

Florida Gaming Control Commission

Public Meeting

September 07, 2023

Vol 01



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In The Matter Of:
Florida Gaming Control Commission
Public Meeting

DATE: Thursday, September 7, 2023
TIME: 9:31 a.m. to 1:03 p.m.
LOCATION: Joseph P. Cresse Hearing Room 148
Betty Easley Conference Center
4075 Esplanade Way
Tallahassee FL 32399

STENOGRAPHICALLY REPORTED BY:
JUDY LYNN MARTIN, STENOGRAPHER

Job Number: 319735

1 APPEARANCES:

2 JULIE BROWN, VICE CHAIR
TINA REPP, COMMISSIONER
3 CHUCK DRAGO, COMMISSIONER
JOHN D'AQUILA, COMMISSIONER
4

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6 PARTICIPANTS:

7 LOUIS TROMBETTA, EXECUTIVE DIRECTOR
ROSS MARSHMAN, GENERAL COUNSEL
8 EMILY ALVARADO, DEPUTY CHIEF ATTORNEY
STEVEN WOODS, CHIEF ATTORNEY
9 ELIZABETH STINSON, CHIEF ATTORNEY
TRACY SWAIN, REVENUE PROGRAM ADMINISTRATOR
10 JAMIE POUNCEY, PROGRAM ADMINISTRATOR
CARL HEROLD, DIRECTOR OF GAMING ENFORCEMENT
11 JOE DILLMORE, DIRECTOR OF PARI-MUTUEL WAGERING
LISA MUSTAIN, DIRECTOR OF ADMINISTRATION
12 SUSAN WHITMIRE, CHIEF INFORMATION OFFICER
KARA CAMPBELL, ESQUIRE
13 SHARINE AMERDAN, ESQUIRE
ELINA VALENTINE, ESQUIRE
14 DIXIE PARKER
STACY MARTIN

15

16

17 PUBLIC SPEAKERS:

18 THOMAS VENTURA, OCALA BREEDERS' SALES COMPANY
INNA ALEKSEENKA-REPASS, VIA TELEPHONE

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1 Proceedings began at 9:31 a.m.

2 VICE CHAIR BROWN: Good morning, today is
3 Thursday, September 7, 2023. This is the Florida
4 Gaming Control Commission's meeting today. And if
5 you would like please rise and join us for the
6 Pledge of Allegiance, which will be given by
7 Commissioner Drago.

8 (Pledge of Allegiance)

9 VICE CHAIR BROWN: Thank you,
10 Commissioner Drago. We are going to move into the
11 approval of meeting minutes for two months that are
12 1.1 and 1.2, June 8, 2023, and July 11, 2023.

13 Could I please get a motion to approve both
14 items.

15 COMMISSIONER DRAGO: I make a motion.

16 VICE CHAIR BROWN: Is there a second?

17 COMMISSIONER REPP: I'll second.

18 VICE CHAIR BROWN: Thank you. All those in
19 favor say aye.

20 (Aye response)

21 VICE CHAIR BROWN: Thank you. The items pass.
22 We're going to take a few things out of order
23 today, so just to give you a heads-up first there
24 is an attorney/client meet session at the end of
25 the proceedings today after public comments.

1 So we'll take a five-minute recess once public
2 comment concludes for -- and our attorney/client
3 session. Second, if you all don't mind, we're
4 going to take the LBR up under the executive
5 director's section. We're going to take the LBR
6 just to highlight it upfront, because I know some
7 members in the audience will be interested in it.

8 So with that, Mr. Trombetta.

9 MR. TROMBETTA: Thank you, Vice Chair Brown.

10 I'd like to start by first kind of commending
11 Governor DeSantis for the Framework for Freedom
12 Budget that was passed last year. I think the
13 Gaming Commission is in a much better spot because
14 of the resources that have been provided to the
15 commission and specifically to our law enforcement
16 unit.

17 I think it's really made a difference in our
18 ability to address some of the illegal gambling
19 activities around the state. And really our first
20 LBR that, you know, was supported by -- by -- you
21 know, by both the governor and the legislature
22 really put us on a -- on a good foot going forward.
23 We're now in the process of recommending our second
24 budget request. There are meeting materials that
25 have been provided to you all.

1 Under Chapter 16 the commission has to
2 authorize and approve this budget request. My
3 staff will then get it moving and try to do our
4 best to once again get the -- get our -- our
5 partners to support it.

6 So if you'd like -- and I'll take your
7 direction. I can go through item by item. I also
8 have Lisa Mustain here with me who's ready to
9 answer any -- any questions that I may not be able
10 to answer, but really -- really if there's anything
11 you'd like -- however you'd like to do this, I'm
12 happy to help.

13 VICE CHAIR BROWN: Thank you, Mr. Trombetta.
14 Why don't we just go item by item and,
15 Commissioners, feel free to interject if you have
16 any questions while he goes through the items.
17 Thank you.

18 MR. TROMBETTA: So just in summary our -- our
19 current budget request is kind of broken up into
20 three areas. The first is kind of standalone
21 request to address the FGCC's licensing and
22 document managing system.

23 So beginning in July when the Gaming
24 Commission gained its authority, we via Type II
25 transfer moved PMW from DBPR into Gaming

1 Commission. As part of that we are still operating
2 on the licensing system that is still in use by
3 DBPR and that was used by the Division of PMW prior
4 to 2001.

5 So our -- our first Item 1 is a request for
6 \$9.8 million to solicit a vendor to identify and
7 build out a new licensing system for our own team.

8 Now, most of this money is in non-reoccurring
9 expense. It will be part of the initial bid to --
10 to get a vendor to do that and then there will be a
11 lesser amount that will be reoccurring. The full
12 Excel document containing, you know, the breakout
13 of this is -- has been included in the meeting
14 materials.

15 In total our total request this year is just
16 over 15 million and again about 10 million of it is
17 in this first item.

18 Any questions on this one?

19 VICE CHAIR BROWN: Thank you. And first
20 before I turn to the commissioners, a lot of work
21 has been done in getting to this point. I've had
22 thorough reviews with your staff as well as you on
23 these items and it's very impressive the amount of
24 work that's been involved -- that's gone into it
25 months on months. So with that, thank you very

1 much.

2 Commissioners.

3 COMMISSIONER A'QUILA: Question if I may,
4 Director Trombetta, in arriving at the number,
5 you've already preliminarily identified who the
6 vendors are in arriving at that calculation for the
7 licensing system and are those recent investigate
8 -- research?

9 MR. TROMBETTA: The answer is no, but let me
10 talk to Susan Whitmire who's our -- our chief
11 information officer -- or is here to kind of
12 provide a little more information. I will get the
13 number.

14 MS. WHITMIRE: Good morning. This is actually
15 Phase 3. We have gone through Phase 1, which was
16 requirements gathering. This year we'll spend
17 procurement and then the third year will be
18 actually developing the system.

19 We did a market scan without being vendor
20 specific, because we're trying to stay in line with
21 procurement law. We don't want to preclude anybody
22 from bidding.

23 So we did go out there with Guntner's (ph)
24 help to see what was available and there are many
25 vendors that offer licensing systems, some specific

1 to Gaming enforcement and some less specific.

2 We did budgetary estimates on one that we did
3 not believe would be a bidder so that we would not
4 preclude anybody, but we did go out and there are
5 plenty of vendors available, including Tyler's
6 industry, which does the DBPR system. They have a
7 new tool also available, so we're pretty sure that
8 we'll find a vendor that can meet our needs.

9 COMMISSIONER A'QUILA: When you go through
10 that process, you will compare multiple vendors,
11 both for efficiency or accuracy getting the job
12 done as well as (inaudible) so forth?

13 MS. WHITMIRE: Correct. So this year, like I
14 said, the second phase, which is the procurement
15 vehicle that we're going to be building working
16 with administration. IP is working on a statement
17 of work, and we will have a procurement document
18 that lets us select the best vendor based upon a
19 number of factors. We'll build the scoring
20 criteria. It's not going to just be lowest bids,
21 who can meet our needs best.

22 One thing I want to say is that as we enter
23 into a procurement there are very strict
24 procurement rules. And as people are aware of it,
25 they'll start contacting all of us to know

1 information. So it's very important that we follow
2 the guidance from Division of Administration and
3 that we do not discuss with potential vendors
4 anything that could preclude them from bidding. So
5 we will be under that procurement law that
6 basically makes us silent, but that's for their
7 protection as well.

8 So Lisa Mustain and her team will be providing
9 us guidance in writing on what is allowed to be
10 discussed and who we should be speaking to and who
11 is our single point of contact.

12 But, yes, the bid and the process of
13 procurement will include a subjective quantitative,
14 qualitative meets our needs kind of assessment.

15 COMMISSIONER A'QUILA: Thank you.

16 VICE CHAIR BROWN: Thank you for that
17 clarification too for the record. Any other
18 questions on that item?

19 Mr. Drago.

20 COMMISSIONER DRAGO: FTEs, can you just tell
21 us what those are for, why we need to add three
22 FTEs for this.

23 MS. WHITMIRE: Absolutely. So we've asked for
24 a document management administrator, a database
25 administrator, and an application administrator.

1 We have a team of 11 people. I've done a very
2 good job of hiring utility players, people that can
3 fill multiple roles, but these are very specialized
4 roles that we do not currently have staffed.

5 A database administrator is necessary to do
6 all the back-end work for an application -- an
7 application administrator. Whatever solution we'll
8 have will have configuration and maintenance that
9 has to have -- happen. We don't have those skills
10 in-house.

11 And then the document management
12 administrator, DBPR has a large team for this.
13 We're just asking for one position to help us
14 manage the document management solution. We don't
15 know what it's going to be so we don't know how big
16 of an ask it should be, but at least having someone
17 that specializes in document management, because
18 it's a specialized field in IT.

19 These are skills that don't necessarily -- can
20 generically get from just anybody. We all have a
21 little bit of experience with it, but when you're
22 talking it being your licensing system, you really
23 need to have people to hit the major functions.
24 And so document management, database
25 administration, and the actual application

1 management are three areas we felt that we needed
2 additional staffing in.

3 COMMISSIONER DRAGO: Do you anticipate hiring
4 them before we purchase the system so they can
5 participate in the procurement of --

6 MS. WHITMIRE: So they'll be next year's.
7 They won't be this -- this year's. They'll be next
8 year hire, so they'll be at the same time that
9 we're actually doing the implementation, so we
10 won't be able to hire skills prior to.

11 My staff has an exposure to all these areas so
12 we should be okay to do the evaluation, but we will
13 need them when we hit the ground running with
14 implementation next year.

15 COMMISSIONER DRAGO: Thank you.

16 VICE CHAIR BROWN: Thank you for those
17 answers, also just the timing of when all of this
18 will begin, because obviously it will start before
19 Fiscal year 24/25.

20 MS. WHITMIRE: So the plan is to have the tool
21 -- the procurement tool developed and on the street
22 in the third quarter with the awarding and all of
23 the process that gets it ready in the fourth
24 quarter, so that we begin as soon as funding is
25 made available by the legislature July 1st.

1 And the plan is to -- since we are really
2 talking about a small implementation with lots of
3 data but, you know, not many professions, a year's
4 time to be able to procurement by -- or do the
5 implementation, so by the end of fiscal year we
6 hope to have a working operable system.

7 There are a lot of risks and unknowns,
8 including how much data we have at DBPR, which we
9 are continuing to work with them to identify how
10 much. But it seems doable based upon other
11 agencies that have implementation plan as well. So
12 the plan would be by the end of Fiscal Year 24/25
13 that we have an operable system.

14 VICE CHAIR BROWN: Any other questions,
15 Commissioners?

16 Mr. Trombetta, if you could just highlight
17 some of the major items as you go along.

18 MR. TROMBETTA: Let me just touch on the next
19 one, so Item 2 also relates to the Gaming
20 Commission's separation from -- from DBPR. So Item
21 2 is the emails (inaudible). Essentially we have
22 several terabytes of data stored with the vendor
23 that is in any contract with DBPR. This ask is for
24 money to move that data out of that vendor's system
25 environment and into our own so we have control

1 over it.

2 Right now we're in a situation where if people
3 have emails and other information stored with the
4 vendor, we are relying on DBPR to access that
5 information. So this impacts both our own
6 employees trying to access old data as well as any
7 public records request. We will be then relying on
8 DBPR to respond to public records requests on our
9 behalf, which is not ideal based on the information
10 we have.

11 VICE CHAIR BROWN: Commissioner.

12 COMMISSIONER A'QUILA: If I may, are you aware
13 of the type of expenses, one might call it a
14 punitive exit fee, on the part of a vendor saying
15 farewell to a longstanding client.

16 My question is one of the cost in relation to
17 the benefit and the specific question is: How
18 frequent do we access emails? It's my
19 understanding you're referring predominantly to
20 emails greater than one year old; is that true?

21 MR. TROMBETTA: Thank you,
22 Commissioner A'Quila. I'm going to try to answer
23 and then I'm going to probably turn it over to --

24 COMMISSIONER A'QUILA: With that said: How
25 many instances does this come up? So my question

1 is: How frequently do we refer to these legacy
2 emails or emails greater than -- you'll define what
3 period we're talking about and what percentages of
4 emails versus other information that you mentioned
5 in your opening?

6 MR. TROMBETTA: So it happens frequently is
7 the simplest answer. I don't have an exact number
8 for you, but a number of employees rely on data
9 that is stored in this environment in almost a
10 day-to-day basis. So from my understanding there's
11 Excel documents that are linked to other
12 sub-documents that are part of this -- part of this
13 data.

14 The other kind of area where I try to explore
15 the -- kind of what you're talking, the cost
16 benefit to this issue is essentially document
17 retention.

18 And the answer I'm getting is that we have to
19 retain all this documents -- all these documents,
20 all these old emails. There isn't -- I was hoping
21 there would be some type of window, you know, after
22 two years we can just not have to worry about it
23 and that's not the case.

24 Because of the type of potential documentation
25 that would be stored -- it's mostly emails -- but

1 because of what can be attached to emails to be
2 able to kind of filter it and say, okay, this --
3 this we can get rid of at this period of time, this
4 we can get rid of at this period of time, the
5 amount of workhours, manhours to do that would
6 potentially surpass this cost.

7 And then, Ms. Whitmire, do you have anything
8 to add just on that question?

9 MS. WHITMIRE: So just in last month we had
10 six public records request that we had to submit to
11 DBPR for -- for the records retention -- or for
12 records retrieval.

13 The retention requirements for email is
14 extremely complicated. It's one that I've been
15 dealing with. In my 37 years, we've had many
16 discussions in many different agencies.

17 Because agencies use it as their document
18 management solution, there's not a clear-cut answer
19 to it. Some documents within it are -- are
20 required to be held forever, some are easily
21 disposable. The thing is is that you just --
22 there's no way to know unless you look at every
23 single email.

24 We continue to work with other vendors to see
25 if there's another exit strategy. Unfortunately

1 everything has been not successful yet, but it is
2 one of those things as soon as we don't have it,
3 we'll need it, and so this was something that we
4 identified last year. And so we did try to do it
5 with last year's money, but it's one of those
6 things where -- since it's got all our data sent
7 back and forth, it's really hard to say we can only
8 retain it for one year.

9 COMMISSIONER A'QUILA: So I think if I can
10 summarize what was said, six requests for records?

11 MS. WHITMIRE: Last month.

12 COMMISSIONER A'QUILA: Last month. In one
13 month?

14 MS. WHITMIRE: Yes.

15 COMMISSIONER A'QUILA: Last month. And is
16 that indicative of an average month?

17 MS. WHITMIRE: So it's early on to -- to know,
18 because we haven't been on our own for that long.
19 It's going to be high and low. We probably will
20 get close to 50 to a hundred a year, just
21 estimates, but we don't have enough of a track
22 record to know.

23 COMMISSIONER A'QUILA: For the passage of
24 time, though, with each passing month won't those
25 requests be more contemporary nature and -- and

1 with that said did I hear -- do I understand you
2 correctly with regard to emails nobody has to file
3 the statute of limitations on the information in
4 the email is --

5 MS. WHITMIRE: No, no. They -- there is a
6 retention policy on email. It's the contents of
7 the email that makes it cloudy and most agencies
8 have opted for -- and even when we were doing
9 enterprise emails, the state opted for forever
10 retention, because it's -- it's really cloudy.

11 Because some of those documents within your
12 email system are potentially saved forever, and so
13 while there is a definition for email retention,
14 like I said it's complicated by other retention
15 policies.

16 COMMISSIONER A'QUILA: So we would not be
17 saying goodbye to this information -- it would not
18 be lost. The \$721,000 that is being requested is a
19 matter of circumventing the need to go through DBPR
20 and is the -- can you highlight what the process
21 is, what makes it difficult going through DBPR to
22 obtain this information?

23 MS. WHITMIRE: Yes, sir.

24 COMMISSIONER A'QUILA: Because I think what
25 we're talking about is there's a repository of

1 information somewhere that's not on our network or
2 Cloud for lack of a better term, but is on another
3 state agency's network. I assume it's a friendly
4 agency.

5 MS. WHITMIRE: So there's complicating factors
6 in that we don't own -- we don't own where it's
7 stored and so we have no control over the decisions
8 made about our data about the length of retention,
9 about if they change solution. So tomorrow if they
10 decide to go to a different vendor, they migrate
11 their data off, we could end up potentially being
12 responsible for the whole repository.

13 The process for current public records is that
14 I get to take it in, we do our side, we then submit
15 the -- a ticket to be DBPR and they pull the data,
16 and we are held to their time frames and their
17 estimates for time and cost. And then they submit
18 the data back to us through file transfer and then
19 to the client that requests the public record.

20 They can delay the process like I say because
21 it's outside our process. We have no idea how long
22 it will take. They've been very good so far in
23 getting our data to us, but like I said we have no
24 control over the repository and their plans for it,
25 and it is a bifurcated process that does slow down

1 the need for prompt public records.

2 COMMISSIONER A'QUILA: Would you say that if
3 you were to submit a request for (inaudible) today
4 that it might be filled within days typically?

5 MS. WHITMIRE: Depends on how big the request
6 is and how far it goes back and how many people.
7 It is a very -- every public records request is
8 different. And depending on the scope of the
9 request, it could be very large, it could be very
10 small, it could be very time consuming. There
11 really isn't a single answer for that.

12 COMMISSIONER A'QUILA: We're talking about
13 moving how many terabytes of data?

14 MS. WHITMIRE: 69 terabytes and that's a
15 definitive amount. It's not going to grow. We're
16 no longer building into the repository. That is
17 just our historical data prior to July 1.

18 COMMISSIONER A'QUILA: In your experience in
19 30-plus years moving data, is their price per
20 terabyte reasonable?

21 MS. WHITMIRE: So since they are the owner of
22 the data, the price they set is the -- their
23 reasonable amount. We did not prepare for it and
24 the vendor that was helping us and -- we were
25 astounded by the price. It's about \$10,000 a

1 terabyte. I -- it's their data. It's their
2 system. I don't know what is reasonable
3 comparatively, but it was a lot more than we had
4 planned for.

5 MR. TROMBETTA: I'm sorry, Vice Chair, if I
6 may.

7 And, Ms. Whitmire, is it true that the number
8 -- just for the record here the number that we're
9 requesting here is based on -- have we received an
10 invoice from them or where did we get this number?

11 MS. WHITMIRE: So we actually were hoping to
12 do it last year. We did a full email migration, so
13 we actually had a quote to move it and so we --
14 that put a little bit of buffer, because we know
15 their prices are going to go up, because no price
16 ever goes down, but that is the actual cost that
17 they quoted us.

18 COMMISSIONER A'QUILA: There is no competitive
19 alternative that is both -- that could work in the
20 situation, because they -- when they're in control
21 of the data; correct?

22 MS. WHITMIRE: We continue to look for
23 alternatives, but so far that is the case. And
24 we're not the only agency in -- in this situation.

25 COMMISSIONER A'QUILA: Those are all my

1 questions.

2 VICE CHAIR BROWN: Thank you,
3 Commissioner A'Quila.

4 Any other questions on the line item?

5 MR. TROMBETTA: Item 3, and I will start
6 skipping around, but I just want to touch on Item 3
7 as well. It's a \$546,000 for a customer service
8 ticketing system.

9 Ms. Whitmire, would you mind just addressing
10 this one as well, please.

11 MS. WHITMIRE: Yes. This issue was submitted
12 last year and it was removed, because we were
13 hoping for an enterprise solution for the State of
14 Florida. Since that didn't happen, we resubmitted
15 it this year.

16 This is for an IT ticketing system that would
17 integrate with things like our inventory system.
18 Right now we're using a product called Smartsheet.
19 It is a Excel spreadsheet on steroids. It serves
20 our needs presently as best as it can, but we -- as
21 we grow and as we do things the new tool will help
22 us do change control and asset management, and so
23 really it is a foundational piece to any IT
24 department.

25 We live and breathe by tickets. If it didn't

1 go in the ticketing system, it doesn't happen. So
2 this would be to procure our own solution, which
3 would be a software that's a customer service Cloud
4 base and we hope not to actually own anything other
5 than in the Cloud.

6 VICE CHAIR BROWN: You're very thorough. Any
7 questions on this?

8 MR. TROMBETTA: Thank you, Commissioner Brown.

9 So the next items deal with request for
10 additional staff and (inaudible) IT ask. And then
11 the next two items are requests for more vehicles.

12 The thought process here would be one
13 vehicle -- one additional vehicle up here to kind
14 of help -- do dropoffs, (inaudible) now that we
15 have an admin team, so this vehicle is for the
16 admin.

17 The second vehicle would be a vehicle
18 specifically for the IT team down in South Florida.
19 So our IT needs in South Florida are to support an
20 office in Fort Lauderdale, plus we have eight
21 satellite offices at each of those slot facilities
22 (inaudible).

23 So we wanted to get a vehicle that would be
24 able to handle transportation of equipment,
25 potentially maintaining tools and other devices

1 that we use as our help desk guys go out to the
2 field and have to regularly service the offices in
3 other areas.

4 Issue 8 is outside legal counsel. So this was
5 another -- another kind of highlight. We have
6 recommended \$500,000 and recurring budget authority
7 to be used for outside legal counsel. This is
8 something that most agencies have, that the
9 Division of Pari-Mutuel Wagering had when we were
10 in DBPR and (inaudible) transfer didn't come with
11 us -- sorry, my mic has not been on.

12 And this would be essentially providing our --
13 the FGCC the ability to hire outside counsel to
14 help us in any type of legal dispute.

15 VICE CHAIR BROWN: I'm not just going to say
16 this because I'm a lawyer, but I'm very excited
17 about this. I know how stressed our attorneys are
18 and taxed with their workload and it's a necessity
19 to continue to hear this. I'm very excited that
20 this is included.

21 MR. TROMBETTA: Next is a new -- new item for
22 marking promotion. So we've asked and recommended
23 for \$55,000, which is kind of the start to help
24 get -- get our name out there. I know one of the
25 questions that I receive often is sort of how --

1 updates on like our -- our interaction with the
2 public.

3 The idea here is that now we're in a much
4 better position than we were last year. We have
5 staff that are able to -- that are proficient in
6 kind of interacting with the public getting the
7 word -- our messaging out there. So this is a
8 little bit of money to help support advertising and
9 promotional materials essentially.

10 VICE CHAIR BROWN: Commissioner A'Quila. I
11 knew it, an area of interest.

12 COMMISSIONER A'QUILA: Within that area, are
13 we also including public relations?

14 MR. TROMBETTA: Yes, sir.

15 COMMISSIONER A'QUILA: So will that also
16 include the writing of press releases and so forth
17 and do we have those resources in-house as far as
18 talent to do such?

19 MR. TROMBETTA: Yes, yes,
20 Commissioner A'Quila. We definitely do have those
21 resources now. We've hired Eric Carr, who is our
22 director of external affairs who has done a great
23 job of getting in and helping us. It's been a
24 notable difference in our ability to do things like
25 that. That's really just interact with the media,

1 just -- just get -- get the word out there.

2 COMMISSIONER A'QUILA: So have you -- I know
3 it's a little bit more granular than in this
4 presentation, but you'll approximate the marketing
5 and promotion are we talking about print, are we
6 talking about press releases, is there a
7 percentage, or pretty much at this point it's too
8 early stage and I'll accept that, that's --

9 MR. TROMBETTA: It is a little bit too early.
10 We -- we tried to come up with a number that could
11 kind of get us going. Our initial thought process
12 is that this could potentially be used for some
13 type of like a little bit of online advertising,
14 specifically targeted online advertising
15 potentially build awards and promotional materials
16 that we can provide to stakeholders.

17 COMMISSIONER A'QUILA: I might suggest for
18 consideration of -- or -- whether it be the
19 committee or position -- the term marketing and
20 promotion might be not the best term here, one
21 might, you know, call it public education, public
22 relations, so forth.

23 As we all know there is an incredible amount
24 of misinformation with regard to the understanding
25 of what constitutes illegal gambling and so forth

1 and probably the most frequent question I
2 (inaudible).

3 MR. TROMBETTA: Noted. thank you.

4 VICE CHAIR BROWN: Commissioners, any
5 questions on this item? Again this is another one
6 that's great, that we can see what we can do with
7 it to -- that shows further outreach.

8 Mr. Trombetta.

9 MR. TROMBETTA: Yes, ma'am, thank you. The
10 the next few items are sort of technical. What --
11 what we tried to do and it leads into, where's my
12 note here, FGCC Issue 17, which is additional
13 staffing resources for law enforcement.

14 You know, now that we're in our second year,
15 we've had some time to kind of identify where there
16 were additional needs for positions that we didn't
17 think of initially. The FGCC Issue 15, 16, 30 are
18 kind of moving positions, budget, and rate
19 associated with those positions between budget
20 entities.

21 So you'll see several items in your packets
22 related to moving, you know, position numbers from
23 one area to another. The idea there is that we're
24 moving positions from areas that we essentially
25 have a surplus of -- of talent and of work into

1 areas where we need it and it's to offset some of
2 the ask on the law enforcement side, so that's sort
3 of the next item I had, but it will lead into our
4 law enforcement ask.

5 So the -- sort of the way I view our -- our
6 total budget request we have sort of three main
7 items. The IT requests will identify with our
8 licensing, kind of getting our -- further
9 separating from DBPR, the general counsel, you
10 know, outside legal support, and then our continued
11 support for law enforcement.

12 During our -- our first year in operation, I
13 think our law enforcement team has done a fantastic
14 job with the support in, you know, both the
15 Governor's Office and the legislature in
16 identifying issues, finding ways to help other
17 stakeholders in the state, and building our own
18 team.

19 You know, Director Herold has done a fantastic
20 job in building our team. We're still in the
21 process. We still have lots of vacancies. But
22 even though we haven't, you know, filled like our
23 central office yet, we've identified that we have a
24 shortcoming in our analyst and intelligence side.

25 So the big ask for our law enforcement team is

1 that we've asked for two sworn officers that will
2 be directly under -- in the -- on the org chart. I
3 think on the org chart there's -- on the left side,
4 there's the sworn law enforcement officers that all
5 report to -- to Dan and Carl and then on the right
6 side is sort of our analyst tree. So we've asked
7 for two new officers on the law enforcement side
8 and then we're asking for several analysts on the
9 analyst side.

10 Ms. Mustain, do you mind providing a little
11 more information about -- about this item.

12 MS. MUSTAIN: Thank you. Good morning. We're
13 asking for six additional law enforcement positions
14 for the analyst side and it basically provides
15 analysts to receive compliance, serve issues, and
16 investigate them.

17 VICE CHAIR BROWN: Commissioners,
18 Commissioner A'Quila.

19 COMMISSIONER A'QUILA: The analysts also does
20 the preliminary investigation; is that correct?

21 MS. MUSTAIN: Can I ask Carl Herold to answer,
22 please.

23 MR. HEROLD: What exactly was the question?
24 I'm sorry.

25 COMMISSIONER A'QUILA: In those positions for

1 analysts, those analysts they complete -- do they
2 do just the preliminary investigation, the whole
3 investigation, what -- what -- can you define what
4 investigation means?

5 MR. HEROLD: Analysts what they do is they
6 prepare all the background information, connections
7 between involved parties where bank accounts are,
8 resources, and those types of things, and those are
9 all jumping off points for the investigators to
10 move along with.

11 Now, in this particular ask, we've asked for
12 two analysts to have kind of a specialty in online
13 activities and possibly online gambling and those
14 kind of things.

15 So it kind of rounds out our analyst ask where
16 we've got kind of the typical bread and butter
17 analyst and now we're asking for a couple --
18 because we see that there's an upcoming problem
19 with this, so we need to have some analysts that
20 can get us a little deeper into this particular
21 issue.

22 COMMISSIONER A'QUILA: So at least one of
23 those analysts would be one with financial crime
24 experience, understand the more electronic version
25 of illegal activity versus the -- let me take

1 something out of thin air --

2 MR. HEROLD: The run of the mill stuff.

3 (Simultaneous speaking)

4 MR. HEROLD: The two that we've asked for we
5 do want them to be specifically into the online and
6 kind of -- the online betting environment apps and
7 those kind of things like that. So you said one,
8 my goal is actually have both of those be that type
9 of analyst.

10 COMMISSIONER A'QUILA: We recognize those are
11 probably higher skilled, higher compensation
12 positions and also very highly sought after in this
13 marketplace --

14 MR. HEROLD: They are very much a specialty
15 and you have to pay the specialty price to attract
16 those types of individuals.

17 VICE CHAIR BROWN: Commissioner Repp.

18 COMMISSIONER REPP: To clarify within when he
19 says white collar crimes, we're talking about
20 people with financial -- complex financial frauds
21 kind of financial background as well as -- I mean,
22 the online fraud, for internet fraud, can be
23 different and suffer from (inaudible) white color
24 crimes?

25 MR. HEROLD: Right. And these, you know, the

1 goal is not for them to be particularly white
2 collar crime types of analysts, more so on the
3 online gambling and those kind of activities like
4 that.

5 COMMISSIONER A'QUILA: So it's more of an --
6 more preliminary, early stage digital not full if I
7 can use the term forensic accounting or that
8 nature?

9 MR. HEROLD: You're exactly right, but mostly
10 because to be a court-certified forensic auditor
11 requires a lot of experience that I don't think we
12 can capture at the price point that either we're
13 hoping to get for -- at -- you know, at this
14 particular time --

15 COMMISSIONER A'QUILA: That answers the
16 question. Thank you.

17 VICE CHAIR BROWN: Commissioner Drago.

18 COMMISSIONER DRAGO: I just have one -- one
19 question, Director. The analyst supervisor, that's
20 a non-sworn or that's a sworn position.

21 MR. HEROLD: That will be a non-sworn.
22 There's no need for a sworn position there.

23 COMMISSIONER DRAGO: Thank you.

24 VICE CHAIR BROWN: Thank you.

25 MR.TROMBETTA: Then the final items are

1 kind of related to that ask. So we have an ask for
2 additional motor vehicles for -- as it relates to
3 additional positions in the law enforcement ask and
4 asks for money for additional radios, and then
5 again moving some money around can offset some of
6 the asks.

7 With that, I mean, that's kind of my generally
8 summary of what -- what we've asked. Obviously the
9 specific materials are provided in the meeting
10 materials. And if there's anything -- any
11 questions that you have, I'll be happy to take them
12 on an individual basis.

13 VICE CHAIR BROWN: Thank you. And I know
14 you've briefed all of the commissioners on -- and
15 your team have briefed us on this. We are going to
16 be looking for a motion to approve the budget as
17 proposed.

18 Is that correct, Mr. Trombetta?

19 MR. TROMBETTA: Yes, ma'am.

20 VICE CHAIR BROWN: Are there any questions
21 before we get to that point, any particular items?

22 Commissioner Repp.

23 COMMISSIONER REPP: I just have one question
24 regarding the vehicles. Are those vehicles
25 actually purchased and owned by the Gaming

1 Commission? Have we looked into the possibility of
2 leasing, compare that to being able to update
3 vehicles and keep them in (inaudible)?

4 MR. TROMBETTA: Thank you, Commissioner Repp.
5 They are actually purchased. I'm going to turn it
6 to again, the director of admin, Ms. Lisa Mustain
7 on the issue of leasing.

8 MS. MUSTAIN: Thank you. We have looked
9 into -- to that, but the admin we currently in our
10 fleet don't have a larger size vehicle to be able
11 to take items to the post office or to move big
12 items surplus property perhaps to the dump or
13 things of this nature, so it happens often that
14 we're looking for a bigger size vehicle.

15 With regard to the IT, they -- you can't
16 really rent a vehicle and be able to put all your
17 supplies that you need to service computers
18 throughout, you know, Central and Southern Florida
19 in a rented vehicle, so that's -- that doesn't work
20 for our purposes.

21 COMMISSIONER REPP: I'm sorry, let me clarify.
22 I meant like leasing a vehicle that --

23 MS. MUSTAIN: We have not looked into leasing.

24 VICE CHAIR BROWN: Commissioners, any other
25 questions before we get into approving that item?

1 COMMISSIONER A'QUILA: I have a question,
2 Vice Chairman.

3 Is it within the options to approve -- I know
4 two options are approve or disapprove of the
5 budget, can one also approve the budget with one
6 exception?

7 VICE CHAIR BROWN: Let's talk about the
8 exception before we --

9 COMMISSIONER A'QUILA: Yes. My concern is
10 with regard to Item Number 2. And not to belabor
11 the point, but let me --

12 VICE CHAIR BROWN: Absolutely, you have the
13 floor.

14 COMMISSIONER A'QUILA: I think I made my point
15 earlier.

16 VICE CHAIR BROWN: Do you have a proposal of
17 an alternative?

18 COMMISSIONER A'QUILA: My alternative would be
19 to work out a favorable arrangement working with
20 the other government agencies.

21 VICE CHAIR BROWN: Commissioner Drago.

22 COMMISSIONER DRAGO: Commissioner, are you
23 referring to the migration from DBPR?

24 COMMISSIONER A'QUILA: That is correct.

25 VICE CHAIR BROWN: Mr. Trombetta, and maybe we

1 can have Ms. Whitmire come back up here to also
2 further elaborate. I know a lot of time has been
3 spent on this in the past year and research. So it
4 may be helpful to provide additional clarification
5 of the need.

6 MR. TROMBETTA: Sure. So just a
7 question -- so, Commissioner A'Quila, you know,
8 obviously I completely understand your concern.
9 When you say work it out with the other agencies,
10 it just -- you can't just -- what are your
11 thoughts? Can you just expand on that a little so
12 I have more direction?

13 COMMISSIONER A'QUILA: The point I'm not
14 understanding is why the two agencies are not able
15 to understand the mutual need of the state and
16 meeting this requirement and cannot effectively
17 deal with this as it will go away with the passage
18 of time and almost unjustly reward this vendor,
19 which appears to me in my business experience an
20 extremely exorbitant cost and not fair pricing in
21 this regard.

22 So if the -- it pains me to approve something
23 where -- where I perceive the state is not being
24 treated fairly and I also haven't been convinced
25 that the two agencies can do an effective

1 workaround based on the number of instances,
2 whether it be five or six or whatever and there's
3 somewhat uncertainty with regard to record
4 retention as it pertains to both volume and
5 (inaudible) costs.

6 MR. TROMBETTA: Yeah, let me just provide --
7 and not to -- you know, that's -- let me just try
8 to provide a little more context maybe.

9 So right now there is an appropriation for
10 continued IT support services that the Gaming
11 Commission receives that is to be used for
12 continued IT support services provided by DBPR. We
13 are expected to enter into an MOU on how those
14 funds will be used. We were able to do it last
15 year and currently we're working through the
16 process this year.

17 DBPR has been a good partner throughout this
18 process and we've been able to kind of work through
19 some of the issues as they come up. I think this
20 is one that we -- we can continue to try to work
21 with them on.

22 I think my concern is in the long run that --
23 and, you know, I think it was kind of identified
24 earlier that this year too is that we don't --
25 we're not going to have control of what they do

1 with it long term, which, you know -- so I agree
2 with you. This is an exorbitant cost.

3 I mean, it seems this is -- to me coming in,
4 you know, as someone that isn't necessarily in the
5 IT field, you always hear about these problems with
6 vendors that they -- be careful what vendors you
7 use for data, because once they have your data
8 they're going to -- they're going to, you know, not
9 let you out and that to me is what this is, 69
10 terabytes it's hard to imagine, that's really
11 \$10,000 per terabyte to transfer this data out.

12 I just don't know what -- I don't know if
13 there's a good long-term solution, because the --
14 there's a risk in public records responses that
15 we're going to be -- we're going to call -- we're
16 going to fall further and further down the line of
17 importance frankly for these other agencies.
18 Right.

19 As time goes on, they right now are being good
20 partners. The administration, the people that are
21 running the agency were there when the Gaming
22 Commission was created, they were aware of what was
23 supposed to happen via Type 2 transfer and
24 everybody's kind of working to that end.

25 I'm concerned, you know, not necessarily the

1 next year, but, you know, five, ten years down the
2 road, we're still going to be responding to public
3 records requests for data that will be captured in
4 this time period and having to -- it's just -- it's
5 not that ideal situation.

6 I mean, I think you understand that, it's just
7 whether or not the cost is worth separating and,
8 you know, frankly -- I'm not trying to convince you
9 that it is, I'm just trying to give you more
10 information.

11 Ms. Whitmire, are you able to provide any
12 other context or any other --

13 MS. WHITMIRE: Not really. I mean, we
14 continue to look for alternatives. We continue to
15 meet with other vendors to see if there are other
16 migration strategies. We haven't been successful
17 yet, but we can continue but it -- the long term
18 being able to get this data. And the farther it
19 gets out of the current situation and the older the
20 data gets, I only think it's going to get more
21 expensive to get it if we need it a year from now,
22 two years from now.

23 You know, trying to be in control of our
24 destiny and how we serve our consumers is key, but
25 IT will do whatever the business wants. And we can

1 continue the relationship or otherwise continue to
2 research. And even after -- if you approve it or
3 don't approve it, we're going to continue to see if
4 we can find alternatives.

