



**TEXAS RACING COMMISSION**  
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Texas Racing Commission  
Wednesday, December 2, 2009  
10:30 a.m.  
Texas Department of Public Safety  
6100 Guadalupe  
Criminal Law Enforcement, Building E  
First Floor Auditorium  
Austin, Texas 78752

## **AGENDA**

**I. CALL TO ORDER**  
Roll Call

**II. PUBLIC COMMENT**

**III. GENERAL BUSINESS**

Discussion and consideration of the following matters:

- A. Report on Racetrack Inspections
- B. Report and Update by the Executive Director and Staff
  - 1. Report on Racetrack Meets
  - 2. Report on Safety and Medication
  - 3. Personnel Announcements
- C. Report by Rules Committee
- D. Budget and Finance Update

Discussion, consideration and possible action on the following matters:

- E. Approval of the Commission's Operating Budget for FY 2010

- F. Approval of Memorandum of Understanding with the Texas Veterinary Medical Diagnostic Laboratory for FY 2010

#### **IV. PROCEEDINGS ON RACETRACKS**

Discussion and consideration of the following matters:

- A. Report on Bankruptcy Proceedings of Magna Entertainment Corporation and Auction of Lone Star Park

Discussion, consideration, and possible action on the following matters:

- B. Request by Gulf Coast Racing (Corpus Christi) for Approval of a 20% Change in Ownership
- C. Request by Gulf Greyhound Park for Approval of Amendment to Totalisator Contract with United Tote Company for Gulf Greyhound Park and Gillespie County Fair and Festivals Association
- D. Request by Laredo Race Park for an Amendment to its Order for Security for Compliance
- E. Request by Trinity Meadows Raceway, L.P., to Open an Application Period for a Class 2 License in Parker County under Rule 309.3(b)
- F. Reports on Preparations to Begin Live Racing
  - 1. Report by Austin Jockey Club
  - 2. Report by Saddle Brook Park
  - 3. Report by Valle de los Tesoros
  - 4. Report by Laredo Downs
  - 5. Report by Laredo Race Park

#### **V. PROCEEDINGS ON RULEMAKING**

Discussion, consideration, and possible action on the following matters:

- A. Rule Adoptions
  - 1. Adoption of Amendment to § 311.104, Trainers
  - 2. Adoption of Amendment to § 313.41, Racing Secretary
  - 3. Adoption of Amendment to § 313.101, Entry Procedure
  - 4. Adoption of Amendment to § 313.106, Closing Entries
  - 5. Adoption of Amendment to § 313.301, Eligibility to Claim
  - 6. Adoption of Amendment to § 313.406, Colors and Number
  - 7. Adoption of Amendment to § 313.441, The Start

8. Adoption of Amendment to § 313.505, Workout Requirements
9. Adoption of Amendment to § 313.507, Employees of Training Facilities

B. Rule Review

1. Review of Chapter 307, Proceedings Before the Commission
2. Review of Chapter 321, Pari-mutuel Wagering
3. Review of Chapter 323, Disciplinary Action and Enforcement

**VI. EXECUTIVE SESSION**

The following items may be discussed and considered in executive session or open meeting and have action taken in the open meeting:

- A. Under Government Code Sec. 551.071(1), the Commission may open an executive session to seek the advice of its attorney regarding pending or contemplated litigation, or regarding a settlement offer. Litigation and settlement offers that may be discussed include, but are not limited to, any item posted on this agenda, and the following cases:  
  
Dallas City Limits Property Co., LLP, v. Austin Jockey Club, Ltd, and the Texas Racing Commission; and  
  
Javier Marquez v. Texas Racing Commission and Charla Ann King in her Official Capacity as Executive Director.
- B. Under Government Code Sec. 551.071(2), the Commission may open an executive session to discuss all matters identified in this agenda where the commission seeks the advice of their attorney as privileged communications under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas and to discuss the Open Meetings Act and the Administrative Procedures Act.
- C. Under Texas Racing Act, Art. 179e, Sec. 6.03, Vernon's Texas Civil Statutes, the Commission may open an executive session to review management, concession, and totalisator contracts.

**VII. OLD/NEW BUSINESS**

Schedule next Commission Meeting  
(Tuesday, February 16, 2010)

**VIII. ADJOURN**