

CALIFORNIA HORSE RACING BOARD

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REGULAR MEETING

of the **California Horse Racing Board** will be held **Thursday, September 27, 2018**, commencing at **9:30 a.m.**, in the **Baldwin Terrace Room** at the **Santa Anita Park Race Track**, **285 West Huntington Drive, Arcadia, California**. The audio portion only of the California Horse Racing Board regular meeting will be available online through a link at the CHRB website (www.chrb.ca.gov) under "Webcasts."

AGENDA

Action Items:

1. **Approval of the minutes of August 23, 2018.**
2. **Executive Director's Report.**
3. **Public Comment:** Communications, reports, requests for future actions of the Board. **Note:** Persons addressing the Board under this item will be restricted to **three (3) minutes** for their presentations.
4. Discussion and action by the Board regarding the **distribution of race day charity proceeds of the Los Alamitos Quarter Horse Racing Association, from its 2017 race meeting, in the amount of \$24,394, to five beneficiaries.**
5. Discussion and action by the Board regarding the **distribution of race day charity proceeds of the Los Alamitos Racing Association, from its 2017 race meetings, in the amount of \$7,928, to four beneficiaries.**
6. Discussion and action by the Board regarding an **update from the Pacific Coast Quarter Horse Racing Association (PCQHRA) on the 14th Annual Los Alamitos Equine Quarter Horse Yearling and Mixed Stock Sale and its request for authorization of the sale, pursuant to CHRB Rule 1807, Authorized Horse Sales.**
7. Discussion and action by the Board regarding the status of outstanding items from the **Application for License to Conduct a Horse Racing Meeting of the Pacific Racing Association II (T) at Golden Gate Fields, commencing October 17, 2018 through December 9, 2018, inclusive, which was approved at the August 23, 2018 regular meeting of the Board, contingent upon the receipt of outstanding items.**
8. Discussion and action by the Board regarding the **potential reallocation of 2018 Northern California race dates.**

9. Discussion and action by the Board on the **Application to Conduct a Horse Racing Meeting of the Del Mar Thoroughbred Club (T) at Del Mar**, commencing November 7, 2018 through December 4, 2018, inclusive.
10. Public hearing and action by the Board regarding the **proposed amendment to CHRB Rule 1588, Horse Ineligible to Start in a Race**, to provide that a horse that receives an intra-articular injection (glucocorticosteriod/cortisone) is ineligible to race for five (5) days (120 hours) after the treatment and the **proposed addition of CHRB Rule 1842.1, Additional Report for Intra-Articular Treatments**, to require veterinarians administering medication or treatment into an articular structure of a horse located within the inclosure to provide an intra-articular treatment record to the trainer who shall maintain the records for a period of one year, and make the records available to the examining veterinarian for the purpose of assisting with pre-race veterinary examinations and other examinations as required by the Board. (Note: This concludes the 45-day public comment period. The Board may adopt the proposal as presented.)
11. Public hearing and action by the Board regarding the **proposed amendment to CHRB Rule 1843.3, Penalties for Medication Violations**, to correct a discrepancy in the phenylbutazone levels noted in the category "C" penalty chart in Rule 1843.3. (Note: This concludes the 45-day public comment period. The Board may adopt the proposal as presented.)
12. Public hearing and action by the Board regarding the **proposed amendment to CHRB Rule 1632, Jockey Riding Fee**, to adjust the jockey riding fee scale pursuant to Business and Professions Code section 19501. (Note: This concludes the 45-day public comment period. The Board may adopt the proposal as presented.)
13. Public hearing and action by the Board regarding the **proposed amendment to CHRB Rule 1865, Altering of Sex of Horse**, to require that if the public is not notified of the true of sex of the horse prior to the opening of wagering, the stewards shall declare the horse from the race. (Note: This concludes the 45-day public comment period. The Board may adopt the proposal as presented.)
14. Discussion and action by the Board regarding the **proposed addition of CHRB Rule 1967.1 Posting of Final Odds**, to require any association, advance wagering provider or other entity licensed by the Board to distribute the audiovisual signal of any California race, to post the final odds for a race on all displays within five seconds of the close of wagering.
15. Report from the **Stabling and Vanning Committee**.
16. Discussion and action by the Board regarding **racing calendar proposals for southern and northern California and the allocation of race dates**.

17. **Closed Session:** For the purpose of receiving advice from counsel, considering pending litigation, reaching decisions on administrative licensing and disciplinary hearings, and personnel matters, as authorized by section 11126 of the Government Code.
- A. The Board may convene a Closed Session to confer with and receive advice from its legal counsel regarding the pending litigation described in the attachment to this agenda captioned "Pending Litigation," and as authorized by Government Code section 11126(e).
 - B. The Board may convene a Closed Session to confer with and receive advice from its legal counsel regarding the pending administrative licensing or disciplinary matters described in the attachment to this agenda captioned "Pending Administrative Adjudications," as authorized by Government Code section 11126(e).
 - C. The Board may convene a Closed Session for the purposes of considering personnel matters as authorized by Government Code section 11126 (a).

Additional information regarding this meeting may be obtained from the CHRB Administrative Office, 1010 Hurley Way, Suite 300, Sacramento, CA 95825; telephone (916) 263-6000; fax (916) 263-6042. This notice is located on the CHRB website at www.chrb.ca.gov. *Information for requesting disability related accommodation for persons with a disability who require aid or services in order to participate in this public meeting, should contact Jacqueline Wagner.

CALIFORNIA HORSE RACING BOARD

Chuck Winner, Chairman
Madeline Auerbach, Vice Chairman
Jesse H. Choper, Member
Fredric Maas, Member
Araceli Ruano, Member
Alex Solis, Member
Rick Baedeker, Executive Director
Jacqueline Wagner, Assistant Executive Director

PROCEEDINGS of the Regular Meeting of the **California Horse Racing Board** held at the **Del Mar Surfside Race Place, (Downstairs General Admission Area) 2260 Jimmy Durante Blvd., Del Mar, California, on August 23, 2018.**

Present: Chuck Winner, Chairman
Madeline Auerbach, Vice-Chairman
Jesse Choper, Member
Fredric Maas, Member
Rick Baedeker, Executive Director
Jacqueline Wagner, Assistant Executive Director
John McDonough, General Counsel

APPROVAL OF THE MINUTES OF JUNE 21, 2018

Chairman Winner asked for approval of the minutes of the Regular Meeting of June 21, 2018.

Vice-Chairman Auerbach **motioned** to approve the minutes. Commissioner Maas **seconded** the motion, which was **unanimously carried**. Roll Call Vote: Aye: Maas, Winner, Auerbach, Choper.

Nay: None. Motion carried.

APPROVAL OF THE MINUTES OF JULY 12, 2018

Chairman Winner asked for approval of the minutes of the Regular Meeting of July 12, 2018.

Commissioner Maas **motioned** to approve the minutes. Commissioner Choper **seconded** the motion, which was **unanimously carried**. Roll call vote: Aye: Choper, Auerbach, Winner, Maas.

Nay: None. Motion carried.

EXECUTIVE DIRECTOR'S REPORT.

Executive Director Baedeker stated the Alameda County Fair (Alameda) had 15 days of racing in 2018 compared to 11 days in 2017, which resulted in total handle of \$34 million versus \$29 million in 2017. However, the daily average dropped 14 percent, from \$2.6 million to \$2.3 million.

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Alameda averaged 6.47 starters per event in 2018 compared to 6.53 in 2017. Executive Director Baedeker reported the 2018 California State Fair (Cal Expo) had the same number of race days as in 2017. Cal Expo's 2018 average daily handle increased 5.49 percent, out-of-state wagers increased 17.75 percent, and field size experienced a slight increase from 5.9 to 6.04. The Los Alamitos Thoroughbred (Los Alamitos) meet raced 12 days in 2018 compared to 8 days in 2017. Los Alamitos' total handle was \$43.8 million in 2017 and \$68.5 million in 2018; average daily handle increased 4.33 percent. Los Alamitos' Advance Deposit Wagering showed an increase of 15 percent and a slight increase in field size from 6.8 to 6.9. Executive Director Baedeker said the financials for July 2018 had three fewer races during the day and one less at night; daytime business was down 13.47 percent, nighttime was almost level to 2017 for a total decrease of 12.3 percent. Year-to-date daytime handle increased 7 percent; nighttime handle increased 2.96 percent, with an overall increase of 6.56 percent.

PUBLIC COMMENT

John Valenzuela, Pari-Mutuel Employees Guild - Local 280 (Local 280), stated Local 280 and Pacific Racing Association (PRA) reached an agreement on August 20, 2018 to ensure horse racing at Golden Gate Fields through October 2, 2018. Negotiations would continue September 10 and 11, 2018. He said ongoing issues involved PRA's proposal to reduce the workforce by 20 to 30 percent and wages by 20 percent. Chairman Winner asked if Local 280 had agreements with Del Mar Thoroughbred Club and Los Alamitos Racing Association. Mr. Valenzuela stated Local 280 reached agreements with all employers except PRA and Los Angeles Turf Club, both part of Stronach Group (SG). He said Local 280 agreed to minor workforce reductions and sought a similar agreement with SG. Scott Daruty, SG, stated he agreed with Mr. Valenzuela regarding the

continued negotiations and status of the agreement between Local 280 and PRA. He wanted it on record that SG did not agree with Mr. Valenzuela's characterization of what SG sought. Joanne Nor, concerned citizen, stated the California Environmental Protection Agency added glyphosate to its list of carcinogens on July 7, 2017. She said glyphosate was in 95 to 100 percent of the race horse's daily diet, and it was known to cause heart attacks, as in the incident that involved the horse ridden by Victor Espinoza. It also suppressed the immune system, which led to many diseases. She stated that Dr. Rick Arthur, CHRB Equine Medical Director, surveyed a German study on dairy cattle instead of reporting on the preliminary study that was to be discussed at the Medication and Track Safety Committee meeting. She said Germany banned glyphosate prior to the study, so the study was irrelevant. She stated 3,500 parties, including the City of San Diego and a school grounds caretaker with terminal cancer, had sued Monsanto, the manufacturer of Roundup, which was the trade name for glyphosate. She said the idea of glyphosate being sprayed on nearly all horse feed was undermining horse racing and the health of the horses. She stated there was a lack of warning signs for backstretch employees, trainers, and others handling glyphosate-covered feed. She asked the Board to recognize the risk glyphosate posed to the health of backstretch workers, horses, and jockeys. She said the horse racing industry should require product labeling for horse feed, as the current products in 25 and 50-pound bags were contaminated and unlabeled. Chairman Winner stated for the record that the necropsy on the horse Victor Espinoza was riding had not been completed, but it appeared a heart attack might not have caused the horse to go down. Ms. Nor said she conducted a survey and found that almost all the backstretch workers had elevated liver enzymes. She stated it would be helpful if there was testing for glyphosate in the race horses and guidelines for unsafe levels. Dr. Rick Arthur, CHRB Equine Medical Director, stated the report he gave was mischaracterized. He said there were organic livestock feed producers

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for interested horsemen. Gail Matthews, Winning Hands Equine Massage Therapy, stated she promoted quality retirement for horses. She helped by tracking hundreds of horses that had raced in California to prevent their slaughter. She said she wanted to publicly acknowledge horsemen Anthony Ciccone, John Sperando, and Michael Blowen for their effort in ensuring a future for a horse she had worked on in August 2013. Nancy Bretzfield, concerned citizen, stated she was the owner of horses that won many races in California during the 1980s. She said in her time, there was no prevalence of contaminants in the food chain, and if she had top horses treated by a veterinarian three or four times, she considered that to be a lot. She stated the food chain had become dangerous, which was why so many people and animals were disease-stricken. She suggested the industry look at the alternative of organic feed for the horses. They would be healthy, run better, and require less treatment from veterinarians. Ali Nilforushan, concerned citizen, stated he organized a horse show in 2018 and gave \$56,000 in free entries to thoroughbreds. He said he believed free competitions would provide opportunities for talented individuals with limited resources. Mr. Nilforushan stated the Board should create opportunities for lower level racing so horses would not end up in claiming races. He said if horses were claimed in claiming races, owners should be able to decline the sale to prevent the horses from ending up with owners who did not act in the horses' best interests. He stated race horses should have grazing areas to allow them to be animals, lower their stress levels, and recover from the demands of racing. Vice-Chairman Auerbach said Mr. Nilforushan had good ideas, and he should express them to the Thoroughbred Owners of California to get the ideas implemented. Chairman Winner stated he agreed with Vice-Chairman Auerbach.

DISCUSSION AND ACTION BY THE BOARD REGARDING THE DISTRIBUTION OF RACE DAY CHARITY PROCEEDS OF THE LOS ALAMITOS QUARTER HORSE RACING ASSOCIATION, FROM ITS 2017 RACE MEETING, IN THE AMOUNT OF \$24,394, TO FIVE BENEFICIARIES.

This item was moved to the September 2018 Regular Board Meeting Agenda.

DISCUSSION AND ACTION BY THE BOARD REGARDING THE DISTRIBUTION OF RACE DAY CHARITY PROCEEDS OF THE LOS ALAMITOS RACING ASSOCIATION, FROM ITS 2017 RACE MEETINGS, IN THE AMOUNT OF \$7,928, TO FOUR BENEFICIARIES.

This item was moved to the September 2018 Regular Board Meeting Agenda.

DISCUSSION AND ACTION BY THE BOARD ON THE NOMINATION OF MEMBERS TO THE BOARD OF DIRECTORS OF THE CALIFORNIA THOROUGHBRED HORSEMEN'S FOUNDATION, INC.

Cliff Goodrich, California Thoroughbred Horsemen's Foundation, Inc. (CTHF), stated CTHF was requesting CHRB's approval of the three individuals it elected to its Board as required pursuant to Rule 2049, Designation and Approval of Horsemen's Welfare Fund. Vice-Chairman Auerbach **motioned** to approve the nomination of members to the CTHF Board of Directors. Commissioner Choper **seconded** the motion, which was **unanimously carried**. Roll Call Vote: Aye: Maas, Winner, Auerbach, Choper. Nay: None. Motion carried.

DISCUSSION AND ACTION BY THE BOARD ON THE APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF THE LOS ANGELES TURF CLUB II (T), AT SANTA ANITA, COMMENCING SEPTEMBER 26, 2018 THROUGH NOVEMBER 6, 2018, INCLUSIVE.

Scott Daruty, Los Angeles Turf Club II (LATC II), said LATC II was requesting 24 race days beginning September 27, 2018, running through the first weekend of November 2018. He said the

purse schedule was finalized for LATC II's overnight and stakes races. LATC II was estimating about \$450,000 in average daily handle, almost the same as in 2017. He stated the opening weekend was expected to be the biggest weekend, with many stakes races and Breeders' Cup prep races. Executive Director Rick Baedeker said the Thoroughbred Owners of California (TOC) race meet agreement, Advance Deposit Wagering contracts, and labor agreement were outstanding. Mr. Daruty stated the agreement reached with Pari-Mutuel Employees Guild - Local 280 was for the upcoming meet at Golden Gate Fields only. He said negotiations were continuing in reaching an agreement before the opening of the horse racing meeting at Santa Anita Park. He stated LATC II had been unsuccessful in obtaining a signed agreement from TwinSpires because the latter believed the agreement signed in 2013, which had expired, was still valid. Commissioner Choper asked if LATC II considered arbitration. Mr. Daruty said TwinSpires might not agree to arbitration, and TwinSpires cancelled a meeting to address the agreement. He stated TwinSpires did not have an agreement with any horse racing track in California. One option to resolve the issue would be for LATC II to deny TwinSpires access to LATC II's signal. The other option would be for the Board to not allow LATC II to send its signal to TwinSpires. Chairman Winner stated he believed the Board could arbitrate if LATC II and TwinSpires agreed. Mr. Daruty said LATC II would welcome the Board's intervention. Executive Director Baedeker said the Board had power beyond arbitration and could simply decide to not allow business on TwinSpires' site based on staff counsel's opinion of the contractual matter. Mr. Daruty stated he wanted to clarify for the record that the contract LATC II sent to TwinSpires was the same as the contracts TVG, Expressbet, and NYRabets signed. Commissioner Maas asked if TwinSpires had issues not specific to California that could be involved in its unwillingness to sign a new contract. Mr. Daruty said TwinSpires simply did not want to sign a new contract. Chairman Winner stated the Board could begin by

offering to arbitrate between LATC II and TwinSpires. Both parties would be asked to affirmatively agree to arbitration. Executive Director Baedeker asked if it was Chairman Winner's goal to resolve the issue before the upcoming horse racing meeting. Chairman Winner said he sought resolution by the next meet, not the upcoming meet. Vice-Chairman Auerbach stated it would be appropriate to make TwinSpires' license contingent upon its ability to sign off on the required contracts. Chairman Winner said it would be a good idea to give arbitration a try before taking that course of action. Chairman Winner asked why a race meet agreement had not been reached between TOC and LATC II. Elizabeth Morey, TOC, stated TOC was finalizing an agreement with LATC II for LATC II's upcoming meet. She said TOC was securing the purse schedules. Robert Brodник, CHRB Staff Counsel, stated that one change from LATC II's previous application was related to its wagering program. He said there were two issues related to that change. LATC II was requesting that its patrons be allowed to select an alternate wagering interest in any of the picking contests in the event their selected wagering interest was scratched, which would require Board authorization. The second issue was LATC II's request to use its own alternative definition of "unique" to govern its Pick 6 payout. The LATC II definition of "unique" did not coincide with either of the two definitions under the Association of Racing Commissioners International (ARCI) Model Rules. He said the Board had the authority to approve LATC II's alternative definition of "unique." He stated LATC II was also requesting a change to the ARCI Model Rules with respect to instances of late surface changes. Eric Sindler, LATC II, said the alternate runner selection was not new, and every thoroughbred association in California had been doing it that way for years. He stated the request regarding the late surface change was the same as in the last few meets. The only change was the definition of "unique." Chairman Winner asked for a description of LATC II's marketing plan. Mr. Sindler said LATC II was running a six-week

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meet, and a 50-page plan was submitted to the Board. For the jackpot portion of the Pick 6 on opening weekend, for a unique winning ticket, LATC II would guarantee \$250,000 on Friday, \$1 million on Saturday, and \$500,000 on Sunday. He stated the weekly \$40 handicapping contest would be continued, and there would be five live-money contests ranging from \$500 to \$3,000. LATC II would also operate as a satellite facility for the Breeders' Cup Betting Challenge, which was a live-money contest with a \$10,000 buy-in. He said every weekend would have various events, including festivals, music, and food. Wagering ambassadors would be present to assist new patrons. He stated Santa Anita Park was continuing to invest in the facility, and it was in the process of installing a camera in the stewards' stand to be more transparent. Executive Director Baedeker said one more step in the transparency would be to have video of the most critical view that best showed an incident, and the race announcer would provide a voiceover of the stewards' detailed explanation. Patrons would be able to view the video online and hear the explanation. Mr. Sindler stated a purse agreement was reached with TOC. The stakes schedule was going to be the same as in 2016, when Santa Anita Park last had Breeders' Cup weekend. He said work was done on the turf course, and it was in excellent condition. Patrons seemed to like having the races on turf, so Santa Anita Park would keep offering turf races. Mr. Sindler stated the race meet would open Friday, September 28, 2018 instead of Thursday, September 27, 2018. He said there would be no horse racing on Thursday, November 1, 2018, which fell on both closing week and Breeders' Cup week. There would be more races each day for the opening and closing weeks. Mr. Daruty stated SG had been working with TOC and California Thoroughbred Trainers in implementing, for the December 2018 race meet, a program in which trainers paid stall rent if a horse did not start twice. Chairman Winner **motioned** to approve the Los Angeles Turf Club II application to conduct a horse racing meeting commencing September 26, 2018 through November 6, 2018 contingent on

receipt of all outstanding documents. Commissioner Maas **seconded** the motion, which was **unanimously carried**. Roll call vote: Aye: Choper, Auerbach, Winner, Maas. Nay: None.

Motion carried.

DISCUSSION AND ACTION BY THE BOARD ON THE APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF THE BIG FRESNO FAIR (F), AT FRESNO, COMMENCING OCTOBER 3, 2018 THROUGH OCTOBER 16, 2018, INCLUSIVE.

Larry Swartzlander, Big Fresno Fair (Fresno), stated Fresno would be a nine day meet commencing October 3, 2018 through October 16, 2018. Fresno would award approximately \$1 million in purses and was offering two incentive programs. The first incentive program would give trainers that had three starts \$300; \$500 for five starts; and \$1,000 for ten starts. The second incentive program was for out-of-state trainers who would receive \$150 for the first start, and \$250 for the second start. He said there would be two stakes races; the \$100,000 Harris Stakes, which was a Cal-Bred, three-years old and up, going six furlongs; and the \$50,000 Bulldog Stakes, three-years old and up going a mile and an eighth. He stated there was currently a \$202,000 carryover in the Pentafecta and a \$40,000 Jackpot carryover in the Pick 6. He said he hoped it would roll over from the Humboldt County Fair to Fresno and continue to grow. Lauri King, Fresno, said part of Fresno's marketing plan was to attract new wagering enthusiasts by offering more exciting events such as a Wine and Craft Brew Festival. She stated Fresno also increased its digital media buy and would distribute coasters to over 1,000 restaurants and bars. Commissioner Maas **motioned** to approve the Big Fresno Fair race meet application. Commissioner Choper **seconded** the motion, which was **unanimously carried**. Roll Call Vote: Aye: Choper, Auerbach, Winner, Maas. Nay: None. Motion carried.

DISCUSSION AND ACTION BY THE BOARD ON THE APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF THE PACIFIC RACING ASSOCIATION (T), AT GOLDEN GATE FIELDS, COMMENCING OCTOBER 17, 2018 THROUGH DECEMBER 18, 2018, INCLUSIVE.

Robert Brodnik, CHRB Staff Counsel, stated Pacific Racing Association (PRA) provided a “not applicable” response in subsection 12(a) of its race meet application, which asked for a simulcast organization that was engaged by the association to conduct simulcast wagering. He said staff believed pursuant to Rule 2058, Duties of a Racing Association or Fair Offering Simulcast Wagering, a racing association could simulcast its racing program as the host, either by forming its own simulcast organization, acting on its own behalf by contracting with each individual fair or association simulcast facility, or contracting with an existing simulcast organization. If the association acted on its own behalf, it was still responsible for the provisions of Rule 2060, Duties of a Simulcast Organization. Mr. Brodnik stated PRA was obligated to simulcast its racing program pursuant to California Business and Professions Code Section 19608 because, as staff believed, the law required an association to comply with the section if it made more than \$1.5 million in average daily handle. He said staff believed this meant PRA would simulcast with each simulcast wagering facility, which the law would require. Also, Rule 2060 required PRA to provide a copy of each agreement with each simulcast facility to the Board. Mr. Brodnik stated that subsection 12(b) of the race meet application requested the applicant attach an agreement between the association and simulcast organization that permitted the organization’s use of its live audio-visual signal for wagering purposes and access to its totalizator. PRA provided a “not applicable” response. He said staff believed that PRA needed to provide the Board with a copy of each agreement it entered with each satellite wagering facility, but PRA had not done so. Therefore, staff believed the application was incomplete at the time. Mr. Brodnik stated that subsection 12(c) of the race meet application requested that the association list the California

simulcast facilities to which it proposed to offer its live audio-visual signal. PRA's response was "Southern California only," with an attached list of only Southern California satellite wagering facilities. He said staff believed this response violated Business and Professions Code Section 19608, which required an association that made more than \$1.5 million in average daily handle to make its audio-visual signal available to any authorized satellite wagering facility. Also, subsection (e) of Rule 2058 stated that all wagers made available by a host shall be available to all simulcast facilities. However, PRA was making its signal available to only certain simulcast facilities, which was a departure from the historical industry practice of conducting simulcast wagering with all eligible locations statewide. Mr. Brodник said PRA's denial of its signal to certain satellites would seem inconsistent with horse racing law, as Business and Professions Code subsection 19401(c) provided for maximum expansion of horse racing opportunities. Commissioner Choper asked Scott Daruty, Stronach Group (SG), for his response to Mr. Brodnik's comments. Mr. Daruty said SG was trying to bring the industry into the modern era, as SG believed the satellite wagering network was outdated and underperforming. Commissioner Choper asked when SG would complete the transition. Mr. Daruty stated SG did not have the ability to implement anything new under current law, which was over 30 years old and predated any sort of technology. He said if the court, which was currently hearing the issue, ruled in SG's favor, SG would not be required to contract with the satellite locations. Commissioner Choper asked if arbitration was possible. Mr. Daruty said he thought arbitration would not work. Commissioner Mass asked Mr. Daruty what SG had done since 2010 to resolve the issues with the satellite network. Mr. Daruty stated that the 20-mile radius provision was prohibiting growth of the minisatellites. He said another issue was satellite facilities not generating handle were being rewarded with pieces of the handle, which was happening because of existing statute. Executive Director Rick Baedeker said

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a satellite's share of the Advance Deposit Wagering (ADW) impact fee was proportional to the handle it generated. Mr. Daruty stated that under the law, as interpreted by the Board, SG was unable to sever relationships with locations that did not act in the best interests of the industry. Executive Director Baedeker said there would be no ADW if the industry had not agreed to the 20-mile radius provision. Mr. Daruty said it was mindboggling that the horse racing industry was still paying a technological impact fee to brick-and-mortar facilities, despite the technological advances that were taking place in other industries. Commissioner Maas stated there were bigger issues that needed to be addressed at the statutory level. Chairman Winner said the statutes needed to be amended to modernize them in terms of how people wager today. He stated the evidence so far showed that when satellites closed, patrons did not automatically migrate to ADW. Instead, patrons were lost. Mr. Daruty said SG's intent was not to do away with brick-and-mortar facilities. Chairman Winner **motioned** to approve the Pacific Racing Association application to conduct a horse racing meeting commencing October 17, 2018 through December 18, 2018, contingent on receipt of all outstanding documents by close of business on September 10, 2018. Vice-Chairman Auerbach **seconded** the motion, which was **unanimously carried**. Roll call vote: Aye: Choper, Auerbach, Winner, Maas. Nay: None. Motion carried.

DISCUSSION AND ACTION BY THE BOARD ON THE **APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF WATCH AND WAGER LLC (H), AT CAL EXPO, COMMENCING OCTOBER 20, 2018 THROUGH DECEMBER 23, 2018, INCLUSIVE.**

Chairman Winner stated he believed there were outstanding items for Watch and Wager's (WAW) race meet commencing October 20, 2018 through December 23, 2018. Assistant Executive Director Jacqueline Wagner said the bond had been received; however, the TVG and Twinpires

Advance Deposit Wagering agreements remained outstanding. She stated the two agreements were set to expire October 2018. Chris Schick, WAW, stated the two agreements would expire in two months and he did not anticipate having any problems with the renewals. Mr. Schick said he wanted to talk about WAW's previous race meet; it was a very safe meet with no fatalities, breakdowns, or on-track accidents for the second year in a row. He stated WAW had a rough meet handle-wise with a decrease of over five percent. He said a big issue that affected the handle was horse population. WAW ran 59 fewer races and its fields size dropped from 7.7 to 7.4. He stated another issue that affected WAW's handle was the Hawthorne Race Course winter meeting that ran during the same time as WAW. The Hawthorne meeting resulted in a major competitor in the marketplace during the months of January and February 2018. However, Hawthorne would not be in the marketplace in 2019. WAW also lost several nights of its import program due to storms and the closure of East Coast satellites at night. He said WAW had a partnership with California Harness Horsemen's Association regarding a new horse incentive program to recruit horses. WAW first hosted a luncheon in Calgary that was attended by over 60 people, then went on a Midwest road trip beginning in Indianapolis to Chicago, to Minneapolis and then Lexington as the final leg of the trip. He stated WAW knew it had to get higher purses and recruit more horses. Vice-Chairman Auerbach **motioned** to approve the Watch and Wager race meet application contingent on the receipt of the outstanding items. Commissioner Maas **seconded** the motion, which was **unanimously carried**. Roll Call Vote: Aye: Choper, Auerbach, Winner, Maas. Nay: None. Motion carried.

PUBLIC HEARING AND ACTION BY THE BOARD REGARDING THE **PROPOSED AMENDMENT TO CHRB RULE 1843.2, CLASSIFICATION OF DRUG SUBSTANCES, TO UPDATE THE CHRB CLASSIFICATION OF FOREIGN SUBSTANCES LISTING.** (NOTE: THIS CONCLUDES THE 45-DAY PUBLIC COMMENT PERIOD. THE BOARD MAY ADOPT THE PROPOSAL AS PRESENTED.)

The proposed amendment to Rule 1843.2, Classification of Drug Substances, would update the Penalty Category Listing to bring it in line with the current Association of Racing Commissioners International (ARCI) Uniform Classification Guidelines for Foreign Substances. Robert Brodnik, CHRB Staff Counsel, stated the Board had historically followed ARCI's guidance. He said changes were made the last few years, so the amendment updated the penalties. He stated there were no comments received during the 45-day comment period. Dr. Rick Arthur, CHRB Equine Medical Director, said the proposed amendment was ARCI language, except regarding cobalt, which used the Racing Medication and Testing Consortium recommendation. Zilpaterol and ractopamine were added to the list. He stated the listing had been changed to an alphabetical order, which was more user-friendly for the horsemen. Commissioner Choper **motioned** to approve the amendment to Rule 1843.2. Vice-Chairman Auerbach **seconded** the motion, which was **unanimously carried**. Roll call vote: Aye: Choper, Auerbach, Winner, Maas. Nay: None. Motion carried.

REPORT FROM THE MEDICATION, SAFETY AND WELFARE COMMITTEE.

