



APPEARANCES

BOARD MEMBERS

Gregory Ferraro, Chairman

Oscar Gonzales, Vice Chair

Alex Solis, Commissioner

Wendy Mitchell, Commissioner

Dennis Alfieri, Commissioner

Damascus Castellanos, Commissioner

Brenda Washington Davis, Commissioner

STAFF

Scott Chaney, Executive Director

Cynthia Alameda, Assistant Executive Director

Robert Brodnik, General Counsel

Amanda Brown, Staff Counsel

Amanda Drummond, Policy, Regulations, and Administrative  
Hearings Manager

Shawn Loehr, Chief of Licensing and Enforcement

Darrel McHargue, Chief Steward

Rick Arthur, Equine Medical Director

Zachary Voss, Regulation Analyst

Mike Marten, Associate Analyst

ALSO PRESENT

Cory Soltau, Arabian Racing Association of California

Rick Pickering, California Exposition and State Fair

APPEARANCESALSO PRESENT

Larry Swartzlander, California Authority of Racing Fairs

Patrick Mackey, Golden Gate Fields

Mike Brown, Arabian Racing Association of California

Greg Avioli, Thoroughbred Trainers of California

Eric Sindler, The Stronach Group

Nate Newby, Santa Anita Park

Dionne Benson, Santa Anita Park

Josh Rubenstein, Del Mar Thoroughbred Club

Joe Harper, Del Mar Thoroughbred Club

Tom Robbins, Del Mar Thoroughbred Club

David Jenkins, Del Mar Thoroughbred Club

Craig Dato, Del Mar Thoroughbred Club

Alan Balch, California Thoroughbred Trainers

PUBLIC COMMENT

Terry Eaton, Arabian Racing Association of California

Liz Jacobelly

Jane Cartmill

Martha Sullivan

Jim Coleman, Del Mar Village Association

Wayne Johnson

Patty Shenker

Bonnie Croker

APPEARANCES

PUBLIC COMMENT

Kimberly Marrs, KTM Equine

Andrew Lesser

KC Zafiabis

Oscar de la Torre

Maria Luisa

Lynn Frudenberg

Nick Cosado

Mary Johnson

Elvia Sedano

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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.
14. Closed Session: For the purpose of receiving 154  
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

9:35 A.M.

TELECONFERENCE, WEDNESDAY, JUNE 16, 2021

CHAIR FERRARO: This is the noticed meeting of the California Horse Racing Board conducted by teleconference pursuant to Executive Order N-29-20.

Participating in this meeting are: myself, Dr. Gregory Ferraro, Chair; Mr. Oscar Gonzales, Vice Chair; Mr. Dennis Alfieri, Commissioner; Mr. Damascus Castellanos, Commissioner; Ms. Brenda Washington Davis, Commissioner; Ms. Wendy Mitchell, Commissioner; and Mr. Alex Solis, Commissioner.

We are joined by: Scott Chaney, Executive Director; Cynthia Alameda, Assistant Executive Director; Robert Brodник, Chief Counsel; Amanda Brown, Staff Counsel; Amanda Drummond, Manager of Policy and Regulations; Shawn Loehr, Chief of Licensing and Enforcement; Darrel McHargue, Chief Steward; Zachary Voss, Regulations Analyst; and Dr. Rick Arthur, Equine Medical Director.

The Board invites comments 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 comment, not

1 questions. Those wishing to speak must follow the  
2 directions of the operator to have their individual phone  
3 lines open for comment.

4           Unsolicited speakers are limited to two minutes.  
5 During all public comments, a bell will be rung after the  
6 first 90 seconds, meaning the speaker will have 30 seconds  
7 remaining to conclude his or her remarks. At two minutes a  
8 more distinctive sound will be heard to indicate the  
9 speaker's time is up. The Board may ask questions of  
10 individuals who speak which may extend their two-minute time  
11 limit.

12           I will insist that all speakers stay strictly on  
13 topic for each agenda item. If a speaker strays off topic,  
14 I will ask the operator to move on to the next caller. If  
15 the speaker repeats himself or herself, I will ask if the  
16 speaker has any new comments to make. If there are none,  
17 the speaker will be to let others make comments to the  
18 board.

19           If anyone has comments of a more general nature  
20 that are not specific to earlier agenda items, those  
21 comments must wait until agenda item number 11, Public  
22 Comments. There will be a 30-minute time limit for the  
23 public comment. In order to allow as many individuals to  
24 speak as possible within that half-hour, I will strictly  
25 enforce the two-minute time limit for each speaker.

1           And with that, I'll open the meeting with a  
2 request for a motion to approve the minutes.

3           COMMISSIONER DAVIS: Davis.

4           COMMISSIONER CASTELLANOS: Castellanos' motion.

5           CHAIR FERRARO: The motion has been made and  
6 seconded.

7           Commissioner Alfieri?

8           COMMISSIONER ALFIERI: Yes.

9           CHAIR FERRARO: Commissioner Castellanos?

10          COMMISSIONER CASTELLANOS: Yes.

11          CHAIR FERRARO: Commissioner Davis?

12          COMMISSIONER DAVIS: Yes.

13          CHAIR FERRARO: Commissioner Mitchell?

14          COMMISSIONER MITCHELL: Yes.

15          CHAIR FERRARO: Commissioner Solis?

16          COMMISSIONER SOLIS: Yes.

17          CHAIR FERRARO: Commissioner Gonzales?

18          VICE CHAIR GONZALES: Yes.

19          CHAIR FERRARO: And the Chair votes yes. The  
20 motion is approved.

21                 We move on to item number two, report from the  
22 Pari-Mutuel and Wagering Committee. That's Chairman [sic]  
23 Alfieri and Chairman [sic] Castellanos. Can you inform the  
24 Board of your meeting yesterday?

25           COMMISSIONER ALFIERI: Yes. Dennis Alfieri.

1 Commissioner Castellanos and I convened a  
2 teleconference Pari-Mutuel and Wagering Committee yesterday.

3 There was only one discussion item, a proposal by Larry  
4 Swartzlander of the California Authority of Racing Fairs, in  
5 partnership with Mike Knapp of Calypso Challenge, to offer  
6 fantasy sports wagering to customers are horse racing  
7 wagering sites. A similar suggestion came before the Pari-  
8 Mutuel Committee back in 2015 but it never went anywhere.  
9 Now they are back to try again with a new plan.

10 In a nutshell, fantasy sports wagering requires  
11 entrants of a select groups of athletes who will be playing  
12 in a set number of games. Athletes earn points based on  
13 their performances in those games. The entrants whose group  
14 of athletes earns the most points will be the winner.

15 Here's where the difference is. In a new wrinkle  
16 for fantasy sports wagering, CARF and Calypso want to make  
17 theirs a pari-mutuel wagering contest which, to the best of  
18 our knowledge, would be the first.

19 To be clear, CARF was not asking the CHRB for  
20 authorization to implement this program. They believe they  
21 have the right to do so with or without our approval. And to  
22 that point, Scott and our legal team, Scott Chaney and our  
23 legal team, believe that the CHRB does not have authority to  
24 either grant or deny approval for such an activity. It  
25 seems CARF brought this before us in hope of getting our

1 blessing but seems determined to move forward regardless.

2 Our Chief Counsel, Robert Brodник, expressed  
3 concern about their plan to use CHRB licensed pari-mutuel  
4 clerks to pull double duty, so to speak, and accept wagers  
5 on fantasy sports, along with regular wagers on horse  
6 racing. He expressed a similar concern about their plans to  
7 use AmTote to process their fantasy sports wagers, the  
8 concern being that the CHRB approved AmTote as the state's  
9 totalizator company. So this would entail AmTote processing  
10 CHRB-approved pari-mutuel wagering on horses while also  
11 processing non CHRB-approved pari-mutuel wagering on sports.

12 CARF intends to begin offering fantasy sports  
13 wagering on -- at 19 satellite sites beginning August 18th  
14 for the start of the NFL season. At this point, they have  
15 not indicated an intent to include horse racing, per se, in  
16 their fantasy sports' menu.

17 The Committee took no action on this as none was  
18 requested. This was more of an informative discussion by  
19 the proposers of this new plan.

20 Damascus -- Commissioner Castellanos, do you want  
21 to add anything to my remarks?

22 COMMISSIONER CASTELLANOS: The only thing that I  
23 can add is or that I think should be added is that there was  
24 many questions of discussion regarding the income, the  
25 funds, and regarding what we regulate as the CHRB in the

1 horse racing industry versus what they want to do, so that  
2 discussion came up. And there was a lot of open-ended  
3 answers. And we feel that, you know, they just, just like  
4 Dennis said, they brought it to us as just letting us know  
5 that, what their intent is. We just need to figure out on  
6 our end if there's anything that we need to do, but  
7 that's -- Rob and Scott and them are working on that.

8 That's about it.

9 COMMISSIONER ALFIERI: Mr. Chairman, my plan, as  
10 an example, for any of us, to look to see what they plan and  
11 how it will operate, my plan is to go in August when they do  
12 open and see for myself. They're promoting the best one to  
13 see this live is at Lake Perris at their sports facility  
14 there, which is, you know, a wagering offsite. So I plan to  
15 do that. And I encourage any members of the Commission and  
16 staff members to eventually, you know, stop and see what  
17 they are doing. Because I think, in the future, we will be  
18 dealing with this sooner than we think, so -- with horse  
19 racing being involved in this.

20 So that's all I have to report, Mr. Chairman. Any  
21 questions from anyone?

22 CHAIR FERRARO: Mr. Chaney or Rob, do you have  
23 comments about this? Do you want to --

24 EXECUTIVE DIRECTOR CHANEY: This is --

25 CHAIR FERRARO: -- (indiscernible)?

1 EXECUTIVE DIRECTOR CHANEY: Yeah. Thank you, Mr.  
2 Chairman. This is Scott Chaney, Executive Director.

3 Yeah, I think that Commissioner Alfieri  
4 encapsulated it pretty well. I think it's fair to say that  
5 Staff has -- I think the concerns center around two things.  
6 One is cannibalization, and that might be more fleshed out  
7 by other stakeholders, that is how much, if at all, will  
8 this take away from horse racing dollars? And then probably  
9 more important, from a Staff perspective, is legality.

10 I mean, to be clear, we don't see anything in the  
11 law that prevents this kind of pari-mutuel fantasy wagering.  
12 We also don't see anything in the law that allows for it.  
13 So I think it's fair to say that it's very murky legally.

14 What we do believe, however, is that the CHRB has  
15 the authority to regulate pari-mutuel horse racing and not  
16 the authority to regulate some pari-mutuel -- any other kind  
17 of wager. So definitely a fair amount of concern.

18 And then the second piece with the sort of  
19 legality would be how it sort of works mechanically with --  
20 like side by side with the parts that the California Horse  
21 Racing Board does regulate?

22 So those are kind of my initial comments. It  
23 seemed like the mechanics, all the logistics, were not super  
24 well fleshed out. I'm a little skeptical that it will be  
25 ready for prime time in a month-and-a-half, simply because

1 they didn't really have answers with respect to, you know,  
2 whether pari-mutuel clerks will be used, which is a good  
3 thing from a labor perspective but also confusing when  
4 they'll be taking wagers that we regulate and wagers that we  
5 don't regulate, and how money will work, whether it's  
6 comingled and, you know, how it kind of works with the tote  
7 system.

8           So definitely, I think it's fair to say that Staff  
9 has a few concerns regarding this program.

10           CHAIR FERRARO: So if we don't regulate it, who  
11 does?

12           EXECUTIVE DIRECTOR CHANEY: Yeah, that's an  
13 excellent question. I mean, the Gaming Commission, of  
14 course, exists. But again, since it's not specifically  
15 allowed by law, I think it's fair to say that it's unclear  
16 who regulates it. Five years ago, you know, fantasy  
17 wagering by the large companies, FanDuel, DraftKings, and a  
18 panoply of smaller ones now, were kind of just getting  
19 started. But be clear that they don't take pari-mutuel  
20 fantasy wagers. They do it based on an entry fee. So this  
21 would be kind of an expansion of that which kind of makes me  
22 nervous legally.

23           But to answer your question, it's unclear who  
24 would regulate this particular activity, if anyone.

25           CHAIR FERRARO: And I noticed that, I mean, they

1 talk about our pari-mutuel clerks taking the bets, but it's  
2 also mentioned in their information that, perhaps, they  
3 would use a separate set of clerks to take the wagering if  
4 pari-mutuel clerks couldn't handle it. I mean, I wonder  
5 what the union -- is there any input from the unions about  
6 this?

7 EXECUTIVE DIRECTOR CHANEY: There was yesterday.  
8 And I don't mean to -- Commissioner Alfieri, if he wants to  
9 jump in? But the union representative did speak up.  
10 They're all for the plan to the extent that, you know, union  
11 clerks are used. I think it's fair to say, and I don't  
12 think I'm speaking out of turn for Troy from yesterday, that  
13 should union clerks not be used they'd be strongly against  
14 it.

15 COMMISSIONER ALFIERI: Right.

16 COMMISSIONER CASTELLANOS: Mr. Chairman --

17 COMMISSIONER ALFIERI: Exactly.

18 COMMISSIONER CASTELLANOS: -- this is Damascus.  
19 Mr. Chairman, so what -- part of the discussion on that, one  
20 of the questions that was asked, is that how would it create  
21 jobs? Because that's one of the documents that said that.  
22 And what came up in that discussion is that it would be an  
23 extra task for that mutuel clerk to be doing. So the  
24 discussion between the mutuel's union and Swartzlander was  
25 that, you know, they would probably be creating jobs because

1 there would be an extra task for them, and not that it would  
2 be a separate person. It would be an extra task for that  
3 current employee that's there, or current mutuel clerk.

4 CHAIR FERRARO: Okay. I have one last question  
5 and that is there's legislation pending to create sports  
6 betting at the major tracks in conjunction with the Indian  
7 tribes, which would be quite beneficial to racing in  
8 California, I think, and to the tracks. Is this activity  
9 going to interfere or cause problems with that legislation?

10 EXECUTIVE DIRECTOR CHANEY: Mr. Chairman, Scott  
11 Chaney, Executive Director, again. Unclear.

12 Well, first of all, there was legislation kind of  
13 proposed. That legislation is currently dead in the state  
14 legislature. It doesn't mean there couldn't be more  
15 proposed. Right now the proposal for sports gambling is on  
16 the -- is a referendum forum. And I think -- I hope I'm not  
17 speaking out of term, but it's qualified for the 2022 ballot  
18 in June, I think, but don't --

19 MS. BROWN: November.

20 EXECUTIVE DIRECTOR CHANEY: Oh, sorry. Amanda --  
21 Staff Counsel Amanda Brown is correcting me; November of  
22 2022. As far as I know that referendum includes sports  
23 wagering at racetracks but it does exclude the CARF and  
24 satellite wagering facilities.

25 CHAIR FERRARO: Okay. Any other Commissioners --

1 EXECUTIVE DIRECTOR CHANEY: To answer your  
2 question --

3 CHAIR FERRARO: -- wish to ask --

4 EXECUTIVE DIRECTOR CHANEY: -- it's sort of  
5 unclear if that would interfere or not. That's a hard  
6 question to answer, I think.

7 CHAIR FERRARO: Yeah. Okay.

8 Do any other Commissioners have questions about  
9 this?

10 Well, pursuant to Government Code 11125.7(a),  
11 public comment will not be permitted on this agenda item  
12 when an opportunity has been given at the Committee hearing  
13 for testimony on this item.

14 I would, however, like to get a feeling from the  
15 Commission whether they're inclined to be in favor of this  
16 proposal or against the proposal? So could I just -- rather  
17 than a vote, could I just take a poll of you and see what  
18 your feelings are?

19 Commissioner Gonzales?

20 VICE CHAIR GONZALES: I -- you know, in a word, in  
21 favor. I believe innovation is what's driving this. I feel  
22 technology, there's got to be a lot of backroom technology.

23 We are just probably at the end -- you know, let's just say  
24 the end-user component, and I think we have to be  
25 openminded. So I would be in favor.

1           The one thing that we always have the authority  
2 and the ability to do is to revisit and put the breaks. But  
3 I just think for purposes of, as was indicated, on the pari-  
4 mutuel front, it does create an extra set of clients that  
5 then end up looking at horse racing. I say it's worth a  
6 visit.

7           So, Mr. Chairman, I'm in favor of just the  
8 concept. Again, it's a concept that I think, you know, has  
9 some merit, yeah.

10           CHAIR FERRARO: Okay.

11           Commissioner Alfieri?

12           COMMISSIONER ALFIERI: Well, I'm all one for --  
13 I'm one for progress. So I, you know, as Commissioner  
14 Gonzales had just mentioned, I mean, I think it is a wave of  
15 the future. I think it will be interesting. We will, my  
16 guess is, we will have sports betting/wagering at our  
17 racetrack facilities eventually, gambling there, so it's  
18 just a matter of time. So I think, you know, implementing  
19 this, seeing how -- a wait and see right now, let's see how  
20 it works.

21           I think Commissioner Castellanos brought up a very  
22 good point of -- you know, with our pari-mutuel clerks. You  
23 know, can this -- can they handle this? Will it work  
24 smoothly? Will it? And I know there's backroom technology  
25 that will clear -- make it, you know, seamless, it would

1 seem, eventually, when they work out the kinks but I'm sure  
2 it will work. And monies will be accounted for. Can the  
3 CHRB benefit and can our racetrack facilities benefit,  
4 eventually, from this if they get involved?

5 So it will be -- again, it's a wait and see. I  
6 think it's a little premature right now but I would be  
7 supportive of it, so, yes.

8 CHAIR FERRARO: Okay. Thank you.

9 Commissioner Davis -- or Commissioner Castellanos,  
10 let's hear from you first.

11 COMMISSIONER CASTELLANOS: So, I mean, it's been  
12 said already, the concept -- and this is what the mutual  
13 clerks union said -- the concept sounds great. And if the  
14 concept works the way they want to do it, it's going to be  
15 fantastic. And it will bring jobs. And it will bring a  
16 different age group to the racing industry, the horse racing  
17 industry, as some of the online betting has done recently  
18 over the pandemic.

19 But again, you know, kind of reiterating what's  
20 been said already is that the concept, I'm all for. The  
21 advertisement of horse racing, I'm all for. And if it were  
22 to work out the way it -- you know, the way they talk about  
23 it working out, that would be great, so it would be a good  
24 thing for the industry.

25 And just to repeat what Oscar said is that, yes,

1 at CHRB, we do have the right to oversee it, especially if  
2 it's, you know, in the building that we have that oversight  
3 in. So I wouldn't have an issue with it as long as could --  
4 we have some type of oversight.

5 CHAIR FERRARO: Okay.

6 Commissioner Davis?

7 COMMISSIONER DAVIS: I'm inclined to be in favor  
8 of whatever will boost the handle and bring people back to  
9 the sport. So if this does have that effect and allow them  
10 to change the venue and improve the facilities in a way that  
11 it does attract a newer audience, an expanded audience, then  
12 I am in favor of it. And I will keep an eye out.  
13 Hopefully, they'll advertise it heavily. And I plan to take  
14 advantage of having a look. I see it's supposed to be  
15 provided in 19 locations in California, including  
16 Sacramento, so I'll be very interested in seeing how it  
17 looks as it -- when it goes live.

18 CHAIR FERRARO: Thank you.

19 Commissioner Mitchell?

20 COMMISSIONER MITCHELL: You know, everything's  
21 been said. Of course, if it's, you know, good for the  
22 industry, we're all for it. I don't know that we know  
23 enough or that it's legal, so I worry that it's going to get  
24 caught up in, you know, just in litigation, and I don't know  
25 what our role would be in that, so that's the only

1    trepidation I have.

2                   CHAIR FERRARO:  Commissioner Solis?

3                   COMMISSIONER SOLIS:  Yes, I'm in favor, too.  I  
4 mean, we're not doing much to help racing right now.  And  
5 this is a way to help the tracks and get something moving  
6 for racing.  Plus, it's going to provide jobs.  So I'm in  
7 favor.

8                   CHAIR FERRARO:  Okay.  The Chairman, while he's in  
9 favor generally of horse betting in conjunction with racing  
10 is probably the way to go, I do have, like Wendy, concerns.  
11 One, is it legal?  Two, I worry that the fact that we have  
12 no oversight of the program and we don't know who does, I'll  
13 just say controls, I just -- I'm concerned.  I have  
14 reservations because I think it's not been completely flushed  
15 out and completely planned.  I probably be more comfortable  
16 if this was proposed for 2022 and there was more  
17 information, more planning in place, and that we knew  
18 exactly what was going to happen.  So I don't want to say  
19 that I'm not -- that I disapprove but I have serious  
20 reservations of it, so that's where I'm coming from.

21                   With that, we can move on to item number three,  
22 which is discussion and presentation by the Arabian Racing  
23 Association of California regarding opportunities and the  
24 impact of 2021 dates and location proposals on Arabian  
25 racing in California.

1 I think we're going to hear from Cory Soltau. Is  
2 that the plan here?

3 CHAIR FERRARO: Mr. Soltau is the General Manager  
4 of the Arabian Association.

5 MR. SOLTAU: Thank you.

6 CHAIR FERRARO: Go ahead please.

7 MR. SOLTAU: Yes. Can you hear me now on this?

8 CHAIR FERRARO: Yes.

9 MR. SOLTAU: Is it coming through? Okay. Good.

10 CHAIR FERRARO: Yes.

11 MR. SOLTAU: Good morning, Commissioners. Yes.  
12 Thank you for including us on today's agenda to express our  
13 concerns regarding the proposed 2021 racing dates and  
14 locations.

15 One of our ARAC board members informed me that Mr.  
16 Swartzlander stated that two weeks of the California State  
17 racing dates will be transferred to Golden Gate Fields, and  
18 then all of the Sonoma County Fair dates will be transferred  
19 to Golden Gate Fields. We were also informed that no  
20 Arabian racing will be allowed during those dates, any of  
21 those dates. This would be a violation of law. Business  
22 and Professional Code section 19540 is very specific.

23 "In order to encourage," it says, "In order to  
24 encourage and develop the racing of all horses in  
25 California, regardless of breed, whenever a fair

1 conducts a program of horse racing on which there is  
2 pari-mutuel wagering the fair, so far as practicable,  
3 shall provide a program of racing that includes  
4 thorough racing, Quarter Horse racing, Arabian racing,  
5 and Appaloosa racing if a sufficient number of horses  
6 is available to provide competition in one or more  
7 races.”

8 To that end, ARAC has gone to great lengths to  
9 make sure that a sufficient number of horses will be  
10 available on those dates. We have several incentives that  
11 we have developed. Some of these include we subsidize  
12 purses. We offer to pay -- we have offered to pay the  
13 mandatory disability insurance for our out-of-state  
14 trainers. We've procured a significant amount of money,  
15 tens of thousands of dollars from the Middle East, breeders  
16 to fund our California Bonanza Stakes series. We also have  
17 Middle East money to subsidize our Sheikh Fatima Stakes.  
18 Plus, several of our ARAC members are committed to provide  
19 funds to increase some of those purses, specifically CARF  
20 has only given a minimum purse of \$3,000 for the Humboldt  
21 State County Fair -- excuse me, County Fair. And we plan to  
22 subsidize those purses to make that even worthwhile.

23 All of these incentives are offered to entice more  
24 Arabian owners and trainers to come race in California. As  
25 a result, we have horses coming from Washington, Oregon,

1 Texas, and New Mexico to race here. These efforts and  
2 committed by -- excuse me. These efforts and commitments by  
3 ARAC were based on the published and CHRB-approved 2021 fair  
4 race dates and locations. These were published in the CHRB  
5 November 19th, 2020 meeting minutes, the March 22nd --  
6 excuse me, 23rd, 2021 meetings, and is also included on the  
7 CHRB -- the current CHRB website.

