



APPEARANCES

BOARD MEMBERS

Gregory L. Ferraro, Chairman  
Oscar Gonzalez, Vice Chairman  
Alex Solis, Commissioner  
Wendy Mitchell, Commissioner  
Dennis Alfieri, Commissioner  
Damascus Castellanos, Commissioner

STAFF

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

PUBLIIC COMMENT

Ian McLean, McLean Racing Stables  
Sarah Segal  
D. Wayne Baker, D. Wayne Baker Racing Stables  
Bonnie Crocker, Horse Racing Wrongs  
Martha Sullivan  
Larry Swartzlander, California Authority of Racing Fairs  
Alan Balch, CTT

APPEARANCESPUBLIC COMMENT

Greg Avioli, Thoroughbred Owners of California

James Morgan, Humboldt County Fair Association

Aiden Butler, Golden Gate Fields

Aggie Ordonez, Trainer

Rick Pickering, Cal Expo

Cliff Goodrich, California Thoroughbred Horsemen's  
Foundation

Terri Eaton, Arabian Association of California

Heather Hyde

Oscar de la Torres

Johnny Tabua, Owner

Heather Wilson

Denise Bolbol

Nick Casado

Wayne Johnson

Matthew Troy

Jerome Hoban, Alameda County Fair

Josh Rubenstein, Del Mar Thoroughbred Club

Nancy Mitchell

Marla Zanelli

Patty Shenker

Tom Robbins, Del Mar Thoroughbred Club

Kathleen Davis, Sports Management Research Institute

Jane Cartmill

Mike Smith, Jockeys' Guild

Aaron Gryder

Terry Meyocks, Jockeys' Guild

G.L. Carter

Shane Gusman, Jockeys' Guild

Ramon Dominguez

Mindy Coleman, Jockeys' Guild

Elvia Sedano

Jenine Sahadi, Gregson Foundation

Eric Sindler, The Stronach Group

Cory Soltau, Arabian Racing Association of California

APPEARANCESPUBLIC COMMENT

*Bonnie Croker*

*Martha Sullivan*

*Greg Avioli, Thoroughbred Owners of California*

*Denise Bolbol*

*Wayne Johnson*

*Jane Cartmill*

*Nancy Mitchell*

*Nick Casado*

*Scott Nance*

*Cliff Goodrich*

*Oscar de la Torre, Horse Racing Worker Advocate*

*Elvia Sedano*

*Patty Shenker*

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3.	Race Dates Committee <p>The Board will hear a report of the Committee's work at its May 25, 2020 meeting for discussion and action as necessary.</p> <ul style="list-style-type: none"> <li>a. Discussion and consideration of the Committee report.</li> <li>b. Discussion and Action regarding reallocation of 2020 Race Dates.</li> </ul> <p>Pursuant to Gov. Code § 11125.7(a), public comment will not be permitted on an agenda item when an opportunity has been given at a committee hearing for testimony on the item.</p>	17
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15. Public Comment: Communications, reports, requests 290  
for future actions of the Board. Note: During the public comment period, a total of thirty minutes will be allowed for public comments via the teleconference line. After thirty minutes, no further comments will be accepted. Each person will be limited to two minutes.
16. Closed Session: For the purpose of receiving ---  
advice from counsel, considering pending litigation, reaching decisions on administrative licensing and disciplinary hearings, and personnel matters, as authorized by section 11126 of the Government Code.
- A. The Board may convene a Closed Session to confer with and receive advice from its legal counsel regarding the pending litigation described in the attachment to this agenda captioned "Pending Litigation,"

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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 matters as authorized by Government Code section 11126(a).

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P R O C E E D I N G S

9:35 A.M.

TELECONFERENCE

THURSDAY, JUNE 11, 2020

CHAIR FERRARO: This is the regular noticed meeting of the California Horse Racing Board on Thursday, June 11th, via teleconference. This is in accordance with Executive Order N-29-20 so as to minimize the spread of COVID-19-19 and reduce the risk of infection during the current state of emergency.

Participating in today's meeting are: myself, Gregory L. Ferraro, Chairman; Oscar Gonzales, Vice Chairman; Dennis Alfieri, Commissioner; Damascus Castellanos, Commissioner; Wendy Mitchell, Commissioner; and Alex Solis, Commissioner.

We are joined by: Scott Chaney, our Executive Director; Cynthia Alameda, Assistant Executive Director, Dr. Rick Arthur, Equine Medical Director; Mr. Robert Brodник, Chief Counsel; Amanda Brown, Staff Attorney; Amanda Drummond, Manager of Policy and Regulations; and Sean (indiscernible), in charge of Investigations.

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.

1 The Board also invites comments on matters not appearing on  
2 the agenda during a public comment period, which is item  
3 number 15 on this agenda, if the matter concerns horse  
4 racing in California.

5           Procedurally, the board will hear from those  
6 directly involved in any agenda item, after which the Chair  
7 will invite public comment. Those wishing to speak must  
8 follow the directions of the Operator and have their  
9 individual phone lines open for comment.

10           In order to ensure all individuals have an  
11 opportunity to speak and the meeting proceeds in a timely  
12 fashion, I will strictly enforce a two-minute time limit  
13 for each unsolicited speaker. And we will insist that all  
14 speakers stay strictly on the topic for each agenda item.  
15 Again, if you're speaking on an agenda item, your arguments  
16 must pertain to the agenda item. If a speaker strays off  
17 the topic, I will ask the Operator to move to the next  
18 caller.

19           For those speakers who address more than one  
20 agenda item, if that speaker repeats his arguments or her  
21 arguments, I will also ask if the speaker has any new  
22 comments to make. If there are none, the speaker will be  
23 asked to let others make comments to the Board.

24           During all public comments, after the first  
25 minute-and-a-half, we will give a 30-second warning so that

1 speakers can provide any closing remarks.

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

4 For agenda item number 15, a total of 30 minutes  
5 will be allowed for public comments.

6 Now additionally, a couple of comments, we noted  
7 on the meeting agenda that under Government Code  
8 11125.7(a), the Board is not required to take public  
9 comments because public comments were taken during a  
10 Committee meeting. However, because this item is of the  
11 utmost importance to the racing industry and those  
12 interested, the Board will relax this code and accept  
13 public comments on agenda item number three.

14 And then, finally, you will notice that Golden  
15 Gate and Santa Anita's agreements with their respective  
16 Health Departments and their operation of their race meets  
17 are not on the agenda. Therefore, anyone who wishes to  
18 make comments regarding that must make those comments  
19 during the public comment period and not during the  
20 meeting.

21 And with that, we will start the meeting.

22 First item on the agenda is the approval of the  
23 minutes from April 22nd, 2020. Do I have a motion to  
24 approve?

25 COMMISSIONER ALFIERI: So moved. Alfieri.

1 CHAIR FERRARO: Second?

2 COMMISSIONER SOLIS: Solis. Second.

3 CHAIR FERRARO: All right. Commissioner Alfieri?

4 COMMISSIONER ALFIERI: Yes.

5 CHAIR FERRARO: Your vote?

6 COMMISSIONER ALFIERI: Approve.

7 CHAIR FERRARO: Commissioner Castellanos?

8 COMMISSIONER CASTELLANOS: Approve.

9 CHAIR FERRARO: Commissioner Mitchell?

10 COMMISSIONER MITCHELL: Aye.

11 CHAIR FERRARO: Commissioner Solis?

12 COMMISSIONER SOLIS: Yes.

13 CHAIR FERRARO: Commissioner Gonzales?

14 VICE CHAIR GONZALES: Yes.

15 CHAIR FERRARO: And the Chairman is yes.

16 Item number two is the Executive Director Report  
17 and Equine Medical Director.

18 Mr. Chaney, would you like to go first?

19 EXECUTIVE OFFICER CHANEY: Sure. Thank you,  
20 Chairman Ferraro.

21 Needless to say, this is an interesting month for  
22 the CHRB and the globe. Since the last Board meeting, both  
23 Santa Anita and Golden Gate Fields have reopened for live  
24 racing without spectators. They are both under strict  
25 COVID-19 protocols and are operating with approval from

1 local health departments.

2           Additionally, several minisatellites have  
3 reopened and are currently operating with protocols for  
4 restaurants under county guidelines.

5           Lastly, several more satellites will be opening  
6 tomorrow with state guidance and local health department  
7 approval.

8           CHRB Staff has begun a combination of working at  
9 headquarters and teleworking on a rotational basis. And  
10 local licensing offices will be fully open in the near  
11 future. These actions are taking place with state guidance  
12 and appropriate COVID-19 protocols.

13           From a financial standpoint, this has,  
14 undoubtedly, been a difficult time for the CHRB as our  
15 funding is directly related to wagering. However, after  
16 some difficult decisions and measures, it appears that we  
17 will make budget this fiscal year.

18           We also appreciate the cooperation of the  
19 associations in terms of their contributions ahead of the  
20 traditionally July 1st true-up.

21           With respect to handle, obviously, it's been a  
22 challenging time in both April and May but there are some  
23 bright spots.

24           In April, daytime racing handle was down 65.18  
25 percent. Nighttime racing was actually up 35.27 percent.

1 And total handle for the month of April was down 52.82  
2 percent.

3 In May, it gets a little better as tracks started  
4 opening up again. Handle with daytime racing was actually  
5 up 0.53 percent. Nighttime handle was up 95.2 percent.  
6 And overall handle in the month of May was actually up 9.34  
7 percent.

8 Lastly, I would like to announce the creation of  
9 a checklist with respect to animal welfare and safety  
10 reform. Earlier this year the CHRB issued a report  
11 regarding the catastrophic injuries in 2019. That report  
12 contained numerous recommendations regarding animal welfare  
13 and safety. Additionally, the CHRB, in a letter to the  
14 Governor last December, made several recommendations in  
15 this same vein. Our goal is to effectuate those  
16 recommendations. Some will be very difficult and require  
17 significant cooperation with stakeholders and others. And  
18 other recommendations have already been completed through  
19 regulatory reform over the last year.

20 To that end, we have created a working document  
21 outlining these recommendations. And in the next few  
22 weeks, that document will be simplified for publication on  
23 the CHRB website. My goal is to create accountability with  
24 respect to reform and continue our commitment to animal  
25 welfare and safety.

1           And that, Chairman Ferraro, is my report.

2           MR. MARTEN: Excuse me. This is Mike Marten.

3           Although the Chairman has not requested public  
4 comment, we have five citizens and horsemen in the queue.  
5 I'm not really sure if they're --

6           CHAIR FERRARO: Let's wait. Let's wait, Mike,  
7 until we get the Medical Director's Report, and we'll take  
8 comments for both at the end. Thanks.

9           Dr. Arthur, can you give us your report now?

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

13          The COVID-19 pandemic derailed the ninth Grayson-  
14 Jockey Club Welfare and Safety of the Racehorse Summit that  
15 was scheduled for later this month in Lexington. The  
16 organizers pivoted quickly to a series of webinars that  
17 are, really, very good. Last week's presentation by Dr.  
18 Stover on a research related to the CHRB Necropsy Program  
19 was excellent. All have been good and all are worth the  
20 time.

21          The webinar panel discussing veterinary medical  
22 record transparency is relevant to -- was relevant to  
23 regulations and legislation pending here in California.  
24 And, similarly, Dr. Parkin's presentation on the Equine  
25 Entry Database this last Tuesday included analysis of the

1 association of shockwave therapy with fatal injury.  
2 Shockwave therapy restrictions are on the agenda later  
3 today. I encourage anyone interested in racehorse safety,  
4 which I would hope is everyone, to visit the Grayson-Jockey  
5 Club Research Foundation website. All the webinar links  
6 are available on the Welfare and Safety tab.

7 Los Alamitos was able to continue racing  
8 throughout the pandemic. And we were able to get Santa  
9 Anita and Golden Gate Fields up and running in May.  
10 Horsemen, backside workers, track operators should be  
11 commended for their efforts to get us back racing.  
12 Adherence to the COVID-19 protocol, from what I see at  
13 Santa Anita where I'm based, everyone is trying to be very  
14 conscientious and stay safe.

15 In April, we had nine necropsy submissions, two  
16 racing, six training, and one fatality from a G.I.  
17 condition. In May, there were also nine necropsy  
18 submissions, three racing, four training, two non-exercise  
19 training-related fatalities. One was a neurological  
20 condition in the racehorse, and the other was a pony was a  
21 musculoskeletal injury.

22 The (indiscernible) UC Davis School of Veterinary  
23 Medicine Postmortem Program Report for Fiscal Year '18-19  
24 is now available on the CHRB website. Whereas the CHRB  
25 Annual Report has track, track surface, and horse activity

1 information, the Postmortem Program Report is more  
2 epidemiologically oriented with gender, age, breed,  
3 anatomical structures, and other pathological information.

4           The new Postmortem Examination Regulation goes  
5 into effect on July 1st. We've been working to set up  
6 protocols in making sure everything is coordinated that  
7 could foul the investigation process to make sure we're  
8 working as efficiently as possible. The goal of this  
9 regulation is to better utilize the Necropsy Program to  
10 educate trainers on equine injuries. Dr. Stover pointed  
11 out in a (indiscernible) webinar, fatal injuries from  
12 racehorses are almost always (indiscernible) manifestation  
13 of a lessor injury. By educating trainers to better  
14 understand how injuries develop, the expectation is  
15 trainers could be able to recognize problems earlier in the  
16 process, thereby reducing total (indiscernible).

17           At the same time, this program will allow the  
18 CHRB to gather information and data that will be valuable  
19 in developing new strategies to advance horse safety  
20 programs.

21           In April, we had nine medication violations, only  
22 one of which was from a post-race sample. Of the others,  
23 three were horses working for the official veterinarian,  
24 five were out-of-competition post-work samples that were  
25 violations of the new regulation, CHRB 1868, Authorized

1 Medications During Workouts. That regulation became  
2 effective in March.

3 All of the violations during workouts were for  
4 phenylbutazone above the threshold permitted during timed  
5 workouts. To my knowledge, California is the only state  
6 currently regulating these medications during training. Of  
7 the nine violations in April, six would not have been  
8 violations in other states and, I suspect, two others would  
9 not be violations in most other states.

10 In May, with all races final, there were six  
11 medication violations, only two of which were post-race  
12 samples, and four others were horses working for the  
13 official veterinarian. Of those six violations, only one  
14 would have been a violation in another state.

15 I'm usually not sympathetic to trainers and  
16 veterinarians not paying attention to our rule changes but  
17 we have made numerous regulatory changes recently. And  
18 from discussions with trainers and veterinarians, the new  
19 rule is not as clear to licensees as I would have hoped or  
20 expected. Trainers and veterinarians appear confused on  
21 house rules and CHRB Regulations. The most difficult  
22 change has been the new medication regulation during  
23 training.

24 Keep in mind, regulating medications during  
25 training is a new concept to racing. Alan Balch and I are

1 in discussions on organizing a webinar to explain house  
2 rules and new CHRB Regulations to trainers. We've had  
3 several new regulations become effective this year, more  
4 coming on July 1st, and several more on track for this  
5 fall. I'll report how that works at the next meeting.

6 A similar Zoom meeting I conducted with  
7 veterinarians yesterday appeared to work reasonably well in  
8 terms of communicating the new regulations to our  
9 veterinarian community.

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

11 CHAIR FERRARO: Thank you, Dr. Arthur.

12 Are there questions from the Board for Mr. Chaney  
13 or Dr. Arthur?

14 Do we have people in the queue that wish to ask  
15 questions?

16 MR. MARTEN: I'll instruct David to go ahead in  
17 the order that they're in the queue.

18 CHAIR FERRARO: That's correct for both reports.

19 OPERATOR: All right. Our first questioner is  
20 Ian McLean with McLean Racing Stables.

21 CHAIR FERRARO: Good morning. You're on.

22 MR. MCLEAN: I must apologize. Can you please  
23 put me in the queue for agenda item three please?

24 CHAIR FERRARO: Will do. Thank you.

25 Next.

1 OPERATOR: Thank you. Our next question come  
2 from Sarah Segal, a California citizen.

3 MS. SEGAL: Hello.

4 CHAIR FERRARO: Good morning.

5 MS. SEGAL: Good morning. Can you hear me?

6 CHAIR FERRARO: Yes.

7 MS. SEGAL: Okay. Dr. Rick Arthur, you just  
8 talked about the equine new regulation. And my comment is  
9 you don't need all these regulations. You just need to  
10 stop doing this horse racing. Because earlier, CHRB just  
11 said, funding directly -- the CHRB is funded directly --  
12 the funding is directly affected by wagering.

13 So why don't you just have virtual horse racing,  
14 if you want to have wagering, if you're so into betting  
15 and, you know, gambling? Why don't you just, instead of  
16 racing horses, just do like some places do and have it  
17 where it's, you know, CGI. So if people want to, you know,  
18 gamble their money on CGI, you know, they're not killing  
19 horses at the same time.

20 Thank you.

21 OPERATOR: Thank you. Our next comes from D.  
22 Wayne Baker with D. Wayne Baker Racing Stables.

23 CHAIR FERRARO: Good morning.

24 MR. BAKER: My question is for item three. Thank  
25 you.

1 CHAIR FERRARO: Okay. You'll have to get back in  
2 the queue.

3 Next.

4 OPERATOR: Thank you. Our next comes from Bonnie  
5 Crocker, a concerned citizen.

6 CHAIR FERRARO: Good morning.

7 MS. CROCKER: Yes. Good morning. It's Bonnie  
8 Crocker, concerned citizen, regarding agenda item 2(b),  
9 Equine Medical Director's Report. My relevant topic is  
10 gate injuries.

11 There are an alarming number of gate loading-  
12 related injuries. For example, 05/30/2020 at Santa Anita,  
13 Race 8, horses Lucky Daughter, Rationale and others were  
14 visibly stressed during the loading process. Lucky  
15 Daughter fell to the ground, onto her side, within the  
16 tight confines of the gate. Other horses backed out of the  
17 gate in fear. Track cameras panned away for several  
18 minutes. The gate was reloaded after four horses were  
19 listed as scratched. Lucky Daughter and Rationale are  
20 listed in your vet notifications under gate injuries but  
21 details of their injuries are not available to the public  
22 as of this time.

23 Santa Anita, Racing 7, 05/31/2020, horse one, who  
24 announcers said only has one eye, became extremely stressed  
25 as she neared the starting gate. She broke away from the

1 pony horse rider and had to be chased by staff members.  
2 Other horses had to walk in circles while she was being  
3 captured. Why is a horse with one eye still racing? Her  
4 vision is impaired and distorted. Her depth perception  
5 must be critically affected. It is no wonder she is  
6 fearful of the starting gate.

7 I would like to request that the CHRB contemplate  
8 engaging third-party humane officers to position themselves  
9 at critical points on the racetrack grounds so that they  
10 can observe procedures and practices which often cause  
11 injuries to the horses and staff members. The starting  
12 gate is one such critical point. These humane officers  
13 should submit reports of problems for public viewing.

14 It is in the horse racing industry's best  
15 interest to be up front and forthcoming in reporting  
16 injuries, malfunctions, and even misdeed by some because  
17 such things are always eventually uncovered.

18 Thank you.

19 CHAIR FERRARO: Thank you.

20 Next.

21 OPERATOR: Thank you. Next is D. Wayne Baker  
22 with D. Wayne Baker Racing Stables.

23 CHAIR FERRARO: Good morning.

24 MR. BAKER: Mine is for item three.

25 CHAIR FERRARO: Okay. Please get back in the

1 queue.

2 Next. Next.

3 OPERATOR: Our next questioner did not identify  
4 themselves.

5 CHAIR FERRARO: Go ahead, please.

6 MS. SULLIVAN: Hello. This is Martha Sullivan  
7 from San Diego County.

8 CHAIR FERRARO: Good morning, Martha.

9 MS. SULLIVAN: I would like to point out that the  
10 CHRB's online veterinarian list has not had any entries  
11 since last Thursday. And, you know, this strikes me as a  
12 pretty huge failing on the part of the state agency that's  
13 tasked with providing public information about the  
14 condition of racehorses.

15 So I urge the -- whoever, the Executive Director  
16 and/or the Equine Medical Director, to have a priority  
17 placed on the entries to this list being made much more  
18 promptly.

19 I would also like to urge the Board to set a  
20 clear direction of transparency and public notification for  
21 the Executive Director and the Equine Medical Director  
22 which they, in turn, reinforce with the CHRB staff and the  
23 independent contractors, including the racing stewards and  
24 the veterinarians under their management and supervision.

25 The CHRB is a state agency with a central mission

1 to serve all Californians, not just the horse racing  
2 industry.

3           Following the failure last month of Los Alamitos  
4 racetrack in Orange County and the CHRB to disclose the  
5 euthanization of a horse injured racing on that track, Tap  
6 the Wire, on May 9th, and the recent L.A. Times reporting  
7 of a failure by the Del Mar Racetrack and the CHRB to do  
8 required necropsies of two killed last summer. This is a  
9 very important call out by San Diego UT sports columnist  
10 Bryce Miller. Quote, "Was it the responsibility of the  
11 CHRB or Del Mar to make this announcement? The information  
12 vacuum lingers."

13           He wrote a very lengthy column on May 30th that  
14 I --

15           OPERATOR: I'm sorry. That is time for our  
16 questioner.

17           At this time, no questioners in the queue.

18           CHAIR FERRARO: Thank you.

19           Mike, was that your 30-second warning?

20           MR. MARTEN: I did both 30-second warning and  
21 final.

22           CHAIR FERRARO: Okay. All right.

23           MR. MARTEN: Maybe I'll be louder next time.

24           CHAIR FERRARO: Okay. Okay. Again, any comments  
25 from the Board?

1           If there are none, we'll move on to item number  
2 three.

3           Commissioner Gonzales, would you like to give us  
4 a report on the findings of your Committee and the  
5 decisions that were made there?

6           VICE CHAIR GONZALES: Thank you, Chairman.

7           Oscar Gonzales here, Vice Chair, also Chairman of  
8 the Racing Dates Committee.

9           I want to thank Commissioner Wendy Mitchell for  
10 joining an official May 25th Racing Dates Committee  
11 meeting. I thought it was very helpful.

12                   What preceded that particular meeting  
13 was a process that Scott Chaney and I were part of that  
14 involved numerous one-on-one conversations with just about  
15 every racetrack management team across the state, with  
16 trainers, with owners, with representatives of unions, with  
17 jockeys, and, of course, with fairs. Rather than just  
18 going right on into that Racing Dates meeting, we felt that  
19 this was a very good opportunity to hit the reset button on  
20 a variety of fronts.

21                   What we did learn was, the overriding theme, was  
22 that every stakeholder that we engaged with not only wants  
23 a transparent process but they want a process that works  
24 fairly. So our commitment to them was that we would be  
25 taking into account all factors. We would be taking in all

1 of the needs to the horsemen, despite the fact that 2020  
2 has been filled with uncertainty because of COVID.

3           What brought about this particular meeting were  
4 due to changes in the Northern California racing schedule  
5 because various fairs had made the healthcare -- the  
6 decision, based through health reasons, to cancel their  
7 fairs, where the public would be impacted. So along with  
8 canceling fairs, Cal Expo, Ferndale, and Santa Rosa also  
9 decided to cancel their racing. So we suddenly had an  
10 environment and a situation where there were gaps in the  
11 Northern California racing schedule.

12           And I do want to just thank the previous  
13 Commissioner who worked really to get that Northern  
14 California racing schedule together.

15           After conversations, it was, well, pretty evident  
16 that Ferndale and Santa Rosa and Cal Expo, although opting  
17 to not race, they wanted to allow for racing under their  
18 license at other racetracks. So I'm going to just quickly  
19 go through the proposed calendar that was discussed at the  
20 Racing Dates Committee meeting. And then we'll go into  
21 another component which is stabling. That's a little bit  
22 further out of our purview but, nevertheless, it is part.

23           But before I go into this calendar year, I want  
24 to make two quick references here.

25           First, I want to thank each of the associations

1 for the letters that they submitted. So in addition to the  
2 one-on-one conversations, they were very thoughtful  
3 letters, meaningful emails, and there was even a petition  
4 that we'll probably be hearing about.

5           Anybody who knows Commissioner Wendy Mitchell and  
6 I knows that we are believers in government. We pride  
7 ourselves in having worked at different levels of  
8 government, so we take to heart, whether people want to  
9 refer to them as stakeholder or constituent communications,  
10 so each and every message that was sent our way we removed.

11           And so I just want to say thanks to each and  
12 every one of you and even, especially, for those who are  
13 choosing to dial in today to voice their opinion. Now we  
14 do know that item three is related to a few other items on  
15 the agenda. But I just, more than anything, just wanted to  
16 thank the horse racing community for doing what I think  
17 needs to happen more often which is to voice your opinion.

18           So what the calendar will look like is there will  
19 be no change to the current Golden Gate meet. Golden Gate  
20 Fields will end racing on June 14th, so we're getting close  
21 to that.

22           The proposal would be to allow for Pleasanton to  
23 run its regularly scheduled weeks of racing that would  
24 start on June 19th. On June 20th, CARF, which is the  
25 umbrella group for all of the fairs, and really, you know,

1 applaud them for their leadership, has allowed for Ferndale  
2 to have a partnership with Pleasanton by which they can  
3 share in some of the revenue that it generates, and that is  
4 a CARF-specific arrangement. So June 20th, for all  
5 practical purposes, will be a Ferndale-Pleasanton  
6 partnership.

7           Pleasanton will run until -- let me just make  
8 sure I've got my notes here. Pardon me here.

9           Pleasanton will run until July 12th, at which  
10 point the partnership with Pleasanton and Cal Expo will  
11 start on -- the first day of racing will be July 17th. And  
12 we'll be hearing, if necessary, from the CHRB Staff, which  
13 has also done an amazing job with processing and  
14 reprocessing applications. So Cal Expo will end on August  
15 2nd.

16           Racing will go back to Golden Gate. Again, I  
17 want, for the public and my fellow Commissioners, to  
18 understand how significant August is from Golden Gate  
19 during the month of August. So of the five weekends in  
20 August, Golden Gate will be hosting racing for four of  
21 those weekends but it will be done in an unprecedented  
22 partnership level. So what we will be continuing to  
23 propose is that Santa Rosa will start racing at Golden Gate  
24 on August 2nd and will end on August 16th.

25           Golden Gate will then pick up its normal case of

1 racing on August 21st and end at August -- on October 4th.

2 Again, those dates will not change.

3 And then as far as Fresno, there will no change  
4 in those dates.

5 So I appreciate you bearing with me on some of  
6 the dates that were changed. I'm pretty confident that you  
7 will not be hearing many objections from the management or  
8 those that operate the racetracks, whether it's The  
9 Stronach Group, Golden Gate, Ferndale, Santa Rosa, Cal Expo  
10 or Pleasanton.

11 What we will be likely to hear here is -- and  
12 this is just a real quick comment on stabling. After  
13 numerous conversations with trying to nail down the racing  
14 dates, of which I just read to you, we then had a  
15 conversation about, well, what does this mean for stabling?

16 And we'll be hearing about that.

17 It appears that Golden Gate will be closing  
18 during the seven weeks -- well, actually, I should say,  
19 Golden Gate will be closing for the six of the seven weeks  
20 where racing will be going on at Pleasanton. I have heard  
21 very carefully, The Stronach Group and, in particular,  
22 Golden Gate Fields leadership, as to why it will be  
23 difficult to keep the premises open. And every single one  
24 of their points were well taken and make sense.

25 Just about every business, small, medium or

1 large, has taken a financial hit during the COVID crisis.  
2 And, just quite frankly, the economics of keeping Golden  
3 Gate open just do not work. This, actually, should not  
4 come as a surprise. It was several meetings ago when Mr.  
5 Aiden Butler communicated that, in all likelihood, there  
6 would be no summer stabling at Golden Gate.

7           In the spirit of trying to reach some kind of a  
8 deal between CARF and Golden Gate, both sides went above  
9 and beyond trying to get to the middle where we could get  
10 agreement. But when we're looking at a price tag of  
11 approximately 100,000 per week to keep Golden Gate open, we  
12 just were not able to bridge that gap. And I, quite  
13 frankly, don't have the authority to try to get involved  
14 deep into financial arrangements.

15           So that is the overview.

16           Now, at this point, I'd like to just ask  
17 Commissioner Mitchell if she would like to provide any  
18 comments?

19           But what I've shared with you has been from a  
20 combination of race meets agreement and some handwritten  
21 notes.

22           So, Commissioner Mitchell, is there anything that  
23 you would like to add?

24           COMMISSIONER MITCHELL: No. Just to say, thank  
25 you for all your hard work on this tough issue. And I know

1 it was a lot of hours and I think it's appreciated by all,  
2 I know by me, so thank you.

3 VICE CHAIR GONZALES: You're welcome.

4 CHAIR FERRARO: Commissioner Gonzales, with  
5 Golden Gate closed, will Cal Expo be an auxiliary stabling  
6 facility for Pleasanton?

7 VICE CHAIR GONZALES: That's an excellent  
8 question. That is still yet to be determined. As word has  
9 now started to get out to the horsemen at Golden Gate,  
10 they're going to be making the determination. Now  
11 Pleasanton can hold, I was told, 660. They have 660 stalls  
12 there. In fact, this past Sunday, I paid a visit to  
13 Pleasanton to tour the facility, to make sure that it was  
14 up to the appropriate standards. Every Commissioner here  
15 received the official approval by the Alameda County health  
16 authorities. So this really is just going to depend on  
17 what the horsemen decide to do.

18 I know Cal Expo is being utilized, like many  
19 fairs across the state, for various purposes. But we were  
20 assured that if stabling is needed at Sacramento, at Cal  
21 Expo, that accommodations would be made. So I really  
22 appreciate you asking that question.

23 If I also might say --

24 CHAIR FERRARO: Did.

25 VICE CHAIR GONZALES: -- one point that I left

1 out -- oh, I'm sorry. What was your point?

2 CHAIR FERRARO: I was just going to ask, do you  
3 know how many horses are at Golden Gate off the top of your  
4 head? So what's the excess number --

5 VICE CHAIR GONZALES: You know, I think it's  
6 around --

7 CHAIR FERRARO: -- over what (indiscernible)?

8 VICE CHAIR GONZALES: -- I don't know that number  
9 but I wouldn't be surprised if it's right around 1,000. So  
10 we could be seeing a combination of horses going to  
11 Pleasanton, if needed, going to Sacramento. There may be  
12 horses that are going to be going to training facilities  
13 across the state. We may even be seeing horses migrating  
14 southward.

15 Two points that I forgot to make was we've  
16 already begun the discussions between The Stronach Group  
17 and CARF about COVID-related safety measures. I felt, with  
18 the leadership that was at the table, their plans, and both  
19 will be very interested in making sure is that at Golden  
20 Gate, personnel enter any of the facilities that I  
21 described, that there are very stringent COVID-safety  
22 related measures that are taken.

23 Also, Golden Gate is especially interested in  
24 making sure, upon returning back to Golden Gate, that there  
25 are safety measures in place.

1           So as Wendy acknowledged, Commissioner Mitchell  
2 just acknowledged, there's a tremendous amount of work that  
3 went into this. But I am confident that what is being  
4 proposed, and again, this comment, my points here, will  
5 apply to some of the other agenda items, but this is where  
6 the proposal stands.

7           CHAIR FERRARO: Does the Board have any questions  
8 for Commissioner Gonzales?

9           COMMISSIONER ALFIERI: Well, I would -- this is  
10 Commissioner Alfieri.

11           I would just say that, Oscar and Wendy, I think  
12 you've done a great job, a yeomen's job of, you know,  
13 looking at all the issues, presenting it very clearly to  
14 all of us. I'd like to hear from others but I think you've  
15 done a great job. I do have an opinion on this but we'll  
16 get into it in a little bit, so I just wanted to say thank  
17 you.

18           VICE CHAIR GONZALES: Appreciate it.

19           CHAIR FERRARO: Any other --

20           COMMISSIONER ALFIERI: I would like to --

21           CHAIR FERRARO: -- any other comments from the  
22 Board?

23           Can we hear from the representatives of CARF  
24 please?

25           Larry, are you going to speak for that or who?

1 Do we have anyone from CARF?

2 OPERATOR: Yes. We have Larry Swartzlander with  
3 the California Authority of Racing Fairs.

4 CHAIR FERRARO: Yes. Please, put him on.

5 OPERATOR: His line is live.

6 MS. SWARTZLANDER: Yeah.

7 CHAIR FERRARO: Good morning, Larry.

8 MS. SWARTZLANDER: Good morning. Good morning --

9 CHAIR FERRARO: Do you want to give us a --

10 MS. SWARTZLANDER: -- Mr. Chairman.

11 CHAIR FERRARO: -- rundown of your -- the outline  
12 of your operational procedures, et cetera, et cetera, et  
13 cetera, and let us know how things are going to be running?

14 MS. SWARTZLANDER: Yeah. The --

15 CHAIR FERRARO: Would you like to explain  
16 briefly?

17 MS. SWARTZLANDER: Okay. I'll go through  
18 Pleasanton at this point too. You know, we'll talk the  
19 protocols first.

20 The horsemen coming in here will be screened and  
21 their temperatures checked to enter the backside. They'll  
22 be given a certificate to put on the back of their license  
23 to enter the backside.

24 There will also be security personnel at the  
25 entrance to the tunnel going to the grandstand, same

1 procedures in place.

2 Anybody that's been out of state has to have a  
3 current COVID-19 negative test to be allowed on the  
4 backside.

5 The track surface is in great shape. It's been  
6 inspected by CHRB. The backside has been inspected by  
7 CHRB. And we've complied with all the requirements and  
8 safety requirements on the horse side.

9 And, again, I'll state that, you know, our  
10 Racetrack Maintenance Safety Program is an excellent  
11 program and the statistics speak for it.

12 The racing operations and the purse schedule are  
13 set the same as last year. And we're ready to race and  
14 everything is in place.

15 And I'll make one comment about Sacramento. I  
16 spoke to the people there this morning. The stalls are  
17 ready and we, simply, just have to do the final prep of the  
18 track if it is needed.

19 And, Chairman, that's pretty much it, if you've  
20 got any specific questions?

21 CHAIR FERRARO: Yeah. I have a few, quite a few.

22 COMMISSIONER SOLIS: Alex Solis here.

23 CHAIR FERRARO: Hello?

24 COMMISSIONER SOLIS: What is going to be the  
25 protocol with the jockeys. I see that Santa Anita has

1 different protocols here. And I guess Golden Gate as to  
2 what you have in mind?

3 MS. SWARTZLANDER: Well, as I said, they still,  
4 just to enter, they still have to get the certificate too.  
5 But everyday, this is similar to Golden Gate, their  
6 temperatures are taken when they enter the jock's room.  
7 They have to wear their masks, you know, attempt to  
8 maintain a safe distance. We'll set up the jockey room, as  
9 we've got ample room, to stay within, you know, six feet  
10 away from each other. And it's just similar to what's  
11 going on at Golden Gate, Alex.

12 COMMISSIONER SOLIS: Okay. And then they're  
13 going to be tested --

14 CHAIR FERRARO: So are they being tested?

15 COMMISSIONER SOLIS: -- each week they ride?

16 MS. SWARTZLANDER: I can't hear you.

17 COMMISSIONER SOLIS: Are they going to be tested  
18 each week they ride, you know, for the remaining of that  
19 week?

20 MS. SWARTZLANDER: We do not have any requirement  
21 to have them tested, unless they come in from out of state.

22 COMMISSIONER SOLIS: Yeah, but if they're going  
23 to be racing three days a week, I believe that that's very  
24 important because you never know what is going to happen in  
25 the other four days that they're not going to be racing and

1 who they're going to be in contact with.

2 MS. SWARTZLANDER: Well, I mean, it's certainly  
3 not -- it's very feasible. We have a test side right here.

4 If you're concerned that you feel that's necessary, then,  
5 you know, we can simple ensure that jockeys are all tested.

6 CHAIR FERRARO: I think that would be advisable.

7 COMMISSIONER SOLIS: Yes.

8 CHAIR FERRARO: Larry, I have a couple of  
9 questions.

10 You know, this is fair racing with no fairs and  
11 no fans, so it's a little financially risky, I think.

12 I noticed that Sonoma and Ferndale, you know,  
13 agreed to have their dates run at Golden Gate, where you in  
14 Sacramento chose to run your race meet independently. Can  
15 you tell me why you made that decision?

16 MS. SWARTZLANDER: Well, number one is,  
17 obviously, we have a lot of people that are unemployed over  
18 here too, you know? And in the spirit of reopening, you  
19 know, I think it's very important to get the fairs open and  
20 get back into business.

21 But also, you know, I've watched the statistics  
22 of Golden Gate, you know, and there's been -- even though  
23 they've got a financial risk, but the environment in ADW  
24 has drastically changed. You know, the statistics, the  
25 number I get from Golden Gate is that their purse

1 overpayment is -- underpayment is very substantial.  
2 They're doing well on the commission side. And, you know,  
3 we've factored in, yes, there's a 13 percent drop in handle  
4 when we come to the fairs. But when we've run all the  
5 numbers, based on a very conservative estimate of what's  
6 been going on at this point, you know, we feel very  
7 financially solvent that we'll be fine.

8 CHAIR FERRARO: Now are you financially solvent  
9 enough that if your revenues do not cover your expenses  
10 that you could complete the meets?

11 MS. SWARTZLANDER: Well, just to throw it out  
12 there at this point, we're projecting close to \$900,000 in  
13 net profit.

14 CHAIR FERRARO: That's a projection based on  
15 what?

16 MS. SWARTZLANDER: That's a projection, yeah.  
17 Well, it's just projecting on all -- what we're projecting  
18 as expenses and what we're projecting on commissions coming  
19 in.

20 CHAIR FERRARO: But the commissions coming in are  
21 really an unknown because they've never raced with no  
22 fans --

23 MS. SWARTZLANDER: Yeah, but we had --

24 CHAIR FERRARO: -- and no fair before.

25 MS. SWARTZLANDER: -- we had to base it upon what

1 we had, what the numbers were at Golden Gate, and I reduced  
2 it by 13 percent based on what's happened in previous years  
3 when horses moved from Golden Gate to Alameda.

4 CHAIR FERRARO: Well, again, I would ask, if your  
5 projections are wrong do you have the wherewithal to  
6 continue racing if your revenues are not sufficient to  
7 cover your expenses?

8 MS. SWARTZLANDER: Yes. You know, and CARF has  
9 reserves, and we've discussed that also, you know? And we  
10 will make the race solvent.

11 COMMISSIONER SOLIS: I remember years back,  
12 Larry, that we talked about moving a lot of these guys from  
13 -- the workers from Golden Gate to Pleasanton and it never  
14 really worked out. And that was when we didn't have this  
15 COVID-19 pandemic. And, to me, it's such a short time to  
16 make all these moves and it really worries me, it worries  
17 me that, you know, moving all these people. And even now  
18 that you hear the news, how much they have spiked, the  
19 cases, you know, when they started opening up the state.

20 So it really worries me. It's such a short time  
21 to make all of these decisions.

22 MS. SWARTZLANDER: Well, Commissioner, all I can  
23 say, at that point, you know, we've got our protocols in  
24 place. They've been -- the Health Department has looked at  
25 them and, actually, thought they were even more stringent

1 than required.

2 I mean, I can't do what-ifs, Commissioner. You  
3 know, we're doing what we have to do. The protocols are  
4 intense and they'll be monitored, you know, closely, and we  
5 just need to move on.

6 CHAIR FERRARO: You will admit, though, that  
7 moving that many people around does increase the risk.

8 MS. SWARTZLANDER: You know, Chairman, the only  
9 thing that I've got say that is, you know, that all over  
10 the United States, horses are moving also. And you've got  
11 a scenario down in Southern California, also, where Santa  
12 Anita closing and moving to Del Mar, and you've got horses  
13 moving back from San Luis Rey and Los Alamitos and, I mean,  
14 and they're dealing with it.

15 CHAIR FERRARO: Are there any other questions  
16 from the Board for Larry?

17 VICE CHAIR GONZALES: If I could, Chairman  
18 Ferraro? This is Oscar. And I'm going to ask either Scott  
19 Chaney or Rob to weigh in on this.

20 If for some reason Pleasanton is not approved  
21 along with the Cal Expo, if there are interests that  
22 believe those racing dates can just be moved over to Golden  
23 Gate, I was apprised that that would be very difficult.

24 And if, Scott or Rob, do either one of you want  
25 to weigh in on what, if for some reason Pleasanton is not

1 allowed to race, if those dates can then be moved to  
2 another facility? This is important.

3 EXECUTIVE OFFICER CHANEY: Thanks, Commissioner  
4 Gonzales. Scott Chaney here.

5 Yeah, I mean, there are a few restrictions.  
6 Obviously, the Business and Professions Code is pretty  
7 complicated, especially when it comes to Northern  
8 California racing.

9 I do know of one restriction. Golden Gate is  
10 permitted to run 44 weeks. We don't believe the total --  
11 in a year. We don't believe that, for example, so some of  
12 the less controversial meets, if you will, for example,  
13 Ferndale and Santa Rosa, Ferndale, from what I understand,  
14 is planning on just relinquishing the dates and having  
15 those reallocated to Golden Gate, whereas Santa Rosa,  
16 Sonoma County Fair, is talking about running a Sonoma  
17 County Fair at Golden Gate, so those would actually be  
18 counted differently in terms against those 44 weeks.

19 I think the folks at Golden Gate could probably  
20 speak better to this but, as far as I know, should the Cal  
21 Expo and Pleasanton dates be moved to Golden Gate without  
22 their cooperation, if you will, then that would put Golden  
23 Gate over the 44 which is prohibited by the B and P Code.

24 Yeah, that's sort of a quick and dirty B and P  
25 Code analysis.

1 COMMISSIONER SOLIS: So, Scott, do you know why -

2 -

3 VICE CHAIR GONZALES: So, in other words --

4 COMMISSIONER SOLIS: Yeah. Go ahead.

5 VICE CHAIR GONZALES: So I was just going to say,  
6 so in other words, Scott, if -- then we would essentially  
7 have, if Pleasanton is not allowed, we could have almost no  
8 racing whatsoever during that time period, unless we could  
9 find another Northern California facility? That's how I'm  
10 inferring this.

11 EXECUTIVE OFFICER CHANEY: That would be correct.  
12 I think Golden Gate could absorb some of those weeks and  
13 stay under 44. I haven't done the count. But I know that  
14 seven weeks would, I think, almost definitely, with the two  
15 Ferndale ones, put them over the 44. So there would have  
16 to be some accommodation to prevent that law violation.

17 CHAIR FERRARO: But if CARF elected to run the  
18 Pleasanton fair at Golden Gate, that would -- would that  
19 qualify as a fair meet, same as Sonoma?

20 EXECUTIVE OFFICER CHANEY: Exactly. I know it  
21 sounds like a small difference but it's not when it comes  
22 to both license applications. So, for example, Sonoma  
23 County Fair, as far as I know, will be submitting a license  
24 application and be running their meet, not unlike Los  
25 Angeles County Fair does at Los Al for the last, obviously,

1 what, ten years or whatever it's been.

2 CHAIR FERRARO: So, Larry, have you had any  
3 negotiations with The Stronach Group about running your  
4 fair meet at Golden Gate at all?

5 MS. SWARTZLANDER: Yeah. We've had two financial  
6 exchanges. The last one received was just simply not  
7 solvent.

8 CHAIR FERRARO: Any other questions from the  
9 Board for Larry?

10 COMMISSIONER SOLIS: Yes. Yeah, I have a  
11 question. Alex Solis here.

12 Scott, what's the percentage that Santa Rosa and  
13 Ferndale are getting from Golden Gate? Do you know?

14 MR. MARTEN: Hello?

15 CHAIR FERRARO: Hello? Do we have an answer to  
16 that question?

17 MS. SWARTZLANDER: Who was the question directed  
18 to, Commissioner?

19 COMMISSIONER SOLIS: It was to --

20 CHAIR FERRARO: Questions?

21 COMMISSIONER SOLIS: -- Scott Chaney.

22 MS. BROWN: This is Amanda Brown. I got a  
23 message that they accidentally disconnected and Scott and  
24 Rob are reconnecting right now.

25 CHAIR FERRARO: Okay. Let's give it a second.

1 Any other questions from the Commissioners?

2 OPERATOR: Again, if you'd like to ask a  
3 question, press star one. Please note to please only queue  
4 up for the item we're currently discussing.

5 We have Alan Balch with the California  
6 Thoroughbred Trainers next.

7 CHAIR FERRARO: Wait. Wait a minute. We're not  
8 ready to go to --

9 OPERATOR: Oh.

10 CHAIR FERRARO: -- that yet.

11 OPERATOR: I apologize.

12 EXECUTIVE OFFICER CHANEY: Chairman Ferraro, this  
13 is Scott Chaney.

14 I think, Commissioner Solis, were you asking me a  
15 question? Sorry. We hung up rather than un-mute.

16 COMMISSIONER SOLIS: Okay. So my question was,  
17 if you knew, what the percentage that Santa Rosa and  
18 Ferndale are getting from these dates?

19 EXECUTIVE OFFICER CHANEY: I don't know. The  
20 CHRB -- and I think Oscar -- or Commissioner Gonzales,  
21 sorry, can confirm this, but we are not -- we haven't been  
22 involved in any kind of negotiations between the -- I don't  
23 think there's any negotiation with respect to Ferndale. As  
24 far as I understand, their plan is just to relinquish their  
25 dates.

1 COMMISSIONER SOLIS: Okay.

2 EXECUTIVE OFFICER CHANEY: Santa Rosa, then, as  
3 far as I know, is in ongoing negotiations with Golden Gate.  
4 But the CHRB is not privy to any sort of financial  
5 arrangements.

6 COMMISSIONER SOLIS: Okay. Thank you.

7 CHAIR FERRARO: Okay. Thank you, Larry.

8 Operator, let's go on to Mr. Balch in the queue  
9 please.

10 OPERATOR: All right, Mr. Balch, your line is  
11 open, sir.

12 MR. BALCH: Thank you, Chairman and  
13 Commissioners. I just have some general comments here that  
14 I'll try to get through very quickly.

15 We're somewhat confused by the discussion on how  
16 the law limits racing weeks at Golden Gate. That,  
17 apparently, is a matter in the Racing Board and the  
18 associations.

19 But I do want to say, at the outset, that that  
20 problem notwithstanding, it seems as though to us, having  
21 been involved somewhat, that the Board has done -- put in a  
22 tremendous amount of work trying to facilitate the  
23 resolution of this problem, and because the problem for  
24 trainers and backstretch people and owners is even more  
25 important or more difficult, I guess I would say, than what

1 the conversation has been so far.

