



APPEARANCES

COMMITTEE MEMBERS

Chuck Winner, Chair  
Madeline Auerbach, Vice Chair  
Araceli Ruano, Commissioner  
Alex Solis, Commissioner  
Fred Maas, Commissioner  
Dennis Alfieri, Commissioner  
Gregory Ferraro, Commissioner

STAFF

Rick Baedeker, Executive Director  
Jacqueline Wagner, Assistant Executive Director  
John McDonough, Chief Counsel  
Robert Brodник, Staff Counsel  
Rick Arthur, Equine Medical Director  
Mike Marten, Associate Analyst

ALSO PRESENT

Jack Liebau, Los Alamitos  
Greg Avioli, Thoroughbred Owners of California  
Alan Balch, California Thoroughbred Trainers  
Eric Sindler, Santa Anita Race Track, San Luis Rey Down,  
Pacific Racing Association II, Los Angeles Turf Club II,  
and Golden Gate Fields

APPEARANCES

ALSO PRESENT

Orlando Gutierrez, Los Alamitos Race Course

Dionne Benson, The Stronach Group

Dino Perez

Tim Ritvo, The Stronach Group and Santa Anita Race Track

Craig Fravel

Darrell Haire, Jockeys' Guild

Mary Forney, Thoroughbred Owners of California

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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 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

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P R O C E E D I N G S

9:34 A.M.

DEL MAR, CALIFORNIA, THURSDAY, JULY 18, 2019

CHAIRMAN WINNER: Good morning, ladies and gentlemen. This meeting of the California Horse Racing Board will please come to order. Please take your seats. This is the regular noticed meeting of the California Horse Racing Board on Thursday, July 18, 2019 at the Hilton San Diego, Del Mar Hilton, 15575 Jimmy Durante Boulevard, Del Mar, California.

Present at today's meeting are myself, Chuck Winner, Chairman; Madeline Auerbach, Vice Chairman; Commissioner Dennis Alfieri; Commissioner Dr. Gregory Ferraro, Commissioner Fred Maas; Commissioner Araceli Ruano; and Commissioner Alex Solis.

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

In order to ensure all individuals have an opportunity to speak and the meeting proceeds in a timely

1 fashion, I'll strictly enforce the three-minute time limit  
2 rule for each speaker. The three-minute time limit rule  
3 will be enforced during discussion of all matters as stated  
4 on the agenda, as well as during the public comment period.

5           There's a public comment sign-in sheet for each  
6 agenda matter on which the Board invites comments. Also,  
7 there's a sign-in sheet for those wishing to speak during  
8 the public comment period for matters not on the Board's  
9 agenda if it concerns horse racing in California. Please  
10 print your name legibly on the public comment sign-in sheet.

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

18           When all the names have been called, I'll ask if  
19 there's anyone else who would like to speak on the matter  
20 before the Board. Also, the Board may ask questions of  
21 individuals who speak on any matter. If a speaker repeats  
22 himself or herself, I'll ask if the speaker has any new  
23 comments to make. If there's none - if there are none, the  
24 speaker will be asked to let others make comments to the  
25 Board.

1           Let me begin by introducing our new member, Dr.  
2 Greg Ferraro. We're all very excited that Dr. Ferraro has  
3 been appointed. We thank the Governor for making that  
4 appointment. And those of you who know him know of his  
5 history. Rick will go into that a little bit during his  
6 comments.

7           I also want to say hi to our former Board  
8 Member, Board Derek, who's in the audience. We miss you. We  
9 really miss you. Welcome.

10           All right. Let's start with the approval of the  
11 minutes of the June 20th meeting. Are there any comments,  
12 changes, corrections to the minutes? Anybody? Is there a  
13 motion to approve?

14           VICE CHAIR AUERBACH: So moved.

15           CHAIR WINNER: It's been moved by Vice Chair  
16 Auerbach, seconded by --

17           COMMISSIONER ALFIERI: Second.

18           CHAIR WINNER: -- seconded by Commissioner  
19 Alfieri.

20           Commissioner Alfieri?

21           COMMISSIONER ALFIERI: Yes.

22           CHAIR WINNER: Commissioner Maas?

23           COMMISSIONER MAAS: Yes.

24           CHAIR WINNER: Commissioner Solis?

25           COMMISSIONER SOLIS: I wasn't here.

1 CHAIR WINNER: Oh, Commissioner Solis abstains  
2 since he wasn't at the meeting.

3 Vice Chair Auerbach?

4 VICE CHAIR AUERBACH: Yes.

5 CHAIR WINNER: Commissioner?

6 COMMISSIONER RUANO: Abstain.

7 CHAIR WINNER: Abstain also. And Commissioner  
8 Ferraro abstains. The Chairman votes yes. That is  
9 approved.

10 The Executive Director's Report.

11 EXECUTIVE DIRECTOR BAEDEKER: Thank you, Mr.  
12 Chairman. I'm going to deflect the credits for Dr. Ferraro  
13 to our own Dr. Arthur since he has known him for so many  
14 years, dating back to a private practice here at all the  
15 California tracks, as well as all of his great work at UC  
16 Davis. And I'm afraid that I would do him injustice with my  
17 lack of knowledge.

18 DR. ARTHUR: Sure. Dr. Arthur, Equine Medical  
19 Director.

20 I've known Greg since I was in vet school. He was  
21 one of the young Turks (phonetic) that came into  
22 veterinarian medicine in the '70s with Joe Cannon. And they  
23 actually set the standard for racetrack practice around the  
24 country that still hasn't been matched at the Southern  
25 California thoroughbred circuit. He developed the equine

1 hospital system that we benefit from greatly in Southern  
2 California. It's developed into a really rather unique  
3 situation here at Santa Anita. And Greg has also been  
4 involved in many of the early efforts to bring research in  
5 the racetrack that really was lacking previously.

6           So after his practice, he is a very, very talented  
7 surgeon, he took the position at UC Davis as Director of the  
8 Center for Equine Health and did a great job there for many  
9 years and was a leader in the university up there and got an  
10 awful lot done.

11           So I kind of followed in his footsteps a few years  
12 later and became Equine Medical Director. And I think both  
13 of us have been very interested in using research and  
14 science to better veterinary medicine and racetrack safety.

15           So I'm very excited to have Greg onboard. He  
16 understands the business as well as anybody, certainly from  
17 my area, and I certainly welcome Greg onboard and excited to  
18 work with him.

19           CHAIR WINNER: Thank you very much, Doctor. We  
20 all are excited to work with Dr. Ferraro.

21           EXECUTIVE DIRECTOR BAEDEKER: I have one other  
22 thing.

23           CHAIR WINNER: Continue your -- yeah, if you want.

24           EXECUTIVE DIRECTOR BAEDEKER: I'll just add to  
25 that, you know, at the risk of offending the current Board,

1 but I have never experienced such enthusiasm for the  
2 appointment of a Commissioner as has been the case with Dr.  
3 Ferraro.

4           If you've got any enemies, Doctor, they've been  
5 silent. So it really has been refreshing. And I think we  
6 all recognize the importance of his appointment at this  
7 particular time in California racing.

8           I just have notes about the financials.  
9 Obviously, the financials are skewed this year because of  
10 the lack of the comparison in number of days. For the month  
11 of June, last year there were 49 programs run during night  
12 and day, this year 43, so the total business was down 17  
13 percent. But if you compare it -- if you do an average  
14 daily handle last year versus this year it's a drop of five  
15 percent. And the same thing applies to the year-to-date  
16 comparison. Last year at this time through June we had had  
17 311 programs, daytime and nighttime, versus 282 this year.  
18 And that daily average is down about three percent this year  
19 versus last year.

20           And that's my report, Mr. Chairman.

21           CHAIR WINNER: Thank you.

22           We are going to remove item number nine from the  
23 agenda. Item number nine is out.

24           We'll go on to item number three, discussion and  
25 action by the Board on the Application for License to

1 Conduct a Horse Racing Meeting of the Los Angeles County  
2 Fair at Los Alamitos, commencing September 4th, 2019 through  
3 November 5th, 2019, inclusive.

4 Jack?

5 I think there's, what -- have the -- Jackie, where  
6 are you Jackie? Jackie, are all of the documents in? I  
7 noticed there were some that were not in, the horsemen's  
8 agreement --

9 MS. WAGNER: Jackie --

10 CHAIR WINNER: -- or, I'm sorry, yeah, the owners'  
11 agreement and the stabling and vanning agreement?

12 MS. WAGNER: Those agreements are still  
13 outstanding. We do --

14 CHAIR WINNER: Pardon me?

15 MS. WAGNER: We do not have the TOC agreement or  
16 the stabling and vanning agreement. We have the stabling  
17 agreement. They're missing a couple of signatures. The TOC  
18 agreement, we do not have.

19 CHAIR WINNER: Okay.

20 Jack?

21 MR. LIEBAU: Greg Avioli is here and I think he  
22 will be of help to me.

23 With respect to the stabling agreement, that is  
24 missing two signatures, namely the signatures of Santa Anita  
25 and San Luis Rey Downs. I don't know whether this has,

1 frankly, fallen through the crack or whether there's a  
2 problem in securing those signatures.

3           The stabling agreement that was applicable to 2019  
4 was unanimously approved by the committee. And all of the,  
5 at least San Luis Rey and Santa, have been accepting the  
6 monthly payments that are payable to them, so I don't think  
7 there's any question about there being a contract and the  
8 contract being in existence.

9           CHAIR WINNER: Well, we have -- I think I saw Tim  
10 and Aden and Eric are here and, also, Greg is here, so we  
11 can resolve that.

12           You want to make your -- go through the rest of  
13 the presentation --

14           MR. LIEBAU: And then --

15           CHAIR WINNER: -- and then we'll resolve that?

16           MR. LIEBAU: -- with respect to the TOC agreement,  
17 I was advised this morning that TOC wants to make a change  
18 in that, and the change, Greg can explain it to you, but I  
19 don't think their or any racing association will be opposed  
20 to the language that they want to change in that agreement -  
21 -

22           CHAIR WINNER: All right.

23           MR. LIEBAU: -- although I have not seen the  
24 language. But it's never been -- in all my years, we've  
25 never worried about that language. It's always between TOC

1 and its owners.

2 With respect to the fair meet, the main  
3 difference, I think, is as far as the stakes' schedule is  
4 concerned, we no longer have the two Barretts stakes' races  
5 and they -- we have substituted them. We have the same  
6 number of stakes' races as we've previously had, five.

7 VICE CHAIR AUERBACH: Chuck, do we want to, if  
8 they have this many things that are not settled, do we want  
9 to let them settle them and bring it back next month? Do we  
10 want to try that?

11 CHAIR WINNER: Well, I think we -- I think we --

12 MR. LIEBAU: Well, I think that --

13 CHAIR WINNER: -- we need to move.

14 MR. LIEBAU: -- I would -- I think as far as -- I  
15 think you can inquire, as you said, from --

16 CHAIR WINNER: Yeah.

17 MR. LIEBAU: -- Mr. Ritvo as to the status of the  
18 stabling agreement.

19 But, I mean, there have been licenses up to this  
20 point in time that have been granted by you. Maybe they  
21 shouldn't have been because -- but, I mean, that's the  
22 agreement that's been on file with the CHRB since the  
23 beginning of the year. And it's come to the attention, I  
24 think, of the staff that it's missing two signatures on it.

25 As far as the TOC agreement, I think Greg can

1 speak to that. But I think I can assure you that if it's  
2 the usual thing and if the only provision is the one that I  
3 think Greg will talk to you about, we would have no problem  
4 with that.

5 CHAIR WINNER: All right. So let's do this, Jack,  
6 why don't you stand by? Let's first bring up Greg --

7 MR. LIEBAU: Yeah.

8 CHAIR WINNER: -- if he doesn't mind, and then  
9 we'll bring up The Stronach Group folks and they can respond  
10 to both the Santa Anita and the San Luis Rey vanning issue.

11 MR. AVIOLI: Good morning. Greg Avioli, TOC.

12 CHAIR WINNER: Good morning, Greg.

13 MR. AVIOLI: Commissioner Ferraro, welcome.

14 Jack's correct. As I notified Executive Director  
15 Baedeker before this meeting, for both his meeting, as well  
16 as the Golden Gate to come, there is one key provision that  
17 has not been negotiated yet. And the TOC Board unanimously  
18 directed me not to sign the agreement until it's negotiated.

19 That agreement, as you might guess, is that issue -- is  
20 around the due process issue that we're currently, as we  
21 speak, I guess the hearing is going on with Mr.  
22 Hollendorfer.

23 We have a provision in the TOC horsemen's  
24 agreement that purports to address the issue of what happens  
25 if the track would like and owner and that owner's trainer

1 to leave. But candidly, it has been focused on -- it's  
2 poorly written. It doesn't address the issues of the day.

