



1 APPEARANCES

2

3 COMMISSIONERS

4 Chuck Winner, Chairman

5 Jesse H. Choper, Commissioner

6 Steve Beneto, Commissioner

7 Madeline Auerbach, Commissioner

8 Alex Solis, Commissioner

9 Rick Baedeker, Executive Director

10

11 STAFF

12 Robert Browning Miller, Staff Counsel

13 Jacqueline Wagner, Regulations/Legislation Manager

14 Dr. Rick Arthur, Equine Medical Director

15

16 ALSO PRESENT

17 Rick Pickering, California State Fair

18 Jerome Hoban, Alameda County Fair

19 Joe Morris, Santa Anita

20 Joe Harper, Del Mar

21 Tom Robbins

22 Josh Rubenstein

23 Craig Dato, Del Mar

24 Dorothy Burk

25 Scott Daruty

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APPEARANCES (CONT'D)

ALSO PRESENT

Greg Avioli

Alan Balch, CTT

1	AGENDA	
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3	1. Approval of the minutes of August 25, 2016.	10
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5	2. Executive Director's Report.	11
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7	3. Public Comment: Communications, reports,	18
8	requests for future actions of the Board.	
9	Note: Persons addressing the Board under	
10	this item will be restricted to three (3)	
11	minutes for their presentations.	
12		
13	4. Discussion and action by the Board on the	26
14	Application to Conduct a Horse Racing	
15	Meeting of the Del Mar Thoroughbred Club	
16	(T) at Del Mar, commencing November 9,	
17	2016 through December 6, 2016, inclusive.	
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19	5. Discussion and action by the Board on the	42
20	presentation from the Arabian Racing	
21	Association of California, and its concerns	
22	about the closing of the race track at	
23	the Alameda County Fair at Pleasanton for	
24	the winter, and the limitation of racing	
25	opportunities for "emerging breeds."	

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4	6. Discussion and action by the Board	52
5	regarding the proposed amendment to	
6	CHRB Rule 1844, Authorized Medication,	
7	to prohibit the presence of clenbuterol	
8	in official urine test samples for all	
9	horses participating in quarter horse	
10	racers.	
11		
12	7. Discussion regarding the proposed	54
13	amendments to CHRB Rule 1581, Racing	
14	Secretary to Establish Conditions, to	
15	provide that the racing secretary may	
16	establish race conditions that prohibit	
17	the use and/or presence of drug substances	
18	or medications in biological test samples,	
19	if the medication conditions are agreed	
20	to in writing by the acknowledged horsemen's	
21	organization, and then approved by the Board	
22	before entries are taken; a description of	
23	the testing methods and procedures used by	
24	the racing association or fair to collect	
25	and analyze biological test samples, other	

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4	than the official test sample collected by	
5	the CHRB shall also be submitted to the Board	
6	for approval, and CHRB Rule 1843, Medication,	
7	Drugs and Other Substances, which provides	
8	that nothing in Article 15 shall prevent a	
9	racing association or fair from setting	
10	eligibility conditions, as agreed to with	
11	the acknowledged horsemen's organization,	
12	for individual races, or an entire race meet,	
13	that prohibit the use and/or presence of drug	
14	substances or medications in biological test	
15	samples from participating horses at detection	
16	levels lower than what is authorized by the	
17	Board. Such conditions, if established in	
18	accordance with Rule 1581, shall not be	
19	deemed in conflict with Board rules and	
20	regulations. (Proposed in response	
21	to the Los Angeles Superior Court's Order	
22	that the CHRB set aside approval of Los	
23	Alamitos Quarter Horse Racing Association's	
24	house rule."	
25		

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6	9. Discussion and action by the Board regarding	
7	the allocation of Northern California race	
8	dates beginning year 2017.	
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10	10. Discussion and action by the Board	72
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18	12. Closed Session.	
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PROCEEDINGS

LOS ALAMITOS, CALIFORNIA, THURSDAY, SEPTEMBER 22, 2016

9:42 A.M.

CHAIRMAN WINNER: Ladies and gentlemen, this meeting of the California Horse Racing Board will come to order. Please take your seats.

This is the regular noticed meeting of the California Horse Racing Board on Thursday, September 22, 2016, at the Los Alamitos Race Course, 4961 East Katella Avenue, Los Alamitos, California.

Present at today's meeting are myself, Chuck Winner, Chairman; Madeline Auerbach, Commissioner; Steve Beneto, Commissioner; Jesse Choper, Commissioner; and Alex Solis, Commissioner.

Commissioner Krikorian is not here, and unfortunately, I must announce that Commissioner Rosenberg -- Vice Chairman Rosenberg's term has expired so he won't be here today and will not be a member of the Board anymore. That's, for us, it's a major loss as far as we're concerned as he's been a wonderful colleague and member of the Board and, I think, a great -- has performed a great service to the industry over his, I think, seven years on the Board. Hopefully, we will have a chance to be with Commissioner Rosenberg at the -- at the Del -- at

1 the next Del Mar meeting.

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

9           In order to ensure all individuals have an  
10 opportunity to speak and the meeting proceeds in a timely  
11 fashion, I will strictly enforce the three-minute time  
12 limit rule for each speaker. The three-minute time limit  
13 will be in force during discussion of all matters as  
14 stated on the agenda as well as during the public comment  
15 period.

16           There is a public comment sign-in sheet for each  
17 agenda matter on which the Board invites comments. Also,  
18 there's a sign-in sheet for those wishing to speak during  
19 the public comment period for matters not on the Board's  
20 agenda if it concerns horse racing in California.

21           Please print your name legibly on the public  
22 comment sign-in sheet. When a matter is open for public  
23 comment, your name will be called. Please come to the  
24 podium and introduce yourself by stating your name and  
25 organization clearly. This is necessary for the court

1 reporter to have a clear record of all who speak.

2           When your three minutes are up, I will ask you  
3 to return to your seat so others can be heard. When all  
4 the names have been called, I will ask if there is anyone  
5 else who would like to speak on the matter before the  
6 Board. Also, the Board may ask questions of individuals  
7 who speak. If a speaker repeats himself or herself, I  
8 will ask if the speaker has any new comments to make. If  
9 there are none, then I will ask -- the speaker will be  
10 asked to let others make comments to the Board.

11           Let's see. Where are we with the agenda? Need  
12 to find the agenda here.

13           Okay. The next item -- the first item on the  
14 agenda is the approval of the minutes from the August 25th  
15 meeting.

16           Are there any comments or corrections to the  
17 minutes?

18           Hearing none, is there a motion to approve?

19           Commissioner Solis moves; Commissioner Choper  
20 seconds.

21           I'll call the roll.

22           Commissioner Beneto?

23           COMMISSIONER BENETO: Yes.

24           CHAIRMAN WINNER: Commissioner Choper?

25           COMMISSIONER CHOPER: Yes.

1 CHAIRMAN WINNER: Commissioner Auerbach?

2 COMMISSIONER AUERBACH: Yes.

3 CHAIRMAN WINNER: Commissioner Solis?

4 COMMISSIONER SOLIS: Yes.

5 CHAIRMAN WINNER: Chairman votes yes.

6 The minutes have been approved.

7 We will move on to the Executive Director's  
8 report.

9 EXECUTIVE DIRECTOR BAEDEKER: Thank you,  
10 Mr. Chairman.

11 As many of you probably know, because you might  
12 have been involved in the meetings, towards the end of the  
13 Del Mar meeting following the unfortunate results of  
14 catastrophic injuries during the meet, Chairman Winner  
15 designated commissioners, as permitted by Bagley-Keene,  
16 and staff met with several groups. We met with -- we met  
17 with them independently; we met with the jockeys; we met  
18 with the trainers; we met with the veterinarians; and we  
19 think that was one of the first meetings with a large  
20 group of veterinarians, at least in recent years. We met  
21 with management at Del Mar, and then just yesterday we met  
22 with the TOC and with the Stronach Group management.

23 And I know I speak for Chairman Winner and the  
24 other Commissioners and staff involved, these were  
25 extremely productive, constructive meetings. I think

1 everybody realizes that changes need to be made. We're in  
2 the process of determining what can be done, and it was  
3 very helpful. Many of the suggestions that came forth can  
4 be implemented; so the next step is for staff to kind of  
5 organize those suggestions, present them back to the Board  
6 here, and then get some direction as to how to proceed.  
7 but it's a bit of good news coming out of what I think  
8 everybody recognizes was a very difficult situation.

9           Along those lines I think I mentioned last  
10 month, but I'm part of an ARCI committee that's working on  
11 a model rule for out-of-competition testing, and we kind  
12 of have a shortcoming in our roles, and I think most  
13 regulatory bodies are subject to the same vulnerability in  
14 that, you know, we have specific medication rules for race  
15 day for post-race tests. We don't have specific rules for  
16 out-of-competition testing, and whereas a medication might  
17 be appropriately prohibited or severely restricted on race  
18 day, there might be a therapeutic use for it during  
19 training, and so a different set of guidelines, as well as  
20 a different set of penalties, is being created on a  
21 national level through ARCI.

22           The RMTTC and specifically our Equine Medical  
23 Director, Rick Arthur, has been very much involved; so we  
24 have the scientists involved as well. And it has been a  
25 good process. Kentucky and New York, New Jersey involved

1 in the conversations; so I look forward to bringing that  
2 rule back to the Board.

3 And speaking of ARCI, Commissioners, you are  
4 going to hear later today in the application for race meet  
5 at Del Mar a new format for the Pick 6 -- excuse me. And  
6 this is permissible because the ARCI has just adopted a  
7 model rule that allows for changes specific to the request  
8 here before you today, which we'll get to later during  
9 their application. But I wanted to give the commissioners  
10 a little background on how this works with the ARCI; so I  
11 asked our legal folks to give me just a couple of  
12 paragraphs describing the process. I'm just going to read  
13 it.

14 The Association of Racing Commissioners  
15 International maintains a set of model rules that are  
16 meant to serve as a regulatory reference and standard for  
17 horse racing jurisdictions internationally. Their model  
18 rules are promulgated based on the expertise and  
19 recommendation of ARCI's member agencies who participate  
20 by sitting on a variety of oversight committees assigned  
21 to special interest areas. Chapter 4 of the model rule is  
22 dedicated specifically to parimutuel wagering regulations.  
23 So this pertains to the topic at hand, the Pick 6. And it  
24 provides for a variety of traditional and exotic wagering  
25 options that have been vetted by the ARCI and have been

1 approved as effective and secure wagering models. This  
2 month the ARCI released its latest set of model rules  
3 which includes a new method for the pick and pool that  
4 provides for three shared divisions with the unique  
5 winning ticket provision which Del Mar is proposing, as I  
6 said, and you will hear in just a little bit.

