

1 APPEARANCES:

2 Julie Brown, Vice Chair

3 Tina Repp, Commissioner

4 Chuck Drago, Commissioner

5 John D'Aquila, Commissioner

6 Ross Marshman, Acting Executive Director

7 Emily Alvarado, Deputy Chief Attorney

8 Carl Herold, Director of Gaming Enforcement

9 Joe Dillmore, Director of Pari-Mutuel Wagering

10 Lisa Mustain, Director of Administration

11 Marc Taupier, Deputy General Counsel

12 Justin Hundersmarck, Senior Attorney

13 Shireen Anbardan, Senior Attorney

14 Jamie Pouncey, Program Administrator

15 Glenda Ricks, Chief of Operations

16 Tracy Swain, Chief of Revenue and Auditing

17 Dixie Parker, General and Operations Manager I

18

19 OTHER PRESENT:

20 The Florida Channel

21 Various Members of the Public

22 Jonathan Zachem, Esquire

23 Gary Rutledge, Esquire

24 Alfredo Izaguirre, Esquire (via Teams)

25

1 Proceedings began at 9:33 a.m.

2 VICE CHAIR BROWN: Good morning, everyone.

3 Welcome to the Florida Gaming Control Commission's
4 June 12, 2025, meeting. If you'll please stand
5 with us for the Pledge of Allegiance, which will be
6 led by Commissioner D'Aquila.

7 (Pledge of Allegiance)

8 VICE CHAIR BROWN: Thank you so much,
9 Commissioner D'Aquila, and welcome all again.

10 We have a robust meeting, but we are going to
11 try to group certain items together, and as we get
12 to that we will give you the heads-up on that.

13 We also have attorney/client meetings at --
14 towards the end, several of them, so, again, we'll
15 give you a heads-up on that as we get to those
16 items.

17 And before we begin with the meeting minutes,
18 I just wanted to note we have two stellar employees
19 who will be unfortunately leaving us, and we'll get
20 to that under the executive director's report, but
21 I did want to just mention Tracy Swain and
22 Ms. Katie Young, we will be celebrating them as
23 well.

24 With that we are going to move into the
25 approval of meeting minutes for May 13, 2025. Can

1 I get a motion to approve?

2 COMMISSIONER DRAGO: So moved.

3 VICE CHAIR BROWN: Second, please.

4 COMMISSIONER REPP: Second.

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

6 (Aye responses)

7 VICE CHAIR BROWN: We're moving on to amended
8 application for cardroom license, 2.1.

9 MS. POUNCEY: Jamie Pouncey, Division of
10 Pari-Mutuel Wagering for the record.

11 Case Number 2025-042397 is an application from
12 Hialeah Park requesting to add an additional four
13 tables to its cardroom license.

14 The facility has submitted the required fees
15 and other documentation and the Division recommends
16 approval of this request.

17 VICE CHAIR BROWN: Thank you.

18 Commissioners, if there are no questions, all
19 the statutory requirements have been complied with,
20 can we get a motion to approve?

21 COMMISSIONER D'AQUILA: I make a motion to
22 approve.

23 VICE CHAIR BROWN: Thank you.

24 Can I get a second, please?

25 COMMISSIONER REPP: Second.

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

2 (Aye responses)

3 VICE CHAIR BROWN: And we are moving on to
4 amendment to pari-mutuel permit, 3.1.

5 MS. POUNCEY: Item Number 3.1, Case Number
6 2025-043138 is a request from Hamilton Downs
7 Horsetrack to amend their permitted property
8 description.

9 They have submitted the required documentation
10 and the Division is recommending approval.

11 VICE CHAIR BROWN: Thank you.

12 Is there any discussion on this item? Seeing
13 none, can I get a motion to approve the amendment?

14 COMMISSIONER REPP: Motion to approve
15 amendment.

16 VICE CHAIR BROWN: Is there a second?

17 COMMISSIONER D'AQUILA: Second.

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

20 (Aye responses)

21 VICE CHAIR BROWN: Motion passes unanimously.
22 And we are on to change of ownership St. Petersburg
23 Kennel Club.

24 MR. MARSHMAN: Good morning.

25 VICE CHAIR BROWN: Good morning.

1 MR. MARSHMAN: This is Item 4.1, which is a
2 chain of -- change of ownership in St. Petersburg
3 Kennel Club, Inc., Case Number 2025-012571.

4 This is not the first time the Commission has
5 considered this matter. As you may recall
6 previously in April of this year, the Commission
7 was presented with a series of documents
8 pre-closing that described the transaction that
9 would ultimately see the ownership of this permit
10 and its accompanying licenses change hands.

11 Prior to that conditional final order, staff
12 reviewed all the documents and identified who the
13 future owners of the permit and license, who the
14 creditors would be, what are the significant terms
15 that Chapter 550 requires us as regulators to
16 review.

17 As a result of that meeting, staff recommended
18 and the Commission ultimately issued a conditional
19 final order approving the transaction so long as
20 the transaction actually closed as the way it was
21 previously described.

22 The transaction did close within the time
23 frame that the Commission gave the parties to close
24 and the parties did provide the Commission staff
25 with the documents post closing. Those are in the

1 meeting materials today.

2 Staff has concluded its review of those
3 materials post closing and we did not determine
4 there to be any material differences between the
5 set of pre-closing documents we reviewed and the
6 post closing documents.

7 In other words, the operative conditions that
8 we were concerned about stayed the same between
9 pre-closing and post closing. The owners are the
10 same, the creditors largely the same, we know who
11 these folks are. And if there are any changes in
12 the future, those will also be subject to our
13 regulatory overview. None of the parties had any
14 objection to that. They've been open and
15 responsive to staff throughout the process.

16 So at this time, staff would recommend that
17 the Commission issue a final order along the same
18 lines as was outlined in the conditional final
19 order, except this time we are approving the
20 transaction and change of ownership full stop.

21 VICE CHAIR BROWN: Thank you, Executive
22 Director Marshman.

23 Commissioners, are there any questions on
24 this?

25 COMMISSIONER DRAGO: No.

1 VICE CHAIR BROWN: I do want to compliment the
2 work that has been done. The closing occurred in
3 April and there's a voluminous amount of documents
4 that staff and legal has had to review to make sure
5 it complied with our conditional order, so thank
6 you and the parties have been very willing to also
7 disclose all the necessary information.

8 I guess, Commissioners, at this point if there
9 are no questions, can we get a motion to issue a
10 final order approving the change of ownership and
11 satisfaction of the requirements laid out in the
12 pre-conditional order.

13 COMMISSIONER DRAGO: So moved.

14 VICE CHAIR BROWN: Thank you.

15 Is there a second?

16 COMMISSIONER D'AQUILA: Second.

17 VICE CHAIR BROWN: Any discussion? All those
18 in favor say aye.

19 (Aye responses)

20 VICE CHAIR BROWN: Thank you. It passes
21 unanimously.

22 We are moving on to a discussion of the
23 default final orders. We do have a lot. And,
24 Mr. Hundersmarck, I kind of went through them
25 before this meeting to group some of them together

1 to streamline the process, so with that,
2 Mr. Hundersmarck.

3 MR. HUNDERSMARCK: Thank you. Good morning.

4 VICE CHAIR BROWN: Good morning.

5 MR. HUNDERSMARCK: Item 5.1 is Andrea Lavice
6 Smith, Case 2023-041496. Item 5.2 is Luis Vladimir
7 Aguirre, Case 2023-050092.

8 In 5.1 the case materials include the
9 administrative complaint alleging that respondent
10 was a patron of and was excluded from Casino Miami.

11 In 5.2 the case materials include the
12 administrative complaint alleging respondent was a
13 patron of and was excluded from both Casino Miami
14 and Magic City Casino.

15 In each of 5.1 and 5.2 the administrative
16 complaint seeks permanent exclusion from all
17 pari-mutuel and slot machine facilities in Florida.

18 The Division attempted service via certified
19 mail and hand delivery, then completed service via
20 publication. Respondents did not answer in time.
21 Therefore, in each of 5.1 and 5.2 the Commission
22 should enter an order with the following findings,
23 that the respondent was properly served the
24 administrative complaint, did not respond within
25 the deadline, and waive the right to request a

1 hearing, that the factual allegations in the
2 administrative complaint are accepted as the
3 findings of fact in this case, and that respondent
4 shall be permanently excluded from all pari-mutuel
5 and slot machine facilities in Florida.

6 VICE CHAIR BROWN: Thank you,
7 Mr. Hundersmarck.

8 Commissioners, any questions on these two? If
9 not, can we get a motion to approve the final order
10 permanently excluding the individuals listed in 5.1
11 and 5.2?

12 COMMISSIONER D'AQUILA: Motion to approve the
13 final order as stated for 5.1 and 5.2.

14 VICE CHAIR BROWN: Thank you. Can I please
15 get a second?

16 COMMISSIONER REPP: Second.

17 VICE CHAIR BROWN: All those in favor say aye.
18 (Aye responses)

19 VICE CHAIR BROWN: 5.1 and 5.2 pass.
20 You can proceed.

21 MR. HUNDERSMARCK: Item 5.3 is Elian Jose
22 Guzman, Case 2024-002220. The Division seeks the
23 suspension of respondent's pari-mutuel professional
24 individual occupational license due to a default
25 final judgment for financial obligations related to

1 racing at a Florida pari-mutuel facility.

2 The Division attempted service via certified
3 mail and hand service, then completed service via
4 publication. Respondent did not answer by the
5 deadline on June 10, 2025.

6 Therefore, the Commission should enter an
7 order with the following findings that the
8 respondent was properly served the administrative
9 complaint, did not respond within the deadline, and
10 waived the right to request a hearing, that the
11 factual allegations in the administrative complaint
12 are accepted as the findings of fact in this case,
13 and that respondent's pari-mutuel professional
14 individual occupational license is suspended until
15 the Commission receives confirmation that the
16 financial obligation has been met.

17 VICE CHAIR BROWN: Thank you,
18 Mr. Hundersmarck.

19 Commissioners, if there are no questions, can
20 we get a motion to approve staff's recommended
21 order?

22 COMMISSIONER REPP: I'll make a motion to
23 approve staff recommendation.

24 VICE CHAIR BROWN: Thank you.

25 Can we get a second?

1 COMMISSIONER DRAGO: Second.

2 VICE CHAIR BROWN: All those in favor say aye.
3 (Aye responses)

4 VICE CHAIR BROWN: 5.3 passes.

5 You may proceed, Mr. Hundersmarck.

6 MR. HUNDERSMARCK: Item 5.4 is Barbaro Diaz,
7 Case 2024-014058. Item 5.5 is Joan Arguelles Leon,
8 Case 2024-017188. Item 5.6 is Enyelber Javier Mora
9 Mendez, Case 2024-020717.

10 In 5.4, the Diaz case, the administrative
11 alleged that respondent was a patron of and was
12 permanently excluded from Hialeah Park Racing and
13 Casino.

14 In 5.5, the Leon case, the administrative
15 complaint alleged that respondent was a patron of
16 and was permanently excluded from Casino Miami.

17 In 5.6, the Mora Mendez case, the
18 administrative complaint alleged that respondent
19 was a patron of and was permanently excluded from
20 both Casino Miami and Magic City Casino.

21 In each of these cases, the administrative
22 complaint seeks permanent exclusion of all
23 pari-mutuel and slot machine facilities in Florida.

24 In 5.4, the Diaz, and 5.6, the Mora Mendez
25 cases, the Division attempted service via certified

1 mail and hand delivery, then completed service via
2 publication. Respondents did not answer in time.
3 And 5.5, the Leon case, the respondent was served
4 via certified mail on March 24, 2025, and did not
5 answer.

6 Therefore, in each of 5.4, 5.5, and 5.6, the
7 Commission should enter an order with the following
8 findings, that the respondent was properly served
9 with the administrative complaint, did not respond
10 within the deadline, and waived a right to request
11 a hearing.

12 The factual allegations in the initial
13 complaint are accepted as the findings of fact in
14 this case and that respondent shall be permanently
15 excluded from all pari-mutuel and slot machine
16 facilities in Florida.

17 VICE CHAIR BROWN: Thank you. Great summaries
18 as well.

19 Commissioners, any questions on 5.4 to 5.7
20 (sic)? If not, can we get a motion to approve the
21 staff recommendation on those items?

22 COMMISSIONER DRAGO: I'll move to accept the
23 staff recommendation.

24 VICE CHAIR BROWN: Thank you.

25 Can I get a second?

1 COMMISSIONER D'AQUILA: Second.

2 VICE CHAIR BROWN: All those in favor say aye.
3 (Aye responses)

4 VICE CHAIR BROWN: 5.4 through 5.6 pass.
5 5.7.

6 MR. HUNDERSMARCK: Item 5.7 is
7 Genesis Michelle Chacon Zahreddine, Case
8 2024-020845. The Division seeks the revocation of
9 the slot machine/cardroom/pari-mutuel combination
10 occupational license of respondent and her
11 permanent exclusion from all pari-mutuel and slot
12 machine facilities in Florida.

13 The Division attempted service via certified
14 mail and hand service, then completed service via
15 publication. Respondent did not answer by the
16 deadline of June 10, 2025.

17 Therefore, the Commission should enter an
18 order with the following findings, that the
19 respondent was properly served the administrative
20 complaint, did not respond within the deadline, and
21 waived the right to request a hearing, the factual
22 allegations in the initial complaint are accepted
23 as the findings of fact in this case, that the
24 respondent shall be permanently excluded from all
25 pari-mutuel and slot machine facilities in Florida,

1 and that respondent's slot
2 machine/cardroom/pari-mutuel combination
3 occupational license is revoked.