3 We would like to have the same provision with all  
4 the tracks in California, including CARF, Golden Gate, Los  
5 Al, Santa Anita, Del Mar. We had a special TOC board  
6 meeting on this last week. We're going to be discussing  
7 language tomorrow. And I believe that this is an issue, as  
8 Mr. Liebau said, that would can all agree upon.

9 There could be some back and forth pushback here,  
10 to be candid, because at one instance you have some tracks  
11 potentially taking the position the track is private  
12 property and we say what goes. At the other instance you'd  
13 have the horsemen saying we're going to dictate the terms to  
14 the tracks of who can stay and who can leave. Well, neither  
15 one of those is going to work. It's going to have to be  
16 somewhere in the middle.

17 And as I have explained to racetrack management  
18 throughout the state the private property issue is an  
19 excellent issue if you'd like to do something other than  
20 conduct thoroughbred racing on your property. But we have  
21 established rules and procedures that if you want  
22 thoroughbred racing on your property you do it pursuant to  
23 an agreement with the horsemen under the conditions for  
24 that.

25 So the question of who can come and who can go, we

1 believe, is absolutely something that needs to be addressed  
2 in the horsemen's agreement. For a variety of reasons,  
3 dating back 30 years, it hasn't been addressed  
4 satisfactorily, so now we're going to address it. I think  
5 we can get this done in a matter of a week or two. But I --  
6 if there are any issues prior to, say, the opening of the  
7 Golden Gate, reminiscent of, I think it was two years ago,  
8 we might be back to the CHRB to say this is the one issue  
9 we'd like your assistance in, essentially arbitrating or  
10 dictating the term on. If you recall, you did that with the  
11 TOC, the Santa Anita horsemen's agreement, I think at the  
12 end of 2016.

13 CHAIR WINNER: Yeah.

14 MR. AVIOLI: So that's where we are. We  
15 apologize. I take full responsibility for these agreements  
16 not being done. I can tell you, every other provision in  
17 the agreement is done. We have agreed with everything, both  
18 for Los Al and Golden Gate. This is the only outstanding  
19 issue.

20 Real quick, on the stabling and vanning issue, I'm  
21 the chairman of that committee, we voted unanimously on that  
22 agreement. It has been in place. It has been funded  
23 throughout the year. For whatever reason, I think Eric  
24 Sindler can address, The Stronach Group has not signed the  
25 agreement but we are acting pursuant to it. And in my

1 opinion it's full in force and it should not be an issue.

2 CHAIR WINNER: Thank you. Thank you, Mr. Avioli.

3 MR. AVIOLI: Thank you.

4 CHAIR WINNER: Rob, do you want to comment on  
5 this, on these issues from our perspective?

6 MR. BRODNIK: Robert Brodник, California Horse  
7 Racing Board.

8 Just with regard to this issue, when doing some  
9 research, Business and Professions Code section 19613.1  
10 states that, with regard to thoroughbred racing,

11 "The Board shall determine which matters shall be the  
12 subject of negotiation and contract between the owners'  
13 organization and the association."

14 And subsection (b) says,

15 "The owners' organization shall generally be  
16 responsible for negotiating purse agreements, satellite  
17 simulcast agreements, and all other business agreements  
18 related to the conduct of racing that effects the  
19 owners, and the trainers' organization shall be  
20 generally responsible for negotiating issues related to  
21 the backstretch, track safety, and welfare of the  
22 backstretch employees."

23 So with regard to that, you know, I have not seen  
24 the language that the TOC is referencing. But it seems that  
25 the TOC's contracting powers really relate to the purse

1 agreements, the simulcast -- satellite simulcast agreements,  
2 and all other agreements related to the conduct of racing  
3 that effects the owners.

4 EXECUTIVE DIRECTOR BAEDEKER: Rob, can you also  
5 comment on the implication, if any, on our Rule 1989 that  
6 says any person may be removed or denied access for any  
7 reason deemed appropriate by the association? Is it  
8 permissible for an agreement submitted to the Board to  
9 contradict or, essentially, supersede a CHRB rule?

10 MR. BRODNIK: There's a provision under 1989(b)  
11 that says that any person -- it says,

12 "The association, fair or simulcast may remove from its  
13 premises -- any person may be removed or denied access  
14 for any reason deemed appropriate by the association,  
15 fair or simulcast facility."

16 Notwithstanding the fact that such reason is not  
17 specified in the rules, and within that rule those reasons  
18 can be intoxication, begging, soliciting.

19 (Colloquy between Vice Chair Auerbach and Chairman  
20 Winner)

21 MR. BRODNIK: There's a provision that says, under  
22 1437 of our Rule Book, Conditions of a Race Meeting,

23 "The association may impose conditions for its race  
24 meeting as it may deem necessary provided that such  
25 conditions may not conflict with the rules, regulation

1 or orders of the Board and such conditions are  
2 published in the Condition Book.”

3 I believe, is that what you're referring to?

4 EXECUTIVE DIRECTOR BAEDEKER: Yeah. So in  
5 short --

6 CHAIR WINNER: Yeah.

7 EXECUTIVE DIRECTOR BAEDEKER: -- this is a very  
8 complicated legal issue at this particular time. And we've  
9 got two race meets under consideration here today that both  
10 have this conflict, if you will. And so it's clear that  
11 there needs to be significant discussion and understanding  
12 of exactly what the issue is. Also, there's a court case  
13 pending, a court action, so the best interest of these meets  
14 is also in question and all the people that work at those  
15 meets and so forth. So the timing of this is difficult.

16 MR. LIEBAU: I think so.

17 CHAIR WINNER: Go ahead, Jack.

18 MR. LIEBAU: And my memory is to as good as it  
19 used to be. It's been a long time since I've read the  
20 regulations. But I think if the track ejects somebody, that  
21 they have a right to a hearing. Isn't that true or not?

22 MR. BRODNIK: Robert Brodник, California Horse  
23 Racing Board.

24 CHAIR WINNER: Can you bring your mike a little  
25 closer? It's hard for us to hear you.

1 MR. BRODNIK: Sorry. Robert Brodник, California  
2 Horse Racing Board.

3 Under section 1980, which -- of our Rule Book --  
4 indicates a certain, I would call it a class of people that  
5 are prohibited from participating in parimutuel wagering,  
6 that includes people who have been convicted of bookmaking -  
7 -

8 CHAIR WINNER: Right.

9 MR. BRODNIK: -- people who have been convicted of  
10 touting, situations like that.

11 Under 1980 the rules place an affirmative  
12 obligation on the track to exclude those people from being  
13 within their premises. If the track exercises that  
14 responsibility and excludes someone as a class of a  
15 prohibited person, then that person can apply for a hearing  
16 to either establish that they're not within that class, that  
17 they got the wrong person, or that they've been  
18 rehabilitated and they shouldn't be excluded from the  
19 premises.

20 That regulatory analysis, if you follow, between  
21 1980 and 1988 creates kind of the process in which that  
22 person who's been excluded would petition or apply for a  
23 hearing and then the procedure that would occur, ultimately  
24 being a Board determination of whether to affirm the track's  
25 exercise of exclusion or to overturn it. And that's because

1 the track -- we're requiring the track to do this. We're  
2 saying if these people are on your premises, you have to  
3 keep them off. And so the tracks, you know, then have --  
4 that's why this process exists.

5 And that same process does not exist for 1989(b)  
6 because the track is taking an action under what they see  
7 fit.

8 CHAIR WINNER: Yeah.

9 MR. BRODNIK: So it would be --

10 CHAIR WINNER: Their decision.

11 MR. BRODNIK: Right. And it would be very, very  
12 hard for us to -- us to qualify why they've chosen to do so.

13 And if you consider the other reasons under 1989(b), for  
14 example, you know, being intoxicated, obviously, we would  
15 likely want the track to exercise --

16 CHAIR WINNER: Right.

17 MR. BRODNIK: -- that ability, probably, for the  
18 safety of that person and others at the racetrack so it's a  
19 safe environment.

20 So, no, under 1989(b) there's no hearing that  
21 would occur.

22 EXECUTIVE DIRECTOR BAEDEKER: And, Mr. Chairman,  
23 this whole discussion, I think, points out that this is a  
24 complicated issue. And we're -- we have a timeline here  
25 that --

1 CHAIR WINNER: Right.

2 EXECUTIVE DIRECTOR BAEDEKER: -- may preclude a  
3 thoroughbred discussion of these things. And even to be,  
4 you know, kind of discussing it in this forum ad hoc and  
5 without much -- enough preparation is probably unfair to all  
6 parties.

7 MR. LIEBAU: I think also --

8 CHAIR WINNER: Yeah.

9 MR. LIEBAU: -- after hearing Greg's explanation,  
10 I think that this is going to be an issue that's going to  
11 involve more than the Los Angeles County Fair and TOC --

12 CHAIR WINNER: Yes.

13 MR. LIEBAU: -- in that it's going to be TOC and  
14 all of the racing associations --

15 CHAIR WINNER: Yeah.

16 MR. LIEBAU: -- are going to have to --

17 CHAIR WINNER: Yes.

18 MR. LIEBAU: -- come to grips with the issue  
19 that's been raised.

20 CHAIR WINNER: Yeah. We agree, Jack.

21 MR. LIEBAU: One thing that has been done,  
22 sometimes, in the past is that it sort of operated on the  
23 basis of the race meet agreement that was in effect from the  
24 prior meet.

25 CHAIR WINNER: Yeah. So that is exactly right.

1 One of the things that the Board can do is to grant the  
2 license based on the agreement from the prior meet, as you  
3 just suggested, or we could grant it -- you're saying, no,  
4 we can't, Rob?

5 MR. BRODNIK: I think that the provision that I  
6 found is with regard to Quarter horses, that's true.

7 MR. LIEBAU: It is but --

8 CHAIR WINNER: Well --

9 MR. LIEBAU: -- there has been times when that  
10 provision has been put over for thoroughbreds also.

11 MR. BRODNIK: Okay.

12 EXECUTIVE DIRECTOR BAEDEKER: But then, Rob,  
13 doesn't the Board have that option, even if it's not  
14 stipulated in there, to --

15 MR. BRODNIK: If that's what the --

16 EXECUTIVE DIRECTOR BAEDEKER: -- as a condition of  
17 licensure?

18 MR. BRODNIK: Sure. I think if the Board -- if  
19 that's what's accepted by the party then the Board can --

20 CHAIR WINNER: Pardon me? Say that again.

21 MR. BRODNIK: If that's what's accepted by the  
22 party, if the condition is that they continue under the same  
23 race meet and the party agrees, then --

24 CHAIR WINNER: Well, but do both parties have to  
25 agree?

1 MR. LIEBAU: One of -- I have to sort of chuckle  
2 because one of my predecessors, Don Robbins, argued that  
3 very eloquently several times before this Board many years  
4 ago.

5 CHAIR WINNER: What did he argue? What side did  
6 he argue?

7 MR. LIEBAU: That you look at the preceding.

8 CHAIR WINNER: Yeah. Well, I mean, we can grant a  
9 license contingent on receiving but the problem is that  
10 leaves everybody in limbo. And you have jobs at stake. You  
11 have all kinds of issues at stake with respect to owners,  
12 trainers, all of the employees, et cetera. I mean, our  
13 options, it seems to me, are limited. And one of those  
14 options is that, in the best interest of racing, and you  
15 correct me if I'm wrong, counselor, in the best interest of  
16 racing could we not grant the license based on the prior  
17 agreement?

18 MR. BRODNIK: I'm sorry. Say that last part  
19 again, Chairman. Not grant the license based on --

20 CHAIR WINNER: No. Can we grant the license based  
21 on the prior agreement? In other words, what Jack was  
22 raising, and you said it just applies to Quarter horses,  
23 what if -- what would happen if we made the decision to  
24 proceed based on that same understanding? And as Executive  
25 Director Baedeker said, even though it's not specifically

1 stated it's not specifically prohibited either; correct?

2 MR. BRODNIK: I have not seen anything that  
3 prohibits that, correct.

4 CHAIR WINNER: Okay. All right. We're going to  
5 take this a little bit at a time here.

6 I think, Alan, did you want to speak, and then  
7 we'll -- and then Greg, or how do you want to -- either way  
8 you folks want?