2           The Racing Board has really worked hard to  
3 facilitate a resolution. And what it seems to us that we  
4 have is a standoff between racing associations, CARF on the  
5 one hand and The Stronach Group on the other hand. The  
6 horsemen are in the middle. And by horsemen, I include,  
7 principally, the backstretch workers and their families,  
8 the trainers and, of course, the owners, who pay the bills.

9 Both management groups seem to have rational positions but  
10 they're refusing to compromise with each other. And that,  
11 particularly, as it affects keeping Golden Gate open for  
12 training, is our number one concern, as well as where the  
13 racing is, but particularly the training.

14           This idea that we've heard expressed in many  
15 contexts that, quote unquote, "There is no middle ground,"  
16 is just really disturbing to us.

17           CARF, as to its live racing, we all know from  
18 Commissioner Maas, when he was heading the Dates Committee,  
19 he used to tell us that this is all about ADW host fees, no  
20 overheard, paying low purses. Yet being willing to pay Cal  
21 Expo for stabling that would be unnecessary, except for the  
22 Golden Gate Fields' closure which, by the way, there are  
23 just over 1,300 horses at Golden Gate.

24           So, obviously, if Golden Gate closes the  
25 remainder of the horses have to go somewhere. And with all

1 our concern about health in the COVID era, there's also the  
2 heat and the health and so forth of the trainers who would  
3 have to transport their horses and would be assigned to Cal  
4 Expo, and we don't know what that procedure would be.

5           Now on the other hand, Golden Gate Fields invests  
6 very heavily in live racing, yet it also got host fees  
7 during the lockdown to cover their costs of being open for  
8 training. It says its operating cost, if my information is  
9 correct, are around \$17,000 per day for training, yet  
10 apparently, and this is just, you know, my understanding, I  
11 haven't been directly involved, but I'm told that The  
12 Stronach Group won't compromise on the \$17,000 per day in  
13 training to keep open for training, saying that to do so  
14 would subsidize the fairs, even though the trainers believe  
15 that any kind of a compromise in that direction would be in  
16 Golden Gate's own interest because it keeps the racing  
17 population together and working, and they'll be there once  
18 Golden Gate reopens. To have an interruption of four,  
19 five, six, seven, whatever the number of weeks is, is going  
20 to be, if it happens, is going to be a major interruption  
21 in training and a very difficult situation for the  
22 backstretch people.

23           The fairs operate year-round for all other  
24 purposes. Sure, everyone is under extreme stress, but the  
25 fairgrounds are open for non-racing purposes all year

1 round. Golden Gate Fields and Stronach exist only for  
2 racing. So these are two opposite positions. And when  
3 there is no middle ground, the horsemen, the trainers, the  
4 owners, the workers, the breeders, and the betting public,  
5 we would suggest, all suffer.

6           There should be a rational solution but it  
7 requires compromise between the racing associations. It's  
8 one thing when the racing associations dictate to the  
9 trainers or to the backstretch people in other context and  
10 are uncompromising in their negotiations with us but this  
11 is what happens when they're uncompromising with each  
12 other.

13           So it's exceptionally troubling. And we don't  
14 envy the Racing Board in whatever decision it has to make  
15 under this really difficult circumstance of law, rule, and  
16 failure to compromise.

17           Thank you.

18           CHAIR FERRARO: Are there any questions from the  
19 Board for Mr. Balch? No questions?

20           Can we hear from TOC, please, Operator? I'm sure  
21 they're in the queue.

22           OPERATOR: Yes, sir.

23           CHAIR FERRARO: Mr. Avioli.

24           OPERATOR: Yes, sir. We're opening Mr. Avioli's  
25 line now with the Thoroughbred Owners of California.

1 CHAIR FERRARO: Go ahead please.

2 MR. AVIOLI: Good morning, Mr. Chairman.

3 The TOC has been consistent that we believe these  
4 dates in this particular time are best run at Golden Gate.  
5 Each of the Commissioners, I hope, received our letter  
6 which mirrors our testimony at the Dates meeting.

7 The reasons are threefold.

8 The first, it's what we're all talking about, is  
9 safety, especially if anyone's watching the stock market in  
10 the country today, there are lots of COVID spikes. People  
11 are more concerned today than they were yesterday. And the  
12 concept of moving, literally, thousands of horses or more  
13 than a thousand horses and hundreds, if not more than, a  
14 thousand people from one side of the county to another for  
15 a place that doesn't have fans and will almost assuredly  
16 lose money by doing it, it just does not seem rational.

17 So -- but I don't want to bore everyone. They've  
18 heard these seem arguments over and again.

19 But one thing I would point out from today's  
20 testimony or comments so far regarding stabling is stabling  
21 would be satisfactory at Golden Gate for the month of  
22 August if Golden Gate got the dates. Golden Gate covers  
23 the cost of stabling when they run live. So that, just to  
24 be clear, that opportunity is available.

25 And the second is in analyzing Pleasanton --

1 CARF's application of Pleasanton, the one area, as  
2 Commissioner Gonzales spoke about, you have sort of limited  
3 control over stabling. But what is required by the CHRB is  
4 that in awarding a license, they deem there to be  
5 sufficient stabling from the license applicant. What I  
6 heard today is there is stabling for maybe 600, 600 to 800  
7 people, if a horse is at Pleasanton. That is not -- unless  
8 the Board deems that's sufficient stabling for that meet,  
9 you're not authorized to award that license.

10 So I think the question of having the  
11 confirmation that stabling is available at Sacramento, for  
12 example, or some alternative site, because we are --  
13 without it, you're in a position where we will have 500  
14 horses that have to leave Northern California.

15 So it's really twofold. One, are there  
16 sufficient stalls onsite at Pleasanton to run the meet?  
17 And, two, just you have to take into account that we're  
18 doing to have a diaspora of horses out of Northern  
19 California.

20 Thank you very much.

21 CHAIR FERRARO: Any questions from the Board for  
22 Mr. Avioli? No questions?

23 Operator, can we hear from The Stronach Group?  
24 They must be in our queue.

25 OPERATOR: Yes. We're now opening James Morgan's

1 line with the Humboldt County Fair Association.

2 CHAIR FERRARO: Well, no. The Stronach Group  
3 please.

4 MR. MORGAN: Chairman, I'm happy to --

5 MR. MARTEN: There is nobody in the queue.  
6 There's no one in The Stronach Group in the queue right  
7 now.

8 OPERATOR: Actually --

9 CHAIR FERRARO: Okay.

10 OPERATOR: -- Aiden Butler is on and we opened  
11 his line.

12 MR. MARTEN: Okay.

13 CHAIR FERRARO: Okay. I'm sorry, Humboldt, we'll  
14 get to you. Don't worry.

15 Go ahead, Aiden.

16 OPERATOR: Mr. Butler, your line is open.

17 MR. BUTLER: Commissioners, thank you for taking  
18 the time. I don't have a lot of input. The -- a couple of  
19 clarifications.

20 We did, actually, just to, you know, really drive  
21 it home, we did reach out and make an offer. And after  
22 looking at the numbers, it was more than fair, in our eyes,  
23 and didn't have any risk associated with it with regards to  
24 the fairs, or rather CARF, running their fair meet at  
25 Golden Gate.

1           And we have also done a deal with Santa Rosa, who  
2 were going to be unable to run their meet. We've done a  
3 deal with them that they will be running, as we've stated,  
4 at Golden Gate Fields.

5           I'm -- you know, the last thing I ever wanted to  
6 be accused of was trying to take anything away from the  
7 fairs. That is not The Stronach Group's intention and it  
8 certainly isn't my intention. But to clarify, I did say,  
9 many, many months ago, that this would not be -- we would  
10 never be in a position to subsidize the fairs. I said at  
11 that point, should that week un-overlapped -- or rather  
12 that week that week that used to be overlapped be given  
13 away, we would no longer be in a position to stable, so I  
14 really haven't changed my position one bit. The Stronach  
15 Group certainly hasn't changed there.

16           I wish we weren't facing what were facing but I'm  
17 a little concerned on two points. And I've gone back and  
18 forth with Commissioner Oscar and he's done an absolutely  
19 amazing job trying to corral this.

20           But the first point would be we really need to  
21 know what the stabling is -- situation is going to be up at  
22 Sacramento. Is there going to be enough stabling? Because  
23 the last thing I want to do is put anyone else in any more  
24 jeopardy.

25           And the second one is we talked about, can people

1 afford stuff and will you be able to afford to get this  
2 meet going? And if not, if you don't hit the projections,  
3 which the projections were a little out of whack of light,  
4 as you've seen that things are dying down now, the early  
5 projections from Golden Gate were pretty much against no  
6 competition. Now there's competition coming fast and  
7 furious from across the country, including all of the  
8 sports opening back up, so you know the projections are  
9 going to take a dip.

10 I just want to make sure that if there is an  
11 element of risk for CARF, that they really reconsider what  
12 we had offered them in the first place, which was a no-risk  
13 alternative with really fair terms.

14 Other than that, anything you want to ask of me,  
15 I'm here.

16 CHAIR FERRARO: Do the Commissioners have any  
17 questions?

18 Thank you, Aiden. No questions.

19 Can we put Humboldt back on? Sorry to have been  
20 rude to --

21 OPERATOR: No problem. James Morgan's line is  
22 open now.

23 MR. MORGAN: Thank you, Commissioner. Before  
24 I --

25 CHAIR FERRARO: (Indiscernible.)

1 MR. MORGAN: I'd like to thank Oscar and his  
2 group for not only giving all aspects of the industry a  
3 voice but actually listening to that voice, being tireless  
4 and transparent, grasping the big picture, and trying to do  
5 things that are equitable for all.

6 Golden Gate Fields, as we know, is doing well.  
7 We're all happy that they've preserved live racing in  
8 Northern California.

9 And I want to take us now to a myopic view of  
10 Humboldt and what's happening with it. Like all fairs, we  
11 are not running a fair this year.

12 Santa Rosa has negotiated with The Stronach  
13 Group. One of the worst-kept secrets in horse racing is  
14 they are going to get a certain amount of money per day and  
15 some other incentives.

16 It's been stated here by Oscar that Golden Gate  
17 will race starting guilty 21st as part of the normal  
18 course. It's also been stated that Humboldt was simply  
19 relinquishing their dates. It was never the intention of  
20 Humboldt to relinquish to their dates without compensation.

21 We lobbied hard and fast for a week without  
22 overlap beginning on August 20th. That week includes the  
23 Pacific Classic and the Travers Stakes, two of the more  
24 prestigious and probably the most well-bet events of the  
25 summer. That host status was going to be the life raft

1 that would perpetuate live racing for Humboldt County Fair.

2 So we would be happy, delighted to do the same  
3 deals that Santa Rosa has with The Stronach Group, but it's  
4 a nonstarter because the CHRB really doesn't have the  
5 authority to muscle The Stronach Group into such a fair  
6 deal. And Humboldt County is going to be suffering from  
7 losing those dates without any compensation whatsoever.

8 Even AB 763, which gives Humboldt a small  
9 percentage of the host status when they run with overlap,  
10 we're deprived those funds as well.

11 And so I do agree with Alan Balch and his  
12 assessment about the impasse and how it is unfortunate for  
13 the industry as a whole. But in terms of Humboldt, we are  
14 not getting compensation for those dates.

15 And so I sort of take issue with Mr. Butler who  
16 said, "I don't want to take anything away from the fairs."  
17 Well, they did take that week away from the fairs.

18 He also said that, "If we had to give a week up  
19 without overlap, then we wouldn't contribute to the  
20 stabling." Well, they did take that week back. They now  
21 race it.

22 I would ask that Humboldt either receive a  
23 similar deal as the one for Santa Rosa or that it be taken  
24 into consideration, the windfall of benefits to Golden Gate  
25 who, remarkably, is doing well under this economy, and that

1 there be some equitable contribution to Humboldt County  
2 Fair.

3           The key word here is fair. It's not fair that we  
4 lose our dates. It's not fair we don't get the same  
5 compensation package that Santa Rosa does. And it's not  
6 fair that The Stronach Group has not negotiated such a  
7 package with us.

8           VICE CHAIR GONZALES: Mr. Chairman --

9           CHAIR FERRARO: Questions from the Board?

10          VICE CHAIR GONZALES: Yes, I do have just a  
11 comment.

12          Jim, thank you very much. I really appreciate  
13 our ongoing line of communication, including a personal  
14 visit between you and I after -- shortly after I started.

15          In speaking with Mr. Conway, who plays a  
16 leadership role within the Ferndale team, it was clearly  
17 communicated a level of revenue or compensation that he  
18 felt would be acceptable. And we -- part of our many, many  
19 one-on-one conversations was to learn about how to make  
20 things better going forward? And then, also, what were  
21 some of the interests to create this deal that we're  
22 hearing? So I urge you to speak with your partner and call  
23 Mr. Conway about what he felt would be just compensation.

24          So, as far as The Stronach Group, they've had  
25 very little, almost zero engagement as it relates to the

1 Ferndale dates. It was really an opening that was created.

2 The one thing I did not want to go was to go to The  
3 Stronach Group, or another party for that matter, and  
4 insist that they transfer funds. I just, again, I just  
5 don't feel that that's my role.

6 So I believe that the message that I had heard  
7 early on from Ferndale leadership has been met. And that  
8 actually will be met with CARF. And he did mention two  
9 important racing dates. But the day that Ferndale is being  
10 given by which to draw from some of the compensation is,  
11 perhaps, going to be one of the most watched races this  
12 year, which is the Belmont Stakes. It is a Triple Crown  
13 that is unlike no other, you know?

14 So I believe I just don't -- I'm not getting the  
15 same information that I engaged with, with Mr. Conway, so I  
16 just -- probably one of the first times that I will  
17 disagree with a stakeholder or leader on one of these  
18 meetings but I just disagree with you because you just  
19 maybe either have outdated information or you are not in  
20 coordination with your team there at Ferndale.

21 So my apologies for having to air this out  
22 publicly but we also had a plan, going back to May 25th,  
23 that has been proposed. So this is the first time that I'm  
24 hearing you raise this point.

25 COMMISSIONER ALFIERI: Mr. Chairman?

1 CHAIR FERRARO: Any other -- yeah, go ahead.

2 COMMISSIONER ALFIERI: This is Commissioner  
3 Alfieri.

4 I was wondering if Aiden Butler from The Stronach  
5 Group could respond to Humboldt County's, you know, request  
6 or what's the story with -- I mean, I know they've made  
7 offers to Pleasanton but what about these others, CARF  
8 members? Is it possible for him to respond?

9 OPERATOR: Yes. I've opened Mr. Butler's line  
10 now.

11 MR. BUTLER: Thank you. Thank you, Commissioner  
12 Alfieri.

13 It's slightly comical. We actually tried early  
14 on to talk to Ferndale directly and was instructed numerous  
15 times that you would have to speak to CARF to do a deal  
16 with Ferndale. So a little unsure about what was going on  
17 down there.

18 But, no, it is -- he's definitely right, there is  
19 definitely going to be no compensation given to Ferndale.  
20 There has been no communication directly. And again, to  
21 reiterate, we were told, when we did talk about speaking to  
22 them directly, that they would be represented by CARF.

23 So, yeah, that's where we stand. And I, like, I  
24 believe, Commissioner Gonzales, is a little confused to the  
25 change in tack.

1 COMMISSIONER ALFIERI: Okay.

2 CHAIR FERRARO: Any other questions or comments  
3 from the Board?

4 Okay, Operator, let's go through our queue, okay?

5 OPERATOR: Yes, sir. Our first commenter is  
6 Aggie Ordonez, who is a trainer at Golden Gate Fields.

7 CHAIR FERRARO: Go ahead please.

8 MR. ORDONEZ: Good morning. Can you hear me?

9 CHAIR FERRARO: Yes.

10 VICE CHAIR GONZALES: Yes.

11 CHAIR FERRARO: Go ahead.

12 MR. ORDONEZ: Good morning and thank you for  
13 listening to the concerns of the Northern California  
14 horsemen. We are not a group that normally speaks out or  
15 complains but 2020 has certainly brought us out of the  
16 norm.

17 Over the last few months, most of us haven't  
18 missed a day of work. That doesn't make us special, that  
19 just makes us racetrackers. But I feel like we've done our  
20 part to stay safe. We've worn masks and gloves. We've  
21 washed our hands, disinfected our equipment, maintained  
22 social distancing.

23 When I'm at work, my crew is my family. Each  
24 barn is a separate family. When we keep our barn families  
25 safe we keep the families that we go home to safe.

1           We've done our part to stay safe, including  
2 enduring a two-month spell with no racing and, therefore,  
3 no income.

4           I'm asking you, the Board, now to do your part to  
5 continue to keep us safe and to prevent the spread, the  
6 further spread, of COVID-19. Please don't turn us into  
7 transient workers at this time and ask to travel to not one  
8 but now two other communities in both Sacramento and  
9 Pleasanton to their gas stations, to their 7 Elevens, to  
10 their taquerias. There are a lot of factors that will put  
11 us at risk if we're asked to race at Pleasanton.

12           The one that stands out to me is transport for  
13 those of us that would be forced to stable at Sacramento.  
14 Transporting 50, 60, 70 horses, along with their grooms,  
15 every time we need to run is not safe. We don't have the  
16 manpower or the rigs to ship each horse separately. When  
17 you put four or five horses on a rig, you put four or five  
18 guys in a truck, violating the most basic recommended  
19 safety protocols of social distancing. That worker returns  
20 to my barn the next day and I return to my family at home  
21 that night.

22           Every time we want to run a horse and earn a  
23 living, my crew and I would be asked to mix and mingle with  
24 a new and different group of people. Every day is a new  
25 risk.

1 I'm not only a trainer, I'm a mom.

2 OPERATOR: Thirty seconds left, ma'am.

3 MR. ORDONEZ: I'm isolated at home. And I've  
4 asked my 15-year-old son to isolate from his friends. I've  
5 tried to do the right thing and I'm asking you to do the  
6 same thing and keep us safe in place at Golden Gate Fields.

7 Thank you.

8 CHAIR FERRARO: Thank you very much.

9 Next, Operator.

10 OPERATOR: Thank you. Our next is Rick Pickering  
11 with the California State Fair.

12 CHAIR FERRARO: Go ahead, Rick.

13 MR. PICKERING: Yes. Good morning, honorable  
14 Chair and distinguished Commissioners.

15 Cal Expo, in order just to get this on the  
16 record, Cal Expo has continually -- has continued to safely  
17 stable and train horses since COVID began. Our stabling  
18 and operation for harness horses has been continuing with  
19 the support of our county health officials. So the  
20 question of training at Sacramento and what protocols are  
21 in place, we are doing that now with our harness horses, or  
22 we have been, they just moved out, but up until May they  
23 continued to train through and they stayed through the  
24 month of May. Cal Expo is fully available to train  
25 thoroughbreds this summer should we have to do that.

1 I would note that at the California Horse Racing  
2 Board meeting in Del Mar, CARF, Golden Gate Fields, the  
3 fairs, my notes indicate we were roughly \$90,000 apart on  
4 costs for stabling if Golden Gate Fields were to stay open  
5 all summer, and that was well before COVID hit. But it  
6 seems that there's -- an awful lot has -- an awful lot  
7 continues to be moving pieces. But to be \$98,000 apart  
8 several months ago, well before COVID, and then to be  
9 dealing with a \$17,000 daily number now, something doesn't  
10 quite seem right there.

11 Horse racing in Northern California has  
12 continually depended upon the network of satellites at  
13 racing fairs and fairs that don't have a live racing track.  
14 In fact, in essence, the fairs' satellite wagering product  
15 not only takes racing out to the general public that can't  
16 drive to Golden Gate Fields, but the public that wagers at  
17 the network of fairs in Northern California, those horse  
18 racing revenues are then provided by the fairs through the  
19 network back to Golden Gate Fields as commission, as well  
20 as to supplement to support the purses for the horsemen.

21 So to take a -- we understand COVID is very  
22 unique. In fact, Cal Expo is the largest volume drive-  
23 through COVID testing facility in the state of California.  
24 We're doing a number of things. And more recently, we  
25 housed more than 1,000 National Guard troops to support law

1 enforcement efforts in our area. None of that is taking  
2 place anywhere close to our racing barns.

3           The racing barns are still under the jurisdiction  
4 of the Horse Racing Board. And I would note that the Horse  
5 Racing Board's main headquarters is across the street from  
6 Cal Expo. And Cal Expo provides a number of Horse Racing  
7 Board staff access to our barn area and office space in the  
8 barn area. So if anything were amiss at Cal Expo as,  
9 perhaps, been suggested by some folks today, we have so  
10 many people here from the Horse Racing Board keeping a very  
11 close eye on and doing a great job in working with us.

12           And we certainly understand the concept of moving  
13 horses or moving people. It's one of the reasons we  
14 support the seven-week approach in Pleasanton instead of  
15 trying to run a meet in Pleasanton and then a separate meet  
16 in Sacramento.

17           That's it, Mr. Chairman.

18           CHAIR FERRARO: Thank you. Thank you. How many  
19 stalls do you have there?

20           MR. PICKERING: We have close to 1,000 stalls.

21           CHAIR FERRARO: Okay. Thank you.

22           Any questions from the Board?

23           Thank you very much.

24           Next, Operator.

25           OPERATOR: Thank you. Next is Ian McLean with

1 McLean Racing Stables.

2 CHAIR FERRARO: Good morning.

3 MR. MCLEAN: Good morning. This is Ian McLean,  
4 horse owner and breeder in California. Thank you for  
5 reopening agenda three and four.

6 This is the year of change. It is everywhere.  
7 You see it in our approach to staying healthy in times of  
8 COVID-19. You see it in the unrest of America where  
9 millions of people are demanding equality. You see it in  
10 the rescheduling of major sporting events and entertainment  
11 venues. You even see it in the new faces on the CHRB.

12 Additionally, on a much, much, much smaller  
13 scale, you have read a request for change from a group of  
14 horsemen that have never been the centerpiece of any  
15 decision by the CHRB. Policies and decisions by this Board  
16 have always centered around the ramifications that will be  
17 imposed upon the establishments that conduct the actual  
18 race meets. They have never centered on nor taken much  
19 consideration towards the effects such policies and  
20 decisions will have on the actual horsemen themselves. The  
21 day has come for this to change.

22 The horsemen in Northern California have put  
23 together a petition which has been delivered to all members  
24 of the CHRB. We hope that all members have taken the time  
25 to read it. As of this morning the total count has exceed

1 500 names. That is huge. I must impress that this is a  
2 private petition for only horsemen and owners in Northern  
3 California. It has not been published publicly to generate  
4 false numbers. These are real people, many of which live  
5 and raise families at Golden Gate Fields. Their voices  
6 matter.

7           There are numerous reasons cited within the text  
8 of the petition for why this has been so popular.  
9 Regardless of which one or ones you agree or disagree with,  
10 any single one lends justification for why the horsemen  
11 request that the CHRB not allocated physical race dates to  
12 CARF this summer. This is not an attack on the fairs, this  
13 is preservation of our health and welfare.

14           Discussions regarding the fairs' future in  
15 California racing should continue but not be thrown onto  
16 the table at this very precarious time.

17           The horsemen realize that there are politics  
18 involved in today's vote. Well, sometimes politics need to  
19 be put aside for the greater good. Think hard about what  
20 you are asking people to do -- correction, what you are  
21 making people do.

22           The horsemen and backstretch workers barely  
23 survive on their income, even in good years. They have no  
24 choice but to do as you vote today, go here, go there.

25           OPERATOR: Thirty seconds left.

1 MR. MCLEAN: Oh, try not to get sick. I'll be  
2 sure to watch you on TV. Don't let that be your message.

3 As an addendum to this, I just wanted to follow  
4 up my written statement with, you know, what I've heard  
5 today, this is one of the most ridiculous plans I've ever  
6 heard. You're asking hundreds of people to move within one  
7 week. Most of these people don't even have cars. This is  
8 the most inhumane act I have heard, even under  
9 consideration by any group, in a long, long time.

10 And, you know, furthermore, keep in mind that in  
11 the days of COVID, you're likely to have a whole bunch of  
12 attorneys coming out of the walls with all the moratoriums  
13 on eviction notices, that these people are now going to be  
14 in a position to have to fight.

15 I hope that you do the right thing today. You  
16 have my support. I think we need to put together a  
17 different time and a bigger time to have proper meetings  
18 about how to move forward with the fairs so that it's fair  
19 to everyone.

20 Thank you very much.

21 CHAIR FERRARO: Thank you. Thank you very much.

22 Next please. Operator, do we have anybody else  
23 in the queue?

24 OPERATOR: Yes. Our next question is Cliff  
25 Goodrich with CTHF.

1 MR. GOODRICH: Thank you, Mr. Chairman,  
2 Commissioners. Normally I'm not bashful to speak up but I  
3 was really reluctant to call in because we really do not  
4 want to get between The Stronach Group and the fairs, but  
5 we do need to go on the record, not that it's going to be  
6 any earthshaking or influence the decision, but I did not  
7 want anybody afterwards saying, why didn't you guys speak  
8 up?

9 I think Mr. Balch and Mr. McLean both said the  
10 backstretch workers are really the innocent bystanders  
11 here. And if Golden Gate should shut down for stabling, we  
12 have a medical clinic there in the middle of COVID-19 that  
13 operates five days a week. Golden Gate does not operate --  
14 the gates will be locked. We will be out of business for  
15 six weeks at a time when we may well be needed. And the  
16 workers will be anywhere from 35 to 80 miles away,  
17 depending on whether they're at Pleasanton or Sacramento.  
18 And I just want to go on record, if that would be the case,  
19 it's most unfortunate.

20 You know, I've been in racing a lot of years.  
21 I've been in the middle of these kinds of arguments.  
22 Normally they're resolved on what's best for the industry.  
23 That's much easier said than done.

24 So I hope whatever the Board does is not for the  
25 benefit of The Stronach Group, is not for the benefit of

1 the fairs, but it's for the benefit of the overall  
2 industry, and the workers have to be part of that solution.

3 So, again, I hesitated to call but I think it's  
4 important to note that our clinic would likely be out of  
5 business if there's no stabling at Golden Gate.

6 Thank you.

7 CHAIR FERRARO: Thank you, Cliff.

8 Next.

9 OPERATOR: Thank you. Our next is Bonnie  
10 Crocker, a concerned citizen.

11 CHAIR FERRARO: Good morning.

12 MS. CROCKER: Good morning again, CHRB. I so  
13 appreciate this opportunity for public comment on agenda  
14 item number three.

15 I don't believe racing should be taking place at  
16 all during this COVID-19 pandemic. It is impossible to  
17 maintain social distancing during racing activities.  
18 Jockeys and track workers come and go from the tracks,  
19 despite claims by some that a racing facility can be a  
20 closed ecosystem.

21 I have witnessed the presence of many unessential  
22 participants at racetracks recently. For example, media  
23 reporters, a bugle player, trophy presenters, horse  
24 carriage drivers, and more. One hundred owners and guests  
25 have been invited to watch their horses train while having

1 coffee at a racetrack clubhouse. These activities can  
2 promote the spread of a highly infectious disease during  
3 this critical time period.

4 And if these activities aren't an open invitation  
5 for the spread of COVID-19, it is my understanding that the  
6 Del Mar Thoroughbred Club has submitted an application for  
7 a Summer of 2020 racing meet. It is also my understanding  
8 that the application states that 665 migrant workers will  
9 be housed at the track with one bathroom per 17.5 workers.

10 The horse racing industry is notorious for killing horses.

11 If you become notorious for killing humans, more humans  
12 might actually care, and that would really cost you some  
13 money.

14 Thank you.

15 CHAIR FERRARO: Next please.

16 OPERATOR: Thank you. Our next questioner was  
17 not identified.

18 Questioner, your line is being opened now.

19 You'll hear a prompt.

20 MS. EATON: Yes. This is Terri Eaton with the  
21 Arabian Racing Association of California.

22 And my question to you is: How about the emerging  
23 breeds if they decide to send -- take the Pleasanton dates  
24 and put them at Golden Gate Fields?

25 We, as Arabian horsemen, also have our horses.

1 We want to know how we can be included and what our  
2 stabling procedures would be?

3           It's just questions that we need to ask so we can  
4 make decisions also. We're all at risk, no matter what we  
5 are, Arabian horsemen, thoroughbred horsemen or Quarter  
6 Horsemen, we're all at risk.

7           So what about -- you know, Del Mar is in the same  
8 situation. The people in Santa Anita are moving to Del  
9 Mar, as far as moving their families and spreading COVID-  
10 19. I don't see anything wrong with everybody staying at  
11 Golden Gate Fields and coming to Pleasanton and racing and  
12 letting us all share a piece of the pie, but what's the  
13 matter with -- why can't CARF and Golden Gate Fields come  
14 to some sort of agreement to be able to work together and  
15 allow the people to stay at Golden Gate Fields?

16           Thank you.

17           CHAIR FERRARO: Thank you.

18           Next please.

19           OPERATOR: Thank you. Next is Heather Hyde, a  
20 concerned public citizen.

21           MS. HYDE: Hi.

22           CHAIR FERRARO: Go ahead please.

23           MS. HYDE: My name is Heather Hyde. I've been a  
24 resident of Del Mar, also the Bay Area where Golden Gate  
25 Fields is, and I went to Arcadia High School.

1           And I'm calling in regards to just really how  
2           unsatisfied I am with all of you on the Board. You're a  
3           complete fraud and hypocrites because what do you care  
4           about? Like what is your agenda? I know what my agenda is  
5           and it's to care for the horses. And, obviously, we can  
6           see with the continued deaths that are happening that you  
7           are not overseeing the safety of the horses.

8           But you're also not overseeing the safety of the  
9           citizens because you're opened up and everybody is  
10          susceptible to coronavirus. It's a real threat, especially  
11          to seniors and those that have weak immune systems.

12          I just don't know how you sleep at night, and  
13          I've said this before, because you do absolutely nothing.  
14          Absolutely nothing. You know, it's just a fraud that you  
15          are in this position.

16          Why don't we have people that actually care about  
17          the horses in the Board rather than -- whatever you get out  
18          of it, I'm just so confused. And I'm appalled that we've  
19          been doing this for years. We've been calling in for  
20          years.

21          I'd really like you to consider not doing  
22          whatever job you're not doing and quit the bull. Put in  
23          people that actually care.

24          Thank you very much.

25          CHAIR FERRARO: Next please, Operator.

1 OPERATOR: Thank you. Next is Oscar de la Torre,  
2 a worker advocate.

3 CHAIR FERRARO: Go ahead, Oscar.

4 MS. DE LA TORRE: Yes. Thank you all very much  
5 for your service.

6 I just want to make sure that we do what's right  
7 for workers, especially backstretch workers.

8 I just want to remind everybody that there's a  
9 lot of uncertainty right now in our state. And having a  
10 job, having employment provides some stability in the lives  
11 of very vulnerable people, people that are hardworking,  
12 that don't want welfare, don't want PPP, they just want an  
13 opportunity to feed their families.

14 So let's keep that in mind. Keep the workers in  
15 mind as you make these decisions.

16 Thank you very much.

17 CHAIR FERRARO: Thank you.

18 Next please.

19 OPERATOR: Thank you. Our next is Johnny Tabua.

20 CHAIR FERRARO: Go ahead please.

21 MR. TABUA: Yes. Good morning to everybody.

22 Thank you very much for doing this. And I want to just put  
23 two cents to this.

24 You know, as an owner, having almost 25 horses  
25 that stable at Golden Gate and other facilities in

1 California, one of the things that worries me quite a lot  
2 right now is having to move my horses once again, I mean,  
3 just for a six-week meeting.

4           You know, we just -- it was 60 days of not being  
5 able to race, which we owners have struggled big time as  
6 far as being able to keep up with expenses and being able  
7 to keep up with the wellbeing of our horses. Now being  
8 able -- now we're ask to run in the fairs, which we support  
9 but, at the same time, now we have to transport our horses  
10 completely. Some of the horses are not at the racing --  
11 maybe they might not be racing for A or B reason, they  
12 might need a little more time, and so forth.

13           But I just wanted you to consider that, as an  
14 owner, we have a struggle financially. And now this might  
15 as well be, you know, the part that might kick us out in  
16 many aspects. We might not be able to keep up with the  
17 changes. We might not be able to keep up with the expenses  
18 of transporting the horses. And not only that, but also  
19 the wellbeing of the horses being moved from one facility  
20 to another one just for six weeks, for a six-week period.

21           Thank you so much.

22           CHAIR FERRARO: Thank you.

23           Next please.

24           OPERATOR: Our next question comes from Heather  
25 Wilson, a member of the public.

1 CHAIR FERRARO: Go ahead please.

2 MS. WILSON: Hi. Good morning everyone.

3 As of June 10th, 2020, the Alameda County  
4 Fairgrounds is still being used as a COVID-19 testing site.  
5 It has still not been determined if there will even be a  
6 fair this year.

7 According to the Alameda County Department of  
8 Public Health, Alameda County has had 4,033 COVID-19 cases  
9 as of June 9th. This last week saw an additional 361  
10 cases, with more cases added every single day. Total  
11 fatalities are at 105.

12 The City of Pleasanton lists this on their  
13 website. Effective June 8th, 2020, the health officer  
14 order to update the shelter-in-place allows small outdoor  
15 gatherings for people belonging to the same social bubble.  
16 A social bubble is defined as a group of 12 or fewer people  
17 from different households. Participation is restricted to  
18 only one social bubble at a time. And members of a social  
19 bubble are strongly encouraged to comply with social  
20 distancing requirements.

21 It takes way more than 12 people, and we all know  
22 this, in close proximity to conduct live horse racing.  
23 There is also no social distancing. Jockeys, assistant  
24 starters, pony riders, gate attendance, and other personnel  
25 are in very close proximity. The ponies and the jockeys

1 are tethered together. Once at the gate the people are  
2 literally climbing on top of each other. And it is just so  
3 abundantly clear that you have zero regard for public  
4 health or the welfare of your workers.

5 The Stronachs make billions of dollars yet their  
6 backstretch workers cannot get health insurance. That is  
7 an abomination.

8 Going about your merry business of gambling and  
9 killing horses is egregious enough, but during a pandemic,  
10 it's just deplorable.

11 And let us not forget the risk of transporting  
12 horses, all those horses that were killed transporting on  
13 the east coast. That is so horrifying. Imagine, what a  
14 way to day. This license should absolutely not be allowed.

15 Thank you for letting me speak.

16 CHAIR FERRARO: Thank you.

17 Next please.

18 OPERATOR: Thank you. Our next comes from Denise  
19 Bolbol, a California citizen.

20 CHAIR FERRARO: Go ahead please.

21 MS. BOLBOL: Yes. Good morning. I just wanted  
22 to say that you need to stop putting business interests  
23 ahead of the greater interest for our health, for the  
24 public's health, and you need to do what's right for the  
25 public's health rather than what's best for certain

1 people's pocketbooks.

2           Also, since we're talking about the backstretch  
3 workers and their wellbeing, let's talk about what their  
4 pay is. Why doesn't this Board look at what the average  
5 pay is for a backstretch worker? Why don't we look at what  
6 is the healthcare coverage the backstretch workers are  
7 given?

8           This industry exploits horses and backstretch  
9 workers. And anyone who thinks this industry gives a shit  
10 about the backstretch workers is lying to themselves.

11           Thank you.

12           CHAIR FERRARO: Thank you.

13           Next please.

14           OPERATOR: Thank you. Our next is Nick Casado, a  
15 thoroughbred horse owner.

16           CHAIR FERRARO: Go ahead please.

17           MR. CASADO: Good morning, Board. Thank you for  
18 taking our calls.

19           I want to applaud Santa Anita, as well as the  
20 CHRB, for implementing all of these protocols that are in  
21 place. I've sat here and listened to these so-called  
22 animal activist bash us every turn. This has been going on  
23 for years now. It's appalling to hear them say all that we  
24 don't do but never address the things that we do. And the  
25 hypocrisy runs rampant for them to try to paint this

1 picture of us on the things that we do not do.

2 We have protocols in place for these jockeys that  
3 far supersedes any industry that I've ever even seen, from  
4 supermarkets to car dealerships to, now, restaurants. And  
5 we can deem these things as vital businesses but all of  
6 these businesses that are opening back up and getting our  
7 government running are not essential.

8 So applaud you guys for doing the job that you've  
9 done. I applaud Santa Anita and their management with how  
10 they have handled this. And we have shown that we can do  
11 this in difficult times with the coronavirus and what we  
12 have going on in the world now and be successful and be  
13 healthy in doing so.

14 So I urge that we band together and continue to  
15 fight off these radicals that want to shut down hr.

16 Thank you very much.

17 CHAIR FERRARO: Thank you.

18 Next please.

19 OPERATOR: Thank you. Our next is Wayne Johnson,  
20 a citizen.

21 CHAIR FERRARO: Go ahead please.

22 MR. JOHNSON: Is this the time for public  
23 comment?

24 CHAIR FERRARO: Yes. Go ahead please.

25 MR. JOHNSON: My name is Wayne Johnson and I --

1 my name is Dr. Wayne Johnson. I live in Santa Monica,  
2 California.

3 On May 29th, a horse named Malibu Morning died at  
4 Los Alamitos.

5 CHAIR FERRARO: Excuse me, sir.

6 MR. JOHNSON: That was followed by --

7 CHAIR FERRARO: We're talking about a specific  
8 agenda item at this time, which is the application of  
9 Pleasanton. If you want to talk about general horse  
10 welfare, you'll have to wait until the public comment  
11 period.

12 MR. JOHNSON: Okay. Doctor, I'll be happy to do  
13 that. I'll be happy to wait until the public comment.

14 CHAIR FERRARO: All right. Thank you very much.  
15 Next please.

16 OPERATOR: Next is Matthew Troy, Golden Gate  
17 Fields.

18 CHAIR FERRARO: Go ahead please.

19 MR. TROY: Hey, everybody. Matthew Troy here,  
20 owner, trainer, breeder at Golden Gate Fields.

21 You all, this is crazy. This is -- the Board has  
22 got so many question about, you know, leading up to the  
23 Pleasanton week coming up and just with not a lot of good  
24 answers, to be honest.

25 You know, Larry is talking about all this net

1 profit they're going to make based on these numbers, which  
2 sounds like you could pay the day rate at Golden Gate  
3 Fields, also, you know?

4 Golden Gate, CARF, you guys, comes on, just get  
5 together. Please work it out. CARF, run at Golden Gate.  
6 Nobody wants to move, nobody does, almost nobody want to  
7 move. Moving 200 people out of here, too, that's a whole  
8 health issue, as well, you know? I don't want to sound  
9 emotional about this but it's crazy.

10 Listen, I'm sure Sacramento, your protocols are  
11 in place, lockstep, Pleasanton, as well. Mine are, too, at  
12 home but I'm not going to invite you to my house. You see  
13 what I'm saying?

14 You're disrupting this environment here. And  
15 just introducing even 10 or 15 or 20 more people when you  
16 don't have to, I think it's wrong. So let's -- Golden  
17 Gate, CARF, you guys, come on, get together. Let's work  
18 this out. Just run the dates at Golden Gate and let's move  
19 forward. No one is saying get rid of the fairs, it's just  
20 this year. We've all taken a hit. We're going to take a  
21 bigger hit and more risks running at the fair.

22 Thanks everybody. That's my time.

23 CHAIR FERRARO: Thank you.

24 Next please.

25 OPERATOR: Thank you. Next is Aiden Butler with

1 The Stronach Group.

2 CHAIR FERRARO: Go ahead, Aiden.

3 MR. BUTLER: Thank you, Commissioners.

4 I'm over here trying to work furiously to get a  
5 resolution. I think anyone who knows me knows how near and  
6 dear everybody in this place, including and primarily the  
7 horses and the people who look at after the horses.

8 It's been in impasse since the beginning.

9 There was something raised earlier that got me  
10 thinking about how much more racing Golden Gate could  
11 handle. And, really, there are a few issues. There's the  
12 inability to pay. And I'm not sure who it was who was  
13 talking about \$97,000, I mean, that is just such a  
14 ridiculous statement of that being the delta difference.

15 But is there a way here where -- I believe Golden  
16 Gate Fields can handle, under its license, three more  
17 weeks. Doesn't it not make sense just to keep everybody  
18 stabled at Golden Gate for this year and make Pleasanton --  
19 yeah, I know, they really want to race horses, so let them  
20 have, you know, a short meet and give the other three weeks  
21 to Golden Gate, then there's no need to change anybody  
22 for -- charge anybody for stabling an everybody can carry  
23 on? Doesn't that make sense, Commissioners, as opposed to  
24 disrupting the whole thing?

25 And, Commissioner Oscar, this is -- I know we

1 haven't talked about this but I guess my conscience is  
2 weighing when I think of like all the people having to move  
3 now, but the inability to fund it out of thin air is not  
4 there. So if we pick up racing and can maximize the amount  
5 of racing under the license, which still gives Pleasanton a  
6 short meet, doesn't that make sense? Because at that stage  
7 we have the ability to keep the stabling open and, you  
8 know, and keep everybody in place.

9 I'm trying here. I would be interested to see  
10 where CARF is at but I'm trying to come up with another  
11 solution. The original offer we made, which was no risk  
12 and no loss to CARF, wasn't acceptable. Maybe this will  
13 work.

14 VICE CHAIR GONZALES: Mr. Chairman, if I could, I  
15 have a question for Aiden?

16 Could you please communicate what you shared via  
17 letter or email the offer that you made to Pleasanton and,  
18 also, when the offer was made? Because we've now been at  
19 this for three weeks. And among the feedback that I  
20 received in the one-on-one meetings, the days of last-  
21 minute negotiations is something we were going to try to  
22 avoid.

23 So, in fact, you just -- I'll state and then you  
24 confirm or not.

25 The written offer that you made was only two days

1 ago. And did you -- was your offer to Pleasanton not a 50-  
2 50 split but it was a split of 75 percent for Golden Gate,  
3 25 percent for Pleasanton, and after expenses, Pleasanton  
4 would probably be left with zero. So could you please  
5 confirm again those two items? And then I have another  
6 follow-up question.

7 MR. BUTLER: Absolutely. Yes. So I'm not sure  
8 what projections you saw that would get them to zero  
9 because 74 percent of zero or -- is still (indiscernible).  
10 I don't think we'd have done it for no money and I don't  
11 think it would have made any sense for us to run a meet.

12 What the actual offer was, we would be  
13 transparent and come to agreed-upon expenses to run the  
14 meet and take on all of the work and all of the risk  
15 because -- again, I think maybe Mr. Avioli and the TOC  
16 would be far better inclined to -- but we all think that  
17 CARF is going to lose its shirt. We do not think they're  
18 going to be able to make any money. And the only person  
19 who gets in trouble -- the only people who get in trouble  
20 is the industry if they aren't able to hit these rather  
21 exciting projections that have been put forth.

22 So at the moment, we put forth 25 percent, not  
23 knowing whether that's good or bad. But the big element  
24 there was there would be no risk to the fairs. And I think  
25 at this time, that was as good as we could get to.

1 VICE CHAIR GONZALES: And my follow-up question,  
2 Aiden, is Pleasanton had requested for CARF to also allow  
3 for some of their personnel to be utilized, whether it was  
4 an announcer, whether it was some other, that you also  
5 refused that, as well, didn't you, directly to me? So you  
6 want absolutely no part of --

7 MR. BUTLER: Yeah.

8 VICE CHAIR GONZALES: -- of disability?

9 MR. BUTLER: Yeah. Unfortunately, Commissioner,  
10 we wanted to keep professionals in place who were doing it  
11 24/7. I know some of the people that we're bringing in are  
12 good but we pay people year-round. It didn't seem smart  
13 for any sort of business deal to then pay extra people on  
14 top of salaried employees. Our aim was to keep the  
15 expenses down so any profit left would be sharable.  
16 Spending extra money on extra people didn't seem to make a  
17 lot of fiscal sense.

18 VICE CHAIR GONZALES: Okay. Well, perhaps we can  
19 ask either Larry from CARF or Jerome from Pleasanton what  
20 you felt about an offer that was made?

21 And I've got to tell you that there was, on  
22 behalf of CARF and Pleasanton, a desire and open-mindedness  
23 to have something equitable worked out. And because there  
24 was no offer that was made in a timely fashion, CARF,  
25 obviously, and I saw this for myself when I was Pleasanton

1 this past Sunday, I saw for myself the measures that CARF  
2 has taken. But had a deal been cut or presented that was  
3 feasible, I think we might have seen something open.

4 So I just want to state for the record that in  
5 now was CARF, Pleasanton, or any of the other fairs  
6 objecting to keeping the racing community at Golden Gate.  
7 It's just pretty clear, the numbers did not work out in a  
8 fair way.

9 So if, Larry or Jerome, I mean, since we are  
10 talking about a deal and I think that the horsewomen and  
11 horsemen need to hear this, perhaps you want to just share  
12 what your thoughts were about the deal that was made to  
13 you?

14 OPERATOR: Thank you. Opening --

15 CHAIR FERRARO: Do we have -- yeah, open up for  
16 Larry.

17 OPERATOR: Opening Mr. Swartzlander's line now.

18 MR. HOBAN: Good afternoon, Commissioners.

19 CHAIR FERRARO: Go ahead, Larry.

20 MR. MORGAN: It's Jerome Hoban, Alameda County  
21 Fair.

22 In response to the direct question, the offer  
23 that was simply made to us was 25 percent of net profit.  
24 And as you just heard Mr. Butler say, they have year-round  
25 expenses, which means the net profit would have been eaten

1 up, I'm sure, by their overheard costs.

2           Additionally, I believe, because I'm in the  
3 business, the \$17,000 a day quoted for stabling, while we  
4 respect that, it also includes all of the overhead for the  
5 organization at Golden Gate Fields. This is why that  
6 number is unacceptable, knowing that the fairs, and per  
7 Commissioner Maas' motion back in December, it was  
8 allowable that CARF and the racing fairs do their own  
9 stabling as needed.

10           It is purely The Stronach Group's decision  
11 whether they need or are required -- requiring to close  
12 Golden Gate Fields for the summer. I don't believe that's  
13 in their best interest. But I also understand that they  
14 have a lot of cleanup to do, and they've mentioned that,  
15 and we appreciate it.

16           I also, while I have the podium, just want to  
17 thank Commissioner Oscar and Wendy for all of their effort  
18 in bringing these groups together. And I just want to  
19 state that Pleasanton stands ready to race. The condition  
20 book is out. The marketing buy is going to be finalized  
21 today after this meeting. Stall applications are flowing  
22 in. Horses are in our barn today, right now. We had  
23 training this morning. Safety inspections are completed on  
24 the track. It's one of the safest tracks in the nation.

