

**CALIFORNIA HORSE RACING BOARD**

1010 Hurley Way, Suite 300  
Sacramento, CA 95825  
[www.chrb.ca.gov](http://www.chrb.ca.gov)  
(916) 263-6000 Fax (916) 263-6042



# **RACE DATES** **COMMITTEE MEETING**

A meeting of the **Race Dates Committee** of the **California Horse Racing Board** will be held on **Tuesday, August 17, 2021**, commencing at **09:30 a.m.**, via **teleconference**.

Please be advised, in accordance with Executive Order N-29-20, the CHRB will provide a teleconference option for its upcoming Race Dates Committee public meeting, to be held on **August 17, 2021 at 09:30 a.m.** Committee 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 888-392-4564 and enter 6896291# when prompted. The agenda for the regular meeting will consist of the following matters:

## **AGENDA**

### **Agenda Items**

1. Discussion regarding the allocation of **2022 race dates for Northern California.**
2. Discussion regarding the allocation of **2022 race dates for Southern California.**
3. **Public Comment:** Communications, reports, requests for future actions of the Committee. **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.

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](http://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.

### **RACE DATES COMMITTEE**

Oscar Gonzales, Chairman  
Damascus Castellanos, Member  
Wendy Mitchell, Member  
Scott Chaney, Executive Director  
Cynthia Alameda, Assistant Executive Director

STAFF ANALYSIS  
DISCUSSION REGARDING THE ALLOCATION OF 2022 RACE DATES FOR  
NORTHERN CALIFORNIA

Race Dates Committee Meeting  
August 17, 2021

ISSUE:

Every year, the California Horse Racing Board (Board) hears from industry stakeholders regarding the allocation of race dates for the following year. This discussion is initially held at the Race Dates Committee (Committee) meeting, prior to being presented to the Board at their regular meeting for final approval of the allocated race dates. In the past, there has been discussion of adopting a multi-year allocated race dates calendar, but to date one has not been obtained.

Prior to the Committee meeting, Board staff reached out to various stakeholders for their proposals for a 2022 race dates calendar. Those proposals and prior calendars are included for reference. Proposals were not received from the California Authority of Racing Fairs (CARF), the Sonoma County Fair, Watch and Wager, and Golden Gate Fields.

Additionally, a request from the Pari-Mutuel Employees Guild was received to eliminate the simulcast only weeks in July and December.

RECOMMENDATION:

This item is presented for discussion. Staff recommends the Committee hear from the industry representatives.

CALIFORNIA HORSE RACING BOARD  
2021 ALLOCATED RACE DATES  
CALENDAR

*Note: The allocation begins on the Wednesday prior to opening day  
and concludes on the Tuesday following closing day.*

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THOROUGHBRED MEETINGS - CENTRAL & SOUTHERN ZONES

<u>Location</u>	<u>Allocated Dates</u> *
Santa Anita	12/23/20 – 06/22/21
Los Alamitos	06/23/21 - 07/06/21
Del Mar	07/07/21 - 09/07/21
Santa Anita	09/29/21 - 11/02/21
Del Mar	11/03/21 - 11/30/21
Los Alamitos	12/01/21 - 12/14/21
Santa Anita	12/15/21 - 12/21/21

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THOROUGHBRED MEETINGS - NORTHERN ZONE

Golden Gate Fields	12/23/20- 06/15/21
Golden Gate Fields	07/21/21- 08/03/21
Golden Gate Fields	08/25/21 – 10/05/21
Golden Gate Fields	10/20/21 – 12/21/21

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QUARTER HORSE MEETINGS - STATEWIDE

Los Alamitos	12/23/20 - 12/21/21
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HARNESS MEETINGS – STATEWIDE

Cal Expo	12/23/20 - 05/11/21
Cal Expo	10/27/21 - 12/21/21

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FAIR MEETINGS - STATEWIDE

Alameda Fair at Pleasanton	06/16/21 – 07/13/21
State Fair at Pleasanton	07/14/21 – 07/20/21
Sonoma Fair at Golden Gate Fields	08/04/21 – 08/17/21
Humboldt Fair at Ferndale	08/18/21 – 08/31/21
L.A. County Fair at Los Alamitos	09/08/21 – 09/28/21
Big Fresno Fair at Fresno	10/06/21 – 10/19/21

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\* Date Block Allocation. Actual days of live racing are determined at the time applications are approved by the Board.

