



TEXAS RACING COMMISSION

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Texas Racing Commission
Wednesday, June 8, 2022
10:30 a.m.
John H. Reagan Building, Room 120
1400 Congress Avenue
Austin, Texas 78701

AGENDA

I. CALL TO ORDER

Roll Call

II. PUBLIC COMMENT

III. STAFF REPORTS

A. Executive Director Report

IV. STAFF ACTIONS

A. Presentation: Agency Resource Considerations for 2023-2027 Legislative Appropriations Request.

V. RACETRACK PROCEEDINGS

A. The following entities request Commission approval of the following changes to their officers, effective May 1, 2022:

1. Sam Houston Race Park, LLC to appoint Dwight Berube as Vice President and General Manager (no other individuals will hold an officer position)
2. Valley Race Park, LLC to appoint Dwight Berube as Vice President and General Manager (no other individuals will hold an officer position)
3. Hill Lane, LLC to appoint Dwight Berube as Vice President and General Manager (no other individuals will hold an officer position)

B. To also acknowledge changes to the officers, directors, or managers of a concession or management company effective March 17, 2021:

1. VGB Operations, LLC to appoint Dwight Berube as sole Manager
2. VGB Management, LLC to appoint Dwight Berube as sole Manager
3. VG Beverage, Inc. (holds MB and BG permits at Valley Race Park) to appoint Christopher M. McErlean as sole Director and Secretary and to appoint Dwight Berube as President. Please note that both Mr. Berube and Mr. McErlean already hold current Association Officer/Director Licenses from the Texas Racing Commission.

VI. PROCEEDINGS ON RULES

A. Discussion and possible action to adopt amendments to the following rules proposed in the April 29, 2022, issue of the Texas Register:

1. 16 TAC §309.13, Subchapter A, Division 1, Supplemental Fee
2. 16 TAC §303.42, Subchapter B, Approval of Charity Race Days
3. 16 TAC §301.1(74), Definition of Specimen
4. 16 TAC §319.3, Subchapter A, Medication Restricted
5. 16 TAC §319.301, Subchapter D, Division 1, Testing Authorized

B. Discussion and possible action on the following rule review matters:

1. Opening of rules reviews of Chapter 301, Definitions, Chapter 303, General Provisions.

VII. HORSERACING AND INTEGRITY AND SAFETY ACT (HISA).

- A. Presentation from the Horseracing Integrity and Safety Authority, Chief Executive Officer, Ms. Lisa Lazarus and/or Lead Counsel, Mr. John Roach

VIII. EXECUTIVE SESSION (AS NEEDED)

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

- A. Under Texas Government Code §551.071(1), the Commission may enter an executive session to seek the advice of its attorney regarding pending or contemplated litigation, or regarding a settlement offer.
- B. Under Texas Government Code §551.071(2), the Commission may enter an executive session to discuss all matters identified in this agenda where the Commission seeks the advice of its attorney as privileged communications under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas. This may include, but is not limited to, legal advice regarding the

Open Meetings Act, the Administrative Procedures Act, and the Texas Racing Act.

- C. Under Texas Government Code § 551.074(a)(1), the Commission may enter an executive session to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.
- D. Under Texas Occupations Code §2025.005, the Commission may enter an executive session to review security plans and management, concession, and totalisator contracts.

IX. NEXT COMMISSION MEETING

Wednesday, August 24, 2022, 10:30 a.m.

X. ADJOURN