

NEW MEXICO HORSE RACING COMMISSION
MINUTES OF THE REGULAR MEETING

Date: October 23, 2025

Place: NMRC Boardroom; 4900 Alameda Blvd., NE, Albuquerque, NM and on Microsoft Teams

Members Present: Chairman Billy Smith, Commissioner John Buffington, and Commissioner Bob Pitre.

NMRC Staff Participating: Executive Director Ismael Trejo, In-House Counsel Richard Bustamante and Senior Paralegal David Dominguez

<i>AGENDA ITEM</i>	<i>DISCUSSIONS/CONCLUSIONS/ RECOMMENDATIONS</i>	<i>ACTION TAKEN</i>
Public Session 1: I. Call to Order and Roll Call	Meeting called to order at 9:03 a.m. by Chairman Smith. Roll call was taken and a quorum was present.	No Action Taken.
II. Pledge of Allegiance		Pledge of Allegiance was recited.
III. Approval of Agenda	Chairman Smith asked if there were any changes to the agenda today. There were no changes.	Motion to approve the agenda made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously.
IV. Commissioners' Reports:	No comments.	No Action Taken.

<i>AGENDA ITEM</i>	<i>DISCUSSIONS/CONCLUSIONS/ RECOMMENDATIONS</i>	<i>ACTION TAKEN</i>
V. Agency Director Reports:	Director Trejo thanked and commended the Commission staff for their efforts in packing and unpacking the office during recent renovations, which required staff to work remotely for a couple of weeks. Director Trejo announced the hiring of Senior Paralegal Dominguez, noting that he has been with the Commission for one month, and praised his work and contributions thus far. Director Trejo recognized the championship races at the Downs at Albuquerque and commended Don Cook and his staff for effectively addressing the unexpected power outage during the races and handling the situation professionally. Director Trejo reported the recent inspection of Zia Park went very well and shared that three staff members commented the facility looks better than ever, noting the extensive renovations completion. No questions were asked.	No Action Taken.
VI. NM Horse Breeders Association Reports:	New Mexico Horse Breeders' Association Director Barber reported that through Sunday, October 5, the Downs at Albuquerque and the New Mexico State Fair conducted 25 race days, featuring a total of 87 restricted New Mexico-bred races. Of these, there were 31 Thoroughbred overnights, 30 Quarter Horse overnights, 3	No Action Taken.

<i>AGENDA ITEM</i>	<i>DISCUSSIONS/CONCLUSIONS/ RECOMMENDATIONS</i>	<i>ACTION TAKEN</i>
	Thoroughbred trials, 19 Quarter Horse trials, 3 Thoroughbred stakes, and 1 Quarter Horse stake. Director Barber noted that the total contribution from the New Mexico Horse Breeders to those races was \$468,500, which is \$45,000 less than in 2024. The Downs at Albuquerque averaged 3.48 restricted New Mexico-bred races per day, consisting of 37 Thoroughbred and 50 Quarter Horse, and were plus-12 for the three-a-day requirement. After accounting for scratched horses, the average field size for New Mexico-bred Thoroughbred overnight races was 9.42 horses per race (292 horses over 31 races). For Quarter Horses, the average field size was 9.7 horses per race (291 horses over 30 races), resulting in a combined average field size of 9.56 horses per race. Regarding New Mexico-breds running in open overnight races and their first 25 days, 263 New Mexico-breds participated. Of these, 65 (25%) finished first, second, or third—25 Thoroughbreds and 40 Quarter Horses. The New Mexico Horse Breeders' total purse contribution for these horses was \$72,317.60. Vice Chairman Buffington asked Director Barber how many Arizona-bred horses had joined the circuit. Director Barber responded that two Arizona-bred horses are currently eligible to compete in restricted New Mexico-bred races, beginning with the Zia Park meet.	

