

AGENDA CALIFORNIA AUTHORITY OF RACING FAIRS LIVE RACING COMMITTEE MEETING JOHN ALKIRE, CHAIR 11:00 A.M., THURSDAY, OCTOBER 11, 2012

Notice is hereby given that a meeting of the California Authority of Racing Fairs' Live Racing Committee will commence at 11:00 a.m., Thursday, October 11, 2012. The meeting will be held in Fresno.

AGENDA

- I. Date, time and location of next meeting:
- II. Approval of minutes.
- III. Report on CHRB action regarding 2013 racing calendar.
- IV. Report, discussion and action, if any, on Legislation for 2012 and beyond.
- V. Executive Director's Report.



NOTICE CALIFORNIA AUTHORITY OF RACING FAIRS LIVE RACING COMMITTEE MEETING JOHN ALKIRE, CHAIR 11:00 A.M., THURSDAY, OCTOBER 11, 2012 VIA TELECONFERENCE

Notice is hereby given that a meeting of the California Authority of Racing Fairs' Live Racing Committee will commence at 11:00 a.m., Thursday, October 11, 2012. The meeting will be held at the Fresno Conference Room located at 1121 S. Chance Avenue, Fresno, California 93702.

CARF Live Racing Committee Meeting Toll Free Dial In Number: (800) 791-2345 Participant Code: 62745 # Via Teleconference

The Public and members of the California Authority of Racing Fairs Live Racing Committee may participate from the following locations:

Alameda County Fair 4501 Pleasanton Ave. Pleasanton, CA 94566

The Big Fresno Fair 1121 S. Chance Avenue Fresno, CA 93702

California State Fair 1600 Exposition Blvd. Sacramento, CA 95815 Humboldt County Fair 1250 5th Street Ferndale, CA 95536

San Joaquin Fair 1658 S. Airport Way Stockton, CA 95206 Solano County Fair 900 Fairgrounds Drive Vallejo, CA 94589

Sonoma County Fair 1350 Bennett Valley Road Santa Rosa, CA 95404

CALIFORNIA AUTHORITY OF RACING FAIRS Live Racing Committee Tuesday, September 11, 2012

MINUTES

A teleconference meeting of the California Authority of Racing Fairs Live Racing Committee was held at 11:00 A.M., Tuesday, September 11, 2012. The meeting was hosted at the California Authority of Racing Fairs Board Room, 1776 Tribute Road, Sacramento, California, 95815.

CARF Live Racing Committee members attending: John Alkire, Norb Bartosik, Tawny Tesconi, Stuart Titus. Joining by conference call: Janet Covello, Mike Paluszak and Rick Pickering.

Staff and Guests attending: Christopher Korby, Larry Swartzlander, Tom Doutrich, Heather Haviland, Amelia White, Dave Elliott, Chris Carpenter, Jim Morgan, Chris Borovansky, Richard Lewis, Dave Mogni and Raechelle Gibbons. Joining by conference call: Kate Phariss, Louie Brown and Cindy Olsen.

Agenda Item 1 – Date, Time and Location of Next Meeting. The next CARF Live Racing Committee meeting will be held October 11, 2012 in Fresno.

Agenda Item 2 – Approval of Minutes. Mr. Bartosik moved to approve the meeting minutes as presented. Mr. Titus seconded, unanimously approved.

Agenda Item 3 – Report, Discussion and Action, if any, on Legislation for 2012 and Beyond. Mr. Brown reported that the 2011/2012 legislative session adjourned August 31, 2012 and the next session will begin December 3, 2012. 2012 was a relatively quiet year as it pertains to racing legislation, mainly due to the energy and resources placed on the Internet poker bills. Neither bill ever really seemed ready to move, but the industry did what they could to come together and be prepared in case the opportunity did present itself.

CARF sponsored two bills this session, SB 1227 (Negrete McLeod) and SB 1418 (Berryhill). SB 1418, a technical cleanup bill regarding eliminating date restrictions, was signed by the Governor and will become law on Jan. 1, 2013. SB 1227, which would have provided license fee relief to racing Fairs, was held in Assembly Appropriations Committee at the end of session.