Vice-Chairman Auerbach reported on the Medication, Safety and Welfare Committee meeting held on July 20, 2018. The first item discussed was the Association of Racing Commissioners International Model Rules regarding trainer treatment records, veterinarian's list, corticosteroids, and horses ineligible. Dr. Rick Arthur, CHRB Equine Medical Director, gave a brief report and indicated he would be discussing these items in greater detail before the Board in the coming

months. The next item discussed was the proposed addition of Rule 1660.1, Claimed Horse Health Record, to require the transfer of medical records for claimed horses. The main goal was for rapid and accurate sharing of information on joint injections. There would be two form options, one mandatory form addressing joint injections, and another optional form that would deal with substantive issues that should be shared, including vaccination records and other medical conditions. The official veterinarian would send the confidential forms to the attending veterinarians. The forms were designed to be simple to fill out and would effectively deal with the issue of confidentiality of health records. The next item discussed was a Disaster Plan report for CHRB regulated facilities designed to reduce risks to animals and humans as well as damage to property and operations. This item was particularly important due to the recent fire at San Luis Rey Downs; all facilities needed to have appropriate disaster plans available. Dr. Grande gave a presentation that outlined a disaster plan template emphasizing preparedness and response. The report was general in nature, and provided steps that individual facilities should follow in developing site-specific plans. Executive Director Rick Baedeker recommended forming a committee to include racetrack and backstretch representatives to continue working on the plan. Once the CHRB was fully satisfied with the plan, it would be sent out to all facilities. Vice-Chairman Auerbach stated Commissioner Maas would spearhead that effort to ensure the Disaster Plan was implemented at all CHRB regulated facilities. Commissioner Maas said he reached out to the San Diego Zoo to see if he could get a copy of its disaster plan to get an idea of what it did for its animals. The last item discussed was the proposed amendments regarding out-of-competition testing. The matter was referred back to the committee by the Board. Robert Brodnick, CHRB Staff Counsel, provided amendments to the original text designed to deal with concerns expressed by the Thoroughbred Owners of California and others. Alan Balch, California

Thoroughbred Trainers, continued to express some concerns about the text, as did Dr. Donald Smith. Vice-Chairman Auerbach said all of the issues that were raised were addressed one by one, and to everyone's satisfaction she believed. She stated it was a very cordial and productive meeting. CHRБ staff would amend the text accordingly and send it out for the 45-day notice period. She asked if any responses were received. Mr. Brodник said no further comments were received by industry stakeholders.

DISCUSSION AND ACTION BY THE BOARD REGARDING THE PROPOSED ADDITION OF CHRБ RULE 1660.1, CLAIMED HORSE HEALTH RECORD, TO REQUIRE THE TRANSFER OF MEDICAL RECORDS OF HORSES CLAIMED IN A CLAIMING RACE.

The proposed addition of Rule 1660.1, Claimed Horse Health Record, would require that a health record of pertinent medical information for a horse claimed in a claiming race be transferred from the horse's former attending veterinarian, to the horse's new attending veterinarian, prior to any treatments being performed. Robert Brodник, CHRБ Staff Counsel, said the proposed Rule was discussed at the Medication, Safety and Welfare Committee meeting. Two forms were prepared, and the language was crafted to address industry concerns. Executive Director Rick Baedeker asked if the record would pass only from trainer to trainer, without going to the CHRБ. Mr. Brodник said the CHRБ would not receive the forms. The forms would go from one CHRБ-licensed veterinarian to another. Vice-Chairman Auerbach said she liked the second form with the required and optional information sections, but she was concerned the former attending veterinarian would not have the Vet's List History information in the required section. Dr. Rick Arthur, CHRБ Equine Medical Director, stated the CHRБ official veterinarian would fill in the information, as the official veterinarian maintained the veterinarian's list. The former attending veterinarian would then fill out the rest of the form. Vice-Chairman Auerbach said the form should

specify which veterinarian would complete each section. Mr. Brodник stated the text would be amended accordingly. Dr. Robert O'Neil, Stronach Group, said the claiming rule had worked well in Florida. He stated that once it was implemented in California, the Board would observe that it was widely accepted. Dr. Arthur said a pilot was conducted, and it was successful. He said he thought the second form should not be used because the section that requested the optional information could lead to confidentiality issues. Vice-Chairman Auerbach said she agreed, and only the form without the optional information section would be used. Vice-Chairman Auerbach **motioned** to direct staff to initiate a 45-day public comment period regarding the proposed addition of Rule 1660.1 with the change to the language on the form. Commissioner Mass **seconded** the motion, which was **unanimously carried**. Roll call vote: Aye: Choper, Auerbach, Winner, Maas. Nay: None. Motion carried.

DISCUSSION BY THE BOARD REGARDING AN UPDATE ON THE SOUTHERN CALIFORNIA STABLING AND VANNING FUND.

Mary Forney, Thoroughbred Owners of California (TOC), said the Stabling and Vanning Committee recently met to discuss the four-party agreement that was set to expire at the end of 2019. She stated the debt owed by the Stabling and Vanning Committee to the stabling facilities was on target to be retired by the end of 2019. Executive Director Rick Baedeker said the current agreement included 750 stalls at Los Alamitos. Once the agreement expired, would stabling continue at Los Alamitos or would there be alternate plans? Scott Daruty, Santa Anita (SA), stated SA intended to build approximately 800 stalls in its north parking lot. He said the approval process with the City of Arcadia was moving along very well. SA had numerous meetings with the City of Arcadia; it was very cooperative and enthusiastic about the project. SA expected to have

approvals within the next couple of months, which would allow construction to begin with a target completion date of the end of 2019 or January 2020. He stated SA wanted to start planning for the future, which was why SA was moving forward with the stalls to ensure it would have places to keep the horses. Chairman Winner said the Board had been hearing about 800 stalls in the north parking lot for a long time. He stated he assumed it was really in progress at this point. Mr. Daruty said SA had plans and budgets. SA knew where the stalls would go, how they would look, and how much the project would cost. SA was just moving the process through the City of Arcadia. Chairman Winner asked if SA was planning to do anything with the current backstretch in terms of reducing the number of stalls. Mr. Daruty stated no, not at this time. Chairman Winner said the stalls would be additional stalls. Mr. Daruty stated yes; the stalls were intended to replace the stalls currently used at Los Alamitos. The construction of additional stalls at SA would make SA self-sufficient in its stabling needs. He stated SA also had discussions with Del Mar Thoroughbred Club about reaching a long-term agreement on use of stalls.

REPORT FROM THE RACE DATES COMMITTEE.

Chairman Winner stated the Race Dates Committee agreed to recommend to the full Board that the proposed Southern California race dates for 2019 be approved. He said the committee also agreed to recommend approval of the Watch and Wager calendar for 2019 and the Los Alamitos night meet for 2019. Chairman Winner stated there was no agreement regarding the Northern California race dates for 2019 because of the stabling situation, which the Stabling Committee would address prior to the September 2018 Board meeting.

MEETING ADJOURNED AT 12:08 P.M.

A full and complete transcript of the aforesaid proceedings are on file at the office of the California Horse Racing Board, 1010 Hurley Way, Suite 300, Sacramento, California, and therefore made a part hereof.

Chairman

Executive Director

CALIFORNIA HORSE RACING BOARD

SEPTEMBER 27, 2018
REGULAR BOARD MEETING

There is no board package material for Item 2

CALIFORNIA HORSE RACING BOARD

SEPTEMBER 27, 2018
REGULAR BOARD MEETING

There is no board package material for Item 3

STAFF ANALYSIS
DISCUSSION AND ACTION BY THE BOARD REGARDING THE DISTRIBUTION OF
RACE DAY CHARITY PROCEEDS OF LOS ALAMITOS QUARTER HORSE RACING
ASSOCIATION, FROM ITS 2017 RACE MEETING, IN THE AMOUNT OF \$24,394, TO
FIVE BENEFICIARIES

Regular Board Meeting
September 28, 2018

ISSUE

Los Alamitos Quarter Horse Racing Association (LAQHRA) is requesting approval to distribute race day charity proceeds generated at its 2016-2017 racing meet from December 26, 2016 to December 18, 2017. From the net race day charity proceeds LAQHRA is proposing a total distribution of \$24,394. The charitable organizations selected and amounts to be distributed are listed on the attachment. Staff notes that 100 percent of the proceeds will be given to five horse racing related organizations.

BACKGROUND

Business and Professions Code section 19550 states the Board shall require each licensed racing association that conducts 14 or less weeks of racing to designate three racing days, and each licensed racing association that conducts more than 14 weeks of racing to designate five racing days during any one meeting, to be conducted as charity days by the licensee for the purpose of distribution of the net proceeds there from to beneficiaries through the distribution agent. No racing association shall be required to pay to a distributing agent for the purpose of distribution to beneficiaries more than an amount equal to two-tenths of one percent of the association's total on-track handle on live races conducted by the association at the meeting. Business and Professions Code section 19555 requires that proceeds are to be distributed to beneficiaries within 12 calendar months after the last day of the meet during which charity days were conducted. Business and Professions Code section 19556 provides that the distributing agent shall make the distribution to beneficiaries qualified under this article. At least 30 percent of the distribution shall be made to charities associated with the horse racing industry. An additional five percent shall be paid to a welfare fund and another five percent shall be paid to a nonprofit corporation, the primary purpose of which is to assist horsemen and backstretch personnel who are being affected adversely as a result of alcohol or substance abuse. In addition to the above distributions, a separate 20 percent shall be made to a nonprofit corporation or trust, the directors or trustees of which shall serve without compensation except for reimbursement for reasonable expenses, and which has as its sole purpose the accumulation of endowment funds, the income on which shall be distributed to qualified disabled jockeys.

RECOMMENDATION

This item is presented for Board discussion and action. Staff recommends the Board approve the charity race day distribution as presented.

CHRB ANALYSIS

Los Alamitos Quarter Horse Racing Association 2017 Charity Day Proceeds

#	Nonprofit Organization	Amount	Proposed Disbursement Percentage	Percentage Required By Horse Racing Law (from the 2/10 of 1%)	Notes
#	Nonprofit Organization	Amount	Proposed Disbursement Percentage	Percentage Required By Horse Racing Law (from the 2/10 of 1%)	Notes
1	Permanently Disabled Jockeys Fund *	6,000.00	25%	minimum of 20%	d
2	Racing Track Chaplaincy (Los Alamitos) *	2,894.00	12%		
3	Winners Foundation*	8,500.00	35%	minimum of 5%	c
4	CARMA *	5,500.00	23%		
5	Quarter Horse Benevolent Charity Foundation *	1,500.00	6%	minimum of 5%	b
	Total	\$ 24,394.00	100%		e
	Notes				
	b	5% to welfare fund for backstretch personnel (B&P 19556 (b))			
	c	5% to nonprofit organization to assist horsemen and backstretch personnel			
	d	20% to nonprofit organization that benefits qualified disabled jockeys (B&P			
	e	overall a minimum of 50% of the charity distribution should go to horse			
	Background information for each organization is attached.				



Los Alamitos

QUARTER HORSE RACING ASSOCIATION

August 7, 2018

Ms. Rick Baedeker
California Horse Racing Board
1010 Hurley Way, Suite 300
Sacramento, CA 95825

Dear Mr. Baedeker:

The statutory charitable contribution from our 2017 race meet was \$24,394. The meet ran from December 26, 2016 to December 18, 2017. Accordingly, we respectfully request CHRB approval at the August 23, 2018 regular meeting to make the following distributions:

Permanently Disabled Jockeys Fund	\$ 6,000
CARMA	5,500
Quarter Horse Benevolent Charity Foundation	1,500
Winners Foundation	8,500
Race Track Chaplaincy (Los Alamitos)	<u>2,894</u>
Total	<u>\$24,394</u>

The Permanently Disabled Jockey's Fund provides financial assistance to former jockeys who have suffered catastrophic on-track injuries. It works with industry and medical research groups to improve the safety of both the human and equine athlete.

The California Retirement Management Account ("CARMA") provides a range of services to former racehorses in need of rehabilitation toward retirement or placement in a new career.

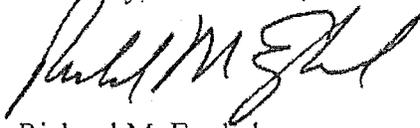
The Quarter Horse Benevolent Charity Foundation provides welfare, charitable, and educational services to persons who have been or intend to breed, raise, train, ride or care for horses.

The Winners Foundation is a support and referral service for employees and family members of the industry whose lives are affected by alcohol, drugs, mental illness, and gambling related problems.

The Race Track Chaplaincy of America (Los Alamitos Council, Region 1) ministers to the spiritual, emotional, physical, social, and educational needs of persons involved in all aspects of the horse racing industry.

All proposed beneficiaries are industry related charities. I would be pleased to discuss any questions or comments the Board may have.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard M. English". The signature is written in a cursive style with a large, prominent initial "R".

Richard M. English

STAFF ANALYSIS

DISCUSSION AND ACTION BY THE BOARD REGARDING THE DISTRIBUTION OF RACE DAY CHARITY PROCEEDS OF LOS ALAMITOS RACING ASSOCIATION, FROM ITS 2017 RACE MEETINGS, IN THE AMOUNT OF \$7,928 TO FOUR BENEFICIARIES

Regular Board Meeting
September 28, 2018

ISSUE

Los Alamitos Racing Association (LARA) is requesting approval to distribute race day charity proceeds generated at its 2017 racing meets from July 6, 2017 through July 31, 2017 and from November 30, 2017 through December 17, 2017. From the net race day charity proceeds LARA is proposing a total distribution of \$7,928. The charitable organizations selected and amounts to be distributed are listed on the attachment. Staff notes that 100 percent of the proceeds will be given to four horse racing related organizations.

BACKGROUND

Business and Professions Code section 19550 states the Board shall require each licensed racing association that conducts 14 or less weeks of racing to designate three racing days, and each licensed racing association that conducts more than 14 weeks of racing to designate five racing days during any one meeting, to be conducted as charity days by the licensee for the purpose of distribution of the net proceeds there from to beneficiaries through the distribution agent. No racing association shall be required to pay to a distributing agent for the purpose of distribution to beneficiaries more than an amount equal to two-tenths of one percent of the association's total on-track handle on live races conducted by the association at the meeting. Business and Professions Code section 19555 requires that proceeds are to be distributed to beneficiaries within 12 calendar months after the last day of the meet during which charity days were conducted. Business and Professions Code section 19556 provides that the distributing agent shall make the distribution to beneficiaries qualified under this article. At least 30 percent of the distribution shall be made to charities associated with the horse racing industry. An additional five percent shall be paid to a welfare fund and another five percent shall be paid to a nonprofit corporation, the primary purpose of which is to assist horsemen and backstretch personnel who are being affected adversely as a result of alcohol or substance abuse. In addition to the above distributions, a separate 20 percent shall be made to a nonprofit corporation or trust, the directors or trustees of which shall serve without compensation except for reimbursement for reasonable expenses, and which has as its sole purpose the accumulation of endowment funds, the income on which shall be distributed to qualified disabled jockeys.

RECOMMENDATION

This item is presented for Board discussion and action. Staff recommends the Board approve the charity race day distribution as presented.

CHRB ANALYSIS

Los Alamitos Racing Association 2017 Charity Day Proceeds

#	Nonprofit Organization	Amount	Proposed Disbursement Percentage	Percentage Required By Horse Racing Law (from the 2/10 of 1%)	Notes
1	Permanently Disabled Jockeys Fund	2,000.00	25%	minimum of 20%	d
2	California Thoroughbred Horsemen's Foundation	2,000.00	25%	minimum of 5%	c
3	CARMA	2,000.00	25%		
4	Winners Foundation	1,928.00	24%	minimum of 5%	b
	Total	\$ 7,928.00	100%		e
	Notes:				
	a	30% to charities associated with the horse racing industry (B&P 19556 (b))			
	b	5% to welfare fund for backstretch personnel (B&P 19556 (b))			
	c	5% to nonprofit organization to assist horsemen and backstretch personnel affected by alcohol and substance abuse(B&P 19556 (b))			
	d	20% to nonprofit organization that benefits qualified disabled jockeys (B&P 19556 (c)(1))			
	e	overall a minimum of 50% of the charity distribution should go to horse racing industry related nonprofit organizations.			
	Background information for each organization is attached.				



August 7, 2018

Ms. Rick Baedeker
 California Horse Racing Board
 1010 Hurley Way, Suite 300
 Sacramento, CA 95825

Dear Mr. Baedeker:

The statutory charitable contribution from our Los Alamitos Racing Association 2017 race meets was \$7,928. The meets were conducted from July 6, 2017 through July 31, 2017 and from November 30, 2017 through December 17, 2017. Accordingly, we respectfully request CHRB approval at the August 23, 2018 regular meeting to make the following distributions:

Permanently Disabled Jockeys Fund	\$ 2,000
CARMA	2,000
California Thoroughbred Horsemen's Foundation	2,000
Winners Foundation	<u>1,928</u>
Total	<u>\$ 7,928</u>

The Permanently Disabled Jockey's Fund provides financial assistance to former jockeys who have suffered catastrophic on-track injuries. It works with works with industry and medical research groups to improve the safety of both the human and equine athlete.

The California Retirement Management Account ("CARMA") provides a range of services to former racehorses in need of rehabilitation toward retirement or placement in a new career.

The California Thoroughbred Horsemen's Foundation provides assistance to backstretch personnel occupied with the care of thoroughbred horses at California race tracks and

authorized training facilities. The organization maintain several clinics throughout the state.

The Winners Foundation is a support and referral service for employees and family members of the industry whose lives are affected by alcohol, drugs, mental illness, and gambling related problems.

The Race Track Chaplaincy of America (Los Alamitos Council, Region 1) ministers to the spiritual, emotional, physical, social, and educational needs of persons involved in all aspects of the horse racing industry.

All proposed beneficiaries are industry related charities. I would be pleased to discuss any questions or comments the Board may have.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard M. English". The signature is written in a cursive style with a large, stylized initial "R".

Richard M. English

STAFF ANALYSIS
DISCUSSION AND ACTION BY THE BOARD
REGARDING AN UPDATE FROM THE PACIFIC COAST QUARTER HORSE RACING
ASSOCIATION (PCQHRA) ON THE 14TH ANNUAL LOS ALAMITOS EQUINE
QUARTER HORSE YEARLING AND MIXED STOCK SALE AND; ITS REQUEST FOR
AUTHORIZATION FOR THE SALE, PURSUANT TO
CHRB RULE 1807, AUTHORIZED HORSE SALES

Regular Board Meeting
September 27, 2018

ISSUE

The Pacific Coast Quarter Horse Racing Association, (PCQHRA) has presented its request for the 14th Annual Los Alamitos Equine Quarter Horse Yearling and Mixed Stock Sale, and has requested the Board's authorization for the sale.

- The 14th Annual Los Alamitos Equine Quarter Horse Yearling and Mixed Stock Sale is scheduled for Saturday and Sunday, October 6 and 7, 2018 at the Los Alamitos Race Course. The owners of the sale company are: Dr. Ed Allred, Dr. Steve Burns and Dawn and Rhonda List. The sale is managed by the PCQHRA.

BACKGROUND

CHRB Rule 1807, Authorized Horse Sales, provides that the Board may authorize a horse sale or horse auction sale for the sale of race horse or breeding stock that is used in the production of race horses, to be held on the premises of a racing association, and the authorization and approval of such horse sales or horse auction sale shall be upon such conditions as may be imposed by the Board.

RECOMMENDATION

This item is presented for Board discussion and action. PCQHRA representatives are prepared to update and answer any questions the Board may have regarding the sale.



LOS ALAMITOS
Equine Sale



Rick Baedeker
CHRB
Executive Director
1010 Hurley Way, Suite 300
Sacramento, CA 95825

September 11, 2018

Dear Rick,

I am requesting approval of the California Horse Racing Board: Rule 1807; Authorized Horse Sales.

The 14th Annual Los Alamitos Equine Quarter Horse Yearling and Mixed Stock Sale

Location: Los Alamitos Race Course

Sale Dates: October 6 & 7, 2018

The owners of the sale company are: Dr. Ed Allred, John Andreini, Dr. Steve Burns and Dawn and Rhonda List. The sale is managed by the Pacific Coast Quarter Horse Racing Association.

If you have any questions please feel free to contact me.

Sincerely,



Dominic Alessio
PCQHRA, President

CALIFORNIA HORSE RACING BOARD

SEPTEMBER 27, 2018
REGULAR BOARD MEETING

Item 7 – Has been withdrawn from the agenda

CALIFORNIA HORSE RACING BOARD

SEPTEMBER 27, 2018
REGULAR BOARD MEETING

Item 8 – Has been withdrawn from the agenda

STAFF ANALYSIS
September 27, 2018

Issue: APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF THE DEL MAR THOROUGHBRED CLUB AT DEL MAR NOVEMBER 7, 2018 THROUGH DECEMBER 4, 2018

Del Mar Thoroughbred Club filed its application to conduct a thoroughbred horse racing meeting at Del Mar November 7, 2018, through December 4, 2018, or 16 days; two days more than in 2017. Live racing will commence November 9, 2018, through December 2, 2018. Del Mar proposes to run a total of 136 races, or an average of 8.5 races per day. In 2017, Del Mar averaged 8.57 races per day and 8.57 runners per race. The average daily purse for the 2017 race meeting was \$488,428. The (estimated) average daily purse for this meet is \$458,652.

November 2018						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

December 2018						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

- Racing concurrently with the dates allocated to Pacific Racing Association.
- Racing Thursday through Sunday, except for racing on Monday, November 12, 2018 (Veterans Day). Eight races Thursdays and Fridays; 9 races Saturdays and Sundays; 8 races Monday, November 12, 2018.
- First post 12:30 p.m. each day, except for first post 11:00 a.m. on Thursday, November 22, 2018 (Thanksgiving Day).
- Wagering program will use CHRB and ARCI rules.
 - Early wagering 9:00 a.m. to 10:00 a.m. every racing day.
 - \$2 Daily Double will be offered on every race daily, except for last race, and offer 20% takeout.
 - \$0.50 Pick 4 will be offered in 2nd race daily and last four races daily.
 - Requests that Commission allow patrons to select an alternate wagering interest in any of the Pick (n) contests in the event their selected wagering interest is scratched.
 - \$0.50 Early Pick 5 will be offered in first five races, starting in race 1, and offer 14% takeout.
 - \$0.50 Late Pick 5 will be offered in last five races daily and offer 23.68% takeout.
 - On days with 8 or 9 races, types of wagers offered based on the schedule will be rolled forward or backward accordingly.
 - Pick 6 race number fluctuates, as Pick 6 wager offered last six races each racing card.
 - Win, Place, Show Parlay will be available on every eligible race.

- Specific changes from the 2017 license application:
 - Reserve Seating on Opening Day from \$8 to \$6
 - Parking (general, advance) from Discount Book of 10 for \$50 to Discount Book of 5 for \$25
 - Daily Turf Club Admission (member guests) from \$40 (\$60 Opening Day) to \$20
 - Daily Turf Club Admission (non-member) from \$60 (\$100 Opening Day) to \$60
- The Advance Deposit Wagering (ADW) providers are TVG, Xpressbet, TwinSpires, and NYRAbets.
- Pursuant to Business and Professions Code Section 19604, specific provisions must be met before an ADW provider can accept wagers.

Summary of Business and Professions Code Section 19604

*To accept wagers on races **conducted in California** from a resident of California.*

- The ADW provider must be licensed by the Board.
- A written agreement allowing those wagers exists with the racing association or fair conducting the races on which the wagers are made.
- The agreement shall have been approved in writing by the horsemen's organization responsible for negotiating purse agreements for the breed on which the wagers are made.

*To accept wagers on races **conducted outside of California** from a resident of California.*

- The ADW provider must be licensed by the Board.
- There is a hub agreement between the ADW provider and one or both of (i) one or more racing associations or fairs that together conduct no fewer than five weeks of live racing on the breed on which wagering is conducted during the calendar year during which the wager is placed, and (ii) the horsemen's organization responsible for negotiating purse agreements for the breed on which wagering is conducted.
- The following ADW providers have submitted all documents required in compliance with Business and Professions Code Section 19604:
 - XpressBet, LLC dba XpressBet.com
 - ODS Technologies, L.P. dba TVG Network
 - NYRAbets.com, LLC
- Simulcasting conducted with out-of-state racing jurisdictions, pursuant to Business and Professions Code Section 19602, and with authorized locations throughout California.
- Request Dianne Piper be appointed horse identifier pursuant to CHRB Rule 1525, Racing Officials Appointed by the Board.
- Track safety inspection has been requested and will be completed before the race meeting begins.
- Inspection of backstretch worker housing has been requested and will be completed before the race meeting begins.

Specific information **still needed** to complete this application includes:

1. A signed 2018 agreement between DMTC and Churchill Downs Initiatives Company, dba TwinSpires allowing the latter to accept ADW wagers on races conducted at Del Mar for the entire period of the proposed race meet.
2. Labor agreement with Local 280 (pending signature).

RECOMMENDATION:

Staff recommends the Board approve the application contingent upon the receipt of all outstanding documents.

Application is hereby made to the California Horse Racing Board (CHRB) for a license to conduct a horse racing meeting in accordance with the California Business and Professions Code, Chapter 4, Division 8, Horse Racing Law, and the California Code of Regulations, Title 4, Division 4, CHRB Rules and Regulations.

1. APPLICANT ASSOCIATION

A. Name, mailing address, telephone, fax numbers, and the email address for associations contact person:

Del Mar Thoroughbred Club
P.O. Box 700, Del Mar, CA 92014
Phone: 858-755-1141
Fax: 858-794-1007
Josh Rubinstein: josh@dmtc.com

B. Breed of horse: TB QH H

C. Racetrack name: **Del Mar Thoroughbred Club (DMTC)**

D. Attach a certified check payable to the Treasurer of the State of California in the amount of \$10,000 as deposit for license fees pursuant to Business and Professions Code section 19490.
ON FILE

E. Was the association licensed to operate a race meeting prior to January 1, 2001?

Yes No

If no, attach a surety bond in the amount of one hundred thousand dollars.

NOTICE TO APPLICANT: No application for a license to conduct a race meeting shall be granted unless the applicant has deposited with the Board a surety bond in the amount of one hundred thousand dollars (\$100,000), or a greater amount, as determined by the board, which is sufficient to ensure payment of employee wages and benefits including, but not limited to, health, welfare, and pension plans. The surety bond shall be maintained during the period of the meeting and for an additional period, as determined by the board, sufficient to assure that all payments are made. This subdivision does not apply to any person or association licensed to operate a horse race meeting prior to January 1, 2001, which has conducted a race meeting in each of the immediate three previous consecutive calendar years. The \$100,000 surety bond amount maybe increased to an amount determined by the Board at the time the application is scheduled for hearing pursuant to Business and Professions Code section 19464(b).

NOTICE TO APPLICANT: Application must be filed not later than 90 days before the scheduled start date for the proposed meeting pursuant to CHRB Rule 1433.

