

Florida Gaming Control Commission

Public Meeting/Workshop Hearing

November 16, 2023

Vol 01



FLORIDA GAMING CONTROL COMMISSION

PUBLIC MEETING/WORKSHOP HEARING

LOCATION: Remote Via Teams

(Page Nos. 1 - 18)

Thursday, November 16, 2023

10:00 a.m. - 10:18 a.m.

BEFORE: Commissioner Julie I. Brown
Commissioner Charles Drago
Commissioner John D'Aquila
Commissioner Tina Repp
Executive Director, Louis Trombetta

Stenographically Reported By:
I. Iris Cooper
Stenographic Reporter

Job No.: 336529

1 APPEARANCES: (Appearing remotely via Zoom)

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COMMISSION MEMBERS:

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Commissioner Julie I. Brown

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Commissioner Charles Drago

Commissioner John D'Aquila

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Commissioner Tina Repp

Executive Director, Louis Trombetta

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COMMISSION STAFF:

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Ian Campbell, Pari-Mutuel Operations Specialist

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Bill Crafts, Chief of Slot Operations

11

Joe Dillmore, Director of Pari-Mutuel Wagering

12

Brandy Humphries, Administrative Assistant II

13

Ginny Morris, Chief Technology Officer

14

Lisa M. Mustain, Director Of Administration

15

Dixie Parker, Senior Management Analyst II

16

Jamie Pouncey, Program Administrator

17

Glenda Ricks, Chief Operations Officer

18

Elizabeth K. Stinson, Esq.

19

Tracy Swain, Chief/Revenue Program Administrator

20

Susan Whitmire, Chief Information Officer

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22

23

- Various Members of the Public

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1 Thereupon, the following proceeding began at 10:00 a.m.:

2 VICE CHAIR BROWN: Good morning, everyone.

3 Today is November 16th. The time is 10:00 a.m. I
4 hope you all can hear me clearly. Our court
5 reporter, Ms. Iris Cooper, is here with us today as
6 well, and she's going to be transcribing. So when
7 you speak, just please state your name for the
8 record so that she can have a clear record as she
9 transcribes it.

10 Before we get into our meeting today, which
11 will be very brief, I would like to turn it over to
12 our executive director, Mr. Lou Trombetta for a
13 moment of personal privilege.

14 MR. TROMBETTA: Thank you, Vice Chair Brown.
15 For the record, Lou Trombetta. I am the executive
16 director for the Gaming Commission. I just want to
17 say a quick word before we start this meeting to
18 recognize an employee that unfortunately lost his
19 life unexpectedly last week.

20 Charlie, as many of you know, was part of the
21 IT team. He was the second IT employee that was
22 hired and instrumental in the Gaming Commission
23 getting to where we are. He played a big part in
24 just helping everybody.

25 I can't really say enough about him, but I did

1 just want to take a minute to recognize him and
2 just thank him and just say a good word about him.

3 So thank you, Commissioner Brown.

4 VICE CHAIR BROWN: Thank you. And with that,
5 I would like to turn it over to Commissioner
6 D'Aquila who, if you would like to, join us in a
7 brief non-denominational prayer.

8 COMMISSIONER D'AQUILA: Thank you, Vice
9 Chairman. Please join me in a moment of silence.

10 Charlie, your tech brilliance combined with
11 your sincere caring nature was the ultimate model
12 of serving leadership needed in building this new
13 commission.

14 You built us a very strong cloud, but perhaps
15 are now called to be upon a greater cloud. As your
16 new journey begins, we hope and pray a lighted path
17 is yours and you are comforted by God's warm
18 embrace. Ride on, our dear friend. Peace be
19 yours. We celebrate and remember you.

20 VICE CHAIR BROWN: Thank you, Commissioner
21 D'Aquila. It was beautiful. Charlie was such a
22 special person. If you met him, you would know
23 that he just had a special inner light that he kind
24 of radiated. You just knew it. He was such an
25 important part of our team, and we already feel

1 such a profound loss, so I appreciate the kind
2 words that you all did.

3 Commissioners, any other comments before we
4 get into the meeting?

5 COMMISSIONER DRAGO: Vice Chair, can I just
6 say a couple of things?

7 VICE CHAIR BROWN: Absolutely, Commissioner
8 Drago.

9 COMMISSIONER DRAGO: I know I'm feeling what
10 everyone else is feeling here. Of course, I didn't
11 know Charlie as long as many of the folks here, but
12 he was part of our family and part of our team. He
13 was so welcoming to me, not only in terms of IT.