5 VICE CHAIR BROWN: Commissioner Drago.

6 COMMISSIONER DRAGO: I certainly understand
7 Commissioner A'Quila's concerns. It's just mind
8 boggling how expensive it is. And I know everybody
9 gets it and it's an issue we have to deal with.

10 I also have a concern about public records and
11 providing that information and not relying on
12 another agency for something that we have to do.
13 That -- that does concern me. It's not that that
14 means you can pay any price in the world to do it,
15 but I think it -- it is probably going to get more
16 expensive as time goes on. Nothing goes down as
17 you said before, so it's just going to get more and
18 more costly.

19 My concern is do we bite the bullet and do it
20 now or wait and do it at another time when maybe --
21 maybe we're not able to do it financially from the
22 state's perspective.

23 So Commissioner A'Quila is, you know, right
24 on. I understand his concerns and I know his
25 experience with these things is valuable. I also

1 look at the other side, but I am concerned about
2 not being responsible for things like public
3 records on our own, having to rely on somebody else
4 to do it. Not that DBPR won't do it, but of course
5 they've got their own things to do.

6 And there -- we need to be responsive to the
7 public, and public records in my mind is very, very
8 important regardless of the legalities involved it.
9 It's very important that we service the -- the
10 people of this state in a timely manner -- manner
11 with anything that has to do with public records.

12 And I'd hate for our staff to be put in a
13 position where they're like, well, we're trying,
14 we're trying, but, you know, we have to rely on
15 somebody else. That can get -- that can get very
16 tiresome for the staff and it also can be very
17 tiresome for -- for the public who's trying to get
18 this information.

19 So it -- it's not an easy solution and as --
20 as the commissioner said, he's outlined it
21 perfectly all the issues of course that we're all,
22 you know, thinking about, but it is -- it is not
23 easy, but I realize that sometimes you just -- you
24 just got to bite the bullet and move on.

25 You know, if there's other things we can do or

1 if there's other avenues to pursue, if there's --
2 you know, to try to lessen the cost, I'm certainly
3 for that. I just don't know that that's there. I
4 don't -- I don't know that we're just kicking the
5 can down the road again and we're running out of
6 time in terms of the budget and that type of thing.
7 That's all I have to say.

8 VICE CHAIR BROWN: Commissioner Drago, I agree
9 with -- with your statement too, particularly about
10 public records. There's clearly a need that is
11 without a doubt and we get the most cost effective
12 measure. If we go ahead and approve the budget as
13 proposed, it sounds like you're going to continue
14 to try to find alternatives regardless that will be
15 as cost effective.

16 Is that correct?

17 MS. WHITMIRE: Correct. So we would -- we're
18 going to continue to see if there's alternatives.
19 And if we find an alternative and we don't spend
20 the \$690,000, great. We already looked at several
21 solutions that we thought might be options and they
22 turned out to be equally terrible solutions.

23 So we continue to work with our vendor
24 community and hope that they come up with something
25 before we actually go to session, but so far it has

1 not been a successful search.

2 VICE CHAIR BROWN: That's fair.

3 Mr. Trombetta, want -- you wanted to add
4 something?

5 MR. TROMBETTA: I'm sorry, no -- well, just
6 again for just clarity on the record here.

7 The issue isn't -- and I don't know if maybe I
8 got confused or -- my issue isn't with DBPR, the
9 issue is with the vendor that DBPR has a contract
10 with.

11 So just -- you know, DBPR isn't necessarily
12 the problem, but they do potentially present risks
13 just the way public records could be handled, but
14 the real problem is the vendor that is storing this
15 data, not DBPR itself and that's...

16 VICE CHAIR BROWN: Anything further to add?

17 COMMISSIONER A'QUILA: No. I -- DBPR has to
18 retain records. Their records are mixed with our
19 records. So these records I imagine DBPR is going
20 to take care of those records. Again when I look
21 at the cost, I can almost fund a full-time position
22 just to deal with requests (inaudible) needed that
23 would be more economical than the solution of the
24 vendors, that's another way of explaining...

25 VICE CHAIR BROWN: So the options -- again we

1 are somewhat time pressed with the budget, so I am
2 in support of the budget as proposed with the
3 caveat of your concerns but also with the
4 acknowledgment that Ms. Whitmire and her team are
5 going to continue to look for -- for cost effective
6 measures on the item delineated.

7 But if there's any other comments before we
8 get to the motion, then please -- we're ready to
9 take it up.

10 COMMISSIONER DRAGO: I make a motion to accept
11 the budget.

12 VICE CHAIR BROWN: Is there a second?

13 COMMISSIONER REPP: I'll second.

14 VICE CHAIR BROWN: Any further discussion?
15 All those in favor say aye.

16 (Commissioners responded aye, but for
17 Commissioner A'Quila.)

18 VICE CHAIR BROWN: It passes unanimously.
19 Thank you. Thank you again for all of your work on
20 this.

21 We are going to move on now to Item 2.1,
22 Discussion of amended application for cardroom
23 license.

24 (Pause)

25 MS. POUNCEY: Jamie Pouncey, cardroom holder

1 administrator for Item 2.1.

2 VICE CHAIR BROWN: Pull your mic a little bit
3 closer.

4 MS. POUNCEY: Item 2.1 is Dania Entertainment
5 Center. They have submitted Case Number
6 2023-047080, a request to add additional card
7 tables.

8 Dania possesses a current 2023 cardroom
9 license and they have 22 tables operating. They're
10 requesting to add three additional tables. They've
11 paid the licensing fee associated with those tables
12 and the division recommends the approval.

13 VICE CHAIR BROWN: Thank you, Ms. Pouncey.
14 Pretty straightforward. Is there any discussion,
15 if not I'll take a motion to approve.

16 COMMISSIONER A'QUILA: I'll make a motion to
17 approve.

18 VICE CHAIR BROWN: Thank you. Is there a
19 second? All those in favor say aye.

20 (Aye response)

21 VICE CHAIR BROWN: Thank you, Ms. Pouncey.

22 We are going to take up Item 3.1, Discussion
23 of initial application for cardroom license.

24 Can staff provide just a really brief overview
25 and then I'd like to have the applicant speak if

1 they so choose.

2 MS. POUNCEY: Ocala Breeders' Sales Company
3 has submitted Case Number 2023-042076, an initial
4 cardroom license application. Ocala Breeders'
5 Sales possesses a Quarter Horse permit.

6 They held an operating license for the
7 pari-mutuel wagering year -- Fiscal Year 2020/2021.
8 They were issued a pari-mutuel license for the
9 23/24 fiscal year. Ocala has submitted the initial
10 application for their cardroom license, paid the
11 \$34,000 licensing fee to operate 34 tables.

12 In order to issue Ocala Bets cardroom license,
13 the Commission has confirmed Ocala Bets is the
14 licensed permit holder. They hold an operating
15 license for the conduct of pari-mutuel wagering for
16 the 2020/2021 fiscal year. They paid the thousand
17 dollars per table licensing fee.

18 The authorized cardroom will be operated at
19 the same facility in which the permit holder's
20 authorized under its valid permit to conduct
21 pari-mutuel wagering activities, and we have
22 confirmed that they have submitted their written
23 internal controls for approval and that Ocala Bets
24 has provided proof of authorization of the cardroom
25 by the governing body where the cardroom will be

1 operated.

2 VICE CHAIR BROWN: Thank you, Ms. Pouncey.

3 Mr. Trombetta.

4 MR. TROMBETTA: Yeah, thank you. So just a
5 little bit more background, some events that have
6 happened in the last 48 hours.

7 So there was a deficiency identified in the
8 application related to internal controls on Tuesday
9 of this week. We sent an email to that effect and
10 the applicant responded almost immediately. So but
11 -- because the response happened yesterday, the
12 documents addressing that deficiency have not been
13 included into the meeting materials.

14 So we are in a position where the Commission
15 has as of this week identified a deficiency in the
16 internal controls that was then resolved. There's
17 a subsequent document provided by the applicant as
18 well relating to the authorization by I think the
19 City of Ocala for the cardroom activity at the
20 location. That has been provided to us.

21 I think the -- we're still in a situation
22 where because of the timing of this, I don't know
23 if the -- the Commission is in a spot to make a
24 decision on this today and I think it might --
25 if -- if the Commission so desires to provide a

1 little more notice to the public, we could notice a
2 meeting for the soonest time possible, which would
3 be seven days. We could do it virtually next week
4 so that there would be no notice issue at all. It
5 would essentially cure the notice issue that was
6 created by our email on Tuesday.

7 VICE CHAIR BROWN: And I know this applicant
8 provided -- started this process early in January.
9 And just to have a deficiency come up the day
10 before the agenda is to, you know, unfortunately
11 the detriment of the applicant.

12 Is it a substantive deficiency that
13 necessitates further notice to the public? I'm
14 just a little confused. The public is aware of
15 this. It will be part of the full record as well.

16 MR. TROMBETTA: You know, so my role as
17 executive director is -- is not necessarily to
18 provide -- I know, I am barred, I am an attorney,
19 but I don't have an answer to that legal question.
20 It's a legal opinion.

21 My recommendation is that to do this in the
22 cleanest way that will leave the Commission in the
23 best -- you know, my job is to protect the
24 Commission, is to suggest that we -- we move this
25 for a week and take it up next Friday at a virtual

1 meeting so that the -- all the documentation is out
2 there and there's no question, because -- because,
3 you know, frankly Vice Chair Brown, I don't know
4 the answer to that question, but I know that if we
5 do delay a decision on this for a week, that issue
6 is not a problem for sure.

7 VICE CHAIR BROWN: I know Commissioner A'Quila
8 has a question, but I did want to give the
9 applicant just to get his -- if he's okay with it
10 as well. Again he cleared the deficiency as soon
11 as he was given notice the day before the agenda.

12 MR. TROMBETTA: Yeah. And, again, the -- the
13 notice going out -- the email going out from my
14 staff on Tuesday was again something that I'm going
15 to try to fix going forward. It shouldn't happen
16 this way. I apologize for that.

17 VICE CHAIR BROWN: Unfortunate highlight, but
18 again it's using his best efforts to get
19 information to us as soon as possible, you have to
20 hear from the applicant to make sure he's okay with
21 that posture of delaying for a week, but,
22 Commissioner D'Aquila.

23 COMMISSIONER A'QUILA: I think the suggestion
24 is a good one -- well, of course, it's an
25 unfortunate situation, but I think the

1 commissioners should have an opportunity to see the
2 information and I think I'll speak as one
3 commissioner is not prepared to do -- to
4 participate in a special meeting next week if
5 necessary.

6 VICE CHAIR BROWN: Commissioner Drago.

7 COMMISSIONER DRAGO: Yeah. I do want to make
8 sure we do it the right way. I mean, that's the
9 most important thing, fair to everybody involved,
10 especially the applicant. But also in terms of
11 rescheduling or scheduling the meetings to handle
12 that, can we do that in a way that we also work
13 with the applicant to make sure it's okay for --
14 for them to be able to be at this follow-up meeting
15 or whatever it may be, since we're going to be
16 moving it around and it's going to inconvenience
17 them I'm sure to some extent?

18 MR. TROMBETTA: Yes, Commissioner Drago. The
19 applicant is here today, so I think if you do want
20 to hear from them, I think they would be available
21 -- I don't know if they want to talk, but they are
22 here.

23 VICE CHAIR BROWN: If the applicant does want
24 to talk, please feel free to come up to the mic.
25 If not, you can just wave your hand and -- we're a

1 friendly group here, though. Don't be scared to
2 come up. Thank you.

3 MR. VENTURA: Welcome, Commissioners. My name
4 is Tom Ventura. I'm the president of Ocala
5 Breeders' Sales Company. And we have submitted
6 this application, you know, several months ago. I
7 understand if there's an issue making a decision
8 today. I'll be available to make it work. We want
9 to get it right the first time.

10 We've -- we've been very responsive as has --
11 the division has been very helpful in getting this
12 off the ground. We've been in business for almost
13 40 years. We've had a pari-mutuel permit and we're
14 adding the cardroom to our facility and we're, you
15 know, at the end stages of our renovation. If we
16 can get this decision within a week, it won't
17 hinder us horribly and I'll be available as needed.

18 VICE CHAIR BROWN: Thank you very much for
19 that comment.

20 Commissioners, any questions? We'll try to do
21 it as seamlessly. Let's just -- if we can have the
22 notice legally requiring seven days.

23 MR. TROMBETTA: Yes, ma'am. We could
24 technically -- I think my staff will get the
25 noticed published -- or, you know, submitted to the

1 FAR today, get it published tomorrow. And then if
2 you're available the following Friday, we could do
3 it virtually so that -- we can just kind of do it
4 from the side and that would be the fastest.

5 VICE CHAIR BROWN: Sound good?

6 MR. VENTURA: Yes. Thank you.

7 VICE CHAIR BROWN: Thank you. Thank you very
8 much.

9 We are moving on to 4.1.

10 MS. POUNCY: Item Number 4.1, Gulfstream Park
11 Racing Association, Case Number 2023-046935. It is
12 a request to amend their 23/24 operating license.

13 The applicant submitted their application to
14 amend their license August 18th of '23. They're
15 requesting to cancel five thoroughbred
16 performances. Gulfstream Park possesses a valid
17 thoroughbred permit. They were issued an operating
18 license for the 23/24 fiscal year when they applied
19 for their operating license. It included 174
20 performances, 169 matinee, and five charity.

21 Gulfstream is now requesting to amend its
22 operating license by canceling five thoroughbred
23 performances resulting in a new total of 169
24 performances, 164 matinees, and five charities for
25 its schedule.

1 In addition to submitting the application, a
2 thoroughbred permit holder may request a minor
3 amendment to their license. Gulfstream Park has
4 satisfied all the requirements and is requesting
5 amendment to less than 49 percent of total
6 performances from the current year's initial
7 license. It is the recommendation that this
8 request be approved.

9 VICE CHAIR BROWN: Thank you.

10 Commissioners, any questions for Ms. Pouncey,
11 if not can we get a motion?

12 COMMISSIONER A'QUILA: I make a motion to
13 approve.

14 COMMISSIONER DRAGO: Second.

15 VICE CHAIR BROWN: All those in favor say aye.
16 (Aye response)

17 VICE CHAIR BROWN: Thank you, Ms. Pouncey.

18 We're going to take up Items 5.1 through 5.5
19 together as a whole since they are all tax credit
20 exemptions. I believe they're the same entity.

21 MS. SWAIN: Good morning. Tracey Swain,
22 revenue program administrator for pari-mutuel
23 wagering. These are all tax credits from the
24 individual facilities to transfer a portion of
25 their exemption credits to Daytona Beach Kennel

1 Club. They've met all requirements that are
2 outlined in 550.09511(b) and the staff
3 recommendation that all of the tax credits be
4 approved for transfer.

5 VICE CHAIR BROWN: Thank you, Ms. Swain.

6 Any questions on any of the Items 5.1 through
7 5.5? If not, can I get a motion to approve those?

8 COMMISSIONER A'QUILA: Very thorough writeup.
9 Thank you, and I make a motion to approve.

10 COMMISSIONER DRAGO: Second.

11 VICE CHAIR BROWN: All those in favor of the
12 motion to approve 5.1 through 5.5, say aye.

13 (Aye response)

14 VICE CHAIR BROWN: Thank you. We're taking up
15 a discussion of the consent orders, Item 6.1
16 through 6.5. We are going to go through them
17 individually, so if we could start with 6.1,
18 please.

19 MS. ALVARADO: 6.1 is FGCC versus Daytona
20 Beach Kennel Club, Case Number 2023-021983. This
21 case there was a filed administrative complaint
22 alleging that respondent violated Rule 75-11.012(8)
23 by allowing an employee to access the count room
24 during the count when they were not on the
25 authorized list. They did have one prior violation

1 in 2021. You also had a \$750 consent order
2 attached in the meeting materials. Therefore the
3 division would ask that the Commission issue an
4 order adopting this consent order.

5 VICE CHAIR BROWN: Thank you, Ms. Alvarado. I
6 think that's a fair negotiation as well.

7 Is there a motion to approve the item?

8 COMMISSIONER DRAGO: Can I ask one question?

9 VICE CHAIR BROWN: Certainly.

10 COMMISSIONER DRAGO: So the -- the prior
11 violation -- they were fined \$500 in the prior
12 violation and it's being moved up by \$250 to \$750
13 this time?

14 MS. ALVARADO: Right. The prior one also had
15 two counts in it, so I think they did 250 per
16 violation and so we're doing 750 for one.

17 COMMISSIONER DRAGO: I have a question on
18 another one that's similar to this that you know
19 it's coming.

20 MS. ALVARADO: Yes.

21 VICE CHAIR BROWN: Any other questions? Can I
22 get a motion to approve 6.1?

23 COMMISSIONER DRAGO: So moved.

24 COMMISSIONER A'QUILA: Second.

25 VICE CHAIR BROWN: All those in favor say aye.

1 (Aye response)

2 VICE CHAIR BROWN: Thank you. 6.2, please.

3 MS. ALVARADO: 6.2 is FGCC versus Nieto De
4 Mala -- De Malas in Case Number 2023-026181. This
5 case was a violation of Rule 75-14.065(2)(j) by
6 continuing to process money during a count room
7 when one of the count members had left the room.

8 There's no prior violation in this case and
9 you were provided a settlement for a \$50 fine.
10 Therefore, the division would ask that the
11 Commission adopt this consent order in this case.

12 VICE CHAIR BROWN: Thank you.

13 Commissioners, any questions on this item?
14 Can I get a motion please to approve?

15 COMMISSIONER A'QUILA: Motion to approve.

16 VICE CHAIR BROWN: Second.

17 COMMISSIONER REPP: Second.

18 VICE CHAIR BROWN: All those in favor say aye.

19 (Aye response)

20 VICE CHAIR BROWN: Motion passes. 6.3.

21 MS. ALVARADO: 6.3 is John Rigattieri in Case
22 Number 2023-027827. This case was a filed
23 administrative complaint alleging that respondent
24 raced a horse determined to have ketoprofen present
25 in its body, which is a violation of 61D6.0083(b).

1 You were provided a settlement and consent order
2 that had a written warning. Respondent had no
3 prior violation in this case. Therefore, the
4 division would ask that the Commission adopt this
5 consent order.

6 VICE CHAIR BROWN: Thank you, Ms. Alvarado.
7 Just a question now that HISA have taken over
8 these -- in this three days, their oversight. Once
9 this consent order is issued, do we give them
10 notice of it for their recordkeeping on the
11 trainer?

12 MS. ALVARADO: This particular one had an
13 attorney, their -- a final order that the consent
14 order was adopted in this case.

15 VICE CHAIR BROWN: I guess we'll save the HISA
16 comments and questions under executive director,
17 because I do (inaudible) we're proceeding with
18 them, but if not, are there any questions on this,
19 if not make a motion.

20 COMMISSIONER DRAGO: So moved.

21 VICE CHAIR BROWN: Is there a second?

22 COMMISSIONER REPP: Second.

23 VICE CHAIR BROWN: All those in favor say aye.
24 (Aye response)

25 VICE CHAIR BROWN: Thank you. 6.4, please.

1 MS. ALVARADO: 6.4 is FGCC versus Washington
2 County Kennel Club in Case Number 2023-029082.
3 This case was a violation of Rule 75-11.0175(c) by
4 failing to ensure that the count members clothing
5 were in good condition and completely zipped during
6 the duration of their time in the count room.
7 There is no prior violation in this case. There
8 was also a settlement for a \$500 fine. Therefore,
9 the division would ask the Commission adopt the
10 consent order.

11 VICE CHAIR BROWN: Thank you. This particular
12 one also, though, the security manager did not
13 inspect the entire count room; correct?

14 MS. ALVARADO: Right.

15 VICE CHAIR BROWN: Not just the clothing, the
16 entire count room?

17 MS. ALVARADO: I believe so, yes.

18 VICE CHAIR BROWN: As required -- well,
19 Commissioners, any questions? If not happy to take
20 a motion.

21 COMMISSIONER DRAGO: I'll move to adopt the
22 settlement consent order.

23 COMMISSIONER A'QUILA: I will second.

24 VICE CHAIR BROWN: All those in favor say aye.

25 (Aye response)

1 VICE CHAIR BROWN: Thank you. It passes.
2 6.5, please.

3 MS. ALVARADO: This is FGCC versus
4 St. Petersburg Kennel Club in Case Number
5 2023-029445. This case was a violation of Rule
6 75-11.012(8) as well as Rule -- well, two
7 violations of 75.11.012(8) by allowing an employee
8 to access the count room during the count when they
9 were not on the authorized list as well as -- I'm
10 sorry.

11 So there's two counts in this case. There was
12 also one prior violation which had a \$250 fine.
13 You were also provided a settlement, which had a
14 \$750 fine in this case. Therefore, the Commission
15 would ask -- the division would ask the Commission
16 to adopt this consent order.

17 VICE CHAIR BROWN: Are there any questions?

18 COMMISSIONER DRAGO: I have one.

19 VICE CHAIR BROWN: Sure.

20 COMMISSIONER DRAGO: So this is the one I
21 wanted to get to, because there's two similar cases
22 and they kind of flip-flop on how they're fined,
23 one was -- so is this -- is this -- does this one
24 we're dealing with today, the current one, two
25 counts?

1 MS. ALVARADO: Yes, it's two counts. The
2 prior was one count and they had a \$250 fine in
3 that prior case.

4 COMMISSIONER DRAGO: So I'm looking for the
5 consistency and I see that as you explain it, so
6 that was my only concern. Thank you very much.

7 MS. ALVARADO: You're welcome.

8 VICE CHAIR BROWN: Commissioner Drago, can we
9 get a motion from you?

10 COMMISSIONER DRAGO: So moved.

11 VICE CHAIR BROWN: Is there a second?

12 COMMISSIONER A'QUILA: Second.

13 VICE CHAIR BROWN: All those in favor say aye.
14 (Aye response)

15 VICE CHAIR BROWN: Thank you. It passes.

16 Now, we're going to take a discussion of
17 default final orders. If we could, could we
18 combine 7.1 and 7.4 since it's the same incident.

19 MS. ALVARADO: Those are Case numbers
20 2023-019619, which is FGCC versus Ryan Duarte and
21 Case Number 2023-028537 Shaniha Murphy. In both of
22 these cases they were provided a one count
23 administrative complaint alleging that the
24 respondent was excluded from Calder Casino on
25 September 21st for using stolen credit card for

1 cash advances. Therefore, subject to a permanent
2 exclusion from all pari-mutuel and slot machine
3 facilities pursuant to 550.0251(6) and 551.112.

4 The respondent was served and failed to
5 respond to the administrative complaint.

6 Therefore, the division would ask that the
7 Commission find that the respondent was properly
8 served, failed to respond within 21 days, that the
9 facts in the administrative complaint are accepted
10 as the facts in the case and concluding that
11 respondent will be added to the permanent exclusion
12 list.

13 VICE CHAIR BROWN: Thank you. Again when she
14 says -- when you say respondent, it's respondents
15 even though there are two separate -- the same.

16 If there are no questions, can we get a motion
17 on 7.1 and 7.4?

18 COMMISSIONER REPP: I'd like to make a motion
19 to adopt.

20 VICE CHAIR BROWN: Is there a second?

21 COMMISSIONER A'QUILA: I'll second.

22 VICE CHAIR BROWN: All those in favor say aye.
23 (Aye response)

24 VICE CHAIR BROWN: Thank you. 7.1 and 7.4 are
25 approved. Moving on to 7.2.

1 MS. ALVARADO: 7.2 is FGCC versus
2 Mario Collado in Case Number 2023-025629. This
3 case was a one-count administrative complaint that
4 was filed against respondent who was excluded from
5 Magic City Casino on April 24, 2023, for disorderly
6 -- acting in a disorderly manner towards the
7 cardroom employees. He's subject to permanent
8 exclusion pursuant to Sections 550.0251(6) and
9 551.112.

10 The respondent was properly served via USPS
11 certified mail and failed to respond. Therefore
12 the division would ask that the Commission find the
13 respondent was properly served, he failed to
14 respond within 21 days, that the facts in the
15 administrative complaint are accepted as the facts
16 in this case, and concluding that respondent be
17 added to the permanent exclusion list.

18 VICE CHAIR BROWN: Thank you.

19 Can I get a motion to approve 7.2?

20 COMMISSIONER A'QUILA: I make a motion to
21 approve 7.2.

22 COMMISSIONER DRAGO: Second.

23 VICE CHAIR BROWN: All those in favor say aye.
24 (Aye response)

25 VICE CHAIR BROWN: Thank you. 7.3, please.

1 MS. ALVARADO: 7.3 is Julian Reyes in Case
2 Number 2023-026490. In the case materials you
3 provided a two-count administrative complaint
4 alleging that respondent was convicted of a felony
5 offense and failed to disclose this felony offense
6 to the Commission within 48 hours.

7 You were also provided the USPS tracking as
8 well as the receipt that it was properly served.
9 The respondent failed to respond. Therefore, the
10 division would ask that the Commission enter an
11 order finding that the respondent was properly
12 served, failed to respond within 21 days, that the
13 facts in the administrative complaint are accepted
14 as facts in this case, and that the respondent's
15 cardroom employee occupational license will be
16 revoked.

17 VICE CHAIR BROWN: Are there any questions on
18 this? Can we get a motion to approve 7.3.

19 COMMISSIONER DRAGO: Make a motion to approve
20 staff recommendation.

21 COMMISSIONER A'QUILA: Second.

22 VICE CHAIR BROWN: All those in favor say aye.
23 (Aye response)

24 VICE CHAIR BROWN: Thank you. 7.5.

25 MS. ALVARADO: 7.5 is FGCC versus Moreno --

1 Carlos Moreno Villegas. In this case you were
2 provided a two-count administrative complaint
3 alleging that respondent was terminated as a poker
4 dealer and excluded for one year in November 2022
5 for engaging in theft of various chips while
6 working as a poker dealer.

7 He is subject to exclusion and revocation of
8 his cardroom license. You were also provided a
9 USPS tracking. The respondent failed to respond in
10 this case. Therefore, the division would ask the
11 Commission to enter an order finding that the
12 respondent was properly served, he failed to
13 respond within 21 days, that the facts in the
14 administrative complaint are accepted as the facts
15 in this case, and that the respondent will be added
16 to the permanent exclusion list as well have his
17 slot machine license revoked.

18 VICE CHAIR BROWN: Thank you. Are there any
19 questions on this item? If not, can we get a
20 motion to approve the staff recommendation.

21 COMMISSIONER A'QUILA: Make a motion to
22 approve.

23 VICE CHAIR BROWN: Is there a second?

24 COMMISSIONER REPP: Second.

25 VICE CHAIR BROWN: All those in favor say aye.

1 (Aye response)

2 VICE CHAIR BROWN: We are on to 8.1, Order to
3 vacate final order.

4 MS. ALVARADO: This is Jonathan Ferber, which
5 is Case Number 2023-043586. Here the division is
6 seeking to vacate the final order that was issued
7 on the May 5th meeting permanently excluding
8 respondent from pari-mutuel and slot machine
9 facilities in the state.

10 The administrative complaint was served via
11 publication. We have since received notification
12 that the respondent is no longer living at that
13 address and did not have notice of the case.
14 Therefore, we ask that we vacate this final order
15 and reissue the administrative complaint at the
16 correct address.

17 VICE CHAIR BROWN: Sounds appropriate. Is
18 there a motion to approve?

19 COMMISSIONER REPP: Motion to approve.

20 COMMISSIONER DRAGO: Second.

21 VICE CHAIR BROWN: All those in favor say aye.

22 (Aye response)

23 VICE CHAIR BROWN: Thank you. We're on to
24 recommended orders, Number 9.1 through 9.4.

25 MS. ALVARADO: 9.1 is Steven Frazier, Case

1 Number 2022-040492. This case comes before you
2 following a recommended order that was issued by
3 the hearing officer. An informal hearing was
4 conducted on May 25th regarding a notice of intent
5 to deny petitioner's obligation due to three felony
6 convictions. The hearing officer issued a
7 recommended order on September 5th recommending
8 that the petitioner's license will be granted and
9 subject to a five-year probationary period.

10 VICE CHAIR BROWN: Can you repeat the last
11 portion of your comment --

12 MS. ALVARADO: Yes. The recommended order
13 would be petitioner will be granted their cardroom
14 license and they be placed on a probationary period
15 for five years. If they were to get any other
16 convictions, their -- their license would be
17 automatically revoked.

18 VICE CHAIR BROWN: Thank you.

19 Commissioners, any questions on this item? If
20 not, can we get a motion to approve the proposed
21 recommended order.

22 COMMISSIONER REPP: I'll make a motion to
23 (inaudible) order -- the proposed recommended
24 order.

25 VICE CHAIR BROWN: Thank you.

1 COMMISSIONER A'QUILA: I will second that
2 motion.

3 VICE CHAIR BROWN: All those in favor say aye.
4 (Aye response)

5 VICE CHAIR BROWN: Thank you.

6 MS. ALVARADO: If I could combine 9.2 and 9.3.

7 VICE CHAIR BROWN: That would be great.

8 MS. ALVARADO: Those are Garrett Anderson
9 2022-048147 and Gilfredo Gonzalez 2022-061179. A
10 recommended order has not been issued in either
11 case. Therefore, the division would ask that we
12 could table this for the October meeting once we
13 get the recommendation.

14 VICE CHAIR BROWN: I was wondering why there
15 were no materials. We can go ahead -- we do not
16 need a motion to -- we can just bar it to the next
17 agenda.

18 9.4, please.

19 MS. ALVARADO: 9.4 is Dixia Harish Patel in
20 Case Number 2023-005829. This case comes before
21 you following a recommended order that was issued
22 by the hearing officer. An informal hearing was
23 conducted on June 15, 2023, regarding an
24 administrative complaint seeking to exclude the
25 respondent from all pari-mutuel and slot machine

1 facilities in the state for capping a bet.

2 The hearing officer issued a recommended order
3 on September 5th recommending that the respondent
4 be added to the permanent exclusion list for all
5 pari-mutuel and slot machine facilities.

6 VICE CHAIR BROWN: Thank you. I read this --
7 it was very interesting the rationale for capping
8 her bet and that the reasons thereof. I appreciate
9 you spending some time on this at the time of the
10 applicant -- or the petitioner.

11 Can we please get a motion to approve the
12 proposed recommended order.

13 COMMISSIONER DRAGO: So moved.

14 COMMISSIONER A'QUILA: Second.

15 (Aye response)

16 VICE CHAIR BROWN: Thank you. We are going to
17 go into the discussion of license denials. And my
18 understanding is we have -- the first one that
19 we're going to take up, we have the petitioner --
20 pardon me, or the applicant. I guess you would
21 call applicant. She is on the line right now.

22 Can I just confirm Ms. -- and I'm going to
23 have to ask Ms. Alvarado if you can please
24 pronounce her name, if you can. You've been doing
25 great.

1 MS. ALVARADO: You want to try, Steve?

2 MR. WOODS: I'll try. Alekseenka-Repas.

3 VICE CHAIR BROWN: Your mic's down a little
4 bit.

5 MR. WOODS: Alekseenka-Repas.

6 VICE CHAIR BROWN: Before we get to her if you
7 could summarize the recommendation.

8 MR. WOODS: The recommendation is that the
9 Commission authorize the issuance of a notice of
10 intent to deny.

11 This is a case in which -- this was a mail
12 fraud offense in 2010. The details of this
13 essentially were that she was -- she was working as
14 an administrative assistant and receiving kickbacks
15 and these were fraudulent reports that she put in
16 the mail. So this was a scheme to defraud and that
17 scheme to defraud was -- and the mail was used to
18 implement it and those are the two elements of that
19 offense.

20 VICE CHAIR BROWN: Thank you. And I know
21 there's more details in the file as well as other
22 different incidents.

23 But with that, Ms...

24 MR. WOODS: Ms. Alekseenka-Repas.

25 VICE CHAIR BROWN: You did really well.

1 Are you on the line? Can we confirm that you
2 are on the line?

3 Let's just take a brief three-minute break
4 here. The time is 10:47. We will reconvene at
5 11:00 a.m. --

6 MS. ALEKSEENKA-REPASS: I'm here.

7 VICE CHAIR BROWN: There you are. Okay.
8 Thank you for --

9 MS. ALEKSEENKA-REPASS: I guess I have to
10 press Star 6.

11 VICE CHAIR BROWN: I'm sorry, ma'am. Can you
12 please confirm who you are on the line.

13 MS. ALEKSEENKA-REPASS: Yes. I'm here. This
14 is Inna Alekseenka-Repass.

15 VICE CHAIR BROWN: You have the floor, ma'am.

16 MS. ALEKSEENKA-REPASS: I was calling in. My
17 license was denied, so I wanted to be on this call
18 when it was discussed. I'm not really sure of the
19 formalities of what I was going to say, because I
20 didn't even really know that it was going to be
21 held -- heard today with the denial of the
22 licenses.

23 VICE CHAIR BROWN: We are having trouble
24 hearing you. The attorney is also having some
25 trouble hearing you. Can you just speak again

1 clearly -- more clear.

2 MS. ALEKSEENKA-REPASS: Sure. I was -- my
3 investigator, Lisa Zell (ph), I believe did the
4 investigation and she was putting my packet
5 together for the director to review it.

6 I later -- I just on Tuesday found out that my
7 application was denied and that a hearing was going
8 to be held today in reference to that. That is all
9 the facts I have. So I wanted to call in to make
10 sure I was to be heard, that I would be on the
11 call.

12 VICE CHAIR BROWN: Thank you. That is
13 confirmed. You are on the call. And we are in the
14 process of discussing your application. Thank you.

15 Commissioners, do you have any questions for
16 staff or for our -- or for the applicant on the
17 call?

18 Seeing none at this time can we please get a
19 motion to approve the staff recommendation on this
20 item.

21 COMMISSIONER DRAGO: Move to approve.

22 COMMISSIONER REPP: Second.

23 VICE CHAIR BROWN: All those in favor say aye.
24 (Aye response)

25 VICE CHAIR BROWN: Thank you. The motion

1 passes. Thank you for your participation.

2 On to 10.2, please.

3 MR. WOODS: Yes, ma'am. 10.2 is Ignacio Dario
4 Gonzalez. This is Case Number 2023-025819. This
5 is a case in which the offense is a petit theft out
6 of 2014. This initially was not disclosed. The
7 recommendation is that the Commission authorize the
8 issuance of a notice of intent to deny.

9 VICE CHAIR BROWN: Thank you. Again this is
10 slot applicant -- application; is that correct?

11 MR. WOODS: The application is for, I'm sorry,
12 a slot, cardroom, pari-mutuel individual
13 combination license, yes.

14 VICE CHAIR BROWN: It involves petit theft,
15 but with that if there are no discussion, can we
16 please get a motion to approve the notice of intent
17 to deny.

18 COMMISSIONER A'QUILA: Make a motion to
19 approve.

20 VICE CHAIR BROWN: Is there a second?

21 COMMISSIONER REPP: Second.

22 VICE CHAIR BROWN: All those in favor say aye.
23 (Aye response)

24 VICE CHAIR BROWN: Motion passes. Thank you.
25 10.3.

1 MR. WOODS: Yes, ma'am. 10.3 is Lorie Denise
2 Whitfield. This is Case Number 2023-031184.

3 Ms. Whitfield applied for a cardroom employee
4 occupational license. The offense in this case was
5 counterfeiting prescriptions. Essentially she
6 stated that she had this addiction to Ambien and on
7 eight separate occasions she admitted to having
8 stolen the prescriptions. And she said she did
9 this in order to make sure she wouldn't run out and
10 be without the -- be without the drug.

11 The recommendation is that the Commission
12 authorize the issuance of a notice of intent to
13 deny.

14 VICE CHAIR BROWN: Thank you. And, again,
15 this is another theft situation and it was right
16 to -- the consistency of our voting record here.
17 So if there are no questions, can we please get a
18 motion of the notice of intent to deny this item.

19 COMMISSIONER DRAGO: So moved.

20 VICE CHAIR BROWN: Second?

21 COMMISSIONER REPP: Second.

22 VICE CHAIR BROWN: Any discussion? All those
23 in favor say aye.

24 (Aye response)

25 VICE CHAIR BROWN: Thank you. Item 10.4,

1 please.

2 MR. WOODS: Yes, ma'am. 10.4 is
3 Dioni Gonzalez Fernandez. This is Case Number
4 2023-037449.

5 He applied for a slot machine, cardroom,
6 pari-mutuel combination occupational license. The
7 disqualifying offenses were four counts of
8 extortion in 2020. These were all second degree
9 felonies. The recommendation is the Commission
10 authorize an issuance of a notice of intent to
11 deny.

12 VICE CHAIR BROWN: Thank you.

13 Any questions on this? Can I get a motion to
14 approve the staff recommendation.

15 COMMISSIONER REPP: Make a motion to approve
16 the recommendation.

17 COMMISSIONER A'QUILA: Second.

18 VICE CHAIR BROWN: All those in favor say aye.
19 (Aye response)

20 VICE CHAIR BROWN: Thank you. 10.5, please.

21 MR. WOODS: Yes, ma'am. 10.5 is Garrett
22 Anderson. This is Case Number 2023-037859.

23 He applied for a cardroom employee
24 occupational license on May 8th of this year.
25 There were two disqualifying offenses. There were

1 two separate counts fleeing and eluding, both
2 occurred on the same day, one was the aggravated
3 fleeing and eluding and one was the fleeing and
4 eluding where you merely disregard an order to
5 stop.

6 The aggravating fleeing and eluding was the
7 one that he did at a high speed chase at one point
8 up to a hundred miles an hour. He actually had to
9 be stopped with Stop Sticks that deflated his
10 tires.