8           Because of this, these Arabian owners and trainers  
9 have spent tens of thousands of dollars to transport  
10 themselves and their horses to California based on these  
11 published dates and locations, and they're -- they have  
12 already arrived. If Arabians are not allowed to race at  
13 Golden Gate Fields during these published fair dates, there  
14 would be significant financial impact.

15           One, we would not be able to race for four weeks.  
16 We would lose four weeks. And more significantly, too, we  
17 would have no place to stable during that time.

18           Second, the Middle East money would have to be  
19 returned and, probably, never reconsidered again.

20           Three, out-of-state trainers would leave  
21 California.

22           Number four, Bonanza Stakes series would be  
23 canceled and the nomination fees that have been accumulated  
24 would have to be returned.

25           Plus, there's thousands of dollars that the ARAC

1 has invested in these subsidies to pay for this disability  
2 insurance for our out-of-state trainers -- excuse me,  
3 Worker's Compensation.

4 This would be -- plus, this would be a severe blow  
5 to the integrity of Arabian racing in California in the  
6 future. ARAC is committed to bring more people back into  
7 the sport. And Arabian racing helps all racing, not just  
8 Arabian racing but thoroughbred racing as well. But the  
9 facts remain, these dates in question are fair dates. Fairs  
10 must be, by law, offered -- they must, by law, offer Arabian  
11 racing.

12 For all these reasons, both financial and legal,  
13 we are asking the CHRB Board continue to designate the  
14 California State Fair dates and the Sonoma Fair dates being  
15 held at Golden Gate Fields as fair dates. And as required  
16 by Business and Professional Code 19540, require that  
17 Arabian horses be permitted to participate in these races,  
18 just the same as if these races were being held at Cal Expo  
19 or at Santa Rosa at the Sonoma County Fair. This is a  
20 matter of law and the law must be followed.

21 With that, I think that ends my presentation. If  
22 I -- need any questions answered?

23 CHAIR FERRARO: Thank you.

24 Questions from the Board?

25 Mr. Chaney, do you have a comment on it?

1 EXECUTIVE DIRECTOR CHANEY: Yeah, just a  
2 clarification, Mr. Chairman, that is, so as you know, item  
3 number four, the next one, is actually a request for a  
4 reallocation from Cal Expo Fair to Golden Gate Fields. So  
5 those two, about which Dr. Soltau talked, would not be a  
6 fair. He is correct that Sonoma County is running their  
7 meet at Golden Gate Fields, at least that's how their  
8 application currently reads. So that law provision that he  
9 cited would apply to Sonoma County. Their fair application  
10 will be considered at the July meeting.

11 CHAIR FERRARO: Okay. Do we have a representative  
12 of Golden Gate Fields, and Mr. Swartzlander, that would wish  
13 to comment about this?

14 MR. MARTEN: We do, but Rick Pickering of the  
15 State Fair is in queue.

16 CHAIR FERRARO: Okay. Go ahead please.

17 MR. PICKERING: Yes. Good morning, honorable  
18 Chairman, distinguished Commissioners. I thank all of you  
19 for your ongoing and dedicated service to the people of our  
20 great state. The State Fair wishes to address, really, item  
21 number four and number nine. Somehow I got in the queue for  
22 number three, but I'm more than willing to hold my comments  
23 until we get to item four and nine.

24 CHAIR FERRARO: Please do. Please do. Let's  
25 attend to this item. Thank you.

1 Mr. Swartzlander, do you have some comments about  
2 this?

3 MR. SWARTZLANDER: This is Larry Swartzlander.

4 CHAIR FERRARO: Go ahead.

5 MR. SWARTZLANDER: I would just like to reiterate  
6 what the Executive Director said, Scott Chaney, that, you  
7 know, yes, by law, any fair dates that are run, we have to  
8 provide Arab races, which we do, as in the point of mules,  
9 also, which the mules have decided not to run this year. In  
10 the case of Santa Rosa where those dates are being Santa  
11 Rosa at Golden Gate, I think the law would apply there, but  
12 I'm not the attorney.

13 The dates that we, let's say, traded or put up for  
14 exchange for stabling, those dates are very clearly, just as  
15 they were last year when we transferred dates from fair  
16 dates. And this is all, obviously, because of the pandemic  
17 and the fairs were closed, that we used those as  
18 compensation for stabling, an auxiliary stable at Golden  
19 Gate, and to make it clear that, for example, this year, if  
20 we had not traded these two weeks, it would cost us  
21 approximately \$590,000 to Golden Gate for stabling. So  
22 there's a tremendous savings to the fairs in this capacity.

23 I broached the question to Patrick, the Racing  
24 Secretary at Golden Gate, if they would consider running the  
25 Arab races. But that's their decision since they are Golden

1 Gate dates and not fair dates.

2 Thank you.

3 CHAIR FERRARO: Do we have a representative of  
4 Golden Gate Fields that wish to chime in here?

5 OPERATOR: I have made Patrick Mackey's line, with  
6 Golden Gate Fields, live.

7 CHAIR FERRARO: Go ahead please.

8 MR. MACKEY: Hi. This is Patrick Mackey at Golden  
9 Gate Fields.

10 CHAIR FERRARO: Yes. Go ahead.

11 MR. MACKEY: To reiterate what Larry just said and  
12 what Mr. Chaney said, the meet that, hopefully, gets  
13 reallocated in item number four is, again, it's a PRA II  
14 meet. It is not going to be a fair meet. So when that  
15 question was broached to me it was we did not have interest  
16 in having Arab racing. We find it detrimental financially.

17 Now the Santa Rosa meet, obviously, that's a  
18 different question. As Mr. Soltau said, the law reads, "a  
19 sufficient number of horses." And I think that's a question  
20 that has to come up somewhere. They drew their first day of  
21 entries at Pleasanton yesterday. And the one race they took  
22 entries on, I believe, got three horses. So all these  
23 horses that came to train and get ready couldn't fill on day  
24 one in Pleasanton, so that would make me very nervous.

25 CHAIR FERRARO: Okay. Any questions from the

1 Board for any of these people?

2 MR. SOLTAU: Can I comment?

3 CHAIR FERRARO: Do we have any --

4 MR. SOLTAU: This is Cory Soltau again.

5 CHAIR FERRARO: Yeah. Yes.

6 MR. SOLTAU: Yeah.

7 CHAIR FERRARO: Go ahead please.

8 MR. SOLTAU: I think it's a little disingenuous to  
9 look at the entries that have come in. These entries --  
10 these people have been sitting here waiting to have some  
11 verification or commitment by CHRB and by the racing  
12 authorities to even race here. Now, COVID has, obviously,  
13 impacted everyone in the racing industry. But we've not --  
14 we've been sitting there, waiting for these horses. These  
15 horses weren't even allowed to come to California. The  
16 stabling wasn't even allowed until mid May, a lot of these  
17 horses. We don't have other tracks, like thoroughbreds do,  
18 to have -- to start our horses in training, so we rely on  
19 Pleasanton to come in.

20 So to say that yesterday's entries were  
21 reflective, you're right, there were only -- they may have  
22 been only three, which, obviously, it's not going to go.  
23 But that's not reflective of what we expect when we -- if we  
24 can get a commitment by this organization, we will have more  
25 horses come in. Because right now, people -- why would

1 people come all the way to this state if they only knew that  
2 they had three meets to --

3 (Overtalk.)

4 MR. SOLTAU: Excuse me?

5 CHAIR FERRARO: Well, go ahead.

6 MR. SOLTAU: Anyway, why would they want to come  
7 here if they only knew that there was a very limited time to  
8 race here, and with all of the expenses? Most of the -- in  
9 most years, and previously, these people came for a whole  
10 summer of racing in California because they knew that they  
11 had races, stabling, and a full summer of racing that they  
12 could invest in. With the proposal right now, we're -- we  
13 don't have any commitment that we would even have a place to  
14 stable our horses, let alone race. So there would be  
15 financial -- there is, already, financial impact.

16 As far as the -- I'm kind of curious about the  
17 negotiations that might have happened to make these a non-  
18 fair race dates, these two Sacramento dates that have been  
19 shifted over to Golden Gate, because we have no record of  
20 any sort of public entity -- or public discussion that would  
21 have involved Arabian racing. Obviously, this has a huge  
22 impact on us, and we're not included in this discussion. So  
23 everything that went on to decide this seems to have gone on  
24 behind closed doors without any consideration for what we  
25 would be -- of our impact on Arabian racing. So I find that

1 disconcerting and, also, a major concern.

2 I also have our attorney, Mr. Mike Brown, to  
3 comment a little bit on the legal aspects of what's  
4 happening, so may I put him on for one second?

5 CHAIR FERRARO: Go ahead please. Go ahead.

6 MR. BROWN: Hi. This is Michael Brown. I am the  
7 ARAC Treasurer. I also do the legal work for ARAC.

8 I'm concerned about whether or not Cal Expo, by  
9 giving up those dates, has received anything in return? Are  
10 they going to be getting any payment for this? Have they  
11 sold the dates or have they simply said, we're not racing,  
12 do what you want? I'd like to know if there was some kind  
13 of quid pro quo there? Because none of this was done in  
14 public, and the Brown Act requires these kinds of things to  
15 be done in public, and this has all been done quite  
16 privately. Quite frankly, that's a violation of law.

17 And I'd like the Board to require that Cal Expo  
18 open up and tell us just, exactly, how did this come about?  
19 Why is it that they have, you know, given up what,  
20 obviously, would have been a very profitable enterprise for  
21 them? And have they given up the profits or are they going  
22 to get profits from those races? If so, then they are fair  
23 dates. Now, call it what you'd like, but if they're getting  
24 compensated for these dates, then they are fair dates. We'd  
25 like an answer to that question.

1 CHAIR FERRARO: Larry Swartzlander, do you have an  
2 answer to that question?

3 EXECUTIVE DIRECTOR CHANEY: Mr. Chairman, this is  
4 Scott Chaney, Executive Director --

5 CHAIR FERRARO: Yes.

6 EXECUTIVE DIRECTOR CHANEY: -- if I may?

7 To me, this seems like a little bit off topic.  
8 Number four is actually the reallocation. And I think the  
9 Board will have a full and fair discussion with respect to  
10 that.

11 CHAIR FERRARO: All right.

12 EXECUTIVE DIRECTOR CHANEY: Number three is simply  
13 the presentation by ARAC in terms of -- in, you know,  
14 explaining their desire to have more racing opportunities.  
15 So to me, they're free to object both at Golden Gate's  
16 license app, which is later in the meet -- or later in the  
17 agenda, and/or number four which is, literally, a public  
18 discussion regarding reallocation of the dates.

19 CHAIR FERRARO: Okay. That's good. That's good.

20 COMMISSIONER MITCHELL: Yeah.

21 CHAIR FERRARO: We'll do it that way. Yeah.

22 COMMISSIONER MITCHELL: Scott, also, we're it the  
23 Bagley-Keene, not the Brown Act; am I wrong, Scott?

24 EXECUTIVE DIRECTOR CHANEY: Yeah. No, that's  
25 correct. We're --

1 COMMISSIONER MITCHELL: Since the lawyer --

2 EXECUTIVE DIRECTOR CHANEY: The CHRБ is regulated  
3 by Bagley-Keene. And that would involve any discussion with  
4 respect to reallocation of dates, which the CHRБ did not  
5 take part in. There's no violation of Bagley-Keene. Quite  
6 literally, we're having a public discussion in item number  
7 four, which is very much in concert with Bagley-Keene. So  
8 that comment has no basis in fact with respect to the  
9 California Horse Racing Board.

10 COMMISSIONER MITCHELL: Yes. I just wanted to be  
11 clear, just being applied of violating any law, we did not,  
12 and it's not even the correct law, so --

13 EXECUTIVE DIRECTOR CHANEY: Right.

14 CHAIR FERRARO: All right?

15 COMMISSIONER MITCHELL: Thank you.

16 CHAIR FERRARO: Thank you, Wendy.

17 Do we have a queue on this, Operator?

18 OPERATOR: Yes.

19 MR. SOLTAU: I have a -- may I make one more  
20 comment? This is Cory Soltau. And then I'll --

21 CHAIR FERRARO: Go ahead.

22 MR. SOLTAU: -- listen to public. I was just  
23 responding --

24 CHAIR FERRARO: Go ahead.

25 MR. SOLTAU: Yes. I'm responding to Patrick's

1 comment about the economic possibility -- or profitability  
2 of not having -- or of racing at Golden Gate. The law says,  
3 "practicable," not profitable. The law gives us the  
4 opportunity to race if we have the significant number of  
5 horses.

6 Because of these horses coming in based on what we  
7 know because of the published dates and locations, we have  
8 the horses this year, and we will fill those races. So  
9 we've met the practical part of the law.

10 Profitability is a matter of how you guys figure  
11 out, or not you but the track, puts this into their racing  
12 program. I know we always get the first slot, which we  
13 know, whether it be thoroughbred racing or Arabian racing,  
14 never handles as well as the rest of the card, but that's  
15 just where we end up every year. So we --

16 CHAIR FERRARO: Okay. That's good. Let's go.  
17 Let's move on to public comment.

18 MR. SOLTAU: Okay.

19 CHAIR FERRARO: You've given us enough  
20 information. Thank you.

21 Operator, let's start with the queue. How many  
22 people in the queue?

23 OPERATOR: Yes. We have three currently in the  
24 queue. First --

25 CHAIR FERRARO: Okay. Let's start.

1 OPERATOR: Thank you. First --

2 CHAIR FERRARO: Go ahead.

3 OPERATOR: -- we go to Greg Avioli with TOC.

4 Please go ahead.

5 MR. AVIOLI: Mr. Commissioner, Greg Avioli, TOC.

6 I'm going to reserve my comments for item four.

7 They're in the nature of just explaining to the Board the  
8 actual deal that was made and why it was made in  
9 relationship to stabling in the north. I'll also comment on  
10 four.

11 Thank you.

12 CHAIR FERRARO: Okay. Yeah, please do. Thank  
13 you.

14 Next, please.

15 OPERATOR: Next is Terry Eaton with Arabian Racing  
16 Association of California.

17 Please go ahead.

18 MS. EATON: Yes. I'm just --

19 CHAIR FERRARO: Go ahead please.

20 MS. EATON: Yes. Gentlemen, thank you for putting  
21 this on your agenda.

22 I just want to reiterate the fact that, you know,  
23 it's about the horsemen and it's about the horses. And we  
24 generated horses to come here, as Mr. Soltau did say, and  
25 people. It costs a lot of money to put horses in training

1 and to get them shipped here. Costs impact on ARAC trying  
2 to improve our races, and then we get shot down for five  
3 weeks -- or four weeks. That's a pretty big blow.

4 And we have put lots of advertisement out for our  
5 Wathba Stallions Stakes. People have nominated, they have  
6 paid for it. And if we let the sale of our (indiscernible)  
7 for the international races from the international people,  
8 as Mr. Soltau said, we probably will never see that again,  
9 and that's a big impact on our racing season.

10 So I just hope that you will take this into  
11 consideration when we get to item four and they're asking  
12 for their license and the reallocation of dates.

13 Thank you, gentlemen.

14 CHAIR FERRARO: Thank you.

15 Next, please.

16 OPERATOR: Next, we go to Liz Jacobelly, a  
17 citizen.

18 Please go ahead.

19 MS. JACOBELLY: Hi. I'm going to pass this one  
20 and wait and speak on agenda number four.

21 Thank you.

22 CHAIR FERRARO: Thank you.

23 Is that it, Operator?

24 OPERATOR: Correct. There are no further  
25 comments.

1 CHAIR FERRARO: I have a sense of the Board. I  
2 don't think it requires any access on this. Can we move on  
3 to number four? Is there any objection?

4 If there is none, we'll move on to discussion and  
5 Action by the Board regarding reallocation of 2020 Race  
6 Dates to reallocate July 21, 2021 through August 3, 2021  
7 from California Exposition and State Fair, at Cal Expo, to  
8 the Pacific Racing Association, PRA II.

9 Amanda?

10 MS. DRUMMOND: Yes. Good morning, Commissioners.  
11 Amanda Drummond, Policy, Regulations, and Administrative  
12 Hearings Manager with the CHRB.

13 Agenda item four is the reallocation of the 2021  
14 race dates to reallocate the July 21st, 2021 to August 3rd,  
15 2021 dates from the Cal Exposition and State Fair to PRA to  
16 Golden Gate.

17 The 2021 race dates were originally allocated at  
18 the November 2020 regular Board meeting. But due to the  
19 ongoing COVID-19 pandemic, and as the previous discussion  
20 indicated, there will be no State Fair for 2021. And as a  
21 result, CARF and PRA II have come to an agreement which  
22 moves the first allocated week of State Fair racing at -- to  
23 Cal Expo at Pleasanton. And then the final two weeks will  
24 be reallocated to PRA II.

25 If approved, this will be discussed in further

1 detail under agenda item nine, which is the Cal Expo and  
2 State Fair at Pleasanton race meet application, as well as  
3 agenda item 11, which is the PRA II race meet application.

4 And we also have representatives from both The  
5 Stronach Group and CARF, who are available, should the Board  
6 have any additional questions.

7 CHAIR FERRARO: Can we hear from Mr. Sindler from  
8 The Stronach Group, please, Operator?

9 OPERATOR: Mr. Sindler's line is live.

10 MR. SINDLER: Yes. Hello. Good morning.

11 CHAIR FERRARO: Go ahead please.

12 MR. SINDLER: Yes. Good morning, Commissioners.

13 Yes, everything CHRB Staff said is accurate. We  
14 are hoping that the last two weeks of the California State  
15 Fair are reallocated and they are made Pacific Racing  
16 Association II weeks. We would conduct a two-week meet.  
17 That agenda item is up later in the meeting, assuming that  
18 this agenda item is approved. And I'm happy to answer any  
19 questions you guys may have on this specifically, or if you  
20 would rather wait until the agenda item where the license is  
21 heard, whatever the Board prefers.

22 CHAIR FERRARO: Any questions from the Board for  
23 Mr. Sindler?

24 Can we hear from Mr. Swartzlander please?

25 OPERATOR: Mr. Swartzlander is live.

1 CHAIR FERRARO: Go ahead, Larry. Go ahead.

2 OPERATOR: And, Mr. Swartzlander, perhaps your  
3 phone line is muted.

4 MR. SWARTZLANDER: Yeah. This is Larry  
5 Swartzlander.

6 Yes, as I've stated before, the -- with the COVID  
7 situation driving the situation where we don't have a fair  
8 at State Fair, and we have stabling -- stabling, as we all  
9 know, is an ongoing issue in the north, and I'm sure that  
10 Greg Avioli and TOC will comment on it, that we simply had  
11 to come up with some solution as to compensate Golden Gate  
12 to stay open as an auxiliary stable for the Alameda race  
13 meet and/or the Sacramento meet, as was conducted last year.  
14 Rather than paying \$17,000 a day to Golden Gate to stay open  
15 and run without fairs, we struck a deal.

16 Also, we gave up one week of the State Fair and  
17 one week of the Humboldt County Fair. This year, we have  
18 simply, basically, duplicated that and we've given up.  
19 Humboldt County will have a fair and they still plan to run,  
20 Fresno is going to run, but the State Fair is not running.  
21 And we've made an agreement with The Stronach Group that we  
22 would give up those last two weeks of compensation for  
23 auxiliary stabling.

24 Thank you.

25 CHAIR FERRARO: Can we hear from Greg Avioli at

1 TOC please?

2 OPERATOR: Mr. Avioli, please go ahead.

3 MR. AVIOLI: Yes. Thank you. Greg Avioli, TOC.

4 The point I was going to make is, as Commissioners  
5 and Executive Director Chaney is aware, we had a volatile  
6 situation on our hands in the north when the previous plan  
7 submitted by CARF was for CARF to stable all the horses for  
8 the summer in Pleasanton and Sacramento. And there was a  
9 very strong negative reaction from all horsemen, from  
10 trainers to owners to grooms, and basically, because of the  
11 quality of the living conditions or the lack of housing at  
12 those facilities for the summer. So the deal that was  
13 reached allows the horses to maintain, to stay in Golden  
14 Gate for the entire summer, which was deemed critical by  
15 elements of the industry.

16 I just wanted to make the case that to the extent  
17 the Board were to allocate a new condition on that deal  
18 requiring Golden Gate to run Arabian races, and Golden Gate  
19 would not agree to that, that, in my estimation, has the  
20 presentation to crater that deal, which means they're just,  
21 as far as I understand, there wouldn't be a stabling plan  
22 for Northern California. So I'm hopeful that the  
23 Commissioners factor all that in.

24 Thank you very much.

25 CHAIR FERRARO: Thank you.

1 Questions from the Board?

2 Do we have a queue on this, obviously?

3 OPERATOR: We do.

4 CHAIR FERRARO: Let's start the queue please.

5 OPERATOR: Thank you. We will first go to Jane  
6 Cartmill, a citizen.

7 Please go ahead.

8 CHAIR FERRARO: Go ahead please.

9 MS. CARTMILL: The State of California of should  
10 stop supporting live horse racing through State Fairs.  
11 Regardless of how you allocate race dates, they should not  
12 be facilitating horse racing by providing additional dates  
13 for racing.

14 Our citizens have very consistently taken stands  
15 locally and statewide in favor of laws and regulations that  
16 protect animals from suffering and exploitation, such as the  
17 evolution of pound seizure, bans on trapping wildlife,  
18 forbidding the display of exotic wildlife, except by certain  
19 nonprofit educational groups, no circuses using wild  
20 animals, Proposition 2 which addressed intensive confinement  
21 issues in factory farms, ban on fur sales, ban on breeding  
22 Orcas at SeaWorld, ending animal testing for cosmetics, just  
23 to name some of them.

24 It's hard to reconcile the state's attachment to  
25 horse racing in light of the way our citizens have judged

1 other forms of animal abuse and exploitation. And the  
2 squandering of water resources by the racetracks is  
3 unconscionable as we face a long drought and increasing  
4 temperatures. It's environmentally unsustainable to  
5 maintain several large grass tracks and grass-scaped  
6 racetrack grounds in the face of a confirmed drought and  
7 keeping thousands of racehorses from overheating in  
8 increasingly hot temperatures due to climate change. We  
9 know that one track locally uses at least 150,000 gallons of  
10 water per race day. This is not something that the State  
11 Fairs need to have. And I'd say, let a fair be a fair  
12 without attaching horse racing to its function.

13 CHAIR FERRARO: Thank you.

14 Next, please.

15 OPERATOR: Next, we go to Rick Pickering with your  
16 California State Fair.

17 Please go ahead.

18 MR. PICKERING: Thank you, Mr. Chairman. State  
19 Fair wishes to address the concept of Golden Gate Fields  
20 being reallocated two weeks from State Fair this summer.

21 The State Fair annually supports strengthening  
22 fair racing, not weakening it, and this includes protecting  
23 every possible week of fair racing in Northern California.  
24 Unfortunately, fair racing has been reduced consistently  
25 from 90-plus days a year down to, roughly, 39 days.

1           And also, unfortunately, the pandemic has impacted  
2 all of us. And Cal Expo has been called upon by the  
3 Governor and the State Office of Emergency Service to help  
4 meet the challenges of this incredible pandemic. As a  
5 designated supersite for vaccinations, we've been asked to  
6 continue our vaccination programs through September, with  
7 the aim of assisting the Governor and the state of having  
8 school children and teachers ready to go back to school this  
9 fall.

