

STATE OF CALIFORNIA

HORSE RACING BOARD

In the Matter of: )

)

Regular Meeting )

)

PLEASANTON OFF-TRACK BETTING FACILITY

2100 VALLEY AVENUE

PLEASANTON, CA

THURSDAY, JUNE 16, 2022

9:30 A.M.

Recorded by:

Elise Hicks

APPEARANCES

BOARD MEMBERS

Gregory Ferraro, Chairman

Oscar Gonzales, Vice Chair

Dennis Alfieri, Commissioner

Damascus Castellanos, Commissioner

Brenda Washington Davis, Commissioner

Thomas Hudnut, Commissioner

STAFF

Scott Chaney, Executive Director

ALSO PRESENT

Josh Rubenstein, Del Mar Thoroughbred Club

David Jerkins, Del Mar Thoroughbred Club

Larry Swartzlander, California Authority of Racing Fairs

Rick Pickering, California State Fair

PUBLIC COMMENT

Heather Wilson

Tweed Conrad

Ashley Lewis

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regarding entry conditions and specified drug substances or medications to be implemented by the DMTC at the Del Mar Racetrack.

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as allocated to each signatory racing association pursuant to the Horse Racing Integrity and Safety Act of 2020 (HISA) for calendar year 2022 as permitted under Business and Professions Code section 19604(f)(5)(E).

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| 9.  | Discussion and action by the Board on the approval for the distribution of market access fees from advanced deposit wagering, placed by California residents on all live and imported races hosted by the signatory racing associations for the period July 1, 2022, through June 30, 2023 for a distribution that would otherwise be payable to purses, breeders and track commissions, to supplement funding for CHRB Board Support as permitted under Business and Professions Code section 19604(f)(5)(E). | 32 |
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12. Public Comment: Communications, reports, requests 39  
for future actions of the Board. Note: During the public comment period, a total of thirty minutes will be allowed for public comments via the teleconference line. After thirty minutes, no further comments will be accepted. Each person will be limited to two minutes.
13. Closed Session: For the purpose of receiving 43  
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

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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).

Adjournment

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P R O C E E D I N G S

9:37 A.M.

THURSDAY, JUNE 16, 2022

CHAIR FERRARO: Ladies and gentlemen, this is the meeting of the California Horse Racing Board and we will please come to order.

This is a regular noticed meeting of the California Horse Racing Board on Thursday, June 16th, 2022, at the California Pleasanton Offtrack Betting Facility in Pleasanton, California.

Present at today's meeting are: myself, Dr. Gregory Ferraro, Chair; also, Oscar Gonzales, Vice Chair; Dennis Alfieri, Commissioner; Damascus Castellanos, Commissioner; Brenda Washington Davis, Commissioner; Thomas Hudnut, Commissioner; and Scott Chaney, Executive Director. And Commissioner Wendy Mitchell is not able to join us today.

Before we go to the business of the meeting, I need to make a few comments.

The Board invites public comment on matters appearing on the meeting agenda. Procedurally, the Board will first hear from those directly involved in the agenda item. I will then invite public comment on the agenda item. The Board will not answer questions. This item is for

1 comment only, not questions.

2           Unsolicited speakers are limited to two minutes  
3 each. During all public comments a sign will be raised  
4 after the first 90 seconds, meaning the speaker will have 30  
5 seconds remaining to conclude their remarks. At two minutes  
6 a second sign will be raised to indicate the speaker's time  
7 is up. The Board may ask questions of individuals who speak  
8 which may extend their two-minute time limit.

9           There are public comment sign-in sheets located on  
10 a table over on the right for each agenda item on which the  
11 Board invites comments. There is also a sign-in sheet for  
12 those wishing to speak during the public comment period for  
13 matters not on the Board's agenda if it concerns horse  
14 racing. Please print your name legibly on all sign-in  
15 sheets so we can announce you properly.

16           When a matter is open for public comment, your  
17 name will be called. Please come to the podium. Introduce  
18 yourself by stating your name and organization. This is  
19 necessary for the court reporter to have a clear record of  
20 all who speak. When your two minutes are up, I will ask you  
21 to return to your seat so that others can be heard.

22           I will insist that all speakers stay strictly on  
23 topic for each agenda item. If a speaker strays off topic,  
24 I will ask to move to the next speaker. If a speaker  
25 represents themselves, I will ask the speaker if they have

1 any new comments to make. If there are none, the speaker  
2 will be asked to let others make comments to the Board.

3 If anyone has comments of a more general nature  
4 that are not specific to earlier agenda items, those  
5 comments must wait until agenda item number 12, Public  
6 Comment. There will be a 30-minute time limit for public  
7 comment. In order to allow as many individuals to speak as  
8 possible within that half-hour, I will strictly enforce the  
9 two-minute time limit for unsolicited speakers.

10 And with that, we can move on to our agenda. Item  
11 number one on agenda is approval of the minutes of May 19th,  
12 2022.

13 Do we have any corrections or comments from the  
14 Board?

15 Any comments from the public regarding the  
16 minutes?

17 EXECUTIVE DIRECTOR CHANEY: Nobody's on the list.

18 CHAIR FERRARO: Nobody on the list? Okay.

19 Can we have a motion to approve?

20 COMMISSIONER HUDNUT: So moved.

21 CHAIR FERRARO: Second?

22 COMMISSIONER ALFIERI: Second. Second.

23 MR. McCLARA: Microphones, please.

24 CHAIR FERRARO: Commissioner Davis?

25 COMMISSIONER DAVIS: Yes.

1 CHAIR FERRARO: Commissioner Castellanos?

2 COMMISSIONER CASTELLANOS: Yes.

3 CHAIR FERRARO: Commissioner Gonzales?

4 VICE CHAIR GONZALES: Yes.

5 CHAIR FERRARO: Commissioner Alfieri?

6 COMMISSIONER ALFIERI: Yes.

7 CHAIR FERRARO: Commissioner Hudnut?

8 COMMISSIONER HUDNUT: Yes.

9 CHAIR FERRARO: And the Chairman votes yes.

10 Item number two, discussion and action by the  
11 Board regarding the proposed amendments of CHRB Rule 1616,  
12 Minimum Weights to Be Carried, and Rule 1683, Maximum  
13 Overweight, to align with current health and safety  
14 standards for jockeys.

15 Amanda?

16 MS. BROWN: So this item was discussed at the  
17 Jockey and Driver Welfare Committee on May 18th. So there  
18 are two regulatory amendments to consider, one is raising  
19 the minimum weight two pounds, and the other is dropping the  
20 maximum allowable overweight two pounds.

21 CHAIR FERRARO: And last month when we had the  
22 discussion, that was the discussion about altering the  
23 apprentice weights, but this isn't included in this item; is  
24 that correct?