7 Under the Business and Professions Code, an  
8 association or fair is permitted to offer any form of  
9 parimutuel wagering as defined in our regulations or as  
10 defined by Chapter 4, parimutuel wagering of the ARCI's  
11 model rules. Accordingly, any new wagering option  
12 published in the ARCI's model rules automatically becomes  
13 available to California licensed racing associations and  
14 fairs with the consent and approval of the Board.  
15 Therefore, it is under the most current version of the  
16 ARCI model rules that Del Mar is applying to implement  
17 it's new Pick 6 distribution model.

18 I want to clear up any confusion that there  
19 might be because certain model rules come before all of  
20 you to be adopted. It's not the case with parimutuel  
21 model rules.

22 Talking about -- well, I wanted to correct the  
23 transcript from last month that was pointed out by Eric  
24 Sindler of Santa Anita. There was discussion when Santa  
25 Anita sat before you about their wagering format and they

1 talked about offering a 50 cent Trifecta. It was  
2 transcribed as also offering a 50 cent Pick 6. That was  
3 incorrect. The 50 cents applies to the Trifecta.

4 And now looking at the financials for the month  
5 of August, they were weak. For just the month of August,  
6 day racing was off 11.7 percent, night racing off  
7 9.9 percent, and a total decline of 11.6 percent. Even  
8 though almost every category showed a decline, there was  
9 one fewer day of day racing, two fewer nights of night  
10 racing, and -- but there was a decline for one of the  
11 first times in many months in ADW handle, and I think  
12 there were some operational issues that contributed to  
13 that; so it was kind of a perfect storm.

14 In addition to other issues that face the meet,  
15 there was a rather significant decline in average starters  
16 per race from 8.78 to 8.31. And if you just look at  
17 betting on live racing and factor in how much was bet per  
18 each starter during the meet, it was actually a  
19 6.5 percent increase in what was wagered; so it clearly  
20 shows that the number of starters per race is key to  
21 success for any meet.

22 That's my report, Mr. Chairman.

23 CHAIRMAN WINNER: Thank you very much, Mr.  
24 Baedeker.

25 Let me, if I may, just take another minute to

1 comment on the first point that Rick made with respect to  
2 the meetings that we had with the various groups, with the  
3 jockeys, the trainers, Del Mar, the vets, the Stronach  
4 Group and the owners.

5 First of all, for those of you that are here, I  
6 just want to thank you so much for participating in those  
7 meetings and for the candor and the expression of support  
8 for the effort of trying to do what we can to protect the  
9 horses and to protect the riders and to find ways to do  
10 that in the future. The meetings were not for the purpose  
11 of trying to cast blame or anything of that sort but  
12 rather to determine what we can do going forward to make  
13 racing even more safe than it is today. And of course  
14 everybody knows that we've done -- everybody in the  
15 industry is doing everything we can to make it safe.

16 I also want to point out there wasn't one person  
17 in any of those meetings who didn't feel exactly the same  
18 as we did and that is that nothing is more important than  
19 safety. Everybody felt the same way. Everybody  
20 participated in trying to help determine how do we -- how  
21 do we accomplish the objective of making racing as safe as  
22 we can possibly make it.

23 So for all those that participated, number one,  
24 we really appreciate the fact that you took the time to do  
25 it, and number two, we really appreciate the comments and

1 the instructive suggestions that were made at every  
2 meeting, and we are going to do everything we can to  
3 implement those things that we can implement. And I know  
4 the racing associations are doing exactly the same thing,  
5 and we very much appreciate their cooperation in that  
6 effort. And we'll keep you informed as we go forward with  
7 the kinds of things that everyone is doing to make -- to  
8 make things better. We may hear a little bit about that  
9 today also, because I think Joe Morris is going to give a  
10 little report.

11 Yes, Commissioner Choper, please.

12 COMMISSIONER CHOPER: First, this is on the  
13 Executive Director's report. First of all, I want to say  
14 how helpful these statistics are in informing people as to  
15 just how we are doing or, unfortunately, sometimes how we  
16 are not doing.

17 I just have a couple of questions that -- the  
18 things that stood out to me on all of this was the very  
19 strong performance by the Los Alamitos thoroughbred meets  
20 and the very off-performance by the California State Fair.  
21 And I just wonder if there are any -- you know, reasons  
22 for those outliers, positive and negative outliers?

23 EXECUTIVE DIRECTOR BAEDEKER: I'm sure there  
24 are. I'm not quite ready to talk about them. I know Rick  
25 yesterday at the -- I think your -- again, this is -- this

1 may not include your entire meet, but you talked about  
2 being up, did you not, during your Cal Expo meet?

3 MR. PICKERING: Did you want me to --

4 CHAIRMAN WINNER: Yeah. Come on up. As long as  
5 the question was asked by the Commissioner, if you can  
6 comment, because obviously yesterday we spent a lot of  
7 time talking about the various meets, and you gave a  
8 report which indicated that the numbers were up, at least  
9 that's the way we heard it.

10 MR. PICKERING: Well, the items that the State  
11 Fair attempts to control --

12 MR. MILLER: Would you please identify yourself  
13 for the record.

14 MR. PICKERING: Rick Pickering, CEO of your  
15 California State Fair Exposition.

16 The numbers that we provided to you yesterday  
17 were specific to on-track attendance and on-track handle,  
18 which are things that we -- I think everybody in the room  
19 wish we could control that. That's really what we made  
20 our efforts to get people out to the track.

21 We had one less day of racing, and we had a  
22 number of less races because of that; so where we ended up  
23 on-track handle was up 11 percent. On-track attendance  
24 was up 11 and a half percent. Where we were hammered was  
25 out of state. It also had to do where we fell in the

1 calendar this year. There were a number of things  
2 happening around the United States. There was tragic  
3 shootings in Dallas on Thursday night, and the State Fair  
4 opened Friday morning. We rebounded from that. We had a  
5 great fair; so we're happy that on-track was up which is a  
6 thing we focus on the most, but if anybody has a way where  
7 we can increase our out of state and our all-source  
8 handle, we certainly would like to participate in those  
9 discussions as well.

10 We had two weeks on top of one meet in the  
11 South, and then we had a few days on top of another meet  
12 in the South on top of Del Mar; so one generated much more  
13 significant around all-source handle, but we were up  
14 on-track so that's -- while we want to be up all-source,  
15 we can't control New York and Texas and other people  
16 around the country but we'll keep trying.

17 CHAIRMAN WINNER: Commissioner?

18 Okay. Thank you, Rick.

19 EXECUTIVE DIRECTOR BAEDEKER: I think,  
20 Commissioner Choper, if you are referring to the report in  
21 the Board book, there's reports for Humboldt County Fair  
22 and Sonoma County Fair.

23 Humboldt was down double dig- -- 26 percent, and  
24 I apologize for not knowing the facts here, but I see that  
25 their ITW network handle was off 74 percent. I don't know

1 if that's a mistake but we'll look into it. I'm sorry if  
2 we don't have the answers for you right now, but we'll get  
3 them. I know that they had a, you know, a different host  
4 fee --

5 CHAIRMAN WINNER: Arrangement.

6 EXECUTIVE DIRECTOR BAEDEKER: Host -- yeah,  
7 host-day arrangement this year than last but that  
8 shouldn't be reflected in that total handle number.

9 CHAIRMAN WINNER: Are there any other --  
10 Commissioner Choper, did you have anything else?

11 Any other commissioner want to speak to the  
12 Executive Director's report?

13 All right. Let's go on to the public comment  
14 period.

15 Jerome Hoban. Jerome, you want to come up?  
16 Thank you.

17 MR. HOBAN: Good morning. Jerome Hoban, Alameda  
18 County Fair, at Pleasanton.

19 I just want to take this time to thank you again  
20 for allowing Oak Tree at Pleasanton to run these Stockton  
21 dates. We open tomorrow. We are very excited.

22 On your table I brought some materials. I know  
23 there was a lot of discussion about the marketing plans  
24 for this race meet, and I hope that everybody can  
25 acknowledge or recognize that we've pulled out all the

1 stops. The marketing plan is in front of you that has  
2 been activated. Additionally, there are some electronic  
3 cards in front of you. I don't recommend opening them  
4 right at this moment unless you want a lot of noise, but  
5 you can see the commercial and the Twitter spots that we  
6 have been putting out all developed in-house.

7 We have an excellent marketing plan, a lot of  
8 events that are connected to the event. There's a small  
9 wine glass on the table in front of you that goes with our  
10 Sip, Savor and Wager. To date we -- or to this hour we  
11 have sold about 600 tickets and counting.

12 The beer festival is also selling very well. We  
13 have a free family day, a Latino festival; so we are all  
14 very excited about these race dates, and I appreciate your  
15 support. Thank you.

16 CHAIRMAN WINNER: Thank you, Jerome. And I had  
17 the opportunity to open it yesterday before the meeting at  
18 our dates committee meeting, and it's very well done. All  
19 of the material is very well done, and we appreciate the  
20 work that you have done in terms of marketing. It's very  
21 impressive. Thank you.

22 COMMISSIONER AUERBACH: Chuck, can I ask --

23 CHAIRMAN WINNER: Yes, please.

24 COMMISSIONER AUERBACH: Yes. I would like to  
25 know where I can get a set of a dozen. They'd make great

1 gifts.

2 MR. HOBAN: I will bring them to you at the next  
3 meeting --

4 COMMISSIONER AUERBACH: No. I don't want you to  
5 do that --

6 CHAIRMAN WINNER: You can't do that.

7 COMMISSIONER AUERBACH: You can't do that but --

8 MR. HOBAN: -- or you can come to the wine  
9 festival on Saturday.

10 COMMISSIONER AUERBACH: And walk through twelve  
11 times to get it?

12 MR. HOBAN: That's right. We -- we have a  
13 partnership with Young's Market, and we have twenty -- 27  
14 wineries will be presented in the grandstand. Almost like  
15 a wine stroll through the grandstand; so everybody is very  
16 excited about it, and the town of Pleasanton is just  
17 gleeful that racing is returning to Pleasanton. They --  
18 it's unbelievable. So thank you for your support.