11 The recommendation is that the Commission
12 authorize the issuance of a notice of intent to
13 deny.

14 VICE CHAIR BROWN: Thank you, and I appreciate
15 the great details too.

16 Commissioners, any questions? None. We're
17 ready for a motion to approve the staff rec.

18 COMMISSIONER A'QUILA: I'll make a motion to
19 approve.

20 VICE CHAIR BROWN: Is there a second?

21 COMMISSIONER DRAGO: Second.

22 VICE CHAIR BROWN: All those in favor say aye.
23 (Aye response)

24 VICE CHAIR BROWN: Thank you. On to 10.6.

25 MR. WOODS: Yes, ma'am. 10.6, this is

1 Meshika Latrice Anderson. This is Case Number
2 2023-038380. She applied for a slot machine,
3 pari-mutuel combination occupational license.
4 There were several disqualifying offenses, not all
5 of which were reported initially.

6 There was a child abuse conviction that was
7 not recorded and on top of that in 1993 there's a
8 cocaine possession with intent. This is a felony,
9 second degree felony, and there's also petit theft
10 in addition to the child abuse charges.

11 The recommendation is that the Commission
12 authorize the issuance of a notice of intent to
13 deny.

14 VICE CHAIR BROWN: Thank you.

15 Any questions on this item, if not -- all
16 right, for a motion.

17 COMMISSIONER DRAGO: So moved.

18 VICE CHAIR BROWN: Is there a second?

19 COMMISSIONER A'QUILA: Second.

20 VICE CHAIR BROWN: All those in favor say aye.

21 (Aye response)

22 VICE CHAIR BROWN: Thank you. The last one,
23 10.7.

24 MR. WOODS: Yes, ma'am. 10.7 is
25 Cherri Christine Behnke Samson. This is Case

1 Number 2023-045367. She applied for a slot
2 machine, cardroom, pari-mutuel combination
3 occupational license.

4 The charge is an unlawful use of a building.
5 This came out of Indiana. Essentially this is a
6 case -- the unlawful use of a building was that the
7 building was used either to manufacture or deliver
8 a controlled substance, which in this case was
9 cocaine.

10 And the recommendation is that the Commission
11 authorize the issuance of a notice of intent to
12 deny.

13 VICE CHAIR BROWN: Thank you. And there is an
14 additional theft charge, smaller crimes, that I
15 don't think reached a felony in other states in
16 Georgia; is that correct?

17 MR. WOODS: The -- there were additional
18 crimes. There was a plea of nolo contendere,
19 resisting without violence, adjudication withheld,
20 that was 2010.

21 There's also a 2004 possession of controlled
22 substance, disposition unknown according to the FBI
23 data, and there is a DUI for which adjudication was
24 withheld, and she was sentenced to 12 months
25 probation.

1 VICE CHAIR BROWN: Thank you.

2 Commissioners, any questions on this item?

3 All right. Can we get a motion on the last item,

4 10.7?

5 COMMISSIONER REPP: Motion to approve the
6 recommendation.

7 COMMISSIONER DRAGO: Second.

8 VICE CHAIR BROWN: All those in favor say aye.

9 (Aye response)

10 VICE CHAIR BROWN: Thank you and thank you,
11 guys, for your time today and for the work that was
12 involved in these items.

13 We are on to Item 11, which is a presentation
14 on rulemaking. Ms. Stinson.

15 MS. STINSON: Good morning. This presentation
16 on rulemaking is just going to be a broad overview
17 of the rulemaking process and how the Commission is
18 going to -- is going to participate or can
19 participate and how the Commission has participated
20 in the past.

21 In an effort to make this as -- in an effort
22 to make this not dry, I'm going to talk about
23 things that we've already done as a Commission,
24 because otherwise it's just rulemaking and I think
25 I'm the only one here that's interested in what 120

1 says on that subject.

2 So Step 1 is initiating rule development.

3 This is where commissioners direct staff to
4 initiate rulemaking on a particular topic for a
5 particular rule, and we have done that in multiple
6 instances already.

7 The Commission has directed staff to initiate
8 rulemaking on the most recently slot machine
9 gaming, particularly cashless wagering. We've also
10 done it on public comment, licensure applications,
11 and cleaning up the Greyhound rules.

12 So after the initiation of rule development,
13 Step 2 is when we file a notice of rule
14 development, and this alerts the public that we are
15 going to start the rulemaking process. This is a
16 notice that's filed in the Florida Administrative
17 Register and it includes the rule number and the
18 rule title.

19 The purpose and effect of what we're doing,
20 what our objective is, the subject area that's
21 going to be addressed, and the rulemaking authority
22 and the law implemented, which is important because
23 we cannot promulgate rules that we don't have the
24 statutory authority to implement. So unless the
25 legislature says that we can adopt a rule, we

1 cannot do that. We have to go by what the
2 legislature wants us to do.

3 And after the notice of rule development,
4 there is a workshop that can be held. This is
5 something that doesn't always happen. We saw that
6 with our public comment rule. The public comment
7 rule was very basic straightforward. It set forth
8 what we were going to be doing as a Commission in
9 terms of how the public can make comments on our
10 Commission meetings. And this -- so there was no
11 workshop that was requested by the public.

12 The public can request a workshop or like we
13 did in the slot machine gaming and cashless
14 wagering instance is when we file a notice of rule
15 development, we can also at the same time file a
16 notice of workshop, which is what we did. We're
17 going to be having the workshop on slot machine
18 gaming and cashless wagering on September 21st down
19 in Fort Lauderdale, and that puts the public on
20 notice that we are seeking their comments on this
21 rule.

22 VICE CHAIR BROWN: If I may if you don't mind
23 stopping (inaudible). That September 21st, first
24 it will be noticed not just in the FAR, it will
25 also be noticed on our website and it will also be

1 noticed in newspapers or publication --

2 MS. STINSON: So the requirement in 120 is
3 that it be noticed in the FAR 14 days in advance.
4 I know that we are planning to also put that
5 information on our website, but at this time it's
6 been noticed in the FAR.

7 VICE CHAIR BROWN: Then can -- will the public
8 be able to participate virtually or telephonically?
9 I know it's an area of interest commissioners have
10 expressed as well, but -- so I was wondering if
11 there was additional means to participate in that
12 (inaudible).

13 MS. STINSON: At this time I don't have the --
14 that answer. I know that in the notice it was --
15 the address was given and the participation was in
16 person.

17 VICE CHAIR BROWN: Sorry for interrupting. Go
18 ahead.

19 MS. STINSON: So after the workshop like the
20 one we're going to be holding on the 21st -- well,
21 let's step back for a second.

22 So if a member of the public requests a
23 workshop, the Commission can do two different
24 things. They can decide to hold a workshop or they
25 can issue a statement saying that they don't think

1 that a workshop is necessary.

2 If that happens that doesn't mean that that
3 issue goes away potentially, it's just a --
4 there -- a judge can find later on that the
5 Commission did need to hold a workshop. So we
6 would need to be very thoughtful in that
7 decision-making process. Not that we aren't in
8 normal times, but it's very tricky if you deny
9 someone an opportunity for a workshop and that
10 could hold things up later.

11 VICE CHAIR BROWN: Are we legally required to
12 record and transcribe workshops and rulemake -- I
13 think rulemaking, but workshops or both?

14 MS. STINSON: So there -- there are statutory
15 requirements sent out in Chapter 120 for how a
16 workshop has to be conducted and the requirements
17 for that.

18 And so after a workshop, we take the public's
19 comments into consideration and the Commission
20 issues a notice of proposed rule, and this is
21 something that the Commission can delegate.

22 And this -- but at the Commission meeting the
23 public comment rule was reviewed by the
24 commissioners and public comment rule was -- the
25 Commission moved to adopt public comment rule and

1 that is -- that's a very important part of the
2 rulemaking process, because that notice of proposed
3 rule that has been sent out is the rule that is --
4 we are moving to adopt. At this point that is the
5 actual literal rule test that we want to use to
6 regulate this industry.

7 So the Commission approves the rule text for
8 the public comment rule and then after that there
9 are certain things that are required to be put in
10 the notice, the rule number and rule title, summary
11 of the rule, the summary of the statement of
12 estimated regulatory costs, if that's required by
13 statute, and then again the rulemaking authority
14 and the rule implemented.

15 Additionally there is also a statement
16 required regarding how someone can request a
17 hearing and then the contact information and the
18 full rule text.

19 So after the notice of proposed rule is
20 issued, is noticed in the FAR, we have to file
21 information with JAPC, which is the Joint
22 Administrative Procedures Committee. Any time when
23 you're talking about rulemaking in Chapter 120 and
24 you see the term committee, that is what JAPC, or
25 the Joint Administrative Rule -- Procedures

1 Committee is and they -- they are there to check
2 and make sure that we're doing it. They're a
3 secondary check basically that's built in per
4 statute.

5 And after JAPC says everything's okay, they
6 certify the rule, and then rule adoption happens.
7 And this is something where the Commission has put
8 the proposed rule text out for public to see and
9 then the -- there's comments, there's all of this
10 procedure that goes on. People, JAPC, reviews the
11 rule and then the Commission decides if they're
12 going to adopt the rule.

13 And so this is another thing that cannot be
14 delegated. The Commission -- the agency has to
15 move to adopt the rule. There's certain time line
16 requirements. There's certain rules set out in
17 Chapter 1-1 that have to be followed in terms of
18 the rule time line and what paperwork we file and
19 how we file that.

20 But that -- after the rule is filed for
21 adoption, the -- there -- so for instance in the
22 public comment rule, September 5th we filed the
23 public comment rule for adoption. And so 20 days
24 after that rule is filed with the Department of
25 State, it will become effective. So on

1 September 25th we will have our public comment
2 rule -- that's its effective date.

3 VICE CHAIR BROWN: Do you want --

4 MS. STINSON: Oh, no, you're -- thank you.

5 So like I said there's certain things that
6 cannot be delegated that are Commission specific
7 actions. These are delegate -- these are the
8 proposed rule stage and the filing of the rule for
9 adoption or approving the rule for adoption.

10 Those are really where the Commission is vital
11 to the process and takes all the comments and
12 everything that the public has made into
13 consideration at those two points.

14 As far as current rulemaking activities, I've
15 kind of already gone over that, so I don't want to
16 waste time unless somebody wants to hear that
17 again, but that's basically a very broad overview
18 of the rulemaking process.

19 VICE CHAIR BROWN: Thank you, Ms. Stinson, for
20 the overview.

21 Does anybody have any questions for her?

22 Thank you. Thank you very much. Appreciate
23 it.

24 We are moving on to discussion of policies and
25 procedures. We have two that are being proposed,

1 12.1 and 12.2.

2 MR. TROMBETTA: Thank you, Vice Chair Brown.

3 So, yeah, as you mentioned we have two
4 policies. I'm going to ask Lisa to help me again
5 on this, but we do -- the first policy is our
6 travel policy. It covers sort of the process of
7 how travel should be initiated and approved. It
8 also lays out some of the guidelines on what's an
9 acceptable expense, the cost -- the allowance for
10 per diem.

11 And we modeled a lot of this based on DMS kind
12 of standard travel language, but at this point we
13 don't have our own policy. So this is, you know,
14 again one of our policies that will be used a lot.

15 Lisa, anything to add?

16 MS. MUSTAIN: No, sir.

17 VICE CHAIR BROWN: Thank you.

18 Commissioner D'Aquila.

19 COMMISSIONER A'QUILA: With regard to the
20 dollar amounts, are those from the State,
21 specifically per diem, room rate numbers and so
22 forth?

23 MS. MUSTAIN: That's specified by statute.

24 COMMISSIONER A'QUILA: In writing policies
25 today considering the inflationary times that we

1 live in and so forth, is it more commonplace to
2 write them referring to the published state rate so
3 to speak, similar to how the Internal Revenue
4 Service refers to the IFR rate for determining an
5 arm's length interest rate, so forth?

6 MS. MUSTAIN: It could be managed that way,
7 yes.

8 COMMISSIONER A'QUILA: Just a suggestion for,
9 you know, eliminating more administrative work in
10 the future, confusion, with regard to the dollar
11 amounts. Someone made a comment earlier today that
12 we could expect the rate to go up compared to
13 (inaudible) a year ago. I'm really dating myself
14 with these comments. For those of us that lived
15 the early '80s, I think you know what I'm talking
16 about.

17 MS. MUSTAIN: Yes. So the intent was to put
18 the memorandum in so that employees could see the
19 actual memorandum that the comptroller put out, so
20 that was the intent to add them into the policy,
21 but we can slowly take a look at changing that
22 method.

23 VICE CHAIR BROWN: Thank you,
24 Commissioner A'Quila. I think that does make sense
25 and maybe, you know, say it in parentheses --

1 because I know at the end of the policy it says the
2 date that it's implemented, maybe parentheses what
3 the current rate is at the time, but I think your
4 suggestion is probably more (inaudible).

5 COMMISSIONER A'QUILA: Might lead to less
6 confusion. I have a second question, if I may.

7 The second question pertains to with regard to
8 airline usage, travel. Today so many things --
9 there are all kinds of new fees. We have discount
10 carriers that we encourage employees to use, but
11 they charge various different rates, something as
12 simple as a carry-on item or a mandatory purchase
13 of a seat and so forth. I believe when I read the
14 policy, it's silent in the methods. Could we
15 address that considering the frequency of which
16 they're popping up?

17 MR. TROMBETTA: So, Commissioner D'Aquila, I
18 think we could specifically address that if you'd
19 like. You know, when we discuss these policies
20 the -- the overarching principle is as, you know,
21 good stewards of state resources, we should just
22 use the most economical travel options.

23 So if -- you know, I laugh at some of the fees
24 that some of the airlines are charging now, but I
25 think, you know, instead of -- the decision was

1 instead of kind of addressing it, just say -- you
2 know, just -- just be cognizant and use the
3 cheapest method as possible.

4 COMMISSIONER A'QUILA: I bring it up again
5 from -- we're all interested in minimizing
6 administrative costs and the inconvenience of our
7 loyal state employees. And I've had direct
8 experience where these have led to numerous emails
9 back and forth trying to understand when in
10 actuality (inaudible) the transaction was that even
11 with the seat chart or the carry-on charge,
12 (inaudible) substantially less.

13 But I think absent our -- an organization such
14 as ours absent, you know, more thorough guidance,
15 it leads to back and forth overriding the
16 utilization of judgment, that's all. It could be
17 clarified by an added sentence perhaps.

18 VICE CHAIR BROWN: Mr. Trombetta.

19 MR. TROMBETTA: Yes, ma'am.

20 So just for clarity, would you like us to do
21 that to address the issue of -- just adding
22 something to address this issue?

23 COMMISSIONER A'QUILA: I will leave it to my
24 fellow commissioners. If you think it's worthwhile
25 or am I just being an accountant?

1 VICE CHAIR BROWN: No.

2 Commissioner Drago -- we've all experienced it
3 I'm sure.

4 COMMISSIONER DRAGO: We're glad you're an
5 accountant, because I'm learning a lot just sitting
6 here listening to you.

7 So do we have a choice in that was going to be
8 my -- or is this DMS rules that we have to follow
9 and they decide or it's statutorily decided what
10 fees can be paid and whatnot and so forth or can we
11 make those decisions within the agency?

12 MS. MUSTAIN: Commissioner, I think it depends
13 on -- on the travel and the -- it doesn't
14 specifically say in the statute how many bags of
15 luggage you can bring. This -- this particular
16 policy is trying to give us guidance on.

17 It depends on your situation. If there is a
18 traveler that has -- is going to an event that may
19 be carrying boxes of items, then of course the
20 state will reimburse. But if it's a person going
21 to a conference and they want to take three bags of
22 clothing, then that would not be an acceptable use
23 of state funds.

24 So it's -- it's use your best judgment and to
25 say again what Executive Director Trombetta

1 provided was you always have to travel in the best
2 most economical method available for the state.

3 VICE CHAIR BROWN: Mr. Marshman.

4 MR. MARSHMAN: Good morning. There is a
5 statutory provision that allows the agency head to
6 set a threshold for airline travel.

7 So to put a final point on what Ms. Mustain
8 and Mr. Trombetta is stating, it is well within
9 your authority to set a range or flexible metric,
10 to Commissioner A'Quila's point, that can be used
11 to take into account discounts airlines, big name
12 airlines, however you'd like us to phrase it. So
13 we absolutely can do that and add it specifically
14 into our policy.

15 VICE CHAIR BROWN: Commissioners.

16 COMMISSIONER DRAGO: So, yes, so I think
17 that's -- that's a very good idea then,
18 Commissioner, to look into that, because it does
19 come up. And as Commissioner A'Quila said, you get
20 the lowest rate by hundreds of dollars perhaps, but
21 you have to pay another \$20 for this bag or \$20 to
22 pick a seat so you don't have to sit on the wing I
23 guess or something, I don't know.

24 But you -- it's still going to be a hundred
25 dollars or more -- less than the other carriers,

1 it's just that they put all these other fees in
2 there and it appears perhaps to somebody that the
3 traveler is just adding all these luxuries onto it,
4 but in fact it's not.

5 So I'm glad to hear that we can -- from within
6 our agency we can decide how to -- how to regulate
7 that and of course make sure that we're -- we're
8 doing it at the lowest price possible.

9 VICE CHAIR BROWN: Ms. Mustain, would it be
10 appropriate if we just take -- do we necessarily
11 have to approve 12.1 today? 12.2 seems a lot more
12 straightforward, but 12.1 if commissioners could
13 give you some feedback and then come back next
14 month or whenever?

15 MS. MUSTAIN: Yes, that'd be fine.

16 VICE CHAIR BROWN: That would be better.
17 Commissioners, if you have some further comments
18 that you want to provide, get with Ms. Mustain and
19 we'll see it again, at least I hope.

20 THE WITNESS: Yes. Thank you.

21 VICE CHAIR BROWN: Thank you.

22 Do we have any questions on 12.2? Okay. Can
23 we get a motion to approve that policy?

24 COMMISSIONER A'QUILA: Make a motion to
25 approve 12.2.

1 VICE CHAIR BROWN: Is there a second?

2 COMMISSIONER REPP: I'll second.

3 VICE CHAIR BROWN: Thank you,
4 Commissioner Repp. All those in favor say aye.
5 (Aye response)

6 VICE CHAIR BROWN: All right. It passes. Are
7 we going to be putting -- we put those policies on
8 our internal employee website, so that's -- yeah.
9 Wonderful. Thank you. I know you send it out,
10 but -- okay. Great. Thank you.

11 We're going back to executive director's
12 update. Thank you.

13 MR. TROMBETTA: Thank you. So I have a few
14 things -- some of it's already been covered, but
15 just might as well cover it again.

16 So as Ms. Stinson just said, we have a
17 workshop scheduled for September 21st in South
18 Florida to address cashless wagering. Obviously we
19 chose South Florida, because that's where the slot
20 facilities are.

21 So the goal there is to have a meeting, get
22 some feedback from them on sort of what they are
23 seeking in more detail than just cashless, and then
24 kind of take that feedback and start putting
25 together some type of draft rule and proceed in the

1 rulemaking process.

2 The question came up about virtual attendance.
3 I think the notice does not include that, but
4 obviously you guys are welcome to attend. It might
5 be a good opportunity to just get down there and
6 get some of the feedback that's in the room and I
7 will work with my staff to see if we can kind of
8 work on the virtual thing maybe for future meetings
9 if it's not possible for this one.

10 VICE CHAIR BROWN: Sounds good. Is there a
11 way that we can videotape it so that we -- folks
12 can go back and --

13 MR. TROMBETTA: There will be a transcript.
14 There will be a court reporter, you know, providing
15 a transcript. I believe you could tape record it,
16 but let me -- I don't know the answer, so let me
17 look into that if I can. I'll try to explore that.

18 VICE CHAIR BROWN: I think that will be
19 helpful.

20 MR. TROMBETTA: Second, this also came up in
21 the rule presentation, our public comment rule has
22 been -- we moved for adoption and it will become
23 effective September 25th.

24 So I think it's a good example of just how
25 long rulemaking can take, you know, this is -- this

1 was a rule that did not have a workshop, it didn't
2 have a hearing, and it still took several months to
3 get adopted and no -- not because of any delay
4 caused by us either. There's just -- there's time
5 periods that we have to wait in order to get things
6 moving, but the good news is that we are going to
7 have our public comment rule in effect prior to our
8 next meeting.

9 Several of -- I just want to provide sort of
10 an update on our report portal. So as you all are
11 aware we have a portal where citizens can report
12 problems they're having with regulated facilities
13 as well as any type of illegal activity.

14 I've gone through some of the stats. We've
15 been doing this for over a year now. We have over
16 2,400 reports of some type of -- they're not all
17 illegal activity. It's a mix again of everything
18 and everything is illegal stuff, you know, hey,
19 there's an illegal slot facility at this address
20 or, hey -- you know, my -- my significant other is
21 losing all of our money at these places.

22 There's stuff about problems people are having
23 at pari-mutuel facilities, not that it's happening
24 all over the place, but just, you know, how does
25 this work. We're getting questions too, is this

1 legal, can I run a poker game, you know, the
2 questions are all over the place.

3 Our team does a good job of filtering them and
4 I'm in the process of hiring a full time -- we're
5 going to publish and try to get a full-time
6 position to help respond to that.

7 The number of complaints has dramatically
8 increased as a few things have happened, so as
9 Director Herold and our law enforcement team have
10 got up and running and as our -- our external
11 affairs department has been kicked in gear.

12 So one of the stats that jumped out was in
13 April there was 125 new incidents reported, in May
14 there was 525. So between April and May we had our
15 operation -- our law enforcement conducting
16 operation in -- around the state made a lot of
17 news, so word got out there and since that time,
18 the average has been about 250 a month.

19 So -- so we've gone from, you know, just over
20 a hundred to averaging about 250 a month and, you
21 know, it obviously jumped right away, came back
22 down, and then it's kind of leveled out at about
23 250.

24 Overall we're doing -- you know, I think I'm
25 pretty happy with our first year just getting our

1 message out. You know, one of the things we're
2 working on is improving our communication with the
3 public and our messaging and just having a greater,
4 you know -- Commissioner A'Quila, I think you
5 mentioned the misinformation, you know, tackling
6 that.

7 Because a lot of the questions we get on that
8 why is this illegal, is this game legal, or is this
9 slot machine legal, so we're trying to work on that
10 and trying to address some of that and respond to
11 these complaints.

12 Just so you're aware, we do handle all of
13 them. We have -- right now it's getting split
14 between -- you know, if it's an issue with the
15 regulated facilities, it kind of goes to Joe's
16 shop. If it's an issue on law enforcement side, it
17 goes through Carl's shop, Joe Dillmore and
18 Carl Herold, sorry.

19 So we are doing a good job responding to that,
20 but if you have any questions on that I wanted to
21 start there.

22 VICE CHAIR BROWN: Commissioner A'Quila.

23 COMMISSIONER A'QUILA: Yes. Of this 250
24 average, can you, just a rough estimate, what the
25 percentage of the nature of the complaints is, for

1 example is it arcades, is it sports gambling, what
2 might it be?

3 MR. TROMBETTA: So we're working on our
4 internal kind of data retention and what -- what
5 data we can pull from this information. What I can
6 tell you is that when we have -- of the 2,400, I
7 think about 1,900 of them deal with some type of
8 illegal activity. I don't know the percentage in
9 my head, but that should give you an idea of kind
10 of the spread just in total. So I don't -- it
11 would be interesting to look back since May what
12 the percentage is, but the total number of that
13 2,400, about 1,900...

14 COMMISSIONER A'QUILA: When we use the term
15 illegal activity, do we mean illegal slot machines
16 or --

17 MR. TROMBETTA: Not necessarily. So we're
18 also getting complaints about other types of
19 illegal activity from -- from poker games at bars
20 to potentially online -- some type of online
21 activity.

22 It's really -- you know, the gamut of what is
23 illegal gambling has surpassed kind of my initial
24 expectation of what we're going to get. It's all
25 over the place.

1 COMMISSIONER A'QUILA: Second question is --
2 pertains to where are we with regard to press
3 releases that we as an Agency Commission
4 (inaudible) more specifically addresses some of the
5 (inaudible) in free press out there
6 pertaining to --

7 MR. TROMBETTA: Well, so we are able to do it.
8 We kind of make a decision on whether or not it's
9 -- I work with our communication team on whether or
10 not a press release is sort of going to be worth it
11 at the time, so we have issued a few.

12 The most common ways that we do it is when we
13 work with other law enforcement agencies that are
14 conducting some type of activity and we know that
15 we're going to get some type of ask, but we are
16 able to do it.

17 COMMISSIONER A'QUILA: My last question.
18 First of all, we've done a very thorough listing
19 numerous FAQs. Thank you all for participating in
20 that. It's something this Commission has asked for
21 since the very beginning and I think it's very
22 helpful, but then what happens is we've got so
23 many -- it's the user interface with regard to the
24 public as we get more complaints and so forth.

25 I would like to know that you're looking at

1 whether the term be (inaudible) return from tech
2 area, whether it be a white paper or a basic
3 overview, nonlegal opinion overview of what is an
4 arcade game, what is historical horse racing, what
5 is a regulated game perhaps, you know, one page or
6 something of that sort that might take some
7 pressure off the complaints or make it easier for
8 our team, whether they be in South Florida, or
9 wherever, that they can go to our site and get a
10 technically correct written, but it's not enough to
11 issue a legal opinion, if I explained that
12 correctly.

13 MR. TROMBETTA: You are, and the concept has
14 come up and it's something that I do want to
15 explore. The difficulty for state agencies in
16 doing this is -- is sort of what (inaudible), but
17 the -- the risk of having an unadopted rule.

18 The agency has to be very careful in how they
19 state the law and I think it would be hard to
20 have -- you know, it's essentially where's the line
21 and how do we balance the need for information and
22 like you -- like you just said a technical
23 explanation without misstating or, you know,
24 misinterpreting Florida law in a way that could
25 lead to some type of rule challenge.

1 You know, if any agency misstates or modifies
2 or contravenes the language in the statute, they
3 are subject to potential unadopted rule challenges,
4 which is something we -- you know, we don't -- we
5 want to avoid that where we can, but I do
6 understand your -- your ask and something that I
7 think would be helpful.

8 So we're -- we're trying to find ways, whether
9 it's through additional FAQs or some type of
10 supplemental -- actually like you said one page, I
11 don't know if opinion is the right word but some
12 type of document that kind of goes into a little
13 bit more detail about what an item is.

14 COMMISSIONER A'QUILA: Would disclosures,
15 limitations, so forth I -- the volume of questions
16 that I've received or read about out there and now
17 that as you've heard earlier law enforcement folks
18 are actively involved in investigations and so
19 forth, you know, the public's interest is
20 increasing. You've just proven that point.

21 And the quest for information and getting
22 around the confusion is growing by the day, so we
23 have an opportunity to do something about it
24 otherwise we are going to be overwhelmed. There
25 are a lot of people out there that are just

1 unclear. That's the nature of my question.

2 VICE CHAIR BROWN: Thank you. Thank you,
3 Mr. Trombetta.

4 The analyst position that your -- to sort
5 through the complaint portal, I just want to make
6 sure that -- is that going to be -- I think our --
7 having our external affairs director kind of make
8 sure that all of the responses are kind of
9 consistent.

10 He's out there. You know, I think it would be
11 great to have that person filter through him, so
12 that Mr. Carr can coordinate with whether it's the
13 regulatory side or the law enforcement side to make
14 sure the message is -- is clear if -- you know,
15 seeing the material that he's produced so far, it's
16 great.

17 MR. TROMBETTA: Yeah, absolutely. It's a
18 great idea and I think we can actually do that.

19 VICE CHAIR BROWN: Commissioner Drago.

20 COMMISSIONER DRAGO: I'm glad to hear that
21 you're going to have another employee that's going
22 to deal with this, because it will become
23 overwhelming I think at some point. The better job
24 all of you do, the more interest and the more
25 complaints you get and the more proactive you are

1 the more people respond to that.

2 My concern is that we're always ensuring that
3 we have a procedure whereby we respond to people
4 making these reports in a timely matter, that we
5 don't just take it and maybe -- maybe they hear
6 from us, maybe they don't. If nothing comes, then
7 we don't respond and they think we're ignoring
8 them. That would be the most devastating thing to
9 the reporting process we could do.

10 So I'm hoping that we have some system or
11 procedure or a way of dealing with those so that
12 we -- we always respond in a certain amount of
13 time, even if it's just we got your message and
14 we're looking into it, we're responding, you know,
15 however long we designate.

16 But I think it's just really important that we
17 -- that people know that we are taking a complaint
18 and whether it goes anywhere or not, they get a
19 response in the end as well. Because that will
20 crush the reporting process if people -- the word
21 gets out don't bother reporting anything because
22 they don't even answer you so -- and that could
23 happen easily in large agencies where they start
24 getting swamped with calls and so forth.

25 So that's my concern and I hope that we're

1 tracking that, you know, that we got a report on
2 such-and-such a day, we responded on such-and-such
3 a day, it was closed out on such-and-such a day so
4 that we can track that and we can also look at that
5 every year in terms of how fast -- our objectives
6 to how fast we are responding to people and whether
7 or not we're improving in that or falling behind in
8 that.

9 So I think a tracking of that is really
10 critical to be able to analyze, because I will also
11 tell you a lot of things -- one thing we need more
12 people to address these -- these reports because we
13 can't handle them quick enough or -- or we -- or
14 we're mishandling the reports and therefore not
15 getting back to people or we're just ignoring
16 people.

17 So have we got something like that in the
18 works, are we doing that now, or, you know, what do
19 you think about that?

20 MR. TROMBETTA: Commissioner Drago, we are.
21 We -- we have a system in place in which we -- when
22 we get a report, it gets essentially imported into
23 document. And then any time anybody that's on my
24 team does something related to that report, whether
25 it's immediate response -- we usually will respond

1 right away we've received your report type thing,
2 and then there will be additional follow-up, that
3 will all be logged.

4 So we do have a process of doing that and it
5 is something, I agree with you, that's important
6 that we have to stay on top of. I'm hoping too
7 that when we bring this person in they can kind of
8 look at the whole thing and any input they have
9 on -- on the process in general, you know, that
10 they can have some input on that.

11 COMMISSIONER DRAGO: Do we have a set time
12 that -- that our staff responds? Do we have a goal
13 or objective that our staff will respond and so
14 many days or hours or whatever it is?

15 Because my fear is that language is out there
16 and people don't get -- don't get to it, they get
17 busy, they don't respond for two weeks or whatever
18 and that's the message -- that's the message that
19 reportee gets -- reporter is getting that they
20 don't really care.

21 MR. TROMBETTA: I can look into that. Let me
22 -- maybe I can get a stat on it too about like the
23 average time. Let me try to look into that and get
24 back to you.

25 COMMISSIONER DRAGO: Yeah. I mean, I think

1 that -- you know, I think staff needs to understand
2 it has to be responded in a certain amount of time.
3 I think that's critical and that it's not just put
4 somewhere and they get to it when they get to it.

5 These are -- the initial response needs to be
6 done in a certain amount of time and then the
7 conclusion -- we need to reach a conclusion in a
8 certain amount of time.

9 If we don't and there's a reason for it, like
10 it turned into Carl's long-term investigation,
11 we're not going to get done for months, we address
12 it that way, but I think that it's -- it's
13 important that everybody understands that there is
14 a timeliness issue that we need to follow.

15 MR. TROMBETTA: Yes, sir.

16 VICE CHAIR BROWN: Thank you,
17 Commissioner Drago. I think having that external
18 affairs oversight too will keep that process in
19 line and on track. And again having a consistent
20 message with the public interface and agency, I
21 think that's why it's so critical having that
22 external affairs involved in this process.

23 MR. HEROLD: Chair, do you mind -- do you mind
24 if I just add a little more info just to
25 Commissioner Drago's question about the response.

1 About 80 percent, maybe a little bit more, of
2 the complaints that get funneled to us are almost
3 -- are anonymous complaints. There's no way to get
4 that for those folks. They want to report the
5 activity, but they don't want to be identified
6 having done that.

7 VICE CHAIR BROWN: Any other questions on that
8 item? Thank you. Mr. Trombetta.

9 MR. TROMBETTA: Thank you. I think you
10 mentioned a question about HISA, so I had it on my
11 notes to just provide -- I wrote no real update.
12 Everything's going pretty well, but if you have any
13 questions I think we'll be happy to help.

14 VICE CHAIR BROWN: I'm going to defer to
15 Commissioner A'quila first.

16 COMMISSIONER A'QUILA: My question is we --
17 how are we doing with regard to tracking the number
18 of positive instances? It's been almost three and
19 a half months if my memory is correct since we've
20 been under HISA. Are we starting to get a feel for
21 the number of positive instances since they've been
22 doing this compared to our historical norms?

23 MR. TROMBETTA: I think we're very -- doing
24 well. I'm going to turn it over to Mr. Marshman or
25 Mr. Dillmore if they want to contribute.

1 MR. MARSHMAN: Morning again. HISA and HIWU
2 copies me on all their communications to the
3 Commission, so I've had firsthand experience
4 reviewing the communications.

5 It's fair to say we get weekly communications
6 if not almost daily from HISA and HIWU. They
7 provide us all the detail, they provide any
8 clarification from previous communications. We
9 didn't even ask for it.

10 So they've been, I think, more than complying
11 with their requirement to share information with us
12 both before and after certain information is made
13 publicly available. So I think it's fair to say
14 they're upholding their end of the bargain and
15 treating us as an interested party according to
16 their rules.

17 Mr. Dillmore's shop has been keeping more
18 specific track of some of the cases, so I'd like to
19 ask him to provide any additional details there.

20 MR. DILLMORE: I would concur with
21 Mr. Marshman's assessment. We have been getting
22 notifications very quickly. In fact I think the
23 most interesting thing is typically we have drug
24 positive under the Florida law previously. We
25 would just have that jockey -- or that horse, I'm

1 sorry. It was -- then tested positive for -- in
2 Florida, now we're getting drug positives from any
3 jurisdiction in the state as soon as they happen.
4 So it's been a quite interesting development and
5 one that we can't necessarily anticipate from the
6 get-go. But it's been actually more information
7 than we were getting previously and quicker.

8 COMMISSIONER A'QUILA: My question was on the
9 number pertaining to Florida prior -- in the past
10 we only received Florida. Is there -- are we able
11 to draw a comparison to the number of positives
12 that might be coming up as conducted by HISA and
13 their lab, which I believe is located out of state,
14 and historic what we were accustomed to seeing in
15 the state of Florida?

16 MR. DILLMORE: Yes. It's certainly early to
17 tell, but we are getting drug positive in Florida.
18 It is kind of our slower part of the race season,
19 so we only have a handful so far of the drug
20 positives identified since HIWU and HISA regulation
21 went into place. I think it's a little too early
22 to draw a real strong conclusion on that.

23 COMMISSIONER A'QUILA: Thank you.

24 VICE CHAIR BROWN: Thank you. And I just want
25 to give our court -- I know we're at two-hour mark.

1 We're wrapping up before public comments. We'll be
2 taking a break shortly.

3 But on the HISA note, HIWU, when there's a
4 drug positive, what are we doing in terms of our
5 licensing? Are they revoking -- is the federal
6 preemption revoking their license throughout the
7 multistate jurisdictions that they hold licenses
8 and then how are we involved at all?

9 MR. DILLMORE: So typically their suspensions
10 are -- with the HISA registration that they have to
11 have current with HISA once you enter a race. So
12 right now those individuals or trainers or jockeys,
13 depending on the violation, would be restricted at
14 the track level from being able to enter into a
15 contest.

16 At this time --

17 Mr. Marshman, you may explore this.

18 -- we don't necessarily have something in line
19 with a license -- that we coincide with a license
20 suspension in Florida, but it's kind of monitored
21 at the race entry level participation.

22 VICE CHAIR BROWN: And communicated to the
23 tracks?

24 MR. DILLMORE: Yes. Racing secretary who
25 enters contestants or jockeys into the race would

1 have to check their registration and if any
2 violation, the tracks are notified as well as us if
3 any violations of HISA or HIWU and it's also
4 incumbent on them to keep their stats up is to
5 review the HISA registrant into each individual
6 race.

7 VICE CHAIR BROWN: Their state license, what
8 ultimately happens if they have -- if they're
9 suspended or there's a final order of -- that would
10 revoke them?

11 MR. MARSHMAN: If I may on that point. We're
12 currently exploring our options on how we can
13 initiate discipline against a Florida licensee that
14 also has the HISA -- HIWU, HISA registration that
15 Mr. Dillmore is currently talking about.

16 VICE CHAIR BROWN: Are we going -- as a
17 Commission are we going to get a report on that at
18 any point or --

19 MR. MARSHMAN: A report on what information
20 exactly?

21 VICE CHAIR BROWN: Well, that's what the -- if
22 there's any state regulatory implications for
23 licensees that have been suspended or revoked, are
24 we going to be informed as a Commission?

25 MR. MARSHMAN: I think once the information

1 that we have is publicly available, we can compile
2 that and share that with the Commission as it
3 relates to registrants of HISA that also are
4 licensed in the state of Florida.

5 But again to your point, Vice Chair Brown,
6 with preemption that is going to be a hurdle for us
7 to initiate discipline action if the whole concept
8 of discipline has been preempted to the federally
9 created nonprofit corporation HISA.

10 So perhaps in our upcoming legislative session
11 we can propose something to address this issue, but
12 for now we're currently exploring what we can do in
13 the meantime.

14 VICE CHAIR BROWN: I want to thank
15 Mr. Dillmore, Ms. Stinson for -- along with my
16 colleague, Commissioner A'Quila, and Mr. Trombetta
17 up at a conference, but particularly, Mr. Dillmore,
18 Ms. Stinson, this was -- this was a hot topic, hot
19 item, and your help and insight was just exemplary.
20 Thank you.

21 MR. TROMBETTA: Yeah, thank you. Yeah, on
22 that note we are in the process of putting together
23 legislative proposals. The plan is to work
24 individually with each of you to get feedback
25 before kind of getting anything out there. One of

1 our new hires is -- we have Legislative Affairs
2 director. And Henry --

3 Henry, if you don't mind standing up.

4 Henry came from DMS. He's -- he's kind of
5 jumped in. He's going to help us help -- you know,
6 through confirmation, help us get our LBR through
7 and then any potential legislative proposals that
8 we're going to kind of push. He's been a big help,
9 jumped in and really has been immediately kind of
10 setting up meetings and getting us going. So we're
11 in a very different position than we were last
12 year.