25           Our barns and track are completely open for

1 training. The track and barns have never been in better  
2 condition. We have worked diligently with Alameda County  
3 health officials to ensure that our racing environment is  
4 safe. We even have a COVID testing site on location for,  
5 at minimum, the next four weeks for folks to use if they  
6 need it.

7 We also stand ready to open the offtrack betting  
8 facility and restaurants should the County Health allow it  
9 in the next seven weeks.

10 Along with thoroughbreds, we're proud to give  
11 mixed breeds, Arabians, Quarter Horses a place to race this  
12 summer. We are proud to continue the 162-year racing  
13 tradition here at the Alameda County Fair on the nation's  
14 oldest one-mile racetrack. We are proud to put many people  
15 back to work back in our region. The CARF racing fairs  
16 stand united to deliver an exceptional racing product this  
17 summer.

18 And I just want to thank, again, the Commission  
19 for listening to all of this today. These are  
20 unprecedented times but the county is reopening and this  
21 can be done safely, and that's our job, that's what we do,  
22 we race horses.

23 Thank you.

24 CHAIR FERRARO: Thank you.

25 Do we have additional people in the queue,

1 Operator?

2 OPERATOR: We do. Next is Rick Pickering with  
3 the California State Fair.

4 CHAIR FERRARO: Go ahead please.

5 OPERATOR: Mr. Pickering your line is open.

6 CHAIR FERRARO: Go ahead please.

7 OPERATOR: You may need to un-mute to ask your  
8 question.

9 MR. PICKERING: Yes, Mr. Chairman and Members of  
10 the Board, thank you very much for allowing me a second  
11 opportunity.

12 I appreciate hearing The Stronach Group  
13 officially put on the record today at this hearing that  
14 it's not their intent or desire to put the fairs out of  
15 live racing. Prior Stronach executives have testified  
16 before this Board and subcommittees of this Board that they  
17 cannot, that Stronach cannot continue racing if the fairs  
18 are allowed to continue to have racing dates, so that was  
19 quite an amazing statement today, so we thank you for that.

20 However, the court case that Stronach and the  
21 Horse Racing Board are currently engaged in revolves around  
22 The Stronach Group and Golden Gate Fields not wanting to  
23 provide its racing signal to the network of fairs in  
24 Northern California. So that case would seem to be  
25 contrary to today's statement as well.

1           We also take note that Golden Gate Fields just  
2 made a statement that they don't know if 25 percent was a  
3 good offer or not, even though -- and it was only made two  
4 days ago.

5           So I certainly support CARF and the racing fairs  
6 in our effort to take racing out to the general public,  
7 particularly general public that may not be traveling to  
8 Golden Gate Fields this summer for the very same COVID  
9 reasons.

10           Thank you.

11           CHAIR FERRARO: Thank you.

12           Next please.

13           OPERATOR: Thank you. Next is Wayne Johnson,  
14 citizen.

15           VICE CHAIR GONZALES: Go ahead please.

16           MR. JOHNSON: The California State Fair has had  
17 several horse deaths. To call that State Fair and the  
18 Alameda grounds safe just doesn't jibe and comport with the  
19 history of that fair. Please reject this proposal.

20           CHAIR FERRARO: Thank you.

21           MR. JOHNSON: Thank you.

22           CHAIR FERRARO: Next please.

23           OPERATOR: At this time, no further questioners.

24           CHAIR FERRARO: Okay. Do we have any further  
25 comments, questions or discussion by the Board?

1           COMMISSIONER ALFIERI: Well, this is Commissioner  
2 Alfieri, I'd like to make a comment.

3           Let me first say, I'm a huge proponent of the  
4 fairs. I've always been supportive. I always go to the  
5 Los Angeles County Fair. And years ago, when we did live  
6 racing there, I was there quite a bit and supporting them.

7           But I think this is such an unusual year, unusual  
8 set of circumstances, and I just truly believe it makes  
9 much more sense to continue the racing over at Golden Gate  
10 Fields, move the CARF dates there, Pleasanton's dates,  
11 figure out a way to make it equitable to all of the CARF  
12 members. And I'm sure -- you know, we've heard from Aiden  
13 Butler from The Stronach Group. I think they're willing to  
14 do that.

15           And I also believe -- well, first of all, let me  
16 say, I was -- I'm in lockstep with what Mr. Balch has said  
17 earlier in his testimony. He's 100 percent correct in my  
18 mind. He's right on point of why it's important to keep --  
19 to move -- leave the dates -- move them to Golden Gate.

20           Something we also didn't mention was, and I  
21 noticed, that Pleasanton doesn't have a turf track. I  
22 think that Pleasanton Fair could also benefit from Golden  
23 Gate in using and having turf racing, something they don't  
24 do now, and so that would be a plus for them.

25           I also looked back at the history of the handle,

1 both ontrack and offtrack, in previous years. And it's a  
2 huge handle when the fairs are open. When the fairs are  
3 not open to the public, you're only, you know, reaping  
4 benefits from the offtrack but you're -- I think you'd get  
5 much more money and increase in handle if you continue at  
6 Golden Gate versus fairs where there are no people, no  
7 customers, no, you know, people packing the stands to bet.

8           So anyway, I just truly believe this is an off  
9 year. I don't think the fairs are going to give up  
10 anything for taking a year off here, a season, and moving  
11 it back there to next year and just -- and working with The  
12 Stronach Group to make this thing all work out. And maybe,  
13 you know, we have -- you know, maybe there's a way that The  
14 Stronach Group can offer a bit more, I don't know, but --  
15 to CARF, but I'm sure they're willing to sit down and  
16 figure it out.

17           So that's how I would vote on this. Thank you.

18           CHAIR FERRARO: Any other Commissioners have  
19 comments please?

20           VICE CHAIR GONZALES: The only comment that I --

21           COMMISSIONER SOLIS: This is Alex Solis.

22           VICE CHAIR GONZALES: Oh, please go ahead, Alex.  
23 I'm sorry, Commissioner Solis. Please.

24           COMMISSIONER SOLIS: Yeah. I totally agree with  
25 Commissioner Alfieri. I mean, it really, like I said, it

1 really worries me with all these workers, all these horses.  
2 We tried that in the past. It always has -- nobody agreed  
3 to it. And this is such a bad time to take that risk, too  
4 dangerous.

5           Hopefully, like Commissioner Alfieri said,  
6 hopefully The Stronach Group and CARF can work out a deal  
7 (indiscernible).

8           VICE CHAIR GONZALES: Thank you, Commissioner.

9           Mr. Chairman, if I can make a couple of closing  
10 points? This is Oscar Gonzales, the Chair of the Racing  
11 Dates Committee.

12           I really appreciate all of the input and  
13 feedback. I just want to just make sure that what we are  
14 deliberating, Pleasanton has already, in a past meeting,  
15 been approved for their racing dates. If this Board  
16 chooses to pull those dates, then it sounds to me like a  
17 motion needs to be made to pull the Pleasanton dates.

18           What I am proposing in the interest of Northern  
19 California racing is to allow for the Pleasanton dates to  
20 stand and allow them to accept the Cal Expo racing dates.

21           Again, I think an important point was made by  
22 Scott Chaney, our Executive Director, that if for some  
23 reason the dates are pulled, let's say we just arbitrarily  
24 pull the Pleasanton dates, because Golden Gate Fields will  
25 exceed its allowable 44 weeks, then there's a very good

1 chance that we will see no racing. And unless it is with  
2 the consent of Pleasanton, much in the way that Santa Rosa  
3 is going to be running Santa Rosa at Golden Gate, in order  
4 for us to resolve this would require the consent of  
5 Pleasanton.

6           So now how on earth and why on earth would any  
7 establishment, small business, big or small, after they've  
8 been denied racing dates, after they have not been given an  
9 equitable offer, why would then they agree to allow for a  
10 Pleasanton at Golden Gate Fields?

11           So had we not -- had Commissioner Mitchell and I  
12 not laid the groundwork to at least know what the facts  
13 are, what the realities are, what the inputs are, apologies  
14 to the public and others who may be listening in for the  
15 first time, but this would be -- this meeting would even be  
16 longer.

17           So I just want, you know, my fellow Commissioners  
18 to know what is on the table before we decide.

19           I'll turn it back to you, Mr. Chairman.

20           What I am also encouraged by is after The  
21 Stronach Group acknowledged to both me and CARF and others  
22 that they will be closing their facility was that they  
23 would be able to address some maintenance issues, be able  
24 to do some renovation that has been long overdue that you  
25 just can't do while you have horses there on the backside.

1           So those are just my final points. I'll  
2 turbidity it back to you now, Chairman Ferraro.

3           CHAIR FERRARO: Thank you. Just a point of  
4 clarification.

5           Scott Chaney, the Alameda County Fair does not  
6 have approval yet for their dates; right? This is item  
7 number four, is it not?

8           EXECUTIVE OFFICER CHANEY: No. So this is --  
9 it's actually going to be, if you don't mind my language, a  
10 little awkward. Right now we're considering agenda item  
11 number three, which is technically reallocation --

12          CHAIR FERRARO: Yeah.

13          EXECUTIVE OFFICER CHANEY: -- reallocation of  
14 dates.

15          So in order for that to happen, in order for some  
16 reallocation to happen, the Board would have to vote on  
17 that affirmatively. There's -- currently, dates are  
18 assigned. And so in order to change that, four  
19 Commissioners would have to vote to make some change. If  
20 there aren't four Commissioners that are willing to do  
21 that, then the current allocation would remain as it is,  
22 which means, you know, Pleasanton comes next, and then --  
23 and Cal Expo.

24          Where it even becomes more awkward, then, is when  
25 we get to the future agenda items, Commissioners could very

1 well, you know, from what I'm hearing right now, could line  
2 up in different ways in terms of deciding whether to grant  
3 the license application for those two meets, as well,  
4 because that comes next.

5 CHAIR FERRARO: Correct. So --

6 EXECUTIVE OFFICER CHANEY: I'll add one more --

7 CHAIR FERRARO: -- (indiscernible).

8 EXECUTIVE OFFICER CHANEY: -- I'll add one more  
9 thing. If there is some kind of vote for a reallocation to  
10 Golden Gate, my understanding is that they're currently  
11 allocated 39 weeks. So this Board would be literally  
12 breaking the law if it reassigned or reallocated those  
13 seven weeks to Golden Gate. Only five could be done. So  
14 there's sort of an added problem in terms of reallocation,  
15 as well.

16 CHAIR FERRARO: But, again, I just want to be  
17 clear on the facts, if it was a fair meet at Golden Gate  
18 and not just Golden Gate racing, they could qualify; is  
19 that correct?

20 EXECUTIVE OFFICER CHANEY: That's correct. So,  
21 for example, if Pleasanton somehow decided to say, we'd  
22 like to run at Golden Gate or are okay with running at  
23 Golden Gate or there's a deal to run at Golden Gate, then  
24 those four weeks that they're currently assigned, you  
25 wouldn't need -- you wouldn't want the reallocation because

1 then they would simply run their meet at Golden Gate and it  
2 wouldn't add to the 39 that's already been allocated.

3 CHAIR FERRARO: And how many total weeks can  
4 Golden Gate have?

5 EXECUTIVE OFFICER CHANEY: Forty-four, according  
6 to B and P Code section 19531.

7 CHAIR FERRARO: Okay. All right. Thank you.

8 Well, it seems to me that everybody is in favor  
9 of having Pleasanton have fairs dates. The question is:  
10 Where should these dates be run? And my personal -- I'll  
11 give you my personal reservations.

12 One is financial. And I seriously doubt that  
13 Pleasanton's projections regarding their income is going to  
14 be fruitful. And I'm afraid that, financially, they're in  
15 danger of getting half way through their meet and  
16 collapsing.

17 Secondly, regarding the COVID thing, I just,  
18 listening to people on the backside about the movement of  
19 horses and people, it concerns me, it really concerns me.  
20 COVID cases are rising in the Bay Area. I know they're  
21 opening up different businesses but I'm not sure it's  
22 advisable. I have serious concerns. I want to see the  
23 fairs run but I have serious concerns about the allocation  
24 of the dates.

25 So we need a motion. Is someone -- would someone

1 like to make a motion one way or the other?

2 Oscar, maybe you want to make it?

3 VICE CHAIR GONZALES: Yes. Yes. Yes. This is  
4 Oscar Gonzales, Commissioner.

5 I would like to make a motion per agenda item  
6 three to reallocate the racing dates. This will allow us  
7 to then address the other matters on the agenda. So, yes,  
8 I would like to reallocate the dates given that fairs have  
9 canceled or fairs have decided not to run. And a  
10 reallocation at this point is needed before we can even  
11 have the further discussions.

12 VICE CHAIR GONZALES: Okay. Do we have a second  
13 to that motion?

14 COMMISSIONER ALFIERI: Second.

15 CHAIR FERRARO: Who's the second?

16 COMMISSIONER ALFIERI: Alfieri.

17 EXECUTIVE OFFICER CHANEY: This is --

18 CHAIR FERRARO: Okay.

19 EXECUTIVE OFFICER CHANEY: -- this is --

20 CHAIR FERRARO: Thank you.

21 EXECUTIVE OFFICER CHANEY: Sorry to interrupt,  
22 Chairman. This is Scott Chaney, Executive Director.

23 I'm not sure I completely understand what the  
24 motion is. There's --

25 CHAIR FERRARO: Good, because I don't either.

1 EXECUTIVE OFFICER CHANEY: Okay. Okay. Because  
2 it, obviously, matters.

3 So there's a current calendar right now. Dates  
4 have already been allocated for this racing year. So if  
5 the motion is to reallocate some dates, which means change  
6 them, I think it's important to delineate what those --  
7 what dates we're talking about.

8 VICE CHAIR GONZALES: Okay. I can do that. I  
9 can do that.

10 CHAIR FERRARO: Well --

11 VICE CHAIR GONZALES: (Indiscernible) --

12 CHAIR FERRARO: -- suppose you just --

13 VICE CHAIR GONZALES: -- if that's what --

14 CHAIR FERRARO: -- suppose you just make a motion  
15 to let the Board accept the recommendation of the Dates  
16 Committee?

17 Would that not suffice, Mr. Chaney?

18 EXECUTIVE OFFICER CHANEY: Well, I'm not sure  
19 what the recommendation of the Dates Committee is. My  
20 understanding is that the Dates Committee wants to see  
21 Pleasanton and Cal Expo run at their -- all at Pleasanton,  
22 meaning that there would be no reallocation of dates. So  
23 the vote would be -- I guess the motion would be to keep  
24 the racing calendar as it is.

25 We do have this little piece at the end with

1 respect to Santa Rosa and Ferndale. You know, in listening  
2 to everyone today, I'm not sure that we really have to  
3 address that because it seems like that's not settled  
4 either. I mean, that could be done at the July meeting or,  
5 if the reallocation is simply the -- I mean, Santa Rosa  
6 sounds like they're still running their meets, meaning  
7 they're going to keep their dates, there could be some  
8 reallocation of Ferndale, but that seems even up in the air  
9 based on Ferndale's testimony.

10 So I'm just -- I'm trying to drill down on  
11 exactly if the motion is really to reallocate any dates  
12 and, if so, which ones?

13 VICE CHAIR GONZALES: Well, this is Commissioner  
14 Gonzales.

15 If you'd like for me to go through what the  
16 Racing Dates Committee came up with, I can do that all  
17 over, but I did do that earlier in the meeting, so it's the  
18 wish of the Board about me running through those dates  
19 again.

20 EXECUTIVE OFFICER CHANEY: No.

21 VICE CHAIR GONZALES: But that --

22 EXECUTIVE OFFICER CHANEY: I'm sorry,  
23 Commissioner Gonzales.

24 CHAIR FERRARO: I have a question.

25 EXECUTIVE OFFICER CHANEY: Maybe I'm confused a

1 little bit. I guess the thing I'm confused on is in what's  
2 the motion in terms of reallocating dates from the current  
3 calendar? Because there's already a calendar in place.

4 So I guess the question is: Will there be any  
5 change?

6 VICE CHAIR GONZALES: Well -

7 EXECUTIVE OFFICER CHANEY: So for Pleasanton to  
8 run next week at Pleasanton, there doesn't need to be any  
9 change. They already have those dates.

10 VICE CHAIR GONZALES: Right. So, okay, I  
11 understand. The only -- then, okay, let me just try to  
12 capture this here.

13 What we're looking at now, the only change that  
14 we would be looking at, is that Ferndale would be moving  
15 its dates to Golden Gate Fields. Again, at the conclusion  
16 of Golden Gate Fields, Pleasanton, per previous Board  
17 approval, has been given their five weeks -- four weeks,  
18 rather. Cal Expo is going to keep theirs but they're just  
19 running them at Pleasanton. Santa Rosa is keeping their  
20 dates but they're just running them at Golden Gate. That's  
21 how I understand it.

22 So the only real change that needs to be made  
23 here is Ferndale that is different than the previous dates.  
24 Does that sound right to you, Scott?

25 EXECUTIVE OFFICER CHANEY: Yes, that makes sense.

1           And just kind of to point something out from  
2 earlier in the meeting, it's not actual like sort of race  
3 weeks. We actually allocate dates based on the entire  
4 week.

5           So I think the current motion, or the one that  
6 Commissioner Gonzales is making, is that the Ferndale  
7 dates, which are currently 08/19 to 09/01, will be  
8 reallocated to Golden Gate. I think that's the current  
9 motion. All other dates would remain the same.

10           VICE CHAIR GONZALES: That's right. Precisely.

11           MR. MARTEN: Excuse me.

12           VICE CHAIR GONZALES: Then I --

13           MR. MARTEN: Mike Marten. I hate to interrupt  
14 but Aiden Butler just texted that he thinks it's important  
15 that he speak again.

16           VICE CHAIR GONZALES: I defer to the Chairman.

17           CHAIR FERRARO: Go ahead.

18           COMMISSIONER SOLIS: I think that would be  
19 important.

20           CHAIR FERRARO: Go ahead.

21           OPERATOR: Okay. Aiden Butler's line is open.

22           CHAIR FERRARO: Go ahead, Aiden.

23           MR. BUTLER: Thank you so much. And I apologize  
24 for breaking protocol. I do understand the comments had  
25 finished.

1 I've gone back on my side. How about we just do,  
2 I guess it's a fate of nations (phonetic), whatever deal we  
3 do with Santa Rosa, the CARF can get exactly the same deal.

4 That is the last thing I can think of to try and salvage  
5 which could be a bit of a disaster with horse and human  
6 moving.

7 But, so, yeah, that was all I wanted to add. And  
8 I apologize, Commissioner Oscar. I know how hard you've  
9 worked here and I do not want to kind of make this any more  
10 longwinded but I think this item deserves every single bit  
11 of thought we can give it.

12 So I'm prepared to do the same deal for all  
13 fairs, you know, that includes Santa Rosa. So, yeah,  
14 that's what I wanted to say.

15 Thank you for your time.

16 CHAIR FERRARO: Thank you.

17 VICE CHAIR GONZALES: Excuse me, Mr. Chairman --

18 CHAIR FERRARO: Oh.

19 VICE CHAIR GONZALES: -- if I can --

20 CHAIR FERRARO: Okay.

21 VICE CHAIR GONZALES: -- if I can respond?

22 You know, Aiden, we've had multiple conversations  
23 to give you the official opening to call me at anytime.  
24 But I don't know if Pleasanton is even aware of what  
25 deal -- the details of the deal are. I really appreciate

1 your willingness, yet I don't know what that deal is. And  
2 if you're willing to disclose -- and I have not asked for  
3 details of your Santa Rosa arrangement, which I'm hoping  
4 had not just happened in the last day or two because I was  
5 under the impression that, between you and Becky, that  
6 something would have been worked out.

7           So I just want the Board to recognize, this is  
8 the -- these are the kinds of things that we're going to be  
9 trying to avoid in the future. We just feel that in order  
10 to have a professional approach, one with ultimate  
11 transparency, one with some commitment to the horsemen,  
12 this is pre-Chairman Ferraro's tenure to an approach. We  
13 are now trying to approach this much differently.

14           So in the spirit of transparency and fairness, I  
15 just feel that this may be a little bit late, unless  
16 Pleasanton and CARF would like to comment. But, you know,  
17 perhaps they can, you know, perhaps they can comment. But  
18 I just feel we've already spent quite a bit of time on  
19 Northern California fair dates here.

20           So, Mr. Chairman, I'll allow for you to handle.

21           CHAIR FERRARO: Well, I think we need to make a  
22 motion and vote on it. So I think that last-minute  
23 negotiations --

24           COMMISSIONER SOLIS: I don't --

25           CHAIR FERRARO: -- are, you know -- let's see

1 what the Board votes. And if there's a need for last-  
2 minute negotiations, we can take it at that time.

3 But, basically, if I understand this correctly,  
4 your motion would be that Pleasanton and Sacramento fair  
5 dates stand as they are. They would be run at Pleasanton.  
6 Sonoma Fair dates are run at Golden Gate. And the  
7 Humboldt County Fair dates are run at Golden Gate. Is that  
8 the gist of the motion?

9 VICE CHAIR GONZALES: The motion is to simply  
10 move the Ferndale dates to Golden Gate at this point.

11 COMMISSIONER SOLIS: Commissioner Solis here.

12 CHAIR FERRARO: Go ahead.

13 COMMISSIONER SOLIS: I'd still like to, you know,  
14 I'd like to hear what the CARF, Larry, thinks about this  
15 deal for what Aiden Butler had come up. I'd like to hear.  
16 I know that we have taken a lot of time working on this.  
17 And I know, Oscar and Wendy, you guys worked really hard at  
18 it. And trust me, we have gone through -- these racing  
19 dates in the past have been the same way, a big mess. But  
20 I'd still like to hear what CARF thinks about the latest  
21 proposal that Aiden Butler just offered.

22 CHAIR FERRARO: Do we have --

23 COMMISSIONER CASTELLANOS: Mr. Chairman,  
24 Damascus.

25 CHAIR FERRARO: -- CARF?

1           COMMISSIONER CASTELLANOS: Mr. Chairman, this is  
2 Damascus.

3           I'd like to add, I understand what you're saying,  
4 Commissioner Solis, but I don't know if it would be proper  
5 to have them negotiate in public. If they want to -- I'd  
6 like to make a suggestion. If they want to talk offline  
7 and then maybe get back to us, maybe, you know, later on  
8 down the road where we could get some business done, then  
9 I'm open to that, if that's okay. I'm not sure. Rob and  
10 Scott would have to maybe reply to that. But if that's  
11 possible, then maybe we can let them talk offline and then  
12 get back to us, after a few agenda items.

13           EXECUTIVE OFFICER CHANEY: This is Scott Chaney,  
14 Executive Director.

15           I think that's possible. I mean, we've done it  
16 in the past in terms of tabling an agenda item and taking  
17 it out of order. And what we would do is put these towards  
18 the end of the meeting. But I would also encourage to do,  
19 I guess it's four, five and six, because those are related.  
20 Three through six should actually be like moved together  
21 if that's the, you know, if that's the desire of the Board.

22           CHAIR FERRARO: Well, I think there's no  
23 disagreement on the allocation of the Humboldt dates. So  
24 the real meat of the matter is the CARF licenses for  
25 Pleasanton and Sacramento.

1           So if we want to handle four, five and six as one  
2 issue, or if we just want to make a motion on three as to  
3 whether we're going to approve racing at Pleasanton or not,  
4 how do we want to handle this?

5           VICE CHAIR GONZALES: Well --

6           CHAIR FERRARO: But if we don't --

7           VICE CHAIR GONZALES: -- if I could just -- my --  
8 yes. If I could just keep my motion on the table, you did  
9 allude to it, is to have Ferndale -- the Ferndale  
10 arrangement addressed with my motion, which is to  
11 reallocate the Ferndale dates to Golden Gate Fields at this  
12 point? That's the only thing in my motion. And then we  
13 can take up the other matter.

14           But, Mr. Chaney, you clarified and helped bring  
15 some focus to the purpose of this item on the agenda.

16           CHAIR FERRARO: Is that agreeable to the Board?

17           VICE CHAIR GONZALES: I think we need a second if  
18 there's -- I mean, if it's --

19           CHAIR FERRARO: Yeah.

20           VICE CHAIR GONZALES: -- yeah, if it's --

21           CHAIR FERRARO: Okay. So we need a second.

22           COMMISSIONER ALFIERI: So --

23           COMMISSIONER MITCHELL: Second.

24           COMMISSIONER ALFIERI: -- second. Okay. Go  
25 ahead.

1 CHAIR FERRARO: Okay. So the motion -- say it  
2 again, Oscar.

3 VICE CHAIR GONZALES: Okay. The motion is to  
4 reallocate the Ferndale dates to Golden Gate.

5 CHAIR FERRARO: Okay. Commissioner Alfieri?

6 COMMISSIONER ALFIERI: Yes.

7 CHAIR FERRARO: Commissioner Castellanos?

8 COMMISSIONER CASTELLANOS: I will agree to  
9 allocating the Ferndale to Golden Gate Fields.

10 CHAIR FERRARO: Commissioner Mitchell?

11 COMMISSIONER MITCHELL: Yes.

12 CHAIR FERRARO: Commissioner Solis?

13 COMMISSIONER SOLIS: Yes.

14 CHAIR FERRARO: Commissioner Gonzales?

15 VICE CHAIR GONZALES: Yes.

16 CHAIR FERRARO: And the Chairman votes yes.

17 Now should we move on to item four? This is  
18 discussion by the Board on the Application for License to  
19 Conduct a Horse Racing Meeting of the Alameda County Fair  
20 at Pleasanton, commencing June 17th, 2020 through July  
21 14th, 2020.

22 Do we have comments from the Board?

23 VICE CHAIR GONZALES: This is under the Racing  
24 Dates Committee. I will make my comments, just really  
25 brief here, is there was an idea to, perhaps, table one of

1 these agenda items, per Commission Damascus. I just feel  
2 that if we wanted to give the parties an opportunity to  
3 have a conversation, and parties, I refer to The Stronach  
4 Group and CARF, perhaps we could give them some time? I do  
5 feel that that was reasonable. And especially knowing that  
6 that has been done in the past.

7 Other than that -- so just a suggestion. And  
8 that would, I guess, that would also apply to, you know,  
9 the other agenda item six, as well, but the wish of the  
10 Board.

11 CHAIR FERRARO: Commissioner Castellanos, do you  
12 want to delay this discussion to the end of the meeting?

13 COMMISSIONER CASTELLANOS: That's my suggestion,  
14 allow them to negotiate offline and then they can get back  
15 to us. If they don't get back to us, then the decision  
16 will be made on the agenda that's on the list here.

17 CHAIR FERRARO: Okay. So you're referring to  
18 four, five and six; right?

19 COMMISSIONER CASTELLANOS: Yes.

20 CHAIR FERRARO: You want to make a motion to that  
21 effect please?

22 COMMISSIONER CASTELLANOS: I make the motion that  
23 we hold on four, five and six, let the parties discuss what  
24 has been already kind of openly discussed in public, until  
25 the end of the agenda.

1 COMMISSIONER ALFIERI: I'll second.

2 COMMISSIONER SOLIS: Alex. Second.

3 CHAIR FERRARO: Okay. Commissioner Alfieri?

4 COMMISSIONER ALFIERI: Yes.

5 CHAIR FERRARO: Commissioner Castellanos?

6 COMMISSIONER CASTELLANOS: Yes.

7 CHAIR FERRARO: Commissioner Gonzales?

8 VICE CHAIR GONZALES: Yes.

9 CHAIR FERRARO: Commissioner Mitchell?

10 COMMISSIONER MITCHELL: Yes.

11 CHAIR FERRARO: Commissioner Solis?

12 COMMISSIONER SOLIS: Yes.

13 CHAIR FERRARO: And the Chairman votes yes.

14 Okay.

15 That leaves us to item number seven, discussion  
16 and action by the Board regarding approval of an agreement,  
17 pursuant to CHRB Rule 1581, Racing Secretary to Establish  
18 Conditions, between the Del Mar Thoroughbred  
19 Club and the Thoroughbred Owners of California (TOC),  
20 regarding entry conditions and specified drug substances or  
21 medications to be implemented by the DMTC at Del Mar  
22 Racetrack.

23 MR. MARTEN: Excuse me.

24 CHAIR FERRARO: Let's see.

25 MR. MARTEN: Excuse me. This is Mike again.

1           It would be helpful if you would advise those  
2 eight people in the queue, that if they are planning to  
3 speak on items four, five and six, to please leave the  
4 queue and return later when those items will be back on the  
5 table.

6           CHAIR FERRARO: Okay.

7           OPERATOR: And you may be leave the queue --

8           CHAIR FERRARO: That would be fine.

9           OPERATOR: -- by pressing star two. If you need  
10 to exit the queue, press star two.

11           CHAIR FERRARO: Okay. On this item, number  
12 seven, Robert Brodnik, do you have advice for the Board  
13 here?

14           MR. BRODNIK: Yes. Good morning, Board Members.  
15 Robert Brodnik, California Horse Racing Board.

16           CHRB Rule 1581 allows the racing secretary to  
17 establish conditions for any race. In instances where the  
18 racing secretary wishes to set a condition based on a  
19 participating horses use of not use of a drug substance or  
20 medication, there must be an agreement between the owners  
21 and the racing associations.

22           In this instance, for item number seven, an  
23 agreement has been reached with the Del Mar Thoroughbred  
24 Club and the Thoroughbred Owners of California. The  
25 agreement, essentially, reduces the permitted amount of

1 Lasix to half of what is currently permitted, which would  
2 be 250 milligrams, prohibits Lasix in two-year-olds, also  
3 prohibits a horse from racing for 14 days if its received a  
4 joint injection, and further prohibits a horse from racing  
5 for 30 days if its received an injection in the fetlock  
6 joint in particular.

7 This item is for the Board's approval. Approval  
8 of this will allow Del Mar to institute these restrictions.

9 CHAIR FERRARO: Do we need to hear from Del Mar  
10 please? Josh?

11 MR. MARTEN: There's nobody from Del Mar in  
12 queue. Josh Rubenstein, I believe, is listening. There he  
13 is.

14 Operator, Josh Rubenstein.

15 CHAIR FERRARO: Yeah.

16 OPERATOR: Josh Rubenstein's line is open.

17 CHAIR FERRARO: Josh, do you care to comment on  
18 this item?

19 MR. RUBENSTEIN: Josh Rubenstein, Del Mar  
20 Thoroughbred Club.

21 No. I think Counsel Brodник said everything  
22 correctly. We do have an agreement in place with the TOC  
23 for special conditions, just like we had in 2019.

24 CHAIR FERRARO: Okay. Thank you.

25 Any questions from the Board regarding this?

1 Is TOC --

2 COMMISSIONER CASTELLANOS: (Indiscernible.)

3 VICE CHAIR GONZALES: Oh, go ahead. I'm sorry.

4 CHAIR FERRARO: Go ahead.

5 COMMISSIONER CASTELLANOS: This is

6 Commissioner --

7 CHAIR FERRARO: I was just going to ask if TOC  
8 wanted to comment or not? Well --

9 MR. MARTEN: Are you asking for comments? There  
10 are seven individuals here.

11 CHAIR FERRARO: Okay. Commissioner Gonzales, did  
12 you have something you wanted?

13 VICE CHAIR GONZALES: Just some of my time, in  
14 addition to the fair -- I'm sorry, the racing dates, some  
15 time, I spent, actually, considerable time on an important  
16 item that I was reminded about by the CHRB staff that was  
17 outstanding in terms of a race meet agreement between the  
18 CTT and Del Mar Thoroughbred Club.

19 As you recall, colleagues, you voted to empower  
20 me to try to work out an arrangement for an understanding  
21 between The Stronach Group and the California Thoroughbred  
22 Trainers. This started over the holidays and went into  
23 early in the year. A deal was not reached until what we  
24 decided to do, as you recall and per your support, was to  
25 allow for the current race meet agreement to stand between

1 The Stronach Group and the trainers.

2           Leading up to this meeting the Del Mar  
3 Thoroughbred Club asked to be part of that discussion. And  
4 after three or four conversations and many emails, an  
5 agreement was not reached between the Del Mar Thoroughbred  
6 Club and the trainers. And I would just leave that to  
7 stand for now. We'll wait for public comment. And then if  
8 you need my thoughts on this item within the application,  
9 I'm willing to elaborate. But I just wanted to give that  
10 for purposes of background.

11           CHAIR FERRARO: Thank you.

12           EXECUTIVE OFFICER CHANEY: Chairman?

13           CHAIR FERRARO: That would be -- yeah, go ahead.

14           EXECUTIVE OFFICER CHANEY: Commissioner Gonzales,  
15 Scott Chaney here.

16           It probably seems a little awkward but how we've  
17 set this agenda up is somewhat purposeful. The idea is  
18 that this item, we're considering the  
19 Lasix/fetlock/conditions of race meeting piece because we  
20 want that to be in place before the actual license  
21 application. The next agenda item will be the actual Del  
22 Mar license application. This one that we're considering  
23 is just this small agreement.

24           And that's probably important for public comment  
25 as well. So if you want to -- if the public wants to talk

1 about Del Mar's license application, that's appropriate in  
2 the next agenda item.

3 VICE CHAIR GONZALES: Thank you. Thank you for  
4 clarifying.

5 CHAIR FERRARO: Is that clear to everyone?

6 So what we're talking about right now is the  
7 agreement regarding the use of specific drug substances or  
8 medications. So if those in the queue want to comment on  
9 that, they're welcome to start now. Otherwise, wait until  
10 eight because that's the discussion about the licensing of  
11 Del Mar.

12 So, Operator, let's start with the queue.

13 OPERATOR: Yes. First is Sarah Segal, a  
14 California citizen.

15 CHAIR FERRARO: Go ahead please.

16 OPERATOR: Ms. Segal, your line --

17 MS. SEGAL: Hello. Can you hear me? Can you  
18 hear me?

19 CHAIR FERRARO: Yes. Yes.

20 MS. SEGAL: Okay.

21 CHAIR FERRARO: Go ahead please.

22 MS. SEGAL: Okay. I just want to just say, do  
23 you guys realize that horses do not carry their babies on  
24 their backs ever, never, ever, ever? So why are you even  
25 having this meeting to talk about grown men on horses when

1 it's --

2 CHAIR FERRARO: Excuse me.

3 MS. SEGAL: -- not even natural.

4 CHAIR FERRARO: Excuse me.

5 MS. SEGAL: And all these horses --

6 CHAIR FERRARO: You need --

7 MS. SEGAL: -- are being killed.

8 CHAIR FERRARO: You're not addressing the agenda

9 item now.

10 MS. SEGAL: Okay. Okay. You want me to --

11 CHAIR FERRARO: If you want to make these --

12 MS. SEGAL: -- address the drugs? You don't need

13 to give --

14 CHAIR FERRARO: Comments --

15 MS. SEGAL: -- these horses drugs when you are

16 racing them because you don't need to be racing them.

17 CHAIR FERRARO: Excuse me, ma'am.

18 MS. SEGAL: That's the whole thing.

19 CHAIR FERRARO: You can reserve --

20 MS. SEGAL: No.

21 CHAIR FERRARO: -- those comments --

22 MS. SEGAL: Excuse me.

23 CHAIR FERRARO: -- to the public comment period.

24 MS. SEGAL: Honestly, this is ridiculous.

25 CHAIR FERRARO: Operator, let's go on to the next

1 one please.

2 OPERATOR: Yes, sir. Our next question comes  
3 from Oscar de la Torre, a work advocate.

4 CHAIR FERRARO: Go ahead please.

5 MS. DE LA TORRE: Yes. Thank you all for giving  
6 me the opportunity to speak on this item.

7 We just want to look at the facts that safety in  
8 all of its aspects for horses has been a priority at the  
9 Del Mar Racetrack. The DMTC has a track record of being  
10 the safest track in the United States for the past two  
11 years. That's something we should all be very proud of,  
12 that, you know, the racetrack at Del Mar serves as an  
13 example to the rest of the nation that safer horse racing  
14 is possible. DMTC's strict safety protocols has resulted  
15 in a 99.94 percent of races being conducted in 2019 without  
16 an accidental horse racing fatality.

17 So I just want to make sure --

18 CHAIR FERRARO: You're --

19 MS. DE LA TORRE: -- that we put that on the  
20 record.

21 CHAIR FERRARO: Excuse me. I hate to interrupt  
22 you. I hate to interrupt, I'm sorry, but do you have  
23 comments regarding the use of the medications we're talking  
24 about? Because that's the agenda item --

25 MS. DE LA TORRE: No, sir.

1 CHAIR FERRARO: -- you know, Lasix?

2 MS. DE LA TORRE: I'm done.

3 CHAIR FERRARO: Okay. Thank you.

4 Next please.

5 OPERATOR: Thank you. Next is Heather Hyde, a  
6 concerned public citizen.

7 MS. HYDE: Hello. So we're talking about --

8 CHAIR FERRARO: Go ahead.

9 MS. HYDE: -- an agreement. This is Heather  
10 Hyde, a concerned citizen.

11 So we are talking about the agreement to use  
12 drugs. Huh. Now if we talked about using drugs,  
13 prescription medications, on other animals or humans, I  
14 think it would find into a lot of legalities here in any  
15 other sport. In the NFL, in the -- in hockey leagues,  
16 basketball leagues, Olympics, drugs are not allowed. Even  
17 the simple thing of marijuana, you know, that's still an  
18 illegal drug.

19 So why are we still continuing this conversation?  
20 I think it's because, you know, the FDA gets some payoff  
21 perhaps, these drug companies. I know there are payoffs.  
22 So your lack of substance has not changed.

23 There's no reason for the deaths of these poor  
24 animals in this barbaric sport. That must come to an end.

25 You have people that have been charged with

1 drugging animals. Now, this is not okay. And I don't know  
2 if you know but, you know, a lot of circuses, a lot of  
3 zoos, the tiger habitats or tourist locations for the  
4 tigers, they drug tigers as well.

5 We need to really stop this discussion. It  
6 should be illegal to give any animal any drugs unless it's  
7 necessary for their health and wellbeing after an injury is  
8 seen. But what happens with the horses when they have an  
9 injury? You kill them.

10 Furosemide, Lasix, it's also known as a bleeding  
11 medication. It's used by veterinarians in horse racing and  
12 is prescribed as an anti-prevention respiratory -- it  
13 causes respiratory bleeding --

14 OPERATOR: Thirty seconds left.

15 MS. HYDE: -- in horses that run at high speeds.  
16 Blood entering the drugs during high activity can also  
17 cause pulmonary hemorrhages and that result in death.

18 So I don't know where your ethics are.  
19 Obviously, you have none. And we should not be allowing  
20 this to be happening.

21 But what you should be discussing is the drugs  
22 that the backstretch workers are using. How about that?

23 OPERATOR: I'm sorry. You've reached your time  
24 limit.

25 CHAIR FERRARO: Thank you.

1 Next please.

2 OPERATOR: Our next question comes from Heather  
3 Wilson, a member of the public.

4 CHAIR FERRARO: Go ahead please.

5 MS. WILSON: Good morning. I would like to ask,  
6 when will the CHRB actually do something about trainers  
7 that continuously dope their horses?

8 Bob Baffert is one your highest profile trainers.  
9 By allowing him --

10 CHAIR FERRARO: Excuse me.

11 MS. WILSON: -- to continue --

12 CHAIR FERRARO: Excuse me. We're talking  
13 about --

14 MS. WILSON: I'm talking.

15 CHAIR FERRARO: -- a specific rule here.

16 MS. WILSON: If you'd let me --

17 CHAIR FERRARO: Would you like to address the  
18 rule or not?

19 MS. WILSON: It says here that I'm going to talk  
20 about medications.

21 The CHRB failed to do anything when --

22 CHAIR FERRARO: We're not talking about  
23 medication in general, ma'am. We're talking about specific  
24 medications here.

25 MS. WILSON: And I'm going to talk about specific

1 drugs --

2 CHAIR FERRARO: Lasix.

3 MS. WILSON: -- if you'd stop interrupting me and  
4 violating Bagley-Keene. I'm a member of the public and I'm  
5 allowed to speak about this.

6 So naturally-occurring scopolamine, including  
7 jimson weed versus synthetic scopolamine, have synthetic --  
8 they're distinct --

9 CHAIR FERRARO: This is not on the subject,  
10 ma'am. You can make these comments in the public --

11 MS. WILSON: (Indiscernible.)

12 CHAIR FERRARO: -- under the item number 15.

13 MS. WILSON: (Indiscernible.)

14 CHAIR FERRARO: Next. Next, Operator.

15 OPERATOR: Our next question comes from Wayne  
16 Johnson, a citizen.

17 CHAIR FERRARO: Go ahead, Mr. Johnson.

18 MR. JOHNSON: Lasix is, in this agreement, item  
19 number seven, restricted from two-year-olds. Why not  
20 restrict it all the way around? This is a drug that has  
21 been implicated in so much death and so much suffering.  
22 And why aren't the veterinarians, especially, crying out to  
23 have Lasix banned?

24 So I think it's only a partial agreement with Del  
25 Mar. Make it a full agreement to ban Lasix completely.

1 Nineteen horses died at this track in 2019, not such a  
2 great safety record.

3 Thank you.

4 CHAIR FERRARO: Thank you.

5 Next please.

6 OPERATOR: Thank you. Next is Sarah Segal, a  
7 California citizen.

8 MS. SEGAL: Okay.

9 CHAIR FERRARO: Go ahead please.

10 MS. SEGAL: Hello.

11 CHAIR FERRARO: Go ahead.

12 MS. SEGAL: Thank you for taking -- hello.

13 I just wanted to say, if you guys could please  
14 just stop giving drugs to horses in general because they  
15 don't need drugs? They can just stay there with the  
16 backstretch workers and you guys can take of them. They  
17 don't need to be racing. You can just let them live out  
18 the rest of their lives.

19 Thank you so much. Stop killing horses.

20 CHAIR FERRARO: Thank you.

21 Next please.

22 OPERATOR: Next is Nancy Mitchell, private  
23 citizen.

24 CHAIR FERRARO: Go ahead please.

25 MS. MITCHELL: Hi. Good afternoon, Board, and

1 everybody listening here.

2 I just, for clarification purposes, and I totally  
3 affirm with Dr. Johnson that Lasix should be banned.  
4 Again, I know there are veterinarians that serve on the  
5 CHRB and there are members there that are veterinarians.  
6 Medical ethics 101 clearly would state to you what is the  
7 drug that is medically necessary versus a performance-  
8 enhancing substance? And I hope that the veterinarians are  
9 monitoring the use of this drug. And, again, there needs  
10 to be a distinction between what is medically necessary  
11 versus a performance-enhancing drug.

12 I mean, Lasix has been proven -- there are  
13 documentation of how dangerous this is. And I totally  
14 agree with Dr. Johnson. And I think if any of your  
15 veterinarians have any medical ethics whatsoever, I think  
16 you need to seriously consider just banning this substance  
17 altogether.

18 CHAIR FERRARO: Thank you.

19 Next please.

20 OPERATOR: Our next question comes from --

21 CHAIR FERRARO: Operator, can we have --

22 OPERATOR: -- Heather Wilson, a member of the  
23 public.

24 CHAIR FERRARO: Yes, please. Go ahead.

25 MS. WILSON: I'm going to talk about drugs and

1 substances. This is 100 percent related and I would  
2 appreciate being given the opportunity to speak.

3           According to a UC Davis necropsy, a four-year-old  
4 thoroughbred mare who was found dead at Golden Gate Fields  
5 had the following drugs in her system: dexamethasone,  
6 dimethyl sulfoxide, epinephrine, ketamine, and  
7 phenylbutazone. Now that is radical. The final report,  
8 her cause of death could not be determined.

9           I looked at the CHRB List of Authorized  
10 Medications, Rule 1844. Missing from that list are  
11 dexamethasone, epinephrine, ketamine. This horse's trainer  
12 is listed as D. Wayne Baker. The February 26th steward's  
13 minutes list this horse as dead. I went through every  
14 single steward's minutes following February 26th. There is  
15 no mention of discipline for Baker, not until the end of  
16 May, and it was completely unrelated. On May 21st, Baker  
17 is investigated for two different horses, Honeymoon's Over  
18 and Fort York. Both had --

19           CHAIR FERRARO: Are you going to make a comments  
20 on Lasix here or not?

21           MS. WILSON: Yes, I am.

22           CHAIR FERRARO: Well, then --

23           MS. WILSON: So why --

24           CHAIR FERRARO: -- let's get to it.

25           MS. WILSON: -- not discipline trainers for

1 giving horses all of these medications? Alana at the Top  
2 received substances that were not authorized by the CHRB.  
3 And why are there no ramifications for these trainers,  
4 including Bob Baffert?

5 Thank you.

6 CHAIR FERRARO: Next please, Operator.

7 OPERATOR: Thank you. Marla Zanelli, can you  
8 provide comment?

9 CHAIR FERRARO: Who's next?

10 OPERATOR: Marla Zanelli.

11 MS. ZANELLI: Hi. This is Marla. Hi, this is  
12 Marla Zanelli. Can you hear me okay?

13 CHAIR FERRARO: Yes, we can.

14 MS. ZANELLI: Okay. You know, I just want to  
15 say, I've been licensed on the racetrack since 1976 in all  
16 different capacities of working with the racehorses. And  
17 in my experience of being on the racetrack, it is sometimes  
18 necessary for horses to race with Lasix to help them.

19 I also attended a conference that was spoken at  
20 by veterinarians who have done extensive research on the  
21 use of Lasix. And they've also stated that they believe  
22 that humans that race, actually, have -- potential bleed  
23 internally when they race.

24 And, also, this is a comment for Governor Newsom,  
25 I am tired of listening to these women that come and

1 interrupt these meetings that really don't know anything  
2 about horse racing.

3 Thank you very much.

4 CHAIR FERRARO: Thank you.

5 Next please.

6 OPERATOR: No further commenters at this time.

7 CHAIR FERRARO: Wonderful. Wonderful.

8 Do we have any comments from the Board, any  
9 further discussion? Can I have a motion to pass this item?

10 COMMISSIONER SOLIS: I move. Alex Solis.

11 COMMISSIONER CASTELLANOS: Damascus --

12 CHAIR FERRARO: Second.

13 COMMISSIONER CASTELLANOS: -- Castellanos.

14 Second.

15 CHAIR FERRARO: All right. Commissioner Alfieri?

16 COMMISSIONER ALFIERI: Yes.

17 CHAIR FERRARO: Commissioner Castellanos?

18 COMMISSIONER CASTELLANOS: Yes.

19 CHAIR FERRARO: Commissioner Mitchell?

20 COMMISSIONER MITCHELL: Yes.

21 CHAIR FERRARO: Commissioner Gonzales?

22 VICE CHAIR GONZALES: Yes.

23 CHAIR FERRARO: Commissioner Solis?

24 COMMISSIONER SOLIS: Yes.

25 CHAIR FERRARO: And the Chairman votes yes. The

1 motion carries.