9 Go ahead, Greg.

10 MR. AVIOLI: Yeah. Just to be clear, our intent  
11 is not to stop either one of these race meets.

12 CHAIR WINNER: I can't hear you.

13 VICE CHAIR AUERBACH: You know, it's really hard  
14 to hear you.

15 MR. AVIOLI: I'm sorry. I don't know if the  
16 mike's on. I'm usually pretty loud. Greg Avioli, TOC.

17 Our intent here is not to prohibit either one of  
18 these race meets from going forward. It's, as everyone  
19 said, it's a complex issue. We have until the Golden Gate  
20 meet starts in August, in my opinion, to work it out. But I  
21 really wanted to go back to what the Chairman did two years  
22 ago with the Santa Anita meet where we were deadlocked in a  
23 number of issues. And as I recall you conditionally  
24 approved the license. You instructed the parties to do  
25 their best to work out the issue with

1 the --

2 CHAIR WINNER: Correct.

3 MR. AVIOLI: -- understanding that if not done by  
4 a date certain you, sir, the Chairman, would decide. You  
5 had the authority under the rules to make that decision.

6 So that's what we would like. We're fine with  
7 that. You can approve it as is, give us the chance to work  
8 it out, and if we can't, you get to come in and set what  
9 it's going to be. Whether it's the previous language,  
10 whether it's the something different, we're okay with that.

11 CHAIR WINNER: Okay. Thank you.

12 MR. AVIOLI: You're welcome.

13 CHAIR WINNER: Jack or Alan? Who's next?

14 MR. LIEBAU: Alan.

15 CHAIR WINNER: Now I understand, Alan, correct me  
16 if I'm wrong, obviously, the decision of the court is going  
17 to have an impact on all of this stuff. And the court has  
18 now put this over until the 26th, is that correct, the  
19 Judge?

20 MR. BALCH: Alan Balch, California Thoroughbred  
21 Trainers.

22 My information from San Diego is that the judge  
23 this morning said that the complaint and paperwork before  
24 him was too complex to make a decision today, so he wants to  
25 review all the pleadings, if that's the right -- briefs,

1 whatever, is the correct terms, Mr. Brodник, I don't know,  
2 but -- and have time to review it and will hear this on -- a  
3 week from today, the 26th.

4 CHAIR WINNER: Okay.

5 MR. BALCH: But I'd like to make a few other  
6 points.

7 First of all, as to this particular matter,  
8 including --

9 CHAIR WINNER: Did you introduce yourself, Alan?

10 MR. BALCH: I did.

11 CHAIR WINNER: Thank you.

12 MR. BALCH: As to this particular matter and,  
13 actually, with the other license applications on the agenda,  
14 the CTT race meet agreements are in place. They cover this,  
15 very clearly cover it, in many cases, in agreements,  
16 elaborate agreements that the Racing Board has approved  
17 without exception in the last nine years that I've been  
18 doing this. So those agreements are in effect and they take  
19 up these -- they address these matters.

20 Just for the record, I'd like to remind the Board  
21 that we have, under Rule 2043, a formal letter to the Racing  
22 Board which seeks the Racing Board's immediate  
23 investigation, is the term in 2043, of a dispute between the  
24 horsemen's organization, that is the CTT, and the racing  
25 association at Del Mar.

1           So the third point, however the Board decides to  
2 address this, I just want to make sure that the California  
3 Thoroughbred Trainers is involved in the discussion because,  
4 obviously, we're talking about our members, our licensees,  
5 and area, in which Mr. Brodnik has pointed out, that we  
6 think is critical for the CTT race meet to -- race meet  
7 agreements to address.

8           And finally, I'm not a lawyer, Mr. Avioli says I  
9 play one on TV, but I have been advised that the Supreme  
10 Court of the United States in the past has taken up this  
11 very issue. And in states like California, which has a  
12 state regulation of these matters in place, that so-called  
13 fair procedure must be provided to a licensee, a horseman,  
14 who is subject to exclusion.

15           So that takes us back to Mr. Liebau's point that  
16 we believe strongly that fair procedure, it's not due  
17 process because there's no state action involved, but, quote  
18 unquote, "fair procedure" should be provided to an  
19 individual who is subject to exclusion.

20           Those are my comments.

21           CHAIR WINNER: Thank you, Mr. Balch.

22           MR. BALCH: Thank you.

23           CHAIR WINNER: Jack, do you want to continue?

24           MR. LIEBAU: I think it now goes without saying  
25 that this is a very complicated issue.

1 CHAIR WINNER: Yes.

2 MR. LIEBAU: And whatever -- the decision is not  
3 going to be made by the Los Angeles County Fair and TOC. I  
4 mean, there are ramifications for every racing association.  
5 And I think that we're going to need some time --

6 CHAIR WINNER: Yeah.

7 MR. LIEBAU: -- for the racing associations and  
8 the TOC to confer and come up with a solution that's --

9 CHAIR WINNER: Now are you acceptable to the --

10 MR. LIEBAU: -- mutually acceptable.

11 CHAIR WINNER: Are you acceptable to the point  
12 that Alan made with respect to CTT's involvement in ongoing  
13 discussions?

14 MR. LIEBAU: I don't have any problem with that. I  
15 look on CTT as an important segment of our industry --

16 MR. BALCH: Thank you, Jack.

17 MR. LIEBAU: -- of importance.

18 You'll remember that, I'm sure.

19 CHAIR WINNER: Obviously, if the judge said it's a  
20 complicated issue it's also a complicated issue for us.

21 MR. LIEBAU: And I think Mr. Ritvo, I think, told  
22 me that there was no problem with respect to them executing  
23 the stabling agreement.

24 CHAIR WINNER: Well, can we get either Eric or  
25 Tim, or whomever, representing both San Luis Rey and Santa

1 Anita up here?

2 MR. SINDLER: Eric Sindler on behalf of Santa  
3 Anita and San Luis. And, yes, Jack is correct.

4 CHAIR WINNER: Thank you.

5 MR. LIEBAU: I would hope that you would approve  
6 our application and we could proceed.

7 Thank you.

8 VICE CHAIR AUERBACH: I just had one comment --

9 CHAIR WINNER: Please go ahead.

10 VICE CHAIR AUERBACH: -- if I can get the  
11 microphone. Sorry about that.

12 I think that the lines are so blurred now between  
13 the time that the regulations were written and where we are  
14 today between owners and trainers. And I think that when  
15 all the regulations and rules were written we knew which  
16 organization represented which person. And now I think the  
17 lines are definitely blurred between who has standing, at  
18 least from a legal point of view, to represent an owner and  
19 who has standing to represent a trainer when so many of  
20 these items are now comingled. So I think that that adds  
21 something further to the legal debate. I just -- it's, in  
22 my view, very complicated from that.

23 And then I had one other question about the actual  
24 license that --

25 MR. LIEBAU: I would not differ with you but I'm

1 not sure it was ever clear.

2 VICE CHAIR AUERBACH: Okay. Well, maybe. I don't  
3 go back. I know I'm old but I don't go all the way back to  
4 when they first did all this stuff, so --

5 MR. LIEBAU: You can't pull the old one on me  
6 because I've got you there --

7 VICE CHAIR AUERBACH: Okay.

8 MR. LIEBAU: -- by far.

9 VICE CHAIR AUERBACH: I'll gladly give it to you.

10 CHAIR WINNER: Okay. Hold on.

11 Alan, go ahead.

12 MR. BALCH: Alan Balch again.

13 Just to add to what Commissioner Auerbach just  
14 said, the law specifically states and anticipates that there  
15 will be differences of opinion about what applies to the  
16 owner and the trainer, I think, in a subsequent sentence,  
17 Mr. Brodник, that says, when there is a dispute, it is to be  
18 resolved by the Racing Board, which is exactly what you're  
19 doing, potentially, or we hope you're going to do.

20 (Colloquy between Chairman Winner and Executive  
21 Director Baedeker)

22 VICE CHAIR AUERBACH: While they're talking, let  
23 me ask you a question, Jack, about your request for this  
24 license.

25 You have a very aggressive meet in terms of

1 four days a week.

2 MR. LIEBAU: Yes. I --

3 VICE CHAIR AUERBACH: Do you think that's  
4 realistic --

5 MR. LIEBAU: Well --

6 VICE CHAIR AUERBACH: -- for the inventory  
7 concerns that we have right now, especially considering what  
8 you just went through?

9 MR. LIEBAU: I totally agree with you. And it had  
10 been the practice, at least as far as I know, that we go  
11 with the application, but that we can administratively go  
12 and file something. I would assume that we would not open  
13 on Thursday for sure --

14 VICE CHAIR AUERBACH: Okay.

15 MR. LIEBAU: -- even though that's in our meet.  
16 And, you know, have your fingers crossed as to whether you  
17 can make three days a week. I mean, at our meet we just  
18 concluded I had hoped that we could do ten days in three  
19 weeks and I was proved to be wrong. So, I mean, I think  
20 that that is a concern and hope for the best and see what  
21 happens. But --

22 VICE CHAIR AUERBACH: Okay. Thank you.

23 MR. LIEBAU: -- realistically, I'm not sure we can  
24 do better than three days a week.

25 CHAIR WINNER: Let me ask you this question, Jack.

1           And, Greg, if you might, let's see if we can.

2           You want to pose the language the way you just  
3 suggested it, Rick, which I thought made some sense and see  
4 whether we can get agreement on proceeding, if the Board  
5 agrees to this, and if you agree to it?

6           EXECUTIVE DIRECTOR BAEDEKER: I'll preface the  
7 language with just a discussion.

8           And, Rob, you can correct any language that I  
9 might propose.

10           But we have these two immediate meets, three,  
11 actually, which could be jeopardized by this outstanding  
12 issue. And particularly with the fair meet, we only have  
13 one meeting left in between the start of that meet and  
14 September -- between now and September 4th. And you never  
15 know. I mean, if a meeting, a Board meeting, had to  
16 canceled, then we wouldn't have a race meet.

17           We do have, in progression, we do have the Del Mar  
18 fall meet which would allow time to negotiate this issue  
19 with the best intent of all the parties. And the Board  
20 could be asked to intervene if the stalemate continues.

21           But if parties would agree that the elements of  
22 the agreement, other than this one, are not in dispute and  
23 allow these race meets before the Board today to continue,  
24 then that would seem to be a reasonable timeframe to have  
25 the discussion. And the discussion could also then include

1 whatever comes from the court at that time. And so that  
2 would seem to be an approach that would protect the best  
3 interests of everybody involved.

4           Would there be any disagreement to the Board  
5 taking that approach?

6           MR. AVIOLI: Greg Avioli, TOC. Could I just  
7 clarify what I think you just said?

8           CHAIR WINNER: Yeah. Go ahead.

9           MR. AVIOLI: Are you saying just to basically run  
10 under -- set this issue to the side until the Del Mar fall  
11 meet?

12           EXECUTIVE DIRECTOR BAEDEKER: Yeah, let that be  
13 the target. That's going to be on the agenda fairly soon.

14           MR. AVIOLI: Right.

15           EXECUTIVE DIRECTOR BAEDEKER: So, you know, the  
16 heat will still be up on this issue. We'll have to address  
17 it. We can't let it --

18           MR. AVIOLI: Right.

19           EXECUTIVE DIRECTOR BAEDEKER: -- you know, go  
20 quiet, so --

21           MR. AVIOLI: Right.

22           EXECUTIVE DIRECTOR BAEDEKER: -- we'll have to  
23 address it immediately. And but that removes the jeopardy  
24 from these impending meets that are on the agenda today.

25           MR. AVIOLI: That sounds like a reasonable

1 solution to me.

2 CHAIR WINNER: And then what we would do, Greg, is  
3 ask the parties, as you suggested earlier, to continue  
4 discussions in good faith and try to reach an agreement.  
5 And if, for one reason or another, an agreement can't be  
6 reached, then, as you suggested, probably the chair of the  
7 Board, whoever that is at that time, would step in and help  
8 negotiate.

9 MR. AVIOLI: So the next -- Jack's meet will run,  
10 essentially, with a provision.

11 There is a provision, by the way, in the  
12 agreements governing this, just on a point of order or  
13 whatever. In the beginning, Rob was explaining how this is  
14 not within the purview of the TOC owners' agreement. But,  
15 in fact, there's a provision that's been in all the  
16 agreements governing this in the TOC agreement, it's just  
17 poorly written.

18 But I think that sounds like a reasonable  
19 compromise. I don't have my full board present but I'm  
20 confident they'll agree to it, so I can agree to it right  
21 now.

22 CHAIR WINNER: Okay. Thank you.

23 Jack, do you agree with that?

24 MR. LIEBAU: Yes, I agree with that if Mr. Avioli  
25 assures me that there's nothing in this agreement that I

1 haven't seen that would surprise me, that it's pretty much  
2 the boilerplate that's always there. So if you've got any  
3 hookers in it, let me know.

4 MR. AVIOLI: No hookers that I'm aware of, Jack.

5 MR. LIEBAU: Okay.

6 MR. AVIOLI: It's the same agreement we did last  
7 time.

8 MR. LIEBAU: I agree.

9 CHAIR WINNER: Okay.

10 Mr. Balch, you okay with that?

11 MR. BALCH: If it's the same agreement as last  
12 time, then maybe the simple approach would be to, if the  
13 Board so chooses, to approve the application using the  
14 agreement that was in place for the previous meet.