13 VICE CHAIR BROWN: Thank you, Henry. Henry
14 has an incredible background too, so we're
15 fortunate to have you. And we're happy to have
16 you.

17 MR. TROMBETTA: Just some updates on some
18 other things. So if you remember we were seeking
19 leasing warehousing space to provide law
20 enforcement agencies around the state, essentially
21 solving the biggest problem we keep hearing of what
22 do we do with machines if we seize them.

23 We have secured property in Leon County that
24 we will be able to store -- it's climate
25 controlled, so we will be able to store machines at

1 a central location up here in Tallahassee. It's
2 one of the locations that we're looking at -- or
3 sorry.

4 We're looking at multiple locations. This is
5 the first one that we're finally done. The lease
6 is signed and we're all there, so that's a big step
7 in our tools to kind of combat the illegal slot
8 machine problem around the state.

9 And then -- well, any question on that before
10 my final -- okay. The final thing I have on my
11 agenda essentially meeting dates, so first the time
12 for the virtual meeting Friday. Is there a
13 specific time that would work best for you?

14 VICE CHAIR BROWN: Whatever -- 9:30 is
15 consistent if it's okay, 9:30, with you all.

16 MR. TROMBETTA: Perfect.

17 VICE CHAIR BROWN: And just to confirm, that's
18 September 15, 9:30?

19 MR. TROMBETTA: Yes, ma'am, September 15.

20 And then beyond that, we have previously
21 identified dates in October. I think we did
22 August, September, October previously. So I'd like
23 to discuss potentially November, December if you
24 are available to do that.

25 We checked -- the PSC room is not available

1 November 2nd, which is first Thursday. It is
2 available November 9th or -- you know, we can look
3 for another room. If you want to keep the November
4 2nd date, we can just try and find another space.

5 VICE CHAIR BROWN: November -- oh, the week of
6 November 6 is committee week. Would it be amenable
7 to have it November 9th at PSC room?

8 MR. TROMBETTA: If that works. And from what
9 we checked, this room is available that day.

10 VICE CHAIR BROWN: Commissioners, I think it
11 would be great to appear committee week if it's
12 okay.

13 COMMISSIONER DRAGO: I can't do it on the 9th.
14 I won't be able to do it that whole week.

15 VICE CHAIR BROWN: The whole week?

16 COMMISSIONER DRAGO: Yeah.

17 VICE CHAIR BROWN: Can we do an alternate
18 location on the 2nd for that?

19 COMMISSIONER DRAGO: The 2nd, yeah, we can do
20 the 2nd.

21 MR. TROMBETTA: Yes. Yeah, we can whatever --
22 whatever you -- you prefer is what will end up
23 happening.

24 COMMISSIONER DRAGO: But you said this room is
25 not available, is that what you said --

1 MR. TROMBETTA: This room is not available on
2 the 2nd, on November 2nd, but we can find --

3 VICE CHAIR BROWN: Yeah, it's not committee
4 week. Then did you want December?

5 MR. TROMBETTA: Yeah. Well, while we're here,
6 I mean, if you guys -- if it helps the first
7 Thursday in December is the 7th.

8 VICE CHAIR BROWN: That's good, yep. Does
9 that work?

10 COMMISSIONER DRAGO: Yes.

11 VICE CHAIR BROWN: That's great. Another
12 committee week, so that's helpful too. This room
13 will probably be available, but downtown probably
14 won't.

15 Is that all?

16 MR. TROMBETTA: Yeah, that's all for now
17 unless do you have -- unless there's anything else
18 I can help you with.

19 VICE CHAIR BROWN: Commissioners, any
20 questions of Mr. Trombetta before we move to public
21 comment?

22 I did want to thank the FDLE agent who's in
23 the back providing security here and I appreciate
24 your attendance at our meeting. Thank you so much.

25 With that if there's anybody from the public

1 that would like to speak, now is a great time to
2 come right up to the podium.

3 Seeing no public comments, this meeting is
4 going to be adjourned and we are going to be taking
5 a 10-minute break to get ready for our
6 attorney/client privilege session.

7 Is this appropriate, Mr. Trombetta,
8 Mr. Marshman?

9 MR. MARSHMAN: Yes, ma'am.

10 VICE CHAIR BROWN: 10-minute break, but this
11 meeting is adjourned. Thank you so much.

12 MR. TROMBETTA: Just for purposes of the
13 record, I don't think adjourned is the right word.

14 MR. MARSHMAN: I recommend that we state it as
15 a recess.

16 VICE CHAIR BROWN: It's a recess for the
17 meeting, but it will be attorney/client meeting in
18 10 minutes only.

19 (Recessed at 11:44 a.m. to 11:59 a.m.)

20 VICE CHAIR BROWN: Good afternoon. We are
21 reconvening this meeting today on September 7th.
22 The time is 11:59 and we will now go ahead and
23 discuss Agenda Item 15.

24 Mr. Marshman.

25 MR. MARSHMAN: For the record this is

1 Ross Marshman. I desire the Commission's advice
2 concerning litigation in connection with Case
3 Number 2023-000965, Case Style FGCC versus
4 Washington County Kennel Club, Incorporated.

5 VICE CHAIR BROWN: Thank you. In connection
6 with the performance of our duty to regulate the
7 operation of cardrooms pursuant to Section
8 849.086(4) Florida Statutes, it is necessary that
9 the Florida Gaming Control Commission close this
10 meeting to discuss with our counsel information
11 that is confidential and exempt.

12 Specifically we will be discussing strategy
13 related to pending litigation related to the
14 aforementioned case number. The closed meeting
15 will be approximately 30 minutes, if not less. Did
16 I say that...

17 MR. MARSHMAN: Sure.

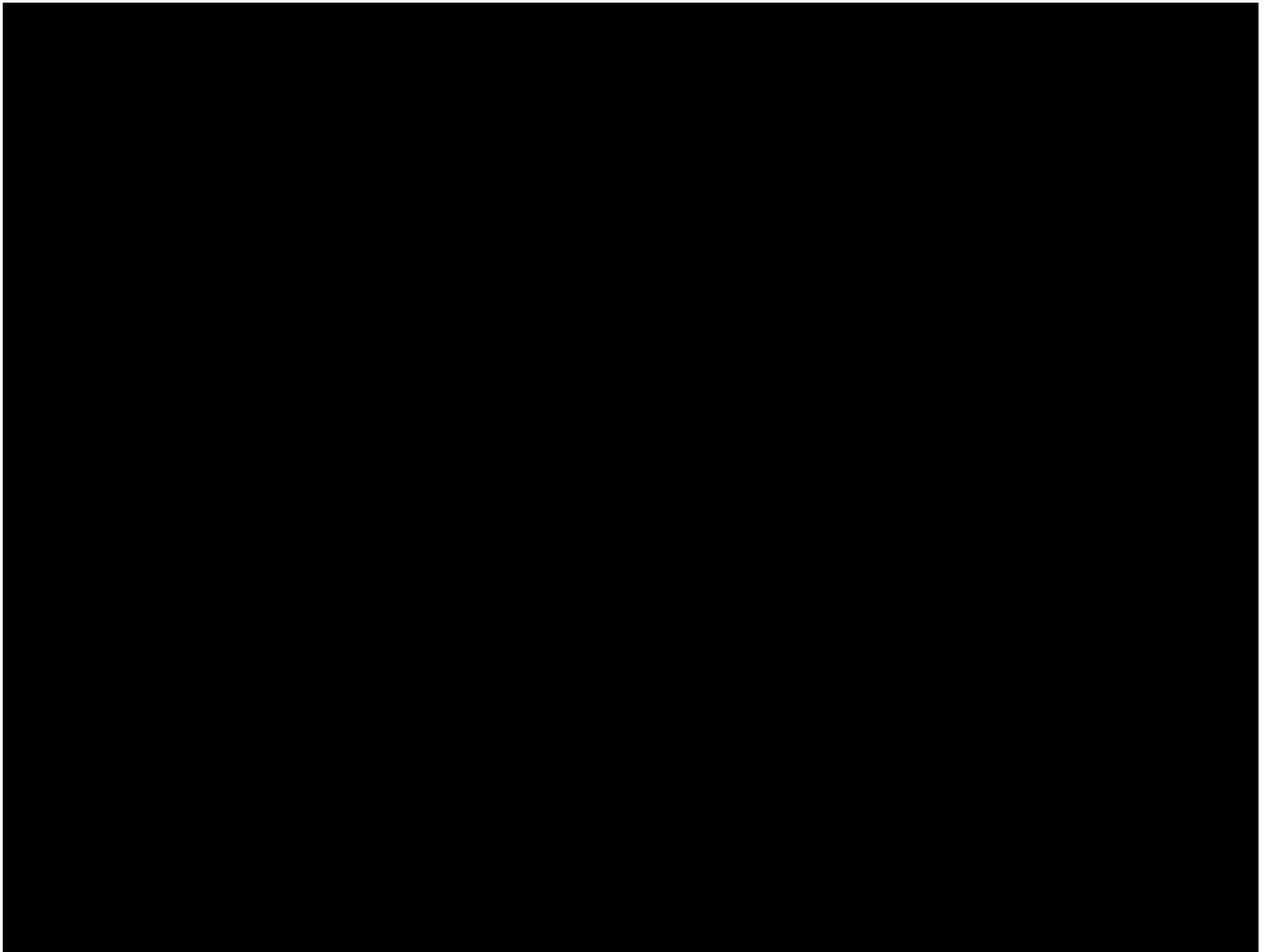
18 VICE CHAIR BROWN: To comply with Section
19 16.716 and 286.011(8)(c) Florida Statutes, there
20 will be a written record of this declaration of the
21 necessity of closure that will be filed with the
22 official records Custodian of the Commission.

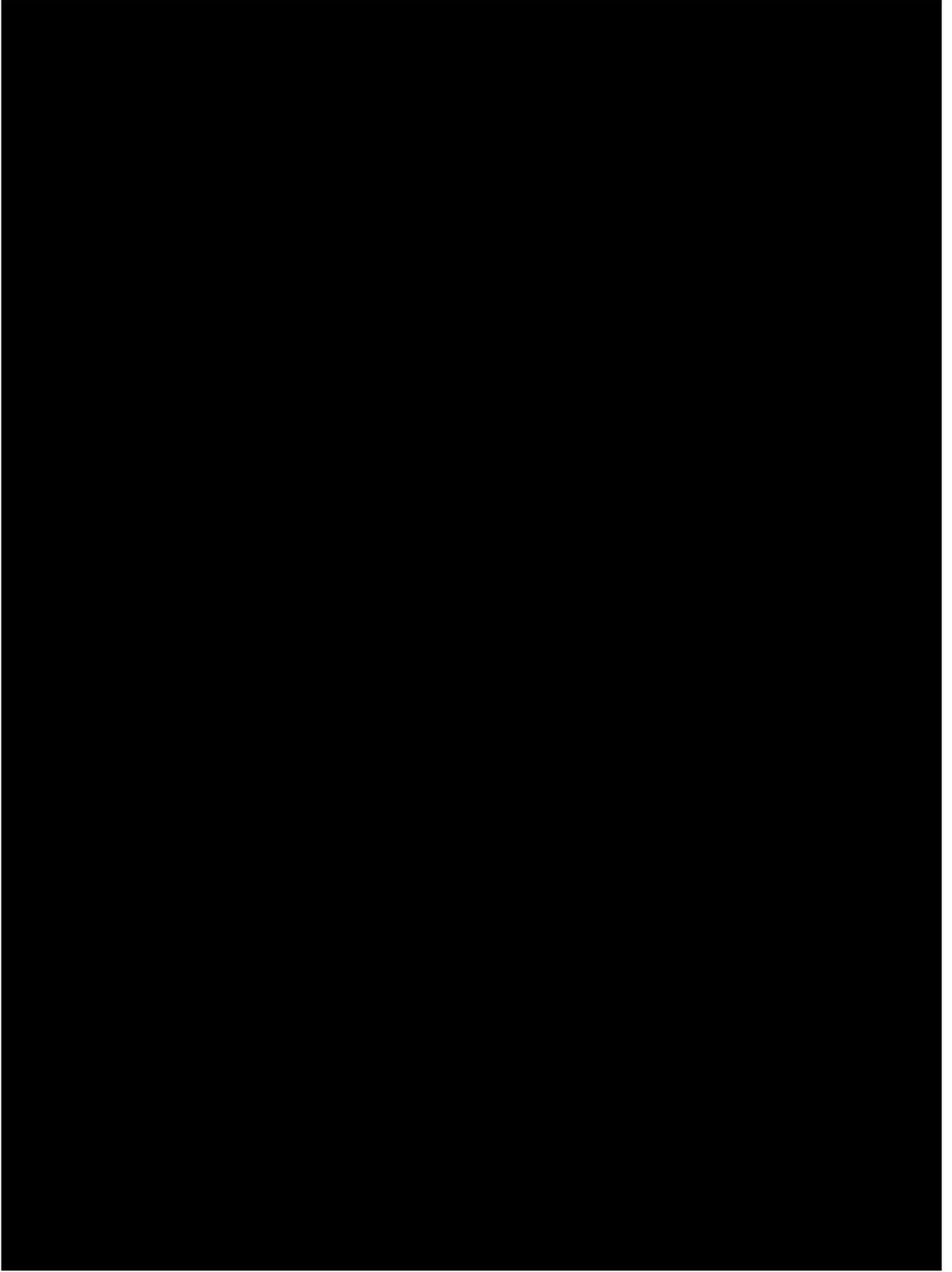
23 I will now -- I have asked already that the
24 Florida Channel discontinue the live for the next
25 30 minutes, because this is a closed meeting not

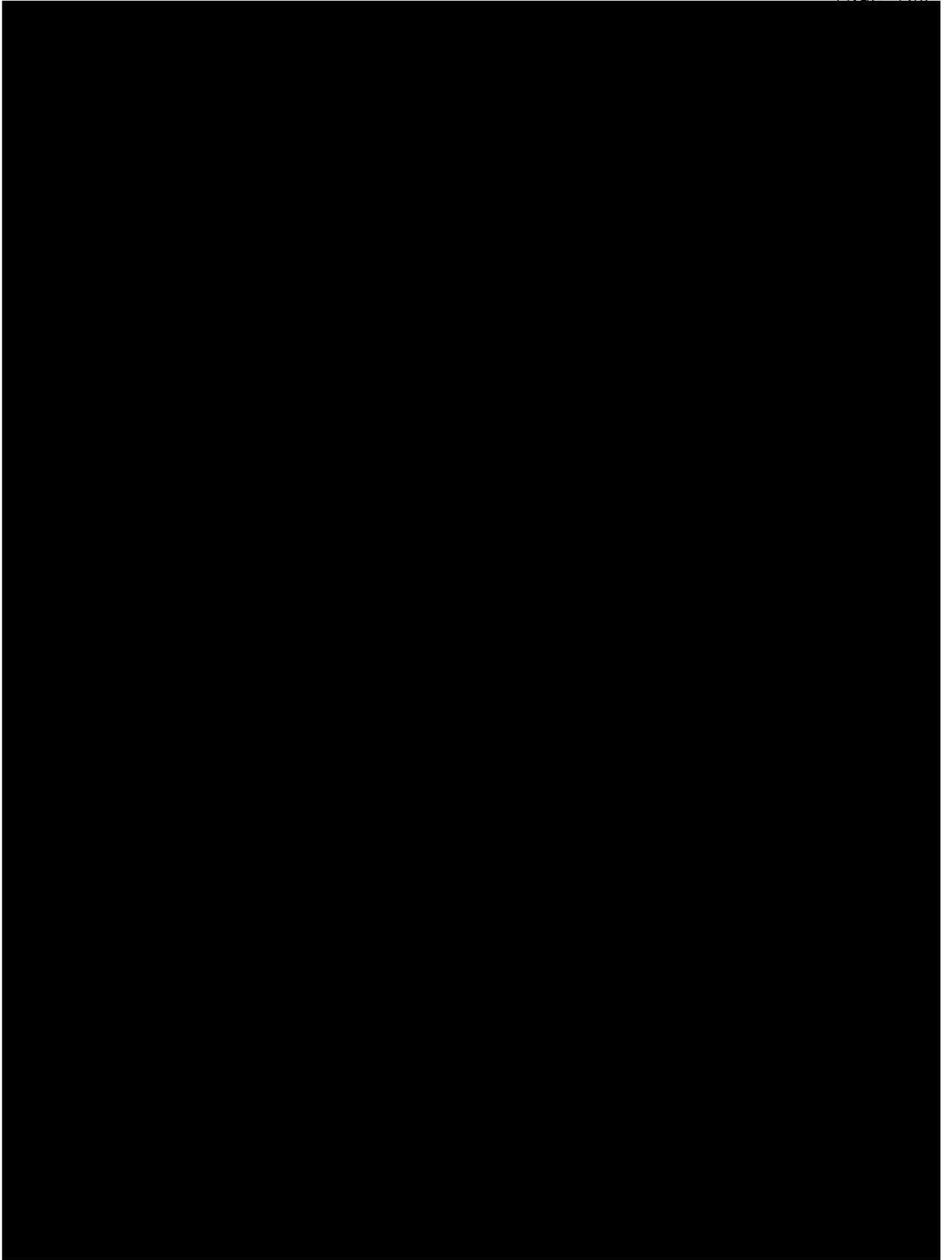
1 for benefit of the public and it is only with our
2 staff and the Commission.

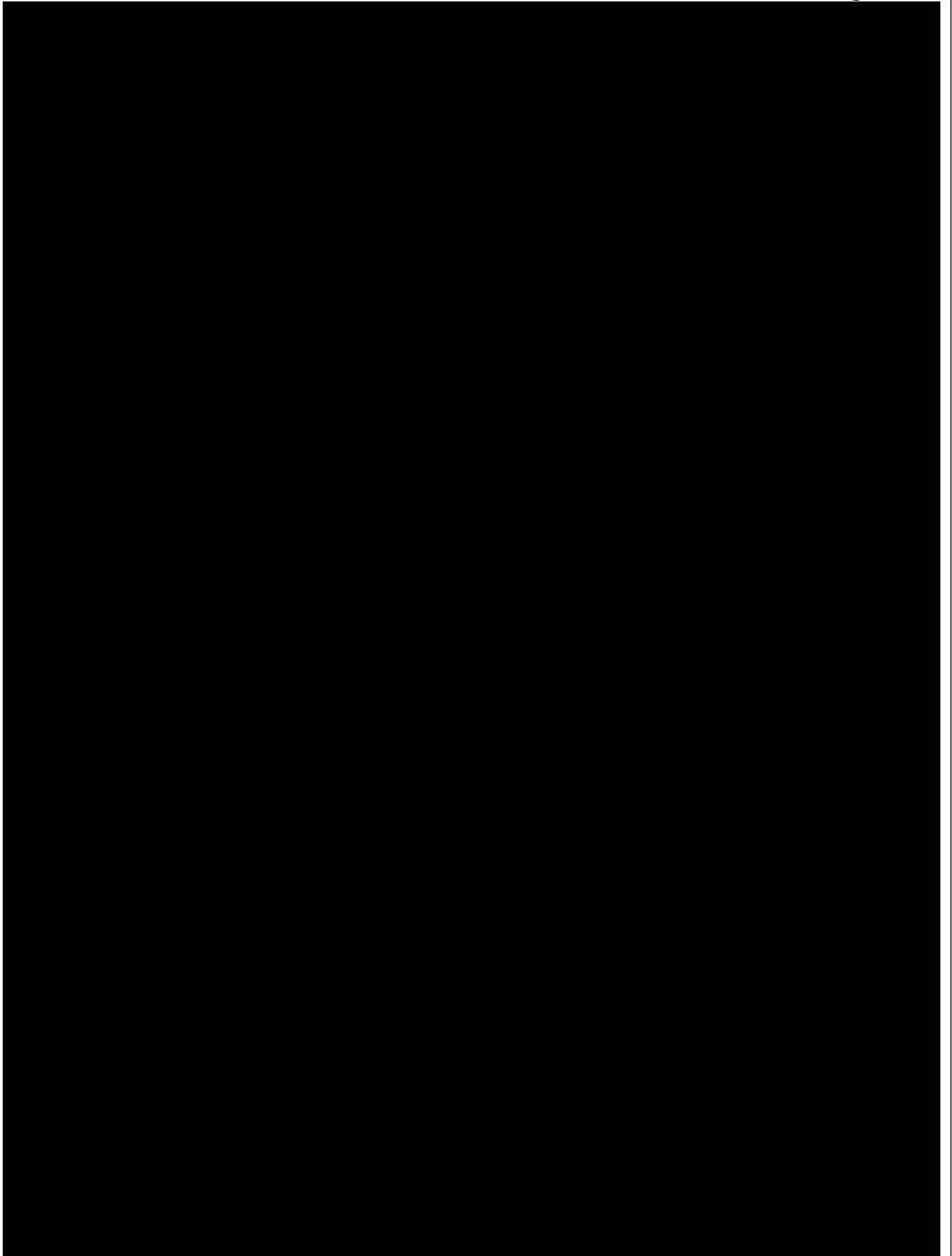
3 MR. MARSHMAN: I would also like to note for
4 the record that those in attendance match the list
5 of people that were going to be attending this
6 meeting that was made publicly available on our
7 website. So we can list those individuals, but
8 it's also for the record. I don't see anyone here
9 that was not otherwise listed in the public notice.

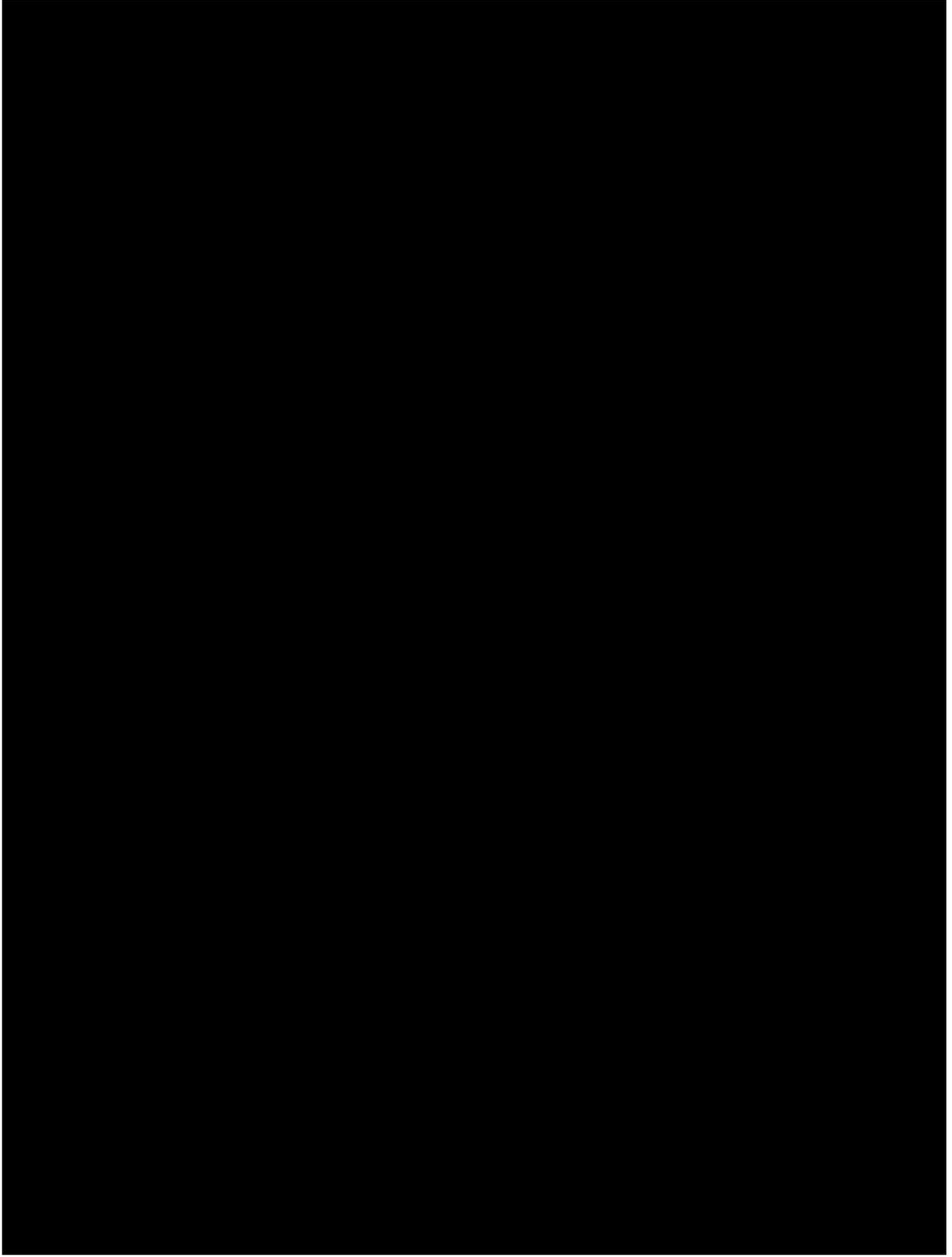
10 VICE CHAIR BROWN: Thank you, Mr. Marshman and
11 Ms. Trombetta. Shall we proceed?

