wildfires, horrific air quality indices, a deadly
17 and contagious pandemic with confirmed outbreaks of COVID
18 at the major tracks, unprecedented heat waves, rolling
19 blackouts in the state, dead horses, a paralyzed jockey,
20 and that is just 2020.

21 There's also the major issue of two horses
22 confirmed dead that are not on your official list, horses
23 who made the ultimately sacrifice, who literally died for
24 this industry, and cannot even give them the modicum of
25 dignity by simply listing their names on your database.

1 Tap the Wire broke his leg or ankle on May 9th of
2 this year after winning the race at Los Al, which is a CHRB
3 facility, not some illegal match racetrack. His death was
4 confirmed in the media, yet you still will not acknowledge
5 him.

6 Hendavid broke his ankle racing at Pleasanton
7 this year on July 25th, another CHRB facility. His owner
8 confirmed on social media that the horse is dead, which was
9 brought to your attention, but you still will not recognize
10 him.

11 You have proven over and over that you cannot be
12 trusted. You deliberately deceive and you withhold
13 information.

14 As governor-appointed Commissioners with a moral
15 and ethical duty to serve the public, you should all be
16 ashamed of yourselves.

17 Thank you.

18 CHAIRMAN FERRARO: Thank you.

19 Next please.

20 OPERATOR: The next come comes from concerned
21 citizen Ellen Eriksen.

22 CHAIRMAN FERRARO: Go ahead, Ellen.

23 MS. ERIKSEN: Hi. Thank you. I appreciate the
24 time.

25 So all the deaths at Los Alamitos continues, even

1 after a slap of the hands this summer to change whatever it
2 is or was that is killing horses there. First, eight
3 horses died what this racetrack in 2020 that we know of.

4 You, the Board, have a responsibility to protect
5 these horses, which you are not. Could it be because you
6 all have a vested interest in horse racing? Do you receive
7 financial incentives from the owners and trainers to sway
8 the votes of this Board in favor of always approving these
9 amended proposals?

10 A little reminder for this Board, that you need
11 the reminding all the time, that an overabundance of drugs
12 can enhance horses performance, mask their pain, and keeps
13 them from sudden cardiac events, and pulmonary bleeding
14 continues to happen, yet the owners and trainers aren't
15 even held accountable when caught, even after over
16 drugging.

17 And one more comment is related to Del Mar this
18 summer. On August 16, Trainer Michael McCarthy had a
19 citation issued by the Del Mar security for failing to wear
20 a mask. He was at a hearing at Del Mar. He was with
21 Manager Kim Jacobson, and Safety Liaison Mrs. Carrillo
22 (phonetic), and Chief Operating Office Josh Rubenstein.
23 Mr. McCarthy was cited and he tore up his citation in front
24 of Mrs. Carrillo. His penalty is listed as the following:
25 he was fined \$100.

1 What is being done at this racetrack to prevent
2 the spread of COVID-19? Nothing. And yet you issue a
3 license for them to race with all these proven facts of all
4 the things that went wrong this summer.

5 Why do we even have these meetings? And why do
6 you even vote? Because you never not vote against
7 something.

8 Thank you.

9 CHAIRMAN FERRARO: Next please.

10 OPERATOR: Our next comment comes from citizen
11 Lynn Freudenberg.

12 MS. FREUDENBERG: Hi there.

13 CHAIRMAN FERRARO: Go ahead please.

14 MS. FREUDENBERG: Thank you for hearing my
15 comments.

16 Hey, I'm just -- I listen to these Board
17 meetings. In the last couple of months, I became an
18 activist because I'm seeing so many deaths and no answers
19 for it. I'm seeing that the California Horse Racing Board
20 is not even tracking any of the missing-in-action horses.
21 Activists keep asking, like, hey, you know, what's going on
22 with this horse? Why isn't it being listed? And nothing.

23 You guys have a responsibility to the public to
24 show where the horses are going to, where they're ending up
25 at after an injury on your -- under your watch.

1 To follow up with that, Dr. Wilson, Dr. Holly
2 Wilson, she mentioned Angela Maria Aquino's horse that has
3 been missing in action. She has another one that I
4 mentioned earlier and that was Captivating Cartel, raced at
5 Los Alamitos on January 24th, 2020, vanned off and never
6 heard of again.

7 And another reason why the activists are calling,
8 too, is all the deaths on the horse racing tracks, I mean
9 constant deaths ongoing. You guys had an emergency meeting
10 at Los Alamitos back in July to suspend their license, then
11 gave them the opportunity to race. They race and eight
12 more deaths happen. Not once has anybody mentioned about
13 going back to find out, what did we do wrong, as a Board,
14 to fail the horses again? And it just seems like, okay,
15 let's just rubberstamp it and let them keep racing. I
16 mean, it sounds like a P.R. stunt to act like you really
17 care but you don't.