<i>AGENDA ITEM</i>	<i>DISCUSSIONS/CONCLUSIONS/ RECOMMENDATIONS</i>	<i>ACTION TAKEN</i>
VII. Executive Session: A. NMHA v. NMRC (Pending Litigation) B. Alexander v. NMRC (Pending Litigation) C. Keeton v. NMRC (Pending Litigation) D. Sunland Park (Licensing)	No further questions were asked. Commissioner Buffington called for a motion to enter into executive session to discuss the items listed in the agenda, pursuant to Sections 10-15-1H(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.	Motion to enter into Executive Session made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously by roll call vote.
Public Session 2: VIII. Unfinished Business/New Business and/or Action Items: A. Request for Approval to Promulgate Rules Hearing 1. Subsection D of 15.2.3.8 NMAC 2. Subsection A of 15.2.5.12 NMAC 3. Subsection A of 15.2.5.13 NMAC B. Request for Approval of 2025 Zia Park Board Stewards	Director Trejo requested the approval to promulgate a Rules Hearing later this year for Subsection D of 15.2.3.8 NMAC, Subsection A of 15.2.5.12 NMAC as well as Subsection A of 15.2.5.13 NMAC Director Trejo respectfully requested the approval of the following Stewards for the 2025 Zia Park race meet: Presiding Steward Julie Kagno, Associate Steward Geoff Waxler, and still seeking a third Steward. Substitute Stewards include Leasa Johnson, Elizabeth Garcia, Whitney Verbal, and Pinky Smith.	Motion to approve the request to promulgate a Rules Hearing made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously. Motion to approve the request for approval of 2025 Zia Park Board Stewards made by Commissioner Buffington. Commissioner Pitre

<i>AGENDA ITEM</i>	<i>DISCUSSIONS/CONCLUSIONS/ RECOMMENDATIONS</i>	<i>ACTION TAKEN</i>
	from the New Mexico Racing Commission for the relocation of SunRay racetrack, provide an overview of development plan, present information on the rationale, proposed site and benefits, and outline steps toward implementation. The Presentation included the strategic rationale for relocation, the selected site (Clovis), a review of the architectural designs, discussion of economic benefits, information on the project's commitment to equine and environmental excellence, the immediate next steps, and being available for any questions and answers. Strategic rationale for relocation means modernized facilities to meet racing and welfare standards, to strengthen long-term economic sustainability, attract a larger racing customer base, enhance customer experience and accessibility, and support the broader equine industry and tourism. Mr. Blanchard advised the site is located on Highway 60 right on the main road and has a large customer base which he submits will result in larger purses for horsemen and more gaming tax paid to the State of New Mexico. Site location has been secured with an executed purchase option. The site will have public utilities and services such as police and fire. The property includes approximately 200 acres and 120 feet of water rights. The architectural designs of the selected location have been generated by EwingCole in	

<i>AGENDA ITEM</i>	<i>DISCUSSIONS/CONCLUSIONS/ RECOMMENDATIONS</i>	<i>ACTION TAKEN</i>
	collaboration with New Mexico ownership and track management (DAA, SunRay) who have over 60 years of combined knowledge and experience with New Mexico Racing Commission rules and regulations. EwingCole is a nationally recognized architectural firm with extensive casino and racetrack experience and long-term knowledge of New Mexico racetrack requirements. The presentation package showed the 200 acres with room for expansion. The first page of the presentation package was the actual map showing the location of the site on Highway 60 and its proximity to the main road through Clovis. There are 2 county roads on each end of the parcel which are paved that give access and it has large frontage on Highway 60, giving plenty of room. The overall development and master plan on page 4 of the presentation gave an idea of the scope of the development and the location of the grandstand and the location of the casino. It also showed where the proposed barn area will be, the administration building and the future development of the hotel. On the very top right of the site will be an RV park for trainers and grooms, consisting of 40 hookups with water/sewer/electric. The park will be fenced off from the restricted area, the barn area, but licensees can come back down through county road E and back in and go through the guard shack. Page 6, the site plan, showed how the proposal for how everything will laid out, and how the	