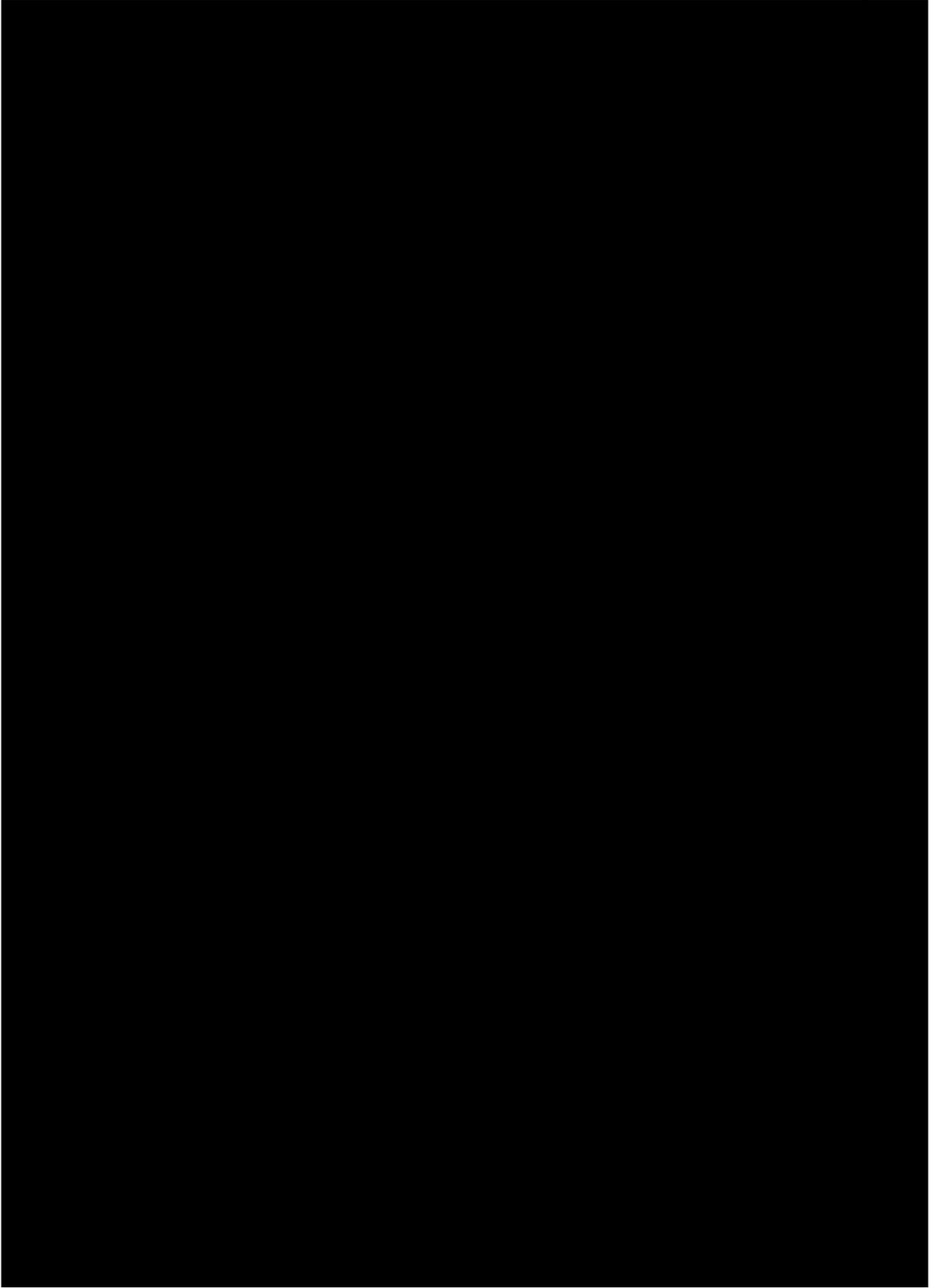


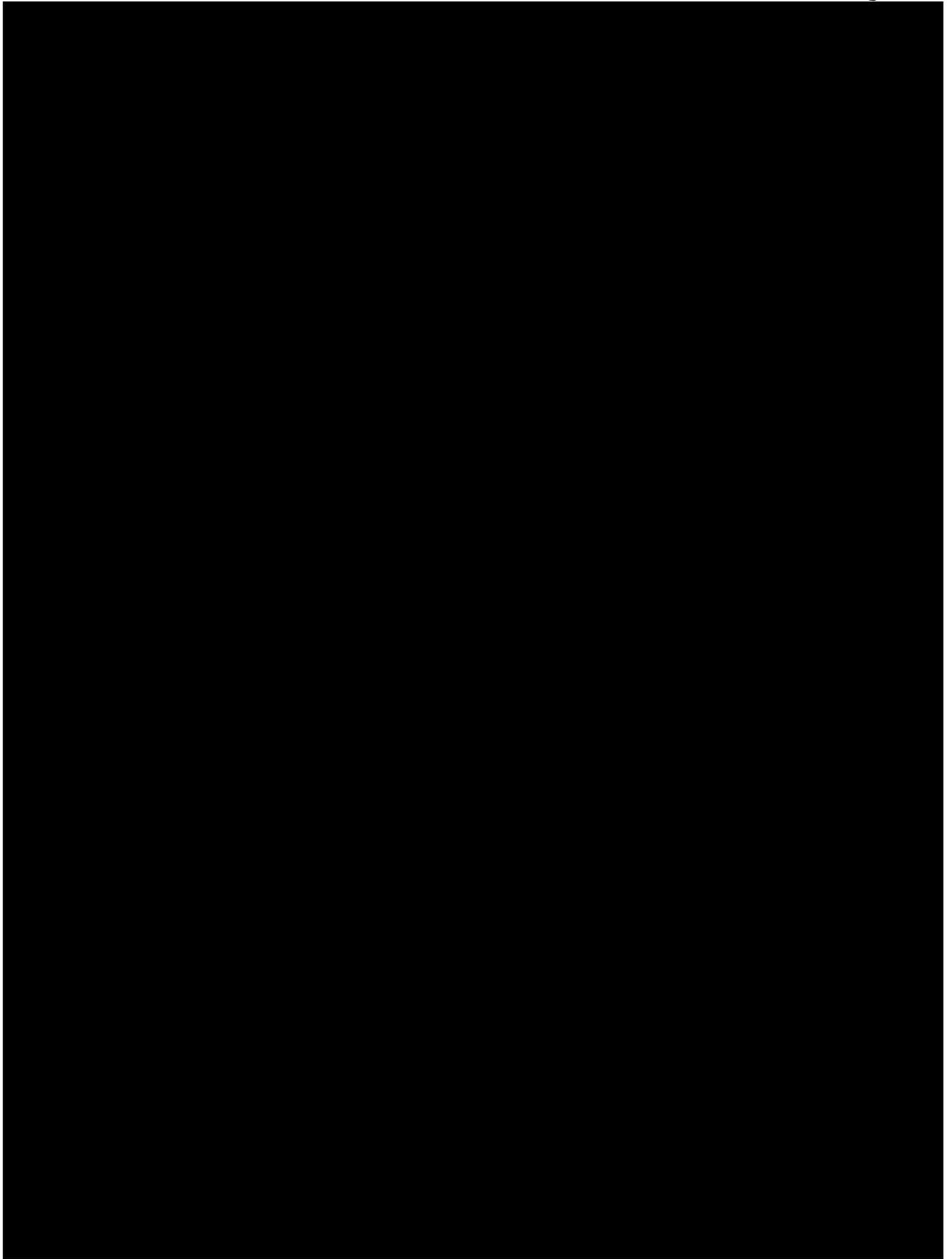


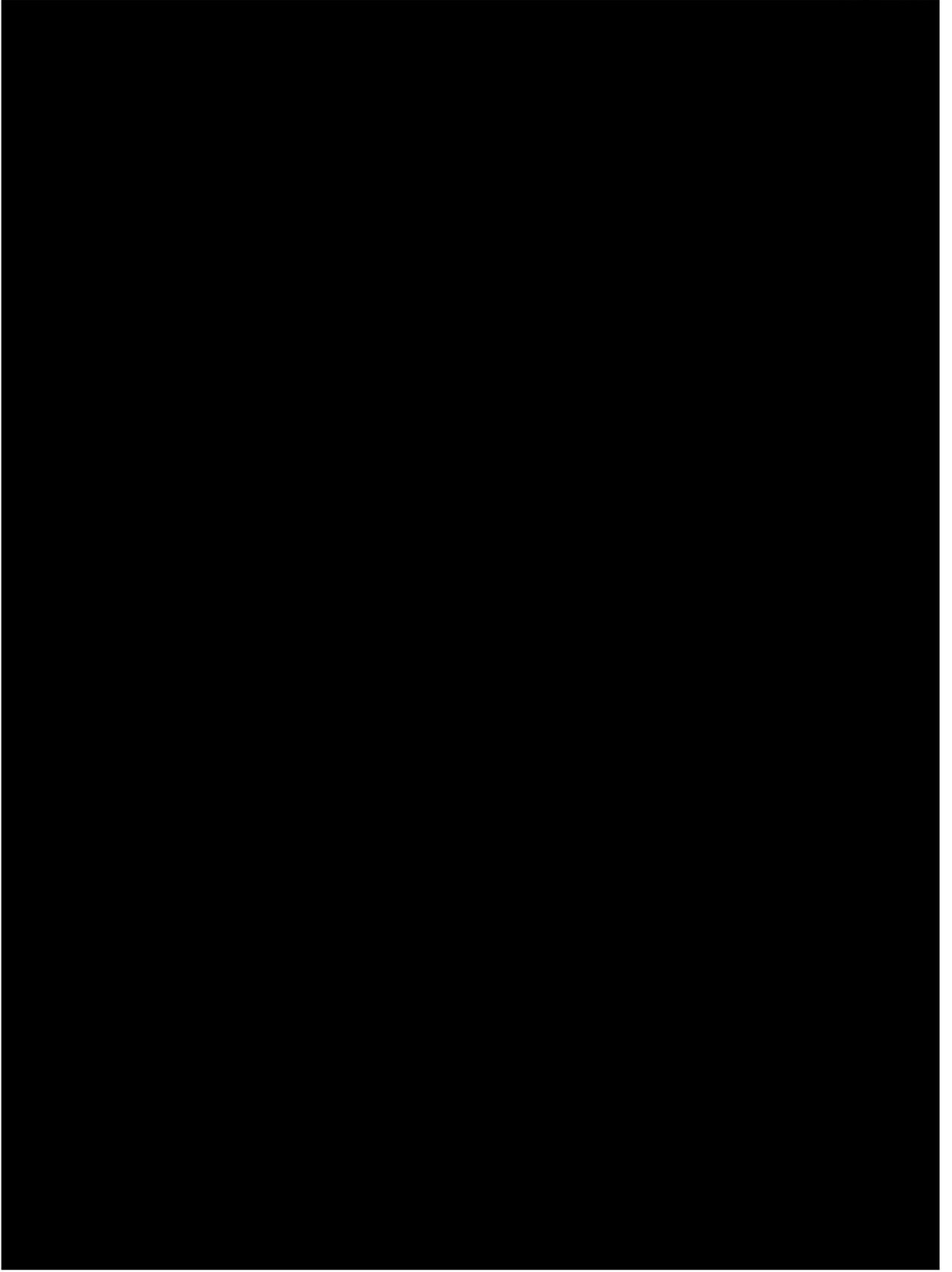


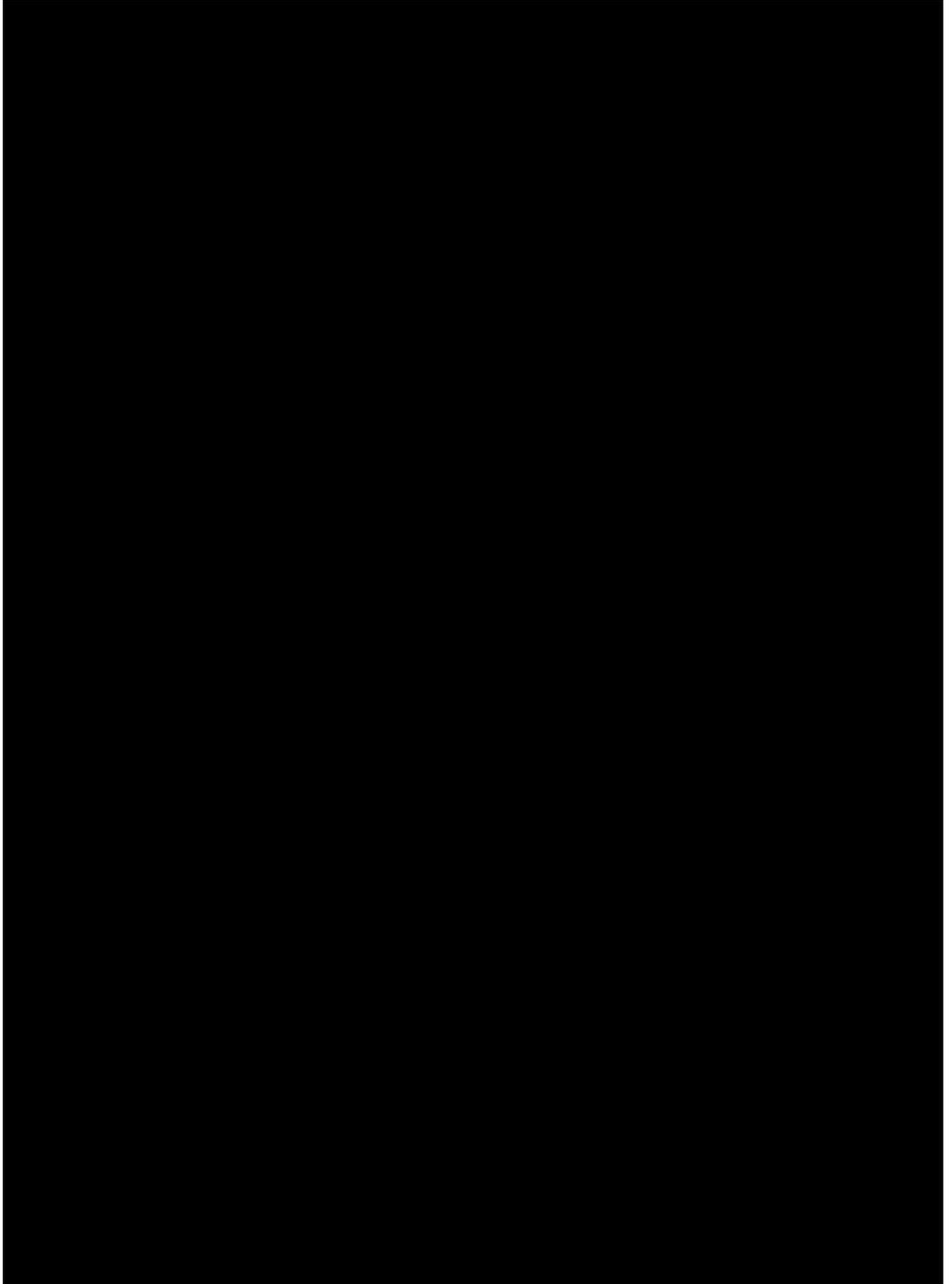


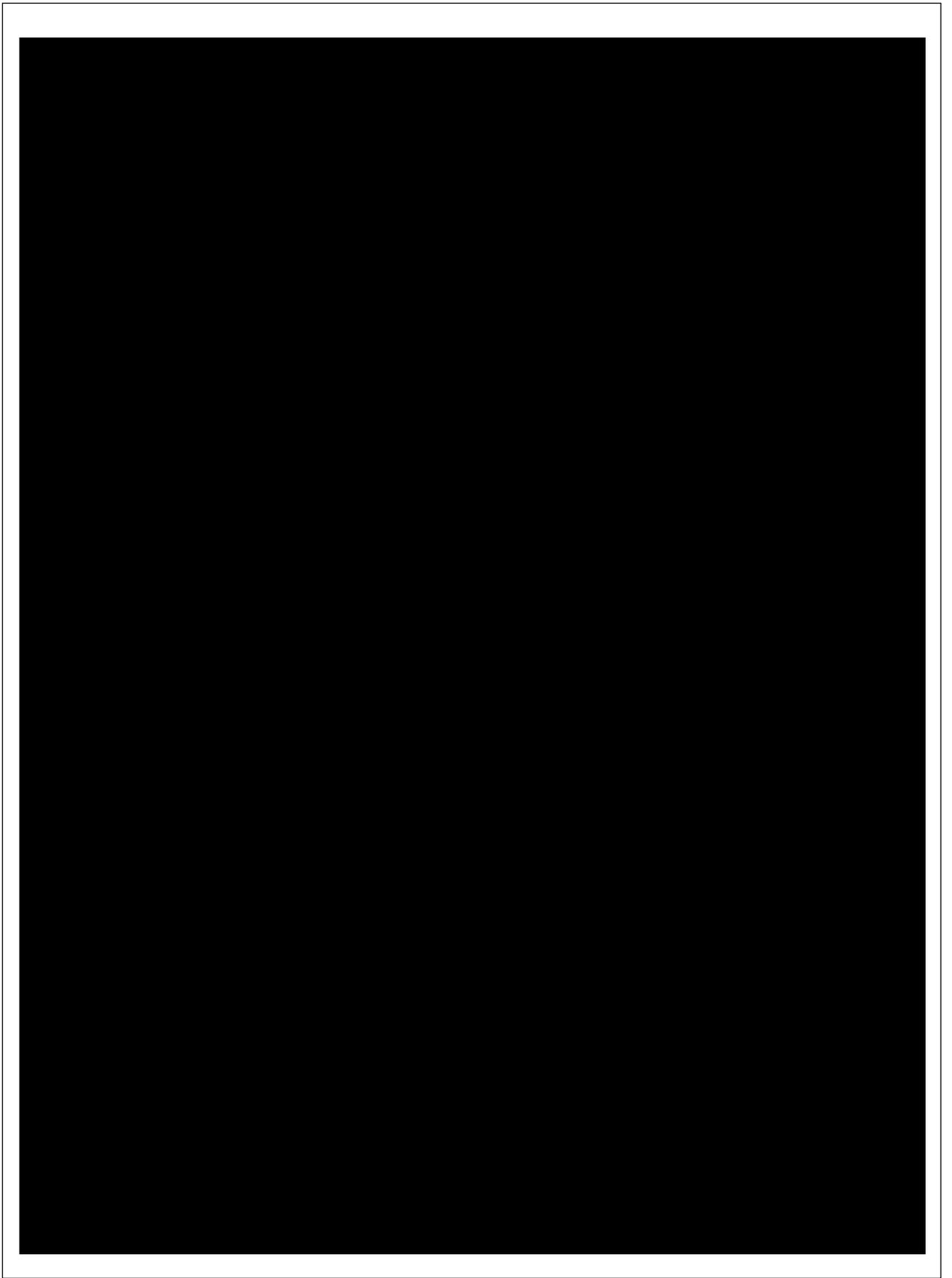


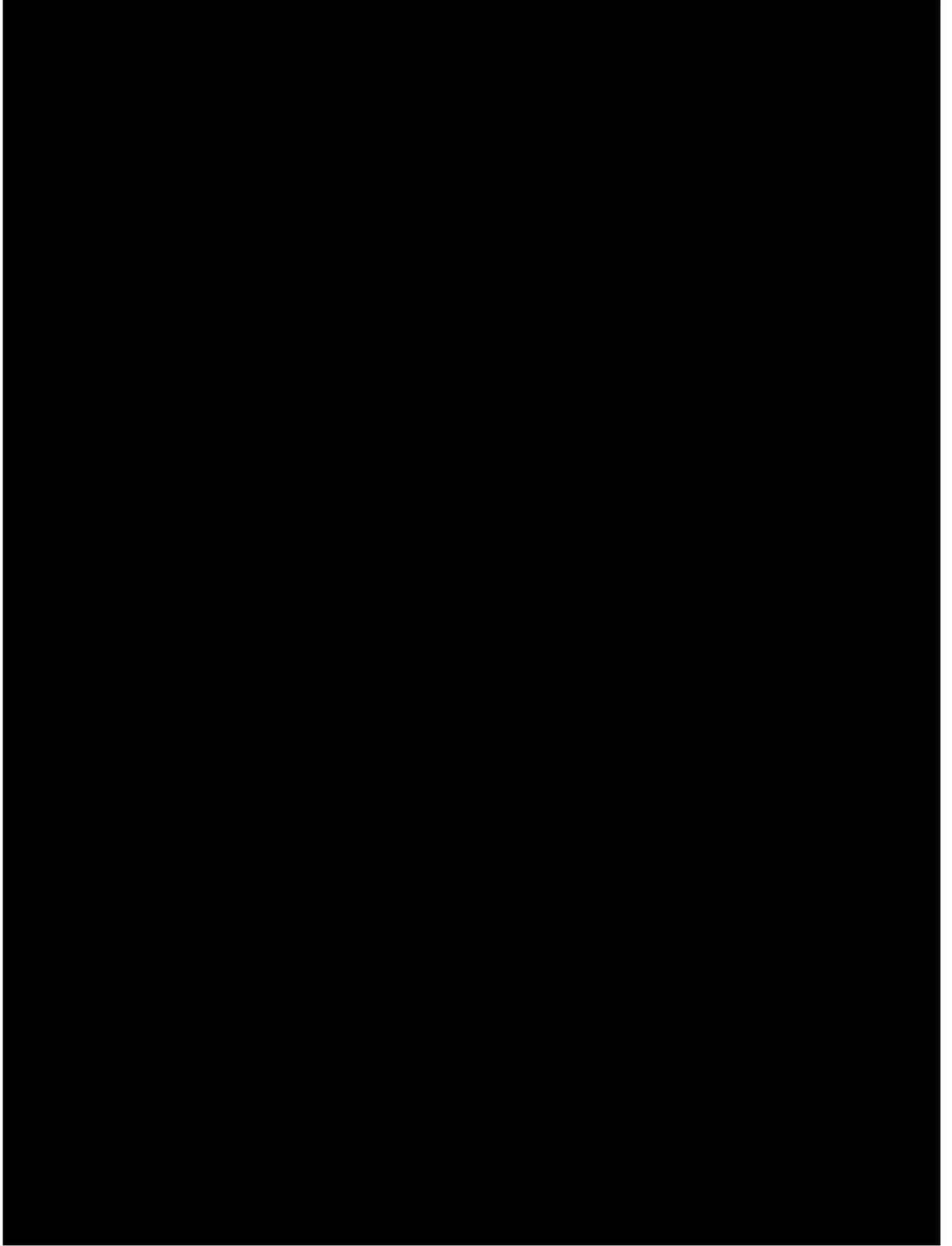


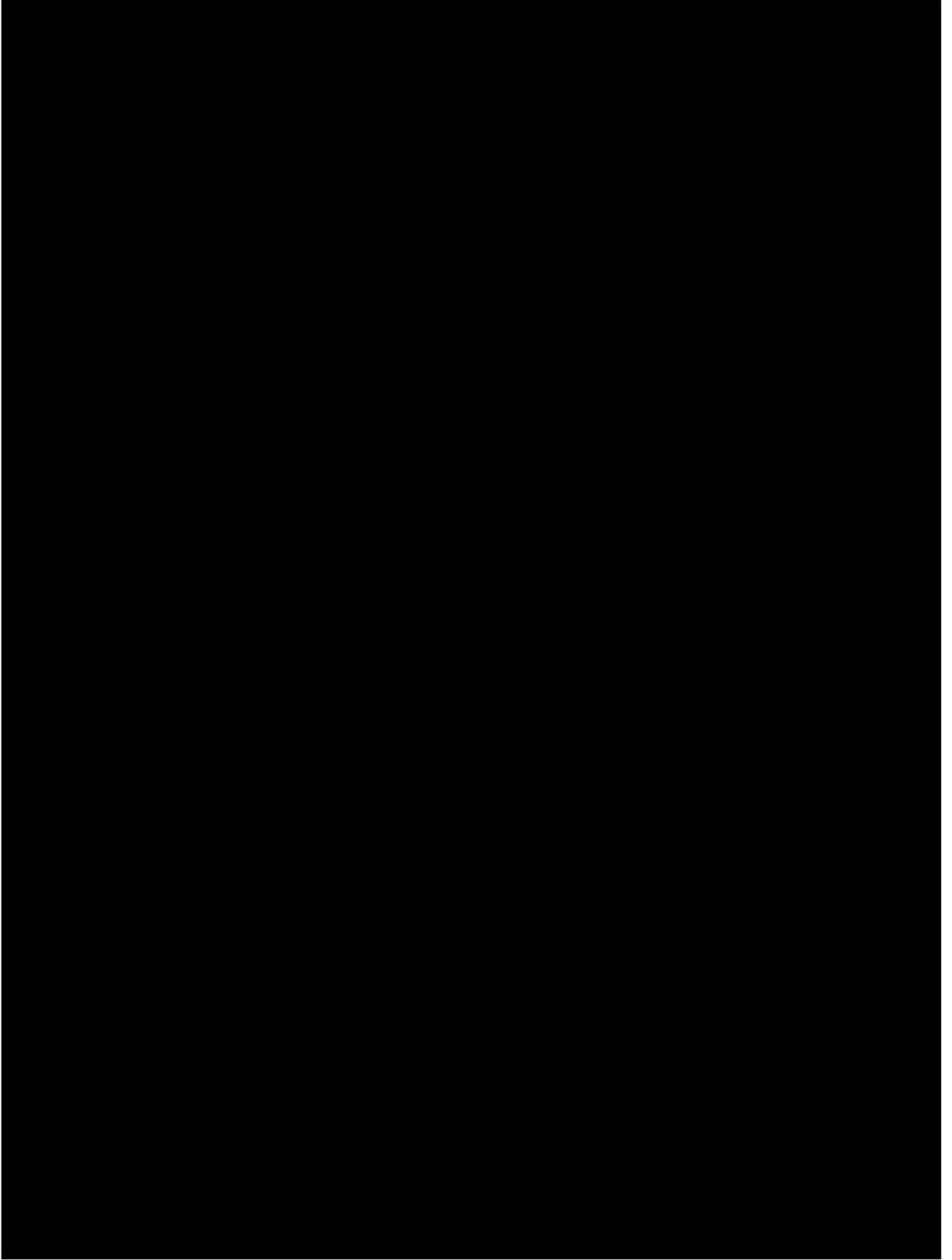


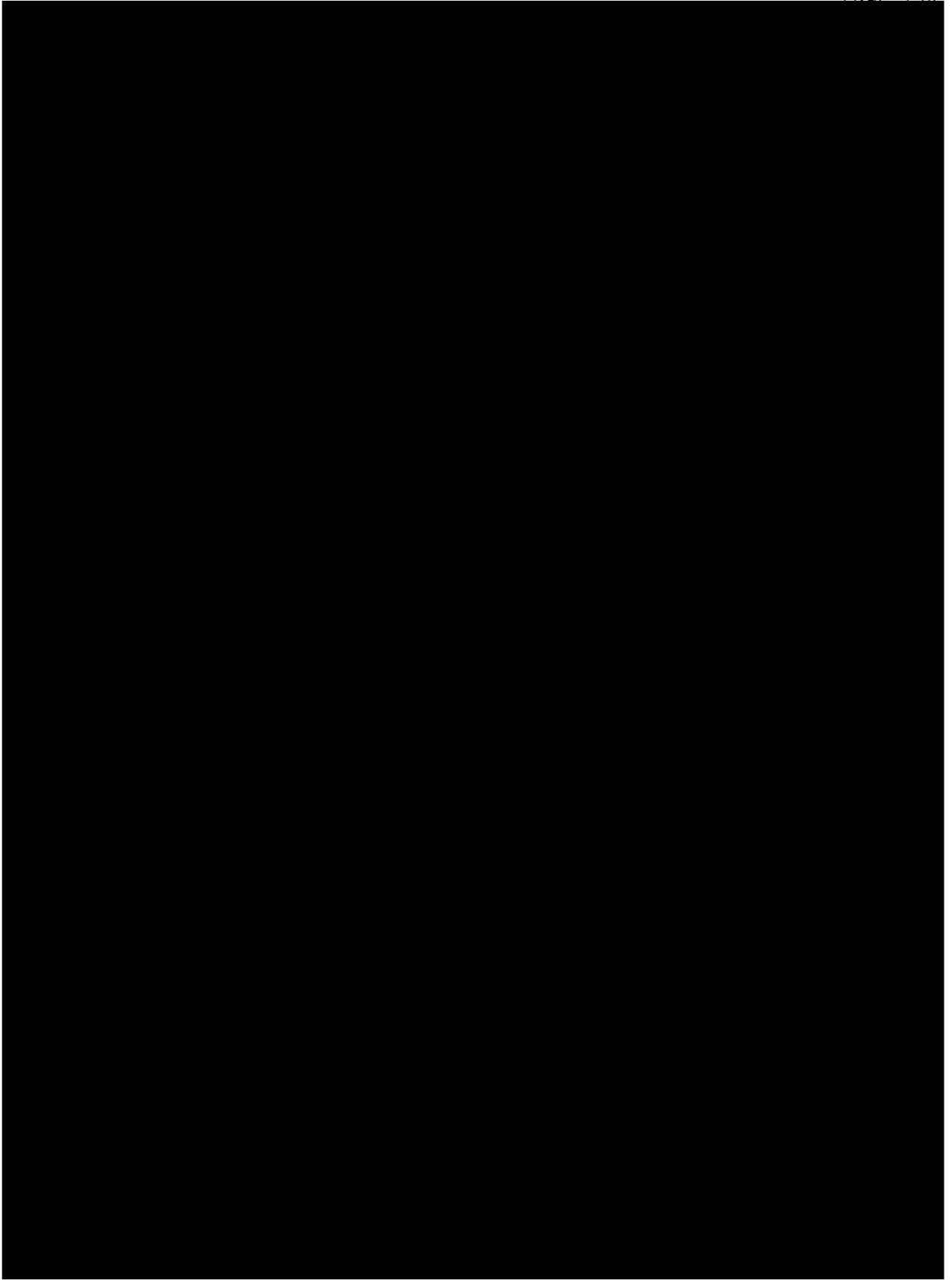


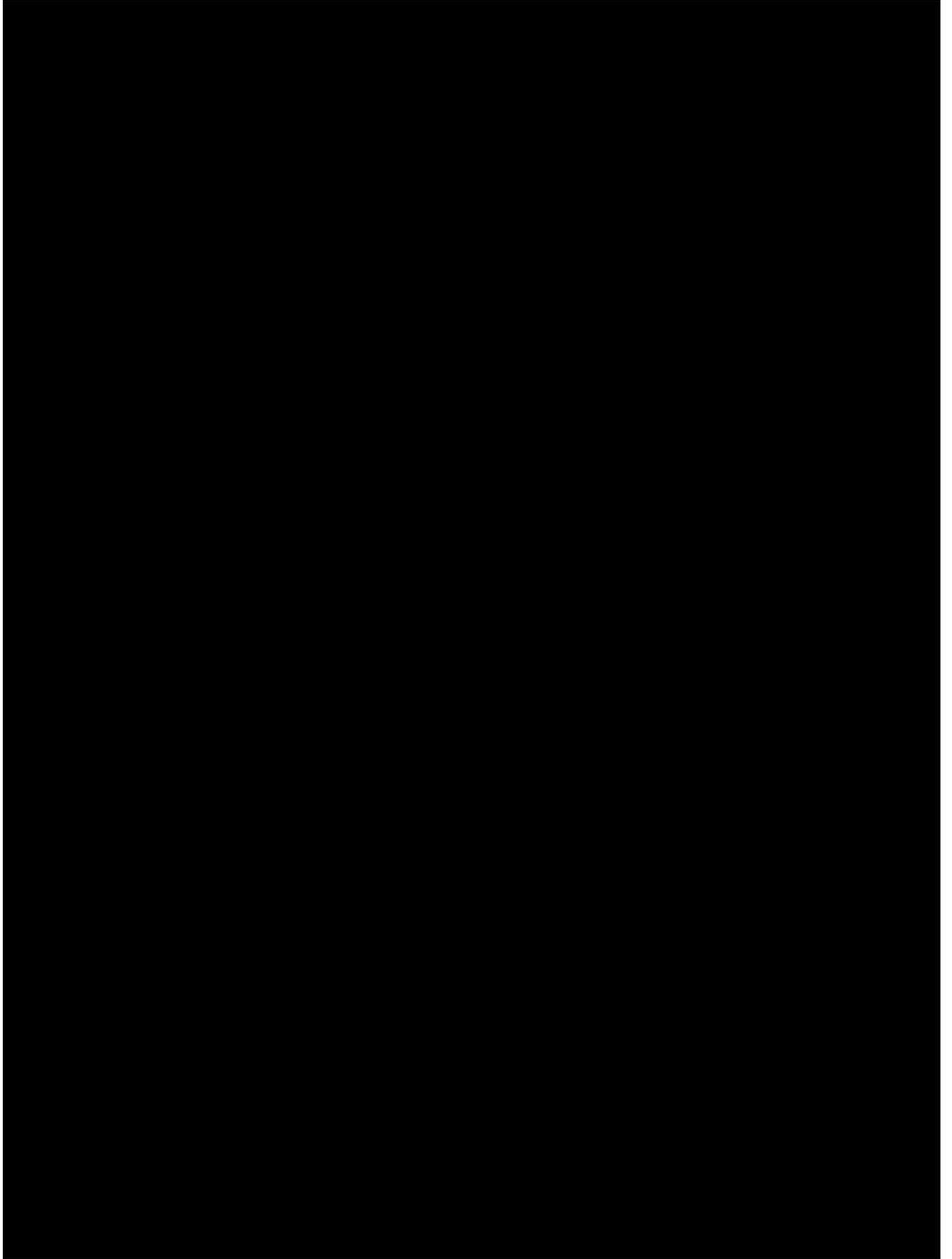


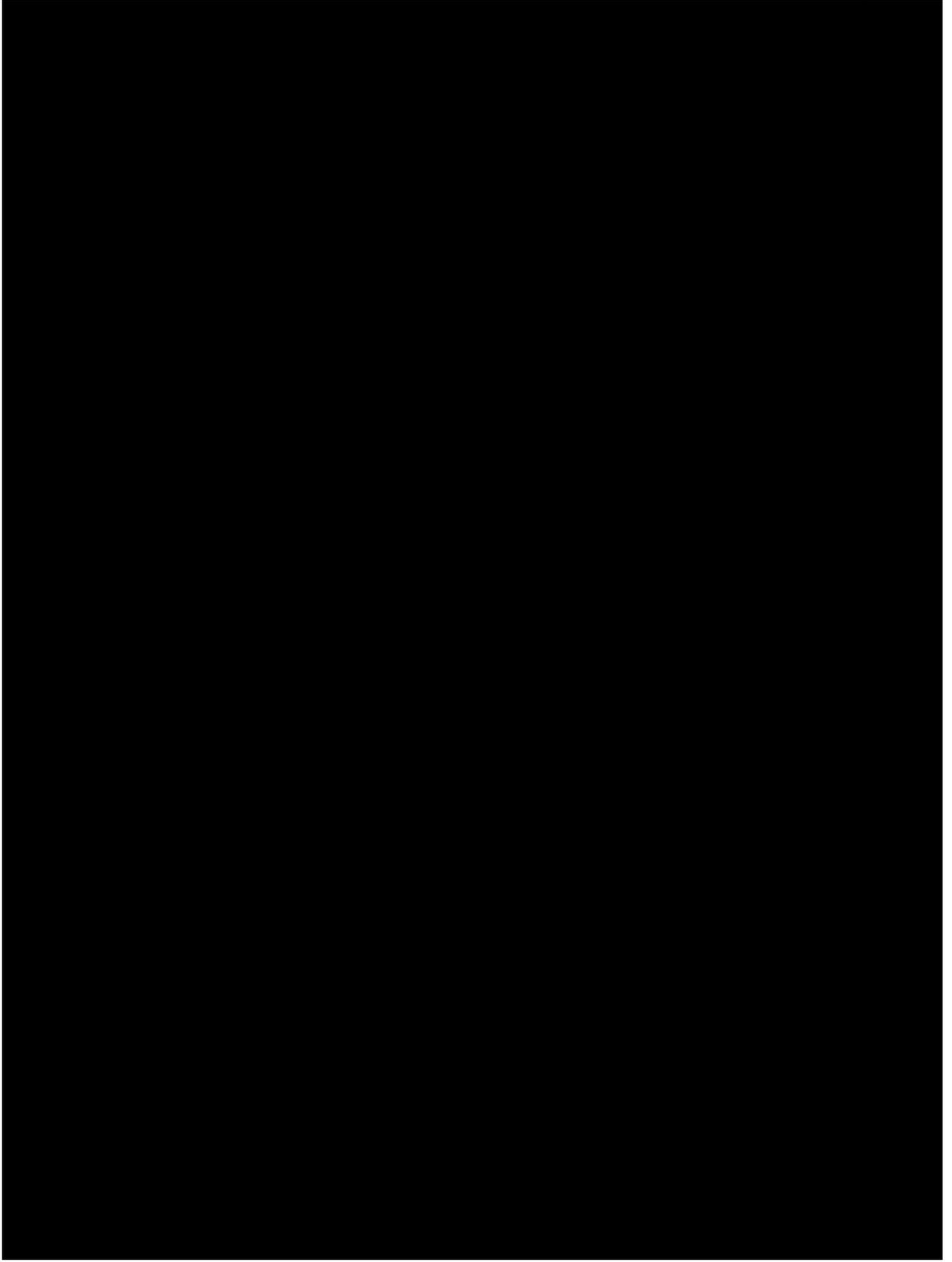


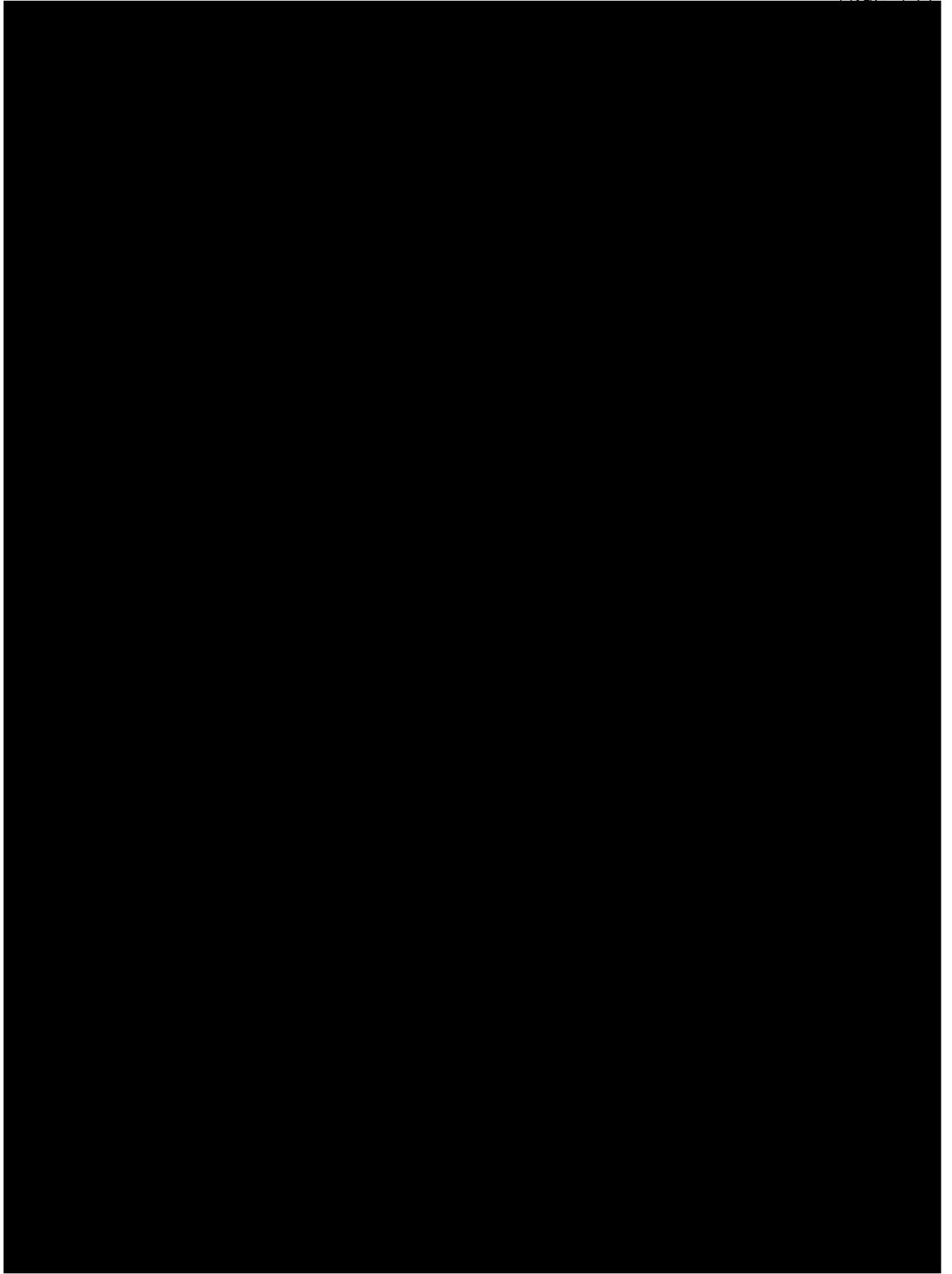


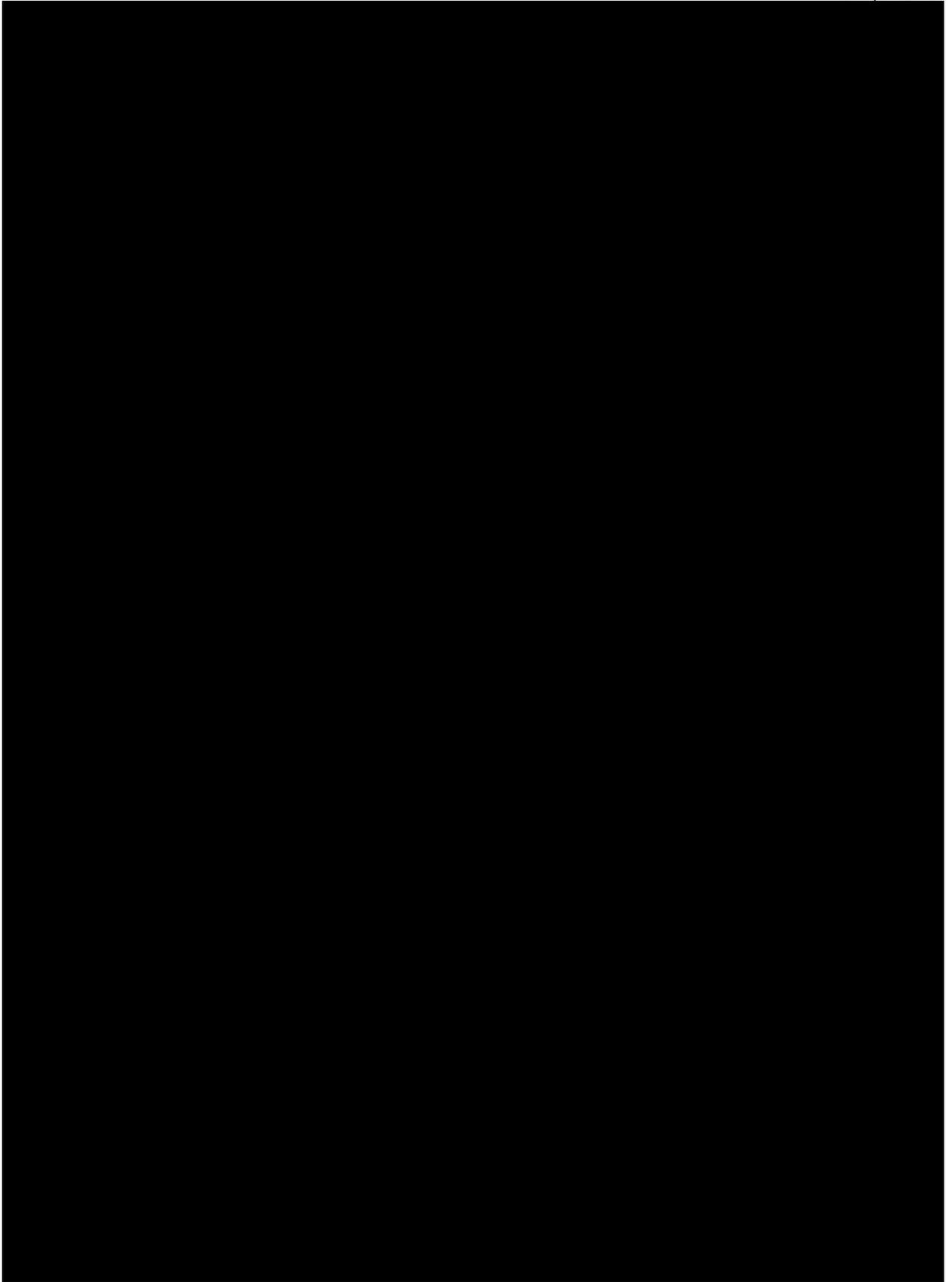


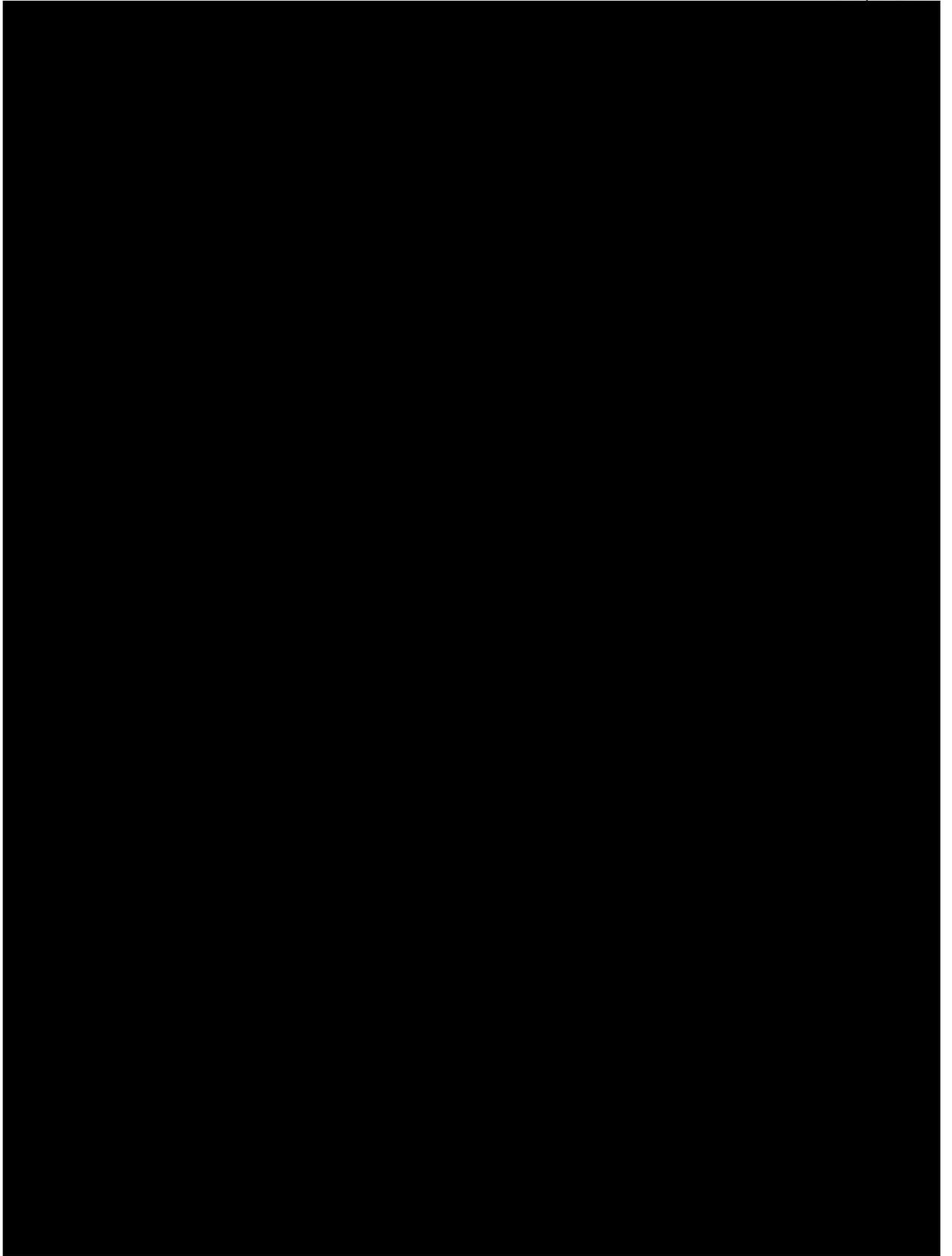


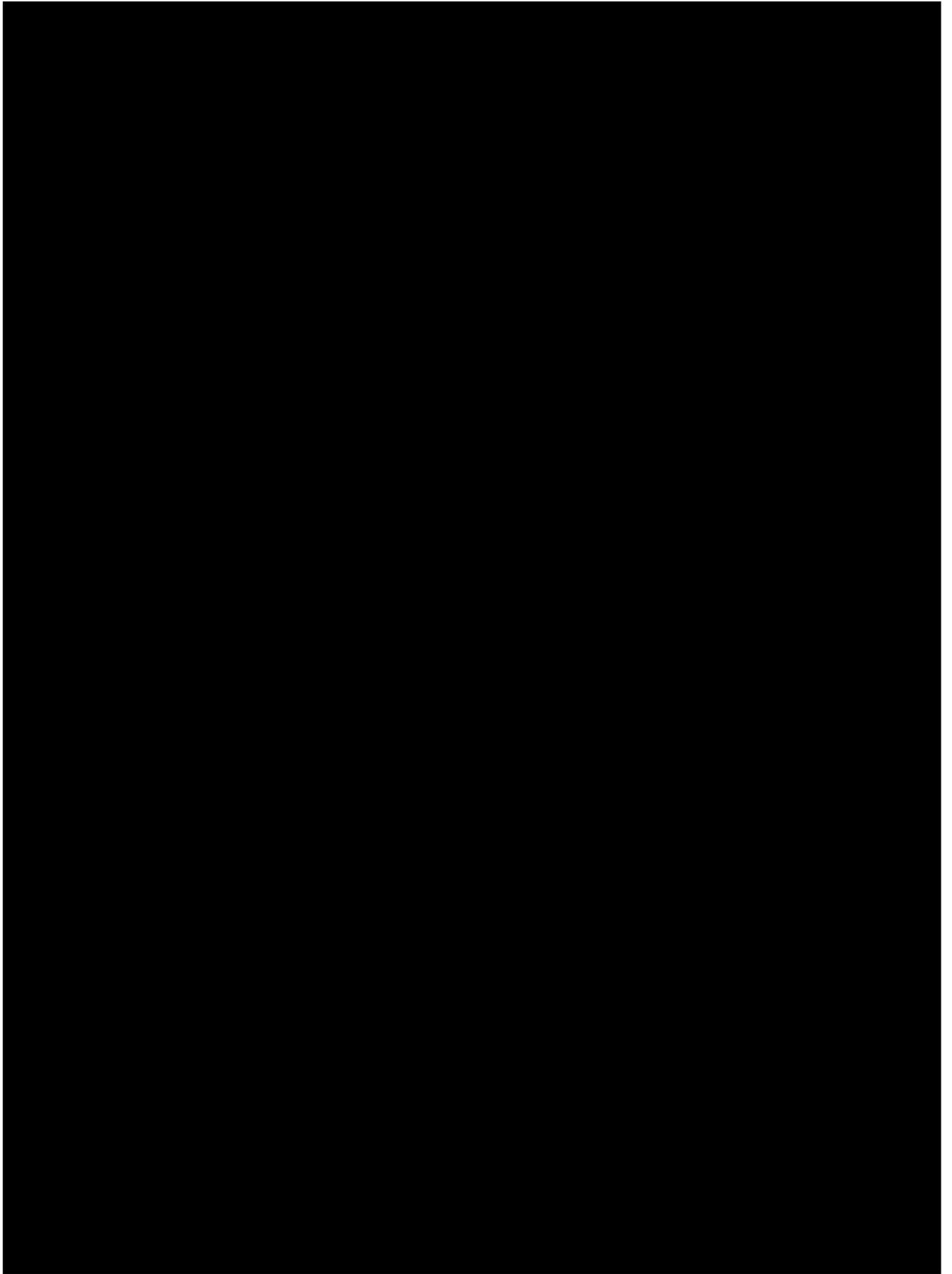


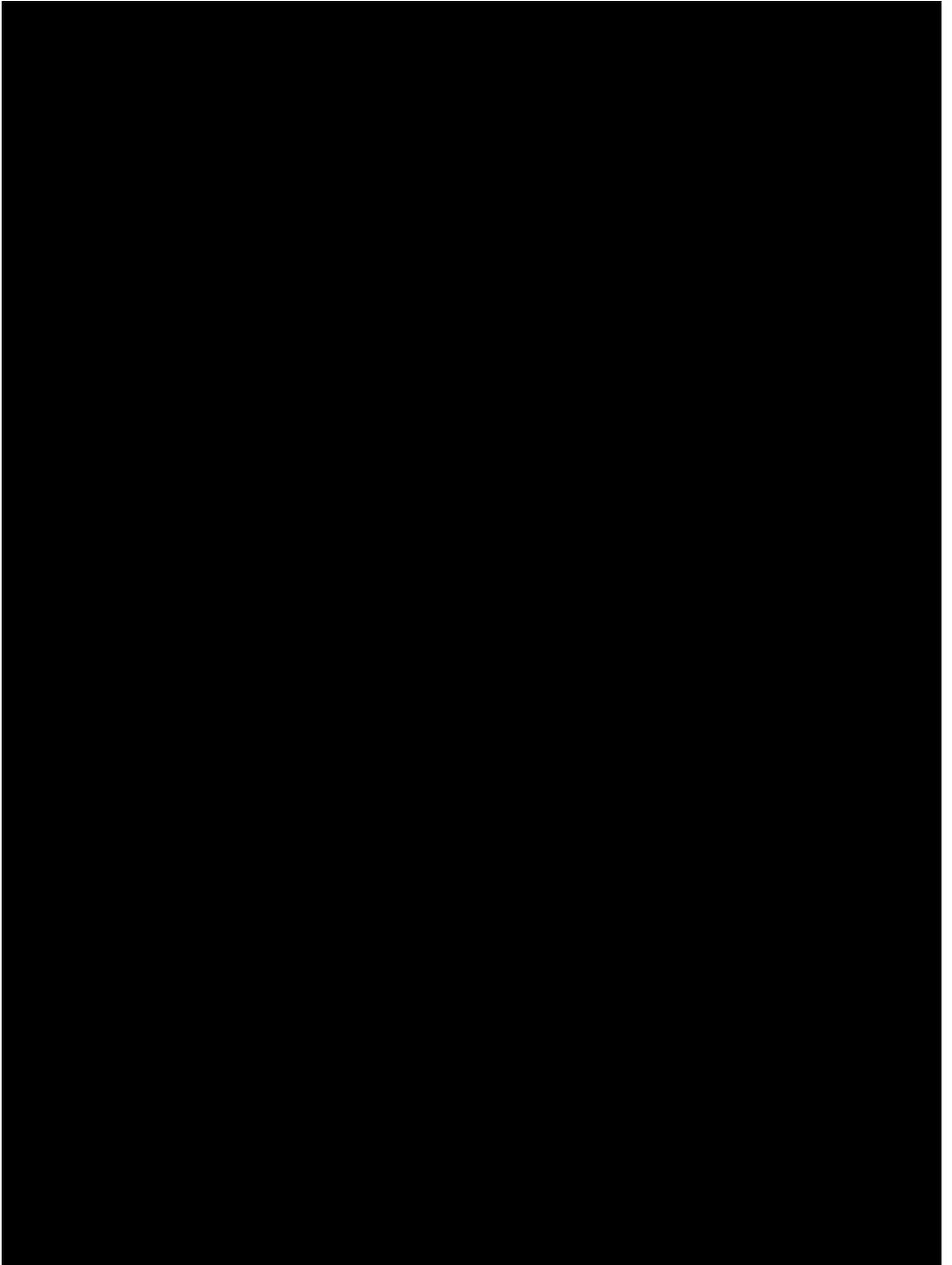


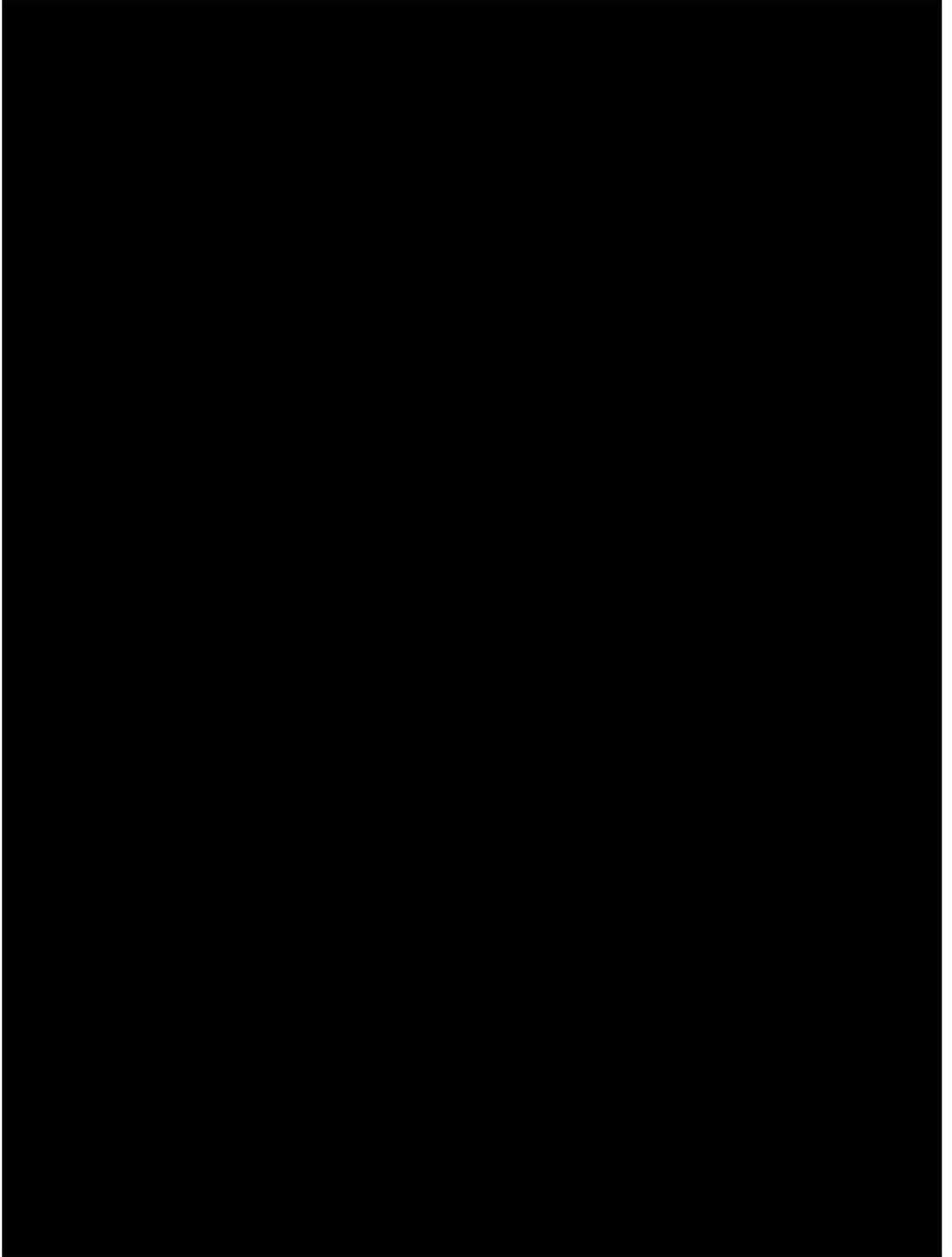


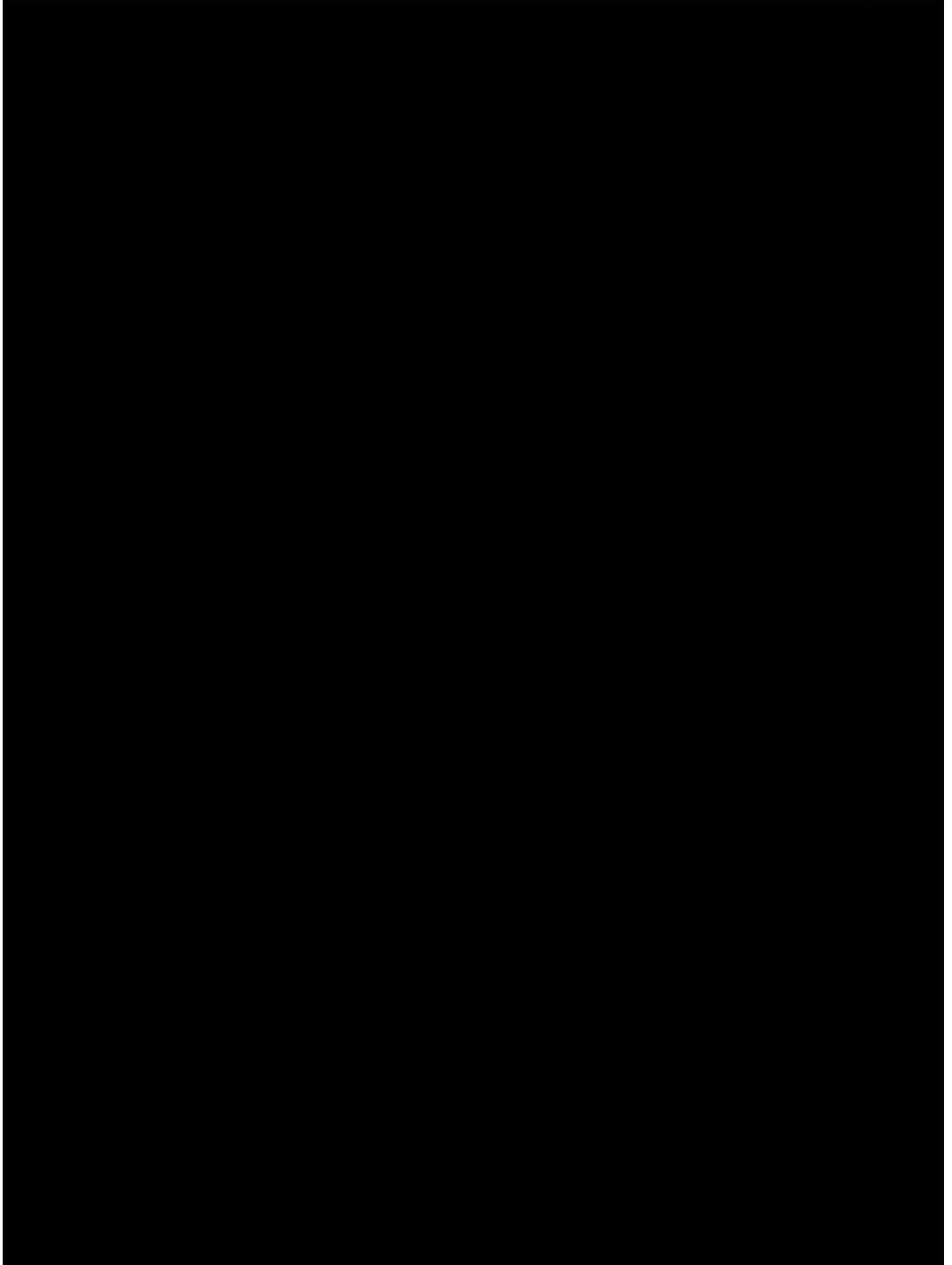


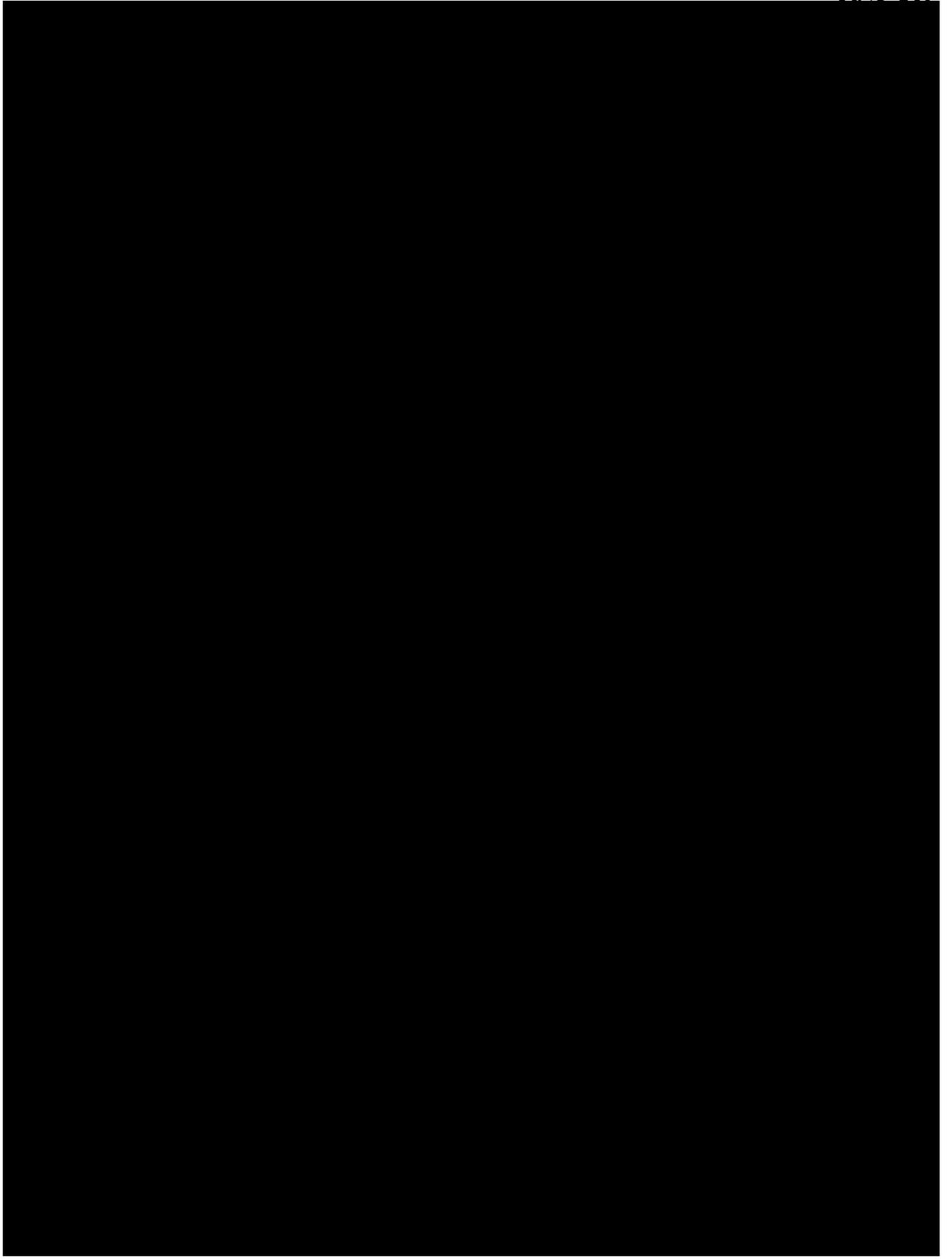


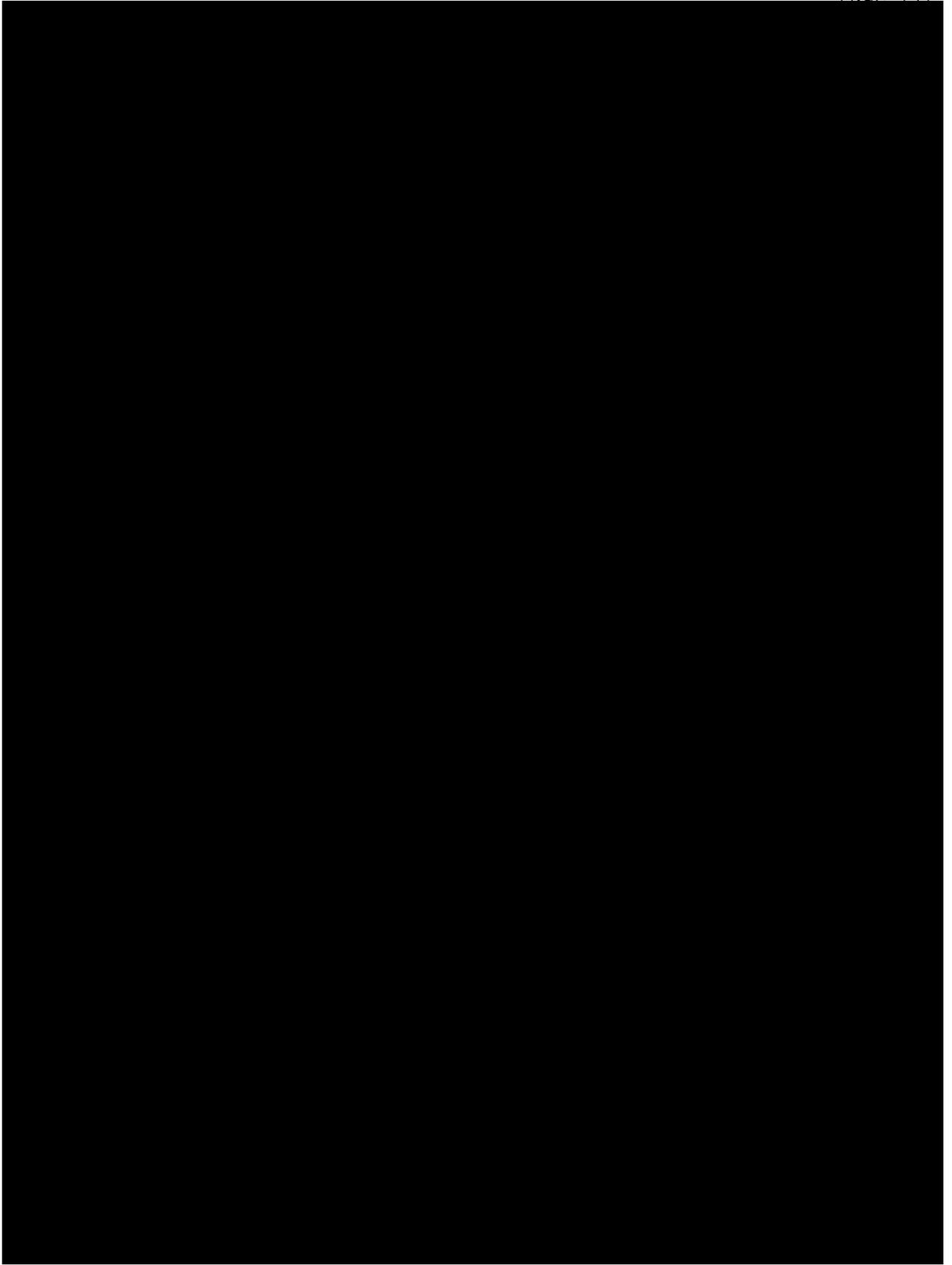


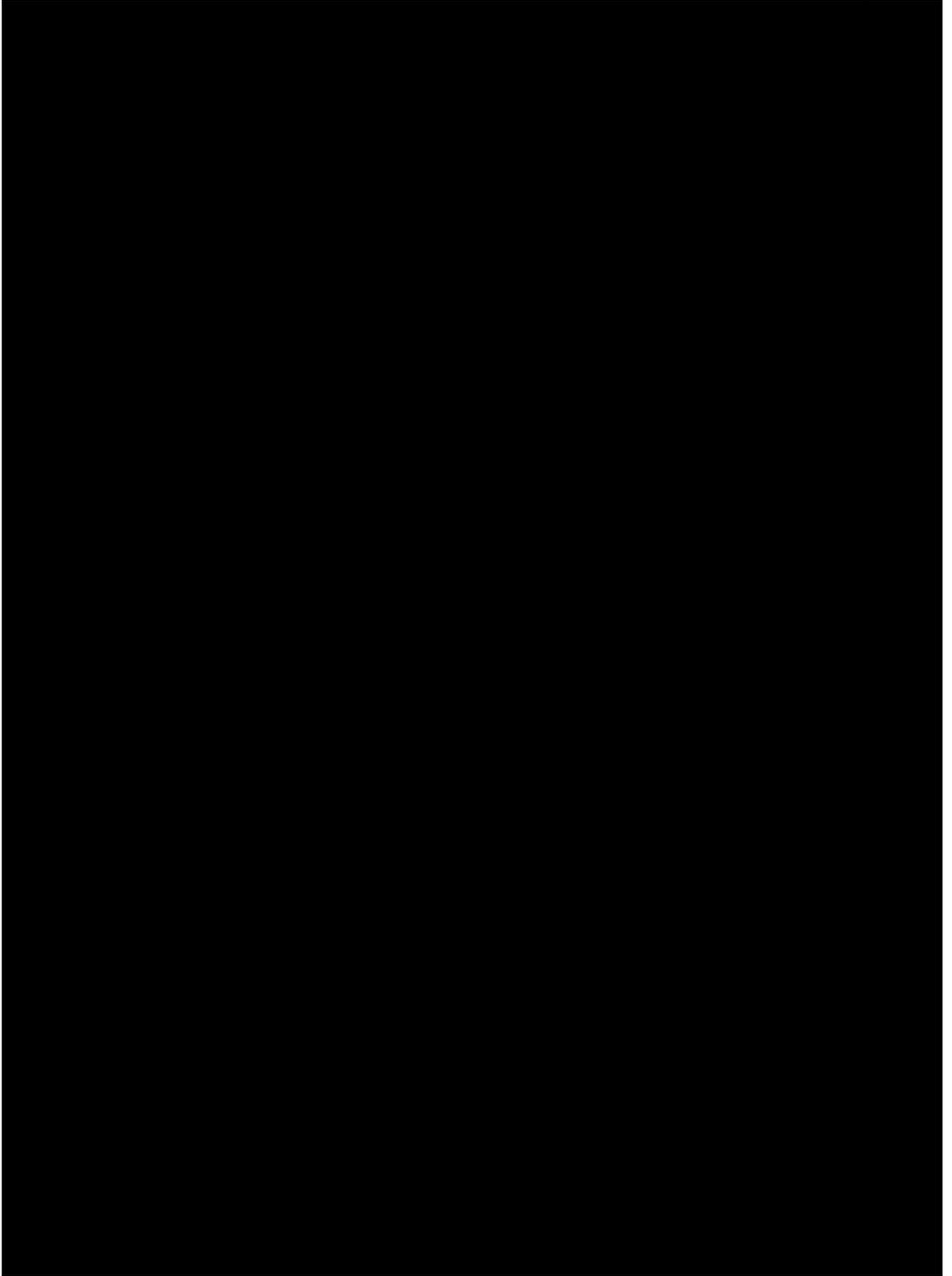


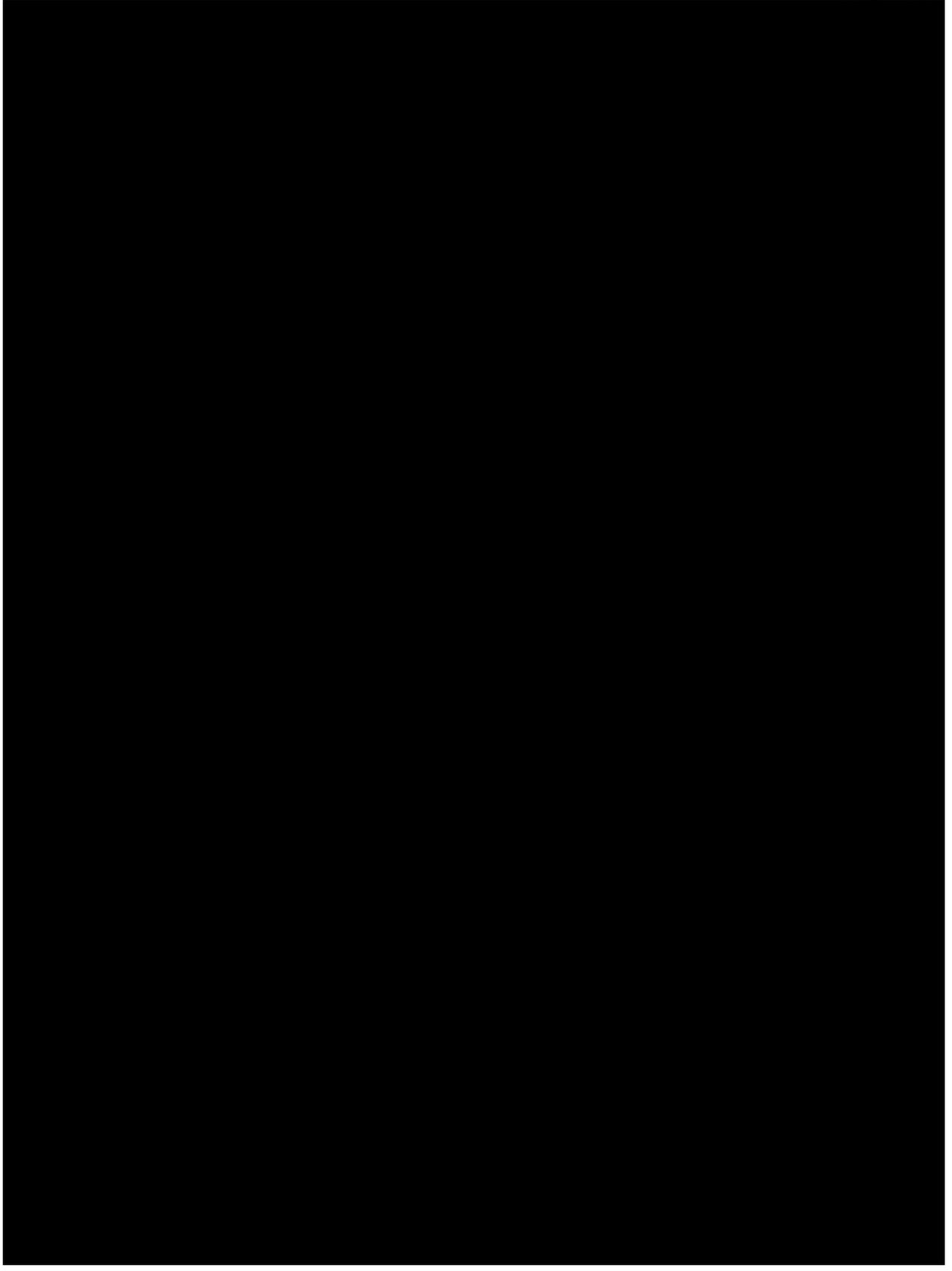














4 VICE CHAIR BROWN: So we're recessing for five
5 seconds.

6 MR. MARSHMAN: To state publicly on the
7 record.

8 Just think about it as you're in a transcript.
9 We can read your text in the big black box and then
10 suddenly the lights are going to be flipped back
11 on, you're going to say, hey, my estimate