25 MS. BROWN: That's correct. I believe that would

1 be --

2 CHAIR FERRARO: So --

3 MS. BROWN: -- part of the next one.

4 CHAIR FERRARO: -- it's strictly two pounds raised  
5 and two pounds lowered; is that correct?

6 MS. BROWN: That's correct

7 EXECUTIVE DIRECTOR CHANEY: Mr. Chairman, the --  
8 we're -- the apprentice, we talked -- we spoke about the  
9 apprentice regulation amendments but they're a lot more  
10 extensive, so we're probably looking to bring those to the  
11 Board in July --

12 CHAIR FERRARO: Separate agenda item?

13 EXECUTIVE DIRECTOR CHANEY: -- in August, rather.

14 CHAIR FERRARO: Okay. Any questions or comments  
15 from the Board?

16 Comments from the public? Any sign-in sheet? No.

17 Can I have a motion.

18 COMMISSIONER CASTELLANOS: Castellanos. Motion.

19 CHAIR FERRARO: Second?

20 COMMISSIONER DAVIS: Davis.

21 COMMISSIONER HUDNUT: Second.

22 CHAIR FERRARO: Commissioner Davis?

23 COMMISSIONER DAVIS: Yes.

24 CHAIR FERRARO: Commissioner Castellanos?

25 COMMISSIONER CASTELLANOS: Yes.

1 CHAIR FERRARO: Commissioner Gonzales?

2 VICE CHAIR GONZALES: Yes.

3 CHAIR FERRARO: Commissioner Alfieri?

4 COMMISSIONER ALFIERI: Yes.

5 CHAIR FERRARO: Commissioner Hudnut?

6 COMMISSIONER HUDNUT: Yes.

7 CHAIR FERRARO: Chairman votes yes.

8 Moving on to item number three, it's discussion  
9 and action by the Board regarding the proposed amendment of  
10 CHRB Rule 1734, Whipping, for Standardbred harness racing,  
11 to align with current CHRB Rule 1688, Use of the Riding  
12 Crop.

13 Amanda, that's you again?

14 MS. BROWN: Yes. This item was also discussed at  
15 the Jockey and Driver Welfare Committee meeting in May. It  
16 aligns the use of the driving whip with restrictions in  
17 place for the riding crop.

18 CHAIR FERRARO: Questions or comments from the  
19 Board? None? No? Do we have a motion?

20 COMMISSIONER DAVIS: Davis moves.

21 CHAIR FERRARO: Second?

22 COMMISSIONER ALFIERI: Second.

23 CHAIR FERRARO: Commissioner Davis?

24 COMMISSIONER DAVIS: Yes.

25 CHAIR FERRARO: Commissioner Castellanos?

1 COMMISSIONER CASTELLANOS: Yes.

2 CHAIR FERRARO: Commissioner Gonzales?

3 VICE CHAIR GONZALES: Yes.

4 CHAIR FERRARO: Commissioner Alfieri?

5 COMMISSIONER ALFIERI: Yes.

6 CHAIR FERRARO: Commissioner Hudnut?

7 COMMISSIONER HUDNUT: Yes.

8 CHAIR FERRARO: And the Chairman votes yes.

9 Moving on to item number four, discussion and  
10 action by the Board regarding authorizing staff to institute  
11 a concussion protocol to comply with the Horseracing  
12 Integrity and Safety Act and the associated  
13 Veterinary [sic] Implementation Agreement.

14 Again, Amanda.

15 MS. BROWN: Yeah. So Executive Director Chaney  
16 mentioned last meeting that it's a HISA requirement that  
17 CHRB implement a concussion management protocol and have it  
18 approved by the Authority. So the protocol in here in the  
19 accompanying forms are the CHRB's proposal to align with the  
20 requirements of HISA Rule 2192. The language came from  
21 examples provided by the Jockeys' Guild. And the CHRB  
22 solicited feedback and made some tweaks based on suggestions  
23 received from track experts.

24 CHAIR FERRARO: Now if I understand this  
25 correctly, HISA wants us to have a concussion protocol but

1 they don't specify what they want. And this protocol that  
2 we've designed has been worked out with the Jockeys' Guild  
3 and someone else; right?

4 MS. BROWN: That's correct. And, basically, the  
5 requirements in HISA that are laid out here are pretty  
6 broad, just the jockeys have to acknowledge that they've  
7 seen the protocol. We have to have a minimum assessment in  
8 their return-to-ride guideline. And stewards must be  
9 notified when a jockey is not permitted to ride. So we've  
10 met all those requirements and then some in this protocol.

11 CHAIR FERRARO: Very good.

12 Do you have any comments?

13 EXECUTIVE DIRECTOR CHANEY: No. I think Amanda  
14 covered it pretty well. I mean, the goal with this is twin.  
15 A, it's just a good idea based on the comments from the  
16 Jockey Welfare Committee meeting last month. And, also, it  
17 satisfies the HISA requirement. We envision this being  
18 similar to the inclement weather policy where we ask tracks  
19 to adopt it as their license applications come up going  
20 forward.

21 CHAIR FERRARO: Questions or comments from the  
22 Board? Tom?

23 COMMISSIONER HUDNUT: I would reiterate a request  
24 that I made at our last meeting that everything having to do  
25 with this protocol be -- appear in Spanish for the benefit

1 of the riders, as well as in English.

2 EXECUTIVE DIRECTOR CHANEY: We noted your comment  
3 last month, Commissioner Hudnut. And, actually, I got an  
4 email this morning saying that the translation is complete,  
5 so this concussion protocol has been translated. And when  
6 we circulate it --

7 COMMISSIONER HUDNUT: Excellent.

8 EXECUTIVE DIRECTOR CHANEY: -- starting today --

9 COMMISSIONER HUDNUT: Thank you.

10 EXECUTIVE DIRECTOR CHANEY: -- we'll have a  
11 Spanish version.

12 COMMISSIONER HUDNUT: Thank you very much.

13 It's --

14 CHAIR FERRARO: Good work. Questions or comments  
15 from the public? Nothing?

16 Do we have a motion?

17 COMMISSIONER HUDNUT: So moved.

18 CHAIR FERRARO: Second?

19 COMMISSIONER ALFIERI: Second.

20 CHAIR FERRARO: Commissioner Davis?

21 COMMISSIONER DAVIS: Yes.

22 CHAIR FERRARO: Commissioner Castellanos?

23 COMMISSIONER CASTELLANOS: Yes.

24 CHAIR FERRARO: Commissioner Gonzales?

25 VICE CHAIR GONZALES: Yes.

1 CHAIR FERRARO: Commissioner Alfieri?

2 COMMISSIONER ALFIERI: Yes.

3 CHAIR FERRARO: Commissioner Hudnut?

4 COMMISSIONER HUDNUT: Yes.

5 CHAIR FERRARO: And the Chairman votes yes.

6 Moving on to item number five, discussion and  
7 action by the Board regarding approval of an agreement,  
8 pursuant to CHRB Rule 1581, Racing Secretary to Establish  
9 Conditions, between the Del Mar Thoroughbred Club and the  
10 Thoroughbred Owners of California regarding entry conditions  
11 and specified drug substances or medications to be  
12 implemented by the DMTC at the Del Mar Racetrack.

