

NEW MEXICO HORSE RACING COMMISSION
MINUTES OF THE REGULAR MEETING

Date: September 9, 2021, at 9:00 a.m.

Place: NMRC Boardroom; 4900 Alameda Blvd., NE, Albuquerque, NM and Zoom Video Conference – Meeting ID: 819 0689 4928

Members Present: Chairman Sam Bregman, Vice-Chairman David “Hossie” Sanchez, Commissioner John Buffington and Commissioner Billy Smith.

NMRC Staff Participating: Executive Director Ismael Trejo, In-House Counsel Richard Bustamante and Paralegal Denise Chavez.

Also Present by Zoom: Assistant Attorney General Delilah Tenorio.

<i>AGENDA ITEM</i>	<i>RECORDING #</i>	<i>DISCUSSIONS/CONCLUSIONS/ RECOMMENDATIONS</i>	<i>ACTION TAKEN</i>
Public Session 1: 1. Call to Order and Roll Call	0:21 – 0:44	Meeting called to order at 9:03 a.m. by Chairman Bregman. Roll call was taken by Denise Chavez. Executive Director Ismael Trejo, In-House Counsel Richard Bustamante and Paralegal, Denise Chavez were also present. Assistant Attorney General, Delilah Tenorio was present via Zoom.	No Action Taken.
2. Pledge of Allegiance	0:50 – 1:04		Pledge of Allegiance was recited.
3. Approval of Agenda	1:07 – 2:03	Chairman Bregman asked if there were any changes to the Agenda. Executive Director, Trejo asked that we amend Agenda item 8. (C)(1) to read: Approval of Ahmad Mughni as Acting General Manager (Effective October 1, 2021).	Motion to adopt the Agenda as amended made by Commissioner Smith. Buffington second the motion. Motion

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4. Approval of Minutes: August 19, 2021	2:05 – 2:44	Chairman Bregman asked if the minutes for the August 19, 2021 meeting were reviewed and if there were any changes. There were none.	passed unanimously by roll call vote. Motion to approve the minutes from the Regular Commission Meeting on August 19, 2021 made by Commissioner Smith; Second by Commissioner Buffington. Motion passed unanimously by roll call vote.
5. Chairman's Reports	2:47 – 4:50	- Chairman Bregman thanked NMRC staff for everything they do. He said he knows it's been busy and somewhat difficult with computer issues and 2 meets going on. - Chairman Bregman said the two race meets are going good. He mentioned it was a great weekend at Ruidoso Downs. The All American weekend was great! - Chairman Bregman also said that the Downs at Albuquerque was up and running and doing great so far. He's excited to see all the people there and encourages everyone to attend. - Chairman Bregman reminded everyone to be safe and to get vaccinated	No Action Taken.
6. Agency Director Reports: A. NMHBA Report	5:00 – 7:08	Mary Barber presented the Race-A-Day Report for Ruidoso Downs through Sunday, August 29, 2021	No Action Taken.

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		stating that they ran 147 NM Bred Races in 43 days. In overnight races, the NMHBA contributed \$598,250.00, that's \$3,750 less than in 2020. They averaged 3.42 NM Bred per day, +18 for three a day. Mary Barber presented the Race-A-Day Report for The Downs at Albuquerque through Sunday, August 29, 2021 stating that they ran 39 NM Bred Races in 10 days. In overnight races, the NMHBA contributed \$132,500.00, that's \$225,500.00 less than in 2020. They averaged 3.90 NM Bred per day, +9 for three a day.	
B. Jockey's Guild Report	7:12 – 8:26	Executive Director Trejo spoke on behalf of John Beech. Mr. Beech was in attendance this past weekend at Ruidoso Downs and was also at the Downs at Albuquerque. He is very happy to see racing going on and congratulates all!	No Action Taken.
C. NMRC Executive Director Report	8:30 – 13:58	Executive Director Trejo sent kudos to the Management at Ruidoso Downs. He said they “flipped the light switch and turned off all the drama and put on a great show for the public.” The public reacted with the pari-mutuel handle – it was up significantly. On Derby Day they bet \$1.6 million overall; \$600,000 was on track. On All American Futurity day the handle was	No Action Taken.

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		about \$1.8 million (just short of 1.9 million). • Mr. Trejo reported that opening night at DAA was also successful. Despite a couple of rainy nights in Albuquerque, the jockeys went on with the show despite the muddy track conditions. • The Agency went to Zia Park for the annual inspection. It is a work in progress. They were working on grading the barn area, cutting down the weeds, and getting the track surface in prime shape for race day. There is still some work to be done but they have assured NMRC that it will all get done. The barn area has been graded, the stalls look better than last year. Holes were filled in and the damage from weather have been fixed. • Mr. Trejo reported that the Agency has had some IT issues and is still a work in progress. He is hopeful that the Agency will be up and running by next week. • Drug testing continues to go strong. The violation rate in post-race samples are down to .5%. We continue to see declines in medication violations. • This Sunday, September 12, 2021 all are invited to attend the races at DAA for a Memorial race for our late Commissioner Corazza.	

