

CALIFORNIA HORSE RACING BOARD

1010 Hurley Way, Suite 300

Sacramento, CA 95825

www.chrb.ca.gov

(916) 263-6000 Fax (916) 263-6042



REGULAR MEETING

Of the **California Horse Racing Board (CHRB/Board)** will be held on **Thursday, January 20, 2022**, commencing at **9:30 a.m. via teleconference**. The audio portion only of the California Horse Racing Board regular meeting will be available online through a link at the CHRB website (www.chrb.ca.gov) under “Webcasts.”

Please be advised, in accordance with Executive Order N-29-20, the CHRB will provide a teleconference option for its upcoming public meeting, to be held on **January 20, 2022 at 9:30 a.m.** Board members and members of the public are strongly encouraged to participate using the teleconference phone number provided below so as to minimize the spread of COVID-19 and reduce the risk of infection during this current state of emergency. No physical location will be provided.

To participate in the teleconference, dial 800-343-1703 and enter 98443 when prompted. To comment on an agenda item, press *1 during the call to be added to the queue. If you are a member of the public and wish to listen to the meeting and not participate, we request that you please listen to the meeting via the webcast link on our website to avoid congestion and potential technical difficulties.

The agenda for the regular meeting will consist of the following matters:

AGENDA

Action Items:

1. **Approval of the minutes of December 15, 2021.**
2. Discussion and action by the Board regarding the **delegation of authority to the executive director** pursuant to California Business and Professions Code section 19428 for one year.
3. Discussion and action by the Board regarding **fire clearance status of San Luis Rey Downs auxiliary training facility**, pursuant to CHRB Rule 1927, Fire Prevention.
4. Presentation from the **California Thoroughbred Trainers (CTT) regarding a status update on the taskforce** regarding animal safety.
5. Reports
 - A. **Executive Director’s Report.**
 - B. **Equine Medical Director’s Report.**

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

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

CALIFORNIA HORSE RACING BOARD

Gregory L. Ferraro, DVM, Chairman
Oscar Gonzales, Vice Chair
Dennis Alfieri, Member
Damascus Castellanos, Member
Brenda Davis, Member
Wendy Mitchell, Member
Alex Solis, Member
Scott Chaney, Executive Director
Cynthia Alameda, Assistant Executive Director

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REVISED PENDING ADMINISTRATIVE ADJUDICATIONS JANUARY 2022

The Board may convene a Closed Session to confer with and receive advice from its legal counsel regarding the pending administrative licensing or disciplinary matters as authorized by Government Code section 11126(e). This shall include any matters mentioned below and/or permitted by law.

CASE

A. Decision Not To Adopt & Further Argument

Trainer Richard Greenman

Case Number: SAC 21-0070

B. Proposed Decision of Fitness Hearing

Trainer Applicant: James Wooten

Case Number: SAC 20-0023

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PENDING LITIGATION JANUARY 2022

COURT LITIGATION

- A. Ruis Racing, LLC v. California Horse Racing Board**
Superior Court of California, County of Los Angeles
- B. Hollendorfer v. California Horse Racing Board**
Superior Court of California, County of San Diego
- C. Zvi Kriple v. California Horse Racing Board**
Superior Court of California, County of San Diego

OTHER LITIGATION

- D. In the Matter of the Accusation Against Jeff Blea;**
Case No. 4602021001570
Before the Veterinary Medical Board

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**REGULAR BOARD MEETING MINUTES****Date and Time:** December 15, 2021 at 9:30 a.m.**Location:** Teleconference**Board Members Present:** Gregory Ferraro, Chairman
Oscar Gonzales, Vice-Chairman
Alex Solis, Member
Dennis Alfieri, Member
Wendy Mitchell, Member
Demascus Castellanos, Member
Brenda Washington Davis, Member**Staff Members Present:** Scott Chaney, Executive Director
Cynthia Alameda, Assistant Executive Director
Robert Brodrik, General Counsel**1. APPROVAL OF THE MINUTES OF NOVEMBER 17, 2021.****Motion:** Approve.**Motioned/Seconded:** Washington Davis/Solis.**Roll call vote: Aye:** Last Names. **Nay:** Gonzales, Alfieri, Mitchell, Solis, Washington Davis, Ferraro. **Abstain:** Castellanos. **Motion carried.**

Page 3 in the Board transcript.