4 VICE CHAIR BROWN: Thank you,
5 Mr. Hundersmarck. Was this licensee also arrested
6 for the theft that occurred?

7 MR. HUNDERSMARCK: I don't believe so. She
8 was terminated and excluded from casino gaming
9 (technical interference).

10 VICE CHAIR BROWN: Okay.

11 MR. TAUPIER: Marc Taupier for the record.
12 She was, but no charges came of it.

13 VICE CHAIR BROWN: Okay. Thank you,
14 Mr. Taupier.

15 Commissioners, any other questions? If not,
16 can we get a motion entering a final order
17 permanently excluding respondent as well as
18 revoking her license.

19 COMMISSIONER REPP: I'll make a motion to
20 approve the staff's recommendation and enter that
21 final order for 5.7.

22 VICE CHAIR BROWN: Thank you.

23 Can I get a second, please?

24 COMMISSIONER D'AQUILA: I will second that
25 motion.

1 VICE CHAIR BROWN: Any discussion? All those
2 in favor say aye.

3 (Aye responses)

4 VICE CHAIR BROWN: Thank you.

5 MR. HUNDERSMARCK: Item 5.8 is
6 Carlos Rodriguez, Case 2024-023903. Item 5.9 is
7 Kingsley Aldington Wolff-Kelly, Case 2024-028659.
8 Item 5.10 is Cristian Gomez Vallejo, Case
9 2024-039179. Item 5.11 is Jesus L. Gomez, Case
10 2024-046607. Item 5.12 is Luis A. Llano, Case
11 2024-051272.

12 In 5.8 the Rodriguez case, the case details
13 include the administrative complaint alleging that
14 respondent was a patron of and was permanently
15 excluded from Harrah's Pompano Beach.

16 In 5.9, Wolff-Kelly case, the administrative
17 complaint alleged that respondent was a patron of
18 and was permanently excluded from Casino Miami.

19 In 5.10, the Vallejo case, the administrative
20 complaint alleges that respondent was a patron of
21 and was permanently excluded from Casino Miami.

22 In 5.11, the Gomez case, the administrative
23 complaint alleges that respondent was a patron of
24 and was permanently excluded from Hialeah Park
25 Racing and Casino.

1 In 5.12, the Llano case, the administrative
2 complaint alleges that respondent was a patron of
3 and was permanently excluded from Hialeah Park
4 Racing and Casino.

5 In each of these cases, the administrative
6 complaint seeks permanent exclusion from all
7 pari-mutuel and slot machine facilities in Florida.

8 In 5.8, 5.9, 5.10, 5.11, and 5.12, excuse me,
9 not 5.9 there, the Division attempted service via
10 certified mail and hand delivery, then completed
11 service via publication. Respondents did not
12 answer in time. In 5.9 the respondent was served
13 via certified mail on December 11, 2024, and did
14 not answer.

15 Therefore, in each of these cases the
16 Commission should enter an order with the following
17 findings, that the respondent was properly served
18 with the administrative complaint, did not respond
19 by the deadline, and waived the right to request a
20 hearing, that the factual allegations in the
21 administrative complaint are accepted as the
22 findings of fact in this case, and that respondent
23 shall be permanently excluded from all pari-mutuel
24 and slot machine facilities in Florida.

25 VICE CHAIR BROWN: Thank you,

1 Mr. Hundersmarck, for streamlining all of those.

2 Commissioners, any questions? If not, can we
3 get a motion to approve final order with the staff
4 recommendation, on 5.8 through 5.12?

5 COMMISSIONER REPP: Motion to approve the
6 staff recommendations on matters 5.8 through 5.12.

7 VICE CHAIR BROWN: Thank you. Can I please
8 get a second?

9 COMMISSIONER D'AQUILA: Second.

10 VICE CHAIR BROWN: All those in favor say aye.
11 (Aye responses)

12 VICE CHAIR BROWN: 5.8 through 5.12 pass
13 unanimously.

14 5.13, please.

15 MR. HUNDERSMARCK: Item 5.13 is Iona Nekia
16 Sass, Case 2024-054164. The Division seeks the
17 revocation of the pari-mutuel professional
18 individual occupational license held by respondent
19 due to her convictions for, first, neglect of a
20 child and, second, criminal mischief, \$1,000 or
21 more, both third-degree felonies. Respondent did
22 not inform the Commission within 48 hours of her
23 convictions for disqualifying offenses.

24 The Division completed service of the
25 administrative complaint on March 11, 2025, via

1 email on respondent's PMW application. Respondent did
2 not answer on time. Therefore, the Commission
3 should enter an order with the following findings,
4 that the respondent was properly served the
5 administrative complaint, did not respond within 21
6 days, and waived the right to request a hearing,
7 the factual allegations are accepted as findings of
8 fact in this case, and that respondent's
9 pari-mutuel professional individual occupational
10 license is revoked.

11 VICE CHAIR BROWN: Thank you,
12 Mr. Hundersmarck.

13 Commissioners, if there are no questions, can
14 we get a motion to approve a final order revoking
15 the respondent's license?

16 COMMISSIONER DRAGO: So moved.

17 VICE CHAIR BROWN: A second, please.

18 COMMISSIONER D'AQUILA: Second.

19 VICE CHAIR BROWN: All those in favor say aye.
20 (Aye responses)

21 VICE CHAIR BROWN: Okay. Thank you. Passes
22 unanimously.

23 You can proceed.

24 MR. HUNDERSMARCK: Item 5.14 is Yaiquel
25 Mosqueda Perez, Case 2024-055294. Item 5.15 is

1 Kenneth Knight, Case 2024-057109. Item 5.16 is

2 Trevor David Flanagan, Case 2024-058132.

3 In 5.14, the Perez case, the administrative
4 complaint alleges that respondent was a patron of
5 and was permanently excluded from Harrah's Pompano
6 Beach.

7 In 5.15, the Knight case, the administrative
8 come patron of permanently excluded from Harrah's
9 Pompano Beach.

10 In 5.16, the Flanagan case, the administrative
11 complaint alleges that respondent was a patron of
12 and was permanently excluded from Magic City
13 Casino.

14 In each of these cases the administrative
15 complaint seeks permanent exclusion from all
16 pari-mutuel and slot machine facilities in Florida.

17 In 5.14 and 5.15 the Division attempted
18 service via certified mail and hand delivery, then
19 completed service via publication. Respondents did
20 not answer in time. In 5.16 the respondent was
21 served via certified mail on March 25, 2025, and
22 did not respond.

23 Therefore, in each of these three cases, the
24 Commission should enter an order with the following
25 findings, that the respondent was properly served

1 the administrative complaint, did not respond
2 within the deadline, and waived the right to
3 request a hearing, that the actual allegations in
4 the administrative complaint are accepted as
5 findings of fact in this case, and that respondent
6 shall be permanently excluded from all pari-mutuel
7 and slot machine facilities in Florida.

8 VICE CHAIR BROWN: Thank you.

9 If there are no questions, can we get a motion
10 on the Items 5.14 through 5.16?

11 COMMISSIONER REPP: I'll make a motion to
12 approve staff recommendations for 5.14, 5.15, and
13 5.16.

14 VICE CHAIR BROWN: Thank you,
15 Commissioner Repp.

16 Can I get a second?

17 COMMISSIONER D'AQUILA: I will second that
18 motion.

19 VICE CHAIR BROWN: Thank you.

20 All those in favor say aye.

21 (Aye responses)

22 VICE CHAIR BROWN: The items pass unanimously.
23 5.17.

24 MR. HUNDERSMARCK: Item 5.17 is
25 Nathaniel Watson, Case 2024-071363. The case

1 materials include the administrative complaint
2 alleging that respondent was working as the
3 designated player for Knighted Gaming and was
4 permanently excluded from Harrah's Pompano Beach.

5 The administrative complaint seeks permanent
6 exclusion from all pari-mutuel and slot machine
7 facilities in Florida. Respondent was served via
8 certified mail on March 26, 2025, and did not
9 respond.

10 Therefore, the Commission should enter an
11 order with the following findings, that the
12 respondent was properly served the administrative
13 complaint, did not respond within 21 days, and waived
14 his right to request a hearing, that the factual
15 allegations in the administrative complaint are
16 accepted as the findings of fact in this case, and
17 that respondent shall be permanently excluded from
18 all pari-mutuel and slot machine facilities in
19 Florida.

20 VICE CHAIR BROWN: Thank you.

21 Seeing no questions can we get a motion on
22 Item 5.17?

23 COMMISSIONER D'AQUILA: I make a motion to
24 approve the staff recommendation.

25 VICE CHAIR BROWN: Thank you.

1 Can I get a second?

2 COMMISSIONER DRAGO: Second.

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

4 (Aye responses)

5 VICE CHAIR BROWN: Thank you. We have three
6 more on these.

7 Mr. Hundersmarck.

8 MR. HUNDERSMARCK: Item 5.18 is Teddy Wayne
9 Alexander, Case 2024-072239. The Division seeks
10 the revocation of the pari-mutuel professional
11 individual occupational license held by respondent
12 due to his conviction for a misdemeanor cruelty to
13 animals, respondent did not inform the Commission
14 within 48 hours of his conviction for an offense
15 that is disqualifying because it involves cruelty
16 to animals.

17 The Division completed service of the two
18 count administrative complaint on March 11, 2025,
19 via email. Respondent did not answer in time.

20 Therefore, the Commission should enter an
21 order on the following findings, that the
22 respondent was properly served the administrative
23 complaint, did not respond within the deadline, and
24 waive the right to request a hearing, that the
25 factual allegations in the administrative complaint

1 are accepted as the findings of fact in this case,
2 and that respondent's pari-mutuel professional
3 individual occupational license is revoked.

4 VICE CHAIR BROWN: Thank you.

5 Commissioners, this is pretty egregious
6 particularly since the occupational licensee is a
7 thoroughbred owner. So with that, can we please
8 get a motion to revoke the respondent's
9 occupational license?

10 COMMISSIONER DRAGO: So moved.

11 VICE CHAIR BROWN: Is there a second?

12 COMMISSIONER REPP: Second.

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

15 VICE CHAIR BROWN: 5.18 passes unanimously.
16 5.19, please.

17 MR. HUNDERSMARCK: Item 5.19 is Paul Elias
18 Valery, Case 2025-000442. Item 5.20 is Kimberly T.
19 Wessner, Case 2025-009595.

20 In each of these cases, the Division seeks
21 suspension of the respondent's pari-mutuel
22 professional individual occupational license due to
23 default final judgments for financial obligations
24 related to racing at a Florida pari-mutuel
25 facility.

1 In 5.19 service was completed via email on
2 April 4, 2025. In 5.20 service was completed via
3 certified mail on April 15, 2025, and respondent
4 did not answer.

5 Therefore, in each of these cases, the
6 Commission should enter an order of the following
7 findings, that the respondent was properly served
8 the administrative complaint, did not respond
9 within the deadline, and waived the right to
10 request a hearing, that the factual allegations in
11 the administrative complaint are accepted as the
12 findings of fact in this case, and that
13 respondent's pari-mutuel professional individual
14 occupational license is suspended until the
15 Commission receives confirmation that the financial
16 obligation has been met.

17 VICE CHAIR BROWN: Thank you,
18 Mr. Hundersmarck.

19 These two are very similar. Commissioners, if
20 there are no questions can we get a motion to
21 approve the staff recommendation?

22 COMMISSIONER REPP: Motion to approve staff
23 recommendations on 5.19 and 5.20.

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

1 Can I get a second?

2 COMMISSIONER D'AQUILA: I'll second that
3 motion.

4 VICE CHAIR BROWN: Thank you,
5 Commissioner D'Aquila.

6 All those in favor say aye.

7 (Aye responses)

8 VICE CHAIR BROWN: Those items pass
9 unanimously.

10 And, again, thank you, Mr. Hundersmarck.

11 We are moving on to 6.1 through 6.3,
12 discussion of request for waivers. Ms. Alvarado.

13 MS. ALVARADO: Good morning. Emily Alvardo
14 for the record.

15 6.1 is Daniel Candelario, Case Number
16 2025-025604. Here the applicant applied for
17 pari-mutuel wagering general individual
18 occupational license.

19 Upon review of the application it was
20 discovered that he had a disqualifying offense of
21 robbery with a weapon out of Broward County around
22 July 2nd, 2007.

23 The applicant originally answered no on if he
24 had been convicted of a disqualifying offense.
25 He's applying to be a cook at Gulfstream Park.

1 A waiver interview was conducted on April 1st
2 and is documented in the meeting materials. Here
3 the Commission can decide to grant the waiver and
4 in turn if you decide not to, we ask that you give
5 us the authority to issue a letter of license
6 denial in this case.

7 VICE CHAIR BROWN: Thank you, Ms. Alvarado.
8 Commissioners, any comments or questions on
9 this, thoughts regarding the waiver request?

10 COMMISSIONER REPP: I have a question.

11 VICE CHAIR BROWN: Sure.

12 COMMISSIONER REPP: Have there been any -- I
13 see this was -- this is July 2007. Has there been
14 any other contact with law enforcement since 2007?

15 MS. ALVARADO: There has. He violated his
16 probation in 2009 and then he also had two
17 misdemeanor possession of cannabises from 2011.

18 COMMISSIONER REPP: 2011?

19 MS. ALVARADO: Yes.

20 VICE CHAIR BROWN: And he is applying to be a
21 cook?

22 MS. ALVARADO: Yes.

23 VICE CHAIR BROWN: Any thoughts, comments? If
24 not, we are ripe for a motion.

25 COMMISSIONER DRAGO: I make a motion to issue

1 a letter of license denial...

2 VICE CHAIR BROWN: Okay. Can I get a second?

3 COMMISSIONER REPP: Second.

4 VICE CHAIR BROWN: All those in favor say aye.
5 (Aye responses)

6 VICE CHAIR BROWN: Passes unanimously.

7 Item 6.2.

8 MS. ALVARADO: Item 6.2 is Patricia Miller,
9 Case Number 2025-026721. Here the applicant's
10 applying for a pari-mutuel wagering general
11 individual occupational license.