The Southern California Thoroughbred, Statewide Harness Meeting Dates, Statewide Quarter Horse Meeting Dates, and first Thoroughbred Meetings of the Northern Zone were allocated at the 10/22/2020 regular meeting of the Board. The remaining 2021 dates were allocated at the 11/19/2020 regular meeting of the Board. Due to the COVID-19 pandemic, a re-allocation of dates occurred at the 06/16/2021 regular Board meeting.

Updated 06/16/2021



**PARI-MUTUEL EMPLOYEES GUILD**  
OF CALIFORNIA  
SEIU Local 280



Troy Tabak  
*President*

Michael Haake  
*Vice-President*

Shannon Hinkley  
*Secretary-Treasurer*

**OFFICE**  
1838 E. Huntington Dr.  
Duarte, CA 91010  
(626) 301-7900  
Fax (626) 301-7960



August 6, 2021

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

This is a request to the Race Dates Committee to eliminate the Simulcast Only weeks in July and December. This request is to allow these weeks to go to a licensee who will run live race days during these weeks. Since the industry runs on live racing, let's have live racing be the focus for those weeks. Even two days of live racing should be an option as opposed to no live racing at all.

We are running fewer live race days throughout the year, so do we really want to have entire weeks with no racing? Live racing is the engine that drives the industry. When there is no live racing, the crew orders are greatly reduced. Labor, not just the mutual clerks, but all labor working at the host track is cut back significantly or eliminated altogether.

Labor has been almost decimated because of the pandemic and live race days have been cut drastically this past year. It is understood that the horse population greatly influences the number of live race days; however, isn't live racing even with fewer races per card, still providing income for the industry and jobs for labor? Let's have live race days on a consistent weekly basis so that the whole race meet contributes to a better industry. Licenses approved with dark weeks seem to send the wrong message. The industry needs live racing, and labor needs live race days so that both can thrive.

Respectfully,

Troy Tabak  
President / Business Agent  
Local 280

STAFF ANALYSIS  
DISCUSSION REGARDING THE ALLOCATION OF 2022 RACE DATES FOR  
SOUTHERN CALIFORNIA

Race Dates Committee Meeting  
August 17, 2021

ISSUE:

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Prior to the Committee meeting, Board staff reached out to various stakeholders for their proposals for a 2022 race dates calendar. Those proposals and prior calendars are included for reference. Proposals were not received from the California Authority of Racing Fairs (CARF), and the Los Angeles County Fair.

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RECOMMENDATION:

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2021 ALLOCATED RACE DATES  
CALENDAR

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Del Mar	11/03/21 - 11/30/21
Los Alamitos	12/01/21 - 12/14/21
Santa Anita	12/15/21 - 12/21/21

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THOROUGHBRED MEETINGS - NORTHERN ZONE

Golden Gate Fields	12/23/20- 06/15/21
Golden Gate Fields	07/21/21- 08/03/21
Golden Gate Fields	08/25/21 – 10/05/21
Golden Gate Fields	10/20/21 – 12/21/21

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QUARTER HORSE MEETINGS - STATEWIDE

Los Alamitos	12/23/20 - 12/21/21
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HARNESS MEETINGS – STATEWIDE

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**Updated 06/16/2021**



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August 6, 2021

California Horse Racing Board  
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Respectfully,

Troy Tabak  
President / Business Agent  
Local 280

**From:** [REDACTED]  
**To:** [REDACTED]  
**Subject:** FW: Race Dates Committee  
**Date:** Thursday, August 5, 2021 11:42:55 AM  
**Attachments:** [image002.png](#)

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**From:** Josh Rubinstein [REDACTED]  
**Sent:** Thursday, August 5, 2021 11:33 AM  
**To:** Chaney, Scott@CHRB [REDACTED]  
**Cc:** Tom Robbins [REDACTED]  
**Subject:** Re: Race Dates Committee

Executive Director Chaney,

Thank you for the opportunity to submit requests for modifications to this year's calendar for the Del Mar Thoroughbred Club's (DMTC) 2022 dates. DMTC's 2022 dates request is the same 13 weeks (9 summer / 4 fall) allocated to us by the CHRB in 2021:

Summer, 2022

- July 13 – September 13 (nine weeks)
- Del Mar's allocated "dark week" is the week of July 16
- Opening Day, July 22 / Closing Day, September 11 (eight weeks of racing)