10           Consequently, State Fair, Pleasanton, and CARF had  
11 sought to conduct a consolidated race meet in Pleasanton for  
12 a total of seven weeks.

13           We also, as we were making those plans, we were  
14 advised by The Stronach Group that Golden Gate Fields would  
15 be closing this summer, closing it -- when I say that, would  
16 be closing its barn area and training operation, requiring  
17 all the horsemen and their families to exit the barn area  
18 during this seven- to eight-week period of time.

19           Therefore, CARF, Pleasanton, and State Fair put  
20 forward a plan whereby we offered to accept anybody, any  
21 horsemen coming out of Golden Gate Fields, to train at  
22 Pleasanton and State Fair during that period of time Golden  
23 Gate Fields would be closed down. Golden Gate Fields  
24 continued to indicate in the negotiations that they would,  
25 in fact, be closing in order to do barn renovations, do some

1 work on their backside. This has been going on. This same  
2 type of discussion has gone on for, perhaps, five or six of  
3 the last years in which, as we head into fair racing, Golden  
4 Gate Fields talks about shutting down and requiring the  
5 horsemen to relocate for the summer. Therefore, the fairs  
6 came forward, put forth a plan to accept the horses.

7           However, due to pressure, in my opinion, due to  
8 pressure from the horsemen, Golden Gate Fields offered to  
9 stay open during this period of time if the fairs would pay  
10 Golden Gate Fields \$17,000 a day, or close to \$800,000  
11 during this period of time, for Golden Gate Fields to remain  
12 open. That, financially, was not palatable to the fairs.

13           So then there was a deal put on the table whereby  
14 two weeks of State Fair would be given or reallocated to  
15 Golden Gate Fields with no compensation whatsoever to the  
16 State Fair. So to ask -- to answer the earlier caller's  
17 question, this deal, apparently, has no financial benefit to  
18 the State Fair.

19           However, these are unusual times. So if the Horse  
20 Racing Board deems it appropriate to allocate these two  
21 weeks to Golden Gate Fields for this summer, the State Fair  
22 respectfully requests that the CHRB stipulate in its  
23 approval that this is a non precedent-setting, one-time  
24 approval and, therefore, three weeks will return to the  
25 State Fair in 2022.

1           It is also respectfully requested that the CHRB,  
2 in the interest of Northern California racing families,  
3 commit to hearing a formal agenda item sometime early this  
4 fall to specifically address if the Horse Racing Board can  
5 condition Golden Gate Fields future racing license to  
6 require Golden Gate Fields to keep its barn area and  
7 training operations open during the summer at its own  
8 expense, given that Golden Gate Fields receives roughly ten  
9 months of live racing each year.

10           Thank you, Mr. Chairman, and Commissioners.

11           CHAIR FERRARO: Thank you.

12           Next, please.

13           OPERATOR: Next, we go to Martha Sullivan, a  
14 citizen.

15           Please go ahead.

16           CHAIR FERRARO: Go ahead, Martha.

17           MS. SULLIVAN: Yes. Good morning. Martha  
18 Sullivan from San Diego County.

19           You know, this is another example of where  
20 government, and specifically state government, is  
21 subsidizing the horse racing industry. I mean, you've got  
22 the State Fair allocating three weeks of race dates assigned  
23 to the State Fair to profit-making horse racing operations.  
24 So this is just another example. And I hear, you know, this  
25 business about how horse racing in California is, you know,

1 self-sustaining and doesn't, you know, take any government  
2 financial support. Well, it's another example of what bull  
3 pucky that is.

4           And I want to reinforce Jane Cartmill's point,  
5 which is that the State of California should stop supporting  
6 live horse racing through the State Fair, given that  
7 consistent with every election, new laws passed by our  
8 legislature and passed by voters to eliminate animal  
9 cruelty, animal abuse, and animal exploitation, and that's  
10 what horse racing is. It's the exploitation of horses for  
11 profit. It's animal abuse in many forms. And the State of  
12 California Fairs should not be promoting it. And it  
13 certainly shouldn't be financially supporting profits, the  
14 profit corporation that operate live horse racing here.

15           CHAIR FERRARO: Thank you.

16           Next, please.

17           OPERATOR: Next, we go to Liz Jacobelly, a  
18 citizen.

19           Please go ahead.

20           MS. JACOBELLY: Hi. This is Liz Jacobelly. I  
21 pretty much just want to reiterate and enforce what Martha  
22 Sullivan and Jane Cartmill said about the State of  
23 California should stop horse -- stop supporting live horse  
24 racing through the State Fair, given all other actions by  
25 California voters for our legislation to end animal cruelty.

1 As you see, circuses have stopped using most animals in  
2 circuses because of the confinement, the cruel and varying  
3 training, and the lack of natural habitat, and also the  
4 stopping the animal testing in cosmetics because it's  
5 exploiting the animals, and it's unnecessary, and they have  
6 other humane ways to do testing without using animals.

7 And horse racing could also go to virtual horse  
8 racing and stop exploitation of the horses, and stop the  
9 whipping, and the forcing horses to run. And there's always  
10 more humane ways to go around things. And it's 2021 and  
11 more laws are passing to protect animals, so horse racing  
12 needs to get with it, too.

13 Thank you.

14 CHAIR FERRARO: Thank you.

15 Next, please.

16 OPERATOR: Next, we go to Terry Eaton with Arabian  
17 Racing Association of California.

18 Please go ahead.

19 MS. EATON: Yes. Gentlemen, I'm just asking for  
20 you guys, if there's going to be a reallocation of dates to  
21 Golden Gate Fields, we don't have any problem with that.  
22 But if you do reallocate them and we do go to Golden Gate  
23 Fields, would you please include us as horsemen and owners  
24 and trainers, grooms, everybody into the same -- into that  
25 program.

1 I don't think there was an objections to anybody  
2 on the backside last year when we were there for Santa Rosa.  
3 Our horses train well. They're not any problem. They do  
4 run around the turn. They don't just do straightaways.  
5 They're just a slower version of the thoroughbred horses.

6 And so in allocating the dates, in reallocation of  
7 the dates, if you would give us deep consideration, we would  
8 greatly appreciate it as horsemen, and to keep our breed  
9 going and keep our owners alive and keep them wanting to  
10 come to California and support the breed.

11 Thank you, gentlemen.

12 CHAIR FERRARO: Thank you.

13 Next, please.

14 OPERATOR: Next, we go to Jim Coleman with Del Mar  
15 Village Association.

16 Please go ahead.

17 MR. COLEMAN: Hi. Good morning. Actually, I'd  
18 like to be in the queue for item number eight.

19 CHAIR FERRARO: Okay. You'll have to wait then.  
20 Thank you.

21 Next, please.

22 OPERATOR: Next, we go to Wayne Johnson, a  
23 citizen.

24 Please go ahead.

25 MR. JOHNSON: Totally agree with the previous

1 speaker who talked about the duty and the ability to run for  
2 Arabian horses. They're magnificent animals.

3 Since we met last, Street Dancing died at Golden  
4 Gate. Reallocating more dates to Golden Gate is more  
5 opportunity for more Street Dancing fatalities.

6 Thank you.

7 CHAIR FERRARO: Thank you.

8 Next, please.

9 OPERATOR: There are no further comments at this  
10 time.

11 CHAIR FERRARO: Thank you.

12 Mr. Chaney, or anyone from the Staff, do you have  
13 comments to kind of wrap this up for?

14 EXECUTIVE DIRECTOR CHANEY: Yeah. No. This is  
15 Scott Chaney, Executive Director. Just the following.

16 So, obviously, as illustrated by the callers, it  
17 appears that CARF and Golden Gate Fields, you know, came to  
18 this agreement, you know, outside of the CHRB's purview.  
19 It's important to note that what's happening is they're,  
20 basically, relinquishing two weeks. And it's the California  
21 Horse Racing Board that gets to allocate dates.

22 So their request is that those two weeks are  
23 reallocated from Cal Expo to Golden Gate Fields. Staff  
24 supports that. But it's really, at the end of the day, the  
25 Board's decision whether those -- that reallocation takes

1 place or not.

2 CHAIR FERRARO: Any comments from the Board? Can  
3 we have a motion? I think the motion will include that this  
4 is a one-year deal and we're not setting a precedent for  
5 future years. So can I have a motion?

6 COMMISSIONER CASTELLANOS: Under those conditions,  
7 Castellanos' motion.

8 VICE CHAIR GONZALES: I'll second --

9 CHAIR FERRARO: Second?

10 VICE CHAIR GONZALES: -- Mr. Chairman. Gonzales.

11 CHAIR FERRARO: Thank you. All right, Mr.  
12 Gonzales, how do you vote?

13 VICE CHAIR GONZALES: Yes.

14 CHAIR FERRARO: Obviously. Obviously, yes.  
15 Commissioner Alfieri? Commissioner Alfieri?

16 COMMISSIONER ALFIERI: Yes.

17 CHAIR FERRARO: Commissioner Castellanos?

18 COMMISSIONER ALFIERI: I just un-muted. Sorry.

19 COMMISSIONER CASTELLANOS: Yes.

20 CHAIR FERRARO: Commissioner Davis?

21 COMMISSIONER DAVIS: Yes.

22 CHAIR FERRARO: Commissioner Mitchell?

23 COMMISSIONER MITCHELL: Sure.

24 CHAIR FERRARO: Commissioner Solis?

25 COMMISSIONER SOLIS: Yes.

1 CHAIR FERRARO: And the Chairman votes yes.

2 Motion is approved.

3 Moving on to item number five is discussion and  
4 action by the Board regarding approval of an agreement,  
5 pursuant to CHRB Rule 1581, Racing Secretary to Establish  
6 Conditions, between the California Authority of Racing  
7 Fairs, CARF, and the Thoroughbred Owners of California, TOC,  
8 Pacific Coast Quarter Horse Racing Association, PCQHRA, and  
9 The Arabian Racing Association of America [sic], ARAM,  
10 regarding entry conditions and specified drug substances or  
11 medications to be implemented by the Alameda County Fair  
12 during its 2021 race meeting.

13 Mr. Voss, can you fill us in on this?

14 MR. VOSS: Yes. Thank you and good morning,  
15 Commissioners. This is Zachary Voss, Regulation Analyst for  
16 the California Horse Racing Board.

17 Item number five is a discussion and action by  
18 the Board regarding approval of the race day medication  
19 agreement. It's pursuant to Board Rule 1581 between CARF  
20 and the TOC, the PCQHRA, and the Arabian Racing Association  
21 of California. The agreement pertains to entry conditions  
22 and specified drug substances or medications to be  
23 implemented by CARF at the Alameda County Fair.

24 This is a standard agreement, including but not  
25 limited to: no horse shall be permitted to race in a stake's

1 race with any race-day medication, including furosemide; no  
2 horse shall be permitted to race if it has received an  
3 intra-articular joint injection into any joint, other than  
4 any of the fetlock joints, within 14 days, or if it has  
5 received an injection into any fetlock joint within 30 days;  
6 no horse shall be permitted to perform a timed workout for  
7 ten days after receiving injection to any fetlock joints.  
8 And fetlock joints are described as both the  
9 metacarpophalangeal joint metatarsophalangeal joints.

10 The agreement has been signed by CARF and the TOC,  
11 the PCQHRA, the Arabian Racing Association of California,  
12 and it's reflected in the Board package.

13 And we have Larry Swartzlander, Executive Director  
14 of CARF, available to answer any questions by the Board.

15 Thank you.

16 CHAIR FERRARO: Mr. Swartzlander, do you have a  
17 comment?

18 MR. SWARTZLANDER: Yeah. This is Larry  
19 Swartzlander. This is simply an update that originally we  
20 only had it with the TOC. And in discussions with the  
21 Executive Director, we need to make it clear that it also  
22 address the emerging breeds.

23 CHAIR FERRARO: Yeah. So you're confining with  
24 the rules and regulations that we have with all the other  
25 tracks; is that correct?

1 MR. SWARTZLANDER: Conforming. Yes, sir.

2 CHAIR FERRARO: Yeah, conform. Excuse me.

3 Any questions from the Board? This is a pretty  
4 standard agreement that we've held every racing association  
5 to.

6 Do we have a queue on this, Operator?

7 OPERATOR: Not at this time.

8 CHAIR FERRARO: Okay. Do we have a motion from  
9 the Board?

10 COMMISSIONER DAVIS: I have one question.

11 CHAIR FERRARO: Yes. Go ahead.

12 COMMISSIONER DAVIS: This is Davis.

13 It says the parties are "Arabian Racing  
14 Association of California." And then it otherwise says,  
15 "Arabian Racing Association of America." Are they one in  
16 the same?

17 CHAIR FERRARO: Good question. Do we have an  
18 answer to that?

19 OPERATOR: And Mr. Swartzlander --

20 MR. SWARTZLANDER: This is Larry. Can you hear  
21 me?

22 OPERATOR: -- you are live.

23 CHAIR FERRARO: Yeah.

24 MR. SWARTZLANDER: Yeah. It should be --

25 CHAIR FERRARO: Larry, go ahead.

1 MR. SWARTZLANDER: -- it should be the Arabian  
2 Racing Association of California, ARAC, not ARAM.

3 CHAIR FERRARO: Okay. All right.

4 COMMISSIONER DAVIS: Oh, okay.

5 CHAIR FERRARO: That clarifies that. Okay, to  
6 make it clear.

7 COMMISSIONER DAVIS: Thanks.

8 CHAIR FERRARO: All right, do we have a motion to  
9 approve?

10 EXECUTIVE DIRECTOR CHANEY: Mr. Chairman, Scott  
11 Chaney, Executive Director.

12 CHAIR FERRARO: Yes?

13 EXECUTIVE DIRECTOR CHANEY: I just wanted to point  
14 out that the Board did hear this last month with only the  
15 TOC as a signatory. We also noticed one error in the  
16 metacarpophalangeal joint foot metatarsophalangeal joint, so  
17 we corrected that error, and added the Arabian Racing  
18 Association of California, as well as the -- or had the  
19 parties also add the Arabian Racing Association of  
20 California and the Pacific Quarter Horse Association so that  
21 those medication limitations would also apply to those --  
22 all horses racing at fairs.

23 I'd also like to point out to the Board that this  
24 medication agreement applies to all fair racing throughout  
25 the summer in 2022 through Fresno.

1 CHAIR FERRARO: Very good.  
2 Again, do we have a motion?  
3 COMMISSIONER DAVIS: Davis moves.  
4 CHAIR FERRARO: Chairman seconds.  
5 Commissioner Gonzales? He may be off.  
6 Commissioner Alfieri?  
7 COMMISSIONER ALFIERI: Yes.  
8 CHAIR FERRARO: Commissioner Castellanos?  
9 COMMISSIONER CASTELLANOS: Yes.  
10 CHAIR FERRARO: Commissioner Davis?  
11 COMMISSIONER DAVIS: Yes.  
12 CHAIR FERRARO: Commissioner Mitchell?  
13 COMMISSIONER MITCHELL: Yes.  
14 CHAIR FERRARO: Commissioner Solis?  
15 COMMISSIONER SOLIS: Yes.  
16 CHAIR FERRARO: And the Chairman votes yes.  
17 Motion is approved.  
18 Moving on to item number six, I believe,  
19 discussion and action by the Board regarding the request for  
20 an extension to obtain a fire clearance approval for the San  
21 Luis Rey Downs auxiliary training facility, pursuant to CHRB  
22 Rule 1927, Fire Prevention.  
23 Amanda, can you fill us in on this please?  
24 MS. DRUMMOND: Yes. Good morning, again,  
25 Commissioners. This is Amanda Drummond.

1           Agenda item six is the request for extension to  
2 obtain a fire clearance for San Luis Rey Downs.

3           Board Rule 1927 specifies that a written fire  
4 clearance from the fire authority having jurisdiction over  
5 the racing and stabling areas must be submitted to the Board  
6 before any license shall be granted. San Luis Rey Downs is  
7 an auxiliary site where horses are stabled for various horse  
8 racing associations that are licensed to conduct racing in  
9 California. As such, a fire clearance compliant with Board  
10 Rule 1927 is required for San Luis Rey Downs to be utilized  
11 as an auxiliary training facility.

12           The Stronach Group, which owns San Luis Rey Downs,  
13 has not submitted a fire clearance compliant with Board Rule  
14 1927. However, in August of 2020, The Stronach Group  
15 submitted a request to the Board for an extension to meet  
16 certain requirements prescribed in Board Rule 1927 regarding  
17 the reasonable safety standard of fire safety.

18           The Stronach Group also requested an exemption  
19 from the 45-day provision that specified in Rule 1927, as  
20 well. In August of 2020, the Board granted the exemption  
21 and extension request which approved San Luis Rey Downs  
22 extension to obtain a valid fire clearance until the end of  
23 July 21.

24           As outlined in the attached letter, the updates to  
25 the historic barn, in order to come into compliance with

1 Board Rule 1927, have been delayed due to the COVID-19  
2 pandemic. And as a result, The Stronach Group is requesting  
3 further extension until the end of January 2022 to complete  
4 the update to the barn, and until the end of April 2022 to  
5 complete the entire project.

6 Representatives from The Stronach Group are  
7 available, should the Board have any additional questions.

8 CHAIR FERRARO: Well, can we hear from Mr. Newbie  
9 please?

10 OPERATOR: One moment as we locate their line.

11 Mr. Newby, your line is live.

12 CHAIR FERRARO: Nate, we gave -- the Board gave  
13 you a generous extension last year. Now you're coming back  
14 with another year request, stating that the pandemic delayed  
15 implementation. What is it about the pandemic that delayed  
16 this implementation for another whole year?

17 MR. NEWBY: Good morning, Commissioners, Chairman.

18 Yes, so we bid the project with three different  
19 groups, the sprinkler installation companies, and basically,  
20 all three of them were shut down during the pandemic due to  
21 staffing and lack of materials. One of the companies is  
22 back up and running and, actually, started the installation  
23 now, or as of about a month-and-a-half ago.

24 We just went back to them and got an updated  
25 schedule from them. They're working around the training

1 schedule there, which makes it a little more complicated.  
2 You know, obviously, safety of horses and riders is  
3 paramount, so they start out a little later in the day. And  
4 their current timeline has it completed in the barn aspect  
5 by January 31 next year. So, you know, and then the final  
6 project would be completed by April.

7 CHAIR FERRARO: Any questions from the Board?

8 I'm a little concerned about this because it's  
9 gone on so long. I think I'm hopeful that you're moving  
10 along now. But I think if we are going to approve this, we  
11 need to have some kind of progress report, say in the month  
12 of October, to see that this is actually moving along and  
13 not being stalled. Is that agreeable to you?

14 MR. NEWBY: Absolutely. Yeah, we're happy to  
15 provide progress reports. We have a detailed schedule and  
16 they're making progress. And we expect, you know, barring  
17 anything crazy with the pandemic or something, anything like  
18 that, they have the materials and the staff now to complete  
19 the project, so we don't expect any delays. But we'd be  
20 happy to keep the Board updated through the next few months.

21 CHAIR FERRARO: And how many barns have you done,  
22 and how many are left to be done, do you know?

23 MR. NEWBY: Well, right now they're doing flow  
24 tests and things like -- you know, basically, tying into the  
25 water system. They start on the first barn in the next

1 couple weeks. And, basically, it takes them a couple --  
2 we're going to shift horses around and work on one barn at a  
3 time. We have between 300 and 400 horses there onsite. So  
4 we're going to just kind of work on one barn at a time for a  
5 couple weeks, move horses, too, as they're finished, keep  
6 shifting people around, so that's their schedule. And the  
7 new schedule that they have says the end of January, they'll  
8 be completed.

9 CHAIR FERRARO: And how many barns need to be  
10 done?

11 MR. NEWBY: I'll tell you in one second. So it's  
12 approximately -- about 200 horses are in the new barns,  
13 those are completed. Of the existing barns, there's 300  
14 horses. I believe it's nine or ten barns, depending. And  
15 then there's some additional facilities that they're working  
16 on, too, so it's not just the barns. They're going to  
17 complete, basically, the entire facility.

18 CHAIR FERRARO: By January 31st?

19 MR. NEWBY: The barns will be done by January  
20 31st, the entire facility by April, the end of April. If  
21 there's some --

22 CHAIR FERRARO: Do we have any questions from the  
23 Board for Mr. Newby?

24 Operator, do we have a queue on this?

25 Thank you, Nate.

1 MR. NEWBY: No problem.

2 OPERATOR: Yes, we do have a queue.

3 CHAIR FERRARO: Let's start.

4 OPERATOR: Thank you.

5 We will first go to Patti Shenker, a citizen.

6 Please go ahead.

7 MS. SHENKER: Good morning, Commissioners. My  
8 name is Patti Shenker from Los Angeles.

9 Do you really think the public will believe that  
10 you love your horses when The Stronach Group is, again,  
11 requesting to delay the required automatic fire sprinklers  
12 at San Luis Rey Training Center, which they own, where 46,  
13 yes, 46 horses died in the Lilac Fire of December 2017?

14 As droughts get worse here in California, you  
15 would think this would already been done. After all, it's  
16 been three-and-a-half years. But, no, the Group has not yet  
17 installed sprinklers and is now requesting another extension  
18 to delay making this training center safer for their horses.

19 The Stronach Group confirms that half of the barns  
20 at San Luis Rey still don't have fire sprinklers, as  
21 required by your Rule 1927. They cannot blame the pandemic  
22 for this delay as Stronach has been able to add a new turf  
23 shoot to the Santa Anita Race Track.

24 These horses died in such a horrific way and yet  
25 they want to do nothing to prevent this from happening

1 again. They want to stall.

2 The CHRB's Rule 1927 requires the facility to have  
3 automatic fire sprinklers. Please make sure that this is  
4 done now so no more horses will be burned to death.

5 Thank you.

6 CHAIR FERRARO: Thank you.

7 Next, please.

8 OPERATOR: Next, we go to Martha Sullivan, a  
9 citizen.

10 Please go ahead.

11 MS. SULLIVAN: Well, once again, Stronach shows  
12 its priorities. It was able to construct and open a new  
13 turf shoot at Santa Anita last fall, in fact, ahead of  
14 schedule. That was terribly in the industry  
15 (indiscernible).

16 I mean, this is absolutely outrageous in that they  
17 wait until the month before their deadline to announce that  
18 they need until next April to complete this.

19 Just bear in mind that Rule 1927 has always been  
20 in place. And this Board, as I confirmed via Public Records  
21 Act request earlier this year, did not grant Stronach or the  
22 owner of that facility an exemption from this rule. So when  
23 those horses were killed in December of 2017 in the Lilac  
24 Fire, that facility was out of compliance. And it continues  
25 to be out of compliance three-and-a-half years ago. What

1 does it take? Forty-six horses dead isn't enough?

2 And I also want to reiterate my demand that those  
3 46 horses are included in the CHRB's racehorse fatalities  
4 because that was the result of the CHRB's failure to enforce  
5 its Rule 1927. Those horses deserve to be included in the  
6 reported racehorse fatalities. At least do that for them.

7 CHAIR FERRARO: Thank you.

8 Next, please.

9 OPERATOR: Next, we go to Bonnie Croker, a  
10 citizen.

11 Please go ahead.

12 MS. CROKER: Good morning. I'm Bonnie Croker.

13 It is shocking to see this item on your meeting  
14 agenda once again. San Luis Rey Downs killed dozens of  
15 horses in the 2017 Lilac Fire due to their insufficient fire  
16 response and control measures that have remained out of  
17 compliance. COVID-19 did not delay implementation of their  
18 safety compliance. That is a ridiculous excuse.