12 Upon review of the application it was
13 discovered that she had a disqualifying offense of
14 felony battery out of Levy County from
15 September 10, 2014. She did answer yes on her
16 application. She's applying to be a server at
17 Ocala Bets.

18 A waiver interview was attempted on April 1st
19 and communication was attempted after that and she
20 failed to answer the investigators that were trying
21 to contact her.

22 So here you can decide to grant the waiver or
23 issue a letter of license denial in this case.

24 VICE CHAIR BROWN: Thank you. I wonder why
25 the applicant failed to respond to a request for a

1 waiver.

2 MS. ALVARADO: Yeah.

3 VICE CHAIR BROWN: Commissioners, any thoughts
4 or comments on this? Can we get a motion, please,
5 for this item.

6 COMMISSIONER REPP: I'll make a motion to
7 deny.

8 VICE CHAIR BROWN: Can I get a second?

9 COMMISSIONER DRAGO: Second.

10 VICE CHAIR BROWN: And just to clarify, it's
11 motion to issue a --

12 COMMISSIONER REPP: I'm sorry, motion to issue
13 a letter of denial.

14 VICE CHAIR BROWN: Thank you.

15 All those in favor say aye.

16 (Aye responses)

17 VICE CHAIR BROWN: Passes unanimously.

18 6.3.

19 MS. ALVARADO: 6.3 is Raymond Hansen,
20 2025-033114. Here the applicant is applying for a
21 pari-mutuel wagering general individual
22 occupational license.

23 Upon review of the application it was
24 discovered that he had a disqualifying offense of
25 attempted burglary, third degree out of Suffolk

1 County, New York from January 4, 1982. He did
2 answer no on his application if he had any
3 convictions. He's applying to be a security
4 officer out of Tampa Bay Downs. A waiver interview
5 was conducted on May 6, 2025, and is documented in
6 the meeting materials.

7 And here you can decide to grant a waiver or
8 issue a letter of license denial.

9 VICE CHAIR BROWN: Thank you.

10 Commissioner D'Aquila.

11 COMMISSIONER D'AQUILA: Am I correct in
12 understanding this happened in 1981?

13 MS. ALVARADO: Yes.

14 COMMISSIONER D'AQUILA: And there have been no
15 other brushes with the law since the -- almost 44
16 years since?

17 MS. ALVARADO: That's correct.

18 COMMISSIONER D'AQUILA: Thank you.

19 VICE CHAIR BROWN: Thank you.

20 Commissioners, any other questions?

21 COMMISSIONER DRAGO: He's also had a temporary
22 license now; right?

23 MS. ALVARADO: He was issued a temporary
24 license. And then once we saw the disqualifying
25 offense, he doesn't have a temporary license

1 anymore.

2 VICE CHAIR BROWN: Commissioner Repp.

3 COMMISSIONER REPP: I have to say I am
4 disappointed that he put down no. I mean, the
5 application clearly says have you ever been
6 convicted. I know people say, oh, I was told in
7 the last 10 years or it was last 20, and the
8 application is just -- is very clear.

9 However, I -- I am impressed that he
10 independently he went and sought drug treatment and
11 the passage of time, of course, and the -- the
12 letters attached really were very convincing,
13 describing him as reliable, a team player,
14 organized.

15 These are things that are used for people that
16 have made a change in their life and -- and,
17 therefore, I would support granting his waiver.

18 VICE CHAIR BROWN: Thank you. Very well
19 articulated. I believe that is a motion there.

20 Can I get a second?

21 COMMISSIONER D'AQUILA: I would like to second
22 that motion of Commissioner Repp, please.

23 VICE CHAIR BROWN: And is there any other
24 discussion? All those in favor say aye.

25 (Aye responses)

1 VICE CHAIR BROWN: Thank you. The motion
2 passes and he will be issued a license.

3 Thank you, Ms. Alvarado. We're moving on to
4 license denials 7.1 through 7.4.

5 MS. ALVARADO: 7.1 is Limarys Gonzalez,
6 2025-031714. The Division of Pari-Mutuel Wagering
7 received a completed application for the applicant
8 on April 9, 2025. The applicant is seeking a slot
9 machine, cardroom, pari-mutuel combination
10 occupational license.

11 After review of the application it was
12 discovered that there was five felonies; one is
13 grand theft, third degree out of Miami-Dade County
14 from June 1st, 1998; grand theft, third degree out
15 of Miami-Dade County January 29, 1999; petit
16 larceny out of Miami-Dade County, which is a
17 misdemeanor. I said five felonies, so four
18 felonies and a misdemeanor.

19 Petit larceny out of Miami-Dade County from
20 November 4th, 2003; grand theft out of Miami-Dade
21 County from November 10, 2004; grand theft out of
22 Miami-Dade County on November 10, 2004, as well.

23 This was not disclosed on the original
24 application. This applicant's applying to be a
25 food service bartender at the Big Easy Casino.

1 Here we ask that the Commission authorize the
2 letter of license denial in this case.

3 VICE CHAIR BROWN: Thank you. There seems to
4 be a pattern with this individual despite -- unlike
5 the last one, despite the time that's elapsed.
6 It's also somewhat less of a span here.

7 Commissioners, are there any thoughts or
8 comments on this one?

9 COMMISSIONER DRAGO: Do we have any
10 information since 2004 arrests or any -- any other
11 indications of rehabilitation?

12 MS. ALVARADO: No, that's the last offense
13 that we have, 2004 grand theft.

14 VICE CHAIR BROWN: I know Commissioner Repp
15 also she voices concerns when applicants do not
16 fill out -- completely honest and forthright on the
17 application.

18 This individual did not disclose any of the
19 offenses?

20 MS. ALVARADO: No.

21 VICE CHAIR BROWN: Commissioners, any
22 thoughts?

23 COMMISSIONER D'AQUILA: I also do not see any
24 reference letters or anything. Were any provided
25 or --

1 MS. ALVARADO: No, I don't believe so.

2 COMMISSIONER D'AQUILA: Thank you.

3 VICE CHAIR BROWN: Commissioners, if there are
4 no other comments or questions, can we get a motion
5 on this item to issue a notice of letter of license
6 denial?

7 COMMISSIONER DRAGO: I'll make that motion.

8 VICE CHAIR BROWN: Is there a second?

9 COMMISSIONER D'AQUILA: I will second that
10 motion?

11 VICE CHAIR BROWN: Any discussion? All those
12 in favor say aye.

13 (Aye responses)

14 VICE CHAIR BROWN: Passes unanimously.
15 7.2, please.

16 MS. ALVARADO: 7.2 is Donald Anderson, Case
17 number 2025-037786. The Division of Pari-Mutuel
18 Wagering received a complete application for the
19 applicant on March 28, 2025. The applicant is
20 seeking a pari-mutuel wagering professional
21 individual occupational license and he did not send
22 in a request for waiver.

23 After review of the application he was
24 discovered -- it was discovered that he's convicted
25 of burglary of an occupied dwelling and false

1 imprisonment out of Miami-Dade County from
2 December 7, 1998. He did not disclose this on the
3 original application. He's applying to be a horse
4 owner.

5 Here the -- we would ask that you issue a
6 letter of license denial.

7 VICE CHAIR BROWN: Thank you. Ms. Alvarado,
8 he was also charged with battery; is that correct?

9 MS. ALVARADO: Yes.

10 VICE CHAIR BROWN: Okay. Commissioners, do
11 you have any questions or comments?

12 COMMISSIONER DRAGO: I'm sorry, was the
13 battery --

14 MS. ALVARADO: It was a misdemeanor, so it
15 wouldn't be disqualifying.

16 COMMISSIONER DRAGO: Was that part of this
17 original offense, though?

18 MS. ALVARADO: It is.

19 VICE CHAIR BROWN: Any other questions? If
20 not, we are ready for a motion.

21 COMMISSIONER DRAGO: Just comment I guess.
22 It's been a long time since this offense. Even
23 though this is a particularly heinous offense and
24 it's troubling and difficult to get over this type
25 of offense. It's domestic violence related as

1 well, so I think it's of important to consider all
2 the aspects of -- of that offense since we don't
3 have a lot of information in terms of
4 rehabilitation since that point, so I just -- I
5 just bring that up. That's a matter of concern for
6 me.

7 VICE CHAIR BROWN: I would have liked to get
8 more information. If he had sought a request for
9 waiver, that would have been a little bit more
10 elucidating of the other mitigating factors as
11 well.

12 Commissioners, any other questions or
13 comments?

14 COMMISSIONER REPP: No.

15 VICE CHAIR BROWN: Okay. Commissioner Drago,
16 we're ready for a motion.

17 COMMISSIONER DRAGO: I make a motion to deny.

18 VICE CHAIR BROWN: Is there a second?

19 COMMISSIONER REPP: Second.

20 VICE CHAIR BROWN: All those in favor say aye.
21 (Aye responses)

22 VICE CHAIR BROWN: Thank you.

23 7.3, please.

24 MS. ALVARADO: 7.3 is Derek Elmo, Case Number
25 2025-038609. The Division of Pari-Mutuel Wagering

1 received a complete application for the applicant
2 on April 22, 2025. He is seeking a slot machine
3 individual occupational license.

4 After review of the application, it was
5 discovered that he's convicted of the felony
6 offense of manufactured delivery, possession with
7 intent to manufacture or deliver out of the
8 Commonwealth of Pennsylvania from June 20, 1997.
9 He did disclose this on the original application.

10 And here we ask that you issue a letter of
11 license denial in this case.

12 VICE CHAIR BROWN: Thank you. And the
13 position that he's applying for, the occupation
14 application, would you state that?

15 MS. ALVARADO: One second. Sorry. I wrote
16 that wrong.

17 VICE CHAIR BROWN: I'm looking for it.

18 MS. ALVARADO: He's applying to be senior vice
19 president of a company that will service out of
20 that facility -- out of a facility.

21 VICE CHAIR BROWN: Thank you. So officer and
22 owner.

23 Commissioners, any questions?

24 COMMISSIONER DRAGO: I didn't see any police
25 reports or anything in there and it doesn't mention

1 what the delivery manufacture was.

2 Do we know any -- any further information?

3 MS. ALVARADO: I don't have anything else
4 besides what was in there. I think they tried to
5 find more documents, but it was pretty difficult to
6 find what they -- what they found, so.

7 VICE CHAIR BROWN: It looks like there's a
8 correlation -- there was an additional charge
9 with -- for marijuana, possession of marijuana.

10 MS. ALVARADO: Right.

11 COMMISSIONER DRAGO: But this one was also for
12 possession, manufacture, and possession, so I don't
13 know -- that's what I'm trying to figure out.

14 Is it two -- two different -- two drugs here
15 or is it -- is it marijuana that we was
16 manufacturing, sounds like growing and distributing
17 marijuana?

18 Just not much information there in terms of
19 what the offense was. It was a long time ago, that
20 we know.

21 VICE CHAIR BROWN: Yes, Mr. Taupier.

22 MR. TAUPIER: Marc Taupier for the record. I
23 don't know exactly what the drug is, but based off
24 of constitutional law he could not have been
25 convicted of a lesser included possession of

1 marijuana as -- and addition to manufacture,
2 possession, or delivery of marijuana unless the
3 elements might have been different.

4 This isn't a Florida Statute, but most drug
5 charges read kind of the same in other
6 jurisdictions. So based off of the constitutional
7 law that I'm aware of, I would say it's not
8 marijuana manufacture, delivery, or possession
9 since he was charged with possession of marijuana
10 separately.

11 COMMISSIONER DRAGO: That would make sense to
12 me, but usually they will say that charge and then
13 say to wit cocaine or marijuana, or whatever the
14 case may be.

15 VICE CHAIR BROWN: He's got a couple.
16 Commissioner.

17 COMMISSIONER D'AQUILA: Yes. These -- these
18 charges were over 25 years ago and you have nothing
19 since.

20 MS. ALVARADO: No.

21 COMMISSIONER D'AQUILA: Do I understand
22 correctly he has worked as a -- in electrical
23 construction, am I reading that correctly since --

24 MS. ALVARADO: I'm not sure. Give me a
25 second. Yes. It seems like he works -- well, the

1 company that he works for, yes, is an electrical
2 company, Miller Electrical Company, so yes.

3 COMMISSIONER D'AQUILA: Does he hold any other
4 licenses working --

5 MS. ALVARADO: Not that I'm aware of. I
6 didn't look any further into what was -- licenses
7 he holds.

8 VICE CHAIR BROWN: We have more information
9 coming.

10 MR. DILLMORE: Yeah, Ms. Ricks, she's our
11 (inaudible). She may have some other information
12 (inaudible) things like just a general electric
13 company we're talking about here and they work in
14 some other -- other jurisdictions too. She has --
15 may have more information would be help.

16 VICE CHAIR BROWN: Thank you
17 Director Dillmore.

18 Hi.

19 MS. RICKS: Good morning. Thank you.
20 Glenda Ricks for record.

21 This individual is an officer with Miller
22 Electric, which is a very large electrical company
23 out of Jacksonville. They are seeking licensure in
24 the State of Florida to do electrical contracting,
25 surveillance systems and such with our facilities

1 in Florida.

2 They are licensed in 47 states and they are in
3 the process of getting all of their officers
4 licensed nationally in the various jurisdictions.

5 VICE CHAIR BROWN: That's very helpful to
6 hear.

7 MS. RICKS: And additionally there is some
8 supporting information on the Court of Common Pleas
9 docket page 207. I believe if I am interpreting
10 this correctly manufacture and delivery was
11 marijuana.