18 It sounds like everything I listen to about like
19 the Horse Integrity Act, it's all about how much money it's
20 going to cost you and how much money you can make off the
21 event, not about the welfare of the horses.

22 You know, failure to handle a crisis is one good
23 way of going out to business. You're failing with COVID.
24 You have people that are disrespecting the workers that
25 live there, Mr. Perry, who just is like spewing his breath

1 into other people.

2 CHAIRMAN FERRARO: Two minutes.

3 MS. FREUDENBERG: Anyways --

4 CHAIRMAN FERRARO: You're two minutes are up.

5 MS. FREUDENBERG: -- you know, it says that you
6 guys love them like family. I'm so happy I'm not in your
7 family --

8 CHAIRMAN FERRARO: Wrap it up now.

9 MS. FREUDENBERG: -- because it's all about the
10 money.

11 CHAIRMAN FERRARO: Next please.

12 OPERATOR: Our next comment will come from animal
13 advocate Tony Falcone.

14 CHAIRMAN FERRARO: Go ahead please.

15 MS. FALCONE: Hello? Hi.

16 CHAIRMAN FERRARO: Yes. Go ahead.

17 MS. FALCONE: If you notice, of the 40 million
18 members of the public in California, there's not one person
19 not affiliated with the industry that attends these
20 meetings to state that they want to keep horse racing, not
21 one. The only people that are members of the public that
22 care enough to attend these meetings all state that we do
23 not want horse racing.

24 Like I said before, we're tired of the
25 corruption. We're tired of the exploitation. We're tired

1 of seeing horses die every single day while you guys pat
2 yourselves on the back, what a great job you're doing.

3 Del Mar calls themselves the safest track in the
4 country when they kill horses every single meet. What does
5 that say about the industry? If we were talking about dogs
6 right now, this would be considered illegal.

7 I'm not just trying to make this a personal
8 attack, and I hope you let me finish what I have to say,
9 but we are tired of your open disdain, especially from you,
10 Chairman Ferraro, for the public. And this message is for
11 all of the Board.

12 While it is true you are not paid for your
13 position, you volunteered for this Board. Listening to the
14 wants of the public is part of your duty. So is listening
15 to criticism. It is not your job to decide what you feel
16 is relevant to an agenda item and, really, cut us off
17 because you don't like what we have to say, while letting
18 industry people in public comment sections drone on. You
19 have absolutely no right to cut us off during a public
20 comment agenda item. This is supposed to be freedom of
21 speech.

22 It is your duty to listen, to weight the wants of
23 the public and what is morally and ethically right for the
24 horses, for the workers, not the collective pocketbooks of
25 the elite. If you guys are not able to do that, you should

1 step down from your Board position.

2 Thank you.

3 CHAIRMAN FERRARO: Next please.

4 OPERATOR: Our last comment in queue will come
5 from concerned California resident Denise Bolbol.

6 CHAIRMAN FERRARO: Go ahead please.

7 MS. BOLBOL: What happened?

8 CHAIRMAN FERRARO: Go ahead.

9 MS. BOLBOL: Shit. My cell phone is really
10 giving me a problem.

11 CHAIRMAN FERRARO: Well, go ahead and say what
12 you want.

13 MS. BOLBOL: To do that, you should check in from
14 your Board position. Thank you.

15 CHAIRMAN FERRARO: Next please. Next. Next
16 please.

17 OPERATOR: Our next comment in the queue will
18 come from concerned -- at this time the questioning --
19 commenting queue is clear.

20 CHAIRMAN FERRARO: All right. I want to thank
21 all the Commissioners for their participation today. Thank
22 you for joining the meeting.

23 And can I have a motion to adjourn?

24 COMMISSIONER CASTELLANOS: Motion. Castellanos.

25 COMMISSIONER MITCHELL: So moved. Commissioner

1 Mitchell.

2 CHAIRMAN FERRARO: Let's take the vote.

3 Commissioner Gonzales?

4 VICE CHAIRMAN GONZALES: Yes.

5 CHAIRMAN FERRARO: Commissioner Alfieri?

6 COMMISSIONER ALFIERI: Yes.

7 CHAIRMAN FERRARO: Commissioner Castellanos?

8 COMMISSIONER CASTELLANOS: Yes.

9 CHAIRMAN FERRARO: Commissioner Davis?

10 COMMISSIONER DAVIS: Yes.

11 CHAIRMAN FERRARO: Commissioner Mitchell?

12 COMMISSIONER MITCHELL: Yes.

13 CHAIRMAN FERRARO: And the Chairman votes to
14 adjourn.

15 Have a nice rest of the day. See you next month.

16 Thank you.

17 (The teleconference regular meeting of the
18 California Horse Racing Board adjourned at 1:02 p.m.)

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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 30th day of September, 2020.



MARTHA L. NELSON, CERT**367

CERTIFICATE OF TRANSCRIBER

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

September 30, 2020