SB 1390 (Wright), the sports wagering bill, was also held in the Assembly Appropriations Committee. SB 1463 (Wright), regarding Internet poker, was held in the Senate G.O. Committee. Mr. Brown reported that there is a slim chance that if a special session is called, Internet poker could be resurrected due to its revenue generating potential.

Mr. Korby reported that a group of principals from the racing industry (including CARF, Del Mar, Santa Anita Park, Golden Gate Fields, Oak Tree, CTBA and TOC), has formed a group called

Horse Racing United for the purpose of supporting and implementing Internet poker legislation. This group is tracking Internet poker legislation and is prepared to implement legislation should it be approved and signed by the Governor. Included in the meeting packet is a document prepared by Mr. Korby entitled *"Proposed Model for Distribution of Internet Poker Revenues to California Horse Racing Interests"* which is one of two proposals that Horse Racing United is considering as a method to distribute revenue. Also included in the meeting packet is the proposal presented by Del Mar Thoroughbred Club. The major difference between the two models is that the CARF proposal includes a distribution for satellite wagering facilities.

Mr. Korby noted that until Tribal casino interests are in agreement regarding Internet poker, there is a lesser possibility that the bill will successfully navigate the legislative process.

Agenda Item 4 – Report, Discussion and Action, if any, on Racing Dates for 2012 and Beyond. Mr. Korby circulated a calendar that was submitted to the California Horse Racing Board (CHRB) Friday afternoon titled, "2013 Proposed California Racing Calendar (Hosted Day) – GGF/CARF/TOC 9-6-2012." The calendar was submitted to the CHRB with the notation that the stakeholders may not all be in agreement regarding two weeks in August. The calendar shows weekly blocks of hosted days, not specific live racing days.

Mr. Korby briefed the Committee on the proposed calendar, walking the discussion through the racing dates in chronological order. The first block of dates shows Golden Gate Fields running December 26, 2012 through June 18, 2013.

The next block of dates addresses summer Fair dates. The calendar shows the Alameda County Fair hosting June 19 through July 9, 2013. The California State Fair will commence July 10-23, 2013 and the Sonoma County Fair block of dates includes July 24 through August 13, 2013.

This particular calendar shows August 14-25, 2013 as being a period during which Humboldt County Fair and Golden Gate Fields would run concurrently. Golden Gate Fields continues through September 17, 2013 with the San Joaquin County Fair commencing September 18-October 1, 2013 and the Big Fresno Fair commencing October 2-15, 2013. Golden Gate Fields rounds out the racing calendar with a fall/winter block of dates to include October 16 through December 25, 2013.

Mr. Pickering stated that the Alameda County Fair is willing to live within the block of dates, but because July 4th falls on a Thursday, the Fair will most likely lose another Wednesday of racing, taking the meet from 13 days to 12 days.

Mr. Bartosik stated that the proposed block of dates is acceptable to the California State Fair principals, but that the Fair racing will most likely start on Friday, July 12, 2013.

Ms. Tesconi indicated that the Sonoma County Fair was in agreement with the block of dates allocated to Santa Rosa.

Mr. Titus stated that the Humboldt County Fair was in agreement with the dates allocated to the Fair, but would like to make a proposal that addresses the Golden Gate Fields overlap. To present the caveat, Mr. Titus introduced Mr. Morgan to speak on behalf of Ferndale.

Mr. Morgan stated as follows. In 2010, when Ferndale was able to race unopposed, the Fair made money on its racing product, but other racing interests and funds lost money since the Ferndale signal doesn't perform as well off-track as Golden Gate Fields. In 2011, Ferndale ran overlapped without compensation and the Fair lost money at a rate that made operations unsustainable. In 2012, Chairman Brackpool intervened and created a compromise in which Ferndale was overlapped, but shared in some host fees and received an allocation from Golden Gate Fields plus some compensation from Del Mar/TOC. This created a scenario in which Ferndale was overlapped, yet was able to remain operationally viable.

Mr. Morgan asked that CARF work with Ferndale to preclude a further encroachment on Humboldt County Fair dates, meaning that Ferndale wishes to retain the exclusive hosting status for Wednesdays and Thursdays and would like CARF to adopt language that will prevent Golden Gate Fields from assuming presumptive entitlement to Fair dates thereby cutting Fairs off from host fees and other revenue sharing.