12 VICE CHAIR BROWN: Thank you. Again very
13 helpful information.

14 I think there's -- commissioners have
15 questions.

16 COMMISSIONER DRAGO: Yeah, just one quick
17 question. You said licensed in 47 states, is that
18 PMW type licenses throughout --

19 MS. RICKS: They are electrical contractors in
20 47 states in the nation and they are in the process
21 of obtaining licensure in various jurisdictions to
22 expand into the pari-mutuel industry service.

23 COMMISSIONER DRAGO: So their license that you
24 speak of is electrical contracting license I
25 assume?

1 MS. RICKS: Yes, and they are expanding with
2 the pari-mutuel licenses.

3 COMMISSIONER DRAGO: Gotcha.

4 VICE CHAIR BROWN: And so all of their
5 officers then have to have individual occupational
6 license?

7 MS. RICKS: Correct.

8 VICE CHAIR BROWN: Commissioner.

9 COMMISSIONER D'AQUILA: Thank you for
10 clarifying that. I'm well aware of who Miller
11 Electrical is and they -- from what I understand
12 they have very high standards in their particular
13 industry.

14 MS. RICKS: I will say that this was a very
15 unique application filed by them to have so many
16 officers, directors, and shareholders.

17 They could have just disclosed the individuals
18 that would be related to their Florida enterprises,
19 but they went ahead and sought for everybody
20 nationally. They provided one of most
21 comprehensive and well put together packages that
22 we've seen in a long time. They -- they have been
23 a pleasure to deal with.

24 VICE CHAIR BROWN: Director Dillmore, thank
25 you for having this additional information too. It

1 provides a lot of clarification too and -- and
2 context.

3 With that, Commissioners, any comments? I
4 think Commissioner D'Aquila, you were about to make
5 a motion.

6 COMMISSIONER D'AQUILA: No, I mean, I think
7 the way I look at this application I see a
8 gentleman who's -- it was a long time ago, a
9 mistake was made or -- we don't have anything since
10 and has been working in a responsible capacity in a
11 regulated -- somewhat regulated industry,
12 electrical contracting, so I'd would like to make a
13 motion to approve the license.

14 VICE CHAIR BROWN: Thank you. And again with
15 that also, he did disclose it forthcoming.

16 Is there a second?

17 COMMISSIONER DRAGO: Second.

18 VICE CHAIR BROWN: Any discussion? All those
19 in favor say aye.

20 (Aye responses)

21 VICE CHAIR BROWN: The license will be granted
22 and it's approved unanimously. Thank you.

23 7.4.

24 MS. ALVARADO: 7.4 is Kaniya Jones,
25 2025-042323. The Division of Pari-Mutuel Wagering

1 received a complete application on March 17, 2025.
2 The applicant is seeking a pari-mutuel wagering
3 general individual occupational license and failed
4 to request -- do a request for a waiver.

5 After review of the application it was
6 discovered that she was convicted of the following
7 felony offenses: First, aggravated fleeing and
8 eluding high speed out of Broward County from
9 March 7, 2019, resisting an officer violence out of
10 Broward County from March 7, 2019, delivery of
11 cocaine within a thousand feet of a church out of
12 Broward County from December 21, 2016, tampering --
13 and tampering with evidence out of Broward County,
14 Florida, from July 29, 2010.

15 This was not disclosed on the original
16 application. She is applying to be a concession
17 stand worker out of Gulfstream Park.

18 Here we ask that you authorize a letter of --
19 letter of license denial.

20 VICE CHAIR BROWN: Thank you, Ms. Alvarado.
21 Commissioners, any comments on this? There
22 are multiple offenses here.

23 Can we please get a motion on this item?

24 COMMISSIONER DRAGO: I make a motion to issue
25 a license of denial.

1 VICE CHAIR BROWN: Thank you.

2 Is there a second?

3 COMMISSIONER REPP: Second.

4 VICE CHAIR BROWN: Any discussion? All those
5 in favor say aye.

6 (Aye responses)

7 VICE CHAIR BROWN: Motion passes unanimously.

8 And we are now moving on to discussion of
9 final orders pursuant to request from respondent,
10 8.1 and 8.2.

11 MS. ALVARADO: 8.1 is Kenny Navarez, Case
12 Number 2024-060474. In the case materials you
13 provided a five count administrative complaint
14 alleging that on October 20, 2024, the respondent
15 did not rotate the dealer button around the table
16 in a clockwise manner on a hand-by-hand basis for
17 about 40 minutes while dealing a designated player
18 table, failed to spread the currency on top of the
19 card table in front of the imprest tray when
20 exchanging the currency for chips, and failed to
21 clear his hands when cash, chips, or tokens were
22 exchanged with the provided -- to a player.

23 And this happened again on January 1st, 2025.
24 The respondent did not rotate the dealer button
25 around the card table in a clockwise manner and did

1 not clear his hands when exchanging cash, chips, or
2 tokens with a player.

3 The respondent has no prior violations of this
4 rule. He is subject to an administrative fine up
5 to a thousand dollars and/or suspension or
6 revocation of his cardroom employee occupational
7 license.

8 And here we ask that you impose an
9 administrative fine and/or suspend or revoke his
10 license.

11 VICE CHAIR BROWN: Do you know how long this
12 individual has had a license with us?

13 MS. ALVARADO: He's had it since 2024, so it's
14 a new license that he just obtained. I'm not sure
15 if that was a renewed license, but this one expires
16 in 2027, so he got it in 2024.

17 VICE CHAIR BROWN: Okay. And I'm sure Tampa
18 Bay Downs is providing education on this pattern?

19 MS. ALVARADO: I would assume.

20 VICE CHAIR BROWN: Commissioners, any comments
21 or questions? Okay. I don't think a revocation or
22 suspension of this individual is warranted.

23 Commissioner Drago.

24 COMMISSIONER DRAGO: I did have a question and
25 then I forgot it when you started talking, so --

1 VICE CHAIR BROWN: The noise.

2 COMMISSIONER DRAGO: I know.

3 MS. ALVARADO: Just for clarification --

4 COMMISSIONER DRAGO: It will come back to me
5 again.

6 MS. ALVARADO: Sorry, for clarification it was
7 2022 that his initial license was -- was given, so
8 he's had it for a few years now.

9 VICE CHAIR BROWN: Thank you.

10 Does anybody know what that noise is? Thank
11 you. Mike can probably figure it out back there.

12 COMMISSIONER DRAGO: We have two counts,
13 right, is it just two counts?

14 MS. ALVARADO: It's five counts.

15 COMMISSIONER DRAGO: Five counts total?

16 MS. ALVARADO: Yes. Two of the same thing and
17 then one that's separate, so there's two of one,
18 two of another, and then one that's a different
19 count.

20 VICE CHAIR BROWN: Director Dillmore.

21 MR. DILLMORE: I would just add that to --
22 these are dealers. They go through hundreds,
23 thousands of these transactions in -- in their
24 shifts. So obviously any violation is a concern,
25 but when you go through that many times and he's

1 never had a violation before, these -- these can
2 pop up, so. And I see by the -- the investigative
3 report too the cardroom supervisor was notified.
4 He did counsel the dealer as well.

5 VICE CHAIR BROWN: Commissioner Drago.

6 COMMISSIONER DRAGO: I don't have anything to
7 say.

8 VICE CHAIR BROWN: Okay. Commissioners, we
9 are ready for a motion.

10 COMMISSIONER REPP: I have a question.

11 VICE CHAIR BROWN: Commissioner Repp.

12 COMMISSIONER REPP: I'm sorry, was this the
13 first, has he had prior?

14 MS. ALVARADO: There's no prior violations.

15 COMMISSIONER REPP: Thank you.

16 VICE CHAIR BROWN: And the recommendation is
17 to issue -- to enter a final order imposing a fine,
18 but up to --

19 MS. ALVARADO: Right.

20 VICE CHAIR BROWN: Per count?

21 MS. ALVARADO: Yeah.

22 COMMISSIONER DRAGO: What -- what have we been
23 -- in terms of consistency what have we been doing
24 on the first-time offense for this level of offense
25 typically; do you remember?

1 MS. ALVARADO: Every case is -- is different.
2 There's different circumstances that would play
3 into that. We've done as low as -- as 50, we've
4 done a hundred that -- there's no real consistency
5 with these, because they're all -- they're all a
6 little bit different.

7 COMMISSIONER DRAGO: So many factors, yeah.

8 VICE CHAIR BROWN: I think Director Dillmore's
9 point is that, you know, for this to come up after
10 -- as a dealer who deals with so many transactions
11 and doesn't have prior that it's something to go --
12 be factored in here.

13 COMMISSIONER DRAGO: I mean, just -- just for
14 sake of discussion, I would be thinking like \$100
15 per count, no suspension or revocation.

16 VICE CHAIR BROWN: Thank you. I think that is
17 fair. I think a thousand dollars is excessive
18 given the fact pattern here behind this
19 occupational licensee.

20 Commissioners, any thoughts on that?

21 COMMISSIONER D'AQUILA: Fine with that.

22 COMMISSIONER REPP: I concur.

23 VICE CHAIR BROWN: Okay. Commissioner Drago,
24 ready for a motion.

25 COMMISSIONER DRAGO: So I would make a motion

1 that we authorize a fine of \$100 per count...

2 VICE CHAIR BROWN: Thank you, very succinct.

3 Can we get a second?

4 COMMISSIONER REPP: Second.

5 VICE CHAIR BROWN: Thank you.

6 Any discussion? All those in favor say aye.

7 (Aye responses)

8 VICE CHAIR BROWN: Thank you. Passes
9 unanimously and the final order will reflect that.

10 And we are on to 8.2.

11 MS. ALVARADO: 8.2 is Daytona Beach Kennel
12 Club, Case Number 2024-065902. Here you were
13 provided with a one count administrative complaint
14 alleging that the Commission investigator observed
15 a count team member at the facility who was allowed
16 in the count room without being listed on the
17 Authorized Employee Access List that is posted in
18 the count room.

19 The respondent has four consent -- consent
20 orders with prior violations of this, one is from
21 2020 with an administrative fine of \$250, one is
22 from 2021 with an administrative fine of \$500, one
23 is -- another one is from 2021 with a \$250
24 administrative fine, one from 2023 with an
25 administrative fine of \$750.

1 And here the respondent marks Option 3
2 requesting that we issue a final order in this case
3 and we ask that you issue a final order imposing a
4 -- a fine up to a thousand dollars with suspension
5 or revocation of the license.

6 VICE CHAIR BROWN: Thank you. Obviously there
7 has been a pattern here, so a thousand dollars
8 would be more appropriate.

9 Commissioners, do you have any thoughts on
10 this?

11 COMMISSIONER DRAGO: This is one count?

12 MS. ALVARADO: Yes.

13 VICE CHAIR BROWN: It's the count -- pardon
14 me, the prior with the \$500 fine, that was for one
15 count or two counts?

16 MS. ALVARADO: That was one count as well.

17 COMMISSIONER DRAGO: I mean, I think it's --
18 we absolutely would want to go to a thousand
19 dollars. My -- my -- my thoughts are whether or
20 not we want to also suspend the license for some
21 period of time.

22 It seems like the message is not getting
23 through with just the fines. I don't know if we
24 want to consider the max of a thousand dollars and
25 some type of suspension, or if this is going to be

1 like the last warning where they're going to get
2 just a fine before suspension I don't -- it's worth
3 discussion. I'm not sure what everybody feels
4 about that, but obviously the -- the cash fines are
5 not getting through, not working.

6 VICE CHAIR BROWN: Commissioner --

7 MS. ALVARADO: They are pretty old the
8 violations. 2020 was the first one. There is one
9 from 2023, but there hasn't been one in the past I
10 guess two years, so it's not super -- super
11 frequent, but there is four priors.

12 COMMISSIONER DRAGO: That's a good point.

13 COMMISSIONER D'AQUILA: Yeah, I was looking at
14 the age of the other cases as well, so I'm fine
15 with just fine.

16 VICE CHAIR BROWN: Commissioner Repp.

17 COMMISSIONER REPP: I was just -- question,
18 did you say the one in 2023 was 750 and how many
19 counts?

20 MS. ALVARADO: That was one count as well.

21 COMMISSIONER REPP: One count?

22 MS. ALVARADO: Um-hum.

23 COMMISSIONER REPP: I guess I'll concur with
24 also Commissioner Drago.

25 VICE CHAIR BROWN: And I also feel that

1 suspension won't necessarily be appropriate here,
2 but it's not appropriate -- but really our goal is
3 to obtain compliance with our rules and our
4 statutes. So imposing a fine -- and that's the
5 maximum amount that we can impose?

6 MS. ALVARADO: In this case, yes.

7 VICE CHAIR BROWN: I mean, I'd like to just
8 send a strong message here. So obviously I guess
9 that is the -- the most that we can -- our
10 authority without suspension?

11 MS. ALVARADO: Right.

12 COMMISSIONER DRAGO: I think, yes, a thousand
13 dollars and I think maybe we're making a point here
14 as a Commission that it's going to get worse in
15 terms of the license itself beyond fines if the
16 behavior continues.

17 Like Vice Chair Brown says, it's compliance
18 that we're after and compliance we're not getting,
19 so we have to do whatever has to be done in order
20 to get that compliance.

21 I think this would be the last time I would
22 lean -- would lean -- would lean towards just a
23 fine if this were to occur -- occur by the same
24 person again.

25 VICE CHAIR BROWN: I would tend to agree too.

1 Commissioners, any other comments or
2 questions? Can we get a motion on this item?

3 COMMISSIONER D'AQUILA: I make a motion to
4 recommend a \$1,000 fine and staff recommendations
5 noted.

6 VICE CHAIR BROWN: Thank you.

7 Can I get a second, please?

8 COMMISSIONER REPP: Second.

9 VICE CHAIR BROWN: All right. All those in
10 favor say aye.

11 (Aye responses)

12 VICE CHAIR BROWN: Thank you. And we are on
13 to rulemaking, 9.1.

14 Director Marshman.

15 MR. MARSHMAN: Good morning again.

16 VICE CHAIR BROWN: Good morning.

17 MR. MARSHMAN: Before we talk about the three
18 rules that are on the docket today, I just want to
19 acknowledge the three employees that helped us the
20 most here in Tallahassee get through this, and
21 those are the folks in South Florida, Bill Crafts,
22 Dennis Chen, and Jose Cuevas. Those are all your
23 senior leadership team in slots side of the house
24 so to speak, Division of Pari-Mutuel Wagering.