19 COMMISSIONER CHOPER: Think you can figure out  
20 how to fix the handle?

21 COMMISSIONER AUERBACH: Yes.

22 MR. HOBAN: Well, you get them drinking and we  
23 might have a shot at it.

24 COMMISSIONER CHOPER: That's what I'm --

25 MR. HOBAN: There is a strategy.

1 COMMISSIONER BENETO: Jerome?

2 MR. HOBAN: Yes, sir?

3 COMMISSIONER BENETO: What's your gate, to get  
4 in the gate? You got --

5 MR. HOBAN: It is the huge number of zero.

6 COMMISSIONER BENETO: Zero? Parking?

7 MR. HOBAN: It will be \$10.00, because the  
8 entire facility is open on that weekend; so we can't  
9 segment racing out. That said, the majority of these  
10 folks that are coming that are bettors certainly are given  
11 free parking because they are at our satellite all the  
12 time. So there is a \$10.00 gate parking fee for the  
13 entire facility because we got six other events going on  
14 at the same time. We're hoping that actually feeds to the  
15 track as well so --

16 CHAIRMAN WINNER: Thanks, Jerome.

17 MR. HOBAN: Thank you.

18 CHAIRMAN WINNER: Greg Avioli. And good luck,  
19 by the way, Jerome, with the meet.

20 Greg.

21 MR. AVIOLI: I'm sorry. I reference No. 7.

22 CHAIRMAN WINNER: Oh, is it seven? I'm sorry.  
23 I had it -- I apologize. We'll call you on No. 7.

24 By the way, item No. 9, Northern California race  
25 dates is being removed from the calendar -- from the

1 agenda and moved to the October meeting. I will explain  
2 that when we get to the report of the race dates  
3 committee.

4 Joe Morris.

5 MR. MORRIS: Joe Morris with Santa Anita.

6 Good morning, Commissioners. I wanted to give  
7 you an update on our security surveillance system. This  
8 is a project that dates back to the middle of 2013, I  
9 believe. But to echo Chairman Winner's comments from  
10 earlier, there's nothing more important to Santa Anita or  
11 the Stronach Group either than the safety of our horses,  
12 backstretch workers, riders, the integrity of our sport  
13 and the transparency of our sport.

14 So we now, on our backstretch, have as close to  
15 completely surveillance backstretch that there is in the  
16 country. It's a state-of-the-art system. It starts at  
17 the entrances to the backstretch with the gates. We can  
18 capture license plates, cars, zooms. All the cameras are  
19 on a DVR that holds up for up to 30 days. There's over a  
20 thousand cameras in the backstretch. All of the shed rows  
21 of every barn, most all of the chute roads between the  
22 barns; we have a control center set up in the -- in our  
23 building, fully staffed with surveillance operators. We  
24 are excited about this. We are rolling it out. It's  
25 certainly going to help with stakes race surveillance

1 where, as you know, we have the individual guards now at  
2 the stalls of the horses. Excited about it. It is  
3 opt- -- it is operational, and it's a first in the  
4 country.

5 CHAIRMAN WINNER: Joe, I would like to just make  
6 the comment that I had the opportunity, along with a  
7 number of our staff members, to see the -- to see the  
8 surveillance system, to walk through the barn areas to see  
9 how it works from the barn areas. It is really  
10 impressive. To me, there's no question it's got to be the  
11 best surveillance system, not only in racing, but maybe in  
12 most anything. It is really, really good, and I think  
13 it's -- you are to be commended. I know it wasn't an  
14 inexpensive proposition. And I think all of racing  
15 appreciates what you and your partners -- I think there  
16 were others who may be participating a little bit in  
17 making it happen.

18 MR. MORRIS: We appreciate the support of the  
19 CHRB on the project as well as the California thoroughbred  
20 trainers and the thoroughbred owners of California. So I  
21 mean it has been supported by all in the industry and it's  
22 a one of a kind.

23 CHAIRMAN WINNER: Thank you very much. I really  
24 think it's important to racing and important to the very  
25 things that Joe mentioned with respect to the health and

1 safety of everybody, including the horses involved with  
2 racing, and it's going to be very helpful in terms of  
3 continuing something we all care very much about, which is  
4 an equal playing field for all those folks who play by the  
5 rules.

6 Any other comments from the public? Any  
7 comments from the Board members?

8 All right. We will move on then to item No. 4.

9 Discussion and action by the Board on the  
10 application to conduct a horse racing meeting of the Del  
11 Mar Thoroughbred Club at Del Mar commencing November 9,  
12 2016, through December 6, 2016, inclusive.

13 Gentlemen.

14 MR. HARPER: Good morning.

15 CHAIRMAN WINNER: Good morning.

16 MR. HARPER: I'm Joe Harper, president of the  
17 Del Mar Race Track. I would just like to say to this  
18 Board how grateful we were at Del Mar that you conducted  
19 those meetings. It really brought a lot of things out  
20 that needed to be talked about, and I mean we can have and  
21 had a number of meetings prior to yours, and sometimes  
22 there's reluctance to tell us things that they don't think  
23 we want to hear, although I certainly give them my wife's  
24 phone number; she can tell them exactly how to go about  
25 doing that. But I do appreciate the time and effort that

1 you put into it.

2 It was a very enlightening meeting; so I think --  
3 and we learned a lot about ourselves and the operation.  
4 And as we go forward, obviously you are starting to see  
5 some things that we're putting into place that hopefully  
6 will have a positive effect on equine injuries.

7 CHAIRMAN WINNER: Thank you, Joe.

8 MR. HARPER: Thank you.

9 That meet that we just finished was actually a  
10 pretty good meet despite the injuries. We had a very  
11 strong start and we had a tremendous finish; so overall it  
12 was a very successful and profitable meet.

13 As you know, Breeders' Cup is coming here soon  
14 at Santa Anita and we are delighted it's at Santa Anita  
15 instead of Keeneland, although I love the Keeneland guys,  
16 but last year all of our horsemen went to Keeneland and  
17 the opening week of Del Mar was very difficult in getting  
18 entries with everybody back there; so I think we should  
19 have a little bit less of a challenge than we did last  
20 meet.

21 So our license is in front of you and our guys  
22 here are here to answer any questions you might have.

23 CHAIRMAN WINNER: Thank you.

24 MR. ROBBINS: Tom Robbins.

25 Give you a quick bullet point overview of the

1 racing starting with our stakes schedule and any changes  
2 that we have for this 15-day meet this year compared to  
3 the 20-day meet that we had last year.

4 First of all, there are three stakes races that  
5 have historically been run at Santa Anita: The Golden  
6 State Juvenile, Golden State Juvenile (Fillies), and the  
7 Goldikova. Those three races we picked up last year will  
8 not be running them this year. They will again return to  
9 be run at the Santa Anita autumn meet.

10 In addition to those three races, we are not  
11 running the Desi Arnaz race, which is a listed \$100,000  
12 two-year-old filly sprint stakes, but instead, we are  
13 running a Grade II event that last was run at Los Alamitos  
14 in December of 2014, Bayakoa, which is Grade II filly mare  
15 \$200,000 mile and a sixteenth dirt race. So that will be  
16 run on our final weekend.

17 There are three races that we reduced \$50,000  
18 each, namely, the Hollywood Turf Cup, Seabiscuit, and  
19 Native Diver. They are all at the American graded stakes  
20 minimum; so those are the changes for the stakes program.

21 Overnight purse levels, we are intending to run  
22 the same purse structure that we had last year which will  
23 match the Santa Anita autumn meet purse levels. And the  
24 final point, what has proven to be a successful program  
25 for us is the Ship and Win program. We will be offering

1 that again for the fall meet this year. It, again, offers  
2 incentives for horsemen coming from out of state or local  
3 horsemen that acquire horses that last ran outside of  
4 California with a nationally shrinking inventory of  
5 horses. We are doing our part to try to bolster our local  
6 population, and it's proven successful. And we hope again  
7 when we partner with TOC and this year we do have some  
8 financial partnership also with CMC; so those are the  
9 three main points of our upcoming fall meet, and happy to  
10 answer any other questions you may have regarding that.

11 CHAIRMAN WINNER: Please go ahead. Go head.

12 Yes, please.

13 COMMISSIONER CHOPER: I've asked before, on the  
14 ship-in program --

15 MR. ROBBINS: Right.

16 COMMISSIONER CHOPER: -- you have some  
17 statistics on whether these horses remain in California?

18 MR. ROBBINS: Yes.

19 COMMISSIONER CHOPER: What do they look like?

20 MR. ROBBINS: Quite favorable. We do track  
21 every individual track that qualifies for the program and  
22 we follow that horse through the remainder of the year as  
23 well as into the next year. And it's surprising what it  
24 does and has helped the following meets, the meets that  
25 follow Del Mar; so not only is it important and critical

1 to Del Mar, we think it bolsters the entire Southern  
2 California community, and some horses end up going to  
3 Northern California as well too; so it has been  
4 successful.

5 CHAIRMAN WINNER: Thanks.

6 COMMISSIONER AUERBACH: Tommy, I just wanted to  
7 thank you, Del Mar, for picking up those stakes from last  
8 year and then giving them back. I think that was vital to  
9 keep the continuity in the spirit that we're all supposed  
10 to be working, what's good for the whole circuit. So  
11 thank you. And I am also very pleased see that the  
12 Bayakoa is back before we lose the grading; so thank you  
13 for being cognizant of that and handling it.

14 And I had a question that I don't know if you  
15 guys can answer or if Santa Anita can answer, but I  
16 noticed that the structure that they are building at Santa  
17 Anita looks to me like it's more along the lines of what  
18 they built at Keeneland in terms of the size and the space  
19 in there.

20 Is there something that you are looking at for  
21 the Breeders' Cup, something similar to that, or do you  
22 even know? Have you even seen that or --

23 MR. ROBBINS: Yes.

24 COMMISSIONER AUERBACH: Okay.

25 MR. ROBBINS: I saw it yesterday, and it is the

1 same structure that was at Keeneland. It not only on the  
2 upper level is -- serves as the breakfast marquee for  
3 Breeders' Cup, but the bottom level also will be housing  
4 the ticketing -- Breeders' Cup ticketing department and  
5 racing department as well.

6 COMMISSIONER AUERBACH: So, in other words, they  
7 will no longer have to take up the space in the parking  
8 lot for Santa Anita, which is great.

9 MR. ROBBINS: Two trailers that were nearby  
10 across the road --

11 COMMISSIONER AUERBACH: Right.

12 MR. ROBBINS: -- in 2014 will not be there.

13 COMMISSIONER AUERBACH: Which is great news for  
14 those of us who have to park cars there, but I'm concerned  
15 about are you -- not concerned. I'm just interested that  
16 you are following how that goes up, what's involved, how  
17 much space it takes, all of that. I'm assuming that you  
18 are kind of partnering in that regard. That's good news.

19 MR. ROBBINS: Yes. We're far down that road.  
20 In fact, I think they were present at Del Mar on Monday in  
21 terms of where that location will be and the space that it  
22 will take up.