<i>AGENDA ITEM</i>	<i>DISCUSSIONS/CONCLUSIONS/ RECOMMENDATIONS</i>	<i>ACTION TAKEN</i>
	properties relate to each other. Parking is very significant. The barn area will have very good access to the saddling paddock. The hotel on the left side to service the casino. Expansion areas are at the top left and around the hotel. Between the grandstand and the casino, there is proposed a very large area that will be improved and will be available for expansion. The proposal revealed how the barn area will work, and how the area is going to look like between barns. RV parking for the trainers and grooms is visible in the layout and is advantageous for them to get back more easily but still keeps the integrity of the restricted area. Chairman Smith asked if the trailer hookups will be an unrestricted area. Mr. Blanchard stated it will be a restricted area. Page 10 (Entertainment District) of the presentation gave an idea of the amount of parking available and how the casino and grandstand will be in close proximity, so it is easy to get from one to the other. Page 9 showed a Typical Barn Layout Diagram. Page 11 revealed the Grandstand Plan – Level 1. In the grandstand itself, the seating area is going to be approximately 3,000 to 3,200. Chairman Smith asked if the proposed outdoor event center and fiesta apron are going to be all grass. Mr. Blanchard answered that it is going to be a combination of grass and concrete, and it will be user-friendly.	

<i>AGENDA ITEM</i>	<i>DISCUSSIONS/CONCLUSIONS/ RECOMMENDATIONS</i>	<i>ACTION TAKEN</i>
	Page 12 showed the Grandstand Plan – Level 2, showing the jockey club and turf club. There will be no seating to watch the races when leaving the turf club, but patrons can stand out there to watch. The inside area will have air conditioning. Page 13 revealed the Grandstand Plan – Level 3, showing the third floor, the announcer location, TV/photo area, the Judge’s Room, and the Owner’s Box. Page 14 showed the Grandstand Lounge Section, and its elevation. Page 15 showed the Grandstand Entrance Section, the different levels and how the line of sight will be in relation to the track rail. Page 16 showed what the exterior elevation will look like upon completion. The commitment to equine and environmental excellence was elaborated on by highlighting the track layout for thoroughbred and quarter horse safety and performance and designing it in accordance with NMRC rules and regulations. Regarding the immediate next steps, Mr. Blanchard explained this is a 2-year process. As a result, the immediate next steps will be to continue the pursuit of stakeholder and local regulatory engagement, conduct soil borings, soil testing and proctor tests, obtain grading and drainage plan, and approve final architectural design plans and full construction drawings. Mr. Blanchard welcomed any questions and feedback.	

<i>AGENDA ITEM</i>	<i>DISCUSSIONS/CONCLUSIONS/ RECOMMENDATIONS</i>	<i>ACTION TAKEN</i>
	Vice Chairman Buffington asked if Mr. Blanchard could provide specifics regarding the increased purse money and increased gaming tax. Mr. Blanchard estimated that the first year would be about \$12,000,000.00 million dollars for purses, a significant increase from SunRay, equating to around \$350-\$360 additional a day for purses. Vice Chairman Buffington asked how many race days would be requested. Mr. Blanchard answered approximately 32 to 34 days. Vice Chairman Buffington asked about the time frame of when live racing would occur in Clovis. Mr. Blanchard advised it would take 2 years, and he will have to figure out if it is possible to run live racing in April or May. Mr. Blanchard added that he needs to sit down with Director Trejo and the Commission to lay it all out, and that it is a tough timeline. Chairman Smith stated that, in the scope of things, the proposed relocation is beneficial to the horseman, beneficial to the state, as there will be more tax money and the horseman will get more live racing days. Chairman Smith added there are obligations the Commission must adhere to, including public comment. Chairman Smith deferred to Director Trejo regarding the process. Director Trejo stated there is a process to this proposed relocation , and the Commission is required to take certain steps and “mark” certain boxes for this process to be conducted, pursuant to	