Fall, 2022

- November 9 – December 6 (four weeks)
- Opening Day, November 11 / Closing Day, December 4 (four weeks of racing)

Two modifications to DMTC's 2022 dates request based on our 2021 allocation:

1. Summer Meet request: Due to the way the calendar falls in 2022, the timeline of the San Diego County Fair and track maintenance scheduling to provide for the safest possible racing and training environment, DMTC will need to begin racing a week later as compared to 2021. This also will result in our summer meet running the week after Labor Day.
2. Fall Meet request: While Del Mar will host the Breeders' Cup in 2021 and we were the CA simulcast host in 2020 when the event was held at Keeneland, we are not requesting our fall meet race dates to encompass the Breeders' Cup in 2022 (Keeneland, November 4 & 5). In the interest of fairness, we believe Santa Anita should be the CA simulcast host of Breeders' Cup in 2022, so we are proposing to begin our fall meet one week later as compared to 2021.

Again, thank you for the opportunity to provide input to the 2022 race dates calendar. We look forward to meeting with you, the Race Dates Committee and industry stakeholders on August 17. Please feel free to contact me if you have any questions.

Best,

Josh

Josh Rubinstein  
President & COO  
Del Mar Thoroughbred Club

**From:** [REDACTED]  
**To:** [REDACTED]  
**Subject:** FW: Race Dates Committee  
**Date:** Thursday, August 5, 2021 12:37:37 PM  
**Attachments:** [image001.png](#)  
[2022 So Cal Race Dates - SA Only.xlsx](#)

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**From:** Newby, Nate [REDACTED]  
**Sent:** Wednesday, August 4, 2021 12:34 PM  
**To:** Chaney, Scott@CHRB [REDACTED]  
**Cc:** Fravel, Craig [REDACTED]; Sindler, Eric  
[REDACTED]  
**Subject:** RE: Race Dates Committee

Hi Scott,

Santa Anita will be requesting a very similar racing calendar for 2022. We would request 32 weeks of racing at Santa Anita (same as 2021) with the only significant difference being the Autumn Meet would include Breeders' Cup simulcast for our closing weekend of live racing. As you probably know, Breeders' Cup has typically alternated between Santa Anita and Del Mar live meets so 2022 would be a Santa Anita Breeders' Cup year (based on the rotation that has been allocated by CHRB in previous years). After talking with the Del Mar team, I don't anticipate any pushback from them to continue with the Breeders' Cup rotation.

Attached is the calendar detail of our requested dates. Please let me know if you need any additional information from us.

Best,

Nate

# 2022 Southern California Race Dates

December 2021						
Su	Mo	Tu	We	Th	Fr	Sa
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	1

SA - December 15, 2021 through June 21, 2022

SA - September 28 through November 8, 2022

	Wks
Santa Anita	32
Del Mar	0
Los Al	0
LACF@Los Al	0
	32

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

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

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

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

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

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

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

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

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

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

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

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

August 8, 2021

TO: DATES COMMITTEE AND EXECUTIVE DIRECTOR CHANEY

cc. OTHER COMMISSIONERS, MIKE MARTEN, ALAN BALCH (CTT) AND GARY FENTON (TOC)

FROM: JACK LIEBAU ON BEHALF OF LOS ALAMITOS RACING ASSOCIATION

In response to Executive Director Chaney's email of August 3, 2021, we note that in April, 2021, Los Al submitted a Memorandum to the Dates Committee and Stakeholders, copy attached, in which it was suggested that there should be a continued evaluation, among other things, of the merit of existing racing dates (including the effectiveness of allocated "breaks") and that the very process utilized in the allocation of racing date should be addressed. Los Al believes that the discussion therein of the process utilized in the allocation of the 2021 racing dates and the issues raised regarding the 2021 Southern California racing calendar are relevant to the allocation of 2022 racing dates. Subsequently, Commissioner Gonzalez and Executive Director Chaney discussed the contents of the aforementioned Memorandum with Jack Liebau.