13 Do we have any comments from the Del Mar people?

14 EXECUTIVE DIRECTOR CHANEY: I don't think they  
15 have any unless the Board does.

16 CHAIR FERRARO: Or does Staff?

17 EXECUTIVE DIRECTOR CHANEY: They entered into the  
18 agreement and it, basically --

19 CHAIR FERRARO: Yeah.

20 EXECUTIVE DIRECTOR CHANEY: -- eliminate Lasix --  
21 pardon me -- Lasix from stake races.

22 CHAIR FERRARO: Standard agreement that we had.

23 EXECUTIVE DIRECTOR CHANEY: Yes, sir.

24 CHAIR FERRARO: Any comments or questions from the  
25 Board? Motion, please.

1 COMMISSIONER DAVIS: Davis moves.

2 CHAIR FERRARO: Second?

3 COMMISSIONER CASTELLANOS: Castellanos.

4 COMMISSIONER HUDNUT: Second.

5 CHAIR FERRARO: Okay. Commissioner Hudnut?

6 COMMISSIONER HUDNUT: Aye. Yes.

7 CHAIR FERRARO: Commissioner Alfieri?

8 COMMISSIONER ALFIERI: Yes.

9 CHAIR FERRARO: I switched you up.

10 Commissioner Gonzales?

11 VICE CHAIR GONZALES: Yes.

12 CHAIR FERRARO: Commissioner Castellanos?

13 COMMISSIONER CASTELLANOS: Yes.

14 CHAIR FERRARO: Commissioner Davis?

15 COMMISSIONER DAVIS: Yes.

16 CHAIR FERRARO: And the Chairman votes yes.

17 Moving on to item number six, discussion and

18 action by the Board on the Application for License to

19 Conduct a Horse Racing Meeting of the Del Mar Thoroughbred

20 Club at Del Mar Racetrack, commencing July 13, 2022, through

21 September 13, 2022.

22 It's my understanding that the application is

23 complete. Comments from Mr. Rubenstein and David Jerkins?

24 EXECUTIVE DIRECTOR CHANEY: Yeah. Just before you

25 both get started, just kind of a clarification for the

1 Board. We called it complete despite the lack of a CTT  
2 agreement. As you know, the Board has talked about it a  
3 lot, the ongoing litigation has kind of prevented those  
4 negotiations. So the Staff proposal was having the Board  
5 recognize the 2019 agreement after the hearing conducted by  
6 Vice Chair Gonzales, you know, a few years ago, so I just  
7 want to kind of clarify that. But for our purpose it is  
8 complete.

9 MR. RUBENSTEIN: Test. Test. Okay. Good  
10 morning, CHRB Commissioners and Staff. Josh Rubenstein, Del  
11 Mar Thoroughbred Club.

12 Del Mar's License Application for our 2022 31-day  
13 summer race meet is from July 13th through September 13th.  
14 We are requesting the same number of race days and are  
15 projecting the same number of races as 2021.

16 We are very optimistic on our upcoming summer  
17 meet. And we'll be providing record purses, not just for  
18 Del Mar but record purses in California history.

19 We're also pleased to offer industry-leading horse  
20 recruitment incentives for owners and trainers.

21 David Jerkins, Del Mar Secretary -- Racing  
22 Secretary and Vice President, will cover our racing program  
23 shortly.

24 Our 2021 summer season at Del Mar set a very high  
25 bar on multiple levels. The meet was highlighted by quality

1 racing. Our field size was a robust 8.5 runners per race.  
2 All-sources handle increased by over \$100 million. And our  
3 average daily was \$18.3 million, which was a Del Mar record.

4 But most importantly in 2021 was our safety  
5 record. Del Mar was, once again, designated as the safest  
6 major racetrack in the country. That's now three straight  
7 years. We're very proud of that. Del Mar's safety results  
8 are truly a group effort between everyone involved with the  
9 care of the horse, owners, trainers, vets, grooms, jockeys,  
10 exercise riders, our track maintenance and racing department  
11 and, of course, the leadership of the CHRB.

12 Our summer race meet will be under the guidance of  
13 HISA, which is the new federal agency that goes into effect  
14 on July 1st. We have met with the CHRB. And I want to  
15 commend Chairman Ferraro, Executive Director Chaney, and the  
16 CHRB Staff who have worked very tirelessly to ensure that  
17 California is in sync with HISA standards. We have had,  
18 like I said, numerous meetings with the CHRB and HISA to  
19 ensure that our operating procedures are in compliance with  
20 these new federal rules. We have also met with stakeholders  
21 CTT and the TOC to ensure that they understand the rules.

22 And the good news for California is HISA's  
23 regulations are largely modeled after reforms that have been  
24 implemented in California over the last several years. So  
25 more than anything, it's the registration process, getting,

1 you know, all of the individuals and the horses registered  
2 into the HISA database. So, again, we're working our  
3 horsemen and woman on making that happen.

4 I will now turn things over to David Jerkins for  
5 our racing update.

6 MR. JERKINS: Thanks, Josh. David Jerkins, Del  
7 Mar.

8 As Josh mentioned, we are very optimistic on the  
9 upcoming summer meet. We will be presenting 39 stakes'  
10 races in our 31-day meet, highlighted by the TVG Pacific  
11 Classic on September 3rd, as well as four other stakes'  
12 races that will be run that day. More than half of our  
13 stakes' races have had a purse increase from last year which  
14 is leading to a record stakes' schedule that we will be  
15 offering this summer.

16 Our purses will be at an all-time high in  
17 California. This is a 15 percent increase from last summer.  
18 And we spread out all levels from allowance races to  
19 claiming races. So this summer, we'll have the highest  
20 purses we've ever had.

21 We will continue with our successful Ship and Win  
22 Program which incentivizes horses which have not raced in  
23 California in over a year. We continue to be aggressive  
24 with that recruitment to bolster our population this summer.

25 While out-of-state stables will compete, over 70

1 percent of our Ship and Win runners are from local owners  
2 and trainers which require horses to run at Del Mar and  
3 remain in California.

4 We're excited to welcome our horsemen and women  
5 back this summer. The barn area will open on July 14th, the  
6 training track open on July 15th and the main track opens on  
7 July 16th.

8 I'll now pass it back to Josh to go over  
9 marketing.

10 MR. RUBENSTEIN: Yeah, just a couple of quick  
11 points from a marketing perspective.

12 So this summer, we will turn to lifestyle  
13 promotions that Del Mar is known for, craft beer events,  
14 local food festivals, college days, and those all enhance  
15 on-track attendance and the atmosphere at Del Mar. We'll  
16 also continue to promote our world-class racing product and  
17 our safety protocols.

18 Based on the feedback we received in 2021,  
19 especially when we hosted Breeders' Cup in November and we  
20 limited capacity, for opening day this summer, which is  
21 traditionally our biggest day, we will be significantly  
22 reducing general admission ticketing. We'll continue to  
23 sell very box, every table, every seat, but we want to  
24 ensure our core customers, the people that are with us week  
25 in and week out, have a quality experience, so we are

1 capping opening day. We expect opening day to sell out  
2 later this week. We'll continue to promote opening weekend  
3 where there are tickets still available, as well as  
4 throughout the summer.

5 Admission and ticketing pricing will be in line  
6 with pre-pandemic levels.

7 And, lastly, our wagering menu is consistent with  
8 2021.

9 So that's the Del Mar summer meet in a nutshell.  
10 David and I are happy to answer any questions that you may  
11 have.

12 CHAIR FERRARO: Questions from the Board?

13 VICE CHAIR GONZALES: Mr. Chairman, I've just got  
14 a couple, a couple quick ones here.

15 Well, first, good presentation as always, Josh.

16 Dave, good to see you. I always look forward to  
17 the Del Mar meet.

18 I know a couple of years ago, I know there was the  
19 afternoon clocking issues, the timing issues. Do you  
20 foresee any of those kinds of glitches again on the -- kind  
21 of on the technology end?