23 COMMISSIONER AUERBACH: Where will that be?

24 Never mind. No. I'm just glad to hear that. Thank you.

25 COMMISSIONER SOLIS: Are you guys going to try

1 to use the driving range for parking?

2 MR. ROBBINS: I think every available spot will  
3 be used.

4 COMMISSIONER SOLIS: I have another question,  
5 how the Pick 6 take out work out. The Pick 6 that you --  
6 we had this summer.

7 MR. RUBENSTEIN: So -- so on the Pick 6 --  
8 Josh Rubenstein.

9 As Rick mentioned, we're requesting a  
10 modification to the Pick 6 that we think will greatly  
11 enhance the wager. Right now, as everybody knows, there  
12 are two payouts typically with the Pick 6. Six of six  
13 winners and that 70 percent of the pool typically,  
14 although we made a change at Del Mar this year for it to  
15 be 85 percent, and then five of six, the consolation  
16 traditionally was 30 percent. We reduced it to 15 percent  
17 this past summer. So what we're requesting this year is  
18 to create a jackpot pool within the Pick 6; so the  
19 traditional Pick 6 will not change. We will still pay out  
20 70 percent to six of six winners, 15 percent to five of  
21 six winners, but the remaining 15 percent will go into a  
22 single ticket jackpot pool. So in the event that there's  
23 one single unique winning ticket that amount will be paid  
24 off as well as the 70 percent of the six of six pool, the  
25 major pool.

1           These jackpot bets have been very popular in the  
2 past. Places like Gulf Stream in Maryland, and it is one  
3 of those things where, you know, you hope it just carries  
4 over and carries over and you get to closing day and  
5 there's this massive payout; so we figure the fall is a  
6 really good time to test the wager. The Pick 6 in  
7 California, you know, started here. It has been very,  
8 very popular but with other bets like the Pick 4 and the  
9 Pick 5, it needs a little boost and we feel this jackpot  
10 will do that.

11           COMMISSIONER SOLIS: And how -- how did they  
12 work out, the one before, the one that this past meet?  
13 Did that work out good?

14           MR. RUBENSTEIN: Yeah. There wasn't a whole lot  
15 of change. We definitely saw the six of six pool grow and  
16 the carryover pool grow because we were allotting  
17 85 percent instead of 70 percent, but in terms of total  
18 wagering into the pool was really unchanged. But we feel  
19 with this -- this added jackpot that typically, you know,  
20 we're hopeful that we'll carry over, you know, day after  
21 day we'll see some real interest.

22           COMMISSIONER SOLIS: Okay. Another thing, for  
23 the track, I know this coming up meet is not going to be  
24 too much traffic, thank God, but just listening from the  
25 people in the backside, especially the exercise boys, they

1 feel that it really work -- it really was working out,  
2 those -- this 15 minutes where you let the horses do the  
3 breeze, the works, and that you let the other horses  
4 gallop. And it really makes sense because it breaks down  
5 all the traffic, and maybe for the future, maybe hopefully  
6 next summer, because it's not going to be too much traffic  
7 that's been coming out, but the next summer maybe if we  
8 could stay a little opening and keep doing it, it will  
9 give time to the trainers to get all the horses out.

10 MR. HARPER: I think -- Joe Harper. I think it  
11 worked out amazingly well. We were concerned that people  
12 might have a problem with it because they couldn't get  
13 their horses right on the gallop but that ten or few  
14 minutes or so, it changed the whole dynamics of the  
15 workouts after break. You know, every morning we go out  
16 and look at the track just before we renovate, and you can  
17 see, you know, where the horses are working on the rail.  
18 Those are a lot deeper holes than the ones that are  
19 outside.

20 And when you can spread it out, I know the  
21 first -- first day we did it, Gary Stevens called me  
22 immediately, and I was waiting for the hammer to fall. He  
23 said, "This is terrific." He says, "The first time in my  
24 life at Del Mar I have been able to work a two-year-old  
25 out off the rail." And so we are definitely going to keep

1 doing that.

2 COMMISSIONER SOLIS: That's a great idea. I  
3 mean the previous year, I mean, we ride up there each  
4 break. It's like a stampede, you know. So listening from  
5 the exercise boys they were very pleased with that.

6 CHAIRMAN WINNER: Commissioner and Joe, first of  
7 all, we appreciate the fact that Del Mar did that at the  
8 end of the meet and I think that was a part of some of the  
9 discussions that took place about safety and so forth.  
10 And Del Mar did that and I think it was -- I think we all  
11 agree that it was a really positive step. As you know  
12 from the meeting with the jockeys, we're not getting into  
13 the specifics; it's something the jockeys all felt was  
14 very important and they support it.

15 COMMISSIONER SOLIS: And I hope -- I hope Santa  
16 Anita keeps that in mind, you know, because even though  
17 they have a big training track, it really breaks down --  
18 all that really helps to break down all the traffic.

19 COMMISSIONER AUERBACH: If I'm mistaken, Alex, I  
20 believe that Santa Anita has utilized that in the past; so  
21 whether or not they are going to continue that may be --

22 CHAIRMAN WINNER: Let me interrupt and let me  
23 just say we have already had conversations with Santa  
24 Anita about --

25 COMMISSIONER AUERBACH: About that.

1                   CHAIRMAN WINNER: And we'll see how that goes.  
2 Obviously, there are some trainers that aren't really  
3 happy about the whole idea; so that all has to be worked  
4 out, but Santa Anita is moving -- aware of it and is  
5 moving ahead with the conversations that they have to have  
6 in order to make it happen. I don't want to speak for  
7 Santa Anita, but I know that they are doing everything  
8 they can to encourage safety as well.

9                   Craig.

10                  MR. DATO: Craig Dato, Del Mar.

11                  So this is our third fall session at Del Mar and  
12 the research that we conducted last winter indicated that  
13 we still have a ways to go when it comes to awareness.  
14 And the research we pulled the general population at San  
15 Diego and found that 78 percent of the population knew  
16 that we raced in August -- I think that's a really good  
17 number -- but only 40 percent knew that we raced in  
18 November. Now it's only -- we've only had two seasons,  
19 but it really has told us that we really need to focus on  
20 awareness. So the advertising this year will be a little  
21 bit different in that we will not be emphasizing  
22 Bing Crosby and Old Hollywood as much. Instead, we will  
23 be emphasizing, hey, we're open. So a lot more retail, a  
24 lot less beautiful pictures and romance and being in old  
25 times and more like we are open, we are racing, please

1 come out. So you will see that.

2 This is only a 15-day meet, as we mentioned, but  
3 we have a very packed calendar of events, including  
4 opening day is Veterans Day this year on November 11th; so  
5 we're having a major Veterans Day celebration, the  
6 American Legion, some active military, should be -- should  
7 be a really great day. We have two big concerts, we have  
8 a college day, we have a Craft beer and food truck  
9 festival, and we have a fleece blanket give away. So in  
10 only 15 days of racing we have a jamb-packed schedule and  
11 we think we'll have a very solid meet.

12 So I will be happy to answer any questions.

13 CHAIRMAN WINNER: Commissioner Choper.

14 COMMISSIONER CHOPER: Again, I think these  
15 are -- I mean, I know you are going to say yes, but the  
16 people who come out during the summer, it seems to me, you  
17 know, is obviously your best audience, to me it does,  
18 anyway. They're coming back in the fall.

19 And I wonder, you give them some incentives to  
20 come back? I mean I'd pound them and say see you in  
21 November, see you in November, et cetera.

22 MR. DANO: Yeah. We do quite a bit -- quite a  
23 bit of the advertising on track is all about seeing you in  
24 November, that exact statement right there. The key --

25 COMMISSIONER CHOPER: How about a free ticket or

1 two?

2 MR. DANO: Yes. So we really rely even more so  
3 on database marketing for the fall meet. So when people  
4 come in the summer, one of the big goals is to get their  
5 names, get their addresses, get their e-mails, and then we  
6 send them all kinds of free opportunities to come in the  
7 fall. It's a new meet; so we do a lot more couponing in  
8 the fall. We just want them to get out there and know  
9 that we are open so they can come back again and again.  
10 But yes, we are very aggressive in the free tickets for  
11 the fall.

12 COMMISSIONER CHOPER: I would think I'd give  
13 them a couple while they are there during the summer.

14 MR. DANO: I think you are right. I mean the  
15 only downside of that is holding on to them for so long;  
16 so what we instead try to do is get their name and address  
17 and get it to them a week or so ahead of time.

18 What we have got going for us in the fall is we  
19 have capacity. And as you well know in the summer, things  
20 are sold out. There's not a lot we can do other than put  
21 them in the gate. In the fall, we can actually let them  
22 go in the turf club, let them have tables that are  
23 impossible to get in the summer. So we are really trying  
24 to upgrade people and enhance their experience for the  
25 fall.

1 COMMISSIONER CHOPER: You take them and they  
2 lose them; maybe someone else will pick them up.

3 MR. DANO: Might. They might. Right.

4 CHAIRMAN WINNER: Did have you a question,  
5 Steve?

6 Please, Mr. Baedeker.

7 EXECUTIVE DIRECTOR BAEDEKER: Yeah. I griped  
8 about this before with application; so to be consistent,  
9 I'm going to gripe again.

10 On page 4-5 where it talks about the racing  
11 program and the number of races that will be run on  
12 different days, and it's in the proposal -- it's either  
13 eight or nine and that has been kind of the traditional  
14 number, as the horse population will allow, but then  
15 there's an asterisk below that says DMTC reserves the  
16 right to change number of races based on horse  
17 availability, which to me renders that information --

18 CHAIRMAN WINNER: Irrelevant.

19 EXECUTIVE DIRECTOR BAEDEKER: -- irrelevant,  
20 yeah. And I think there should be a process, and, you  
21 know, you'd like to have the problem of all sorts of  
22 horses down there dying to run during your closing  
23 weekend. But we have had some instances where  
24 particularly going into a fair meet or something, the meet  
25 before has loaded the last couple of days with extra races

1 and kind of taking the guts out of the first week of the  
2 condition book of the next meet. So I think there should  
3 be some kind of process where, you know, Golden Gate  
4 contacted CHRB at the end of their last long meet, and I  
5 just think that there should be some kind of process even  
6 if just to make the commissioners and staff aware that  
7 that's taking place.

8           And by the way, the process here is if we get  
9 contacted for different administrative things if there --  
10 generally there are more kind of clerical things, then we  
11 can deal with on an administrative level. If they're  
12 substantive, then we consult with the Chairman about it  
13 and to make sure we are okay and giving that permission,  
14 but I just think that we can do it -- just do it as a  
15 courtesy which means that I will just continue to gripe  
16 about it each time and -- but I think this probably ought  
17 to be a policy. That's what I would recommend to the  
18 Board, just going forward, just for those rare situations  
19 where, you know, there's a loading of races on the last  
20 couple of days which affects the next meet.