14 I mean, he was great with that. But just as a
15 person just welcoming me to the Commission, helping
16 me any way he possibly could. Just sitting down
17 talking with him, talking about him playing pool
18 and the different things he was doing and so forth.

19 I'm really going to miss that, and I wish his
20 whole family the best and will certainly have my
21 prayers. Commissioner D'Aquila, thank you so much
22 for that prayer. I really do appreciate it. Thank
23 you, Vice Chair, for a couple minutes there.

24 VICE CHAIR BROWN: Thank you, Commissioner
25 Drago.

1 If there are no other comments, we are going
2 to go right into the meeting. We have two items on
3 our agenda, starting with the HISA assessment
4 discussion.

5 And for those in the public that would like to
6 speak, there's a button on the Go-To Meeting to
7 raise your hand. Please just raise your hand, and
8 we'll recognize you.

9 Let's turn to staff right now on Item No. 1.

10 MR. TROMBETTA: Thank you, Commissioner Brown.
11 So Item No. 1 is discussion on the Horseracing
12 Integrity Safety Act. Just as a point of
13 background, the Horseracing Integrity Safety Act
14 created a federal authority to oversee horseracing
15 around the country, so it's a federal organization.

16 State racing commissions annually have an
17 option of opting in to pay an assessment that is
18 calculated by HISA. This is our second year with
19 this decision point. The decision has to be made
20 by the commissioners.

21 I believe Elizabeth Stinson is also on the
22 line, if there's any substantive questions. But
23 just as a point of background, HISA has assessed
24 the State of Florida almost \$6.8 million to
25 participate in the horseracing and safety

1 authority's program.

2 The State Racing Commission's initial decision
3 is whether or not to pay this amount to HISA
4 directly. The calculation is based on a number of
5 things. But most directly, it's essentially the
6 number of starts in the state and the purses that
7 are paid.

8 In the previous year, the Florida Gaming
9 Control Commission did not opt in to make the
10 payment as part of the program. In the meeting
11 materials, we've included letters that we've
12 received from the Authority, including the budget
13 and a letter that describes how the assessment will
14 be broken down and the possibility for credits
15 later on.

16 There's also a draft letter that staff has
17 prepared that, depending on how the Commission
18 votes today, will be sent to HISA on behalf of the
19 Gaming Commission.

20 With that, Vice Chair, if there's any other
21 questions, we can be available. I'll turn it back
22 to you.

23 VICE CHAIR BROWN: Thank you. I'm sure there
24 probably are some questions on this with the budget
25 being so much higher and the assessments to Florida

1 being so much greater than we originally
2 anticipated with Gulfstream particularly being
3 assessed the most of any track in the country.

4 That being said, I mean, I'm going to turn it
5 over to the commissioners for questions. I'm sure
6 Commissioner D'Aquila has some and the others as
7 well. I just want to make sure that the FTC has to
8 sign off on this budget before it goes to any State
9 commissions?

10 MR. TROMBETTA: I'll ask Liz to kind of
11 correct me if I'm wrong here, but I believe that is
12 the case. The budget, the way the budget is
13 created, essentially HISA creates the budget. This
14 year they provided much more information than
15 previous years, and I believe it does have to be
16 approved by the FTC.

17 MS. STINSON: Yes, that is correct. The FTC
18 has approved the budget and posted it to the
19 Federal Register.

20 VICE CHAIR BROWN: Thank you. The budget
21 itself, we've been a little frustrated over several
22 months on the transparency of the budget and the
23 State's rights to have an option to even approve
24 the budget or not. It is non-existent; is that
25 correct?

1 MR. TROMBETTA: That is correct. HISA's
2 budget does not get approved by State racing
3 commissions, that part is correct.

4 VICE CHAIR BROWN: And so what we're being
5 asked today -- we're not being asked to decide
6 whether we're going to enter into a new voluntary
7 implementation agreement. That is down the road.

8 This is really just whether we will opt in or
9 opt out of being the bill collector of the
10 assessment. It's not approving the budget that
11 they're proposing or anything to that regard; is
12 that correct?

13 MR. TROMBETTA: Correct. The decision point
14 today is whether or not the State of Florida will
15 opt in, is the term that they use, in the federal
16 law. And what that means is whether or not the
17 State of Florida will pay the assessment on Florida
18 by HISA directly.