2 Item number eight --

3 COMMISSIONER SOLIS: I meant to --

4 CHAIR FERRARO: Pardon me? Whose line is open?

5 Okay, item number eight, discussion and action by  
6 the Board on the Application for License to Conduct a Horse  
7 Racing Meeting of the Del Mar Thoroughbred Club at Del Mar,  
8 commencing July 8, 2020 through September 8, 2020,  
9 inclusive.

10 Amanda, can you provide us with further  
11 information on that?

12 MS. DRUMMOND: Yes. Thank you. Good morning,  
13 Commissioners. This is Amanda Drummond, Policy and  
14 Regulations Manager with the California Horse Racing Board.

15 So this is regarding the application for a Del  
16 Mar race meet. It would start July 8th and run through  
17 September 8th, and it would be for 28 days.

18 Per the staff analysis that's in the packet,  
19 there were some outstanding items but we did receive them.  
20 And as Josh mentioned earlier, that item was the 2020 race  
21 meet agreement with the California Thoroughbred Trainers.

22 And that's all I have to report. That's my  
23 update. Thank you.

24 CHAIR FERRARO: So Commissioner Gonzales' concern  
25 about the agreement between CTT and Del Mar, we have one,

1 do we?

2 EXECUTIVE OFFICER CHANEY: Chairman Ferraro, I  
3 think -- this is Scott Chaney -- I think what Amanda was  
4 saying was that this is the -- the CTT agreement is the  
5 only item that is missing in their application at this  
6 point. And so Commissioner Gonzales, I think, spoke about  
7 it a little bit earlier.

8 CHAIR FERRARO: Okay.

9 VICE CHAIR GONZALES: And my previous comments,  
10 and I, again, apologize for the confusion, my previous  
11 comments and background for the Commissioners applies to  
12 this agenda item whereby you voting to ask that I serve to  
13 try to bring some resolution and iron out differences  
14 between The Stronach Group and the California Thoroughbred  
15 Trainers, multiple conversations, lots of progress we've  
16 made, utmost professionalism, but an agreement could not be  
17 reached.

18 So what we decided, as you are well aware, is to  
19 keep the current race meet agreement in place for Santa  
20 Anita. And I will leave this to -- leave up to the Board  
21 how we handle the missing item, as Amanda has indicated in  
22 the Del Mar license application.

23 CHAIR FERRARO: Am I correct, Mr. Chaney, I got  
24 an email this morning with a CTT horsemen's agreement in  
25 it; did we not, as a Board, receive that? I just --

1 EXECUTIVE OFFICER CHANEY: I don't --

2 CHAIR FERRARO: -- got it today, so --

3 EXECUTIVE OFFICER CHANEY: We haven't. And from  
4 what I understand from both Josh Rubenstein and  
5 Commissioner Gonzales is that -- that there has been no  
6 agreement reached. The CTT, maybe Mr. Balch --

7 CHAIR FERRARO: Okay.

8 EXECUTIVE OFFICER CHANEY: -- could actually  
9 correct that.

10 I know Santa Anita, for example, is operating  
11 currently without an agreement. And the Board designated  
12 Mr. Gonzales to, you know, sort of decide what that  
13 agreement was going to be. And it's simply, I think, his  
14 recommendation, and maybe you can correct me, Commissioner  
15 Gonzales, was to use -- was just to use last year's  
16 agreement. And I'm guessing the same might be true this  
17 year with respect to Del Mar, rather.

18 VICE CHAIR GONZALES: I want to hold off from the  
19 what the feelings are of the -- of my fellow Commissioners  
20 as it relates to how to handle the missing item. But I'm  
21 more than willing to weigh in. I would rather refrain from  
22 dictating what should happen, although, you know, if a  
23 Commissioner or the Chairman asks my advice or my thoughts,  
24 I will then weigh in. But I don't want to arbitrarily do  
25 it.

1 CHAIR FERRARO: Well, let's hear from Josh  
2 Rubenstein and then the CTT.

3 Josh?

4 OPERATOR: All right. Josh Rubenstein's line is  
5 being opened now for comment.

6 MR. RUBENSTEIN: Josh Rubenstein --

7 CHAIR FERRARO: Go ahead, Josh.

8 MR. RUBENSTEIN: -- Del Mar. Thanks.

9 I'd first like to thank Vice Chair Gonzales, who  
10 spent countless hours trying to mediate a compromise  
11 between Del Mar and CTT. Unfortunately, after discussions,  
12 which lasted over a month, Del Mar Thoroughbred Club was  
13 unable to reach an agreement with CTT for a race meet  
14 agreement for our 2020 summer season. It was not from a  
15 lack of effort.

16 We have always prided ourselves at Del Mar on  
17 being fair and respectful with all horsemen, especially  
18 trainers. The agreement we provided to the trainers gives  
19 them unprecedented fair process and procedures that is not  
20 seen anywhere else in the country.

21 Quite simply, CTT demanded that Del Mar bargain  
22 away its rights under the law and California Horse Racing  
23 Rules and Regulations. This was not acceptable to us.

24 While we are disappointed in the results of the  
25 negotiations, over 90 percent of individual trainers

1 requesting stalls at Del Mar have signed our stall  
2 application agreement. We believe this speaks volumes for  
3 the partnership Del Mar has with a very large majority of  
4 California trainers.

5 CHAIR FERRARO: Thank you.

6 Any questions from the Board?

7 COMMISSIONER MITCHELL: This is --

8 CHAIR FERRARO: Thank you, Josh.

9 COMMISSIONER MITCHELL: -- Commissioner -- wait.  
10 I have a question. This is Commissioner Mitchell.

11 What were the sticking points that aren't  
12 resolved that are in the old agreement that aren't in the  
13 new one?

14 MR. RUBENSTEIN: Basically, we believe we  
15 outlined a very fair procedure if there was a dispute  
16 between Del Mar and the trainers, a very fair process, a  
17 fair procedure. And we were unable to come to an agreement  
18 with CTT on those procedures.

19 COMMISSIONER MITCHELL: What type of procedures?

20 MR. RUBENSTEIN: In terms of a trainer  
21 participating for racing and stabling at Del MR. MARTEN: .

22 COMMISSIONER MITCHELL: So they have to sign the  
23 agreement in order to race there? You just don't have an  
24 agreement with the umbrella organization?

25 MR. RUBENSTEIN: Correct.

1 COMMISSIONER MITCHELL: Is that correct? Thank  
2 you.

3 CHAIR FERRARO: Anyone else have a question?  
4 Can we hear from Mr. Balch please?

5 OPERATOR: All right. Opening Mr. Balch's line  
6 now for comment.

7 MR. BALCH: Thank you, Chairman Ferraro and  
8 Commissioners, for giving me the opportunity.

9 I'm very concerned about the portrayal of our  
10 negotiation that Mr. Rubenstein just indicated to you.

11 This year's saga began around May 20th or so as  
12 to Del Mar when Del Mar issued, without any conversation  
13 with us, a new stall application with the fine print on the  
14 back not consistent and providing trainers less protection  
15 for their exclusion under all that fine print on the back  
16 of the application.

17 We objected. We see no reason why they would do  
18 that. When he talks about unprecedented rights for the  
19 horsemen, he is 100 percent incorrect because the  
20 protections for the horsemen in a race meet agreement that  
21 we have had with Del Mar for probably the last ten years,  
22 if not longer, provides for due process, fair process for  
23 trainers who would be excluded at the stall application  
24 process or during the operation of the race meeting.

25 We do not consider that to be respectful, nor do

1 we consider it respectful that the Del Mar Thoroughbred  
2 Club sent the Commission and us sort of a take-it-leave-it  
3 ultimatum to sign at 9:05 this morning, despite the  
4 pendency of all kinds of discussions, which Commissioner  
5 Gonzales may or may not want to comment on later.

6           We heard earlier the difficulty in getting the  
7 tracks to compromise with each other. But in this case,  
8 Josh Rubenstein actually said in writing to us, quoting  
9 Aiden Butler, that on the approval of rules at Del Mar,  
10 that we would have to adopt a proposal because, quote  
11 unquote, "There is no middle ground for the tracks on this  
12 position." Interestingly, prior to that lecture, we had  
13 already agreed with the tracks on their standard for  
14 working with us on the rules.

15           But what we are up against, and I'm very sorry to  
16 have to discuss this publicly, in this very precarious  
17 situation is a track management which heretofore had been  
18 the favorite track management of everyone in California,  
19 including me personally, they have dictated to, according  
20 to what Josh just said, ten percent of the trainers who, as  
21 a matter of conscience, didn't sign their stall  
22 applications, they are now saying that those trainers will  
23 not have their stall applications processed.

24           In this precarious situation, it's very difficult  
25 to understand how Del Mar will conduct a meeting with ten

1 percent fewer trainers. We don't even know who they are.  
2 And it's incredible to me that we're having this  
3 conversation about 30 days before Del Mar opens.

4 We have said to Del Mar in the negotiations all  
5 along that prior to stall letters being issued, we need to  
6 have a race meet agreement, a signed race meet agreement.  
7 We always have. The law and the Business and Professions  
8 Code 19613.1 and the Rules require an agreement between the  
9 racing association and the trainers' organization in order  
10 to be issued a racing license.

11 We have been open, accepting, working with ideas  
12 presented by the racetracks to us, beginning in early  
13 December when Commissioner Gonzales was assigned to it.  
14 We've been working with them in good faith. In our drafts,  
15 we have adopted several, including what I just mentioned,  
16 what the tracks proposed on house rules.

17 We don't agree with Del Mar's statement that the  
18 prior race meet agreement suffers from, quote unquote, "an  
19 ill-defined procedure." We've been working on a new  
20 process because any contract can be improved. And, in good  
21 faith, we have sought to address the track's concerns.

22 Del Mar raced last summer with this agreement and  
23 in the fall with the previous agreement. Santa Anita has  
24 been racing since Christmas with it. Both conducted their  
25 racing with it for many, many years, so we're thinking that

1 this is a big argument to try to find a solution to a  
2 problem that doesn't exist.

3 We have proposed a new dispute resolution  
4 procedure that doesn't limit the number of meetings between  
5 track management and the aggrieved -- and a potential  
6 aggrieved trainer. These are things we've handled both at  
7 Santa Anita and Del Mar. I've been in the CTT job here for  
8 ten years. I can't even count the number of times we have  
9 informally addressed and resolved problems.

10 The CTT does not stand up for any misbehavior,  
11 any kind of detriment to the public image of racing or to  
12 rule violations or any such thing, we never have, we never  
13 will.

14 We have a process that developed, actually, from  
15 an idea from The Stronach Group sometime in December for a  
16 step-by-step process that would enable us all to avoid  
17 formal arbitration.

18 To answer -- to anticipate a question that  
19 Commissioner Mitchell might ask me -- what are the sticking  
20 points? -- the sticking point is that The Stronach Group  
21 and Del Mar, negotiating together with Commissioner  
22 Gonzales' oversight, are proposing a -- their spending all  
23 their time on this ultimate arbitration, a very complex,  
24 burdensome problem if there was ever a real serious  
25 dispute.

1           We have been spending all our time on trying to  
2 develop a procedure that accomplishes, and we believe it  
3 does, a disincentive to ever having a serious dispute,  
4 precisely because the CTT will not advocate for a trainer  
5 who has been accused of serious -- who has not just been  
6 accused of but has engaged in serious misconduct.

7           We have had some additional progress within the  
8 last day or so, which is another reason why I was, frankly,  
9 stunned that we were served this ultimatum at 9:05 this  
10 morning because Del Mar did, at our request, put a new, a  
11 potential new standard for behavior on the table that we  
12 haven't even had a chance to research.

13           Finally, I just want to make the point because I  
14 want to anticipate what Mr. Rubenstein may say and what he  
15 implied earlier, they have said to us in writing that no  
16 trainers deserve to be advised by the tracks. They have  
17 said to us that no trainers have a constitutionally-  
18 protected interest in participating in a race meeting.

19           We were absolutely taken aback by such a  
20 gratuitous, legalistic, and adversarial remark. But if  
21 they're -- if, in fact, they believe that there is no  
22 constitutionally-protected interest in participating in a  
23 race meet, that's their quote, we will say to them that  
24 there is no constitutionally-protected interest in their  
25 conducting a race meet. We're all subject to California

1 statute. The Constitution of the United States no longer  
2 ends at the boundary of the track inclosure. And  
3 participating in racing, whether as a track operator or a  
4 trainer, is not a right.

5 We look to you, the Commissioners, to provide the  
6 trainers' representation organization fair process. And we  
7 assure you that that's what our goal is. I had thought,  
8 before 9:05 this morning, that we had made a lot of  
9 progress. But there is a big step back when we're provided  
10 an ultimatum. That is not respect, I submit to you  
11 Commissioners, that is the opposite.

12 Thank you.

13 CHAIR FERRARO: Thank you, Mr. Balch.

14 Commissioner Gonzales, do you want to tell us  
15 what's going on here?

16 VICE CHAIR GONZALES: Yeah. A couple of things  
17 come to mind.

18 2019 was a very difficult year for the industry.  
19 There were a lot of incidents that required racetrack  
20 management and the attention of the various horse racing  
21 organizations.

22 There is a CHRB rule that allows for racetracks  
23 to get rid of undesirables, we'll call them. That is being  
24 broadly interpreted by or it can be broadly interpreted by  
25 racetrack management to include trainers.

1           When I set out on this path, Commissioner  
2 Mitchell, in particular, had communicated that a race meet  
3 agreement should include the ability for racetrack  
4 management, and even the CHRB, to address trainers that  
5 have high rates of fatality rates. So that is something  
6 that really motivated me to get involved. And I'm not  
7 quite sure if we'll ever get there.

8           The second item, other than that CHRB rule that  
9 has been out there for quite some time, is this, us, as the  
10 CHRB, are making tremendous demands on racetracks on the  
11 accountability front. Per SB 469, we have a tremendous  
12 authority.

13           The racetracks, I believe, are trying their very  
14 best to handle matters. What ends up happening, though, is  
15 the way in which the matters will be handled to make sure  
16 that there's expectations that are going to be met. They  
17 feel that they need to revisit preexisting arrangements.  
18 And as Mr. Balch indicated, there are some protections.

19           I believe we want trainers to be able to voice  
20 their opinion. We feel that others should be able to voice  
21 their opinion. Okay, fact number two.

22           The third thing is this, is there is litigation  
23 that is underway. Part of my reluctance to dictate what  
24 should go into the race meet agreement is because the  
25 litigation that involves a trainer, a Hall of Fame trainer,

1 Mr. Jerry Hollendorfer, that is ongoing, and all parties  
2 are pointing to the race meet agreement.

3           It's my personal opinion that had the CHRB lived  
4 up to its part of the race meet agreement, which was to  
5 immediately and quickly activate a hearing officer to  
6 address the situation, because that did not happen, legal  
7 action was taken. So part of my concern, again, is that if  
8 we change any parts of the race meet agreement, that this  
9 could take on a legal life of its own.

10           Finally is this, there are a lot of lawyers  
11 involved at all sides, and that proves the point that I  
12 just made about the legal actions. It is pretty clear that  
13 -- and I hope some of these folks are listening, whether  
14 they are boards of directors or other individuals, of which  
15 many of the individuals that we interact with, and even the  
16 lawyers -- that I believe that if the individuals who hold  
17 titles of CEO or top racing officials, if they were allowed  
18 to do their job, I believe that we would have a much  
19 smoother process that has accountability and that we can  
20 then address matters on a case-by-case basis.

21           But in the course of this mediation, of which  
22 I've been -- and discussion, of which I've been part of for  
23 many years prior to me joining the Board, I don't think  
24 I've ever seen an instance where the people at the table  
25 don't have the final say.

1           So that is a very rough assessment of what's  
2 going on. But I will tell you this, professionalism,  
3 forthrightness, commitment to this industry, and real  
4 commitment on the part of everybody that has been part of  
5 this, I don't have a single complaint about follow up,  
6 accessibility, thoughtfulness, and respect from both ends.  
7 I just feel that there's an overarching element or dynamic  
8 that's been played that will make it very difficult.

9           If the Board, and I'm not going to be making this  
10 recommendation, if the Board so chooses to allow for the  
11 2019 race meet agreement to stand in the 2020 Del Mar  
12 application, the one recommendation that I will make is  
13 that the CHRB take a very close look at the part of the  
14 race meet agreement where they need to become active, of  
15 which they did not do in 2019.

16           Maybe this can be in the form of an addendum  
17 until a -- of which we will then clearly lay out which  
18 hearing officer -- is it a pool of hearing officers? -- but  
19 this has to happen in a quick manner. Because if a trainer  
20 is being asked to vacate the premises, for whatever reason,  
21 he or she is entitled to a quick process because there  
22 dealing with owners that want to keep their horses on the  
23 grounds. And if a process goes on too long we, in effect,  
24 will ruin that trainer's career until they are allowed back  
25 in, if that's the case.

1           So, again, those are my thoughts, Mr. Chairman.  
2 And again, I, you know, really appreciate the Board. Not  
3 only have you given me the assignment of the northern -- of  
4 race meets, but you've also given me this assignment of  
5 helping with the race meet agreement, of which I've done my  
6 very best.

7           CHAIR FERRARO: I know you've spent a lot of time  
8 at it.

9           Last year, when we had this discussion, you and I  
10 and the Board, we decided that if we didn't have a race  
11 meet agreement in place at the time of an application, we  
12 would use the existing race meet agreement; is that  
13 correct? Is that -- that's what we did; right?

14          VICE CHAIR GONZALES: That is accurate and --  
15 yes.

16          CHAIR FERRARO: Okay. But now you're saying if  
17 we do that again you want to put an addendum on it? And  
18 again, tell me what the addendum would be?

19          VICE CHAIR GONZALES: The addendum would just  
20 simply be how the CHRB is going to handle the part of the  
21 race meet agreement that requires us to get involved.

22           My opinion is this, the race meet agreement has  
23 the signatures of the trainers and of racetrack management.  
24 But by sheer acceptance of that application the CHRB is  
25 acknowledging its role. And again, I just feel going

1 forward, and this could be as simple as a paragraph of  
2 which I believe, between Mr. Chaney, Rob on the Counsel  
3 side, and myself can quickly have that so that both parties  
4 know.

5           And the thing that I will say, since the Santa  
6 Anita meet has been going there have been instances where  
7 the trainers and Santa Anita leadership have addressed  
8 trainers that have not met either sides' standards.

9           So if, I'll tell you this, if there was a problem  
10 with simply including that race meet agreement that we  
11 chose to do for Santa Anita, I can assure you, we would  
12 have heard by now. But I just feel, you know, in the  
13 interest of time, I feel that we ought to -- you know, and  
14 out of matters of consistency, that we ought to consider  
15 doing the same for Del Mar, with the two commitments, that  
16 addendum, and ensuring that race meet agreement  
17 negotiations continue.

18           But I can assure you, we're not far away, and we  
19 are going to get it right. It's just an age-old document  
20 that has just simply not been updated but I believe we will  
21 get there.

22           CHAIR FERRARO: Any questions or opinions from  
23 the Board on this? None? Okay.

24           We need -- do we have people in the queue on  
25 this, Operator?

1 OPERATOR: Yes, sir. We do have several people  
2 in the queue.

3 CHAIR FERRARO: Okay. Before we start, people in  
4 the queue, I want you to understand, we're talking about  
5 the approval of the license for Del Mar. This idea about  
6 the race -- the stall application agreement, the Board will  
7 deal with that. But we're talking here about approval of  
8 the Del Mar Thoroughbred Club's application to run a race  
9 meet.

10 Let's have the first person in the queue please.

11 OPERATOR: Yes, sir. Again, if you need to  
12 remove yourself from the queue, press star two.

13 Our first commenter is Patty Shenker, a private  
14 citizen.

15 CHAIR FERRARO: Go ahead please.

16 MS. SHENKER: Yes. Good afternoon. Patty  
17 Shenker asking you to please not approve this license.

18 The horrific accident of two very young horses  
19 colliding in training again points to the truth that horse  
20 racing kills horses, not just in races but training too.

21 But what adds corruption to this is the fact that  
22 these horses did not reach a UC Davis Lab for necropsies as  
23 mandated, mandated. Instead, you blamed and fired a  
24 contractor instead of taking the blame.

25 I don't buy for one minute that this was an

1 error. You were afraid to find out what the necropsies  
2 would reveal and how it would disgust the public even  
3 further. It is, again, another corrupt coverup from the  
4 CHRB.

5 Why would you care about these poor horses who  
6 were sent to a rendering plant? You have thousands of  
7 horses born in your hopes that they will race but most of  
8 them don't and they go to slaughter instead. So this was  
9 just two more.

10 And to add insult to injury, a Del Mar  
11 representatives had vowed to make the mis stepped  
12 (phonetic) public after an investment was complete and that  
13 never happened, proving again that you are trying to hide  
14 the truth from the public.

15 And what was it that your former Board Member  
16 Madeline Auerbach said, quote,

17 "You speak about something as if you truly know it and  
18 you might want to educate yourself a little better.  
19 Our horses do not go to slaughter. And anyone who is  
20 caught sending horses to slaughter is banned from our  
21 sport."

22 Shallow, meaningless words, lies, really, and  
23 your industry has shown, you will get away with as much as  
24 you can.

25 Thank you.

1 CHAIR FERRARO: Next please.

2 OPERATOR: Our next comment is from Josh  
3 Rubenstein with Del Mar.

4 CHAIR FERRARO: Go ahead, Josh.

5 MR. ROBBINS: Hi. This is actually Tom Robbins,  
6 Director of Racing from Del Mar Thoroughbred Club.

7 I did want just to make a short note on something  
8 that I thought I heard Alan say, that we weren't going to  
9 be processing the stall applications. As one of two people  
10 that is involved in that process, that has never been  
11 stated, so I just wanted to correct that. We are  
12 processing each and every stall application. We're hoping  
13 to have a very successful race meet this summer. And  
14 despite attending some of these sessions with Vice Chair  
15 Gonzales and CTT and our group, and engaging, at times, in  
16 some spirited debate, we're intending to have a successful  
17 race meet.

18 But I did want to point that out, that we have  
19 not made any threats about not processing any of the stall  
20 applications. They will all be processed.

21 Thank you.

22 CHAIR FERRARO: Thank you, Tom.

23 Next please.

24 OPERATOR: Thank you. The next comment comes  
25 from Alan Balch with the California Thoroughbred Trainers.

1 CHAIR FERRARO: Go ahead, Alan.

2 MR. BALCH: Thank you. And I want to thank Tom  
3 for that statement which I had not heard before. I  
4 misinterpreted what Mr. Rubenstein said at the beginning  
5 when he stated that ten percent hadn't signed the stall  
6 application and, to me, that was that indication, so I  
7 appreciate the clarification.

8 One other refinement I want to make to what  
9 Commissioner Gonzales said, which I appreciated, in the  
10 exiting race meet agreement, that is that we're negotiating  
11 away from potentially, but if you approve or add an  
12 addendum to the existing race meet agreement, I just wanted  
13 to make it clear to the Board that one of the mistakes we  
14 made last year, all of us made, was that when a trainer is  
15 aggrieved he's supposed to submit his claim to the track or  
16 to CTT. And the only place that CTT -- the only place that  
17 the procedure goes forward is if CTT believes the claim to  
18 have merit. And there are many cases where we don't  
19 believe the claim to have merit. And so no everything has  
20 to go to and involve the Racing Board and hearings and  
21 everything else.

22 In our current proposal, we have outlined a new  
23 step-by-step process to make it crystal clear that if CTT  
24 does not support the claim of the trainer against whatever  
25 discipline the track is putting forward, that's the end of

1 it as far as we're concerned, as far as the CTT is  
2 concerned, because the language further goes to say, in the  
3 existing agreement, that the matter is to proceed, if the  
4 CTT is onboard, that the matter proceeds immediately to  
5 arbitration before a hearing officer chosen by mutual  
6 consent by track and CTT. And if we can't agree, that's  
7 when the CHRB appoints a hearing officer.

8           So I agree completely with Commissioner Gonzales  
9 in a potential addendum that would set the time periods  
10 very quickly so that none of the experience we had last  
11 year would be repeated. There has to be a process where  
12 CTT can determine whether or not it would support the  
13 merits of a grievance and if we don't it's over. And if we  
14 do, then there has to be a bing-bing-bing process with a  
15 hearing officer and CHRB involvement.

16           Thank you.

17           CHAIR FERRARO: Thank you.

18           Next please.

19           OPERATOR: Thank you. Our next questioner did  
20 not identify themselves but go ahead now, commenter.

21           CHAIR FERRARO: Go ahead please.

22           OPERATOR: Commenter, please I.D. yourself.

23           MS. SULLIVAN: Hello. This is Martha Sullivan --

24           CHAIR FERRARO: Go ahead please.

25           MS. SULLIVAN: -- from San Diego County.

1 First, I want to say I want to ask the CHRB to  
2 not approve a horse racing license for the Del Mar  
3 Thoroughbred Club in 2020.

4 I want to point out that in its application for  
5 this license, it says that there will be one restroom  
6 facility per 17-1/2 racetrack workers. Now in a normal  
7 circumstance that would be horrendous. But in this time of  
8 the COVID-19 pandemic, that's deadly.

9 You also -- the application says there's 663  
10 permanent rooms, you know, for housing the workers that  
11 will be at Del Mar this summer. The multiplication for the  
12 one bathroom per 17.5 workers comes out to 1,453 workers.  
13 So there's no COVID-19 protocols in the application. It  
14 simply says they're on file. So in this major, major  
15 global pandemic, we get a wholly completely inadequate  
16 presentation from the Del Mar Thoroughbred Club.

17 I also want to share an analysis by former  
18 Assembly Member Lori Saldana, who is also a San Diego  
19 Community College professor, of the San Diego County Health  
20 Department data. It shows that Latinos are 33 percent of  
21 the population of San Diego but over 60 percent of the  
22 COVID count cases. Latinos in San Diego County now make up  
23 over 40 percent of the deaths from COVID. And Latino  
24 residents are three times more likely to get COVID than  
25 White people in San Diego County.

1           So, you know, we know that the backstretch  
2 workers are predominantly Latin. And, you know, we've  
3 raised, before, major concerns about bringing several  
4 hundred workers, you know, migrant workers into the Del Mar  
5 Racetrack, who are going to be living there for several  
6 months.

7           OPERATOR: Thirty seconds left.

8           MS. SULLIVAN: This is a serious, serious public  
9 health crisis that you talked about at length during this  
10 meeting. You've got to take it seriously here and not  
11 just, you know, brush it under the rug, which is what  
12 normally happens.

13           Do not approve this license.

14           CHAIR FERRARO: Thank you.

15           Next please.

16           OPERATOR: Thank you. Next commenter is Heather  
17 Hyde, concerned public citizen.

18           CHAIR FERRARO: Go ahead please.

19           MS. HYDE: Heather Hyde, concerned citizen.

20           So here we have a quote from Joe Harper, Del Mar  
21 Thoroughbred CEO. "It's really a shelter for horses and  
22 people." Well, you created it so be responsible for it.  
23 You're not responsible for the horses nor the people. It's  
24 very obvious. And I do not ever support any horse racing  
25 license moving forward for Del Mar Racetrack because all of

1 this is just corruption and greed.

2           The spectators, the addicts, the jockeys, the  
3 compulsive gamblers, the trainers, the owners, the  
4 billionaire supporters, the investors, the corporate  
5 sponsors and such, you should all be ashamed of yourselves.

6   Anybody who simulcasts this sport and bets on it, profits,  
7 watches, claps their hands, not knowing which horse is  
8 going to be dead once they get out of that track, you're  
9 disgusting.

10           CHAIR FERRARO: Thank you.

11           Next please.

12           OPERATOR: Thank you. Next commenter is Heather  
13 Wilson, member of the public.

14           VICE CHAIR GONZALES: Go ahead please.

15           MS. WILSON: Thank you. This is regarding the  
16 DMTC racing license.

17           If COVID-19 made its way into the West Wing of  
18 the White House, do you really expect us to believe that it  
19 is not infecting racetracks, places that host congregate  
20 living, shared bathrooms, and filthy work conditions?

21           It is well known that once Santa Anita closes its  
22 shop in June, that the horses and their accompanying humans  
23 will move on to Del Mar for the summer meet. Can Aiden  
24 Butler or any representative from Santa Anita or The  
25 Stronach Group honestly, honestly say there has not been a

1 single case of COVID-19 at Santa Anita? You can say, no,  
2 not a single case, but it would not be believable.

3           The horse racing industry is full of deceit. You  
4 cover up drug tests. You sweep doping charges under the  
5 rug. You withhold information from the public regarding  
6 injured and dead horses. You deliberately move the cameras  
7 on the track when there are horses freaking out at or in  
8 the starting gate. You also alter videos of breakdowns and  
9 thrown jockeys so that the incriminating footage is deleted  
10 from the racing replays.

11           This industry is ripe with lies, corruption, and  
12 coverups. So even if you say, oh, no, we haven't had a  
13 single case, your track record of truth and transparency  
14 dictates otherwise. You are simply not believable. And  
15 now your dishonesty is going to contribute to this pandemic  
16 and cost people their lives.

17           No, there should absolutely not be a horse racing  
18 meet at Del Mar in 2020.

19           Thank you.

20           CHAIR FERRARO: Next please.

21           OPERATOR: Thank you. Next comment is from Oscar  
22 de la Torre, worker advocate.

23           CHAIR FERRARO: Go ahead please.

24           MS. DE LA TORRE: Yes. I urge the CHRB to  
25 approve this item. My name is Oscar de la Torre of Los

1 Angeles County.

2           Horse racing across the state of California has  
3 resumed with new safety protocols to protect horses and  
4 public health. The revenue and the jobs being generated  
5 funds every public benefit Californians depend on. Live  
6 racing at Los Alamitos continues through COVID-19 without  
7 spectators, setting a precedent, and showing that public  
8 health can be protected at racetracks.

9           Working in partnership with the county public  
10 health officials and medical professionals, live racing  
11 resumed with strict protocols at Santa Anita and Golden  
12 Gate. There has been zero reports of positive infections  
13 at Santa Anita. These are the same workers that will be  
14 coming to Del Mar. These are not migrant workers. And I'm  
15 very offended by anybody assuming that, because they are  
16 Latinos, they are carrying infections. That is a racist  
17 ideology from the 1930s and you have to move beyond that.

18           The horse racing industry has been tested and  
19 (indiscernible) have to implement strict safety protocols  
20 to ensure the safety of horses. And now our culture of  
21 responsiveness and accountability has extended to ensure  
22 the safety of workers and staff. Safety, in all its  
23 aspects, has been a priority at Del Mar Racetrack. And the  
24 DMTC has a track record of operating the safest track in  
25 the USA for the past two years. DMTC's strict safety

1 protocols has resulted in 99.94 percent of races being  
2 conducted --

3 OPERATOR: Thirty seconds left.

4 MS. DE LA TORRE: -- in 2019 without an  
5 accidental horse racing fatality. Track operators in the  
6 horse racing industry, especially the DMTC, is prepared,  
7 better than most, to respond to the public health  
8 challenges presented by COVID-19.

9 Most of the staff and the workers that will be  
10 coming to Del Mar are coming from Santa Anita. We have to  
11 repeat that because people are saying a lot of false  
12 statements regarding that. These new public health  
13 protocols match the historical horse safety standards that  
14 have been implemented and are showing positive results.

15 Considering that our state is suffering from the  
16 temporary closure of many businesses due to COVID-19, the  
17 revenue and jobs generated from live horse racing is  
18 boosting our state and local economy, providing hope and  
19 security for the thousands of workers, business owners and  
20 their families.

21 Moreover, the revenue generated from live horse  
22 racing provides for horse aftercare programs, medical and  
23 dental clinics for backstretch workers, and also the  
24 oversight and regulatory functions of the CHRB. Live  
25 racing, essentially, supports everything that is the best

1 interest of the workers and the horses in our care.

2 OPERATOR: I'm sorry. We've reached time.

3 Our next comment --

4 CHAIR FERRARO: Thank you.

5 OPERATOR: -- comes from Kathleen Davis with the  
6 Del Mar Thoroughbred Club.

7 CHAIR FERRARO: Go ahead please.

8 MS. DAVIS: Yes. Hi. Good afternoon. Thank you  
9 for allowing me the opportunity to shed some light on this  
10 topic. Kathleen Davis, SMRI. I've had the pleasure of  
11 working with Del Mar since 2013 on data analytics projects.  
12 I also teach at Rady School for Management and Data  
13 Analytics for Events . In 1995, we executed our first  
14 Super Bowl economic impact study in Miami. And we have now  
15 executed a record six Super Bowl economic impact studies  
16 for the NFL's various host committees, along with 300  
17 economic impact studies. I also teach at Rady and Data  
18 Analytics for Events and I've been doing that for the last  
19 three years.

20 Del Mar approached me back in 2019 and asked for  
21 us to measure the annual economic impact of that venue.  
22 And it was a pleasure to work on that study the past six  
23 months and want to, just really quickly, give you the  
24 findings that show what a corporate partner they are and  
25 how valued they are in the community.

1           We found that the total economic impacts for all  
2 activities associated with Del Mar Thoroughbred Club on an  
3 annual basis is estimated at 2,261 annualized jobs, \$132  
4 million in labor income, \$195 million in value added, and  
5 an additional report segment which is important,  
6 input/output, \$299 million. Their a valued corporate  
7 entity in this community.

8           OPERATOR: Thirty seconds left.

9           MS. DAVIS: Thank you again for your support.

10          CHAIR FERRARO: Thank you.

11          MS. WILSON: And appreciate the opportunity to  
12 talk to that.

13          CHAIR FERRARO: Thank you. Thank you.

14          Next please.

15          OPERATOR: The next comment is Bonnie Crocker,  
16 concerned citizen.

17          CHAIR FERRARO: Go ahead please.

18          MS. CROCKER: Yes. Thank you. I would also like  
19 to request that you do not permit the Del Mar Thoroughbred  
20 Club permission to hold a racing meet. There are a  
21 multiplicity of reasons. I don't want to talk up more time  
22 when much has been spent on the fact that 665 migrant  
23 workers will be housed to the racetrack under poor  
24 conditions.

25          However, I would like to comment that it is not

1 racist to suggest that this is a danger. The danger is in  
2 the science, in the numbers. For example, if you move 665  
3 middle school students from one middle school to another it  
4 still doesn't prevent the spread of the disease. The  
5 disease runs rampant because of the numbers of people that  
6 are housed together in congregate housing. That is the  
7 main concern and that's the one that I would like to close  
8 with.

9           Please remember, CHRB, that you will be voting,  
10 if you vote yes to approve the racing license for the Del  
11 Mar Thoroughbred Club, you will be gambling with lives of  
12 not only those 665 people but all the people they associate  
13 with, their families, and the community at large. And as I  
14 said earlier, if you become notorious for endangering and  
15 killing humans, that's going to cost you a lot more money  
16 than it will cost to miss a few racing meets.

17           Thank you.

18           CHAIR FERRARO: Thank you.

19           Next please.

20           OPERATOR: Thank you. Next commenter is Wayne  
21 Johnson, citizen.

22           CHAIR FERRARO: Go ahead please.

23           MR. JOHNSON: Yes. Please deny the race meet  
24 agreement with Del Mar for safety reasons. Nineteen horses  
25 died there last year. And Mr. Robbins and Mr. Rubenstein

1 don't emphasize that or even talk about it at all.

2 In talking about the million dollar economic  
3 impact, the professor didn't mention the lives of the  
4 horses at all.

5 When you see Charge a Bunch and Carson Valley  
6 bump into one another and then both die, you realize the  
7 naked truth about Del Mar. Nineteen horses dead.

8 Trainer Bob Baffert said he was sorry that Carson  
9 Valley died. He told the Los Angeles Times last week he  
10 was sorry about Arrogate dying. How many more horses is  
11 Mr. Baffert going to have involved in death and fatality  
12 and injury before we put him in jail for animal cruelty?

13 And, finally, the debate between Mr. Rubenstein  
14 and Mr. Balch simply reveals the naked power-driven, go for  
15 profits on the backs of the horses truth about this corrupt  
16 industry.

17 Thank you.

18 CHAIR FERRARO: Next please.

19 OPERATOR: Thank you. Next commenter is Marla  
20 Zanelli, horse owner.

21 CHAIR FERRARO: Go ahead please.

22 MS. ZANELLI: Hello. CHRB, I would urge you to  
23 vote in approval for the Del Mar Thorough Club meet. I  
24 work in Del Mar and am closely in contact with store  
25 owners, restaurant owners, and home owners, and they all

1 are appreciative of the Del Mar race meets when it is here  
2 in the summertime. It brings, you know, energy to their  
3 businesses and they appreciate the race meets, so I urge  
4 you to vote yes.

5 Thank you.

6 CHAIR FERRARO: Thank you.

7 Next please.

8 OPERATOR: Thank you. Our next commenter is  
9 Denise Bolbol with -- a California citizen.

10 CHAIR FERRARO: Go ahead please.

11 MS. BOLBOL: Hello. I would like to urge you to  
12 reject the application for the license for Del Mar. You  
13 know, you've heard a lot of good information in the public  
14 comments. Ms. Shenker talked about this company's failure  
15 to follow protocols, not sending horses killed, not sending  
16 them for necropsy. You've heard about the COVID concerns.  
17 And we've see the lack of transparency in the number of  
18 horses murdered at this track.

19 I want to say, number two, is that -- or number  
20 three is that you also failed to even consider the  
21 backstretch workers in your processing of this application.  
22 You must review and disclose. What are the salaries of  
23 these backstretch workers? What is their health insurance?  
24 Yeah, I know there's a clinic there, but what if the  
25 workers get more seriously ill than what a clinic can

1 handle? Who pays for them to go to a hospital? Who pays  
2 for them to get treatment at a hospital or to get x-rays?  
3 I'm sure they don't have x-ray equipment at these clinics.

4 And, also, we need to also find out, what are the  
5 living conditions of these backstretch workers? Let's get  
6 some video up on the internet of what are the living  
7 conditions? What are the healthcare coverage? What are  
8 their salaries? Why aren't you considering this when you  
9 look at these permits?

10 And then, finally, is, you know, statistics show  
11 that Latinos have higher rates of getting COVID in the San  
12 Diego area or the Southern California area than the general  
13 population. That's not racist.

14 OPERATOR: Thirty seconds left.

15 MS. BOLBOL: That's a fact. And the reason they  
16 are at more at risk is because of their socioeconomic  
17 status. And that is also applicable to these backstretch  
18 workers. They are as exploited as the horses. And it's  
19 shameful that they're supporting the exploitation of the  
20 horses. Instead, we could be figure out, how do we get  
21 these people retrained into good jobs and good paying jobs  
22 and get them a pass to citizenship if they don't have  
23 citizenship?

24 Thank you so much.

25 CHAIR FERRARO: Next please..

1 OPERATOR: Next commenter is Jane Cartmill.

2 CHAIR FERRARO: Go ahead please.

3 MS. CARTMILL: I'm urging you to deny the  
4 application for a meet at Del Mar. And I'd like to note  
5 some comments from the Nonpartisan Voice of Orange County.

6 "Del Mar officials have continued to lose money on  
7 their horse racing track from declining attendance and  
8 food and beverage revenue losses, as well as growing  
9 controversy over the sport, while burning through  
10 money to operate the venue and pay off the track's  
11 bond debts.

12 "The San Diego Fair cancellation resulted in a \$54  
13 million revenue loss for Del Mar. And even with  
14 aggressive cost reduction strategies, officials say  
15 they need an extra \$5 million and turn to Orange  
16 County for a loan. Both Orange County and San Diego  
17 County Fairs were canceled this year. And Del Mar's  
18 loan request stems from that fair cancellation.

19 "At last Thursday's Orange County Fair Board meeting,  
20 directors voted unanimously to push off that decision  
21 until next month. Local watchdogs criticized Del  
22 Mar's loan request and the agency's financial  
23 instability, questioning whether Del Mar's troubles  
24 started with the ongoing coronavirus pandemic or if  
25 the pandemic merely laid bear a financial problem

1 years in the making in San Diego.

2 "Among the things Del Mar has invested in include new  
3 exhibit halls, millions of dollars in horse racing  
4 structures, converting a parking lot --

5 OPERATOR: Thirty seconds left.

6 MS. CARTMILL: -- into a \$5 million restoration  
7 project and turning an outdated horse betting facility into  
8 a new venue. 'I don't understand how the fair with the  
9 sixth highest attendance in the nation is now financially  
10 insolvent after canceling one fair,' said Reggie Mundekis,  
11 who, with her husband, Vincent Pollmeier, comprise one of  
12 the closest fair observer groups. 'If changes happen, we  
13 need to let them happen, and changes need to be made to  
14 both management and the way fairgrounds are structured to  
15 make those fairgrounds solvent rather than running around  
16 looking for stopgap funding.' Pollmeier called Del Mar a  
17 very, very troubled organization."

18 CHAIR FERRARO: Thank you.

19 Next please.

20 OPERATOR: Thank you. Our next commenter did not  
21 record their information and their line is being opened  
22 now.

23 Please identify yourself, commenter.

24 CHAIR FERRARO: Go ahead please.

25 OPERATOR: Okay. Our next commenter --

1 CHAIR FERRARO: Go ahead please.

2 OPERATOR: -- is Nick Casado, a thoroughbred  
3 horse racing owner and breeder.

4 CHAIR FERRARO: Go ahead please.

5 MR. CASADO: Good morning -- good afternoon,  
6 Chairman and Board Members. I personally appreciate your  
7 services.

8 We are all aware of the hardships our globe has  
9 been under since late February. Racing, horse racing in  
10 general, has been pretty much under attack since February  
11 of 2019 by the so-called animal activists.

12 I personally have attended many counter  
13 demonstrations that have been formed very peacefully by our  
14 side. And I have witnessed the attacks from the so-called  
15 animal activists. The hypocrisy is rampant.

16 Last summer at Del Mar, one of the anti-racing  
17 protestors brought a dog and tied it to a tree in the full  
18 sun. Now they can sit here and comment on how we treat our  
19 horses inaccurately. They can assign guilt to Bob Baffert  
20 for Arrogate, who hasn't been in his care for at least two  
21 years, which is -- I mean, it's such a false narrative,  
22 it's a joke. I have two Jack Russells. I know better than  
23 to tie them to a tree. So for them -- like I say, the  
24 hypocrisy runs rampant.

25 I also had a female come up to me at one of the

1 protests at Santa Anita and she said, when we were trying  
2 to make it not just about horses, also about the jobs that  
3 were being effected, her exact words to me were, "Why can't  
4 these people get a job at Taco Bell or El Pollo Loco?"

5 Now it wasn't just irony that this activist  
6 picked two Mexican food restaurants.

7 OPERATOR: Thirty seconds left.

8 MR. CASADO: She didn't say McDonald's nor did  
9 she say --

10 CHAIR FERRARO: Your time is up. Thank you very  
11 much.

12 Next please.

13 MR. MARTEN: I believe the next two have already  
14 had their two minutes. I don't know if you want them back  
15 in or not?

16 CHAIR FERRARO: No. No repeats. We can't take  
17 any repeats. Is that all? Is that it then?

18 OPERATOR: That is it, sir.

19 CHAIR FERRARO: Okay. Thank you. Those two that  
20 are in the line, you can come back at public comment at the  
21 end of this thing. We need to move on.

22 Okay, so is there any comments or questions from  
23 the Board regarding this application?

24 COMMISSIONER MITCHELL: This is Commissioner  
25 Mitchell. I would like to make a motion that we approve

1 the Del Mar application with the agreement from 2019.

2 CHAIR FERRARO: Do you want to stipulate to the  
3 paragraph that Commissioner Gonzales is talking about  
4 adding to that agreement?

5 COMMISSIONER MITCHELL: Yes, please.

6 EXECUTIVE OFFICER CHANEY: Chairman Ferraro --

7 COMMISSIONER MITCHELL: Sorry.

8 EXECUTIVE OFFICER CHANEY: Chairman Ferraro --

9 CHAIR FERRARO: Yes, Scott?

10 EXECUTIVE OFFICER CHANEY: -- Scott Chaney here.

11 CHAIR FERRARO: Yes.

12 EXECUTIVE OFFICER CHANEY: I think there's a  
13 pretty specific procedure. The application is fine. It's  
14 just with the CTT agreement, there's a pretty specific  
15 procedure with respect to the law and our regs, I think Rob  
16 Brodnik can probably talk a little bit more about it, that  
17 needs to happen and the Board needs to approve before going  
18 forward.

19 MR. BRODNIK: Hi Members.

20 CHAIR FERRARO: Rob?

21 MR. BRODNIK: Rule 2044 indicates the following.

22 It says,

23 "Each racing association shall file a copy of its  
24 agreement with the horsemen's organization  
25 representing the horse owners and trainers at its

1 meeting at the same time the association files its  
2 application for license. In the event the association  
3 is unable to obtain and file such agreement with its  
4 application the Board may, upon notice to the  
5 perspective parties to the agreement, conduct a  
6 hearing with regard to the conditions for the meeting  
7 and take such action as it may deem appropriate to  
8 ensure the continuity of the racing program. The  
9 horsemen's organization shall provide a copy of the  
10 agreement for the conduct of the meeting to any person  
11 requesting the same and shall cause to be posted on  
12 the bulletin board of the association a notice of  
13 where the location" -- excuse me -- "a notice of the  
14 location where a copy of the agreement may be  
15 obtained."

16 I believe this was brought up last year. And  
17 consistent with the language of 2044, since there is no  
18 horsemen's agreement, it seems that it would be appropriate  
19 for the Board to have a hearing to conduct -- to determine  
20 what the agreements should say. So I think the Board could  
21 designate, as it did, I believe, last year, Vice Chairman  
22 Gonzales to hear from both parties and then, ultimately,  
23 make a determination about what the trainers agreement,  
24 race meet agreement, ultimately says.

25 CHAIR FERRARO: So if I'm understanding you

1 correctly, we can make a motion to approve the application  
2 and, at the same time, we would need to assign Chairman  
3 Gonzales, and perhaps another Commissioner, to work on an  
4 agreement between the horsemen and the tracks; is that  
5 correct?