22 MR. RUBENSTEIN: Yeah. So we were the, I'll call  
23 us, the guinea pig for the new Equibase timing system, which  
24 was a hybrid system between GPS, which showed the tracking  
25 of the horses, and beam timing, which is the start to finish

1 time. And as you said, well, like with any new technology  
2 there are hiccups when you're the first, and we had some  
3 hiccups in 2020. Credit to Gmax, which is the entity  
4 that -- the vendor that handles the timing and the tracking.  
5 They made the necessary changes and we felt the system  
6 performed very well in 2021. And we expect it to perform  
7 even better this year.

8 VICE CHAIR GONZALES: Great. And just a quick  
9 question for David, who I think is the best racing secretary  
10 in the country, by the way.

11 On the ability of building off of the momentum  
12 from the Breeders' Cup and recruiting any overseas imports,  
13 I know the Japanese folks had a great time at the Breeders'  
14 Cup, so any chance we're going to see any, you know, any  
15 imports coming from overseas?

16 MR. JERKINS: Right. Well, thanks for the  
17 comment. I think the jury is still out on that. I  
18 appreciate it.

19 No, obviously, when we host the Breeders' Cup,  
20 different horsemen are exposed to Del Mar that probably  
21 wouldn't have been exposed to Del Mar. So we've actually  
22 received over a dozen stall applicants from out-of-state  
23 connections. And I think you're seeing a lot of our owners  
24 invest in European horses. And I think, definitely this  
25 summer, you're going to see new faces running at our meet.

1 VICE CHAIR GONZALES: Excellent. Well, great  
2 work.

3 That's all I've got, Mr. Chairman.

4 CHAIR FERRARO: Anyone else? Tom?

5 COMMISSIONER HUDNUT: I read, with great interest,  
6 the marketing overview and it seems a very broad-based  
7 approach. And I really appreciated postmortem after the  
8 season to see what worked and what didn't and what we might  
9 be able to emulate at other tracks.

10 MR. RUBENSTEIN: Sure. We would be happy to share  
11 that with the Board. We do a full post-season analysis of  
12 all our promotions, and we do exit surveys for research, so  
13 we would be happy to share that with the Board.

14 COMMISSIONER HUDNUT: Thanks very much. I think  
15 it would be helpful.

16 CHAIR FERRARO: Anyone else?

17 EXECUTIVE DIRECTOR CHANEY: Mr. Chairman, just if  
18 I may, just to highlight for the Commissioners a reminder?  
19 Santa Anita closes this weekend. The racing meet goes to  
20 L.A. County Fair for three weeks and then Del Mar's meet  
21 starts and they have a week of simulcasting, so no racing  
22 for a week. And then it actually starts a little bit later  
23 this year because the Del Mar Fair extends past Del Mar  
24 which is sort of untraditional -- I'm sorry, past Labor Day  
25 which is sort of untraditional. But just highlighting that

1 for the Commissioners.

2 VICE CHAIR GONZALES: Mr. Chairman, there is one.  
3 I made a note to myself last night of union issues. I'm  
4 typically among the first, Scott and I, if there's any union  
5 issues that you're dealing with at this point. I know, I  
6 think it was my first year on where, you know, I think Local  
7 280 had some issues. But how are we doing on the union  
8 front? They appear to be okay but anything we should know?

9 MR. RUBENSTEIN: Union negotiation are going well.  
10 We have an agreement with Local 280 SEIU through December  
11 31, 2022. We are working on some health and welfare  
12 benefits to their agreement. But, overall, things are going  
13 very well with our union partners.

14 VICE CHAIR GONZALES: Okay. Great. Thank you.  
15 Anything we can do if anything does come up at the last  
16 minute, you know, you can count on the Board to lend a hand.

17 MR. RUBENSTEIN: Thank you.

18 VICE CHAIR GONZALES: Thanks.

19 CHAIR FERRARO: Anyone else?

20 Thank you both, gentlemen.

21 Do we have public comments on this? None.

22 So we need a motion.

23 COMMISSIONER CASTELLANOS: Castellanos. Motion.

24 CHAIR FERRARO: Second?

25 COMMISSIONER DAVIS: Davis.

1 COMMISSIONER HUDNUT: Hudnut.

2 CHAIR FERRARO: Commissioner Davis?

3 COMMISSIONER DAVIS: Davis seconds. Yes.

4 CHAIR FERRARO: Yes.

5 Castellanos?

6 COMMISSIONER CASTELLANOS: Yes.

7 CHAIR FERRARO: Gonzales?

8 VICE CHAIR GONZALES: Yes.

9 CHAIR FERRARO: Alfieri?

10 COMMISSIONER ALFIERI: Yes.

11 CHAIR FERRARO: Hudnut?

12 COMMISSIONER HUDNUT: Yes.

13 CHAIR FERRARO: And the Commissioner votes yes.

14 Thank you very much.

15 We're moving on to item number seven, discussion  
16 and action by the Board on the Application for a License to  
17 Conduct a Horse Racing Meeting of the California Exposition  
18 and State Fair, commencing July 13, 2022, through August 2,  
19 2022.

20 Yes, here they are. Go ahead, Larry.

21 MR. SWARTZLANDER: Good morning, Chairman,  
22 Commissioners. Larry Swartzlander. I'm the Director of  
23 Racing at Cal Expo. And, also, I'm the Executive Director  
24 of CARF. I'm joined here with Rick Pickering as the CEO of  
25 the California State Fair. He's going to -- we'll call

1 these bribes but they're gifts to --

2 CHAIR FERRARO: A public bribe, huh?

3 EXECUTIVE DIRECTOR CHANEY: I mean, that's -- as  
4 long as the value is under \$10.00, I think we're okay.

5 MR. SWARTZLANDER: No value associated with them.

6 I'll give you -- while Rick's doing that, I'll give a brief  
7 overview of the racing side. And I'm sure Rick has a couple  
8 pages of notes to go over the marketing and other things  
9 that the State Fair is going to be doing.

10 Again, this is a transition year for the fairs  
11 with auxiliary stabling. That has all gone very well. We  
12 currently have at least 300 horses at Cal Expo. We'll be  
13 pushing 600 here at the Alameda.

14 The State Fair will -- it's been two years. We'll  
15 finally get back to racing over there. The Governor's Cup  
16 will be back. It's a \$75,000 guaranteed race. The  
17 overnight purses are being raised approximately \$200,000.  
18 We still have our -- we don't call it Ship and Win like Del  
19 Mar, but we've always had an out-of-state incentive for  
20 owners and trainers, \$300 for the first start and \$300 for  
21 the second. Also, for any trainers, five starts gets \$500,  
22 ten starts give \$1,000, and that's at each fair. And also  
23 for the owners, it's \$200,000 [sic] if they have five horses  
24 that start.

25 So I think we've covered the incentive programs.

1 All the owners and trainers are quite pleased with it. And  
2 we have -- we're looking forward to a very successful meet.