- 2. DISCUSSION AND ACTION BY THE BOARD REGARDING THE REQUEST TO MODIFY THE DISTRIBUTION OF MARKET ACCESS FEES FROM ADVANCED DEPOSIT WAGERING FOR WAGERING CONDUCTED BY THOROUGHBRED ASSOCIATIONS AND RACING FAIRS IN THE CENTRAL AND SOUTHERN ZONES TO INCLUDE A DISTRIBUTION TO THE SOUTHERN CALIFORNIA STABLING AND VANNING FUND OF 1.20% AND TO ADJUST THE AMOUNT DISTRIBUTED TO THAT FUND FROM BRICK AND MORTAR WAGERING TO 1.20% FOR 2022.**

Motion: Approve.**Motioned/Seconded:** Alfieri/Castellanos.**Roll call vote: Aye:** Gonzales, Alfieri, Mitchell, Solis, Castellanos, Washington Davis, Ferraro. **Nay:** None. **Motion carried.**

Pages 3–9 in the Board transcript.

- 3. DISCUSSION AND ACTION BY THE BOARD REGARDING THE REQUEST TO CONTINUE THE DISTRIBUTION OF MARKET ACCESS FEES FROM ADVANCED DEPOSIT FOR WAGERING CONDUCTED BY THOROUGHBRED ASSOCIATIONS IN THE CENTRAL**

Proceedings of the Regular Meeting of December 15, 2021

AND SOUTHERN ZONES FOR 2022, TO INCLUDE DISTRIBUTIONS TO SOUTHERN CALIFORNIA OFF-TRACK WAGERING, INC.

Motion: Approve.

Motioned/Seconded: Washington Davis/Solis.

Roll call vote: Aye: Gonzales, Alfieri, Mitchell, Solis, Castellanos, Washington Davis, Ferraro. **Nay:** None. **Motion carried.**

Pages 9–12 in the Board transcript.

4. DISCUSSION AND ACTION BY THE BOARD REGARDING **APPROVAL OF THE DECEMBER 2021 THROUGH DECEMBER 2022 AGREEMENT, PURSUANT TO CHRB RULE 1581, RACING SECRETARY TO ESTABLISH CONDITIONS, BETWEEN THE PACIFIC RACING ASSOCIATION AND LOS ANGELES TURF CLUB AND THE THOROUGHBRED OWNERS OF CALIFORNIA**, REGARDING ENTRY CONDITIONS AND SPECIFIED DRUG SUBSTANCES OR MEDICATIONS TO BE IMPLEMENTED BY THESE ASSOCIATIONS FOR TWELVE MONTHS.

Motion: Approve.

Motioned/Seconded: Castellanos/Solis.

Roll call vote: Aye: Gonzales, Alfieri, Mitchell, Solis, Castellanos, Washington Davis, Ferraro. **Nay:** None. **Motion carried.**

Pages 12–17 in the Board transcript.

5. DISCUSSION AND ACTION BY THE BOARD ON THE **APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF THE PACIFIC RACING ASSOCIATION (PRA) AT GOLDEN GATE FIELDS**, COMMENCING DECEMBER 22, 2021 THROUGH JUNE 14, 2022.

Motion: Approve three-month license.

Motioned/Seconded: Gonzales/Mitchell.

Roll call vote: Aye: Gonzales, Mitchell, Washington Davis. **Nay:** Alfieri, Solis, Castellanos, Ferraro. **Motion failed.**

Pages 17–35 in the Board transcript.

Motion: Approve six-month license with monitoring of horse fatalities every 30 days.

Motioned/Seconded: Alfieri/Solis.

Roll call vote: Aye: Alfieri, Solis, Castellanos, Ferraro. **Nay:** Gonzales, Mitchell, Washington Davis. **Motion passed 4-3.**

Pages 35–44 in the Board transcript.

6. DISCUSSION AND ACTION BY THE BOARD ON THE **APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF THE LOS ANGELES TURF CLUB (T) AT SANTA ANITA PARK RACE TRACK**, COMMENCING DECEMBER 15, 2021 THROUGH JUNE 21, 2022.