21           MR. ROBBINS: Tom Robbins.

22           Let me just throw out a comment too. I  
23 absolutely agree with you. I can assure you that racing  
24 into December this year without lights, we will not be  
25 able to run more than nine races on each of the closing

1 day weekends. Sunset is 4:42, and if we are going to  
2 maintain our 12:30 post we are going to have a tough  
3 enough time squeezing in nine so -- but I do agree with  
4 your -- your general statement. I think that's important.

5 Thank you.

6 CHAIRMAN WINNER: Tommy, I had one other  
7 question. Are you -- we have talked about this.

8 Are you going to take into consideration the  
9 types of races that are being run on the big race days  
10 when you expect to have the biggest attendance?

11 MR. ROBBINS: Yeah. We certainly -- choosing  
12 the racing structure is somewhat dependent on what the  
13 previous meet, in this case, Santa Anita, is doing. And  
14 we're cognizant of their program, and we're cognizant of  
15 what is going to happen in the meet that follows us,  
16 the Los Alamitos December meet. Yeah, no, we will make  
17 every effort.

18 CHAIRMAN WINNER: Thank you.

19 Any other questions?

20 Is there a motion to approve?

21 Commissioner Beneto moves, Commissioner Choper  
22 seconds.

23 Commissioner Solis?

24 COMMISSIONER SOLIS: Yes.

25 CHAIRMAN WINNER: Solis votes aye.

1 Commissioner Auerbach?

2 COMMISSIONER AUERBACH: Aye.

3 CHAIRMAN WINNER: Chairman votes aye.

4 Commissioner Beneto?

5 COMMISSIONER BENETO: Aye.

6 CHAIRMAN WINNER: Thank you, gentlemen. Have a  
7 wonderful meet and we'll see you there.

8 EXECUTIVE DIRECTOR BAEDEKER: Commissioners, I  
9 might point out, now that we're done with Del Mar, that  
10 Santa Anita is also intending to implement the model rule  
11 Pick 6 as described by Del Mar just now. And, again, that  
12 was an administrative process where we did consult the  
13 Chairman and so --

14 COMMISSIONER AUERBACH: That's being called?

15 EXECUTIVE DIRECTOR BAEDEKER: Yes. This meet  
16 coming up.

17 CHAIRMAN WINNER: All right. Let's move on.

18 Discussion and action by the Board on the  
19 presentation from the Arabian Racing Association of  
20 California, and its concerns about the closing of the race  
21 track at the Alameda County Fair at Pleasanton for the  
22 winter, and the limitation of racing opportunities for  
23 "emerging breeds."

24 Somebody here --

25 EXECUTIVE DIRECTOR BAEDEKER: You can sit up

1 here in front, ma'am.

2 MS. BURT: This is better. Thank you.

3 CHAIRMAN WINNER: Your choice.

4 MS. BURT: Good morning, California Horse Racing  
5 Board and Chairman Winner. Thank you for this opportunity  
6 to address you about several things which affects Arabian  
7 racing directly and thoroughbreds indirectly.

8 My name is Dorothy Burt. I am a member of ARAC,  
9 Arabian Racing Association of California, and I have been  
10 racing Arabians in California at the County fairs since  
11 1988. I have also raced in Delaware, Texas, and Oregon,  
12 when the opportunity presented itself. It is easy to  
13 forget the individual emerging breeds and their  
14 contribution when looking at the industry as a whole, but  
15 that would be shortsighted. Even the CHRB had omitted  
16 ARAC from its racing organization chart, and we thank  
17 Mr. Baedeker for -- and his staff for adding us in.

18 I want to mention something that's already been  
19 brought up. I would like to reiterate the registrations  
20 of all breeds have been in decline, but thoroughbreds have  
21 gone from a high of 51,000 foals registered in 1986 to  
22 about 38,000 in 2005. Now, they are down in 2015 to  
23 22,000. This is a 44 percent loss in just ten years.  
24 With this being said, it is a well-accepted fact that the  
25 emerging breeds are used at the beginning of the race card

1 when there are fewer bettors in attendance and to make the  
2 available thoroughbreds fill the races later in the day.

3 When Arabians are run higher on the card, the  
4 handle is much higher. I think when you see the decline  
5 in the numbers of thoroughbreds per race, you can see the  
6 benefit of having horses fill the lower races on the card,  
7 which makes your available population fill races later in  
8 the day.

9 What Arabian racing need is more, not fewer,  
10 venues. Emerging breeds have proven their usefulness;  
11 however, when Bay Meadows, which had the San Mateo County  
12 Fair dates, when those were given to Golden Gate Fields,  
13 the emerging breads were forgotten. The dates were  
14 strictly for thoroughbred racing.

15 I have -- I myself raced two years at Bay  
16 Meadows, and the opportunity is gone now. To reward  
17 Golden Gate with still more fair dates is foolish. Fair  
18 and fair dates are required to provide emerging breeds and  
19 the opportunity to race. If Golden Gate Fields maintains  
20 the Stockton race dates, will they be required to allow  
21 emerging breeds to race there? And if so, why not  
22 accommodate these breeds to race during the San Mateo race  
23 dates?

24 This fall meet is giving us an opportunity to  
25 race, and I am really pleased that Pleasanton is doing so

1 much outreach. I have myself done outreach to several of  
2 the horse clubs that are not racing clubs in our area. We  
3 are very rich Northern California horse population. So I  
4 have reached out to those people. But it is a new event,  
5 and, you know, it may take a couple of years to get off  
6 the ground.

7           We are also concerned about the planned closure  
8 of Pleasanton, the only Northern California training track  
9 where Arabians are allowed. Most previously trained race  
10 horses can be ready to race with a shortened prep time.  
11 However, young horses and first-time starters often take  
12 longer, as much as 90 to 120 days of conditioning to get  
13 their speed and their gait okays. If you open the track  
14 to emerging breeds on May 1st and the meet starts in the  
15 middle of June, you really are limiting our ability to  
16 prepare our horses and get them ready to race. It also is  
17 tough to get a horse ready to run at the big race at Santa  
18 Anita on April 1st.

19           What you are doing at that point is encouraging  
20 out-of-state horses to come in, take the money, and go  
21 home. We are really limiting the California Arabians  
22 their chance to prepare for this race and be ready to run.

23           Arabian racing has been allowed at some of the  
24 premier racetracks in the United States, like Pimlico,  
25 Santa Anita, and Churchill Downs, which will be hosting

1 the \$100,000 President of the UAE cup this Saturday for  
2 Arabians. Arabians race in Europe and the Middle East.  
3 Texas and Delaware actively tout their favorable  
4 conditions and recruit our horses to race in those states.

5 California, with its numerous County fair gates  
6 and varied race conditions can compete with them, but only  
7 if we continue to allot the same or even increase our  
8 available dates. Arabian racing and emerging breeds fill  
9 a need in the industry. I urge you to be proactive by  
10 increasing our opportunities to participate and ensure  
11 mutual success.

12 Thank you.

13 CHAIRMAN WINNER: Thank you very much.

14 On behalf of the Board and staff, we apologize  
15 that Arabians were not included. They will be.

16 MS. BURT: Mr. Beneto took care of that.

17 CHAIRMAN WINNER: As I understand, it's done.

18 Please, Steve, go ahead. Commissioner Beneto.

19 COMMISSIONER BENETO: How many --

20 CHAIRMAN WINNER: Either come up here or --  
21 whatever is comfortable for you.

22 COMMISSIONER BENETO: How many horses do you  
23 have at Pleasanton at one time for training?

24 MS. BURT: Individually or --

25 COMMISSIONER BENETO: Indivi- -- well, total

1 Arabians for training.

2 MS. BURT: I'm -- I'm an owner. I can't speak  
3 to the industry as a whole. During the fair meet or  
4 training times?

5 COMMISSIONER BENETO: Well, training times, I  
6 guess that's what you are saying.

7 MS. BURT: Well, leading up -- leading up to the  
8 Pleasanton meet, every horse, every Arabian has to be  
9 stabled at Pleasanton. I would say my trainer has had as  
10 many as five, maybe six. Helen Shelly has had maybe --  
11 probably five or six, up to ten. It depends on the  
12 availability of the population. It varies from year to  
13 year, I suppose.

14 COMMISSIONER BENETO: The stall rent, who pays  
15 that, the Arabian Association or --

16 MS. BURT: I believe that if a horse races  
17 during that month the stall rent is comp'd, shall we say?  
18 Other than that --

19 COMMISSIONER AUERBACH: We pay for it.

20 MS. BURT: I think it is the same as --

21 COMMISSIONER AUERBACH: Yeah. We pay, the  
22 thoroughbreds pay for it. That's who pays for it.

23 MS. BURT: Okay. Well, then I --

24 COMMISSIONER BENETO: Stabling and vanning pays  
25 for Arabians?

1                   CHAIRMAN WINNER: Yeah. Stabling and vanning  
2 pays for the opening of those.

3                   MS. BURT: I would have to plead ignorance and  
4 say my trainer -- my trainer pays for it.

5                   COMMISSIONER AUERBACH: They don't get charged.  
6 They're like everybody else. They don't get charged.

7                   COMMISSIONER BENETO: Thank you.

8                   CHAIRMAN WINNER: Commissioner Choper.

9                   COMMISSIONER CHOPER: To what extent does the  
10 daily racing form give as much data for Arabian races as  
11 it does for thoroughbreds?

12                  MS. BURT: We are listed the same as in the  
13 racing form, and the history will go back as many races to  
14 ten previous starts. Does the regular distance this year,  
15 last year --

16                  COMMISSIONER CHOPER: Looks like the -- it looks  
17 just like the thoroughbreds.

18                  MS. BURT: Oh, yes.

19                  CHAIRMAN WINNER: Anything else?

20                               All right. Thank you very much.

21                               Oh, I apologize. Scott Daruty.

22                  MR. DARUTY: Yeah. Scott Daruty on behalf of  
23 the Stronach Group. And I am speaking only because both  
24 Golden Gate Fields and Santa Anita were mentioned.

25                               I just want to say that the Stronach Group has

1 been actually very supportive of Arabian racing and has  
2 worked with various associations to bring a very big  
3 Arabian race to Santa Anita, which is an important event  
4 for us.

5 With respect to whether or not Golden Gate  
6 Fields runs Arabian races, I just want to point out, we  
7 are statutorily not permitted to run there; so it is not  
8 whether we want to or don't want to. We just don't have  
9 the legal right to do so.