12 originally was incorrect, so now I'm going to need
13 this additional time. We're now going back into
14 the shade, so to speak, and then the record goes
15 black again.

16 VICE CHAIR BROWN: We are going to recess this
17 attorney/client meeting for the purposes of
18 restating that we underestimated a 30-minute window
19 that was allocated.

20 MR. MARSHMAN: Again, I would now suggest that
21 you state the new estimate on how long you think
22 the remainder of the session will last.

23 VICE CHAIR BROWN: So now I'm going to restate
24 the new amount of the estimated session with the
25 new -- the extended of the new session of the

1 attorney/client.

2 MR. MARSHMAN: The continuation.

3 VICE CHAIR BROWN: That would be another 45
4 minutes, no less than 45 minutes -- no more than --
5 I haven't eaten, I'm sorry. No more than 45
6 minutes. I'm on. So now we are going to reconvene
7 the attorney/client meeting --

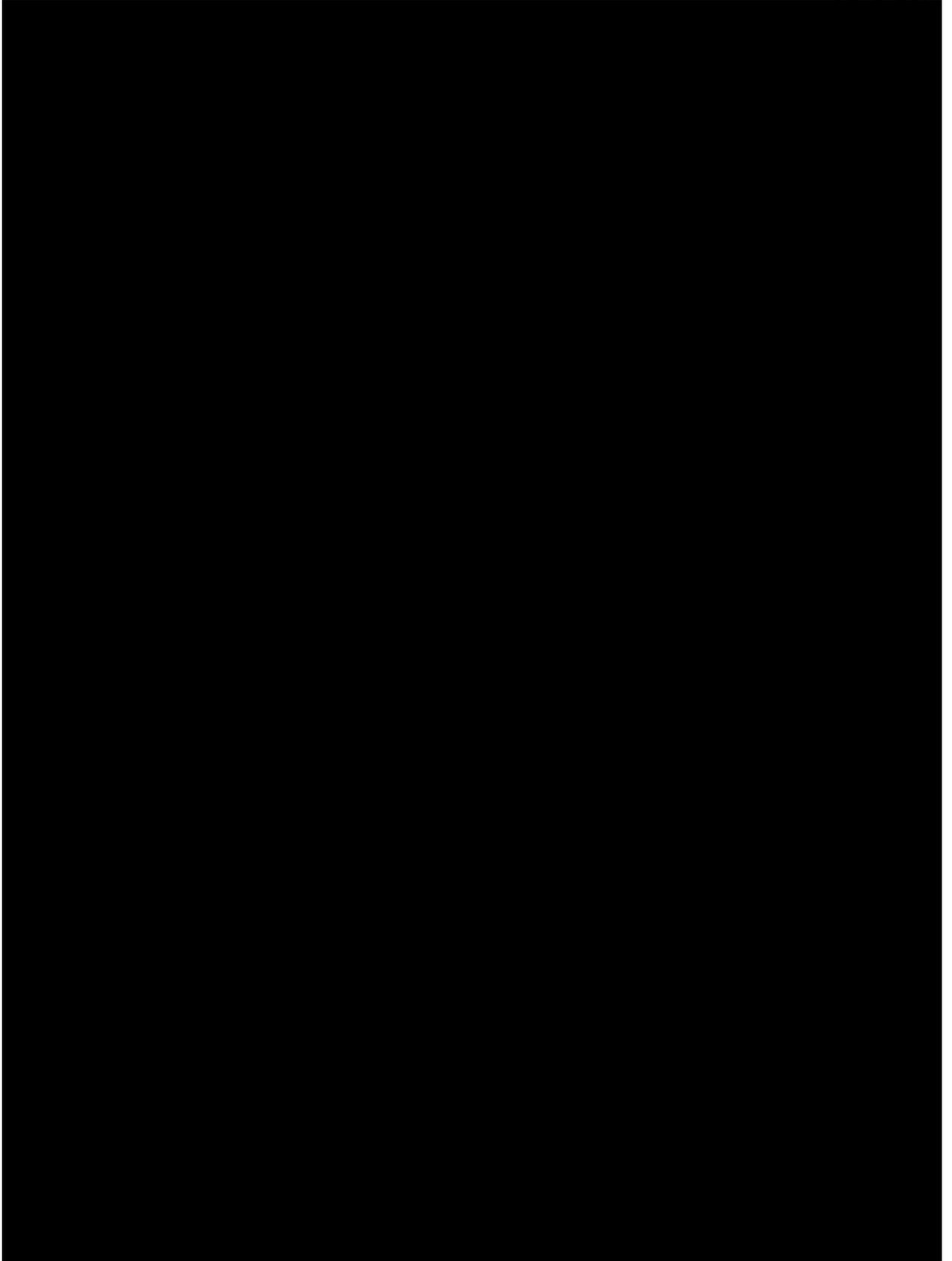
8 MR. MARSHMAN: But I would like to note out of
9 an abundance of caution who the participants are in
10 this continued closed door meeting for the
11 attorney/client session.

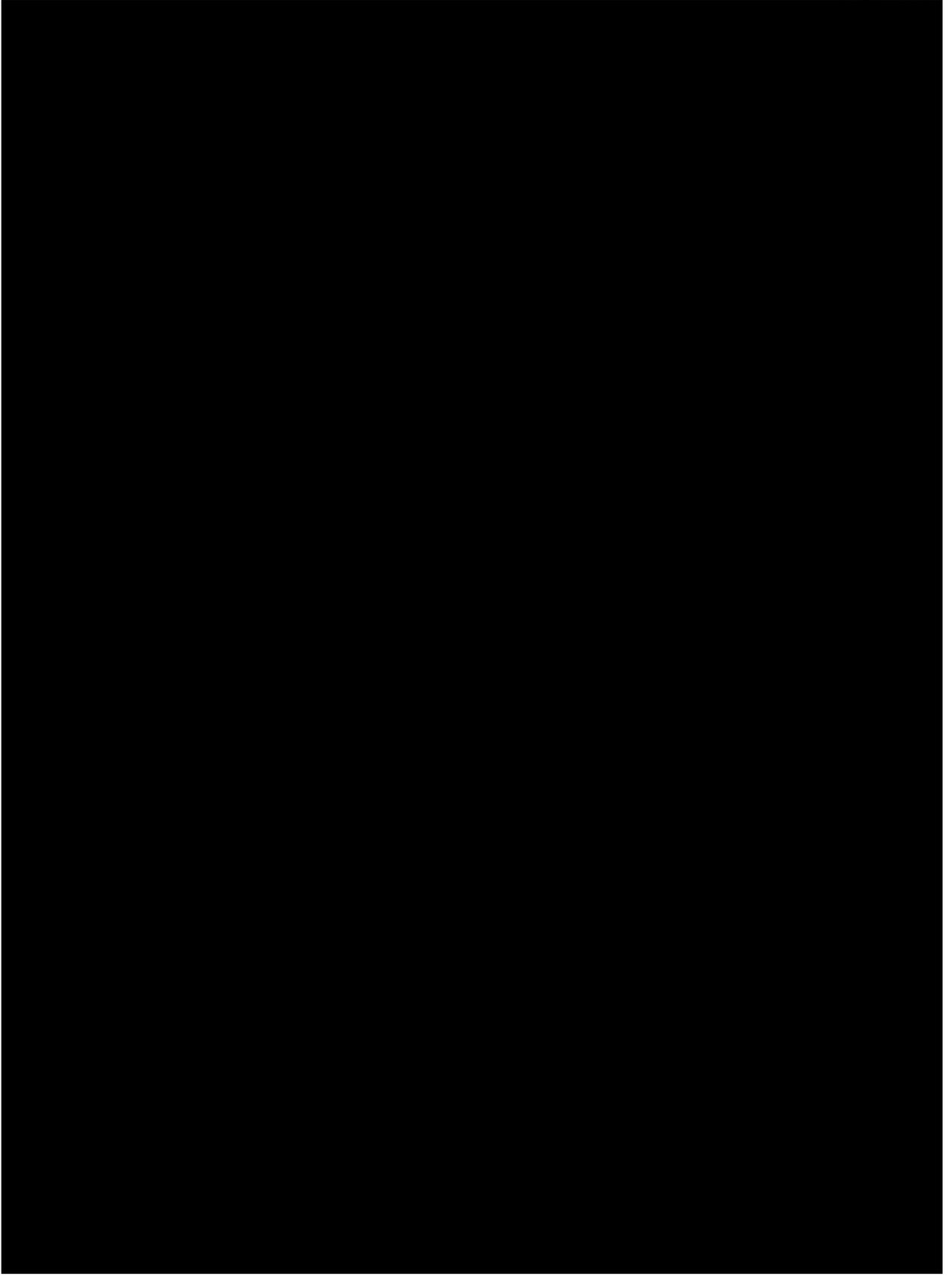
12 VICE CHAIR BROWN: Yes, for no more than 45
13 minutes.