6 MR. BRODNIK: Yes. My understanding is that an  
7 agreement -- there needs to be a race meet agreement with  
8 the trainers. And so since there is no race meet  
9 agreement, the Board could approve the license but it would  
10 approve it conditioned upon the Board ultimately  
11 determining what that agreement says. And it can do based  
12 on the structure of 2044, which says,

13 "The Board, may upon notice to the perspective  
14 parties, conduct a hearing with regard to the  
15 conditions for the meeting and take such action as it  
16 may deem appropriate to ensure the continuity of the  
17 racing program."

18 So for that reason, I think, consistent with what  
19 the Board -- my recollection of what the Board did last  
20 year was that the Board approved the race meet agreement  
21 and also approved Vice Chairman Gonzales to determine,  
22 after hearing from the parties, what that race meet  
23 agreement would encompass.

24 CHAIR FERRARO: Okay. So, Wendy, if you want to  
25 restate your motion to approve the application, then we

1 could make a separate motion to have Mr. Gonzales and,  
2 perhaps, another Board Member to proceed on the new  
3 agreement status?

4 COMMISSIONER MITCHELL: Sure, just I'll amend my  
5 motion per the staff's recommendation.

6 CHAIR FERRARO: Okay. I'll second that.  
7 Commissioner Alfieri?

8 COMMISSIONER ALFIERI: Yes.

9 CHAIR FERRARO: Commissioner Castellanos?

10 COMMISSIONER CASTELLANOS: Agree to the motion.

11 CHAIR FERRARO: Commissioner Gonzales?

12 VICE CHAIR GONZALES: Yes.

13 CHAIR FERRARO: Commissioner Mitchell?

14 COMMISSIONER MITCHELL: Yes.

15 CHAIR FERRARO: Commissioner Solis?

16 COMMISSIONER SOLIS: Yes.

17 CHAIR FERRARO: And the Chairman votes yes.

18 Now we need a separate agreement. I can make  
19 that motion. I move that we assign Commissioner Gonzales  
20 and a second Commissioner, if he can find one who will  
21 agree to do it with him, to negotiate with the parties to  
22 establish a new racing agreement.

23 Do we have a second for that motion?

24 COMMISSIONER CASTELLANOS: Castellanos. Second.

25 CHAIR FERRARO: Commissioner Alfieri?

1 COMMISSIONER ALFIERI: Yes.

2 CHAIR FERRARO: Commissioner Gonzales?

3 VICE CHAIR GONZALES: Yes.

4 CHAIR FERRARO: Commissioner Castellanos?

5 COMMISSIONER CASTELLANOS: Yes.

6 CHAIR FERRARO: Commissioner Mitchell?

7 COMMISSIONER MITCHELL: Yes.

8 CHAIR FERRARO: Commissioner Solis?

9 COMMISSIONER SOLIS: Yes.

10 CHAIR FERRARO: And the Chairman votes yes.

11 Thank you.

12 Before we move on to item number nine, let's take  
13 a little short stretch break, five minutes, please.

14 (Off the record from 1:10 p.m.)

15 (On the record at 1:14 p.m.)

16 CHAIR FERRARO: We're going to agenda item number  
17 nine, which is discussion and action by the Board regarding  
18 the proposed amendments to CHRB Rule 1685, Equipment  
19 Requirement, to modify the riding crop specifications.

20 Now this is to modify the riding crop  
21 specifications. Rules regarding the use of the crop will  
22 be under the next item.

23 So do we have any comments or questions from the  
24 Board before we open up? All right.

25 I assume we have the representatives of the

1 Jockeys' Guild.

2 MR. MARTEN: Yeah. We would like to have Terry  
3 Meyocks, Shane Gusman, G.L. Carter, Aaron Gryder, and Mike  
4 Smith all do star one to enter the queue.

5 CHAIR FERRARO: Go ahead please.

6 MR. MARTEN: Well, they haven't done it yet.  
7 Okay, Shane Gusman is in -- no, actually, they wanted the  
8 order to be Mike Smith first here. Mike Smith.

9 OPERATOR: Check. Mike Smith's line is open for  
10 comment.

11 CHAIR FERRARO: Go ahead, Mike.

12 MR. SMITH: Yes. Thank you, Commissioners. This  
13 is Mike Smith.

14 I would really like to -- I'm part of the  
15 Jockeys' Guild. I'm on the board. We've been working  
16 really close with Mid-Atlantic, the Safety Coalition, you  
17 know, so all over the country, that we would like to get a  
18 uniform rule, something that matches the rest of the  
19 country. I'd hate for us, first of all, to start out on  
20 something that's going to be totally different from the  
21 rest of the country. And I think we're really close to  
22 getting that done.

23 So I'd like it if we could just hold off a little  
24 bit on this. I think we could get this done and it would  
25 be more, like I said, a uniform rule that would work for

1 everybody, that we would work for everybody, that we would  
2 feel safe with and comfortable with.

3           And that goes for the riding crop as well. Right  
4 now we have the cushion, the ProCushion [sic] crop, which  
5 is working very well. The cylinder one we're having a lot  
6 of trouble with because it's very big. We're not able to  
7 slide it through our hands to switch sticks from side to  
8 side. And it, you know, causes you to lose the rein and do  
9 all kinds of stuff, and so we're still working on that.

10           But, again, we've had no trouble whatsoever with  
11 our ProCushion crop, using it. And I would put it about  
12 90 -- I would say about 95 percent of us are more  
13 comfortable with that and have been using it. Not to say  
14 that the other one won't work eventually but, right now,  
15 that's kind of where we're at.

16           And then, so I would -- you know, nine and ten, I  
17 mean, they're kind of both on the same that we're working  
18 on and talking about. And it would be great if we could  
19 just put it off to see if we could all agree on something  
20 that's going to work for the whole country instead of just  
21 one place that's going to be totally different than  
22 another.

23           Thank you.

24           CHAIR FERRARO: Thank you, Mike.

25           Next please.

1 OPERATOR: Thank you. Aaron Gryder is next  
2 commenter.

3 MR. GRYDER: Good afternoon, Chairman, Board  
4 Members. Thank you for having me on today.

5 I'd like to start by saying I'm grateful to all  
6 of you for the hard work you put in, and also for The  
7 Stronach Group, very grateful for all that they've done,  
8 management at Santa Anita, to standing up to every  
9 challenge they've been faced with over the last year-and-a-  
10 half and coming out being stronger and more united than  
11 we've ever been. Santa Anita has not only been a leader in  
12 horse racing, throughout many years since 1934, but through  
13 their hard work and all the safety protocols, I believe  
14 it's become top of all sports. They're the first ones back  
15 and they're doing it very safely.

16 On this issue with the riding crop, I feel very  
17 comfortable with the ProCushion crop that we have now. I'm  
18 not against anybody ever coming in and bring other ideas.  
19 But I don't believe that everybody has to drive a Toyota  
20 car when they go on the freeway. I think there's different  
21 models that can be very safe, as well, whether it's a  
22 cylinder or -- you know, I know issues have come up that  
23 there's (indiscernible) in the ProCushion crop or that  
24 there's an edge on it. There's never been a horse cut or  
25 welted because of an edge. It may have been used and then

1 mis-properly used. And at that point the stewards have all  
2 come down us when we have misuse of the riding crop.

3 But in 30,000-something mounts that have had here  
4 in America racing, and probably 70,000 more I've been on in  
5 the morning, I have never welted or cut a horse with any  
6 riding crop whatsoever. I don't believe that the  
7 ProCushion whip, or the crop that we're using now, is  
8 abusive in any way. And if it was I'd be the first one to  
9 say, I don't want to use it. Horses are not just my  
10 livelihood, I care about horses, I care about their  
11 wellbeing, and I wouldn't use something that I felt was  
12 abusive.

13 So I do welcome to bring in other forms of the  
14 riding crop, whether, again, it's the cylinder or different  
15 types, but I think it should be passed by everybody, that  
16 each individual design is to a level of what we think is  
17 safe, through the Commission, through everybody that wants  
18 to look at it. But I do believe that we should have more  
19 than one option and, right now, we're staying very safe  
20 with the one we have.

21 CHAIR FERRARO: Thank you, Aaron.

22 Next please..

23 MR. GRYDER: Thank you, sir.

24 OPERATOR: I'm sorry. Our next commenter is  
25 Terry Meyocks with the Jockeys' Guild.

1 CHAIR FERRARO: Go ahead please.

2 MR. MEYOCKS: This Is Terry Meyocks.

3 You know, and I agree with what Mike and Aaron  
4 both said. The majority of the riders today feel  
5 comfortable with the current crops that they're using.

6 You know, we've also said we welcome research and  
7 development to come up with new items. But I just think  
8 it's, at this time, it's not prudent for everybody to look  
9 at just one. And we should continue, you know, maybe,  
10 possibly, changing the verbiage to allow the foam cylinder  
11 and what the jocks decide, if they want to use it or not,  
12 but also allow the ProCush-type of riding crop that they've  
13 been using for the last ten years. And we know for a fact  
14 that the last ten years -- horses, today, have not been  
15 getting cut up or having welts from the ProCush crop.

16 CHAIR FERRARO: Thank you, Terry.

17 Next please.

18 OPERATOR: Thank you. Next commenter is G.L.  
19 Carter.

20 CHAIR FERRARO: Go ahead please. Go ahead  
21 please.

22 MR. CARTER: Yes. This is G.R. Carter. I was a  
23 Quarter Horse jockey for 35 years, rode at Los Alamitos for  
24 approximately 25 years.

25 The use of the riding crop is critical for racing

1 integrity and safety. You know, Quarter Horses reach speed  
2 in excess of 50 miles an hour. And when everyone's wanting  
3 to lug one way or the other, sometimes the only option is  
4 to go to use the whip as a means to straighten the horse.  
5 And to take that option away, it really is detrimental to  
6 the safety of Quarter Horse racing, the Quarter Horse  
7 jockeys.

8           Along the integrity issue, if you take the whip  
9 completely away, the, you know, the -- whenever the horses  
10 get -- starting lugging in one way or the other, it enables  
11 you to maintain your position up in a hole that's trying to  
12 close. And without having that whip to encourage the  
13 animals to stay up in there, you're going to get your lane  
14 taken and, possibly, clip heels.

15           And for these reasons, I urge you to table the  
16 adoption of this rule today and give a uniform standard  
17 that is being worked on nationally by the Guild and racing  
18 organizations nationwide to be adopted nationally. And  
19 then California, like Mike Smith said, would be along the  
20 same lines as the rest of the nation.

21           Thank you.

22           CHAIR FERRARO: Next please.

23           OPERATOR: Thank you. Next commenter is Shane  
24 Gusman with the Jockeys' Guild.

25           CHAIR FERRARO: Go ahead please.

1 MR. GUSMAN: Hi.

2 CHAIR FERRARO: Go ahead please.

3 MR. GUSMAN: Good afternoon. Good afternoon. I  
4 just want to make a couple of quick points, just in terms  
5 of what's in the packet.

6 There is a document in the packet under this item  
7 that would lead one to believe that there's an agreement  
8 between the Guild and the Thorough Safety Coalition on this  
9 specifications issue. And I just to make it clear that  
10 there is not an agreement at this point in time.

11 I would also -- as I stated before, when there  
12 was another hearing on this issue, there is a concern that  
13 if you craft this rule in the way it's drafted now, that  
14 you are mandating the use of equipment that's only  
15 manufactured by one manufacturer. And without placing any  
16 judgment on that particular manufacturer, whether it's good  
17 or bad or -- it's just not, I think, and from the Guild's  
18 perspective, not a prudent way to go for a government  
19 agency to mandate a monopoly, basically.

20 And it puts the jockeys in a difficult position  
21 because there's, you know, questions about what is the  
22 price going to be? You know, what is the manufacturing  
23 availability of this particular item and so on?

24 And lastly, I would just say that, considering  
25 the next item, it seems that both adopting new equipment

1 and changing the use of that equipment at the same time  
2 could have some have unintended consequences and real  
3 safety ramifications. So we would urge the Board to  
4 consider that as their considering this rule.

5 Thank you.

6 CHAIR FERRARO: Thank you.

7 Next please.

8 OPERATOR: Thank you. Next commenter is Ramon  
9 Dominguez, retired jockey.

10 CHAIR FERRARO: Go ahead please.

11 OPERATOR: Mr. Dominguez, your line is open.

12 CHAIR FERRARO: Mr. Dominguez, go ahead please.

13 MR. DOMINGUEZ: Hello?

14 CHAIR FERRARO: Go ahead please. Yes. Go ahead.

15 VICE CHAIR GONZALES: We can hear you.

16 CHAIR FERRARO: Yeah, we can hear you. Go ahead.

17 MR. DOMINGUEZ: Thank you for the opportunity to  
18 speak. I wanted to, full disclosure, to let you know that  
19 I am the inventor and the one who created the 360 GT, the  
20 crop, the cylinder that they have been speaking about.

21 And just for clarification, I want to update. We  
22 have not only the product. We have already produced  
23 thousands of them. But, also, we are able to make them,  
24 depending on what specifications the rider may need. And  
25 that also includes what Mike Smith spoke about, which is

1 the concern about switching it from hand to hand. We did  
2 some modifications where the jockeys were currently using  
3 it. We don't have that problem because it just required a  
4 tapering of the part that has the contact with the animals,  
5 so those issues have been solved.

6 CHAIR FERRARO: Thank you.

7 OPERATOR: Thank you.

8 Next please.

9 OPERATOR: The next comment is Mindy Coleman with  
10 the Jockeys' Guild.

11 CHAIR FERRARO: Go ahead please.

12 MS. COLEMAN: Good afternoon, Chairman,  
13 Commissioners. This is Mindy Coleman on behalf of the  
14 Jockeys' Guild. Thank you for the opportunity to allow us  
15 to briefly comment here today.

16 And, as Mr. Gusman was indicating, based on the  
17 submission that had been provided by the Safety Coalition,  
18 it did appear the Guild had agreed to the parameters'  
19 discussion. Most of our negotiations and discussions with  
20 regards to the use. However, I would like to reiterate  
21 that while the, first and foremost, the safety and welfare  
22 of both our equine and human athletes is paramount and of  
23 the utmost importance to the jockeys and the Guild.

24 With that being said, with regards to the  
25 development of improvements to the riding crop, whether

1 it's the materials being used or the design, the Guild is  
2 fully supportive. However, it must be done in a thoughtful  
3 manner after research and input and consideration from the  
4 jockeys.

5           While I recognize that the Board had tabled this  
6 matter in February, pending the results of the research  
7 that was being done by The Stronach Group, the Guild was no  
8 advised of that research or the results until we received  
9 the packet information provided for this meeting.

10           With that being said, we do think that there's  
11 further resource that needs to be done. And input and  
12 consideration from the individuals who will actually be  
13 carrying those riding crops.

14           Without specifically endorsing a particular  
15 product, again, we grateful commend Ramon Dominguez of  
16 Riders Up!, who's put forth tireless effort in coming up  
17 with a new design as well. And we welcome any other  
18 inventors or anybody else who has a product that they  
19 believe would be adequate for the use of the riding crop or  
20 improving the riding crop.

21           However, as we've said, there needs to be  
22 variations, just like any other athlete. The jockeys need  
23 to be afforded the opportunity to have varying designs and  
24 specifications for the riding crop. They can have various  
25 products but still have the -- that fall within the

1 specifications to allow them for what's best for that  
2 particular individual.

3           With that being said, we would respectfully  
4 consider that this item either be tabled or that the  
5 language proposed be amended to allow for both the existing  
6 riding crop, as the previous jockeys have indicated that  
7 they are using and believe is safe and humane for the  
8 horses, as well as allowing for the cylinder crop to be  
9 used, as well, so that the riders have the opportunity and  
10 the choice to use the best riding crop that's sufficient  
11 for them or adequate for their style.

12           Now we do think that, again, that this must be  
13 done -- that any changes that are done must be done in a  
14 precise and a careful and thoughtful manner. There are  
15 many factors that must be considered and evaluated before  
16 the changes are implemented or made mandatory.

17           Furthermore, any changes that are made shall be  
18 evaluated in the real world to be able to fully evaluate  
19 the performance, as well as the effectiveness, just as we  
20 have done in the past with other changes to the riding  
21 crop.

22           With that being said, we recognize that there are  
23 a few riders, and we've attempted to use the riding crop,  
24 Ramon's design, in California. However, there needs to be  
25 further use to allow for the modifications to be made, as

1 Ramon is indicating, that the riders are comfortable with.

2 If you -- we'd respectfully request that the  
3 riders be able to provide input, again, with The Stronach  
4 Group, after the research provided by The Stronach Group,  
5 and the proposed language that is to be adopted by the  
6 CHRB.

7 Thank you.

8 CHAIR FERRARO: Next please.

9 OPERATOR: Next commenter is Patty Shenker,  
10 private citizen.

11 CHAIR FERRARO: Go ahead please.

12 MS. SHENKER: Yes. Yes. Good afternoon. I am  
13 asking for a ban on the use of riding crop. You may call  
14 them riding crop and think they are not abusive but the  
15 public sees them as abusive whips.

16 The definition of a whip reads, "To beat with a  
17 strap, lash, rod or the like, especially by way of  
18 punishment or chastisement."

19 Whips have always had and still do have a very  
20 negative connotation, bringing thoughts of real-life  
21 violence, slavery, domination, and persecution. So it is  
22 with these whips used on horses.

23 Everyone knows that they hurt and intimidate the  
24 horses. And they force horses to run faster at the risk of  
25 their lives. They are weapons. And if you want to repair

1 your image at all you should start by banning whips at all  
2 times, not redesigning them.

3 As John Play (phonetic), a sports columnist said,  
4 quote,

5 "Why do jockeys have to hit the horses with those  
6 whips? That might seem minor to those of us who grew  
7 up with the sport. It's an accepted practice. We  
8 barely notice it. But in a society less agrarian and  
9 more urban, using a whip to hit a defenseless animal  
10 stands out. People might not be able to see the  
11 drugs, or what goes on in the barn, but they can sure  
12 see those whips."

13 It is absolutely disgusting and heartbreaking to  
14 see jockeys whipping the horses at any time. But it is  
15 especially disturbing to see them whipping horses as they  
16 are breaking their horses on the track and soon to be  
17 killed. Whips kill.

18 OPERATOR: Thirty seconds left.

19 MS. SHENKER: Thank you.

20 CHAIR FERRARO: Thank you.

21 Next please.

22 OPERATOR: Next commenter is Sarah Segal,  
23 California citizen.

24 CHAIR FERRARO: Go ahead please.

25 MS. SEGAL: Hello. Good afternoon. Just wanted

1 to ask you to respectfully rename the crop whip because,  
2 just as we just heard the gentleman say, and I quote him,  
3 he said, "You need a whip to straighten the horse."

4           Without the whip to encourage the animal, I mean,  
5 are you kidding me? Are you kidding me? Okay. So you're  
6 saying -- this gentleman is saying that he needs to hit the  
7 horse, obviously, strike the horse with the crop, the whip,  
8 he called it a whip, which the speaker before me just  
9 explained what a whip is, very cruel and violent. And this  
10 just boggles my mind how you could sit here and say that  
11 you are even considering anything about this because if you  
12 stopped racing horses, you wouldn't even need anything like  
13 this. Because, as we know, you have grown men riding on  
14 the backs of babies, of horses that are 18 months old, 2  
15 years old, they're dying.

16           I mean, this industry is dying and you guys are -  
17 - this is the most desperate meeting I've ever heard of all  
18 of you talking about all the different events and  
19 everything that's about to happen and you're just  
20 scrambling around and you guys are disputing everything.  
21 But why don't you ask the horses what they want? Why don't  
22 you put the horses on the agenda and ask them if they even  
23 want to be there? No. The answer is, no, you forced them  
24 to be there. And now you're using this crop/whip on an  
25 agenda item. The whole agenda should just be about how

1 you're going to transform this industry into a nice  
2 compassionate industry and stop promoting this formalized  
3 violence.

4 OPERATOR: Thirty seconds left.

5 MS. SEGAL: Please stop --

6 CHAIR FERRARO: Thank you.

7 MS. SEGAL: -- stop and think about the horses.

8 CHAIR FERRARO: Thank you.

9 MS. SEGAL: No. Thank --

10 OPERATOR: Our next questioner -- commenter is  
11 unidentified. Please identify yourself.

12 MS. BOLBOL: Oh, hi.

13 CHAIR FERRARO: Go ahead please.

14 MS. BOLBOL: This is Denise Bolbol. This is  
15 Denise Bolbol. Can you hear me?

16 OPERATOR: Yeah.

17 CHAIR FERRARO: Yes.

18 MS. BOLBOL: Okay. So, yeah, you've got to start  
19 using the right language. Calling is a crop is ridiculous.  
20 Everybody knows it's a whip. I mean, the industry people  
21 can't even keep it straight. Just call it a whip. It's a  
22 whip. And we all know what whips are for.

23 We've seen elephants dominated with bullhooks.  
24 They look like fireplace poker. We've seen tigers  
25 controlled with whips. And we have -- when you race

1 horses, you have to do the same dominance with a whip and  
2 we've seen it, you've seen it, it's constant, it's awful,  
3 and the public hates it too.

4           And let me tell you, if you don't ban the whip,  
5 if you don't ban it, you're just helping us shut down your  
6 industry, so you're helping us, and we're going to shut you  
7 down. But you could actually find some life in your  
8 industry and give it a little more life if you started  
9 doing something progressive.

10           But, instead, you have proven time and time and  
11 time again, you are a rubberstamp Commission. Yeah, I  
12 know, your mission is to promote the industry, but there's  
13 a difference between promoting the industry and being a  
14 rubber stamp. And each and every one of you Commissioners  
15 is responsible for being a rubber stamp. And guess what?  
16 You guys are just like the circus industry, the circus  
17 industry, which is dead in California, dying across the  
18 rest of the country, and you guys are just like them,  
19 covering up, trying to milk the life out of this brutal,  
20 abusive industry, and shame on you.

21           Your grandchildren will be ashamed of you, if  
22 they aren't already for those of you that have them. And  
23 it's absolutely shameful that you are going to table this  
24 because the abusers --

25           OPERATOR: Thirty seconds left.

1 MS. BOLBOL: -- these jockeys who are the  
2 abusers, are using this whip to torment these animals. And  
3 you are going to listen to them and table it or pass this  
4 BS, you know, modification.

5 Ban the whip. Make a statement. Stop the whip  
6 now. It's in your best interest. But you know what? You  
7 make our job easier to kill your industry. And we get to -  
8 -

9 CHAIR FERRARO: Thank you.

10 MS. BOLBOL: -- (indiscernible) your rubber  
11 stamp.

12 OPERATOR: Thank you. Our next questioner's  
13 line --

14

15 CHAIR FERRARO: Next please.

16 OPERATOR: -- is unidentified.

17 Commenter, please identify yourself?

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

20 You know this. You know thar this Board has been  
21 considering this issue since like last January at least.  
22 And there was a lot of hullabaloo last March that this  
23 Board had passed the first real, you know, whip ban last  
24 March. And then there was more hullabaloo several moths  
25 ago when you, once again, you know, passed the strictest,

1 you know, whip rule, but you're still talking about it.

2 And it just speaks incredible volumes about this  
3 abusive industry, this industry that's founded on animal  
4 cruelty, that the one practice which is admitted by your  
5 industry leaders as having the worst optic to the public,  
6 they still can't give it up.

7 Animal cruelty is imbedded in this industry. You  
8 can't regulate it out.

9 OPERATOR: Thank you.

10 Our next commenter is Jane Cartmill.

11 CHAIR FERRARO: Go ahead please.

12 MS. CARTMILL: Well, if I understand what I've  
13 heard correctly today from the pro-horse racing apologists  
14 and enthusiasts, I've heard them say that the riding crop  
15 should be standardized across the country. California  
16 shouldn't have anything different or separate. And then  
17 I've heard them saying that each one of those whips has to  
18 be individual, it has to be suited to the particular  
19 jockey, so that he's comfortable with it.

20 Well, in what other sport is the athlete get to  
21 do that? Do baseball players get to pick and choose the  
22 size of the ball, the material of the bat, but depending on  
23 their preference? Does a football player get to have a  
24 different kind of football? Look what happened when one  
25 was a little bit underinflated.

1 This is the most ridiculous contradictory  
2 nonsense I've ever heard, just get rid of the whip.

3 CHAIR FERRARO: Thank you.

4 OPERATOR: Thank you.

5 CHAIR FERRARO: Next please.

6 OPERATOR: Our next commenter is Elvia Sedano,  
7 citizen.

8 CHAIR FERRARO: Go ahead please.

9 MS. SEDANO: Hello. Thank you for this  
10 opportunity to speak.

11 And I just want to say that what's good for the  
12 goose is good for the gander. If you all feel that  
13 whipping the horse is okay, well, I feel that the jockey  
14 should get a whipping instead.

15 Thank you.

16 CHAIR FERRARO: Next please.

17 OPERATOR: Thank you. No other commenters at  
18 this time.

19 CHAIR FERRARO: Do we have any comments from the  
20 Commissioners?

21 VICE CHAIR GONZALES: Yes. Chairman Ferraro,  
22 this is Oscar Gonzales. I want to chime in here before my  
23 other Commissioners.

24 After, maybe, the second meeting that I was on  
25 this matter came up. And we, obviously, take this very,

1 very seriously.

2           Back at the Del Mar CHRB meeting, I had asked  
3 that the Thoroughbred Safety Coalition that came together  
4 after the Breeders' Cup, that we wait to see what their  
5 position was.

6           Recently, in addition to hearing public comments  
7 today, and the comments do go a long way -- I want each of  
8 you who made your statements to know that they're duly  
9 noted -- we've also received letters from other parts of  
10 the industry about this particular rule and the next one.

11           The one that stood out of the letters was from  
12 the Thoroughbred Safety Coalition. And although they are  
13 not in agreement with the Jockeys' Guild, I feel that a  
14 step in the right direction was made.

15           Commissioner Solis and I have spent lots of hour  
16 son this, conference calls, visits to the jocks' room and,  
17 just as recent as yesterday, meeting with CHRB staff to  
18 determine the rule that we adopted that was groundbreaking  
19 that would require a downward motion of use of the whip or  
20 crop, depending on the proper usage, that if we are on  
21 track, and we were assured by CHRB Staff that we are well  
22 within the one-year time frame.

23           We all know that this is a reform-minded Board.  
24 We all know that we're not going to wait for the rest of  
25 the country or international input because we are going to

1 move and we are going to act. Each of us has a commitment  
2 to that.

3 I just feel, taking a closer look and -- oh,  
4 before I go, I just wanted to say a comment about the  
5 jockeys, many, you know, many who were not able to dial. I  
6 just want to thank each and every one of you for the  
7 sacrifices that you had made under very difficult  
8 circumstances, under the COVID circumstances. You not only  
9 are keeping your weight down, you're staying mentally fit.

10 You don't have access to the instruments, the equipment  
11 that you typically will use to control your weight. You  
12 are making adjustments, lifestyle adjustments, to make sure  
13 that racing happens, whether it's with the use of safety  
14 equipment or staying in locations that are away from your  
15 family and friends and community.

16 So I just want to say to the jockeys, each and  
17 every one of you, thank you. Thank you very much.

18 If -- I want to open up for the rest of the  
19 Commissioners, but we have another CHRB meeting coming up.  
20 And I really feel that we are staying on course to address  
21 all the reform-related matters. But just given the  
22 Thorough Safety Coalition's, although it being a little bit  
23 later than I would like, that we consider postponing this  
24 particular conversation, and you'll hear me say the same  
25 thing for the next crop-related agenda item, until the next

1 meeting. There is still some engagement that I feel we  
2 have to have with the Thoroughbred Safety Coalition and the  
3 jockeys and the Jockeys' Guild.

4 Nobody's going to be perfectly happy here. I  
5 want all parties to realize that. This is a matter that  
6 would normally go through the Medication and Safety  
7 Committee, so I do want to defer to Commissioner Solis and  
8 Chairman Ferraro. But just given difficulty and the  
9 expense of pulling together these Committees, I feel it's  
10 necessary that we -- and, unfortunately, we're having to  
11 take care of a lot of matters at the full Board.

12 So those are just my comments. But, again, I  
13 just want to thank all individuals who made their comments.

14 And I await to hear the other Commissioners input.

15 CHAIR FERRARO: Any other Commissioners want to  
16 speak to this?

17 COMMISSIONER SOLIS: I do. And this item, number  
18 nine, I do agree with the riders. If I was riding I would  
19 like to have a choice. And I have no problem using either  
20 whip -- either crop. I mean, it would be good to have a  
21 choice, just like any sport, if it's the tool that you use  
22 to do your job.

23 And, I mean, I know we have tabled this a few  
24 times already. Like Oscar mentioned, we were waiting for  
25 what the Thorough Safety Coalition was going to do. I feel

1 that will -- I mean, the whole industry, the whole country,  
2 we're looking for a national riding room and I think we're  
3 moving in the right direction. And I think we should get  
4 in a little more conversation with Thoroughbred Safety  
5 Coalition, perhaps the Jockeys' Guild, I mean, the Jockeys'  
6 Guild, and really look at it a little -- a lot more into  
7 it. I think that would really help racing in America, in  
8 the United States, to just get narrow, narrow everything  
9 down to just one rule.

10 Thank you.

11 CHAIR FERRARO: Anyone else?

12 I have a different opinion. In regards to a  
13 national rule, first of all, the consortium has come up  
14 with a definitive rule that there's no racetrack entity,  
15 you know, say, has adopted. It could be forever before  
16 they actually adopt a rule because everyone wants to kick  
17 this issue down the -- can down the road.

18 Secondly, you already have New Jersey that has a  
19 rule that's stricter than the one we're talking about  
20 putting in place. Woodbine has a different rule than the  
21 consortium's proposal. Mid-Atlantic horse racing entities  
22 are crafting their own rule. So I don't believe you're  
23 going to see a national rule. I would like to see a  
24 national rule but I don't think it's going to happen. And  
25 it's definitely not going to happen with any speed at all.

1 It could be years.

2 This Board has a mandate from the Governor to  
3 make reforms in racing that contribute to the welfare of  
4 the horse. We've been talking about this crop, and the  
5 kind of crops used, for two years. I think it's time we  
6 stop procrastinating and pass a rule. We have a good rule.  
7 We've worked hard on it. It's workable.

8 As far as the specifications of the crop, you  
9 know, it's definitely needed to use a crop that is not  
10 injurious to the horse. I don't care what they say about  
11 the other crops, you know, they hurt. And this crop is  
12 much more humane. And I think it's the only reasonable  
13 thing to do.

14 If we're going to have some leadership in  
15 California, we need to pass this rule. Let the rest of the  
16 national follow our lead. We're not going to please the  
17 jocks. They don't want to do anything but keep the status  
18 quo. I appreciate their argument but it's not going to fly  
19 in the face of the public's demand that we quit hitting  
20 these horses.

21 So I would move -- in fact, I'll make a motion  
22 that we adopt this crop specification now.

23 Do I have a second?

24 VICE CHAIR GONZALES: Mr. Chairman, I want to --  
25 Mr. Chairman, I -- you made a persuasive argument on this

1 crop specification. I am going to, actually, just change  
2 my position, not -- I probably will want to table the next  
3 one. But no this particular one, Mr. Chairman, I just want  
4 to say thank you. You spoke for many in the community,  
5 including me.

6 So as it relates to the crop specification of --  
7 and I am -- I have been reassured that all products could  
8 fall underneath this, so I am in favor of, in midstream,  
9 switching my position to support the change in the crop  
10 specification.

11 So I will second your motion.

12 CHAIR FERRARO: Thank you. Can I consider that a  
13 second then?

14 VICE CHAIR GONZALES: Yes, sir.

15 COMMISSIONER CASTELLANOS: Mr. Chairman --

16 CHAIR FERRARO: Any comments?

17 COMMISSIONER CASTELLANOS: -- this Castellanos.  
18 I have a question.

19 CHAIR FERRARO: Yes.

20 COMMISSIONER CASTELLANOS: So I just --

21 CHAIR FERRARO: Go ahead.

22 COMMISSIONER CASTELLANOS: -- want to make sure  
23 what we're voting on. We're voting on the crop  
24 specifications. Is this -- are we also voting on only one  
25 manufacturer of that crop?

1 CHAIR FERRARO: No. Under the specifications we  
2 have, anybody could manufacturer a crop that fits those  
3 specifications.

4 COMMISSIONER CASTELLANOS: Okay. So it's not  
5 going to only be for one manufacturer that can produce that  
6 crop?

7 CHAIR FERRARO: Correct. Actually --

8 COMMISSIONER CASTELLANOS: It could be any  
9 manufacturer to produce the crop to our specifications?

10 CHAIR FERRARO: Yeah, because we -- that's the  
11 reason we delayed it before, because we didn't it want it  
12 to be confined to one manufacturer.

13 COMMISSIONER CASTELLANOS: That's understandable  
14 then.

15 CHAIR FERRARO: Any others?

16 COMMISSIONER CASTELLANOS: Okay.

17 CHAIR FERRARO: Any other questions? Should we  
18 call a vote?

19 VICE CHAIR GONZALES: Yes. Yes.

20 Commissioner Alfieri?

21 COMMISSIONER ALFIERI: Yes.

22 CHAIR FERRARO: Commissioner Castellanos?

23 COMMISSIONER CASTELLANOS: Yes.

24 CHAIR FERRARO: Is that a yes?

25 COMMISSIONER CASTELLANOS: Yes.

1 CHAIR FERRARO: Commissioner Mitchell?

2 COMMISSIONER MITCHELL: Yes.

3 CHAIR FERRARO: Commissioner Gonzales?

4 VICE CHAIR GONZALES: Yes.

5 CHAIR FERRARO: Commissioner Solis?

6 COMMISSIONER SOLIS: Yes.

7 CHAIR FERRARO: Commissioner Ferraro votes yes.

8 Thank you all.

9 We move on to item number ten which is the  
10 proposed rule of the riding crop. And, let's see, excuse  
11 me one second.

12 Amanda, could you explain where we are in this  
13 rule? It's been out for --

14 MS. DRUMMOND: Yes. Yes.

15 CHAIR FERRARO: -- the 45 days.

16 MS. DRUMMOND: Yes, I can do that. Good  
17 afternoon, Commissioners. So this is Amanda Drummond  
18 again, Policy and Regulations Manager.

19 So this amendment is to Rule 1688 and this is to  
20 regulate the use of the riding crop, so not the  
21 specifications.

22 So just a brief history, this rule has been  
23 discussed several times. It was discussed at the March  
24 2019 meeting where the Board originally approved it and  
25 concerns with Agency arose when we brought it back. It was

1 modified and it was heard at the November and December 2019  
2 meetings. And then it was sent out for 45-day public  
3 comment from April 3rd to May 18th. We did receive several  
4 public comments which are included in the packet for your  
5 consideration.

6           So we are returning from that comment period.  
7 This is the public hearing. If you do choose to approve it  
8 today, it would be finalized by Staff, and then it will be  
9 submitted to OAL for their ultimate approval.

10           Based on where we are currently in the timeline,  
11 it would take a bit of time to get that final package  
12 completed, just because of the substantial amount of  
13 comments, but I am confident that we could, hopefully, get  
14 that submitted with a hopeful October 1st effective date.  
15 However, if we had to much response and it takes some time,  
16 we may be looking at a January 1st effective date.

17           So that's my report.

18           CHAIR FERRARO: Any comments from the Board?

19           VICE CHAIR GONZALES: Mr. Chairman --

20           CHAIR FERRARO: Do we have --

21           VICE CHAIR GONZALES: -- other than the one that  
22 I made -- Mr. Chairman, Oscar Gonzales here.

23           Other than the comments I made previously, so  
24 those, I'll let those comments stand for this agenda item  
25 as well.

1 CHAIR FERRARO: Okay. Anyone else?

2 Do we have a queue? Do we have a queue,  
3 Operator?

4 OPERATOR: Yes, sir, we do. Our first comment  
5 comes from --

6 CHAIR FERRARO: How -- wait a minute. How many  
7 items on -- how many people in the queue?

8 OPERATOR: Currently, four.

9 CHAIR FERRARO: Okay. I'll just remind you,  
10 before you start, I'll just remind anybody who wants to  
11 comment, if you made your comments on number nine, they  
12 need to be a different comment on number ten. Don't repeat  
13 yourself.

14 Okay, go ahead with the first --

15 OPERATOR: All right.

16 CHAIR FERRARO: -- queue.

17 OPERATOR: Our first commenter is Terry Meyocks  
18 with the Jockeys' Guild.

19 CHAIR FERRARO: Go ahead, Terry.

20 MR. MEYOCKS: Thank you, Chairman and  
21 Commissioners.

22 You know, for well over the past year, we, the  
23 Jockeys' Guild, has been involved in riding crop  
24 discussions, not only in California --

25 (Audio cuts out.)

1 CHAIR FERRARO: We lost you.

2 OPERATOR: Sir, go ahead and re-queue up please,  
3 if you can?

4 CHAIR FERRARO: You can go on to the next one.  
5 We can let him in after, save time.

6 OPERATOR: Oh, we've got him back on now. Mr.  
7 Meyocks is back on.

8 CHAIR FERRARO: Okay. Go ahead, Terry.

9 MR. MEYOCKS: Okay. You know, what I was going  
10 to say, not only in California but throughout the United  
11 States for both thoroughbred and Quarter Horse jocks. The  
12 Jockeys' Guild and riders today need a national rule. And  
13 your comments before, I think we're so much closer to a  
14 national rule in the United States, and I think this is our  
15 best chance.

16 As you mentioned before, this past Thursday the  
17 Mid-Atlantic Strategic Planning Group, which included  
18 regulators, horsemen, horsemen associations, and racetracks  
19 from Maryland, Pennsylvania, New York, West Virginia,  
20 Virginia approved a riding crop rule on the usage, allowing  
21 for the underhand usage for up until the quarter pole and  
22 eliminating the number of strikes during the total race.  
23 This rule is for thoroughbred only.

24 We have had numerous discussions with Association  
25 of the Racing Commissioners, ARCI, which have been very

1 productive. The ARCI has been involved with the Mid-  
2 Atlantic discussions. And we're planning to have another  
3 meeting at the end of this month.

4 We also have a meeting with other racing  
5 commissions in the near future on the riding crop rules.

6 In today's package, you've had letters from the  
7 TOC, the CTT, and Dr. Allred from Los Alamitos. Both the  
8 TOC and the CTT have requested an extension so we would  
9 possibly reach a national rule. Dr. Allred from Los Al is  
10 opposed to any further change from the current rule.

11 It's the Guild's request at this time to ask for  
12 an extension of no more than four to six weeks to see if we  
13 can reach an agreement on the riding crop in the United  
14 States. Possibly, during this time, the CHRB could  
15 establish a committee to have dialogue with us and the  
16 industry to come up with a national rule.

17 If you have any further questions from me, you  
18 know, I'm available to ask. But, you know, as mentioned --  
19 I'd like to have Mike Smith talk now. Mike is the co-chair  
20 of the Guild, along with Johnny Velasquez. Mike has been  
21 very active in all our discussions with the Mid-Atlantic,  
22 the ARCI, the Thorough Safety Coalition, and with the CHRB  
23 for the past number of years. So I would ask Mike, you  
24 know, to mention the comments that he had earlier.

25 CHAIR FERRARO: Go ahead.

1 OPERATOR: Thank you. Next commenter, Mike  
2 Smith, jockey.

3 CHAIR FERRARO: Go ahead, Mike.

4 MR. SMITH: Hello. This is Mike Smith.

5 CHAIR FERRARO: Go ahead.

6 MR. SMITH: Hello? Yes. Again --

7 CHAIR FERRARO: Yeah.

8 MR. SMITH: -- thank you for --

9 CHAIR FERRARO: Go ahead, Mike.

10 MR. SMITH: -- again, thank you all for listening  
11 to us.

12 But, yes, I've been on just each and every  
13 meeting that we have been on, which has been several in the  
14 last few months. I mean, I truly believe we're as close as  
15 we've ever been to finally getting this done and getting it  
16 done right so that we can all have a uniform rule.

17 It's very difficult to fly -- which I travel  
18 quite a bit -- to have to different rule at every different  
19 racetrack and then try and stay focused and try and win a  
20 race and stay as safe as possible when you've got all these  
21 different rules that are flying by you. You don't know  
22 which is real, which is not. It costs you suspensions and  
23 fines that could, basically, ruin someone's career, really,  
24 of if not, put a big dent in their pockets.

25 And if we could just have one great rule that

1 works for the safety of the riders, for the horse, for  
2 everyone involved, for the integrity of the sport, I think  
3 it would be a great idea. I think that if Santa Anita  
4 comes up with something or California comes up with  
5 something different than everybody else, we've been through  
6 enough, I think, as it is. I just can't -- I would think  
7 it would be very, very, very -- it would be a bad decision  
8 to be honest with you. You know, when we're this close, I  
9 think waiting another four to six weeks to see what we can  
10 come up with, I think that we're that close to it.

11           Anyway, thank you.

12           CHAIR FERRARO: Thank you, Mike.

13           Next please.

14           OPERATOR: Next commenter is Aaron Gryder,  
15 jockey.

16           CHAIR FERRARO: Go ahead, Aaron.

17           MR. GRYDER: Hello. This is Jockey Aaron Gryder.  
18 Again, thank you for your time.

19           I'd like to say that I'm very proud of the  
20 relationship that I have with horses. It's a partnership  
21 with complete respect for each other. I don't just ride  
22 the horses, I care for their safety and their wellbeing,  
23 and I care about them.

24           And, Chairman, I respectfully disagree with your  
25 comment on the last item, that jockeys want to leave

1 everything status quo. I support continuing, and as  
2 jockeys, we all do, support continuing to create and/or  
3 modify rules to assure that we are doing what we can for  
4 the safety of the horses and the jockeys during the running  
5 of the races. It's not fair to the racing industry if we  
6 do not have unified rules in regards to the riding crop  
7 throughout the country, which is being worked on now.  
8 Let's continue to do this work with those groups who -- to  
9 figure out what is best for the horses, the racetracks, and  
10 everyone involved.

11           In 1983, there was a rider named Val Tonks. He  
12 was a Quarter Horse, so be aware of that, at Los Alamitos.  
13 He died. He was 19 years old. The horse made a quick  
14 lefthanded turn, just a few strides out of the gate, and he  
15 was -- had major head trauma and died a couple days later.  
16 With the riding crop down, you would have no chance when an  
17 issue like this were to present itself again. And Quarter  
18 Horse races are, from the beginning to end, they're 17  
19 seconds.

20           So I know we all have to have changes, and  
21 whether it's thoroughbreds and Quarter Horses, but I think  
22 it's almost impossible for a Quarter Horse rider to respond  
23 the way that they should properly be able to, to maintain  
24 the safety of their horse and of the rider.

25           And, you know, with that being said, I think that

1 while we're working for safety, horses in racing -- for the  
2 safety of the horses and racing, let's not be too quick to  
3 pass a rule that may cause some danger. And I know we all  
4 want to avoid the danger but being too quick with it and  
5 not being somebody that actually gets on the horses and  
6 feels it, we need to respect the riders that are on there  
7 and know that they're making this stand for the safety.

8           With an issue that's important, let's just take  
9 the time that's needed, the time to get it right. And I  
10 appreciate your time.

11           CHAIR FERRARO: Thank you.

12           Next please.

13           OPERATOR: Next commenter is Shane Gusman,  
14 Jockeys' Guild.

15           CHAIR FERRARO: Go ahead please.

16           MR. GUSMAN: Mr. Chairman, Members of the Board,  
17 Shane Gusman on behalf of the Jockeys' Guild.

18           I just want to reiterate something that the last  
19 speaker said, which is it really kind of defies history and  
20 fact that the Chair would say that the jockeys just want  
21 the status quo. I've been working on jockeys' issues for  
22 over 20 years. And I appeared before this Board, long  
23 before any of you were serving on this board, and the  
24 jockeys have been at the forefront of proposing many  
25 different safety proposals for both horse and rider alike.

1 And to say that that isn't true, and even on this issue, is  
2 just unfair, patently unfair.

3           The reason the jockeys are raising issues with  
4 this particular rule is because it's problematic. It  
5 doesn't -- we're concerned that it's not going to work and  
6 that there's going to be real safety issues when a jockey  
7 is unable to perform his or her jobs. And what will happen  
8 is you're going to get an accident and either a jockey is  
9 going to get hurt or a horse is going to go down. And that  
10 is not what your intent is here, I know that, but we're  
11 concerned that the way this rule is crafted, that's what's  
12 going to happen.

13           And, you know, the rule is crafted the way it's  
14 crafted because it's not based on what's best for the  
15 situation, it's based on perception. And you've heard all  
16 of the speakers on all of these issues. They don't care  
17 about this issue. They care about getting rid of racing.  
18 And you're just playing right down their strategy to do  
19 rules that make it difficult to run the races in a fair way  
20 and you're going to end racing in California. It's just  
21 going to happen if you go down this road of trying to  
22 regulate perception rather than reality.

23           The last thing that I will say is that, you know,  
24 in other regulatory bodies, there is a real meaningful  
25 stakeholder input on regulations as they go through.

1 There's advisory committees. There's lots of meetings.  
2 And I would urge the Board to look at some of the models  
3 for other regulatory boards and agencies so that we don't  
4 have these issues come up where the whole industry is  
5 saying, stop, don't do this regulation, and you have real  
6 input from all stakeholders.

7 Thank you.

8 CHAIR FERRARO: Thank you.

9 Next.

10 OPERATOR: Thank you. Next commenter --

11 CHAIR FERRARO: Go ahead.

12 OPERATOR: -- Mindy Coleman, the Jockeys' Guild.

13 CHAIR FERRARO: Go ahead, Mindy.

14 MS. COLEMAN: Good afternoon again. Mindy  
15 Coleman on behalf of the Jockeys' Guild.

16 I do appreciate the amount of time that we've put  
17 in, in trying to reach a compromise, and a viable solution  
18 or proposal with regards to the use of the riding crop. I  
19 do take exception to the fact that the jockeys have not  
20 been involved or willing to negotiate changes. Because we  
21 have raised questions and objections to the specific  
22 language, whether it was to eliminate "but for safety  
23 purposes," and now most recently to only allow the riding  
24 crop to be used for a total of six times underhand  
25 throughout the whole race, does not mean that we're not

1 willing to make compromise or to come up with a reasonable  
2 solution that would still be in the best interests of not  
3 only the horse but the entire industry.

4           So with that being said, I do believe that we are  
5 at a close point, as stated by other people who have spoken  
6 on this matter, at reaching a national rule, or something  
7 that can be unified. It has much of the information that  
8 is proposed with the Safety Coalition's proposal, as well  
9 as other information and proposed language that we have  
10 discussed with other industry participants. There are a  
11 few items that still need to be finalized.