<i>AGENDA ITEM</i>	<i>DISCUSSIONS/CONCLUSIONS/ RECOMMENDATIONS</i>	<i>ACTION TAKEN</i>
	the Commission's rules. The Commission is here to ensure the rules are abided by. State Senator Bill Sharer of San Juan County, in attendance, asked the Commissioners if he could ask a question, which was approved. Senator Sharer stated San Juan County has been the host of SunRay for almost 30 years, and yet, area leaders learned about the proposed relocation from SunRay, not from "you", seemingly referring to Mr. Blanchard and the Commission. Senator Sharer asked how they can voice their opinions and concerns in Clovis. Chairman Smith answered for them to go to Clovis when the hearing is set. Senator Sharer asked that all 120 families who are going to be displaced will have to go to Clovis to express that this is not a good plan. Senator Sharer adds that it does not feel right to him and wants to know what the steps are to be able to make a presentation in Clovis or elsewhere. In-House Counsel Bustamante stated for the record that the proposed relocation of a racetrack is dealt with in the Commission's administrative Rule 15.2.1.8.J(4) NMAC. He also advised that the gaming compact that the State of NM has with the Native tribes, nations and pueblos also recognizes the possibility of a relocation of a track, and it references that the process will be handled rules developed by the Racing Commission. In-House Counsel Bustamante added that right now, there is a 45-day comment period, for anybody to submit the written comments to Senior Law Clerk	

<i>AGENDA ITEM</i>	<i>DISCUSSIONS/CONCLUSIONS/ RECOMMENDATIONS</i>	<i>ACTION TAKEN</i>
E. Request from SunRay Park to Relocate Racing License to Clovis	(email: David.Dominguez@rc.nm.gov), and the email address can be found on the website. All the written comments will be provided to the Commissioners and to the applicant who is proposing the relocation. Mr. Bustamante advised there would be a public hearing in Clovis. Prior to the public hearing, the 45-day comment period must end, followed by waiting an additional 15 days (by Rule) before holding the public hearing. At the public hearing, people can submit oral public comments, in person and online, and the written comments will be made part of the record. Mr. Blanchard asked to speak, which was approved. Mr. Blanchard clarified to Senator Sharer that the reason Senator Sharer did not hear from Mr. Blanchard regarding this proposal is because he was following protocol – Mr. Blanchard must go to the Commission to present before saying anything to anybody. Mr. Blanchard advised he had to submit it to the Commission to put it on the agenda. Mr. Blanchard specified that that was the only reason why he did not tell anybody about this proposal. Mr. Blanchard added he likes Farmington, and the proposed relocation has nothing to do with anything about Farmington. Rather, it has to do with the fact that SunRay is down 17 days of live racing. The current employees at SunRay will be offered the ability to work at the new proposed facility but if they do not want to move to Clovis, then that is a different	Motion for contingent approval of the relocation of SunRay Racetrack and Casino

<i>AGENDA ITEM</i>	<i>DISCUSSIONS/CONCLUSIONS/ RECOMMENDATIONS</i>	<i>ACTION TAKEN</i>
F. Approvals for Sunland Park 1. Request for Ratification of Approval to amend Sunland Park's entry days for the first four days of entries 2. Request for Approval of 2025-26 Purse Schedule 3. Request for Approval of 2025-26 Condition Book (Book #1) 4. Request for Approval of 2025-26 Stakes Schedule	situation. Mr. Blanchard added that this is strictly business. Chairman Smith commented the presentation was really professional and impressive, but that the Commission has Rules that need to be followed. In-House Counsel Bustamante asked if the Commission would like to entertain the following motion: Contingent approval regarding the proposed relocation of SunRay Racetrack and Casino to Clovis - contingent upon the need to follow the process to allow the public and the Native nations, tribes and pueblos to respond, and the need for a public hearing in Clovis where additional comments can be received. Only after that entire process is followed, the Commission could then entertain a final decision on the matter. Sunland Park Racetrack Director of Racing Dustin Dix requested the approval of F items 1 through 5.	to Clovis made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously. Motion for approval of F items 1 through 5 made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously.