25 They've been instrumental in going through the

1 rules that they are tasked with enforcing and
2 looking to -- for ways to improve not only on our
3 end but also for the facilities themselves.

4 I think it's appropriate to acknowledge the
5 facilities just for trying to work with us on this.
6 Bill and his team get a lot of feedback when I
7 visited the facilities. They usually provide me
8 with feedback. So based on our team and some
9 feedback we got from facilities, here we have three
10 rules that I think are ripe for some changes.

11 By the next meeting in July, I think we'll
12 have another raft of smaller changes that we can
13 implement hopefully on shortened time line, well
14 within the confines of Chapter 120, but on a
15 shortened time line we'll actually see some relief
16 for both regulators and the regulated.

17 So with that beginning with 75-14.020, this
18 rule has to do with the facilities maintaining the
19 exclusion list. And the changes that are
20 highlighted in the materials try to accomplish two
21 things, one, address the privacy concerns that the
22 Commission and previously the Division has always
23 had and, second, remove some incongruous provisions
24 that seemingly contradict one another and could
25 cause the Division to have information that maybe

1 shouldn't have, so privacy concerns.

2 The statewide exclusion list that is
3 maintained by the Commission is publicly available
4 and shared with the facilities.

5 However, if a facility receives a request from
6 a patron to be added to its self-excluded list, or
7 if a patron self-excludes themselves, we don't
8 necessarily want that information, because we
9 cannot withhold that information if we receive a
10 public records request.

11 And I don't think it serves anyone, the
12 facilities, the patron, the regulator to be --
13 potentially cause embarrassment or shame for
14 someone who's taken a step to remove themselves
15 from a situation they find themselves uncomfortable
16 in.

17 So the existing rule does not necessarily
18 require the facilities to add some excluded patrons
19 to their exclusion list. However, there's some
20 seemingly incongruous or inconsistent language
21 later on in the rule, that may require a facility,
22 or at least the facility I think is required to
23 tell us if someone on the self-excluded list is
24 trying to remove themselves from that list.

25 And, again, we don't want facilities to not

1 know what to do and we also don't want any undue
2 attention to be brought to someone that is trying
3 to help themselves. So with that in mind, the
4 staff has gone through and marked up this rule
5 trying to accomplish those goals.

6 It's worth noting for this rule and the other
7 two rules that we will be discussing, that we have
8 gone ahead at staff level and prepared both steps
9 of the rulemaking process for you to review so that
10 we do not have to come back in 30 days and ask for
11 permission to then move into the next step and then
12 the next step.

13 Instead what we're trying to do with this rule
14 and the others is to get preloaded approval from
15 you all to go into development for this rule. And
16 then provided that there are no hiccups let's say
17 in development, go ahead and move into proposed
18 rulemaking status. And, again, provided there are
19 no unforeseen circumstances in the proposed
20 rulemaking process, we then move for adoption.

21 Nothing in 120 says that we can't go ahead and
22 get that from you all today. And because we
23 already have the marked up language, because these
24 are changes based on feedback we've already
25 received from facilities, staff does not expect

1 there to be a workshop, rulemaking hearing, or
2 anything like that.

3 So ultimately at the end I have been asked in
4 a motion for that process to go ahead and play
5 itself out. So the next time you hear from me
6 about these rules, I can just tell you hopefully
7 that they've already been adopted and the changes
8 are being implemented.

9 So with all that being said, are there any
10 questions on the exclusion list before I move on to
11 the next rule?

12 COMMISSIONER DRAGO: Just quick question if I
13 could. So these -- this -- this proposed rule that
14 we're discussing now in terms of exclusion, this
15 has been discussed with facilities and they're good
16 with it and we've gotten their input on this
17 already, there's no issues with -- with that that
18 we have to go to a workshop or anything?

19 MR. MARSHMAN: So this rule came from feedback
20 we received from a facility and the same issue that
21 that facility would have, so would every other
22 facility. So a change that improves this rule
23 would improve the rule for everyone.

24 And we are not short circuiting the rulemaking
25 process. If someone wants a workshop, they can ask

1 for it. If someone wants a hearing, go for it.

2 We're not going to stop that.

3 But we think just based on the feedback we've
4 already received on this and the other rules that
5 these are going to be met with approval already, at
6 least tacitly, and then we'll just go through.

7 Again, we're not trying to hamper anyone's
8 ability to engage in rulemaking process, but I'm
9 trying to make it clear that we are doing this in a
10 certain way at this time with these rules to try to
11 get them done expeditiously. But if -- if someone
12 wants to participate and has additional feedback,
13 we welcome them. But I think based on what we've
14 already received, this -- this accomplishes the
15 goal.

16 COMMISSIONER DRAGO: And I appreciate what you
17 said in the beginning in terms of the facilities
18 working with you on these rules and getting their
19 input and discussing them, that -- that's what's
20 important for us I think, so I'm glad to hear that.
21 Sounds great to me.

22 VICE CHAIR BROWN: Thank you.

23 And I know that these -- these are really
24 noncontroversial kind of tweaks to some antiquated
25 also language that I know Bill and his team have

1 been looking at it and there's several other rules
2 that will be coming forth similarly that -- as
3 we've already identified being implemented.

4 So will JAPC then -- when this Commission
5 meets will it -- and the rule is finalized, will it
6 have already been published and filed with JAPC?

7 MR. MARSHMAN: Provided that there are no
8 additional steps that the Commission needs to take
9 based on feedback we receive from JAPC or from an
10 interested party that wants a workshop or a
11 hearing.

12 Hopefully by the next time you see us, I will
13 tell you that it's been filed for adoption and it
14 has to sit for a certain number of days.

15 VICE CHAIR BROWN: And if there are -- you're
16 going -- I'm assuming you're going to seek at least
17 authority to make tweaks and modifications to the
18 rule before it's finalized?

19 MR. MARSHMAN: That would be more difficult,
20 because the language of the rule would have to be
21 signed off by you all as the agency head, that's
22 why we've gone ahead and prepared the language.

23 That's what I'm saying, if we get substantial
24 feedback and there's interruption in any one of
25 these rules, so be it. We'll just come back to you

1 all and seek additional approval.

2 Again, to Commissioner Drago's point and to
3 yours, Vice Chair Brown, I think we've already
4 gotten a good idea of the way the industry would
5 like these rules to go. I would be surprised,
6 frankly, if someone comes in and wants a
7 substantial rewrite of these.

8 I would encourage anyone reading these rules
9 really think if the changes they are suggesting
10 is -- is worth it, but again I'm not trying to
11 hamper or dampen anyone's ability to engage in
12 rulemaking.

13 VICE CHAIR BROWN: Thank you. Very good
14 point.

15 Commissioners?

16 Seeing no other questions on this particular
17 rule, move forward.

18 MR. MARSHMAN: Sure. 75-14.022, the changes
19 in this rule have to do with the MEAL book. MEAL's
20 an acronym for Machine Entry Authorization Log.

21 The way it's been explained to me by
22 facilities and our slots team is that any time you
23 open up the slot machine or gaming device, you want
24 to know why it's being open, who's opening it, and
25 what's going on inside of that.

1 So our existing rule requires that log be
2 maintained in physical document, so someone's
3 taking notes as tech is doing some work inside the
4 machine.

5 As part of the enhance in technologies and
6 casinos developing on their own, there is the
7 facility base monitoring system, which is that
8 umbrella of electronic monitoring into which all
9 the machines are plugged, and there are a lot of
10 monitoring, as the name suggests, going on on all
11 the machines. That monitoring includes when a door
12 is being opened and closed in a machine.

13 The types of logs and entries we are requiring
14 the facility to maintain in a physical book can
15 also be maintained electronically as part of the
16 facility base monitoring system.

17 I think that functionality already exists in
18 the majority of the electronic machines, but
19 importantly the changes to this rule do not mandate
20 that the MEAL log or MEAL book be maintained
21 electronically, just gives the facilities an option
22 if that machine has the ability and that facility
23 base monitoring system has that functionality, they
24 can go ahead and take advantage of it.

25 So the older machines may not have that, we're

1 not making them change those machines. We're just
2 saying, hey, if you've got this functionality, you
3 can go ahead and take advantage of it.

4 VICE CHAIR BROWN: Commissioner D'Aquila.

5 COMMISSIONER D'AQUILA: We have the old
6 one-armed bandits as they were called, but maybe
7 don't. They're still in use somewhere. They still
8 use the manual system out there.

9 MR. MARSHMAN: They could. I'm not an expert
10 on all different machines there is at the
11 facilities, but your point, Commissioner D'Aquila,
12 is well met.

13 If there is that old mechanical real machine,
14 it may not be plugged in the same way the machines
15 are. But, again, we're not removing the
16 requirement that that log be maintained, we're not
17 necessitating that it be done electronically, we're
18 not asking them to put new parts into the machines,
19 we're just trying to give them the option to use an
20 electronic means to keep that information for us to
21 review if necessary.

22 COMMISSIONER D'AQUILA: Thank you.

23 VICE CHAIR BROWN: Thank you.

24 There are -- are there any other questions?
25 This one's pretty straightforward and clean.

1 On to the next rule.

2 MR. MARSHMAN: So finally I've got 75-14.054
3 and there are a series of changes throughout this
4 rule. There's three things we're trying to
5 accomplish.

6 The easiest one is to remove a requirement
7 that any machine that has the capability of
8 allowing a patron to wager \$25 or more on a spend
9 have to have it's own dedicated camera.

10 There's a couple reasons why that rule is
11 probably ripe for amendment, in this case removal,
12 first is the \$25 to spend is probably not as much
13 money as it was when this rule was originally
14 adopted, and it is onerous the way the facilities
15 describe it to have a particular camera pointed at
16 any machine that's capable of having \$25 or more to
17 spend.

18 And that dovetails I think into the second
19 reason why, which is the advance in camera
20 technology. I've been into facility surveillance
21 rooms and the cameras are very capable and they are
22 able to see many machines at once and they're able
23 to zoom in on a specific machine at a flick of a
24 button.

25 So I'm -- I'm confident, staff is confident,

1 Bill and his team are confident that this
2 requirement, although it may have made sense at the
3 time, with the advance in what folks are willing to
4 wager and camera technology, I don't know if this
5 rule is necessary any longer.

6 The next changes have to do with how the slot
7 machine facility can reassign or promote an
8 employee from within their surveillance department.

9 So there are existing restrictions on say if
10 Director Dillmore is working in the surveillance
11 department, if he wants to be reassigned to another
12 part of the facility, that rule may interfere with
13 that.

14 And that was set up in a way when again
15 perhaps more interference could be caused by a
16 malicious actor trying to observe things in a room
17 and then use that information to their advantage
18 later.

19 But with the rise of better surveillance
20 technology, the rise of better security controls, I
21 don't know if that human factor that was trying to
22 be limited is really capable of being pulled off
23 nowadays. I don't know if I can go watch a slot
24 machine floor for hours and hours and figure out
25 some way to game a machine. The entire machine is

1 subject to that facility base monitoring, auditing,
2 reconciliation, and everything else in 2025.

3 So for those reasons I'm not sure that that
4 rule's restriction is necessary any longer. I
5 think the facilities always have their own
6 self-interest to look out for. So if they don't
7 want to do it, they don't have to do it. We're
8 just taking away restriction and binding them from
9 doing it.

10 VICE CHAIR BROWN: I think that's a good
11 change.

12 MR. MARSHMAN: And then finally there is some
13 additional language that again is probably
14 congruous or unnecessary. But the language that is
15 in the rule having to do with certain staffing
16 levels, the facility already has to maintain a
17 list, they already have to have adequate staffing.
18 So a particular strike-through is most likely
19 surplus language anyway, not necessary for the rule
20 to make sense.

21 Are there any questions on that specific
22 portion?

23 VICE CHAIR BROWN: No. Seeing none, it looks
24 like just some other minor just cleanup language?

25 MR. MARSHMAN: Yes, ma'am. There -- there are

1 some changes throughout, just changing Division to
2 Commission.

3 Separately just as an aside, the Commission is
4 going to do some technical rulemaking to tweaks and
5 scrivener's error throughout our rules. That's not
6 something that I need the Commission's approval to
7 sign off on. Those are just simple filings and we
8 just correct 61D to 75, not really the issue, but
9 we're trying to go through and prune those away.

10 VICE CHAIR BROWN: That's good.

11 MR. MARSHMAN: So if the Commission is ready
12 to hear my ask for a motion, I think for each of
13 the three rules that we've been discussing,
14 75-14.020, 75-14.022, and 75-14.054, my ask for
15 each of those rules is twofold. First I'd like the
16 Commission's permission to go ahead and enter into
17 development for each of those rules and then
18 provided that we receive no request for workshop or
19 any other reason to interrupt the development cycle
20 or prolong the development cycle that is, I would
21 like the Commission's permission to then move into
22 proposed rulemaking.

23 All of the necessary documents and paperwork,
24 you've previously reviewed as part of the
25 materials. That includes not only marked up

1 language, but also the necessary certifications
2 that you would be authorizing me to file with the
3 Department of State and transmit to everyone else
4 who's interested.

5 And provided that the proposed rulemaking goes
6 the way that I think it could, which is no one's
7 asking for a hearing, there are no significant
8 questions or causes for concern to interrupt it, we
9 would then be moving with your permission to adopt
10 those rules and have them in place in the shortest
11 amount of time.