Mr. Morgan requested that the CARF Live Racing Committee consider recommending a policy to the CARF Board of Directors stating that to the extent a non-CARF entity wishes to run concurrently with a CARF meet, the affected Fair ought to participate in the increased revenue generated during the period of overlap from the host fees and any additional revenue that is generated to the horse racing industry. This is the kind of formula that was negotiated to assist the Humboldt County Fair in 2012. Mr. Morgan proposed that this is the type of language that could help all racing Fairs when Golden Gate Fields decides to encroach on more Fair dates.

Mr. Elliott asked for a nuts-and-bolts working example of Mr. Morgan's statement. Mr. Morgan provided the 2012 Humboldt County Fair as an example. In 2012, Ferndale received approximately \$96,000 in host fees for both Wednesdays and Thursdays, as well as \$50,000 directly from Golden Gate Fields and a percentage of net revenues (commissions generated and purses generated) from the first week of wagers in the Southern zone on Golden Gate Fields from Del Mar and TOC (approximately \$104,000).

Mr. Korby recommended that the Humboldt County Fair put the Southern California subsidy from TOC back into purses.

Mr. Elliott asked Mr. Morgan to frame the figures he just provided into his statement. Mr. Morgan reviewed the figures again and detailed Ferndale's 2012 successful sponsorship efforts.

Mr. Elliott stated that several Fairs have statue in legislation pertaining to splits during overlap.

Mr. Korby stated, for historical reference, that Humboldt has traditionally been overlapped by a racing association in the North. Prior to Golden Gate Fields, Humboldt was overlapped by Bay Meadows operating the San Mateo County Fair meet.

Mr. Bartosik asked if Humboldt County Fair has had any discussions regarding 2013 with Commissioner Brackpool or Joe Morris. Mr. Morgan and Mr. Titus stated that they have not.

Mr. Swartzlander and Mr. Korby reminded Mr. Titus that he participated in a racing dates conference call of stakeholders in August at which 2013 racing dates were discussed with Joe Morris from Golden Gate Fields in attendance.

Mr. Bartosik recommended that Humboldt County Fair frame a motion for the Live Racing Committee to vote upon as a referral to the CARF Board of Directors.

Mr. Morgan moved that the CARF Live Racing Committee consider recommending a policy to the CARF Board of Directors stating that to the extent a non-CARF entity wishes to run concurrently with a CARF meet, the affected Fair ought to participate in the increased revenue generated during the period of overlap from the host fees and any additional revenue that is generated to the horse racing industry.

Mr. Bartosik seconded for discussion.

Mr. Korby stated that he was obliged to point out again that there is already a statutory revenue-sharing provision in the law. Mr. Morgan stated that the Fair is looking to sustain operations, not fatten coffers. Mr. Morgan stated that as a matter of policy he would like CARF to take the position that they do not want any member Fair hurt by a decision of the Stronach Group to extend overlap or encroach on Fair racing.

Mr. Bartosik called for the question. Unanimously approved to refer the matter to the CARF Board.

Ms. Covello and Mr. Sawyer stated that they are comfortable with the San Joaquin County Fair block of dates.

Mr. Alkire stated that the block of dates for the Big Fresno Fair is acceptable.

Mr. Pickering moved to support the block of dates as outlined in the calendar titled "2013 Proposed California Racing Calendar (Hosted Day) – GGF/CARF/TOC 9-6-2012." Mr. Bartosik seconded, unanimously approved.

Agenda Item 5 – Review, Discussion and Action, if any, on Proposed Agreement with Jockey's Guild. Mr. Korby introduced a letter from the Jockey's Guild requesting a three-year agreement with CARF with the amount that each track contributes comprised of an amount paid per

race day and an amount paid by starter depending on the classification of the racetrack. Fairs would be recognized as tracks in the lowest contributing tier group.

There is a handout in the packet that shows projected figures based on both starters and race days.