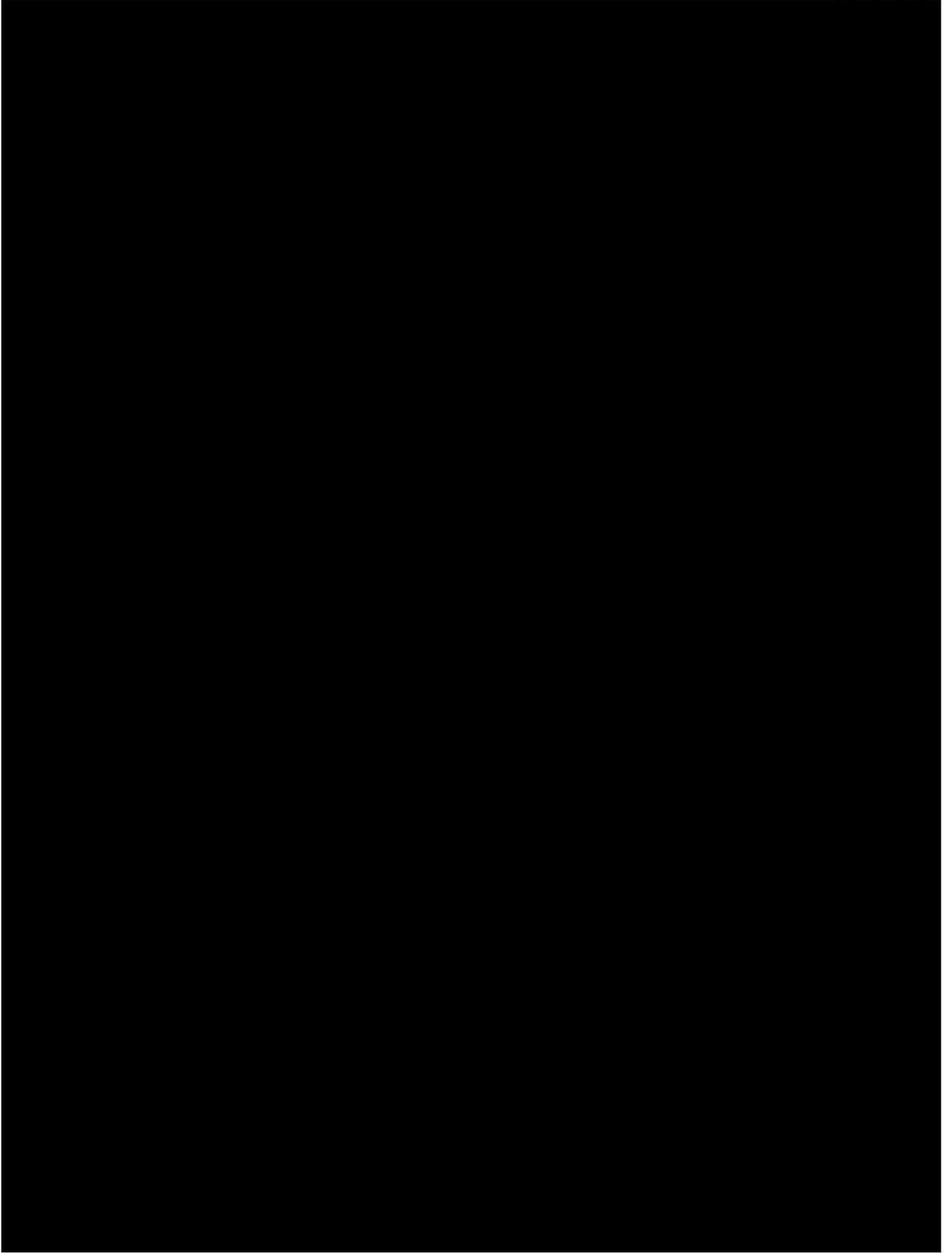
14 MR. MARSHMAN: With that in mind,
15 Commissioner Repp is still present,
16 Commissioner A'Quila is still present,
17 Commissioner Brown is still present,
18 Commissioner Drago is still present,
19 Attorney Elizabeth Stinson, Attorney Elina
20 Valentine, Attorney Ross Marshman, also present
21 Executive Director Trombetta, Director Dillmore,
22 Attorney Woods, Attorney Alvarado, they're all
23 still present along with Attorney Campbell, and
24 Attorney Amerdan and Ms. Stacy Martin (ph) and
25 Madam Court Reporter.

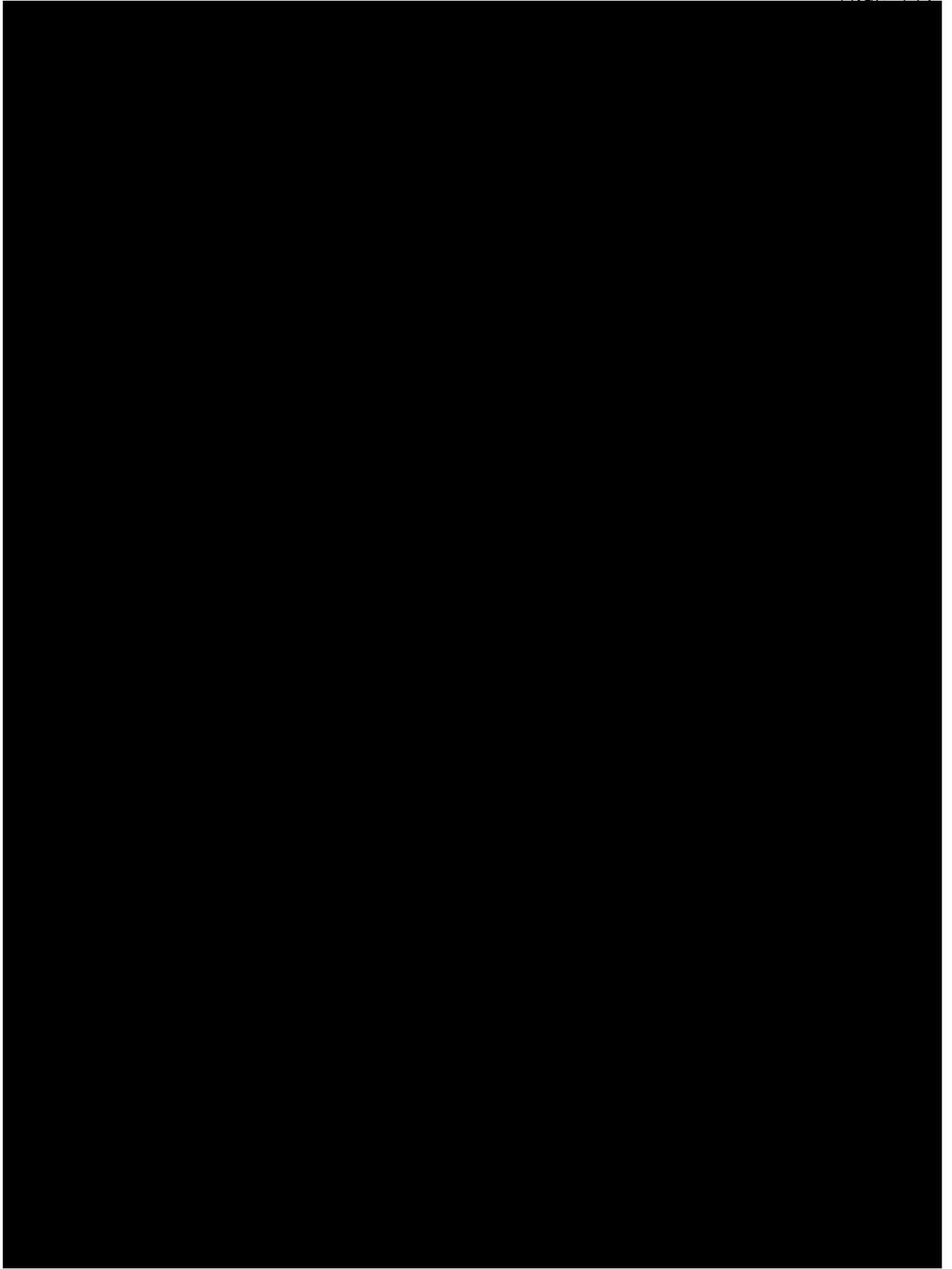
**Pursuant to Sections 16.716 and 286.011(8), Florida Statutes.
This is portion of the transcript is confidential and exempt.**

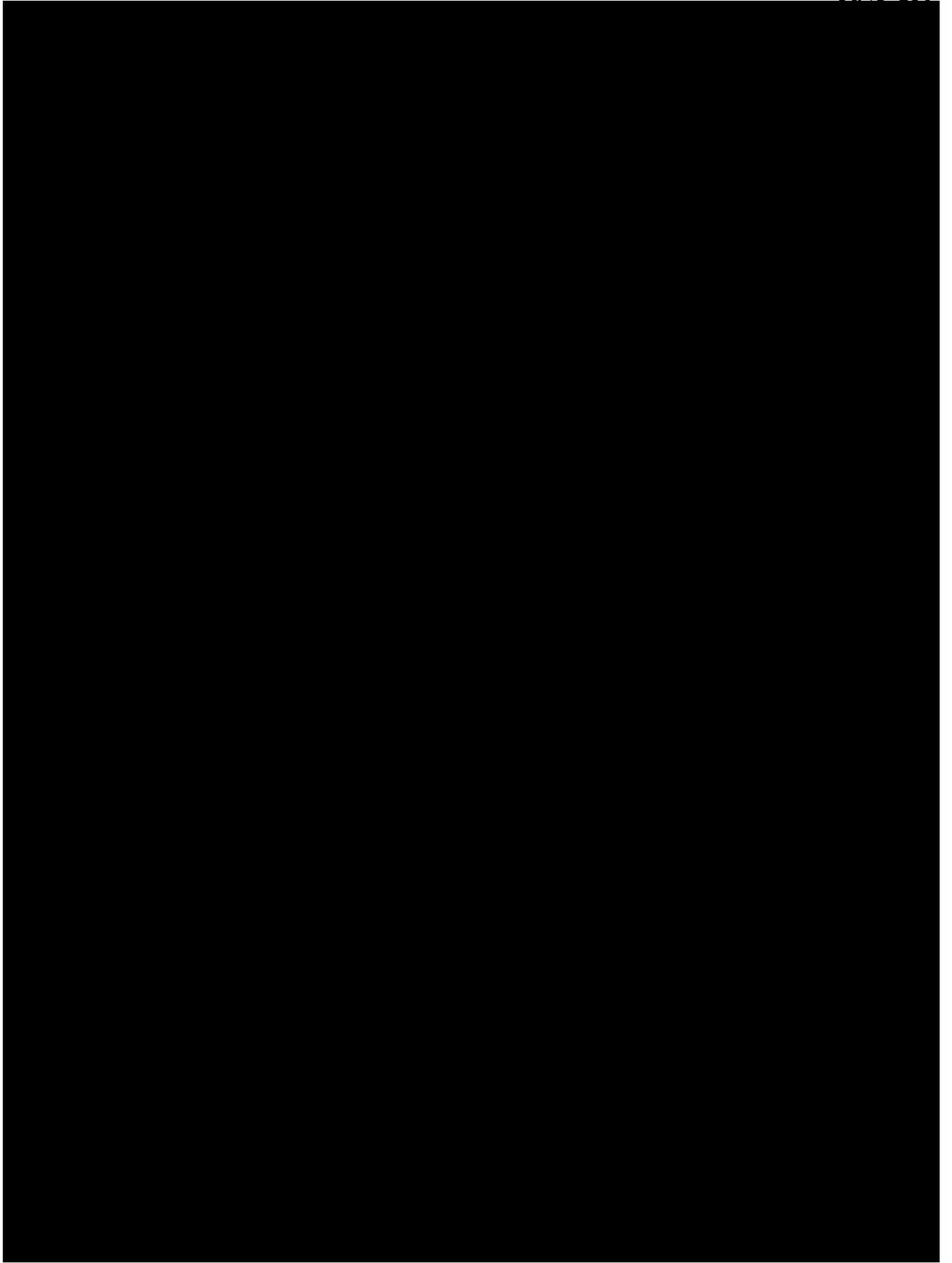
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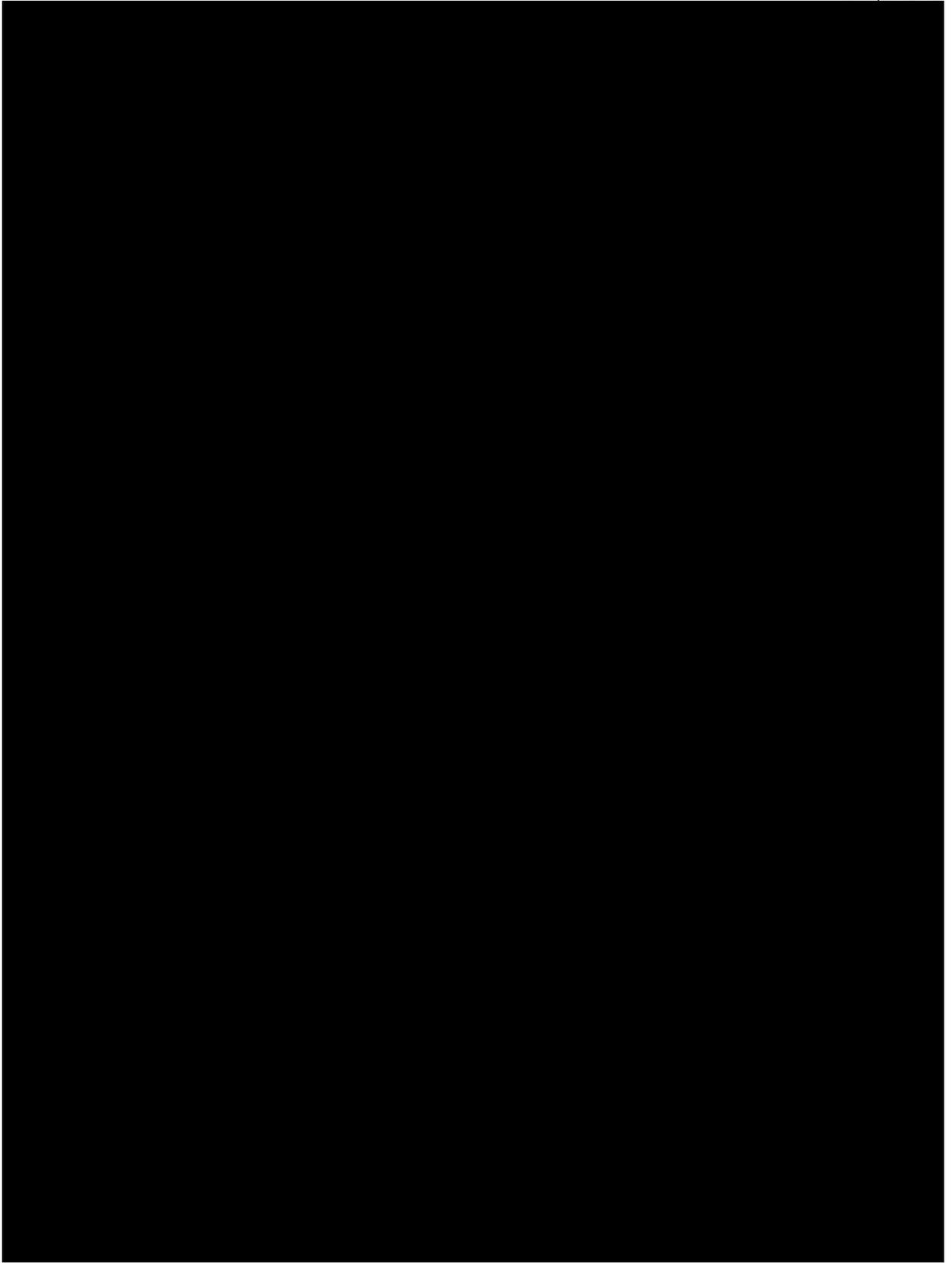