2. DATES OF RACE MEETING

A. Inclusive dates allocated for the entire meeting: **November 7 through December 4, 2018**

B. Actual dates racing will be held: **November 9th (Friday - Opening Day) through December 2nd (Sun - Closing Day)**

CHRB CERTIFICATION

Application received: 8/8/18
Deposit received: On file
Reviewed: RP

Hearing date: 9/27/18
Approved date:
License number:

9-5

- **Racing Everyday (Dark Mondays, Tuesdays, Wednesdays, with the exception of Monday, November 12th Veterans Day)**
- **Dark Days 11/13, 11/14, 11/19, 20, 21 and 11/26, 27, 28**

C. Total number of days or nights of racing: **16 days**

D. Days or nights of the week races will be held:

Wed - Sun Tues - Sat Other (specify)

Thursdays through Sunday, (exception-racing Monday, November 12th Veterans Day)

E. Number of days or nights of racing per week:
4 days per week

3. RACING PROGRAM

A. Total number of races: **136**

B. Number of races for each day or night:

DAY	DATES	NUMBER OF RACES
*THURS- 8 Races	11/15, 11/22, 11/29	24
*FRI – 8 Races	11/09, 11/16, 11/23, 11/30	32
SAT - 9 Races	11/10, 11/17, 11/24, 12/01	36
*SUN - 9 Races	11/11, 11/18, 11/25, 12/02	36
*THURS-Thanksgiving Day	11/22 (included above)	
*FRI – Opening Day	11/09 (included above)	
*SUN-CLOSING DAY	12/02 (included above)	
*MON-VETERANS DAY	11/12	8
TOTAL		136

***DMTC reserves the right to change number of races based on horse availability**

C. Total number of stakes races: **14 (12 stakes and 2 overnight stakes)**

D. Attach a listing of all stakes races and indicate the date to be run and the added money or guaranteed purse for each. Note the races that are designated for California-bred horses.
EXHIBIT 1

1. Attach a listing of all stakes races for the past two race meetings. The information provided must be for the same timeframe in which the association is applying. Include the date the stakes races were run, and the added money or guaranteed purse for each. Note the races that were designated for California-bred horses. **EXHIBIT 1 (A)**

2. Identify the stakes races listed under item D that have been altered, added, or are new for the current race meeting. Provide details regarding any alterations to the identified stakes races. (e.g., changes in the age, sex, eligibility, purse or substantial calendar changes). **NONE**

3. Identify the stakes races listed under D1 that have been dropped or deleted, and the reasons the stakes were dropped or deleted. **The stakes races from 2017 that will not be run in 2018 were**

EXHIBIT 1 - 2018 DEL MAR FALL STAKES

RUN DATE	RACE	AGE	DISTANCE	2017 VALUE	2018 VALUE
9-Nov	Kathryn Crosby Stakes	F/M 3 & up	1 mile Turf		\$75,000
10-Nov	Let it Ride Stakes	3 YO	1 mile Turf	\$75,000	\$75,000
11-Nov	Betty Grable Stakes	F/M 3 & up (CA)	7 furlongs	\$100,000	\$100,000
12-Nov	Desi Arnaz Stakes	F, 2YO	7 furlongs	\$100,000	\$100,000
17-Nov	Bob Hope Stakes- Grade III	2 YO	7 furlongs	\$100,000	\$100,000
18-Nov	Cary Grant Stakes	3 & up (CA)	7 furlongs	\$100,000	\$100,000
22-Nov	Red Carpet Stakes- Grade III	F/M 3 & up	1 3/8 miles Turf	\$100,000	\$100,000
23-Nov	Hollywood Turf Cup - Grade II	3 & up	1 1/2 miles Turf	\$200,000	\$200,000
24-Nov	Jimmy Durante Stakes- Grade III	F, 2 YO	1 mile Turf	\$100,000	\$100,000
24-Nov	Seabiscuit Handicap- Grade II	3 & up	1 1/16 miles Turf	\$200,000	\$200,000
25-Nov	Native Diver Stakes- Grade III	3 & up	1 1/8 miles	\$100,000	\$100,000
25-Nov	Cecil B. DeMille Stakes - Grade III	2 YO	1 mile Turf	\$100,000	\$100,000
1-Dec	Hollywood Derby- Grade I	3 YO	1 1/8 miles Turf	\$300,000	\$300,000
2-Dec	Matriarch Stakes- Grade I	F/M 3 & up	1 mile Turf	\$300,000	\$300,000

EXHIBIT 1A - STAKES RACES PAST TWO RACE MEETS

RACE	AGE	2016 PURSE	2017 PURSE	2018 PURSE	DISTANCE
Let it Ride Stakes (o/s)	3 YO	\$75,000	\$75,000	\$75,000	1 mile Turf
Lure Stakes (o/s)	3 & up		\$75,000		1 mile Turf
Damascus Stakes	3 & up		\$200,000		7 furlongs
Golden State Juvenile Fillies Stakes	F, 2 YO (CA-Bred)		\$200,000		7 furlongs
Senator Ken Maddy Stakes- Grade III	F/M 3 & up		\$200,000		5 furlongs Turf
The Marathon Stakes- Grade II	3 & up		\$200,000		1 3/4 miles
Goldikova Stakes	F/M 3 & up		\$200,000		1 mile Turf
Golden State Juvenile Stakes	2 YO (CA-Bred)		\$200,000		7 furlongs
QREC Juvenile Turf Sprint	2 YO		\$200,000		5 furlongs Turf
Fast Parade Stakes (o/s)	3 & up		\$75,000		5 furlongs Turf
Bob Hope Stakes- Grade III	2 YO	\$100,000	\$100,000	\$100,000	7 furlongs
Betty Grable Stakes	F/M 3 & up (CA-Bred)	\$100,000	\$100,000	\$100,000	7 furlongs
Desi Arnaz Stakes	F, 2YO		\$100,000	\$100,000	7 furlongs
Cary Grant Stakes	3 & up (CA-Bred)	\$100,000	\$100,000	\$100,000	7 furlongs
Red Carpet Stakes- Grade III	F/M 3 & up	\$100,000	\$100,000	\$100,000	1 3/8 miles Turf
Hollywood Turf Cup - Grade II	3 & up	\$200,000	\$200,000	\$200,000	1 1/2 miles Turf
Jimmy Durante Stakes- Grade III	F, 2 YO	\$100,000	\$100,000	\$100,000	1 mile Turf
Hollywood Derby- Grade I	3 YO	\$300,000	\$300,000	\$300,000	1 1/8 miles Turf
Native Diver Stakes- Grade III	3 & up	\$100,000	\$100,000	\$100,000	1 1/8 miles
Cecil B. DeMille Stakes - Grade III	2 YO	\$100,000	\$100,000	\$100,000	1 mile Turf
Seabiscuit Handicap- Grade II	3 & up	\$200,000	\$200,000	\$200,000	1 1/16 miles Turf
Matriarch Stakes- Grade I	F/M 3 & up	\$300,000	\$300,000	\$300,000	1 mile Turf
Kathryn Crosby Stakes (o/s)	F/M 3 & up	\$75,000		\$75,000	1 mile Turf
Bayakoa Handicap	F/M 3 & up	\$200,000			1 1/16 miles

additional stakes races that were carded because Del Mar Thoroughbred Club hosted the Breeders' Cup in 2017.

E. Will provisions be made for owners and trainers to use their own registered colors?

Yes No If no, what racing colors are to be used:

F. List all post times for the daily racing program: **EXHIBIT 2**

NOTICE TO APPLICANT: Every licensee conducting a horse racing meeting shall each racing day provide for the running of at least one race limited to California-bred horses, to be known as the "California-bred race" pursuant to CHRB Rule 1813. For thoroughbred and quarter horse meetings, the total amount distributed for California-bred stakes races from the purse account, including overnight stakes, shall not be less than 10% of the total amount distributed for all stakes races pursuant to Business and Professions Code section 19568(b).

4. RACING ASSOCIATION

A. Association is a: Corporation (complete subsection C)
 LLC (complete subsection D)
 Other (specify, and complete subsection E)

B. Complete the applicable subsection and attached Addendum, Background Information and Ownership. **FULL DISCLOSURE STATEMENT ON FILE WITH CHRB**

C. CORPORATION

1. Registered name of the corporation: **DEL MAR THOROUGHBRED CLUB**
2. State where incorporated: **CALIFORNIA**
3. Registry or file number for the corporation: **559096**
4. Names of all officers and directors, titles, and the number of shares of the corporation held by each:

David H. Batchelder	Chairman of the Board	1 Share
Joseph W. Harper	Director, & CEO	1 "
Rollin W. Baugh	Director	1 "
James R. Buell	Director	1 "
Bo Derek	Director	1 "
Jon S. Kelly	Director	1 "
Warner Lusardi	Director	1 "
Marie G. Moretti	Director	1 "
Martin J. Wygod	Director	1 "
Josh Rubinstein	President & Chief Operating Officer	0
Michael R. Ernst	Executive VP, Finance CFO	0
Thomas S. Robbins	Executive VP, Racing	0
Craig A. Dado	Executive VP, Chief Marketing Officer	0
Lynn Wright	VP and Controller	0
Ann Hall	VP, Human Resources, Administration	0
Tim Read	VP, Operations and Collective Bargaining	0
Sue Walls	VP, Facilities	0

5. Names (true names) of all persons, other than the officers and directors listed above, that hold 5% or more of the outstanding shares in the corporation and the number of shares held by each: **NONE**

6. Number of outstanding shares in the corporation:

7. Are the shares listed for public trading? Yes No

EXHIBIT 2

POST TIMES FOR PROPOSED DAILY RACING PROGRAM

2018 – FALL MEET

NOVEMBER 9th TO DECEMBER 2ND

RACE	ALL DAYS (EXCEPT 11/22/18)	THURS. 11/22/18
1 st	12:30 p.m.	11:00 a.m.
2 nd	1:00 p.m.	11:30 a.m.
3 rd	1:30 p.m.	12:00 p.m.
4 th	2:00 p.m.	12:30 p.m.
5 th	2:30 p.m.	1:00 p.m.
6 th	3:00 p.m.	1:30 p.m.
7 th	3:30 p.m.	2:00 p.m.
8 th	4:00 p.m.	2:30 p.m.
9 th	4:30 p.m.	

* On certain days to be determined.

If yes, on what exchange and how is the stock listed:

8. Name of the custodian of the list of shareholders and/or the transfer agent for the share holdings of the corporation: **Michael R. Ernst**
9. If more than 50% of the shares are held by a parent corporation or are paired with any other corporation or entity, give the name of the parent and/or paired corporation or entity: **None**
 - A. Is parent and/or paired corporation or entity a publically traded or privately held company that guarantees the obligation of the applicant? If no, proceed to section F. If yes, answer questions 10-17. Yes No
10. Registered name of the corporation: **NA**
11. State where incorporated: **NA**
12. Registry or file number for the corporation: **NA**
13. Names of all officers and directors, titles, and the number of shares of the corporation held by each: **NA**
14. Names (true names) of all persons, other than the officers and directors listed above, that hold 5% or more of the outstanding shares in the corporation and the number of shares held by each: **NA**
15. Number of outstanding shares in the corporation: **NA**
16. Are the shares listed for public trading? **NA** Yes No
If yes, on what exchange and how is the stock listed: **NA**
17. Name of the custodian of the list of shareholders and/or the transfer agent for the share holdings of the corporation: **NA**

D. LLC

1. Registered name of the LLC:
2. State where articles of organization are filed:
3. Registry or file number for the LLC:
4. Attach a list of the names of all members (including individuals (true names), corporations, other LLCs and or foreign entities), titles, and the number of shares of the LLC held by each:
5. Are the shares listed for public trading? Yes No
If yes, on what exchange and how the stock is listed:
6. If more than 50% of the shares are held by a parent corporation or are paired with any other corporation or entity, give the name of the parent and/or paired corporation or entity:
 - A. Is parent and/or paired entity either a publically traded or privately held company that guarantees the obligation of the applicant? If no, proceed to section F. If yes, answer questions 7-12. Yes No
7. Registered name of the LLC/Corporation:
8. State where articles of organization are filed:
9. Registry or file number for the LLC:
10. Attach a list of the names (true names) of all members (members may include individuals, corporations other LLCs and foreign entities), titles, and the number of shares of the LLC held by each:
11. Are the shares listed for public trading? Yes No
12. If yes, on what exchange and how the stock is listed:

E. OTHER

1. Name(s) of partners/sole proprietor:
2. If a partnership, attach partnership agreement.

F. FINANCIAL INFORMATION *

1. Attach the most recent audited annual financial statement or financial report for the applicant. The financial statement or financial report shall include all relevant financial information specific to the applicant including: **On file.**
 - Statement of Financial Position: also referred to as a balance sheet. Statement should report on applicant's assets, liabilities, contingent liabilities and ownership equity as of the date of the prepared statement.
 - Statement of Comprehensive Income: also referred to as Profit and Loss ("P&L") Statement. Statement should include report on applicant's income, expenses, and profits.
 - Profit and Loss statement for prior two years race meeting and Profit and Loss statement for projected year race meeting.
 - Statement of Changes in Equity: to include the changes of the applicants' equity through the reporting period.
 - Statement of Cash Flows: to include a report of the applicant's cash flow activity, particularly its operating investing and financing activities during the reporting period.
 - Copy of a report made during the preceding 12 months to shareholders in the corporation and/or the Securities and Exchange Commission and/or the California Corporations Commission.

*NOTICE TO APPLICANT: The financial information provided pursuant to subsection (F) above is exempt from disclosure pursuant to Government Code section 6254(k) and non-disclosable to the public.

G. MANAGEMENT AND STAFF

1. Name and title of the managing officer and/or general manager of the association and the name and title of all department managers and staff, other than those listed in 13B, who will be listed in the official program:

Josh Rubinstein	President, Chief Operating Officer
Michael R. Ernst	Executive VP, Finance and Administration/CFO
Thomas S. Robbins	Executive VP, Racing
Craig A. Dado	Executive VP, Chief Marketing Officer
Timothy A. Read	Vice President, Operations & Collective Bargaining
Ann Hall	Vice President, Human Resources & Administration
Lynn Wright	Vice President, Controller
Sue Walls	Vice President, Facilities
David Jerkens	Racing Secretary
Mac McBride	Director of Media
Daniel G. Smith	Senior Media Supervisor
Cathy Arneel	Director of Group Sales
Paul Porter	Director of Simulcasting and Racetrack Services
Walker McBride	Director of Sponsorship and Digital Media
William D. Navarro	Director of Parimutuels
Nancy Bonforte	Director, Turf Club
Kim Jacobson	Director of Risk Management
Trevor Denman	Public Address Announcer
Dennis Moore	Director of Track Maintenance
Leif Dickinson	Turf Course / Grounds Superintendent
Chris Bahr	Director of Events and Promotions
Sheryl Kerstiens	Customer Service Manager

2. Name and title of the person(s) authorized to receive notices on behalf of the association and the mailing and email address of such person(s).
Josh Rubinstein - President, Chief Operating Officer
PO Box 700, Del Mar, CA 92014 / josh@dmtd.com

5. TAKE OUT PERCENTAGE

1. If this is a thoroughbred race meeting, will the percentage deducted for any type of wager be adjusted pursuant to Business and Professions Code section 19601.01? If no, proceed to subsection 6. If yes, identify the wager and the proposed takeout percentage.

Yes No

Wager(s) to be adjusted: **50¢PNP / Players Pick Five Wager – 14%**
 Proposed percentage: **\$2 Rolling Daily Double – 20%**

- A. Attach copy of written notice requesting the proposed takeout adjustment, the proposed percentage and the wager(s) affected. The notice must include the written agreement of the thoroughbred association and the horsemen’s organization for the meeting of the thoroughbred association accepting the wager. **EXHIBIT 3**

NOTICE TO APPLICANT: Pursuant to Business and Professions Code section 19601.01 notwithstanding any other provision of law, a thoroughbred association or fair, upon the filing of a written notice with, and approval by, the board specifying the percentage to be deducted, may deduct from the total amount handled in the pari-mutuel pool for any type of wager an amount of not less than 10 percent nor more than 25 percent. The written notice shall include the written agreement of the thoroughbred association or fair and the horsemen's organization for the meeting of the thoroughbred association or fair accepting the wager. The established percentage to be deducted shall remain in effect until the filing of a subsequent notice with, and approval by, the board, unless otherwise specified in the notice.

6. HANDLE HISTORY

1. Complete the table below providing the last five years of handle and attendance for your racing association. If your association has been operating for fewer than five years, provide information for the period of time it has been in operation. If the racing association has changed ownership include the handle information for the previous racing association. N/A

Year (Fall Meet)	On-Track Handle	Off-Track Handle	On-Track Attendance	Off-Track Attendance
2014 -15 day meet	16,059,156	138,855,274	135,829	107,409
2015 -20 day meet	15,722,446	178,883,506	123,608	140,286
2016 -15 day meet	10,736,675	141,801,230	87,384	95,694
2017 – 14 day meet	10,422,918	143,710,106	77,218	89,755

7. PURSE PROGRAM (Excluding supplements, nominations, sponsorships and starter fees.):

- A. Purse distribution:

1. All races other than stakes:
 Current meet estimate: 16 Race Days **4,967,000**
 Prior meet actual: 14 Race Days **4,314,245**



August 3, 2018

Ms. Jackie Wagner
California Horse Racing Board
1010 Hurley Way, Suite 300
Sacramento, CA 95825

RE: Del Mar Thoroughbred Club 2018 Fall Race Meet

Dear Ms. Wagner,

Del Mar Thoroughbred Club (DMTC) has contacted the Thoroughbred Owners of California ("TOC") regarding the conducting of the "Players Pick-5" wager on the first five (5) races of the day, subject to a 14% takeout, on each racing day of its 2018 Fall meet, November 9 - December 2, 2018. The TOC agrees to such a wager based upon the same terms and conditions as it was offered at Del Mar's previous meet.

Please feel free to contact me with any questions.

Sincerely,

Greg Avioli
President & CEO

cc: Josh Rubenstein
Lucy Myers



August 3, 2018

Ms. Jackie Wagner
California Horse Racing Board
1010 Hurley Way, Suite 300
Sacramento, CA 95825

RE: Del Mar Thoroughbred Club 2018 Fall Race Meet

Dear Ms. Wagner,

Del Mar Thoroughbred Club (DMTC) has contacted the Thoroughbred Owners of California ("TOC") regarding the conducting of "Rolling Doubles" wagers, subject to a 20% takeout, on each racing day of its 2018 Fall meet, November 9 – December 2, 2018. The TOC agrees to such a wager based upon the same terms and conditions as it was offered at Del Mar's previous meet.

Please feel free to contact me with any questions.

Sincerely,

Greg Avioli
President & CEO

cc: Josh Rubenstein
Lucy Myers

Average Daily Purse (7 A1 ÷ number of days):

Current meet estimate: **310,438**

Prior meet actual: **308,160**

2. Overnight stakes:

Current meet estimate: **150,000**

Prior meet actual **150,000**

Average Daily Purse (7 A2 ÷ number of days):

Current meet estimate: **9,375**

Prior meet actual: **10,714**

3. Non-overnight stakes:

Current meet estimate: **1,525,000**

Prior meet actual: **1,487,400**

Average Daily Purse (7 A3 ÷ number of days):

Current meet estimate: **95,313**

Prior meet actual: **106,243**

4. Total Purses: (7A1+7A2+ 7A3)

Current meet estimate: **6,642,000**

Prior meet actual: **5,951,645**

B. California-bred Stakes Races:

1. Percentage of the purse distribution for all stakes races that will be distributed for California-bred stakes races:

Current meet estimate: **11.94%**

Prior meet actual: **12.21%**

Average Daily Purse (7 B1 ÷ number of days):

Current meet estimate: **0.75%**

Prior meet actual: **0.87%**

C. Funds to be generated for all California-bred incentive awards (including breeder awards and owners premiums):

Current meet estimate: **557,294**

Prior meet actual: **755,634**

D. Payment to each recognized horsemen's organization contracting with the association and the name(s) of the organization(s):

	Current meet estimate:	Prior meet actual:
TOC Administration	55,653	52,284
CTT Administration	27,827	26,141
CTT Backstretch Pension	<u>55,653</u>	<u>52,284</u>
Total	139,133	130,709

E. Amount from all sources to be distributed in the form of purses or other benefits to horsemen (7 A+7 C+7 D):

9-17

Current meet estimate: 7,338,427
 Prior meet actual: 6,837,988

Average Daily Purse (7 E ÷ number of days):

Current meet estimate: 458,652
 Prior meet actual: 488,428

- F. Purse funds to be generated from on-track handle and intrastate off-track handle (excluding carry-overs from prior race meet(s) :

Current meet estimate: 3,928,180
 Prior meet actual: 3,716,549

Average Daily Purse (7 F ÷ number of days):

Current meet estimate: 245,511
 Prior meet actual: 265,468

- G. Purse funds to be generated from interstate handle:

Current meet estimate: 2,839,484
 Prior meet actual: 2,541,924

Average Daily Purse (7 G ÷ number of days):

Current meet estimate: 177,468
 Prior meet actual: 181,566

- H. Bank and account number for the Paymaster of Purses' purse account:

On file

- I. Name, address, email and telephone number of the pari-mutuel audit firm engaged for the meet:
Bowen, McBeth, Inc., 10722 Arrow Route, Suite 110, Rancho Cucamonga, CA 91730 (909) 944-6465

NOTICE TO APPLICANT: All funds generated and retained from on-track pari-mutuel handle which are obligated by law for distribution in the form of purses, breeders' awards or other benefits to horsemen, **shall not** be deemed as income to the association; **shall not** be transferred to a parent corporation outside the State of California; and **shall**, within 3 calendar days following receipt, be deposited in a segregated and separate liability account in a depository approved by the CHRB and shall be at the disposition of the Paymaster of Purses, who shall pay or distribute such funds to the persons entitled thereto. All funds generated from off-track simulcast wagering, interstate wagering, and out-of-state wagering which are obligated by law for distribution in the form of purses and breeders' awards, shall also be deposited within 3 calendar days following receipt, into such liability account. In the event the association is obligated to the payment of purses prior to those obligated amounts being retained from pari-mutuel wagering for such purpose, or as a result of overpayment of earned purses at the conclusion of the meeting, the association shall transfer from its own funds such amounts as are necessary for the Paymaster of Purses to distribute to the horse owners statutorily or contractually entitled thereto. The association is entitled to recover such transferred funds from the Paymaster of Purses' account; and if insufficient funds remain in the account at the conclusion of the meeting, the association is entitled to carry forward the deficit to its next succeeding meeting as provided by Business and Professions Code section 19615(c) or (d). In the event of **underpayment** of purses which results in a balance remaining in the Paymaster of Purses' account at the conclusion of the meeting after distribution of amounts due to horsemen and breeders and horsemen's organizations, the association may carry forward the surplus amount to its next succeeding meeting; provided, however, that the amount so retained does not exceed an amount equivalent to the average daily distribution of purses and breeders' awards during the meeting. All amounts in excess shall be distributed retroactively and proportionally in the form of purses and breeders' awards to the horse owners and breeders having earned purses or awards during the conduct of the meeting.

8. STABLE ACCOMMODATIONS

- A. Number of usable stalls available for racehorses at the track where the meeting is held: **700**
 B. Minimum number of stalls believed necessary for the meeting: **700**

offered in the last five races daily. Win, Place, Show Parlay is available on every eligible race.

- C. Maximum carryover pool to be allowed to accumulate before its distribution OR the date(s) designated for distribution of the carryover pool: **Closing Day - 12.2.18**
- D. List any options requested with regard to exotic wagering: **None**
- E. Will "advance" or "early bird" wagering be offered? Yes No
 If yes, when will such wagering begin? Specify days and time for "early bird" wagering:
9:00 a.m. – 10 a.m. November 9th through December 2nd every racing day
- F. Type(s) of pari-mutuel or totalizator equipment to be used by the association and the simulcast organization, name of the person(s) supplying equipment, and expiration date of the service contract:
Totalisator Central System
American Totalisator, Inc. (AmTote)
Primary system at ViaWest Data Center located in Portland Oregon
AmTote Representative:
Bob Sloan (443-798-0878) bob.sloan@amtote.com
Contract expiration date: October 28, 2020
Terminals
F3000e – Convertible teller and self-service unit; IP based, touch screen and keyboard operated.
V3000e – Self Service terminals, touch screen, bill accepting, ticket in/out.
AWSST – Account wagering self-service unit. Touch screen account based terminal.
- G. List below the takeout percentage for each type of wager identified in 10A:

TAKE OUT PERCENTAGE

15.43 %	W/P/S; Parlay
20.00 %	DD
22.68 %	E; Q
14.00 %	Early PNP5
23.68 %	TRI; SF; PK3; PNP6; SuperH5; PPN; PNP4, Late PNP5

11. ADVANCE DEPOSIT WAGERING (ADW)

- A. Identify the ADW provider(s) to be used by the association for this race meeting:
DMTC, in cooperation with Thoroughbred Owners of California and via Monarch Content Management, LLC, has signed agreements in place with the following Advance Deposit Wagering (ADW) companies to conduct Internet and telephone wagering from California residents: TVG, Xpress-Bet, Twin Spires, NYRA Bets CA. In addition, several other ADW companies (complete list on file) have access to Del Mar's content for Internet wagering in states for which ADW is approved by law.
- B. Attach a copy of the agreement/contracts with each ADW provider to be used for this race meeting. **ON FILE**

C. Have the contract/agreements been approved by the respective horsemen's groups?

Yes No

If yes, attach a copy of the approval. **Exhibit 4**
 If no, explain the status of the approval.

NOTICE TO APPLICANT: Pursuant to Business and Professions Code section 19604, ADW providers may accept wagers on races conducted in California from a resident of California if: 1) the ADW provider is licensed by the Board; 2) a written agreement allowing those wagers exists with the racing association or fair conducting the races on which the wagers are made; 3) the agreement shall have been approved in writing by the horsemen's organization responsible for negotiating purse agreements for the breed on which the wagers are made. ADW providers may accept wagers on races conducted outside of California from a resident of California if: 1) the ADW provider is licensed by the Board; 2) there is a hub agreement between the ADW provider and one or both of (i) one or more racing associations or fairs that together conduct no fewer than five weeks of live racing on the breed on which wagering is conducted during the calendar year during which the wagers are placed and (ii) the horsemen's organization responsible for negotiating purse agreements for the breed on which wagering is conducted.

12. SIMULCAST WAGERING PROGRAM

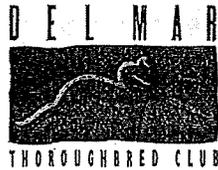
- A. Simulcast organization engaged by the association to conduct simulcast wagering:
Southern California Off Track Wagering, Inc. (SCOTWINC)
- B. Attach the agreement between the association and simulcast organization permitting the organization to use the association's live audiovisual signal for wagering purposes and providing access to its totalizator for the purpose of combining on-track and off-track pari-mutuel pools.
SCOTWINC Agreement is on file with CHRB.
- C. California simulcast facilities the association proposes to offer its live audiovisual signal:
EXHIBIT 5
- D. Out-of-state wagering systems the association proposes to offer its live audiovisual signal:
EXHIBIT 6
- E. Out-of-state wagering systems that will combine their pari-mutuel pools with those of the association:
EXHIBIT 7
- F. California mini-simulcast facilities the association proposes to offer its live audiovisual signal:
EXHIBIT 8
- G. For **THOROUGHBRED** racing associations, list the host track from which the association proposes to import out-of-state and/or out-of-country thoroughbred races. Include the dates imported races will be held, and whether or not a full card will be accepted. If the full card will not be imported, state "selected feature and/or stakes races": **EXHIBIT 9**

NOTICE TO APPLICANT: Business and Professions Code section 19596.2(a) stipulates that on days when live thoroughbred or fair racing is being conducted in the state, the number of thoroughbred races which may be imported by an association or fair during the calendar period the association or fair is conducting its racing meeting cannot exceed a combined daily total of 50 imported thoroughbred races statewide. The limitation of 50 imported thoroughbred races per day statewide does not apply to those races specified in Business and Professions Code section 19596.2(a)(1), (2), (3) and (4).

THOROUGHBRED SIMULCAST RACES TO BE IMPORTED

Name of Host Track	Race Dates	Full Card or Selected Feature and/or Stakes Races
--------------------	------------	---

- H. For **QUARTER HORSE** racing associations, list the host track from which the association proposes to import out-of-state and/or out-of-country quarter horse races. Include the dates imported races



Josh Rubinstein
President & COO

April 27, 2018

Mr. Rick Baedeker, Executive Director
California Horse Racing Board
1010 Hurley Way, Suite 300
Sacramento, CA 95825

Re: Extension of DMTC/SCOTWINC Agreement

Rick,

According to the Agreement entered into as of April 26, 2016, by and between Southern California Off-Track Wagering Incorporated and the Del Mar Thoroughbred Club, this Agreement was automatically extended for one year through April 26, 2019, as neither SCOTWINC or Del Mar Thoroughbred Club delivered notice for non-renewal in accordance with the terms of the Agreement.

If you have any questions, or need additional information, please feel free to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to be "Josh Rubinstein", written over a horizontal line.

Josh Rubinstein,
President and Chief Operating Officer

cc: Mr. George Haines, SCOTWINC
Jackie Wagner, CHRB



August 17, 2018

Mr. Josh Rubinstein
Del Mar Thoroughbred Club
2260 Jimmy Durante Blvd.
Del Mar, CA 92014

RE: 2018 DMTC Fall Race Meeting ADW Approvals

Pursuant to the Interstate Horseracing Act and applicable California law, the Thoroughbred Owners of California (TOC) agrees to the use of Del Mar Thoroughbred Club (DMTC) race signals under the terms and conditions set forth below.

Pursuant to Section XXIX, Intrastate Advance Deposit Wagering ("ADW") of the Race Meet Agreement between TOC and DMTC, and the Geo-Location Agreement (Exhibit A) between TOC and each ADW provider, DMTC shall be permitted to transmit race signal to California-licensed ADW providers TVG, XpressBet, TwinSpire, NYRA, BetAmerica, Watch and Wager, and Game Play Network to accept wagers on DMTC and other Thoroughbred races during the 2018 fall race meeting, November 8 through December 2, 2018, as follows:

1. California wagering on DMTC races:

- a. TVG, XpressBet, TwinSpire, and NYRA may deduct a Hub Fee of 5.0% of gross handle for ADW wagers accepted by California residents at all locations other than within the enclosures of Thoroughbred racetracks and fairs on days when they are running live race meets.
- b. BetAmerica and Watch and Wager may deduct a Hub Fee of 4.2% of gross handle for ADW wagers accepted by California residents at all locations other than within the enclosures of Thoroughbred racetracks and fairs on days when they are running live race meets.
- c. Game Play Network (GPN) may deduct a Hub Fee of 4.0% of gross handle for ADW wagers accepted by California residents through GPN's Traditional ADW and 5.0% of gross handle for ADW wagers accepted by California residents through GPN's Game ADW at all locations other than within the enclosures of Thoroughbred racetracks and fairs on days when they are running live race meets.
- d. TVG, XpressBet, TwinSpire, NYRA, BetAmerica, Watch and Wager, and Game Play Network may deduct a Hub Fee of 1.5% of gross handle for ADW wagers accepted by California residents located within the enclosure of a Thoroughbred racetrack or fair on days when they are running live race meets, as more fully set forth in Exhibit A.
- e. For all wagers identified in sections 1.a.-c. above, the remainder of the takeout shall be distributed in conformity with the Market Access Fee provisions of California law (Section 19604 et seq).

2. California wagering on out-of-state Thoroughbred races:

- a. TVG, XpressBet, TwinSpire, and NYRA may deduct a Hub Fee of 5.0% of gross handle for ADW wagers accepted by California residents at all locations other than within the enclosures of Thoroughbred racetracks and fairs on days when they are running live race meets.
- b. BetAmerica and Watch and Wager may deduct a Hub Fee of 4.2% of gross handle for ADW wagers accepted by California residents at all locations other than within the enclosures of Thoroughbred racetracks and fairs on days when they are running live race meets.
- c. Game Play Network (GPN) may deduct a Hub Fee of 4.0% of gross handle for ADW wagers accepted by California residents through GPN's Traditional ADW and 5.0% of gross handle for

285 W. HUNTINGTON DR., ARCADIA, CA 91007 (626) 574-6620

CHAIRMAN: NICK ALEXANDER

PRESIDENT & CEO: GREG AVIOLI

EXECUTIVE DIRECTOR: MARY FORNEY

DIRECTOR OF RACING & NO. CALIF. OPERATIONS: ELIZABETH MOREY

ADMINISTRATIVE ASSISTANT: ELSA PERON

ADW wagers accepted by California residents through GPN's Game ADW at all locations other than within the enclosures of Thoroughbred racetracks and fairs on days when they are running live race meets.