15 MR. BALCH: Well, Alan Balch, CTT.

16 Our agreement for this season is already signed  
17 and in place.

18 EXECUTIVE DIRECTOR BAEDEKER: Right. Yours is.  
19 Yeah.

20 MR. AVIOLI: Yeah.

21 CHAIR WINNER: Yeah.

22 MR. AVIOLI: I mean, it's not -- Greg Avioli, TOC.  
23 It's not exactly the same. There's some  
24 provisions, reinsurance and things, that have been updated.

25 So I think what we're talking about is the

1 particular section dealing with removal of owners or  
2 trainers from stalls would be the same as in the prior  
3 agreement and the rest is what we've been negotiating. So  
4 it's -- I think we're close to saying the same thing.

5 We don't want to run under the meet from last year  
6 because there's changes in that agreement --

7 CHAIR WINNER: Okay.

8 MR. AVIOLI: -- unrelated to this.

9 CHAIR WINNER: We got that.

10 MR. AVIOLI: Okay.

11 CHAIR WINNER: All right. So I think what we'll  
12 do, Rob, can you just write up a sentence that deals with  
13 this issue so that it's clear and everybody agrees to it?

14 MR. BRODNIK: Yes.

15 CHAIR WINNER: And then we'll come back to this  
16 item?

17 MR. BRODNIK: Yes.

18 COMMISSIONER RUANO: Can I ask a quick question?

19 CHAIR WINNER: Commissioner Ruano, sure, please.

20 COMMISSIONER RUANO: I just have a quick question  
21 regarding the cross-marketing with the L.A. County Fair.

22 CHAIR WINNER: Jack? No?

23 VICE CHAIR AUERBACH: It's somebody else.

24 MR. GUTIERREZ: Hi. Orlando Gutierrez, Marketing  
25 Director of Los Alamitos Race Course.

1 COMMISSIONER RUANO: Great.

2 MR. GUTIERREZ: Yeah. Thank you.

3 Over the years, we've had several different  
4 initiatives that we've worked with the L.A. County Fair.  
5 We've done ticket promotions on-track. We've done mailers  
6 with cross-marketing where people with a ticket from Los  
7 Alamitos can visit the fair --

8 COMMISSIONER RUANO: Um-hmm.

9 MR. GUTIERREZ: -- and so forth.

10 This year, we're still in progress since Barretts  
11 is not involved in the L.A. County Fair meet at Los  
12 Alamitos. So we're still in talks to come up with a  
13 promotion.

14 COMMISSIONER RUANO: So you're working with Miguel  
15 Santana and Lucas, or who are you working with at the fair?

16 MR. GUTIERREZ: We haven't really started any  
17 discussion with anyone in particular but we will be doing  
18 that in the next few weeks.

19 COMMISSIONER RUANO: Okay. No, I highly recommend  
20 it because there's a very strong team there that could --

21 MR. GUTIERREZ: Yeah. Absolutely.

22 COMMISSIONER RUANO: -- really help --

23 MR. GUTIERREZ: Yeah. Absolutely.

24 COMMISSIONER RUANO: -- the team here. They're  
25 very good at what they've done.

1 MR. GUTIERREZ: Yeah. Thank you.

2 COMMISSIONER RUANO: And Lucas has done an  
3 excellent job at the Music Center, so --

4 MR. GUTIERREZ: They've been very helpful in the  
5 past with the staff.

6 COMMISSIONER RUANO: And they're bringing in great  
7 artists, they're doing great things, so there's lots of  
8 opportunity there to seize on.

9 So, yeah, keep me -- keep us updated --

10 MR. GUTIERREZ: Thank you.

11 COMMISSIONER RUANO: -- on what you do.

12 MR. GUTIERREZ: We will.

13 COMMISSIONER RUANO: Thank you.

14 CHAIR WINNER: Thank you.

15 All right, we're going to come back to items  
16 three, four, five, six and seven when we get --

17 EXECUTIVE DIRECTOR BAEDEKER: No.

18 VICE CHAIR AUERBACH: No. Just seven and six.

19 EXECUTIVE DIRECTOR BAEDEKER: Three, four, five  
20 and six.

21 CHAIR WINNER: I'm sorry, three, four, five and  
22 six.

23 And we'll go on to item number seven, discussion  
24 and action by the Board regarding the request from the  
25 Pacific Racing Association, Golden Gate Fields, for a waiver

1 to CHRB Rule 1472, Rail Construction and Track  
2 Specifications, subsections (b) (c) (e) and (g), to facilitate  
3 the installation of a new inner and outer turf rail.

4 Who's going to speak on this? Eric, is that you?

5 MR. SINDLER: Good morning. Eric Sindler on  
6 behalf of Pacific Racing Association.

7 Yes, this is the new door lock rail. It's what's  
8 currently used at Santa Anita. There's a very similar rail  
9 at Del Mar. Sorry. Gulfstream Park uses it. Laurel uses  
10 it. New York Racing Association uses it. It's very safe.  
11 We've had great success with it at Santa Anita and we are  
12 hoping to put it in at Golden Gate as well.

13 EXECUTIVE DIRECTOR BAEDEKER: And the Board has  
14 granted similar waivers --

15 CHAIR WINNER: Right.

16 EXECUTIVE DIRECTOR BAEDEKER: -- in the past.

17 CHAIR WINNER: All right. Is there any discussion  
18 on this item? Any questions for Mr. Sindler? Is there a  
19 motion to approve the waiver?

20 COMMISSIONER MAAS: Moved.

21 CHAIR WINNER: Commissioner Maas moves.

22 COMMISSIONER SOLIS: Second.

23 CHAIR WINNER: Commissioner Solis seconds.

24 Dr. Ferraro -- Commissioner Ferraro, how do you  
25 vote?

1 COMMISSIONER FERRARO: I vote in affirm.  
2 CHAIR WINNER: Dr. Ferraro votes yes.  
3 COMMISSIONER RUANO: Yes.  
4 CHAIR WINNER: Commissioner Araceli votes yes.  
5 Vice Chair Auerbach --  
6 VICE CHAIR AUERBACH: Yes.  
7 CHAIR WINNER: -- votes yes. Chair votes yes.  
8 Commissioner Solis?  
9 COMMISSIONER SOLIS: Yeah.  
10 CHAIR WINNER: Commissioner Maas?  
11 COMMISSIONER MAAS: Yes.  
12 CHAIR WINNER: Commissioner Alfieri?  
13 COMMISSIONER ALFIERI: Yes.  
14 CHAIR WINNER: It passes unanimously.  
15 Thank you.  
16 MR. SINDLER: Thank you.  
17 CHAIR WINNER: Thank you, Eric.  
18 Item number eight, discussion and action by the  
19 Board regarding the submission of the proposed emergency  
20 addition of CHRB Rule 1435, Suspension of License to Conduct  
21 a Race Meeting, to the Office of Administrative Law, in  
22 response to Senate Bill 469, which requires the Board to  
23 adopt emergency regulations to implement Business and  
24 Professions Code section 19481.7.  
25 Rob, are you going to comment on this?

1 MR. BRODNIK: Yes. Thank you, Chairman. Good  
2 morning. Robert Brodник, CHRB.

3 The proposed emergency regulation will create a  
4 process for the Board to follow in order to suspend a race  
5 meet license or place restrictions, if necessary, to protect  
6 the health and safety of the horse or rider. This process  
7 will begin with the filing of a petition with supporting  
8 affidavits that establish the necessity to act for the  
9 health and safety of the horse or rider.

10 The licensee, which will be their association,  
11 will be given 24 hours' notice. At the hearing they can be  
12 represented by counsel, provide their own declarations, and  
13 make arguments.

14 The Board will then have up to five days to decide  
15 what, if any, action to take. If the Board does take  
16 action, it will be required to review that decision within  
17 ten calendar days. The Board is able to keep any suspension  
18 in place until the Board determines that the matters  
19 jeopardizing the health and safety of the horse or rider  
20 have been addressed.

21 And Staff believes this offers a fair procedure  
22 while still allowing the Board to take prompt action, as was  
23 intended under the statute.

24 CHAIR WINNER: 469?

25 MR. BRODNIK: Yes.

1 CHAIR WINNER: So this is implementation language  
2 for SB 469 which passed, I think, passed unanimously if I'm  
3 not mistaken --

4 MR. BRODNIK: Correct.

5 CHAIR WINNER: -- and is signed by the governor.

6 MR. BRODNIK: Yes, it did pass unanimously through  
7 both houses, received no opposition. It was signed by the  
8 governor on June 24th.

9 There is a provision, however, that requires the  
10 Board to pass emergency regulations --

11 CHAIR WINNER: Right.

12 MR. BRODNIK: -- to implement. The authority  
13 provided by 469, stated simply, until these emergency  
14 regulations are in place the Board cannot utilize the  
15 authority under this --

16 CHAIR WINNER: Right.

17 MR. BRODNIK: -- statute.

18 VICE CHAIR AUERBACH: I have some questions if I  
19 might?

20 CHAIR WINNER: Yes. Please. Go ahead.

21 VICE CHAIR AUERBACH: Okay.

22 Rob --

23 MR. BRODNIK: Yes.

24 VICE CHAIR AUERBACH: -- with these regulations,  
25 and I have some specific concerns about it, first, I want to

1 know, does this have to go out for 45 days?

2 MR. BRODNIK: Yeah. So that's a good question.

3 VICE CHAIR AUERBACH: I only ask good questions.

4 MR. BRODNIK: Yes. This will be a dual parallel  
5 track. So the statute specifically requires us to move  
6 emergency regulations. Emergency regulations are different  
7 from our standard rulemaking process --

8 VICE CHAIR AUERBACH: Okay.

9 MR. BRODNIK: -- which goes out for 45 days.

10 This process is different in that tomorrow I will  
11 post, assuming there's --

12 VICE CHAIR AUERBACH: You'll post this?

13 MR. BRODNIK: -- assuming there's no -- assuming  
14 the Board agrees to approve language, I will post this to  
15 our website and we will mail it to everyone on our mailing  
16 list. It will remain on our website for five business days.

17 So a week from tomorrow I will then bring the noticed text  
18 and supporting documents to the Office of Administrative Law  
19 and file it with them. They will then have ten calendar  
20 days to review the emergency regulation for the finding of  
21 an emergency, which should be fairly easy because the  
22 statute calls it an emergency. At that point, during those  
23 ten calendar days, the public can comment to the Office of  
24 Administrative Law and the Board can respond if we choose.

25 At the end of those calendar days, the ten

1 calendar days, the Office of Administrative Law will then  
2 make a determination. And if they approve the filing of the  
3 emergency regulations, they will be filed that day and go  
4 into effect that day with the secretary of state. And then  
5 the Board will have that authority for a period of 180 days.

6 The statute, understanding that this may take a  
7 while to move through the normal regulatory process, has  
8 built in a provision where we can request another aggregate  
9 of 180 days for the emergency regulation to stay in place.

10 So stated simply, if the Board passes this, it  
11 will be in place for a year. While it's in place for a  
12 year, similar language, which will be --

13 VICE CHAIR AUERBACH: Will be -- will go through  
14 the regular regulatory process?

15 MR. BRODNIK: Correct.

16 VICE CHAIR AUERBACH: Okay.

17 CHAIR WINNER: Right.

18 VICE CHAIR AUERBACH: So it's really important  
19 then that -- I'm hoping all the Commissioners have read this  
20 carefully. I tried to. So I want to get specific with you  
21 --

22 MR. BRODNIK: Yes.

23 VICE CHAIR AUERBACH: -- on a couple of items that  
24 concern me.

25 On (c) (1) where you have 24-hour notice given to

1 the racing association --

2 MR. BRODNIK: Yes.

3 VICE CHAIR AUERBACH: -- for the petition, I  
4 thought originally we were talking about --

5 CHAIR WINNER: It's in the statute.

6 VICE CHAIR AUERBACH: -- an hour notice, you know,  
7 a very -- a much more rapid timeframe. Do you want to tell  
8 me the logic between waiting 24 hours to do it?

9 CHAIR WINNER: I think that's in the statute,  
10 isn't it?

11 MR. BRODNIK: Sure. So the --

12 VICE CHAIR AUERBACH: Is it in the statute?

13 CHAIR WINNER: It's in the statute.

14 EXECUTIVE DIRECTOR BAEDEKER: Yes. Well, they  
15 added that.

16 VICE CHAIR AUERBACH: Is it?

17 EXECUTIVE DIRECTOR BAEDEKER: Yeah.

18 VICE CHAIR AUERBACH: Oh, they did?

19 CHAIR WINNER: Yeah. Yeah.

20 VICE CHAIR AUERBACH: I'm sorry.

21 MR. BRODNIK: It's in this.

22 VICE CHAIR AUERBACH: Then that's my bad. I  
23 didn't see it in the statute.

24 MR. BRODNIK: Okay. It's in the statute that the  
25 Board can -- okay. So there's a couple issues at play. One

1 of them is the Board's ability under the Open Meeting Act to  
2 call an emergency meeting. So the statute specifically  
3 built in an exception for this Board, if utilizing this  
4 authority, to call a meeting within one hour.