12 There are certain statutory requirements
13 and -- let's call them waiting periods where rules
14 have to be filed and then sit for a certain period
15 of time. I can't change those.

16 I'm not asking you to modify them, but what I
17 am trying to do out of an abundance of caution or
18 anyone listening to this later is I am trying to
19 get the Commission to authorize me in advance to
20 move through every step of the rulemaking up to and
21 including filing for adoption provided that there
22 is no reason for me to have to call a workshop,
23 call a hearing, or make significant changes to the
24 language.

25 If that happens we will come back to you all

1 and explain the feedback we got or explain why I
2 think we need to make changes.

3 VICE CHAIR BROWN: Okay. That's clear.

4 So, Commissioners, what -- I think the best
5 kind of motion that would be appropriate is to
6 make -- authorize and give permission to staff for
7 rule development and seeing no interference or an
8 interruption in the rule development cycle,
9 authorize staff to go proposed rulemaking and file
10 for rule adoption?

11 MR. MARSHMAN: Yes, ma'am.

12 VICE CHAIR BROWN: Is that appropriate?

13 MR. MARSHMAN: Yes, ma'am.

14 VICE CHAIR BROWN: So we are ready for a
15 motion for all three rules.

16 COMMISSIONER DRAGO: Those three; right.

17 VICE CHAIR BROWN: Who wants to make that
18 motion?

19 COMMISSIONER DRAGO: I'll -- I'll -- I'll
20 absolutely make that motion, yes.

21 VICE CHAIR BROWN: Okay. So I hope it's clear
22 -- the motion is clear as articulated.

23 COMMISSIONER D'AQUILA: I'll second.

24 VICE CHAIR BROWN: Is there a second?

25 COMMISSIONER REPP: Second.

1 VICE CHAIR BROWN: Any discussion? Seeing
2 none, all those in favor say aye.

3 (Aye responses)

4 VICE CHAIR BROWN: All right. Thank you. And
5 we look forward to the next meeting in getting
6 additional rules and thanks to Bill and his team
7 for identifying these.

8 MR. MARSHMAN: Yes, ma'am.

9 VICE CHAIR BROWN: We -- oh, we are moving on
10 to the executive director.

11 MR. MARSHMAN: So my roadmap for this is
12 shorter than typical, just because we had fewer
13 items to discuss publicly, but first is the update
14 from Director Herold regarding his team's
15 activities in the prior month, after that just to
16 confirm the Commission's scheduling, and then to
17 acknowledge some of our employees' departures as
18 Vice Chair Brown mentioned earlier.

19 So with that with the Commission's permission,
20 I'd like to turn it over to Director Herold.

21 VICE CHAIR BROWN: Thank you.

22 Good morning, Director Herold.

23 MR. HEROLD: Good morning. Carl Herold for
24 the record. Thanks for having me. It's always a
25 pleasure to speak with everybody.

1 This past month for gaming enforcement we had
2 82 investigations that we touched, the
3 investigators touched, of those 58 were
4 investigations that we were lead on.

5 So of course we're still very much involved in
6 partnerships and supporting our law enforcement
7 partners across the state, but as you can see 58
8 out of 52 -- 82 is a significant number of
9 investigations that are our own.

10 This past month we closed 11 businesses that
11 had illegal slot machines within them and we seized
12 105 slot machines. We arrested 10 individuals with
13 a total of 23 charges, charges like keeping a
14 gaming room or possession of slot machines and we
15 had one charge of -- another offense. It doesn't
16 say, sorry.

17 COMMISSIONER DRAGO: Director Herold, can I --
18 MR. HEROLD: Yes.

19 COMMISSIONER DRAGO: -- just interrupt real
20 quick, are those all misdemeanors?

21 MR. HEROLD: At -- at this point, yes, they
22 were all misdemeanors.

23 COMMISSIONER DRAGO: Thank you.

24 MR. HEROLD: And we seized about \$17,950 this
25 past month. We've been measured in our work since

1 we are short on warehouse space. Currently we have
2 37,308 square feet and we have less than 4,000
3 square feet available to us.

4 We do anticipate that that will change here
5 very shortly with the new budget here and we'll
6 have an opportunity to -- to fill up some more
7 warehouses.

8 At this point right now we have 3,569 slot
9 machines in our possession. We have 143 fish
10 tables, we have 20 coin pushers, and we have 1,150
11 computer base slot machines. They're smaller in
12 footprint, but they're still utilized for illegal
13 activity and -- any questions?

14 VICE CHAIR BROWN: No. I -- I just want to
15 point out, Director Herold, that all this, even
16 your monthly summaries are fantastic for the public
17 to hear, but the reality is if one just walks into
18 Division of Gaming Enforcement to see all of the
19 investigation -- investigative work that's going on
20 that you can't really identify, I think it is just
21 tremendous and just -- this provides just a snippet
22 of the activity that is going on, but it's much
23 more massive of the work that your department is
24 doing and your division is doing.

25 MR. HEROLD: Thank you and -- and if somebody

1 were a fly on the wall they would hear the hum and
2 drum that goes on continuously in the law
3 enforcement unit. There -- there are very few idle
4 moments and what we're doing.

5 I would like to talk about our intel and
6 analytical unit and the activity that they've done.
7 They've done 14 background investigations on
8 individuals during May, 16 business backgrounds,
9 four employment backgrounds, and our team continues
10 to participate in intel meetings with -- seven
11 intel meetings.

12 And recently our supervisor of intel was
13 selected to be the assistant coordinator. I'll
14 tell you about it next -- next month, but very nice
15 work in our intel community. She was selected as
16 an assistant to participate in that.

17 And then the intel unit also assisted in nine
18 operations this past month where they go on scene
19 and assist with the activity of getting the
20 machines put into evidence and then securing them,
21 those kind of things like that. So they are
22 actively involved and incredibly important to our
23 overall -- our mission.

24 Anything before I move on, Commissioner Drago,
25 is --

1 COMMISSIONER DRAGO: Do I have that look on my
2 face?

3 MR. HEROLD: No.

4 COMMISSIONER DRAGO: I'm just -- I'm just
5 listening -- what I'm thinking, I think I can --
6 since you -- since you read my mind there a little
7 bit, I just want to say that I think the work that
8 you've done and the unit's done and everybody here
9 and all the staff that had helped you with it, it
10 really has brought attention to this problem --

11 MR. HEROLD: Absolutely.

12 COMMISSIONER DRAGO: -- in the State of
13 Florida. And I think it's obvious anybody who
14 watches the news will see that it is becoming -- it
15 is definitely getting more attention around --
16 around the state from law enforcement, from elected
17 officials, from everybody, city officials,
18 federal -- federal officials, everybody's gotten
19 involved because of the -- I think personally
20 because of the work that's been done -- been done
21 here.

22 So I -- that was running through my head, so
23 I -- I wanted to say, but you read my mind, so I
24 might as well spit it out.

25 MR. HEROLD: Well, and, you know, I do

1 appreciate your comments, because that is true.

2 And, you know, next -- in August I'll have sat in
3 this position for three years and exactly on target
4 with what you just said.

5 You know, the goal initially was to help
6 educate the law enforcement, help educate the
7 public, and I think we've done a phenomenal job
8 with that.

9 I think that three years ago today before the
10 Commission was created and -- and we started our
11 work, I don't think that people really understood
12 the problem and the vast -- you know, the sheer
13 immenseness of it, and I think we're making great
14 inroads into that and there's still work to be
15 done.

16 We recognize that I as the director of law
17 enforcement recognize that, and my goal is to
18 continue to educate our prosecutors and our law
19 enforcement unit.

20 I will say that this past -- earlier this week
21 I was in Orlando with our team assisting them
22 with -- well, I wasn't doing much assisting. They
23 were assisting the Orange County Sheriff's Office.

24 But one of the -- the deputies came up to me
25 and said, you know, I -- I went to your website and

1 I read the stuff you got up there for law
2 enforcement and it was incredibly helpful.

3 And I thought, you know, that's a -- that's a
4 great comment to hear and, you know, our goal is to
5 increase that and make that's -- that part of our
6 law enforcement website much more robust and be a
7 resource for when we can't speak to these law
8 enforcement officers and make -- go to that site
9 and read about it and help them understand the
10 rules and the laws as it relates to illegal
11 gambling.

12 VICE CHAIR BROWN: I know you're touching on a
13 point that Commissioner D'Aquila probably wants to
14 talk about.

15 COMMISSIONER D'AQUILA: I just want to add and
16 commend you and your team. I had the privilege of
17 touring some storage facilities last month and I
18 was positively -- I was impressed I should say,
19 saddened in one degree of the number of machines
20 that we have destroyed in controlled storage at
21 great cost as -- as trial is awaiting in the
22 current environment, but the organization in which
23 they've stored and how well they're all going about
24 doing it. So thank you again, thanks to your team.
25 It was -- it was quite interesting.

1 MR. HEROLD: Well, thank you for your comments
2 and I will say that the team is what makes all this
3 happen, you know, I -- we've got a fantastic
4 evidence property group because unlike any other
5 law enforcement unit, you know, with most -- you
6 know, most law enforcement they take two or three
7 pieces of evidence on the side of the road or in
8 some type of arrest.

9 And we have broken the system for -- most of
10 these law enforcement units our reporting software
11 is not accustomed to one person taking 350 pieces
12 of evidence and so we've -- we've broken the system
13 and they've had to rethink how they catalog
14 evidence and so we've done some really good work
15 and I'm very proud of them. I really am, so thank
16 you for your nice comments.

17 I would like to also touch on the fact that
18 the -- the reports of illegal activity are up yet
19 again. This past month was 321 total reports of
20 illegal activity. And just to add context, in
21 April that was -- we had 286 and that was an
22 all-time high for monthly reporting last month and
23 it's broken it again. It's up 12 percent over last
24 month.

25 Of those 321 reports of illegal activity, 304

1 of them came in through civilians, through the
2 public, 16 came in through law enforcement agency,
3 one came in through a different avenue.

4 And to -- to, you know, add additional context
5 to this, of those 321, 110 were transferred to
6 local law enforcement agencies because of the
7 nature of the -- the complaint.

8 We actually assigned 15 of those complaints to
9 agents and 159 are pending waiting for us to have
10 additional resources to be able to manage them.

11 They're in our file in case we get additional
12 reports or we find a connection between one of the
13 cases that we're working on and one of these
14 unassigned reports.

15 And so, you know, I speak to this issue every
16 time that we have a meeting and it is -- the sheer
17 volume is greater than we can serve, and, you know,
18 we're -- the team's working very hard, but it's
19 unfortunate that the number of complaints that we
20 get and incapable of servicing all of them, but we
21 do our best.

22 Any questions about that before I move on?

23 COMMISSIONER DRAGO: Do -- do you get
24 complaints from dissatisfied customers from these
25 illegal casinos?

1 MR. HEROLD: Yes, and, you know, I will say
2 that -- are you talking about like people that say
3 that they've won and -- and they're unhappy because
4 they didn't get paid?

5 COMMISSIONER DRAGO: Right.

6 MR. HEROLD: Yes. We get those all the time
7 and I just saw one earlier this week from a lady
8 that said that she won \$500,000 and they refused to
9 pay her because they said that the credit card she
10 had on file, something was wrong with it, some
11 technicality. We see that all the time.

12 So it is unfortunate and -- but again these
13 individuals I don't know if they know that they're
14 going into illegal establishments. Based on the
15 complaint that I read, it sounded like she thought
16 that she was in a legitimate place and wanted us to
17 remedy the situation for her.

18 COMMISSIONER DRAGO: That's why education I
19 think is so important, not just for law enforcement
20 but for the general public to understand what
21 they're dealing with there.

22 And these places are illegal, they don't pay
23 off --

24 MR. HEROLD: They don't.

25 COMMISSIONER DRAGO: -- all kinds of crime

1 occurring in and around them and that they -- they
2 need to know that. It wasn't -- I don't think it
3 was out there before in the -- the way it is now.

4 And I also congratulate the legislature and
5 Governor DeSantis for putting this together,
6 because this was -- this was what the State really
7 needed to fight this illegal gambling going on in
8 the state, and, you know, everybody here has picked
9 up the ball and run with it, but the public is --
10 is in danger of these places.

11 MR. HEROLD: Absolutely. Yeah, these illegal
12 locations, their business model is not to pay up
13 later. No, they're -- they're to take your money
14 and -- and they're going to keep it and do what
15 they want to with it, so.

16 VICE CHAIR BROWN: And I think,
17 Director Herold, as we move forward closing out the
18 fiscal year and reflecting on, you know, three
19 years of you being in this position -- and I know
20 you're already doing the work but looking at
21 priorities, and so we're also grown so -- your
22 division has just grown so much.

23 But taking a moment to reflect on where the
24 priorities are, and as a Commission too where we
25 would love the priorities to be focused on, you

1 know, rampant illegal online gambling, as we've
2 discussed there -- there's a lot and there's only
3 so few resources.

4 So having those partnerships that you have and
5 continuing to foster and have points that even
6 exceed outside of law enforcement --

7 MR. HEROLD: Absolutely.

8 VICE CHAIR BROWN: -- I'd love for us to have
9 that hearty discussion.

10 MR. HEROLD: I -- I welcome that and I've
11 always appreciated the input and the perspective of
12 the Commission. Thank you for that.

13 I would like to move on to, you know, we -- we
14 seem to do a lot of conversation, had a
15 conversation about the number of machines, I'm
16 pleased to announce that we have nine different
17 cases with a smaller amount of machines that we are
18 going to be able to destroy and open up.

19 So it's a total of nine cases across the
20 state. And as it stands right now, 154 machines
21 that we'll be able to destroy. There's some
22 associated evidence that goes with that, but the
23 biggest part is the slot machines. That's the
24 stuff that takes up --

25 VICE CHAIR BROWN: So that means that those

1 cases have been concluded?