- d. TVG, XpressBet, TwinSpires, NYRA, BetAmerica, Watch and Wager, and Game Play Network may deduct a Hub Fee of 1.5% of gross handle for ADW wagers accepted by California residents located within the enclosure of a Thoroughbred racetrack or fair on days when they are running live race meets, as more fully set forth in Exhibit A.
 - e. For all wagers identified in sections 2.a.-c. above, the remainder of the takeout shall be distributed in conformity with the Market Access Fee provisions of California law (Section 19604 et seq).
- 3. Out-of-state wagering on DMTC races:**
- a. TVG, XpressBet, TwinSpires and NYRA shall pay a Host Fee of no less than 8.5% of gross out-of-state handle wagered by out-of-state account holders, plus a 1.25% California Purse Fee per SB 1072.
 - b. BetAmerica, Watch and Wager, and Game Play Network shall pay a Host Fee of no less than 60% of takeout (which includes a 1.25% California purse fee per SB 1072) of gross out-of-state handle wagered by out-of-state account holders.

This agreement in no way binds TOC to the same terms and conditions with respect to future race meetings. TOC's authorization shall not serve, nor should it be construed as, a precedent to future requests for permission to transmit race signals, and facilitate wagering on those signals, to the ADW providers specified herein or to any other ADW provider. TOC reserves the right to cancel or withdraw its authorization for any ADW provider, at any time, upon 48 hours written notice. These terms and conditions are subject to receipt by TOC of written confirmation of these terms, signed by authorized representatives of TVG, Xpressbet, TwinSpires, NYRA, BetAmerica, Game Play Network, and Watch and Wager.

Very truly yours,



Mary W. Forney, Executive Director

Satellites

Alameda County Fair, Pleasanton
Antelope Valley Fair, Lancaster
Big Fresno Fair, Fresno
Cabazon Fantasy Springs Casino, Indio
California State Fair & Expo, Sacramento
Fairplex Park @ Barretts, Pomona
Fresno Club One, Fresno
Golden Gate Fields, Albany
Hollywood Park Casino, Inglewood
Humboldt County Fair, Ferndale
Los Alamitos Racecourse, Los Alamitos
Monterey County Fair, Monterey
National Orange Show, San Bernardino
Pechanga Resort Casino, Temecula
San Bernardino County Fair, Victorville
San Joaquin County Fair, Stockton
San Mateo Event Center, San Mateo
Santa Anita Park, Arcadia
Santa Clara County Fair, San Jose
Solano County Fair, Vallejo
Sonoma County Fair, Santa Rosa
Sports Pavilion, The Farmers Fair, Lake Perris
Ventura County Fair, Ventura
Viejas Casino & Turf Club, Alpine

AmWest Entertainment, KY	Equus St. Thomas, St. Thomas
Arapahoe Park, Colorado	Emerald Downs, Washington
Arima Race Course, Trinidad	Euro Offtrack, Isle of Man
Arlington International Race Course, Illinois	Evangeline Downs, Louisiana
Assiniboia Downs, Canada	Evansville/Clarksville OTB, Indiana
Atlantic City Casino Assn., New Jersey	Fairgrounds ADW, Louisiana
Atlantis Resort and Casino, Bahamas	Fairgrounds Racecourse, Louisiana
Bangor Raceway, Maine	Fair Meadows, Texas
Barrie Raceway, Ontario	Favorites at Gloucester, New Jersey
Batavia Downs, New York	Finger Lakes Bets, NY
Belterra Race Course, OH	Finger Lakes Race Track, New York
Bet America, LLC, North Dakota	Flamboro Downs, Ontario
Bet Fair Games Limited, UK	Fonner Park, Nebraska
Bettor Racing OTB, South Dakota	Fort Erie Racetrack, Canada
Birmingham Race Course, Alabama	Foxwoods Casino, Connecticut
Bordertown OTB, Oklahoma	Fraser Downs, British Columbia
Buffalo Trotting Association, New York	Freehold Raceway, New Jersey
Bwin International, Ltd.	Gillespie County Downs, Texas
Caliente (MIR), Mexico	Grand River, Canada
Camarero, Puerto Rico	Greentrack, Alabama
Canterbury Park, Minnesota	GWS German Tote, Germany
Capital District OTB, New York	Gulf Greyhound, Texas
Catskill Regional OTB, New York	Gulfstream Park, Florida
Caymanas Race Track, Jamaica	Harrington Bets, Delaware
Century Downs, Alberta, Canada	Harrington Raceway, Delaware
Charles Town Races, West Virginia	Hastings Park, Canada
Chester Downs - Pennsylvania	Hawthorne Race Course, Illinois
Churchill Downs, Kentucky	Hiawatha Downs, Ontario
Clinton Teletheatre, Canada	Hipica de Panama, Panama
Codere, Mexico	Hipodromo Camarero, Puerto Rico
Codere, Spain	Hipodromo Montericco, Peru
Columbus Raceway, Nebraska	Ho-Chuck Casino, Connecticut
Connecticut OTB, Connecticut	Hodge OTB, Connecticut
Corpus Christi Greyhound, Texas	Hoosier Park, Indiana
Coushatta Casino Resort, Louisiana	Horsemen's Park, Nebraska
Dayton Park, OH	Idaho Fall OTB, Idaho
Divi Carina Bay Casino, Louisiana	Indiana Downs, Indiana
Delaware Park, Delaware	Inverness Raceway, Canada
Delta Downs, Louisiana	Iowa Greyhounds, Iowa
Dover Downs, Delaware	Intermountain Racing, Idaho
Downs at Albuquerque, New Mexico	John Martins Manor, Maine
Ebet Online, Oregon	Kawartha Downs, Ontario
Elite Turf Club, Curacao	Keeneland, Kentucky
Ellis Park, Kentucky	Kentucky Downs, Kentucky
Elmira Raceway, Ontario	Kentucky OTB, Kentucky

Las Vegas Dissemination Company, Nevada
 Les Bois (Treasure Valley), Idaho
 Lewiston OTB, Maine
 Lien Games, North Dakota
 Lincoln Greyhound Park, Rhode Island
 Lone Star Race Park, Texas
 Louisiana Downs, Louisiana
 Magna Bet, Austria
 Mahoning Valley Race Course, OH
 Maronas Race Track, Uruguay
 Marquis Downs, Saskatchewan
 Maryland Jockey Club, Maryland
 Maywood Park, Illinois
 Meskwaki Casino, Oklahoma
 Miami Valley Gaming, Ohio
 Millennium Racing, Trinidad
 Mobile Greyhound Park, Alabama
 Mohegan Sun, Pennsylvania
 Monmouth Park, New Jersey
 Montana OTB, Montana
 Montericco Simulcasting, Peru
 Monticello Raceway, NY
 Mountaineer Park, West Virginia
 Nassau Regional OTB, New York
 Nebraska State Fair Park, Nebraska
 Nevada Dissemination Services, Nevada
 Nevada Pari-Mutuel Association, Nevada
 NJSEA, New Jersey
 New Jersey Mobile, New Jersey
 NYRA, New York
 NYRA Bets, New York
 Newport Jai-Alai, Rhode Island
 Northfield Park, Ohio
 Northlands Park, Canada
 Northville Downs, Michigan
 Oaklawn Park, Arkansas
 Ocean Downs, Maryland
 Offtrackbetting.com, Oregon
 Oneida Bingo and Casino, Oklahoma
 Ontario Teletheatre, Ontario
 Paragon Casino, Louisiana
 Penn National Race Course, Pennsylvania
 Philadelphia Park, Pennsylvania
 Picov Downs, Canada
 Pimlico Race Course, Maryland
 Plainridge Race Course, Massachusetts
 Plainridge Telephones, Massachusetts
 Player Management Group, CA
 Pocono Downs, Pennsylvania
 Pojoaque Casino, Oklahoma
 Portland Meadows, Oregon
 Potawatomi Casino, Wisconsin
 Prairie Meadows, Iowa
 Premier Gateway International, S.A.
 Premier Turf Club, North Dakota
 Presque Isle Downs, Pennsylvania
 Racing and Gaming Services, St Kitts
 Remington Park, Oklahoma
 Retama Park, Texas
 Rideau Carleton Raceway, Canada
 Riders Up OTB, Oklahoma
 Rockingham Park, New Hampshire
 Rocky Mountain Turf Club, Canada
 Rosecroft Raceway, Maryland
 Royal Beach Casino, St Kitts
 Ruidoso Downs, New Mexico
 Running Aces Harness Park, Minnesota
 Sam Houston Park, Texas
 Saratoga Harness, New York
 Scioto Downs, Ohio
 Seabrook Greyhound Park, NH
 Shoreline Star Greyhounds, Connecticut
 Skydancer Casino, Oklahoma
 Sol Mutuel, St Kitts
 Sol Mutuel Otrobanda, St Kitts
 Southland Greyhound Park, Arkansas
 Sports Center, Kentucky
 Suaposta, Brazil
 Suffolk District OTB, New York
 Suffolk Downs, Massachusetts
 Sunland Park Racetrack, New Mexico
 Sun Ray Park, New Mexico
 TabCorp, Australia
 Tampa Bay Downs, Florida
 TattsBet, Australia
 Taunton Dog Track, New Hampshire
 TBC Teletheatre, British Columbia
 The Greenbrier Resort, West Virginia
 The Meadows, Pennsylvania
 Thistledown, Ohio

Tioga Downs, New York
Tote Investment Services, Trinidad
Tri-State Greyhound, West Virginia
Truro Raceway, Canada
TVG, Arizona
TVG Chester, Pennsylvania
TVG, Los Angeles
TVG, Massachusetts
TVG Prairie Meadows, Iowa
Turf del Norte, Mexico
Turf Paradise, Arizona
Turfway Park, Kentucky
Twin River Greyhounds, RI
TwinSpires, Kentucky
Valley Greyhound Park, Texas
Velocity Wagering Ltd., KY
Venezuela OTB, Venezuela
Vernon Downs, New York
Victoryland Greyhounds, Alabama
Watch and Wager, LLC, San Francisco
Western Fair, Ontario
Western Regional OTB, New York
Wheeling Downs, Canada
Will Rogers Downs, Oklahoma
Woodbine Entertainment Corp, Ontario
Wyoming Downs, Wyoming
Wyoming Horse Racing LLC, Wyoming
XpressBet, Arizona
XpressBet, Illinois
XpressBet, Pennsylvania
Xpressbet, Southern Alberta
Yonkers Raceway, New York
Yonkers Empire City Bets, New York
Zia Park, New Mexico

EXHIBIT 7

AmWest Entertainment, KY	Fairgrounds ADW, Louisiana
Arapahoe Park, Colorado	Fairgrounds Racecourse, Louisiana
Arima Race Course, Trinidad	Fair Meadows, Texas
Arlington International Race Course, Illinois	Favorites at Gloucester, New Jersey
Assiniboia Downs, Canada	Finger Lakes Bets, NY
Atlantic City Casino Assn., New Jersey	Finger Lakes Race Track, New York
Atlantis Resort and Casino, Bahamas	Flamboro Downs, Ontario
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Elmira Raceway, Ontario	Kentucky OTB, Kentucky
Equus St. Thomas, St. Thomas	Las Vegas Dissemination Company, Nevada
Emerald Downs, Washington	Les Bois (Treasure Valley), Idaho
Euro Offtrack, Isle of Man	Lewiston OTB, Maine
Evangeline Downs, Louisiana	Lien Games, North Dakota
Evansville/Clarksville OTB, Indiana	Lincoln Greyhound Park, Rhode Island

Lone Star Race Park, Texas
 Louisiana Downs, Louisiana
 Magna Bet, Austria
 Mahoning Valley Race Course, OH
 Maronas Race Track, Uruguay
 Marquis Downs, Saskatchewan
 Maryland Jockey Club, Maryland
 Maywood Park, Illinois
 Meskwaki Casino, Oklahoma
 Miami Valley Gaming, Ohio
 Millennium Racing, Trinidad
 Mobile Greyhound Park, Alabama
 Mohegan Sun, Pennsylvania
 Monmouth Park, New Jersey
 Montana OTB, Montana
 Montericco Simulcasting, Peru
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 Nassau Regional OTB, New York
 Nebraska State Fair Park, Nebraska
 Nevada Pari-Mutuel Association, Nevada
 NJSEA, New Jersey
 New Jersey Mobile, New Jersey
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 NYRA Bets, New York
 Newport Jai-Alai, Rhode Island
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 Northlands Park, Canada
 Northville Downs, Michigan
 Oaklawn Park, Arkansas
 Ocean Downs, Maryland
 Offtrackbetting.com, Oregon
 Oneida Bingo and Casino, Oklahoma
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 Paragon Casino, Louisiana
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 Plainridge Telephones, Massachusetts
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 Sam Houston Park, Texas
 Saratoga Harness, New York
 Scioto Downs, Ohio
 Seabrook Greyhound Park, NH
 Shoreline Star Greyhounds, Connecticut
 Skydancer Casino, Oklahoma
 Sol Mutuel, St Kitts
 Sol Mutuel Otrobanda, St Kitts
 Southland Greyhound Park, Arkansas
 Sports Center, Kentucky
 Suaposta, Brazil
 Suffolk District OTB, New York
 Suffolk Downs, Massachusetts
 Sunland Park Racetrack, New Mexico
 Sun Ray Park, New Mexico
 Tampa Bay Downs, Florida
 Taunton ADW, New Hampshire
 Taunton Dog Track, New Hampshire
 TBC Teletheatre, British Columbia
 The Greenbrier Resort, West Virginia
 The Meadows, Pennsylvania
 Thistledown, Ohio
 Tioga Downs, New York
 Tote Investment Services, Trinidad
 Tri-State Greyhound, West Virginia
 Truro Raceway, Canada
 TVG, Arizona
 TVG Chester, Pennsylvania
 TVG, Los Angeles

TVG, Massachusetts
TVG Prairie Meadows, Iowa
Turf del Norte, Mexico
Turf Paradise, Arizona
Turfway Park, Kentucky
Twin River Greyhounds, RI
TwinSpires, Kentucky
Valley Greyhound Park, Texas
Velocity Wagering Ltd., KY
Venezuela OTB, Venezuela
Vernon Downs, New York
Victoryland Greyhounds, Alabama
Watch and Wager, LLC, San Francisco
Western Fair, Ontario
Western Regional OTB, New York
Wheeling Downs, Canada
Will Rogers Downs, Oklahoma
Woodbine Entertainment Corp, Ontario
Wyoming Downs, Wyoming
Wyoming Horse Racing LLC, Wyoming
XpressBet, Arizona
XpressBet, Illinois
XpressBet, Pennsylvania
Xpressbet, Southern Alberta
Yonkers Raceway, New York
Yonkers Empire City Bets, New York
Zia Park, New Mexico

EXHIBIT 8**Mini-Satellites**

M1. Commerce Casino
6131 East Telegraph Road
Commerce, CA 90040
Phone: (323) 721-2100
Contact: Ralph Wong

M2. OC Tavern
2369 South El Camino Real
San Clemente, CA 92672
Phone (949) 542-8877
Contact: Micheal Merrigan

M3. Santa Maria
Original Roadhouse Grill
1423 S. Bradley Rd.
Santa Maria, CA 93454
Phone: (805) 614-0586
Contact John Tintle

M4. Santa Clarita Lanes
21615 W. Soledad Canyon Rd.
Saugus, CA 93454
Phone: (661) 254-0540
Contact: Tom Cristi

M5. Sammy's of Lake Forest
23221 Lake Center Drive
Lake Forest, CA 92630
Phone: (949) 716-2367
Contact: Brad McKinzie

M6. Tiled Kilt
1345 E. Thousand Oaks Blvd.
Thousand Oaks CA. 91362
Phone: (805) 777-7418
Contact: Robert Haupt

M7. Ocean's 11 Casino
121 Brooks Street
Oceanside, CA 92054
Phone: (888) 439-6988
Contact: Steve Gallagher

EXHIBIT 8

M8. Striders SD Bar & Grill
100 Harbor Drive
San Diego, CA 92101
PH: 619-363-7166
Contact: Tony Martineau

M9. Firehouse Restaurant
7701 White Avenue
Bakersfield, CA 93313
PH: 661-831-4688
Contact: Russ Johnson

M10. Lake Elsinore Casino
20930 Malaga Road
Lake Elsinore, CA 92530
PH: 951-674-5160
Contact: Pat Wilmes

M11. 58 Flat
4110 Bonita Road
Bonita, CA 91902
PH: 619-884-1291
Contact: Denny Kanakaris

Full & Partial Cards

Aqueduct: November 9, 2018 - December 2, 2018
Churchill Downs: November 9, 2018 - December 2, 2018
Delta Downs: November 9, 2018 - December 2, 2018
Gulfstream Park West: November 9, 2018 - December 2, 2018
Fairgrounds: November 9, 2018 - December 2, 2018
Finger Lakes: November 9, 2018 - December 2, 2018
Hawthorne Race Course: November 9, 2018 - December 2, 2018
Laurel Park: November 9, 2018 - December 2, 2018
Mountaineer Park: November 9, 2018 - December 2, 2018
PARX Racing: November 9, 2018 - December 2, 2018
Penn National: November 9, 2018 - December 2, 2018
Portland Meadows: November 9, 2018 - December 2, 2018
Turf Paradise: November 9, 2018 - December 2, 2018
Zia Park: November 9, 2018 - December 2, 2018

Woodbine: November 9, 2018 - December 2, 2018
LARC (South America) via Laurel Park: November 9, 2018 - December 2, 2018
LARC (South America) via Gulfstream Park: November 9, 2018 - December 2, 2018

will be held, and whether or not a full card will be accepted. If the full card will not be imported, state "selected feature and/or stakes races": **NA**

QUARTER HORSE SIMULCAST RACES TO BE IMPORTED

Name of Host Track Race Dates Full Card or Selected Feature and/or Stakes Races

- I. For **STANDARD BRED** racing associations, list the host tracks from which the association proposes to import out-of-state and/or out-of-country harness races. Include the dates imported races will be held, and whether or not a full card will be accepted. If the full card will not be imported, state "selected feature and/or stakes races": **NA**

HARNESS SIMULCAST RACES TO BE IMPORTED

Name of Host Track Race Dates Full Card or Selected Feature and/or Stakes Races

- J. For **ALL** racing associations, list imported simulcast races the association plans to receive which use breeds other than the breed of the majority of horses racing at its live horse racing meeting. Include the name of the host track, the dates imported races will be held, and how many races will be imported: **NA**

OTHER BREED SIMULCAST RACES TO BE IMPORTED

Name of Host Track Breed of Horse Race Dates Number of Races to be Imported

- K. For **ALL** racing associations, if any out-of-state or out-of-country races will commence outside of the time constraints set forth in Business and Professions Code sections 19596.2 and 19596.3, attach a copy showing the agreement by the appropriate racing association(s). **NA**

NOTICE TO APPLICANT: All interstate wagering to be conducted by an association is subject to the provisions of Title 15, United States Codes, which require specific written approval of the CHRB and of the racing commission having jurisdiction in the out-of-state venue. All international wagering to be conducted by an association is subject to the provision of Business and Professions Code sections 19596, 19596.1, 19596.2, 19596.3, 19601, 19602, and 19616.1, and will require specific written approval of the CHRB.

Every association shall pay over to the simulcast organization within 3 calendar days following the closing of wagering for any day or night racing program, or upon receipt of the proceeds, such amounts that are retained from off-track simulcast wagering, interstate and out-of-state wagering, and which are obligated by statute for guest commissions, simulcast operator's expenses and promotions, equine research, local government in-lieu taxes, and stabling and vanning deductions. Every association shall pay to its Paymaster of Purses' account within 3 calendar days following the closing of wagering for each day or night racing program, or upon receipt of the proceeds, such amounts that are retained or obligated from off-track simulcast wagering, interstate and out-of-state wagering for purses, breeders' awards or other benefits to horsemen. (See Notice to Applicant, Section 7.)

13. CHARITY RACING DAYS

- A. Name and address of the distributing agent (charity foundation) for the net proceeds from charity racing days held by the association: **DEL MAR THOROUGHBRED CLUB**
PO BOX 700, DEL MAR, CA 92014
- B. Names and addresses of the trustees or directors of the distributing agent:

<p>David H. Batchelder 401 Beaver Valley Pike Willow Street, PA 17584</p>	<p>Rollin Baugh P.O. Box 2461 Rancho Santa Fe, CA 92067</p>
<p>Dr. James R. Buell 4790 Caughlin Pkwy # 518 Reno, NV 89509</p>	<p>Bo Derek 5323 Baseline Avenue Santa Ynez, CA 93460</p>

Joseph W. Harper P.O. Box 700 Del Mar, CA 92014	Jon S. Kelly Tres Palomas P.O. Box 2574 Rancho Santa Fe, CA 92067
Warner C. Lusardi Lusardi Construction Company 1570 Linda Vista Drive San Marcos, CA 92078	Marie G. Moretti 6705 De Chardin Lane Reno, NV 89511
Martin J. Wygod The Wygod Group P.O. Box 676306 Rancho Santa Fe, CA 92067	

- C. Dates the association will conduct races as charity racing days OR:
- D. Will the association pay the distributing agent an amount equal to the maximum required under B&P Code Section 19550(b)? Yes

NOTICE TO APPLICANT: Net proceeds from charity racing days shall be paid to the designated and approved distributing agent within 180 days following the conclusion of the association's race meeting in accordance with the provisions of Business and Professions Code section 19555. Thereafter, the distributing agent shall distribute not less than 90% of the aggregate proceeds from such charity racing days within 12 calendar months after the last day of the meeting during which the charity racing days were conducted and shall distribute the remaining funds as soon thereafter as is practicable. At least 50% of the distribution shall be made to charities associated with the horse racing industry in accordance with the provisions of Business and Professions Code section 19556(b) and (c).

14. RACING OFFICIALS, OFFICIALS, AND OFFICIATING EQUIPMENT

- A. Racing officials nominated:
 - Association Veterinarian(s) **Dana Stead, VMD**
 - Clerk of Scales **Matt Nichols**
 - Assistant Clerk of Scales **Charles McCaul**
 - Clerk of the Course **Dawn Schmid**
 - Film Specialist **Heather Correa**
 - Horse Identifier **Dianne Piper**
 - Assistant Horse Identifier **Jennifer Paige**
 - Horseshoe Inspector **Victor Tovar**
 - Paddock Judge **Karen Denovel**
 - Patrol Judges **Heather Correa – Karen Denovel – Michael Burns**
 - Placing Judges **Robert Moreno – Sue Brent**
 - Starter **Jay Slender**
 - Timer **John Lies**
- B. Management officials in the racing department:
 - Director Racing **Thomas S. Robbins**
 - Racing Secretary **David Jerkens**
 - Assistant Racing Secretary **Zach Soto**
 - Paymaster of Purses **Bridget Crawford**
 - Others (identify by name and title) **N/A**
- C. Name, address, email and telephone number of the reporter employed to record and prepare transcripts of hearings conducted by the stewards:
 - Michelle Derieg**
 - Weinstein Court Reporters**

**PO Box 26634
 Santa Ana, CA 92799
 (949) 637-6071
mderieg@weinsteinreporters.com**

- D. Photographic device to be used for photographing the finish of all races, name of the person supplying the service, and expiration date of the service contract:
**Plusmic Corporation, William O'Brien, Digital Photo Finish Only
 Contract expires 12/31/2020**
- E. Photo patrol video equipment to be used to record all races, name of the person supplying the service, and expiration date of the service contract. Specify the number and location of cameras for dirt and turf tracks.
**TVG
 Expiration: 12/31/2020**

Equipment list on file with CHRB

For each race TVG will provide:

- Two manned pan cameras located near the judge's room in the press box providing a wide and tight view of each race, turf and dirt, plus coverage for in-house video board presentation.
- Four manned tower cameras:
 - Backstretch head-on (Training Track Camera Tower)
 - Far turn and Stretch run back view (Quarter Chute Camera Tower)
 - Stretch-run head-on (Livestock Barn Camera Tower) - turf
 - Stretch-run head-on (Livestock Barn Camera Tower) - dirt
- 2 cameras in the paddock area provided coverage of horses, jockeys, trainers and owners
- A camera in winner circle
- Camera on the 7th floor (manned when TVG production crew is on-site)
- TVG will provide talent for in-house events

- F. Type of electronic timing device to be used for the timing of all races, name of the person supplying the service, and expiration date of the service contract:

TRAKUS

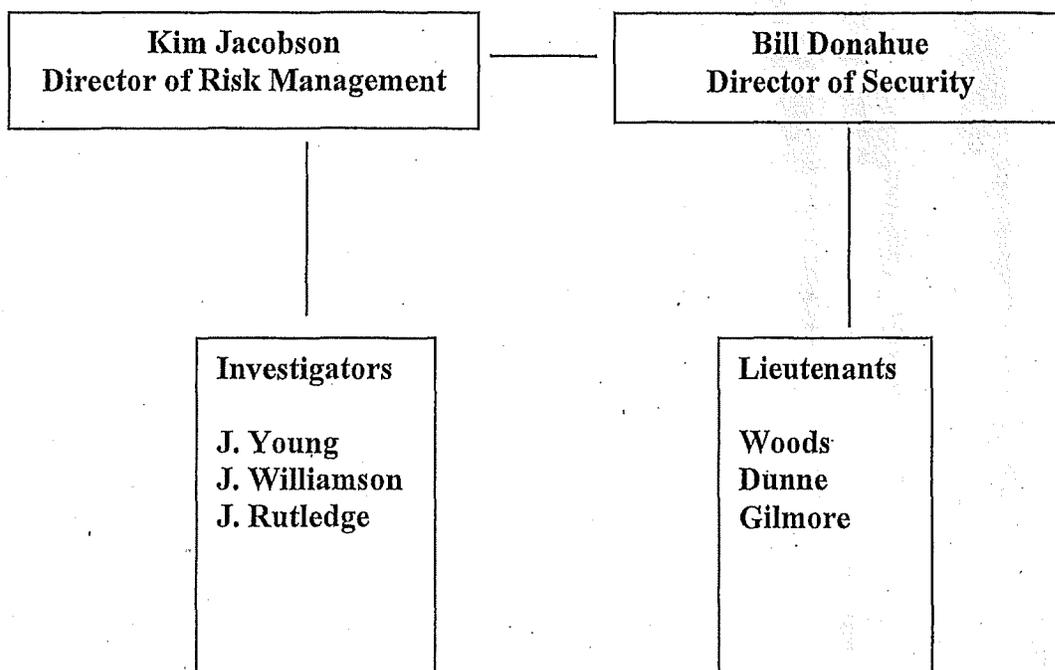
**Electronic Timing Device: 2.4 CHz spread spectrum transceiver
 Name of Person: Michael Ciacciarelli (Trakus LLC)
 Ken Davis, Mike Schneider (Jockey Club Racetrack Services)
 Expiration Date: December 31, 2018**

15. SECURITY CONTROLS

- A. Name and title of the person responsible for security controls on the premises. Include an organizational chart of the security department and a list of the names of security personnel and contact telephone numbers. **EXHIBIT 10 (A) AND (B)**
- B. Estimated number of security guards, gatemen, patrolmen or others to be engaged in security tasks on a regular full-time basis: **50**
1. Attach a written plan for enhanced security for graded stakes races, and races of \$100,000 or more, to include the number of security guards in the restricted areas during a 24-hour period

EXHIBIT 10A**Security Personnel**

Person responsible for security controls on the premises:

**Contact Information:**

Director of Risk Management
 Director of Security
 James Young
 All others

Work 858-792-4233
 Work 858-755-1141 ext. 3652
 Work 858-755-1141 ext. 3698
 Work 858-755-1141 ext. 3650

*List of Security Personnel subject to change. Individuals will be hired by the union on a seniority basis.

and a plan for detention stalls. **The security for stakes races will be deployed in accordance with our agreement with TOC.**

2. Detention Stalls:

A. Attach a plan for use of graded stakes or overnight races.

Detention barn is used as required by the CHRB.

B. Number of security guards in the detention stall area during a 24-hour period.

As needed at the direction of the CHRB.

C. Describe number and location of surveillance cameras in detention stall area.

For the meet we will be utilizing five or more Detention stalls, as needed, located east of the receiving / test barn as our detention area. We will install fixed cameras in each of the five detention stalls as well as fixed cameras viewing the shedrow from both directions. As with the barn area, surveillance control and viewing will be from the CHRB Investigators' office on the Frontside.

3. TCO2 Testing:

A. Number of races to be tested, and number of horses entered in each race to be tested.

All

B. Plan for enhanced surveillance for trainers with high-test results.

Will follow CHRB directives.

C. Plan for detention stalls for repeat offenders.

Will follow CHRB directives.

D. Number of security personnel assigned to the TCO2 program.

Assigned as needed.

C. Describe the electronic security system:

Del Mar Thoroughbred Club uses a door alarm management system for its Executive and Operations offices utilizing Proximity cards and Proximity Access Keyfobs via door controllers located at entrances. The system comes with related door alarm management software.

1. Location and number of video surveillance cameras for the detention stall and stable gate.

Del Mar Thoroughbred Club utilizes several pan/tilt/zoom cameras located at various places in the barn area. The images from these cameras are recorded on disk drives and stored for up to three weeks before being rerecorded. Control of these cameras is located in DMTC's security office.

