

**NEW MEXICO HORSE RACING COMMISSION**  
**MINUTES OF THE EMERGENCY MEETING**

Date: July 11, 2022, at 1:00 p.m.

Place: NMRC Boardroom; 4900 Alameda Blvd., NE, Albuquerque, NM and Zoom Video Conference

Members Present: Vice-Chairman David “Hossie” Sanchez, Commissioner John Buffington (via Zoom), and Commissioner Billy Smith.

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

Also Present: Assistant Attorney General Delilah Tenorio.

<i>AGENDA ITEM</i>	<i>RECORDING #</i>	<i>DISCUSSIONS/CONCLUSIONS/ RECOMMENDATIONS</i>	<i>ACTION TAKEN</i>
<b>Public Session 1:</b> <b>1. Call to Order and Roll Call</b>	4:59 – 7:14	Meeting called to order at 1:11 p.m. by Vice-Chairman Sanchez. Roll call was taken by Denise Chavez. Chairman Bregman and Commissioner Branch were absent but there was a quorum of other Commissioners such that the meeting could go forward. Executive Director Ismael Trejo, In-House Counsel Richard Bustamante, Assistant Attorney General, Delilah Tenorio and NMRC Law Clerk, Denise Chavez were also present.	No Action Taken.
<b>2. Pledge of Allegiance</b>	7:20 – 7:35		Pledge of Allegiance was recited.
<b>3. Approval of Agenda</b>	7:37 – 9:47	Vice-Chairman Sanchez asked if there were any changes to the Agenda. Commissioner Smith moved that Item 5A of the Agenda be amended to read: Potential Litigation, held pursuant to Section 10-15-1(H)(7) of the Open Meetings Act: to discuss matters subject to the attorney-client	Motion to adopt the Agenda as amended and moved by Commissioner Smith. Commissioner Buffington seconded

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		privilege pertaining to pending and threatened litigation related to compliance with Rule 15.2.2.9 NMAC.	the motion. Motion passed unanimously by roll call vote.
<b>4. Public Comments</b>	9:50 – 13:28	<p>Vice-Chairman Sanchez asked if there were any written comments received for today's meeting. There were no written comments received. Vice-Chairman asked if there was anyone that would like to make a comment in the audience and by anyone attending via Zoom.</p> <p>Vanessa Alexander raised her hand via Zoom to make a comment. She began by saying that the Agenda is not very clear and asked if there was any supplemental information clarifying the Agenda item. She asked for clarification if this meeting is just to discuss litigation; is it regarding litigation against the NMRC or if the nature of the litigation could be shared. Is it going to be a discussion regarding the dozens of litigation against the NMRC. AAG Tenorio advised Vice-Chairman that the items listed on the Agenda today is attorney-client information and none of the questions asked by Ms. Alexander cannot be answered. Ms. Alexander said she had no other comments.</p>	No Action Taken.
<b>5. Licensing/Pending Litigation/Appeals/Hearing Officer Reports/Employment Contracts/Personnel (Closed Session)</b>  <b>A. Potential Litigation</b>	13:38 - END	Vice-Chairman Sanchez called for a motion for the Commission to go into closed executive session to discuss only those matters listed on the agenda, as amended, to discuss matters related to the attorney-client privilege pertaining to pending and	Motion to go into Executive Closed Session made by Commissioner Smith. Commissioner




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		threatened litigation related to compliance with Rule 15.2.2.9 NMAC, as permitted by and pursuant to Section 10-15-1(H)(7) of the Open Meetings Act.	Buffington seconded the motion. Motion passed unanimously by roll call vote.
<b>Second Open Session: 2:25 pm.</b>	00:14 – 1:15	<p>Assistant Attorney General Tenorio affirmed that the only items discussed in executive closed session were only those matters listed on the agenda, as amended, to discuss matters related to the attorney-client privilege pertaining to pending and threatened litigation related to compliance with Rule 15.2.2.9 NMAC, as permitted by and pursuant to Section 10-15-1(H)(7) of the Open Meetings Act.</p> <p>AAG Tenorio also pointed out for purposes of the minutes that Chairman Bregman and Commissioner Branch are both absent from this Emergency meeting due to other obligations, however, a quorum was present today with Vice-Chair Sanchez and Commissioner Smith present live and Commissioner Buffington attending via Zoom.</p>	No Action Taken.
<b>Adjournment at 2:28 PM</b>	1:16 - END		

  
Vice-Chairman Hossie Sanchez

Date

9/22/2022

  
Executive Director Ismael Trejo

Date

9-22-2022