19 The track's owners have recently spent countless  
20 sums of money building a turf shoot at their Santa Anita  
21 track. COVID-19 did not delay that construction. This  
22 dangerous turf shoot also injures and kills horses. Yet,  
23 these horses continue to claim that they either have no  
24 money or available contractors for the completion of CHRB-  
25 mandated sprinkler systems in their San Luis Rey horse

1 barns. And they continue to ask for fire clearance approval  
2 expansions.

3 This year's California wildfire season is  
4 projected to be historically catastrophic. Do not permit  
5 another fire clearance extension for these irresponsible  
6 track owners.

7 Thank you.

8 CHAIR FERRARO: Next, please.

9 OPERATOR: Next, we go to Jane Cartmill, a  
10 citizen.

11 Please go ahead.

12 MS. CARTMILL: The April issue of Fortune Magazine  
13 made one of the predictions that the fire season ahead is  
14 apt to catastrophic. "'Fire season 2021 is looking grim,'  
15 the state's only wildlife research center commented."  
16 Researches said they have never seen April fuels look so  
17 draw and call the phenomenon, quote, "Very scary."

18 A dry spring follows a dry winter in California.  
19 And the 2020 wildfire season was a record-breaking one with  
20 nearly 4.4 million acres burning, over four percent of the  
21 state's area. 2020 saw 9,639 fires across the state. COVID  
22 made the situation worse, creating a shortage of wildfire  
23 fighters. Nevertheless, the COVID situation did not deter,  
24 as has been pointed out, did not deter Stronach Group from  
25 getting their turf shoot built. They got that in ahead of

1 schedule. So it's interesting when the COVID was a problem  
2 and when it wasn't.

3 I think no more extensions are warranted. I was  
4 appalled in July of 2020 when the Board granted the one-year  
5 extension of time then to get the sprinklers installed. Now  
6 they want another six months or more, nearly four years  
7 after the devastating fire that burned people and killed so  
8 many horses, killed them in a horrific way.

9 This just can't go on. And you are going to  
10 lose -- the Board is going to lose so much credibility if  
11 you grant them another extension. And god forbid there  
12 should be another disaster, you'd all have to resign. It's  
13 just inexcusable. And there's no point in having these  
14 regulations if they're going to be waived time and time  
15 again for the convenience of The Stronach Group.

16 Thank you.

17 CHAIR FERRARO: Thank you.

18 Next, please.

19 OPERATOR: Next is Wayne Johnson, a citizen.

20 Please go ahead.

21 MR. JOHNSON: Chairman Ferraro, as you know, I  
22 almost never take two minutes. I want my full two minutes.

23 Handsome Bold (phonetic), Wild Bill Hickory  
24 (phonetic), Royal Kuna (phonetic), Odds Maker, Reary  
25 (phonetic), Packin Heat, Sir Charmalot, Monster Man, Tweak,

1 Stormin Norman, Aussie Rock, Baby Bruin, Call Me First,  
2 Everlovin Woman, Only One Love, Raw Rules, Sarah Sunshine,  
3 Fast Freddy, Amalfi Drive, California Diamond, Doc Rock,  
4 Shortcoming, Mars, Twist, Scat, City Sweet Thoughts, Quality  
5 (indiscernible), Into the Mischief, these are all animals  
6 that died in the Lilac Fire.

7           Why have rules like 1927 if you're not going to  
8 enforce them, if you're going to wink and nod? Do we need  
9 any further proof of the criminal neglect of animals of The  
10 Stronach Group than this ridiculous request for another  
11 extension?

12           CHAIR FERRARO: Thank you.

13           Next, please.

14           OPERATOR: Next, we go to Kimberly Marrs with KTM  
15 Equine.

16           Please go ahead.

17           MS. MARRS: Good morning, Board. I'm Kimberly  
18 Marrs. And I'm actually -- can you hear me?

19           CHAIR FERRARO: Yes. Go ahead.

20           MS. MARRS: Hello? Okay. Sorry.

21           CHAIR FERRARO: Go.

22           MS. MARRS: So I'm actually a trainer at San Luis  
23 Rey. And I've brought up this issue before with you guys.

24           I am actually standing between the two new barns.  
25 And I am looking at an extraordinary sprinkler system. We

1 have an amazing fire suppression system in these new barns.  
2 They are facilitating doing the work on the other barns  
3 now. It is getting done. I hope you approve it. I mean,  
4 these things don't get done overnight.

5 And I just want to make everybody understand,  
6 those of you who were not in that fire and claim to  
7 dramatize it, I was in that fire all day. I helped try to  
8 save horses. I lost horses in my barn. It is not something  
9 any of you ever want to go through, nor I wish anybody go  
10 through. It was a very extraordinary fire and people need  
11 to understand that about this fire. Even with a suppression  
12 system, I don't know that the particular nature of this  
13 fire, it might have slowed it down, it might not have  
14 stopped it. It was a very unique situation that day.

15 But let it be known, we have fire extinguishers, I  
16 mean, everywhere. I have fire hoses located at each opening  
17 in the barns. And the work is commencing.

18 Thank you.

19 CHAIR FERRARO: Thank you.

20 Next, please.

21 OPERATOR: Next, we go to Andrew Lesser, a citizen  
22 and former horse owner.

23 Please go ahead.

24 MR. LESSER: Okay. Yes. Good morning.

25 I grew up in New York. And my father was an

1 insurance broker. And we owned Standardbred horses. We  
2 kept them at Yonkers Raceway and Roosevelt Raceway. My  
3 father carried the insurance for the track.

4           So one morning, I believe it was a Sunday morning  
5 in 1963, when I was ten years old, we got in the car and we  
6 went to Roosevelt Raceway where there had been a  
7 catastrophic barn fire. Of course, back in 1963, there were  
8 lacks rules, no sprinkler system. Who knows if there were  
9 even fire extinguishers. I was there just hours after the  
10 fire was put out to see 27 horses burned or suffocated to  
11 death.

12           You actually would defy all human decency to allow  
13 any stable area of barn to have a delay in any required fire  
14 suppression equipment, sprinkler system, brush clearance,  
15 whatever. And the fact that may a sprinkler system wouldn't  
16 prevent the deaths that this former speaker told about,  
17 that's no rationale to say it's okay to give the facility a  
18 delay in implementing all the required fire protection.

19           As she said, you weren't there, to the Board  
20 Members. I was at Roosevelt Raceway. I was a ten-year-old  
21 child that saw the horrendous carnage, the smell. If you  
22 could experience that, you could not, in good conscience,  
23 delay implementation of all required fire prevention and  
24 fire protection instruments.

25           And that's what I have to say. Thank you.

1 CHAIR FERRARO: Thank you.

2 Next, please.

3 OPERATOR: There are no further comments at this  
4 time.

5 CHAIR FERRARO: Any questions or comments from the  
6 Board?

7 COMMISSIONER DAVIS: Davis. A question.

8 The letter from SLR Training Center says,  
9 "Sprinkler materials needed for the project were in short  
10 supply during the pandemic."

11 Has that changed?

12 CHAIR FERRARO: Mr. Newby, can you answer that  
13 question?

14 OPERATOR: Mr. Newby, you are now live.

15 MR. NEWBY: Yes. One of the -- the three  
16 companies that we bid it with, one of the companies is back  
17 up and running. And, obviously, this is a pretty  
18 significant project. It's about a \$1.1 million project. So  
19 they have now the staffing and materials needed to complete  
20 it but they didn't six months ago. And the other two  
21 companies still don't.

22 CHAIR FERRARO: Can I ask you another question?  
23 You're talking about, what, 200 to 300 horses housed in  
24 these barns without sprinklers? Is that number correct?

25 MR. NEWBY: I'm sorry. My phone cut out a little

1 bit. Could you say that again?

2 CHAIR FERRARO: I said how many horses are housed  
3 in the barns that do not have the sprinkler system?

4 MR. NEWBY: Well, we're shifting them around, so,  
5 you know, based on that, we have, I think, around 350 horses  
6 there. We talked to the Del Mar guys, what they need for  
7 stabling, for auxiliary stabling during their season and,  
8 you know, that's when we went back to the company and came  
9 up with a plan of shifting horses around and working on one  
10 barn at a time after training hours which, obviously, slows  
11 it down a little bit. But you know, that's the only way to  
12 do it with horses on site.

13 CHAIR FERRARO: So are there other options of  
14 where these horses could be stabled, at Santa Anita for the  
15 summer of somewhere else, Los Alamitos? Has that been  
16 explored or discussed?

17 MR. NEWBY: You know, I don't think that's the  
18 preference of the industry groups we've talked to but, you  
19 know, we're open to discussing anything.

20 COMMISSIONER ALFIERI: Mr. Chairman, Dennis  
21 Alfieri. I have a question for Mr. Newby.

22 I understand there are water tankers there or --  
23 you know, while the systems are down. Is that true or not?

24 MR. NEWBY: Oh, yeah. So we have a full fire plan  
25 in place there. We have a fire marshal on staff at Santa

1 Anita that works with the San Luis Rey crew. They also have  
2 had their -- the North County Fire Department make  
3 recommendations. So there's a full plan that goes in place  
4 anytime there's a threat, which includes filling the water  
5 trucks and having them on standby, you know, and all the  
6 other measures they've recommended.

7 COMMISSIONER ALFIERI: Well, it just seems to me  
8 to be good insurance while you're -- while you've got system  
9 in certain areas down for any period of time.

10 Thank you.

11 CHAIR FERRARO: Anyone else from the Board have  
12 comments?

13 COMMISSIONER DAVIS: Is there an option to shorten  
14 the extension time, Chair Ferraro?

15 CHAIR FERRARO: Well, I think we ought to consider  
16 that. That's why I asked to see if we could have a progress  
17 report, say in September-ish, October, or something like  
18 that to see where they are. You know, to be quite honest  
19 with you, I'm concerned about the horses that are in those  
20 barns that aren't stabled. I'm just wondering if they could  
21 be put somewhere else? Perhaps that's something we could  
22 explore with -- as to what's available at Santa Anita or Los  
23 Alamitos. I don't know. What's the feeling of the Board?

24 COMMISSIONER ALFIERI: Well, I guess another  
25 question would be to the contractor, if they can double

1 their efforts? You know, because they're starting later in  
2 the day, after training, can they put more manpower on this?

3 You know, obviously, it's an issue because I'm a builder.  
4 I understand that commodities are -- everything is  
5 backlogged and things are not coming in. So maybe that's  
6 part of the problem, they don't have material. I don't know  
7 that. I'm just assuming that for a moment. But maybe  
8 there's a way to speed up their schedule?

9 I don't know if Mr. Newby can look into that and  
10 see if there's a way to double their efforts in less amount  
11 of time and then give us a report in a few months, as you're  
12 suggesting, Mr. Chair?

13 Do we have someone from The Stronach Group who can  
14 speak to the possibility of housing some of these horses at  
15 Santa Anita while this work is going on?

16 OPERATOR: And I have made Mr. Sindler and Donny  
17 [sic] Benson live in the call.

18 CHAIR FERRARO: Okay. Go ahead.

19 MR. SINDLER: Yes. Hello. Good morning. I'm  
20 assuming it's Dr. Dionne Benson who is live on the call  
21 also; is that correct?

22 OPERATOR: I do apologize. Correct.

23 MR. SINDLER: Okay. Thank you.

24 As far as housing the horses at Santa Anita, I  
25 would actually defer to Nate Newby on that subject as he is

1 a little bit more in tune with some of the operations. So if  
2 you can make his line live, as well? I think that would be  
3 beneficial.

4 CHAIR FERRARO: That's fine.

5 DR. BENSON: Sorry.

6 CHAIR FERRARO: We can do that.

7 DR. BENSON: This is Dr. Benson. One of the  
8 things to consider is that if we have vets -- if we have  
9 horses at Santa Anita, San Luis Rey, and Del Mar, we are not  
10 going to have adequate vet coverage because we send our vets  
11 to Del Mar for their meet.

12 CHAIR FERRARO: It's a consideration, certainly.

13 Mr. Newby, do you have a comment on this  
14 possibility?

15 MR. NEWBY: Yes. And the other issue that we're  
16 going to have is this summer we're doing the first step in  
17 our CAFO upgrades for the water storage that are required  
18 so, you know, there's a major project that starts the day  
19 after horses leave Santa Anita.

20 CHAIR FERRARO: Okay. Well, this is a little bit  
21 worrisome, I'm going to be quite frank about it. And I  
22 realize the situation. You need the horses for the races. I  
23 understand what the risk is. I think, if we're going to  
24 approve any extension, I think we should require that you  
25 give us a detailed plan as to week-by-week, month-by-month,

1 what's going to be completed and give us a progress report  
2 on that -- I mean, give us the plan ahead of time and give  
3 us a progress report at conclusion of the Del Mar meet.

4 Would that be agreeable to the Board?

5 COMMISSIONER DAVIS: I have a question.

6 CHAIR FERRARO: Yes.

7 COMMISSIONER DAVIS: Are we considering not  
8 approving or disapproving today until we get that progress  
9 report, so that we would continue this item?

10 CHAIR FERRARO: I think that's probably something  
11 we ought to do. And we can hear this item again in July.

12 Their extension goes to July 31st; is that  
13 correct, Mr. Chaney?

14 EXECUTIVE DIRECTOR CHANEY: Yes, that's correct.  
15 The Board granted an extension through July 31st of this  
16 year, so it will expire then. So if the Board doesn't grant  
17 an extension, you would have to hear it again next month and  
18 decide if and how long that extension would be. Otherwise,  
19 on the 31st it would no longer qualify as an auxiliary  
20 training facility.

21 COMMISSIONER MITCHELL: That's fine. We have --  
22 this is Commissioner Mitchell. We have sufficient -- I  
23 mean, that gives us time. We'll rehear it in July and  
24 determine if the work plan is sufficient --

25 CHAIR FERRARO: Okay.

1 COMMISSIONER MITCHELL: -- in my opinion.

2 CHAIR FERRARO: So this is what we want, unless --  
3 and the Commissioners may speak up unless this isn't correct  
4 -- we want a written plan to be submitted by the end of the  
5 month, which gives us a week-by-week plan of action as to  
6 what's going to be completed at each time, and that should  
7 be submitted to the Board. Then we will review it in the  
8 July meeting, consider the extension, but we will expect a  
9 progress report in September as to where you are.

10 Is that agreeable to the Board? Any objections to  
11 that?

12 Do we need to make a motion to do this or can we  
13 just leave it at that?

14 EXECUTIVE DIRECTOR CHANEY: I'm sorry, Mr. Chaney,  
15 are you asking me?

16 CHAIR FERRARO: Yes. I'm asking whether we need  
17 to put that in the form of a motion or can we just leave it  
18 as it is, and there's a recommendation, visit it next month.

19 EXECUTIVE DIRECTOR CHANEY: Yeah, I mean, I think,  
20 obviously, the agenda item was approval or disapproval of  
21 the extension, so it seems like the Board would be voting to  
22 disapprove the extension, but then also tabling it until  
23 next month, given the parameters that you outlined.

24 CHAIR FERRARO: Correct. Do you want a motion for  
25 that, Scott?

1 EXECUTIVE DIRECTOR CHANEY: I think that's right.

2 CHAIR FERRARO: Okay. Well, then the Chairman  
3 moves that we disapprove the extension, pending a revisit in  
4 July's meeting. And, also, we want the suggested weekly  
5 plan presented to us in writing by the end of the month.  
6 And we will have a progress report in our September meeting.  
7 Can I have a second for that motion?

8 COMMISSIONER DAVIS: Davis seconds.

9 CHAIR FERRARO: Okay. Commissioner Gonzales? We  
10 may have lost him.

11 Commissioner Alfieri?

12 COMMISSIONER ALFIERI: Yes.

13 CHAIR FERRARO: Commissioner Castellanos?

14 COMMISSIONER CASTELLANOS: Yes.

15 CHAIR FERRARO: Commissioner Davis?

16 COMMISSIONER DAVIS: Yes.

17 CHAIR FERRARO: Commissioner Mitchell?

18 COMMISSIONER MITCHELL: Yes.

19 CHAIR FERRARO: Commissioner Solis?

20 COMMISSIONER SOLIS: Yes.

21 CHAIR FERRARO: And the Chairman votes yes.

22 We will move on to item number seven which is  
23 discussion and action by the Board regarding the approval of  
24 an agreement, pursuant to CHRB Rule 1581, Racing Secretary  
25 to Establish Conditions, between the Del Mar Thoroughbred

1 Club and the Thoroughbred Owners of California (TOC)  
2 regarding entry conditions and specified drug substances or  
3 medications to be implemented by the DMTC at the Del Mar  
4 Racetrack.

5 This is now our standard agreement for each race  
6 meet.

7 Mr. Voss, do you want to comment on that, please?

8 MR. VOSS: Yes, thank you, and good morning,  
9 again, Commissioners. This is Zachary Voss, Regulation  
10 Analyst for the California Horse Racing Board.

11 Item number seven is a discussion and action by  
12 the Board regarding approval of the racing and medication  
13 agreement, pursuant to Board Rule 1581, between the Del Mar  
14 Thoroughbred Club, or DMTC, and the Thoroughbred Owners of  
15 California TOC. The agreement outlines the entry conditions  
16 and specified drug substances or medications to be  
17 implemented by DMTC at the Del Mar Racetrack for their  
18 upcoming meet. This is the standard agreement and contains  
19 all the same conditions as outlined previously in agenda  
20 item number five.

21 The agreement has been signed by the DMTC and the  
22 TOC and it's reflected in the Board package.

23 We have Josh Rubenstein, President and COO of the  
24 DMTC available to answer any questions by the Board.

25 Thank you.

1 CHAIR FERRARO: Can we queue Mr. Rubenstein and  
2 hear from his at this time?

3 OPERATOR: Mr. Rubenstein is now live.

4 CHAIR FERRARO: Go ahead, Josh.

5 MR. RUBENSTEIN: Good afternoon, CHRB  
6 Commissioners and Staff.

7 Yeah, this is the same agreement that we've had in  
8 place for the last three years, house rules on medication  
9 that have yet to be memorialized by the CHRB, including  
10 restrictions to Lasix and anti-inflammatory medication.

11 CHAIR FERRARO: So you're, basically, going to  
12 follow up with the agreements that we've had in previous  
13 years; is that correct?

14 MR. RUBENSTEIN: Correct.

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

17 Do we have a queue on this, Operator?

18 OPERATOR: Not at this time.

19 CHAIR FERRARO: Can I have a motion to approve?

20 COMMISSIONER SOLIS: I move.

21 COMMISSIONER CASTELLANOS: Castellanos' motion.

22 COMMISSIONER SOLIS: I --

23 COMMISSIONER ALFIERI: Second.

24 CHAIR FERRARO: Okay.

25 COMMISSIONER ALFIERI: Alfieri.

1 CHAIR FERRARO: Okay. Solis moves, Alfieri  
2 seconds.

3 So Alfieri, obviously, votes yes?

4 COMMISSIONER ALFIERI: Yes.

5 CHAIR FERRARO: Commissioner Castellanos?

6 COMMISSIONER CASTELLANOS: Yes.

7 CHAIR FERRARO: Commissioner Davis? Commissioner  
8 Davis?

9 COMMISSIONER DAVIS: Yes. Sorry. I was on mute.

10 CHAIR FERRARO: Commissioner Mitchell?

11 COMMISSIONER MITCHELL: Yes.

12 CHAIR FERRARO: Commissioner Solis?

13 COMMISSIONER SOLIS: Yes.

14 CHAIR FERRARO: And the Chair votes yes. Motion  
15 approved.

16 Moving on to item number eight, discussion and  
17 action by the Board on the Application for a License to  
18 Conduct a Horse Race Meeting of the Del Mar Thoroughbred  
19 Club at Del Mar, commencing July 7th, 2020 through September  
20 7th, 2021, inclusive.

21 Mr. Voss?

22 MR. VOSS: Yes. Thank you and good morning,  
23 Commissioners. Zachary Voss again.

24 Agenda item eight is the Application for a License  
25 to Conduct a Horse Racing Meeting of the Del Mar

1 Thoroughbred Club at Del Mar from July 7th through September  
2 7th, 2021.

3           We have received items since the Staff analysis  
4 was drafted, including the COVID-19 protocols, the Santa  
5 Anita fire clearance, including one for their auxiliary  
6 stabling facility, and the NYRA ADW agreement. Outstanding  
7 items -- (clears throat) excuse me -- outstanding items  
8 still needed to complete the application include Del Mar  
9 fire clearance, which they have a fire inspection scheduled  
10 for July 12th, so that's pending, and then a Board Rule  
11 1927-compliant fire clearance for their auxiliary stabling  
12 facility at San Luis Rey Downs. But as discussed earlier,  
13 the extension for that fire clearance inspection is pending  
14 the next Board meeting, as was discussed. And then, also,  
15 the CTT agreement is still outstanding. And so a prior one  
16 may need to be adopted, as has been done in previous  
17 hearings.

18           Representatives from Del Mar are available should  
19 the Board have any additional questions.

20           Thank you.

21           CHAIR FERRARO: Mr. Rubenstein, can you give us  
22 some comments, please?

23           MR. HARPER: This is Joe Harper. Let me jump in,  
24 in front of Josh, for just a second. Good morning, ladies,  
25 and gentlemen.

1 I'll tell you, Del Mar is very excited to put  
2 people back in the plan again. We're taking reservations  
3 now for all our seating areas, some 15,000, and they're  
4 filling up very quickly.

5 Again, we're going to have the same safety,  
6 implement the same safety rules and regulations that has  
7 kept us as the safest racetrack in North America for the  
8 last few years.

9 We have a great summer of racing planned that the  
10 team is going to go over. You know, our purses were -- are  
11 up considerably over last year. We did an amazing surprise  
12 in the handle last year that we did. And so we're able to  
13 boost up the stakes considerably, as well as the Ship and  
14 Win Program. So we're looking forward to a good positive  
15 response from the owners and trainers.

16 Josh, you want to talk about the overview?

17 MR. RUBENSTEIN: Sure. Thanks Joe.

18 Josh Rubenstein, Del Mar Thoroughbred Club.

19 The application in front of the Board from the Del  
20 Mar Thoroughbred Club is for a race meet from July 7th  
21 through September 7th. We estimate that we will conduct 283  
22 races over 31 race days. This translates into an average of  
23 approximately nine races per day.

24 Racing will begin on Friday, July 16th and  
25 conclude on Labor Day, September 6th. We will begin with

1 two three-day race weeks, Friday through Sunday. The next  
2 four weeks, weeks three through seven, will be four-day race  
3 weeks, Thursday through Sunday. And we'll conclude week  
4 eight with a five-day race week Thursday, ending on Labor  
5 Day Monday.

6 As Joe mentioned, we have a dynamic purse  
7 structure. We'll highlight our summer meet which will be  
8 amongst the nation's highest. Tom and David will have some  
9 details here shortly but our purses are increasing by about  
10 30 percent over last year.

11 On the health and safety front, as a response to  
12 COVID, we've worked very closely with health officials and  
13 our medical advisors at Scripps Health who have been  
14 absolutely terrific. And we have developed a comprehensive  
15 operating plan to ensure a safe environment for everyone  
16 involved with the racing at Del Mar, as well as the  
17 surrounding community.

18 We've kept the CHRB aware of our planning. We  
19 will open, as Joe said, with capacity limited to seated  
20 areas, which is about 15,000. But our operations plan will  
21 be flexible based on evolving guidance and feedback.

22 All stable area personnel will be required to  
23 provide proof of negative -- or excuse me, proof of  
24 vaccination or a negative COVID test within 72 hours before  
25 access to the backside. These same protocols will be in

1 place for all Del Mar staff, frontside and backside,  
2 including members of the management team on this call.