D. For night racing associations. Describe emergency lighting system: NA

16. EMERGENCY SERVICES

A. Name, address and emergency telephone number of the ambulance service to be used during workouts and the running of the races:

**Mercy Ambulance
2537 Old San Pasqual Road
Escondido, CA 92027
(760) 525-9676**

1. Attach a certification from the ambulance service(s) listed in 15A, certifying that the paramedic staff are licensed with the California Emergency Medical Services Authority.

Exhibit 11 – ON FILE



COUNTY OF SAN DIEGO

EMERGENCY MEDICAL SERVICES

EMERGENCY MEDICAL TRANSPORT PERMIT

AGENCY NAME: MERCY MEDICAL TRANSPORTATION, INC.

Effective Date: December 1, 2017

Expiration Date: November 30, 2018

Approved as: ALS
BLS
CCT

Authorized by:

Permit Officer, Emergency Medical Services

Permit Number: 17-130

EXHIBIT 11

On-track staff: Advanced Life Support Ambulances (ALS) – A Paramedic and Bridge Program certified Emergency Medical Technicians are on site at all times that either training or live racing is taking place.

B. Name, address and emergency telephone number of the ambulance service to be used during workouts at auxiliary sites:

**Auxiliary Site: Los Alamitos
Huntington Ambulance
Contact: Stacy O'Bryan
PO Box 145
Sunset Beach, CA 90742
(562) 904-1550**

**Auxiliary Site: San Luis Rey Downs
Mercy Ambulance
Contact: Doug Moriarty
2537 Old San Pascual Road
Escondido, CA 92027
(760) 525-9676**

**Auxiliary Site: Santa Anita
Symons Ambulance
Contact: Juan Espinoza
18592 Cajon Blvd.
San Bernardino, CA 92407
(626) 222-4236**

1. Attach a certification from the ambulance service (s) listed in 15B, certifying that the paramedic staff are licensed with the California Emergency Medical Services Authority.

- **Huntington Ambulance Certificate: On file**
- **Mercy Ambulance Certificate: On file**
- **Symons Ambulance Certificate: – On file**

C. Describe the on-track first aid facility, including equipment and medical staffing:

The on-site first aid clinic at Del Mar Thoroughbred Club is located at the east end of the grandstand facility, with easy access from the track. The facility includes 4 patient beds (1 private room, 3 curtain areas). There are 2 Paramedics, 2 EMTs, 1 Medical Assistant and 1 doctor on site every racing day. Friday, Saturday, Sunday, Opening Day we have a Medical Coordinator (Medic 25) who works as liaison with Municipal EMS. There are two ALS equipped ambulances on site as well.

The equipment contained in the first aid clinic includes:

- **Oxygen at each station**
- **Cardiac monitor**
- **AED**
- **Otoscope**
- **Ophthalmoscope**
- **Pulse and O2 Oximeter**
- **Surgical equipment (used for laceration repair and suture removal)**
- **B/P Cuff**
- **Thermometer**
- **Bag Valve Mask**
- **Surgery Light**
- **Stethoscope**
- **Glucose Monitor and Supplies**

D. Name and emergency telephone number of the licensed physician on duty during the race meeting: (If quarter horse racing association sees D (1) :

All medical doctors can be reached by contacting the first clinic directly at (858) 755-1141 ext. 2814 or through our Security Office by calling ext. 3650. The first aid clinic, Paramedics and EMTs have radios to monitor the security channel and/or Official Channel. Medical calls are dispatched by way of radio. Our doctors are contracted through Del Mar DOXX - and rotate on site for the racing days. The doctors include:

Huntington Ambulance, LLC

CHRB
1010 Hurley Way #300
Sacramento, CA 95825

March 28, 2018

Dear CHRB Board,

I, Stacey O'Bryan, President of Huntington Ambulance, LLC certify that all E.M.T's (Emergency Medical Technicians) and Paramedics working for Huntington Ambulance, LLC are licensed with the State of California Emergency Medical Services, Orange County Emergency Medical Services and the California Highway Patrol.

All of our E.M.T's and Paramedics are licensed with the California Horse Racing Board.

Sincerely,



Stacey O'Bryan - President
Huntington Ambulance, LLC



Thursday, March 15, 2018

To: Josh Rubinstein, President and COO

This letter shall serve as a statement of affirmation that all Emergency Medical Technicians and Paramedics employed by Symons Ambulance are trained, background checked and state certified in order to fulfill their job duties as authorized by the state of California Emergency Medical Services Authority.

Respectfully,

Juan Espinoza
Operations Manager
(626) 222-4236
jespinoza@symonsambulance.com

Ariel Alexander Cortes, MD
Athanasios J. Foster, MD
Melinda E. Nevins, DO
Philip A. Sanderson, MD

1. Name address and emergency telephone number of hospital located within 1.5 miles of the racetrack, which whom an agreement is in place to provide emergency medical services, pursuant to Business and Professions Code section 19481.3(a): **NA**

- E. Name, address and emergency telephone number of the hospital to be used for admittance and treatment of emergency injuries in the event of an on-track injury to a jockey:
Refer to the Del Mar Thoroughbred Club Jockey, On-Track Accident Response Program for specifics regarding hospital selection.
 - **Scripps La Jolla**
988 Genesee Ave., La Jolla, CA 92037 / 858-626-4123
 - **Scripps Encinitas**
354 Santa Fe Drive, Encinitas, CA 92024 / 760-753-4123

- F. Attach, in English and Spanish, the emergency medical plan procedures that will be posted in each jockey's room to be used in the event of an on-track injury to a jockey:
EXHIBIT 12-ON FILE

- G. Name of health and safety manager and assistant manager responsible for compliance of health and safety provisions pursuant to Business and Professions Code section 19481.3(d):
 - **Health and Safety Manager (Risk Manager): Kimberly Jacobson**
 - **Assistant Manager (Risk Management Assistant): Patrick O'Neil**
 - **On-Site Medical Coordinator-Rotates between different Fire Fighter Paramedics**

- H. Attach a fire clearance from the fire authority having jurisdiction over the premises. **ON FILE**
- I. Name of the workers' compensation insurance carrier for the association and the number of the insurance policy (if self-insured, provide details):
IOA Insurance Services
Cypress Insurance Company
DEWC704924
- J. Attach a Certificate of Insurance for workers' compensation coverage. The CHRB is to be named as a certificate holder and given not less than 10 days' notice of any cancellation or termination of insurance that secures the liability of the association for payment of workers' compensation.
EXHIBIT 13 – On File

NOTICE TO APPLICANT: Every licensee conducting a horse racing meeting shall pursuant to Business and Professions Code section 19481.3 maintain, staff, and supply an on-track first aid facility, that may be either permanent or mobile, and which shall be staffed and equipped as directed by the board. A qualified and licensed physician shall be on duty at all times during live racing, except that this provision shall not apply to any quarter horse racing at the racetrack if there is a hospital situated no more than 1.5 miles from the racetrack and the racetrack has an agreement with the hospital to provide emergency medical services to jockeys and riders. An ambulance licensed to operate on public highways provided by the track shall be available at all times during live racing and shall be staffed by two emergency medical technicians licensed in accordance with Division 2.5 (commencing with Section 1797) of the Health and Safety Code, one of whom may be an Emergency Medical Technician Paramedic, as defined in section 1797.84 of the Health and Safety Code. (b) Each racing association and racing fair shall adopt and maintain an emergency medical plan detailing the procedures that shall be used in the event of an on-track injury. The plan shall be posted in each jockey room in English and Spanish. (c) Prior to every race meeting, the racing association or racing fair shall contact area hospitals to coordinate procedures for the rapid admittance and treatment of emergency injuries. (d) Each racing association or racing fair shall designate a health and safety manager and assistant manager, who shall be responsible for compliance with the provisions of this section and one of whom shall be

EXHIBIT 12

Del Mar Thoroughbred Club Jockey On-Track Accident Response Program

9-46

Overview: The Del Mar Thoroughbred Club (DMTC) is committed to the overall health and safety of the riding professionals that are valued members of the racing community and DMTC. A large part of this commitment is the provision of professional medical and first aid services, should a jockey need to avail themselves of such services or be involved in an accident that requires first aid or emergency medical aid. DMTC takes their role in providing first aid and emergency medical care and transportation, when required, seriously. This program defines the plan elements and procedures DMTC will follow, should such events occur where medical aid becomes necessary.

Program Elements:

I. Medical Professionals On-Site During Racing - Summary

DMTC maintains licensed medical and first aid professionals that comply with the levels established by the horse racing industry. DMTC contracts with Scripps Coastal Medical Clinics to provide a licensed physician and medical assistants, who are on duty during live racing. DMTC maintains two Advanced Life Support Ambulances. At minimum each ambulance is staffed by a Paramedic and a certified Emergency Medical Technician (EMT). In addition, municipal fire department, with paramedic and EMT services are readily available as these services are co-located with the track.

II. Jockey Information Health System

DMTC participates in the Jockey Information Health System through Encompass. All Medical Doctors and the Risk Management Department have access to this program.

The medical doctors staffing the on-site clinic can access medical information for those jockeys who participate in the program.

When a jockey, who participates in the program, is injured on track, the DMTC Risk Management Supervisor will access and print the Jockey's information. This information, along with Work Comp information is then sent with the Jockey to the hospital and/or faxed directly to the hospital emergency room.

II. Area Hospitals and Rapid Admittance

- a. DMTC maintains a working relationship with two area hospitals, both members of the Scripps Hospital and Healthcare family of operations. The hospitals are found in either La Jolla, just south of the DMTC track, or Encinitas, just north of the track. Both are Level 1 trauma hospitals.
- b. The Scripps triage and base station is located at the La Jolla hospital – when determined transport is necessary they will be contacted immediately by the Medical Clinic Staff, Paramedics or Risk Management.

Del Mar Thoroughbred Club
Jockey On-Track Accident Response Program

- c. Riders will be transported to Scripps La Jolla unless base station determines alternate site is necessary. All decisions on where a rider will be seen are made by Scripps La Jolla at the time of a reported incident. DMTC will not know where a rider is being taken until such time that transport has been initiated and we are advised as to which facility they are directed to.
- d. The addresses of the hospitals are: (Both are located less than 10 miles from DMTC)
 - a. Scripps La Jolla
9888 Genesee Avenue
La Jolla, CA 92037
Tel: 858.626.4123
 - b. Scripps Encinitas
354 Santa Fe Drive
Encinitas, CA 92024
Tel: 760.753.4123

III. The DMTC Safety and Health and Program Manager

- a. The DMTC Risk Manager serves as the Safety Manager and coordinator of the Jockey medical treatment and on-track accident program.
- b. DMTC also maintains an Assistant Safety and Health Manager (the Risk Management Supervisor) during the live meet period in the event the Safety Manager is unavailable.

Both the Risk Manager and the Risk Manager Supervisor can be reached at the following extensions, Ext. 4233 or Ext. 3225 respectively or via radio on the Security Channel as Risk 1 and Risk 2. As needed, the DMTC Operator or security Dispatch can assist with obtaining alternate contact numbers as well.

IV. On-site First Aid Facilities and Staffing

- a. Physician - Services for the on-site medical clinic are contracted through Scripps Coastal Medical Center. During all live racing periods there will a licensed physician and medical assistant on duty.
- b. Advanced Life Support Ambulances (ALS) – A Paramedic and Certified Emergency Medical Technicians are on site at all times that either training or live racing is taking place. During Training hours there will be one ALS ambulance and one team which includes one, at a minimum (1) Paramedic and one (1) Certified Emergency Medical Technician on site at all times. During live racing there will be two ALS ambulances, which will include two (2) Paramedics and two (2) Certified Emergency Medical Technicians on site. Team 1 will follow the field during live racing, Team 2 will cover the paddock during pre-race activities and serve as a back up to Team 1. Both teams will maintain radio contact with the officials and security dispatch at all times. (Depending on staffing for the day there may be times when two paramedics are on a rig).

c. Municipal Response Capabilities- DMTC is located on a State of California Fairgrounds. As such, we enjoy the benefits of the Del Mar Fire Department municipal fire service and Paramedic and Emergency Medical Technicians that are stationed on the grounds. If the on-site station has responded to an off-site emergency, the North Com dispatch will send the closest responding unit available. On track Paramedics have the capability of calling North Com directly should back up be necessary.

V. Ambulance and Medical Transport Protocols

- a. Contracted ambulance service – DMTC contracts with a licensed Emergency Medical Services provider who provides ALS on-track emergency medical response and may provide transport services. Depending on the time and nature of an incident as well as the number of riders involved, transport may be referred to or in conjunction with the local municipal services.
- b. Local municipal services – The Del Mar Fire Department or others within the Rancho Fire Service area may respond as needed or called upon. The Rancho Fire Service will respond with Paramedics and EMT's on the fire trucks as well as Paramedics assigned to the municipal ambulances.

VI. The Emergency Medical Plan

These steps will be followed in the event of an on-track accident:

General Conditions

- On-site Paramedics and EMT's will respond to any observed rider on-track accident or as otherwise summoned for assistance. Such response will occur during training and/or live racing periods,
- If an incident requires transport, the hospital will be contacted and notified of the patient transport. (The La Jolla location of Scripps Hospital serves as the triage and base station for all incidents requiring hospital emergency care; they will direct the medical transport team as to which hospital to respond to.)

Communications

- Paramedic and EMT's (Team 1 and 2) will be assigned two radios per team allowing for constant communication with both security dispatch and officials. Both Official Channel and Dispatch Channel will be monitored at all times.
- Medical Clinic will be assigned one radio and will maintain contact with security dispatch at all times.
- DMTC security dispatch will monitor the official channel at all times.
- Safety and Health Program Manager and Assistant will monitor the security channel at all times and the official channel during a live race. Both individuals will be available either on site or via cell phone 24 hours a day during the live meet.

Del Mar Thoroughbred Club
Jockey On-Track Accident Response Program

Response During Training Periods

- During training periods, Paramedic and EMT will determine the nature and extent of any injuries and whether transport to a medical facility is necessary,
- The DMTC Security Dispatch will be notified immediately of any rider incident on-track or otherwise during training periods and will assist Rural/Metro with securing additional medical help for transport to area hospital when necessary.
- Municipal units will meet Rural/Metro unit at the clock tower to secure injured rider and transport to one of designated hospital.
- Incidents with injuries not requiring transport to one of the local hospitals identified within this program, will be treated on-track or at the DMTC medical clinic based upon Paramedic judgment.
- Any on-track accidents during training periods will be immediately reported to the Safety Manager, for analysis review and additional reporting as might be required.

Response During Pre-Race (Paddock)

- Team 2 will be situated in the paddock area during pre-race activities to respond to an emergency occurring in the paddock area.
- Should an emergency occur Security Dispatch will be notified immediately.
- DMTC Safety and Health Program Manager and/or Assistant will respond to incident.
- Security dispatch will notify on site medical clinic that an incident has occurred.
- As needed, additional medical assistance will be summoned from local municipal resources,
- DMTC Security will respond to incident and assist with crowd control. If necessary security will provide escort to the medical clinic.

Accidents During Live Racing

- ALS unit -Team 1 following the racing field will immediately respond to on-track accidents; simultaneously, the on-track physician and medical assistant will be made aware of the incident via radio contact, observation of the race via closed-circuit television or as advised by the DMTC Safety or Security Staff,
- ALS unit - Team 2 will be on stand by at medical clinic to assist and/or replace the on track unit should it be necessary for Team 1 to leave the track for any reason.

Del Mar Thoroughbred Club
Jockey On-Track Accident Response Program

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- In the event of a multiple rider down situation Team 1 will call for immediate backup from Team 2 at which time Team 2 will enter the track to assist. If the situation is going to require additional response from outside Team 1 will request outside units through Security Dispatch.
- Should incident require ambulance to leave the track prior to the start of the race, Team 2 will immediately move in to position at the starting gates. When this occurs Team 2 will notify stewards via radio that they are in place.
- If for any reason Team 2 is unavailable CHRB stewards must be notified immediately via the official channel.
- As needed, additional medical assistance will be summoned from local municipal resources,
- Riders will be transported to the on-site medical facility for initial review, observation and triage. Should the Paramedic feel that immediate transport is necessary to hospital he will alert Security that rider will be transported directly to hospital (Paramedics have radio contact with Scripps La Jolla and will notify them directly of the transport). Risk Management will notify Officials.
- To the extent possible, all care will be provided by the professionals within the DMTC medical clinic,
- DMTC Safety and Security staff will immediately respond to the medical clinic to assist with event management and access control to the medical clinic,
- Depending on the nature and severity of injuries, the rider(s) may be transported to one of the local hospitals noted within this plan for further medical care and treatment as is needed,
- Any on-track accidents during live racing will be immediately reported to the Safety Manager, for analysis review and additional reporting as might be required.
- When one of the ALS units are required to leave the grounds DMTC Security will be notified immediately and instructed to call North Com for any patron medical aids until unit returns to grounds.
- Risk Management Department will provide Jockey Information Health System paperwork and Workers Compensation to the hospital.

Please note: Under no circumstances will information regarding the medical condition of a rider be provided to members of the media or others. Any such request should immediately be referred to the Director of Media and or President/General Manager.

VII. Posting This Plan

The DMTC, Jockey, On-Track Accident Response Plan will be posted in English and Spanish in the following locations:

- a. The Jockey's Room located on the first floor of the Clubhouse Grandstands
- b. The DMTC on-site medical facilities, and
- c. DMTC Security Dispatch

Additional copies of the plan will be maintained in the DMTC Risk Manager's office, located in the Operations Building.

IX. Updates

The plan will be reviewed annually prior to the DMTC live racing meet and appropriate changes and updates will be made. Regulatory and/or legislative changes that may modify this plan will be included as will any changes in medical providers and/or ambulance transport services.

EXHIBIT 12

Club de Caballos Purasangre Hipódromo Del Mar Programa de Respuesta ante un Accidente de los Jinetes en las Pistas

9-52

Visión General: El Club de Caballos Purasangre del Hipódromo Del Mar (DMTC) se compromete a la salud y seguridad de todos los profesionales de equitación que son miembros valorados de la comunidad de equitación y DMTC. Una gran parte de este compromiso es proporcionar atención médica profesional y servicios de primeros auxilios, en caso de que un jinete necesite utilizar tales servicios o se vea implicado en un accidente que requiera atención de primeros auxilios o asistencia médica de emergencia. DMTC hace su función al ofrecer asistencia médica de emergencia, de primeros auxilios y transporte cuando se requiera en caso necesario. Este programa define los elementos del plan y procedimientos. DMTC realizará un seguimiento, cuando ocurran estos hechos donde se necesite asistencia médica.

Elementos del Programa:

I. Profesionales Médicos en el Sitio Durante la Carrera-Resumen

DMTC mantiene a profesionales médicos licenciados y de primeros auxilios que cumplen con los niveles establecidos por la industria hípica. DMTC contrata a "Scripps Coastal Medical Clinics" para ofrecer un médico licenciado y ayudantes médicos que están en servicio durante la carrera de caballos. DMTC mantiene dos Ambulancias Avanzadas de Apoyo Vital. Cada ambulancia cuenta con un personal Paramédico y un Técnico Médico de Emergencia certificado del Programa Bridge (EMT). Además del departamento de bomberos municipal con paramédicos y servicios de EMT que están preparados, disponibles y están situados al lado de la pista.

II. Sistema de Salud para la Información del Jinete

DMTC participa en el Sistema de Salud para la Información del Jinete por medio de Encompass. Todos los Médicos y Departamento de Gerencia de Riesgo tienen acceso a este programa.

Todo el personal médico en el sitio puede acceder a la información médica de aquellos jinetes que participen en el programa.

Cuando un jinete, que participa en el programa, se accidenta en la pista, el Supervisor de Gerencia de Riesgo de DMTC accederá e imprimirá la información del Jinete. Esta información, junto con la información de Compensación de los Trabajadores se manda junto con el Jinete al hospital o se envía por fax directamente a la sala de emergencia del hospital.

III. Hospitales de la Zona y Admisión Rápida

- a. DMTC mantiene una relación profesional con dos hospitales de la zona, tanto los miembros del Hospital Scripps y la familia de asistencia médica de operaciones. Los hospitales se encuentran o en La Jolla, justo al sur de la pista de DMTC, o en Encinitas, justo al norte de la pista. Los dos son hospitales de traumatismos Nivel 1.

Club de Caballos Purasangre Hipódromo Del Mar
Programa de Respuesta ante un Accidente de los Jinetes en las Pistas

- b. La selección de Scripps y estación base se sitúa en el hospital de La Jolla, cuando se necesite un transporte determinado se les pondrá en contacto inmediato con el Personal Médico, Paramédicos o Gerencia de Riesgo.
- c. Se trasladará a los jinetes a Scripps en La Jolla a menos que la estación base determine un lugar alternativo en caso necesario. Todas las decisiones con respecto a donde se atenderá a un jinete se realizarán en Scripps La Jolla en el momento en que se reporte el accidente. DMTC no sabrá a dónde se lleva al jinete hasta el momento en que se haya iniciado el traslado y se nos avise sobre la instalación a la que se dirige.
- d. Las direcciones de los hospitales son: (Ambas se localizan a menos de 10 millas de DMTC)
 - a. Scripps La Jolla
9888 Genesee Avenue
La Jolla, CA 92037
Tel: 858.626.4123
 - b. Scripps Encinitas
354 Santa Fe Drive
Encinitas, CA 92024
Tel: 760.753.4123

IV. Salud y Seguridad y Gerente del Programa de DMTC

- a. El Gerente de Riesgo de DMTC atiende como Gerente de Seguridad y coordinador del tratamiento médico del jinete y el programa de accidentes en la pista.
- b. DMTC también mantiene un Subgerente de Seguridad y Salud (el Supervisor de Gerencia de Riesgo) durante el periodo del encuentro de carreras en directo en caso de que el Gerente de Seguridad no esté disponible.

Tanto el Gerente de Riesgo y el Supervisor de Gerencia de Riesgo pueden localizarse en las siguientes extensiones, Ext. 4233 o Ext. 3225 respectivamente o por medio de la radio mediante el canal de Seguridad como Riesgo 1 y Riesgo 2. Cuando se necesite, el Operador o Despacho de Seguridad de DMTC podrán ayudarle a conseguir números de teléfono de contacto alternativos.

V. Instalaciones de Primeros Auxilios en el sitio y Personal

- a. Médico- Los servicios para el centro médico en el sitio se contratan por medio de "Scripps Coastal Medical Center". Durante los periodos de carreras en directo se proporcionará un médico licenciado y ayudante médico en servicio.

- b. Las Ambulancias Avanzadas de Apoyo Vital (ALS)- Un Paramédico y Técnicos Médicos de Emergencia certificados están en el sitio en todo momento ya sea si están entrenando o se está llevando a cabo una carrera hípica. Durante las horas de entrenamiento habrá una ambulancia ALS y un equipo que incluirá un (1) Paramédico y un (1) Técnico Médico de Emergencia Certificado en el sitio. El Equipo 1 seguirá el campo durante la carrera en directo, el Equipo 2 cubrirá las caballerizas durante las actividades antes de las carreras y atenderá como un refuerzo del Equipo 1. Ambos equipos mantendrán el contacto por radio con los oficiales y despacho de seguridad en todo momento.
- c. Las Capacidades de Respuesta Municipal-DMTC está situado en un recinto ferial del Estado de California. Como tal, disfrutamos de los beneficios del servicio de bomberos municipal Del Mar, Paramédicos y Técnicos de Emergencia Médica que se localizan en el terreno. Si la estación en el sitio ha respondido a una emergencia fuera del sitio, el despacho North Com mandará a la unidad de respuesta más cercana disponible. Los Paramédicos en la pista cuentan con la capacidad de llamar directamente a North Com en caso de que se necesite un refuerzo.

VI. Protocolos de Transporte Médico y Ambulancia

- a. El servicio de ambulancia contratada-DMTC contrata a Ambulancias que proporciona ALS para responder ante las emergencias médicas que puedan surgir en la pista y proporcionará servicios de transporte. Dependiendo del tiempo y la naturaleza de un incidente así como el número de jinetes implicados, transporte al que podrá referirse o conjuntamente con los servicios municipales locales.
- b. Los servicios municipales locales- El departamento de bomberos Del Mar u otros dentro del área de servicio de incendios de Rancho podrá responder según se necesite o solicite. El Servicio de Bomberos de Rancho responderá con Paramédicos y EMTs en los camiones de bomberos así como los Paramédicos asignados a las ambulancias municipales.

VII. Plan Médico de Emergencia

Estos pasos se seguirán en caso de que ocurra un accidente en las pistas:

Condiciones Generales

- Los Paramédicos y EMT en el sitio responderán a cualquier accidente que observen de un jinete en la pista o de otro modo pedirán ayuda. Tal respuesta ocurrirá durante el entrenamiento o periodos de carreras en directo,
- Si un incidente requiere transporte, se contactará y avisará al hospital del transporte del paciente. (La localización de La Jolla del Hospital Scripp atiende como sala de urgencias y estación base para todos los incidentes que requieran asistencia de emergencia hospitalaria y dirigirán al equipo de transporte médico a qué hospital deberán acudir).

Club de Caballos Purasangre Hipódromo Del Mar
Programa de Respuesta ante un Accidente de los Jinetes en las Pistas

Comunicaciones

- Los Paramédicos y EMTs (Equipo 1 y 2) se les asignarán dos radios por equipo para permitir una comunicación constante con el despacho de seguridad y los oficiales. Tanto el Canal Oficial y el Canal de Despacho se controlarán en todo momento.
- Se le asignará al centro médico una radio y mantendrá contacto con el despacho de seguridad en todo momento.
- El despacho de seguridad de DMTC controlará el canal oficial en todo momento.
- El Gerente del Programa de Seguridad y de Salud controlará el canal de seguridad en todo momento y el canal oficial durante una carrera en directo. Ambas personas estarán disponibles tanto en el sitio como por teléfono celular las 24 horas al día durante el encuentro de las carreras en directo.

Respuesta Durante los Periodos de Entrenamiento

- Durante los periodos de entrenamiento, el Paramédico y EMT determinarán la naturaleza y extensión de cualquier lesión y si el transporte a una instalación médica si fuera necesario.
- Se avisará de inmediato al Despacho de Seguridad de DMTC de cualquier incidente de los jinetes en la pista o de otro modo durante los periodos de entrenamiento y ayudará a "San Diego Medical Enterprises Services" a conseguir ayuda médica adicional para facilitar transporte al hospital del área cuando se necesite.
- Las unidades municipales se reunirán en la unidad de "San Diego Medical Enterprises" en la torre del reloj para asegurar al jinete lesionado y el transporte a un hospital designado.
- Los incidentes con lesiones que no requieran transporte a uno de los hospitales locales identificados dentro de este programa, se tratarán en la pista en el centro médico de DMTC según el criterio del Paramédico.
- Cualquier accidente en la pista durante los periodos de entrenamiento se reportará de inmediato al Gerente de Seguridad, para una revisión del análisis y reporte adicional según se requiera.

Respuesta Durante la Pre-carrera (Caballeriza)

- El Equipo 2 de EMT estará situado en el área de caballerizas durante las actividades de pre-carrera para responder a una emergencia que ocurra en el área de las caballerizas.
- Si ocurre una emergencia se avisará al Despacho de Seguridad de inmediato.
- El Gerente del Programa de Salud y Seguridad de DMTC o Ayudante responderá al incidente.
- El despacho de seguridad avisará al centro médico del sitio de que ha ocurrido un accidente.

- Se solicitará ayuda médica adicional de los recursos municipales locales, según se necesite,
- La Seguridad de DMTC responderá al incidente y ayudará con el control de la multitud. Si se necesita seguridad se proporcionará escolta hasta el centro médico.

Accidentes Durante la Carrera en Directo

- La unidad ALS-Equipo 1 que sigue el campo de carreras responderá de inmediato a los accidentes en la pista; simultáneamente, el ayudante médico y médico en la pista se les pondrá en conocimiento del incidente contactándoles por medio de radio, la observación de la carrera se hará por medio de un circuito cerrado de televisión según lo aconsejado por el Personal de Seguridad de DMTC,
 - La unidad ALS-Equipo 2 estará preparada por el centro médico para ayudar o reemplazar a la unidad de la pista si fuera necesario por el Equipo 1 abandonar la pista por cualquier razón.
 - Si un incidente requiere ambulancia deberá abandonar la pista antes de que empiece la carrera, el Equipo 2 se desplazará a una posición al cajón de salida. Cuando esto ocurre el Equipo 2 avisará a los comisarios por medio de radio de que están en su lugar.
 - Si por cualquier razón el Equipo 2 no está disponible se avisará de inmediato a los comisarios CHRB por medio del canal oficial.
 - Se pedirá asistencia médica adicional desde los recursos municipales locales, según se necesite,
-
- Se transportará a los jinetes a una instalación médica en el sitio para una revisión inicial, observación y emergencia. Si el Paramédico considera que se necesita transporte de inmediato al hospital se alertará a Seguridad de que se llevará al jinete directamente al hospital (los Paramédicos tienen contacto por radio con Scripps La Jolla y se les avisará directamente del transporte). La Gerencia de Riesgo avisará a los Oficiales.
 - En la medida de lo posible, los profesionales ofrecerán toda la atención médica dentro del centro médico de DMTC;
 - El personal de Seguridad de DMTC responderá de inmediato al centro médico para ayudar con la gerencia del evento y control de acceso al centro médico,
 - Dependiendo de la naturaleza y gravedad de las lesiones, se podrá trasladar al jinete a uno de los hospitales locales señalado dentro de este plan para atención médica exhaustiva y tratamiento según se necesite,

Club de Caballos Purasangre Hipódromo Del Mar
Programa de Respuesta ante un Accidente de los Jinetes en las Pistas

- Cualquier accidente en la pista durante la carrera en directo se reportará de inmediato al Gerente de Seguridad, para una revisión del análisis y reporte adicional según se requiera.
- Cuando una de las unidades de ALS se requiere que abandone los campos la Seguridad de DMTC avisará de inmediato y se le instruirá llamar a North Com para cualquier atención médica hasta que regrese la unidad al terreno.
- El Departamento de Gerencia de Riesgo proporcionará la documentación del Sistema de Salud de Información al jinete y Compensación de los Trabajadores al hospital.