12           With that being said, and that's why we've  
13 respectfully requested -- we understand that the CHRB is a  
14 long further lines with this proposal than other places in  
15 the country.

16           I do take -- additionally, the comment that was  
17 made for New Jersey, New Jersey has put theirs out for  
18 comment. However, that rule has not been adopted or  
19 changed.

20           With regards to Woodbine, that was to be an  
21 experimental. And they were still waiting to hear what was  
22 decided for a universal or a national rule. They are --  
23 they have theirs to be restricted to underhand but there's  
24 not a number restriction. The director spoke to that and  
25 testified when we were dealing with ARCI. They were also

1 involved in these calls.

2           So with that being said, we -- there's two other  
3 things that we need to consider. One, with regards to the  
4 fact that a lot of this proposal and a lot of the  
5 discussions, including with the CHRB, has not fully  
6 considered the difference between the thoroughbreds and the  
7 Quarter Horse. Specifically, with the Safety Coalition's  
8 proposal, it is only for the thoroughbreds, as well as the  
9 proposal that -- or the current language that is before the  
10 CHRB does not take into consideration.

11           And especially now, if you're going to move  
12 forward with the changed riding crop, the difficulties that  
13 the Quarter Horse riders are going to face in being able to  
14 pull that riding crop through, switch hands, and then turn  
15 it down, all within 300 yards. This is going to cause some  
16 great safety concerns specifically for the Quarter Horse  
17 riders. It's going to cause some other issues if it's only  
18 going to be allowed to be used underhand.

19           So I think in the best interest of the proposed  
20 rule, the best interest of adopting a rule that is  
21 workable, not only nationwide but even in California alone,  
22 you need to take -- there needs to be consideration of both  
23 the thoroughbred and Quarter Horse riders that this rule  
24 would be applied to, number one.

25           Number two, we'd respectfully request that,

1 again, this be tabled, as we've said before, and create a  
2 committee of all the industry participants that are  
3 affected by this and have input from those, including the  
4 horsemen, the racetracks, and the jockeys.

5 Thank you.

6 CHAIR FERRARO: Thank you.

7 Next.

8 OPERATOR: Thank you. Our next commenter is  
9 Aiden Butler with The Stronach Group.

10 CHAIR FERRARO: Go ahead, Aiden.

11 MR. BUTLER: Thank you, Commissioners. I'd like  
12 to commend Chairman Ferraro for taking such a strong stance  
13 here with regards to talking about and implementing rules.

14 I do think the crop needs to be revisited, we all  
15 need to, but as we have shown in California, when we make  
16 changes, you know, the whole rest of the industry across  
17 the country takes note, and we can point to that with  
18 medication reforms.

19 I do agree with Mr. Meyocks and the rest of the  
20 Guild that it would be rather silly at this point not to go  
21 that extra yard to try to come up with a uniform rule just  
22 because it would be so much more impactful if it was done  
23 across.

24 I've been involved in quite a few of the  
25 Coalition conversations and I do believe, especially with

1 Dr. Ferraro's new pointed opinion on this, I don't think  
2 anybody needs to guess where Chairman Ferraro is, if we  
3 came back and if the Jockeys' Guild came back with the  
4 industry in four to six weeks and we were in the same  
5 place, it wouldn't even be a conversation.

6           So I would respectfully ask for what is four to  
7 six weeks, if we could see if we can get a deal done with  
8 all the industry players and come up with a uniform rule  
9 nationally. It seems the earliest that any new rule would  
10 be adopted would be October 1st to January 1st. I'm hoping  
11 an extra month to six weeks for the impact it could have if  
12 we get it right would be beneficial.

13           So I thank you for your time.

14           CHAIR FERRARO: Thank you, Aiden.

15           Next. Do we have anybody else?

16           OPERATOR: Yes. The next commenter, Heather  
17 Hyde, concerned public citizen.

18           CHAIR FERRARO: Go ahead please.

19           MS. HYDE: The use of the riding crop --

20           CHAIR FERRARO: Go ahead please.

21           MS. HYDE: Yes. Heather Hyde.

22           The use of the riding crop -- to regulate the use  
23 of riding crops to protect the safety of the horse and  
24 rider, really? The safety of the horse is a national rule  
25 you said. Hypocrisy much, horse, Jockeys' Guild and CHRB.

1 These horses are your wage slaves, whipped to run, whipped  
2 in fear, whipped for a measly buck.

3 Let's just make this clear, horses are not  
4 athletes. They are not born to race. They're born into  
5 farms and into the hands of the abusers, whether you like  
6 the truth or not. They love to run but not to race. It's  
7 not natural. What they do is play. But are they allowed  
8 to play when they race? No. Horse races [sic] are not  
9 allowed to play. You are slave drivers and you are slave  
10 riders.

11 The riding crop, aka the whip, is a barbaric  
12 weapon. Love does not hurt. Love does not harm. Love  
13 does not fear. And you love your horses, you say. Very  
14 interesting. Very corrupt.

15 Eyes wide open please. Don't turn away from a  
16 payoff, a pat on the back, a player's club handshake.  
17 Horses are not wild beasts. Why would you need to whip or  
18 control? You are the true beast that allows this grotesque  
19 harm and instills fear for a dollar.

20 Whipping in any right is abuse. Whipping, in  
21 fact, is a form of intimidation, and as we have seen in  
22 Mongolian Groom. Yes, we still think about him, his  
23 horrific death in hands of his abusers, abusing jockeys.  
24 Do you still think about Mongolian Groom or do you still  
25 think about the lost bucks?

1           The whip is not only a weapon but an abuser's  
2 tool to make these horses speed for the race of their life,  
3 but it might also take their life.

4           Whipping is hitting. Strikes are hitting. You  
5 jockeys that hit your horses, do you also hit your  
6 family --

7           OPERATOR: Thirty seconds left.

8           MS. HYDE: -- and your children?

9           Of course you guys agree with using the wide crop  
10 because you also have your pro-horse people out there  
11 hitting us animal rights lovers and protestors. I've been  
12 pushed in the street by your people and your people have  
13 made death threats against me and other animal activists.  
14 This is corruption. You are disgusting to allow these  
15 people to be doing this to other humans and to animals.

16          CHAIR FERRARO: Thank you.

17          Next please.

18          OPERATOR: Next commenter, Ramon Dominguez.

19          CHAIR FERRARO: Go ahead please.

20          MR. DOMINGUEZ: Hi. Mindy Coleman raised a valid  
21 question, which is the difference between the riding crop  
22 for the Quarter Horse jockeys and the thoroughbred jockeys.  
23 And I have taken that into consideration. We manufacturer  
24 the riding crop for the Quarter Horse jockeys according to  
25 their specifications, which is shorter. However, with

1 regards of the popper, which is what she was referring to,  
2 making it difficult when it comes to switching hands, we  
3 did modifications that we made, which I spoke about  
4 earlier.

5 Also, responding to what Mike Smith's concern  
6 was, (indiscernible) Quarter Horse jockey, one of the top  
7 jockeys, Ricky Ramirez, who has been using it, and he said  
8 that he has absolutely no problem.

9 So I just wanted to let the Board know that.

10 CHAIR FERRARO: Great. Thank you very much.

11 Anybody else in there?

12 OPERATOR: Yes, sir. Next commenter, Sarah  
13 Segal, California citizen.

14 CHAIR FERRARO: Go ahead please.

15 MS. SEGAL: Hello. So according to one of the  
16 Jockeys' Guild members said that you wanted to talk about  
17 using the crop on -- differently on thoroughbreds or the  
18 Quarter Horses. And I think maybe you just say no crop,  
19 period, because it's not a crop, it's actually a whip.

20 And would you guys actually consider bringing a  
21 motion to change the language and actually call it a whip,  
22 just like your other jockeys I quoted today earlier saying  
23 they needed to use the whips?

24 But have you asked the horses about what you guys  
25 are doing, about this rule, and ask them how they feel and,

1 you know, do they even want to be there in the first place?  
2 Do they even want to run? And are you paying the horses  
3 and are you giving them any kind of salary or putting money  
4 in to fund for them? Because I know when they die on the  
5 track, you have an insurance policy set up. That's why you  
6 don't get too upset about the horses when they die,  
7 obviously. You're collecting money, either by racing them  
8 or by killing them, so it's kind of like you get them on  
9 either end; right?

10 I mean, that's why you guys are desperate and you  
11 don't want to, you know, end horse racing because you know  
12 that it's going to be a paycheck. But why you don't just  
13 admit that all of this could be solved by ending all of  
14 this and then turning that racetrack that you guys love so  
15 much, you love your horses so much, turning it into an  
16 animal sanctuary? I mean, don't love the horses?

17 But if you love horses, then why are you  
18 proposing to use any type of force on them at all without  
19 their consent? I mean, this is all about consent; right?  
20 I mean, they're not consenting to anything that you're  
21 doing, yet you're still doing it and you're making  
22 decisions based on individuals lives that they didn't ask  
23 for. They didn't ask to be in these stalls 23 hours a day.  
24 They didn't ask for you to come to these meetings and spend  
25 hours and hours a day trying to justify animal cruelty.

1 That just doesn't make any sense to me. And I'm pretty  
2 sure that the general public is finally catching on to all  
3 of this stuff.

4 But as per Aiden, I mean, he's making so much  
5 money. You know, why doesn't just invest into taking care  
6 of horses instead of trying to figure out about the crops  
7 and the whips and everything else that's called a weapon,  
8 as the speaker said before?

9 So, yeah, that's just what I just wanted to  
10 comment on.

11 CHAIR FERRARO: Thank you. Thank you very much.

12 MS. SEGAL: Just stop using the whip in general.

13 CHAIR FERRARO: Let's go on to the next person  
14 please.

15 OPERATOR: Thank you. Next person is Jenine  
16 Sahadi with the Grayson Foundation.

17 MS. SAHADI: Hi. Good afternoon. I'm just  
18 calling. I am sick to death of this garbage that is going  
19 on. You women are the most ignorant, ill-informed,  
20 loudmouthed, lazy bitches I have ever listened to. How  
21 this is allowed to go on is beyond me.

22 You know, I've played by the rules --

23 CHAIR FERRARO: Jenine?

24 MS. SAHADI: -- for the last --

25 CHAIR FERRARO: Jenine?

1 MS. SAHADI: -- couple of months. No, I'm  
2 serious.

3 CHAIR FERRARO: Jenine.

4 MS. SAHADI: They get their time. Why don't I  
5 get my time?

6 CHAIR FERRARO: And I know you're serious. Well,  
7 we need to talk about the crop here. If you want to get on  
8 item number 15 --

9 MS. SAHADI: I know but --

10 CHAIR FERRARO: -- and you can say --

11 MS. SAHADI: -- the problem --

12 CHAIR FERRARO: -- whatever you want.

13 MS. SAHADI: -- the problem is -- the problem is  
14 none of them, none of them, abide by the rules. And so my  
15 point is why are they allowed to weigh in on every issue?

16 My recommendation is this, nobody gets to call in  
17 any of the issues and all the calls, except for the players  
18 that are legitimately involved in these decisions, no one  
19 else calls until the end of these meetings.

20 The slander -- these women sound like White  
21 privileged extremists. I am sick of them insulting our  
22 workers, our product, our livelihood. It's horrifying --

23 CHAIR FERRARO: How --

24 MS. SAHADI: -- to be honest with you.

25 CHAIR FERRARO: Yes.

1 MS. SAHADI: You can just (indiscernible).  
2 CHAIR FERRARO: I understand, Jenine.  
3 MS. SAHADI: Yeah.  
4 CHAIR FERRARO: Do you have (indiscernible)?  
5 MS. SAHADI: Go ahead.  
6 CHAIR FERRARO: Thank you.  
7 Go on.  
8 MS. SAHADI: Okay.  
9 CHAIR FERRARO: Go ahead.  
10 OPERATOR: Next commenter is Denise Bolbol, a  
11 California citizen.  
12 MS. BOLBOL: This is Denise Bolbol.  
13 VICE CHAIR GONZALES: Go ahead please.  
14 MS. BOLBOL: I'm a California citizen. This is  
15 Denise Bolbol. I'm a California citizen.  
16 And, you know, you let people sit there and talk  
17 about animal advocates in derogatory ways, and off topic,  
18 and you don't make them talk about the issue. But when an  
19 animal advocate does it --  
20 CHAIR FERRARO: I just did.  
21 MS. BOLBOL: -- you cut them off --  
22 CHAIR FERRARO: I just did.  
23 MS. BOLBOL: -- so now you're going to cut me  
24 off. I'm talking. No you didn't. You let her talk --  
25 CHAIR FERRARO: I'm not cutting her off.

1 MS. BOLBOL: -- for two minutes.

2 CHAIR FERRARO: I'm telling you.

3 MS. BOLBOL: I timed it.

4 So this is the thing I want to say, if this is  
5 about the safety of the horse and rider, which is what most  
6 of the comments are against your regulation of whip because  
7 of the safety of the horse rider, think about this, if you  
8 care about the safety of the horse and the rider and you  
9 need to sit there and whack at a horse to confirm the  
10 safety of the horse and rider, if you've got to beat an  
11 animal for its safety, something's wrong. It's not  
12 rational; right? That's not rational.

13 Also, I wanted to ask, I can't find the amended  
14 regulation language for the 1688. But I wanted to say,  
15 someone else said that you can hit a horse six times  
16 underhand for each race. What's the penalty when they hit  
17 the horse seven times? What's the penalty? Do they stop  
18 being allowed to race in California? Is that jockey banned  
19 from California? I mean, what's the penalty? And if it's  
20 just a slap a wrist and they keep getting warnings, or what  
21 have you, or they get banned for the rest of that day or  
22 whatever, I mean, that's not good enough.

23 And then, lastly, do you hear people talking  
24 about this partnership with the horses and these horses are  
25 athletes? Come on. A partnership where you're beating and

1 subjecting and dominating another sentient being, that's  
2 not a partnership, that's called slavery. That is called  
3 slavery. When you use a whip on another animal, human or  
4 nonhuman, that is slavery and that is abuse.

5 And, also, athletes are willing. When you force  
6 someone to do something, that's not an athlete. Now that's  
7 -- that person --

8 OPERATOR: Thirty seconds left.

9 MS. BOLBOL: -- is being subject to torture.

10 And, finally, you have one person call up and  
11 lambaste you for listening the public. Are you kidding me?  
12 Are you kidding me? This last woman is telling you, we  
13 shouldn't be allowed to talk. I guess she wants to burn  
14 the Constitution; right? Forget about free speech.

15 The perception is horse racing is horrible animal  
16 abuse. And you guys won't even ban the whip. You come up  
17 with this lukewarm piece of poop. Oh, you're getting rid  
18 of the steam because you've got to go tell Gavin you did  
19 something. Are you kidding me? Do you think that's going  
20 to suffice? You're going to still allow them to beat the  
21 horses, oh, but it doesn't have a seem. You're right.

22 CHAIR FERRARO: Thank you.

23 OPERATOR: Next commenter --

24 CHAIR FERRARO: Next please.

25 OPERATOR: -- comes from Dr. Wayne Johnson,

1 citizen.

2 CHAIR FERRARO: Go ahead please.

3 MR. JOHNSON: One of the jockeys, in defending  
4 the whip and defending regulations, said that there was an  
5 accident at Los Alamitos. And he told us that,  
6 unfortunately, the jockey had been killed. He did not  
7 mention at all what happened to the horse. That's how much  
8 he cares about horses.

9 If we had a regulation that would allow us to use  
10 the whip six times on our children, would any of us take it  
11 seriously?

12 Those of who are animals rights advocates believe  
13 that horses and children want to live and want to breathe  
14 just as much as the rest of us.

15 The executive at Santa Anita calls in and instead  
16 of apologizing for the 15 horses that have died on his  
17 track under his watch, he asks for a soft compromise.

18 Jenine, this is a democracy. And it's bad enough  
19 that comments are restricted in this area and restricted at  
20 this public meeting. This is a democracy. You can call us  
21 anything you want, Jenine. That is your right as an  
22 American citizen. And we will continue to advocate for the  
23 horses in a knowledgeable way.

24 Thank you, Dr. Ferraro.

25 CHAIR FERRARO: Thank you.

1 Next please.

2 OPERATOR: At this time, no other commenters.

3 CHAIR FERRARO: Terrific.

4 What's the pleasure of the Board here?

5 VICE CHAIR GONZALES: Mr. Chairman, Oscar  
6 Gonzales here. As I mentioned, I want my previous comments  
7 on the last agenda item to stand.

8 One other item that I want to include is we  
9 recall the starting point and why it was that we had to  
10 revisit the riding crop issue from a riding crop for safety  
11 reasons only. And it was the Office of Administrative Law  
12 that actually did not allow it to go forward. So part of  
13 the delay has gone -- it's really beyond, you know, many  
14 people's control. And the possibility of that same thing  
15 happening needs to be avoided.

16 So it's for that reason that I feel we have to  
17 get this right. I believe any regulator would look at a  
18 national standard as plenty of justification on how to move  
19 forward.

20 So that's the only comment that I would like to  
21 make, in addition to the previous one that I made on this  
22 matter.

23 CHAIR FERRARO: Any other comments from the  
24 Commissioners?

25 COMMISSIONER MITCHELL: I have a question.

1 CHAIR FERRARO: Comment?

2 COMMISSIONER MITCHELL: -- but --

3 CHAIR FERRARO: Yeah. Go ahead.

4 COMMISSIONER MITCHELL: This is Commissioner  
5 Mitchell.

6 CHAIR FERRARO: Go ahead please.

7 COMMISSIONER MITCHELL: If we pass this  
8 regulation and the national Safety Coalition comes up with  
9 a different standard, what would be the process for  
10 amending our regulation to be consistent with that?

11 CHAIR FERRARO: Scott --

12 COMMISSIONER MITCHELL: I'm just asking.

13 CHAIR FERRARO: -- could you answer that? Scott?

14 MS. DRUMMOND: This is Amanda Drummond.

15 CHAIR FERRARO: Amanda.

16 MS. DRUMMOND: So we have a couple of different  
17 options. So it really just depends how we want to proceed.

18 So if that national model comes out and this rule is not  
19 in effect yet and OAL is still in their review process, we  
20 can withdraw the regulation and amend it, proceed with the  
21 national model. If it comes out at a later point in time  
22 and we find that this rule is not effective and we can  
23 provide justification for an emergency regulation, we have  
24 that option, or we can go the standard regulatory route if  
25 this regulation is in effect at that point and make changes

1 as needed.

2 So we do have a couple different options, just  
3 depending on where we are when that national model comes  
4 out.

5 COMMISSIONER MITCHELL: And, Amanda --

6 CHAIR FERRARO: Next please.

7 COMMISSIONER MITCHELL: -- you said -- just to  
8 follow up -- you had said that the process of OAL and  
9 promulgating the regulation is like nine months to a year;  
10 is that correct?

11 MS. DRUMMOND: Yeah. So the process for OAL  
12 regulations for a standard regulation is approximately a  
13 year. An emergency regulation, though, is a much quicker  
14 process, roughly about a month. You just need to provide  
15 justification for that emergency.

16 So if we were able to prove that this rule was  
17 not effective and this national rule would be more  
18 effective on an emergency need, then we could get it into  
19 effect sooner.

20 That also being said, like I mentioned, if that  
21 national model came out quickly, so, for example, if you  
22 approved this rule today, it will take Staff time to draft  
23 the final package, submit it to OAL, and then have a certain  
24 timeline to review the package and make a determination.  
25 If the national rule comes out during that review time and

1 the Board decides they want to withdraw the package and  
2 make amendments, that is an option as well.

3 COMMISSIONER MITCHELL: (Indiscernible.)

4 CHAIR FERRARO: If we were to table -- if we were to  
5 table the discussion, what effect would that have on the  
6 passage of this rule?

7 MS. DRUMMOND: The rule --

8 CHAIR FERRARO: Will that take us out of petition  
9 or --

10 MS. DRUMMOND: No. The only effect there would  
11 be is there a one-year timeline from when the rule was  
12 originally noticed for the 45-day comment period, and that  
13 was on April 3rd, so we are well within that timeline. So  
14 if we tabled it for just a month, we would be fine. The  
15 only concern I have is we wouldn't be hitting that October  
16 1st effective upon filing -- or, sorry, my apologies, the  
17 October 1st effective date. We would most likely be having  
18 a January 1st, 2021 effective date just because OAL would  
19 need to complete their review and file the package with the  
20 Secretary of State by August 31st in order to meet the  
21 October 1st deadline, so I don't think that's feasible. So  
22 I think we'd be closer to that January 1st, 2021 deadline  
23 is we tabled this issue for another month.

24 CHAIR FERRARO: Well, let me just throw this out  
25 there --

1 COMMISSIONER SOLIS: I --

2 CHAIR FERRARO: -- if there are no other comments  
3 from the Commissioners? If we were to pass --

4 COMMISSIONER SOLIS: I --

5 CHAIR FERRARO: -- this today and send it on its  
6 way and if they can pass -- if the Jockeys' Guild and the  
7 consortium is correct that they're very close to passing  
8 their rule, they're telling us within a month or six weeks,  
9 they're going to have a rule, then we have plenty of time  
10 to withdraw our rule. If, as I suspect, nothing happens  
11 and they pass nothing, no one adopts a rule, then we have  
12 the rule and we live with it.

13 But just a question for you all. Someone may  
14 have a better suggestion. I don't know.

15 COMMISSIONER SOLIS: I'm sorry. I didn't quite  
16 hear what you said, Doc. Can you repeat that please?

17 CHAIR FERRARO: Yes. What I'm thinking is that  
18 the Jockeys' Guild and the consortium keeps telling us,  
19 well, we're only a month or six weeks away from having our  
20 rule. Well, according to what Amanda tells us, if we go  
21 ahead and pass our rule, it's going to take several months  
22 through the process to get approved, we can always withdraw  
23 the rule. Should the consortium and the Jockeys' Guild  
24 come up with an acceptable national rule, we just withdraw  
25 our rule. If they don't come up with anything, which is,

1 you know, pretty likely in my view, then we have a rule  
2 that we worked out and can live with. It satisfies our  
3 mandate from Sacramento.

4 COMMISSIONER SOLIS: I mean, I have no problem  
5 spending a little more time with the Jockeys' Guild and the  
6 Thorough Safety Coalition. I mean, I'd like to hear what  
7 they -- how close they are from getting this worked out  
8 with the rest of the coalition around the country. I,  
9 honestly, would like to have a little more time to have  
10 those four weeks and table this and bring it back in the  
11 next meeting just to get it right --

12 VICE CHAIR GONZALES: And, Commissioner Gonzales  
13 --

14 COMMISSIONER SOLIS: -- just to --

15 VICE CHAIR GONZALES: -- Alex -- Commissioner  
16 Solis, thank you very much.

17 Chairman Ferraro, the one consideration I have is  
18 CHRB Staff time. I can't think of a more amazing group of  
19 men and women. We are a very small agency, you know, 50,  
20 perhaps, if you add in the great stewards, a very small  
21 team. A lot of them are working remotely so they don't  
22 have the opportunity of just going down the hallway and,  
23 you know, huddling in the conference room and making things  
24 happen. I can see your point. And, actually, for a moment  
25 there I was contemplating, you know, just moving forward.

1 But I really just feel that for CHRB Staff to  
2 continue putting in some very long hours -- we just went  
3 through a very long discussion around Northern California  
4 racing dates, the applications, and the collecting of  
5 information, and so we still have to visit that agenda  
6 item, and hopefully we've got some good news to share -- I  
7 would just -- I plan, after the rest of my colleagues make  
8 comments but, again, mine is just more out of the spirit of  
9 giving extra work to the CHRB staff when the know full well  
10 that this could be -- there could be, yet again, another  
11 change.

12 So that's my comment.

13 CHAIR FERRARO: So you're in favor of tabling  
14 it --

15 COMMISSIONER SOLIS: And I --

16 CHAIR FERRARO: -- to the next --

17 COMMISSIONER SOLIS: Yeah.

18 CHAIR FERRARO: -- to the next meeting?

19 VICE CHAIR GONZALES: That --

20 CHAIR FERRARO: Okay. Any --

21 COMMISSIONER SOLIS: Chairman Ferraro, this is  
22 Alex Solis --

23 CHAIR FERRARO: Go ahead.

24 COMMISSIONER SOLIS: -- again, Doc. Like I said,  
25 I mean, (indiscernible) yourself and all the Commissioners,

1 I measure, we put a lot of work. I put a lot of -- at  
2 least six or seven hours talking to a lot of people this  
3 week and talking to the jockeys and talking to retired  
4 jockeys and getting their opinion. And I feel that the  
5 whole industry, we're getting closer to get to more solid  
6 grounds and I think these four weeks will really help us.  
7 And, if not, we can move on and do what we think is best  
8 for California. But those four weeks will really get us  
9 closer to where we want to get.

10 EXECUTIVE OFFICER CHANEY: Chairman Ferraro, this  
11 is Scott Chaney. If I could be heard at some point, I  
12 would appreciate it.

13 CHAIR FERRARO: Go ahead right now.

14 EXECUTIVE OFFICER CHANEY: Yeah. I just want to  
15 address a few issues.

16 First off is the CHRB staff issue. I can safely  
17 say that this is -- this rule is our rule and we're very  
18 proud of it. Everyone has worked very hard on it. And I  
19 don't -- I can, with a great degree of certainty, say that  
20 it would not be burdensome in any way. In fact, this is  
21 what we want because this is what we put forward and we're  
22 supporting the Board in that.

23 I also want to make the comment that this idea  
24 about a national standard is not a thing. It just doesn't  
25 exist. I guess we're talking about, maybe, some agreement

1 between the Jockeys' Guild and the Safety Coalition but  
2 that's not a national standard. That's just an idea that a  
3 subgroup of the country had. It would require every other  
4 state to pass the rule which just is not going to happen.

5 We've been working on this for about a year, this  
6 specific change. The original proposal was no whips at  
7 all. And I feel like many on this call and in this meeting  
8 have amnesia with respect to what we've been through over  
9 the last year and two months, if you will.

10 Lastly, here was some comments made about some  
11 deal based on the whip rule. It is my position the CHRB  
12 are regulators and that we should be doing what's best for  
13 both animal welfare and jockey safety and that this rule  
14 represents that.

15 Lastly, while a national rule, if it were even  
16 possible, would be laudable, it's -- we live in California  
17 and we represent the California Horse Racing Board. We  
18 simply have different social and cultural standards here in  
19 California and today's vote should represent those.

20 Thank you so much.

21 CHAIR FERRARO: Thank you.

22 COMMISSIONER ALFIERI: This is Commissioner  
23 Alfieri, Mr. Chairman.

24 CHAIR FERRARO: Yeah. Go ahead, Dennis.

25 COMMISSIONER ALFIERI: Yeah. I tend to -- I

1 agree with Commissioner Gonzales' comments, and Alex's, and  
2 I really think we should postpone this for the moment. We  
3 have time. We can make this work.

4 CHAIR FERRARO: Do you want to make a motion to  
5 that effect?

6 COMMISSIONER SOLIS: Well, I'll make a motion --

7 COMMISSIONER ALFIERI: Sure.

8 COMMISSIONER SOLIS: -- to table item number ten  
9 and position it again, I guess, you know, next meeting.

10 CHAIR FERRARO: Okay.

11 COMMISSIONER ALFIERI: I'll second that.

12 CHAIR FERRARO: Okay. Commissioner Alfieri?

13 COMMISSIONER MITCHELL: Can I ask a question?

14 Can I ask a question before --

15 CHAIR FERRARO: Yes.

16 COMMISSIONER MITCHELL: I have a question.

17 CHAIR FERRARO: Yes. Yeah. Go ahead, Wendy.

18 COMMISSIONER MITCHELL: If we table it until next  
19 month that -- and, theoretically, then pass it next month  
20 because, I mean, Dr. Ferraro said there's no national  
21 standard, et cetera, if the Safety Coalition doesn't come  
22 up with anything, what it does it effectively delay the  
23 implementation until January 1; correct, Amanda?

24 MS. DRUMMOND: Yeah. So how it works is Staff  
25 would then finalize the package, get it to OAL. They would

1 have their review. And as long as it's filed with the  
2 Secretary of State between September 1st and November 30th,  
3 then we would have an effective date of January 1st, 2021.

4 COMMISSIONER MITCHELL: Okay. Thank you.

5 I will not be supporting the motion to table.

6 CHAIR FERRARO: You're voting no. So we have a  
7 yes from Alfieri and a no from Mitchell; is that correct?

8 COMMISSIONER MITCHELL: Correct.

9 CHAIR FERRARO: Okay.

10 Castellanos?

11 COMMISSIONER CASTELLANOS: No.

12 CHAIR FERRARO: Gonzales?

13 VICE CHAIR GONZALES: Yes on tabling it.

14 CHAIR FERRARO: Solis?

15 COMMISSIONER SOLIS: Yes on tabling.

16 CHAIR FERRARO: And the Chairman votes on. So we  
17 have a tie; is that correct?

18 EXECUTIVE OFFICER CHANEY: Yes.

19 CHAIR FERRARO: Anybody?

20 EXECUTIVE OFFICER CHANEY: This is Scott Chaney,  
21 Executive Director.

22 So the motion that the Board put forward was for  
23 tabling it, so that doesn't pass, but that doesn't really  
24 leave us anywhere, unless the Board then votes to put it  
25 forward. Perhaps that's the next vote you should take.

1 CHAIR FERRARO: All right. I'll make the motion  
2 that we pass the rule as stated. Do I have a second?

3 COMMISSIONER MITCHELL: Second. This is  
4 Commissioner Mitchell.

5 VICE CHAIR GONZALES: Can we have some  
6 discussion?

7 CHAIR FERRARO: Thank you.

8 VICE CHAIR GONZALES: -- just a brief --

9 CHAIR FERRARO: Yes.

10 VICE CHAIR GONZALES: -- a brief discussion after  
11 the second? Let's, just for a moment --

12 CHAIR FERRARO: Sure.

13 VICE CHAIR GONZALES: -- pause and let's just for  
14 a moment pause and contemplate what this vote will mean.  
15 And perhaps Amanda can chime back in? We would, in effect,  
16 being opposing this rule.

17 So, Amanda, do you want to provide your input as  
18 to really what is at stake here and what this means for the  
19 process?

20 MS. DRUMMOND: So that's something that Rob and I  
21 were just discussing. Because if there's not a passing  
22 vote here, we are not sure if this rule dies altogether, we  
23 are currently checking, because that is a possibility. So  
24 give us just one moment while we search some law.

25 CHAIR FERRARO: Let's get everybody ready while

1 we're waiting on this.

2 I understand that CARF and The Stronach Group  
3 have come to some kind of an agreement. So when we get  
4 done with this, we'll go back to four, five and six and see  
5 if we can solve that matter before dark.

6 (Pause)

7 EXECUTIVE OFFICER CHANEY: Executive Director.  
8 This is Scott Chaney.

9 Chairman, we're trying to sort of figure out.  
10 We're sort of under two minds but we're trying to determine  
11 the law right now. We're not certain if -- so the Board  
12 actually passed this rule, you know, 45 days-plus ago, so  
13 we're not -- if it ends up being a three-three vote again  
14 we don't know if it becomes effective or if it's a three-  
15 three vote again, then the rule just doesn't pass and we  
16 start all over at square one. So, obviously, those are two  
17 completely divergent outcomes, so we're trying to  
18 determine, you know, what the correct one is.

19 (Pause)

20 EXECUTIVE OFFICER CHANEY: Yeah. Chairman  
21 Ferraro, would it be possible to move on to the next agenda  
22 item and then just return to this one for a vote when we  
23 can --

24 CHAIR FERRARO: That's fine. Let's --

25 EXECUTIVE OFFICER CHANEY: We have to give you

1 the right --

2 CHAIR FERRARO: -- move on. Yeah.

3 EXECUTIVE OFFICER CHANEY: -- the right  
4 information.

5 CHAIR FERRARO: Yeah, that's what I was going to  
6 suggest. I didn't know how long it was going to take you.

7 Let's move on to item number 11. This is  
8 discussion and action by the Board regarding the proposal  
9 to partially suspend CHRB Rule 1845, Authorized Bleeder  
10 Medication, pursuant to CHRB Rule 1406, Suspension of Rule.

11 Dr. Arthur, can you explain what this -- what  
12 we're talking about here?

13 EQUINE MEDICAL DIRECTOR ARTHUR: Yes. This is --

14 CHAIR FERRARO: I want to make it very clear to  
15 everyone.

16 EQUINE MEDICAL DIRECTOR ARTHUR: This is a very  
17 technical aspect of 1846, the Authorized Medication  
18 regulation. It is not about the use of Lasix. To be  
19 clear, if there's going to be any public comment, it  
20 specifically addresses the requirement that the CHRB take  
21 possession of the syringes used to administer Lasix by  
22 third-party Lasix veterinarians. This was added late to  
23 this regulation in response to some concerns. And it was,  
24 at the time, debated as to whether it was effective or not.  
25 New York doesn't do this and Kentucky does. But at the

1 time this regulation passed, they had had 40,000 samples  
2 and only tested one syringe.

3           In our history, since this program started, we've  
4 collected about 150,000 syringes and we've only had three  
5 tested. They've made no import on any of the cases that  
6 they were tested regarding. And what we're trying to do --  
7 and very early after this regulation went into effect it  
8 became clear that bagging, putting the syringe in an  
9 evidence bag, signing the evidence slips and everything,  
10 was more cumbersome than giving the Lasix injection. So  
11 we've been having discussions as to whether eliminate this.

12           With the COVID-19 situation, transporting  
13 evidence tags and everything, we've been trying to  
14 eliminate interaction between personnel on the backside.  
15 And for the Del Mar meet, we think that this would be an  
16 opportunity to eliminate this requirement, see how it  
17 works, and if it works as effectively as we think it is,  
18 bring it back to this Board for a permanent elimination of  
19 this provision in the rule.

20           Third-party Lasix is paid for by the owners, the  
21 costs of this program, with the reduction in the amount of  
22 Lasix injections with no two-year-olds' Lasix, we think  
23 that we'll be able to reduce staffing levels for third-  
24 party Lasix during Del Mar, make it more efficient, which  
25 is something we'll need to do in the long term.

1           So it's a very, very narrow suspension of a  
2 requirement that the syringes that are used to administer  
3 the Lasix be retained until after the tests clear and have  
4 those syringes available for subsequent testing. And as  
5 I've said, we've only done it, from what I can see, three  
6 times out of about 150,000 syringes. It's a logistical  
7 problem. It takes a lot of time. It require evidence bags  
8 and all the paperwork to get that done. And it really  
9 hasn't been worthwhile. And, as I said, New York doesn't  
10 do it at all.

11           CHAIR FERRARO: Just to be clear, so everybody  
12 understands, third-party Lasix means that the Lasix is  
13 being given by a veterinarian acquired by the association  
14 under the auspices of the CHRB; is that correct?

15           EQUINE MEDICAL DIRECTOR ARTHUR: That's correct.  
16 It's a veterinary professional. It's either a registered  
17 veterinary technician or a veterinarian under the -- that  
18 administers the Lasix. It's not the attending  
19 veterinarian. The only drugs they have on them are  
20 furosemide, so there's no possible of any confusion as to  
21 what drug the horse gets.

22           CHAIR FERRARO: And so what we're talking about  
23 eliminating is the fact that when they finish giving the  
24 Lasix injection, they put the syringe in a bag with  
25 paperwork, et cetera, et cetera, and it's --

1 EQUINE MEDICAL DIRECTOR ARTHUR: That's right.

2 CHAIR FERRARO: -- retained; right? And out

3 of --

4 EQUINE MEDICAL DIRECTOR ARTHUR: That's right.

5 We've --

6 CHAIR FERRARO: -- 140,000 --

7 EQUINE MEDICAL DIRECTOR ARTHUR: -- we've done  
8 150,000. They use evidence bags. There's an expense with  
9 that. There's paperwork. There's a chain of evidence to  
10 sign, all those sorts of things, and we're trying to  
11 eliminate this. It's an unnecessary step. And certainly  
12 from -- Del Mar has gotten the cooperation of the TOC and  
13 the CTT to try this experiment at Del Mar to see if we can  
14 make the third-party Lasix program more efficient. This  
15 does not have anything to do with Lasix or not. It's only  
16 whether to retain the syringe.

17 CHAIR FERRARO: Okay. Any comments from the  
18 Commissioners?

19 I'm not going to take public comments on this  
20 because it's merely a technical matter. If you require --  
21 if you have something to say you can say it in public  
22 comment but this is just a technical, operational matter,  
23 and I don't want to get into a long discussion. We have a  
24 lot of things to continue.

25 So I'm going to make a motion --

1 MR. MARTEN: This is Mike Marten. There is  
2 nobody in the queue.

3 CHAIR FERRARO: Yeah. There shouldn't be.  
4 I'm going to make a motion that we accept this  
5 rule.

6 COMMISSIONER CASTELLANOS: Castellanos.

7 COMMISSIONER ALFIERI: I'll second.

8 COMMISSIONER CASTELLANOS: I second.

9 CHAIR FERRARO: Okay. Commissioner Gonzales?

10 VICE CHAIR GONZALES: I approve. Yes.

11 CHAIR FERRARO: Commissioner Alfieri?

12 COMMISSIONER ALFIERI: Yes.

13 CHAIR FERRARO: Commissioner Castellanos?

14 COMMISSIONER CASTELLANOS: Yes.

15 CHAIR FERRARO: Commissioner Mitchell?

16 COMMISSIONER MITCHELL: Yes.

17 CHAIR FERRARO: Commissioner Solis?

18 COMMISSIONER SOLIS: Yes.

19 CHAIR FERRARO: And the Chairman is yes.

20 Mr. Chaney, do we have an opinion yet or not?

21 EXECUTIVE OFFICER CHANEY: Yeah. Go ahead.

22 MS. DRUMMOND: We're getting -- okay.

23 CHAIR FERRARO: Should I move on to four?

24 MS. DRUMMOND: So we did do some research. So,  
25 yes, if you put this to a vote and it is not majority, so

1 four of you would need to vote to pass this on, it would  
2 die and, effectively, we would have to start over from  
3 scratch. And after talking to Rob and Scott, the only  
4 thing, I mean, we're obviously not going to persuade you  
5 one way or the other, the only thing is we caution because  
6 this was something that was on the Governor's initiative.  
7 This is obviously something that could face some blowback,  
8 so just something to consider.

9 CHAIR FERRARO: All right. It's not good. It's  
10 not good.

11 MS. DRUMMOND: That's why I --

12 CHAIR FERRARO: It will. Okay. So I make a  
13 motion to pass our rule. And I think we have a second from  
14 Commissioner Mitchell.

15 COMMISSIONER MITCHELL: Yes.

16 CHAIR FERRARO: So let's vote and see what  
17 happens.

18 Commissioner Gonzales?

19 VICE CHAIR GONZALES: Yes.

20 CHAIR FERRARO: Commissioner Alfieri?

21 COMMISSIONER ALFIERI: No.

22 CHAIR FERRARO: Commissioner Castellanos?

23 COMMISSIONER CASTELLANOS: Yes.

24 CHAIR FERRARO: Commissioner Mitchell?

25 COMMISSIONER MITCHELL: Yes.

1 CHAIR FERRARO: Commissioner Solis?

2 COMMISSIONER SOLIS: No.

3 CHAIR FERRARO: And Commissioner Ferraro is yes,  
4 so it passes four to two.

5 Okay, we're going to go back now on the second  
6 most contentious item, four, five and six. Now I  
7 understand there's some kind of agreement between CARF and  
8 Stronach Group, so can we hear from CARF first?

9 MR. HOBAN: Jerome Hoban is in.

10 MS. SWARTZLANDER: This is Larry.

11 CHAIR FERRARO: Yes. Go ahead.

12 MS. SWARTZLANDER: Chairman, Commissioners, this  
13 is Larry. Yeah, we've --

14 CHAIR FERRARO: Yeah. Go ahead, Larry.

15 MS. SWARTZLANDER: -- had discussions with Aiden  
16 and we've come to a proposed compromise. Basically, it's  
17 that we're giving up -- the seventh week at Pleasanton will  
18 be run at Golden Gate, so the meets for the fairs will be  
19 four weeks with Pleasanton and two weeks from State Fair.  
20 So you'd have Pleasanton running from June 14th to July  
21 14th, State Fair from July 15th to July 28th at Pleasanton,  
22 Santa Rosa runs 19 August to 11 August at Golden Gate,  
23 Golden Gate runs August 12th to October 6th, Fresno runs  
24 October 7th to October 20th. Pleasanton will remain open  
25 for stabling and training June 8th to 28th -- to July 28th.

1 And Golden Gate will remain open for stabling and training  
2 without closing.

3 VICE CHAIR GONZALES: Mr. Chairman, if I may?  
4 Oscar Gonzales here.

5 I received an email with the layout that has just  
6 been described. And I was able to confirm on the email  
7 chain that the various parties are in agreement. I believe  
8 this is a testament to the leadership that I've been  
9 referencing that Mr. Chaney and I have been observing up  
10 close.

11 For everyone who signed a petition, who wrote a  
12 letter, who provided invaluable insight, what we just heard  
13 is that Golden Gate Fields will be remaining open which, I  
14 believe, achieves many, many of the goals that people  
15 outlined, including what is on the minds of all of us as  
16 Commissioners, the CHRB leadership and staff, the public  
17 regardless of the side that you were on, thinking about how  
18 to keep families safe from the global epidemic.

19 So I just want to -- you know, I know we have to  
20 take a vote here and line this up properly because it  
21 probably involves another reallocation revisiting because  
22 we are going to move the Santa Rosa, or we may not, but I  
23 want to just point that out, also, just to sanction and to  
24 reaffirm the arrangement.

25 But, again, I just want to thank CARF and The

1 Stronach Group, the individuals that have been closely  
2 involved with this, and all the others that I mentioned.

3 So I will propose my statement and thoughts and  
4 just say, as the Chair of the Racing Committee, along with  
5 Commissioner Mitchell, we just want to just say that  
6 leadership was shown and adjustments were made. Thank you  
7 everyone.

8 CHAIR FERRARO: I just want to clarify, Larry.  
9 So CARF is -- the Pleasanton Fair is going to give up their  
10 seventh week; right? So where does --

11 MS. SWARTZLANDER: Right.

12 CHAIR FERRARO: -- that week go? It goes back to  
13 Golden Gate; is that correct?

14 MS. SWARTZLANDER: Yes, it goes to Golden Gate.

15 CHAIR FERRARO: Okay. So what are the dates that  
16 the Pleasanton -- that Pleasanton will run again?

17 MS. SWARTZLANDER: Pleasanton will run from June  
18 17th to July 14th. And then the State Fair at Pleasanton  
19 will run July 15th to July 28th at Pleasanton.

20 CHAIR FERRARO: It was July 28th?

21 MS. SWARTZLANDER: Yes.

22 CHAIR FERRARO: Correct?

23 MS. SWARTZLANDER: Yes.

24 CHAIR FERRARO: Okay. And then the arrangement  
25 with Solano County, Santa Rosa Fair, and Humboldt will be

1 the same with Golden Gate? They won't change?

2 MS. SWARTZLANDER: Actually, Santa Rosa moves up  
3 one week in the calendar.

4 CHAIR FERRARO: Okay. So what are the dates for  
5 that?

6 MS. SWARTZLANDER: Santa Rosa now starts on July  
7 29th and ends on August 11th.

8 CHAIR FERRARO: Okay. Thank you very much.

9 And then Humboldt follows?

10 MS. SWARTZLANDER: Well, it's a Golden Gate meet  
11 at that point, August 12th to --

12 CHAIR FERRARO: Yeah.

13 MS. SWARTZLANDER: -- October 6th.

14 CHAIR FERRARO: Yeah. Yeah. Okay. All right.

15 Does everyone understand that?

16 Can we hear from --

17 EXECUTIVE OFFICER CHANEY: Chairman? Chairman?

18 CHAIR FERRARO: -- The Stronach Group?

19 EXECUTIVE OFFICER CHANEY: Chairman?

20 CHAIR FERRARO: Yes.

21 EXECUTIVE OFFICER CHANEY: This is Scott Chaney,  
22 Executive Director. I don't totally understand it.

23 So the last week at Cal Expo will be, I mean,  
24 will be run at go; is that my understanding?

25 And then how does Santa Rosa move up? Aren't

1 their dates the same then?

2 MS. SWARTZLANDER: Well, Golden Gate  
3 simply wanted to move that two week slot one week earlier,  
4 so it's called, you know, the Santa Rosa meet at Golden  
5 Gate.

6 EXECUTIVE OFFICER CHANEY: Understood. And  
7 then -- but where does that one week reappear then, the Cal  
8 Expo week, I guess, is the question?

9 MS. SWARTZLANDER: Well, the Cal Expo week is run  
10 at Golden Gate.

11 EXECUTIVE OFFICER CHANEY: Got it. But you said  
12 that was Santa Rosa because it moved up. Am I --

13 MS. SWARTZLANDER: Yeah.

14 EXECUTIVE OFFICER CHANEY: -- am I not -- so then  
15 let's -- so let's do it this way. So Pleasanton runs to  
16 Pleasanton for four weeks.

17 MS. SWARTZLANDER: Correct.

18 EXECUTIVE OFFICER CHANEY: And then Cal Expo runs  
19 at Pleasanton for two weeks?

20 MS. SWARTZLANDER: Correct.

21 EXECUTIVE OFFICER CHANEY: And then what happens?

22 MS. SWARTZLANDER: Then Santa Rosa runs at Golden  
23 Gate for two weeks.

24 EXECUTIVE OFFICER CHANEY: For two weeks, right.

25 And then what happens with Santa Rosa's second -- they're

1 currently allocated second week?

2 MS. SWARTZLANDER: Well, that's what I said, that  
3 Golden Gate wanted to move that week over, move it forward  
4 and call it Santa Rosa.

5 EXECUTIVE OFFICER CHANEY: So does Santa Rosa end  
6 up running three weeks or does that just reverse -- then it  
7 becomes -- once Santa Rosa has run its two weeks, then it's  
8 back to Golden Gate? So really the Cal Expo, the third  
9 week in Cal Expo, ends up being run at Golden Gate at some  
10 point after Santa Rosa?