3 On the equine safety side, once again we'll be  
4 implementing industry-leading protocols and procedures. You  
5 know, and as Joe mentioned, last year, which was -- or 2020,  
6 for the third consecutive year, Del Mar was designated as  
7 the safest major racetrack in the country. And that truly  
8 is a team effort, great collaboration with the backstretch  
9 community, owners and, of course, the CHRB.

10 So I'll now turn things over to Tom Robbins for  
11 some specifics on our racing program.

12 Tom?

13 MR. ROBBINS: Good morning.

14 CHAIR FERRARO: Josh, before you hand that off, we  
15 don't have a new agreement with CTT; is that correct? So  
16 we're going to have to --

17 MR. RUBENSTEIN: That is.

18 CHAIR FERRARO: -- adopt the old one; is that  
19 accurate?

20 MR. RUBENSTEIN: That is correct, Chairman  
21 Ferraro.

22 CHAIR FERRARO: (Indiscernible.) Okay. Great.  
23 Go ahead, Tom.

24 MR. ROBBINS: Thank you. Tom Robbins, Del Mar.

25 COMMISSIONER MITCHELL: I have a question. I'm

1 sorry. This is Commissioner Mitchell. I have a question on  
2 that, on this -- the CTT agreement.

3 You know, I'm a stickler for getting all of our  
4 stuff in. What is the status, exactly, of the conversations  
5 regarding that agreement, so we don't just keep kicking the  
6 can? Because it seems like that's not good for anyone. And  
7 I know Oscar was deeply involved in this and he's not on the  
8 call any longer. But I wanted to know where we were on  
9 those conversations, and what's going on, and when we can  
10 work to a resolution on it, Josh?

11 MR. RUBENSTEIN: Sure. Basically, Commissioner  
12 Mitchell, we have a fundamental disagreement with the CTT  
13 over the standard that applies for a racing association to  
14 exercise its rights under California Law and CHRB Rule  
15 1989(b) (phonetic) which states that, "Any person may be  
16 denied access for any reason deemed appropriate by the  
17 association."

18 However, I will say, in despite of that -- in  
19 spite of that disagreement, we believe Del Mar continues to  
20 have an excellent relationship with our horsemen and women.

21 And I will put Del Mar's reputation for fairness up against  
22 any other racetrack in the industry.

23 COMMISSIONER MITCHELL: So I understand that  
24 there's a fundamental disagreement. What is the -- when was  
25 the last conversation to get past this disagreement and to

1 have a conversation? Because just continuing to have these  
2 two-year-old agreements doesn't seem to be the right  
3 strategy, from my perspective.

4 MR. RUBENSTEIN: There have been discussions as  
5 early as, I would say, within the last three to four weeks.

6 COMMISSIONER MITCHELL: Okay. And who is part of  
7 those conversations?

8 MR. RUBENSTEIN: The CHRB has been a part of those  
9 conversations. Obviously, we've had communication with the  
10 other party, CTT. And, unfortunately, we continue to have  
11 this disagreement.

12 COMMISSIONER MITCHELL: The CHRB Staff or --

13 MR. RUBENSTEIN: And I will --

14 COMMISSIONER MITCHELL: -- CHRB Commissioners?

15 MR. RUBENSTEIN: CHRB Staff. But I have spoken  
16 with Vice Chair Gonzales as early as yesterday on this  
17 issue.

18 COMMISSIONER MITCHELL: Okay. All right. Well, I  
19 would like to get this moving forward, so I'm just raising  
20 this an issue of kicking the can is not my idea of doing  
21 this.

22 Thank you.

23 MR. RUBENSTEIN: Thank you.

24 CHAIR FERRARO: Can we, Josh, can we get together?  
25 I'd be willing to do that, if Commissioner Gonzales is not

1 available, with you and the representatives of CTT, this is  
2 where we are, and see if we can figure out a way to move on  
3 it. Would that be agreeable to you?

4 MR. RUBENSTEIN: Of course. We'd be happy to do  
5 that anytime.

6 CHAIR FERRARO: Okay.

7 COMMISSIONER MITCHELL: And Chairman --

8 CHAIR FERRARO: All right.

9 COMMISSIONER MITCHELL: -- oh, I would be happy to  
10 participate, as well.

11 CHAIR FERRARO: Would you like to be in? Okay.

12 COMMISSIONER MITCHELL: Sure.

13 CHAIR FERRARO: Then we'll certainly include you.

14 COMMISSIONER MITCHELL: Great. Thanks.

15 COMMISSIONER DAVIS: Chair Ferraro, I would be  
16 interested, as well. This is Davis.

17 CHAIR FERRARO: Well, I'm all for it, but the  
18 Board -- Mr. Chaney, where do we stand on the Bagley-Keene  
19 situation?

20 EXECUTIVE DIRECTOR CHANEY: Yeah. Thank you, Mr.  
21 Chairman. Yeah, so four Commissioners would be a violation  
22 of Bagley-Keene, so that would have to be agendized for a  
23 Board meeting.

24 Just to kind of fill out the -- what both Mr.  
25 Rubenstein is saying in response to Commissioner Mitchell's

1 question, I've reached out in the last six weeks or so to  
2 both Alan Balch of the CTT and Del Mar to get sort of a  
3 crystallization of their exact differences. I also had a  
4 meeting with Commissioner Davis and Alan Balch to discuss  
5 the issue and I'm hopeful. I have a few ideas in terms of,  
6 you know, how this can be solved. So I think a meeting  
7 involving the CTT and Del Mar would be appropriate. We just  
8 can't have four Commissioners.

9 CHAIR FERRARO: Well, let's do this --

10 COMMISSIONER DAVIS: Well, okay. (Indiscernible.)

11 CHAIR FERRARO: -- let's ask Commissioner  
12 Mitchell.

13 Commissioner Mitchell, should Commissioner Davis  
14 do this?

15 COMMISSIONER MITCHELL: Yeah, that's fine. Well,  
16 no, I'm saying if Commissioner Davis has already been  
17 involved, then I'm fine with stepping back. I haven't had  
18 any meetings on this. I'm just trying to move the ball  
19 forward, so --

20 CHAIR FERRARO: Yeah. Okay. So whatever is your  
21 pleasure. I'm quite happy to step back and let the two of  
22 you meet. I mean, fresh faces, fresh ideas might be a good  
23 thing.

24 COMMISSIONER MITCHELL: Would that be fine with  
25 you?

1 CHAIR FERRARO: Do you want to do it that way?

2 COMMISSIONER DAVIS: Sure.

3 CHAIR FERRARO: And you can always -- and you'll  
4 give us a report to the Board and we can go from there. So  
5 we'll deputize Wendy, you, and Commissioner Davis, and with  
6 Scott and Del Mar and CTT to see what you can work out over  
7 the summer. Is that agreeable to everybody? Wonderful.

8 MR. RUBENSTEIN: Yes, sir. Del Mar doesn't have  
9 any problem.

10 CHAIR FERRARO: Okay. If there's any problems  
11 with that, let me know. Okay.

12 I think we need to move on to Tom now. Poor Tom.  
13 He's waiting.

14 MR. ROBBINS: I'm so excited. Thank you, Dr.  
15 Ferraro -- Chairman Ferraro.

16 Just to follow up a little bit with what Josh just  
17 spoke about, we're going to be continuing this summer our  
18 safety enhancements that we have developed over the last  
19 several years. And as we've said in recent years, through  
20 cooperation with the CHRB, namely Dr. Arthur, Equine Medical  
21 Director, and the horsemen, and all of the regulatory and  
22 attending veterinarians, these changes have been introduced  
23 and they've worked.

24 Just to mention a few, which involves identifying  
25 horses, possibly showing signs of risk at entry time to the

1 CHRB panel that reviews every race entry, the veterinarian-  
2 trainer agreements that create more communication between  
3 the two parties, to adding morning monitoring vets that  
4 watch the horses that are training on the track every day of  
5 training, and some critically important medication reforms,  
6 all of these things add up. And they have and they will  
7 continue to make a big difference.

8 Happy, also, to report that our Main Track  
9 Superintendent and Turf Course Superintendent, Dennis Moore,  
10 and Leif Dickinson, will be back. I consider them two of  
11 the best in the business. And we're confident they'll have  
12 both surfaces at optimum condition when horses start  
13 arriving at Del Mar on July 10th. We're very excited about  
14 the summer meet. As Joe and Josh previously mentioned,  
15 we've got a lot of good things to talk about.

16 And before I turn it over to David Jerkens, our  
17 Racing Secretary, to discuss the meet in a little bit more  
18 detail, I do want to acknowledge the work and successful  
19 negotiations among the tracks and TOC and the ADW companies  
20 which has allowed us to pump additional needed money into  
21 purses and all of our programs. And that, coupled with, as  
22 we discussion earlier, with better-than-expected business in  
23 2020 which allowed us to carry over some purse money into  
24 2021, we have a lot of good news.

25 So with that, I'm going to toss it over to David

1 and he can give you a little more detail.

2 MR. JENKENS: Thank you, Tom.

3 David Jerkens, Del Mar.

4 As was mentioned by Joe earlier, lots of positive  
5 momentum going into our summer season based on last year.  
6 For our stakes' program, we will be presenting 29 stakes'  
7 races in 31 days. The highlight of that schedule is our  
8 signature race, Pacific Classic, which will be run on August  
9 21st.

10 As Josh mentioned, overnight purse levels will be  
11 the highest that they've been in years, which is amongst the  
12 highest in the country, so we're happy about that.

13 Our successful Ship and Win Program has been  
14 enhanced to record levels. We're noticing positive  
15 responses from trainers and owners outside of California  
16 that want to be part of Del Mar this summer, so that's  
17 encouraging.

18 I'd like to say, this is my eighth year at Del  
19 Mar, and I can't remember this much anticipation and  
20 excitement for opening day, and we're anxious to get  
21 started.

22 I'll pass it to Craig to discuss marketing.

23 MR. DATO: This is Craig Dato from Del Mar.

24 As we've been talking about, despite the fact that  
25 we did not have fans on track last year, our total handle

1 was up 8.2 percent last summer. We had over \$467 million  
2 bet which equated to over \$17.3 million bet per day.  
3 Frankly, our goal is to beat those numbers this year and we  
4 really like our chances.

5           As you've heard, we are welcoming fans back, but  
6 we're not going to be implementing the major promotional  
7 schedule that we're known for with the weekly concerts and  
8 festivals. Instead, we will focus our energies on promoting  
9 wagering throughout the country and filling the grandstand  
10 on a daily basis with our core fans locally.

11           We do have a new Pick 6 this year, I'd like to  
12 point out. In an effort to gain consistency in Southern  
13 California, we will be implementing the same Pick 6 that's  
14 Santa Anita has been offering, the 20 cent wager with 70  
15 percent of the pool going to the winners and 30 percent of  
16 the pool going to the carryover pool. A unique ticket will  
17 take the entire pool. There will be a mandatory payout of  
18 the carryover pool on Pacific Classic Day. And we combine  
19 that with the Pacific Classic, itself, and the four other  
20 graded stakes' races, we expect to be in for a huge day of  
21 handle on Pacific Classic Day, Saturday, August 21st.

22           From a media standpoint, we're going to be  
23 concentrating on radio, digital advertising, direct mail, as  
24 well as relying on our significant email list. And, as  
25 always, our social media efforts will be extremely strong.

1           So that's all we have at this point. We're happy  
2 to answer any question.

3           CHAIR FERRARO: I have a question for David.

4           David, how dependent are you for your racing  
5 program, and to fill races, with the horses that are stabled  
6 at San Luis Rey?

7           MR. JENKENS: So this is David.

8           To answer your question, there's roughly 350  
9 horses at San Luis Rey. There are horsemen at San Luis Rey  
10 that currently applied for stalls at Del Mar. It's usually  
11 quite a bit, so we're going through those applications as we  
12 speak, so I'm getting a better idea of our inventory. There  
13 is stabling, also, at Los Alamitos that we can assign stalls  
14 to, trainers, as well, so we expect the full Del Mar barn  
15 area. And we'll utilize Los Alamitos, as well.

16          CHAIR FERRARO: Okay. Thank you.

17          Any questions from the Board? No questions from  
18 the Board?

19          Do we have a queue, obviously, on this, Operator?

20          OPERATOR: We do.

21          CHAIR FERRARO: Go ahead.

22          OPERATOR: Thank you.

23          We will first go to KC Zafiabis with Del Mar.

24          Please go ahead.

25          CHAIR FERRARO: Go ahead please.

1 MR. ZAFIABIS: Good morning. Good morning. This  
2 is KC Zafiabis. I'm the owner of the Stratford Square  
3 Building in Del Mar and landlord to three local restaurants  
4 and five retail shops. On behalf of all of my tenants, I'd  
5 like to say how excited we are for the upcoming thoroughbred  
6 racing season. Approximately 30 percent of their annual  
7 sales come during these two months. And now that the state  
8 has reopened, we look forward to welcoming race fans back to  
9 Del Mar.

10 Thanks.

11 CHAIR FERRARO: Thank you.

12 Next, please.

13 OPERATOR: Next, we go to Bonnie Croker, a  
14 citizen.

15 Please go ahead.

16 MS. CROKER: Yes. First, thank you, CHRB, for  
17 disapproving agenda item number six.

18 I wish to inform the CHRB of a critical issue that  
19 needs resolution before Del Mar is licensed to race. Del Mar  
20 habitually violates CHRB Rule 1444 which pertains to the  
21 deceitful editing and alteration of racing videos.  
22 According to California Business and Professions Code,  
23 racetrack licenses are granted upon the agreement that the  
24 tracks will comply with CHRB rules. CHRB Rule 1444 states  
25 that, "No person shall cut, mutilate, alter, or change

1 videotape recordings for the purpose of deceit or fraud of  
2 any type.”

3           There isn't one CHRB-sanctioned horse race that is  
4 not watched and filmed by people concerned about animal  
5 abuse. Consequently, there is abundant evidence that Del  
6 Mar, like other tracks, have been editing their racing  
7 videos for the purpose of deceit.

8           Legal counsel was employed recently to send cease  
9 and desist letters to Los Alamitos and Santa Anita  
10 racetracks in regard to the same habitual violation.

11           In just one of many examples, on the date of  
12 09/20/2020 during race four at Del Mar, horse eight, Rick's  
13 Dream, was injured and vanned. Her Equibase chart, in a  
14 film taken of the (indiscernible) transmitted livestream  
15 incident, Rick's Dream can be seen falling back and hobbling  
16 on an injured front leg. After Del Mar cut and edited the  
17 initial livestream pan view, Rick's Dream magically  
18 disappeared. The head-on replay was never aired.

19           Incriminating film evidence also exists for the  
20 09/05/2020 Del Mar death race of Mean Sophia, horse five,  
21 race seven. She stumbled out of the starting gate,  
22 suffering a catastrophic injury. She was subsequently  
23 euthanized. Del Mar cut and edited the replay so that it  
24 simply begins after Mean Sophia falls.

25           Concerned citizens now place the demand upon Del

1 Mar to cease and desist with their defiance of CHRB Rule  
2 1444 which explicitly orders them to stop cutting,  
3 mutilating, and altering videotape recordings for deceit of  
4 any type.

5 CHRB, please deny Del Mar's license until they're  
6 compliance is assured.

7 Thank you.

8 CHAIR FERRARO: Next, please.

9 OPERATOR: Next, we go to Patty Shenker, a  
10 citizen.

11 Please go ahead.

12 MS. SHENKER: Yes. Del Mar's license should not  
13 be removed. Although they brag that they are the safest  
14 track in America, the fact is they are taking advantage of  
15 your, the CHRB's, loophole that a horse's death does not  
16 have to be reported when a horse is euthanized at a non-CHRB  
17 facility.

18 Case in point, Hendavid, a three-year-old colt who  
19 broke his ankle in Pleasanton last July was transferred to  
20 Del Mar, according to its owner. Why was he even  
21 transferred after such a serious injury? And why was this  
22 horse not counted among the fatalities if he was euthanized  
23 at Del Mar? It appears that this poor horse was not  
24 euthanized at Del Mar, rather, he was shipped off again,  
25 this time to Utah where he was finally put out of his

1 misery, but only after a month of suffering from his ankle  
2 fracture. This loophole is corrupt and must end. As  
3 has been mentioned, Del Mar also has a history of altering  
4 videos which, in and of itself, is in violation of  
5 California Business and Professions Code. Licenses are  
6 granted based on tracks complying with the CHRB rules and  
7 regulations. By violating Rules 1442 and 1444, their  
8 license should be suspended, not renewed.

9 Thank you.

10 CHAIR FERRARO: Thank you.

11 Next, please.

12 OPERATOR: Next, we go to Oscar de la Torre  
13 with -- I'm sorry, he is a worker advocate.

14 Please go ahead.

15 MR. DE LA TORRE: Yes. Good morning, CHRB. Can  
16 you hear me?

17 OPERATOR: Yes, sir.

18 CHAIR FERRARO: Yes, we can. Go ahead.

19 MR. DE LA TORRE: Yes. Okay.

20 CHAIR FERRARO: Go ahead.

21 MR. DE LA TORRE: Yes. You know, in government,  
22 we want to use power to improve conditions, and to support  
23 those that are doing the right thing right. You know, if  
24 any racetrack operator deserves the opportunity to conduct  
25 live racing it is the DMTC. Their track record as the

1 safest racetrack for horses in the country for three  
2 consecutive years speaks for itself.

3           You know, I've been a witness to the strict COVID  
4 protocols that they've implemented with the guidance of the  
5 county. And, you know, they've kept workers safe, they've  
6 kept the public safe, and I think that's something to be  
7 commended.

8           Backstretch workers in horse racing worked through  
9 the pandemic, ensuring the well being of thousands of horses  
10 under their care while keeping many other businesses alive.  
11 Various service providers and businesses connected to the  
12 horse racing industry, including equine veterinarians and  
13 therapists, ranchers providing feed, and even broadcasters,  
14 journalists, security guards all continued their roles  
15 because backstretch workers, following all health and safety  
16 protocols, showed up to work.

17           As California begins to focus efforts on reopening  
18 our economy, it is vital that we acknowledge the workforce,  
19 well known and obscure, that is the bedrock of every  
20 industry. We all exist in a fragile economic ecosystem. It  
21 is the frontline workers who show up to work, generating tax  
22 revenue, and allowing workers higher up in every industry to  
23 stay employed, and businesses to continue to charge for  
24 their services which sustains more workers and their  
25 families.

1           The foundation of every industry remains the  
2     frontline workers who do the heavy lifting every day.  
3     Without their labor, their commitment, and their sacrifices,  
4     our collective lives as we know them will not exist. It's  
5     very important to understand that by you supporting DMTC's  
6     application, you're supporting many workers and their  
7     families that depend on horse racing, that look forward to  
8     taking care of horses, and to having safer horse racing  
9     happen in the state of California. That's happening at Del  
10    Mar. And DMTC is a very responsible operator.

11           I hope that you approve their application.

12           Thank you very much.

13           CHAIR FERRARO: Thank you.

14           Next, please.

15           OPERATOR: Next, we go to Maria Luisa.

16           Please go ahead.

17           MS. LUISA: Yes. Good afternoon, CHRB Members.

18     And thank you for your service to our community. My name is  
19     Maria Luisa and my family has worked in horse racing for  
20     many years as backstretch workers. I'm calling you to  
21     support DMTC's Application to Conduct Live Horse Racing at  
22     the Del Mar Fairgrounds.

23           The workers that are the foundation of horse  
24     racing benefit greatly from the job's medical benefits and  
25     housing that is provided at the Del Mar Racetrack. I have

1 seen firsthand how well the racetrack has implemented safety  
2 protocols to protect workers and staff from COVID infection.  
3 We did not see the COVID outbreak that occurred in other  
4 industries at Del Mar. And when workers did get sick, they  
5 were quarantined and cared for. Racetrack operators acted  
6 responsibly. And just like we recognize them for their  
7 safety record with horses on the racetrack, they should also  
8 be recognized for their record in protecting workers.

9           Anyone who spends time in the backstretch will  
10 realize that our community exists at the Del Mar Racetrack.

11       Mostly immigrant workers live, work, and find a sense of  
12 community through the profession in horse racing at Del Mar.  
13 These workers are part of Del Mar's present and future  
14 success, and the success of every local business that  
15 benefits from horse racing. Any improvements in the quality  
16 of life of these workers will only serve to strengthen the  
17 economic activity that derives from their labor.

18           By approving the DMTC's application, you are  
19 providing a sense of stability for many of the workers who  
20 see their future tied to the future of the profession in  
21 horse racing. The CHRB should do all that it can to  
22 acknowledge the workers that showed up to work through the  
23 pandemic and will continue to be on the front lines of our  
24 state's economic recovery.

25           My family is proud of the work that we do taking

1 care of horses at the racetrack. Our lives and our jobs  
2 also matter.

3 Thank you for listening.

4 CHAIR FERRARO: Thank you.

5 Next, please.

6 OPERATOR: Next, we will go to Jane Cartmill, a  
7 citizen.

8 Please go ahead.

9 MS. CARTMILL: The other day a friend of mine,  
10 knowing my interest in horse racing matters, sent me some  
11 information from the International Museum of the Horse.  
12 Quoting from that,

13 "Today the Jockey Club manages one of the most  
14 sophisticated computer operations in the country. It's  
15 database holds the names of more than 3 million horses  
16 on a master pedigree file, names that trace back to the  
17 late 1800s. The system also handles daily results of  
18 every thoroughbred race in North America, as well as  
19 processing electronically transmitted pedigree and  
20 racing data from England, Ireland, France, Australia,  
21 Japan, and other leading thoroughbred racing countries  
22 around the world."

23 Impressive. And yet we continue, at Del Mar and  
24 other tracks, to have horses missing in action, failing to  
25 be found in the databases after injury or a concerning

1 untoward event in a race, pulled up, vanned off, did not  
2 finish, et cetera.

3 Two horses last seen at Del Mar and not showing up  
4 as of June 13th in the databases were Velvet Queen, a mare  
5 born March 31, 2016, placed third, and then vanned on  
6 November 27th, 2020 at Del Mar, a possible tendon injury is  
7 what Mac McBride said about it. Last workout, November 6th,  
8 2020.

9 Another, One Bad Boy, again, not showing up on  
10 June 13th in the database, a ridgling born April 4th, 2016,  
11 eased, pulled up, and did not finish at Del Mar, race seven,  
12 November 28th, 2020, last workout, November 22, 2020.

13 We keep asking, where are these horses? Likely  
14 dead. But we keep hearing about transparency, and yet not  
15 in the case of these horses. And the indifference expressed  
16 in previous Board meetings by the Equine Medical Director  
17 was very disturbing to me.

18 I'm tired of hearing about how safe everything is  
19 at Del Mar. Good for them that they got their killing  
20 numbers down but answer to the public. Where are these  
21 horses?

22 Thank you.

23 CHAIR FERRARO: Thank you.

24 Next, please.

25 OPERATOR: Next, we will go to Jim Coleman with

1 Del Mar Village Association.

2 Please go ahead.

3 MR. COLEMAN: Good morning, CHRB Board. My name  
4 is Jim Coleman and I'm a Del Mar business owner and area  
5 resident for almost 40 years. And I'm also a Board Member  
6 of Del Mar Village Association.