5 This provision, though, talks about noticing the  
6 licensee that the Board is going to --

7 CHAIR WINNER: Right.

8 MR. BRODNIK: -- take that action. Twenty-four  
9 hours is similar to other emergency-type actions that courts  
10 have found provides enough notice.

11 VICE CHAIR AUERBACH: Okay.

12 MR. BRODNIK: So, for example, an emergency --

13 VICE CHAIR AUERBACH: I got you.

14 MR. BRODNIK: -- temporary restraining order --

15 CHAIR WINNER: Right.

16 MR. BRODNIK: -- is 24 hours' notice.

17 VICE CHAIR AUERBACH: Okay. Well, I'm not  
18 suggesting that it's wrong, I'm just --

19 MR. BRODNIK: Yeah.

20 CHAIR WINNER: Yeah.

21 VICE CHAIR AUERBACH: -- curious as to --

22 MR. BRODNIK: That's the --

23 VICE CHAIR AUERBACH: -- came to that.

24 MR. BRODNIK: That was the thought process behind  
25 it. And then logistically it seems like 24 hours would make

1 sense.

2 CHAIR WINNER: Well, and also, we're implementing  
3 the statute --

4 MR. BRODNIK: Yes.

5 CHAIR WINNER: -- is what we're doing.

6 VICE CHAIR AUERBACH: Right.

7 CHAIR WINNER: And the statute calls for that  
8 language --

9 VICE CHAIR AUERBACH: Right.

10 MR. BRODNIK: Um-hmm.

11 VICE CHAIR AUERBACH: So that --

12 CHAIR WINNER: -- correct?

13 VICE CHAIR AUERBACH: -- now, I get that.

14 Also, I'm a little confused about, "The Board  
15 shall review any decision to suspend," and I'm down to (f).

16 MR. BRODNIK: Yes.

17 VICE CHAIR AUERBACH: "The Board shall review any  
18 decision to suspend a race, license or impose license  
19 restrictions on ten-day calendars of that decision" --

20 MR. BRODNIK: YES.

21 VICE CHAIR AUERBACH: -- "to affirm or cancel."

22 And what is the purpose of this? Why are we  
23 building in a reg to do that? I'm sure there's logic but I  
24 want to know what it is.

25 MR. BRODNIK: Yeah. So that is actually

1 specifically in the statute.

2 CHAIR WINNER: Right.

3 VICE CHAIR AUERBACH: That's also in the statute?

4 MR. BRODNIK: Yes.

5 CHAIR WINNER: Right.

6 MR. BRODNIK: That requires the Board to review  
7 any decision that it takes to suspend a race meet license  
8 within ten calendar days.

9 VICE CHAIR AUERBACH: So --

10 MR. BRODNIK: And the idea --

11 VICE CHAIR AUERBACH: All right.

12 MR. BRODNIK: -- for that is that the Board,  
13 specifically in the statute and in this regulation, has the  
14 ability to keep this suspension in place until it believes  
15 that the issues necessitating the suspension --

16 CHAIR WINNER: It's been resolved.

17 VICE CHAIR AUERBACH: Okay.

18 MR. BRODNIK: -- have been remedied.

19 VICE CHAIR AUERBACH: Okay.

20 MR. BRODNIK: The concern, I think, when the  
21 statute was drafted was that the Board continue, which I'm  
22 sure it would do anyway, but continue to monitor the  
23 situation to ensure that it --

24 VICE CHAIR AUERBACH: So you're just trying to put  
25 a box around it to give it detail --

1 CHAIR WINNER: Right.

2 MR. BRODNIK: Right.

3 VICE CHAIR AUERBACH: -- as opposed to, oh, my  
4 god, we have this emergency, we've had to suspend or cancel,  
5 and then the emergency, whatever it is, lifts, say after two  
6 days, you still want something in there that would require  
7 us to review it?

8 CHAIR WINNER: Right.

9 VICE CHAIR AUERBACH: Because you can lift it  
10 within the timeframe; right? You don't have to wait an  
11 artificial ten days?

12 MR. BRODNIK: Correct. No.

13 CHAIR WINNER: But here's the key issue here, I  
14 think, Commissioner Auerbach, is that most of this language  
15 --

16 VICE CHAIR AUERBACH: Is --

17 CHAIR WINNER: -- comes right out of the statute.

18 VICE CHAIR AUERBACH: -- is statutory.

19 CHAIR WINNER: Because --

20 VICE CHAIR AUERBACH: So we --

21 CHAIR WINNER: -- all we're doing is implementing

22 --

23 VICE CHAIR AUERBACH: Okay.

24 CHAIR WINNER: -- 469.

25 VICE CHAIR AUERBACH: So we really didn't have a

1 lot to do with the implementation language? It was pretty  
2 much there?

3 MR. BRODNIK: That is in the statute. That is in  
4 --

5 VICE CHAIR AUERBACH: Okay. All right.

6 MR. BRODNIK: I can cite it for you.

7 VICE CHAIR AUERBACH: So all we're doing is  
8 saying, okay, we --

9 CHAIR WINNER: Right.

10 VICE CHAIR AUERBACH: Got it. Thanks.

11 CHAIR WINNER: Okay.

12 VICE CHAIR AUERBACH: Yeah. Thank you.

13 CHAIR WINNER: All right.

14 Now, is there any discussion on this item?

15 VICE CHAIR AUERBACH: Um-hmm.

16 CHAIR WINNER: Okay. Is there a motion?

17 COMMISSIONER RUANO: I move to approve.

18 COMMISSIONER ALFIERI: Second.

19 CHAIR WINNER: Commissioner Ruano moves.

20 Commissioner Alfieri seconds.

21 Commissioner Alfieri?

22 COMMISSIONER ALFIERI: Yes.

23 CHAIR WINNER: Commissioner Maas?

24 COMMISSIONER MAAS: Yes.

25 CHAIR WINNER: Commissioner Solis?

1 COMMISSIONER SOLIS: Yes.

2 CHAIR WINNER: Chairman votes yes.

3 Commissioner Auerbach?

4 VICE CHAIR AUERBACH: Yes.

5 CHAIR WINNER: Commissioner Ruano?

6 COMMISSIONER RUANO: Yes.

7 CHAIR WINNER: Commissioner Ferraro?

8 COMMISSIONER FERRARO: Yes.

9 CHAIR WINNER: Motion carries unanimously.

10 Thank you.

11 VICE CHAIR AUERBACH: Nine you crossed off

12 already.

13 CHAIR WINNER: Nine is off.

14 Shall we go to ten?

15 Discussion and action by the Board regarding the

16 proposed amendment to CHRB Rule 1845, Authorized Bleeder

17 Medication, to change the allowable dosage of furosemide

18 that can be administered from not less than 150 milligrams

19 and not more than 500 to 250; and to prohibit the

20 administration of furosemide in foals born in 2018 and

21 subsequent years.

22 Doc, are you going to speak on this?

23 DR. ARTHUR: Dr. Arthur, Equine Medical Director.

24 This regulation actually takes us back to the

25 dosage permitted between, I think, about early '90s to about

1 2005 where the limit was 250 milligrams, 5 ccs. We actually  
2 changed it, not because of any request from horsemen, but in  
3 an effort to National Uniform Medication, which was -- 10  
4 ccs was the consensus national level. Obviously, we've  
5 moved beyond that and are proposing here to go back to how  
6 it was for almost 15 years.

7           The provision to prohibit Lasix in horses after  
8 2018 was an agreement, I think, with the horsemen. I do  
9 think there will be a problem when those horses start  
10 running against older horses because all horses in the same  
11 race are going to have to have the same rule. But we can  
12 address that issue when we come to it.

13           CHAIR WINNER: Right. So basically what we're  
14 doing here is we're dealing with the same language, as I  
15 understand it, that is in the agreement between the TOC and  
16 The Stronach Group that we approved two months ago; is that  
17 correct?

18           DR. ARTHUR: That's correct.

19           CHAIR WINNER: All right.

20           So does everybody understand that? This is  
21 the -- the Lasix agreement that was reached by the TOC and  
22 The Stronach Group, we approved, and now we're broadening  
23 it; correct?

24           DR. ARTHUR: That's correct.

25           CHAIR WINNER: All right.

1           Is there any discussion, any questions? There are  
2 -- I do have a couple of cards on this.

3           All right, Dr. Benson. Good morning.

4           DR. BENSON: Good morning. Dr. Dionne Benson with  
5 The Stronach Group.

6           CHAIR WINNER: Thank you.

7           DR. BENSON: Thank you for allowing me to speak.  
8 We have -- I just wanted to give you an update because we  
9 have been running under this for the remainder of our meet  
10 at Santa Anita.

11           We are aware of only one horse that had an  
12 instance of epistaxis, or bleeding from the nose, after this  
13 was instituted, which is not outside of the numbers that we  
14 would expect with full doses of Lasix, so, clearly, horses  
15 are able to run under this.

16           And to address the issue of the races when two-  
17 year-olds become three-year-olds. And we've anticipated  
18 this. We know that we will have to likely rate races that  
19 allow only three-year-olds and under and then four-year-olds  
20 and up. And for a time we will have shorter fields likely  
21 because of this but it's part of the growing pain we have to  
22 go through to get to the other side of this.

23           CHAIR WINNER: Okay. Thank you.

24           Any questions for Dr. Benson? All right.

25           Dino Perez?

1 VICE CHAIR AUERBACH: I was just going to ask --

2 CHAIR WINNER: Oh, I'm sorry.

3 VICE CHAIR AUERBACH: No. I was just going to ask  
4 her if they were surprised by the lack of horses that this  
5 affected, one out of a lot of works and starts and things of  
6 that nature?

7 DR. BENSON: Yeah. And I don't know that we were  
8 surprised so much.

9 I will tell you one thing that I found surprising  
10 is we didn't see many heat exhaustion cases.

11 CHAIR WINNER: Say that again?

12 DR. BENSON: We didn't see many heat exhaustion  
13 cases, so horses that were overheating --

14 CHAIR WINNER: Right.

15 DR. BENSON: -- as a result. So I think that may  
16 be --

17 VICE CHAIR AUERBACH: Because they had more fluid  
18 to be able to address the heat.

19 CHAIR WINNER: Right.

20 DR. BENSON: I mean, that's perhaps the case, and  
21 hopefully that will be the case in the future.

22 VICE CHAIR AUERBACH: Thank you.

23 DR. BENSON: Thank you.

24 VICE CHAIR AUERBACH: Sorry.

25 CHAIR WINNER: No. No. Please.

1 Mr. Perez?

2 MR. PEREZ: Hi. Good morning. Dino Perez with  
3 Pacific Coast Quarter Horse.

4 My question is: In terms of the two-year-olds,  
5 does that go for Quarter horses, too, or is this something  
6 just for the thoroughbreds? It's not very clear.

7 EXECUTIVE DIRECTOR BAEDEKER: It's all.

8 CHAIR WINNER: Pardon me?

9 EXECUTIVE DIRECTOR BAEDEKER: It's all.

10 CHAIR WINNER: Yeah. All. All. All breeds.

11 MR. PEREZ: All breeds? Okay. All right.

12 I haven't had a chance to talk to my board about  
13 this, so we may have some opposition, but we'll have the 45  
14 days; correct?

15 EXECUTIVE DIRECTOR BAEDEKER: You will.

16 CHAIR WINNER: Yes.

17 MR. PEREZ: Okay. Thank you.

18 CHAIR WINNER: Thank you.

19 All right, is there any discussion? What we're  
20 voting on is to send it out for 45-day public hearing. All  
21 right. Is there a motion?