Mr. Lewis asked Mr. Korby whether the agreement included payments to the Jockeys Guild for emerging breed races. Mr. Korby stated that he would talk to the Jockeys Guild for clarification on that matter.

Mr. Korby stated that our relationship with the Jockey's Guild is important and he recommended that the Committee take action to formalize the agreement.

Mr. Pickering moved to approve the agreement in concept (basic structure and rates) with discussion regarding emerging breed starts. Mr. Bartosik seconded, unanimously approved.

Agenda Item 6 – Report, Discussion and Action, if any, on Exchange Wagering. Mr. Korby stated that no report or action is required for this item at this time.

Agenda Item 7 – Recap of 2012 Summer Racing to Date. Mr. Pickering reported that he was very pleased with the Alameda County Fair meet. Attendance was up 18 percent and on-track handle was only down one percent with less overall races. For the first time in 37 years a jockey, Jorge Herrera, tragically lost his life during the races.

Mr. Elliott reported that the Cal Expo meet went well, but that the Fair's position between Pleasanton and Santa Rosa makes it challenging to fill races, even with the higher purse structure. Mr. Elliott reported that handle was down one percent and ADW handle was up significantly due to a deal Cal Expo struck with TVG to expand coverage. The guaranteed late pick 4 pools were a success and the pool guarantee was surpassed each time.

Ms. Tesconi stated that the Sonoma County Fair meet was a success. Handle figures were positive and management made a push to expand the racing seminars and ontrack promotions such as Ladies Hat Day. The newly renovated Showcase Café created a clubhouse environment and gave patrons a comfortable place to go after live racing was done.

Mr. Titus reported that the Humboldt County Fair meet went very well. Nor Cal handle was up 76 percent and overall handle was up 27 percent. Mr. Titus reported that Mr. Doutrich did an excellent job managing a small horse population and offering competitive card. Sponsorship revenue was increased substantially and the most notable improvement of the meet was the widening of the Clubhouse turn which created safer and more competitive racing.

Mr. Sawyer shared samples of collateral the San Joaquin County Fair is using to promote racing as well as photographs of large murals that have been painted throughout the Fairgrounds.

The San Joaquin County Fair has also doubled sponsorship efforts and is creating a clubhouse area in the racing grandstand. Mr. Sawyer discussed an exciting new partnership between the Fair and NASCAR.

Agenda Item 8 – Executive Director's Report. Mr. Korby reported that an error has been identified in CHRIMS handle reports from TVG which affected the latter part of the Humboldt County Fair. Those handle reports are in the process of being corrected.

Respectfully submitted, Heather Haviland

2013 PROPOSED NORTHERN CALIFORNIA RACING CALENDAR (HOSTED DAYS) - GGF/CARF/TOC 9-6-12

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GGF W/S	Dec 25 - June 18
GGF Summer	Aug 14 - Sept 17
GGF Fall	Oct 16 - Dec 25

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June

26 27

October

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Pleasanton	June 19 - July 9
Sacramento	July 10 - July 23
Santa Rosa	July 24 - August 13

Ferndale	August 14 - August 25
Stockton	September 18 - October 1
Fresno	October 2 - October 15

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*Humboldt County Fair in Ferndale to run overlapped with Golden Gate Fields, Golden Gate Fields to act as host..

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(916) 263-6000

Fax (916) 263-6042

www.chrb.ca.gov

CALIFORNIA HORSE RACING BOARD

Los Alamitos Race Course 4961 E. Katella Avenue Los Alamitos, CA 90720

> Contact: Mike Marten (714) 820-2748 Cell: (714) 240-1870 Fax (714) 821-6232

CHRB NEWS RELEASE

SEPTEMBER 22, 2012

SUMMARY OF CHRB ACTIONS AND DISCUSSIONS 9-20-12

POMONA, CA – The California Horse Racing Board conducted its regular meeting Thursday, September 20, at Fairplex Park. Chairman Keith Brackpool presided. Vice Chairman David Israel and Commissioners Steve Beneto, Jesse Choper, Bo Derek, Richard Rosenberg, and Chuck Winner were in attendance.