7 And on behalf of the local business community, I  
8 want to say just how happy and excited we are to have  
9 thoroughbred racing back at Del Mar this summer. The  
10 Thoroughbred Club invites the world to a beach party every  
11 year, one that showcases the finest and safest racing in the  
12 country. And people come to our fabulous race place and  
13 visit our restaurants and shops. They stay in our hotels  
14 and rentals. And they contribute to the vibrant energy of  
15 Del Mar and our local area that's been missing for so long  
16 during the COVID pandemic. Many of our shops and  
17 restaurants count on the profits from the summer racing fans  
18 to carry them through the balance of the year. So this  
19 year, having our race meet back is especially important.

20 I am to express my appreciation to the CHRB for  
21 your support and recommending approval of the DMTC's  
22 license. You know, whenever I think of the way Del Mar  
23 Thoroughbred Club conducts our race meet, the expression  
24 that always comes to my mind is nobody does it better.

25 Thank you very much.

1 CHAIR FERRARO: Thank you.

2 Next, please.

3 OPERATOR: Next, we go to Kimberly Marrs with KTM  
4 Equine.

5 Please go ahead.

6 MS. MARRS: Hello. I would, too, like to  
7 recommend that you approve these dates. My name is Kimberly  
8 Marrs. I have been a racehorse trainer for over 20-plus  
9 years, and also an owner and breeder for over 35 years.

10 I understand that there are many people who have  
11 opinions about what horse racing is about. For those of us  
12 who show up to work daily to ensure our horses receive the  
13 best care and treatment, we have a different opinion that is  
14 based on facts and our lived experiences. Without a doubt,  
15 there is a lot of scrutiny, government oversight, and a  
16 plethora of regulations in our industry.

17 These reforms have expanded in the last two years  
18 and we have seen significant improvements in horse racing,  
19 safety, and welfare, and well being. Even with the current  
20 high-profile controversies are more evidence that the  
21 culture of horse racing has changed. During these meetings  
22 we have heard every allegation against us. And I hope  
23 anyone paying attention can see that there are very strict  
24 protocols and regulations that work to protect the integrity  
25 of our sport. As a trainer, I support these rules and

1 regulations because the safety and welfare of the horses  
2 under my care is my number one priority.

3 We thank you all for your work with us to host the  
4 safest and best horse racing in our country, also the  
5 commitment to continue to implement the reforms that are  
6 keeping our horses and our workers safe.

7 Thank you.

8 CHAIR FERRARO: Thank you.

9 Next, please.

10 OPERATOR: Next, we will go to Martha Sullivan, a  
11 citizen.

12 Please go ahead.

13 MS. SULLIVAN: So you know, we hear about the  
14 rules and regulations, you know, that horse racing has to  
15 deal with. Earlier in the comments we heard about yet  
16 another CHRB rule that is ignored, and that's Rule 1444 that  
17 requires -- that prohibits racing videos to be edited or  
18 altered, most importantly altered. So just like with Rule  
19 1927, which the CHRB failed to enforce at San Luis Rey and  
20 at which 36 (phonetic) horses died in a fire in late 2017,  
21 we had documentation that Del Mar, along with other  
22 racetracks, alters race videos. And here's two more  
23 examples.

24 Last September 4th in race nine at Del Mar, horse  
25 two, Queens Blowhorn (phonetic), tosses the rider, crashes

1 into the rail, falls and, of course, didn't finish the race.  
2 The race video was edited. You know, she magically  
3 disappears on the resulting video that's available to the  
4 public. And the head-on replay was never aired. We have  
5 the unedited clip of this.

6 And on August 31st in race eight at Del Mar, Great  
7 Power clips heels, falls, gets trampled, and vanned off and,  
8 of course, did not finish. A head-on replay never aired.  
9 And a pan replay was altered. And, once again, we have the  
10 unedited video to prove this alteration.

11 The rules that are in place are, primarily, window  
12 dressing. And the safety is window dressing. Because what  
13 the industry does is figure out how to hide and, you know,  
14 remove evidence from public scrutiny. The CHRB needs to  
15 enforce these rules, 1927, and here, 1444.

16 CHAIR FERRARO: Thank you.

17 Next, please.

18 OPERATOR: Next, we will go to Liz Jacobelly, a  
19 citizen.

20 Please go ahead.

21 MS. JACOBELLY: Hi. This is Liz Jacobelly. Can  
22 you hear me?

23 CHAIR FERRARO: Yes. Go ahead.

24 MS. JACOBELLY: Yes. Del Mar always brags about  
25 how they are the safest track in America. Yet, according to

1 this complaint filed against the California Veterinary  
2 Medical Board where Dr. Arthur is named, "Racetracks are  
3 routinely euthanizing horses at non California Horse Racing  
4 Board facilities. It's a total scam."

5 This is why racing videos are altered, deaths are  
6 covered up, and we have even seen racing charts altered  
7 after the fact. Cameras are deliberately moved when a horse  
8 is in trouble, whether it is during the loading process or  
9 if he or she collapses in a race.

10 We have been asking for months about the status of  
11 the numerous horses. And based on what we have read in this  
12 complaint against the California Veterinary Medical Board  
13 where Dr. Arthur, your Equine Medical Director, is named.

14 Also, from a post on the Paulick Report, Horse  
15 Racing News, Common Use Euthanasia Drugs in Short Supply,  
16 "'Veterinarians will need to begin making alternative  
17 human euthanasia plans for animals in their care as a  
18 nationwide shortage of phenobarbital deepens,' reports  
19 the Chronicle of the Horse. The low inventory wasn't  
20 reported immediately. Veterinarians began to have  
21 trouble obtaining phenobarbital when their order or  
22 back orders are not available because of supply chain  
23 issues. It was added to the Food and Drugs  
24 Administration list of the animal drug shortages in May  
25 to combat the dwindling supply of Veterinary Medical

1 Association.

2 "So what they're suggesting is that, in anticipation to  
3 the potential continued shortage of the AAEP, American  
4 Association of Equine Practitioners, publish guidelines  
5 for preferred euthanasia methods include gun shots,  
6 captive bolt, or combinations of drugs. The  
7 organization notes that the alternative methods are  
8 humane when done by a trained veterinarian."

9 It is not humane. So horses will continue to die  
10 at Del Mar. They will continue to be covered up. And there  
11 will not even be humane drugs to be able to put them down.  
12 So please do not continue horse racing at Del Mar. It is  
13 cruel. Horses are still dying no matter -- I know you've  
14 tried to make rules to make it better but it's not working.  
15 They're still dying to make it better. To stop the cruelty  
16 is to stop horse racing.

17 CHAIR FERRARO: Thank you.

18 Next, please.

19 OPERATOR: Next, we will go to Wayne Johnson, a  
20 citizen.

21 Please go ahead.

22 MR. JOHNSON: Ms. Marrs, of course, is absolutely  
23 correct that there's lots of safety protocols, and the  
24 horses are still dying, that's our point. If you run these  
25 horses, they're going to die.

1 I wonder if Mr. de la Torre and Maria Luisa were  
2 there the day that Carson Valley charged into Charge a  
3 Bunch. Carson Valley, Mr. Baffert's horse, Charge a Bunch,  
4 instant death, what happened to these horses? Were they  
5 shipped to the University of California, Davis as the rules  
6 required? No. They were sent to rendering plants. Where  
7 was that information? Why wasn't Mr. Rubenstein forthcoming  
8 about that? Coverup. Lack of transparency.

9 And if we're going to talk about the safest  
10 racetrack in America, let's talk about the fact that it's  
11 one of the few racetracks that's received a warning from the  
12 CHRB.

13 Thank you.

14 CHAIR FERRARO: Next, please.

15 OPERATOR: Next, we will go to Alan Balch with  
16 California Thoroughbred Trainers.

17 Please go ahead.

18 MR. BALCH: Yes. Thank you. On behalf of  
19 California Thorough Trainers, we want to support this  
20 license application without reservation. We appreciate the  
21 Racing Board taking the initiative on our race meet  
22 agreement and welcome the opportunity to resolve the  
23 outstanding issues as to our race meet agreement going  
24 forward.

25 But overall, and much more important than our race

1 meet agreement, is to commend Del Mar's approach to managing  
2 racing. We particularly take note of the team effort that  
3 you saw -- you heard today, evidenced in their presentation  
4 by what I think is a management group that is without  
5 parallel anyplace else in American racing and, potentially,  
6 in the world of racing, given the fact that the Breeders'  
7 Cup there a few years ago was the most successful ever  
8 produced. And we're looking forward to that again toward  
9 the end of this year.

10           Mr. Harper heads a team effort. And the results  
11 of it are evident for all to see in a very positive way in  
12 the community and for the entire sport of racing. That  
13 cooperation that Mr. Harper has headed up for many years has  
14 taken another step forward this year, which we salute them  
15 for coordinating so much in such an improved way with the  
16 racing office at Santa Anita, as well as Golden Gate Fields,  
17 to improve racing in California for everyone. The  
18 recruiting that Del Mar has done, in conjunction with The  
19 Stronach Group, is so important to the future of this sport  
20 in California. And we just want to express our appreciation  
21 and support without reservation to Del Mar's license  
22 application.

23           Thank you.

24           CHAIR FERRARO: Thank you.

25           Next, please.

1 OPERATOR: Next, we will go to Andrew Lesser, a  
2 citizen and former horse owner.

3 Please go ahead.

4 MR. LESSER: Yes. Good morning.

5 Regarding the application for Del Mar, I would  
6 support it if two conditions are met. I understand that the  
7 videos are altered to prevent after-race viewing of  
8 incidents of a horse with a broken leg or other injury,  
9 basically, to hide the reality of what happens when a horse  
10 is injured. Similarly, horses at Del Mar, like other  
11 tracks, are vanned off when they're injured. And this, too,  
12 is to hide the reality of the brutal nature of horse racing.  
13 And this is to shield the people that visit the racetrack,  
14 as well as the people that watch on TV and on streaming  
15 modalities.

16 So in the effort to increase transparency of what  
17 happens at Del Mar and other tracks, I would say that if you  
18 enforce the rule of no altering of videos to cut out  
19 portions where a horse is shown injured, and number two, if  
20 you would stop the practice of vanning horses off and just  
21 euthanize right there on the track, not behind a shield, so  
22 everyone can see what the reality of horse racing is -- I  
23 think it's shameful that you try to cover it up and present  
24 it as an industry. And I think people who watch a race have  
25 a right to see a horse getting euthanized right then and

1 there, and that will disgust them, and that will bring about  
2 the sooner demise of horse racing.

3 Thank you.

4 CHAIR FERRARO: Thank you.

5 Next, please.

6 OPERATOR: Next, we will go to Lynn Frudenberg, a  
7 citizen.

8 Please go ahead.

9 MS. FRUDENBERG: Hi there and thank you for taking  
10 my call.

11 According to a recent complaint filed against the  
12 California Veterinary Medical Board, Dr. Arthur and the CHRB  
13 are covering up horse deaths. Part of the complaint says,

14 "It's difficult to watch catastrophically injured  
15 horses loaded into a trailer to be hauled offsite  
16 instead of being mercifully euthanized right there.

17 Many times the horses that are euthanized there at the  
18 track are those who could not be trailered off. Common  
19 places for horses to be shipped are either back to the  
20 trainer's ranch or to an offsite veterinary clinic.

21 Several of the CHRB licensed veterinarians have offsite  
22 clinics or hospitals, such as a veterinary clinic by  
23 Vincent Baker, DVM, in Cypress, (indiscernible) DVM,  
24 and Korin Potenza, DVM, of (indiscernible), California.

25 When they perform a euthanasia at the offsite clinic

1 for a catastrophically injured racehorse, it does not  
2 count as a track fatality, nor is a CHRB necropsy  
3 performed. This means that there are no drug panels on  
4 a euthanized horse."

5 How dare you continue to call this the safest  
6 track in America when you are, obviously, not being honest.  
7 No transparency. You are continuing to deceive the public.  
8 We won't be fooled.

9 There's some horses still missing from the track  
10 there from the database that we want to know about. Ushane  
11 (phonetic), a three-year-old gelding at Del Mar,  
12 Thanksgiving, pulled up, did not finish. Last workout,  
13 11/19/20. Magnolia's Hope, eased, did not finish, vanned,  
14 might be pelvis or right hind per Mac McBride. And then  
15 there's also Rick's Dream, a six-year-old gelding, pulled  
16 up, vanned off, Del Mar, 09/07/20, last workout August 16th  
17 at Los Alamitos. Where are these horses? It's a real  
18 simple question. Are they dead or alive? And, please, not  
19 your jurisdiction is not the answer.

20 Thank you. And, please, I want to reinforce that  
21 it's your responsibility.

22 CHAIR FERRARO: Thank you.

23 Next, please.

24 OPERATOR: Next, we go to Kimberly Marrs with KTM  
25 Equine.

1 Please go ahead.

2 MS. MARRS: Hello. Hey, it's me again. I wanted  
3 to say, that gentleman, I mean, the -- why do you guys want  
4 to be all gruesome? I don't understand that, like what the  
5 public sees. A lot of horses that are vanned off are not  
6 catastrophically injured. They just need to be vanned off.  
7 A lot of times it could be a soft tissue issue, a fracture  
8 that is healable through surgery or just time off. There's  
9 a lot of different reasons horses get vanned off. It  
10 doesn't mean it's a death sentence.

11 If you wanted more information, we can give you  
12 the information as to what happens with these horses and why  
13 we take care of them, a lot of them, and then they go on to  
14 other careers. That's why you might not hear of them. And  
15 it's not an owner's responsibility to tell you about their  
16 private property. That is why, once they leave a CHRB  
17 facility, it doesn't -- it's not their jurisdiction or their  
18 job to, you know, let everybody know where these horses are.

19 Most of these horses that don't have any catastrophic  
20 issues go on to different careers and different jobs, just  
21 so you know.

22 CHAIR FERRARO: Thank you very much.

23 In the future, I want to limit everybody to one  
24 comment per agenda item. I realized that this last speaker  
25 had spoken before. So please --

1 MS. MARRS: Okay.

2 CHAIR FERRARO: -- if you've already spoken, don't  
3 get in line again.

4 MS. MARRS: Okay.

5 CHAIR FERRARO: Go ahead, Operator.

6 OPERATOR: Thank you.

7 Next, we will go to Nick Cosado, a horse owner.

8 Please go ahead.

9 MR. COSADO: Yes. I want to support racing at Del  
10 Mar. I think that it's a huge disservice to the working  
11 community. And I want to applaud the Board for giving Del  
12 Mar the racing days.

13 These anti-animal activists that are calling in  
14 and want gory videos shown, and it's like you hear these  
15 constant replays of automated tones, they're all getting  
16 together and sending in the same message. You know, I don't  
17 think anyone really wants to see this. And if you love  
18 animals so much, I mean, we all have cats and dogs, when  
19 they go out in the street and get run over, do you want to  
20 see video of that? Are you asking for videos of the pork  
21 that you're eating at night or the beef that you're eating?  
22 Do you need to see the video of the cow being slayed?

23 So I wish you guys would temper your enthusiasm  
24 and quit continue coming at us like we're doing something  
25 egregious. We run a business. This horse racing industry

1 is safer than it has ever been. And the anti-animal  
2 activists need to back off.

3 Thank you.

4 CHAIR FERRARO: Thank you.

5 Next, please.

6 OPERATOR: Next, we go to Mary Johnson, an equine  
7 advocate.

8 Please go ahead.

9 MS. JOHNSON: Yes. Thank you so much for taking  
10 my comment. I'd like to respond to the previous gentleman  
11 who just spoke, and he said we need to temper our  
12 enthusiasm.

13 I grew up around racehorses, galloped racehorses  
14 at a lay-up farm back in the 1960s, before I could drive.  
15 Some of the things I have seen on the backside of low-level  
16 tracks is enough to make you want to hurl.

17 I'm never going to temper my enthusiasm for the  
18 horses. I am going to continue to speak for them.

19 And the people in racing are paid to be in the  
20 industry. They make the money. Otherwise, they wouldn't be  
21 in the industry. And it's really hard to see the facts when  
22 your pocketbook relies on you not seeing the facts.

23 Some horses --

24 CHAIR FERRARO: Excuse me, ma'am. Can you relate  
25 this to the Del Mar application for a license please?

1 MS. JOHNSON: Absolutely. I'm going to relate it  
2 to Del Mar.

3 Del Mar races during the summer months. I think  
4 that's something we can all agree on. And something we  
5 haven't even talked about is what about equine heat stress?  
6 What about horses that are racing in intense heat and  
7 humidity?

8 Now the racing advocates say that they love their  
9 horses just like family. But would you put your family  
10 member out on the track when it's 96 degrees and the  
11 humidity is over 100?

12 Heat stress, elevated heart rate with a slow  
13 recovery rate, irregular heartbeat, and profuse or no  
14 sweating. Some horses do go on to second careers out of the  
15 Del Mar system and that's absolutely fantastic. A lot  
16 don't. There aren't enough homes.

17 Thank you so very much.

18 CHAIR FERRARO: Thank you.

19 Next, please.

20 OPERATOR: There are no further comments at this  
21 time.

22 CHAIR FERRARO: Okay. Any questions or comments  
23 from the Board?

24 COMMISSIONER MITCHELL: This is Commissioner --

25 CHAIR FERRARO: Can I have a motion please?

1 COMMISSIONER MITCHELL: Hang on.

2 CHAIR FERRARO: Go ahead.

3 COMMISSIONER MITCHELL: This is Commissioner  
4 Mitchell.

5 I just want to say, not based on the comments  
6 today but in general, I would like to say that if there is  
7 any, you know, valid evidence that horses are being taken  
8 offsite so that they don't get counted towards the number of  
9 horse deaths at a location, that is going to be a serious,  
10 serious problem for me. I commend Del Mar and all the work  
11 they've done on safety. And I think that that is great  
12 appreciated by everyone. And this is not -- this is my  
13 comment -- the first part of my comment is not specific to  
14 Del Mar, it's to everyone, to all the tracks. If that is  
15 the case and, you know, there's substantial evidence, I'm  
16 going to have a problem with that, so we need to be very  
17 much on notice that should not be happening because horses  
18 should not be vanned off for a number of situations. When  
19 they break an ankle, they need to euthanize them there.

20 So thank you.

21 CHAIR FERRARO: I think Mr. Chaney --

22 COMMISSIONER ALFIERI: Mr. Chairman --

23 CHAIR FERRARO: -- can address that.

24 COMMISSIONER ALFIERI: -- I'd like --

25 CHAIR FERRARO: Go ahead, Dennis.

1 COMMISSIONER ALFIERI: -- I'd like to make a  
2 motion to approve.

3 CHAIR FERRARO: Okay.

4 COMMISSIONER SOLIS: I second. Alex Solis.

5 CHAIR FERRARO: Okay. Let's have a vote.

6 Wendy, I can tell you, we're working on that  
7 problem and we have been dealing with it.

8 COMMISSIONER MITCHELL: Thank you so much. That  
9 means a lot. But, also, it's even more concerning that  
10 you've been working on it because it is a problem, which  
11 means people are not doing the right thing.

12 CHAIR FERRARO: Yeah. It's a minor issue but we  
13 are tracking down.

14 Mr. Alfieri?

15 COMMISSIONER ALFIERI: So moved to approve.

16 CHAIR FERRARO: Yeah. Damascus?

17 COMMISSIONER SOLIS: I second.

18 CHAIR FERRARO: Ms. Davis?

19 COMMISSIONER DAVIS: Yes.

20 CHAIR FERRARO: Commissioner Mitchell?

21 COMMISSIONER MITCHELL: Yes.

22 CHAIR FERRARO: Mr. Solis?

23 COMMISSIONER SOLIS: Yes.

24 CHAIR FERRARO: And the Chairman votes yes. The  
25 motion is approved.

1 I'd like to ask for about a ten-minute break, so  
2 we will reconvene at 12:20. Is that agreeable with  
3 everybody? Thanks.

4 COMMISSIONER CASTELLANOS: Motion.

5 CHAIR FERRARO: If we need a motion? I'm going.

6 (Off the record at 12:19 p.m.)

7 (On the record at 12:27 p.m.)

8 CHAIR FERRARO: All right, we've moving on to item  
9 nine, discussion and action by the Board on the Application  
10 for License to Conduct a Horse Racing Meeting of the  
11 California Exposition and State Fair at Pleasanton,  
12 commencing July 14, 2021 through July 20, 2021, inclusive.

13 Amanda?

14 MS. DRUMMOND: Yes. Good afternoon now,  
15 Commissioners. Amanda Drummond.

16 As discussed and approved in agenda item four, a  
17 reallocation of dates will allow the Cal Expo State Fair  
18 racing to run only one week now from July 14th through July  
19 20th. And they will now run at Pleasanton instead of the  
20 Cal Expo Fairgrounds.

21 The application is complete and there are no  
22 outstanding items. And representatives from CARF are  
23 available should the Board have any further questions.

24 Thank you.

25 CHAIR FERRARO: Mr. Swartzlander, do you have

1 comments you'd like to make?

2 MR. SWARTZLANDER: Yeah. This is Larry  
3 Swartzlander. I have no further comments.

4 CHAIR FERRARO: Okay. Questions from the Board  
5 regarding this? Anybody?

6 Operator, we must have a queue.

7 OPERATOR: We do.

8 CHAIR FERRARO: Let's go.

9 OPERATOR: Thank you.

10 We will first go to Rick Pickering with your  
11 California State Fair.

12 Please go ahead.

13 MR. PICKERING: Yes. Good afternoon, honorable  
14 Commissioners.

15 Cal Expo supports the staff's recommended approval  
16 of this item. And the State Fair further appreciates that  
17 the Horse Racing Board's earlier motion on item number four  
18 stipulated that it was a one-time non precedent-setting  
19 arrangement.

20 So as not to repeat my earlier statements, I would  
21 like to highlight the many emergency roles, not only that  
22 Cal Expo has been playing, but our racetrack racing  
23 grandstands have been instrumental in us being able to  
24 vaccinate hundreds of thousands of Californians, tested tens  
25 of thousands. We've hosted COVID isolation and recovery

1 facility for the homeless that have contracted COVID. We've  
2 also hosted and housed thousands of National Guard and law  
3 enforcement personnel during civil unrest at the state's  
4 capitol city here in Sacramento.

5           During the same period of time of COVID, your  
6 state fair has completed more than \$14 million in deferred  
7 maintenance projects, including fire sprinklers and alarms,  
8 particularly in our horse barns, water wells, gas lines,  
9 reroofing, new air conditioning and heating, et cetera, all  
10 to protect and enhance the state's property and facilities.

11           Since we submitted our license, we have no become  
12 aware of an issue that is becoming very confusing to the  
13 public in California in that Santa Anita, apparently, has  
14 contracted with a third-party company to operate an event  
15 which is being touted and advertised as State Fair at Santa  
16 Anita Park. We recognize that Santa Anita is contracting  
17 with a third party. But the third party is using the term  
18 "State Fair at Santa Anita Park, State Fair of L.A., State  
19 Fair 2.0." And the Facebook ads for this particular event  
20 also shows horse racing at Santa Anita -- (microphone  
21 feedback). (Indiscernible.)

22           Hello?

23           CHAIR FERRARO: Yes. Go ahead.

24           MR. PICKERING: Given that The Stronach Group owns  
25 Golden Gate Fields, as well as Santa Anita, and that The

1 Stronach Group was just allocated two weeks of State Fair  
2 racing, or two weeks of racing that previously was at State  
3 Fair, we respectfully request that The Stronach Group show  
4 good faith and encourage its third party not to use the term  
5 State Fair.

6 We and Department of Food and Agriculture and the  
7 Attorney General's Office have been inquiries from the  
8 public being confused that State Fair has relocated to Santa  
9 Anita if State Fair racing will be taking place at Santa  
10 Anita, et cetera. The Attorney's General Office is now  
11 involved in this matter. We don't believe it's under the  
12 purview of the Horse Racing Board at this time, other than  
13 for a Facebook ad showing racing at Santa Anita from July --  
14 in July and August when racing is moved to Del Mar. It  
15 seems very inappropriate for a third-party promoter.