11 MS. SWARTZLANDER: Yeah, you could put it that  
12 way.

13 EXECUTIVE OFFICER CHANEY: Got it. Okay.

14 I apologize, Mr. Chairman. I just didn't -- I  
15 wasn't totally clear on that.

16 CHAIR FERRARO: No. As far as my --

17 EXECUTIVE OFFICER CHANEY: I think  
18 procedurally --

19 CHAIR FERRARO: -- my question, in your  
20 analysis --

21 EXECUTIVE OFFICER CHANEY: Yeah.

22 CHAIR FERRARO: -- procedurally, how do we adopt  
23 this?

24 EXECUTIVE OFFICER CHANEY: Yeah. We're, I mean,  
25 we're kind of doing this on the fly here.

1           But, first of all, I think it -- we'll first have  
2 to revisit item number three which just will require  
3 reallocation, obviously, because dates will be different.  
4 And then once that's accomplished we can consider the  
5 license -- the two license applications. They will have to  
6 be amended, obviously, but I think we can do that kind of  
7 as, you know, as we take them. But the most notable one  
8 will be Cal Expo. They'll have to amend their application,  
9 A, to be run at Pleasanton because I'd on think that's  
10 clear. And then secondly will have to be reduced from  
11 three weeks to two weeks.

12           Golden Gate will eventually have to -- as it, you  
13 know, takes over these weeks from Ferndale and Cal Expo,  
14 that will require an amendment or, perhaps, a new license  
15 application, but that can be handled at the July meeting  
16 because it's not currently on the agenda today.

17           CHAIR FERRARO: Yeah. Let me ask you this, can  
18 we -- could we, since this changes the dates and re-  
19 applications or changes applications, could we defer this  
20 decision for a 48-hour emergency meeting on one topic and  
21 vote for everything at that time?

22           EXECUTIVE OFFICER CHANEY: You have to -- we have  
23 to consider the reallocation because that -- actually,  
24 reallocation of dates doesn't fall under the emergency  
25 exceptions, whereas a license application does. So we

1 absolutely have to consider the reallocation today because  
2 we just don't have enough time to notice it properly. It  
3 requires ten-day notice.

4           With respect to the license application, we can  
5 notice a 48-hour emergency meeting, like Monday, for  
6 example, and reconsider the license applications, at which  
7 time they might actually be a little more accurate, and we  
8 might not miss as many things as we would today if we're  
9 trying to kind of amend them live.

10           But, Amanda, do you have any other -- anything  
11 additional to add? I don't want to -- you're going to be  
12 burdened with this.

13           MS. DRUMMOND: No. I think the applications, for  
14 the most part, are relatively complete. There's very few  
15 things missing, so it would really just be updating them  
16 for, you know, correcting the dates, you know, and  
17 obviously, if they are moving, getting the updated  
18 information.

19           EXECUTIVE OFFICER CHANEY: Could I suggest  
20 tabling, perhaps tabling, the Cal Expo? And if we need to  
21 call a --

22           MS. DRUMMOND: Yeah. That --

23           EXECUTIVE OFFICER CHANEY: -- 48-hour meeting  
24 with that, because that's the license application that's so  
25 -- it's going to be so off base.

1           The only change with, I think, with respect to  
2 Pleasanton might be -- we could do today if you approve  
3 that license application, since we're so close to the start  
4 date. I think the only change might be with respect to  
5 auxiliary stabling, actually making that Golden Gate,  
6 rather than Sacramento, which I believe should be listed  
7 now.

8           CHAIR FERRARO: Yes. Correct. So, again, are we  
9 going to gain anything or should we just muscle through it  
10 and get it over with today is what I'm asking, I guess?

11          MR. HOBAN: Mr. Chair --

12          EXECUTIVE OFFICER CHANEY: I would --

13          MR. HOBAN: -- this is Jerome Hoban. I would  
14 suggest muscling through this. It's been a long meeting  
15 and, actually, a long two months. I'd appreciate it if we  
16 could just have closure because I have a quasi-public  
17 board, as well, that I have to deal with.

18          CHAIR FERRARO: Okay. Let's hear from The  
19 Stronach Group before we go any further though. Can we  
20 hear from Aiden Butler to make sure they're onboard here?

21          OPERATOR: Aiden Butler's line is live.

22          CHAIR FERRARO: Aiden --

23          MR. BUTLER: Hi Chairman. Thank you.

24          CHAIR FERRARO: -- do you (indiscernible)?

25          MR. BUTLER: Yeah, this works well. It allows

1 everybody to stay where they are from a stabling standpoint  
2 and that was really the intent here, to not put anybody or  
3 any horse in any harm's way. So we're good with our side.

4 CHAIR FERRARO: Okay. Very well. Then --

5 COMMISSIONER CASTELLANOS: Mr. Chairman --

6 CHAIR FERRARO: -- first --

7 COMMISSIONER CASTELLANOS: -- this is

8 Castellanos.

9 CHAIR FERRARO: Yes, sir?

10 COMMISSIONER CASTELLANOS: Just, I guess, this is  
11 maybe for Amanda and Scott. But I believe, what I'm  
12 understanding is we can make our decision on number three.  
13 That would then take care of the stuff that we have  
14 verbally put on record, which Commissioner Gonzales has the  
15 email, so we can go ahead and probably approve that, and  
16 then take care of the one -- Pleasanton, is that what  
17 you're saying? And then the others one, we -- do we have  
18 to hold off or can we approve them upon the changes that  
19 have been made here verbally.

20 EXECUTIVE OFFICER CHANEY: No. We can do it  
21 today.

22 CHAIR FERRARO: Yes.

23 EXECUTIVE OFFICER CHANEY: We've already checked  
24 with the staff who -- we can do everything today, muscle  
25 through it, as everyone said. We're in contact with staff

1 right now who's handling the Cal Expo license application.  
2 And he's very confident that he can put out the amendments,  
3 the changes that we need to make, as we're doing this.

4 COMMISSIONER CASTELLANOS: That will work. Take  
5 care of the Kumbaya.

6 CHAIR FERRARO: Okay. So, Mr. Chaney, we're  
7 going to take up the reallocation of 2020 dates; is that  
8 correct, item number three?

9 EXECUTIVE OFFICER CHANEY: That's correct. I  
10 mean, obviously, we voted once and reallocated the Ferndale  
11 dates, so we might need a little help in terms of what this  
12 next reallocation will be. Obviously, Pleasanton will  
13 remain the same. And then, let's see here, the 07/15  
14 through -- oh, I'm sorry, oh, this is a good question.

15 So State Fair will run two weeks, and then that  
16 last week, so I'll need the first date of that. Do we  
17 start on -- sorry, Chairman.

18 Do we start on Mondays?

19 Currently Cal Expo is set to run 07/15 through  
20 08/04. So I just need a start date for that last week of  
21 Cal Expo.

22 (Colloquy between Staff.)

23 (Pause)

24 MR. HOBAN: Good afternoon. This is Jerome Hoban  
25 again. I just want to clarify that the dates that were

1 just read off, those are the traditional race dates. So,  
2 for example, it would start on a Wednesday and go through  
3 the Tuesday before it changes to the next location. That's  
4 why you're seeing some interesting dates there on the page.

5 In addition, I would hope that this is stipulated  
6 that it's the 2020 calendar only and it's due to the  
7 unprecedented circumstances of the COVID condition.

8 Are there any kind of questions?

9 CHAIR FERRARO: Yeah. There's no problem with  
10 that.

11 COMMISSIONER CASTELLANOS: Castellanos.

12 CHAIR FERRARO: There's no problem with that.

13 Yeah, go ahead, Damascus.

14 COMMISSIONER CASTELLANOS: No, I just wanted to  
15 say that I agree with exactly what he said.

16 CHAIR FERRARO: Yeah. You have our guarantee  
17 that this --

18 EXECUTIVE OFFICER CHANEY: Chairman --

19 CHAIR FERRARO: -- is a one-year deal.

20 EXECUTIVE OFFICER CHANEY: Chairman, Scott Chaney  
21 here. I think we have the right dates. So, obviously,  
22 Pleasanton will remain unchanged and keep their allocated  
23 dates. Cal Expo then runs at Pleasanton, 07/15 to 07/28.  
24 And then --

25 MS. SWARTZLANDER: Correct.

1 EXECUTIVE OFFICER CHANEY: And then Santa Rosa  
2 will be reallocated 07/29 through 08/11. And then Golden  
3 Gate will be allocated 08/12 through 09/01.

4 MS. SWARTZLANDER: No. Golden Gate's right after  
5 that.

6 EXECUTIVE OFFICER CHANEY: Does anybody disagree  
7 with that?

8 MS. SWARTZLANDER: It's the 6th.

9 EXECUTIVE OFFICER CHANEY: I'm sorry?

10 MS. SWARTZLANDER: Golden Gate should run from  
11 August 12th through October 6th.

12 EXECUTIVE OFFICER CHANEY: October 6th, oh,  
13 right, because -- but they were already allocated those  
14 dates. I mean, I guess we can make that --

15 MS. SWARTZLANDER: Oh, yes.

16 EXECUTIVE OFFICER CHANEY: -- obvious in the vote  
17 then.

18 So the new reallocation would be Cal Expo, 07/15  
19 to 07/28, Santa Rosa, 07/28 to 08/11, and then Golden Gate  
20 would run 08/12 through 10/06.

21 CHAIR FERRARO: Okay.

22 VICE CHAIR GONZALES: That's correct.

23 CHAIR FERRARO: I move.

24 EXECUTIVE OFFICER CHANEY: And the motion is  
25 stipulated.

1 CHAIR FERRARO: The motion is stipulated this is  
2 for one year only. And these are the --

3 MR. MARTEN: The people in the queue include  
4 Stronach Group and Rick Pickering of California State Fair.

5 CHAIR FERRARO: Pardon me? Say that again, Mike.

6 MR. PICKERING: Yes. Thank everybody for bearing  
7 with Golden Gate and the fairs as we tried to work through  
8 this. State Fair would support the dates that have just  
9 been read back into the record with a stipulation it's  
10 understood that this is to assist during the unprecedented  
11 2020 year of COVID. We appreciate everybody working in  
12 this direction. And again, this is a one-year agreement  
13 due to the impacts of COVID. We hope we wouldn't have to  
14 have this type of discussion anywhere in the industry when  
15 we're looking at 2021 dates.

16 CHAIR FERRARO: Correct. Well, just so we can  
17 move forward with this item number three, the motion is  
18 that we accept these stipulated dates that we just received  
19 with the stipulation that is for one year only, 2020, that  
20 2021 will go back its traditional allocations.

21 So I make that motion. Can I have a second?

22 EXECUTIVE OFFICER CHANEY: Chairman Ferraro,  
23 Scott Chaney again.

24 CHAIR FERRARO: Yes.

25 EXECUTIVE OFFICER CHANEY: I know everybody on

1 the call is going to dislike me but given that we're  
2 revisiting an agenda item, we're probably obligated, under  
3 Bagley-Keene, to ask for public comment on this  
4 reallocation. I'm sorry.

5 CHAIR FERRARO: Yeah. Can we do that after we  
6 pass the motion, though, or do we have to do it before we  
7 make the motion?

8 MR. BRODNIK: Hi. Robert Brodник, Counsel for  
9 the CHRB.

10 I think it's appropriate to hear the public  
11 comment before you vote on the motion.

12 CHAIR FERRARO: Okay.

13 MR. BRODNIK: So you have the motion --

14 CHAIR FERRARO: Okay.

15 MR. BRODNIK: -- out but I would just hear the  
16 comments and then you can take your vote.

17 CHAIR FERRARO: Okay. Okay. Do we have a second  
18 on that motion though?

19 COMMISSIONER CASTELLANOS: Castellanos. Second.

20 CHAIR FERRARO: Okay. Now we can have a  
21 discussion.

22 First person in the queue, go ahead.

23 OPERATOR: Our first commenter is Ian McLean,  
24 McLean Racing Stables.

25 CHAIR FERRARO: Go ahead, Ian.

1 MR. MCLEAN: Wow. I guess we all found out today  
2 how little 500 names matter. I guess may be need 800 or  
3 1,000, I don't know, but the (indiscernible) refer back to  
4 my first paragraph here where we have a history of the  
5 establishment being put first before the horsemen.  
6 Concession was (indiscernible) where they live.

7 I don't hear any new considerations from all --  
8 you know, anybody about the safety measures that are going  
9 to happen here. Maybe we, I mean, sometime in June, we can  
10 have a CHRB day where the CHRB joins us down at Golden Gate  
11 Fields. We'll load up in some trucks. We'll caravan over  
12 to the track. We'll spend the day out there mixing and  
13 going, which we're asking all the horsemen to do, and then  
14 travel back home. And then go home and kiss and hug your  
15 families.

16 Other things to consider, I don't know whether  
17 this is true, I've heard a story that there's a late post  
18 that is being possibly enacted at Pleasanton. I hope you  
19 realize that that will push a lot of our workers into  
20 double-time. And as an owner, I appreciate you adding to  
21 my expenses.

22 And, lastly, I don't know if anybody has done the  
23 math yet but you are looking at about 50 percent of purses  
24 being paid out over the seven weeks to all of the orders.  
25 When you go from four days down to the three and you go

1 down to about 85 percent in purses, you just do the math  
2 here and the total take that the horsemen are going to have  
3 is in the neighborhood of about 50 to 65 percent. So now,  
4 besides this added increase in expenses, you are asking us  
5 to take a pay cut and endure even more and be putting  
6 ourselves at risk with health.

7 We really appreciate how you've gone to bat, once  
8 again, for the horsemen. And I guess we're showing colors  
9 here.

10 Thank you.

11 CHAIR FERRARO: Next please.

12 OPERATOR: Next commenter, Eric Sindler with The  
13 Stronach Group.

14 CHAIR FERRARO: Go ahead please.

15 MR. SINDLER: Hello. I had actually only joined,  
16 if there was any question on the dates, but Mr. Chaney read  
17 them off accurately, so I have nothing more to add.

18 Thank you.

19 CHAIR FERRARO: Thank you.

20 Next please.

21 OPERATOR: Thank you. Next is Terri Eaton with  
22 the Arabian Racing Association of California.

23 CHAIR FERRARO: Go ahead please. Go ahead  
24 please.

25 OPERATOR: Terri, your line is live. All right.

1           Moving on, our next commenter is Heather Hyde, a  
2 concerned citizen of California.

3           CHAIR FERRARO: Go ahead please.

4           MS. HYDE: Yes. I just wanted to say that I  
5 don't endorse any of these Northern California race dates,  
6 especially with the San Francisco mayor putting the stay-  
7 at-home order indefinitely, so there's no opening dates for  
8 a lot of these Bay Area cities. And a lot of Bay Area  
9 cities are also going along with San Francisco mayor  
10 because, originally, the coronavirus was pretty heavy up in  
11 the Bay Area and it hasn't changed.

12           So this is not an essential business. I don't  
13 know how it's allowed to be open. And, you know, it's just  
14 a disgusting way to extort purses, of course, for money.  
15 So I'm hoping you have a good and clear conscience and  
16 think about the poor animals and not the money.

17           Thank you.

18           CHAIR FERRARO: Next please.

19           OPERATOR: Thank you. Next commenter, James  
20 Morgan, Humboldt County Fair Association.

21           CHAIR FERRARO: Go ahead please.

22           MR. MORGAN: Fabulously, CARF and Stronach have  
23 reached an agreement. I just wanted a brief clarification  
24 with respect to the impact on the Humboldt Count Fair.

25           Prior to the break, as a stimulus for further

1 negotiation, Mr. Butler said that all fairs would be  
2 receiving the Santa Rosa deal. I want to just make sure  
3 and clarify that it applies to the Humboldt County Fair.

4 CHAIR FERRARO: No. You'd have to negotiate that  
5 directly with Stronach Group. The Board can't get in the  
6 middle of that.

7 MR. MORGAN: I'm just holding him accountable to  
8 his representation. I just want to know how we are  
9 impacted by this decision. Other fairs seem to have had a  
10 deal or are running their dates. I think the  
11 representation was made to the Board. And we certainly  
12 would need that assistance.

13 VICE CHAIR GONZALES: If I can, Mr. Chairman, if  
14 I can clarify? I know -- well, how about we'll just go and  
15 let the comment stand and then when we get to our period,  
16 we try to avoid a back and forth with comments, so I will  
17 refrain and then incorporate a response into my comments  
18 here momentarily.

19 CHAIR FERRARO: Okay.

20 MR. MORGAN: Fair enough.

21 CHAIR FERRARO: Thank you very much.

22 Next please.

23 OPERATOR: Thank you. Next commenter, Denise  
24 Bolbol, a California citizen.

25 MS. BOLBOL: This Board needs to start the

1 process to stop horse racing on state properties. You all  
2 know this is highly controversial here in California. And  
3 you should be withdrawing the Cal Expo and the Santa Rosa  
4 dates. And you should be fair. It should be across the  
5 board. It should be across the board. You should not be  
6 allowing horse racing on state properties because that is  
7 subsidized and you use the state property that is  
8 subsidized.

9           So if these groups can go and use Golden Gate  
10 Fields, let them use Golden Gate Fields all year round and  
11 get them all off our state properties. That's what you  
12 should be doing instead of this, you know, catering to this  
13 insider trading group of trading dates.

14           Thank you very much.

15           CHAIR FERRARO: Next please.

16           OPERATOR: Our next commenter is Aiden Butler  
17 with The Stronach Group.

18           CHAIR FERRARO: Aiden, go ahead.

19           MR. BUTLER: Yeah. Oh, hey, guys. Just to  
20 clarify, we did actually, early in the proceedings -- the  
21 gentleman is right. We did say any deal will be the same  
22 as Santa Rosa. Unfortunately, CARF passed on that and  
23 didn't want to do that deal, so I do apologize for him. It  
24 didn't work out.

25           CHAIR FERRARO: Thank you.

1 Next please.

2 OPERATOR: Next comment, D. Wayne Baker, D. Wayne  
3 Baker Racing Stables.

4 CHAIR FERRARO: Go ahead please.

5 MR. BAKER: Yes, this is D. Wayne Baker, owner,  
6 trainer, breeder. I am very high risk to the COVID. I am  
7 over 60 years old. I had pneumonia in late December. I  
8 also have diabetes. I also have a low immune system. And  
9 I also had a stroke three years ago.

10 I would like to ask that we race at Golden Gate  
11 Fields and we don't have to go to another community and  
12 take a risk of killing people.

13 Also, there has been nothing said about how the  
14 grooms will get to Pleasanton from Golden Gate Fields.  
15 It's okay saying that Golden Gate is going to stay open.  
16 How will the grooms get there, how will the horses get  
17 there, following the COVID health rules?

18 CHAIR FERRARO: Thank you.

19 Next please.

20 OPERATOR: Thank you. Next commenter, Dr. Wayne  
21 Johnson, citizen.

22 CHAIR FERRARO: Go ahead please.

23 MR. JOHNSON: I want to thank the Counsel from  
24 the CHRB for insisting on public comment on this area. The  
25 Chairman should not arbitrarily decide which items have

1 public comment and which don't.

2 A two-year-old named Reno Lucky Lady died at the  
3 California State Fair of a heart attack, just one of the  
4 deaths at the California State Fair, and one of the many  
5 reasons why none of these dates should be approved.

6 Thank you, Dr. Ferraro.

7 CHAIR FERRARO: Next please.

8 OPERATOR: Next commenter, Elvia Sedano, citizen.

9 MS. SEDANO: Hello. I wanted to speak on two of  
10 Bob Baffert's horses testing positive --

11 CHAIR FERRARO: Ma'am, we're not --

12 MS. SEDANO: -- (indiscernible).

13 CHAIR FERRARO: -- speaking on that. You have to  
14 stop right there. You have to speak to the agenda item --

15 MS. SEDANO: Okay.

16 CHAIR FERRARO: -- which is the discussion of  
17 these dates. If you want to talk about Bob Baffert, you  
18 can do that on item number 15 under public comment.

19 Next please.

20 MS. SEDANO: Okay. Thank you.

21 OPERATOR: Next commenter, Terri Eaton, Arabian  
22 Racing Association of California.

23 CHAIR FERRARO: Go ahead please.

24 MS. EATON: Yes. This is Terri Eaton from the  
25 Arabian Racing Association of California.

1 My question is, is that the two weeks that  
2 Ferndale will be running -- Ferndale dates will be running  
3 at Golden Gate Fields that's not made a fair meet, will, as  
4 Arabian people, we have already lost now one week from  
5 Sacramento and two weeks of racing from Ferndale, so that  
6 cuts us back three weeks. And our racing season is short  
7 for these horses anyway.

8 So is it going to be possible to go ahead and  
9 continue our racing fair season through the Ferndale meets  
10 at Golden Gate?

11 And I wasn't clear on what the stabling was going  
12 to be. I know that Golden Gate is going to remain open,  
13 but then what is the dates that Pleasanton is going to  
14 remain open so that we can participate, hopefully, during  
15 the Santa Rosa Fair meet at Golden Gate?

16 CHAIR FERRARO: I think you'll have to get that  
17 answer from Stronach Group and CARF, and we'll try to get  
18 them to weigh in on it for you.

19 Let's go on to --

20 MS. EATON: That would --

21 CHAIR FERRARO: -- the next person please.

22 MS. EATON: I would greatly appreciate it. Thank  
23 you, gentlemen.

24 OPERATOR: Thank you. Next commenter --

25 CHAIR FERRARO: Next please.

1 OPERATOR: -- Cory Soltau, Arabian Association  
2 of -- I'm sorry, Arabian Racing Association of California.

3 CHAIR FERRARO: Go ahead please.

4 MR. SOLTAU: Yes. Hi. Cory Soltau, Arabian  
5 Racing Association.

6 I just wanted to follow up on Terri's comment  
7 that the Arabians, obviously, only race at the fairs. This  
8 is our only venue that we have. And so we had been -- we  
9 thought that the Ferndale dates would be racing -- fair  
10 dates, then which would be open or available for our purse  
11 money. We have to negotiate the contracts with CARF.

12 Obviously, we need to know whether we're going to have the  
13 same consideration when we do move those Ferndale dates.

14 I think I've said enough and I look forward to  
15 your comments.

16 CHAIR FERRARO: Thank you. We'll try and get The  
17 Stronach Group and CARF to comment on that.

18 Next please.

19 OPERATOR: Thank you. Next commenter didn't  
20 report info.

21 Please introduce yourself, commenter.

22 CHAIR FERRARO: Go ahead please.

23 MR. AVIOLI: This is Greg Avioli from the TOC.

24 I have -- this is all a lot of information all at  
25 once but I have a question for, perhaps, Scott Chaney.

1           What is the potential, if this agreement is voted  
2 on and approved by the Board today, that if CARF and  
3 Pleasanton determine, even in the matter of the next weeks,  
4 that because of the backlash or the outcry over the public  
5 health concerns, is there a possibility to continue -- or  
6 to have another 48-hour emergency meeting under your rules  
7 to move those dates to Golden Gate?

8           CHAIR FERRARO: Mr. Chaney?

9           EXECUTIVE OFFICER CHANEY: Yeah. So the short  
10 answer, I mean, we need a ten-day notice. In order to do  
11 the 48-hour emergency meeting, we can only consider a  
12 certain number of things. That would be -- and included in  
13 those are license applications. We can't consider a  
14 reallocation.

15           So it's yes and no to your answer. I mean, if  
16 all of a sudden there was this massive backlash and the  
17 Board kind of rethought its position, there would have  
18 to -- there couldn't be a reallocation of dates. But those  
19 dates, those racing meets, could be, certainly, moved to  
20 Golden Gate. It would have to be run as Alameda County  
21 Fair at Golden Gate and Cal Expo at Golden Gate and those  
22 things are permissible under the Emergency Meeting  
23 Regulation.

24           MR. AVIOLI: So I appreciate that. That's kind  
25 of what I thought.

1           And so I just want the Commissioners to be aware  
2 of one potential here which is you award the dates, they  
3 are then -- you actually award the licenses, so at that  
4 point in time the next six weeks would be, essentially,  
5 licensed to Pleasanton and Sacramento. If they then  
6 determine not to run for whatever reason, and there are  
7 lots of reasons we're talking about, they will have the  
8 benefit of receiving 100 percent of the simulcast and ADW  
9 money during those weeks. And, economically, they will be  
10 incented not to run. They will make much more money by  
11 taking these weeks and not having racing. And once these  
12 licenses are awarded to them, they're allowed to do that.

13           It's similar, in some ways, to when Santa Anita  
14 was unable to run because the Public Health Department  
15 wouldn't let them. They accrued the money that was wagered  
16 in Southern California on -- by -- on all other wagering  
17 during that time. That is what will happen if you vote to  
18 award these dates today, and then Pleasanton or Sacramento  
19 determine not to run, there will be no racing in Northern  
20 California in the next seven weeks. And I'm not sure  
21 there's anything the CHRB would be able to do about it at  
22 that point.

23           So I just want everyone to be aware of that as a  
24 potentiality.

25           CHAIR FERRARO: Thank you.

1 Next please.

2 OPERATOR: No other commenters at this time. Oh,  
3 I'm sorry, we have one more from Aiden Butler with The  
4 Stronach Groups.

5 CHAIR FERRARO: Okay. Go ahead, Aiden.

6 MR. BUTLER: Thank you, Commissioners. Just, if  
7 that is the case -- please don't take me trying to find a  
8 compromise here, and for the horsemen, primarily, so people  
9 don't have to move, if that is the case, and I don't think,  
10 hopefully Greg is wrong, I don't think CARF would ever take  
11 the dates and then not run or say they couldn't run. That  
12 would change my stance completely on a bunch of different  
13 items.

14 Just so you know, this is for horse racing and  
15 this is for trying to look after the people who participate  
16 in horse racing. This ain't about cash and money.

17 Thank you.

18 CHAIR FERRARO: Thank you.

19 Okay, we have a motion. Do we remember what it  
20 is? We're going to accept these dates that has been  
21 proposed. So shall we have a vote?

22 VICE CHAIR GONZALES: Yes.

23 COMMISSIONER ALFIERI: Read the motion again.

24 CHAIR FERRARO: Okay. The motion is that we  
25 accept the reallocation of the dates for Cal Expo, Santa

1 Rosa, and Golden Gate, I believe; is that correct, Scott?

2 EXECUTIVE OFFICER CHANEY: Yes, that's --

3 CHAIR FERRARO: The CARF dates are the same.

4 EXECUTIVE OFFICER CHANEY: -- that's correct.

5 Those three tracks would have their dates reallocated.

6 CHAIR FERRARO: Okay. I call a vote.

7 Alfieri?

8 VICE CHAIR GONZALES: Well, if we could -- I'm  
9 sorry, sir -- Commissioner -- Chairman. This is Oscar  
10 Gonzales.

11 Just again, just with the understanding that you  
12 brought up these points earlier about 2021, just making  
13 sure that whatever we do in 2020 does not automatically  
14 carry over.

15 Then, number two, the 48-hour rule, if we need to  
16 convene, and I think this should hold true across the Board  
17 because we don't know what kind of changes could happen at  
18 any of the racetracks, so we want to be able to have the  
19 ability to quickly make adjustments as necessary.

20 So I just wanted to preface those two points but  
21 please continue, Mr. Chairman.

22 CHAIR FERRARO: Yeah. And I misread it, too,  
23 because part of the motion is this is for 2020 allocations.  
24 Okay, let's go ahead.

25 Dennis Alfieri?

1 COMMISSIONER ALFIERI: No.

2 CHAIR FERRARO: Okay. Commissioner Castellanos?

3 COMMISSIONER CASTELLANOS: Yes.

4 CHAIR FERRARO: Commissioner Mitchell?

5 COMMISSIONER MITCHELL: Yes.

6 CHAIR FERRARO: Commissioner Solis?

7 COMMISSIONER SOLIS: Yes.

8 CHAIR FERRARO: Commissioner Gonzales?

9 VICE CHAIR GONZALES: Yes.

10 CHAIR FERRARO: And the Chairman votes yes.

11 So, Mr. Chaney, what is the next procedure? Do

12 we have to go through four, five and six again --

13 EXECUTIVE OFFICER CHANEY: Yeah. So --

14 CHAIR FERRARO: -- or are -- we are?

15 EXECUTIVE OFFICER CHANEY: -- we, unfortunately,

16 we haven't considered them yet. So four, obviously, is the

17 Lasix agreement and so on with respect to Pleasanton. And

18 then five and six are the license applications for both

19 Pleasanton and Cal Expo.

20 CHAIR FERRARO: Okay. So item number four, as it

21 reads, discussion and action by the Board on the

22 Application for a License to Conduct a Horse Racing Meeting

23 of the Alameda County Fair at Pleasanton, commencing June

24 17th, 2020 through July 24th, inclusive.

25 Is that correct? So --

1 EXECUTIVE OFFICER CHANEY: Chairman, Amanda  
2 Drummond can be heard on this.

3 CHAIR FERRARO: Yeah. That's what I was just  
4 going to ask.

5 Amanda, can you educate us on this.

6 MS. DRUMMOND: Yeah. Good afternoon,  
7 Commissioners, it's Amanda Drummond again, the Policy and  
8 Regulations Manager at the CHRB.

9 So this application is for the Alameda County  
10 Fair at Pleasanton for June 17th through 14th -- or, sorry,  
11 June 17th through July 14th, running 15 days.

12 Per the staff analysis, some items were  
13 outstanding but we did receive a few of them. All that is  
14 currently outstanding is the 2020 ADW agreements with  
15 BetAmerica and TwinSpires and the 2020 race meet agreements  
16 with the CTT and the TOC.

17 And that is my update.

18 CHAIR FERRARO: Larry?

19 Can we hear from Larry about these agreements?

20 MR. MARTEN: It says Jerome but it might be Larry  
21 there.

22 CHAIR FERRARO: Oh, that's fine, either.

23 OPERATOR: Opening Jerome's line.

24 CHAIR FERRARO: Go ahead.

25 MS. SWARTZLANDER: Yeah. The ADW, those should

1 have been signed today. They just simply wanted to hear  
2 the dates, so that's not a concern.

3 The CTT agreements, and TOC, have been sent to  
4 both organizations. The CTT was against the agreement  
5 because of the stabling issue. And that should have been  
6 resolved because now Golden Gate is not closing. And I  
7 can't speak for the TOC. We worked a deal out with The  
8 Stronach Group. That's what they wanted us to do. They  
9 didn't have any issues with our purse structure which was  
10 similar to last year. And I'd have to leave it at that for  
11 Greg.

12 CHAIR FERRARO: Okay. Do we have any -- do we  
13 have a queue on this?

14 OPERATOR: We have a comment from Alan Balch with  
15 California Thorough Trainers.

16 CHAIR FERRARO: Okay. Go ahead, Alan.

17 MR. BALCH: Yes. Alan Balch, California  
18 Thoroughbred Trainers.

19 What Mr. Swartzlander said is correct. Our  
20 concern was with the stabling which has been resolved.

21 I am somewhat concerned about the comments that  
22 Mr. Avioli made about any kind of an urgent decision or a  
23 decision that would be made for no live racing. I'm sure  
24 it's -- I'm confident that it's CARF's intention to conduct  
25 live racing. But that an interesting and worrisome problem

1 were it to arise that a decision would be made that they  
2 couldn't run or if something came up that they couldn't  
3 run.

4 I'm wondering if the Board should consider some  
5 kind of condition on the license that maybe gets some way  
6 through this ten-day notice problem because these, you  
7 know, all these weeks are going to happen very quickly.  
8 And if there is some unexpected development that nobody,  
9 except Mr. Avioli, thought about, it would be great if  
10 there's a way to get the Racing Board back immediately  
11 together. But, obviously, this is just occurring to me, so  
12 in this, as in other things, I may well not know what the  
13 hell I'm talking about.

14 Over.

15 OPERATOR: Next commenter is --

16 CHAIR FERRARO: Just to clarify, Scott Chaney,  
17 what would happen in that situation?

18 EXECUTIVE OFFICER CHANEY: Yeah. I mean, I don't  
19 know of any obvious workarounds. I will say a few things.

20 I mean, if it was sort of an intentional thing,  
21 which was the original, I think, not accusation but  
22 comment, the Board certainly has the emergency provision  
23 that we're kind of in the middle of passing and  
24 effectuating later on today's card.

25 So in terms of like trying to like gain simulcast

1 money, the Board certainly has the power to -- well, does  
2 have the power to end racing at any track it wants to.  
3 There would be a ten-day delay if it were something sort of  
4 unforeseen and we wanted to reallocate dates. I don't know  
5 a way around the ten-day delay thing.

6           The last thing, too, if it's purposeful then,  
7 obviously, there could be consequences in 2021 to the  
8 extent that, you know, the Board found a fair, you know,  
9 kind of messing around with whether they were running or  
10 not.

11           Beyond that, I'm not really sure if there are any  
12 other answers to the question.

13           CHAIR FERRARO: Next in line please.

14           OPERATOR: Next commenter is Greg Avioli with  
15 TOC.

16           CHAIR FERRARO: Go ahead, Greg. Go ahead please.

17           OPERATOR: Mr. Avioli, your line is un-muted.  
18 Please un-mute your line to ask your question.

19           MR. AVIOLI: Oh, thank you.

20           First of all, just to clarify, I wasn't saying  
21 anyone's going to do anything nefarious. I was saying the  
22 economic reality and the way things work is once these  
23 dates are awarded it's around \$200,000 a week of revenues  
24 that's going to go to CARF. And I think everyone on this  
25 call realizes they're going to spend substantially more

1 than that racing.

2           So I think -- I don't know if this is the rule or  
3 not but I think this -- these -- our horsemen's agreement,  
4 which we do not have, will try to address this. That's  
5 probably the best way to do it. You know, this Board has a  
6 history of awarding licenses subject to conditions  
7 subsequent. In this case it would be executing an  
8 agreement with the CTT and the TOC. And I'm hopeful that,  
9 working with Larry, we can put some language in the  
10 horsemen's agreement that would address this and look  
11 forward to it.

12           Thanks.

13           CHAIR FERRARO: Next please.

14           OPERATOR: Next commenter, Jerome Hoban -- or,  
15 I'm sorry, Larry.

16           CHAIR FERRARO: Go ahead.

17           MR. HOBAN: Good afternoon everybody. This is  
18 Jerome Hoban again.

19           I just want to assure our racing partners, as  
20 well as the Commissioners, that this organization has raced  
21 to this track for 162 years. And there is no intention of  
22 not racing. And, in fact, in our very recent history we  
23 even went after more race dates related to our Oak Tree  
24 partnership. So for this suggestion to even be made and  
25 the what ifs to be coming up at the last minute, I would

1 only argue, are tactics, so I would respectfully request a  
2 vote.

3 We have no intention of not racing our dates.  
4 We're in the racing business. We have a huge facility here  
5 that's dedicated to it.

6 Thank you very much.

7 CHAIR FERRARO: Thank you.

8 Next please.

9 OPERATOR: Thank you. No further commenters.

10 CHAIR FERRARO: Okay. Any comments from the  
11 Commissioners?

12 MS. DRUMMOND: Dr. Ferraro, I apologize for  
13 interrupting. It's Amanda Drummond again.

14 One thing I did want to update. We will need to  
15 have an amended application, so that is one thing the Board  
16 will want to know. Under number eight of the application,  
17 stable accommodations, since Golden Gate is going to be  
18 providing the accommodations, it will just need to be  
19 updated because right now it specifies the California State  
20 Fair. I just wanted to advise you of that.

21 CHAIR FERRARO: Okay. So when would that  
22 amendment be made?

23 EXECUTIVE OFFICER CHANEY: Right. And then,  
24 Chairman, this is Scott Chaney, I think if the Board is  
25 entertaining approving Pleasanton's license, perhaps like a

1 date certain with respect to the two items that are missing  
2 would be appropriate, given the proximity to the starting  
3 date that we now find -- in which we now find ourselves.

4 CHAIR FERRARO: Right. So they don't have much  
5 time, do they? This is Thursday. Can we acquire the  
6 paperwork by Monday? Is that a reasonable request?

7 MS. DRUMMOND: I think that's reasonable but  
8 that's --

9 EXECUTIVE OFFICER CHANEY: Yeah.

10 MS. DRUMMOND: -- up to you.

11 EXECUTIVE OFFICER CHANEY: Staff believes that's  
12 reasonable. You'd have to ask the stakeholders, as well, I  
13 suppose.

14 CHAIR FERRARO: Can we have Larry Swartzlander  
15 back to the line please?

16 OPERATOR: Mr. Swartzlander, please requeue.

17 MR. MARTEN: That could be him. They're in the  
18 same phone, him and Jerome.

19 OPERATOR: Okay. Then --

20 CHAIR FERRARO: Go ahead.

21 OPERATOR: -- his line is open.

22 CHAIR FERRARO: Go ahead please.

23 MS. SWARTZLANDER: Yeah. Jerome and I are the  
24 same line and that's the confusion.

25 Yeah, absolutely. I, most likely, can get it to

1 him tomorrow.

2 CHAIR FERRARO: Well, that would be great, but  
3 we'll give you a drop-dead date for Monday; right? Okay.

4 MS. SWARTZLANDER: That's excellent. That will  
5 be true for the other licenses.

6 CHAIR FERRARO: Yes. Correct. Okay.

7 So do we need a vote? We need a motion to  
8 approve this license application, I suppose?

9 EXECUTIVE OFFICER CHANEY: Chairman Ferraro, I  
10 hate to intervene one more time. I'm not sure if Mr.  
11 Swartzlander was talking about the amended with respect to  
12 auxiliary stabling. I was really referring to the CTT and  
13 TOC agreements. Those are both outstanding and will need  
14 to be --

15 MS. DRUMMOND: And the ADW agreements.

16 EXECUTIVE OFFICER CHANEY: -- and the ADW  
17 agreements, as well, so those will need to be submitted at  
18 some point before and in the very near future because of  
19 the start date.

20 CHAIR FERRARO: So was I.

21 So, Larry, can you get back up here? That's what  
22 we were talking about. That's what I was talking about.

23 OPERATOR: All right. And we're reopening  
24 Larry's line now.

25 MS. SWARTZLANDER: Yeah. I mean, I will

1 immediately contact Alan. I think we're definitely close.  
2 And I think Greg has proposed something and we'll certainly  
3 look at some language. And we'll shoot to try to get these  
4 things to you by close of business Monday.

5 CHAIR FERRARO: That would be fine.

6 Okay, Scott, do we have anything else to  
7 (indiscernible) before we have the --

8 EXECUTIVE OFFICER CHANEY: Chairman, no, I have  
9 no more wrenches.

10 CHAIR FERRARO: Good.

11 Any comments from the Commissioners about this?  
12 Do we have a motion to approve?

13 COMMISSIONER CASTELLANOS: Castellanos will make  
14 a motion.

15 COMMISSIONER ALFIERI: So this is to approve the  
16 Pleasanton dates; correct?

17 CHAIR FERRARO: That's correct. That's correct.

18 COMMISSIONER CASTELLANOS: Yeah.

19 MR. BRODNIK: Robert Brodник, California Horse  
20 Racing Board.

21 Just to clarify for the record, I believe the  
22 motion, as I heard it, was a motion contingent upon Staff  
23 receiving the outstanding items by Monday.

24 CHAIR FERRARO: That's correct.

25 EXECUTIVE OFFICER CHANEY: Thank you.

1 COMMISSIONER CASTELLANOS: By close of business  
2 day Monday.

3 CHAIR FERRARO: That's correct. So we have a  
4 motion and a second. Now we will vote.

5 Alfieri?

6 COMMISSIONER ALFIERI: No.

7 CHAIR FERRARO: Damascus Castellanos?

8 COMMISSIONER CASTELLANOS: Yes.

9 CHAIR FERRARO: Wendy Mitchell?

10 COMMISSIONER MITCHELL: Yes.

11 CHAIR FERRARO: Alex Solis?

12 COMMISSIONER SOLIS: No.

13 CHAIR FERRARO: Gonzales, did you already vote?

14 VICE CHAIR GONZALES: Yes.

15 CHAIR FERRARO: Oh, yes. And Chairman Ferraro,  
16 yes. So it's a four-to-two vote. It passes.

17 Move on to item number five. This is discussion  
18 and action by the Board regarding approval of an agreement,  
19 pursuant to CHRB Rule 1581, Racing Secretary to Establish  
20 Conditions, between the California Authority of Racing  
21 Fairs and the Thoroughbred Owners of California, regarding  
22 entry conditions and specified drug substances or  
23 medications to be implemented by CARF at the California  
24 Exposition and State Fair.

25 Mr. Brodnik, can you enlighten us?

1 MR. BRODNIK: Yes. Good afternoon,  
2 Commissioners.

3 This agenda item is similar to an agenda item we  
4 already discussed with regard to Rule 1581.

5 Just to clarify, Staff has received an agreement  
6 between CARF and the Owners which reduces the amount of  
7 Lasix to 250 milligrams, prohibits Lasix in two-year-olds,  
8 prohibits a horse from racing for 14 days if it has  
9 received a joint injection, prohibits a horse from  
10 performing a timed workout within 10 days of a joint  
11 injection, and prohibits a horse from racing for 30 days if  
12 it has received an injection in the metacarpophalangeal  
13 joint.

14 And so this agreement is for your approval.

15 CHAIR FERRARO: Comments from the Commissioners?

16 Do we have a queue on this? We probably do.

17 EQUINE MEDICAL DIRECTOR ARTHUR: Mr. Chairman,  
18 this is Dr. Arthur, just to clarify, it's the  
19 metacarpophalangeal joint and metatarsophalangeal joints,  
20 both fetlock -- all four fetlock joints.

21 CHAIR FERRARO: And that's for cortisone only?

22 EQUINE MEDICAL DIRECTOR ARTHUR: Correct.

23 CHAIR FERRARO: Do we have a queue on this?

24 OPERATOR: We do have one commenter in queue.

25 CHAIR FERRARO: Okay. Queue it up.

1 OPERATOR: All right. That is Dr. Wayne Johnson,  
2 citizen.

3 CHAIR FERRARO: Go ahead please.

4 MR. JOHNSON: Dr. Johnson here. The  
5 veterinarians should have their hair on fire on this,  
6 asking for a ban, not reform. You cannot reform and  
7 regulate your way out of this. Lasix needs to be banned,  
8 period.

9 Thank you, Dr. Ferraro.

10 CHAIR FERRARO: Thank you.

11 Is here anyone else?

12 OPERATOR: Yes. We have one more from Heather  
13 Hyde, concerned citizen.

14 MS. HYDE: Yes.

15 CHAIR FERRARO: Of course.

16 MS. HYDE: Yes.

17 CHAIR FERRARO: Of course. Go ahead.

18 MS. HYDE: Honestly, it will be lovely --

19 CHAIR FERRARO: Go ahead.

20 MS. HYDE: -- the day that -- this is Heather  
21 Hyde and I'm just saying, it will be lovely for the day  
22 when we no longer have to use taxpayer dollars. And, yes,  
23 we have the right as concerned citizens to speak up,  
24 regardless of what all these people say.

25 And, no, I'm not a so-called animal rights

1 activist. I am an animal rights activist. And I'm very  
2 proud to spend my time, my day, my hours speaking up when  
3 I'm able to, public comments, whether it be via phone. I  
4 literally go to city council meetings and I go to city hall  
5 in order to try to make changes. That's what I've been  
6 doing since I was a child. And I will continue to do so and  
7 speak up for the rights of the voiceless. Horses are  
8 voiceless.

9 We cannot be having these committees speaking up  
10 on a horse's behalf because it's not legitimate. That's  
11 why, as activists --

12 CHAIR FERRARO: Can you --

13 MS. HYDE: -- we spend our time --

14 CHAIR FERRARO: -- can you speak to the agenda --

15 MS. HYDE: -- doing it.

16 CHAIR FERRARO: -- item please?

17 MS. HYDE: That's it.

18 CHAIR FERRARO: Can you speak --

19 MS. HYDE: That's it. All right.

20 CHAIR FERRARO: -- to the agenda item please?

21 MS. HYDE: Okay. Well, thank you for my time.

22 Thank you for your time.

23 CHAIR FERRARO: Thank you.

24 Is there anybody else?

25 OPERATOR: No further comments at this time.

1 CHAIR FERRARO: All right. Discussion, comments  
2 from the Board members? Anyone? Can I have a motion to  
3 adopt?

4 COMMISSIONER CASTELLANOS: Castellanos.

5 COMMISSIONER ALFIERI: So moved.

6 COMMISSIONER CASTELLANOS: Motion.

7 CHAIR FERRARO: Go ahead, Commissioner.

8 COMMISSIONER ALFIERI: So moved.

9 CHAIR FERRARO: Commissioner Castellanos, did you  
10 make a motion?

11 COMMISSIONER CASTELLANOS: Yes. Castellanos.  
12 Motion.

13 COMMISSIONER ALFIERI: Second.

14 HEARING OFFICER LEMEI: Okay.

15 COMMISSIONER ALFIERI: Alfieri.

16 CHAIR FERRARO: Do we have a second, Alfieri?

17 COMMISSIONER ALFIERI: Yes.

18 CHAIR FERRARO: Okay. Let's take the vote.  
19 Gonzales?

20 VICE CHAIR GONZALES: Oh, yes.

21 CHAIR FERRARO: Alfieri?

22 COMMISSIONER ALFIERI: Yes.

23 CHAIR FERRARO: Castellanos?

24 COMMISSIONER CASTELLANOS: Yes.

25 CHAIR FERRARO: Mitchell?

1 COMMISSIONER MITCHELL: Yes.

2 CHAIR FERRARO: Solis?

3 COMMISSIONER SOLIS: Yes.

4 CHAIR FERRARO: And Chairman Ferraro votes yes.

5 The motion passes.

6 Moving on to item number six, discussion and  
7 action by the Board on the Application for License to  
8 Conduct a Horse Racing Meeting of the California Exposition  
9 and State Fair at Sacramento, commencing July 15th through  
10 July 28th. Is that correct? Are the dates correct?

11 MS. DRUMMOND: Yes, July 15th through July 28th  
12 is correct.

13 CHAIR FERRARO: Correct.

14 MS. DRUMMOND: And it will be --

15 CHAIR FERRARO: Okay. Amanda --

16 MS. DRUMMOND: -- at Pleasanton now.

17 CHAIR FERRARO: -- do you want to --

18 MS. DRUMMOND: Yeah.

19 CHAIR FERRARO: Right. Do you want to give us  
20 everything else we need to know about this?

21 MS. DRUMMOND: Yeah. Of course. Good afternoon,  
22 again, Commissioners. It's Amanda Drummond.

23 So as stated, this will be for the Cal Expo  
24 application that will now be running in Pleasanton, and it  
25 will run from July 15th through July 28th.

1           So, per the Staff analysis, there were a few  
2 items outstanding, so that is the 2020 ADW agreements with  
3 BetAmerica and TwinSpires, the 2020 race meet agreements  
4 with the CTT and the TOC, and we will also need to amend  
5 the application, obviously, with the new location and the  
6 dates. And we're currently looking through the application  
7 to see if any additional amendment are needed as well.