3 Just one thing I'll mention on marketing. This is  
4 my 23rd year in CARF. And the two things that we do that  
5 have always worked well are win, place and show, which is  
6 where I get down and MCC in the Winner's Circle and we give  
7 away -- it's like \$500 a person. We take a draw, everybody  
8 has to sign up for it, and they get \$500 if they had the  
9 winning horse, and it's \$300 for the second-place horse and  
10 \$200 for the third.

11 And the other one is the Spin-to-Win. If you come  
12 to the State Fair, when you come in there will be a big,  
13 long line and they have a wheel up there that they go up and  
14 they spin. And they can win anywhere from a \$5.00 voucher  
15 to, you know, a couple guest tickets up at the clubhouse.  
16 So I've seen them and they work very well. We get good  
17 feedback. Everybody has to sign up, so you get the names.  
18 And I've always been enthused with those programs.

19 But the biggest incentive in horse racing is full  
20 fields. And this year, with the horses stabled here, we  
21 expect to have a great meet and I'm looking forward to it.

22 And, Mr. Gonzales, I'd have to say that our racing  
23 secretary is one of the best I've ever known.

24 MR. PICKERING: Yes. Rick Pickering, CEO of your  
25 California State Fair.

1           Honorable Chair, distinguished Commissioners,  
2 talented executive team members, thank you for allowing us  
3 the opportunity to be in front of you today on the agenda.  
4 I apologize. There was a serious accident and there were  
5 three firetrucks stacked up on the 80 coming in from  
6 Sacramento this morning. We probably could have commuted  
7 together and used the carpool lane.

8           For the past two years, the California State  
9 Fairgrounds was designated by the Governor as a super  
10 vaccination and testing facility which precluded us from  
11 doing major events. However, we were very honored and  
12 humbled to be able to vaccinate and test several million  
13 Northern Californians during that two-year period of time  
14 and support other emergency services from the Governor's  
15 Office of OES. That included sheltering homeless  
16 individuals who had also tested positive for COVID. We  
17 operated that for about 14 months during COVID.

18           We are also used by the National Guard and other  
19 state agencies during civil unrest at the capital. And most  
20 recently, UCR barricades around the state capital while the  
21 capital is under reconstruction.

22           The Senate and the Assembly also designated your  
23 State Fairgrounds as a fallback center of state government  
24 for the capital. So when the capital was evacuated, half of  
25 the legislature and administration comes to Cal Expo.

1           So we've continued in that emergency role to  
2 support the state of California. And we're certainly  
3 gearing up for fire season and all that we do there. But  
4 because we are doing those things, we weren't able to  
5 conduct the State Fair in 2020 or 2021. However, a couple  
6 of our racing weeks were moved to Pleasanton and the racing  
7 fair has benefited from that, as did the vanning and  
8 stabling pool at Golden Gate Fields when we weren't  
9 operating.

10           However, the Governor's edict is get the state  
11 reopened, so we're getting back together again which is part  
12 of the theme of our marketing. There will be 17 fantastic  
13 concerts. Our opening day of racing also has an opening  
14 night concert of famous Californian, Chaka Khan, who will do  
15 an outstanding job for us.

16           In your material, so that the public is aware of  
17 what we were handing out, it's actually our marketing  
18 materials, it's not a free gift, it's what we send out to  
19 folks. So it lists our concert lineup. Our concerts are  
20 free with the admission to the fair. The concerts are late  
21 in the evening so people can enjoy a day at the racing and  
22 then move on over to the concert facility. And we hope  
23 you'll be able to select a concert or two and join us, as  
24 well.

25           So we're back again July 15th through 31st for

1 your State Fair. We anticipate having in excess of 800,000  
2 people come through our property. And to give you an idea  
3 of scope, we control 800 acres in Sacramento, 400 developed  
4 acres and 400 acres of the American River Parkway. So when  
5 other tracks look at us and look at the size of our  
6 facility, they don't often understand that over the last two  
7 years we've put about \$18 million of improvements into the  
8 facility during COVID. It was the ideal time since we  
9 weren't doing major events.

10           So we re-laid/replaced two miles of underground  
11 gas lines, put on new roofs on most of our exhibit halls,  
12 new air conditioning systems, and much of that was a \$15-  
13 million grant from Governor Brown [sic] and the legislature  
14 wanting to see some things enhanced at Cal Expo. So we used  
15 those two down years in order to do significant  
16 enhancements. Yes, but we do grow weeds, as well.

17           Anyhow, so the facility, we've done a number of  
18 improvements. Things are in great shape. We drilled  
19 another water well. I know this may not seem as important  
20 to the racing industry but without water and within sewer,  
21 without our one megawatt solar project in place, those are  
22 all things that allow us to be able to stay in the horse  
23 racing business.

24           We also, during COVID, opened a brand new  
25 restaurant, a franchise restaurant, known as Rock & Brews.

1 It's on the corner of our property. It's adjacent to our  
2 horse barns. As Larry mentioned, we have more than 300 head  
3 of thoroughbreds that have already moved in on the heels of  
4 our harness race meet moving out in May, so that was a very  
5 quick turnaround to get ready for that. And we'll be doing  
6 special promotions to our horse population, excuse me, horse  
7 owners, trainers, all the horsemen for an opportunity to  
8 come on over to Rock & Brews and enjoy a fantastic meal with  
9 them.

10 Today, we're before you. Pre-pandemic, which was  
11 a different universe pre-pandemic, but for the new  
12 Commissioners, we want to share with you some of the  
13 information that we shared with the returning Commissioners  
14 in years past.

15 Your California State Fairgrounds, between  
16 harness, satellite wagering, and thoroughbred racing pre-  
17 pandemic were handling in excess of \$100 million. We are  
18 the only fairgrounds that conducted year-round racing and  
19 year-round training. Part of that is because we are the  
20 only harness track in the western United States. So harness  
21 moves in September, begins operating in late October, and  
22 then typically goes into May. And then in May, we turn the  
23 track over and we do the Sacramento Mile International  
24 Motorcycle Racing for international motorcycle points.

25 We also use the track for the two largest country

1 music festivals in Northern California called Country in the  
2 Park, so we did that a few weeks ago. And if you saw the  
3 news, that was 20,000 people at the track on Saturday and  
4 another 20,000 on Sunday.

5 So California is ready to come back, to get  
6 together, to play, to come out to racing, and we're excited  
7 to be able to do that.

8 Larry mentioned several of the special marketing  
9 and promotion activities. But I would add to the top of the  
10 list is health and safety. As people come back together  
11 again pre-COVID -- or post-COVID, they are concerned with  
12 hand washing, social distancing, et cetera. So those  
13 facilities -- the safest place you can be in July in  
14 Sacramento is at your California State Fair. So we have our  
15 own police department. Everything is in place. Our fire  
16 clearance is in place.

17 And we're basically here to answer any questions  
18 you might have related to either your State Fair, what we've  
19 done the last two years, or what we have planned for  
20 thoroughbred racing this summer.

21 CHAIR FERRARO: Thank you very much.

22 Do we have questions or comments from the Board?

23 COMMISSIONER DAVIS: I have a comment, Chairman  
24 Ferraro.

25 Just wanted to say, I was at the Sacramento County

1 Fair and saw all the handwashing stations and was very  
2 impressed, and people were using them, I was very happy to  
3 see that, and they had quite a crowd. Things look good, so  
4 welcome back.