<i>AGENDA ITEM</i>	<i>DISCUSSIONS/CONCLUSIONS/ RECOMMENDATIONS</i>	<i>ACTION TAKEN</i>
5. Request for Approval of Gaming and Breakage G. Approvals for Zia Park 1. Request for Approval of Zia Park 2025's Wagering Format and Post Time Schedule 2. Request for Approval of the 2025 Racing Officials for the Zia Park race meet H. Approvals for Downs at Albuquerque 1. Request for Ratification of Approval to replace Mutuel Manager Barbara Hewson with Stephanie Enriquez on the following 2025 race days: Friday, August 29 and Saturday, August 30 2. Request for Ratification of Approval to cancel race 9 on Friday, September 12, 2025 (Due to weather) and races 2 through 9 on Saturday, September 13, 2025 (Due to weather) 3. Request for Ratification of Approval of Variances for Friday, September 12, 2025	Zia Park Vice President and General Manager Ken Goetz requested approval of G items 1 and 2. Director Trejo, on behalf of the Downs at Albuquerque, requested approval of H items 1 through 12.	Motion for approval of G items 1 and 2 made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously. Motion for approval of H items 1 through 12 made by Commissioner Buffington. Commissioner Pitre seconded the motion. Motion passed unanimously.

<i>AGENDA ITEM</i>	<i>DISCUSSIONS/CONCLUSIONS/ RECOMMENDATIONS</i>	<i>ACTION TAKEN</i>
(Only ran 8 races) and Saturday, September 13, 2025 (Only ran 1 race) 4. Request for Ratification of Approval to change the post time to 12:30 PM for Friday, September 19, 2025 5. Request for Ratification of Approval to change post time to 1:30 PM for both Saturday, September 20 and Friday, September 26 6. Request for Ratification of Approval for 11 Races on Friday, September 26, 2025 7. Request for Ratification of Approval to amend 2025 DAA stakes schedule (Casey Darnell and Carlos Salazar) 8. Request for Ratification of Approval of running ten races on both Saturday, October 4, 2025, and Sunday, October 5, 2025 9. Request for Ratification of Approval to take entries for Wednesday, October 22, 2025, on Thursday, October 16, 2025 10. Request for Ratification of Approval to run ten races on Wednesday, October 22, 2025		

<i>AGENDA ITEM</i>	<i>DISCUSSIONS/CONCLUSIONS/ RECOMMENDATIONS</i>	<i>ACTION TAKEN</i>
11. Request for Ratification of Approval to replace Racing Secretary Jim Collins with Sean Winsor 12. Request for Ratification of Approval of the 2026 Nomination Blanks I. IMO: Race Review of Licensee Gary Cross, Race # 8, Downs at Albuquerque, September 12, 2025	The Race Review is pursuant to Commission Rule 15.2.5.13(E). The NM Racing Commission heard arguments from both parties and reviewed the video several times of race #8 that ran on September 12, 2025, at the Downs at Albuquerque wherein horse #9, “Ar Ya Weegee”, placed first (1st). The Downs at Albuquerque Board of Stewards ruled horse #9, “Ar Ya Weegee”, dropped in approaching 3/8, pressing horse #7 inward, horse #3 clipped heels (unseated rider), horse #2 stumbled (unseated rider) and horse #10 fell. Therefore, the Downs at Albuquerque Board of Stewards disqualified horse #9, “Ar Ya Weegee” from first to unplaced. Licensee Cross also had the opportunity to present his evidence and argument regarding the ruling of the Sunland Board of Stewards that day. The Commission also heard from other participants in the race at issue.	Motion to reverse the Downs at Albuquerque Board of Stewards’ Decision made by Commissioner Buffington. Motion seconded by Commissioner Pitre. Motion passed unanimously.

<i>AGENDA ITEM</i>	<i>DISCUSSIONS/CONCLUSIONS/ RECOMMENDATIONS</i>	<i>ACTION TAKEN</i>
	The Commission ruled in open-session and found based upon the presentations and the review of the films, the Commission determined the #9 horse was clear of the incident that had already been developing between the #1 horse, #7 horse and #3. Accordingly, the Commission reversed the decision of the Downs at Albuquerque Board of Stewards in this matter.	
IX. Adjournment	The meeting was adjourned after completion of items on the agenda.	


 Chairman Billy Smith Date:

 11-20-25
 Executive Director Ismael Trejo Date: