

Florida Gaming Control Commission

General Business Meeting

March 10, 2023

Vol 01



FLORIDA GAMING CONTROL COMMISSION
GENERAL BUSINESS MEETING

VOLUME 1 (Pages 1 - 129)

BEFORE: COMMISSIONER JULIE BROWN
 COMMISSIONER JOHN D'AQUILA
 COMMISSIONER CHUCK DRAGO

DATE: Friday, March 10, 2023

TIME: 9:31 a.m. - 11:57 a.m.

LOCATION: Joseph P. Cresse Hearing Room 148
 Betty Easley Conference Center
 4075 Esplanade Way
 Tallahassee, Florida 32399-0850
 AND by teleconference and live
 broadcast on the Florida Channel

Stenographically Reported Remotely
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1 Proceedings began at 9:31 a.m.:

2 COMMISSIONER BROWN: If you all would
3 please join us in the Pledge of Allegiance,
4 which will be given by our Executive Director,
5 Mr. Lou Trombetta.

6 (Pledge of Allegiance recited.)

7 MR. TROMBETTA: Thank you. Just as kind of
8 a friendly reminder to everybody, so we are here
9 for the March 10 Florida Gaming Control
10 Commission meeting. We have quite a large
11 agenda, so, speakers, we're going to ask that
12 you come up to the podium. If you have not
13 submitted public comment request forms, we have
14 them out front. If you can do that and just get
15 them either to me or to Liz here, we'll make
16 sure that the Commission gets them.

17 We have a quorum. A quorum is three
18 commissioners. We have that. And what's needed
19 to approve any items today is a majority vote
20 from the quorum. So as long as we get two votes
21 from the three of you, I think we'll be good.

22 Do we have any questions or anything I can
23 help with before we get started?

24 COMMISSIONER DRAGO: Commissioners, if I
25 could, at this point, I think it would be

1 appropriate for me to make a motion, to help the
2 meeting move along quicker, that Commissioner
3 Brown be the -- be in charge of running the
4 meeting today for us.

5 COMMISSIONER BROWN: Is there a second?

6 COMMISSIONER D'AQUILA: I second.

7 COMMISSIONER BROWN: (Inaudible.)

8 COMMISSIONER DRAGO: Aye.

9 COMMISSIONER D'AQUILA: Aye.

10 MR. TROMBETTA: Thank you.

11 COMMISSIONER BROWN: Thank you,
12 Commissioners. Thank you, Mr. Trombetta.

13 With that, we are going to open up the
14 March 10th meeting agenda here. And first I
15 want to thank the Public Service Commission and
16 their exemplary staff for assisting us with
17 running this meeting smoothly, and the
18 technology, as well as the Commissioners who we
19 are sitting in their seats and adjusting their
20 seat heights right before we leave. Thank you
21 very much.

22 If you would all please silence your
23 phones, that would be great. We have a very
24 long agenda, and I would like to get us done
25 before lunch if possible.

1 With that, we're going to begin with our
2 first speaker, who has submitted a speaker card,
3 and she's on the agenda, discussion of Florida
4 Council on Compulsive Gambling, Mrs. Jennifer
5 Kruse, Executive Director.

6 Welcome.

7 MS. KRUSE: Hey. Good morning. Thank you.
8 Good Morning, Commissioners. Thank you so much
9 for the opportunity to be here today with you
10 and to present. And I know I have a lot of
11 slides, so I'm going to go fast in the interest
12 of time. But I did leave you all with a packet
13 so you'll have anything to reference for future
14 discussion at this meeting.

15 COMMISSIONER BROWN: Ms. Kruse, would you
16 mind, since there's only three of us here, if
17 the commissioners have questions during your
18 presentation, would you mind if they stop you
19 briefly?

20 MS. KRUSE: Absolutely stop me.

21 COMMISSIONER BROWN: Commissioners, feel
22 free --

23 MS. KRUSE: That would be great.

24 COMMISSIONER BROWN: Please feel free,
25 Commissioners, to ask questions.

1 MS. KRUSE: Well, thank you. Again,
2 Jennifer Kruse. I'm the Executive Director of
3 the Florida Council on Compulsive Gambling.

4 We are a nonprofit 501(c)(3) that was
5 established in 1988 as an independent
6 corporation. We are headquartered out of
7 Sanford, Florida. I have been with the
8 organization for -- it'll be 20 years in
9 September, in various roles. I've served as the
10 Executive Director for past five years.

11 So the Florida Council's mission is to
12 increase public awareness regarding the risks
13 and consequences associated with problem
14 gambling. And in doing so, we provide
15 assistance to problem gamblers as well as other
16 loved ones and other individuals who are
17 impacted due to a gambling problem. We also
18 serve as the state advocate for programs,
19 services, and other supports to address
20 population-specific needs for citizens in the
21 State of Florida with this addition.

22 To give you just a little brief history of
23 our organization, so as I mentioned, we were --
24 we started in 1988, and our first funding came
25 from the Florida Lottery. We had a contract

1 with the Florida Lottery from 1988 until 2010.
2 Through that contract, we were able to provide
3 responsible play programming for Lottery staff
4 and retailers, which included signage of the
5 helpline number on all play stands across the
6 state. And it also allowed for a statewide
7 prevention, education, and awareness program for
8 problem and compulsive gambling.

9 We've had a partnership with the Seminole
10 Tribe since the early '90s. In the early '90s
11 we developed the first ever responsible gambling
12 player protection program in partnership with
13 the Seminole Tribe for their tribal casinos.
14 And through that partnership and their
15 responsible gambling program, we provided
16 training for their security and other designated
17 staff members, as well as, again, signage to the
18 helpline so that they could provide access to
19 supports for patrons and employees.

20 So now our contract, our current contract
21 with the Gaming Commission, which started with
22 the Department of Business and Professional
23 Regulation back, as you guys know, in 2004 and
24 '5 when voters approved slots in South Florida.
25 With that came a competitive solicitation for

1 compulsive gambling services, and the Florida
2 Council was awarded that first contract as well
3 as two subsequent competitive solicitations
4 since then. So we've been working with you guys
5 since 2007, and we're excited to continue
6 working with the Commission as we move forward.

7 I will skip that slide.

8 So our current contract with you all, it's
9 comprised of four core services, if you will.
10 So each service has an associated task with it
11 in our monthly reporting, so I've broken this
12 presentation down by task, by the four tasks.

13 So our first deliverable is help services,
14 and that is our mission and our, you know, goal
15 to provide the 24/7 problem gambling supports
16 through our 888-ADMIT-IT helpline, also via, you
17 know, alternative methods for seeking help such
18 as texting, live chat, mobile application.

19 We operate and promote our website, which
20 is how visitors can connect to us, to the live
21 chat service. We do answer the phones in-house
22 with our own staff 24 hours a day, seven days a
23 week, 365 days a year. So there's never a time
24 where somebody is going to need help that
25 they're not able to get it.

1 The next few slides, we do an annual
2 helpline report each year. So the next two
3 slides is just a brief snapshot of what we're
4 seeing here in the state of Florida, as told by
5 callers to our helpline, or texters or chatters
6 to our helpline. And as you can see here, we've
7 had exponential growth over the past four years.
8 So we've had 140 percent increase in contacts
9 from '18-19 to '21-22. So we are definitely
10 busy and continue to get busier.

11 People reaching out for help via text or
12 live chat continues to also increase. You know,
13 a younger demographic -- we're seeing a younger
14 demographic on the helpline in terms of those
15 individuals who are seeking help. And they a
16 lot of times prefer to text or to chat, and that
17 can take, you know, a lot longer in terms of
18 dialoguing with someone.

19 So we have really strict protocols in place
20 where we, you know, allow specialists to -- they
21 have to respond to any contact within 15
22 minutes. So if there's 15 minutes of idle time
23 where the person isn't responsive, then they're
24 able to, you know, say, "Hey, we're going to go
25 ahead and close out this contact. Feel free to

1 reach back out to us, you know, via our helpline
2 or via this text service or chat service," so
3 that we, you know, can move on and help the next
4 person.

5 COMMISSIONER BROWN: Ms. Kruse, do you
6 see -- do you track the metrics of how folks
7 contact you versus how many -- the percentage
8 that are texting versus calling versus email
9 or --

10 MS. KRUSE: Yes, yes. And that's all in
11 the executive summary of our annual helpline
12 report that I put in your packets. Yes.

13 So gender. We're seeing increases in male
14 problem gamblers. Not to say that females don't
15 have problems too, but historically it was about
16 a 60-40 split. Now we're seeing about 71-29,
17 with more men seeking help.

18 The gamblers are getting younger too. So
19 31 to 49 is a pretty standard statistic as far
20 as the most populous group of when people reach
21 out for help. That doesn't mean that's when the
22 problem first develops. It just means that's
23 when they're reaching out to us for help. But
24 we're seeing a huge increase in individuals
25 25 years of age and younger, so definitely a

1 target population for us in terms of, you know,
2 prevention and getting messaging out there that,
3 hey, there's help available if you need it.

4 As you can see from this slide here, we saw
5 last year 53 percent of our gamblers on the
6 helpline said that they started gambling before
7 the age of 26, and 17 percent before the age of
8 18.

9 So slot machines. So slot machines -- this
10 is the top three primary problems from last
11 year's data. Slot machines were the number one
12 most frequently cited problem. Not to say that
13 problem gamblers aren't gambling on other
14 things, because they are. We know that they
15 gamble on anything they can get their hands on,
16 but slot machines are historically number one.

17 An interesting trend this year was online
18 gambling. So even though online gambling is not
19 legal here in our state, we're definitely seeing
20 a huge uptick in people who are reaching out for
21 help, and that's their primary problem. And
22 they tend to reach out quicker. It can cause
23 problems a lot faster because of the access to
24 credit, the ability to, you know, gamble with
25 the click of a mouse or on your mobile phone,

1 the accessibility. So we're definitely seeing a
2 huge increase in that. So as you can see here,
3 a 42 percent increase from '19-20 to '21-22. So
4 that's huge.

5 And when we look at what do those gamblers
6 look like, they're young, they're under 30,
7 they're male, they're white, and they typically
8 have higher incomes than what we see amongst the
9 other gamblers on our helpline.

10 We've also seen a huge increase in illegal
11 gambling machines reported. So when I say slot
12 machines are the number one most frequently
13 cited problem, that includes illegal and legal
14 slot machines. So we've seen a big uptick in
15 the illegal gambling machines recently. And I
16 would say to you that it's representative of the
17 whole state. It wasn't centralized in one
18 particular area. And the demographics for that
19 was about 50-50 male-female. So it's affecting
20 both genders equally.

21 COMMISSIONER DRAGO: Can I ask a quick
22 question? You may have it in there and I didn't
23 get to it. Do you have a breakdown between
24 legal and illegal --

25 MS. KRUSE: Yes.

1 COMMISSIONER DRAGO: -- slot machines?

2 MS. KRUSE: Yes, yes. So when you look in
3 your executive summary -- and you can always
4 reach out to me after, and I'll help you walk
5 through it. But the primary gambling problem,
6 and then we break it down, and you can see the
7 differences amongst the categories.

8 COMMISSIONER DRAGO: Great. Thank you.

9 MS. KRUSE: So our next task under our
10 current contract is advertising services and
11 outreach of the helpline. People can't get help
12 if they don't know that that help exists; right?
13 We have to be able to provide access to that
14 helpline number.

15 So our second task is that we offer
16 billboards in the target areas of Broward and
17 Miami-Dade Counties. So with this contract, it
18 focuses primarily on the areas in and around the
19 eight slot licensed racinos in Broward and
20 Miami-Dade Counties. So we place billboards in
21 strategic areas in those counties throughout the
22 year.

23 And March is Problem Gambling Awareness
24 Month, so this is our second --

25 COMMISSIONER DRAGO: Can I ask one more

1 quick question --

2 MS. KRUSE: Yes.

3 COMMISSIONER DRAGO: -- before you move on
4 from that?

5 I saw that the signs were in English and
6 Spanish. Are there any other languages,
7 especially in South Florida, or is it just
8 English and Spanish?

9 MS. KRUSE: So with our print materials and
10 the signage that we provide to the facilities,
11 we have English, Spanish, and Creole. With the
12 billboards, we do just English and Spanish. And
13 we -- you know, we look at the demographics and
14 figure out which neighborhoods are better to put
15 the Spanish language boards in.

16 COMMISSIONER DRAGO: Gotcha. Thank you.

17 COMMISSIONER BROWN: I was just going to
18 ask, with it being -- this month being Problem
19 Gambling Awareness Month, are there outreach
20 programs that you have planned throughout the
21 state, not just in Broward and Miami-Dade?

22 MS. KRUSE: So, yeah. Unfortunately, you
23 know, when -- and I mentioned it briefly. We'll
24 talk about it at the end. When our Lottery
25 contract ended in 2010, that was really the

1 statewide programming that we were able to
2 offer. So the bulk of the work that we do under
3 this contract is really focused on Miami-Dade
4 and Broward Counties.

5 But, yeah, with Problem Gambling Awareness
6 Month, we do do other initiatives. We are
7 promoting Screening Day for treatment providers,
8 so all mental health treatment providers that
9 may not know anything about gambling addiction.
10 Maybe they treat, you know, drugs and alcohol,
11 or they just do other mental health disorders.
12 We promote them to screen their clients for
13 gambling disorder with a brief, two-question
14 training.

15 And, yeah, so we do a lot of other
16 outreach, and online outreach where we just
17 promote, you know, awareness of this issue and a
18 heightened awareness during the month of March.

19 And one more thing on this slide. So
20 ProblemGamblingAwarenessMonth.org, if you guys
21 have a chance to visit that website, it focuses
22 on our theme for the year. Each year we do do a
23 different theme. And it's got a really neat
24 interactive game that we produced that you guys
25 can check out. It's based on the theme of the

1 Game of Life, so making, you know, responsible
2 choices. And we give people education about
3 problem gambling throughout the course of the
4 game.

5 So another large area of our contract is
6 our slot machine gambling facility services, and
7 these are the services that we provide to the
8 eight racinos. We provide them with
9 888-ADMIT-IT helpline signage, so we've given
10 them the picture -- there's a picture on the
11 previous slide of the brochure for Problem
12 Gambling Awareness Month. We gave them, you
13 know, brochures for the month to put around
14 their facility. We provide them with ongoing
15 materials, print and collateral items.

16 We do self-exclusion folders for their
17 security staff so that they can just stick their
18 forms in the folders when a guest is
19 self-excluding, and it connects them to the
20 helpline, because we know that, you know, those
21 are the people that really need to get connected
22 to us.

23 So it's just ongoing outreach and
24 awareness. You know, they -- the employees at
25 the casinos are really our first responders.

1 They're the ones that have the ability to
2 provide that access to the helpline to their
3 guests. So we do ongoing education and
4 awareness with the employees through new hire
5 training.

6 So the statute says they have to have their
7 employees trained within the first 30 days of
8 hire, so we offer that training for them in
9 English and in Spanish for their employees that
10 they can take within the first 30 days on
11 demand, and then we provide the facilities with
12 their certificates of completion. And we do
13 have minimum mandate scores that they have to
14 obtain to show that they've actually retained
15 the knowledge that we want them to have from the
16 trainings.

17 Similar to our annual refresher training,
18 we do that every year. It's a brand new
19 curriculum every year for their employees. And
20 that is in addition to, of course, the new hire
21 training, so new hires and then annual refresher
22 with everybody.

23 And then the site visits. You know, we'll
24 go on-site and just take a look at where they've
25 got signage. And we provide the State with, you

1 know, recommendations based on what we see in
2 terms of ways they can improve signage, you
3 know, increase font sizes, maybe place brochures
4 in areas where breaks in play occur, because we
5 know that's where patrons are more likely to
6 grab a brochure. They're not probably going to
7 walk across the slot floor and grab a brochure
8 from the top of a ticket redemption machine, but
9 they might in the bathroom. So, you know,
10 that's where we just encourage them to, hey,
11 maybe you need to take a look at this and maybe,
12 you know, add this to your plan.

13 And I will just skip right over this. This
14 is the community outreach services. We produce
15 just a plethora of materials that we provide to
16 helpline callers. We've got a really great set,
17 our Chance for Change recovery workbooks. It's
18 workbooks that we developed in-house, designed
19 to really give people therapeutic help that are
20 in areas of the state where they may not have
21 access to treatment supports or other supports.
22 So we have Chance for Change workbooks for
23 gamblers, for loved ones, for seniors. And
24 those are, you know, specific for Florida. We
25 only provide those to Florida residents. And

1 they really are -- they make a difference. You
2 know, people are just -- can say nothing but
3 good things about how much those books helped
4 them.

5 And then here at the end, I'm just going to
6 talk a little bit about what we're seeing across
7 the country. So the National Association of
8 Administrators for Disordered Gambling Services,
9 they're a research entity, and they put out a
10 study every five years on publicly funded
11 problem gambling services. So every state that
12 has a line item budget for problem gambling
13 services, they do research, and they, you know,
14 look at the programs and services that are
15 provided, as well as the funding, and write this
16 report.

17 So I included the Florida state report.
18 It's just -- it's a one-pager that's in your
19 folders. But if you guys would like the full
20 report, I'm happy to email that to you as well.

21 So when looking at Florida in conjunction
22 with the whole country, we ranked first in
23 helpline contacts, number one out of 42 states.
24 So there's 42 states with publicly funded
25 problem gambling services, and we were number

1 one in terms of helpline volume.

2 We ranked third for gaming revenues this
3 particular year. It's primarily commercial
4 gaming revenues as well as lottery sales. And
5 then they said that the tribal revenues are
6 estimates and might be based on historical data.

7 So we ranked 34th -- Florida ranked 34th
8 out of 42 states in the United States regarding
9 per capita funding for this issue. So the
10 average across the United States is about 40
11 cents per capita. Florida's per capita public
12 fund allocation is 6 cents.

13 COMMISSIONER BROWN: Does that also include
14 the money from the tribe?

15 MS. KRUSE: So, no. It's state funded,
16 state funded, uh-huh.

17 So when you look at the growth of what that
18 means across the United States over the past 15
19 years, it's an annualized growth of 5 percent a
20 year on average. In Florida, our allocation
21 actually decreased by 2 percent. So if you look
22 here, you can see the blue columns represent
23 what the funding -- what our funding would be if
24 we had received the 5 percent per year increase,
25 and the green represents what our funding

1 actually was 15 years ago and what it currently
2 is today. So I think that gives you just a good
3 representation of where we're at in terms of
4 this issue.

5 And that's it. Questions?

6 COMMISSIONER D'AQUILA: Executive Director
7 Kruse, thank you for a very insightful
8 presentation.

9 MS. KRUSE: Thank you.

10 COMMISSIONER D'AQUILA: During your
11 presentation, you talked about the rising number
12 of young gamblers and the significant increase
13 in online gambling being a problem. And I also
14 heard about the billboards in predominantly the
15 two counties you referred to.

16 What is your agency or your organization
17 doing to reach out to young people
18 electronically versus billboards and so forth,
19 and print, putting those two aside, considering
20 today the person -- I can pick a random age,
21 under 35 -- their predominant connection to the
22 world is the smartphone.

23 MS. KRUSE: Sure.

24 COMMISSIONER D'AQUILA: What --
25 considering, you know, any business owner or

1 organization owner looks at results for dollars
2 spent on advertising and marketing, can you
3 elaborate on what you're doing to address that
4 rising demographic? Which is not just unique to
5 Florida. It is unique to the nation, if not the
6 world labor.

7 MS. KRUSE: Absolutely. That's a great
8 question. Thank you.

9 We do what we can is really what I'll say.
10 We do do other outreach initiatives. We do
11 programmatic ads. We do geotargeting, online
12 banner ads. We have a social media presence.
13 You know, we have Facebook. We have Twitter.
14 We have a YouTube page. We have Instagram.

15 Unfortunately, with our contract with the
16 State, it's very specific as far as what that
17 outreach is. So it specifies billboards, so
18 that's really all we're able to do under the
19 current construct of our contract with the
20 State.

21 So aside from that, as you mentioned, the
22 Seminole -- the Seminole funding. So all that
23 funding has to support the overall operations.
24 And, as you know, operating a 24/7 helpline,
25 it's quite -- it's quite a task. And, you know,

1 we have intensive training programs. We can't
2 just pluck somebody off the street and stick
3 them on the phones, because it is a very serious
4 issue, and there's a lot of training involved.

5 COMMISSIONER D'AQUILA: May I do a
6 follow-up?

7 With that said, is your organization
8 speaking about this? And when it comes time for
9 contract renewal, are you putting that for
10 consideration in the future?

11 And let me -- I'll -- let me be more
12 specific with my question. Nowadays streaming
13 is how predominantly people view. So if I watch
14 YouTube, for example, it seems to know about me.
15 Right?

16 And I'm questioning -- and I know this
17 technology exists already in the private sector,
18 that certain ads, and especially those of public
19 interest, get special treatment and --

20 MS. KRUSE: Yeah.

21 COMMISSIONER D'AQUILA: -- might pop up
22 while a viewer is watching that.

23 Is that being talked about? And I'm
24 bringing the question up because of what you
25 mentioned with regard to this disturbing number

1 of younger voters and the online gaming, which
2 will soon maybe perhaps supercede the slots.
3 That's just a guess, considering the trend line
4 that you presented.

5 MS. KRUSE: Yes. And you've got to
6 remember too that because online gambling isn't
7 legal currently in the state, those people that
8 are reaching out for help that are -- that's
9 their primary problem, they're having to search
10 for a number, just like you said. You know,
11 it's not mandated. There aren't consumer
12 protections that are required for those
13 operators because they're betting offshore.
14 They're betting with a VPN. They're betting
15 illegally. So they're not exposed to the
16 helpline number.

17 So to answer your question, yes. You know,
18 like I already mentioned, the programmatic ads,
19 the geotargeting, that is definitely something
20 that we have done historically. We would
21 welcome and love the opportunity to be able to
22 modify our contract a little each year to flow
23 with what we're seeing on the helpline.

24 Historically, we had done that with the
25 Department up until -- I want to say about 2015,

1 when our deliverables were sort of locked in to
2 what they were then, and they really -- we've
3 not been allowed to modify them much.

4 But we would absolutely welcome the
5 opportunity to do that and to be able to say
6 each year, you know, "Here's what we're seeing
7 on the helpline, here's what we're seeing in the
8 state, and this is what we could suggest as, you
9 know, the best use of our contract and the
10 funding for the upcoming year."

11 COMMISSIONER D'AQUILA: Thank you.

12 COMMISSIONER BROWN: Thank you. Good
13 questions, Commissioner D'Aquila.

14 Commissioner Drago, any questions?

15 COMMISSIONER DRAGO: One quick one, if I
16 may. This may be a stupid question, but when --
17 you were talking a lot about advertising, the
18 number, and reaching out to people so that they
19 have access to this helpline.

20 What are people looking for when they make
21 this call to the hotline -- helpline? Are they
22 looking for some program to get into? Are they
23 looking -- what are they looking for when they
24 call? Why should a person call? I guess is the
25 question.

1 MS. KRUSE: That's a great question. It's
2 not a stupid question at all.

3 So like our number says, 888-ADMIT-IT, the
4 first step to getting help is admitting that you
5 have a problem.

6 So a lot of times when that person makes
7 that first call or text or chat, they're in such
8 a place of just despair. And, you know, they're
9 embarrassed. They're ashamed. There's so much
10 stigma associated with this addiction that
11 they're just -- they don't know what they want
12 or what they need. And that's why it's our job
13 to get them the supports that they need. And
14 it's not a one-size-fits-all approach.

15 So we're an I&R service. We don't provide
16 direct counseling support over the phone, but we
17 do have programs that we've developed, some, you
18 know, with our funding from the Seminoles. We
19 have an online program for problem gamblers
20 which is an on-demand clinical program that we
21 can connect them with immediately. So when we
22 hang up the phone, I can enroll someone in that
23 program or send them a link to the program.

24 We also provide the Chance for Change
25 recovery workbooks that I told you about, again,

1 on demand. So I can email those to somebody and
2 then say, "Okay. I can also send you a hard
3 copy packet in the mail," you know, just
4 depending upon what their preference is. Some
5 people like to read online; others don't. But
6 we do have the ability to provide on-demand
7 services right then and there.

8 We also have a peer connect program.
9 Again, these are things that are outside the
10 scope of our current contract with the State.
11 But our peer connect program is someone who's
12 been in recovery for many years. You know, they
13 have to meet certain criteria, and they can talk
14 to the person. So we set up a peer connect
15 appointment with them following the initial
16 helpline contact. And that person can kind of
17 help them take the next steps to whatever that
18 help may be. You know, for some people, that
19 looks like going to a Gamblers Anonymous
20 meeting, going to a counselor.

21 We only refer to certified gambling
22 addiction treatment providers in the state. And
23 actually, in 2007, we rolled out, in partnership
24 with the Florida Certification Board, the first
25 ever credential for gambling addiction

1 counselors, for mental health treatment

2 providers to receive the credential to treat
3 gambling addiction, because it's very different
4 than other addictions. It's not the same.

5 So we only refer to a very specific network
6 of treatment providers. And we really do
7 provide, you know, unique resources specific to
8 that person's individual circumstances.

9 COMMISSIONER DRAGO: Great. Thank you.

10 COMMISSIONER BROWN: Commissioner D'Aquila?

11 COMMISSIONER D'AQUILA: If I may, one more.

12 COMMISSIONER BROWN: Yes.

13 COMMISSIONER D'AQUILA: Do we keep data on
14 the number of people that go from reaching out
15 for help and actually having a meeting live and
16 seeking treatment? Is that one of our measures
17 of success, or -- or let me rephrase that. A
18 measure or a benchmark that we monitor on a
19 regular basis?

20 MS. KRUSE: For efficacy. So that's a
21 great question.

22 Really, the only way to do -- to do that is
23 to fund a treatment program. Right? That's the
24 only way that you can really track and follow
25 somebody and get data like that. We do -- we do

1 the best that we can, given the fact that we're
2 an anonymous, confidential helpline.

3 So one of the deliverables under our
4 current contract is a helpline outcome
5 evaluation. So when we do speak to people, you
6 know, we have to build a rapport with them and
7 get them comfortable enough to provide us with
8 their name and a phone number to call them back.
9 And those individuals that do that, we do follow
10 up with them and find out, you know, how our
11 program has been helpful, if -- you know, what
12 their gambling is like, have they reduced their
13 gambling since they've contacted the helpline,
14 what's going on now.

15 And so the answer is yes. It's our
16 helpline outcome evaluation. And if I did not
17 include that in your packet, you can let me
18 know, and I will happily email you the one from
19 2021-22.

20 But you'll see that the majority -- don't
21 hold me to this stat, but I think it was
22 79 percent said they had reduced their gambling
23 since contacting the helpline.

24 COMMISSIONER D'AQUILA: Thank you.

25 COMMISSIONER BROWN: Thank you. Just one

1 last question. And we appreciate your time here
2 today. It's great to have you come before us
3 and to have an opportunity to hear about the
4 work you're doing.

5 I know it's confidential and anonymous, the
6 hotline. In your materials, you talked about
7 the illegal gaming that's doing on. Is there --
8 is there a prohibition with that confidentiality
9 from communicating with our Division of Gaming
10 Enforcement on some of those illegal facilities?

11 MS. KRUSE: So are you asking would it be
12 okay for us to tell you that information?

13 COMMISSIONER BROWN: Uh-huh.

14 MS. KRUSE: So we're not a reporting
15 entity, and that is again the reason why we
16 don't provide counseling on the helpline,
17 because if we did, people wouldn't tell us that
18 they're committing illegal acts or that they're,
19 you know, gambling illegally.

20 But because with the State of Florida, you
21 know, the illegal gambling is not on the person
22 that's gambling, it's illegal for the
23 operator -- right? -- they're a lot usually
24 freer to talk about that to us on the helpline.

25 And we do collect data in terms of, you

1 know, where they're going if they tell us. So,
2 yes.

3 COMMISSIONER BROWN: All right.

4 Commissioners, any further questions?

5 Thank you again for your time.

6 MS. KRUSE: Thank you so much.

7 COMMISSIONER BROWN: All right. We are
8 going to move into Item 2, the discussion of
9 default final orders.

10 Staff members, also, you know that you have
11 the mic. Just push it on and off.

12 And with that, Emily.

13 MS. ALVARADO: Good morning. This is Emily
14 Alvarado, for the record.

15 Item 2.1 is FGCC vs. Mark Alan Byrdsong in
16 Case Number 2022-033282. In this case, there
17 was a one-count administrative complaint filed
18 against Respondent, who was excluded from Big
19 Easy Casino on June 27, 2022, for stealing
20 property from the facility. He's subject to
21 exclusion from all pari-mutuel and slot machine
22 facilities in the state pursuant to Section
23 550.0251(6) and 551.112, Florida Statutes.

24 He was served and did not respond within
25 21 days. Therefore, the Division would ask the

1 Commission to enter an order finding that the
2 Respondent was properly served and failed to
3 respond within 21 days; that the factual
4 allegations in the administrative complaint are
5 accepted as the finding of facts in this case;
6 and concluding that Respondent will be added to
7 the permanent exclusion list.

8 COMMISSIONER BROWN: Thank you.

9 Commissioners, any questions on this? If
10 not, then I'll entertain a motion.

11 COMMISSIONER D'AQUILA: I'll make a motion.

12 COMMISSIONER BROWN: Second?

13 COMMISSIONER DRAGO: Second.

14 COMMISSIONER BROWN: All those in favor say
15 "aye." The motion --

16 COMMISSIONER D'AQUILA: Aye.

17 COMMISSIONER DRAGO: Aye.

18 COMMISSIONER BROWN: -- thank you --
19 passes.

20 On to 2.2.

21 MS. ALVARADO: Item 2.2 is FGCC vs. Edi
22 Gonzalez in Case Number 2022-048601. In this
23 case, there was a one-count administrative
24 complaint filed against Respondent, who violated
25 Rule 61D-2.003 by refusing to produce his

1 license or provide his name or date of birth to
2 the investigator that was conducting an
3 investigation at Palm Meadows Training Center.

4 This was brought to the Commission at the
5 February meeting as well, and the Commissioners
6 asked that I get more information on the
7 incident. I followed up with investigations,
8 and they told me that nothing had occurred with
9 this individual prior to this incident, but
10 since then there has been a few other incidents
11 and that they've now banned him from both Palm
12 Meadows and Gulfstream.

13 Based on that, the Division would ask that
14 the Commission enter an order finding that the
15 Respondent was properly served with the
16 administrative complaint, but they failed to
17 respond within 21 days; that the factual
18 allegations in the administrative complaint are
19 accepted as the finding of facts in this case;
20 and concluding that Respondent is subject to an
21 administrative fine of \$500.

22 COMMISSIONER BROWN: Ms. Alvarado, you said
23 that they are -- this individual who's licensed
24 with us is banned?

25 MS. ALVARADO: Yes, from those two

1 properties.

2 COMMISSIONER BROWN: And was he fined
3 separately by the property?

4 MS. ALVARADO: He was fined originally for
5 the incident, the first incident in this case,
6 \$100, and he had paid that fine and was not
7 suspended at the time.

8 COMMISSIONER BROWN: Did we find out why
9 he -- the root of why he failed to produce his
10 license or his date of birth to our
11 investigator?

12 MS. ALVARADO: They didn't have any
13 information on that, on why he -- he didn't do
14 that. But that was the only incident of that
15 happening.

16 COMMISSIONER BROWN: Do you have any
17 questions? If not, I'll entertain a motion.

18 COMMISSIONER DRAGO: I'll make a motion to
19 approve the recommendation.

20 COMMISSIONER D'AQUILA: I'll second that
21 motion.

22 COMMISSIONER BROWN: Seeing no objection,
23 if no other Commissioner -- if no Commissioner
24 objects, we'll approve that motion.

25 Moving on to 2.3.

1 MS. ALVARADO: Item 2.3 is FGCC vs. Rene
2 Carrazana in Case Number 2022-049868. In this
3 case, there was a one-count administrative
4 complaint filed against Respondent, who was
5 excluded from Casino Miami on January 12, 2023,
6 for cashing out winnings of another patient
7 [sic]. He is subject to exclusion pursuant to
8 Sections 550.0251(6) and 551.112, Florida
9 Statutes.

10 Respondent was served and failed to respond
11 within 21 days. Therefore, the Division would
12 ask the Commission to enter an order finding
13 that the Respondent was properly served; failed
14 to respond within 21 days; that the factual
15 allegations in the administrative complaint are
16 the finding of facts in this case, and
17 concluding that Respondent would be added to the
18 permanent exclusion list.

19 COMMISSIONER BROWN: Commissioner D'Aquila?

20 COMMISSIONER D'AQUILA: Yes. Deputy Chief
21 Attorney Alvarado, I have a question. I think I
22 saw this in the evidence and so forth.

23 Was this individual -- was this information
24 shared with the Internal Revenue Service?

25 MS. ALVARADO: Yes.

1 COMMISSIONER D'AQUILA: Okay. And my
2 second question is -- because I believe there
3 may be a matter of facts, misrepresentation or
4 fraud here with regard to the reporting of the
5 winnings -- is that something we routinely do in
6 situations like this in our investigations? Do
7 we routinely turn this matter over to the
8 Internal Revenue Service in all cases?

9 MS. ALVARADO: I believe so, but I'm not
10 sure. I did not ask investigations about that.

11 COMMISSIONER D'AQUILA: Thank you.

12 COMMISSIONER BROWN: Any other questions?

13 I do want to commend the investigator,
14 though, for referring it to the IRS. I think
15 that was very wise to do.

16 With that, I would take a motion to approve
17 the default final order.

18 COMMISSIONER D'AQUILA: Yes. I will make a
19 motion on the final order permanently excluding
20 Rene Carrazana from all pari-mutuel and slot
21 machine facilities in the state.

22 COMMISSIONER DRAGO: Second.

23 COMMISSIONER BROWN: Without objection, we
24 will go ahead and approve the motion for default
25 final order.

1 And now we will move to Item 3, the
2 discussion of consent orders.

3 I have not received any other public
4 comment cards, but if anybody would like to
5 comment on any of these items, 3.1 through 3.7,
6 public comments, then we will take that at this
7 time.

8 Seeing none, go ahead, please.

9 MS. ALVARADO: Item 3.1 is FGCC vs. Tampa
10 Bay Downs in Case Number 2022-048642. This case
11 was a three-count administrative complaint
12 alleging that Respondent failed to indicate the
13 date on two cards that were removed from play on
14 the damaged card envelope. They failed to have
15 a cardroom supervisor sign three damaged cards
16 prior to storage and failed to write the times
17 monitoring commenced and ended on the activity
18 log.

19 These are violations of 61D-11.014(4)(b)2,
20 61D-11.014(4)(b)3, and 61D-11.025(17)(b).
21 Respondent has two prior violations of
22 61D-11.014(4)(b)3, which resulted in a \$300 fine
23 and then a \$250 fine.

24 The Respondent has sent back a signed
25 settlement and consent order with a \$2,000 fine

1 total for all three counts, and the Division
2 would ask that the Commission enter an order
3 adopting and incorporating the settlement and
4 consent order in this case.

5 COMMISSIONER BROWN: Thank you. And thank
6 you for your work on this matter too.

7 Commissioners, any questions?

8 I'll take a motion.

9 COMMISSIONER DRAGO: I'll make a motion to
10 approve the staff recommendation.

11 COMMISSIONER D'AQUILA: I will second that
12 motion.

13 COMMISSIONER BROWN: Without objection, we
14 will go ahead and approve the motion to accept
15 the consent order.

16 Moving on to -- can we take up 3.2 and 3.3
17 together?

18 MS. ALVARADO: Sure. These are FGCC vs.
19 Rohan Crichton in Case Number 2022-051930 and
20 2022-052364. In both of these cases, there were
21 one-count administrative complaints alleging
22 that Respondent violated 550.2415(1)(a), Florida
23 Statutes, and Rule 61D-6.008(3)(c), Florida
24 Administrative Code, by racing a horse with an
25 impermissible amount of phenylbutazone.

1 We received a settlement and consent order
2 that had punishment of a written warning or
3 penalty of a written warning. In both cases,
4 this would be Respondent's first violation, so
5 the Division would ask that the Commission enter
6 an order adopting and incorporating the proposed
7 settlement and consent order in this case, or
8 these cases.

9 COMMISSIONER BROWN: Thank you,
10 Ms. Alvarado.

11 I know that they're the same infraction,
12 NSAID, and a warning letter as a result, one
13 happening in September and the next one
14 happening in October. Do you still feel
15 comfortable with just a written warning?

16 MS. ALVARADO: We cannot use it as
17 aggravation so we have a penalty. And most of
18 the time they're not even aware of the first
19 violation until after they receive -- after the
20 second one already occurred. So, yes, I feel
21 comfortable with doing a written warning with
22 both.

23 COMMISSIONER BROWN: Commissioner D'Aquila?

24 COMMISSIONER D'AQUILA: No further
25 questions.

1 COMMISSIONER BROWN: If we can, can we take
2 a motion on Items 3.2 and 3.3, the same
3 individual, to approve the consent order?

4 COMMISSIONER D'AQUILA: Yes, I'll make a
5 motion to accept it.

6 COMMISSIONER BROWN: Is there a second?

7 COMMISSIONER DRAGO: Second.

8 COMMISSIONER BROWN: All right. Without
9 objection, we will go ahead and approve the
10 motion to approve the consent order in Items 3.2
11 and 3.3.

12 Moving on to Item 3.4, please.

13 COMMISSIONER DRAGO: This is FGCC vs. David
14 James Fawkes in Case Number 2022-057732. In
15 this case, there was a one-count administrative
16 complaint filed alleging the Respondent raced a
17 horse with an impermissible amount of omeprazole
18 sulfide in his system, which is a violation of
19 550.2415(1)(a) and 61D-6.008(2)(s).

20 We were also provided a settlement and
21 consent order which had a punishment -- a
22 penalty of a written warning. Therefore, the
23 Division would ask that the Commissioners enter
24 an order adopting and incorporating the proposed
25 settlement in this case.

1 COMMISSIONER BROWN: If there are no
2 questions on this item, I will take a motion to
3 approve the consent order.

4 COMMISSIONER DRAGO: So move.

5 COMMISSIONER D'AQUILA: Second.

6 COMMISSIONER BROWN: Without objection,
7 we'll approve that motion. Thank you very much.
8 Item 3.5.

9 MS. ALVARADO: This is FGCC vs. Jon Glenn
10 Arnett in Case Number 2023-000998. This case
11 was a one-count administrative complaint filed
12 alleging that Respondent violated Section
13 550.2415(1)(a) and Rule 61D-6.008(2)(h) by
14 racing a horse with an impermissible amount of
15 dexamethasone.

16 In this case, they provided a settlement
17 and consent order that was notarized that had a
18 \$1,000 fine. This is Respondent's first
19 violation, and this is a Class C penalty which
20 requires a \$1,000 fine and the return of purse.
21 We have received confirmation that the owner has
22 also returned the purse in this case. And,
23 therefore, the Division would ask the Commission
24 to enter a -- or to enter an order adopting and
25 approving the settlement in this case.

1 COMMISSIONER BROWN: Commissioner D'Aquila.

2 COMMISSIONER D'AQUILA: Did I hear
3 correctly that the purse has been returned?

4 MS. ALVARADO: Yes. We received
5 confirmation from the facility that they have
6 received the purse back.

7 COMMISSIONER D'AQUILA: Thank you. No
8 further questions.

9 COMMISSIONER BROWN: Thank you.
10 And what exactly is dexameth -- not to
11 sound ignorant here, but dexamethasone?

12 MS. ALVARADO: So it's given to help with
13 allergic reactions and some sort of, like,
14 respiratory issues in horses.

15 COMMISSIONER BROWN: Like Claritin, Zyrtec?

16 MS. ALVARADO: I guess so. That's kind of
17 what it sounds like.

18 COMMISSIONER BROWN: Okay. Thank you.

19 If there are no questions, I'll take a
20 motion to approve the consent order.

21 COMMISSIONER D'AQUILA: I'll make a motion
22 to approve the consent order as presented by
23 counsel.

24 COMMISSIONER DRAGO: Second.

25 COMMISSIONER BROWN: Without objection,

1 we'll go ahead and approve the consent order for
2 Item 3.5.

3 Item 3.6.

4 MS. ALVARADO: 3.6 is FGCC vs. Douglas
5 George Nunn in Case Number 2023-006970. In this
6 case, there was a one-count administrative
7 complaint filed alleging that Respondent
8 violated Section 550.2415(1)(a) and Rule
9 61D-6.008(3)(c) by racing a horse with an
10 impermissible amount of phenylbutazone.

11 And there was also a settlement and consent
12 order sent in that would issue a written
13 warning. This is Respondent's first violation.
14 And, therefore, the Division would ask the
15 Commission to enter an order adopting the
16 settlement and consent order in this case.

17 COMMISSIONER BROWN: Thank you.

18 Commissioner D'Aquila?

19 COMMISSIONER D'AQUILA: I have no
20 questions, and I make a motion to accept the
21 settlement and consent order that counsel has
22 presented.

23 COMMISSIONER DRAGO: Second.

24 COMMISSIONER BROWN: Thank you.

25 Without objection, we'll go ahead and

1 approve the motion to approve the consent order.

2 The last item under this is 3.7.

3 MS. ALVARADO: 3.7 is FGCC vs. Antonio Jose
4 Machado in Case Number 2023-006992. In this
5 case, there was a one-count administrative
6 complaint alleging that Respondent violated
7 Section 550.2415(1)(a), Florida Statutes, and
8 Rule 61D-6.008(3)(a) by racing a horse with an
9 impermissible amount of phenylbutazone -- I'm
10 sorry -- with flunixin in its system.

11 We've also received a settlement and
12 consent order that was notarized and issued a
13 written warning to Respondent. This is
14 Respondent's first violation, and the Division
15 would ask the Commission to enter an order
16 adopting the consent order in this case.

17 COMMISSIONER BROWN: May I please get a
18 motion to approve the consent order?

19 COMMISSIONER D'AQUILA: Motion to approve
20 the consent order.

21 COMMISSIONER DRAGO: Second.

22 COMMISSIONER BROWN: Without objection,
23 we'll go ahead and approve the consent order.

24 And with that, thank you, Ms. Alvarado, for
25 making the presentations on these items.

1 We are going to Item Number 4.1, 4.2, and
2 4.3, license denials.

3 MR. TAUPIER: Marc Taupier, for the record.

4 Item 4.1 is Stephon Tyjuan Reed, Case
5 Number 2022-052442. This is before the
6 Commission on an application for a cardroom
7 employee occupational license that was submitted
8 on October 31, 2022.

9 This was before the Commission last month.
10 This individual does have a conviction for
11 having a firearm without a concealed permit.
12 The Commission wanted to get further information
13 regarding whether or not he obtained his permit.
14 We did have Ms. Glenda Ricks reach out to him.
15 He did everything that he was supposed to, but
16 because he is a convicted felon, DAG did not
17 give him his license, so he does not currently
18 have one.

19 Therefore, at this time, the recommendation
20 is still to issue a notice of intent.

21 COMMISSIONER BROWN: Thank you, and thank
22 you for following up. But just a clarification.
23 He's a convicted felon because he didn't have a
24 concealed weapon license?

25 MR. TAUPIER: Right.

1 COMMISSIONER BROWN: Commissioners, any
2 questions?

3 COMMISSIONER DRAGO: I don't know if I have
4 a question. Maybe a comment, I guess. There
5 seems to be signs at least of rehabilitation
6 with this individual that I can see. In other
7 words, he has been holding a job. He has
8 completed his probation early. Actually, the
9 judge released him early because he followed all
10 the conditions of probation.

11 So I have trouble with this one, I guess is
12 what I'm trying to say, in preventing this
13 person from going further in his career because
14 of that incident, since it does appear that --
15 from what I can see, that he's got no other
16 criminal record. He's been clean ever since.
17 He's been working. He's working, I believe, at
18 the facility now. So I have a problem with
19 going forward with this.

20 I don't know if you all want to make a
21 motion or you want to talk.

22 COMMISSIONER BROWN: No. I would love to
23 hear -- Commissioner D'Aquila?

24 COMMISSIONER D'AQUILA: So I read through
25 all the evidence that you provided and so forth.

1 I wanted to make sure my understanding is
2 correct. The individual has paid all fines,
3 answered all requests. I believe my
4 understanding is correct that the gun was held
5 at a time when he was working as an Uber driver.
6 Is that correct? Was that proven?

7 MR. TAUPIER: I was going to save that for
8 cross-examination, but to maybe alleviate some
9 of the concerns that the Commission may have,
10 during the interview process, he said he was
11 working as an Uber driver and that he was
12 robbed. However, post Miranda in the police
13 report, it was a drug deal gone bad. So he was
14 not truthful to the Commission when he was
15 giving the interview. And, therefore, that is
16 why we have a little bit of heartburn as to not
17 recommending anything other than a notice of
18 intend to deny.

19 COMMISSIONER BROWN: Any follow-up?

20 COMMISSIONER D'AQUILA: No further
21 questions.

22 COMMISSIONER BROWN: I actually had a note
23 on here, defer to Commissioner Drago, right, on
24 this. So I was inclined to agree with
25 everything that Commissioner Drago said from the

1 beginning, but this post Miranda kind of --

2 COMMISSIONER DRAGO: Yeah, I agree. It's
3 kind of a horse of a different color at this
4 point. Yeah, I think that changes it entirely
5 in terms of rehabilitation and so forth. So
6 never mind what I said before.

7 COMMISSIONER BROWN: So with that, could I
8 get a motion to approve the staff recommendation
9 for 4.1?

10 COMMISSIONER DRAGO: I move to approve the
11 staff recommendation.

12 COMMISSIONER D'AQUILA: I will second the
13 motion.

14 COMMISSIONER BROWN: Thank you. Without
15 objection, we will go ahead and move to approve
16 the motion to -- intent to deny. Thank you.

17 4.2, please.

18 MR. TAUPIER: Item 4.2 is Ms. Deon Rogers,
19 Case Number 2023-004431. This is before the
20 Commission on an application for a slot
21 machine/cardroom/pari-mutuel combination
22 occupational license that was submitted on
23 January 19th of 2023. Upon review of that
24 application, it appears that Ms. Rogers was
25 convicted of failing to redeliver hired property

1 greater than \$300 in the year of 2016.

2 With that, I do want to put on the record
3 that she was offered a diversion program for
4 this charge. She did not complete that
5 diversion program, which led to the ultimate
6 conviction. I don't see anything pending other
7 than this one conviction. She did tell us about
8 it.

9 At this point, because there is no waiver
10 process and we cannot waive, or the Executive
11 Director cannot waive for these types of license
12 applications, the recommendation is to issue a
13 notice of intent to deny.

14 COMMISSIONER BROWN: Thank you,
15 Mr. Pierre -- I'm sorry, Marc. Could you
16 describe her response when you were talking to
17 her and discussed this, her licensing and the
18 particular crime?

19 MR. TAUPIER: I never talked to her.

20 COMMISSIONER BROWN: Oh, okay.

21 MR. TAUPIER: But I know these types of
22 crimes are usually failing to bring back a
23 U-Haul on time or renting from Rent-A-Center and
24 failing to pay it off. The fact that there was
25 a diversion program offered, it is usually

1 offered only to crimes that are less serious.

2 Again, the fact that she didn't complete
3 it -- I don't know exactly why -- is a little
4 bit concerning. But I think we can maybe ask
5 that through an informal hearing, exactly what
6 happened.

7 COMMISSIONER BROWN: Any comments or
8 questions? If not, I can take a motion,
9 either one.

10 COMMISSIONER DRAGO: I'll so move.

11 COMMISSIONER BROWN: Okay. Motion to --
12 and that motion would be to -- a notice of
13 intent to deny. Thank you.

14 COMMISSIONER D'AQUILA: I will second that
15 motion.

16 COMMISSIONER BROWN: Okay. Without
17 objection, we'll go ahead and approve the motion
18 with the intend to deny.

19 And the last item under this is 4.3.

20 MR. TAUPIER: 4.3 is Shatik Nyrobi Taylor,
21 Case Number 2023-009060. This is before the
22 Commission on an application for a slot
23 machine/cardroom/pari-mutuel combination
24 occupation license which was submitted on
25 February 7th of 2023. On completion and review

1 of that application, it appears that the
2 applicant was convicted of several felony crimes
3 to which -- it was tampering or fabricating
4 evidence in 2023, carrying a concealed firearm
5 in 2020.

6 He was -- he was placed on probation for a
7 period of two years, picked up an additional
8 charge of trafficking in or selling a (1) (a)1
9 drug under 893. That probation was reinstated.
10 However, that probation has been extended until
11 May 2nd of 2023. The charges were ultimately
12 dropped which caused the VOP, which is probably
13 why probation was reinstated. But at this time,
14 the only convictions we see are those.

15 COMMISSIONER BROWN: Thank you. If there
16 are no questions on this item, we can take a
17 motion for notice of intent to deny.

18 COMMISSIONER D'AQUILA: I would like to
19 make a motion for the issuance of a notice of
20 intent to deny.

21 COMMISSIONER DRAGO: Second.

22 COMMISSIONER BROWN: Okay. Without
23 objection, we will go ahead and approve that
24 item. Thank you.

25 MR. TAUPIER: Thank you.

1 COMMISSIONER BROWN: Moving on to Item 5,
2 discussion of final orders.

3 MS. ALVARADO: This is Emily Alvarado, for
4 the record.

5 FGCC vs. Danny Perlaez is Item 5.1, Case
6 Number 2022-040952. This case was a one-count
7 administrative complaint alleging that
8 Respondent was subject to exclusion from all
9 pari-mutuel and slot machine facilities based on
10 his exclusion from Magic City Casino. He was
11 excluded for removing another patron's chips
12 from underneath a table and claiming them as his
13 own.

14 The Respondent sent in an election of
15 rights requesting a final order be entered
16 against him imposing a penalty in this case.
17 Therefore, the Division would ask that the
18 Commission enter a final order adding Respondent
19 to the permanent exclusion list.

20 COMMISSIONER BROWN: Thank you. If there
21 are no questions on this item, can we get a
22 motion to approve the final order?

23 COMMISSIONER DRAGO: So move.

24 COMMISSIONER D'AQUILA: Second.

25 COMMISSIONER BROWN: Without objection,

1 we'll go ahead and approve that motion.

2 All right. 5.2.

3 MS. ALVARADO: Item 5.2 is Ernesto Perez,
4 Case Number 2022-057500. This case was a
5 one-count administrative complaint alleging that
6 Respondent is subject to exclusion from all the
7 pari-mutuel and slot machine facilities based on
8 his exclusion from Casino Miami. He was
9 excluded for allowing another patron to cash out
10 his winnings that -- he won a jackpot.

11 Mr. Perez responded with an election of
12 rights requesting a final order be entered
13 against him. And the Division would ask that
14 the Commission enter a final order adding
15 Respondent to the permanent exclusion list.

16 COMMISSIONER BROWN: All right. Are there
17 any questions on this item? If not, can I get a
18 motion to approve the final order?

19 COMMISSIONER D'AQUILA: I'll make a motion
20 to approve the final order permanently excluding
21 Mr. Perez from all pari-mutuel and slot machine
22 facilities in the state.

23 COMMISSIONER BROWN: Thank you.

24 COMMISSIONER DRAGO: Second.

25 COMMISSIONER BROWN: Without objection,

1 we'll go ahead and approve that motion and that
2 final order.

3 5-point -- no. We're done with 5. Moving
4 on to 6, discussion of application for transfers
5 of permitholder tax credit/exemption.

6 Good morning.

7 MS. SWAIN: These are all tax credits of
8 different permitholders. Do you want me to go
9 through them individually, or do you want me to
10 do them as a whole?

11 COMMISSIONER BROWN: Commissioners, do you
12 have a preference to go separate or all
13 together?

14 COMMISSIONER D'AQUILA: I would opt to do
15 them all together.

16 COMMISSIONER BROWN: Okay.

17 COMMISSIONER D'AQUILA: We have reviewed
18 them.

19 MS. SWAIN: All of them are for transfers
20 of tax credits to Daytona Beach Kennel Club.
21 One is from 831 Federal Highway Acquisition
22 Holdings, LLC; one is Sarasota Kennel Club;
23 Washington County Kennel Club; and License
24 Acquisition.

25 All the requirements of the statutes have

1 been met, of 550.0951(1)(b) that authorizes the
2 transfer of these tax credits. And the staff
3 recommendation is for them all to be approved.

4 COMMISSIONER BROWN: Thank you, Ms. Swain.

5 Are there any questions on any of these
6 items, 6.1 through 6.4? If not, unless legal
7 counsel has an objection, if we could take a
8 motion to approve all of those items as
9 presented.

10 Do you have an objection if we group them?

11 MR. MARSHMAN: No, no objection.

12 COMMISSIONER BROWN: Okay. If we could get
13 a motion to approve all the items under 6.1
14 through 6.4.

15 COMMISSIONER D'AQUILA: I make a motion to
16 approve Items 6.1 - 6.4 for the transfer of the
17 tax credits as presented by Ms. Swain.

18 COMMISSIONER DRAGO: Second.

19 COMMISSIONER BROWN: Without objection,
20 we'll go ahead and approve those items. And
21 thank you.

22 Okay. We are moving on to Item 7, the
23 discussion of South Marion Real Estate Holdings,
24 LLC's notice of voluntary dismissal of amended
25 petition or waiver of rule.

1 Ross?

2 MR. MARSHMAN: Good morning again.

3 The Commission was previously asked to
4 consider issuing a waiver of variance. The
5 Petitioner was South Marion Real Estate Holdings
6 and another individual who wanted to play at the
7 cardroom at which he was also employed.

8 The Petitioners in that matter have filed a
9 notice of voluntary dismissal, meaning that they
10 are seeking to proceed no further with this
11 matter. So I would recommend to the Commission
12 that we issue a final order acknowledging the
13 notice of voluntary dismissal and close this
14 matter.

15 COMMISSIONER BROWN: Commissioner D'Aquila.

16 COMMISSIONER D'AQUILA: I would like to
17 make that motion.

18 COMMISSIONER BROWN: He stated it very
19 clearly. Is there a second?

20 COMMISSIONER DRAGO: Second.

21 COMMISSIONER BROWN: Okay. Without
22 objection, we'll go ahead and approve the motion
23 as presented. Thank you, Ross, Mr. Marshman.

24 Item Number 8 is the discussion of license
25 application for Greyhound permitholders. There

1 are a lot of items under here. And again, we
2 don't have public comment on these, on any of
3 these items. If there are -- I see Dixie,
4 Ms. Parker coming up here.

5 Ms. Pouncey, how would you like to present
6 these items before us today?

7 MS. POUNCEY: Yes, ma'am. I have actually
8 ordered them in a manner that we can group them
9 separated by industry, but then like the first
10 group is no performances with tables, the next
11 group will be no performances with no tables,
12 and so on.

13 COMMISSIONER BROWN: That sounds
14 appropriate. Commissioners, are you okay with
15 that grouping?

16 Okay. Please proceed with 8.1.

17 MS. POUNCEY: Yes, ma'am.

18 Before we begin, I'd like the opportunity
19 to introduce Ms. La'Keshia Jelks. She is our
20 cardroom administrator. As you know, there's a
21 lot of information on this agenda meeting. She
22 has been instrumental -- she's hiding in the
23 back -- in making sure that we receive them all
24 by the statutory guidelines, that all the
25 information submitted was correct, and also

1 compiling it all so that it could be presented
2 to you in this meeting. And I just wanted to
3 make sure that she and you knew how much I
4 appreciate everything she's done to make this
5 come full circle.

6 COMMISSIONER BROWN: Well, that's very
7 nice. Thank you so much for bringing her.
8 Thank you for the opportunity to come before us,
9 and we're grateful for the work you're doing.

10 Commissioner D'Aquila.

11 COMMISSIONER D'AQUILA: I would just add,
12 thank you for all your hard work and dedication.
13 We appreciate it.

14 COMMISSIONER BROWN: Thank you.

15 All right. With that, 8.1.

16 MS. POUNCEY: Yes, ma'am. So we were going
17 to group 8.1 through 8.6 [sic]. These are all
18 Greyhound permitholders that have no scheduled
19 performances but have tables.

20 The first -- okay. So the first is Case
21 Number 2023-001330 and Case 2023-001333. This
22 is TBD Entertainment d/b/a TGT Poker and
23 Racebook and/or Lucky's Cardroom. They are
24 applying for an annual operating license and an
25 annual cardroom operating license. The total

1 number of tables and fees paid were \$17,000.

2 8.2 is Case Number 2023-001563,
3 2023-005174. This is 831 Federal Highway
4 Acquisition Holding d/b/a The Big Easy. They
5 have applied for zero performances annual
6 operating license and 30 cardroom tables for
7 their cardroom operating license.

8 2023-004854, 2023-004857 is Bonita Fort
9 Myers d/b/a Bonita Springs Poker Room. They
10 have applied for an operating license for zero
11 performances and an operating license for 37
12 cardroom tables.

13 The next is 2022-059854, 2022-059972. This
14 is Daytona Beach Kennel Club d/b/a Daytona Beach
15 Poker, Daytona Beach Racing and Card Club. They
16 have applied for zero performances for their
17 annual operating license and 58 tables in their
18 annual cardroom license application.

19 2023-005172, 2023-005180 is 831 Federal
20 Highway Acquisition, LLC, d/b/a The Big Easy
21 Casino. They have applied for zero performances
22 on their annual operating license and 30
23 cardroom tables on their annual cardroom
24 license.

25 2023-002866, 2023-002868 is bestbet

1 Jacksonville d/b/a bestbet and/or bestbet
2 Jacksonville. They have applied for zero
3 performances on their annual operating license
4 and 92 tables in their annual cardroom license
5 application.

6 2023-003148, 2023-003152 is bestbet
7 Orange Park d/b/a bestbet or bestbet
8 Orange Park. They've applied for zero
9 performances and 37 tables in their annual
10 cardroom license renewal.

11 2023-003644, 2023-003646 is Investment Corp
12 of Palm Beach d/b/a Palm Beach Kennel Club.
13 They have applied for zero performances in their
14 annual operating license and 67 card tables in
15 their annual cardroom license application.

16 2023-001131, 2023-001132 is Pensacola
17 Greyhound Racing, LLP d/b/a Pensacola Greyhound
18 Racing or Pensacola Greyhound Park. They've
19 applied for zero performances in their annual
20 operating license application and 20 tables in
21 their annual cardroom application.

22 2023-002848 and 2023-002849 is
23 St. Petersburg Kennel Club d/b/a Derby Lane.
24 They've applied for zero performances in their
25 annual operating license and 55 tables in their

1 annual cardroom license application.

2 2023-002477, 2023-002478 is Sarasota Kennel
3 Club, Inc. d/b/a One-Eyed Jack's Poker Room.
4 They've applied for zero performances in their
5 annual operating license and 32 tables in their
6 annual cardroom license application.

7 2023-002244, 2023-002247, Washington County
8 Kennel Club, has applied -- excuse me -- d/b/a
9 Ebro Greyhound Park, has applied for zero
10 performances in their annual operating license
11 and 25 cardroom tables in their cardroom
12 operating license.

13 2023-004888, 2023-004891, West Flagler
14 Associates, Ltd. d/b/a Flagler Dog Track, has
15 applied for zero performances in their annual
16 operating license, with 25 cardroom tables in
17 their annual cardroom license application.

18 2023-003108, 2023-003109 is bestbet
19 St. Augustine d/b/a bestbet or bestbet
20 St. Augustine. They've applied for zero
21 performances in their annual operating license
22 renewal and 49 tables in their annual cardroom
23 license renewal.

24 2022-059991, 2022-059994, West Volusia
25 Racing, Inc. d/b/a Orange City Racing and Card

1 Club or Orange City Poker, has applied for zero
2 performances in their annual operating license
3 and 40 tables in their annual cardroom license
4 application.

5 And 2022-060683 and 2023-001117 is
6 Melbourne Park. They have applied for zero
7 performances in their annual operating license
8 and 38 tables in their annual cardroom
9 application.

10 Each of the previous mentioned
11 permitholders have submitted proof with their
12 application that they possess the qualifications
13 prescribed in Chapter 550. Each of the
14 permitholders has elected to open a cardroom and
15 provide card tables and has applied and paid the
16 associated fees. Each of the permitholders
17 referenced has satisfied all the requirements,
18 and it's recommended that these items, 1.8
19 through 1.6, be approved.

20 COMMISSIONER BROWN: You mean 8.1 through
21 8.16; right?

22 MS. POUNCEY: Thank you.

23 COMMISSIONER BROWN: Thank you.

24 Commissioners, there's a lot of information
25 to process these annual applications, and I

1 appreciate Ms. Pouncey succinctly summarizing
2 the high points for all of them. If you don't
3 have any questions on any items -- I'm looking
4 around -- then we are ripe to take a motion.

5 Again, Counsel, can we -- since Ms. Pouncey
6 presented them and -- they're on the record. We
7 can go ahead and take a bulk motion?

8 MR. MARSHMAN: Yes, ma'am.

9 COMMISSIONER BROWN: Okay. Commissioners,
10 can we please get a motion to approve the
11 license renewal applications for 8.1 through
12 8.16?

13 COMMISSIONER D'AQUILA: I make a motion to
14 approve 8.1 through 8.16, a motion for approval
15 for each of the license renewals.

16 COMMISSIONER BROWN: Thank you.

17 COMMISSIONER DRAGO: Second.

18 COMMISSIONER BROWN: All those in favor
19 signify by saying "aye." Aye.

20 COMMISSIONER D'AQUILA: Aye.

21 COMMISSIONER DRAGO: Aye.

22 All right. Thank you. 8.17, please.

23 MS. POUNCEY: And I would like to group
24 8.17, 8.18, and 8.19 together. These three
25 permitholders have all applied for no

1 performances and no tables. They are permit --
2 or excuse me -- Case Number 2022-060478, Penn
3 Sanford, LLC d/b/a Sanford Orlando Kennel Club;
4 2023-003432, License Acquisitions d/b/a Palm
5 Beach Greyhound Racing; 2022-060486, SOKC, LLC
6 d/b/a Sanford Orlando Kennel Club.

7 As I said, each of these have applied for
8 zero performances in their annual operating
9 license and did not play -- did not apply for an
10 annual cardroom license. They submitted proof
11 with their license application that the
12 possessed the qualifications prescribed in
13 Chapter 550, and the Division recommends that
14 these licenses be approved.

15 COMMISSIONER BROWN: Thank you.

16 Commissioners, do you have any questions on
17 8.17 through 8.19?

18 COMMISSIONER D'AQUILA: I do not.

19 COMMISSIONER BROWN: All right. Can we get
20 a motion to approve the annual license
21 applications on those items?

22 COMMISSIONER DRAGO: What are the numbers
23 again?

24 COMMISSIONER BROWN: 8.17 through 8.19.

25 COMMISSIONER DRAGO: I would like to make a

1 motion to approve 8.17 through 8.19 according to
2 the staff recommendation.

3 COMMISSIONER D'AQUILA: I will second that
4 motion.

5 COMMISSIONER BROWN: All those in favor
6 signify by saying "aye." Aye.

7 COMMISSIONER D'AQUILA: Aye.

8 COMMISSIONER DRAGO: Aye.

9 COMMISSIONER BROWN: Thank you.

10 All right. We are moving on to Item
11 Number 9, discussion of license applications for
12 jai alai permitholders.

13 MS. POUNCEY: Again I would like to group
14 Items 9.1 through 9.5. Each of these have
15 applied for zero performances with tables.

16 The first is 2023-004635, 2023-004637,
17 which is Miami Jai-Alai, LLC d/b/a Casino Miami
18 or Casino Miami Jai-Alai; 2023-002403,
19 2023-002404, OBS Real Estate Holdings, LLC d/b/a
20 Ocala Gainesville Poker; 2023-004455,
21 2023-004457, Fronton Holdings, LLC d/b/a as Fort
22 Pierce Jai-Alai -- and I think I screwed this
23 up.

24 Okay. So I missed -- Casino Miami is no
25 performances with 18 tables; OBS Real Estate

1 Holdings is no performances with five tables.

2 Where we stand is Fronton Holdings, which
3 is no performances with 20 tables; then flowing
4 through to 2023-007950, 2023-010161, Dania
5 Entertainment, zero performances, 22 tables.
6 And then last in this group is 2023-000892,
7 2023-000896, Calder Race Course, with zero
8 performances and eight tables. So sorry about
9 that.

10 COMMISSIONER BROWN: No. Thank you for
11 that clarification.

12 Commissioners, do you have any questions on
13 9.1 through 9.5? If not, can we get a motion to
14 approve the annual renewal license applications
15 for these permitholders?

16 COMMISSIONER D'AQUILA: I will make a
17 motion to approve 9.1 through 9-5, annual
18 renewal of their license.

19 COMMISSIONER BROWN: Thank you.

20 COMMISSIONER DRAGO: Second.

21 COMMISSIONER BROWN: All those in favor say
22 "aye." Aye.

23 COMMISSIONER D'AQUILA: Aye.

24 COMMISSIONER DRAGO: Aye.

25 COMMISSIONER BROWN: Thank you. Moving on

1 to 9.6 and 9.7.

2 MS. POUNCEY: We're actually going to do
3 9.6 separately. They have performances
4 scheduled and have applied for an annual
5 cardroom operating license. It's Case Number
6 2023-005427, 2023-005429, Dania Entertainment
7 d/b/a Dania Jai-Alai and/or The Casino at Dania.

8 They have applied for 91 performances in
9 their annual operating license application and
10 have 20 -- applied for 22 tables in their annual
11 cardroom license application. And the Division
12 recommends approval.

13 COMMISSIONER BROWN: Thank you.

14 Commissioners, do you have any questions on
15 9.6, Dania?

16 I want to commend them for continuing to
17 have performance -- jai alai performances too,
18 keeping up that spirit. I'm very excited for
19 that industry to continue onward.

20 So is there a motion to approve Item 9.6?

21 COMMISSIONER DRAGO: So move to approve.

22 COMMISSIONER D'AQUILA: I will second.

23 COMMISSIONER BROWN: All those in favor say
24 "aye." Aye.

25 COMMISSIONER D'AQUILA: Aye.

1 COMMISSIONER DRAGO: Aye.

2 COMMISSIONER BROWN: 9.7, please.

3 MS. POUNCEY: So 9.7, 9.8, 9.9, and 9.10
4 are grouped together. They are permitholders
5 that have performances scheduled that do not
6 have --

7 COMMISSIONER BROWN: Ms. Pouncey, we have a
8 speaker card on 9.8. Could you just do 9.7
9 first, please?

10 MS. POUNCEY: Absolutely.

11 COMMISSIONER BROWN: Thank you.

12 MS. POUNCEY: So 9.7 is 2023-004328,
13 Orlando Live Events d/b/a -- excuse me. RB Jai
14 Alai d/b/a Orlando Live Events. They have
15 applied for 40 performances in their annual
16 operating license application and zero cardroom
17 tables. The Division recommends approval.

18 COMMISSIONER BROWN: If there are no
19 questions, can we please get a motion to approve
20 the annual license on 9.7?

21 COMMISSIONER DRAGO: So move to approve.

22 COMMISSIONER D'AQUILA: I will second.

23 COMMISSIONER BROWN: All those in favor say
24 "aye." Aye.

25 COMMISSIONER D'AQUILA: Aye.

1 COMMISSIONER DRAGO: Aye.

2 COMMISSIONER BROWN: Thank you.

3 With that, we have a speaker that is signed
4 up for 9.8. Does staff want to just introduce
5 the item first?

6 MS. POUNCEY: Item 9.8, Case 2023-005129,
7 West Flagler Associates, Ltd. d/b/a Magic City
8 Poker and Jai-Alai, Magic City Casino Jai-Alai
9 and/or Magic City Jai-Alai. And for
10 clarification, this is Permit Number 283.

11 COMMISSIONER BROWN: Okay. Thank you.

12 Commissioners, if there are no questions,
13 I'm going to go ahead and turn to -- it looks
14 like we have another speaker card coming up
15 here. But we have a speaker signed up, Mr. Marc
16 Dunbar.

17 If you could, Mr. Dunbar, come up to the
18 podium. Thank you. Good morning.

19 MR. DUNBAR: Thank you. Good morning,
20 Commissioners. Thank you. And thank you to the
21 staff for the conversations we've had leading up
22 to this. I'll try to be brief.

23 For the record, Marc Dunbar on behalf of
24 the Seminole Tribe of Florida.

25 Not to rehash discussions we've had in

1 prior meetings related to this particular
2 permit, I've pointed out prior that there was a
3 lease issue involved in the transaction, which
4 now is coming forward from a licensing
5 standpoint.

6 And the concerns that we have, you know,
7 from the Seminole Tribe, is that the Commission
8 was charged with a strict approach to regulating
9 the industry. And the idea was to give you a
10 body of statutes, strictly construe them, and
11 help to keep the industry constrained. And
12 where you thought there was ambiguity or a need
13 for a more liberal construction, the idea was to
14 go to the Legislature and seek the authorization
15 for clarification.

16 If I'm reading this agenda item correctly,
17 what is about to -- and I know that the staff
18 recommendation on the vast majority of items is
19 that the Commission should grant the license.
20 On this one, it is that the Commission can grant
21 the license.

22 And I think it's important, because I think
23 the statutes are pretty clear on what leasing is
24 allowed and not allowed under the statutes. And
25 from our perspective, we don't believe this

1 license can be granted in this fashion under
2 this lease. And let me just make sure you guys
3 understand what happened.

4 So originally the lease was proposed as a
5 lease between a Greyhound permitholder -- this
6 is, of course, post acquisition by Gretna
7 Racing -- a Greyhound permitholder to a jai alai
8 fronton.

9 550.475 is the leasing statute. And there
10 have been other leasing statutes that we can
11 talk about, and I can get into the history of
12 this leasing statute and why it came to be. But
13 the statute is pretty clear. You have to lease
14 to a same class. It's simple, Greyhound to
15 Greyhound, horse to -- Thoroughbred to
16 Thoroughbred, jai alai to jai alai. Obviously,
17 when -- there's a jai alai fronton on the
18 property. West Flagler owned four permits, so
19 they had two permits on this location.

20 They are not acquiring -- they are not
21 taking the jai alai fronton. They didn't carve
22 that out. So the Greyhound permitholder is
23 acquiring the jai alai fronton. So the
24 Greyhound track would have been leasing, or it
25 was proposed that they would lease to the jai

1 alai fronton permitholder.

2 As of last night when we were able to see
3 the supplemental documents, the documents have
4 changed. And now it is the Greyhound
5 permitholder leasing, essentially, to a straw
6 man, a non-pari-mutuel permitholder, and that
7 straw man is leasing to a jai alai fronton.

8 Now, there's no authorization in the
9 statutes whatsoever for a non-pari-mutuel to
10 lease to a pari-mutuel, period. This concept of
11 a straw man, whether it's a licensed straw man
12 in terms of a business entity or an individual
13 or not, there's no authorization for that. and
14 historically, there's been a reason for that.

15 Pari-mutuel permits are polled in this
16 fashion: You apply to the regulator -- it used
17 to be the Pari-Mutuel Commission, DBPR, now the
18 Gaming Commission. You grant them a pari-mutuel
19 permit, and that pari-mutuel permit specifies a
20 particular location in a particular county, at
21 which point in time you go to the county, and
22 you're entitled to a referendum so you can tell
23 the people in that community, "We are planning
24 to do pari-mutuel wagering and all the other
25 ancillary gambling at this particular location."

1 The community has a referendum on it. They
2 either approve or deny it. There's a history of
3 denials, and there's certainly a history of
4 approvals, but the idea is for it to be locked
5 into a location so the community knows where
6 it's going to be.

7 If the statutes allowed for this concept of
8 a straw man, the idea of polling a location
9 would be irrelevant. It would just be "Can we
10 do pari-mutuel gaming in this community and
11 allow it to float wherever it wants," and
12 particularly down in Miami-Dade County, where
13 these permits are has been a matter of
14 controversy.

15 Most recently, Mayor Gelber and lawyers on
16 his behalf sent correspondence up to the Bureau
17 of Indian Affairs and the Department of the
18 Interior commenting on rules, saying that they
19 were concerned that the rule workshop that's
20 going on federally was going to eviscerate the
21 ability for locals to essentially control where
22 gaming is in Miami-Dade County.

23 I would just encourage you as you
24 deliberate over this item to look at the
25 statute. I don't know if you have the benefit

1 of the history of the statute, but to give
2 you -- it came in in the '50s and '60s, and the
3 idea was -- it was when there were some
4 struggles around Quarter Horse racing and also
5 summer Thoroughbred racing was introduced into
6 South Florida.

7 So the idea was to allow for permitholders
8 to poll and test out the viability of the
9 activity and lease it in an existing location
10 that's already been approved for gaming activity
11 in the community. And if they were successful,
12 then they would build a facility and move on.
13 That's how Calder got up and running. That's
14 how a number of Quarter Horse permitholders
15 started and stopped, starting with Ponce de Leon
16 and Seminole and some of the others.

17 The idea was that these were very -- they
18 were struggling activities. They weren't sure
19 if they were going to be economically viable. A
20 permitholder goes out of business, a new
21 permitholder wanted to give it a try, and so
22 they would lease from the dormant permitholder.

23 In this marketplace, if you pull up Google
24 Maps and you just do a little bit of measuring,
25 you will see there are multiple jai alai

1 frontons within 35 miles of the current
2 licensee's location. They don't have to lease
3 from a straw man at a Greyhound track. They can
4 lease from another jai alai fronton in the
5 community. I mean, that's the idea behind the
6 statute.

7 And I'll just leave you with this. If they
8 couldn't do it directly, leasing from a
9 Greyhound permitholder that you regulate and
10 have regulated hooks into, why would this
11 Commission bend the statutes to let them lease
12 from somebody that's not regulated?

13 These are the kind of things that back in a
14 different time gaming regulators looked at very
15 carefully, because this is the way money and
16 activity leaked outside the process. You had
17 catering companies that would be paid in excess
18 of what the market rate was. There were all
19 kinds of ways to essentially have money move
20 around the gaming activity to nonregulated
21 entities, to entities that couldn't otherwise
22 get licensed.

23 Now, I'm not saying that the owners of
24 Hecht Investments, Ltd. are irregulated (ph).
25 They're very good operators. But what's the

1 precedent you're setting on a moving-forward
2 basis? If any straw man essentially can be the
3 go-between to prop one of these facilities up
4 that otherwise is not going to build a location
5 for themselves or -- you're setting a very
6 dangerous precedent, which has never been
7 supported in the 90-plus years that the
8 pari-mutuel industry has operated in Florida.

9 So I would just caution you on this. You
10 have time. You know, the deal still has to
11 close. These licenses don't happen until July
12 1st. At a minimum, I would look at the history
13 of this to see whether or not anything remotely
14 close was intended by this statute or has
15 happened since. There are options to this
16 permitholder.

17 I just think going through a straw man is
18 not at all consistent with the statute or the
19 charge of this Gaming Commission to look at the
20 statutes, strictly construe them, if there's an
21 issue, you let the Legislature know, and then
22 let the Legislature provide the clarification
23 for the activity.

24 COMMISSIONER BROWN: Thank you, Mr. Dunbar.
25 Are there any questions? Thank you.

1 We have another speaker on this item,
2 Mr. John Lockwood.

3 MR. LOCKWOOD: Good morning. Can everybody
4 hear me okay? Perfect. Thank you. Good to see
5 you again.

6 I'm beginning to think Mr. Dunbar just
7 doesn't like me at this point in time. He seems
8 to always have an issue with the things I have
9 to say.

10 First off, I wholeheartedly disagree with
11 his description of the leasing statute and what
12 it applies for. Myself and Marc have been
13 involved in multiple lawsuits over what Section
14 550.475 allows, and it's always -- every single
15 court case, every single legislative staff
16 analysis has always applied .475 when an
17 operator is going to conduct performances at a
18 location for which it was not originally
19 permitted.

20 So the only reason we have leases here for
21 these permits in the statute, specifically
22 Permit Number 280 and Permit Number 286, is
23 because they -- Permit Number 280 was originally
24 the Miami Beach Kennel Club permit. It was
25 converted into a jai alai permit and is located

1 at Miami Jai-Alai. That is its location. It
2 has a lease under .475 to operate at the Magic
3 City Casino.

4 Permit Number 286 was recently issued a few
5 years ago by the Division of Pari-Mutuel
6 Wagering. It's also not located at the Magic
7 City Casino. It's located in the Edgewater area
8 of Miami, downtown Miami. It also operates
9 pursuant to .475 at the Magic City Casino.

10 Permit Number 283, its location is the
11 Magic City Casino. That is what it is permitted
12 for. And under 550.054, Florida Statutes, it's
13 authorized to lease that location because that
14 is which it was originally permitted for.

15 .475, in my opinion, doesn't even apply to
16 this. However, staff raised the issue that
17 maybe this lease between Gretna and West Flagler
18 may have some implications under .475 because of
19 the two permitholders. So, yes, we have put in
20 a third party between this to ensure that there
21 is no potential violation of the statute there.
22 However, I don't believe the statute restricts
23 this at all. It's always been .475 applies to
24 when you're locating at another facility for
25 which you were not originally permitted.

1 If you look at the application before us
2 and the license application, you have no leases.
3 You have no deeds from any other permitholders.
4 None of this is ever required when you're
5 actually operating at the facility for which you
6 were originally permitted.

7 And beyond that, this is about jai alai.
8 Commissioner Brown, you mentioned -- you had
9 commendations to Dania Jai-Alai for actually
10 continuing this sport. We just went through all
11 of these other operators. Nobody plays jai alai
12 anymore. West Flagler, they have no cardroom
13 licenses attached to these jai alai licenses.
14 They have no slot machines attached to these
15 jai alai licenses. They're doing it because
16 they truly care about the sport of jai alai.

17 Years ago, the Division tried to enact
18 restrictions on jai alai courts and how things
19 would be conducted in those, and they had a
20 vision at that time that they wanted to take
21 jai alai to the next level. It's been on ESPN.
22 It's been on national TV.

23 Billy Corben did a documentary, "Magic City
24 Hustle." I encourage you to watch it. You can
25 catch it on Amazon Prime, Apple TV. It talks

1 about everything this family has done to bring
2 jai alai back.

3 They've partnered with the University of
4 Miami to allow student athletes to come and
5 play. They can get paid. They can get health
6 insurance, all while they continue to dream of
7 playing professional sports.

8 This is about jai alai. This venue at the
9 Magic City Casino is state of the art. It's
10 beautiful. It's a wonderful auditorium. They
11 don't want to go play somewhere else.

12 If this was all about keeping the license
13 active, absolutely. We have a great
14 relationship with the owners of Dania
15 Entertainment Center. They're a client of mine.
16 Magic City Casino has been in the West Flager
17 family. They've had business relationships in
18 the past. Absolutely, they could go lease
19 there, but that's not what it's about. This is
20 a superior venue.

21 This license application, there are no
22 issues with it. It is not a violation of the
23 law. I don't believe that there's any issues at
24 all.

25 And so I would just encourage you to allow

1 this to go forward, because they are continuing
2 to keep jai alai alive. We've got well over a
3 million dollars a year in payroll. We've got
4 over 35 employees that are associated with this
5 fronton right now and these jai alai activities,
6 and we want to continue that for years to come.
7 We have no desire to stop.

8 And so with that, unless you have any other
9 questions, that's all I have.

10 COMMISSIONER BROWN: Thank you,
11 Mr. Lockwood.

12 Commissioners, do you have any questions?
13 Thank you.

14 I would like to have -- I was going to turn
15 to Ross to have kind of overview from a legal
16 standpoint of the posture that we're in right
17 now.

18 MR. MARSHMAN: Thank you. I'd like to
19 start, if I may, just by addressing some of the
20 comments we just heard for primacy purposes and
21 recency.

22 To allay any concerns that the Commission
23 doesn't have the full picture of what the
24 statutes have said historically, leasing
25 provisions were made part of Florida law in

1 1971. And it allowed for Thoroughbred and
2 Standardbred permitholders to lease their
3 facilities to other Thoroughbred and
4 Standardbred permitholders. And that
5 restriction on who they can lease to, lease
6 their facilities, has always been on the
7 landlord, the lessor.

8 So who is the permitholder that's going to
9 be leasing their facilities, that's what
10 originally 550.47 was concerned about, and that
11 is still true today. 550.475 is a restriction
12 on who the permitholder landlord can lease its
13 facilities to. So I see that as being
14 consistent from 1971 to 2023, how the law is
15 written today.

16 And there have only been amendments since
17 then that have increased the type of permits
18 that can lease their facilities. In '96,
19 dogracing was added to the statute. In 2000,
20 jai alai was specifically added to the statute.
21 And then in 2021, they omitted references to any
22 specific type of permit, and the statute reads
23 now, any holder of a valid pari-mutuel permit
24 can lease is facilities to another permitholder
25 of the same class. That's where we have that

1 cross-class restriction that I've described to
2 you previously.

3 So the law now I think is consistent with
4 how it's been in 1971. My interpretation of it
5 appears to comport with what was originally
6 written in 1971.

7 There has also been the concern raised that
8 perhaps the Commission can delay its
9 consideration of the application for Permit 283,
10 and by extension, 280 and 286, which are all the
11 jai alai permitholders that have submitted
12 applications in this cycle.

13 As we've discussed, again, previously,
14 there is a restriction in the statute on when
15 the Commission shall issue licenses for the
16 coming fiscal year. And my recommendation, at
17 least for 283, is to issue a conditional final
18 order approving the plan as proposed in the
19 materials, as described by Mr. Lockwood and
20 Mr. Dunbar; that if the acquisition of Permit
21 155 and its licenses and the facilities located
22 at the address, including most specifically the
23 fronton, if that is ultimately approved by the
24 Commission by way of a final order, then in 283
25 we have an additional final order approving

1 their application for jai alai at this facility
2 via the lease arrangement that has been
3 presented to you and described already by the
4 other speakers.

5 So I do think that we have to take action
6 by March 15th, and a license would be issued
7 then July 1st for the coming fiscal year.

8 And I'm not sure, Commissioner Brown, if
9 that addressed all of the issues you wanted me
10 to address, or any other Commissioner, but I'm
11 happy to answer any other questions or describe
12 any other aspect of this transaction as I
13 understand it.

14 COMMISSIONER BROWN: Thank you.

15 Commissioner D'Aquila.

16 COMMISSIONER D'AQUILA: Yes. Mr. Marshman,
17 a very good summary. Thank you.

18 By us issuing a conditional approval,
19 should this asset purchase which is referenced
20 in this application not occur, then the
21 condition would not -- what would happen here?

22 MR. MARSHMAN: If the Commission did not
23 issue a final order approving the asset purchase
24 agreement and the sale of 155, then West Flagler
25 would still possess Magic City Casino, the

1 premises. They would still possess a fronton,
2 so there would be no need for a lease. That
3 would have to be unwound, frankly, and
4 terminated, because West Flagler would be
5 authorized, based on its address, to perform
6 jai alai at it own address.

7 And then, again, because we're going to
8 have to talk about that in just a minute, 280
9 and 286 then would also be allowed to continue
10 to operate, because Magic City Casino or Magic
11 City Jai-Alai has always been able to lease its
12 facilities that it owns to Edgewater and to
13 Summer Jai Alai, 280 and 286. So if we denied
14 the asset purchase agreement, jai alai would
15 still continue, I believe, under 283, 286, and
16 280.

17 COMMISSIONER BROWN: Commissioner Drago?

18 COMMISSIONER DRAGO: Just a question about
19 the asset purchase. What's the status of that
20 now? Where are we with that? It has closed;
21 correct?

22 MR. MARSHMAN: That's correct.

23 COMMISSIONER DRAGO: And we're waiting
24 still for the final documents relating to that
25 closure, closing.

1 MR. MARSHMAN: The Commission has -- I'm
2 sorry. I didn't mean to cut you off.

3 COMMISSIONER DRAGO: No, that's fine.

4 MR. MARSHMAN: The Commission has received
5 documents from closing. However, those
6 documents are in excess of 500 pages, and staff
7 is still reviewing those materials to make sure
8 there are no material discrepancies from what
9 the Commission previously considered as part of
10 its February 9th meeting -- leading up to that
11 meeting, rather. And then in response to the
12 conditional final order, there were a few other
13 provisions we just need to make sure that the
14 parties have complied with.

15 I think it's reasonable to anticipate that
16 staff will have finished its review by the next
17 meeting, and we can add that topic to the agenda
18 for consideration at that time.

19 COMMISSIONER DRAGO: Thank you.

20 COMMISSIONER BROWN: Commissioner D'Aquila?

21 COMMISSIONER D'AQUILA: If I may, one more
22 question. There is nothing prohibiting a
23 landlord that has a building, themselves having
24 to be in the gaming business to be able to lease
25 in this particular case; correct?

1 And then the second part of the question
2 is, don't many of our license holders lease from
3 commercial landlords that have nothing to do
4 with the gaming industry?

5 MR. MARSHMAN: My answer to the first
6 question is, I don't believe there's a
7 restriction against a landlord leasing -- a
8 non-permitholder landlord leasing its --

9 COMMISSIONER D'AQUILA: Yes.

10 MR. MARSHMAN: -- space to a permitholder.
11 I think there is a restriction on a permitholder
12 landlord, a permitholder lessor, leasing to
13 another permitholder. I think that's the
14 fairest reading of 550.475, even in light of how
15 it was originally written and how it has been
16 subsequently amended.

17 And to answer your second question --
18 Mr. Trombetta or Mr. Dillmore can correct me if
19 I'm wrong, but I believe there are current
20 situations where license holders, permitholders
21 are operating pari-mutuel activities, cardrooms,
22 at a leased facility wherein the landlord is not
23 a permitholder.

24 MR. DILLMORE: Yes. Excuse me. Correct.
25 That's my understanding as well, that we do have

1 locations of pari-mutuel permitholders operating
2 at buildings not owned by permitholders.

3 COMMISSIONER BROWN: My question is about
4 the assumption that was made that Hecht -- that
5 this transaction of leasing from a permitholder
6 to this entity that's not a permitholder is
7 precedential in any way. And you're saying that
8 this happens, this structure is common or has
9 been used under current law, .475?

10 MR. MARSHMAN: I would clarify that point.
11 I don't believe that there's an instance where a
12 permitholder landlord leases its facilities to a
13 non-permitholder lessee, and then that lessee
14 subleases or executes another lease to a
15 permitholder. So I don't believe that that has
16 happened before.

17 COMMISSIONER BROWN: But just for
18 clarification on the record, you don't find it
19 to be problematic having this entity, this
20 middle entity leasing -- subleasing it to
21 another permitholder?

22 MR. MARSHMAN: I don't believe the
23 restriction in 550.475 is violated by this
24 arrangement.

25 And if any of the speakers have identified

1 problems with the language in the statute, the
2 solution is not bending the statute. It's
3 changing the way the statute is written. The
4 interpretation the Commission will adopt if you
5 adopt my recommendation is a fair and reasonable
6 reading of the statute as it is written today.
7 And if there are problems with the way the
8 statute is written, it can be solved at the
9 Legislature.

10 COMMISSIONER BROWN: I see Mr. Dunbar
11 standing up. If I'm going to give Mr. Dunbar an
12 opportunity to speak, I'm also going to give
13 Mr. Lockwood an opportunity to speak as well,
14 Commissioners, unless you object.

15 Okay. Mr. Dunbar?

16 MR. DUNBAR: And I apologize. I don't mean
17 to interrupt the flow. I just want to make sure
18 that I understand so that I can accurately
19 report this.

20 We're now going to go in a direction that,
21 if it is not prohibited under the pari-mutuel
22 code, then it is permitted. And the reason why
23 I say that is, what would be the purpose of the
24 Legislature passing specifically some
25 statutes -- because this isn't the only one.

1 There have been other leasing statutes. There's
2 a Quarter Horse leasing statute, a harness
3 leasing statute, a Thoroughbred leasing statute.
4 There's this leasing statute. They've changed
5 over time.

6 If the Legislature intended for the
7 activity to be permitted if it is not prohibited
8 by the statute, why would the Legislature have
9 needed to affirmatively place in the statute the
10 authorizations for leasing? And I worry on a
11 moving-forward basis because, again, the idea is
12 for these statutes to be strictly construed to
13 contain the activity. And I just think ahead of
14 what it is going to mean that if it is not
15 expressly prohibited, these gaming activities --
16 these gaming properties are going to be able to
17 do that.

18 That is a pretty significant departure, not
19 just from the way in the 25 years I've been
20 doing this here, but it's a pretty significant
21 departure from Gaming Regulation sort of 101.
22 The idea is these properties are to be strictly
23 regulated, that you're supposed to be able to
24 keep an eye on all those involved.

25 If in fact there are landlords that are

1 unlicensed that are leasing to pari-mutuel
2 facilities, I would say that's a significant
3 problem, and probably the only jurisdiction
4 that's leasing -- that's allowing a non-licensed
5 entity to lease to a gambling entity.

6 So I would just -- for clarity, I'm just
7 trying to make sure that I understand the
8 direction that we may be going. And I know
9 it's -- I'm a speaker. I'm not a Commissioner,
10 so you don't necessarily have to answer my
11 question, but I just -- it gives me pause.

12 COMMISSIONER BROWN: Thank you.
13 Commissioner D'Aquila has a question for you,
14 Mr. Dunbar.

15 COMMISSIONER D'AQUILA: Yes. Mr. Dunbar, I
16 think earlier I heard that there were -- that
17 there are many licensed facilities that are
18 currently leasing from landlords. They don't
19 necessarily own the building or the land that
20 they're operating on that are themselves -- the
21 landlords are not licensed. Is that true? Did
22 I understand correctly before?

23 MR. DILLMORE: Yes, that's my
24 understanding.

25 COMMISSIONER D'AQUILA: Or did I understand

1 you to say something contrary?

2 MR. DUNBAR: I will say --

3 COMMISSIONER D'AQUILA: I'm just confused
4 because I thought I heard two separate things.

5 MR. DUNBAR: If that is the case, that's
6 something that's popped up in this new sort of
7 decoupled cardroom-only jurisdiction.

8 The only -- the only entities that I'm
9 aware that would engage in -- before, when live
10 activity was mandated, would be sort of an
11 op-co/prop-co deal where you have the operating
12 business that lays on top of a land lease, but
13 there is a common parent between the two, and so
14 the land company is separated for tax and
15 liability reasons from the operating company.

16 That's a transaction that goes on all over
17 the place, and the op-co is the gaming licensee,
18 but the prop-co, the property company, is
19 licensed and is very scrutinized in terms of the
20 lease payments and things like that to make sure
21 that there are regulatory hooks into that.

22 If we have landlords that -- I'll use an
23 example. Sarasota, I think, operates in a strip
24 mall. I think the Seminole County Delaware
25 North permit operates in a strip mall. They may

1 be a couple of examples. If you -- if they
2 don't own those and they're actually leasing
3 from an unlicensed landlord, again, that would
4 be something unique.

5 I was not aware that that has gone on
6 historically, because that is -- you know, I
7 don't think that's consistent with the statute,
8 but like I said, it's also not consistent with
9 the way the vast majority of regulatory
10 jurisdictions approach things, because they want
11 everybody remotely associated with the gambling
12 revenues themselves to have a regulatory hook in
13 there to make sure that you don't have organized
14 crime figures essentially benefiting from gaming
15 revenues in an industry that they wouldn't
16 otherwise be able to get into.

17 COMMISSIONER D'AQUILA: If I may, I
18 understand your point, but I'm still confused as
19 to whether they exist or not. My specific
20 question is, do we have landlords currently in
21 the State of Florida that are not licensed
22 leasing the premises to licensed operators?

23 And I'll go one further. I believe,
24 Mr. Dunbar, if I understand you correctly,
25 you -- I think you hinted that that would be

1 news to you.

2 MR. DUNBAR: It was never done in the
3 sunshine at a public meeting like this, I can
4 tell you that. We would have never had -- we in
5 the industry would never have had the ability to
6 know that. It's not like it's noticed and then
7 we could have provided public input.

8 And as, you know, Mr. Lockwood has pointed
9 out, competitors -- there are standing issues to
10 raising these kind of issues that the courts
11 have acknowledged. The whole point of creating
12 the Commission was that these things happen in
13 the sunshine so that you have the benefit of
14 this information and you can make the
15 precedential calls and own it on what the policy
16 is of the State of Florida.

17 COMMISSIONER D'AQUILA: Right. But you
18 also make reference to operating-co, tax-co. I
19 believe -- I won't give the percentage, but I
20 believe the vast majority of casinos, including
21 publicly traded casinos in Las Vegas, for
22 example, their land and buildings are now in
23 separate entities. Real estate is completely
24 separate, with a different ownership than the
25 games, so forth. You alluded to that there --

1 that many of these businesses may for legal
2 liability planning and tax planning purposes
3 have, like, another entity, whether it be an LLC
4 or a general partnership for purposes of owning
5 the real estate. So these things do exist.

6 MR. DUNBAR: With a regulatory hook, yes,
7 they do. That's what I said, is the prop-co
8 typically will go through some sort of probity
9 review for that structure.

10 COMMISSIONER D'AQUILA: But just draw --
11 help me understand the difference. Do they
12 currently exist in the State of Florida, more
13 than one or two, or is this groundbreaking? I
14 think that's what Mr. Dunbar is hinting at or
15 stating, if I may.

16 MR. DILLMORE: Yes, they do exist, I think
17 Ms. Pouncey can probably attest here. She's
18 been reviewing these for some time. And it's
19 not something that just happened since the
20 Commission has been formed, but has been going
21 for a number of years.

22 COMMISSIONER BROWN: Ms. Pouncey?

23 MS. POUNCEY: Yes, ma'am. As I had
24 explained to Mr. Dillmore, it has been going on
25 since the beginning of time. Initially a lot of

1 permitholders didn't own the land that they were
2 operating on. A substantial number of them back
3 in the day, shall we say, probably due to
4 expenses, it was more beneficial for them to
5 lease the land and conduct.

6 And he is also correct that we have several
7 of them now, such as Mr. Dunbar's example of,
8 like, Fort Pierce Jai-Alai. They do not lease
9 the facility in which they oper -- or they do
10 not own the facility in which they operate.
11 They lease.

12 St. Augustine, which is one of the
13 bestbet permits, also does not lease, or
14 does not own the property. They lease the
15 property.

16 I believe Gretna itself doesn't own their
17 property. It's owned by another business, and
18 Gretna operates on that property.

19 It's quite common and has been quite common
20 for over 30 years, just dependent upon the
21 permitholder and what worked best for them as
22 far as business process.

23 COMMISSIONER BROWN: Thank you,
24 Ms. Pouncey.

25 Commissioner D'Aquila?

1 COMMISSIONER D'AQUILA: I believe my
2 question has been answered. Thank you.

3 COMMISSIONER BROWN: I would like to give
4 an opportunity to Mr. Lockwood, Mr. Dunbar.

5 MR. DUNBAR: The examples that Jamie
6 referenced, particularly the Gretna one, was an
7 op-co/prop-co structure where it was tied to a
8 regulated, you know, entity up top, where they
9 were tied together. So that's the point that I
10 made. But the one where you don't have a
11 regulated hook is the one that is very
12 concerning.

13 COMMISSIONER BROWN: Thank you.

14 Mr. Lockwood?

15 I do just want to point out, you know, it's
16 great that we have this opportunity to be in the
17 sunshine and be open and have a very transparent
18 process. That is what -- you know, the
19 underlying theme behind the Gaming Commission.
20 So we strive to do that, and we will continue to
21 work towards even more transparency.

22 MR. LOCKWOOD: Thank you very much. I'll
23 be very brief.

24 But specifically, 550.054(3)(e), whether
25 the permit -- the pari-mutuel facility is owned

1 or leased, and then it goes into a scenario and
2 it allows for a pari-mutuel facility and a
3 permitholder to operate at a leased facility.
4 There is no requirement of the landlord to be
5 licensed by the Division, and it's always been
6 that way.

7 And going back to last December -- and I
8 had made the comment about the Nevada Gaming
9 Commission, the Atlantic City Gaming Commission.
10 That's not a dig on this Commission.

11 550.054 dates back to the 1930s. It's been
12 hodgepodge amended over the years. So, sure,
13 550.054 and the regulatory restrictions in there
14 do not line up to things that maybe Mr. Dunbar
15 suggests we should have in Nevada, in Atlantic
16 City, and things like that. We do not have a
17 procedure where we made landlords go through
18 licensure proceedings. Maybe we should.
19 Correct.

20 Fort Pierce, that was a facility that was
21 just before the Commission not too long ago, and
22 it is a lease in that facility, and it is
23 approved in that location. There's others
24 throughout the state. Orange City, I believe,
25 is one. Sarasota, I believe, is one. There's

1 probably a couple others at this point in time.
2 And that's something that the Legislature can
3 certainly choose to do.

4 But this concept of permitholders leasing
5 the facilities in which they operate is
6 certainly not new before the Division. I mean,
7 this is something that's been around for quite
8 some time. So the fact that Mr. Dunbar is not
9 aware of it, I'm -- honestly, I'm astonished to
10 hear that at this point in time.

11 And I'll rest unless you have any
12 additional questions beyond that.

13 COMMISSIONER BROWN: Any questions,
14 Commissioners? Thank you.

15 All right. Let's turn us back over to our
16 staff here. So we're considering Permit 283,
17 280, and 286. My understanding is that we have
18 to take up 283 first before moving on to the
19 other two; correct?

20 MS. POUNCEY: Yes, ma'am.

21 COMMISSIONER BROWN: Okay. In my briefing
22 with staff, the one thing that I had kind of
23 trouble with was, again, in the spirit of
24 transparency, I want to make sure that there is
25 legal -- or that it's documented that Gretna

1 Racing is leasing or subleasing to Hecht, this
2 entity who is thereby subleasing to West
3 Flagler, who is thereby subleasing to Edgewater
4 and to Summer Jai-Alai.

5 In the record that I have, I don't have any
6 documentation of the interaction between Gretna
7 and Hecht, other than in the lease between Hecht
8 and West Flagler, in the recitals, it mentions
9 the lease arrangement.

10 For purposes of a complete record of this
11 structure, the organizational structure, I think
12 we have to have some documentation at least show
13 -- reflect that Gretna Racing is in fact leasing
14 to Hecht other than just in a recital.

15 MR. MARSHMAN: If I may?

16 COMMISSIONER BROWN: Yes.

17 MR. MARSHMAN: That was provided last
18 evening, and it's available to the
19 Commissioners.

20 COMMISSIONER BROWN: And the public? Is it
21 online yet?

22 MR. MARSHMAN: Not yet, but that can be
23 solved by the end of the day.

24 If the Commissioners have not had a chance
25 to review that material that was provided last

1 evening, then I would recommend temporarily
2 postponing Items 9.8, 9.9, and 9.10 so that the
3 Commissioners would have a chance to review
4 those materials if they have not already done
5 so.

6 COMMISSIONER BROWN: This is -- and I
7 appreciate that. I have not read it. I know we
8 spoke about this. I know regardless, staff is
9 recommending a conditional approval, so would
10 that be something that we could make a part of
11 the conditions rather than postponing?

12 MR. MARSHMAN: Well, by temporarily
13 postpone it, I mean just, you know, by a matter
14 of minutes, not by a matter of days.

15 But to your point, Commissioner Brown, if
16 you would want a motion to issue a conditional
17 final order contingent on proof, satisfactory
18 proof that there is an agreement between Gretna
19 Racing, LLC and Hecht Investments, that could be
20 done, and I think easily satisfied after the
21 Commission has a chance to review the materials
22 that were provided admittedly late last evening,
23 and then also contingent, of course, for 283 at
24 least, on the approval of the pending asset
25 purchase agreement involving Permit 155, Magic

1 City Casino, the building and the fronton that's
2 contained within it.

3 COMMISSIONER BROWN: Yes. Thank you. That
4 sounds good to me.

5 Commissioners, questions, comments?

6 Commissioner Drago.

7 COMMISSIONER DRAGO: I think now I'm
8 just -- in terms of the Hecht lease, I've seen
9 it. I don't know if Commissioner D'Aquila has.

10 In order to make this a little bit cleaner,
11 perhaps we can take a ten-minute recess to give
12 you an opportunity to read it, or whatever you
13 think it'll take or whatever Mr. Marshman thinks
14 it'll take, and then that way we can move on and
15 we can keep this a little cleaner.

16 COMMISSIONER BROWN: Let's give the court
17 reporter too an opportunity to take a break. I
18 think that's a great suggestion, a 10-minute
19 recess, let everybody take a quick little break.
20 And we'll reconvene -- actually, let's just do
21 15, and we'll reconvene at 11:30. Thank you.

22 (Recess from 11:15 a.m. to 11:30 a.m.)

23 COMMISSIONER BROWN: We are -- it's 11:30,
24 and we are going to start back up once we get
25 our staff and parties.

1 Okay. They are coming on in right now, so
2 we are still back on the record, and we are on
3 Item 9.8. I appreciate you all giving us an
4 opportunity to take a brief respite. And I had
5 an opportunity to peruse the lease a little bit.

6 I just have one question, maybe -- probably
7 for Mr. Lockwood regarding the lease agreement.

8 I love the fact that it says that it's
9 specifically designated for purposes of jai alai
10 and no other purposes, so I think that is in the
11 same vein as you're saying that the entity wants
12 to continue the racing of jai alai at this
13 place.

14 What happens -- so the lease runs
15 through -- for two years, and then it could be
16 terminated within -- with 60 days' notice. What
17 happens if it's terminated with the rest of
18 these permitholders that are conducting live
19 races?

20 MR. LOCKWOOD: So as I had mentioned
21 earlier, Permit Number 286 is located in the
22 Edgewater area of downtown Miami, and my
23 understanding is there's a plan to build a
24 permanent fronton there.

25 COMMISSIONER BROWN: And then for this --

1 for 283?

2 MR. LOCKWOOD: They would then -- 283 and
3 280 would then lease at the 286 location.

4 COMMISSIONER BROWN: Got it. Okay.

5 MR. LOCKWOOD: Correct. That is my
6 understanding of the future plan. Of course,
7 things potentially could change, but the idea
8 there is to build an equivalent fronton there to
9 conduct those activities.

10 COMMISSIONER BROWN: Thank you. And thank
11 you for providing the lease too. I think it
12 does show that it's a legally binding agreement
13 that has been executed and signed, and it's
14 effectuated, and we have a complete record with
15 that.

16 Commissioners, do you have any questions?

17 Thank you. All right. So I think we're at
18 the point -- unless staff has anything further
19 to add, I think we're at the point to have
20 discussion and/or take a motion on Item 9.8.

21 COMMISSIONER DRAGO: I would like to make a
22 motion to approve the conditional final order.

23 COMMISSIONER BROWN: Okay. Is there a
24 second?

25 COMMISSIONER D'AQUILA: I will second.

1 COMMISSIONER BROWN: Is there any
2 discussion? There being none, all those in
3 favor signify by saying "aye." Aye.

4 COMMISSIONER DRAGO: Aye.

5 COMMISSIONER D'AQUILA: Aye.

6 COMMISSIONER BROWN: It passes. Thank you.
7 Now on to 9.9. Ms. Pouncey?

8 MS. POUNCEY: Yes, ma'am. Having said
9 that, are you okay with me grouping 9.6 --
10 excuse me -- 9.9 and 9.10?

11 COMMISSIONER BROWN: Yes. Yes. Thank you.

12 MS. POUNCEY: So 9.9 is 2023-004894, West
13 Flagler Associates d/b/a Summer Jai-Alai, and
14 2023-005138, West Flagler Associates d/b/a
15 Edgewater Jai-Alai. Each of these permitholders
16 have applied for performances. Summer Jai-Alai
17 has applied for 26 performances at the leased
18 facility we previously discussed, and Edgewater
19 has applied for 40 performances at the same
20 facility.

21 Each permitholder has submitted the
22 required documentation that qualifies them as
23 prescribed by Chapter 550.

24 I'm sorry. I'm just making sure I didn't
25 miss any other . . .

1 And the Gaming Commission is
2 recommending -- or the Division is recommending
3 approval for both of these operating licenses.

4 Sorry for the delay.

5 COMMISSIONER BROWN: No. Thank you.

6 Commissioners, do you have any questions on
7 these items, 9.9 and 9.10, regarding Permit 280
8 and 286?

9 If not, can we get a motion to approve the
10 annual operating licenses on 9.9 and 9.10?

11 COMMISSIONER D'AQUILA: I'll make a motion
12 to approve 9.9 and 9.10's operating licenses.

13 COMMISSIONER BROWN: Is there a second?

14 COMMISSIONER DRAGO: Second.

15 COMMISSIONER BROWN: And just for
16 clarification real briefly, Mr. Marshman, these
17 are not -- are these conditional?

18 MR. MARSHMAN: No. I've structured it to
19 where in my recommendation, one way or another,
20 283 will have permission to operate -- 283 will
21 now have permission to operate jai alai
22 performances at that space. Either we approve
23 the asset purchase agreement and the lease
24 agreement, as we previously discussed, will be
25 approved and in effect, or we will not approve

1 the asset purchase agreement, and then West
2 Flagler will be in possession once more of the
3 fronton. Either way, there are leases between
4 283, 280, and 286, and that will cover either
5 eventuality.

6 So I don't believe these have to be
7 conditional, since either way, 283 and 2 --
8 strike that. 286 and 280 will be covered.

9 COMMISSIONER BROWN: Thank you. Sound
10 good?

11 COMMISSIONER D'AQUILA: Understood.

12 COMMISSIONER BROWN: All those in favor
13 signify by saying "aye." Aye.

14 COMMISSIONER D'AQUILA: Aye.

15 COMMISSIONER DRAGO: Aye.

16 COMMISSIONER BROWN: Okay. Those items
17 pass. Thank you. And thank you to the parties
18 for your participation for today.

19 Moving on to Item 10, discussion of license
20 application for Thoroughbred permitholders.

21 MS. POUNCEY: I'm going to combine, without
22 objection, 10.1 and 10.2, Thoroughbred
23 permitholders.

24 Case Number 2023-001360, 2023-001394, Tampa
25 Bay Downs d/b/a Tampa Bay Downs. They have

1 applied for 91 performances in their annual
2 operating license and 25 tables in their annual
3 cardroom license application.

4 2023-004601 -- sorry. Wrong case number.
5 2023-004553 and 2023-012181, Gulfstream Park
6 Racing Association d/b/a Gulfstream Park Racing
7 and Casino. They have applied for 174
8 performances in their annual operating license
9 application and one table in their annual
10 cardroom application.

11 They have submitted all the required
12 documentation, and the Division is recommending
13 approval.

14 COMMISSIONER BROWN: Okay. Any questions?
15 Commissioner D'Aquila?

16 All right. We are ripe for a motion.

17 COMMISSIONER D'AQUILA: I will make a
18 motion to approve the renewal license
19 applications in 10.1, 10.2, and 10.3.

20 COMMISSIONER BROWN: Second?

21 COMMISSIONER DRAGO: Second.

22 COMMISSIONER BROWN: All those in favor say
23 "aye." Aye.

24 COMMISSIONER D'AQUILA: Aye.

25 COMMISSIONER DRAGO: Aye.

1 COMMISSIONER BROWN: Thank you. Moving on
2 to the discussion of license application for
3 Quarter Horse permits.

4 MS. POUNCEY: We skipped 10.3. I know you
5 said approval, but I didn't read 10.3. It's
6 Case 2023 --

7 COMMISSIONER BROWN: Yes.

8 COMMISSIONER D'AQUILA: I'm going to amend
9 that approval to 10.1 and 10.2, not including
10 10.3, at this time. So I'll make a motion to
11 approve 10.1 and 10.2, replacing the earlier
12 motion.

13 COMMISSIONER DRAGO: Second.

14 COMMISSIONER BROWN: We could probably
15 still take up 10.3, but all those in favor say
16 "aye." Aye.

17 COMMISSIONER D'AQUILA: Aye.

18 COMMISSIONER DRAGO: Aye.

19 COMMISSIONER BROWN: Okay. 10.3, 40
20 performances.

21 MS. POUNCEY: I'm sorry. I had segregated
22 10.3 because they are a little different. They
23 have performances with no card tables. That's
24 Case Number 2023-004601. That's Gulfstream Park
25 Thoroughbred After Racing Program. Again,

1 repeating, they have applied for 40 performances
2 and they do not have an application for card
3 tables.