Proceedings of the Regular Meeting of December 15, 2021

Motion: Approve with condition that Los Angeles Turf Club and California Thoroughbred Trainers recognize prior race meet agreement, add December 27 and 30, 2021, as live race days, and have April 22, 23, 24, and 29, 2022 be simulcast-only days with no live racing.

Motioned/Seconded: Gonzales/Ferraro.

Roll call vote: **Aye:** Gonzales, Alfieri, Mitchell, Solis, Castellanos, Washington Davis, Ferraro. **Nay:** None. **Motion carried.**

Pages 45–78 in the Board transcript.

7. REPORTS.

A. EXECUTIVE DIRECTOR'S REPORT

Pages 79–84 in the Board transcript.

B. EQUINE MEDICAL DIRECTOR'S REPORT.

Pages 84–100 in the Board transcript.

8. PUBLIC COMMENT.

Pages 100–117 in the Board transcript.

MEETING ADJOURNED AT 11:51 A.M.

Proceedings of the Regular Meeting of December 15, 2021

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

Chairman

Executive Director

STAFF ANALYSIS
DISCUSSION AND ACTION BY THE BOARD REGARDING THE DELEGATION OF
AUTHORITY TO THE EXECUTIVE DIRECTOR PURSUANT TO CALIFORNIA
BUSINESS AND PROFESSIONS CODE SECTION 19428 FOR ONE YEAR.

Regular Board Meeting
January 20, 2022

ISSUE:

The Executive Director of the California Horse Racing Board is vested with the authority to carry out and execute duties specified by the Law and by the Board. To increase efficiency and transparency, staff seeks to codify commonly requested actions of the Executive Director.

ANALYSIS:

Business and Professions Code (BPC) [section 19428](#) provides in part, "The Executive Director shall be the Board's executive officer and shall carry out and execute the duties as specified by law and by the Board."

Commonly, the Executive Director is asked to approve administrative actions on behalf of the Board by licensees. To increase efficiency and transparency, staff seeks to codify commonly requested actions of the Executive Director.

1. Authority to approve a change to the first post time.
2. Authority to approve the cancelation of a place or show pool.
3. Authority to permit an authorized racing day which has been canceled, to be run on a non-racing day within the license period.

Consistent with its authority under the California BPC, the Board is permitted to delegate authority to act in these instances to the Executive Director.

RECOMMENDATION:

This item is presented for Board discussion and action.

BEFORE THE CALIFORNIA HORSE RACING BOARD

STATE OF CALIFORNIA

In the Matter of Delegation of Authority to
the Executive Director of the California
Horse Racing Board

RESOLUTION AND ORDER

Pursuant to the authority granted to the California Horse Racing Board by virtue of California Business and Professions Code section 19428, the Board hereby authorizes the Executive Director to perform the following actions:

1. Upon request of a licensed racing association or fair, the Executive Director shall have the authority to approve a change to the first post time.
2. Upon request of a licensed racing association or fair, the Executive Director shall have the authority to approve the cancelation of a place or show pool.
3. Upon request of a licensed racing association or fair, the Executive Director, with the approval of the Chairman and Vice Chairman of the Board, shall have the authority to permit a authorized racing day which has been canceled, to be run on a non-racing day within the license period.

This authority shall take effect on the day this resolution is adopted by the Board and shall remain in full force and effect for one year from that date unless amended, superseded or vacated by further order of the California Horse Racing Board.

CALIFORNIA HORSE RACING BOARD

Gregory L. Ferraro, DVM, Chairman

Dated: January 20, 2022

Agenda Item 3

STAFF ANALYSIS DISCUSSION AND ACTION BY THE BOARD REGARDING FIRE CLEARANCE STATUS OF SAN LUIS REY DOWNS AUXILIARY TRAINING FACILITY, PURSUANT TO CHRB RULE 1927, FIRE PREVENTION

Regular Board Meeting
January 20, 2022

ISSUE:

The San Luis Rey Downs (SLRD) auxiliary training facility is an auxiliary site where horses are stabled for various horse racing associations that conduct race meetings in California. As such, pursuant to California Horse Racing Board (Board) [Rule 1927](#), Fire Prevention, a written clearance from the fire authority having jurisdiction, stating that an inspection has been made of the site and that the facilities conform with a reasonable standard of fire safety, must be filed with the Board prior to the start of each said race meeting, whereby the inspection shall have been made within 45 days prior to the commencement of the meet. The Stronach Group (TSG), which owns the SLRD, has submitted a request to the Board for an extension to meet certain requirements prescribed in Board Rule 1927 regarding the reasonable standard of fire safety. TSG also requests an exemption from the 45-day provision in Board Rule 1927.