Por favor tenga presente: Bajo ninguna circunstancia la información con respecto al estado médico del jinete se proporcionará a los miembros de los medios u otros. Cualquier petición se referirá de inmediato al Director de Medios o Presidente/Gerente General.

VIII. Exposición de Este Plan

El Plan de Respuesta de Accidente del Jinete en la pista se expondrá en Inglés y Español en las siguientes localizaciones:

La Sala del Jinete está situada en la primera planta de las Gradas del Clubhouse

- a. Las instalaciones médicas en el sitio de DMTC, y
- b. Despacho de Seguridad de DMTC.

Las copias adicionales del plan se mantendrán en la oficina del Gerente de Riesgo de DMTC, localizada en el Edificio de Operaciones.

IX. Actualizaciones

Se revisará el plan anualmente antes del encuentro de las carreras en directo de DMTC, los cambios apropiados y actualizaciones que se hagan. Los cambios regulatorios o legislativos que puedan modificar este plan se incluirán al igual que los cambios en los proveedores médicos o servicios de transporte de ambulancia.



DEPARTMENT OF FORESTRY AND FIRE PROTECTION
OFFICE OF THE STATE FIRE MARSHAL
Fire and Life Safety Division

602 E. Huntington Drive, Suite A
MONROVIA, CA 91016
(626) 305-1908
Website: www.fire.ca.gov



July 13, 2018

Timothy A. Read, Director of Operations
Del Mar Thoroughbred Club
P.O. Box 700
Del Mar, California 92014-070

Re: Del Mar Thoroughbred Racing Facility
CSFM File #04-37-041-0001

Dear Mr. Read:

An inspection of the referenced facility was conducted on July 13, 2018, in accordance with Section 13108(c) of the California Health and Safety Code. The purpose was to determine compliance with minimum fire and life safety standards required by Titles 19 and 24 of the California Code of Regulations.

No deficiencies were noted at the time of inspection. Fire Clearance is hereby granted for the 2018 racing season.

If we can be of further assistance, or you desire additional information or clarification, please feel free to contact me at 626-705-7635.

Sincerely,

Michelle Nachtmann
Supervising Deputy State Fire Marshal

cc: J. Garcia, DSFM



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
8/17/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER License # DE67768 IOA Insurance Services 3075 Hopyard Road Suite 200 Pleasanton, CA 94588	CONTACT: NAME: PHONE (A/C, No, Ext): (925) 416-7862 FAX (A/C, No): (925) 416-7869 E-MAIL: ADDRESS:
INSURED Del Mar Thoroughbred Club PO Box 700 Del Mar, CA 92014	INSURER(S) AFFORDING COVERAGE INSURER A: Philadelphia Indemnity Insurance Company 18058 INSURER B: Cypress Insurance Company 10855 INSURER C: INSURER D: INSURER E: INSURER F:

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR. LTR	TYPE OF INSURANCE	ADDITIONAL SUBR. INSD. WAIVED	POLICY NUMBER	POLICY EFF. (MM/DD/YYYY)	POLICY EXP. (MM/DD/YYYY)	LIMITS
A X	COMMERCIAL GENERAL LIABILITY CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR		PHPK1789494	03/15/2018	03/15/2019	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED. EXP. (Any one person) \$ 5,000 PERSONAL & ADV. INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 OTHER: \$
A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY		PHPK1789494	03/15/2018	03/15/2019	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A X	UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR EXCESS LIAB CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 10,000		PHUB620833	03/15/2018	03/15/2019	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y/N N/A If yes, describe under DESCRIPTION OF OPERATIONS below		DEWC911719	03/31/2018	03/31/2019	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH- E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
RE: Evidence of Coverage

CERTIFICATE HOLDER California Horse Racing Board (CHRB) 1010 Hurley Way, Suite 300 Sacramento, CA 95825	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – CERTIFICATE HOLDERS

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SECTION II – WHO IS AN INSURED is amended to include any Certificate Holder, identified as an additional insured, on a Certificate of Insurance issued by Philadelphia Indemnity Insurance Company or our authorized representative, but only for liability arising out of the negligence of the named insured.

The limits of insurance applicable to these additional insureds are the lesser of the policy limits or those limits specified in a contract or agreement. These limits are inclusive of and not in addition to the limits of insurance shown in the declarations.

on duty at all times when live racing is conducted. The health and safety manager may, at the discretion of the racing association, be the person designated to perform risk management duties on behalf of the association.

17. CONCESSIONAIRES AND SERVICE CONTRACTORS

Names and addresses of all persons to whom a concession or service contract has been given, **other than those already identified**, and the goods and/or services to be provided by each:

EXHIBIT 14

Does the association provide its own concessions? Yes No

18. ON-TRACK ATTENDANCE/FAN DEVELOPMENT

A. Attach a copy of the promotional and marketing plans: for the race meeting:

EXHIBIT 15

B. Promotional/ Marketing budget for this race meeting:

<u>Category</u>	<u>2018 Fall</u> <u>Meet</u> (16 Day Meet)
Advertising	\$ 599,100
Promotions	\$ 350,500
Publicity	\$ 68,200
Other	<u>\$ 10,400</u>
Total	\$1,027,700

Promotional/Marketing budget for prior race meeting:

<u>Category</u>	<u>2017 Fall</u> <u>Meet</u> (14 Day Meet)
Advertising	\$ 643,200
Promotions	\$ 337,200
Publicity	\$ 70,600
Other	<u>\$ 11,000</u>
Total	\$ 1,062,300

C. Number of hosts and hostesses employed for meeting:

We employ approximately 22 customer service representatives on weekdays (Thursdays and Fridays) and 35 on weekend (Saturdays and Sundays).

D. Describe facilities set aside for new fans:

At Del Mar, virtually the entire facility is considered a new fan area, with customer service locations on every floor and in every betting area and with a complete staff of customer service representatives moving about the facility. In addition, a large portion of new fans are introduced to racing through our Group Sales department which provides customized introductions to racing or the day's card tailored to individual groups. Del Mar also offers a variety of free seminars and handicapping education for more serious newcomers.

E. Describe any improvements to the physical facility in advance of the meeting that directly benefit:

1. Horsemen
 - **Replacement of wire mesh pens Barn LL-2 with new Barnmaster stalls (38 stalls)**
 - **Upgrade Paddock with rubber pavers and synthetic turf**

EXHIBIT 14**CONCESSIONS:**

Wes Westley, CEO
Premier Food Services, Inc./SMG
300 Conshohocken State Road
Conshohocken, PA 19428

TIP SHEETS:

Bruce M. Andrews, Jr.
Deuce Bruce
5910 Rancho Mission Rd. #33
San Diego, CA 92108

John Acquarelli
Duke Racing Selections
4615 Triesta
Carlsbad, CA 92010

Toby Turrell
Winners
14112 Enfield Circle
Westminster, CA 92683

Tiffany Bohland
Bob's Card, Inc.
166 Halifax Lane
Medina, OH 44256

SADDLERY SERVICES:

Frank Wipfli
Western Saddlery, Inc.
7038 Commerce Circle
Pleasanton, CA 94588

RACING COLORS:

June Gee
West Coast Racing Colors
11920 Goldring Rd. Ste G
Arcadia, CA 91006

MISCELLANEOUS CONCESSIONS/SERVICES:

Tony Vasquez
Garda Cash Logisitics
8807 Complex Drive
San Diego, CA 92123

Rayetta Burr
Benoit & Associates, Inc.
Track Photographers
PO Box 60014
Arcadia, CA 91066-6014

Michael Costello
United/Puett Electrical Starting Gates
224 Tater Hill Rd.
East Haddam, CT 06423

Scripps Coastal Medical Center
Track Physicians
380 Stevens Ave., Suite 100
Solana Beach, CA 92075

Steve Stiles
Stiles Animal Removal Inc.
P.O. Box 1103
Guasti, CA 91743-1103

Deven Owen
West Coast Feed
PO Box 893007
Temecula, CA 92589

Gary S. Bell
Citrus Feed
PO Box 249
La Verne, CA 91750

Angel P. Unamuno
Angel's Feed
4518 Rowland Ave
El Monte, CA 91731

Michael Brunner
Westwalk Corp.
Hotwalkers
2711 N. Sepulvada Blvd. # 312
Manhattan Beach, CA 90266

EXHIBIT 15

**Marketing Overview**

2018 will mark the first year of a slight rebrand to the Del Mar Fall Season. Starting this season, we will no longer refer to the Fall Season as the Bing Crosby Season – it is now called the Del Mar Fall Racing Festival. The primary reason for the change is the new emphasis on the racing product during the fall. Del Mar is clearly the premier racing product in the country this time of year, and we believe we need to emphasize that fact.

Although the brand of the fall season differs from that of the summer season, the same marketing principles are used to support a two-part marketing strategy:

1. Provide value to our regular customers
2. Attract new and occasional customers by promoting the Del Mar brand and diversifying our entertainment offerings

The first of the two strategies relies heavily on database marketing tactics. The focus of these tactics is the same Diamond Club that we rely on so heavily during the summer. The Diamond Club is a free loyalty club that offers members half-priced admission each time they attend as well as occasional free admissions and seats, discounted food and beverage, free bets and

contests as well as wagering rebates to our biggest bettors. The Diamond Club was launched in 2006 and now has over 300,000 members. Each time members take advantage of Diamond Club benefits, they must scan their membership card, which in turn feeds the information to our data warehouse. As the number of Diamond Club members expands, and as the amount of information we gather about our members grows, it allows us to market to our regular patrons in a more effective and efficient manner. For example, the data warehouse can tell us which customers tend to come to the races on weekends, weekdays, pick six carryover days, giveaway days, concerts, etc. With this information, we can use database marketing and social media techniques to send the appropriate messages to the appropriate customers in a very cost-effective manner. As the data warehouse continues to grow, we will utilize the data findings even more aggressively to promote Del Mar to our current race fans.

One of the benefits of using database marketing as the principal tactic for attracting current customers is that it allows us to use traditional media (radio, print, digital, etc.) to accomplish our second strategy – attracting new and occasional customers. We sell Del Mar to this target market as a cool and sexy entertainment alternative while highlighting non-racing events such as Craft Beer Festivals, Concerts and Food Truck Festivals.

Promotions

- **Country Day** – On Saturday, November 24 grab your best boots and your cowboy hat! The day will feature employees decked out in country garb, a western BBQ, and entertainment throughout the day. The day will culminate with a country concert by Easton Corbin after the races in La Plaza de Mexico.
- **Uncorked Wine Festival** – The inaugural Uncorked Wine Festival will take place on Saturday November 17 in La Plaza de Mexico. The festival will feature wines from California and beyond and will include gourmet food and entertainment as well. A great way for wine lovers to experience Del Mar.
- **Craft Beer Fest** – The Craft Beer Festival is back on Saturday, December 1. This year's event will feature over 100 specialty beers, with an emphasis on San Diego breweries. This event, which targets the 21-40 year old demographic, has proved to be effective at attracting new fans to Del Mar. By offering complimentary programs and newcomer seminars, we hope to get the new fans to the betting windows.



- **College Day Tailgate** – Unlike the summer season, the fall season allows us to market to the colleges and universities in San Diego while they are in session. On Saturday, November 10 we will once again host the College Day Tailgate which offers a number of drink specials, competitions and activities for college students. The party is followed by a concert from the popular reggae band Pepper.

- **Free & Fun Sundays** – Recent research has revealed that many fans feel our food and beverage prices are too high. Therefore, we will be offering a number of discounts and special events with lower concession prices. This is one of our most popular offers. Every Sunday during the meet, racing fans will receive free Stretch Run admission and a free reserved seat. In addition, the famous “Cardiff Crack” tri-tip sliders from Seaside Market will be only \$4 and Coors Light pints will be \$4 at designated concession stands. All patrons have to do to take part in the promotion is join the Diamond Club.
 - **Family Fun Run** – On Thanksgiving Day morning we will once again host the Family Fun Run, which is a one-mile run on the main track. The event is done in conjunction with the Helen Woodward Animal Center and features pet adoptions as well as crafts and games for the kids.
 - **Seniors Days** – Seniors make up a significant portion of our fan base, and they tend to be price sensitive. Therefore, on each Thursday during the meet all seniors 62 and over will be admitted free and given a free reserved seat.
 - **The Del Mar Handicapping Challenge** – In an effort to attract the top handicappers from across the country, we host the Del Mar Handicapping Challenge. One hundred players will compete in a “real money” tournament for \$100,000 and five entries into the NTRA National Handicapping Championship in this two-day competition. Historically, over half the field travel to Del Mar for the contest from out of state.
-

Fan Education

Given that many Del Mar attendees are newcomers or occasional racetrack visitors, it is imperative that we stress fan education. Some of the initiatives include:

- **Free Programs** – As they say, “you can’t tell the players without a program,” so everyone who enters the admission gate receives a complimentary program. Although most racetracks charge an additional fee for programs, we believe many racetrack newcomers would not know to buy one and would, therefore, be very unlikely to wager and learn the game of horse racing.
- **Free Newcomers’ Seminars** – Located just inside the Stretch Run admission gates in the Plaza de Mexico, these simple 30-minute seminars are held every racing day and are extremely popular.
- **Free Handicapping Seminars** – Every Saturday and Sunday patrons can listen in as handicapping experts analyze the day’s racing card and give out their selections in every race.
- **Website** – The Del Mar website features a “Beginner’s Corner” which provides helpful tips on how to prepare for a visit to the races including pre-planning, handicapping resources, wagering, track terms and more.
- **Betting Guides** – *Today's Racing Digest* produces pocket-sized guides for Del Mar that explain racing terms and how to place a bet. The betting guides are distributed through Group Sales, Mutuel Tellers and Customer Service representatives throughout the season.
- **Staff Handicappers** – Del Mar staff handicappers regularly assist Group Sales parties. The handicappers teach the basics of handicapping and betting, recommend picks and arrange paddock tours.

VIP Program

In addition to new and casual race fans, Del Mar also has a significant number of high-end customers. For those patrons we have the Del Mar VIP recruitment and retention program. The VIP program constitutes an aggressive effort to identify significant bettors and to meet the tailored needs of those patrons through personalized attention from all segments of Del Mar management and staff. The program accommodates over 100 high-per-capita patrons with services such as arranging housing, local transportation, complimentary dinners at local restaurants, hotel and golf reservations, and VIP seating for the races. In addition, players that wager over \$20,000 in a calendar month are eligible for rebates via a program sponsored by the California Marketing Committee.

Customer Service

Given the number of new and casual race fans at Del Mar, Customer Service plays a vital role in the experience of our customers. Therefore, we staff the facility with Customer Service Representatives and Self-service Wagering Assistants very liberally. We also believe it is very important to train our Customer Service employees very thoroughly.

Weekdays (Thursday and Fridays)

- 10 Customer Service Representatives
- 12 Self-service Wagering Assistants
- 22 Total Staffing

Weekends (Saturdays and Sundays)

- 15 Customer Service Representatives
- 20 Self-service Wagering Assistants
- 35 Total Staffing

Database Marketing

Database marketing continues to be one of the key components of the media mix each season. Given that the primary advertising strategy is to target new fans that are potentially younger, it is vital that we communicate effectively with our current fan base. With that strategy in mind, Del Mar has devoted significant time and money to identify our regular players. First, a data warehouse was created that pulled together all the various lists of names and information contained at the racetrack (marketing, racing, group sales, turf club, ticketing, etc.) and combined them into a single database that can be segmented into various categories. Also, the Del Mar loyalty club, The Diamond Club, which gives members half-priced admission each time they attend the races at Del Mar, allows us to track the visitation patterns of Club members. The Diamond Club has enjoyed phenomenal growth since its inception in 2006 with membership numbers now topping over 300,000.

More than 140,000 fans will receive targeted e-mail updates from Del Mar on a year-round basis, ranging from coupons to instant notification of Pick Six carryovers to upcoming promotions and big races as well as general interest stories about various horses and horsemen.

Digital Marketing

Del Mar utilizes an array of platforms – DelMarRacing.com, the Del Mar Mobile App, social media platforms and email database – to customize content and target two distinct audiences of racetrack regulars and newcomers to the track.

- Racetrack Regulars - From entries and results to real-time odds and pools, the racetrack regulars are provided valuable information and tools from the Del Mar site and mobile app. Notably this past year, carryover information is being efficiently pulled from Amtote's result feeds to display across the site efficiently. The Online Handicapping Challenge, designed to encourage horseplayers to handicap and play the Del Mar card, draws nearly 5,000 players each season. The play-for-fun handicapping contest is always popular during the offseason for many.
- Newcomers and Occasionals – Non-racing events drive newcomers to many of their first time experiences at the racetrack. First-time patrons are encouraged to sign up with their email for the Diamond Club loyalty program to unlock discounts, thereby allowing Del Mar to re-engage through email and target digital advertising to convert first timers into racegoers. Out of town visitors are also provided helpful travel aids including local hotels, restaurants and activities to help plan their visit to the track.

DelMarRacing.com

The site is optimized for both desktop and mobile and provides easy navigation for patrons. Each year over 30,000 orders for tickets and reserved tables & seats are completed online through the mobile responsive site. The site generates over 15.2 million annual page views from 2.4 million users.

Social Media

The social media goals for the 2018 season are threefold:

1. Increase awareness
2. Increase brand loyalty
3. Increase on-track attendance

The emphasis is not only on growing the size of our community, but the quality of the people and interactions. The feedback from our social media community is overwhelmingly positive, with people posting on both Facebook and Twitter how much they love Del Mar and how much they appreciate our efforts in the social space.

Facebook, which now has over 87,000 Del Mar fans within our community has proven to be an easy platform for us to grow and a natural space for us to be in as a result of our visual content. Our fans respond very favorably to the videos we share about concerts and big races, and regularly view and comment on our many photo albums. The content most often responded to involves celebrities, events, concerts and contests. However, some racing content also receives a significant response.

Twitter still has some room for growth, but despite being significantly smaller than our Facebook network, our 32,000 Twitter members are quite a bit more engaged. Twitter is best used as an engagement platform to provide customer service assistance and increase brand loyalty through one-on-one interactions. Much like Twitter followers, our Instagram followers are very engaged. Our 30,000 followers forwarded our photos as well as their own.

Media Summary

The Media Plan features a diversified media mix consisting of radio, print, online, outdoor and direct mail. Note these do not reflect any amounts spent on behalf of the Breeders' Cup.

Radio	\$ 157,000
Print	\$ 41,000
Online	\$ 90,300
Outdoor	\$ 40,000
Direct Mail	\$ 30,000
Total	\$ 358,300

In addition to the cash media budget, DMTC negotiates barter deals with select media providers. In exchange for tickets, seating and parking privileges on days when inventory is available, DMTC receives free media. The Barter Program is expected to contribute an additional \$100,000 of media for the fall season.

Marketing Budget

The marketing budget for The Del Mar Fall Racing Festival is over \$600,000. This amount includes direct expenses attributed to Advertising, Promotions and Publicity but does not include payroll, administrative supplies and other overhead items.

The Marketing Budget is categorized as follows:

Advertising	\$ 599,100
Promotions	\$ 350,000
Publicity	\$ 68,200
Other	\$ 10,400
Total	\$ 1,027,700

- Stable Kitchen renovation and upgrade
 - Ongoing replacement of stairways, balconies and shed row posts in stable area living quarters (restricted area)
 - Ongoing replacement of flooring, doors, locks, and window screens in living quarters (restricted area)
 - Ongoing upgrade of morning workout lighting (restricted area)
 - Ongoing repair of all stable area smoke detectors (restricted area)
 - Ongoing replacement of water service to miscellaneous barns in stable area (restricted area)
 - Ongoing backfill of all stable area stalls with decomposed granite (restricted area)
 - Ongoing renovation of miscellaneous restrooms, tack rooms and living quarters in stable area (restricted area)
 - Ongoing replacement of exterior electrical outlets and wall lights in stable area (restricted area)
 - Clean and screen all stable area shed-drains and roadways due to rocks and debris (restricted area)
 - Clean and dig-out all stable area wash racks and storm drain boxes (restricted area)
2. Fans
- Ongoing boxes, seats and turf club refurbishment
 - On-going replacement of television monitors with flat screen monitors throughout facility.
 - On-going installation of wireless technology throughout the facility to enhance the mobile app experience.
 - Ongoing replacement of deck coatings throughout the facility.
3. Facilities in the restricted areas
See 18-E-1

19. SCHEDULE OF CHARGES

A. Proposed charges, note any changes from the previous year:

Fall Meet 2018

*Change from Fall 2017

- Reduced Reserved Seating \$2.00 on Opening Day
- Offering Parking (general, advance Discount Book of 5) at \$25.00

Admission	\$6.00 (\$3.00 with Diamond Club)
(includes official program)	\$25.00 (Season Pass-Sold pre-season through July 13)
*Reserved Seating	\$4.00 Thurs & Fri, \$8 Opening Day, \$8 Sat & \$6 Sun
Parking (general, single day)	\$10.00
*Parking (general, advance Discount book of 10)	\$50.00
Parking (Valet)	\$20.00
Programs (on-track)	Included with paid admission
Programs (off-track)	\$2.25

B. Describe any "Season Boxes" and "Turf Club Membership" fees:

*Change from Fall 2017 in Daily Turf Club Admissions

- (member guests) decreased \$20 with no increase in admission fee for Opening Day
- (non-member) no increase in admission fee for Opening Day

Season Turf Club Membership (2 persons, includes Summer and Fall meetings): \$1,500.00

Season Turf Club Membership (1 person, includes Summer and Fall meetings): \$1,100.00

*Daily Turf Club Admission (member guests): \$20.00

*Daily Turf Club Admission (non-member): \$60.00

Stretch Run & Clubhouse Season Box Seats: \$85 - \$100 per seat

Season Reserved Seat: \$70.00

C. Describe any "package" plans such as combined parking, admission and program:

~~Turf Club memberships include valet parking. All paid admissions include official programs.~~

20. JOCKEYS/DRIVERS' QUARTERS

A. Check the applicable amenities available in the jockeys/drivers' quarters:

<input checked="" type="checkbox"/> Corners (lockers and cubicles)	How many	<input type="text" value="73"/>
<input checked="" type="checkbox"/> Showers	<input checked="" type="checkbox"/> Steam room, sauna or steam cabinets	<input checked="" type="checkbox"/> Lounge area
<input checked="" type="checkbox"/> Masseur	<input checked="" type="checkbox"/> Food/beverage service	<input checked="" type="checkbox"/> Certified platform scale

B. Describe the quarters to be used for female jockeys/drivers:

Includes a locker area (2), shower area, sauna area, lounge area, food and beverage service and a certified scale:

21. BACKSTRETCH EMPLOYEE HOUSING

A. Inspection of backstretch housing has been requested and will be completed prior to the beginning of the race meet. **CHRB inspection pending; Health Department inspection pending.**

- B. Number of rooms used for housing on the backstretch of the racetrack: **665**
- C. Number of restrooms available on the backstretch of the racetrack: **83**
- D. Estimated ratio of restroom facilities to the number of backstretch personnel:
17.5 workers to 1 restroom facility

22. TRACK SAFETY

- A. Total distance of the racecourse - measured from the finish line counterclockwise (3' from the inner railing) back to the finish line:

5,280

 feet.
- B. Describe the type of track surface at the facility, including the specific track surface composition:
The main track surface is a Dirt Running Surface. The surface consists of a 10" sandy loam on top of a layer of decomposed granite and 6" round perforated drain pipe on top of the existing dirt sub-base.
The turf course consists of GN-1 Bermuda grass sod with a growing medium consisting of 9" of silica sand mixed with peat and turf grids blended into the top 6".
- C. **DIRT:**
The percent of cross slope in the straight-aways is: **2%**
The percent of cross slope in the center of the turns is: **5%**
TURF:
The percent of cross slope in the straight-aways is: **1.5%**
The percent of cross slope in the center of the turns is: **5%**
- D. Describe the type(s) of materials used for the inner and outer railings of the race course, the type of inner railing supports (i.e., metal gooseneck, wood 4" x 4" uprights, offset wood 4" x 4" supports, etc.), the coverings, if any, on the top of the inner railing, and the approximate height of the top of the inner railing from the level of the race course.

Main Track:

Fontana Inner rail: Aluminum. Outer rail: Galvanized Steel Tubing. Inner rail supports: Aluminum with 33" offset. Coverings: Fontana Safety panels. Approximate height of the top inner rail: 40".

Turf Track:

Inside running rail: Mawsafe pvc injection molded

Inside rail supports: Mawsafe pvc with 16" offset

Approx. height: 47"

Outside running rail of the turf course is the same as the inside rail.

Outside rail supports are the same as the inside rail supports.

Approximate height 47"

- E. Name of the person responsible for supervision of the maintenance of the racetrack safety standards pursuant to CHRB Rule 1474: **Tom Robbins, Executive VP Racing**
- F. Attach a Track Safety Maintenance Program pursuant to CHRB Rule 1474. **On File**
- G. If the association is requesting approval to implement alternate methodologies to the provisions of Article 3.5, Track Safety Standards, pursuant to CHRB Rule 1471, attach a Certificate of Insurance for liability insurance which will be in force for the duration of the meeting specified in

Section 2. The CHRB is to be named as a certificate holder and given not less than 10 days' notice of any cancellation or termination of liability insurance. Additionally, the CHRB must be listed as additionally insured on the liability policy at a minimum amount of \$3 million per incident. The liability insurance certificate must be on file in the CHRB headquarters office prior to the conduct of any racing. **On File**

23. DECLARATIONS

- A. All labor and lease agreements and concession and service contracts necessary to conduct the entire meeting have been finalized except as follows (if no exceptions, so state): **EXHIBIT 16**
- B. Attach each horsemen's agreement pursuant to CHRB Rule 2044. **ON FILE**
- C. Attach an agreement to provide for race-day furosemide administration pursuant to CHRB Rule 1845. **ON FILE**
- D. Attach a lease agreement permitting the association to occupy the racing facility during the entire term of the meeting. (In the absence of either a lease agreement or a horsemen's agreement, a request for an extension pursuant to CHRB Rule 1407 shall be made). **ON FILE**
- E. All service contractors and concessionaires have valid state, county or city licenses authorizing each to engage in the type of service to be provided and have valid labor agreements, when applicable, which remain in effect for the entire term of the meeting except as follows (if no exceptions, so state): **NO EXCEPTIONS.**
- F. Absent natural disasters or causes beyond the control of the association, its service contractors, concessionaires or horsemen participating at the meeting, no reasons are believed to exist that may result in a stoppage to racing at the meeting or the withholding of any vital service to the association except as follows (if no exceptions, so state): **NO EXCEPTIONS**

NOTICE TO APPLICANT: Pursuant to CHRB Rules 1870 and 1871, the CHRB shall be given 15 days' notice in writing of any intention to terminate a horse racing meeting or the engagements or services of any licensee, approved concessionaire, or approved service contractor.

24. CERTIFICATION BY APPLICANT

I hereby certify under penalty of perjury that I have examined this application, that all of the foregoing statements in this application are true and correct, and that I am authorized by the association to attest to this application on its behalf.

Thomas S. Robbins
Print Name

Thomas S. Robbins
Signature

Executive Vice President Racing
Print Title

8/29/18
Date

EXHIBIT 16

DEL MAR THOROUGHBRED CLUB - UNION CONTRACTS CURRENTLY IN NEGOTIATION

UNION	SIGNATORY ASSOCIATIONS	JOB CLASSIFICATION	CONTRACT DATES
Teamsters Local 495 Auto Park	Del Mar Thoroughbred Club Los Alamitos Race Course Los Angeles Turf Club, Incorporated Fairplex	Auto Park	July 2016 through July 2019
Teamsters Local 495 Clockers/ Outriders	Del Mar Thoroughbred Club Los Alamitos Race Course Los Angeles Turf Club, Incorporated Fairplex	Clockers / Outriders	July 2016 through July 2019
Teamsters Starters Local 495	Del Mar Thoroughbred Club Los Alamitos Race Course Los Angeles Turf Club, Incorporated Fairplex	Starters	July 2016 through July 2019
Teamsters 495 Racing	Del Mar Thoroughbred Club Los Alamitos Race Course Los Angeles Turf Club, Incorporated Fairplex	Racing Officials	July 2016 through July 2019
SEIU Local #280	Del Mar Thoroughbred Club Los Alamitos Race Course Los Angeles Turf Club, Incorporated Fairplex SCOTWINC	Mutuels	July 2018 through October 2019 (Pending Signatures)
SEIU #1877	Del Mar Thoroughbred Club Los Alamitos Race Course Los Angeles Turf Club, Incorporated Fairplex	Racing	May 1, 2017 - April 30, 2019

STAFF ANALYSIS
PUBLIC HEARING AND ACTION BY THE BOARD REGARDING
THE PROPOSED AMENDMENT TO
CHRB RULE 1588, HORSE INELIGIBLE TO START IN A RACE
TO PROVIDE

THAT A HORSE THAT RECEIVES AN INTRA-ARTICULAR INJECTION
(GLUCOCORTICOSTEROID/CORTISONE) IS INELIGIBLE TO RACE FOR FIVE (5) DAYS
(120 HOURS) AFTER THE TREATMENT AND
THE PROPOSED ADDITION OF CHRB RULE 1842.1, ADDITIONAL REPORT FOR
INTRA-ARTICULAR TREATMENTS, TO REQUIRE VETERINARIANS ADMINISTERING
MEDICATION OR TREATMENT INTO AN ARTICULAR STRUCTURE OF A HORSE
LOCATED WITHIN THE INCLOSURE TO PROVIDE AN INTRA-ARTICULAR
TREATMENT RECORD TO THE TRAINER WHO SHALL MAINTAIN THE RECORDS
FOR A PERIOD OF ONE YEAR, AND MAKE THE RECORDS AVAILABLE TO THE
EXAMINING VETERINARIAN FOR THE PURPOSE OF ASSISTING WITH PRE-RACE
VETERINARY EXAMINATIONS AND OTHER EXAMINATIONS AS REQUIRED BY THE
BOARD

Regular Board Meeting
September 27, 2018

ISSUE

The proposed amendment to Rule 1588 adds a new subsection 1588(m) to provide that a horse that has received an intra-articular injection within the previous five days (120 hours) prior to the scheduled post-time for the race in which it is entered, is ineligible to start in such race. The proposed addition of Rule 1842.1, Additional Reporting for Intra-Articular Treatment, will require veterinarians administering medication or treatment into an articular structure of a horse located within the inclosure to provide an intra-articular treatment record to the trainer, who shall maintain such records of the treatment for a minimum of one year. The trainer shall make such records available to the examining veterinarian for the purpose of assisting with pre-race veterinary examinations or other examinations as required by the Board.