Los Al believes the following enumerated topics are especially worthy of consideration in the connection with the allocation of 2022 racing dates:

#### PROCESS UTILIZED IN ALLOCATION OF 2022 RACING DATES

The allocation of 2021 racing dates was hampered by the pandemic which necessitated discussion being limited to teleconferencing. Unfortunately, it appears that discussion of 2022 racing dates will be likewise disadvantaged. Los Al does not believe the situation should be repeated where a proposed calendar was circulated before the Board Meeting at which 2021 dates were to be allocated and at that meeting a new calendar was introduced that was characterized as being only a "slight alteration" of the previously circulated schedule. Neither Los Al nor Santa Anita considered their respective racing dates being reduced by a week to be a "slight alteration" of the previously circulated calendar. Los Alamitos, possibly like other Stakeholders, was 'blindsided' by the new calendar. During the meeting, the Executive Director did acknowledge that the associations were not previously made aware of the new/revised calendar. Prior to allocation of racing dates being agendized for Discussion and Action by the Board, the recommendation of the Dates Committee should be made available in advance to all Stakeholders. It simply is too difficult for the Stakeholders, at least for Los Al, to make an adequate and meaningful presentation to the Board "on the fly".

#### STILL IN PENALTY BOX?

Since Executive Director's Email of August 3, 2021 noted that the allocated 2021 racing dates should be used as a start of discussions regarding allocation of 2022 racing dates, the basis of the possible allocation of the 2021 racing dates is pertinent as well as whether any such basis continues to be of import in the allocation of 2022 racing dates. Based upon comments made at the Board Meeting at which 2021 racing dates were allocated, it could be surmised that a contributing factor to Los Al's Thoroughbred Meet (Daytime) being docked a racing week was because of the unfortunate fatalities encountered at the Quarter Horse Meet (Nighttime). See Transcript of CHRB Meeting of October 22, 2020, pp. 52 & 53 lines 22-25 and lines 1-18, and P. 76, lines 11-14. Note should be taken of the favorable comments of Chairman Ferraro at the May 19, 2021 Board Meeting re the improving safety

record of the Quarter Horse Meet. See Transcript, p. 52, lines 8-17. Consideration should be given to Staff being consulted re the safety record over the last 3 years of the Los Al Thoroughbred Meets (Daytime) and the improving safety record of the Quarter Horse Meet.

## BREAKS

Here again because the starting point of discussions re 2022 racing dates is to be the allocated 2021 racing dates, the placement and purpose of the calendar weeks not allocated for live racing in 2021 are of import. In connection with the allocation of the 2021 racing dates, it was stated/assumed that "breaks" in the racing calendar were of importance because horses need to be rested. Transcript of October 2020 Board Meeting, p.24, lines 15-18, p. 78, lines 9-10. It is realized that the questioning of this axiom, necessity of "breaks", is like questioning Motherhood, Apple Pie and Baseball. But, here goes! Is the purpose to give all horses a mandated rest from racing during a specific time even though their training would not be curtailed? Should the Board instead of the Trainer/Owner of a horse determine when a horse should be rested? Should all horses, no matter their individual condition, not have the right to race during the mandated specified time? Is the purpose to curtail the annual number of starts to be made by a runner? In the alternative, is it to cause a runner to make starts over a shorter period of time and thereby increase field size? As an aside, the average annual starts made by a runner on a national basis has declined from 6.97 in 2001 to 5.08 in 2020 and Racing Secretaries/Track Executives generally believe Trainers should start their horse oftener in light of their free use of stabling and training facilities. Does a "break" result in a financial windfall for the track designated by the Board? Should one track be subsidized and not another? Because a different segment of the horse population is likely to have more racing opportunities at a Los Al Meet than at either Del Mar or Santa Anita, does a Los Al Meet in and itself constitute a "break" for meets at either De Mar or Santa Anita? Is that especially the case for Turf horses?

Before allocating racing dates pursuant to an overriding policy favoring "breaks", the policy should be subject to further study and of an open and formal discussion.

Assuming there should be "breaks", how long should they be and where should they be placed? Should any association benefit as a result of a "Finding" that "breaks" are necessary? No one, association or organization, is responsible for the number of races in California declining from 5,107 in 2001 to 2,784 in 2020.

Is anyone sufficiently clairvoyant to know a year or more in advance as to when a "break" would be advisable? Because of the unknown, it has been suggested that timing and length of a "break" should be left to the discretion of a track. The problem here is the lack of certainty. Owners/Trainers need certainty in preparing/conditioning their horses.