The audio of this entire Board meeting is available on the CHRB Website (<u>www.chrb.ca.gov</u>) under the <u>Webcast</u> link. In brief:

- The Board completed the allocation of racing dates for 2013 by approving the Northern California thoroughbred and fair schedule having previously approved the rest of the racing calendar. Date allocations cover every day of the calendar for purposes of live racing and for determining hosts for simulcasts on days and nights when there is no live racing. Precise racing dates are determined when the Board approves the license application for each meet. The allocated dates for Northern California begin with Golden Gate Fields on December 26, 2012, through June 18, 2013, followed by the Alameda County Fair (June 19 July 9), State Fair (July 10 23), Sonoma County Fair (July 24 August 13), Humboldt County Fair (August 14 25), Golden Gate (August 14 September 17), San Joaquin County Fair (September 18 October 1), Big Fresno Fair (October 2 15), and finally Golden Gate again (October 16 December 25). A related issue pertaining to overlap days and host revenues involving Golden Gate and Humboldt will be on the agenda for the October Board meeting.
- The Board approved for public notice 25 proposed regulations governing the conduct of exchange wagering in California. These proposed regulations were previously noticed for 45 days. Subsequent changes to the texts were relatively minor in nature, allowing for a second, shorter 15-day notice period. The Board will conduct a public hearing October 18 at Santa Anita Park, at which time the regulations could be given final approval by the Board. The regulations would then be sent to the Office of Administrative Law for review and approval.
- The Board approved the license application by Hollywood Park Fall Racing Association for a thoroughbred meet at Hollywood Park from November 8 through December 16, providing a nineday break in live thoroughbred racing before the December 26 start of the Santa Anita winter meet. Hollywood Park will offer simulcast-only wagering on non-live-racing days, including the break period before Christmas.
- The Board approved for 45-day public notice a proposed regulatory amendment to the current rule that allows a claim (purchase) to be voided if the horse suffered a fatality during the running of a race or before returning to be unsaddled. The proposed amendment would also require the stewards to void a claim if "the racing or official veterinarian determine the horse will be placed on the Veterinarian's List as unsound or lame before the horse is released to the successful claimant."

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Public comments received during the 45-day notice period will be posted on the CHRB Website. The Board will conduct a public hearing on the proposed amendment following the comment period.

- The Board voted to reaffirm the language in the previously approved license application for the fall meet at Santa Anita pertaining to horses entered in Breeders' Cup championship races (November 2-3). Authorized bleeder medication will be limited to furosemide administered by CHRB licensed veterinarians approved by the Breeders' Cup and who are not otherwise attending horses competing in the Breeders' Cup races.
- The Board voted to amend the Defined Contribution Retirement Plan for California Licensed Jockeys by modifying the Plan's life expectancy table to more accurately reflect the expected life span of Plan participants.

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CALIFORNIA AUTHORITY OF RACING FAIRS Management Services and Contract Administration for Live Horse Racing Operations

Racing Operations

- CARF works with Racing Fairs on preparation, submission and presentation of CHRB License Applications
- Provides Racing Office computer system (all computer hardware/ peripherals) and application software (Equibase) and manages service, technical support and transportation
- Provides and manages Paymaster services, including Paymaster (CARF employee) bank accounts, audits, payment of all purse moneys to owners and all other distributions of payment to various recipients
- Telecommunications: provision of voice, fax and data lines necessary to support racing, totalisator and simulcast operations
- Provides accounting, reconciliation and distribution of all parimutuel commissions, purse, license fees and other distributions
- Coordinates development and management of purse schedule through Fair Circuit in cooperation with Fair Racing Secretaries and Thoroughbred Owners of California
- Provides Supplemental Purse Fund management and accounting
- Provides marketing coordination through circuit
- Manages contracts for daily racing program production, printing and distribution
- Manages Condition Book production and distribution
- Manages contracts and logistics for provision of Jumbo Video Screen

CALIFORNIA AUTHORITY OF RACING FAIRS

Management Services and Contract Administration

for Live Horse Racing Operations

Racing Operations (cont'd)

- Manages contract for Starting Gate
- Manages contract for Photo Finish
- Total Carbon Dioxide (TCO2) testing
- Furnishes electronic timing system with operator
- Oversees TV Replay System for Officials
- Manages provision of Temporary stalls
- Coordinates provision of Mobile offices for racing operations
- Daily, on-site management and oversight of all operations above, along with management, coordination and disposition of other matters that may arise from time to time in the course of conducting racing at Fairs
- Active liaison, representation and advocacy with on-track Stewards and with senior CHRB officials
- Manages consolidated purses' program.