22 COMMISSIONER MAAS: Moved.

23 VICE CHAIR AUERBACH: So moved.

24 CHAIR WINNER: Commissioner Maas moves. Vice  
25 Chair Auerbach seconds.

1 Commissioner Ferraro?

2 COMMISSIONER FERRARO: Yes.

3 CHAIR WINNER: Commissioner Araceli?

4 COMMISSIONER RUANO: Yes.

5 CHAIR WINNER: Commissioner Ruano?

6 COMMISSIONER RUANO: Yes. I know.

7 VICE CHAIR AUERBACH: She voted twice. That's not  
8 fair.

9 CHAIR WINNER: Commissioner Auerbach?

10 VICE CHAIR AUERBACH: Yes.

11 CHAIR WINNER: Chair votes yes.

12 Commissioner Solis? Commissioner --

13 COMMISSIONER SOLIS: Yes.

14 CHAIR WINNER: -- Maas?

15 COMMISSIONER MAAS: Yes.

16 CHAIR WINNER: Commissioner --

17 COMMISSIONER ALFIERI: Yes.

18 CHAIR WINNER: -- Alfieri?

19 COMMISSIONER ALFIERI: Yes.

20 CHAIR WINNER: The matter passes.

21 Thank you.

22 All right, do we have the language? Do we want to  
23 go back to that or are we still working on it?

24 EXECUTIVE DIRECTOR BAEDEKER: I think Rob is still  
25 discussing it.

1 CHAIR WINNER: Okay.

2 VICE CHAIR AUERBACH: Why don't you tell everybody  
3 you bought coffee out there if they want it?

4 CHAIR WINNER: Oh. There is coffee in the back if  
5 you would like.

6 VICE CHAIR AUERBACH: That's per Chairman Winner's  
7 generous offer of making sure it was provided, so, thank  
8 you.

9 CHAIR WINNER: Under state law, I guess, the CHRB  
10 cannot pay for coffee. It's in the criminal code, I think.

11

12 VICE CHAIR AUERBACH: So if we see him being  
13 carted off, we'll know why.

14 CHAIR WINNER: All right, then we'll go on then to  
15 item number 11, which is public comment. I don't have any  
16 comments from the public.

17 So we will --

18 VICE CHAIR AUERBACH: Why don't we all get coffee  
19 and wait and take --

20 CHAIR WINNER: Yeah.

21 VICE CHAIR AUERBACH: -- a ten-minute break?

22 CHAIR WINNER: Let's take -- Rob, are we close?

23 MR. BRODNIK: (Off mike.) Well, two seconds.

24 CHAIR WINNER: All right. So let's take a five-  
25 minute break.

1 VICE CHAIR AUERBACH: Too many lawyers.

2 COMMISSIONER FERRARO: Never too many lawyers.

3 CHAIR WINNER: Five-minute break and then we'll  
4 reconvene and deal with the language for those items  
5 covered.

6 (Off the record at 10:32 a.m.)

7 (On the record at 10:43 a.m.)

8 CHAIR WINNER: Okay, we're going to reconvene.

9 And, Rob, do you want to reach the language that  
10 will apply to, I suppose, all of these agreements? Go  
11 ahead.

12 MR. BRODNIK: So, Chairman, perhaps, for ease, for  
13 agenda item number three, that should probably be the next  
14 agenda item the Board takes up.

15 It appears, in speaking with the parties and  
16 actually witnessing it, the Los Angeles County Fair that's  
17 to be held at Los Alamitos has now signed the TOC agreement.

18 And they just are going to make a copy and send it to us,  
19 so that outstanding item's been fulfilled, so they have a  
20 signed agreement now.

21 CHAIR WINNER: Okay. So knowing that, is there a  
22 motion to approve?

23 VICE CHAIR AUERBACH: So move.

24 CHAIR WINNER: Moved by Vice Chair Auerbach.

25 Seconded by Commissioner Ruano?

1 COMMISSIONER RUANO: Second.

2 CHAIR WINNER: Commissioner Alfieri?

3 COMMISSIONER ALFIERI: Yes.

4 COMMISSIONER MAAS: Yes.

5 CHAIR WINNER: Commissioner Maas?

6 Commissioner Solis?

7 COMMISSIONER SOLIS: Yes.

8 CHAIR WINNER: Chairman votes yes.

9 Vice Chair?

10 VICE CHAIR AUERBACH: Yes.

11 CHAIR WINNER: Commissioner Ruano?

12 COMMISSIONER RUANO: Yes.

13 CHAIR WINNER: And Commissioner Ferraro?

14 COMMISSIONER FERRARO: Yes.

15 CHAIR WINNER: Okay. Have a wonderful meet, guys.

16 Jack, are you still here? Have a great meet.

17 Going on then to item number four, discussion and

18 action by the Board on the Application for License to

19 Conduct a Horse Racing Meeting of the Los Angeles Turf Club

20 II at Santa Anita, commencing September 25th through

21 November 5th, 2019, inclusive.

22 Who's going to speak on this? Eric?

23 Are the rest of you coming up or just Eric?

24 MR. SINDLER: We'll see how it goes. Just me for

25 the moment.

1 CHAIR WINNER: Okay.

2 MR. SINDLER: Good morning. Eric Sindler on  
3 behalf of Los Angeles Turf Club II.

4 Quickly, to address the outstanding issues, while  
5 it has not physically been signed yet, we have reached an  
6 agreement with the TOC, so we'll get that printed and up to  
7 CHRB staff as soon as possible.

8 For item number two, that's missing the BetAmerica  
9 agreement, until the agreement is signed we are not selling  
10 to them, so this is approval for if the agreement does get  
11 signed, but until that's signed, we're not selling to them.

12 The other three issues have been submitted to CHRB  
13 staff.

14 CHAIR WINNER: Okay. And Jackie's agreeing with  
15 that. All right.

16 MS. WAGNER: Yes.

17 CHAIR WINNER: All right.

18 Do you want to talk to us a little bit about what  
19 your plans are?

20 MR. SINDLER: Absolutely. So for marketing,  
21 obviously, a lot of revolves around Breeders' Cup. We are  
22 thrilled to have it again for a record tenth time.

23 More than \$5 million has been invested into the  
24 facility. We have built new stretch-on (phonetic) suites  
25 that's outdoor suites with a lounge setup, new Finish Line

1 Dining area. We have additional clubhouse seats. We have  
2 remodeled the fifth floor restaurant and a new player's room  
3 that will host the BCBC, in addition to potentially several  
4 other handicapping contests.

5 We have a spectacular card on opening day which  
6 will be featured on NBC Sports for two-and-a-half hours,  
7 hosted from Santa Anita.

8 We have a busy promotion schedule over the next  
9 six weeks of our meet. Opening weekend starts with  
10 Oktoberfest on the track side and a concert in the infield  
11 featuring some popular Chinese musicians. At all of our  
12 events throughout the six weeks, we will have the wagering  
13 ambassadors to teach the new fans how to wager so we can  
14 hopefully convert them from new fans to lifelong fans.

15 The wagering menu is the same as the winter/spring  
16 meet. And a note on the wagering menu that's in the packet.

17 It's just for the Breeders' -- sorry, it's just for Santa  
18 Anita. The two-day special Breeders' Cup wagering menu is  
19 still being discussed, so that will be submitted. So I'm  
20 not sure if the Executive Director can administratively  
21 approve it or if it will be on the August Board meeting.  
22 That's for you guys to decide but just wanted to let you  
23 guys know that.

24 CHAIR WINNER: I think the Executive Director can  
25 approve it and then submit it.

1 EXECUTIVE DIRECTOR BAEDEKER: As long as it's  
2 consistent with previous applications and race meet  
3 procedures.

4 MR. SINDLER: It's going to be consistent. All  
5 the rules will either be CHRB Rules or ARCI Rules, nothing  
6 particularly novel, complex or crazy, anything like that,  
7 no. All pretty standard stuff.

8 As far as our racing program goes, purses are  
9 being worked out with TOC. The stakes' schedule will be  
10 similar to the 2016 stakes' schedule, which is the last time  
11 we hosted the Breeders' Cup.

12 Opening weekend will feature a number of prep  
13 races for Breeders' Cup. Since it's at Santa Anita this  
14 year, we're hoping that we can get a few shippers from the  
15 East Coast to come out. We're going to hopefully open  
16 strong with the prep races, then have a fantastic closing  
17 weekend anchored with Breeders' Cup, and then closing  
18 weekend.

19 We are doing just routine track maintenance that  
20 we traditionally do every summer with one exception. We are  
21 installing a new drainage system. I can't give you all the  
22 engineering details behind it but our current system is  
23 good. This is just going to be better.

24 VICE CHAIR AUERBACH: Can I ask a question?

25 CHAIR WINNER: Sure. Of course.

1 VICE CHAIR AUERBACH: Eric --

2 MR. SINDLER: Yes?

3 VICE CHAIR AUERBACH: -- I looked at your stakes'  
4 schedule and you have scheduled the six-and-a-half turf  
5 races. Is that for sure? Are we back on the six-and-a-half  
6 downhill turf course?

7 MR. SINDLER: I'm actually going to defer to Tim  
8 on that one. I'm not sure if we're going back.

9 VICE CHAIR AUERBACH: I'm sorry. I can't hear  
10 you.

11 MR. SINDLER: I'm sorry. The microphone's not  
12 that great today.

13 That's still being decided if we're going to run  
14 down the hill or not.

15 VICE CHAIR AUERBACH: Well, yeah, but you're  
16 presenting it --

17 MR. SINDLER: Yes.

18 VICE CHAIR AUERBACH: -- like you're doing it. So  
19 are you or aren't you?

20 MR. SINDLER: One moment.

21 MR. RITVO: Tim Ritvo with The Stronach Group and  
22 Santa Anita.

23 As of this time, we're scheduling it as is because  
24 we're going to look at the exploration of coming back down  
25 the turf race on selective races, so right now we're putting

1 it in the schedule.

2 COMMISSIONER SOLIS: And I'd like to bring a  
3 concern, and that's about the five furlong grass races.

4 Talking to a lot of the jockeys, they have said  
5 that, of course, going 2144 (phonetic) into the turn, the  
6 elbow comes out, and it's throwing a lot of horses out and  
7 there's been a lot of bouncing around. And, of course,  
8 horses on the outside, when they switch lead and they're  
9 three or four, they're coming in, so it's causing a chain  
10 reaction.

11 And I would like to see if you guys can look into  
12 it and work with the jockeys and see if we can find a  
13 solution.

14 MR. RITVO: Yeah, Alex, thank you. We are looking  
15 into it.

16 First of all, just to ease the speed going into  
17 that turn, we are building a chute, similar to the one at  
18 the quarter pole, where we would break at about  
19 five-and-a-half on the dirt and run onto the turf course.  
20 And then if we decide at some time not to use the six-and-a-  
21 half furlong chute, then we would come in and  
22 re-bank that turn so it would be a better, easier --

23 VICE CHAIR AUERBACH: Where? Where are you  
24 building that?

25 MR. RITVO: At the end of the seven-eighths pole,

1 we're going to open up the rail, almost like at the quarter  
2 pole, where you'll be able to open up and you'll be able to  
3 start your five-and-a-half furlong races on the dirt rather  
4 than on the grass course where you pull the gate over.

5 VICE CHAIR AUERBACH: Well, how will that help?  
6 You still don't have the banking.

7 MR. RITVO: No. That's -- that will give you --  
8 it gives you further distance going. It gives you an extra  
9 half a furlong going into the turn. And then the banking  
10 will come, debating on whether we decide to run the six-and-  
11 a-half furlongs or not. If we --

12 VICE CHAIR AUERBACH: Do you really think that  
13 that's sufficient, that half a furlong, to slow the horses  
14 down so that they don't go -- it's really scary the way it  
15 is right now.

16 COMMISSIONER SOLIS: Yeah.

17 MR. RITVO: I think it helps.

18 COMMISSIONER SOLIS: I think -- I'm sorry. I  
19 think the main concern we're talking about is the rail  
20 coming out. Because if the rail comes out, like the guys  
21 are saying, that's where the chain reaction starts. It  
22 doesn't matter how slow or how fast you're going, still,  
23 it's going to throw the horses out. And if you have three  
24 or four horses coming into that turn, it's going to be a  
25 problem.

1 MR. RITVO: Well, we're --

2 COMMISSIONER SOLIS: It could be a problem.

3 MR. RITVO: -- we're willing to work with the  
4 jocks on whether five-eighths grass races should be run with  
5 a temporary rail at all? One. And, two, if we decide not  
6 to use the six-and-a-half, then we'll alleviate that by  
7 banking that turn. The reason it's not banked now is  
8 because of the pass, coming off the six-and-a-half, you  
9 needed a flat crossover.

10 COMMISSIONER SOLIS: Thank you.

11 COMMISSIONER FERRARO: Let me ask you, who's going  
12 to be in charge of your track maintenance?

13 MR. RITVO: Dennis Moore is in charge of it. And  
14 he's overseeing the engineering process of the drainage  
15 system, and also looking at the five-and-a-half gap that  
16 we're putting in.

17 COMMISSIONER FERRARO: Thank you.

18 COMMISSIONER SOLIS: I would appreciate it if you  
19 keep me informed if you find anything in there.

20 MR. RITVO: Okay.

21 COMMISSIONER SOLIS: Thank you, Tim.

22 MR. RITVO: Okay.

23 CHAIR WINNER: You know, Eric or Tim, there is a  
24 lot of concern about the six-and-a-half furlong.

25 Tim, do you want to come back please?

1           There's a lot of concern about the downhill six-  
2 and-a-half furlong turf. And the question is: Should it be  
3 determined by the association without the approval of the  
4 Board? Because you said you're going to be making a  
5 decision whether or not to use the downhill six-and-a-half;  
6 correct?