Despite the overriding view regarding "breaks", Santa Anita in 2021 was allocated 6 months of consecutive racing- 12/23/2020 through 6/22/2021. Thus, there was no scheduled break in the first 6 months of 2021 racing calendar. While Del Mar was allocated racing dates from 7/7/2021 through 9/7/2021, it was understood that it would not commence live racing until July 16<sup>th</sup>, thereby creating for it a financially rewarding break of 9 days. This 9 day period of simulcast-only enriched Del Mar by \$970,413. Rather than allowing Los Al to conduct racing through December 19<sup>th</sup> and thereby being the recipient of 8 weeks of racing instead of 7, it was determined that Santa Anita would be financially rewarded with the simulcast revenue generated from December 15<sup>th</sup> to December 24<sup>th</sup>. As to Los Al

being denied the right to conduct live racing through December 19, it should be noted that in the last 7 years, Los Al raced beyond December 20<sup>th</sup> three times, twice closed on the 17<sup>th</sup> and once on the 18<sup>th</sup> and 16<sup>th</sup>. Since it is clear that the break in live racing from 12/14 to 12/24 is of no benefit to the 2021 racing calendar, there is an appearance that it was thought necessary to make Santa Anita whole/equal with the anticipated subsidy granted to Del Mar. If the purpose of "breaks" was "to give horses the necessary breaks", surely a break(s) would have been mandated between 12/26/2020 and 7/6/2021. Again, how did the December "break", 14<sup>th</sup> through the 25<sup>th</sup>, benefit the 2021 racing calendar.

Other than (1) less employment, (2) Santa Anita and Los Al each being allocated one less week in 2021 than set forth in the calendar circulated prior to the October, 2020 Board Meeting and (3) Del Mar being enriched by almost \$1M, what was the benefit Del Mar derived from the 9 day "break" prior to the opening of its 2021 Summer Meet. During the first two racing weeks of the 2021 Summer Meet, its overall average field size was 8.78 compared to 8.46 during the first two racing weeks in 2020 when there was a 4 day break. Both outstanding figures, probably exceeding the field size anywhere else in the country as well as being the envy of tracks everywhere. Was the increase of .32 attributable to the longer break in 2021? If so, does the .32 increase in field size justify the decrease in live racing necessitated by the longer break. Could all or part of the .32 increase in field size be attributable, among other factors, to Del Mar's highly successful Ship & Win Program that was responsible for a number of well-known stables migrating from outside California to Del Mar and the substantial increase in the advertised purses for the 2021 Summer Meet.

#### RACING AT LOS AL IS TANTAMOUNT TO A BREAK OF RACING AT EITHER DEL MAR OR SANTA ANITA

There is no denying the fact that the racing at Los Al, except for a few Stakes races, is not of the caliber of racing conducted at either Del Mar or Santa Anita. Thus, a segment of the horse population that customarily runs at either Santa Anita or Del Mar does not run at Los Al; therefore, this segment of the horse population is given a break while racing is conducted at Los Al. Conversely, there is a segment of the horse population running at Los Al whose participation at either Del Mar or Santa Anita is limited. In particular, since Los Al does not have a turf course, Southern California Turf horses are given a necessary break during a Los Al Meet. However, the 2021 racing calendar did not provide for Southern California Turf racing from the opening of Los Al's Summer Meet until live racing commenced at Del Mar's Summer Meet, a period of 25 days, almost a month. Estimated that upwards of 40% of the races carded at Del Mar are on the Turf. Would the duration of the Los Al Meet suffice as a sufficient "break" for Turf Horses?

#### LIVE RACING AT LOS AL TRUMPS SIMULCAST-ONLY WEEKS

The connections of some horse stabled in Southern California (owners and trainers) have a better opportunity to achieve a modicum of financial success at Los Al than at either Del Mar or Santa Anita. At the recently concluded Los Al Summer Meet, 38 different trainers and 50 different Owners/Partnerships won 61 of the races offered. At last year's Summer Meet, a total of 57 races were carded and 52 were won by different Owners/Partnerships and 43 by different trainers. Success/wealth was shared! All of which raises the philosophical question of whether an effort should be made to keep those racing at Los Al in the business and their horses in Southern California. If the answer is "Yes" than keeping Los Al viable in the Los Angeles basin as a racing venue and an off-site stabling facility through the allocation of necessary racing dates is of importance. Also, because more maiden Claiming races on a relative basis are carded at Los Al than at either Del Mar or Santa Anita, horses in these races gain experience. They

are given a chance to gain confidence and mature, all of which is of importance to racing in Southern California. It also goes without saying, as has been continually maintained by representatives of Local 280 Pari Mutuel Clerks and other Unions that Live racing at Los AI provides more employment than when simulcasting-only is offered at either Del Mar or Santa Anita, especially the case for those having the benefit of collective Bargaining Agreements.