2 MR. HEROLD: That's correct. That's correct.

3 And I -- I would like to thank our legal adviser,
4 Cayelan Cwirka, and then also our evidence property
5 team for work that they're doing, because they have
6 been on the phones working very hard to try and
7 find out which cases are resolved and keeping up
8 with that so that we can try to get some of this
9 evidence out.

10 VICE CHAIR BROWN: Commissioner D'Aquila.

11 COMMISSIONER D'AQUILA: Would it be possible
12 going forward on these reports to include how many
13 machines are being destroyed --

14 MR. HEROLD: Absolutely.

15 COMMISSIONER D'AQUILA: -- resolved each
16 month, sort of like the first in, first out?

17 MR. HEROLD: Exactly.

18 COMMISSIONER D'AQUILA: I don't mean to sound
19 like an accountant.

20 MR. HEROLD: Right. I would be happy to
21 report on that. We are working on the destruction
22 part of it. We're waiting till we get a few more
23 machines and -- and then we'll have a destruction
24 party of some sort.

25 VICE CHAIR BROWN: Thank you.

1 MR. HEROLD: And -- and that is pretty much
2 what I have. In case you have any other questions,
3 I'm always eager to answer your question.

4 VICE CHAIR BROWN: Thank you.

5 Thank you, Commissioner Drago, for your
6 comments (inaudible) the team. Thank you --

7 MR. HEROLD: Thank you.

8 VICE CHAIR BROWN: Back to Director Marshman.

9 MR. MARSHMAN: As far as scheduling goes,
10 Ms. Parker provided a list of the dates that we
11 already have all the way to December. We have
12 July 8, August 6, September 11, October 16,
13 November 6, and then December 4th.

14 We are in this room for the next two meetings.
15 We're across the hall in September. We're in this
16 room again in October. We're in the Florida
17 Commission on Offenders Review's hearing room in
18 November, they were kind enough to allow us to use
19 that, and then we're back here in December.

20 So I'm not sure if there's any modifications
21 to those dates that are necessary or if there's any
22 other dates you would like to schedule out.

23 VICE CHAIR BROWN: No, that sounds good.

24 MR. MARSHMAN: Okay.

25 COMMISSIONER DRAGO: Sounds good.

1 VICE CHAIR BROWN: Thank you.

2 MR. MARSHMAN: So the final item on my list is
3 the acknowledgment of some employees that are
4 leaving us. And I had asked Director Dillmore to
5 be prepared to speak about Ms. Tracy Swain and I
6 was going to speak about Ms. Katie Young.

7 So, Direct Dillmore, would you like to go
8 first or would you like me to?

9 MR. DILLMORE: No, go ahead.

10 MR. MARSHMAN: So Katie Young has been with us
11 for some time and she was probably our first real
12 communications director, and with that she brought
13 entire new language that she helped all of us try
14 to understand and try to magnify the message and
15 the good work that the Commission is doing, and a
16 lot of that is magnifying the work of
17 Director Herold and his team.

18 So without her and her expertise in that
19 field, we really wouldn't have been able to get out
20 as well as we did the work that we were doing. It
21 seems, you know, rudimentary that you would want to
22 have a press release for everything that you're
23 doing, but we weren't doing that, not the way we
24 should have been doing it.

25 So even though she has not been here for 10,

1 15 years, her impact on the Commission is going to
2 be felt for a long time and she's already changed
3 the way that we work and we're going to carry that
4 forward.

5 And she's been asked to take on an even more
6 responsible position at another important agency
7 and I wish her all the best and thank her very much
8 for all of her time she gave the Commission.

9 VICE CHAIR BROWN: Thank you. Thank you for
10 that summary.

11 Ms. Young, we've all worked with you and have
12 had an opportunity to create something, again, out
13 of nothing. So the work that you've done here is
14 felt and is going to be continued as we move on to
15 a new director and you move on to bigger and
16 brighter pastures, we're going to -- we're going to
17 have an opportunity to also refine and enhance even
18 the work that was there.

19 So I know Carl hopefully and Lisa will be
20 helpful in coming up with finding that new person
21 with -- along with the -- Director Marshman.

22 I know the position's been advertised, so we
23 would encourage folks to apply, but definitely
24 having our director of gaming enforcement involved
25 in that is going to be critical for that goal.

1 Commissioners, any other comments?

2 COMMISSIONER DRAGO: I just want to thank you
3 as well, Katie. It was important -- it was great
4 getting to know you, it was great having you here,
5 and you are one of the building blocks here.

6 Just like Director Marshman said, you -- you
7 participated immediately, you set things up that we
8 didn't have before, which helped all of us, and
9 that -- you know, we'll build on that.

10 So it's the -- it's the move that we needed at
11 the time. We're sorry to see you go and we -- but
12 we thank you for the time you were here and thank
13 you for aiding that building block to the agency.

14 You'll always be able to look back and say I
15 had a part of that, building that new agency. So
16 we appreciate you and wish you good luck.

17 VICE CHAIR BROWN: Commissioner.

18 COMMISSIONER D'AQUILA: I'm just delighted
19 you're going to continue to serve our great state.
20 Thank you for that and thank you for the education
21 and making communication interesting. You will be
22 sorely missed and just wishing you all the best, so
23 thank you.

24 VICE CHAIR BROWN: Thank you.

25 Commissioner Repp.

1 COMMISSIONER REPP: Want to thank you as
2 everyone else has for everything you've done for us
3 and to wish you all the luck in the world in your
4 new position and hopefully many more years of
5 serving the State of Florida. Thank you.

6 VICE CHAIR BROWN: Yes, thank you very much.

7 All right. And we're going to move on to
8 Director Dillmore.

9 MR. DILLMORE: Thank you. I want to add one
10 other name to the list too, if you'll --
11 Pamela Harrell just retired last month as well.

12 So she -- she joined us about 17 years ago in
13 the Division of Pari-Mutuel Wagering and we created
14 a very specific new position. It was someone to
15 come in and handle our intranet page, get
16 information out to employees, onboarding, most
17 importantly training.

18 She did that for basically the whole time she
19 was here and most importantly she established our
20 whole awards program, recognize employees, getting
21 certificates, years of service, all that kind of
22 stuff.

23 And so when PMW transferred to the FCCC, she
24 continued on as a training coordinator and -- for
25 not only the Division, but whole Commission. So

1 all those training programs on ethics and stuff,
2 she put all that stuff together and I just want to
3 say -- thank her for her -- her many years of
4 dedicated service. I want to wish her a really
5 happy relaxing retirement.

6 VICE CHAIR BROWN: Absolutely. She did a
7 stellar job of training, really thrived in that
8 role.

9 MR. DILLMORE: And our other employee,
10 Tracy Swain, unless I can get a last-ditch effort,
11 a final order rejecting her resignation --

12 VICE CHAIR BROWN: We were going to have one
13 delivered right here.

14 MR. DILLMORE: No, seriously. Tracy accepted
15 another position with another agency and she joined
16 the Division 19 years ago just after slots were
17 authorized in Florida.

18 So it was a very dynamic time for us and a
19 whole new section of rules and statutes and taxes
20 and fees to collect, so -- and first -- well, all
21 that time she's really been my right hand ever
22 since. She instantly demonstrated a strong desire
23 to learn and the ability to adapt to complex and
24 technical industry.

25 And her role as revenue administrator she not

1 only oversaw time collection, tax and fees, but
2 revenue projections, impact -- impact conferences,
3 legislative analysis, and so much more, and she has
4 been a great friend and mentor to me developed a
5 wealth of institutional knowledge.

6 She's the type of employee who just -- you
7 can't replace. We would have been fortunate to
8 have her just for a couple years, let alone 19.
9 She's always there doing the most complex issues
10 and the shortest deadlines, we've had a lot of
11 those.

12 So it's obviously a great loss for the FGCC
13 and our team, I'm excited for her for this great
14 opportunity to grow her professional career.

15 Her unpressing dedication to her job was a
16 significance factor of success in the Division many
17 years and she's greatly appreciated and she'll be
18 greatly missed.

19 VICE CHAIR BROWN: If we could have all --
20 please stand recognizing Tracy.

21 (Applaud)

22 VICE CHAIR BROWN: Thank you, Direct Dillmore.
23 We will have you do one last thing there,
24 presenting this beautiful tribute.

25 (Presenting tribute)

1 VICE CHAIR BROWN: I think some Commissioners
2 want to have a few words, but I -- before we do
3 that, Director Dillmore, people -- he didn't really
4 state this, but people don't stay with the same
5 State agency for 19 years because, you know, it's a
6 great paycheck or anything like that. They stay
7 because they love the people, they love the family.

8 Director Dillmore helped create and cultivated
9 that family along with you and build something
10 incredible. So very -- it's emotional because
11 having people -- great people leave is very hard
12 and -- but we know that you're going to continue to
13 have a pulse here and have an imprint on here
14 for -- for decades more, so thank you so much.

15 Commissioner Drago.

16 COMMISSIONER DRAGO: Just -- just real
17 quickly.

18 Tracy, I just want to say how much I
19 appreciate the time with you, getting to know you,
20 working with you.

21 I remember the last time I was here how many
22 years ago, Tracy was the go-to person back then as
23 well as now and how important you are and were
24 and -- and just to follow-up with what Vice Chair
25 Brown is saying, it's -- it's so nice to see

1 someone who's really dedicated to what they're
2 doing, really dedicated to the agency, and I think
3 even more than that dedicated to the people you
4 work with.

5 So it's -- it's shown every day that you care
6 about the people around, you taught people, you
7 trained people. It's important to you that this
8 agency and before that DBPR looked good and did --
9 did the right thing by the public and by -- by all
10 the operators and -- and everybody.

11 So it's -- it's certainly to notice, probably
12 we don't share that enough, but it was noticed. We
13 all appreciate it. We're going to miss you very
14 much. I personally was going to make a motion to
15 deny it, but Vice Chair Brown said I can't do that.

16 COMMISSIONER D'AQUILA: I second that motion.

17 COMMISSIONER DRAGO: So good luck. I hope we
18 see you once in a while, come back and say hello.
19 We miss conversations in the hallway and
20 everything, so good luck to you. Thank you.

21 VICE CHAIR BROWN: Commissioner D'Aquila.

22 COMMISSIONER D'AQUILA: Tax and financial
23 folks, everything has to add up the penny and --
24 and it's hard to imagine this agency is not even
25 three years old. And every time I try to find

1 something wrong with the number, at least Tracy's
2 area, you never find it. You got this machine
3 running so smoothly.

4 I think one of the reasons we're -- we're --
5 it's the people that enable us to go from two or
6 three people to I think 198 full-time equivalents
7 as of today is because people are here every day
8 doing the hard work and consistent high quality
9 (inaudible), and it's a tough job getting
10 everything to balance to the penny, (inaudible) --

11 VICE CHAIR BROWN: They are. I read that.

12 COMMISSIONER D'AQUILA: See, Tracy, with you
13 leaving, they're already making things easier.
14 Thank you so much. You are the utmost
15 professional. Thank you for continuing to serve
16 the great State of Florida.

17 VICE CHAIR BROWN: Thank you.

18 Commissioner Repp.

19 COMMISSIONER REPP: We'll be balancing to the
20 nickel now. Thank you so much for your service to
21 the Gaming Commission. I greatly appreciate it.
22 You're so highly thought of here. And to say that
23 you were the go-to person, I heard around the
24 office that you will continue to be go-to person
25 for some people and -- and I know you'll take those

1 calls and -- which just makes you a phenomenal
2 employee all around and good luck and thank you so
3 much.

4 MS. SWAIN: Thank you.

5 VICE CHAIR BROWN: Thank you again. Thank
6 you.

7 With that, Director Marshman.

8 MR. MARSHMAN: I just want to acknowledge that
9 we have a new CIO starting --

10 VICE CHAIR BROWN: Yay.

11 MR. MARSHMAN: -- he starts this week. His
12 name Mr. Coleman Ayers (ph). I don't think we made
13 him walk over here, but we're excited to have him.
14 He was the Deputy CIO at his previous job, so now
15 he's stepped fully into the CIO role here and he's
16 already stepped onto the ground running. He's
17 already gotten his team and we're looking forward
18 to continue to work with him for some time, so I
19 think Lisa's excited to have him as well.

20 So with that, that's all I have planned for
21 today. If there's any questions or anyone needs
22 anything, please reach out or at least ask.

23 VICE CHAIR BROWN: Does anybody have any
24 questions?

25 COMMISSIONER DRAGO: I don't, no.

1 VICE CHAIR BROWN: Do we -- I just have one on
2 the communications vacancy. Do we know when that
3 closes?

4 MR. MARSHMAN: Ms. Mustain, do you know when
5 that closes?

6 MS. MUSTAIN: I do not.

7 VICE CHAIR BROWN: Are we advertising the
8 usual portals?

9 MS. MUSTAIN: Yes, it's through People First
10 and we advertised it for two weeks -- three weeks,
11 excuse me, three weeks.

12 VICE CHAIR BROWN: LinkedIn and all of that?

13 MS. MUSTAIN: It's probably got two more weeks
14 to run, if I had to guess.

15 VICE CHAIR BROWN: I definitely see -- I'm
16 looking forward to applicants applying. I think --
17 I know Carl and his shop they need someone in there
18 sooner rather than later, so hopefully we get
19 someone -- some qualified folks for you.

20 MR. MARSHMAN: Mr. Taupier pointed out that it
21 closes June 26.

22 VICE CHAIR BROWN: Thank you.

23 So if anybody knows anybody really good --
24 they qualify, please tell them to apply.

25 Commissioners, if there are no other

1 questions, we're going to move to open comments --
2 public comment. Seeing none.

3 All right. We have three speakers that have
4 already signed up for -- for items that are in our
5 attorney/client session, but they will be coming
6 before us during this public comment. I'm going to
7 read their names out in the order.