10 And then lastly, I just want to mention, as you  
11 all know, the Arabians that are stabled at Pleasanton are  
12 really not paying to be stabled there. It is the stabling  
13 and vanning committee that pays it. It is the  
14 thoroughbred industry and primarily Golden Gate Fields  
15 that pays.

16 And this goes back to the issue we spent a lot  
17 of time talking about, which is our decision this coming  
18 winter meet, which will start on December 26th, not to pay  
19 for stabling at Pleasanton for some period of time.  
20 Whether others can come up with the money, we are not  
21 making a determination whether it is open or not open. We  
22 are just saying we don't want the thoroughbred industry to  
23 pay for those stables.

24 Thank you.

25 CHAIRMAN WINNER: One at a time.

1 Commissioner Choper.

2 COMMISSIONER CHOPER: If it is so that the -- I  
3 confess that I have never been to the Arabian races. But  
4 if the data is available in a similar fashion and given  
5 the -- and if they are going to be decent-sized fields of  
6 Arabian horses, you know, you might put that on your  
7 agenda to try to get some statutory improvement on that  
8 issue. I am sure it could be done. No reason why it  
9 couldn't be done.

10 MR. DARUTY: Well, we can certainly look into  
11 that, and then there's also the issue of whether the fairs  
12 would oppose that because they currently, you know, have  
13 those races exclusively at the fair; so I mean, it would  
14 be a political process and something we can look into --

15 COMMISSIONER CHOPER: Maybe so, but I think we  
16 ought to do what we can to get more horses running, the  
17 field size bigger. Now that's just stating the obvious,  
18 and any way to the bank is not a bad idea.

19 COMMISSIONER BENETO: Understood. It's nice to  
20 run on Thursdays when you're light. I mean you are  
21 running only seven races? Be nice to have an Arabian race  
22 fill in the card for at least eight races.

23 CHAIRMAN WINNER: This, obviously, is another  
24 issue that becomes a part of the various issues that we  
25 deal with, especially in Northern California, with the

1       fairs and Golden Gate, et cetera, and the various breeds.  
2       So as Scott said, it is a statutory problem; so it  
3       requires an awful lot of people getting together and  
4       agreeing to legislation.

5                 So I think Rick, you wanted to make --

6                 EXECUTIVE DIRECTOR BAEDEKER:   No.

7                 MR. DARUTY:   Thank you.

8                 CHAIRMAN WINNER:   Thanks, Scott.

9                 Larry?

10                MR. SWARTZLANDER:   Yeah.   Larry Schwartzlander  
11       with CARF.   I just wanted to answer Mr. Beneto's question  
12       and Mr. Choper's.

13                There's 32 Arabians on the backside of the  
14       Alameda County Fair at this time.   We have an Arabian race  
15       scheduled for Saturday and Sunday.

16                Also on the PP's, yes, they're similar to  
17       thoroughbreds but they don't have a buyer's number beside  
18       them.

19                COMMISSIONER CHOPER:   They don't have a what  
20       number?

21                MR. SCHWARTZLANDER:   They don't have a buyer's  
22       number.   And also on the.

23                COMMISSIONER CHOPER:   It would help.

24                MR. SCHWARTZLANDER:   It would help.   You just  
25       have to calculate the times which are kind of slow

1 compared to thoroughbreds.

2 And the other point too is that I applaud the,  
3 you know, the Wathba Stud Farms, the sheikh has sponsored  
4 several stakes races in California and the fairs. But the  
5 one concern we have about the \$100,000 stakes race at  
6 Santa Anita is all the money generated for purses and  
7 stakes go to thoroughbreds. They don't go to the  
8 Arabians. They are put into our purses and we can raise  
9 the purses for the Arabians.

10 COMMISSIONER BENETO: Larry, are you going to  
11 have mules at the Pleasanton meet?

12 MR. SWARTZLANDER: Yes, sir, they are there.  
13 There are about 30 mules also.

14 COMMISSIONER CHOPER: You're going to go back to  
15 Appaloosas, what happened to them?

16 MR. SWARTZLANDER: Zero. Yeah. And the point  
17 about vanning and stabling, emerging breeds, based on the  
18 formula, do generate vanning and stabling money. So  
19 during the fair meets, we do stable quarter horses,  
20 Arabians, and mules at Pleasanton.

21 CHAIRMAN WINNER: All right. Can we move on?  
22 Any other questions?

23 Let's move on then to -- there is no action on  
24 item.

25 Item No. 6: Discussion and action by the Board

1 regarding the proposed amendment to CHRB Rule 1844,  
2 Authorized Medication, to prohibit the presence of  
3 clenbuterol in official urine test samples for all horses  
4 participating in quarter horse races.

5 Phil?

6 MR. LAIRD: Phil Laird. CHRB staff.

7 Good morning, Commissioners. This is a  
8 brand-new concept before you, and a total new subject area  
9 and that, of course, is a joke. This is very much a  
10 cleanup item. Trying to, you know, lighten the morning.

11 Anyways, this item is before you, really, as a  
12 cleanup measure. Currently, this is how things are  
13 operating. Back in April, this Board actually suspended  
14 authorized use of clenbuterol in all horses participating  
15 in the quarter horse race. But in order to not have to go  
16 through that process every April from here until eternity,  
17 we would like to get it memorialized sooner than later,  
18 and so the rule essentially makes it so that any breed of  
19 horse participating in what is defined as a quarter horse  
20 race elsewhere in our regulations, specifically Rule 1743,  
21 those horses will all then race on the same standard,  
22 meaning none of them can test positive for clenbuterol.

23 CHAIRMAN WINNER: Any questions? If not, we'll  
24 take a motion.

25 Commissioner Solis moves. Commissioner Auerbach

1 seconds.

2 Commissioner Choper, how do you vote?

3 COMMISSIONER CHOPER: Aye.

4 CHAIRMAN WINNER: Commissioner Choper votes aye.

5 COMMISSIONER BENETO: Aye.

6 CHAIRMAN WINNER: Commissioner Beneto votes aye.

7 COMMISSIONER AUERBACH: Aye.

8 CHAIRMAN WINNER: Commissioner Auerbach votes  
9 aye.

10 Commissioner Solis?

11 COMMISSIONER SOLIS: Aye.

12 CHAIRMAN WINNER: And the Chairman votes aye.

13 Thank you very much.

14 Now we will move on to the next item, which is  
15 No. 7. Unfortunately, it has a long introduction, so  
16 please bear with me because I'm required to read it.

17 "Discussion regarding the proposed amendment to  
18 CHRB Rule 1581, Racing Secretary to Establish Conditions,  
19 to provide that the racing secretary may establish race  
20 conditions that prohibit the use and/or presence of drug  
21 substances or medications in biological test samples, if  
22 the medication conditions are agreed to in writing by the  
23 acknowledged horsemen's organization, and then approved by  
24 the Board before entries are taken; a description of the  
25 testing methods and procedures used by the racing

1 association or fair to collect and analyze biological test  
2 samples, other than the official test sample collected by  
3 the CHRB shall also be submitted to the Board for  
4 approval, and CHRB Rule 1843, Medications, Drugs and Other  
5 Substances, which provides that nothing in Article 15  
6 shall prevent a racing association or fair from setting  
7 eligibility conditions, as agreed to with the acknowledged  
8 horsemen's organization, for individual races, or an  
9 entire race meet, that prohibit the use and/or presence of  
10 drug substances or medications in biological test samples  
11 from participating horses at detection levels lower than  
12 what is authorized by the Board. Such conditions, if  
13 established in accordance with Rule 1581, shall not be  
14 deemed in conflict with Board rules and regulations. This  
15 is proposed in response to the Los Angeles Superior  
16 Court's Order that the CHRB set aside approval of Los  
17 Alamitos Quarter Horse Racing Association's "house rule."

18 Now, did everybody get that, or do you want me  
19 to read it again?

20 Phil?

21 MR. LAIRD: Phil Laird, CHRB staff.

22 This item also should be familiar to you. It  
23 was -- these regulations were essentially passed as  
24 written on an emergency basis back in July and are  
25 currently in effect. And in fact, one association, Los

1 Alamitos Quarter Horse Association, has already enacted  
2 essentially this testing under this eligibility race  
3 condition program, and, essentially, this is before you to  
4 pass these regulations on a permanent basis.

5           The item was heard by the Medication and Track  
6 Safety Committee meeting, I believe, last month, and at  
7 that time, no objections were heard. But I know the  
8 thoroughbred owners of California had made it clear that  
9 they wished to review the language a little further, and  
10 so I believe we will be hearing from Mr. Avioli today; and  
11 otherwise, I'm happy to answer questions or address any  
12 issues that the Board has for this language.

13           CHAIRMAN WINNER: Thank you.

14           Mr. Avioli.

15           MR. AVIOLI: Greg Avioli, TOC.

16           Thank you, Mr. Chairman. Phil has been very  
17 gracious in working with me over the last month to address  
18 our concerns. I think this comes down, in our opinion, to  
19 an existing code section, which is Business and  
20 Professional Code Section 19613.1. And what this section  
21 does is it sets forth the different duties of the --  
22 essentially the TOC and the CTT.

23           And in relevant part, Section B says, "The  
24 owner's organization shall generally be responsible for  
25 negotiating purse agreements, satellite simulcast

1 agreements" -- and the important part -- "and all other  
2 business agreements relating to the conduct of racing that  
3 affect the owners."

4 It goes on to say that, "The trainers'  
5 organization shall generally be responsible for  
6 negotiating issues relating to the backstretch and track  
7 safety and backstretch employee welfare."

8 We believe this is pretty clear that the rule at  
9 issue right now would come within the purview of what is  
10 the responsibility of the owners' organization, and we  
11 would ask that the rule be limited to that, as opposed to  
12 the current version, which provides it subject to the  
13 approval of the TOC and the CTT.

14 COMMISSIONER AUERBACH: I thought it was changed  
15 to horsemen's in here, Horsemen's Organization.

16 Am I -- did I misread that?

17 MR. LAIRD: So the text in here does say --  
18 acknowledged Horsemen's Organization. But if you look on  
19 page --

20 CHAIRMAN WINNER: No. It says horseman,  
21 singular.

22 COMMISSIONER AUERBACH: Horseman; right.

23 MR. LAIRD: On page 74 of the actual text before  
24 you, it's about halfway through that amended language to  
25 Rule 1581 that says, "In advance in writing by the

1 acknowledged horseman's organization, which shall include  
2 both the owners and trainers organizations in the case of  
3 thoroughbreds."