5 MR. PICKERING: Thank you.

6 CHAIR FERRARO: Anyone else?

7 EXECUTIVE DIRECTOR CHANEY: How's the track? I  
8 mean, I know it's been two years since we've run  
9 thoroughbred on it. Is it -- are you pretty satisfied that  
10 it's in good shape?

11 MR. SWARTZLANDER: Well, after \$60,000 worth of  
12 amendments and putting up the rail, it's in excellent shape.

13 EXECUTIVE DIRECTOR CHANEY: Great. Thanks Larry.

14 CHAIR FERRARO: Thank you, gentlemen.

15 We're going to take some public comment now.

16 Heather Wilson, please come to the mic.

17 MS. WILSON: I'm coming. I'm coming.

18 CHAIR FERRARO: Well, we'll wait for you, no  
19 worry.

20 MS. WILSON: Thank you. We're on seven; right?

21 CHAIR FERRARO: Yes.

22 MS. WILSON: Okay, regarding Cal Expo, let's  
23 remember High Fidelity, a mare who was born in 2008 who  
24 perished at Cal Expo due to something neurologically  
25 related. She was callously listed as a scratch on the day

1 she died, January 14th, because she was sick. The CHRБ did  
2 not even have the decency to spell her name correctly on the  
3 fatalities list but that has since been corrected.

4 This license should not be granted because Cal  
5 Expo, just like every other so-called sanctioned race  
6 course, is abusing and losing track of horses.

7 Hold On We're Rolling is a gelding born in 2013.  
8 He's listed as scratched because it was injured on three  
9 occasions, yet he is not on either CHRБ vet list, February  
10 12th, February 27th. He's then raced on April 15th, earning  
11 a whopping \$160. Then he's scratched due to being injured  
12 again on April 22nd.

13 Then there is still the question of DIS, is  
14 distanced. So if the chart writer cannot enter a finish  
15 time, why isn't the horse pulled up, DNF?

16 Mystical Storm is a gelding born in 2016. He's  
17 listed as a DIS with no finish time, January 21st, January  
18 30th, March 4th. He's then dumped at Running Aces Casino on  
19 Minnesota, almost 2,000 miles away. He's raced on May 31st  
20 and again, big surprise, listed as DIS, distanced. So why  
21 is California shipping a Standardbred who is clearly  
22 unwilling and/or unable to race? Why not retire this poor  
23 gelding? And Mystical Storm has a previous history on his  
24 racing charts listed as DIS in 2020 and in 2021. This horse  
25 needs to be retired.

1 CHAIR FERRARO: Thank you. Anyone else? No.

2 Okay, can we entertain a motion from the Board?

3 VICE CHAIR GONZALES: Gonzales moves.

4 COMMISSIONER DAVIS: Davis seconds.

5 CHAIR FERRARO: Davis. Commissioner Davis, your  
6 vote?

7 COMMISSIONER DAVIS: Yes.

8 CHAIR FERRARO: Commissioner Castellanos?

9 COMMISSIONER CASTELLANOS: Yes.

10 CHAIR FERRARO: Commissioner Gonzales?

11 VICE CHAIR GONZALES: Yes.

12 CHAIR FERRARO: Commissioner Alfieri?

13 COMMISSIONER ALFIERI: Yes.

14 CHAIR FERRARO: Commissioner Hudnut?

15 COMMISSIONER HUDNUT: Yes.

16 CHAIR FERRARO: And the Chairman votes yes.

17 Moving on to item number eight, discussion and  
18 action by the Board on the approval for the distribution of  
19 market access fees from advanced deposit wagering placed by  
20 California residents on all live and imported races hosted  
21 by the signatory racing associations for the period June  
22 17th, 2022, through December 31st, 2022 for a distribution  
23 that would otherwise be payable as purses and commissions to  
24 cover the assessments as allocated to each signatory racing  
25 association, pursuant to the Horse Racing Integrity and

1 Safety Act of 2020, HISA, for calendar year of 2022 as  
2 permitted under Business and Professions Code section  
3 19604(f)(5)(E).

4 MR. RUBENSTEIN: So Josh Rubenstein again, Del Mar  
5 Thoroughbred Club, just to add some context.

6 As is the case with cost to operate the CHRB,  
7 stakeholders in California are responsible for our allotment  
8 for HISA expenses. And in 2022, that's approximately \$1.5  
9 million.

10 So what the stakeholders are requesting, and this  
11 is similar to how we fund the additional funding for the  
12 CHRB budget, is to take, Chairman, as you said, monies, in-  
13 state ADW monies that otherwise would be distributed to  
14 purses and commissions to pay for our HISA costs.

15 CHAIR FERRARO: And this is in agreement between  
16 all the racing associations and the Board; is that correct?

17 MR. RUBENSTEIN: Correct. Yes. The agreement  
18 that's in front of you includes estimated percentages of  
19 California ADW handle needed to cover the HISA assessment  
20 for each host and, if approved, will be effective from June  
21 17th through December 31st, 2022.

22 CHAIR FERRARO: Any questions from the Board?  
23 None?

24 No public comment?

25 Thank you, Josh.

1 Can we have a motion?

2 COMMISSIONER HUDNUT: So moved. Hudnut.

3 CHAIR FERRARO: Second?

4 COMMISSIONER CASTELLANOS: Second. Castellanos.

5 CHAIR FERRARO: Commissioner Davis?

6 COMMISSIONER DAVIS: Yes.

7 CHAIR FERRARO: Commissioner Castellanos?

8 COMMISSIONER CASTELLANOS: Yes.

9 CHAIR FERRARO: Commissioner Gonzales?

10 VICE CHAIR GONZALES: Yes.

11 CHAIR FERRARO: Commissioner Alfieri?

12 COMMISSIONER ALFIERI: Yes.

13 CHAIR FERRARO: Mr. Hudnut?

14 COMMISSIONER HUDNUT: Yes.

15 CHAIR FERRARO: And the Chairman votes yes.

16 Moving on to item number nine, discussion and

17 action by the Board on the approval for the distribution of

18 market access fees from advanced deposit wagering, placed by

19 California residents on all live and imported races hosted

20 by the signatory racing associations for the period July 1,

21 2022, through June 30th, 2023 for a distribution that would

22 otherwise be payable to purses, breeders, and track

23 commissions to supplement funding for CHRB Board Support as

24 permitted under Business and Professions Code section

25 19604(f) (5) (E).

1 Josh, do you want to make a comment on it or are  
2 you good with it?

3 MR. RUBENSTEIN: I don't have to. Are there any  
4 questions?

5 EXECUTIVE DIRECTOR CHANEY: Yeah, I mean, this is  
6 the same principal use of market access fees. And for this  
7 one, it needs approval by the Board in order to fund us for  
8 the coming fiscal year.

9 CHAIR FERRARO: All that big money we get.

10 MR. RUBENSTEIN: Yeah.

11 CHAIR FERRARO: We need to pass this.

12 MR. RUBENSTEIN: And this is simple a continuation  
13 of what we've done for the last several years, again, taking  
14 in-state ADW money that otherwise would go to purses and  
15 commissions to help fund the budget of the CHRB.