ANALYSIS:

Pursuant to Board Rule 1927, before a license to conduct a horse racing meeting is granted to an association, the association must provide a written clearance from the fire authority having jurisdiction, stating that an inspection has been made of the inclosure and any additional location where any excess number of horses will be stalled. Various racing associations use SLRD as an additional location for an excess number of horses to be stalled. Therefore, in addition to providing a written fire clearance to the Board for the inclosure where the association will be conducting its race meet, these associations must also provide one for SLRD. However, because SLRD is owned by TSG, TSG is responsible for obtaining the required fire clearance.

Board Rule 1927 sets forth certain requirements that constitute a “reasonable standard of fire safety.” These requirements include, but are not limited to, facilities used for stabling of horses or human habitation being equipped with an automatic sprinkler system and an automatic fire alarm system, as well patrol of said facilities by a watchman during hours or darkness. Board Rule 1927 also states that any association whose stable area, including any additional location where any excess number of horses will be stables, does not meet the reasonable standard of fire safety may petition the Board for an extension of time within which to comply with the rule. At the August 2020 meeting, the Board approved an extension for TSG through the end of July 2021 to complete the installation of a sprinkler system and fire alarm system for its “historic” barns, which are distinct from its new barns, in order for SLRD to be in compliance with Board Rule 1927. Due to COVID-19, the update of the barns has been significantly delayed and TSG is requesting an additional extension to complete the project in order to come into compliance. Board Rule 1927 provides that, in reviewing such a request or petition, the Board shall take into

consideration any written recommendation from the fire authority having jurisdiction, as well as other pertinent matters, recognizing that the physical structure of each racing inclosure is unique and has its own particular problems.

Board Rule 1927 also requires that the inspection be completed within 45 days prior to the beginning of the race meet. TSG states that the fire authority having jurisdiction over SLRD performed an inspection on July 31, 2020, and is attached for reference. TSG requests an exemption from the 45-day requirement. Without an exemption, any race meets commencing more than 45 days after the inspection date would require that another fire inspection be completed. Certain fire authorities have expressed that multiple inspections at a single site in a one-year period are difficult or not possible due to limited time and resources, especially during the current health crisis.

At the June 16, 2021 regular Board meeting, the Board heard a request from TSG to be granted additional time to update their historical barns to be compliant with Board Rule 1927. At the June Board meeting, the Board tabled this issue until the July meeting and requested TSG to bring a report regarding the implementation plan to bring the barns into compliance as well as further details into the delay of the updates. A copy of that report is attached for reference. At the July 21, 2021 Board meeting, TSG provided an update as to the status of the barn renovation and advised that the updates would be completed by January 2022. At the July 2021 meeting, the Board approved an additional extension to TSG to bring the SLRD historic barns into compliance by the end of January 2022.

BACKGROUND:

Business and Professions Code (BPC) [section 19420](#) provides that jurisdiction and supervision over meetings in California where horse races with wagering on their results are held or conducted, and over all persons or things having to do with the operation of such meetings, is vested in the Board. BPC [section 19440](#) states that the Board shall have all powers necessary and proper to enable it to carry out fully and effectually the purposes of this chapter. Responsibilities of the Board shall include adopting rules and regulations for the protection of the public and the control of horse racing and pari-mutuel wagering. BPC [section 19460](#) provides that all licenses granted under this chapter shall contain such conditions as are deemed necessary or desirable by the Board for the best interests of horse racing and the purposes of this chapter. Board Rule 1927 provides that applicants for license to conduct a horse racing meeting in California shall first make provisions for fire prevention and protection and submit to the Board a written clearance from a fire authority having jurisdiction, stating that an inspection has been made of both the inclosure and any additional locations where any excess number of horses will be stalled, that the inspection ensures that the fire safety provisions meet the Board's standards described in Board Rule 1927, and that the inspection was conducted within 45 days of the commencement of the race meeting.