8           CHAIR FERRARO: Do we have a queue on this?

9           OPERATOR: Yes, sir. We do have Rick Pickering  
10 with the California State Fair.

11          CHAIR FERRARO: Let's start with that.

12          Go ahead please.

13          MR. PICKERING: Yes. Honorable Chair and  
14 Distinguished Commissioners, this is Rick Pickering, CEO of  
15 the California State Fair and Cal Expo.

16          We concur with Staff's analysis and will submit  
17 the appropriate paperwork to reflect the amended race dates  
18 of July 15th through July 28th, as well as we include in  
19 that amended application that we will be racing at the  
20 Alameda County Fairgrounds.

21          Thank you for your support. Since the 1850s,  
22 there's been horse racing associated with the California  
23 State Fair. Over the last three years there have been no  
24 catastrophic breakdowns at the California State Fair's  
25 racing product.

1           So we're available to answer any further question  
2 that the Commissioners may have.

3           CHAIR FERRARO: Can you give us a drop-dead date  
4 for our outstanding items please?

5           MR. PICKERING: Well, my hope, those items would  
6 all come -- would all be included in what you're going to  
7 receive from Larry. I believe the CTT and the TOC are now  
8 satisfied with stabling at Golden Gate Fields. And the ADW  
9 agreements should be in place, now that the dates are in  
10 place.

11          CHAIR FERRARO: Mr. Chaney, is that correct, we  
12 don't need any additional agreements?

13          MS. DRUMMOND: So, no, I don't believe we need  
14 any additional agreements. We will need to update the  
15 equine emergency information. The staff working on this  
16 application indicated that we would need to update that on  
17 the application.

18          CHAIR FERRARO: So you're comfortable with this?  
19 If the Board adopts this, you're comfortable with the  
20 situation?

21          MS. DRUMMOND: Yeah.

22          CHAIR FERRARO: Yeah. Okay.

23          MS. DRUMMOND: I'm comfortable with it. And  
24 Staff indicated that they're comfortable with it, as well.  
25 So I would just recommend we do something similar as with

1 the Pleasanton application where you approve it contingent  
2 upon receiving the items and set a deadline for them.

3 CHAIR FERRARO: Okay. So what's an acceptable  
4 deadline, Mr. Pickering? The 1st of July?

5 MR. PICKERING: Yes.

6 CHAIR FERRARO: Okay. Okay. Do we have a queue  
7 on this, Operator?

8 OPERATOR: We do. Next commenter, Alan Balch,  
9 California Thorough Trainers.

10 CHAIR FERRARO: Go ahead please.

11 MR. BALCH: Thank you. We agree with what Mr.  
12 Pickering just said.

13 I do want to make sure the Board knows that,  
14 apparently, the regular internet webcast is down. My phone  
15 is blowing up from several people. So I don't know if  
16 anything can be done about that, but there is, apparently,  
17 no webcast.

18 CHAIR FERRARO: That may be why our queue is so  
19 short.

20 Do we have anybody else in the queue please?

21 OPERATOR: That is all the questioners -- oh, I'm  
22 sorry, commenters we have in the queue.

23 CHAIR FERRARO: Okay. Comments from the  
24 Commissioners? No comments? Can we have a motion to  
25 approve?

1 COMMISSIONER CASTELLANOS: Castellanos. Motion.

2 CHAIR FERRARO: Second? I'll second. So we have  
3 a motion to approve with a drop-dead date for the  
4 additional items of July 1. Let's take a vote.

5 Gonzales?

6 VICE CHAIR GONZALES: Aye.

7 CHAIR FERRARO: Alfieri?

8 COMMISSIONER ALFIERI: Yes.

9 CHAIR FERRARO: Castellanos?

10 COMMISSIONER CASTELLANOS: Yes. And thank you  
11 for all your hard work (indiscernible).

12 CHAIR FERRARO: Wendy Mitchell?

13 COMMISSIONER MITCHELL: Yes.

14 CHAIR FERRARO: Alex Solis?

15 COMMISSIONER SOLIS: No.

16 CHAIR FERRARO: And the Chairman votes yes.

17 All right, now we can jump ahead to where we left  
18 off, if I can remember.

19 I believe our next item would be item number 12;  
20 is that correct, Scott?

21 EXECUTIVE OFFICER CHANEY: Yes, we're at item  
22 number 12.

23 CHAIR FERRARO: Okay. Item number 12 is a public  
24 hearing and action by the Board regarding the proposed  
25 amendment to CHRB Rule 1503, Qualifications for License as

1 Trainer or Assistant Trainer, to require that individuals  
2 hold an assistant trainer license in good standing for at  
3 least one year as a prerequisite for a trainer's license.  
4 It says, "This concludes the 15-day public comment period,"  
5 so I assume if we adopt this it goes into effect; is that  
6 correct, Amanda?

7 MS. DRUMMOND: Yeah. So what will happen is  
8 after this -- if you choose to adopt it, then we will  
9 compile the final package, send it to OAL, and then they  
10 will approve it. So these changes were based on their  
11 recommendation.

12 So Rule 1503 is an amendment that requires  
13 individuals to hold a license as an assistant trainer for  
14 one year before becoming licensed as a trainer. And this  
15 rule was approved back at the March meeting but OAL did  
16 have some recommendations for changing the language. They  
17 were mostly clarity recommendations to the language. And  
18 in the packet they're indicated in double strikeout and  
19 double underline.

20 CHAIR FERRARO: Yeah.

21 MS. DRUMMOND: In part the changes include  
22 clarifying that the assistant trainers are licensed  
23 individuals, clarifying that failing any part of the  
24 license examination indicates that the license has to be  
25 retaken in its entirety, and then also updating the Form

1 59C which is a document that's incorporated by reference.

2 We did not receive any comments during the 15-day  
3 comment period. So as you have mentioned, if the Board  
4 approves it today, then we would sent it off to OAL.

5 CHAIR FERRARO: Thank you.

6 Dr. Arthur, did you have a comment about this?

7 EQUINE MEDICAL DIRECTOR ARTHUR: No, I don't.

8 CHAIR FERRARO: Okay. Do we have a queue,  
9 Operator?

10 OPERATOR: At this time, no commenters in the  
11 queue, sir.

12 CHAIR FERRARO: Comments from the Commissioners?  
13 Do we have a motion to adopt?

14 COMMISSIONER CASTELLANOS: Castellanos. Motion.

15 CHAIR FERRARO: Second? I'll second. Votes.

16 Commissioner Gonzales?

17 VICE CHAIR GONZALES: Yes.

18 CHAIR FERRARO: Commissioner Alfieri?

19 COMMISSIONER ALFIERI: Yes.

20 CHAIR FERRARO: Commissioner Castellanos?

21 COMMISSIONER CASTELLANOS: Yes.

22 CHAIR FERRARO: Commissioner Mitchell?

23 COMMISSIONER MITCHELL: Yes.

24 CHAIR FERRARO: Commissioner Solis?

25 COMMISSIONER SOLIS: Yes.

1 CHAIR FERRARO: And the Chairman votes yes. The  
2 motion passes.

3 We'll move on to item number 13, public hearing  
4 and action by the Board regarding the proposed addition of  
5 CHRB Rule 1866.2, Shockwave Therapy Restricted, to provide  
6 procedures for the use of extracorporeal shockwave therapy  
7 or radial pulse wave therapy within a CHRB inclosure. This  
8 concludes the 15-day public comment period. The Board may  
9 adopt the proposal as presented.

10 Amanda, do you have a comment? And Dr. Arthur  
11 probably has a comment as well.

12 MS. DRUMMOND: Yeah. So this is Amanda Drummond  
13 again. I apologize for talking so much. Hopefully you're  
14 not tired of me yet.

15 So Rule 1866.2 is an addition and it would  
16 provide procedures for the use of shockwave therapy within  
17 a CHRB inclosure. This addition was approved by the Board  
18 at the February meeting but OAL did have some  
19 recommendations for, mostly, clarity revisions, and so it  
20 was sent out for a 15-day notice from May 11th through  
21 26th.

22 The amendments are attached and indicated in  
23 double strikeout and underlined in the packet and the  
24 changes include adding a new subsection (a)(1) which  
25 identifies what the listing for the ESWT machines must

1 contain, a new subsection (c)(1) which indicates how the  
2 official veterinarian will designate an ESWT area within a  
3 CHRB inclosure, and defining a workout in new subsection  
4 (g)(1).

5 So no comments were received during the 15-day  
6 comment period. And if the Board adopts the regulation  
7 today, then we will compose the final package and send it  
8 to OAL for approval.

9 CHAIR FERRARO: Thank you very much.

10 Dr. Arthur?

11 EQUINE MEDICAL DIRECTOR ARTHUR: Yes. I think  
12 Amanda outlined the changes. They were really technical  
13 changes in terms of the way the regulation was drafted and  
14 really make no substantive changes from what the Board has  
15 been discussing on this regulation from when it started,  
16 the 30-day stand-down period.

17 CHAIR FERRARO: And that's all we're talking  
18 about, a 30-day stand-down period; correct?

19 EQUINE MEDICAL DIRECTOR ARTHUR: Yes, that's  
20 right. It's actually -- I don't want to get technical  
21 about it -- it's actually a 30-day clear day, which is a de  
22 facto 30-day stand-down. But the exact stand-down period  
23 and how it will be calculated is included in the  
24 regulation, even though we don't have anything similar with  
25 the vet's list or anything else. But it's an OAL thing and

1 that's what they want. And one day, here or there, is not  
2 going to make a difference.

3 CHAIR FERRARO: Gees, I'm glad you told me about  
4 all that. It really helped.

5 Do we have a queue --

6 EQUINE MEDICAL DIRECTOR ARTHUR: No, it --

7 CHAIR FERRARO: -- on this one?

8 EQUINE MEDICAL DIRECTOR ARTHUR: -- it just has  
9 to do with OAL making life more complicated than we need,  
10 but it's --

11 CHAIR FERRARO: I know.

12 EQUINE MEDICAL DIRECTOR ARTHUR: -- their call --

13 CHAIR FERRARO: I know.

14 EQUINE MEDICAL DIRECTOR ARTHUR: -- and we can  
15 live with it.

16 CHAIR FERRARO: But that's what we have you for,  
17 to deal with those complications.

18 EQUINE MEDICAL DIRECTOR ARTHUR: That's why we --

19 CHAIR FERRARO: Do we have a --

20 EQUINE MEDICAL DIRECTOR ARTHUR: -- have Amanda.

21 VICE CHAIR GONZALES: -- queue on this?

22 OPERATOR: We do have a commenter, Dr. Wayne  
23 Johnson, citizen.

24 CHAIR FERRARO: Go ahead please.

25 MR. JOHNSON: Dr. Ferraro and Dr. Arthur are

1 familiar with the fact that the major investigation of ESW  
2 has been done at Iowa State. And while it concluded that  
3 ESW was certainly therapeutic, it also talked about the  
4 downside, the so-called analgesic effect. That needs to be  
5 taken into consideration in terms of removing -- excuse me,  
6 reinjecting the horses back onto the track to race and,  
7 perhaps, to die.

8 Thank you.

9 CHAIR FERRARO: Thank you.

10 Do we have anybody else?

11 OPERATOR: No further commenters at this time.

12 CHAIR FERRARO: Oh, God, I can't believe it.

13 Do we have any comments, questions from the  
14 Commissioners? Do we have a motion to adopt?

15 COMMISSIONER SOLIS: I move. Alex Solis.

16 COMMISSIONER ALFIERI: I'll second it.

17 CHAIR FERRARO: I'll second.

18 COMMISSIONER ALFIERI: Alfieri.

19 CHAIR FERRARO: Okay. Alfieri seconds. Can we  
20 have a vote?

21 Gonzales?

22 VICE CHAIR GONZALES: Yes.

23 CHAIR FERRARO: Alfieri?

24 COMMISSIONER ALFIERI: Yes.

25 CHAIR FERRARO: Wendy Mitchell?

1 COMMISSIONER MITCHELL: Yes.

2 CHAIR FERRARO: Alex Solis?

3 COMMISSIONER SOLIS: Yes.

4 CHAIR FERRARO: And Chairman votes yes.

5 Moving on to item 14, public hearing and action  
6 by the Board regarding the permanent adoption of the  
7 existing emergency regulation, CHRB Rule 1435, Suspension  
8 of License to Conduct a Race Meeting, which allows the  
9 Board to suspend a race meeting license when necessary to  
10 protect the health and welfare of the horse or rider.

11 Mr. Brodnik, can you enlighten us?

12 MR. BRODNIK: Yes. Good afternoon,  
13 Commissioners. Robert Brodnik, California Horse Racing  
14 Board.

15 This item is the permanent adoption of Rule 1435.  
16 This rule is back from a 45-day comment period. We  
17 received no public comments during that time. The Board is  
18 free to adopt this regulation as written.

19 CHAIR FERRARO: Thank you.

20 Do we have a queue?

21 OPERATOR: We do have a comment from Bonnie  
22 Crocker, concerned citizen.

23 CHAIR FERRARO: Go ahead please. Go ahead  
24 please.

25 MS. CROCKER: Yes. Hi. Thanks so much for this

1 opportunity.

2 I'm inclined to want to tell you, yes, please,  
3 pass this Rule 1435 because, you know, you need to have the  
4 ability to suspend a license for the safety of horses and  
5 humans alike. However, I also appreciate you dissecting  
6 these issues and agenda items and making sure that you  
7 understand what you're voting on.

8 And my only concern is that if you fail to  
9 suspend the license of somebody, can your failure to  
10 suspend be overridden by another entity? In other words,  
11 you know, what if one racetrack had an argument against  
12 another racetrack opening because of something that they  
13 had committed? You know, what if Governor Newsom had a  
14 concern? I mean, will what you decide forever and after  
15 have to be accepted with this CHRB Rule 1435 or will there  
16 be occasions when someone can say -- can override your  
17 failure to suspend or suspend -- or not suspend a license  
18 even though you want to, you know?

19 Can you explain that? I appreciate the time you  
20 might take in doing that.

21 CHAIR FERRARO: Mr. Chaney, can you make that  
22 comment?

23 MR. BRODNIK: I can handle it.

24 EXECUTIVE OFFICER CHANEY: Rob Brodник can  
25 probably handle this a little better than myself.

1 MR. BRODNIK: Hi. Good afternoon. So the  
2 authority for Rule 1435 comes from Senate Bill 469 which  
3 was approved last year. That authority is conferred upon  
4 the Board, so the Board is the -- the Board which grants  
5 licenses, which has that absolute authority, is also the  
6 same Board that can determine to suspend a license. So it  
7 is this Board that has the authority.

8 MS. CROCKER: Okay. I really appreciate that  
9 clarification. That was so nice of you. I'm not sure if  
10 that's going to be satisfactory with everyone but I sure  
11 appreciate the clarification.

12 CHAIR FERRARO: Thank you.

13 Do we have another queue?

14 OPERATOR: We do. Next commenter, Dr. Wayne  
15 Johnson, citizen.

16 CHAIR FERRARO: Go ahead please, Wayne.

17 MR. JOHNSON: This is mostly --

18 CHAIR FERRARO: Go ahead please.

19 MR. JOHNSON: -- window dressing, of course.

20 Yes. This is mostly window dressing. If, in fact, the  
21 Board didn't suspend Santa Anita's license last year, will  
22 they ever suspend a license? It's just a think superficial  
23 window dressing that probably will not be executed.

24 Thank you.

25 CHAIR FERRARO: Anyone else in the queue?

1 OPERATOR: Yes, sir. Next commenter, Heather  
2 Wilson, member of the public.

3 CHAIR FERRARO: Go ahead please.

4 MS. WILSON: Thank you so much. So we're finally  
5 revisiting SB 469. This was signed into law in June of  
6 2019. And since it was passed into law after, you know,  
7 being voted on unanimously, the kills started with  
8 Pleasanton with a horse named No New Friends, a three-year-  
9 old gelding. There have been 89 dead horses at California  
10 tracks and training facilities from June 26th, 2019 through  
11 June 7th of this year.

12 What is the threshold of horses that are killed  
13 or injured so badly that they have to be, so-called,  
14 humanely euthanized before you actually suspend a license  
15 or shut down a track or stop racing?

16 And that doesn't even talk about the horses that  
17 are injured. There are so many horses that are scratched,  
18 horses that are scratched at the starting gate left and  
19 right, horses that are so stressed they won't even load,  
20 horses that need flipping harnesses, horses that have to be  
21 shoved into the starting gate by their pony riders. I  
22 mean, this is crazy.

23 What is the threshold of injured horses or dead  
24 horses before you actually stop doing what is hurting them  
25 and killing them?

1 I mean, this is ridiculous. This is useless  
2 legislation and this is a useless CHRB Rule because I dare  
3 you to do something about it.

4 Thank you.

5 CHAIR FERRARO: Next. Next. Next.

6 OPERATOR: Thank you. Next comment, Heather  
7 Hyde, concerned citizen.

8 CHAIR FERRARO: Go ahead please.

9 MS. HYDE: So in the real world, I believe you  
10 all took an oath, as including the owners, the trainers,  
11 the jockeys, whatever, to keep the animal welfare and  
12 wellbeing in their best interest, in the animals best  
13 interest. But, obviously, the animals are not your  
14 priority and the interest of you is you.

15 You know, in the -- in a span of just a matter of  
16 days in the month of June, just like right now, a few days  
17 ago, there was one, two, three, four, five, six, seven,  
18 eight, nine, ten violations at Santa Anita Park; two of  
19 them were from the same jockey, Ruben Fuentes, for misuse  
20 of a whip twice in the matter of just a few days. He was  
21 only fined \$500.

22 What is the cap of violations towards these poor  
23 animals for the jockey that's constantly hitting them?

24 We keep addressing the same issues over and over,  
25 the misuse of drugs. So we've got failure to conduct

1 proper business, misuse of whip, misuse of whip, failure to  
2 report or appear, failure to report or appear, race office  
3 track rule violation, careless, unsafe, improper riding or  
4 driving, race office track violation, race office track  
5 violation, failure to conduct business in a proper manner,  
6 careless, unsafe, improper riding or driving, and those are  
7 just some of the things that you guys are admitting to  
8 here.

9           But there is, really, just like a few bucks here  
10 and there, no real slap on the wrist. It's just like a  
11 easy few bucks to pay them off and go back to the same old  
12 --

13           OPERATOR: Thirty seconds.

14           MS. HYDE: -- business as usual of abuse.

15           So what is the cap? I think that if somebody  
16 does something once that hurts and harms the horses or a  
17 horse is murdered, they should have a ban or a block and  
18 investigation, no coverup. Literally, you guys cover it up  
19 by throwing a tarp over the dead animal and it's sad. It  
20 might be a dead animal to you but it is a valued life to  
21 me.

22           You guys spend a lot of money on these horses.  
23 They don't get treated --

24           OPERATOR: I'm sorry. Your time is up.

25           Our next comment is from Sarah Segal, a

1 California citizen.

2 (Background conversation.)

3 OPERATOR: Ms. Segal, your line is live.

4 CHAIR FERRARO: Go ahead please. Go ahead  
5 please.

6 OPERATOR: At this time, no further commenter.

7 CHAIR FERRARO: So that's it, no more queue?

8 OPERATOR: Correct, sir.

9 CHAIR FERRARO: All right, Commissioners, your  
10 last hurrah here. Do I have comments or questions on item  
11 14? Do we have a motion to adopt?

12 COMMISSIONER CASTELLANOS: Castellanos.

13 COMMISSIONER SOLIS: Alex Solis --

14 COMMISSIONER CASTELLANOS: Motion.

15 COMMISSIONER SOLIS: -- moves.

16 CHAIR FERRARO: Castellanos makes a motion to  
17 adopt; is that correct?

18 COMMISSIONER CASTELLANOS: Yep. Yes.

19 CHAIR FERRARO: Second? Second?

20 COMMISSIONER SOLIS: I second.

21 CHAIR FERRARO: Okay.

22 COMMISSIONER SOLIS: Alex Solis seconds.

23 CHAIR FERRARO: Yeah. And a vote.

24 Oscar Gonzales?

25 VICE CHAIR GONZALES: Yes.

1 CHAIR FERRARO: Dennis Alfieri?

2 COMMISSIONER ALFIERI: Yes.

3 CHAIR FERRARO: Damascus Castellanos?

4 COMMISSIONER CASTELLANOS: Yes.

5 CHAIR FERRARO: Wendy Mitchell?

6 COMMISSIONER MITCHELL: Yes. Yes. Sorry.

7 CHAIR FERRARO: Okay. Alex Solis?

8 COMMISSIONER SOLIS: Yes. Amen.

9 CHAIR FERRARO: And Gregory Ferraro, yes.

10 And now it's time for our famous public comment

11 section.

12 Scott, could I impose on you to run this section

13 here?

14 EXECUTIVE OFFICER CHANEY: Sure. No problem,

15 Chairman Ferraro.

16 CHAIR FERRARO: Okay. All right. I'd appreciate

17 it if you'd take over the queue on this one. Thanks.

18 EXECUTIVE OFFICER CHANEY: Sure. Sure. Yep. No

19 problem.

20 We're at agenda item number 15 which is public

21 comments. During the public comment period a total of 30

22 minutes will be allowed for the public comments via the

23 teleconference line. After 30 minutes, no further comments

24 will be accepted. Again, each person is limited to two

25 minutes.

1 Operator, do we have anybody in the queue?

2 Operator?

3 MR. BAKER: Yes.

4 EXECUTIVE OFFICER CHANEY: Do we?

5 MR. BAKER: This is D. Wayne Baker, trainer --

6 EXECUTIVE OFFICER CHANEY: Surely. Go ahead.

7 MR. BAKER: -- owner and breeder. Okay.

8 First of all, I would like to defend myself about  
9 the lady that tried to slander me and say that I gave  
10 medication to a horse, Alana at the Top. Alana at the Top  
11 was treated by a veterinarian because she was probably  
12 having a heart attack. And that's why she had those  
13 medications in her system, not because I gave them, because  
14 the veterinarian was trying to save a horse's life.

15 So these people that act like they're god and  
16 they're all for horses, we were trying to save a horse's  
17 life.

18 And the second part of this is the horse  
19 honeymoon is over. Yes, I did get a high bute. The reason  
20 I only got a warning is because in 35 years of having a  
21 trainer's license, that was my first ever bad test. And,  
22 yes, people make mistakes. Once in a while the horse gets  
23 the wrong pizza. Sometimes things are out of your control.

24 So that's what I'd like to say on that issue to  
25 that lady that's trying to slander me to make me out to be

1 a bad trainer.

2 Secondly, I'd like to add, we still haven't had  
3 an answer about how these horses and these grooms are going  
4 to get to Pleasanton and, you know, and abide by the COVID  
5 rules of staying six feet apart? Could somebody answer  
6 that question for me please?

7 EXECUTIVE OFFICER CHANEY: Thank you for your  
8 comment.

9 Next caller.

10 OPERATOR: Thank you. Next commenter, Heather  
11 Wilson, member of the public.

12 MS. WILSON: Heather Wilson here.

13 In the fourth race at Los Alamitos on May 9th,  
14 2020, Tap the Wire, a four-year-old gelding, places first.  
15 He takes a bad step, just as he is about to cross the  
16 finish line. An inquiry to the CHRB yielded a simple  
17 response. I have not received a fatality report on this  
18 horse but we all know that fetlock and dissilate (phonetic)  
19 fractures are particularly deadly.

20 It was later confirmed by a reliable non-CHRB  
21 source that, indeed, Tap the Wire was euthanized. This  
22 animal suffered a mortal injury on a CHRB-sanctioned  
23 inclosure, Los Alamitos Race Course. Therefore, it is  
24 incumbent upon the CHRB to report what happened to him.

25 Why bother having oversight if you cannot be

1 honest, if the public cannot trust you? Is that how the  
2 CHRB skirts the reporting of fatalities, by shipping the  
3 mortally wounded racehorses to non-CHRB treatment  
4 facilities?

5 Then we have those horses in Del Mar that ended  
6 up as bone meal and fertilizer, which I'm not going to talk  
7 about because there's no need to repeat that.

8 I now have a growing list of horses for 2020 that  
9 have been injured, vanned, took a bad step, bled, DNF, or  
10 walked off or eased off, never to be heard from again. So  
11 where are these horses now? Have they also been turned  
12 into fertilizer, or were they shipped to a non-CHRB  
13 facility that is not obligated to talk to you, or have they  
14 slipped through your ridiculous loopholes so that you would  
15 not have to report on them, thereby making your safety  
16 numbers look more favorable? Where are these horses now?

17 And in response to ketamine and dexamethasone --  
18 OPERATOR: Thirty seconds.

19 MS. WILSON: -- I have 30 seconds -- I've been a  
20 nurse for over 30 years, ketamine and dexamethasone have no  
21 use in cardiac arrest. I worked the ER for many years. I  
22 worked shock trauma for many years. Those are not  
23 resuscitative drugs. So, yes, I do know exactly what I'm  
24 talking about.

25 Thank you. I yield my time.

1 OPERATOR: Thank you. The next commenter --

2 EXECUTIVE OFFICER CHANEY: Thank you.

3 OPERATOR: -- Dr. Wayne Johnson --

4 EXECUTIVE OFFICER CHANEY: Thank you.

5 OPERATOR: -- citizen.

6 MR. JOHNSON: You know, it's often said that  
7 animal rights activists care more about animals than  
8 humans, more about non-human animals than human beings.

9 Many of us who are opposed to horse racing have  
10 been in the streets for the last two weeks trying to get  
11 some justice for George Floyd and Breonna Taylor. And what  
12 we hear often times is silence equals complicity, and  
13 that's exactly what's happening here, especially with the  
14 veterinary community, especially with those vets that are  
15 supposed to represent the health of the horses that took  
16 their ideals in veterinary school to help horses and now  
17 are presiding over the slaughter of horses, are now  
18 presiding over the death of horses.

19 Just as we were looking for justice for George  
20 Floyd, we're looking for justice for Dash for Gold, four  
21 years old, killed at Golden Gate on May 22nd, one of 13  
22 horses dead at Golden Gate. Malibu Morning, I Love  
23 Sorrento, killed at Los Alamitos, one of -- 2 of 21 horses.  
24 Lifesaver killed at Santa Anita, 1 of 15 or 16 horses.  
25 And then Mr. Baffert's Arrogate.

1           You took a vow to protect us. The veterinarians  
2 took a vow to protect these horses. Where is that  
3 protection? Silence equals complicity.

4           We can sit here all day at these meetings, short  
5 or long, and try to make a case, and then you'll vote  
6 against us and you'll vote for the interest of horse racing  
7 and against the horses. So it's obvious that this isn't  
8 going to change. Our words here are not going to change  
9 you.

10           What might change, though, is a referendum. And  
11 what might change in reference to Mr. Floyd is the number  
12 of people in the streets.

13           OPERATOR: Thirty seconds.

14           MR. JOHNSON: We try to be in the streets. We  
15 try to be in the streets. We are in the streets outside  
16 Santa Anita and outside Del Mar and outside Los Alamitos  
17 but not in the kind of numbers it takes. You would have  
18 thought it impossible to hear abolish policing two weeks  
19 ago. You'll think it impossible to hear abolish horse  
20 racing until people are in the streets or we have a  
21 referendum on this corrupt industry.

22           Thank you, Dr. Ferraro.

23           EXECUTIVE OFFICER CHANEY: Thank you.

24           Operator, next caller.

25           OPERATOR: Yes. Next commenter, Martha Sullivan.

1 MS. SULLIVAN: Hello. This is Martha Sullivan  
2 from San Diego County.

3 I want to thank the California Horse Racing Board  
4 for setting the example for what not to do, as reported  
5 recently by the *New York Times*, quote,

6 "Charlatan and Gammon (phonetic) test positive for  
7 numbing agent lidocaine. Louis Cella, owner of  
8 Oaklawn, says investigation won't be, quote,  
9 'embarrassment to industry,' end quote, like  
10 California's slow walk and just the pure look of  
11 Justified's fail drug tests."

12 And as we all remember, Justified was the horse  
13 trained by California-based Bob Baffert, who won the  
14 Kentucky Derby last year while a failed drug test was known  
15 to this Board. These two horses are trained by Baffert as  
16 well. Charlatan was favored in the Belmont Stakes, which  
17 is now the first race in the Triple Crown. And subsequent  
18 to this *New York Times* report, Baffert has withdrawn  
19 Charlatan with a injury, minor injury, supposedly, that  
20 needs to be treated. So I think he preemptively tried to  
21 duck a disqualification for drugs.

22 With this very public and widely published  
23 credit, hopefully you Commissioners --

24 OPERATOR: Thirty seconds.

25 MS. SULLIVAN: -- will take a more diligent

1 approach to your mission as a California State regulatory  
2 body which serves the public as opposed to the racing  
3 industry it is chartered to regulate.

4           Along this line, I urge you Commissioners to  
5 direct the Executive Director and the staff and  
6 contractors, i.e. the stewards, under his management and  
7 supervision to proactively assist local and state health  
8 authorities to monitor and ensure that the public health  
9 and safety conditions for restarting and conducting live  
10 horse racing in the midst of a global COVID-19 pandemic are  
11 met and maintained.

12           EXECUTIVE OFFICER CHANEY: Thank you for your  
13 comment, Ms. Sullivan.

14           Next commenter, Operator.

15           OPERATOR: Next commenter, Heather Hyde,  
16 concerned citizen.

17           MS. HYDE: This is Heather Hyde.

18           Many feel that it is the animal activists that  
19 are the extremists. But isn't it the ones that hurt, harm  
20 and abuse, kill the defenseless animals be extremist? But  
21 also, those that turn a blind eye to those crimes on life,  
22 they are the enablers. I'm not able to look at you and  
23 point at you now but if was there in person, I would  
24 definitely point to each and every one of you that you  
25 supports animal abuse in horse racing. You are the

1 enablers.

2           How is it the ones that choose to save the  
3 animals' lives from the hands of the murderers the ones  
4 that are looked as criminals and looneys? That's very  
5 confusing.

6           Animal rights and animal welfare has been around  
7 way before human rights and child advocacy and child abuse  
8 laws were around.

9           If you were not aware of the first child abuse  
10 case and animal -- child welfare, it was modeled after the  
11 original cases of animal abuse. You can look up the story  
12 of Mary Ellen Wilson from 1874. "Mama has been using --  
13 mama has had the habit of using a whip and beating me  
14 almost every day," the little girl says. "She used a whip,  
15 twisted rawhide, a rawhide," the little girl would tell the  
16 court. "She whipped me every day."

17           This was created -- animal -- actually, children  
18 rights were created --

19           OPERATOR: Thirty seconds.

20           MS. HYDE: -- by the original model of American  
21 Society for Cruelty to Animals that started in 1866.

22           So my point is how could we continue to turn a  
23 blind eye to the neglect of these poor animals who are  
24 horribly raised? So you're in confinement now, everybody  
25 on this call, so would you feel if you were a horse stuck

1 in a stall every day? This is what we've been dealing  
2 with, with the quarantine. So I hope that when you're --

3 OPERATOR: Sorry, that's your time.

4 Next commenter, Oscar de la Torre, worker  
5 advocate.

6 MS. DE LA TORRE: Yes. Hello. This is Oscar de  
7 la Torre. You know, I just want to address a couple of  
8 issues that really bothered me in today's meeting.

9 We are, right now, in the middle of a pandemic,  
10 but we are also organizing for racial justice for an end to  
11 systemic racism. And, you know, it's very disheartening  
12 for me to hear, you know, some of the public comments today  
13 regarding assumptions that Latinos are carrying COVID-19,  
14 you know, that the backstretch workers, you know, coming to  
15 Del Mar are bringing COVID-19 with them when we've already  
16 let everybody know that we have no reports of anybody  
17 testing positive for COVID-19 at Santa Anita. And these  
18 are, for the most part, the same workers that are  
19 quarantined by the nature of their job. They live onsite  
20 at Santa Anita. They work, you know, at Santa Anita. And  
21 so it's very disheartening to hear those very racist  
22 comments come out of people who purport to defend animal  
23 rights. And we should also be thinking about human rights.

24 People that are calling for an end to horse  
25 racing, what they're calling for is for people to be left

1 out in the street without jobs, without housing, without  
2 medical benefits. It's disingenuous to say that you are  
3 compassionate for animals but, yet, can care less what  
4 happens to the workers who take care of them. Those are  
5 the real animal rights people, the people taking care of  
6 the horses --

7 OPERATOR: Thirty seconds.

8 MS. DE LA TORRE: -- at the racetracks every day.

9 So I just want to make sure that we hold  
10 ourselves accountable. These are not migrant workers, as  
11 some people have stated. These are people that are  
12 hardworking people living the American dream. They take  
13 care of horses for a living. They love the horses under  
14 their care. They don't want to see horses being hurt.  
15 They support all the reform. And that's exactly what we're  
16 doing with the reform effort at Santa Anita and at every  
17 racetrack in the state of California. That's what the CHRB  
18 does, is hold this industry --

19 OPERATOR: Sorry. That's all your time.

20 Next commenter, Sarah Segal, California citizen.

21 MS. SEGAL: Good afternoon. Can you hear me?

22 COMMISSIONER CASTELLANOS: Yes, we can hear you.

23 MS. SEGAL: Okay. Great. I just wanted to make  
24 a comment on public comment. I've been on this meeting for  
25 over six hours, like everybody else has, and all I have

1 done is listen to grown adults justify -- try to justify  
2 cruelty.

3 I've already said, in my other comments before,  
4 that horses do not carry babies on their backs ever, not  
5 ever. Yes, horses do like to run in the wild.

6 Horses that you're keeping in their stalls for 23  
7 hours a day, and also killing, that did not actually  
8 consent, and you call them athletes, which they're not,  
9 because athletes would be participants. In a sport there's  
10 two participants, right, that compete? There are several  
11 participants. These horses are not consensual participants  
12 in this blood sport that you call a sport. You call them  
13 athletes. They were born and bred for this money-making  
14 system.

15 We would really recommend you having horse racing  
16 be CGI. If you still want to have the gambling involved,  
17 because you want to take people's money from them and get  
18 people addicted to gambling, go right ahead, but stop  
19 hurting horses and killing horses.

20 And like the lady said before me, that you've had  
21 ten recent violations --

22 OPERATOR: Thirty seconds.

23 MS. SEGAL: -- and nobody did anything about  
24 those violations, so what are the violations for  
25 continually killing these horses that you have insurance

1 policies in that you're collecting? When are you going to  
2 actually make the connection that what you're doing is  
3 animal cruelty? And these horses don't even get paid, so  
4 therefore it is slavery, so you're back in the old days.  
5 And it's just a bunch of old White men, as we see at this  
6 meeting.

7 Thank you very much. Please stop killing horses.

8 OPERATOR: Next commenter, Elvia Sedano, citizen.

9 MS. SEDANO: Hello. I want to speak on two of  
10 Bob Baffert's horses testing positive for substances that  
11 are banned, per the *New York Times*, one of the horses is  
12 Charlatan and Gammon. And the article further states,  
13 "Lidocaine has a 15 to 60 day suspension and a fine of \$500  
14 to \$1,000 for the first offense."

15 How many offenses are allowable? And it sounds  
16 like a slap on the wrist to me.

17 Why are horses not being protected against this  
18 behavior? Why hasn't Bob Baffert been banned?

19 It's clear, reform doesn't work. Why is it okay  
20 for these horses to be raced, injured, and dying on the  
21 tracks? Why is racing continuing during this pandemic?

22 Keep the horses in mind too. Ultimately, they  
23 are the ones continually dying. There will be no safety  
24 for the workers and horses as long as there is live racing.

25 Please go to virtual racing. Everyone wins.

1 P.S. Someone said we race horses, that's what we  
2 do. Well, you left out a key component to this industry,  
3 is the racing industry kills horses too. This industry is  
4 so depressing because of what the horses are put through.  
5 And how can anyone look them in the eyes, knowing that they  
6 might -- that might be their last day? Just how, I ask? A  
7 question -- it's definitely a question you should be asking  
8 yourselves.

9 OPERATOR: Thirty seconds.

10 MS. SEDANO: Wouldn't you agree?

11 And these horses, they cannot give consent, like  
12 humans. That's why I say, you know, why are you not taking  
13 care of these horses? They're not athletes. This is  
14 abuse. Please stop this animal abuse. It's so depressing.

15 Thank you.

16 OPERATOR: Thank you. Next commenter, Bonnie  
17 Crocker, concerned citizen.

18 MS. CROCKER: Yes. I would like to tell the  
19 CHRB, if any of you are still listening, that by passing  
20 item -- agenda item number 14, you have solidified and  
21 reaffirmed your position as an absolute authority to grant  
22 horse racing licenses or to suspend them.

23 So I would ask you, please, exercise your  
24 authority. Please, if you truly want to reform horse  
25 racing -- and I will have to interject that I don't believe

1 there can be reform but prove me wrong, prove us wrong --  
2 you know, exercise your authority by creating thresholds.

3 For example, if Santa Anita, Los Al, they  
4 continue to kill 50 horses a year, maybe say, okay, there's  
5 a new rule now, a rule protocol that says when you reach 20  
6 horses in any given year, your license will be suspended  
7 for six months, or you won't be able to race until the next  
8 year. I mean, go ahead and set those protocols.

9 I mean, you're going to be held personally liable  
10 and accountable, more than every before, because you've  
11 granted yourselves the absolute authority. You'll be under  
12 more public scrutiny.

13 So, please, go ahead and exercise your authority  
14 to set protocols that may, possibly, make a difference.

15 I just want to end by saying the CHRB must have,  
16 maintain and utilize its ability to suspend or revoke the  
17 racing license of any entity that is not fulfilling horse  
18 and human safety-related standards. Substantial regulatory  
19 success and reformation of practices cannot be achieved  
20 without strict protocols and consequences for breaching of  
21 the same.

22 I doubt the woman that called some of us  
23 activists lazy White supremacists is still listening.  
24 She's probably fallen asleep on her couch.

25 OPERATOR: Thirty seconds.

1 MS. CROCKER: But if she's listening, none of us  
2 would hang on this call for seven hours if we were lazy.  
3 Trust me, nobody in this entire meeting is somebody I would  
4 call lazy. We've all hung in here. So if she hasn't  
5 fallen asleep on her couch, please take that in and think  
6 about it.

7 Thank you.

8 OPERATOR: Thank you.

9 Next questioner, Alan Balch, California  
10 Thoroughbred Trainers.

11 MR. BALCH: Thank you. And the first thing I  
12 want to do is thank all the Commissioners, and everybody  
13 else, including our critics, who have been on this call all  
14 the way.

15 The Racing Board Members are volunteers. They're  
16 very dedicated public servants, in my opinion. The staff  
17 are public servants and very dedicated as well. And I  
18 think we owe them all a debt of gratitude for their hard  
19 work.

20 When we disagree with somebody else, one reason I  
21 stay on these calls is because I am constantly trying to  
22 understand this situation from the viewpoint of our  
23 critics. And I find that it doesn't seem like they make  
24 any attempt to understand those of us in racing from our  
25 standpoint.

1 I've done quite a bit of research on animal  
2 rights and animal welfare. Animal rights, so to speak, is  
3 distinguished from animal welfare. It's a relatively  
4 modern contemporary terminology that talks about animals  
5 having informed consent to do anything. Presumably, that  
6 would apply to poultry, livestock, fish, any kind of food  
7 stuff. And animal rights as opposed to animal welfare  
8 would really mean if the animals, our pets and everything  
9 else, have to give informed consent, there couldn't be any  
10 such thing. And, obviously, there wouldn't be pets, there  
11 wouldn't be food from poultry, livestock, fish. And these  
12 people want to impose their lifestyle on other people,  
13 whether it's a vegan lifestyle or otherwise.

14 So I would encourage anyone who is still  
15 listening to this to spend some time, as I have, studying  
16 what they call speciesism which holds that every animal is  
17 equal to every other animal and that the human is an  
18 animal. And I think it's counter. Animal rights is  
19 counter to the idea of animal husbandry and animal welfare  
20 because some of what you're hearing is because these  
21 people --

22 OPERATOR: Thirty seconds left.

23 MR. BALCH: -- don't believe in the use of any  
24 animal or any animal as a pet or anything else.

25 Otherwise, I'm listening to them. I'm trying to

1 understand them. I wish they would try to understand us.

2 And thank you, CHRB Board and Staff.

3 OPERATOR: Thank you. Our next commenter did not  
4 report info.

5 Please introduce yourself. Commenter, your line  
6 is live. Please make sure your line is not muted.

7 MS. WILSON: Hi. My name is Dr. Wilson. And my  
8 comment is for Mr. de la Torre and The Stronach Group.

9 So is it my understanding that all the backstretch  
10 workers actually have health insurance, that these people  
11 are actually cared for medically? That was my question.  
12 Because these people have nothing. They have no rights.  
13 They have no medical insurance. They have absolutely zero.  
14 They are exploited alongside the horses, okay?

15 So I'm going to correct you, de la Torre, these  
16 people have nothing. So if you're going to be an advocate,  
17 be an appropriate advocate and get your facts straight.

18 Thank you.

19 OPERATOR: Thank you.

20 Next commenter, Jane Cartmill. Jane, your line  
21 is live. Please make sure your line is not muted.

22 MS. CARTMILL: I would also like to challenge Mr.  
23 de la Torre, who had to use the expression "racist" at  
24 least twice today, talking about animal activists who  
25 express concern for the backstretch workers. No one said

1 that they were bringing COVID infection. The concern was  
2 that they would contract it by being in these large  
3 congregate facilities. The situation is ripe for  
4 contracting COVID, not that they were bringing it here.

5 He's deliberately misrepresenting that. It could  
6 not be more disingenuous. I find the only racism here is  
7 on his part.

8 COMMISSIONER CASTELLANOS: Next caller please.

9 OPERATOR: The next commenter did not report  
10 info.

11 Please introduce yourself.

12 MR. JOHNSON: I want to thank Mr. Balch for  
13 taking the time to study animal rights activism and commend  
14 him for getting it almost 100 percent right.

15 We do not tolerate what goes on in  
16 slaughterhouses. We bear witness to the pigs out in Vernon  
17 when they're going to their death. We do not tolerate  
18 animals in entertainment. We do not think --

19 MR. MARTEN: Excuse me.

20 MR. JOHNSON: -- that greyhounds should be  
21 racing.

22 CHAIR FERRARO: This is Mr. Johnson.

23 MR. JOHNSON: So thank you. Hello?

24 MR. MARTEN: Is this Mr. Johnson?

25 MR. JOHNSON: it is.

1 MR. MARTEN: You spoke earlier for two minutes.

2 MR. JOHNSON: I did. I was trying to sneak in  
3 another comment. Thank you.

4 MR. MARTEN: And, Chairman, the next speaker, D.  
5 Wayne Baker, was the very first speaker on this call.

6 OPERATOR: Okay.

7 CHAIR FERRARO: Yeah, then we know who they are.  
8 Where are we on our 30 minutes?

9 MR. MARTEN: We still have three minutes left of  
10 that.

11 CHAIR FERRARO: Well, let Mr. Baker say his  
12 peace.

13 MR. BAKER: Yeah. D. Wayne --

14 OPERATOR: Mr. Baker, your line is live.

15 MR. BAKER: D. Wayne Baker, Golden Gate Fields.

16 I would just like to -- I have better things to  
17 do than keep defending myself today but when I have a horse  
18 that's in distress, I call the veterinarian. So the nurse  
19 that called in and say she has nothing to do -- she's not a  
20 veterinarian. Horses are treated different than people.  
21 And that's all I have to say on that comment.

22 The other comment about the people that are  
23 talking about the backstretch workers and insurance,  
24 they -- we have a thing called HPPA that helps those guys  
25 with insurance, plus they're more than welcome, just like

1 all of us, to get their own insurance. And my guys, I can  
2 tell you, get paid very good. They actually make more  
3 money than I do.

4 Thank you.

5 MR. MARTEN: And Bonnie Crocker has just queued  
6 in for a second time after speaking two minutes a short  
7 while ago.

8 CHAIR FERRARO: Well, the time's up. She's  
9 already spoken. Let's move on. Close it up.

10 Do we have a closed session this morning -- this  
11 afternoon -- tonight?

12 EXECUTIVE OFFICER CHANEY: Chairman, we don't  
13 have closed session, so the only thing left is to adjourn  
14 the meeting. This is Scott Chaney, Executive Director --  
15 or adjourn the meeting, rather.

16 CHAIR FERRARO: Do I -- yeah. Do I have a motion  
17 to adjourn?

18 COMMISSIONER CASTELLANOS: Castellanos. Motion.

19 VICE CHAIR GONZALES: Second.

20 COMMISSIONER SOLIS: Solis. Second.

21 VICE CHAIR GONZALES: Gonzales. Second.

22 CHAIR FERRARO: Okay. A vote.

23 Gonzales?

24 COMMISSIONER ALFIERI: Yes.

25 VICE CHAIR GONZALES: Yes.

1 CHAIR FERRARO: Alfieri?

2 COMMISSIONER ALFIERI: Yes.

3 CHAIR FERRARO: Castellanos?

4 COMMISSIONER CASTELLANOS: Yes.

5 CHAIR FERRARO: Wendy Mitchell?

6 COMMISSIONER MITCHELL: No, I'd like to continue  
7 a little longer.

8 CHAIR FERRARO: Okay.

9 VICE CHAIR GONZALES: It's over, baby.

10 CHAIR FERRARO: Solis?

11 COMMISSIONER CASTELLANOS: Stay on, Wendy.

12 CHAIR FERRARO: Yeah.

13 COMMISSIONER SOLIS: (Indiscernible.)

14 CHAIR FERRARO: Yeah. And the Commissioner --

15 COMMISSIONER SOLIS: Yes.

16 CHAIR FERRARO: -- votes -- I mean the Chairman  
17 votes yes.

18 COMMISSIONER SOLIS: Thank you.

19 CHAIR FERRARO: Thank you all for hanging in  
20 there all day. It was a marathon event but we got it all  
21 done.

22 And a comment to Oscar and Wendy and whoever  
23 participated in the out-of-session counseling to try to get  
24 to a compromise, well done.

25 VICE CHAIR GONZALES: Thank you, Mr. Chairman.

1 CHAIR FERRARO: Thank you again.

2 (The teleconference regular meeting of the  
3 California Horse Racing Board recessed into closed session  
4 at 4:34 p.m. and was thereafter adjourned.)

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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 18th day of June, 2020.



MARTHA L. NELSON, CERT\*\*367

## CERTIFICATE OF TRANSCRIBER

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were transcribed by me, a certified transcriber and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

I certify that the foregoing is a correct transcript, to the best of my ability, from the electronic sound recording of the proceedings in the above-entitled matter.



MARTHA L. NELSON, CERT\*\*367

June 18, 2020