16 CHAIR FERRARO: Yeah. Okay. Great. Thanks.

17 Questions? No more questions from the Board?

18 Public comment? No. Thank you.

19 Can I have a motion?

20 COMMISSIONER ALFIERI: I'll make a motion.

21 CHAIR FERRARO: Second?

22 COMMISSIONER HUDNUT: Second.

23 CHAIR FERRARO: Commissioner Davis?

24 COMMISSIONER DAVIS: Yes.

25 CHAIR FERRARO: Commissioner Castellanos?

1 COMMISSIONER CASTELLANOS: Yes.

2 CHAIR FERRARO: Commissioner Gonzales?

3 VICE CHAIR GONZALES: Yes.

4 CHAIR FERRARO: Commissioner Alfieri?

5 COMMISSIONER ALFIERI: Yes.

6 CHAIR FERRARO: Commissioner Hudnut?

7 COMMISSIONER HUDNUT: Yes.

8 CHAIR FERRARO: And the Chairman votes yes.

9 Moving on to item number ten, discussion and  
10 action by the Board on the approval of the Fiscal Year 2022  
11 to 2023 agreement providing funding for CHRB Board support.

12 MR. RUBENSTEIN: So each year the stakeholders  
13 work with the CHRB in terms of how we fund the budget.  
14 Again, as I mentioned earlier, the stakeholders are  
15 responsible to fund the full CHRB budget. That's projected  
16 to be a little over \$17.4 million. So in our package is the  
17 formula to fund that budget or Fiscal '22-23.

18 CHAIR FERRARO: Great. Thank you.

19 Questions or comments from the Board? None?

20 Do we have public comment on this? No?

21 Can I have a motion?

22 COMMISSIONER HUDNUT: So moved.

23 COMMISSIONER DAVIS: Davis.

24 CHAIR FERRARO: Second?

25 COMMISSIONER DAVIS: Davis seconds.

1 CHAIR FERRARO: Commissioner Davis?

2 COMMISSIONER DAVIS: Yes.

3 CHAIR FERRARO: Commissioner Castellanos?

4 COMMISSIONER CASTELLANOS: Yes.

5 CHAIR FERRARO: Commissioner Gonzales?

6 VICE CHAIR GONZALES: Yes.

7 CHAIR FERRARO: Commissioner Hudnut?

8 COMMISSIONER HUDNUT: Yes.

9 CHAIR FERRARO: Commissioner Alfieri?

10 COMMISSIONER ALFIERI: Yes.

11 CHAIR FERRARO: And the Chairman votes yes.

12 Moving on to item number 11, the most exciting  
13 part of the meeting, it's the Executive Director's Report.

14 EXECUTIVE DIRECTOR CHANEY: Thank you, Mr.  
15 Chairman, and good morning Commissioners.

16 I will begin with handle report. For the month of  
17 May, day racing was down seven percent on four less  
18 programs, night racing was down 21 percent on the same  
19 number of programs, and total handle was down eight percent  
20 compared to May of 2021. Year to date through May 31st,  
21 night racing was down 12 percent, day racing was even, and  
22 total handle was down two percent as compared to the first  
23 five months of 2021.

24 As the Board is well aware, the HISA Authority  
25 Safety Regulations go into effect on July 1st. Over the

1 past few months, and particularly in the last few weeks, the  
2 CHRB and the Authority, as well as stakeholder groups, have  
3 worked hard to create a smooth transition. The CHRB has  
4 created a HISA tab on our website and have sent three direct  
5 communications to licensees and stakeholders highlighting  
6 the differences between California rules and the Authority  
7 rules. Another is planned next week.

8 I have participated on calls with HISA leadership,  
9 arranged by Del Mar, and another one by the CTT, to work  
10 through stakeholder concerns and questions. Del Mar and Los  
11 Alamitos have indicated that they have established computer  
12 terminals to help licensees register with the Authority.  
13 And The Stronach Group's track physician at Golden Gate  
14 Field, Dr. Seftel, has performed baseline concussion  
15 assessments as required by the Authority at Golden Gate last  
16 week and will be at Santa Anita this week.

17 Additionally, the CHRB, with the leadership of  
18 Chief Steward Darrel McHargue and Chief Official  
19 Veterinarian Dr. Tim Grande, held meetings with California  
20 stewards and regulatory veterinarians respectively to  
21 discuss changes under HISA as both groups will be burdened  
22 with enforcing many of the new regulations.

23 Overall, I believe that California is well  
24 positioned for the July 1st effective date. But,  
25 undoubtedly, there will be some growing pains associated

1 with the new federal oversight.

2 I encourage licensees with questions to reach out  
3 to your stakeholder group representatives, utilize the HISA  
4 tab on our website, and to ask questions directly through  
5 our public inquiries email box.

6 Lastly, I'd like to thank OV, Official  
7 Veterinarian, Dr. Alina Vale, and Los Alamitos and others  
8 who organized a seminar regarding lumbar fractures in  
9 Quarter Horses last -- this past Tuesday as Los Alamitos.  
10 The latest information and research in this area were  
11 supplied to veterinarians and horsemen. Approximately 65  
12 people were in attendance. The talk will be posted as a  
13 webinar on Horsemen's U. And trainers will receive CE  
14 credit for viewing it.

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

16 CHAIR FERRARO: Thank you very much.

17 Any comments or questions from the Board? None?

18 Do we have public comment on it?

19 Heather Wilson.

20 MS. WILSON: Hello again. So this is -- I have a  
21 question for Mr. Chaney.

22 When are you going to update the vet lists?  
23 Because the Simo-Central and the vet list on the CHRB  
24 website are completely not codified. And when you refer  
25 people to one list, it's not communicating with the other.

1           The other problem is that there are no harness  
2 horses on Simo-Central. And then if you go to the CHRB vet  
3 list the search engine option does not work. You cannot  
4 search for a horse based on his or her name. You cannot  
5 search based on racetrack or facility. You can only search  
6 by date, and that lists everything chronologic, or you can  
7 punch in horse and then it lists every single horse  
8 alphabetically. So, I mean, that's kind of sloppy  
9 recordkeeping. And we've been asking about this for a long  
10 time.

11           The other issue, we've been asking about missing  
12 horses for quite some time and we never get answers. So in  
13 a recent *Thoroughbred Daily News* they discuss the HISA or  
14 HISA, however you say it, Whereabouts Program. And I quote,  
15           "In the first phase, responsible persons are required  
16 to submit a whereabouts filing if they remove a horse  
17 from a racetrack or registered facility."

18           So my question is: How are the CHRB going to be in  
19 compliance with the HISA Whereabouts Program if we can't  
20 even find a horse on the vet list? Neither one of those vet  
21 lists work. They're completely outdated and they're not  
22 codified.

23           CHAIR FERRARO: We don't answer questions. I'm  
24 sorry.

25           MS. WILSON: Of course you don't. Thank you.

1 CHAIR FERRARO: We don't need a vote on this, so  
2 we move on to number 12, which is a public comment period.  
3 So anyone wishing to speak to us can do so now.

4 Is it Tweed Conrad? I'm sorry, I'm --

5 MS. CONRAD: So I just learned that you don't  
6 answer questions but I'm going to ask anyway.

7 This question is for Dr. Ferraro. I'd like to  
8 know when a horse's body, bones, and skeleton fully develop  
9 and the bone is no longer soft?