#### SUGGESTED ALTERATION OF 2021 RACING CALENDAR

Based upon the 2021 experience, Los AI believes the 2022 racing calendar would be improved by a 2 or 3 week Meet at Los AI being inserted somewhere in the midst of the Santa Anita's 2021-2022 Meet. Los AI realizes it will likely be viewed as presumptuous and even self-serving for Los AI to suggest it is not in Santa Anita's best interest to conduct live racing for 6 consecutive months, but facts are facts. If nothing else, Santa Anita's 2021 experience amply demonstrates the need for a pause in racing during Santa Anita's 6 months of consecutive racing. During the two weeks following the 2021 Santa Anita Derby, April 5-18, Santa Anita was only able to conduct racing on Saturdays and Sundays with no Turf racing during the first of those 2 weeks. In his newsletter, John Chewa characterized the racing cards presented on April 10<sup>th</sup> and 11<sup>th</sup> "as Weak". He later referred to them as "rather dismal". Racing anywhere, even at the Great Race Place, becomes "same old", "same old" after an extended period of time--horse population is taxed, people get tired, racing surfaces, including the Turf course, become tired from constant wear in the morning and the afternoon. For example, during the first 2 months of Santa Anita's Meet, 12/26/2021 through 2/28/2021, the average overall field size was 7.84. During the period from 5/3/2021 through 6/22/2021, the overall average field size was 6.75. In short, as the Santa Anita Meet progressed, the overall average field size declined. With a pause, there would have been a chance for its horse population to rejuvenate (Los AI being largely dependent upon a different segment of the horse population than Santa Anita). The same would have been true for the Turf course. Again, it is suggested that a 2 or 3 week Los AI Meet be inserted after the running of the 2022 Santa Anita Derby, presumably held on April 9<sup>th</sup>, and concluded prior to the Kentucky Derby. By so doing, Santa Anita would still maintain the overall excitement generated by the "Triple Crown" races and of revenue derived from wagering on the "Triple Crown" races.

Further suggested modifications to the 2021 racing calendar are that Los AI be allocated a 2 or 3 week Meet in July and a 3 week meet in December. A 3 week Meet in December would be beneficial to the Quarter Horse Meet as was explained by Chairman Ferraro at the Meeting where 2021 dates were allocated. Transcript, p. 82, lines 6 through 10,

#### OFF-SITE STABLING

Los AI is committed to making its facility available for off-site stabling through 12/31/2022. Because of the financial condition of the Stabling and Vanning Fund (the "Fund"), Los AI has orally agreed to the accrual of 15% less than the amount of rent specified in its written contractual agreement with the Fund. Also, the Fund is presently indebted to Los AI in an amount in excess of \$1.1M. As of 12/31/2021, the Fund is projected to be insolvent in the amount of \$2.1 Million.

April 2021

To: Interested Parties

From: Jack Liebau

Please consider the following in thinking about the process as well as the actual allocation of future Southern California racing dates.

Rather than focusing, as in the past, on the allocation of future Southern California Racing Dates once a year, for a limited period of time, the process utilized would be enhanced by continually evaluating the state of Southern California racing, the merit of existing racing dates (including the effectiveness of allocated "breaks") and the impact of factors, such as purses in other jurisdictions, over which there is no control. The process utilized in the formal allocation of Racing Dates by the CHRB should be addressed.

Allocating less than optimum racing dates can adversely impact racing in Southern California. Racing dates and their allocation are too important to be subject to the introduction of a revised and uncirculated calendar, what amounts to a new proposal, at the very meeting during which dates are mandated, especially when that meeting is by Teleconference.

Although racing in Southern California ebbs and flows as a result of the overriding importance of Santa Anita, the racing calendar should be viewed as a whole rather than how it impacts a single track. Admittedly, how goes Santa Anita, goes Southern California racing. Nevertheless, consideration needs to be given to the interrelationship of the dates collectively allocated to Thoroughbreds, Quarters and Harness Meets. The night industry (Quarters and Harness) benefit from the synergy of their respective programs overlapping Thoroughbred racing dates.

In evaluating the prevailing Southern California racing dates, reference is made to certain statistical information that may be helpful to some interested parties who are not as familiar with them as those involved in racing on a daily basis. California statistical information was derived from the California Racing Industry Data Base, CHRIMS, wherein such information has been compiled for more than 30 years.