4 They submitted the required information,
5 and the Division is recommending approval.

6 COMMISSIONER BROWN: Now, can I get that
7 motion?

8 COMMISSIONER D'AQUILA: I make a motion to
9 approve the renewal application of 10.3.

10 COMMISSIONER DRAGO: Second.

11 COMMISSIONER BROWN: All those in favor say
12 "aye." Aye.

13 COMMISSIONER D'AQUILA: Aye.

14 COMMISSIONER DRAGO: Aye.

15 COMMISSIONER BROWN: And now we're on to
16 11.

17 MS. POUNCEY: This is Quarter Horse
18 permitholders, and I'm going to combine 11.1,
19 .2, .3, .4, .5, and .6.

20 The first is 2023-001487, Tampa Bay Downs,
21 Inc. d/b/a Tampa Bay Downs. They have applied
22 for zero performances and zero card tables.

23 2023-004086, 2023-004089, Gretna Racing,
24 LLC. They have applied for zero performances
25 and 15 card tables in their annual cardroom

1 application.

2 2023-004054, 2023-004055, South Florida
3 Racing Association, LLC d/b/a Hialeah Park
4 Racing and Casino or Hialeah Park. They have
5 applied for zero performances in their annual
6 operating dates application and 28 tables in
7 their annual cardroom license application.

8 2023-002720, 2023-002721, South Marion Real
9 Estate Holdings, L -- South Marion Real Estate
10 Holdings, LLC d/b/a Oxford Downs has applied for
11 zero performances in their annual operating
12 license application and 31 tables in their
13 annual cardroom license application.

14 2023-002199, 2023-002200, Hamilton Downs
15 Horse Track, LLC d/b/a Hamilton Downs has
16 applied for zero performances in their annual
17 operating dates application and one table in
18 their annual cardroom license application.

19 And I'm actually going to pause there and
20 not do 11.6. Each of the previous mentioned
21 Quarter Horse permitholders have submitted the
22 required information and the associated fees if
23 table fees were applicable.

24 They possess the qualifications prescribed
25 by Chapter 550, Florida Statutes, and the

1 Division is recommending approval.

2 COMMISSIONER BROWN: Thank you. Without
3 any questions, can I please get a motion to
4 approve the renewal license applications for
5 11.1 through 11.5?

6 COMMISSIONER D'AQUILA: I make a motion to
7 approve the license renewal applications in 11.1
8 through 11.5.

9 COMMISSIONER DRAGO: Second.

10 COMMISSIONER BROWN: All those in favor say
11 "aye." Aye.

12 COMMISSIONER D'AQUILA: Aye.

13 COMMISSIONER DRAGO: Aye.

14 COMMISSIONER BROWN: Now to 11.6.

15 MS. POUNCEY: 11.6 is Ocala Breeders' Sales
16 d/b/a Ocala Breeders', Case Number 2023-002428,
17 2023-012076. Ocala Breeders' has applied for
18 their wagering operational license with zero
19 performances. In addition, Ocala Breeders' has
20 applied for a limited intertrack wagering
21 license. Ocala Breeders' is licensed to conduct
22 public sales of Thoroughbred horses and has
23 conducted at least eight days of sales for the
24 last three years.

25 The Commission has confirmed that they have

1 submitted all their required documentation and
2 that they possess the qualifications prescribed
3 in statute, and the Division is recommending
4 approval of this -- of these applications.

5 COMMISSIONER BROWN: Are there any
6 questions on this item? Commissioner D'Aquila.

7 COMMISSIONER D'AQUILA: Is this different
8 than what they've done in the past?

9 MS. POUNCEY: It's not different than what
10 they have done. It's different slightly than
11 the others. This has their general pari-mutuel
12 operating license application, and then Ocala
13 Breeders' Sales also applied for a limited ITW
14 intertrack wagering license, and they have been
15 receiving that license as the only permitholder
16 for a multitude of years, more than I can count.

17 COMMISSIONER BROWN: Is there a motion?

18 COMMISSIONER D'AQUILA: So I'll make a
19 motion to approve 11.6, license renewal.

20 COMMISSIONER DRAGO: Second.

21 COMMISSIONER BROWN: All those in favor say
22 "aye." Aye.

23 COMMISSIONER D'AQUILA: Aye.

24 COMMISSIONER DRAGO: Aye.

25 COMMISSIONER BROWN: Thank you. And the

1 last license application is under 12.1.

2 MS. POUNCEY: Yes, last but not least.

3 COMMISSIONER BROWN: Thank you, by the way,
4 for all of the work you've done on these items.

5 MS. POUNCEY: Absolutely.

6 2023-002803, 2023-002805 is PPI, Inc. d/b/a
7 Harrah's Pompano Beach, Isle Casino Racing
8 Pompano Park, Pompano Park Racing, and/or The
9 Isle Casino and Racing at Pompano. They have
10 submitted an annual operating dates application
11 for zero performances and have applied for 54
12 tables in their annual cardroom license
13 application.

14 They've met -- submitted and met all the
15 requirements of Chapter 550 of the Florida
16 Statutes, and the Division is recommending
17 approval.

18 COMMISSIONER BROWN: Any questions on this
19 item? If not, can I get a motion?

20 Commissioner Drago.

21 COMMISSIONER DRAGO: I move to accept the
22 staff recommendation to approve the renewal of
23 the license.

24 COMMISSIONER BROWN: Is there a second?

25 COMMISSIONER D'AQUILA: Second.

1 COMMISSIONER BROWN: All those in favor say
2 "aye." Aye.

3 COMMISSIONER D'AQUILA: Aye.

4 COMMISSIONER DRAGO: Aye.

5 COMMISSIONER BROWN: Thank you. We are
6 finishing before lunch. All right.

7 Moving on to the Executive Director update.

8 MR. TROMBETTA: I'll go over here rather --
9 I probably could have just done it there easier.

10 Well, thank you, Commissioner Brown. I
11 have a few things to just touch base on.

12 First, just for -- I know you all are
13 aware, but for the public, our Frequently Asked
14 Questions are now up on the website. So I think
15 that was an idea that was initiated by the
16 Commission at one point at one of these
17 meetings.

18 It took a little bit of time to get done,
19 but we have a lot -- I think we've done a very
20 good job on it. It answers a lot of questions
21 that we frequently get, both in -- you know,
22 from the outside. It probably answers questions
23 that you may be getting. And I think just for
24 staff and for the general public that's paying
25 attention, it's worth looking at. And if you do

1 have any questions or any issues about sort of
2 what we do, how we look at things -- and even
3 we've addressed some legal issues too. It's
4 worth going there.

5 Secondly, there's been -- at the previous
6 meeting, the Commission had sort of given me the
7 direction to go forward in terms of some rules.
8 We have not formally proposed any type of rule
9 development at this point. I hope to do that
10 before the next meeting. But what we have done
11 is filed a notice of technical correction, I
12 believe, which is fallout from the type two
13 transfers.

14 So essentially what's happening is, we are
15 moving all of the currently existing rules --
16 and this is sort of the first step in our
17 rulemaking process -- from the prior chapter
18 where they were held in Chapter 61D, which was
19 associated with Business and Professional
20 Regulation, into our own new chapter, which is
21 Chapter 75. So if this technical correction is
22 approved, our rules will begin with 75 instead
23 of 61D. And essentially it's really the
24 necessary first step. It's going to make
25 everything a lot easier going forward, because

1 any new rules or any changes will be done in
2 that one place.

3 For Emily -- I'm just looking at the
4 lawyers that might be concerned. The rules are
5 still in place in 61D until that technical
6 correction happens, and we'll let y'all know
7 when that does happen.

8 Director Dillmore and Liz Stinson, one of
9 the attorneys, attended the ARCI and Horsemen's
10 Benevolent and Protective Association's kind of
11 joint conference earlier this week. There was a
12 lot of talk about HISA and some of the
13 developments, so just kind of a quick overview
14 without getting too much into the weeds --

15 COMMISSIONER BROWN: So it is called
16 "High-sa." It's not "His-sa."

17 MR. TROMBETTA: I say "His-sa." I'm told
18 repeatedly that it's "High-sa," and I just kind
19 of refuse to do it. But either way --

20 COMMISSIONER DRAGO: Let's refer to it as
21 the H-I-S-A.

22 MR. TROMBETTA: The Horseracing Integrity
23 and Safety Authority is beginning to move
24 forward in implementing some rules.

25 So if you remember, there was some hold-up

1 legally. The Sixth Circuit made a decision
2 recently in which they found that the act was
3 constitutional, and so a lot of the talk at the
4 meeting was essentially what's going to happen.

5 In the background, there are the drug
6 testing rules that are going to be going into
7 effect supposedly March 27. So at the end of
8 this month, there may be HISA rules that will
9 have been, I guess, deemed effective by the FTC.

10 From that point on, we are -- the question
11 then turns, okay, what are you guys doing at the
12 state level? We are -- I think we have
13 trainings scheduled with HIWU, which is the drug
14 enforcement authority or agency that has a
15 contract with HISA. They are going to be at the
16 tracks this month doing trainings with some of
17 our staff.

18 We are also engaged in negotiations in
19 terms of the voluntary agreement. So what that
20 will do is essentially -- it's essentially an
21 MOU laying out the terms of what we are going to
22 be doing to maximize the credit that the State
23 can get for those activities.

24 So as directed, we're trying to continue to
25 do all the things that we're doing. You know,

1 right now we're collecting samples, and we're
2 going to kind of continue to do that and work
3 with HIWU to help, help this program get going.

4 The MOU is not done right now. I do not
5 envision it will be done on the 27th, so just
6 having that out there. But we will be getting
7 it done shortly thereafter. We have been going
8 back and forth with them on several items.

9 COMMISSIONER BROWN: Can we just pause real
10 quick?

11 Commissioners, do you have any questions?
12 Commissioner D'Aquila.

13 COMMISSIONER D'AQUILA: Not on HISA, but
14 prior -- okay. First, I just want to commend
15 the staff on implementing the FAQs. I refer to
16 them to the public and others quite frequently.
17 I think they were -- are extremely well written,
18 and I hope that you will continue to add to
19 them.

20 I would encourage you in the months ahead,
21 as they become voluminous and you add, think
22 about our youth today, or even myself, and how
23 we read things online. You may want to put them
24 in groupings of FAQs with nice buttons. And
25 specifically I would add emphasis to putting the

1 online gambling and illegal slot machines
2 forward. There are various questions that come
3 up about them, just by the style in which people
4 read today when things get voluminous.

5 But I just wanted to take a moment to
6 commend and recognize your hard work on all
7 that. I think it's -- in an age of a lot of
8 misinformation out there, coming from us as a
9 somewhat authoritative source is really
10 important. And this is really well done, if
11 anybody hasn't seen it. So thank you.

12 MR. TROMBETTA: Thank you. Any questions?

13 So then turning to -- there's materials in
14 the materials that I presented today. It's
15 identified as Item 13.1, the discussion of the
16 Florida Gaming Control budget. So I'm going to
17 go over this document with you all, but just for
18 context.

19 I'm going to be seeking a motion to adopt
20 the Governor's Framework for Freedom Budget as
21 it applies to the Gaming Control Commission,
22 with the amendment included on this document.
23 So as the Governor has laid out in his Framework
24 for Freedom Budget, he's kind of been very
25 generous in providing the Commission with a lot

1 of resources so that we can kind of go forward
2 and continue to do great things.

3 One of the areas that we would like to try
4 to get a little bit of additional money for is
5 regarding some of -- to help our law enforcement
6 needs. So the document that you have in front
7 of you lays out both the issue and the business
8 need.

9 And in sum, Carl Herold, our Director of
10 Law Enforcement, has done a lot of outreach.
11 He's answered a ton of questions and done a ton
12 of meetings. He's just done great work in
13 getting our name out there and talking with
14 other law enforcement agencies. And one of the
15 items that has kind of come front and center in
16 terms of being the most beneficial in terms of a
17 force multiplier, in terms of something that we
18 can offer to these other law enforcement
19 agencies, is warehousing space.

20 So the amendment -- when we created our
21 budget a few months ago, we did not include
22 that. So the amendment essentially is to
23 include additional money for these regional
24 centers, for a regional office in Miami and a
25 regional office in the center of the state.

1 And then secondarily, it seeks additional
2 money so that we can enter into leases to have
3 additional space so that if a -- you know, if a
4 county sheriff reaches out to us and says, "Hey,
5 I have this case. I can't figure out what to do
6 with all the machines," because some of these
7 cases involve hundreds of machines that need to
8 be stored while the legal cases are pending.

9 Having the ability to say, "Hey, we have a
10 warehouse. We can take that from you. We will
11 take it, we'll store it, we'll make sure that
12 the evidence is controlled and secured," it's a
13 big resource, and it's going to help, you know,
14 these other agencies go out and do what they
15 want to do too.

16 So with your kind of recommendation, I'm
17 going to seek that, a motion to accept the
18 budget provided in the Framework for Freedom
19 Budget with the amendment identified on the
20 sheet.

21 There is a typo on the sheet. That's why I
22 have it in front of me. In the column labeled
23 "Estimated Cost Per Annum," the number there is
24 incorrect. It should be \$36,610.

25 COMMISSIONER BROWN: Would that be the

1 first column?

2 MR. TROMBETTA: It's the one, two, three,
3 four -- fifth column, third row down.

4 COMMISSIONER BROWN: Okay.

5 MR. TROMBETTA: The Miami-Dade DMS FDLE
6 office, the per year cost is \$36,610. However,
7 the totals all match with the 36,000 number. So
8 the only correction -- or the only edit really
9 would be this document with that edit going from
10 60,000 to 36. So it's actually reducing it, but
11 the sum is the same. It would be a \$390,000 ask
12 for additional funding.

13 Any questions on this?

14 COMMISSIONER BROWN: Commissioners, any
15 questions? Thank you.

16 And, Mr. Herold, thank you too for your
17 outreach and your work on coming up with the
18 figures to get this additional amount.

19 Commissioners, can I get a motion to
20 approve the -- adopt the Governor's Framework
21 for Freedom Budget along with the additional
22 amended request as presented?

23 COMMISSIONER D'AQUILA: Yes. I would like
24 to make a motion to approve that.

25 COMMISSIONER DRAGO: Second.

1 COMMISSIONER BROWN: All those in favor say
2 "aye." Aye.

3 COMMISSIONER D'AQUILA: Aye.

4 COMMISSIONER DRAGO: Aye.

5 MR. TROMBETTA: Thank you very much.

6 Anything else for me?

7 COMMISSIONER BROWN: Good of the order.

8 COMMISSIONER D'AQUILA: I would also like
9 to add just the encouraging news on the letters
10 being sent to illegal locations and the
11 incredible amount at progress our law
12 enforcement team has made in the past 30 to 60
13 days, both on education but specifically also to
14 reaction and even closure of an illegal
15 location. I know this is just the beginning of
16 great things to come, but it emphasizes just how
17 significant this problem is, and I just want to
18 make note of the good news coming sooner than
19 expected. Thank you.

20 COMMISSIONER BROWN: Thank you.

21 Commissioners? Commissioner Drago.

22 COMMISSIONER DRAGO: Just a comment,
23 Director Trombetta. I want to just say thank
24 you for all staff for all the work that went
25 into day's Commission meeting. There were a lot

1 of things to get done, licenses and so forth, a
2 lot of work from everybody.

3 So thank you, everybody, for it, and we do
4 appreciate it. Even though it may not seem like
5 we do, we certainly do appreciate it. We don't
6 totally understand the extent of all the work
7 that you put into it, but I have a pretty good
8 sense for it. So thank you for all that work
9 and effort.

10 COMMISSIONER BROWN: Thank you,
11 Commissioner Drago.

12 And with that, that closes the Executive
13 Director's report. We are now open to public
14 comment. Is there anybody that is here that
15 would like to speak or on the line that would
16 like to speak before us today?

17 Seeing none, are there any other matters
18 that the Commissioners have that they want to
19 bring -- raise?

20 With that, we conclude this meeting. Thank
21 you all. Safe travels to wherever you are going
22 to. Thank you.

23 (Proceedings concluded at 11:57 a.m.)

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