RECOMMENDATION:

This item is presented for Board discussion and action.



January 12, 2022

Scott Chaney
California Horse Racing Board
1010 Hurley Way, Suite 300
Sacramento, CA 95825

Re: Update on San Luis Rey Sprinkler Installation

Dear Mr. Chaney,

353 stalls of the 476 total stalls at the San Luis Rey Training Center (“SLR”) should have sprinklers (all but 2 barns) installed by January 31, 2022. The sprinklers in the two remaining barns—Barns E and F—should be installed by the end of February.

Pavilion 1 – 132 Stalls, Fire Sprinklers installed
Pavilion 2 – 92 Stalls, Fire Sprinklers installed
Barn A – 23 Stalls, Fire Sprinklers installed
Barn B – 19 Stalls, Fire Sprinklers installed
Barn C – 23 Stalls, Fire Sprinklers 20% Complete, Estimated Completion 1/21/22
Barn D – 24 Stalls, No Sprinklers, Estimated Completion 1/31/22
Barn E – 59 Stalls, No Sprinklers, Estimated Completion 2/16/22
Barn F – 64 Stalls, No Sprinklers, Estimated Completion 2/28/22
Barn H – 40 Stalls, Fire Sprinklers installed

The team at SLR, and our outside contractors, have been working diligently to complete this project. Unfortunately, we have been hit with a few more COVID related delays—both supplies and staffing (especially on the staffing side in the last month). Once the sprinklers have been installed in barns E and F, the project will require a few more days for testing and final electrical work. Accordingly, we expect that the project will be completed no later than mid-March.

The trainers at SLR have been great working with us during the installation process and have not objected to having to move their horses around during this process. Granting an additional extension through mid-March would allow the trainers to not have to incur any additional inconvenience. If an additional extension is not granted, some trainers would have to relocate to Los Alamitos for a month or two while the project is finished. We would much prefer the extension so the trainers do not have to go through the expense and hassle of moving their barns, especially since they would be moving to stalls at Los Alamitos that may not have sprinklers.

Attached is the recent North County Fire & Safety Inspection from November 23, 2021, which shows the facility passed with no violations or follow-up recommendations. We have also

had weekly visits to SLR from our in-house Fire Marshal, Josh Funk, making sure the facility is following all fire prevention policies.

Please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Nate Newby", written in a cursive style.

Nate Newby

North County Fire Protection District
330 S. Main Ave.
Fallbrook, CA 92028
(760) 723-2010



Tuesday, 23 November, 2021

Attn: Teresa Jennings

Property Address:
San Luis Rey Training Center
5772 CAMINO DEL REY
BONSALL, CA 92003

Re: Initial - Fire & Life Safety on November 23 2021

NOTICE OF INSPECTION - COMPLETED

CONGRATULATIONS, your Fire and Life Safety Inspection has satisfactorily been completed and no violations were noted at this time. The North County Fire Protection District would like to thank you for making fire and life safety a priority.

If you have any questions regarding our Fire and Life Safety Inspection program, please contact the Fire Prevention Bureau at: (760) 723-2010.

Inspection Notes:

.....
This facility was deferred to NCFPD Fire Prevention Bureau personnel who is handling the inspection.
.....

Inspector:

Fire Protection Spec. Aaron Murg

amurg@ncfire.org
760-723-2042

Property Representative:

CALIFORNIA HORSE RACING BOARD

January 20, 2022

REGULAR BOARD MEETING

There is no board package material for Item 4

CALIFORNIA HORSE RACING BOARD

January 20, 2022

REGULAR BOARD MEETING

There is no board package material for Item 5A

CALIFORNIA HORSE RACING BOARD

January 20, 2022

REGULAR BOARD MEETING

There is no board package material for Item 5B

CALIFORNIA HORSE RACING BOARD

January 20, 2022

REGULAR BOARD MEETING

There is no board package material for Item 6

CALIFORNIA HORSE RACING BOARD

January 20, 2022

REGULAR BOARD MEETING

There is no board package material for Item 7