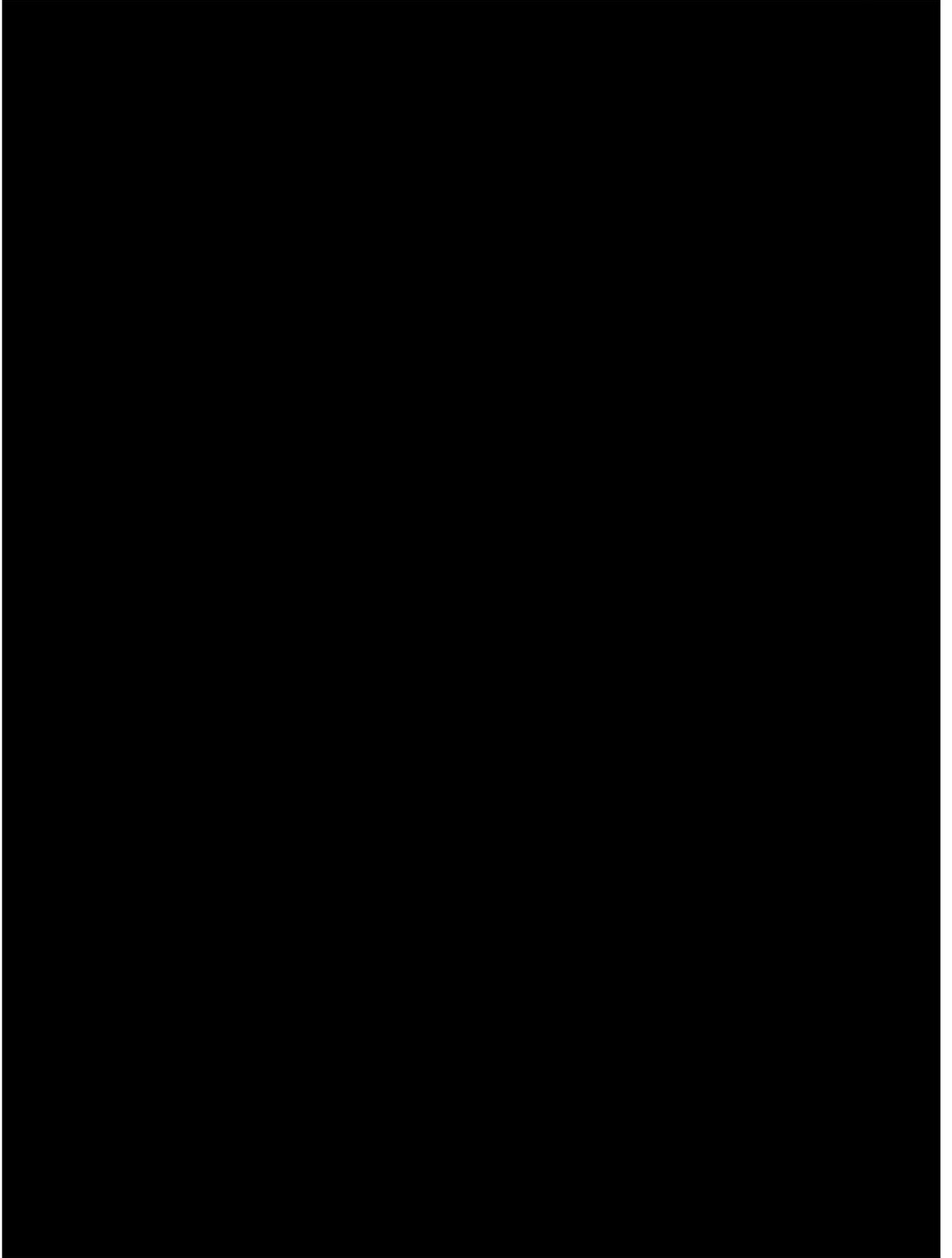


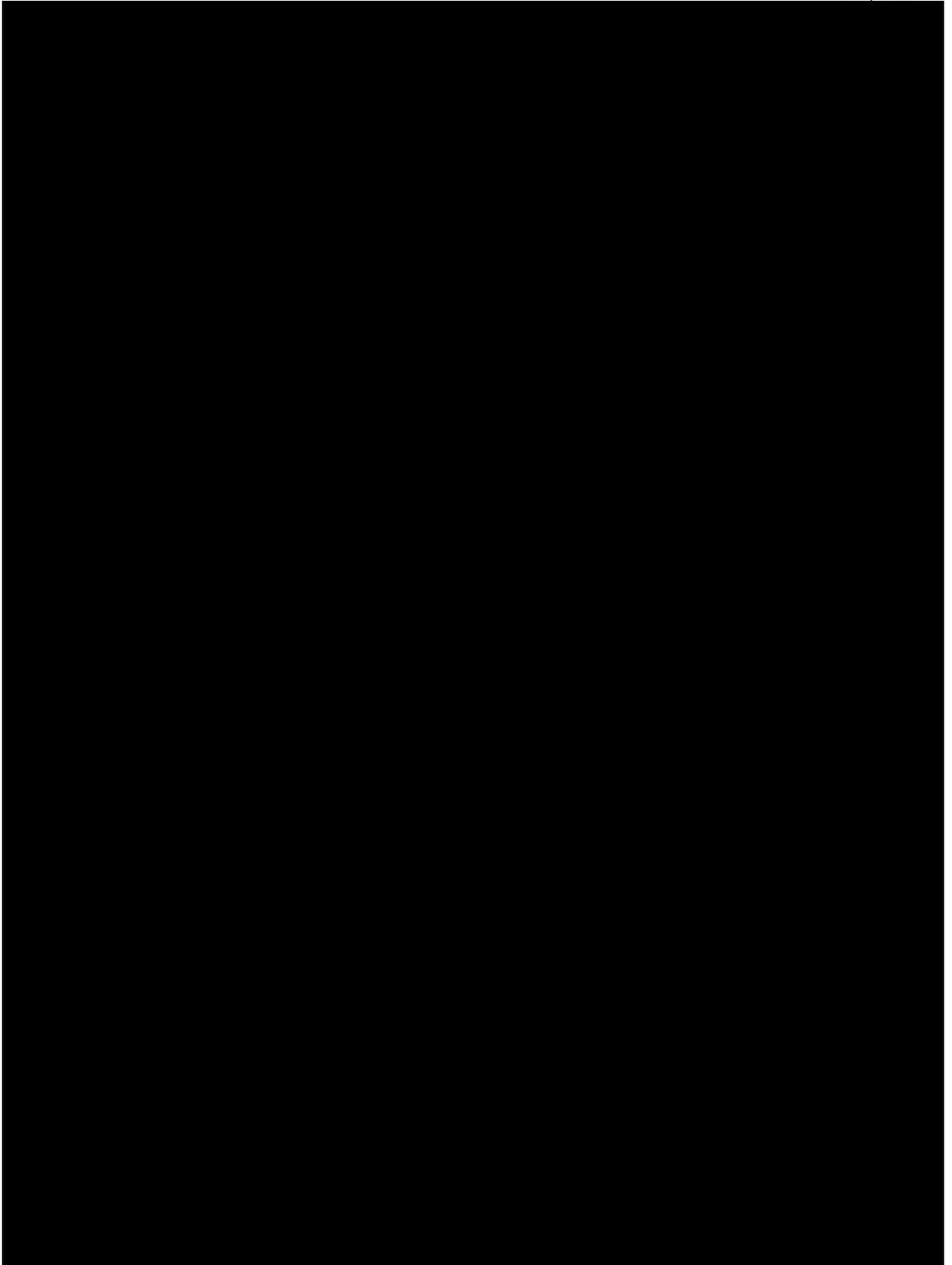


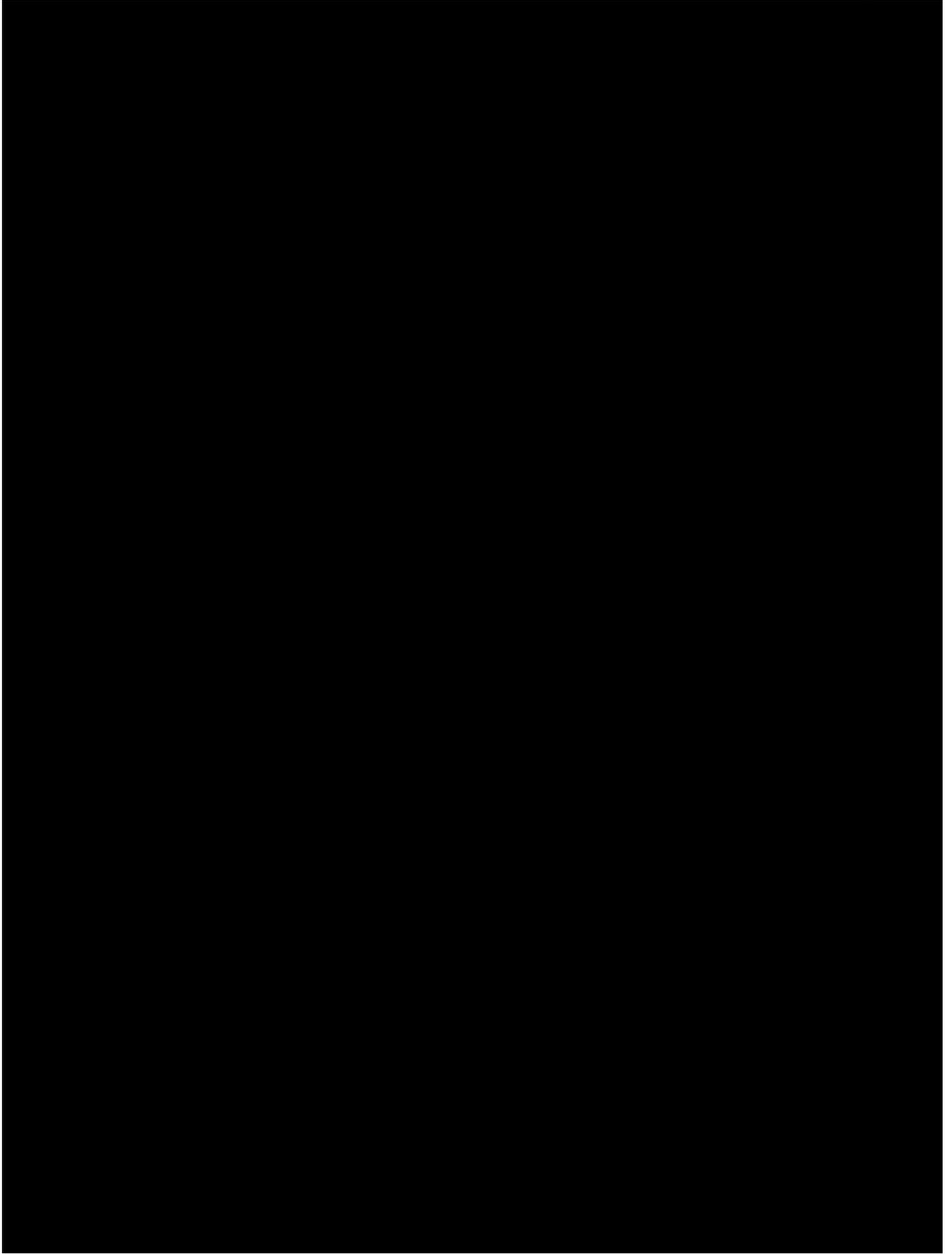


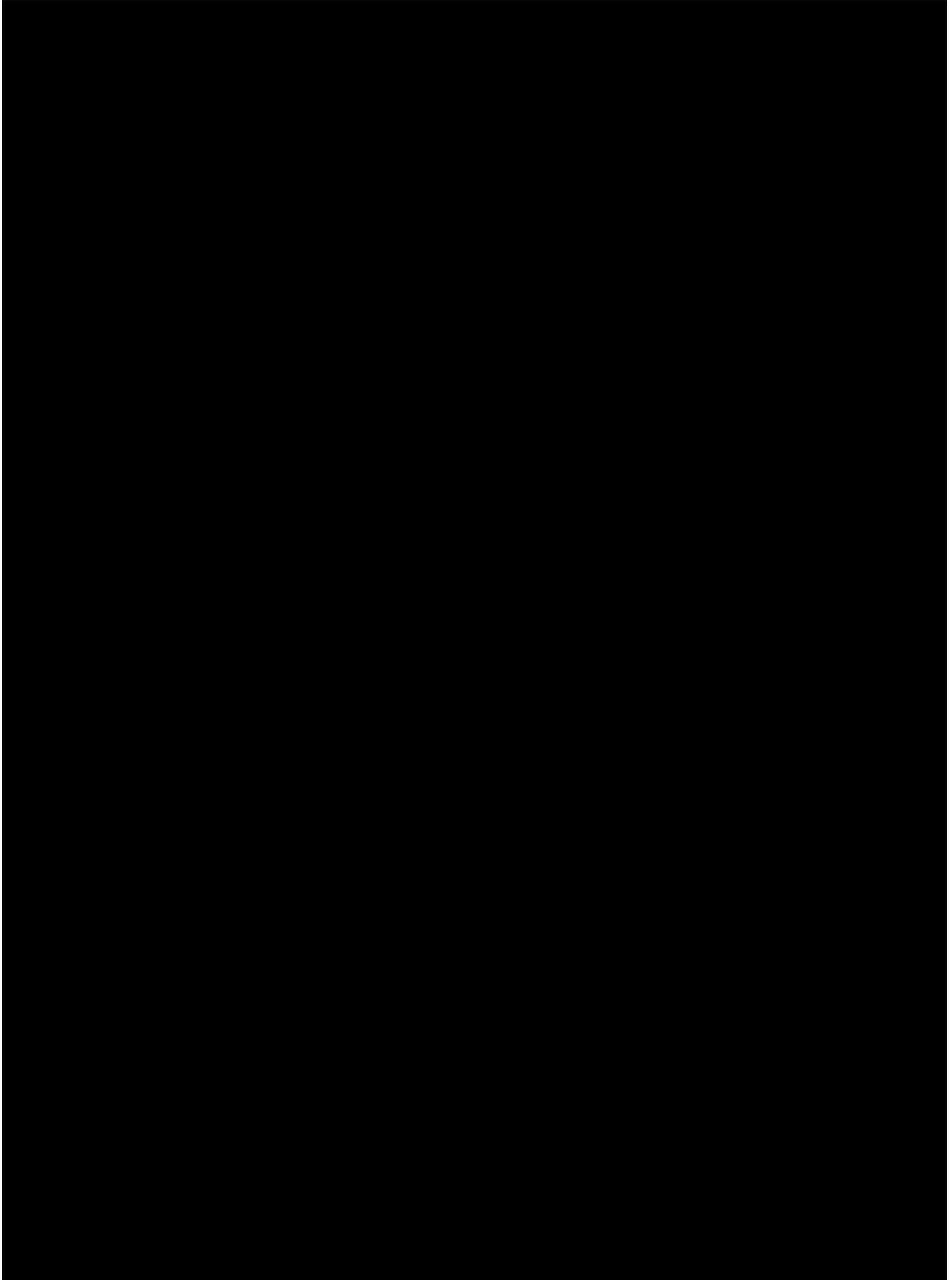


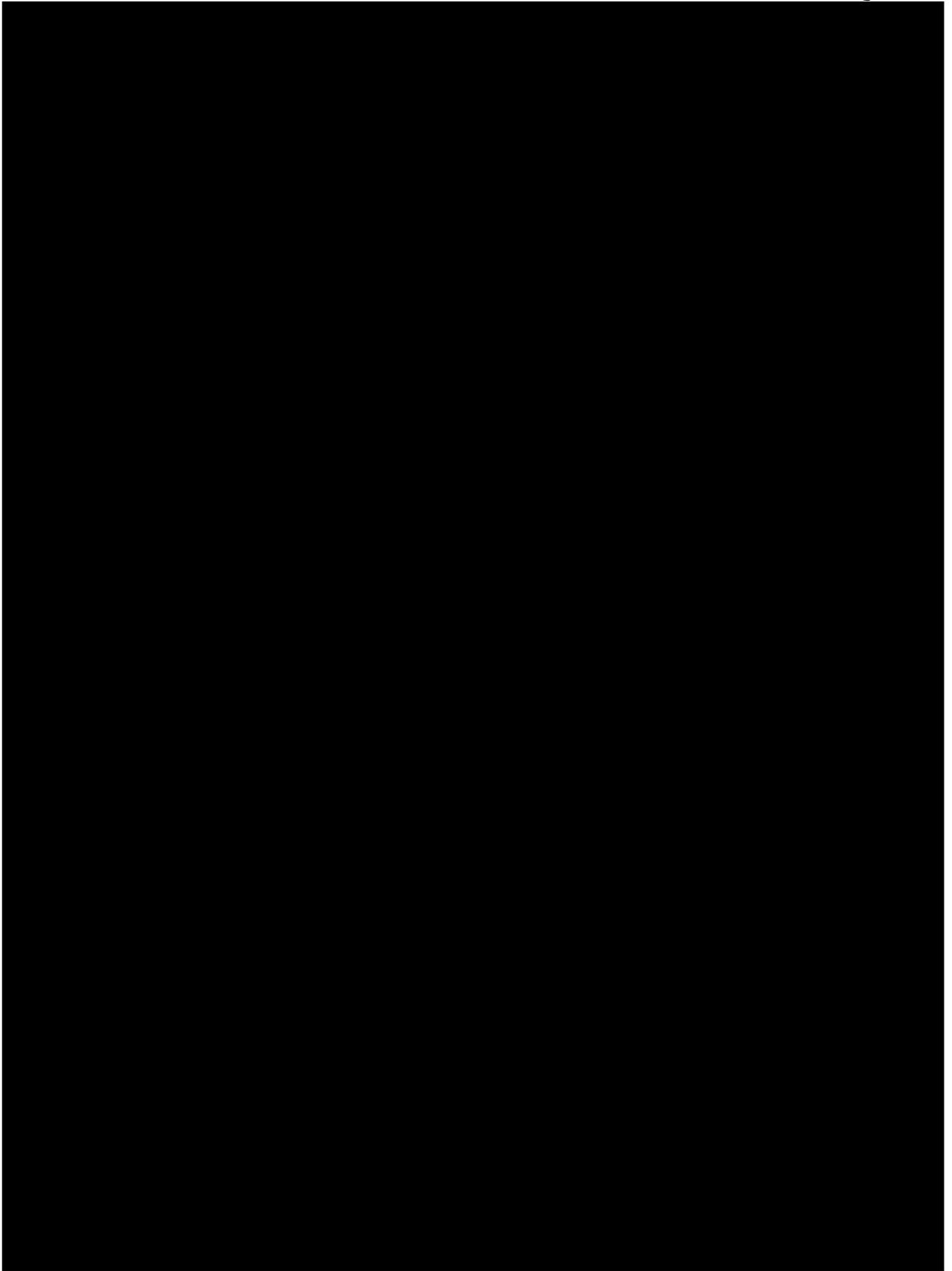


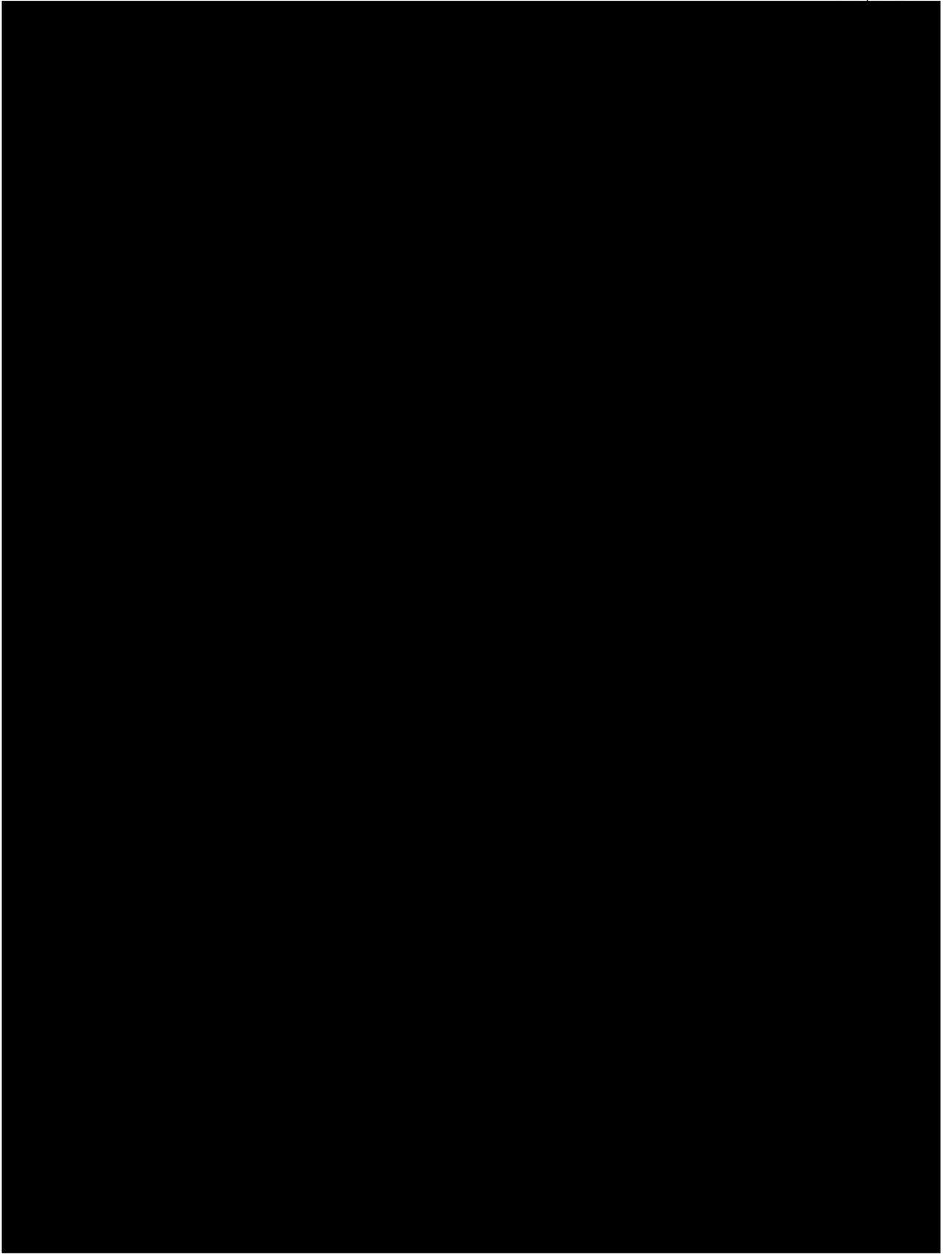


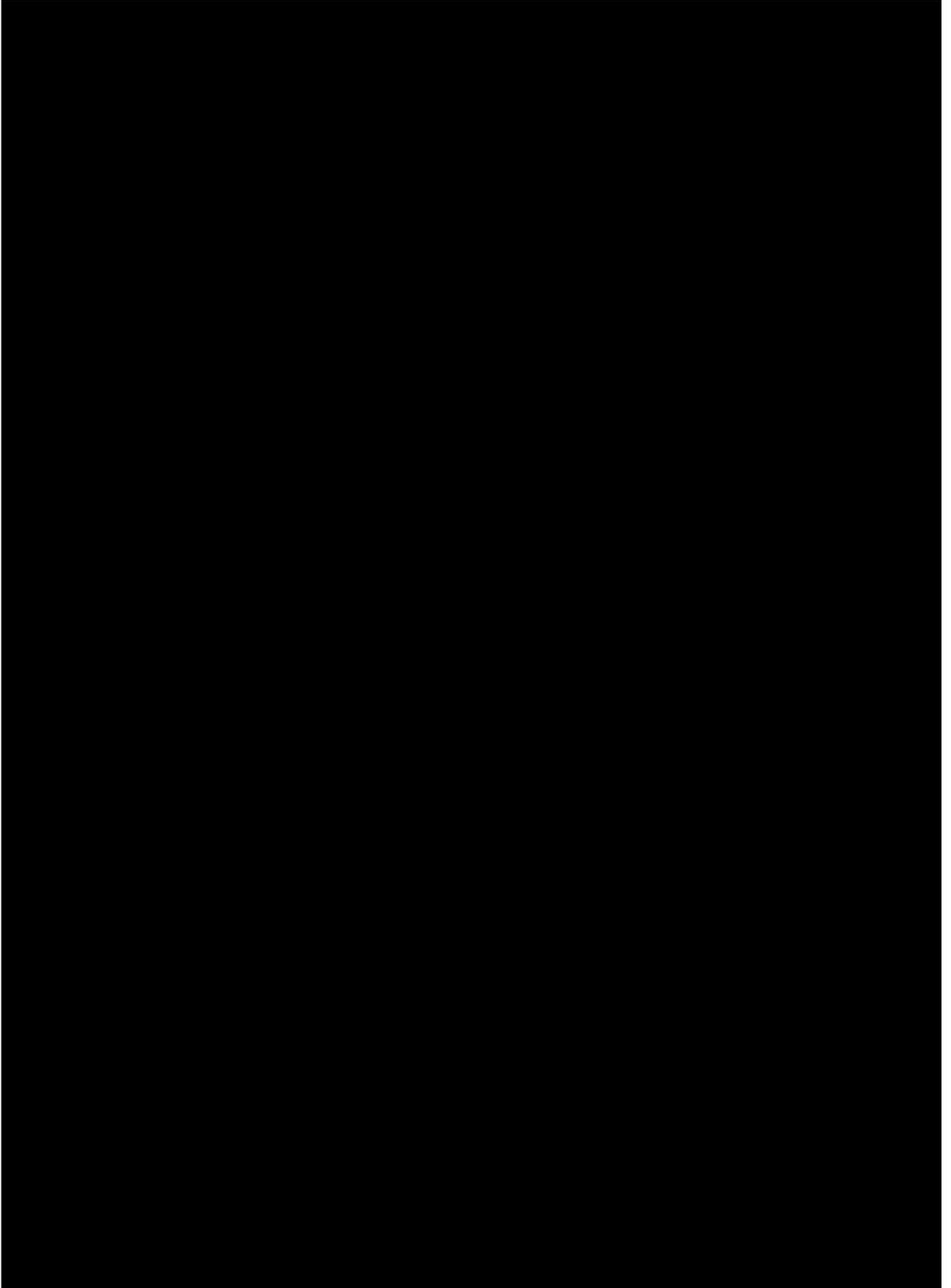


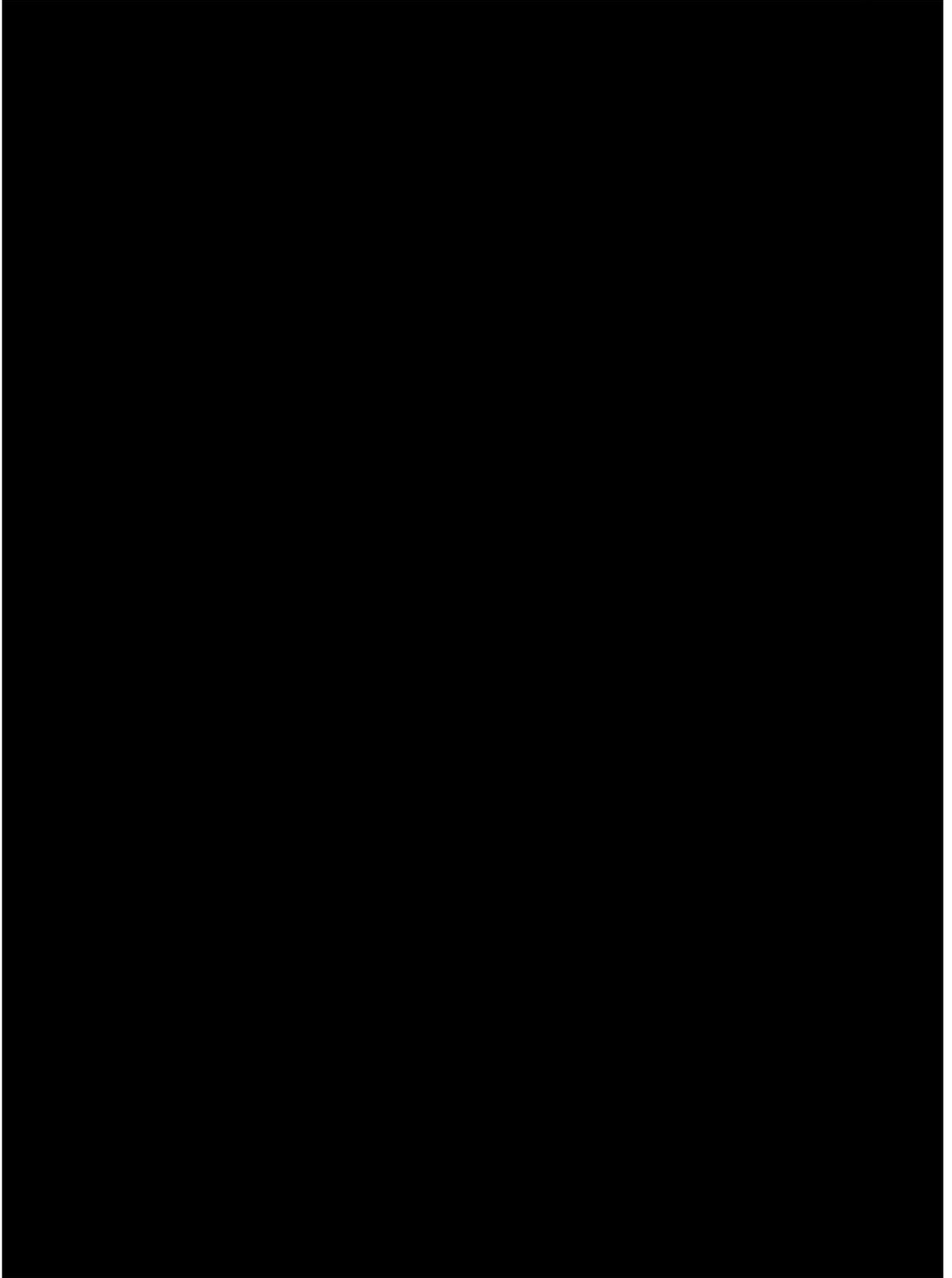


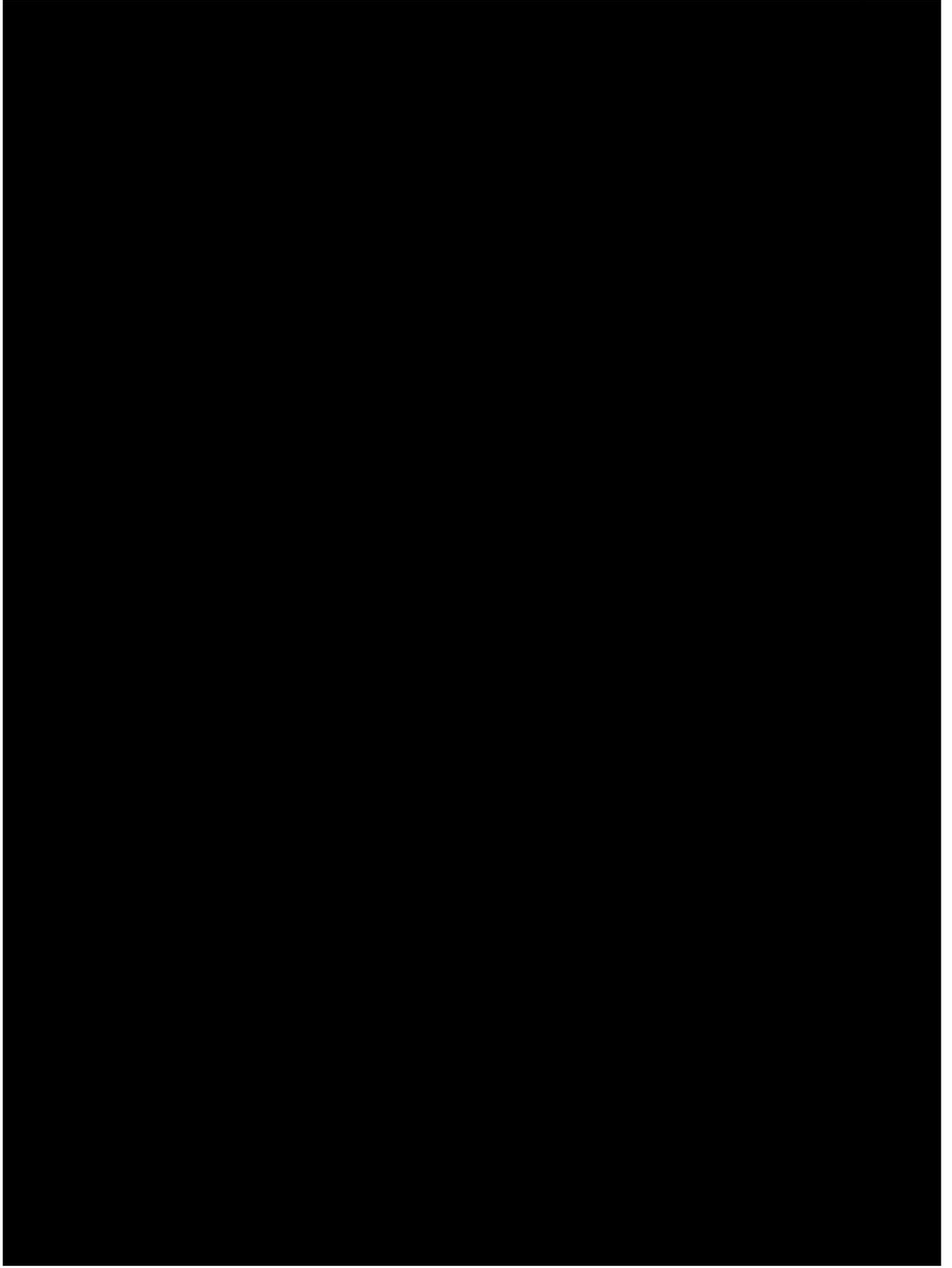


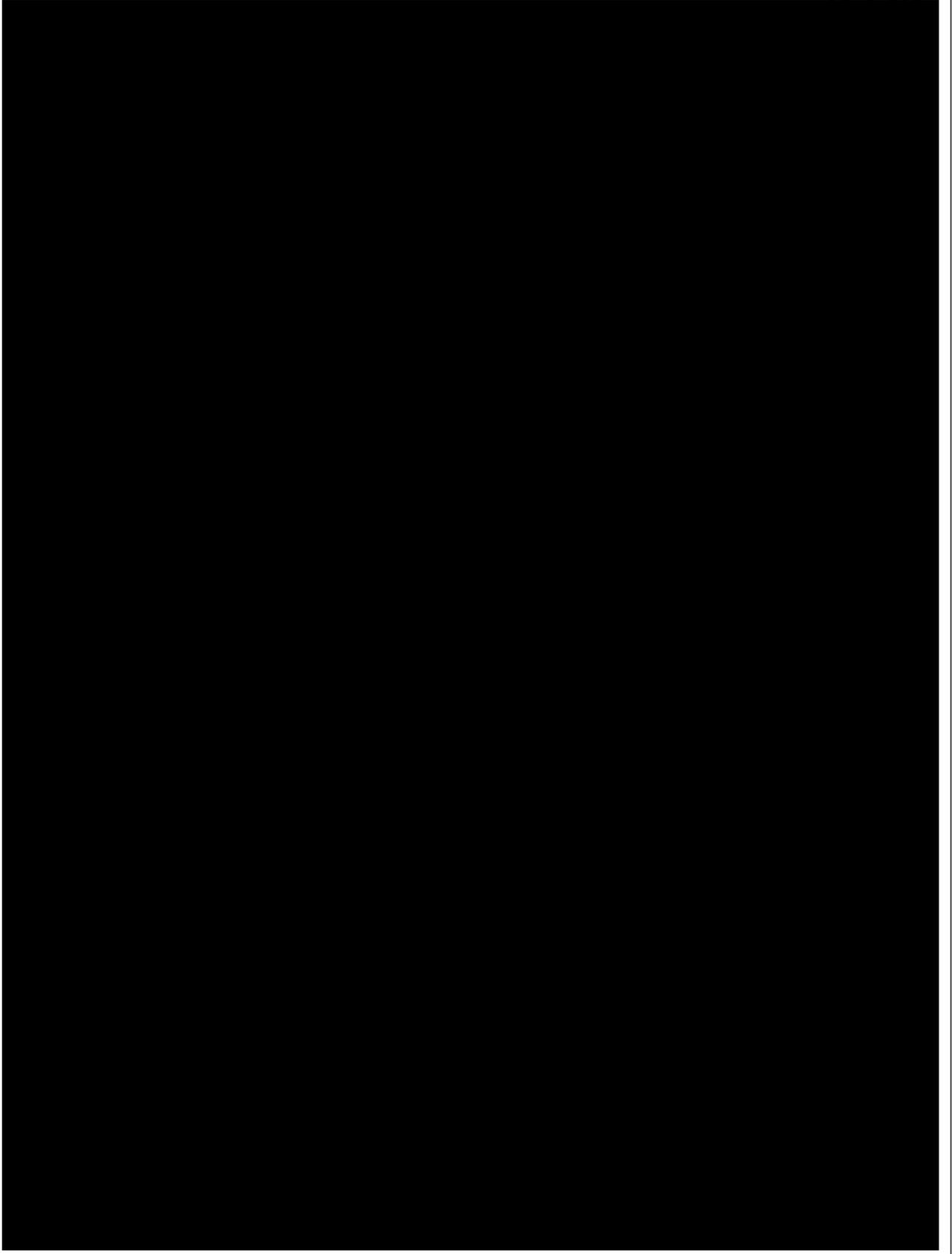


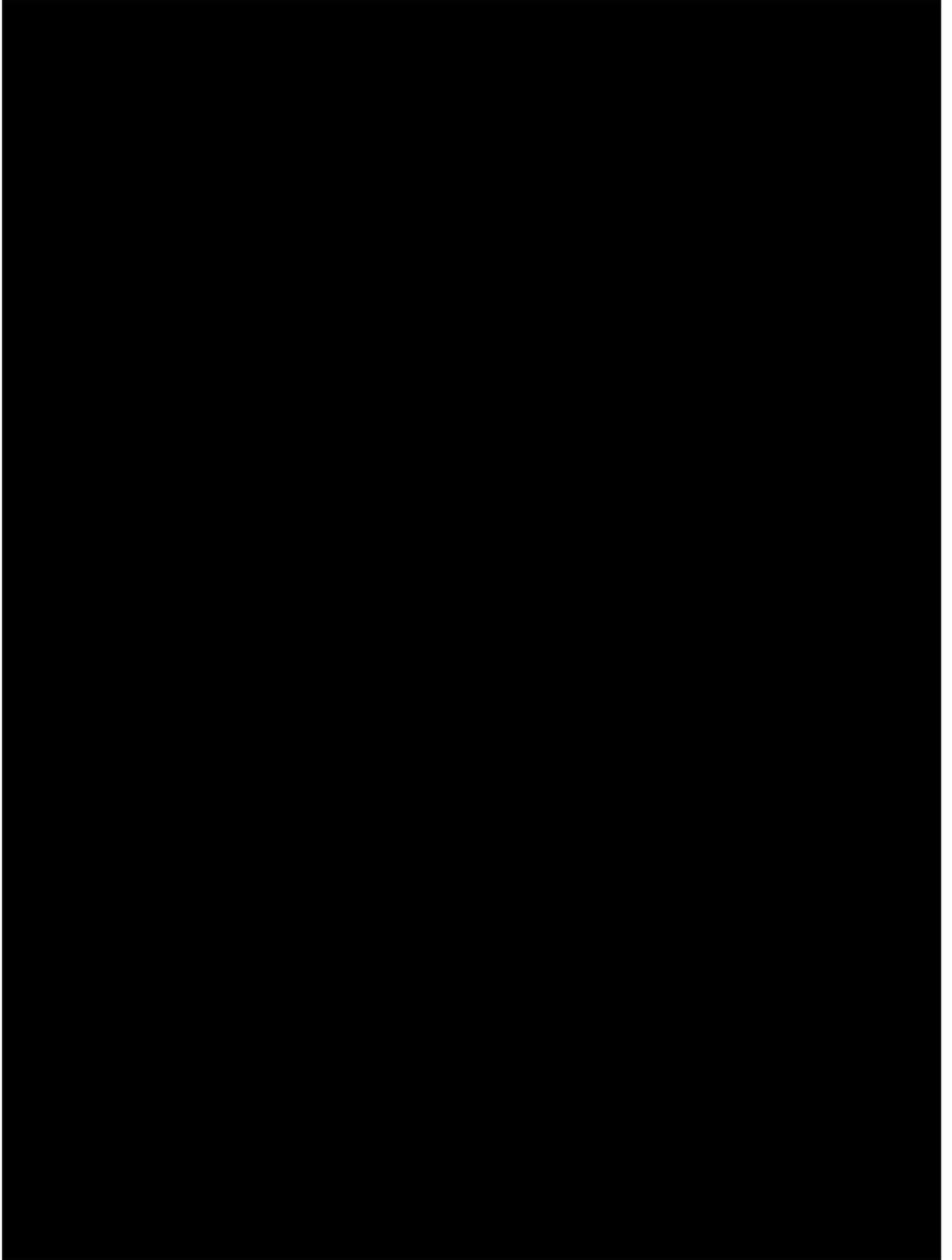


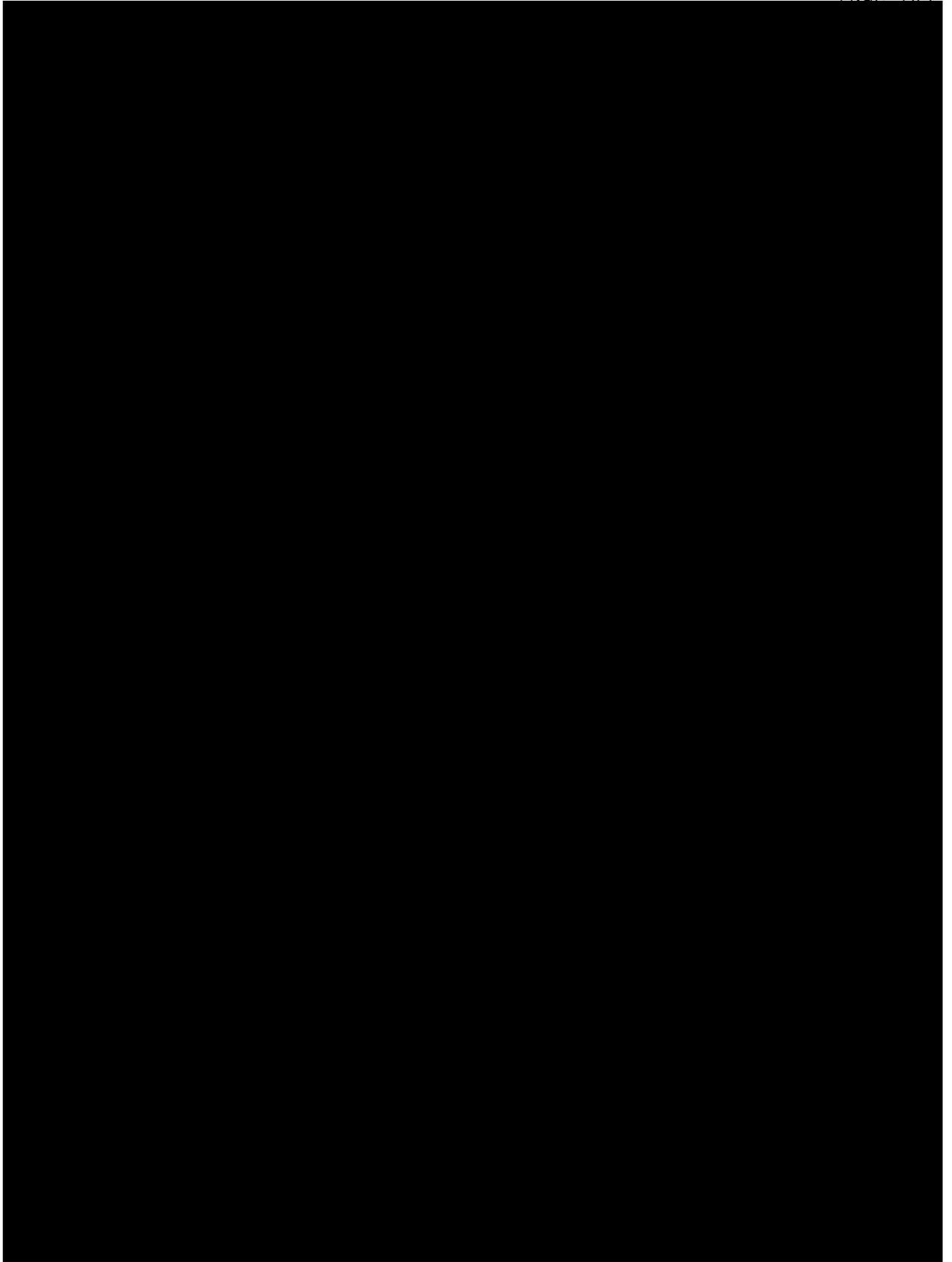


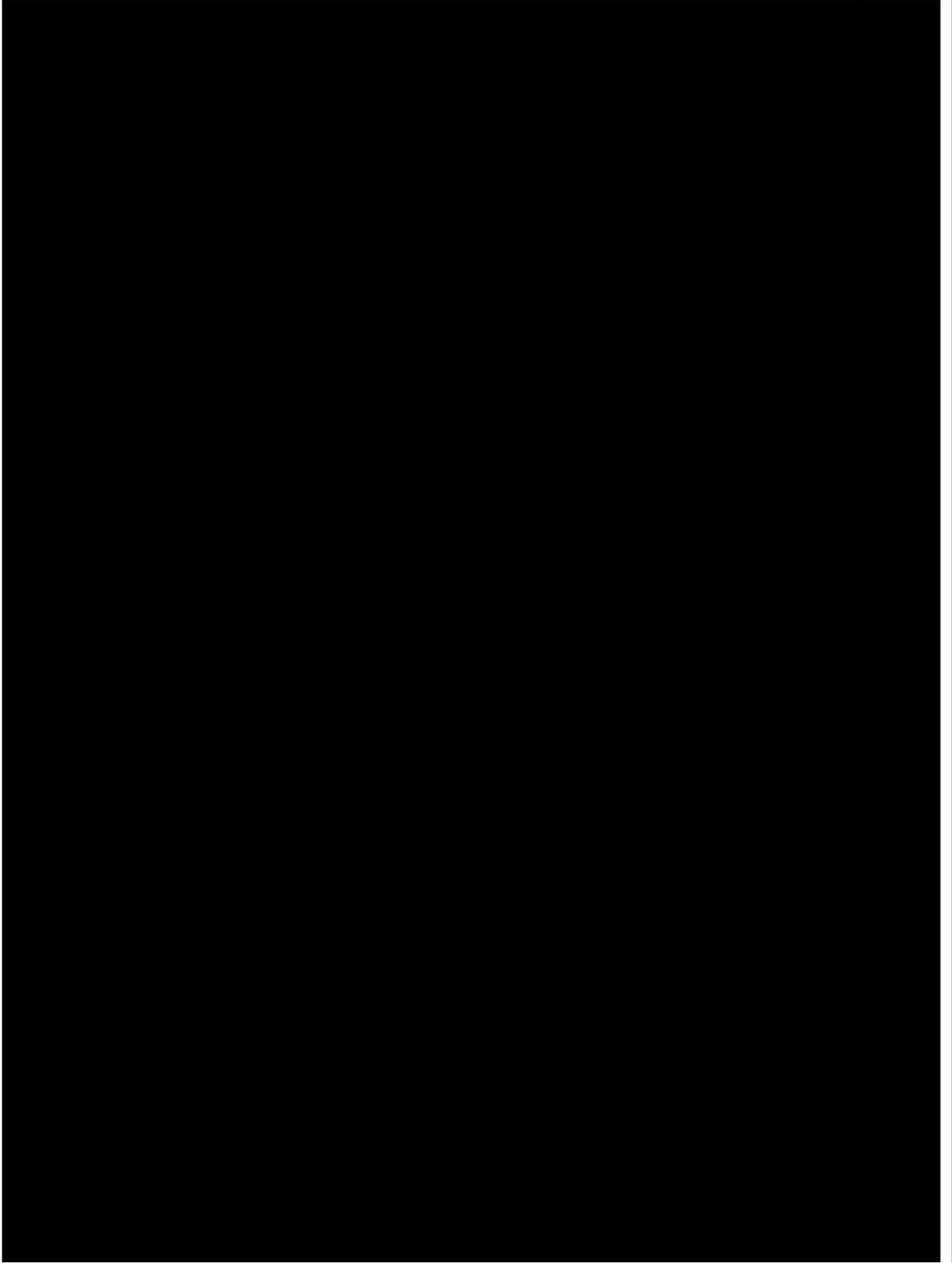


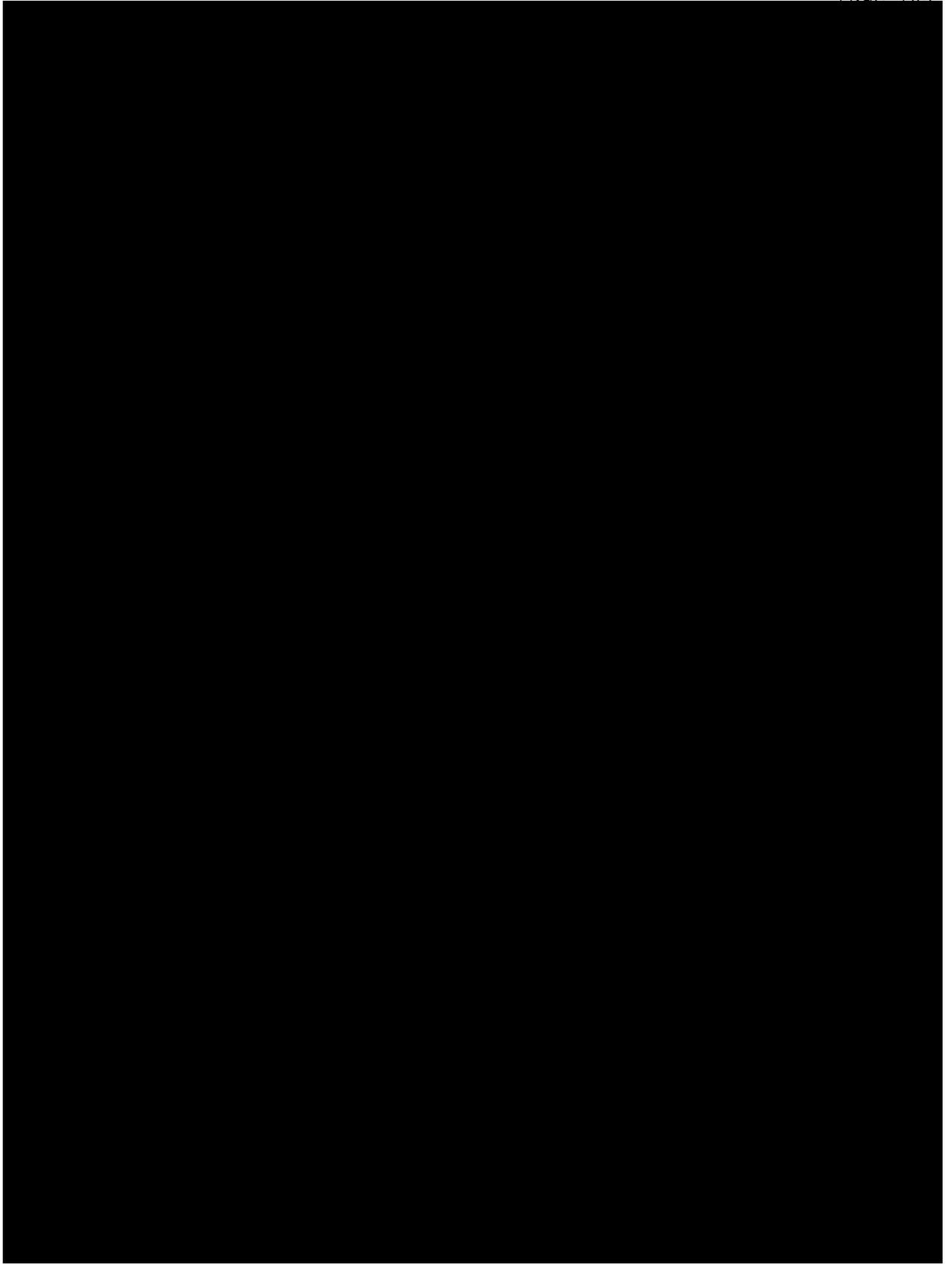


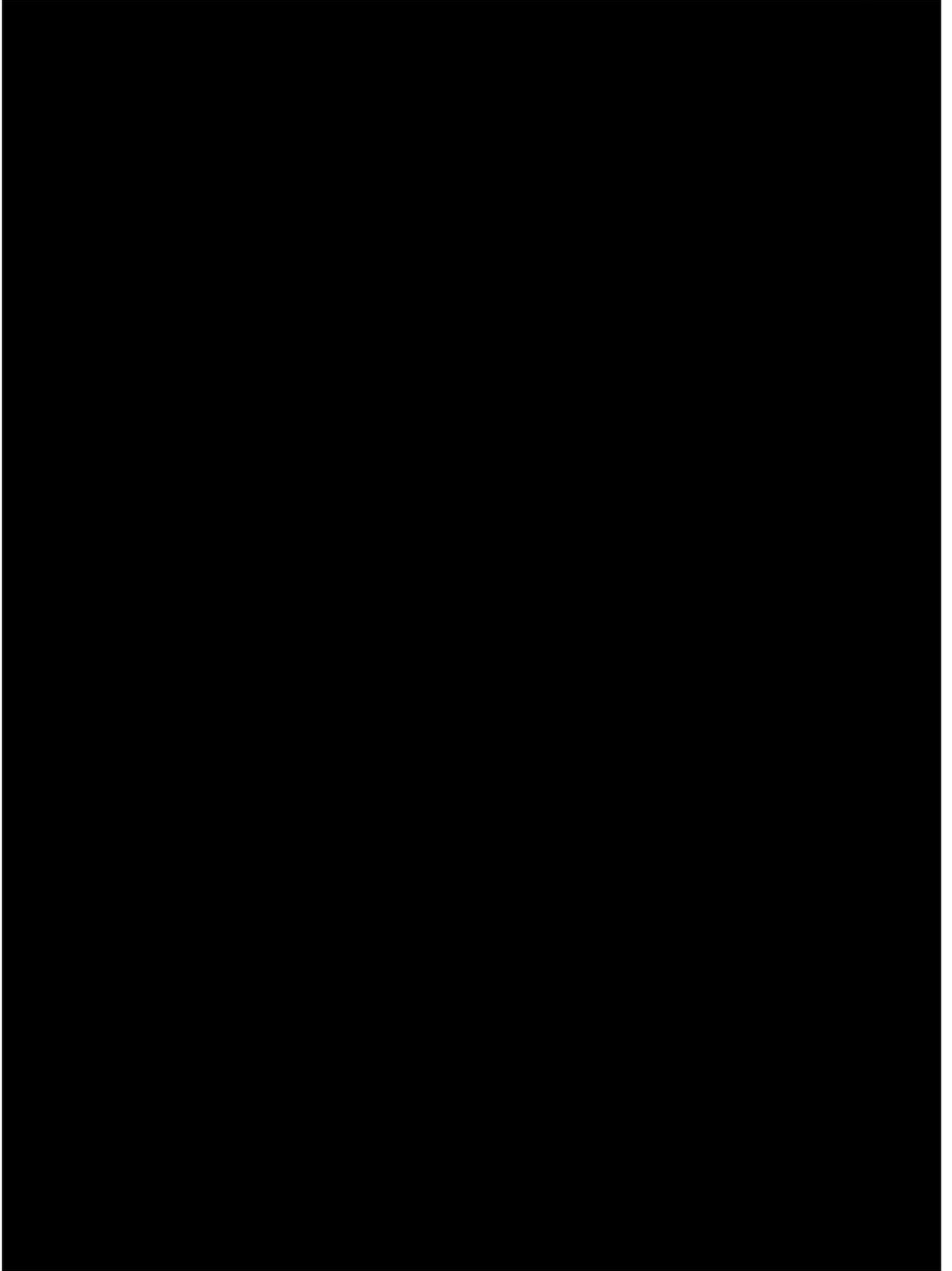


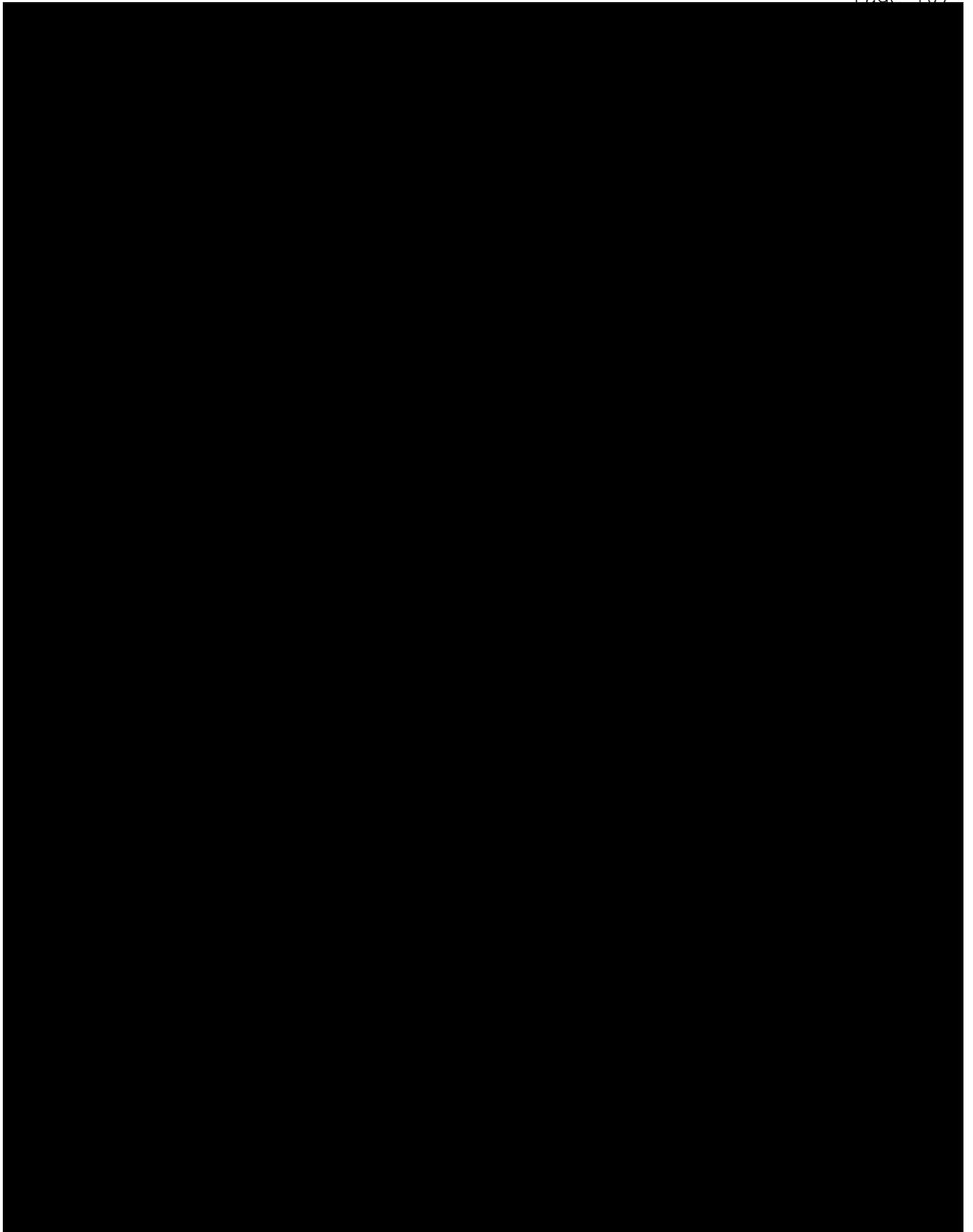












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VICE CHAIR BROWN: Seeing nothing further,

1 this attorney/client meeting is now terminated at
2 1:01.

3 I'm now going to go back onto the record and
4 note that the attorney/client meeting has concluded
5 at 1:01. All of the participants in the room have
6 not changed since the attorney/client meeting
7 was -- occurred and this hereby concludes the
8 public meeting.

9 (The proceedings concluded at 1:03 p.m.)

10 (Proceedings concluded at 1:03 p.m.)

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CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF LEON

I, JUDY LYNN MARTIN, do hereby certify that I was authorized to and did stenographically report the foregoing proceedings and that the transcript, pages 1 through 168, is a true record of my stenographic notes.

I FURTHER CERTIFY that I am not a relative, employee, attorney, or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in the action.

Dated this 21st day of September, 2023.



JUDY LYNN MARTIN