7           MR. RITVO: Yeah. What I meant by that, Chairman,  
8 is our discussions are always open with the Board, the  
9 jockeys, the trainers, as we work together. It wouldn't be  
10 a single entity, ourselves saying, hey, we're going to do  
11 this again. We understand the statistical probabilities of  
12 coming down that. We're also looking at longer-range plans.  
13 And maybe, you know, just talking about the flipping of the  
14 grass course being on the outside, then it would be a  
15 continuous use, and putting a dirt course on the inside. So  
16 there's --

17           CHAIR WINNER: But that's long term.

18           MR. RITVO: That's right.

19           CHAIR WINNER: That's not going to happen,  
20 probably, by this meet; correct?

21           MR. RITVO: Correct, it will not.

22           CHAIR WINNER: Okay.

23           COMMISSIONER SOLIS: And, I mean, I've raced in  
24 Santa Anita since 1985 and I don't remember ever having many  
25 -- so many issues with the six-and-a-half. I always felt

1 safe doing it and it worked out good for us then, so just  
2 proof of that.

3 CHAIR WINNER: I would suggest that if we approve  
4 this license that, before any decision is made with respect  
5 to six-and-a-half or five, that at least the Executive  
6 Director be informed and it would require approval, so that  
7 you don't have to come back to the full Board but the  
8 Executive Director would have the authority to agree to  
9 approve those races.

10 MR. RITVO: Yeah. We would be fine with that.

11 CHAIR WINNER: Okay.

12 VICE CHAIR AUERBACH: I see Craig in the room.  
13 Probably everybody knows the answer to this but me.

14 Does the Breeders' Cup use the six-and-a-half on  
15 the hill?

16 MR. RITVO: Yes, they have in the past. There's  
17 been discussions of whether they're going to decide to use  
18 that or not.

19 VICE CHAIR AUERBACH: Have they -- Mr. Fravel?

20 MR. FRAVEL: Yeah, we announced, actually  
21 recently, or we put out on Twitter, that we're going to run  
22 it at five for this year.

23 VICE CHAIR AUERBACH: You're going to use the  
24 five, use the --

25 MR. FRAVEL: Five furlongs on the turf --

1 VICE CHAIR AUERBACH: -- the new and

2 hopefully --

3 MR. FRAVEL: -- for both the juvenile --

4 VICE CHAIR AUERBACH: -- improved five?

5 MR. FRAVEL: -- for both the juvenile turf and the

6 -- the juvenile turf sprint and the turf sprint.

7 VICE CHAIR AUERBACH: So it becomes more important

8 for this five furlong situation to be resolved in a way

9 that's a lot safer than it is right now --

10 MR. FRAVEL: Well --

11 VICE CHAIR AUERBACH: -- I think.

12 MR. FRAVEL: -- to be honest with you, we were

13 unaware of any safety concerns related to five furlongs up

14 until now but --

15 VICE CHAIR AUERBACH: Well, the safety concerns,

16 Craig, if you watch the races, if you go back and look at

17 them, and maybe you and your staff should look at them, is

18 that on the five there's no banking on the turf. So when

19 the horses come around the turn to come into the stretch

20 they tend to go really wide and they seem to get away from

21 the riders. Alex is much better to talk to than I am about

22 this. And it is a concern because we do want everybody to

23 be safe.

24 So you might want to work with the people at Santa

25 Anita and see if you can figure out how to make it safer.

1 MR. FRAVEL: We'll certainly have all those  
2 conversations as soon as we can.

3 CHAIR WINNER: And also with --

4 MR. FRAVEL: Well, we're going to need to --

5 CHAIR WINNER: -- Commissioner --

6 MR. FRAVEL: -- run it at one of the two  
7 distances.

8 CHAIR WINNER: Yeah.

9 VICE CHAIR AUERBACH: Right.

10 MR. FRAVEL: And --

11 CHAIR WINNER: Yeah.

12 VICE CHAIR AUERBACH: Exactly.

13 MR. FRAVEL: And --

14 VICE CHAIR AUERBACH: Exactly. The --

15 MR. FRAVEL: And I just as soon --

16 CHAIR WINNER: So we want to make sure it's the  
17 safest one, for sure --

18 MR. FRAVEL: Right.

19 CHAIR WINNER: -- whichever one is safe.

20 VICE CHAIR AUERBACH: You know, it's interesting  
21 because you're talking about still going from the dirt to  
22 the turf but there isn't -- it's different. You'd want to  
23 do that at the start with the five-and-a-half; right? So  
24 that's easier. That's an easier transition than coming down  
25 the hill and doing it that way so that part makes sense.

1           But I am concerned about the lack of banking and  
2 how that will work for everybody.

3           CHAIR WINNER: Yeah.

4           VICE CHAIR AUERBACH: Obviously, we want everybody  
5 to be safe.

6           MR. FRAVEL: Yeah, obviously. Well, I think our  
7 preference this year is to run it at the five furlong which  
8 is the same distance we did that --

9           VICE CHAIR AUERBACH: Five-and-a-half.

10          MR. FRAVEL: No, at five.

11          VICE CHAIR AUERBACH: Oh, it's going to be five?

12          MR. FRAVEL: Yeah.

13          VICE CHAIR AUERBACH: Not five-and-a-half?

14          MR. FRAVEL: Right.

15          CHAIR WINNER: So if you go to the five you're not  
16 -- then you don't have --

17          VICE CHAIR AUERBACH: You're not getting --

18          CHAIR WINNER: -- that problem?

19          VICE CHAIR AUERBACH: You're not gaining any  
20 traction. If you go to the five, then the little bit of the  
21 -- the half a furlong, you don't have that extra room to  
22 make that turn. It's a concern, something you really need  
23 to think about.

24          COMMISSIONER FERRARO: Is there any statistics  
25 that show what the injury rate coming down the hill is

1 compared to what the injury rate is on the regular turf  
2 course?

3 MR. RITVO: Yes. There's a ten-year statistic  
4 that we've run. It's a touch higher than it is, say on a  
5 traditional grass over the ten years. We can send a copy to  
6 the complete Commission. But it's small. There are years  
7 that it's actually less. And then there was a couple years  
8 that were -- had spikes. So --

9 CHAIR WINNER: But during this last year, this  
10 last period, there were spikes coming down the hill;  
11 correct?

12 MR. RITVO: Correct.

13 CHAIR WINNER: Especially when they hit the  
14 dirt --

15 VICE CHAIR AUERBACH: Right.

16 CHAIR WINNER: -- correct?

17 MR. RITVO: Correct. Overall, the spikes actually  
18 happened on the crossover, yes.

19 CHAIR WINNER: Yes.

20 MR. RITVO: Correct. In the ten years.

21 COMMISSIONER FERRARO: Could you send us that --  
22 those statistics so we can see them?

23 MR. RITVO: For sure. Yes.

24 COMMISSIONER FERRARO: Thank you.

25 CHAIR WINNER: All right. Let's do one thing at a

1 time.

2 Darrell --

3 MR. HAIRE: Mr. Chairman --

4 CHAIR WINNER: -- do you want to introduce  
5 yourself and --

6 MR. HAIRE: Darrell Haire, Western Regional  
7 Manager of the Jockeys' Guild.

8 And the banking at Santa Anita is actually more  
9 than Del Mar. It's the going into the turn. And Alex and  
10 I, we've been talking to the riders right along about this.  
11 It's the corner, when they make it, it's the configuration.  
12 So someone can be --

13 VICE CHAIR AUERBACH: What is it, the inside rail  
14 that's the problem?

15 MR. HAIRE: Yeah.

16 COMMISSIONER SOLIS: Inside.

17 VICE CHAIR AUERBACH: I'm trying to --

18 MR. HAIRE: The inside.

19 VICE CHAIR AUERBACH: So are you saying that if  
20 they could move the inside rail that would --

21 MR. HAIRE: It's something --

22 VICE CHAIR AUERBACH: -- help?

23 MR. HAIRE: -- the configuration, it's sharp, and  
24 it causes horses to go to the right when they make it. They  
25 can't negotiate it, you know, properly. And the riders have

1 been telling us right along toward the end of the meet,  
2 Darrell, we've got to do something about this before  
3 something happens.

4 So we'll work with you and, Greg, we can figure  
5 out what. You know, it's just the configuration of the  
6 turn, the corner --

7 CHAIR WINNER: Right.

8 MR. HAIRE: -- the way it -- it's not the banking.

9 CHAIR WINNER: So as long as we can sort of reach  
10 agreement that Santa Anita will work with the Jockeys' Guild  
11 and keep Alex involved, Commissioner Solis involved in the  
12 process, and then the -- and then inform Executive Director  
13 Baedeker for final approval of whatever the decisions is, is  
14 there -- can we agree on that?

15 MR. HAIRE: Absolutely.

16 CHAIR WINNER: Tim?

17 MR. RITVO: Yes.

18 CHAIR WINNER: Okay.

19 COMMISSIONER RUANO: I have a quick question.

20 CHAIR WINNER: Yes.

21 COMMISSIONER RUANO: The Health Department  
22 inspection is pending; correct?

23 CHAIR WINNER: Eric?

24 MR. SINDLER: Oh, yes. Oh, sorry, Mary.

25 That's usually done a little bit closer to the

1 start of the meet.

2 COMMISSIONER RUANO: Okay. And how is the  
3 backstretch housing progressing?

4 I must say that one of the things that surprised  
5 me was the ratio of bathrooms to individuals because it's  
6 usually 1 to 20, but 1 bathroom to 47 people seems a little  
7 much. I think the capital improvements are all very great  
8 but --

9 MR. SINDLER: We can look into it and get you --  
10 I'm sorry. We can look into it and get back to you.

11 COMMISSIONER RUANO: Well, is that incorrect or is  
12 that --

13 VICE CHAIR AUERBACH: That doesn't sound it.

14 COMMISSIONER RUANO: That just --

15 MR. SINDLER: It might be --

16 COMMISSIONER RUANO: It just shocked me --

17 MR. SINDLER: -- a typo.

18 COMMISSIONER RUANO: -- to see that --

19 MR. SINDLER: It might have been --

20 COMMISSIONER RUANO: -- in writing.

21 MR. SINDLER: -- flipping the numbers.

22 VICE CHAIR AUERBACH: Right. It doesn't sound  
23 right.

24 COMMISSIONER RUANO: Okay.

25 MR. SINDLER: It might have been a typographical

1 error.

2 COMMISSIONER RUANO: Okay.

3 CHAIR WINNER: Yeah. That --

4 COMMISSIONER RUANO: I hope so.

5 CHAIR WINNER: Yeah. That would be a real  
6 problem.

7 VICE CHAIR AUERBACH: Yeah. But that -- because  
8 it's not a problem back there.

9 COMMISSIONER RUANO: Yeah. I just --

10 CHAIR WINNER: I think Commissioner Ruano make a  
11 very good point. We better make sure.

12 MR. SINDLER: We will. I believe it's a  
13 typographical error.

14 CHAIR WINNER: Thank you.

15 COMMISSIONER RUANO: Thank you.

16 CHAIR WINNER: Mary?

17 MS. FORNEY: Mary Forney, TOC.

18 TOC would like to ask the Board to consider  
19 putting the approval of this race meet off until next month  
20 due to the fact that the meet is two-and-a-half months out.

21 We have not yet received a race meet agreement proposal  
22 from Santa Anita because there was some issues with the  
23 Golden Gate agreement that had to be resolved first. Now  
24 Eric informs me he should be able to get that agreement to  
25 me within a couple of days. However, we also have not

1 received purse proposals, overnights or stakes proposals,  
2 which we need to review. So we could use another month on  
3 this.

4 Thank you.

5 CHAIR WINNER: Thank you.

6 Eric, do you want to comment on that?

7 MR. SINDLER: That's actually news to me. I  
8 thought that all the purse had been worked out. But Tim  
9 seems to be indicating that that is -- Mary is correct.

10 CHAIR WINNER: I'm sorry. Say that again?

11 MR. SINDLER: Tim seems to be indicating that Mary  
12 is correct. I thought that that had been worked out.

13 CHAIR WINNER: So would you have objection to  
14 moving this to the following meeting?

15 MR. SINDLER: I would not, no.

16 CHAIR WINNER: Okay.

17 MR. SINDLER: Also, at the next meeting, I'd also  
18 just request that another item be put on for 1581 to be  
19 approved.

20 EXECUTIVE DIRECTOR BAEDEKER: Yeah.

21 Commissioners, Eric pointed out at the break that we don't  
22 address the 1581 issue relative to these first two race meet  
23 applications on the agenda. It's already been taken care of  
24 for the Golden Gate application that came before the Board  
25 last month.