10 And I'm wondering why you don't answer. Is it  
11 policy of the Board that the public --

12 CHAIR FERRARO: Policy of the Board. Sorry.

13 MS. CONRAD: Okay. Well, all veterinary text  
14 books, schools, and equine veterinarians not connected to  
15 the horse racing industry agree that a horse's body and  
16 bones are still soft and not fully developed until between  
17 ages four and six. Under your tenure, Dr. Ferraro, at UC  
18 Davis, articles were published that attest and the fact that  
19 a horse still has its baby teeth until age five.

20 So given these hard facts, it follows that no  
21 adolescent horses under the age of four should be allowed  
22 into hard racing and training, especially since your annual  
23 equine postmortem report consistently contains the  
24 statement, and I quote,

25 "Musculoskeletal injuries are the most common cause of

1 fatalities at CHRB facilities, consistently around 80  
2 percent of all fatalities."

3 Therefore, I'm requesting that the CHRB instate a  
4 requirement that all horses under your purview and care be  
5 at least four years of age before being allowed to race.  
6 Would you please consider this?

7 Thank you.

8 CHAIR FERRARO: Thank you. Ashley Lewis? Yeah.  
9 Yeah. Save the best for last.

10 MS. LEWIS: Hi. My name is Ashley and I've joined  
11 on a teleconference before but it's my first time being here  
12 in person, so I appreciate you having me.

13 I wanted to comment as a concerned citizen on some  
14 of the shady measures that are being used to artificially  
15 lower the death count on horses in California. For this  
16 comment, I pulled some examples of missing horses from Del  
17 Mar.

18 It seems Del Mar is getting better at hiding the  
19 body. On 07/18/21, Contagion, a five-year-old gelding, was  
20 pulled up, vanned off, still MIA as of June 8th.

21 On 11/04/21, Prudent, a four-year-old mare, placed  
22 second-to-last and vanned off, still MIA as of May.

23 On November 13th, '21, De Kind (phonetic), same  
24 story, pulled up, vanned off, still MIA as of June 8th.

25 There are others who are seriously injured and

1 moved out of California, like Twilight Rider, dumped in  
2 Arizona, Kershaw (phonetic) trafficked to Oaklawn, then  
3 Belmont, Established, trafficked to Oaklawn, then Churchill.  
4 It's unethical and unspeakable to continue to grant tracks,  
5 like Del Mar, with licenses while simultaneously deceiving  
6 the general public who deserve to have accurate lists of the  
7 horses that have died at the hands of California tracks.

8 Thank you.

9 CHAIR FERRARO: Thank you. Heather Wilson?

10 MS. WILSON: A little bit more on Del Mar. The  
11 so-called safest track in America is also involved in the  
12 trafficking of horses.

13 Ms. Michelle was a three-year-old bay filly,  
14 foaled in California. Her first start was at Del Mar. She  
15 placed second to last, was never a factor. She was  
16 downgraded to Los Al thoroughbreds, placing seventh out of  
17 ten with no impact. She got one more chance at Santa Anita,  
18 finishing eighth out of ten. And the chart says, "She came  
19 up empty." Three months later she pops up in Arizona. Ms.  
20 Michelle broke her maiden on her eighth start and that was  
21 her only career win. She remained in Arizona, entered in  
22 claiming race after claiming race. On 02/09/22, she suffers  
23 a catastrophic injury at Turf Paradise, more like Turf Hell,  
24 and is euthanized.

25 Cielo d'Oro was another three-year-old bay filly.

1 Her sad story of trafficking involves many more miles. She  
2 was foaled in Ontario, started her so-called career in  
3 California, two starts at Del Mar, four at Santa Anita, back  
4 to Del Mar for one more race, and she still had not broken  
5 her maiden. From San Diego, she was shipped over 4,000  
6 miles to Ontario and ran four times at Woodbine. From  
7 Canada, she then made the arduous journey from Florida,  
8 running once at Gulfstream but then dumped at Tampa Bay  
9 Downs, still a maiden. On 02/12/22, she suffers a  
10 catastrophic injury. Her front ankle is snapped and  
11 dangling. But she knew what was expected of her and she  
12 hobbled across the finish line. The poor filly was  
13 suffering unspeakably.

14 Ms. Michelle and Cielo de Oro were two young  
15 fillies who started out at Del Mar. They were not good  
16 enough to run in California and were then trafficked  
17 thousands of miles out of state. This happens every single  
18 year. These horses that you claim to love like family are  
19 dumped in claiming race after claiming race, crossing state  
20 lines. How many more horses will Hell Mar chew up and spit  
21 out?

22 CHAIR FERRARO: Thank you. Now that ends our  
23 public commenters.

24 The Board will now go into executive session --  
25 closed session for the purpose of receiving advice from

1 Counsel, considering pending litigation, reaching decisions  
2 on administrative licensing and disciplinary hearings,  
3 personnel matters, as authorized by section 11126 of the  
4 Government Code.

5           So the Board will now go into executive session.  
6 At its conclusion, we will reconvene the public meeting for  
7 the sole procedural purpose of adjourning the public meeting  
8 without further comment. Anyone wishing to hear that  
9 meeting adjournment can use the link to audio webcast on the  
10 CHRFB website or remain in the meeting room area until the  
11 Board returns from closed session for adjournment.

12           In this situation, we're going to have to have the  
13 closed session in this area, so we will ask the public to  
14 please leave. Thank you very much for attending.

15           (The California Horse Racing Board  
16 recessed into closed session at 10:30 a.m.)

17           CHAIR FERRARO: We'd like to have a motion to  
18 adjourn the meeting, please.

19           COMMISSIONER HUDNUT: So moved.

20           CHAIR FERRARO: Second?

21           COMMISSIONER ALFIERI: Second.

22           CHAIR FERRARO: Commissioner Davis?

23           COMMISSIONER DAVIS: Yes.

24           CHAIR FERRARO: Commissioner Castellanos?

25           COMMISSIONER CASTELLANOS: Yes.

1 CHAIR FERRARO: Commissioner Gonzales?

2 VICE CHAIR GONZALES: Yes.

3 CHAIR FERRARO: Commissioner Alfieri?

4 COMMISSIONER ALFIERI: Yes.

5 CHAIR FERRARO: Commissioner Hudnut?

6 COMMISSIONER HUDNUT: Yes.

7 CHAIR FERRARO: The Chairman votes yes. The  
8 meeting is adjourned. Thank you.

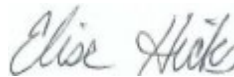
9 (The regular meeting of the California Horse Racing Board  
10 adjourned at 11:16 a.m.)  
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## CERTIFICATE OF REPORTER

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were reported by me, a certified electronic court reporter and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

IN WITNESS WHEREOF, I have hereunto set my hand this 22nd day of June, 2022.



ELISE HICKS, IAPRT CERT\*\*2176

## CERTIFICATE OF TRANSCRIBER

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were transcribed by me, a certified transcriber and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

I certify that the foregoing is a correct transcript, to the best of my ability, from the electronic sound recording of the proceedings in the above-entitled matter.



MARTHA L. NELSON, CERT\*\*367

June 22, 2022