4 COMMISSIONER AUERBACH: I thought you changed  
5 that.

6 MR. LAIRD: We can. I essentially have been  
7 waiting --

8 COMMISSIONER AUERBACH: I thought that -- but  
9 when you read -- when I read the introduction to it, I did  
10 not see that in the introduction. In the introduction, it  
11 was written as the horseman's, apostrophe S, organization.  
12 So the introduction was not accurate to what you actually  
13 put forth; is that correct or not?

14 CHAIRMAN WINNER: Just, when I read it, I took  
15 it as organization, singular.

16 COMMISSIONER AUERBACH: So did I.

17 CHAIRMAN WINNER: It's horseman's organization.  
18 It doesn't say organizations.

19 COMMISSIONER AUERBACH: It says apostrophe S,  
20 belonging to, as opposed to multiple.

21 MR. LAIRD: Right. And I understand that was in  
22 the title of this, but essentially, this is sort of the  
23 summary of the rule. The actual language that has been  
24 proposed is what is here on page 74.

25 We can easily amend this language, however the

1 Board would like us to. We can make it exclusive to just  
2 the TOC's consent and approval. That's not an issue for  
3 staff.

4 CHAIRMAN WINNER: Enough for a reason.

5 EXECUTIVE DIRECTOR BAEDEKER: Phil, is there not  
6 language in our rules or maybe in the statute that  
7 references the -- what the horseman's organization and  
8 thoroughbred racing is? Doesn't it reference both?

9 MR. LAIRD: It does. In our rule book on Rule  
10 2040, that's -- and generally, that's the article  
11 explaining horseman's organizations. I think there has  
12 been sort of -- I don't want to say confusion, but there's  
13 what is in the regulations. There's what's in the  
14 statutes.

15 You know, what is defined in our regulations  
16 only controls what is in the regulations. It doesn't  
17 define what is in the Business and Professions code. Only  
18 the Business and Professions code can sort of dictate  
19 those definitions.

20 But it's true in Rule 2040, it expresses that an  
21 acknowledged horseman's organization by the Board in the  
22 case of thoroughbreds is both an owners' organization and  
23 a trainers' organization.

24 CHAIRMAN WINNER: Correct. But it defines to  
25 what degree each organization, does it not, as Mr. Avioli

1 was pointing out?

2 MR. LAIRD: That comes -- that guidance comes  
3 from the statute, and, again --

4 CHAIRMAN WINNER: That's what I meant.

5 MR. LAIRD: Absolutely. Absolutely. And so we  
6 can certainly amend this rule accordingly.

7 MR. AVIOLI: If I may add, because if you don't,  
8 then the rule will be inconsistent with the statute.

9 CHAIRMAN WINNER: Maybe we should hear from  
10 Mr. Balch. I assume he is sitting there and has moved  
11 over because he has a comment to make.

12 MR. BALCH: Thank you, Mr. Chairman. Alan  
13 Balch, California Thoroughbred Trainers.

14 Just to refresh your memory, we have spoken  
15 about this before. With all respect to Counsel, I think  
16 the intention in writing this was to provide for approval  
17 by both the owners and the trainers organization. That  
18 was stated on the record at the meeting at Del Mar.

19 And with all respect to Mr. Avioli, who is an  
20 attorney and I am not, Mr. Laird, who is an attorney and I  
21 am not, even though the statute says what it says, and he  
22 quoted it in context, it doesn't prohibit this Board from  
23 adding in a rule that the trainers organization, as well  
24 as the owners organization, particularly on something as  
25 important as this, should not also be consulted for its

1 approval. Thank you.

2 CHAIRMAN WINNER: Mr. Laird, did you want to  
3 comment on what Mr. Balch just said?

4 MR. LAIRD: Well, reviewing the statute just  
5 now, you know, I'd really probably have to spend a little  
6 bit further time to give a full analysis of a proper  
7 interpretation of this. Essentially, however, I think the  
8 Board does have some discretion here based on language I  
9 have reviewed in the Business and Professions Code as far  
10 as determining what -- which approval is required of each  
11 entity.

12 You know, it gives guidance that it should be  
13 purse agreements, satellite simulcast agreements, and  
14 other business agreements for owners and backstretch track  
15 safety and welfare of backstretch employees issues for the  
16 CTT. Neither of those say race conditions. Perhaps race  
17 conditions do fall more squarely with the owners; but,  
18 again, I don't think I am in a position at this point to  
19 offer a full fledged analysis.

20 CHAIRMAN WINNER: Mr. Avioli?

21 Thank you, Phil.

22 Mr. Avioli?

23 MR. AVIOLI: In this case, I don't really  
24 believe this is open to much interpretation. The statute  
25 says on its face, "all other business agreements relating

1 to the conduct of racing that affect the owners," and this  
2 would fall into that. I'd give you an example if -- with  
3 Mr. Balch recognizing he's not an attorney but he could be  
4 one if he put some time into it.

5 What he is saying there's nothing here that  
6 prohibits the Board from doing this. Let me give you an  
7 example. Earlier in this same statute it says, "The owner  
8 shall be responsible for negotiating purse agreements."

9 All right. What if this Board then said, well,  
10 we think that even though that's what the statute said, we  
11 also want to let the trainers be a part of that. Right?  
12 I don't think you have that authority because the law says  
13 it's not within there.

14 So that's why our belief is this is no different  
15 than that situation, that the law clearly says something  
16 should be in the purview of the TOC, I do not believe that  
17 the CHRB can act inconsistent with that.

18 CHAIRMAN WINNER: Mr. Balch?

19 MR. BALCH: One more bite at the apple. Alan  
20 Balch, CTT.

21 If you read -- and this is why I think Mr. Laird  
22 is being cautious here. If you read it in context, in the  
23 statute that has just been quoted, that refers to the  
24 negotiation of agreements. That's what that specific  
25 language refers to. And Mr. Laird could read it again, if

1 you have any doubt about that. We're not talking about  
2 negotiating an agreement here. This is a rule, and it's a  
3 rule for a very defined set of circumstances, and I do  
4 believe, just common sense, as well as the law, doesn't  
5 prohibit the racing board from saying when the trainers  
6 have a say about something.

7 This Board -- thanks to this Board, the trainers  
8 organization has been invited to many things where we have  
9 an interest, and we certainly have one here.

10 CHAIRMAN WINNER: Mr. Laird, unless you have a  
11 direct response at this point, I think that it might be  
12 helpful to put this item over until October, until our  
13 legal team can further review this, discuss it with the  
14 trainers and the owners, and let's make a decision, unless  
15 there's an objection from the Board, to put this over to  
16 the October meeting.

17 MR. MILLER: If I could make one comment.  
18 Robert Miller.

19 CHAIRMAN WINNER: Please, please. Identify  
20 yourself.

21 MR. MILLER: Counsel for the California Horse  
22 Racing Board.

23 The problem -- part of the problem stems from  
24 the fact that sections of the California horse racing law  
25 were passed when the owners and the trainers were together

1 and they used the term horseman's organization. Later,  
2 when the two associations split, there were other sections  
3 like in the ADW, where it defines the horseman's  
4 organization as the TOC, as the owners.

5 But those earlier provisions were in place prior  
6 to the split, and so there's -- there's some statutory  
7 interpretation that has to take place as to what was the  
8 intent of the legislature at the time the earlier  
9 organization -- the earlier statutes were passed, and by  
10 what did the legislature have in mind as to the horseman's  
11 association.

12 After the -- after split, when there are two --  
13 two separate organizations, we can -- and statutes are  
14 passed after that that used horseman's, we can clearly see  
15 what was the intent of the legislature.

16 So that's part of what the confusion, I think,  
17 is about is that the earlier use of the word "horsemen"  
18 was contemplating both the trainers and the owners being  
19 together.

20 CHAIRMAN WINNER: Okay. Thank you. I don't  
21 know that that -- I appreciate that. You have identified  
22 the problem, but what we are looking for is the solution.

23 MR. MILLER: And that will come in time.

24 COMMISSIONER CHOPER: Leave it to lawyers.  
25 That's what we got, too many of them.

1                   CHAIRMAN WINNER:   Okay.  Unless there's an  
2                   objection, I'm going to put this over until October, and  
3                   we will let the legal beagles work on it and -- and come  
4                   back with a recommendation.

5                   COMMISSIONER CHOPER:  While we were at these  
6                   numbers, if you look at the analysis on page 7-3, the  
7                   third sentence -- or the third line says, "Remain in  
8                   effect as per regulations until January 2016."  I think  
9                   they mean to say '17.

10                  CHAIRMAN WINNER:  Yeah.

11                  COMMISSIONER CHOPER:  So while we were --

12                  CHAIRMAN WINNER:  Well done.

13                  COMMISSIONER CHOPER:  I'm sure you'll appreciate  
14                  that.

15                  CHAIRMAN WINNER:  Okay.  Number 8 is a report  
16                  from the Race Dates Committee.  And I will give that  
17                  report -- first of all, let me point out that we had a  
18                  lengthy, interesting and highly participated-in meeting  
19                  yesterday of the Race Dates Committee.  I think it went  
20                  for two-and-a-half or three hours.

21                  We -- with respect to the Northern California  
22                  race dates, with one exception, we were not able to reach  
23                  agreement.  And I'm sorry to say that, but I do want to  
24                  commend all of the folks who spent time there and have  
25                  been spending time over the last month trying to reach an

1 accord, but they weren't able to do it.

2 We tried again yesterday. We asked, actually,  
3 staff and anyone who wasn't a stakeholder to leave the  
4 room and let the stakeholders try to work this out one  
5 last time. They weren't able to do it. Unfortunately,  
6 it's a three-member committee. I was the only one that  
7 was able to come because Commissioner Beneto had a problem  
8 with his plane. Commissioner Krikorian is at the sale in  
9 Kentucky.

10 So we did our best. I think everybody there did  
11 their best, which I appreciate. But we were not able to  
12 reach a conclusion. So with respect to the Northern  
13 California race dates -- and I won't get into the  
14 specifics -- those of you that are involved know the  
15 specifics. We have agreed to put the decision off until a  
16 month, until the October meeting.

17 Those of you that were at -- I think it was at  
18 the Race Dates Committee last year -- it might have been  
19 at the Board meeting -- you may recall that Commissioner  
20 Beneto asked me to promise to make a commitment that we  
21 would resolve this at this meeting, but given the  
22 circumstances, Commissioner Beneto was kind enough before  
23 the meeting, in my conversation with him, to relieve me of  
24 that promise, because I do try to keep my word.