From 12/26/2020 to 4/11/2021, horses made 3209 starts at Santa Anita. During the comparable period 10 years ago and 5 years ago 4382 and 4462 horses made starts, respectively, at Santa Anita. The available Southern California horse population has declined for a variety of reasons, including smaller foal crops, increasing costs of training horses and higher purses in jurisdictions where purses are augmented by "gaming" revenue.

At Santa Anita from 12/26/2020 through 4/11/2021, daily purses for "overnight races" (non-Stakes races) have averaged \$372,000 and the average daily field size has been 7.5. So far at the Oaklawn Meet, average daily purses for overnights were \$431,298 and its average field size was 8.62. At Aqueduct, the daily average purses for overnights was \$465,000. At the upcoming Belmont, Churchill and Saratoga meets the daily average purses for overnights is estimated to be \$515,000, \$488,000 and \$585,000, respectively. There is a similar discrepancy in purses for stakes races between Santa Anita

and the other mentioned tracks. These higher purses out of state are an enticement for owners and trainers to race their horses outside Southern California.

During the two weeks following this year's Santa Anita Derby, April 5-18, Santa Anita only conducted racing on Saturdays and Sundays with no Turf racing during the first of those two weeks. In his newsletter, John Chewa characterized the racing cards presented on April 10<sup>th</sup> and 11<sup>th</sup> "as weak". He later referred to them "as rather dismal". Some considered Saturday's April 10th card to be the worst ever for a Saturday at Santa Anita.

Santa Anita was presumably forced to curtail racing to two days a week for the cited two weeks because of the condition of its Turf course and the state of the Southern California horse population. It had been conducting racing for 3 ½ months without a "break". Santa Anita Management is not at fault for this situation. They are doing their best to cope with the allocated consecutive racing weeks. In the future, consideration should be given to whether it is reasonable for a Turf course to be used extensively on a sustained basis for six consecutive months (Santa Anita's Meet stretches uninterrupted from 12/26/2020 to 6/20/2021), after all a Turf course needs to be rested in order to have an opportunity to grow back. In the future, consideration should be given to there being a "break" in Santa Anita's pending Winter Meet instead of there being a "break" at the commencement of the following year's Winter Meet, 2021-2022 (Will the horse population then be stretched? Hasn't the Turf course always been in premiere condition at the opening of the Winter Meet?).

It's been stated that "just about every Commissioner has weighed in at one point or another about the importance of giving horses necessary breaks". However, there seems to be some confusion as to their importance/purpose. Is the purpose to give all horses a mandated rest from racing even though their training would not be curtailed? Force horse not to be raced during a specific period? Certainly, a break in racing would be welcomed when the available horse population gets stretched and/or when a Turf course becomes overly worn. However, is anyone sufficiently clairvoyant to know a year or more in advance as to when a "break" would be advisable? Some have argued for a "break" in front their Meet. Others have tacitly admitted that they sought a "break" before their Meet opens because of the revenue derivable from a "simulcast-only week". If there is significant difference between those horses competing at Los Al and at either Del Mar or Santa Anita, does a Los Al Meet in and of itself constitute a "break"?

A "break" in live racing creates a period in which whatever track designated by the CHRB derives revenue from simulcast racing (wagering exclusively on races conducted outside of Southern California). Periods of simulcast-only result in less employment and do not necessitate payment of purse money. Historically, a simulcast-only week has been estimated to generate in the neighborhood of \$1,100,000 (\$560,000 purses, \$540,000 for track). In such a case, the allocation of a "simulcast-only week" can be tantamount to the grant of a "subsidy".

If the break does not provide a needed break in racing but instead serves as a subsidy, is Southern California racing better served by a "simulcast-only week" than a live racing week at Los Al? Should there be concern that "simulcast-only" weeks result in less employment, "especially for those that are part of collective bargaining units with the many great unions that make up the fabric of the industry"? Jobs were reported to be at the "top of the list" in allocating race dates. Please note that the mandated 2021 "breaks" are from July 6th to July 15th and from December 13th to December 25th. Curiously, the

planned December "break" does not benefit racing in 2021. It falls after the conclusion of Santa Anita's 2021 racing. Was the December break therefore intended as a subsidization of Santa Anita?