ANALYSIS

In 2012, the Board amended Rule 1844, Authorized Medication, to provide for levels of corticosteroids that may be present in official test samples. While the corticosteroid thresholds contained in the amendment to Rule 1844 effectively stopped corticosteroids from being used within days of a race, the rule did not provide a "stand-down" time after the administration of the medication. Rule 1844 treated corticosteroid injections no differently than other authorized medications, which can be administered until 48 hours of post-time pursuant to Rule 1843.5, Medication, Drugs and Other Substances Permitted After Entry in a Race. To address the issue, the proposed amendment to Rule 1588 adds a new subsection 1588(m). The new subparagraph provides that a horse that has received an intra-articular injection within the previous five days (120 hours) prior to the scheduled post-time for the race in which it is entered, is ineligible to start in such race. The proposed addition of subsection 1588(m) leaves Rule 1844's allowable levels of corticosteroids in place while providing a "stand-down" time.

The proposed addition of Rule 1842.1 would require all Board licensed veterinarians who administer a medication or treatment into an articular structure of a horse within the inclosure to provide the horse's trainer with a written record of the treatment. The procedure shall be recorded on the form CHRB-24A, which is incorporated by reference in Rule 1842.1. The trainer shall maintain all intra-articular treatment records of horses under his or her care for a minimum of one year from the date of the treatments. The records of intra-articular treatments shall be made available to examining veterinarian for the purpose of pre-race, or other examinations as required pursuant to the Board's rules and regulations. The proposed addition of Rule 1842.1 will work in conjunction with the amended Rule 1588 to protect the health and safety of horse and rider. The recording of intra-articular procedures on the form CHRB-24A will make race-day examinations more meaningful, as the trainer can provide a record of such procedures for the examining veterinarian. In turn, the examining veterinarian can make a more complete assessment of the horse.

BACKGROUND

Business and Professions Code section 19440 provides the Board shall have all powers necessary and proper to enable it to carry out fully and effectually the purposes of this chapter. Responsibilities of the Board shall include adopting rules and regulations for the protection of the public and the control of horse racing and pari-mutuel wagering. Business and Professions Code section 19562 states the Board may prescribe rules, regulations and conditions under which all horse races with wagering on their results shall be conducted in California. Business and Professions Code section 19580 provides that the Board shall adopt regulations to establish policies, guidelines, and penalties relating to equine medication in order to preserve and enhance the integrity of horse racing in the state.

RECOMMENDATION

This item is presented for Board discussion and action. No comments were received during the 45-day public comment period.

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
ARTICLE 6. ENTRIES AND DECLARATIONS
PROPOSED AMENDMENT OF
RULE 1588, HORSE INELIGIBLE TO START IN A RACE

Regular Board Meeting
September 27, 2018

1588. Horse Ineligible to Start in a Race.

In addition to any other valid ground or reason, a horse is ineligible to start in any race:

(a) if such horse is not registered by the Jockey Club if a thoroughbred, the United States Trotting Association if a standardbred, the American Quarter Horse Association if a quarter horse, the Appaloosa Horse Club if an appaloosa horse, the Arabian Horse Registry of America if an Arabian horse, or the American Paint Horse Association if a paint horse;

(b) if the parentage verification to both the sire and the dam of all horses foaled in 1992 and thereafter has not been certified by the Jockey Club if a thoroughbred, the United States Trotting Association if a standardbred, the American Quarter Horse Association if a quarter horse, the Appaloosa Horse Club if an appaloosa horse, the Arabian Horse Registry of America if an Arabian horse, or the American Paint Horse Association if a paint horse;

(c) if, unless the stewards permit otherwise, the certificate of foal registration, eligibility papers, or other registration issued by the official registry for such horse is not on file with the racing secretary at the time of entry;

(d) if such horse has been entered or raced at any recognized race meeting under any name or designation other than the name or designation duly assigned by and registered with the official registry;

(e) if the certificate of foal registration, eligibility papers or other registration issued by the official registry has been altered, erased, or forged;

(f) if the identification markings of the horse do not agree with the identification markings as set forth in the registration of such horse;

(g) unless he is eligible to enter said race and is duly entered for such race;

(h) when such horse is owned in whole or in part by an unlicensed person or is in the care of an unlicensed trainer;

(i) when such horse is on the Steward's List, the Starter's List or the Veterinarian's List;

(j) when, except with prior approval of the stewards for good cause, such horse is on the Veterinarian's List in another racing jurisdiction. Good cause includes:

(1) unforeseen administrative issues in removing the horse from the Veterinarian's List of another racing jurisdiction;

(2) the location of the horse prevents it from being evaluated by the official veterinarian of another racing jurisdiction and cleared from that jurisdiction's Veterinarian's List, and the horse is approved to race by a California official veterinarian; or

(3) any other unforeseen event or reason that would prevent a horse that would otherwise not be on a Veterinarian's List from being cleared from the Veterinarian's List of another racing jurisdiction.

(k) when, except with prior approval of the stewards, such horse has not been on the grounds of the association or its approved auxiliary stable area for at least 24 hours prior to the time the race is to be run.

(l)...(This subparagraph will be effective 12/26/18) *when such horse does not carry a microchip or has not received a waiver from the stewards in accordance with Rule 1597.5.*

(m) when such horse has received an intra-articular injection within the previous five days (120 hours) prior to the scheduled post-time for the race in which it is entered.

Authority: Sections 19440 and 19562,
Business and Professions Code.
Reference: Sections 19440 and 19562,
Business and Professions Code.

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
ARTICLE 15. VETERINARY PRACTICES
PROPOSED ADDITION OF
RULE 1842.1. ADDITIONAL REPORTING FOR INTRA-ARTICULAR TREATMENTS

Regular Board Meeting
September 27, 2018

1842.1. Additional Reporting for Intra-Articular Treatments

(a) Every CHRHB-licensed veterinarian who administers a medication or treatment into an articular structure of a horse shall provide to the horse's trainer on form CHRHB-24A, Intra-Articular Treatment Record (New 05/18), which is hereby incorporated by reference, the name of the horse treated, the date and time of treatment, the intra-articular structure(s) treated, the medication administered, the dose, and the reason for the treatment.

(b) The trainer shall be required to maintain all intra-articular treatment records of horses in his or her care for a minimum of one year from the date of the treatment. The records shall be organized by horse, and shall be made available to the examining veterinarian by the trainer for the purpose of assisting with pre-race veterinary examinations or other examinations as required pursuant to this Division.

Authority: Sections 19440, 19562, and 19580,
Business and Professions Code.

Reference: Sections 19440, 19562, and 19580,
Business and Professions Code.

INTRA-ARTICULAR TREATMENT RECORD

Horse: _____ Date: _____ Time: _____

Veterinarian: _____

<u>STRUCTURE TREATED</u>	<u>INTRA-ARTICULAR MEDICATION</u>	<u>DOSE</u>

DIAGNOSIS / REASON FOR PRESCRIPTION

--

Per Rule 1842.1, Additional Reporting for Intra-Articular Treatments: the trainer shall maintain all intra-articular treatment records of horses in his or her care for a minimum of one year from the date of treatment. The records shall be made available to the examining veterinarian by the trainer for the purpose of assisting with pre-race veterinary examinations or other examinations, as required.

STAFF ANALYSIS
 PUBLIC HEARING AND ACTION BY THE BOARD
 REGARDING THE PROPOSED AMENDMENT TO
 CHRB RULE 1843.3, PENALTIES FOR MEDICATION VIOLATIONS,
 TO CORRECT A DISCREPANCY IN THE
 PHENYLBUAZONE LEVELS
 NOTED IN THE CATEGORY "C" PENALTY CHART IN
 RULE 1843.3

Regular Board Meeting
 September 27, 2018

ISSUE

In 2016, the California Horse Racing Board (CHRB/Board) amended Board Rule 1843.3, Penalties for Medication Violations. The primary purpose of the amendment was to change various penalty categories to bring the regulation in line with the Association of Racing Commissioner International (ARCI) Model Rules of Racing. One change that was meant to be made to the Licensed Trainer category was omitted from the final text submitted to the Office of Administrative Law (OAL). The proposed amendment to Rule 1843.3 will correct the discrepancy.

ANALYSIS

The 2016 amendment to Rule 1843.3 eliminated the Phenylbutazone measurements in serum or plasma for Category "D" penalties which were found under subsection 1843.3(f). The measurements were moved to the Category "C" penalties column. The first level of Category "C" phenylbutazone penalties were changed to match the levels previously found in the Category "D" penalties for Rule 1844(c)(1) phenylbutazone violations. This meant the second level of measurements of serum or plasma for Licensed Trainer and Licensed Owner had to be adjusted so there would not be a gap between the levels. The subsequent Licensed Trainer and Licensed Owner columns were supposed to be changed to "Phenylbutazone (≥ 5.0 mcg/ml)." However, the changes that should have been made to the Licensed Trainer category were omitted from the final text submitted to OAL on September 13, 2016. The proposed amendment to Rule 1843.3 will correct the discrepancy. (The change to the penalty category is indicated with an arrow for easy location. See: Category "C" Penalties.) The amendment will not alter the fact that a licensed trainer with a Phenylbutazone positive of 10.0 mcg/ml is subject to a penalty. Rather, the change will correct the Licensed Trainer level of serum or plasma for Phenylbutazone so it is in line with the Licensed Owner category, and is presented as the Board intended in its 2016 amendment of the regulation.

BACKGROUND

Business and Professions Code section 19440 provides that the Board shall have all powers necessary and proper to enable it to carry out fully and effectually the purposes of this chapter. Responsibilities of the Board shall include adopting rules and regulations for the protection of the public and the control of horse racing and pari-mutuel wagering. Business and Professions Code

section 19461 states every license granted under this chapter is subject to suspension or revocation by the Board in any case where the Board has reason to believe that any condition regarding it has not been complied with, or that any law, or any rule or regulation of the Board affecting it has been broken or violated. Business and Professions Code section 19580 provides the Board shall adopt regulations to establish policies, guidelines, and penalties relating to equine medication in order to preserve and enhance the integrity of horse racing in the state. Those policies, guidelines and penalties shall include, at a minimum, the provisions set forth in this article. Business and Professions Code section 19581 states no substance of any kind shall be administered by any means to a horse after it has been entered to race in a horse race, unless the Board has, by regulation, specifically authorized the use of the substance and the quantity and the composition thereof. Business and Professions Code section 19582 states violations of Section 19581, as determined by the Board are punishable as set forth in regulations adopted by the Board. The Board may classify violations of section 19581 based on each class of prohibited drug substances, prior violations within the previous three years, and prior violations within the violator's lifetime. The Board may provide for the suspension of a license for not more than three years, except as provided in subdivision (b), or a monetary penalty of not more than one hundred thousand dollars, or both, and disqualification from purses, for a violation of Section 19581. The actual amount of the monetary penalty imposed pursuant to this paragraph shall be determined only after due consideration has been given to all the facts, circumstances, acts, and intent of the licensee, and shall not be solely based on the trainer-insurer rule, as established in Section 1843 and 1887 of Title 4 of the California code of Regulations. The punishment for second and subsequent violations of section 19581 shall be greater than the punishment for a first violation of section 19581 with respect to each class of prohibited drug substances, unless the administrative law judge, in findings of fact and conclusions of law filed with the Board, concludes that a deviation from this general rule is justified. A third violation of section 19581 during the lifetime of the licensee, determined by the Board to be at a class I or class II level, may result in the permanent revocation of the person's license. The administrative law judge shall, after consideration of the circumstances surrounding a violation specified in paragraph (1), file a decision with the Board that includes findings of fact and conclusions of law. Any person whose license is suspended or revoked pursuant to this section shall not be entitled to receive any material benefit or remuneration in any capacity or from any business activity permitted or allowed by the license during any period of its suspension or revocation. The penalties provided by this section are in addition to any other civil, criminal, and administrative penalties or sanctions provided by law, and do not supplant, but are cumulative to, other penalties or sanctions. Business and Professions Code section 19461 provides that every license granted under this chapter is subject to suspension or revocation by the Board in any case where the Board has reason to believe that any condition regarding it has not been complied with, or that any law, or any rule or regulation of the Board affecting it has been broken or violated. All proceedings to revoke a license shall be conducted in accordance with Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code. Government Code section 11425.50 states the decision shall be in writing and shall include a statement of the factual and legal basis for the decision.

RECOMMENDATION

This item is presented for Board discussion and action. No comments were received during the 45-day public comment period.

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
ARTICLE 15. VETERINARY PRACTICES
PROPOSED AMENDMENT OF
RULE 1843.3. PENALTIES FOR MEDICATION VIOLATIONS.

Regular Board Meeting
September 27, 2018

(a) In reaching a decision on a penalty for a violation of Business and Professions Code section 19581, the Board, the board of stewards, the hearing officer or the administrative law judge shall consider the penalties set forth in subsections (d) and (e) of this Rule and any aggravating and mitigating circumstances. Deviation from these penalties is appropriate where the facts of the particular case warrant such a deviation, for example: there may be mitigating circumstances for which a lesser or no penalty is appropriate, and aggravating factors for which a greater penalty is appropriate.

(b) Mitigating circumstances and aggravating factors, which must be considered, include but are not limited to:

- (1) The past record of the licensee regarding violations of Business and Professions Code section 19581;
- (2) The potential of the drug(s) to influence a horse's racing performance and the amount of the drug present;
- (3) The legal availability of the drug and whether the drug was prescribed to the horse by a California Horse Racing Board (CHRB) licensed veterinarian;
- (4) Whether there is reason to believe the responsible party knew of the administration of the drug or intentionally administered the drug;
- (5) The steps taken by the trainer to safeguard the horse;
- (6) The steps taken by an owner to safeguard against subsequent medication violations including, but not limited to, the transfer of the horse(s) to an unaffiliated trainer;

(A) "Unaffiliated trainer" means a trainer or an assistant trainer who is not related by blood, marriage or domestic partnership, or who is not or was never employed by the trainer from whose care such horse(s) were transferred.

(7) The probability of environmental contamination or inadvertent exposure due to human drug use or other factors;

(8) The purse of the race;

(9) Whether the drug found to be present in the official test sample was one for which the horse was receiving treatment as determined and documented through the process described in Rule 1842 of this division;

(10) Whether there was any suspicious wagering pattern on the race;

(11) Whether the licensed trainer was acting under the advice of a CHRB licensed veterinarian.

(c) The Board shall consider the classification of a drug substance as referred to in Rule 1843.2 of this division and the California Horse Racing Board (CHRB) Penalty Categories Listing By Classification, (Revised 4/15), which is hereby incorporated by reference, if a determination is made that an official test sample from a horse contained:

(1) Any drug substance, medication, metabolites or analogues thereof foreign to the horse, whose use is not expressly authorized in this division, or

(2) Any drug substance, medication or chemical authorized by this article in excess of the authorized level or other restrictions as set forth in the article.

(d) Penalties for violation of each classification level are as follows:

CATEGORY "A" PENALTIES

Penalties for violations due to the presence of a drug substance in an official test sample, which CHRB drug classification is categorized as warranting a Category A penalty are as follows:

LICENSED TRAINER:		
1st offense	2nd LIFETIME offense	3rd LIFETIME offense
<ul style="list-style-type: none"> ◦ Minimum one - year suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a three-year suspension. <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> ◦ Minimum fine of \$10,000 or 10% of gross purse (greater of the two) absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$25,000 or 25% of purse (greater of the two). <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> ◦ May be referred to the Board for any further action deemed necessary by the Board. 	<ul style="list-style-type: none"> ◦ Minimum two-year suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a three-year suspension. <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> ◦ Minimum fine of \$20,000 or 25% of gross purse (greater of the two) absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$50,000 or 50% of purse (greater of the two). <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> ◦ May be referred to the Board for any further action deemed necessary by the Board. 	<ul style="list-style-type: none"> ◦ Minimum three -year suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of permanent license revocation. <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> ◦ Minimum fine of \$25,000 or 50% of gross purse (greater of the two) absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of \$100,000 or 100% of purse (greater of the two). <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> ◦ May be referred to the Board for any further action deemed necessary by the Board.
LICENSED OWNER:		
1st offense	2nd LIFETIME offense in owner's stable	3rd LIFETIME offense in owner's stable
<ul style="list-style-type: none"> ◦ Disqualification of horse and loss of purse. <p style="text-align: center;">AND</p> <p>Horse may be placed on the veterinarian's list for up to 90 days and must pass a Board - approved examination pursuant to Rule 1846 before becoming eligible to be entered.</p> <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> ◦ Be subject to drug testing at the owner's expense and be negative for prohibited drug substances as defined in Rule 1843.1. 	<ul style="list-style-type: none"> ◦ Disqualification of horse and loss of purse. <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> ◦ Horse shall be placed on the veterinarian's list for up to 120 days and must pass a Board - approved examination pursuant to Rule 1846 before becoming eligible to be entered. <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> ◦ Be subject to drug testing at the owner's expense and be negative for prohibited drug substances as defined in Rule 1843.1. 	<ul style="list-style-type: none"> ◦ Disqualification of horse, loss of purse and absent mitigating circumstances, minimum fine of \$10,000. The presence of aggravating factors could be used to impose a maximum fine of \$50,000. <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> ◦ Horse shall be placed on the veterinarian's list for up to 180 days and must pass a Board-approved examination pursuant to Rule 1846 before becoming eligible to be entered. <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> ◦ Be subject to drug testing at the owner's expense and be negative for prohibited drug substances as defined in Rule 1843.1. <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> ◦ Referral to the Board with a recommendation of a suspension of owners license for a minimum of 90 days.

11-6 CATEGORY "B" PENALTIES

Penalties for violations due to the presence of a drug substance in an official test sample, which CHRB drug classification is categorized as warranting a Category B penalty are as follows:

LICENSED TRAINER:		
1st offense	2nd offense (within two year time period)	3rd offense (within five year time period)
<ul style="list-style-type: none"> ◦ Minimum 30 -day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 60-day suspension. <p style="text-align: center;">AND/OR</p> <ul style="list-style-type: none"> ◦ Minimum fine of \$500 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$10,000. 	<ul style="list-style-type: none"> ◦ Minimum 60-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 180-day suspension. <p style="text-align: center;">AND/OR</p> <ul style="list-style-type: none"> ◦ Minimum fine of \$1,000 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$20,000. 	<ul style="list-style-type: none"> ◦ Minimum 90-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a one-year suspension. <p style="text-align: center;">AND/OR</p> <ul style="list-style-type: none"> ◦ Minimum fine of \$2,500 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$50,000 or 10% of purse (greater of the two). <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> ◦ May be referred to the Board for any further action deemed necessary by the Board.
LICENSED OWNER:		
1st offense	2nd offense in stable (within two year time period)	3rd offense in stable (within five year time period)
<ul style="list-style-type: none"> ◦ Disqualification of horse and loss of purse. <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> ◦ Horse must pass a Board-approved examination pursuant to Rule 1846 before becoming eligible to be entered. <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> ◦ Be subject to drug testing at the owner's expense and be negative for prohibited drug substances as defined in Rule 1843.1. 	<ul style="list-style-type: none"> ◦ Disqualification of horse and loss of purse. <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> ◦ Horse must pass a Board-approved examination pursuant to Rule 1846 before becoming eligible to be entered. <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> ◦ Be subject to drug testing at the owner's expense and be negative for prohibited drug substances as defined in Rule 1843.1. 	<ul style="list-style-type: none"> ◦ Disqualification of horse, loss of purse and absent mitigating circumstances minimum fine of \$5,000. The presence of aggravating factors could be used to impose a maximum fine of \$20,000. <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> ◦ Horse shall be placed on the veterinarian's list for up to 45 days and must pass a Board-approved examination pursuant to Rule 1846 before becoming eligible to be entered. <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> ◦ Be subject to drug testing at the owner's expense and be negative for prohibited drug substances as defined in Rule 1843.1.

CATEGORY "B" PENALTIES FOR RULE 1843.6 TOTAL CARBON DIOXIDE (TCO₂) TESTING

Penalties for violations due to exceeding permitted levels of TCO₂ as defined in Rule 1843.6 are as set forth below. All concentrations are for measurements in serum or plasma.

LICENSED TRAINER:		
1st offense TCO₂ (> 37.0mm/l/-<39mm/l)	2nd offense TCO₂ (> 37.0mm/l/-<39mm/l)	3rd offense TCO₂ (> 37.0mm/l/-<39mm/l)
<ul style="list-style-type: none"> Up to a 30-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 60-day suspension. <p style="text-align: center;">AND/OR</p> <ul style="list-style-type: none"> Minimum fine of \$1,500 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$5,000. 	<ul style="list-style-type: none"> Minimum 60-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 120-day suspension. <p style="text-align: center;">AND/OR</p> <ul style="list-style-type: none"> Minimum fine of \$2,500 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$10,000. 	<ul style="list-style-type: none"> Minimum 90-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 180-day suspension. <p style="text-align: center;">AND/OR</p> <ul style="list-style-type: none"> Minimum fine of \$5,000 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$15,000.
LICENSED OWNER:		
1st offense TCO₂ (> 37.0mm/l/-<39mm/l)	2nd offense TCO₂ (> 37.0mm/l/-<39mm/l)	3rd offense TCO₂ (> 37.0mm/l/-<39mm/l)
<ul style="list-style-type: none"> Disqualification of horse and loss of purse. 	<ul style="list-style-type: none"> Disqualification of horse and loss of purse. 	<ul style="list-style-type: none"> Disqualification of horse, loss of purse and in the absence of mitigating circumstances, \$2,500 fine.
LICENSED TRAINER:		
1st offense TCO₂ (≥ 39.0mm/l)	2nd offense TCO₂ (≥ 39.0mm/l)	3rd offense TCO₂ (≥ 39.0mm/l)
<ul style="list-style-type: none"> Minimum 30-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 60-day suspension. <p style="text-align: center;">AND/OR</p> <ul style="list-style-type: none"> Minimum fine of \$2,500 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$10,000. 	<ul style="list-style-type: none"> Minimum 60-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 180-day suspension. <p style="text-align: center;">AND/OR</p> <ul style="list-style-type: none"> Minimum fine of \$5,000 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$15,000. 	<ul style="list-style-type: none"> Minimum 90-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 365-day suspension. <p style="text-align: center;">AND/OR</p> <ul style="list-style-type: none"> Minimum fine of \$10,000 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$25,000.
LICENSED OWNER:		
1st offense TCO₂ (≥ 39.0mm/l)	2nd offense TCO₂ (≥ 39.0mm/l)	3rd offense TCO₂ (≥ 39.0mm/l)
<ul style="list-style-type: none"> Disqualification of horse and loss of purse. 	<ul style="list-style-type: none"> Disqualification of horse and loss of purse. 	<ul style="list-style-type: none"> Disqualification of horse, loss of purse and a fine ranging from a minimum of \$5,000, up to a maximum of \$20,000.

CATEGORY "C" PENALTIES

Penalties for violations due to the presence of a drug substance in an official test sample, which CHRB drug classification is categorized as warranting a Category C penalty and for the presence of more than one non-steroidal anti-inflammatory (NSAID) in a plasma/serum sample, as defined in Rule 1844 of this division, and furosemide as defined in Rule 1845 of this division in an official test sample are as set forth below. All concentrations are for measurements in serum or plasma.

LICENSED TRAINER:		
1st offense	2nd offense (within 365-day period)	3rd offense (within 365-day period)
<ul style="list-style-type: none"> ◦ Minimum fine of \$500 to a maximum fine of \$1,000 absent mitigating circumstances. 	<ul style="list-style-type: none"> ◦ Minimum fine of \$1,000 to a maximum fine of \$2,500, and up to a 15 - day suspension absent mitigating circumstances. 	<ul style="list-style-type: none"> ◦ Minimum fine of \$2,500 and up to a 30 - day suspension absent mitigating circumstances

CATEGORY "C" PENALTIES FOR RULE 1844, AUTHORIZED MEDICATION (C) (1), (2), (3)

Penalties for violations due to overages for permitted non-steroidal anti-inflammatory drug substances (NSAIDs) as defined in Rule 1844 (c) (1), (2) and (3) of this division. All concentrations are for measurements in serum or plasma.

The official veterinarian shall consult with the treating veterinarian in all violations of 1844 (c). If the trainer has not had an 1844 (c) violation within the previous three years, the board of stewards may issue a warning in lieu of a fine for violations of 1844 (c)(1), phenylbutazone, provided the reported level is below 5.1 mcg/ml.

LICENSED TRAINER:	Phenylbutazone (2.1-<5.0 mcg/ml) Flunixin (20-<100 ng/ml) Ketoprofen (2-< 50 ng/ml)	Phenylbutazone (2.1-<5.0 mcg/ml) Flunixin (20-<100 ng/ml) Ketoprofen (2-< 50 ng/ml)
1 st offense	2 nd offense (within 365-day period)	3 rd offense (within 365-day period)
◦ Minimum fine of \$500 to a maximum fine of \$1,000.	◦ Minimum fine of \$1,000 to a maximum fine of \$2,500.	◦ Minimum fine of \$2,500 to a maximum fine of \$5,000.
LICENSED OWNER:	Phenylbutazone (2.1-<5.0 mcg/ml) Flunixin (20-<100 ng/ml) Ketoprofen (2-< 50 ng/ml)	Phenylbutazone (2.1-<5.0 mcg/ml) Flunixin (20-<100 ng/ml) Ketoprofen (2-< 50 ng/ml)
1 st offense	2 nd offense (within 365-day period)	3 rd offense (within 365-day period)
No penalty administered.	No penalty administered. ↙	No penalty administered. ↘
LICENSED TRAINER:	Phenylbutazone (≥ 5.0 mcg/ml) Flunixin (≥ 100 ng/ml) Ketoprofen (≥ 50 ng/ml)	Phenylbutazone (≥ 5.0 mcg/ml) Flunixin (≥ 100 ng/ml) Ketoprofen (≥ 50 ng/ml)
1 st offense	2 nd offense (within 365-day period)	3 rd offense (within 365-day period)
◦ Minimum fine of \$1,000 to a maximum fine of \$2,500.	◦ Minimum fine of \$2,500 to a maximum fine of \$5,000.	◦ Minimum fine of \$5,000 to a maximum fine of \$10,000.
LICENSED OWNER:	Phenylbutazone (≥ 5.0 mcg/ml) Flunixin (≥ 100 ng/ml) Ketoprofen (≥ 50 ng/ml)	Phenylbutazone (≥ 5.0 mcg/ml) Flunixin (≥ 100 ng/ml) Ketoprofen (≥ 50 ng/ml)
1 st offense	2 nd offense (within 365-day period)	3 rd offense (within 365-day period)
◦ Horse must pass Board-approved examination pursuant to Rule 1846 before being eligible to run	◦ Disqualification of horse and loss of purse. If same horse, placed on veterinarian's list for up to 45-days, must pass Board-approved examination pursuant to Rule 1846 before being eligible to run.	◦ Disqualification of horse and loss of purse. Minimum \$5,000 fine. If same horse, placed on veterinarian's list for 60 days, must pass Board-approved examination pursuant to Rule 1846 before being eligible to run.

(e) Violations due to the presence of a drug substance in an official test sample, which CHRB drug classification is categorized as warranting a Category "D" penalty, may result in a written warning to the licensed trainer and owner.

CATEGORY "D" PENALTIES

1 ST offense (within 365 day period)	2 nd offense (within 365 day period)	3 rd offense (within 365 day period)
Minimum of an official written warning to a maximum fine of \$250.	Minimum of a \$250 fine to a maximum fine of \$500.	Minimum of a \$500 fine to a maximum fine of \$750.

(f) If a licensee has received a penalty for a Class A, B or C medication violation, and within a 365 day period has a subsequent lesser violation (e.g. an A violation followed by a B violation), the earlier violation shall count as a "prior violation" for the purposes of determining the penalty for the subsequent lesser violation.

(g) If a licensee has received a penalty for a Class B, C or D medication violation, and within a 365 day period has a subsequent greater violation (e.g. a D violation followed by a C violation), the earlier violation shall count as an aggravating factor for the purposes of determining the penalty for the subsequent greater violation.