Contracts with Horsemen's Associations

- Negotiate contracts with horsemen's associations, as required by statute.
- Thoroughbred Owners of California
- Cal Western Appaloosa
- Pacific Coast Quarter Horse Association
- Arabian Racing Association of California
- Racing Mule Association
- California Thoroughbred Trainers

CALIFORNIA AUTHORITY OF RACING FAIRS

Management Services and Contract Administration

for Live Horse Racing Operations

Labor Agreements

- Maintains membership in Federation of California Racing Associations to provide representation in racing industry employer group for labor union negotiations.
- Local 280 Pari-Mutuel Employees Guild
- Local 1877 (formerly Local 399) AFL-CIO Service Employees International Union Valets and rec. barn personnel
- Local 495 International Brotherhood of Teamsters, Chauffeurs,

Warehousemen and helpers of America

• Note: Assist Starters now with Teamsters Local 495 but under separate agreement

Racetrack Safety and Maintenance Program

- CARF developed this program and provides management oversight throughout Fair circuit.
- Works with Division of Fairs and Expositions to maintain funding support
- Contracts with Steve Wood, Trackmaster, Inc., to provide expert consultation and oversight of Fair track maintenance
- Carries lease agreements for specialized tractors used for maintaining track surfaces
- Owns and provides custom-built water truck (2001 Sterling).
- Owns and provides rock-picker (added 2003).
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CALIFORNIA AUTHORITY OF RACING FAIRS Management Services and Contract Administration for Live Horse Racing Operations

Racetrack Safety and Maintenance Program (cont'd)

- Owns or provides harrows, floats, and other miscellaneous equipment required for track maintenance.
- Manages all planning, heavy equipment transportation and logistics
- Provides daily, on-site management, key personnel and oversight
- No direct cost to Racing Fairs.
- Administers Jockey Club Equine Industry Database for CARF member Fairs

Recruitment Program for Out-of-State Horses

- Organizes and conducts out-of-state recruitment of horses to run at Northern California Fairs
- Manage payment of incentives
- Track and report on results of Recruitment Program

Parimutuel Wagering Operations

- Maintains totalisator contract
- Parimutuel labor contract
- NOTWInc agreement for Northern California simulcast network
- You Bet.com Advanced Deposit Wagering
- TVG Advanced Deposit Wagering
- Xpress Bet Advanced Deposit Wagering
- TwinSpires Advanced Deposit Wagering
- Provides all accounting, reconciliation, banking for ADW wagering operations

CALIFORNIA AUTHORITY OF RACING FAIRS Management Services and Contract Administration

for Live Horse Racing Operations

Personnel

- Racing Secretary
- Track Safety and Maintenance Manager
- Morning Fitness Vet
- Veterinarian
- TCO2 Technician
- Track Maintenance Crew Chief
- Horse Ambulance Driver
- Clocker and Timer
- Paymaster
- Program Manager
- Track Announcer
- Stewards' Aide
- Jocks' Room

Web Site Operation

- Manages racing Website www.calfairs.net on behalf of Fairs which conduct live racing
- Contracts with information service providers
- Daily management and administration of racing information provided to racing fans on Website

CALIFORNIA AUTHORITY OF RACING FAIRS

Management Services and Contract Administration

for Live Horse Racing Operations

Simulcast Operations

- Manages Satellite Transmission and Encryption Services
- Manages TV Production for simulcast coverage
- Manages telecommunications support: provision of voice, fax and data lines necessary to support simulcast operations
- Furnishes back up electrical generators
- Provides accounting, reconciliation, banking for simulcast operations
- NOTWInc contract for Northern California simulcast network
- Manages contracts for out-of-state simulcast sites and distribution of daily racing programs and other simulcast information
- Payment of commissions, purses, license fees and all other distributions from simulcast operations

CK - January 2011