19 If we do not do that, those costs are passed
20 on to cover people that conduct activities in the
21 state of Florida. Just as a reminder, there was a
22 bill passed by the legislature signed off by the
23 governor in the previous session that offers a tax
24 credit for racetracks that are assessed this fee to
25 offset some of that cost.

1 VICE CHAIR BROWN: Yes, that was a great bill.
2 That being said, Commissioners, do you all have any
3 questions? Commissioner Drago.

4 COMMISSIONER DRAGO: I just have a question.
5 I understand about the legislation that was passed
6 last session. That is still in effect; correct?
7 That wasn't just for one term or anything like
8 that? That's still in effect today?

9 MR. TROMBETTA: Yes, sir. Sorry, Vice Chair.
10 But, yes, I can respond that that is still in
11 effect today, yes, sir.

12 COMMISSIONER DRAGO: Thank you. That's all I
13 have, Vice Chair.

14 VICE CHAIR BROWN: Then will the credits be
15 adjusted based on the new assessments, the
16 increased assessments? I don't recall. I don't
17 remember that language specifically in the bill.

18 MR. TROMBETTA: I don't have the bill in front
19 of me. I believe it does.

20 Ms. Stinson, are you able to answer that
21 question? If not, that's okay. I don't want to
22 put you on the spot here. We can look at the bill
23 and get back to you afterwards, if we don't have an
24 answer.

25 VICE CHAIR BROWN: Ms. Swain has a comment

1 real quickly.

2 MS. SWAIN: This is Tracy Swain. Yes, every
3 year the assessment is based on the amount of money
4 that they paid in the prior fiscal year for the
5 assessment. So whatever amount that they pay, if
6 it increases or decreases determines their credit
7 for the next fiscal year.

8 VICE CHAIR BROWN: Thank you so much.

9 MS. SWAIN: You're welcome.

10 VICE CHAIR BROWN: I appreciate that.
11 Commissioner D'Aquila.

12 COMMISSIONER D'AQUILA: I just might add that
13 while this year is an improvement over the prior
14 year, if there is an opportunity to give some
15 feedback to HISA when asking for us to consider the
16 payment here, if they could please do a more
17 thorough job with regard to the presentation of
18 their budget and spending, specifically as it
19 pertains to non-recurring items and very large
20 expense items not broken out in the customary
21 fashion for approving budgets or at least not on
22 the standard that we have in the great state of
23 Florida.

24 And if they need more guidance on that, we can
25 get more specific. And if it's helpful, I'm

1 specifically referring to professional fees,
2 litigation costs, administrative costs, as we
3 answer to our contingent here in Florida in this
4 transition and what appear to be significantly
5 increased costs.

6 And whether or not they are effective is
7 neither here nor there. So more hopefully
8 constructive feedback for HISA as they endeavor to
9 achieve their mission.

10 VICE CHAIR BROWN: Thank you. I just want to
11 say thank you, Commissioner D'Aquila. You
12 encompassed really the categories that I had
13 concerns about, having more information delineated
14 in the proposed budget when they send it to the
15 states.

16 You want more information like what are these,
17 are they recurring, and what are these additional
18 professional services for?

19 Sorry I have no voice.

20 Commissioner Repp, do you have any questions?

21 COMMISSIONER REPP: I do not.

22 COMMISSIONER DRAGO: Vice Chair, I just want
23 to make a quick comment. I just want to concur
24 with what both you and Commissioner D'Aquila are
25 talking about. The points Commissioner D'Aquila

1 brought up I think are critical.

2 I would just like to offer my voice as part of
3 a consensus here that we would ask for that type of
4 information the next time, if we can get it. Thank
5 you.

6 VICE CHAIR BROWN: Thank you, Commissioner
7 Drago, for adding that in there. I hope we can
8 send that message through our staff, and I see Lou
9 has his hand up. But if we can send that message,
10 I know that our team has been collaborating in a
11 very productive working relationship with HISA, and
12 so appreciate the collaboration.

13 But, yes, when our tracks are being assessed
14 these exorbitant fees, they want to know what those
15 costs are going towards, other than litigation and
16 some key salary and operating expenses and
17 technology.

18 Mr. Trombetta.

19 MR. TROMBETTA: Thank you. Now, I wanted to
20 touch on, you essentially just said that just from
21 an operational standpoint, just sort of for the
22 record and just to make sure it's out there. The
23 working relationship with the people from HISA and
24 HIWU has gone very well. It is a collaboration.

25 You know, I know that -- I'm not disagreeing

1 with anything that's been said about the
2 transparency and the budget and how it likely could
3 improve. But from the operational side, things
4 have been going very well.