Both mandated "breaks" are in the latter six months of 2021, a period in which there are four Meets. It seems appropriate for there to be an on-going discussion of the importance/purpose of "breaks" and whether it would be preferable for the placement of "breaks", if necessary, to be left to the discretion of an operating track. Since it was deemed essential "to keep in mind revenue" presumably for all segments of the Industry, should consideration be given to operating say two days a week at limited times in lieu of extended "breaks", if they are necessary?

Should extended breaks (10 to 13 days) in the Southern California racing calendar be of concern because the absence of a California product in the country-wide market place for an extended time could cause customers to lose interest in racing or just interest in Californian racing?

It is questionable whether the mandated 2021 December break (12/13 through 12/25, 13 days) will favorably impact field size at the opening of Santa Anita's 2022 Winter Meet. In December, 2020, Los Al closed on the 20th and Santa Anita opened on the 26th, a 5 day break. Santa Anita's average field size was 8.28 from 12/26/2020 to 1/16/2021 and from 1/17/2021 to 3/14/2021 it was 7.47. It is now 7.5. How much will next year's Santa Anita Winter Meet (2021-2022) benefit from a 13 day break instead of 5 days? Everyone looks forward to and plans for their horses running early-on in the Santa Anita Winter Meet. The same is true for the Del Mar Summer Meet. Historically horses are saved for the openings of these Meets.

Is the planned 10 day break between the closing of the Los Al and the opening of Del Mar necessary to assure the condition of a Turf course not having been used for 7 months and/or adequate field size during Del Mar's first two weeks of its Meet? Last year when there was only a four day break between the Los Al Meet and the opening of Del Mar, the average field size during Del Mar's first two weeks of racing that spanned three weeks was 8.46 and it was 8.35 for the entire meet. If it is unreasonable to assume the allocated breaks are needed because the horse population will then have been stretched and/or the Turf course is overly worn, is the break tantamount to a "subsidy"? In this regard, as previously mentioned, Santa Anita's 2021 allocated break from December 13 to December 25 does not mitigate any problems Santa Anita might encounter in 2021, so was it (the Santa Anita December "break") intended to be just an outright "subsidy"?

If extended "breaks" are favored, consideration should be given to the financial "windfall" from simulcast-only revenue being distributed in an equitable manner among the operating tracks, rather than the CHRB picking financial "winners" and losers".

Admittedly, a full and thoughtful consideration of the allocation of 2021 Southern California Racing Dates at the CHRB October 22<sup>nd</sup> Meeting was hampered by the need for the meeting to be convened through Teleconferencing as required by the Governor's Executive Order. Teleconferencing inherently makes it extremely difficult for there to be meaningful exchanges of information among Commissioners as well as making it extremely difficult for a party to effectively present its position and more importantly for a party to respond to issues raised during the course of the meeting. Obviously, the allocation 2021 racing dates was hampered by the unavoidable circumstances of 2020.

Discussion at the CHRB October 22<sup>nd</sup> Meeting was further hampered by the introduction of a proposed calendar that differed from the proposed calendar previously distributed by CHRB Staff. Although the newly introduced calendar at the meeting was characterized as representing a "slight alteration" of the previously circulated CHRB Staff proposal, neither Los Al nor Santa Anita considered each of their loss of a week to be insignificant. It's entirely possible, even plausible, that the confusion inherent with Teleconferencing coupled with the introduction of the new, uncirculated proposal and the ensuing discussion were largely responsible for the Board's 2021 Racing Dates being adopted pursuant to a split 5 to2 vote.

The Board should seriously consider reverting back to the practices known to prevail for the allocation of racing dates from 1993 to 2019. That is, there should be a Dates Committee Meeting at which a calendar is formulated after a full and open discussion among members of the Dates Committee and the Stakeholders and thereafter forwarded to the full Board for consideration. In order for there to be meaningful discussion and adoption of optimum Racing Dates, a proposed calendar needs to be available to all Interested Parties/ Stakeholders prior to the full Board Meeting.

As stated, the purpose of this Memo is simply to suggest that discussions of the racing Calendar should be on-going, not limited to a month or so before racing dates are to be allocated. Because of the challenges facing Southern California racing, an optimum racing calendar is of the utmost importance. Such can only be achieved by reviewing the past and learning from it.

CALIFORNIA HORSE RACING BOARD

August 17, 2021

RACE DATES  
COMMITTEE MEETING

**There is no board package material for Item 3**