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		Commissioner Sanchez and Smith commented about the outstanding results of the NM Bred horse sale in Ruidoso.	
7. Public Comments:	14:01 – 14:14	Ms. Chavez reported 0 public comments were received .	No Action Taken.
8. Unfinished/New Business and/or Action Items			
A. Approval of FY23 NMRC Final Appropriation Budget	14:28 – 17:41	Ms. Amber Trujillo, NMRC CFO, requested approval of the Final FY23 NMRC Appropriation Budget	Motion to approve Final FY23 NMRC Appropriation Budget made by Commissioner Smith. Motion seconded by Commissioner Buffington. Motion passed unanimously.
B. Approvals for Zia Park			
1. Approval of 2021 Racing Officials	17:44 – 19:09	Mr. Christopher McErlean requested approval of the 2021 Racing Officials for Zia Park. They provided an updated list. There are still a couple of spots that need to be filled and they will bring the updated list before the Commission for approval when those spots are filled.	Motion to approve the 2021 Racing Officials made by Commissioner Smith. Motion seconded by Commissioner Buffington. Motion passed unanimously.
2. Approval of 2021 Post Times & Wagering Format	19:13 – 20:20	Mr. McErlean requested approval of 2021 Post Times & Wagering Format for Zia Park. Mr.	Motion to approve the 2021 Post Times &

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		McErlean states minimal of 10 races/day per statutory requirements, most likely, based on horse supply, 11 races up until Daylight Savings. They do have one special request for October 31 st which is the New Mexico Classic Day where they anticipate running 12 live races. They are requesting approval of that wagering format post time schedule for the 2021 meet.	Wagering Format made by Commissioner Smith. Motion seconded by Commissioner Buffington. Motion passed unanimously.
3. Approval of 2021 Stakes Schedule	20:25 – 21:45	Mr. McErlean stated that the Commission approved the 2021 Stakes Schedule in the July meeting. However, after further review and feedback, there were a couple of potential conflicts with two quarter horse stake races. The amended schedule moved the dates of those two races; the James Isaac Hobbs from December 5 to November 7 and the Lovington Stakes from December 5 to November 21. This will increase participation and also allow the horsemen to race in multiple stakes during the meet.	Motion to approve the amended 2021 Stakes Schedule made by Commissioner Smith. Motion seconded by Commissioner Buffington. Motion passed unanimously.
C. Approvals for Sunland Park			
1. Approval of Mr. Ahmad Mughni as Acting General Manager (Effective October 1, 2021)	22:00 – 24:30	Mr. Ahmad Mughni requested approval as acting General Manager for Sunland Park. Rick Baugh spoke on behalf of Mr. Mughni. Mr. Baugh also expressed that this Commission, Executive Director Trejo and his staff “are the best he has ever seen” here in New Mexico. He said he’s been working with different commissions and staff since 1992 and says it’s	Motion to approve Mr. Ahmad Mughni as Acting General Manager made by Commissioner Smith. Motion was seconded by Commissioner Buffington. Motion passed unanimously.

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E. Approvals for The Downs at Albuquerque 1. Ratification of Approval to Run Up to 10 Races When Entries Permit 2. Ratification of Approval of Wagering Format for 10 Race Cards	28:00 – 28:48 28:53 – 29:25	to the Gold Cup Stakes Race. They increased purses from \$100k to \$200k to allow Ruidoso Downs to use the remainder of the purse account. Mr. Cook requested ratification of approval to run up to 10 races when entries permit. He believes that they will be running 10 races today and this weekend. Mr. Cook requested ratification of approval of the wagering format for those 10 race cards.	2021 Stakes Schedule made by Commissioner Smith. Motion seconded by Commissioner Buffington. Motion passed unanimously. Motion to ratify the approval to run up to 10 races when entries permit made by Commissioner Smith. Motion seconded by Commissioner Buffington. Motion passed unanimously. Motion to ratify the approval of Wagering Format for 10 Race Cards made by Commissioner Smith. Motion seconded by Commissioner Buffington. Motion passed unanimously.
Executive Session: entered at 9:32 AM	29:36 – end	Chairman Bregman called for a motion to enter into executive session to discuss the items listed	Commissioner Smith moved to enter into

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		in the agenda, pursuant to Sections 10-15-IH(1), H(3) and H(7) of the Open Meetings Act authorizing closed sessions for matters related to issuance, suspensions, renewal or revocation of a license; deliberations on adjudicatory proceedings and pending or threatened litigation.	Executive Session. Commissioner Buffington seconded the motion. Motion passed unanimously by roll call vote.
Back into Open Session: 10:04 AM			
9. Licensing/Pending Litigation/Appeals/Hearing Officer's Reports/Employment Contracts	2 nd Recording 0:27 – 1:07		
A. NMHA (Pending Litigation)	1:10 – 1:30	In-House Counsel Bustamante reported that this matter was an update provided by In-House Counsel Bustamante. No action was taken.	No Action Taken.
10. Adjournment at 10:05 AM	1:36 - end		

SB 11/18/21

Chairman Sam Bregman

Date

Ismael Trejo 11-18-21

Executive Director Ismael Trejo

Date