5 You know, I give the folks at HISA that have
6 been working with us a lot of credit in that. Our
7 team has adjusted very well to some of the changes.
8 And honestly, the relationship between the two
9 groups, you know, the Gaming Commission and the
10 people from HISA and HIWU has been working pretty
11 well this first year of implementation.

12 VICE CHAIR BROWN: Thank you. All right. Do
13 the commissioners have any questions before we take
14 a motion? Is there anybody from the public that
15 would like to speak on this matter?

16 Seeing none, we are ripe for a motion. We
17 have a proposed letter that is attached to the
18 materials ready to take a motion whenever you all
19 are ready. Commissioner D'Aquila.

20 COMMISSIONER D'AQUILA: I'll make a motion
21 that the State will not pay directly, but that the
22 bill will be passed on to our tracks in the state
23 of Florida.

24 VICE CHAIR BROWN: Is there a second?

25 COMMISSIONER REPP: Second.

1 VICE CHAIR BROWN: Any further discussion?

2 All those in favor say aye.

3 (Multiple ayes.)

4 VICE CHAIR BROWN: All right. It passes
5 unanimously. It does show that our stenographer is
6 waiting in the lobby, though. We'll just hold on
7 until she's admitted. With that being said, the
8 motion has passed, and staff is prepared to move
9 forward with the letter that is attached to the
10 materials. Thank you so much for your work on
11 this.

12 Moving on to the second item and last item on
13 the agenda before public comment, discussion of
14 amended application for cardroom license.

15 Ms. Pouncey.

16 MS. POUNCEY: Item No. 2.1 is an application
17 from --

18 VICE CHAIR BROWN: You are frozen now.

19 MR. TROMBETTA: Ms. Vice Chair, I can probably
20 jump in, if it helps. As Ms. Pouncey said, Item
21 No. 2 involves an application for an amendment of a
22 cardroom license in Case No. 2023-062428. This is
23 on behalf of Fronton Holding, doing business as
24 Port St. Lucie Card House and/or Casino Fort
25 Pierce.

1 They are seeking to amend their cardroom
2 license application to add four tables. They have
3 paid the \$4,000 licensing fee and submitted all the
4 required applications, it looks like.

5 Ms. Pouncey, it looks like you're maybe back.
6 Is there anything to add?

7 MS. POUNCEY: No, that's everything. Sorry.
8 I don't know what happened. I just dropped.

9 MR. TROMBETTA: With that, I will mute myself.
10 If there's any questions, I think it sounds like
11 Jamie may be able to help.

12 VICE CHAIR BROWN: Thank you, Mr. Trombetta.
13 This is a straightforward application.

14 Commissioners, do you have any questions for
15 Ms. Pouncey? Commissioner Repp.

16 COMMISSIONER REPP: No. I just wanted to
17 state that I agree with the staff recommendation to
18 approve this. I believe it was well set out, and
19 we've received all the information we need, I
20 think, to approve this.

21 VICE CHAIR BROWN: And is that a motion?

22 COMMISSIONER REPP: I would like to make a
23 motion to approve the recommendation to approve the
24 card tables addition.

25 VICE CHAIR BROWN: Thank you. Is there a

1 second?

2 COMMISSIONER DRAGO: I'll second. This is
3 Commissioner Drago.

4 VICE CHAIR BROWN: Thank you. All those in
5 favor, say aye.

6 (Multiple ayes.)

7 VICE CHAIR BROWN: Motion passes unanimously.
8 Thank you, all. We are on to our final item, which
9 is public comment. Is there anyone from the public
10 that would like to address the Commission at this
11 time?

12 Ms. Parker, is there anybody that has
13 contacted you that would like to speak to us at
14 this time?

15 MS. PARKER: No, ma'am.

16 VICE CHAIR BROWN: Is there any other business
17 to address, seeing that there is no public comment?

18 Seeing none. The meeting is adjourned. Thank
19 you all for organizing this. Thank you.

20 (Proceedings concluded at 10:18 a.m.)

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CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

I, I. IRIS COOPER, do hereby certify that I
was authorized to and did stenographically report
the foregoing remote proceeding, and that the
transcript is a true and complete record of my
stenographic notes.

Dated this 26th day of November, 2023.



I. Iris Cooper
Stenographic Reporter
Notary Public, State of Florida
My Commission No. 1366674
Expires: July 27, 2025

Job No.: 336529