25 So we were able to put it over until October.

1 We all agreed that we would not make a decision on the  
2 Stockton/Pleasanton/Oak Tree dates until after the  
3 Pleasanton Fair meet, until the Pleasanton -- I'm sorry --  
4 the Stockton/Pleasanton meet that we have been talking  
5 about earlier today so that we can see how that meet does  
6 to determine what happens in the following years. There  
7 was no disagreement on that issue that I recall. That  
8 issue, that is, to put it over and make that decision  
9 after the meet takes place at Pleasanton.

10           The other issues have to do with calendars, all  
11 kinds of things like the Fourth of July, there's stabling  
12 issues, financial issues, et cetera. I have no doubt that  
13 the various stakeholders have done their best to try to  
14 work this out. There are just differences, and the fact  
15 is, whenever you have situations like this, just like in  
16 Southern California, by the way, where the stakeholders  
17 were able to get together, everybody took a little bit of  
18 a loss. Everybody had to give a little, and they were  
19 able to work it out, which we all appreciated, and it was  
20 done.

21           In Northern California, because there are a  
22 number of fairs involved, it gets a little bit more  
23 complicated. There are a number of issues involved, and  
24 even though everybody is trying, they have not been able  
25 to work it out up to this point. So we all know that we

1 are all frustrated and we all want to get this done. But  
2 there are issues involved and we'll just try to let them  
3 work it out as best we can. They know that we are here to  
4 help, if we can. And we don't want to intrude into the  
5 deliberations and discussions, but we are available if we  
6 are asked to do so.

7           So -- I'm sorry. Let me just finish the report.  
8 We did pass out two -- two issues which are Item No. 10  
9 and 11, and we'll get to them, which are approving the  
10 dates for Watch and Wager and approving the dates for the  
11 Los Alamitos, which is not Northern California, but it was  
12 missed at the last meeting. So we brought it up at that  
13 committee meeting approving the date -- the dates for Los  
14 Alamitos Quarter Race meets. So those will come up at --  
15 the next two items are Items No. 10 and 11, and we have  
16 taken Item 9 off.

17           So that's the report of the Race Dates  
18 Committee, Northern California Race Dates Committee, and  
19 we will be meeting again probably about two weeks prior to  
20 the next Board meeting, but after the meet that's  
21 beginning in a few days at Pleasanton.

22           Now, Commissioner Auerbach, I'm sorry.

23           COMMISSIONER AUERBACH: I'm sorry. I'm really  
24 off point, but if I don't do this now, I won't remember.

25           Commissioner Krikorian and I had a discussion

1 about our meet dates, when the Board meets, and we would  
2 like the Board to consider, when you talk about setting up  
3 our meet dates, to try to block out when the Keeneland  
4 sales are because we are not available, and I would like  
5 staff to look at that, and I just wanted to say that  
6 before I forgot.

7 CHAIRMAN WINNER: Thank you very much. Staff --

8 COMMISSIONER AUERBACH: Sorry.

9 CHAIRMAN WINNER: -- please take that under  
10 consideration.

11 Yes, Commissioner Beneto?

12 COMMISSIONER BENETO: Shall I make myself  
13 available if they want a meeting?

14 CHAIRMAN WINNER: Yeah, that's what I -- that's  
15 what I said. We're not -- we don't -- we're not pushing  
16 ourselves on anyone. We're not trying to dictate, but  
17 Commissioner Beneto and, obviously, the other  
18 commissioners who are on the committee are available but,  
19 obviously, Commissioner Beneto from Northern California  
20 who has been very, very engaged and involved in these  
21 discussions, or in this situation, has been kind enough to  
22 make himself available for whatever meetings you might  
23 feel necessary. I personally would suggest that you  
24 involve him in your discussions but, obviously we can't  
25 force that.

1 COMMISSIONER SOLIS: I have a comment.

2 CHAIRMAN WINNER: Please.

3 COMMISSIONER SOLIS: I was looking at the  
4 calendars for all the fairs, and you see so many dark days  
5 where there's just simulcast races, and I feel like it  
6 really hurts the horsemen not running their races those  
7 days. For example, I was looking at Santa Rosa date,  
8 their race, what, almost five days a week. And then you  
9 see all the tracks, they just run like two days, three  
10 days a week. That's really taking a lot of money from the  
11 horsemen and the state, and we -- I think we should  
12 consider that.

13 EXECUTIVE DIRECTOR BAEDEKER: Not sure that's  
14 correct. Probably represented incorrectly. They  
15 generally run four days a week. In some instances, they  
16 run three days a week and, its largely, we have CARF here,  
17 it's largely determined by the horse population that's  
18 available. As you know, the field sizes are small, as it  
19 is; is that correct, Larry?

20 COMMISSIONER BENETO: No, that's not correct.

21 EXECUTIVE DIRECTOR BAEDEKER: No?

22 COMMISSIONER BENETO: The reason why you see  
23 three days, the fairs always start on a Friday, the first  
24 week of the fairs; so they will run Friday, Saturday,  
25 Sunday, and then they kick in the second week four days

1 and the third week four days.

2 CHAIRMAN WINNER: If there is a third week.

3 COMMISSIONER BENETO: But the start of the meet,  
4 each fair opens on a Friday and that's --

5 COMMISSIONER SOLIS: During those times, they  
6 have simulcast; right?

7 EXECUTIVE DIRECTOR BAEDEKER: Simulcast.

8 COMMISSIONER SOLIS: So that's -- that's my  
9 point.

10 CHAIRMAN WINNER: Larry, do you want to comment?

11 MR. SWARTZLANDER: Larry Swartzlander, CARF.

12 I can give you exact numbers of each fair. We  
13 start with Pleasanton, which goes four, four and four, and  
14 then we move on to Cal Expo which goes three, four, and  
15 four and Santa Rosa was four, four and three, and then  
16 Humboldt was three and three, and the fall meet here  
17 at the -- tomorrow starts around will be three and three,  
18 and the final Fresno meet will be a total of nine days,  
19 four and five.

20 CHAIRMAN WINNER: Of course, all of this is a  
21 part of the discussions with respect to the Northern  
22 California race dates because of certain -- if certain  
23 suggestions occur with respect to moving dates, that's  
24 going to affect how many days are being run at each fair  
25 in 2017. And I think Commissioner Solis's point is one

1 that should be considered, as you talk about this and,  
2 obviously, the whole issue of horse population, as  
3 Executive Director Baedeker mentioned, is not obviously  
4 critical. If you don't have the horses, you can't have  
5 the races. But I appreciate that, Larry. All of this is  
6 being considered, as you folks have your meetings and,  
7 hopefully, make a decision and, hopefully with  
8 Commissioner Beneto involved in those discussions.

9 Anything else?

10 COMMISSIONER SOLIS: Yeah. That, again don't  
11 make no sense.

12 CHAIRMAN WINNER: Anything else? Thank you.

13 We'll move on then to Item No. 10, since nine  
14 has been removed.

15 Discussion and action by the Board regarding  
16 the allocation of the harness race dates beginning year  
17 2017.

18 And, again, it was a single vote. Mr. Miller  
19 advised me we had to have a roll call. So I did a roll  
20 call and I voted yes.

21 COMMISSIONER CHOPER: Me too. I did, too.

22 CHAIRMAN WINNER: But you were certainly  
23 welcome.

24 COMMISSIONER CHOPER: By proxy.

25 CHAIRMAN WINNER: Mr. Schick?

1 MR. SCHICK: Good morning, Chairman Winner, and  
2 members of the Board. Chris Schick, Watch and Wager  
3 Harness.

4 We submitted our request for dates for 2017.  
5 The dates are consistent with our last few years. It's a  
6 split meet where we would start December 26th, go into  
7 May, and then resume again in October through  
8 December 24th. And we ask the Board to hopefully approve  
9 our 2017 dates.

10 CHAIRMAN WINNER: Commissioner Auerbach moves,  
11 Commissioner Choper seconds.

12 Commissioner Solis?

13 COMMISSIONER SOLIS: Yes.

14 CHAIRMAN WINNER: Commissioner Auerbach?

15 COMMISSIONER AUERBACH: Yes.

16 CHAIRMAN WINNER: Chairman votes yes.

17 Commissioner Choper?

18 COMMISSIONER CHOPER: Yes.

19 CHAIRMAN WINNER: Commissioner Beneto?

20 COMMISSIONER BENETO: Yes.

21 CHAIRMAN WINNER: Thank you very much. Good  
22 meet.

23 MR. SCHICK: Thank you.

24 CHAIRMAN WINNER: Moving right along:

25 Discussion and action by the Board regarding the

1 allocation of the quarter horse dates beginning year 2017.

2 As I indicated earlier, this was our fault for  
3 not dealing with this during the Southern California race  
4 dates, but we now have it again, after a long roll call  
5 vote that the dates committee -- the dates committee moved  
6 a recommendation to the Board to pass this matter.

7 Is there a motion to approve?

8 COMMISSIONER CHOPER: So moved.

9 CHAIRMAN WINNER: Commissioner Choper moves.  
10 Commissioner Beneto seconds.

11 Commissioner Solis?

12 COMMISSIONER SOLIS: Yes.

13 CHAIRMAN WINNER: Commissioner Auerbach?

14 COMMISSIONER AUERBACH: Yes.

15 CHAIRMAN WINNER: Chairman votes yes.

16 Mr. Choper? Commissioner Choper?

17 COMMISSIONER CHOPER: Yes.

18 CHAIRMAN WINNER: Commissioner Beneto?

19 COMMISSIONER BENETO: Yes.

20 CHAIRMAN WINNER: That matter passes

21 unanimately. Have a good meet, Dr. Allred, and, again,  
22 thank you for your hospitality here today.

23 Anything else? Because that concludes the  
24 meeting. We will be going into closed session.

25 Thank you all very much for attending. I urge

1 you folks from Northern California to get together and  
2 solve the problem. Thank you.

3 (At 11:09 a.m., the proceedings were  
4 concluded.)

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1 STATE OF CALIFORNIA )  
 ) ss.  
2 COUNTY OF LOS ANGELES )

3

4 I, ANN BONNETTE, C.S.R. No. 6108, do hereby  
5 certify:

6 That the foregoing meeting of the Regular Meeting  
7 of the California Horse Racing Board was taken before me  
8 at the time and place therein set forth and was taken down  
9 by me in shorthand and transcribed into computer-generated  
10 text under my direction and supervision; and I hereby  
11 certify the foregoing transcript of my shorthand notes so  
12 taken.

13 I further certify that I am neither counsel for nor  
14 related to any party to said meeting nor in any way  
15 interested in the outcome thereof.

16 IN WITNESS WHEREOF, I have hereunto subscribed my  
17 name this 30th day of September, 2016.

18

19

20

\_\_\_\_\_  
ANN BONNETTE, CSR NO. 6108

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