(h) Any drug or its metabolite or analogue thereof found to be present in an official test sample that is not classified in Rule 1843.2 of this division shall be classified as a Class 1 substance and a Category "A" penalty until classified by the Board.

(i) The administration of a drug substance to a race horse must be documented by the treating veterinarian through the process described in Rule 1842 of this division.

(j) Any licensee found to be responsible for the administration of any drug substance resulting in a positive test may be subject to the same penalties set forth for the licensed trainer and his presence may be required at any and all hearings relative to the case.

(1) Any veterinarian found to be involved in the administration of any drug substance resulting in a positive test in Penalty Category "A" shall be referred to the California Veterinary Medical Board (CVMB) for consideration of further disciplinary action.

(2) Any veterinarian found to be involved in the administration of any drug substance resulting in a positive test in Penalty Category "B" or "C" may be referred to the CVMB for consideration of further disciplinary action upon the recommendation of the Equine Medical Director, the board of stewards or hearing officers.

(k) A licensee who is suspended because of a medication violation is not able to benefit financially during the period of suspension. This includes, but is not limited to, ensuring that horses are not transferred to licensed family members or, for any licensee whose suspension is for more than 30 days, to any other licensee who has been an employee of the suspended licensee within the previous year.

(1) A licensee whose license is revoked because of a medication violation is not able to benefit financially following the revocation of his or her license. This includes, but is not limited to, ensuring that horses are not transferred to licensed family members or to any other licensee who has been an employee of the licensee whose license is revoked within the previous year.

(l) "Licensed family members" means any person who holds an occupational license issued by the CHRB and who is related to the suspended licensee, or the licensee whose license is revoked, by blood, or by marriage or domestic partnership, or who is related by blood to the spouse or domestic partner of such licensee.

(1) Licensed trainers suspended 60 days or more shall be banned from all inclosures under the jurisdiction of the CHRB. In addition, during the period of suspension, such trainer shall forfeit all assigned stall space and shall remove from the inclosures all signage, colors, advertisements, training-related equipment, tack, office equipment, and any other property.

(2) A trainer whose license is revoked shall be banned from all inclosures under the jurisdiction of the CHRB. In addition, such trainer shall forfeit all assigned stall space and shall remove from the inclosures all signage, colors, advertisements, training-related equipment, tack, office equipment, and any other property.

Authority: Sections 19440, 19461 and 19580,
Business and Professions Code.

Reference: Sections 19461, 19580, 19581 and 19582,
Business and Professions Code; and Section 11425.50, Government Code.

STAFF ANALYSIS
PUBLIC HEARING AND ACTION BY THE BOARD REGARDING THE PROPOSED
AMENDMENT TO CHRB RULE 1632, JOCKEY'S RIDING FEE, TO ADJUST THE
JOCKEY RIDING FEE SCALE PURSUANT TO BUSINESS AND PROFESSIONS CODE
SECTION 19501

Regular Board Meeting
September 27, 2018

ISSUE

Business and Professions Code section 19501 requires an increase in the scale of minimum (losing) jockey riding fees whenever the state minimum wage is increased by the percentage of that increase. The next increase in California's minimum wage will become effective January 1, 2019. The proposed amendment to Rule 1632, Jockey's Riding Fee, will amend subsection 1632(b) to increase the losing mount jockey riding fees concurrent with the 2019 statewide increase in the minimum wage. In addition, subsection 1632(b) will be amended to remove the dollar amounts for second and third place mounts in the "Less than \$10,000" category as they are not necessary for the calculation of such fees. Direction regarding second and third place mount fees is otherwise provided under the provisions of subsections 1632(b)(3) through 1632(b)(5). Other changes to the regulation will modify subsection 1632(b)(5) for purposes of clarity.

ANALYSIS

The next increase in California's minimum wage will become effective January 1, 2019. The proposed amendment to Rule 1632 will increase losing mount jockey riding fees as required by statute. The amounts to be paid jockeys riding losing mounts will grow by 9.09 percent.

Subsection (b) of Rule 1632 currently provides specific dollar amounts to pay jockeys riding second and third place mounts in the "Less than \$10,000" category. However, direction regarding second and third place mount fees is otherwise provided under the provisions of subsections 1632(b)(3) through 1632(b)(5). The proposed amendment to subsection 1623(b) will delete the dollar amounts for second and third place mounts in the "Less than \$10,000" category, as they are not necessary for the Paymaster of Purses to use in calculating jockey riding fees.

The proposed increase in the losing mount jockey riding fees impacts second and third place mount fees. Subsection 1632(b)(5) provides additional direction regarding second and third place mount fees. The subsection has been amended for clarity to provide that the third place mount shall earn at minimum \$2 more than the losing mount, and the second place mount shall earn at minimum \$2 more than the third place mount. Subsection 1632(b)(5) ensures that losing mount fees are never equal to or greater than third place mount fees, and that third place mount fees shall be less than second place fees. This is necessary because the periodic increase in losing mount fees mandated by statute has resulted in situations in which the losing mount fee under subsection 1632(b) exceeds the third place mount fees. This is demonstrated by the most recent amendment of Rule 1632 (effective 01/01/18), which resulted in subsection 1632(b), gross purse of \$10,000 category, providing a losing mount fee that is \$2 more than the third place mount fee.

BACKGROUND

Business and Professions Code section 19401 provides that the intent of Chapter 4 is to allow pari-mutuel wagering on horse races, while assuring protection of the public and providing uniformity of regulation for each type of horse racing. Business and Professions Code section 19420 states jurisdiction and supervision over meetings in California where horse races with wagering on their results are held or conducted, and over all persons or things having to do with the operation of such meetings, is vested in the California Horse Racing Board. Business and Professions Code section 19440 provides that the Board shall have all powers necessary and proper to enable it to carry out fully and effectually the purposes of this chapter. Responsibilities of the Board shall include adopting rules and regulations for the protection of the public and the control of horse racing and pari-mutuel wagering. Business and Professions Code section 19562 provides that the Board may prescribe rules, regulations, and conditions, consistent with the provisions of this chapter, under which all horse races with wagering on their results shall be conducted in California. Business and Professions Code section 19501 states that the scale of minimum jockey riding fees for losing mounts shall be increased whenever the State minimum wage is increased by the percentage of that increase.

RECOMMENDATION

This item is presented for Board discussion and action. No comments were received during the 45-day public comment period.

CALIFORNIA HORSE RACING BOARD
 TITLE 4. CALIFORNIA CODE OF REGULATIONS
 ARTICLE 6. ENTRIES AND DECLARATIONS
 PROPOSED AMENDMENT TO
 RULE 1632. JOCKEY'S RIDING FEE

Regular Board Meeting
 September 27, 2018

1632. Jockey's Riding Fee.

(a) Winning jockey riding fees in the absence of a contract or special agreement are 10% of the Win Purse.

(1) The purpose of subsection (a) is not to set a minimum or maximum fee. It provides a fee if the parties have not made a written agreement to the contrary.

(2) All fees pursuant to subsection (a) are payable in the lower purse range until the next higher purse range is reached, unless there is a written agreement to the contrary.

(b) Jockey riding fees for losing mounts are:

GROSS PURSE	2nd Mount	3rd Mount	Losing Mount
\$100,000 and up:			\$185.61202.48
50,000-99,999:			151.24164.98
25,000-49,999:			130.61142.48
15,000-24,999:			116.85127.47
10,000-14,999:			109.98119.97
Less than \$10,000:	\$118.12	\$101.06	103.12112.49

(1) The purpose of subsection (b) is to set a minimum, but not a maximum riding fee. No non-winning jockey shall be paid less than the riding fee set forth in subsection (b).

(2) All fees pursuant to subsection (b) are payable in the lower purse range until the next higher purse range is reached unless there is a written agreement to the contrary. However, no such written agreement shall reduce the minimum required by subsection (b).

(3) To determine the horse owner's place purse or show purse when calculating non-

winning jockey riding fees, the Paymaster of Purses shall use the purse agreement provided in the Horsemen's Agreement for the race meeting at which the jockeys earned such fees. The losing mount fee shall be paid as provided under subsection (b) of this rule.

(4) For horse races with gross purses between \$10,000 and \$100,000 and up, a minimum of five percent of the horse owner's place purse or show purse plus \$10.00 shall be used when calculating the second place and third place non-winning jockey riding fees.

(5) If the losing mount fee is equal to or greater than the third place mount fee, the Paymaster of Purses shall adjust the mount fees so that the third place mount shall earn at minimum \$2 more than the losing mount, and the second place mount shall earn at minimum \$2 more than the third place mount.

(c) A jockey's fee is considered earned when the jockey is weighed out by the clerk of scales. The fee shall not be considered earned if the jockey elects to take himself off of his mount. If there is a substitution of jockeys, no additional jockey fee or double jockey fee need be paid except when ordered by the stewards.

(d) In this rule "Win Purse" means the amount paid the winning horse less the fees paid exclusively by the owner to enter the horse in the race;

(1) Entry, nomination or other fees paid shall not be deducted from a jockey riding fee if such fees are paid or reimbursed by any person or entity other than the owner.

(e) If the parties agree on the fee to be paid the jockey, a contract or agreement in writing signed by the jockey or his agent and the owner or his authorized agent specifying the agreed upon fee if a winning mount, second place mount, third place mount and losing mount shall be delivered to the paymaster of purses before the running of the race in question. The paymaster of purses shall debit the owner's purse account under the contract or written agreement. If no contract or written

agreement is submitted before the running of the race in question, the paymaster of purses shall debit the owner's purse account under the fee scale set forth in this rule.

(f) A jockey may not share in the fees of another jockey.

Authority: Sections 19440, 19501 and 19562,
Business and Professions Code.

Reference: Sections 19401 (a), 19401(d), 19420, 19440, 19501, and 19502,
Business and Professions Code.

STAFF ANALYSIS
PUBLIC HEARING AND ACTION BY THE BOARD REGARDING THE PROPOSED
AMENDMENT TO CHRB RULE 1865, ALTERING OF SEX OF HORSE, TO
REQUIRE THAT IF THE PUBLIC IS NOT NOTIFIED OF
THE TRUE SEX OF THE HORSE
PRIOR TO THE OPENING OF WAGERING,
THE STEWARDS SHALL DECLARE THE HORSE FROM THE RACE

Regular Board Meeting
September 27, 2018

ISSUE

Rule 1865, Altering of Sex of Horse, provides that a trainer who enters a horse, or who causes a horse to be entered on his behalf, is responsible for ensuring that the true sex of the entered horse is listed on its certificate of registration on file in the racing office. The rule currently states that if the true sex of a horse is not correctly identified in the official program for the race in which the horse is entered, the trainer of the horse shall be subject to a minimum fine of \$1,000. Despite the possibility of a fine, and concerted efforts by the CHRB and racing officials, violations of Rule 1865 continue – usually because the trainer fails to notify the racing office that a horse has been gelded. However, any number of circumstances can result in an unreported gelding. The trainer may properly report the change, but a racing office error may leave the information out of the program. The owner may geld the horse away from the track, change trainers, and the horse is entered to race. Or, the trainer may fail to check the horse against its papers. By the time the stewards are notified of the sex change, it is too late to adequately inform the public.

ANALYSIS

Rule 1865 was last amended in 2017 to require the trainer to notify the racing office of a change in sex of a horse entered to race (if the change in sex had not been previously reported) prior to the opening of wagering on the race. However, after the amended regulation was approved by the Office of Administrative Law, the stewards asserted the wording of the amendment was inadequate, as there were instances wherein the racing office failed to notify the stewards. The proposed amendment to Rule 1865 will amend subparagraph 1865(e)(2) to require that if a horse has been altered after starting in any race, the stewards shall declare the horse from the race in which it is entered if the public is not informed of its true sex prior to the opening of wagering on the race. Subparagraph 1865(e)(2) currently requires that the racing office be informed prior to the opening of wagering, but that does not guarantee the public will be informed of the true sex of the horse. The proposed amendment modifies subparagraph 1865(e)(2) to state that if the public is not informed of the true sex of the horse prior to the opening of wagering, the horse shall be scratched. The proposed amendment does not address horses that are first time starters as there is no past performance that may change due to the condition of the horse. In addition, subparagraph 1865(e)(1) has been modified to remove the minimum \$1,000 fine. An unreported gelding will result in the horse being scratched, and the trainer may be subject to a fine under Rule 1629, Penalty for Late Declaration. Instead, subsection 1865(e)(1) has been changed to state that the responsible party may be sanctioned by the stewards. After an investigation regarding the circumstances

surrounding the unreported gelding, the stewards may take action against any responsible party. The proposed amendment to Rule 1865 is designed to ensure the public will have equal information regarding the horses entered to race, so none are at a disadvantage.

BACKGROUND

Business and Professions Code section 19420 provides that jurisdiction and supervision over meetings in California and over all persons or things having to do with such meetings is vested in the California Horse Racing Board (Board). Business and Professions Code section 19440 states responsibilities of the Board shall include adopting rules and regulations for the protection of the public and the control of horse racing and pari-mutuel wagering. Business and Professions Code section 19460(b) states that all licenses granted under this chapter are subject to all rules, regulations, and conditions prescribed by the Board. Business and Professions Code section 19562 states the Board may prescribe rules, regulations, and conditions under which all horse races with wagering on their results shall be conducted in California.

RECOMMENDATION

This item is presented for Board discussion and action. No comments were received during the 45-day public comment period.

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
ARTICLE 15. VETERINARY PRACTICES
PROPOSED AMENDMENT OF
RULE 1865. ALTERING OF SEX OF HORSE

Regular Board Meeting
September 27, 2018

1865. Altering of Sex of Horse.

(a) Any alteration to the sex of a horse from the sex as recorded on the certificate of foal registration or the eligibility certificate or other official registration certificate of the horse shall be reported to the racing secretary and the official horse identifier if the horse is entered to race at any race meeting.

(b) If a racehorse is gelded or castrated on the premises of a licensed racing association, or other facility under the jurisdiction of the Board, the trainer shall report the alteration within 72 hours.

(c) If a racehorse is gelded or castrated off the premises of a licensed racing association, or other facility under the jurisdiction of the Board, and the horse has been previously entered to race at any race meeting in this State, the owner and/or trainer shall report the alteration at the time the horse is next entered to race.

(d) A report of gelding or castration will include the name of the veterinarian performing the alteration and the date of the alteration, and shall be recorded on the official registration certificate and the official horse identification record of the horse.

(e) A trainer who enters a horse, or who causes a horse to be entered on his behalf, is responsible for ensuring that the true sex of the entered horse is listed on its certificate of registration on file in the racing office.

(1) If the true sex of a horse is not correctly identified in the official program for the race in which the horse is entered, ~~the responsible party may be sanctioned by the stewards~~ ~~trainer of the horse shall be subject to a minimum fine of \$1,000.~~

(2) If, ~~having previously started in any race, the sex of the horse has been altered and the public is not informed of the true sex of the~~ ~~a horse is not reported to the racing office~~ prior to the opening of wagering for ~~a subsequent~~ ~~the~~ race in which the horse is entered, the stewards shall declare the horse from the race.

~~(3) Deviation from the minimum fine in subsection (e)(1) of this regulation is appropriate if the trainer can demonstrate mitigating circumstances. Mitigating circumstances may include, but are not limited to:~~

~~(A) Errors made by other parties in recording information correctly provided by the trainer.~~

Authority: Sections 19420, 19440, 19460 and 19562,
Business and Professions Code.

Reference: Sections 19420, 19562 and 19661,
Business and Professions Code.

STAFF ANALYSIS
DISCUSSION AND ACTION BY THE BOARD REGARDING
THE PROPOSED ADDITION OF
CHRB RULE 1967.1, POSTING OF FINAL ODDS,
TO REQUIRE THE POSTING OF FINAL ODDS WITHIN FIVE SECONDS OF THE CLOSE
OF WAGERING.

Regular Board Meeting
September 27, 2018

ISSUE

One of the biggest perception challenges facing horse racing in North America is the problem of odds changing significantly after the start of a race. The odds dropping on a winning horse just before the finish creates suspicion that someone bet on the horse after the start of the race. Although the California Horse Racing Board (CHRB) has investigated dozens of complaints about late odds changes, and determined in every instance that all wagers were legally placed before the start of the race, some bettors remain skeptical.

ANALYSIS

Wagers placed in the last few seconds before the start of the race can drastically effect the final odds posted to the wagering public. The Thoroughbred Racing Protective Bureau (TRPB), the security arm of the Thoroughbred Racing Associations of North America (TRA), records every wager to insure the integrity and security of wagering on horse racing. TRA2020, is a committee within the TRA established to address technological changes affecting the horse racing industry.

The TRA2020 technical committee, which includes the tote companies, has been working, and continues to work to increase the frequency of odds updates to the public. Final odds posted at or near the beginning of the race would significantly address the perception of late wagering. Thanks largely to TRA2020's efforts, the odds displayed on the tote 10 or 11 seconds after the start of any race typically reflect 98.6 percent of the win pool. Even though advances have been made in the last number of years, isolated instances still impact the discussion on final odds, and it is recognized that the responsiveness of odds dissemination still must improve.

Rule 1967.1, Posting of Final Odds, seeks to improve the perception surrounding late odd changes by requiring that any association, advance wagering provider or other entity licensed by the Board to distribute the audiovisual signal of any California race post the final odds for that race on all displays within five seconds of the close of wagering. By mandating that the final odds be posted within five seconds of the close of wagering, the perception of late wagering will be significantly curtailed because the wagering public will have the final odds almost simultaneously with the starting of the race.

BACKGROUND

Business and Professions Code section 19420 states that jurisdiction and supervision over meetings in this State where horse races with wagering on their results are held or conducted,

and over all persons or things having to do with the operation of such meetings, is vested in the California Horse Racing Board. Business and Professions Code section 19440 provides that the California Horse Racing Board shall have all powers necessary and proper to enable it to carry out fully and effectually the purposes of the Horse Racing Law. Responsibilities of the Board include adopting rules and regulations for the protection of the public and the control of horse racing and pari-mutuel wagering. Business and Professions Code section 19562 states the Board may prescribe rules, regulations and conditions under which all horse races with wagering on their results shall be conducted in this State.

RECOMMENDATION

This item is presented for Board discussion and action.

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
ARTICLE 18. PARI-MUTUEL WAGERING
PROPOSED ADDITION OF
RULE 1967.1. POSTING OF FINAL ODDS

1967.1 Posting of Final Odds.

(a) Any association, advance wagering provider or other entity licensed by the Board to distribute the audiovisual signal of any California race shall post the final odds for that race on all displays within five seconds of the close of wagering.

NOTE: Authority cited: Sections 19420 and 19440, Business and Professions Code. Reference: Section 19562 Business and Professions Code.

CALIFORNIA HORSE RACING BOARD

SEPTEMBER 27, 2018
REGULAR BOARD MEETING

There is no board package material for Item 15

STAFF ANALYSIS
DISCUSSION AND ACTION BY THE BOARD REGARDING
RACING CALENDAR PROPOSALS FOR
SOUTHERN AND NORTHERN CALIFORNIA
AND
THE ALLOCATION OF RACE DATES

Regular Board Meeting
September 27, 2018

ANALYSIS

The Race Dates Committee met August 22, 2018 at the Del Mar Thoroughbred Club (DMTC). Following a brief discussion, the Committee endorsed the allocated dates recommendation of all stakeholders in Southern California for a 2019 calendar that mirrors the 2018 thoroughbred calendar beginning December 26, 2018, at Santa Anita Park (SA), through June 25, 2019. The racing circuit continues to Los Alamitos Race Course (LA) from June 26 through July 16, 2019, followed by DMTC from July 17 through September 3, 2019; LA from September 4 through September 24, 2019; SA from September 25 through November 5, 2019; DMTC from November 6 through December 3, 2019; and finally LA from December 4 through December 17, 2019. The actual dates for each race meeting will fall within these allocated dates and will be determined at the time the Board approves the license applications.

The Committee also supported the allocated race dates request from the LA Quarter Horse Racing Association for quarter horse racing at LA from December 26, 2018 through December 17, 2019 and the request from Watch and Wager for harness racing at Cal Expo from December 26, 2018 through May 7, 2019 and October 27, 2019 through December 23, 2019 (meet dates to be determined).

Northern California stakeholders remained divided, principally over summer race dates and stabling issues. The Stabling and Vanning Ad Hoc Committee is scheduled to meet September 26, 2018 to discuss racing calendar proposals and stabling and vanning for Northern California.

BACKGROUND

Business and Professions Code section 19440(a) states the Board shall have all powers necessary and proper to enable it to carry out fully and effectually the purposes of this chapter. Responsibilities of the Board shall include allocation of racing dates to qualified associations in accordance with law. Business and Professions Code section 19530 provides that the Board shall have the authority to allocate racing weeks to an applicant or applicants pursuant to the provisions of this article and article 6.5 and to specify such racing days, dates and hours for horse racing as will be in the public interest and will subserve the purposes of this chapter. The decision of the Board as to such racing days, dates and hours shall be subject to change, limitation or restriction only by the Board. Business and Professions Code section 19531 states the Board shall make allocation of racing weeks, including simultaneous racing between zones, as it deems appropriate. The maximum number of racing weeks that may be allocated for horse racing other than at fairs

shall be as follows: (a) For thoroughbred racing: 44 weeks per year in the northern zone; 42 weeks per year in the central zone; and seven weeks per year in the southern zone. (b) For harness racing: 25 weeks per year in the northern zone. (c) For quarter horse racing: 25 weeks per year in the northern zone. (d) For harness racing and quarter horse racing: a total of 77 weeks per year in the combined central and southern zones.

Board Rule 1430, Allocation of Racing Weeks and Dates, states the Board shall allocate racing weeks and dates for the conduct of horse racing in this State for such time periods and at such racing facilities as the Board determines will best subserve the purposes of the Horse Racing Law and which will be in the best interests of the people of California in accord with the intent of the Horse Racing Law.

RECOMMENDATION

This item is presented for Board discussion and action.



a California joint powers agency

1776 Tribute Road, Suite 205
Sacramento, CA 95815
Office: 916.927.7223 Fax: 916.263.3341
www.calfairs.com

August 7, 2019

Mr. Rick Baedeker, Executive Director
California Horse Racing Board
1010 Hurley Way
Sacramento, CA 95825

Rick,

As requested by Board staff, the California Authority of Racing Fairs respectfully submits the attached proposal for Northern California racing dates at CARF-member Fairs in 2019.

CARF Racing Fairs, having adequate on-site stalls to house the Northern California race horse population, maintain our 2018 position to opt-out of the Stabling & Vanning Fund, thereby decreasing stabling expenses and ensuring the future viability of Fair racing.

Respectfully yours,

A handwritten signature in cursive script that reads "Larry A. Swartzlander".

Larry Swartzlander
Executive Director

Cc: CARF Racing Fair CEO's

2019 CARF Member Fair Proposed Racing Calendar

Revised August 7, 2018

	15
California State Fair (Sacramento)	11
	8
	9
Total CARF-Member Fair Days	43

2019

January						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

February						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28		

March						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

April						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

May						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

June						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

July						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

August						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

September						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

October						
S	M	T	W	T	F	S
		1	2			
	7	8	9			
		15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

November						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

December						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

* CARF requests Humboldt race unoverlapped.



1350 Bennett Valley Road
 Santa Rosa, CA 95404
 p: (707) 545-4200
 f: (707) 573-9342
 sonomacountyfair.com

August 13, 2018

Mr. Rick Baedeker, Executive Director
 California Horse Racing Board
 1010 Hurley Way
 Sacramento, CA 95825

Dear Mr. Baedeker,

The enclosure with this letter is Sonoma County Fair's (Wine Country Racing) submittal for the proposed 2019 horse racing dates.

We are requesting three weeks of racing for 2019. The first two weeks would be with the Sonoma County Fair and the last week would be without a Fair.

Unfortunately due to the fluctuating race dates for the SOCO Fair we lost our previous carnival contractor and are only able to contract with a carnival for the first two weeks of the Fair. However we believe this third week in Santa Rosa with our turf track is a better benefit for California Horse Racing even without a Fair.

We appreciate the Commissioner's consideration of these proposals and look forward to the Date's Committee meeting on August 22.

Best Regards,

Rebecca Bartling
 Chief Executive Officer
 Sonoma County Fair
 Wine Country Racing

CC: Sonoma County Fair Board of Directors

At the Fairgrounds:
 Golf Course
 RV Park
 Jockey Club
 Wine Country Racing
 Fair Foundation

Santa Rosa - 2019 Proposal for Racing Dates

LIVE RACE DAYS TBD

August						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
			31	1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

Santa Rosa	3 weeks
-------------------	----------------

Week 1 and 2 with the Fair. Week 3 without a Fair

2019 Northern California Race Dates - Golden Gate Field Proposal

16-

GGF - December 19, 2018 through June 11, 2019

Pleasanton - June 12 through July 9, 2019

Cal Expo - July 10 through July 23, 2019

GGF - July 24 through July 30, 2019

Sonoma - July 31 through August 13, 2019

GGF - August 14 through October 1, 2019

Humboldt - Overlap August 21 through September 3, 2019

Fresno - October 2 through October 15, 2019

GGF - October 16 through December 17, 2019

	160
Pleasanton	16
Cal Expo	7
Sonoma	8
Humboldt	6
Fresno	8

Total Race Dates
205

December 2018						
Su	Mo	Tu	We	Th	Fr	Sa
16	17	18	19	20	21	22
23	24	25		27		

January						
Su	Mo	Tu	We	Th	Fr	Sa
			2	3		
	7	8	9			
	14	15	16			
		22	23	24		
	28	29	30	31		

February						
Su	Mo	Tu	We	Th	Fr	Sa
	4	5	6			
	11	12	13			
		19	20	21	22	23
	24	25	26	27	28	

March						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
	4	5	6		8	9
	11	12	13		15	16
	18	19	20		22	23
	24	25	26	27	28	30
31						1

April						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
	8	9	10	11	12	13
	15	16	17	18	19	20
	22	23	24	25	26	27
	29	30				

May						
Su	Mo	Tu	We	Th	Fr	Sa
			1			
	6	7	8			
	13	14	15			
	20	21	22			
		28	29	30		

June						
Su	Mo	Tu	We	Th	Fr	Sa
	3	4	5			
	10	11	12	13	14	15
	16	17	18	19	20	21
	23	24	25	26	27	28
30						1

July						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

August						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

September						
Su	Mo	Tu	We	Th	Fr	Sa
		3	4	5		
	9	10	11			
	16	17	18			
	23	24	25			
	30					
					1	

October						
Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16			
	21	22	23			
	28	29	30	31		

November						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
	4	5	6		8	9
		12	13	14	15	16
	18	19	20		22	23
	25	26	27		29	30

December						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

2019 Southern California Race Dates - Exhibit E

- SA - December 26, 2018 through June 25, 2019
- Los AI - June 26 through July 16, 2019
- DMR - July 17 through September 3, 2019
- Los AI - September 4 through 24, 2019
- SA - September 25 through October 29, 2019*
- DMR - October 30 through December 3, 2019
- Los AI - December 4 through December 17, 2019

* If SA is awarded the 2019 Breeders' Cup, DMR will relinquish the first weekend of November

December 2018						
Su	Mo	Tu	We	Th	Fr	Sa
16	17	18	19	20	21	22
23	24	25	26	27	28	29
	31					

January						
Su	Mo	Tu	We	Th	Fr	Sa
			2	3		
	7	8	9			
	14	15	16			
	21	22	23	24	25	26
	28	29	30			

May						
Su	Mo	Tu	We	Th	Fr	Sa
			1			
	6	7	8			
	13	14	15			
	20	21	22	23	24	25
	27	28	29	30	31	

September						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
	30					
				2	12	

February						
Su	Mo	Tu	We	Th	Fr	Sa
	4	5	6			
	11	12	13			
	18	19	20	21	22	23
	25	26	27	28		

June						
Su	Mo	Tu	We	Th	Fr	Sa
	2	3	4	5		
	9	10	11	12		
	16	17	18	19	20	21
	23	24	25	26	27	28
	30					4

October						
Su	Mo	Tu	We	Th	Fr	Sa
		1	2			
	7	8	9			
	14	15	16	17		
	21	22	23			
	28	29	30	31		
						1

	122
Del Mar	55
Los AI	32

Total Race Dates
209

March						
Su	Mo	Tu	We	Th	Fr	Sa
	4	5	6			
	11	12	13			
	18	19	20			
	25	26	27			

July						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			
					8	11

November						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
						17

April						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3			
	8	9	10	11		
	15	16	17	18		
	22	23	24			
	29	30				

August						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31
						23

December						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				
					1	18

Wagner, Jacqueline

From: Cathy Monji
Sent:
To: Wagner, Jacqueline
Subject: Re: FW: 2019 Race Dates Committee Meeting - Request for Proposed 2019 Race Dates Schedule

Dear Ms. Wagner,

For the 2019 race calendar, Los Alamitos Quarter Horse Racing Association would like to request December 28, 2018 through December 15, 2019.

Thank you for your consideration of our proposal.

watch wager

Operating Harness Racing at Cal Expo
Managed By Golden Bear Racing, LLC

August 7, 2018

Jackie Wagner
Asst. Executive Director
California Horse Racing Board
1010 Hurley Avenue #210
Sacramento, CA 95825

Re: 2019 Harness Racing Dates Allocation Request

Dear Jackie,

WatchandWager.com, operator of Cal Expo harness racing, would like to request the following 2019 Standardbred race dates. Our split meet date request is consistent with our 2018 schedule.

- December 26th, 2018 through May 6th 2019 for the Winter/Spring meeting.
- October 27th, 2019 through December 23rd, 2019 for the Fall meeting.

We anticipate racing on Friday and Saturday evenings during the period.

We thank the Board for consideration of our 2019 date request.

Sincerely,



Christopher J. Schick