16 And then in closing, we would still like to  
17 respectfully reiterate our request that the Horse Racing  
18 Board formally consider later, or early this fall, when  
19 (indiscernible) can condition Golden Gate Fields to provide  
20 summer stabling and training for free to the Northern  
21 California horse racing industry during the summer.

22 Thank you, Mr. Chairman, and Commissioners.

23 CHAIR FERRARO: Thank you.

24 Next, please.

25 OPERATOR: Next, we will go to Bonnie Croker, a

1 citizen.

2 Please go ahead.

3 MS. CROKER: Thank you. CHRB, please do not grant  
4 the Pleasanton license. Pleasanton contributes to deceptive  
5 practices cited in the previously mentioned complaints filed  
6 in May of 2021 against the California Veterinary Medical  
7 Board. The complaint cites the failure of CHRB policies  
8 that encourage tracks to ship out catastrophically injured  
9 horses so that euthanasia can be performed away from CHRB  
10 sanctioned facilities. That's falsely and shamefully  
11 subtracting those horse deaths from the final CHRB totals.

12 Pleasanton has many cases of MIA, or missing in  
13 action, injured horses, referring to those who disappear  
14 from public records immediately after sustaining injuries at  
15 a CHRB-sanctioned track. Citizens are concerned that there  
16 are hundreds of unreported, un-tabulated California horse  
17 deaths which result from racing each year.

18 Pleasanton, 06/27/20 (phonetic), race eight, Jamie  
19 James, a filly born 01/23/16. Her Equibase chart, "She went  
20 wrong leaving the furlong pole and was pulled up but walked  
21 off." Contradicting information on the same chart shows she  
22 placed four out of seven. In any case, she disappeared from  
23 public records as of that date.

24 Pleasanton, 07/03/20, race one, Check Out Pappy's  
25 Corona, a mare born 04/11/14, "Reared super high in the

1 gate, threw rider, came crashing down." Cameras moved away  
2 from her. She disappeared from public records as of that  
3 date.

4 Pleasanton, 07/04/20, race ten, California Candy,  
5 a colt born 04/02/17, he was stopped, eased, walked off,  
6 placed last, disappeared from public records as of that  
7 date.

8 Pleasanton and all California tracks should be  
9 held accountable for the resulting deaths of all horses  
10 injured within their facility. Racing licenses should be  
11 denied for all tracks who have failed to be accountable for  
12 the deaths they cause.

13 Thank you.

14 CHAIR FERRARO: Thank you.

15 Next, please.

16 OPERATOR: Next, we will go to Wayne Johnson.

17 Please go ahead.

18 MR. JOHNSON: Thank you very much.

19 The gentleman from Pleasanton deserves a great  
20 deal of commendation and praise for all the good work  
21 regarding COVID. Whether it's vaccinations or testing,  
22 whatever they're doing, the people of California owe them a  
23 debt of gratitude for taking the challenge of the pandemic  
24 seriously. Much more of that, and no horse racing, please.

25 Chairman Ferraro, you're a fair man. How was Ms.

1 Marris allowed to speak twice during the last set of public  
2 comments? How as Ms. Marris allowed to get in there for a  
3 second time. If it had been one of us, a so-called anti-  
4 horse racing people, if it had been one of us would we have  
5 been allowed? I'll tell you, not, because I tried to get in  
6 a second time to ask you the question. Fair is fair,  
7 Chairman Ferraro.

8 CHAIR FERRARO: Thank you.

9 Next, please.

10 OPERATOR: There are no further comments at this  
11 time.

12 CHAIR FERRARO: Questions or comments from the  
13 Board regarding this application?

14 COMMISSIONER MITCHELL: Is there someone on --

15 CHAIR FERRARO: Can I have a --

16 COMMISSIONER MITCHELL: This is Commissioner  
17 Mitchell.

18 Is there someone on --

19 CHAIR FERRARO: Sure.

20 COMMISSIONER MITCHELL: -- from Santa Anita to  
21 answer Rick Pickering's question about the ads?

22 CHAIR FERRARO: Anyone out there for the State  
23 Fair? Do we have a --

24 COMMISSIONER MITCHELL: Yeah.

25 CHAIR FERRARO: -- Stronach Group representative?

1 OPERATOR: And I have brought Mr. Sindler live  
2 from The Stronach Group.

3 CHAIR FERRARO: Go ahead please.

4 MR. SINDLER: Yes. Good afternoon. This is  
5 actually the first I am hearing of this, so I have nothing  
6 to comment at the moment. But I will certainly look into it  
7 and I'll get in touch with Mr. Pickering.

8 COMMISSIONER MITCHELL: The Attorney General --

9 COMMISSIONER DAVIS: May --

10 COMMISSIONER MITCHELL: -- of the State of  
11 California is involved in this and you have not heard  
12 anything about that?

13 MR. SINDLER: Well, his specific reference to  
14 advertising and horse racing symbols and all kinds of stuff  
15 like that, no, I haven't checked out their advertising  
16 campaign. No, I have not.

17 COMMISSIONER MITCHELL: All right, well, I --

18 CHAIR FERRARO: This is not -- it's not a state-  
19 sanctioned activity, is it? This is a private enterprise  
20 doing this; is that not right?

21 MR. SINDLER: Yeah, that is correct. It is a  
22 private entity who is using our facility to host an event.

23 COMMISSIONER MITCHELL: Right.

24 CHAIR FERRARO: So it's just --

25 COMMISSIONER MITCHELL: But it's impact --

1 CHAIR FERRARO: Go ahead, Wendy.

2 COMMISSIONER MITCHELL: No, it's fine. Go ahead.

3 CHAIR FERRARO: I was just going to say, so you've  
4 basically just leased the facility to them? You're not  
5 involved management-wise?

6 MR. SINDLER: Yes, that's correct. We leased a  
7 portion of our parking lot for them to host their event but  
8 we do not operate the event. A third party operates the  
9 event. They bring in whatever attractions or food vendors  
10 or whatever else is going to be going on. They manage that.  
11 We just lease a portion of our parking lot to them.

12 CHAIR FERRARO: And there's no racing, though;  
13 right?

14 MR. SINDLER: No. They'll be racing at either Los  
15 Al or Del Mar --

16 CHAIR FERRARO: Not on --

17 MR. SINDLER: -- during those days.

18 CHAIR FERRARO: -- your track? So the whole event  
19 takes place in the parking lot; is that correct?

20 MR. SINDLER: That is correct. And some of it may  
21 be in the paddock area but there would be no horse racing.

22 CHAIR FERRARO: Okay.

23 COMMISSIONER MITCHELL: Right. I'm just saying,  
24 like look into it because it was raised and it's a  
25 legitimate issue. Look into it and get back to Mr.

1 Pickering, please. Thank you.

2 CHAIR FERRARO: Yeah, I think that's a good idea,  
3 a very good idea.

4 Okay, we need a motion to approve this application  
5 for a license at Pleasanton. Do I have a motion?

6 COMMISSIONER DAVIS: Davis moves.

7 COMMISSIONER SOLIS: I second. Alex Solis.

8 CHAIR FERRARO: Okay. Commissioner Alfieri?

9 COMMISSIONER ALFIERI: Yes.

10 CHAIR FERRARO: Commissioner Castellanos?

11 COMMISSIONER CASTELLANOS: Yes.

12 CHAIR FERRARO: Commissioner Davis?

13 COMMISSIONER DAVIS: Yes.

14 CHAIR FERRARO: Commissioner Mitchell?

15 COMMISSIONER MITCHELL: Yes.

16 CHAIR FERRARO: Commissioner Solis?

17 COMMISSIONER SOLIS: Yes.

18 CHAIR FERRARO: And the Chairman votes yes.

19 Moving on to item number ten. This is discussion  
20 and action by the Board regarding approval of an agreement,  
21 pursuant to CHRB Rule 1581, Racing Secretary to Establish  
22 Conditions, between the Pacific Racing Association II and  
23 the Thoroughbred Owners of California regarding entry  
24 conditions and specified drug substances or medications to  
25 be implemented by the PRA II at the Golden Gate Fields

1 Racetrack.

2 Mr. Voss, this is a repeat of the other two;  
3 correct?

4 MR. VOSS: Yes, Mr. Chairman, that is correct.

5 And this is Zachary Voss, Regulation Analyst with the  
6 California Horse Racing Board.

7 Item ten is a discussion and action by the Board  
8 regarding approval of a race-day medication agreement,  
9 similar to the ones we've discussed before, pursuant to  
10 Board Rule 1581. It's between the PRA II and the TOC. It's  
11 a standard agreement. It contains all the same conditions  
12 outlined previously, like in agenda item five. The agreement  
13 has been signed by PRA II and the TOC, and it's reflected in  
14 the Board package.

15 We have Eric Sindler available from The Stronach  
16 Group to answer any of your questions.

17 Thank you.

18 CHAIR FERRARO: Mr. Sindler, do you have comments  
19 you'd like to make?

20 MR. SINDLER: Just a continuation of what PRA II  
21 did last summer and what PRA is currently doing. It's very  
22 similar to what was approved for Del Mar. It's all pretty  
23 much the exact same agreement. And we request your  
24 approval.

25 CHAIR FERRARO: Okay. Questions from the Board?

1 Do we have a queue on this, Operator?

2 OPERATOR: No, not at this time.

3 CHAIR FERRARO: Okay. Can I have a motion to  
4 approve?

5 COMMISSIONER CASTELLANOS: Castellanos' motion.

6 CHAIR FERRARO: Second?

7 COMMISSIONER ALFIERI: Second. Alfieri.

8 COMMISSIONER SOLIS: I send.

9 CHAIR FERRARO: Okay. Alfieri seconds.  
10 Commissioner Alfieri?

11 COMMISSIONER ALFIERI: Yes.

12 CHAIR FERRARO: Commissioner Castellanos?

13 COMMISSIONER CASTELLANOS: Yes.

14 CHAIR FERRARO: Commissioner Davis?

15 COMMISSIONER DAVIS: Yes.

16 CHAIR FERRARO: Commissioner Mitchell?

17 COMMISSIONER MITCHELL: Yes.

18 CHAIR FERRARO: Commissioner Solis?

19 COMMISSIONER SOLIS: Yes.

20 CHAIR FERRARO: And the Chairman votes yes.

21 We move on to number 11, discussion and action by  
22 the Board on the Application for License to Conduct a Horse  
23 Racing Meeting of the Pacific Racing Association II at  
24 Golden Gate Fields, commencing July 21, 2021 through August  
25 3, 2021, inclusive.

1 Mr. Voss?

2 MR. VOSS: Yes. Thank you again, Commissioners.  
3 This is Zachary Voss, Regulation Analyst for the California  
4 Horse Racing Board.

5 Item number 11, discussion and action by the  
6 regarding the Pacific Racing Association II, also known as  
7 PRA II, Application to Conduct a Horse Racing Meeting at  
8 Golden Gate Fields from July 21st, 2020 [sic] through August  
9 3rd, 2021.

10 There are still a couple of outstanding items to  
11 complete the application. The CTT agreement, as sort of  
12 discussed in prior meets, it's -- we don't have the CTT  
13 agreement, and the Board may need to implement an older CTT  
14 agreement.

15 And then there's also the agreements with all  
16 Northern California satellites. The application indicates  
17 that the Association proposes to offer its signal to only  
18 Southern California's simulcast facilities, but we require  
19 them to do both Southern California and Northern California.

20 They addressed this in their missing items letter, which  
21 you can find in the Board package.

22 PRA II updated the NYRA Bets ADW agreement. So  
23 the agreement we have on file now is valid through September  
24 13th, 2021, covering the entire meet.

25 And then since publishing the Board package for

1 this month's meeting the Board has received a signed TOC  
2 race meet agreement that covers this meet.

3           Additionally, Staff has received a current fire  
4 clearance for Golden Gate Fields, as well as an exemption  
5 request for -- from Board Rule 1927. However, the Board  
6 heard and approved a similar request at last month's Board  
7 meeting. Therefore, Golden Gate Fields is already currently  
8 covered by a 1927 exemption that is valid for one year from  
9 last month's approval.

10           PRA II also submitted a letter confirming that it  
11 will abide by the Board's inclement weather policy.

12           And we have Eric Sindler available again from The  
13 Stronach Group to answer any questions.

14           Thank you.

15           CHAIR FERRARO: Mr. Sindler, if the Board approves  
16 your meet, this is with the understanding that you will  
17 provide the signal to Northern California satellites. Is  
18 that understood?

19           MR. SINDLER: We will continue to comply with that  
20 condition, absolutely.

21           CHAIR FERRARO: Okay. Any questions from the  
22 Board?

23           Do we have a queue on this, Operator?

24           OPERATOR: Yes, we do.

25           CHAIR FERRARO: Let's go.

1 OPERATOR: Thank you.

2 We will first go to Larry Swartzlander with  
3 California Authority of Racing Fairs.

4 Please go ahead.

5 MR. SWARTZLANDER: Yeah, this is Larry. Just a  
6 point of clarification that providing the signal to the  
7 Northern fairs' satellites still requires an agreement. I'm  
8 sure Eric understands that.

9 CHAIR FERRARO: Yeah.

10 MR. SWARTZLANDER: That's a --

11 CHAIR FERRARO: Understood.

12 Next, please.

13 OPERATOR: Next, we will go to Wayne Johnson, a  
14 citizen.

15 Please go ahead.

16 MR. JOHNSON: Thank you very much.

17 Please remember Street Dancing and all the other  
18 horses that have died recently at Golden Gate and deny this  
19 license.

20 Thank you.

21 CHAIR FERRARO: Next, please.

22 OPERATOR: There are no further comments at this  
23 time.

24 CHAIR FERRARO: Can I have a motion from the  
25 Board?

1 EXECUTIVE DIRECTOR CHANEY: Mr. Chairman, this is  
2 Scott Chaney, Executive Director.

3 I just wanted to remind the Board, any motion  
4 should probably include a designation of a CTT agreement. I  
5 think, in the past, you've just used --

6 CHAIR FERRARO: Right.

7 EXECUTIVE DIRECTOR CHANEY: -- the one from last  
8 meet.

9 CHAIR FERRARO: Correct.

10 EXECUTIVE DIRECTOR CHANEY: And then, also, with  
11 the provision that they send their signal to Northern  
12 California satellites.

13 CHAIR FERRARO: Well, I'll make the motion myself,  
14 then, to make it easy.

15 We move that we accept on the two conditions, the  
16 CTT agreement -- past CTT agreement is adopted, and that the  
17 Association agrees to provide the satellite to all Northern  
18 California satellite facilities -- provide a signal to all  
19 Northern California satellite facilities.

20 Do I have a second?

21 COMMISSIONER CASTELLANOS: Castellanos seconds.

22 CHAIR FERRARO: Commissioner Alfieri?

23 COMMISSIONER ALFIERI: Yes.

24 CHAIR FERRARO: Commissioner Castellanos?

25 COMMISSIONER CASTELLANOS: Yes.

1 CHAIR FERRARO: Commissioner Davis?

2 COMMISSIONER DAVIS: Yes.

3 CHAIR FERRARO: Commissioner Mitchell?

4 COMMISSIONER MITCHELL: Yes.

5 CHAIR FERRARO: Commissioner Solis?

6 COMMISSIONER SOLIS: Yes.

7 CHAIR FERRARO: And, obviously, the Chairman votes  
8 yes.

9 We move on now to the Executive Director's Report.  
10 Mr. Chaney?

11 EXECUTIVE DIRECTOR CHANEY: Yes. Thank you, Mr.  
12 Chairman.

13 At the risk of sort of extending the meeting  
14 unnecessarily, I wanted to revisit agenda item number eight,  
15 which was the Del Mar -- DMTC application. I just wanted to  
16 confirm with the Board that it was your intent to designate  
17 the CTT agreement from last year? And then, also, that  
18 they're license application was contingent upon satisfaction  
19 of next month's re-look at the San Luis Rey fire clearance  
20 as an auxiliary training facility, and that the successful  
21 completion of their, Del Mar's, fire clearance, which is set  
22 to take place July 12th?

23 CHAIR FERRARO: Yeah, I think that's the  
24 understanding by all of us.

25 COMMISSIONER MITCHELL: Yeah. But I -- Scott,

1 good catch. Because I was like, wait, we discussed the CTT  
2 and we didn't actually mention it --

3 EXECUTIVE DIRECTOR CHANEY: Yeah.

4 COMMISSIONER MITCHELL: -- in the motion, so we  
5 got sidetracked.

6 EXECUTIVE DIRECTOR CHANEY: So given, yeah, given  
7 those additions, I would -- it's probably proper for the  
8 Board to revote on that item.

9 CHAIR FERRARO: So we want to restate the motion,  
10 then, to include those three items; correct?

11 EXECUTIVE DIRECTOR CHANEY: Sure. Yeah.

12 COMMISSIONER MITCHELL: For both Del Mar and this  
13 one?

14 EXECUTIVE DIRECTOR CHANEY: No. We did it  
15 properly from Golden Gate Fields. In fact, that's what kind  
16 of reminded me about Del Mar. And I, you know, I realized  
17 that that wasn't clear on the Del Mar motion.

18 COMMISSIONER MITCHELL: Right.

19 CHAIR FERRARO: Okay. So we move to accept the  
20 application for the license on the provisions that the CTT  
21 agreement is in place, that the fire clearance for San Luis  
22 Rey Downs and Del Mar is accepted; is that correct? Is that  
23 what we're saying?

24 EXECUTIVE DIRECTOR CHANEY: It is. I mean, yeah.  
25 So I think the motion would be that the Board designates the

1 2020, which was actually the 2019, as Commissioner Mitchell  
2 properly points out, CTT agreement, and that the fire  
3 clearance for Del Mar takes place on July 12th and it's sent  
4 to the Board, obviously.

5 And then, lastly, well, it probably doesn't have  
6 to be part of the motion since San Luis Rey Downs is good --  
7 their extension is good through July 31st, but they will  
8 need some -- you know, the Board will have to re-entertain  
9 it next month. So --

10 CHAIR FERRARO: Okay.

11 EXECUTIVE DIRECTOR CHANEY: -- I would say the  
12 motion designates the CTT agreement and is contingent upon  
13 successful fire clearance by Del Mar.

14 CHAIR FERRARO: So moved. Do I have a second?

15 COMMISSIONER CASTELLANOS: Castellanos seconds.

16 CHAIR FERRARO: Okay. Commissioner Alfieri?

17 COMMISSIONER ALFIERI: Yes.

18 CHAIR FERRARO: Commissioner Castellanos?

19 COMMISSIONER CASTELLANOS: Yes.

20 CHAIR FERRARO: Commissioner Davis?

21 COMMISSIONER DAVIS: Yes.

22 CHAIR FERRARO: Commissioner Mitchell?

23 COMMISSIONER MITCHELL: Yes.

24 CHAIR FERRARO: Commissioner Solis?

25 COMMISSIONER SOLIS: Yes.

1 CHAIR FERRARO: And the Chairman votes yes.

2 Thank you --

3 EXECUTIVE DIRECTOR CHANEY: Thank you

4 CHAIR FERRARO: -- Scott, for straightening us  
5 out.

6 EXECUTIVE DIRECTOR CHANEY: No problem. I can  
7 continue with my Executive Director Report then.

8 As you know, yesterday marked the end of  
9 California's Blueprint tier system with respect to COVID.  
10 While there remains some restrictions regarding large-scale  
11 sporting events, you'll find that most tracks will, largely,  
12 be returning to pre-COVID attendance.

13 With respect to CHRB employees and contractors, we  
14 continue to follow safe guidance regarding telework, and  
15 have been following a purposeful plan to incorporate  
16 permanent telework to the extent possible while continuing  
17 to maintain the high level of service and productivity that  
18 has existed throughout the last year-and-a-quarter.

19 Secondly, even as there is more racing and  
20 starters as compared to last year, the CHRB continues to  
21 promote animal welfare and human safety. To date this year,  
22 total equine fatalities have decreased 34 percent compared  
23 to last year at this point. And catastrophic  
24 musculoskeletal injuries have decreased 47 percent.  
25 Particularly encouraging is a 29 percent decrease in racing-

1 related fatalities.

2           While our work in this area is not complete, it is  
3 insightful to recognize that the reform this Board has  
4 promoted and that the industry has undergone over the last  
5 two years appears to be making a significant difference.  
6 That reform continues in the rules currently in the  
7 regulatory process, as well as other examples.

8           Pleasanton begins this week. And an entry review  
9 panel will be analyzing the entries for CARF for the first  
10 time.

11           In addition, beginning July 1st, Dr. Timothy  
12 Grande will be taking the newly-created position of Chief  
13 Official Veterinarian position, tasked largely with  
14 standardizing the entry review panels throughout the state  
15 and establishing more objective criteria for that analysis,  
16 in addition to Official Veterinarian oversight in other  
17 areas of emphasis.

18           Turning to wagering financials, in the month of  
19 May, daytime handle was up 20 percent, whereas nighttime  
20 handle was down 24 percent compared to last May on 13 more  
21 programs and one less program, respectively. Overall handle  
22 was up 12 percent for May compared to last year. And year  
23 to date, overall handle is up 28 percent compared to the  
24 same period in 2020.

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

1 CHAIR FERRARO: Thank you.

2 Any questions from the Board?

3 Before we go on to the Equine Medical Directors  
4 Report, I'd like to make a few comments.

5 Since this is Dr. Arthur's last meeting as he's  
6 retiring at the end of the month, I'd like to point out to  
7 the public and to this Board that over the last 15 years,  
8 Dr. Arthur has brought our Medical Program and our Health  
9 and Safety Program light years ahead from where it was when  
10 he started.

11 The vision of Ken Maddy for the Equine Medical  
12 Director's position was to improve the health and safety of  
13 horses, to ensure the integrity of racing, and to add  
14 significant scientific research into the science of equine  
15 medicine and racing medicine.

16 Dr. Arthur cannot be thanked enough for the effort  
17 he's put forward and the success that he's reported. He  
18 will be turning over his position to Dr. Jeff Blea with a  
19 lot of significant improvements and important progress that  
20 I hope Dr. Blea will be able to continue.

21 With that, Rick, we're going to miss you. We  
22 appreciate what you've done. And we're looking forward to  
23 your last report.

24 EQUINE MEDICAL DIRECTOR ARTHUR: Okay. Thank you,  
25 Mr. Chairman, Dr. Chairman.

1           Good afternoon, Commissioners. This is Dr. Rick  
2 Arthur, Equine Medical Director.

3           I tried a different trainer continuing education  
4 webinar yesterday afternoon. Dr. Camie Heleski from the  
5 University of Kentucky presented a webinar on equine  
6 welfare, horse racing, and a social license to operate. The  
7 webinar was well attended and well appreciated.

8           While it is easy for horsemen to dismiss the same  
9 small handful of animal rights activists that show up at  
10 these teleconferences every Board meeting, there are very  
11 real societal changes that are at play -- that are in play  
12 and have been for the last 30-plus years related to all  
13 animal use. These societal changes have had and will  
14 continue to have an impact on horse racing and all animal  
15 use, whatever that may be, zoos, circuses, livestock  
16 management practices, and even pets. The webinar was  
17 successful in getting that message across.

18           A separate webinar on immigration law was offered  
19 by the Thoroughbred Horsemen's Association back east. And  
20 all tolled, we exceeded our goal of 12 hours of approved CE  
21 available by the end of this month when the -- end of this  
22 month.