1           This is -- it really should come from the  
2 industry, the request to change the conditions per 1581, put  
3 on the agenda for the Board to approve. We've been talking  
4 about it and we think that we can bring these -- that  
5 particular item back for each of these meets in August.

6           CHAIR WINNER: Okay.

7           MR. SINDLER: Thank you.

8           CHAIR WINNER: So should we put off item number  
9 four until the next meeting?

10          (Colloquy between Vice Chair Auerbach and Executive  
11 Director Baedeker)

12          COMMISSIONER ALFIERI: Mr. Chairman --

13          CHAIR WINNER: Yes?

14          COMMISSIONER ALFIERI: -- I'd like to ask to make  
15 a comment too?

16          CHAIR WINNER: Please.

17          COMMISSIONER ALFIERI: I wanted to commend The  
18 Stronach Group. I think this marketing plan is very good. I  
19 love all of the detail and the horse care and safety  
20 education.

21                 I was wondering if you could spend -- figure out a  
22 way to -- I mean, it says here that you go to your website  
23 to learn more about horse safety and the care of the horses.

24          We need to get more info out to the public somehow. I  
25 mean, I wish we could come up with -- you all could come up

1 with creative ways, especially at the time when Breeders'  
2 Cup will be there, you know, promo pieces, other than going  
3 to the Santa Anita website. I mean, I think that it would  
4 be great if we could have some public awareness spots, or  
5 you could. I mean, I don't know.

6 I hope the industry is thinking about this because  
7 people need to see it. Everyday people ask me every day  
8 about what's happening, right, that are not involved in  
9 horse racing, and they just read it on the front page of the  
10 *L.A. Times*.

11 So I wish we could figure out ways to do public  
12 awareness marketing pieces, other than the Santa Anita  
13 website. And this really goes to everybody, all the  
14 stakeholders. So let's keep working on it.

15 But the explanations and the detail of every-day  
16 racing, how every day each horse is cared for and everything  
17 and prepping for races and all that, is very good. And  
18 people don't know this, so, thank you.

19 (Colloquy between Chairman Winner and Vice Chair  
20 Auerbach)

21 CHAIR WINNER: All right. Vice Chair Auerbach has  
22 a motion.

23 VICE CHAIR AUERBACH: Okay. So what we're  
24 thinking about doing is approving the license with the  
25 condition that any decision regarding -- no, that wasn't

1 what we were going do, the downhill stuff.

2 EXECUTIVE DIRECTOR BAEDEKER: That's separate from  
3 what we were just talking about.

4 VICE CHAIR AUERBACH: Yeah. Yeah. Yeah. This is  
5 different. This is the wrong language.

6 CHAIR WINNER: No. No. No. No. No. No. We  
7 need them both.

8 VICE CHAIR AUERBACH: Okay. All right. We'll  
9 start with this one.

10 We'll move to approve the license with the  
11 condition that any decision regarding racing on downhill  
12 turn, and also on the five furlong --

13 EXECUTIVE DIRECTOR BAEDEKER: That's fine. Go  
14 ahead and include it.

15 VICE CHAIR AUERBACH: -- be agreed to upon by the  
16 Executive Director before any decisions are implemented.

17 And does that -- do we want to just leave it at  
18 that?

19 I'm sorry, everybody, this is choppy. We're  
20 trying to --

21 EXECUTIVE DIRECTOR BAEDEKER: Well, that's part  
22 one of the motion.

23 Part two of the motion relates to the outstanding  
24 issues with the horsemen's agreement. And the suggestion,  
25 if the Board so chooses, is to make that a condition,

1 receipt of that agreement within 14 days --

2 CHAIR WINNER: Two weeks.

3 EXECUTIVE DIRECTOR BAEDEKER: -- two weeks. If  
4 the agreement is still outstanding at that point then we  
5 will put it back on the agenda for August. We do assume  
6 some risk there if we have a problem with the Board meeting  
7 in August.

8 VICE CHAIR AUERBACH: Right. That's --

9 EXECUTIVE DIRECTOR BAEDEKER: So it's in  
10 everybody's best interest to get whatever issues there are  
11 with that agreement resolved within these two weeks.

12 CHAIR WINNER: Yeah. So that's the -- does  
13 everybody understand that?

14 Mary?

15 Greg?

16 CHAIR WINNER: Basically, we're creating a two-  
17 week window for you guys to work it out. And then the  
18 license is automatically granted once you work it out.

19 EXECUTIVE DIRECTOR BAEDEKER: And submit it to the  
20 Board.

21 CHAIR WINNER: Yeah, and submit it. Okay.

22 Is there a motion to that effect?

23 VICE CHAIR AUERBACH: Yeah, but I --

24 CHAIR WINNER: That is your motion?

25 VICE CHAIR AUERBACH: -- the language is really

1 screwed up, so can you put this in succinct -- you're  
2 looking at me, like, huh?

3 MR. BRODNIK: I'd be happy to try.

4 VICE CHAIR AUERBACH: All right.

5 COMMISSIONER SOLIS: Clean it up.

6 VICE CHAIR AUERBACH: We want this to be succinct.

7 This would be the second part with a two-  
8 week --

9 CHAIR WINNER: And put in the five furlongs, as  
10 well, Rob.

11 VICE CHAIR AUERBACH: Yeah. The six-and-a-half  
12 and the five furlong turf races we'd like to see reported on  
13 and talked to with the Executive Director. And, also, we  
14 want to give the parties two weeks to return the race meet  
15 agreement to us because we'd like to approve it, get it  
16 done, so we don't have that issue hanging out, in case  
17 something happens to our next meeting. Because stuff  
18 happens with people all the time and we want to make sure  
19 that the license is handled.

20 (Colloquy between Chairman Winner and Executive  
21 Director Baedeker)

22 MR. BRODNIK: Just so I'm understanding, Chairman,  
23 there -- is it five-and-a-half furlongs?

24 VICE CHAIR AUERBACH: The five.

25 COMMISSIONER SOLIS: Five. Five

1 VICE CHAIR AUERBACH: The five furlong --

2 COMMISSIONER SOLIS: Five furlong.

3 VICE CHAIR AUERBACH: -- turf races and the six-  
4 and-a-half -- the five and the six-and-a-half turf races are  
5 addressed with the Executive Director.

6 MR. BRODNIK: Okay.

7 VICE CHAIR AUERBACH: And the other part of it  
8 would be that we will approve the license, also based on  
9 receipt of the TOC agreement within 14 days.

10 MR. BRODNIK: Right.

11 CHAIR WINNER: All right, let's do this, while Rob  
12 is doing this, let's move on to item number five, and we'll  
13 come back to item number four.

14 Item number five, discussion and action by the  
15 Board regarding the status of outstanding items from the  
16 Application for License to Conduct a Horse Racing Meeting of  
17 the Pacific Racing Association II at Golden Gate Fields,  
18 commencing August 15, 2019 through September 29, 2019,  
19 inclusive, which was approved at the June 20th, 2019 regular  
20 meeting of the Board contingent upon the receipt of  
21 outstanding items.

22 Now my understanding -- Jackie, do you want to  
23 come up and clarify this? My understanding is that we have  
24 the satellite agreements; is that correct?

25 MS. WAGNER: Jackie Wagner, CHRB Staff.

1           We do have the satellite agreements. We don't  
2 have the TOC agreement.

3           CHAIR WINNER: Right. But the TOC agreement will  
4 be similar, the language will be similar to the language on  
5 the other agreements; correct, Greg?

6           MR. FRAVEL: (Off mike.) We agreed on this.  
7 We're done with this whole deal.

8           CHAIR WINNER: Okay. So the TOC agreement is,  
9 basically, approved and it will be submitted?

10          MR. SINDLER: Correct. We just have to put ink on  
11 paper. That's it.

12          CHAIR WINNER: Okay. So do you want to tell us  
13 about the Golden Gate -- well, you don't have -- we've gone  
14 through that. This is just the approval of receiving of the  
15 materials and it's now received.

16          EXECUTIVE DIRECTOR BAEDEKER: The conditions are  
17 removed.

18          CHAIR WINNER: Yeah, so the conditions are  
19 removed, so we need a vote on that. The conditions are  
20 removed and the license is granted; correct?

21          EXECUTIVE DIRECTOR BAEDEKER: I don't think we do  
22 -- I don't think we need a vote, do we, Rob? Because the  
23 license was granted based upon receipt of the outstanding  
24 items. They have been received, therefore --

25          CHAIR WINNER: So we don't have to vote again?

1 MR. BRODNIK: Well, technically, it was  
2 conditioned upon them being received by July 3rd and they  
3 weren't. So it would probably be safe just to vote.

4 CHAIR WINNER: Okay. So let's -- so the question  
5 is do we vote to approve the license of Golden Gate for that  
6 period?

7 EXECUTIVE DIRECTOR BAEDEKER: Yes.

8 COMMISSIONER ALFIERI: Yes.

9 CHAIR WINNER: Okay. Is there a motion?

10 COMMISSIONER MAAS: Moved.

11 COMMISSIONER ALFIERI: Second.

12 CHAIR WINNER: All right. Commissioner Maas  
13 moves. Commissioner Alfieri seconds.

14 Commissioner Alfieri?

15 COMMISSIONER ALFIERI: Yes.

16 CHAIR WINNER: Commissioner Maas?

17 COMMISSIONER MAAS: Yes.

18 CHAIR WINNER: Commissioner Solis?

19 COMMISSIONER SOLIS: Yes.

20 CHAIR WINNER: Chairman votes yes.

21 Vice Chair?

22 VICE CHAIR AUERBACH: Yes.

23 CHAIR WINNER: Commissioner Ruano?

24 COMMISSIONER RUANO: Yes.

25 CHAIR WINNER: And Commissioner Ferraro?

1 COMMISSIONER FERRARO: Yes.

2 CHAIR WINNER: All right. The motion carries.

3 Have a great meet.

4 MR. SINDLER: Thank you.

5 CHAIR WINNER: All right. We're still waiting for

6 Rob, so let's go on to six.

7 VICE CHAIR AUERBACH: No, he's got it.

8 COMMISSIONER FERRARO: He's got it now.

9 CHAIR WINNER: Got it?

10 MR. BRODNIK: Six would be off.

11 MS. WAGNER: Six is off.

12 EXECUTIVE DIRECTOR BAEDEKER: Six is --

13 VICE CHAIR AUERBACH: Six is gone.

14 EXECUTIVE DIRECTOR BAEDEKER: -- inapplicable.

15 CHAIR WINNER: Oh, all right.

16 VICE CHAIR AUERBACH: All right. Let's see how

17 you wrote this.

18 This is take two, okay?

19 Move to approve the license with the condition

20 that any decision about five furlong turf races and

21 six-and-a-half furlong turf races be agreed upon by the

22 Executive Director before any decisions are implemented and

23 conditioned upon a TOC agreement being filed with the Board

24 by August 2nd, 2019.

25 So move.

1 COMMISSIONER RUANO: Second.

2 CHAIR WINNER: Is there a second? Seconded.

3 Okay. Moved by Vice Chair Auerbach. Seconded by

4 Commissioner Ruano. Any discussion?

5 COMMISSIONER FERRARO: Yes.

6 CHAIR WINNER: Commissioner Ferraro votes yes.

7 COMMISSIONER RUANO: Yes.

8 CHAIR WINNER: Commissioner Ruano votes yes.

9 VICE CHAIR AUERBACH: Yes.

10 CHAIR WINNER: Chairman votes yes.

11 Commissioner Solis?

12 COMMISSIONER SOLIS: Yes.

13 CHAIR WINNER: Commissioner Maas?

14 COMMISSIONER MAAS: Yes.

15 CHAIR WINNER: Commissioner Alfieri?

16 COMMISSIONER ALFIERI: Yes.

17 CHAIR WINNER: Okay.

18 (Colloquy between Chairman Winner, Vice Chair Auerbach

19 and Executive Director Baedeker)

20 EXECUTIVE DIRECTOR BAEDEKER: Okay. So I had sent

21 out an email, and apparently it didn't go to everybody, that

22 the meeting that had been scheduled, the Dates Committee

23 meeting that had been scheduled for tomorrow, has been

24 postponed. And we will be sending out a notice for that

25 meeting that we hope will take place within the next couple

1 of weeks, pending the availability of Commissioners.

2 CHAIR WINNER: Okay. I believe we're done. Is  
3 there a motion to adjourn?

4 COMMISSIONER ALFIERI: So move.

5 CHAIR WINNER: This meeting is adjourned. Thank  
6 you all very much for attending.

7 (The regular meeting of the California Horse Racing Board  
8 concluded at 11:12 a.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 23rd day of July, 2019.



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

July 23, 2019