23           Statewide, there were four fatalities in May,  
24 three were racing, one in non-exercised pleural pneumonia.  
25 There were four racing-related medication violations in May

1 and all were Class 4 medications. There was one Class 4  
2 violation for a work blood and one out-of-competition  
3 clenbuterol finding. The latter will be a violation only if  
4 the trainer cannot provide a valid veterinary prescription  
5 for the clenbuterol as required for CHRB Rule 1869, the Out-  
6 of-Competition regulation.

7 In May, Maddy analyzed 1,518 post-race samples,  
8 and an additional 95 samples obtained for horses working for  
9 the Official Veterinarian. The 1,613 samples were from 885  
10 horses. And these totals do not include TCO2, out-of-  
11 competition blood, urine, and hair samples.

12 This is my last Board meeting as Equine Medical  
13 Director. And I have to say, it's been an interesting 15  
14 years. If there's one thing I've learned is that we should  
15 all be happy state government works at all because it's not  
16 designed to work.

17 I first proposed CE requirements for trainers in  
18 2008. That regulation just became a reality this month.  
19 Voided claims, third-party Lasix, postmortem reviews, and  
20 many other integrity and safety initiatives took years to  
21 get implemented, as has the stepwise restrictions in  
22 medication.

23 When I started as Equine Medical Director,  
24 multifamily anti-inflammatories could be administered the  
25 day before the race. Permitted thresholds were ridiculously

1 high, joints injected as close as 48 hours prior to racing,  
2 and anabolic steroids were unregulated. Today, California  
3 is well positioned to expect the fewest changes of any state  
4 under the HISA Program, whatever that ends up to be.

5           While the changes in regulations, and steady and  
6 dramatic reductions in fatalities are easy to see, if anyone  
7 wants to look, what the public, or Commissioners for that  
8 matter, can see are the numerous improvements in the Drug  
9 Testing Program, Necropsy Program, medication violation  
10 investments, pre-race exam process, track surface  
11 monitoring, and many other administrative integrity and  
12 safety improvements. The CHRB is the best racing regulatory  
13 agency in the country. People who know, know that.

14           Senator Ken Maddy developed the concept of Equine  
15 Medical Director after a series of clearly avoidable  
16 mistakes at CHRB in the late '80s. When he drafted the EMD  
17 regulation, Senator Maddy put the Equine Medical Director  
18 within the UC Davis School of Veterinary Medicine. My  
19 supervisor is the dean of the vet school, not anyone at  
20 CHRB.

21           Senator Maddy believed it was important the Equine  
22 Medical Director be independent of the Executive Director  
23 and the Board. He did that over the strong objections of  
24 CHRB Executive Director Len Foote and then Chairman Paul  
25 Deets (phonetic). Senator Maddy related to me that whether

1 the EMD would be at UCD or CHRБ went to a face-to-face  
2 meeting with Senator Maddy, Len Foote, Paul Deets, and the  
3 Governor. I can't remember whether it was Deukmejian or  
4 Pete Wilson. Nevertheless, the Governor supported Senator  
5 Maddy's vision.

6 Over the years, I've had EDs and Commissioners try  
7 to tell me what my professional advice should be on various  
8 issues. I've never worked that way. When I practice, I  
9 could always tell what my clients wanted to hear. But  
10 telling clients what they want to hear, rather than your  
11 professional opinion, isn't doing your job as a  
12 veterinarian, and it wouldn't be as an Equine Medical  
13 Director either.

14 I know Dr. Blea very well. I have little doubt,  
15 as Equine Medical Director, he will provide the Board and  
16 the Executive Director with professional, independent  
17 advice, as Senator Maddy envisioned when he established the  
18 Equine Medical Director's position.

19 And I thank everyone. And I appreciate the  
20 challenges over the last 15 years. And I think we've made  
21 great strides.

22 Thank you.

23 CHAIR FERRARO: Thank you.

24 Questions or comments from the Board?

25 COMMISSIONER ALFIERI: I --

1 COMMISSIONER SOLIS: I do, Doc.

2 COMMISSIONER ALFIERI: Go ahead.

3 COMMISSIONER SOLIS: Yes. Personally, it's been  
4 roughly 39 years that I've worked with Dr. Arthur. I want  
5 to thank him for the great job that he has done of keeping  
6 our horses and safe, and jockeys. And I feel that you have  
7 made a world of difference, the work that you have done for  
8 racing, and all the great improvements that have been done  
9 in racing. I know we're not done. We can always improve.  
10 I know how difficult this job is and -- but you have made a  
11 great difference. And I want to thank you personally, for  
12 me and my fellow riders, thank you for the great job that  
13 you have done.

14 EQUINE MEDICAL DIRECTOR ARTHUR: Thank you.

15 CHAIR FERRARO: Dennis?

16 COMMISSIONER ALFIERI: I, as well, would like to  
17 say thank you, Dr. Arthur. Your tireless dedication and  
18 passion that you have given this industry is amazing. I've  
19 never seen anyone quite like you. And days, you know, seven  
20 days a week, 24/7, you're there, you're doing your -- you're  
21 doing it, and you must be commended. And thank you from me.

22 COMMISSIONER CASTELLANOS: Mr. Chairman?

23 CHAIR FERRARO: Well, this -- yes?

24 COMMISSIONER CASTELLANOS: Yes. This is Damascus.

25 Yes, Dr. Arthur, I appreciate. It's been a short

1 time for me but I have experienced your comments and your  
2 reports throughout the years as a spectator at one time. So  
3 I appreciate your, as Dennis said, your tireless efforts and  
4 your commitment to what you do, so thank you very much.

5 CHAIR FERRARO: Thank you.

6 Let's see, do we have a queue on these two  
7 reports, Operator?

8 OPERATOR: We do.

9 CHAIR FERRARO: Go ahead.

10 OPERATOR: Thank you.

11 We will first go to Bonnie Croker, a citizen.

12 Please go ahead.

13 MS. CROKER: Thank you. I am asking for the  
14 attention of the current and incoming Equine Medical  
15 Directors in addressing the complaint filed against the  
16 California Veterinary Medical Board on May 25th, 2021. In  
17 Section 8 of the complaint, line 1210 says,

18 "There is a reference to Dr. Arthur who points out that  
19 the number of horses euthanized due to racing injuries  
20 has fallen, supposedly due to pre-race examinations."

21 Lines 1213 to 1216 of the complaint ascribe what I  
22 and many other concerned citizens consider to be the truth  
23 about the number of racing deaths. In quote,

24 "It is well known that, when possible, horses with  
25 catastrophic injuries are to be shipped off the

1 property to be euthanized. That way the horses death  
2 will not count towards the official count because it is  
3 no longer in an area of CHRB jurisdiction," end quote.

4 We have seen this scenario reported numerous  
5 times. One shameful example is the death of Hendavid, a  
6 thoroughbred colt fouled May 15th, 2018. At Pleasanton on  
7 July 25th, 2020 in race six, Hendavid was horse number five.  
8 He was pulled shortly after the finish line and vanned off.  
9 This poor horse had sustained a catastrophic leg injury but  
10 was shipped off the track, no doubt in excruciating pain.  
11 He was euthanized elsewhere about a month later. His death  
12 was never acknowledged by the CHRB, even though he sustained  
13 his life-ending injury on a CHRB-sanctioned track.

14 CHRB, California tracks must be held accountable  
15 for all horses who are injured on their property. The vast  
16 number of horses who are injured on track grounds, shipped  
17 away, and then go missing from public record is a direct  
18 result of the CHRB's policy that allows this. There are, no  
19 doubt, hundreds more horses that should be added to the CHRB  
20 death reports and totals every year.

21 Please work to ensure that racetracks are held  
22 accountable for every horse death resulting from injuries  
23 occurring on their properties.

24 Thank you.

25 OPERATOR: Thank you.

1 Next, we'll move to Wayne Johnson.

2 Please go ahead.

3 MR. JOHNSON: Thank you very much.

4 Dr. Arthur, I wanted to thank you for pointing out  
5 the webinar yesterday. It's sure proof that times are a  
6 changing in terms of society views all animals, including  
7 horses.

8 Unfortunately, your clients are also the horses,  
9 and the horses have names. Respect, please, the names of  
10 the horses that died.

11 Agamemnon at Santa Anita. Big Wish at Golden  
12 Gate. Needed Dog Wings (phonetic) in Santa Anita. Pushing  
13 Sixty at Santa Anita. Those horses have names and feelings  
14 and want to live as much as you and I. And they are your  
15 clients.

16 When you say the CHRB is the best Horse Racing  
17 Board in America, the best Horse Racing Board in America is  
18 going to allow San Luis Rey Downs to continue to be without  
19 sprinklers. We all know what's going to happen. They're  
20 going to come in with their report and July and you're going  
21 to approve it. The best Horse Racing Board in America is  
22 going to allow the defiance of number 1827, Fires. The best  
23 Horse Racing Board in America is not enforcing number 1444,  
24 the altering of videos.

25 And, finally, one question for you, Dr. Ferraro.

1 How is it that you call offsite killings a minor issue? But  
2 more importantly, how is it that your fellow Board Member,  
3 Ms. Wendy Mitchell, does not know that you're already trying  
4 to handle the problem? She is a fellow Board Member. How  
5 did she not know about that?

6 Thank you.

7 CHAIR FERRARO: Next, please.

8 OPERATOR: Next, we will go to Martha Sullivan, a  
9 citizen.

10 Please go ahead.

11 MS. SULLIVAN: Yes. I'd just like to focus in on  
12 the fact that in the last two weeks, five horses have died  
13 that have been reported by this Board at all three of the  
14 operating racetracks in California. These horses this last  
15 weekend, Pushing Sixty, at Santa Anita Park died from  
16 racing. This last weekend, Registrant died at Los Alamitos  
17 in racing. Last week, Needed Dudley (phonetic) died at  
18 Santa Anita Park in training. The weekend before, Agamemnon  
19 died in racing at Santa Anita Park. And that same day, May  
20 31st, Big Wish died at Golden Gate Fields in racing.

21 One of these horses, Registrant, who died June  
22 12th at Los Alamitos Race Course, a sudden death, is owned  
23 and trained by -- well, owned by Ed Allred, the owner of Los  
24 Alamitos, and trained by Scott Willoughby. These two people  
25 also own and train another horse who died of sudden death

1 named No Matter (phonetic) on March 30th on Los Alamitos.

2 I hope that the CHRB is investigating that fact --

3 CHAIR FERRARO: Thank you.

4 MS. SULLIVAN: -- very --

5 CHAIR FERRARO: Thank you, Martha.

6 I want to remind everybody that these comments are  
7 supposed to pertain to the Executive Director's Report and  
8 the Equine Medical Director's Report. We are not in the  
9 public comment period. Comments regarding other issues that  
10 were not discussed in the Equine Medical Director's Report  
11 or the Director's Report should be withheld to public  
12 comment.

13 Operator, can we proceed with the comments  
14 regarding these reports?

15 OPERATOR: There are no further comments in queue  
16 at this time.

17 CHAIR FERRARO: Okay. Now we move to public  
18 comment. We have a 30-minute period. Everyone has two  
19 minutes each. Please, no repeats. You're welcome to  
20 express your opinions but things that you've already  
21 commented on, I'd appreciate it if you would move on to  
22 something new.

23 Okay, Operator, go ahead.

24 OPERATOR: Thank you.

25 We will go first to Andrew Lesser, a citizen and

1 former racehorse owner.

2 Please go ahead.

3 MR. LESSER: Oh, yes. Good afternoon. I am going  
4 to make some fresh comments.

5 One of the earliest agenda items was fantasy horse  
6 racing. And I was so excited because I thought fantasy  
7 horse racing would be CGI-generated horse racing, which  
8 would save horses. But then my hopes were dashed when I  
9 discovered fantasy horse racing wagering is just, basically,  
10 more betting on horses actually racing, so disappointment.

11 Number two. One of the biggest topics brought up  
12 is jobs. And I want to say that this morning in my news,  
13 la.com/sports, there's an article with the title, "First  
14 Phase of Hollywood Park Commercial Project Reaches 50  
15 Percent Completion."

16 "So SoFi Stadium," quote, "is already a fixture in  
17 Inglewood. But developers announced Wednesday, the  
18 first phase of the surrounding retail, office,  
19 residential, and entertainment complex surrounding the  
20 stadium, formally the home of the Hollywood Park  
21 Racetrack property, has reached 50 percent completion.  
22 The projects surrounding the 70,000-seat SoFi Stadium  
23 will include 5 million square feet of office space,  
24 890,000 square feet of retail, a 6,000-seat performance  
25 center, a 300-room hotel, and 2,500 housing units. It

1 will also feature a 6-acre lake and 25 acres of parks  
2 and plazas.”

3 So Los Alamitos is zoned already for  
4 redevelopment. And I’m sure that there will be hundreds,  
5 thousands of more jobs made available by closing the  
6 racetracks and developing the properties. I’m sensitive to  
7 historic properties, such as Santa Anita, which could be  
8 adaptively reused. But there’s no question that closing the  
9 tracks and developing a portion or all of the properties  
10 will create tens of thousands of more jobs and income and  
11 prosperity to workers and the community.

12 So that’s my fresh take. And thank you very much  
13 for listening.

14 OPERATOR: Thank you.

15 Next, we will go to Wayne Johnson, a citizen.

16 Please go ahead.

17 MR. JOHNSON: Thank you very much.

18 Dr. Ferraro, I went slightly off the reservation  
19 in my last comments but I thought they were justified under  
20 the fact that Dr. Arthur called you the best Horse Racing  
21 Board in America. The best Horse Racing Board in America  
22 keeps all its members informed.

23 Back to item number one, please, on the fantasy  
24 sports. Yes, you’re absolutely right, Dr. Ferraro, gambling  
25 on the National Football League and the NBA is coming to

1 California, sooner rather than later. But it's a perfect  
2 example of how the horse racing industry is supported by  
3 outside interests, in many cases governments, like in  
4 Pennsylvania, or in New York, keeping it alive by racinos.  
5 And here comes the NBA and the NFL and sports betting into  
6 save what is clearly a dying industry.

7 I don't have anything else. Thank you, sir.

8 CHAIR FERRARO: Thank you.

9 Next, please.

10 OPERATOR: Next, we will go to Kimberly Marrs with  
11 KTM Equine.

12 Please go ahead.

13 MS. MARRS: Hello. First of all, I want to  
14 apologize, Dr. Arthur, for the multiple comments on the one  
15 thing. I got it and won't be doing that again.

16 And I wanted to thank Dr. Rick Arthur for all his  
17 service over these years. He's really implemented a lot of  
18 good changes, were a long time coming, and I'm onboard with  
19 everything.

20 Regarding the gentleman that just spoke a couple  
21 times before, redeveloping the racetrack, I've studied horse  
22 physiology, horse training, pretty much every aspect of the  
23 horse, possibly. I love them. I don't think I'm going to  
24 be wanting to go work at a retail shop. That's just not my  
25 game for being employed.

1           So this is our industry. We're doing a really  
2 great job. And as I've stated in the past, it's not going  
3 to happen overnight. The strides we've made have been  
4 immense and huge and we just keep making it, it's not a  
5 failsafe but we are doing our best, and we are very  
6 committed to horse welfare. There are a lot of people like  
7 me out there and they're just going to keep doing it. And  
8 we're going to get to the point where you guys are just  
9 going to have understand, this is our sport, we're not going  
10 to let it go. We're taking care of it. We love it.

11           And that's all I have to say. Have a great  
12 afternoon, guys.

13           CHAIR FERRARO: Thank you.

14           Next, please.

15           OPERATOR: Next, we go to Bonnie Croker, a  
16 citizen.

17           Please go ahead.

18           MS. CROKER: Thank you. To the industry insiders  
19 who tell us that injured, vanned-off horses are none of our  
20 business, I say this, they are absolutely our business if  
21 their subsequent deaths are hidden from the public. Who  
22 will pay the salary of the CHRB Commissioners?

23           That being said, I am looking for aMatera  
24 (phonetic), a filly born 05/03/16, last workout 01/04/20.  
25 At Santa Anita on 01/10/20, bleeding from nostrils, pulled

1 up, vanned off, did not finish the third race.

2 CHAIR FERRARO: Excuse me. Excuse me, but you're  
3 repeating yourself. We've heard this argument before. If  
4 you have nothing else to add but to catalog these fine  
5 horses, we'll move on to the next person.

6 MS. CROKER: Yes, I was going to be --

7 CHAIR FERRARO: Operator, please go on.

8 MS. CROKER: Yes. I was going to --

9 CHAIR FERRARO: Move on, Operator.

10 MS. CROKER: I was going to say -- I was wondering  
11 --

12 OPERATOR: We will now move to Martha Sullivan, a  
13 citizen.

14 Please go ahead.

15 MS. SULLIVAN: Wow. This is supposed to be non-  
16 agenda public comment. And just because you don't want to  
17 hear it doesn't mean that a member of the public be cut off.  
18 That's totally egregious, totally egregious.

19 I'm going to use my time to talk about the  
20 Executive Director and Equine Medical Director Reports.  
21 There's no written material provided for those, so there's  
22 no way for anybody to prepare any comments or remarks on  
23 their reports. You have to listen to what they report and  
24 react to what they report. And what they report is,  
25 generally, handle by the Executive Director, and horse

1 fatalities and medication violations by the Equine Medical  
2 Director. So I don't see why commenters can't talk about  
3 equine fatalities during that report, particularly since the  
4 Equine Medical Director only talks about them for May and  
5 not anything more recent.

6           You know, I know that you get tired of hearing  
7 from us, Dr. Ferraro, but it's your job under state law.  
8 It's under the Bagley-Keene Act. It's your job and that of  
9 the rest of the Commissioners to hear what the public has to  
10 say. So if you don't want to do that job, I suggest you  
11 move on.

12           CHAIR FERRARO: Thank you.

13           Next, please.

14           OPERATOR: Next, we will go to Elvia Sedano, a  
15 citizen.

16           Please go ahead.

17           MS. SEDANO: Hello. I am asking for follow-up  
18 information on a horse named Eel Point, a gelding born  
19 04/11/17. On 05/28/21, race number eight at Santa Anita,  
20 Eel Point was pulled up and vanned off. The Los Angeles  
21 Times reports that he is a surgical candidate because he did  
22 not have a compound fracture, which is actually ridiculous.  
23 It is common knowledge that a compound fracture simply means  
24 the skin is broken above the fracture. The skin can still  
25 be intact over a shattered bone. Therefore, stating that

1 Eel Point did not have a compound fracture actually means  
2 nothing.

3           Furthermore, Santa Anita edited the head-on replay  
4 of the video which is illegal to do. It is a violation of  
5 your own rules to alter racing videos, specifically Rule  
6 1444. It is also a violation of your own rules to not  
7 broadcast two different views of a race that are not run on  
8 a straight course. In other words, races at Santa Anita are  
9 obliged to be broadcast in panoramic and head-on views in  
10 their full unedited context. This is Rule 1442.

11           I will ask again, what is the status of Eel Point?  
12 What is his actual diagnosis? Even if you were to answer,  
13 which we all know you won't, how can the public trust a  
14 single word that comes out of your mouth? You continue to  
15 lie, cheat, and deceive the public. The CHRB does not abide  
16 by, nor enforce -- (bell rings) nor enforce its own rules.  
17 You are untrustworthy.

18           Thank you.

19           CHAIR FERRARO: Thank you.

20           Next, please.

21           OPERATOR: Next, we go to Liz Jacobelly, a  
22 citizen.

23           UNIDENTIFIED FEMALE: Hold on a second.

24           OPERATOR: Please go ahead.

25           UNIDENTIFIED FEMALE: I've got to speak.

1 MS. JACOBELLY: Hi. This is Elizabeth Jacobelly.

2 Can you hear me?

3 CHAIR FERRARO: Yes.

4 OPERATOR: Yes, we can.

5 MS. JACOBELLY: Okay. Santa Anita, and the  
6 industry in general, are just desperate to stay in the  
7 public's good graces. This is why racing videos are  
8 altered, deaths are covered up, and we have been -- have  
9 seen racing starts altered after the fact. Cameras are  
10 deliberately moved when a horse is in trouble, whether it is  
11 during the loading process or he or she collapsed in the  
12 race. We haven't been asking -- we have been asking for  
13 months about the status of numerous horses. And based on  
14 what we have read in the complaint against California  
15 Veterinary Medical Board where Dr. Rick Arthur, your Equine  
16 Medical Director, is named.

17 Where is Honor America? This two-year-old filly  
18 was last seen on February 6th, 2021 at Santa Anita. She  
19 weakened, eased off, and walked off, placing last out of  
20 five.

21 Where is Horse Greedy? (Indiscernible) for the  
22 racehorse, this seven-year-old gelding with 31 starts was  
23 last seen on March 13th, 2021, racing at Santa Anita. He  
24 stumbled, placed last, and was pulled up and walked off near  
25 a wire.

1           Lastly, there is Big Dog Daddy. This three-year-  
2 old gelding has one start on May 14th, 2021. In his one and  
3 only race, he stumbled and placed last. Then he vanned off,  
4 got vanned off the track after earning \$500 for his  
5 connectors (phonetic). Maybe his Trainer, Doug O'Neill, has  
6 some answers.

7           Santa Anita likes to brag about how they only have  
8 had 11 deaths since December 26th, 2021 [sic]. But these  
9 like -- most likely only account for the ones that were  
10 owned up to. We will never know how many other horses'  
11 deaths have been swept under the rug. The owners and  
12 trainers feel that they have to do is inject a horse with a  
13 pink poison at the so-called non California horse racing  
14 inclosure and nobody ever has to know about it.

15           Thank you.

16           CHAIR FERRARO: Next, please.

17           OPERATOR: Next, we will go to Patty Shenker, a  
18 citizen.

19           Please go ahead.

20           MS. SHENKER: We activists are the only voices for  
21 these poor horses, dead and alive, and you want to silence  
22 us. I strongly oppose your efforts with the proposed Rule  
23 1415 that undermine the purpose and intent of the Bagley-  
24 Keene Open Meeting Act which gives the public the ability to  
25 comment on items before this Board. This is a trend in

1 America right now, to take away our rights to vote, to  
2 protest, to speak out. It is criminal and undemocratic.

3 We have every right as California taxpayers to  
4 speak at these meetings and to question your practices. We  
5 have every right to educate the public to the deadly truth  
6 of this corrupt industry, and ask about missing horses, and  
7 demand transparency as you continue to try to cover them up,  
8 as you shield the horses who are hurt on the track so the  
9 public won't see their suffering or the carnage and,  
10 perhaps, stop supporting this deadly so-called sport.

11 The public deserves to know the truth. The horses  
12 deserve our voices be heard for them. We will not be  
13 silenced.

14 Thank you.

15 CHAIR FERRARO: Next, please.

16 OPERATOR: There are no further comments at this  
17 time.

18 CHAIR FERRARO: All right. The Board will now go  
19 into Executive Session. At its conclusion we will reconvene  
20 the public meeting for the sole procedural purpose of  
21 adjourning the public meeting without further comment.  
22 Anyone wishing to hear that meeting adjournment can use the  
23 link to audio webcast on the CHRB website.

24 And with that, we will now go into Closed Session.  
25 Thank you all.

1 (The California Horse Racing Board recessed into closed  
2 session at 1:16 p.m. and was later adjourned.)

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## CERTIFICATE OF REPORTER

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

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

IN WITNESS WHEREOF, I have hereunto set my hand this 29th day of June, 2021.



MARTHA L. NELSON, CERT\*\*367

## CERTIFICATE OF TRANSCRIBER

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

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

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



MARTHA L. NELSON, CERT\*\*367

June 29, 2021