8 We've got first Mr. Jonathan Zachem. This is
9 going to be for our attorney/client session that
10 will be closed for Item 12.1, just for PP -- PPI.

11 Good morning.

12 MR. ZACHEM: Good morning. Commissioners, I
13 appreciate the opportunity to be here.

14 With your indulgence, I'd like to make two
15 comments pertaining to some things that were said
16 during the Commission meeting.

17 First of all I had the privilege of working
18 with Tracy also and I want to personally thank her
19 for helping out folks as they step in and try and
20 figure out the world of gaming. She was phenomenal
21 in helping me in multiple roles working as a
22 regulator.

23 And I don't know if a lot of folks realize her
24 value. It really is impressive. Those that end up
25 working for the Gaming Commission who worked for

1 the Division of Pari-Mutuel Wagering and seeing all
2 the things she's done, it meant a lot, she put us
3 in positions to succeed.

4 And so while we figured out how to get our
5 legs under us, how to really be able to present
6 things properly and be able to do our job, I felt
7 the need to say that.

8 I also want to thank Mr. Marshman and his team
9 and some of the work they've done with us and
10 working on these rules, I see that we're working
11 our way towards -- towards completion and helping
12 out the facilities. So thank you for your
13 indulgence on that. I didn't think I would be met
14 with opposition thanking folks, so I took the
15 liberty of doing so.

16 Briefly pertaining to PPI today, the case that
17 you have, it's a bit of an unusual case and I just
18 want to give a few thoughts for context.

19 Thank you for your staff for working with us.
20 Ms. Alvarado's been phenomenal for the last few
21 months trying to -- to work our way towards
22 conclusion.

23 Important things for consideration I'll
24 paraphrase something Mr. Dillmore said earlier. If
25 you look at the event that occurred and the amount

1 of times that error could happen pertaining to it
2 in the context he was talking about, pertaining to
3 a dealer, what you're looking at is a situation
4 where -- at our facility we average well over a
5 million customers and clients that end up walking
6 through the door each year. We've been in place
7 for over 15, close to 20 years that we've been
8 operating at that level.

9 In your investigative report you'll see that
10 it's the one instance that they can find a
11 complaint of this nature.

12 For this type of a cash change that ends up
13 occurring, you can have hundreds of these a day.
14 I'm not going to embarrass myself in front of
15 Commissioner D'Aquila and do the math, but you can
16 imagine how great a number that is.

17 And you're talking about one isolated incident
18 this occurred where there were internal controls,
19 there were things that ended up being in place that
20 should have been followed and you have a licensed
21 individual who's a good employee that attempted to
22 follow that path.

23 There's no history of anything happening that
24 was anything like this in the past. In our lengthy
25 period of time being in place, there's no evidence

1 of money being lost, any tax issues pertaining to
2 the agency that would have been a negative.

3 There's no questions of integrity, of gaming
4 that was going on that would end up being a
5 negative that would have -- that would have put us
6 in a position that are huge concerns of the Gaming
7 Commission.

8 And in this case we also worked with your
9 folks on the ground that are at the facilities
10 themselves. The individual that made the error, we
11 also ended up self-reporting that issue.

12 We made sure to put it in the file that they
13 ended up having a situation to give them a written
14 warning so that it was in the file.

15 For every one of our employees that makes a
16 failure to follow our controls and makes a failure
17 to follow statute or rule, we go forward and do
18 continual training, as well as for that individual.
19 We also do it for our entire team.

20 We send reminders out to everyone that could
21 end up falling in this category. Be very cautious
22 and understand one mistake can lead to an area of
23 noncompliance. We make sure to repeat that fact to
24 them as much as we can. We just appreciate the
25 opportunity to work with your team on the ground

1 there.

2 If you have any questions that I can end up
3 answering about it, we offer a settlement to you
4 and we look forward to the opportunity to resolve
5 this case, which I believe it's closer to about two
6 years ago that it occurred and we've had no issues
7 since then as well. So thank you very much for --

8 VICE CHAIR BROWN: Thank you, Mr. Zachem. I
9 do have a question. You said that the PPI also has
10 offered training to the individual but also to the
11 entire team that would be in a similarly situated
12 position. I just want confirmation of that.

13 MR. ZACHEM: That's correct. We have updates
14 that we end up doing for our team. There hasn't
15 been very many statutory changes, but for -- I
16 would say this is a reflection of the gaming
17 industry, we endeavor at least yearly to try and
18 make sure that our team is aware of any possible
19 changes to make sure where they are.

20 And unfortunately since COVID, we had a large
21 turnover in staff that's incurred in various
22 positions. So we made a point of making sure that
23 as new staff comes in, they're constantly updated
24 on things that are going on and making sure there
25 are things that they are aware of communicated so

1 that they can be able to understand nuances of the
2 rules, the internal controls that we put before the
3 Gaming Commission that are reviewed by you all, and
4 our partnership we think it's the most reasonable
5 way to offer structure, but we remind them
6 frequently of it more than once a year.

7 VICE CHAIR BROWN: Thank you.

8 Commissioners, any other --
9 Commissioner Drago.

10 COMMISSIONER DRAGO: Yeah, if I could have a
11 quick question on the training. So is the training
12 done in a formal setting? In other words, when new
13 employees come in, do they sit down in the
14 classroom, get trained by somebody, or is mostly or
15 all on-the-job training kind of situation?

16 MR. ZACHEM: I don't want to speak too far
17 down in the details and say something that would be
18 incorrect, Commissioners, so I'll tell you what I
19 know of and it might not be all inclusive of what
20 actually occurs.

21 I know there's on-the-job training shadowing,
22 if you will, of people that are doing the job
23 itself. They, of course, have to be licensed
24 before they're even operating there. So they end
25 up going through the background screenings and

1 everything as you all end up working your way
2 through improving.

3 But there is an element of shadowing. There
4 is a written element of it where they sit down and
5 understand what they're looking at. There's
6 opportunities to speak and interact with trainers.

7 We got our compulsive gambling folks that do
8 training, some of those types of things that occur
9 yearly when licenses come up, things of that
10 nature.

11 So there's a combination of all parts I would
12 say. There's the more hands-on element where
13 there's an opportunity to shadow more experienced
14 individual as well as a written element.

15 COMMISSIONER DRAGO: Okay. Thank you.

16 VICE CHAIR BROWN: Commissioners, any other
17 questions?

18 Thank you, Mr. Zachem.

19 MR. ZACHEM: Thank you all.

20 VICE CHAIR BROWN: Okay. We have another
21 individual, Mr. Gary Rutledge, who is here to speak
22 on two other cases that are going to be before us,
23 12.2 and 12.3, Tampa Bay Downs and Tampa Bay Downs
24 Entertainment.

25 Mr. Rutledge.

1 MR. RUTLEDGE: Thank you, Madam Vice Chair and
2 Commissioners. I'll try to be relatively brief. I
3 know that the meeting's been going on for a while.

4 First of all I'd like to take the second
5 matter, 12.3, that's going to be before you in your
6 attorney/client session first, because that's
7 fairly brief.

8 We proposed a settlement in this regard. This
9 had to do with a drop box at a poker table. The
10 drop box was not unlocked. It was just not
11 attached -- it's not attached securely to the
12 table.

13 There hadn't been other problems in this
14 regard. There's no question about any untoward,
15 you know, activity with regards to the money that
16 was put in the box or the playing the games and so
17 we just ask that for your consideration, there also
18 hadn't been any prior situations involved in this
19 type of situation so -- so much for that.

20 The second item -- item, Madam Vice Chair and
21 Commissioners, is the combined case of 12.2, and
22 you'll see that there's two different case numbers
23 here.

24 This involves two different situations. The
25 first situation had to do with the failure of

1 surveillance. And the parallel aspect when there's
2 a failure of surveillance of course is you wouldn't
3 have -- if there's a failure of surveillance, you
4 wouldn't have the surveillance tapes, video, to
5 look at.

6 So both -- this first case and the second case
7 you cite -- they cited -- the Commission has cited
8 the violation for the failure of surveillance, but
9 there's duplicate charges because the failure of
10 that, so we're not contesting that there are two
11 different rules, but it's -- I want y'all to
12 appreciate it's the one issue.

13 When that happened, the first case that has
14 two counts, the first two counts of the complaint,
15 and it was brought to the Commission -- to the
16 track's attention. It was immediately rectified
17 and we proposed a settlement that you'll be able to
18 discuss the secondly -- subsequently.

19 The second issue which is the majority of the
20 components of counts in the complaints has to do
21 with once again no surveillance being specifically
22 with regards to an area of the cardroom having to
23 do with the vaults and cashiers' cages and this
24 went on for some considerable days, a week to two
25 weeks.

1 In fact as you'll see in your documents, we
2 really don't believe that this was even something
3 that should have been required.

4 This was not the cardrooms cashier or their
5 vault, this was a separate almost like a safe
6 deposit box where they would make available on
7 occasions to players or designated players for them
8 to store their chips.

9 So there's no State money involved, there's no
10 back and forth between the cashiers' cage and the
11 vaults and the tables, which routinely occurs.
12 This would just be when an individual goes and
13 takes that money out for their playing. It's not
14 required. The Commission rules don't require this
15 to be available. It was just a convenience that
16 was provided to them. It is part of their floor
17 plan, that security, so we can see that.

18 My client has advised me that the Commission
19 staff on site did suggest or require that they put
20 that in, they did, so you do have that.

21 But I just wanted to say there's no -- there's
22 never been any issue with the chips or untoward
23 conduct with regards to that, but it looks like a
24 very lengthy complaint because every day there's a
25 citation for the same violation times two.

1 And finally the last thing is notwithstanding
2 our contention that this shouldn't be required,
3 they have immediately rectified that. This case
4 goes back to approximately two years. There was
5 not any information that I know of that, at least
6 with regards to this particular issue, that there
7 have been any subsequent problems.

8 And then the last thing is I just wanted to
9 call your attention to the rule, because the rule
10 doesn't say -- it says, Cardroom Electronic
11 Surveillance at 75-11.025, and the surveilled
12 activity that's required is the conduct and
13 operation of the cashiers' cage and/or vault.

14 So this contemplates that it was the track's
15 fault, the and/or vault, not vaults or in this case
16 what I would equate it to is a safe deposit box for
17 customers.

18 I'd be glad to answer any questions that you
19 might have, and thanks for your consideration. We
20 still want to resolve this and (inaudible) and have
21 tried to put a good faith proposal for your
22 consideration.

23 VICE CHAIR BROWN: Thank you, Mr. Rutledge,
24 for coming down here and also providing some
25 additional details.

1 Commissioners, any questions?

2 COMMISSIONER DRAGO: No.

3 VICE CHAIR BROWN: Thank you.

4 MR. RUTLEDGE: Can I add, I just wanted to,
5 Tracy, I've been involved in this business the
6 whole time that she has, the 19 years, and well
7 beyond that and it reminded me, Commissioner Drago,
8 she's the best. We haven't always agreed 99.9
9 percent of the time, but she --

10 VICE CHAIR BROWN: But she's better than you,
11 because you said she's the best.

12 MR. RUTLEDGE: She is so personally and
13 professionally responsible.

14 I wish you the best. You're great, Tracy.

15 VICE CHAIR BROWN: Thank you for that. I
16 appreciate it. Yeah, one of a kind.

17 Okay. We have one last speaker who is on
18 Teams, my understanding, but is represented by a
19 lawyer present. His name is Alfredo, and I'm so
20 sorry if I mispronounce this, Izaguirre, it is for
21 Item 12.5, which will be handled in our
22 attorney/client session.

23 Is he present? If he's present he can come
24 right up to the podium.

25 MS. PARKER: He is. He may need to do star 6

1 to unmute his microphone.

2 VICE CHAIR BROWN: Oh, okay. He's not -- he's
3 not physically present, he's on --

4 MS. PARKER: He's on the Teams.

5 VICE CHAIR BROWN: Mr. Alvarez -- I mean,
6 Mr. Izaguirre, you just need to unmute yourself.
7 We can hear you once you do that.

8 Hello? We're just double checking that he --
9 you are on -- available.

10 MR. IZAGUIRRE: Hello.

11 VICE CHAIR BROWN: There you are. We hear
12 you.

13 MR. IZAGUIRRE: Yeah, good morning. Sorry
14 about that.

15 VICE CHAIR BROWN: Good morning. Can you just
16 state -- can you state your name for the record.

17 MR. IZAGUIRRE: Yes. Alfredo Izaguirre on
18 behalf of Roberto Alvarez. This is Item 12.5.

19 VICE CHAIR BROWN: Thank you. You may
20 proceed.

21 MR. IZAGUIRRE: I'd like to thank the
22 Commission for giving us the time to address this.
23 I apologize -- we apologize for not being there in
24 person, but it was not financially feasible for my
25 client for him and I to go over before the

1 Commission.

2 VICE CHAIR BROWN: Sounds good.

3 MR. IZAGUIRRE: My client received the
4 complaint. I've been under discussions with Mr. --
5 Mr. Hundersmarck for quite some time. He did not
6 deny the allegations in the complaint.

7 I know the complaint is requesting permanent
8 exclusion, and we've been offering and speaking
9 with Mr. Hundersmarck and asking for either a
10 temporary exclusion or a nominal fine.

11 He has never been back to the casino since his
12 ejection, he's never had any issues before, and he
13 is an elderly person who honestly just goes to the
14 casino on his spare time and would like to go back,
15 (technical interference) issues with this casino in
16 the past and he's been compliant except for this
17 incident.

18 Again, he pretty much admitted responsibility
19 and we'll be asking for temporary exclusion or a
20 small nominal fine, whatever the Commission feels
21 is reasonable.

22 VICE CHAIR BROWN: Thank you, Mr. --

23 MR. IZAGUIRRE: With that I don't have any
24 more arguments (technical interference).

25 VICE CHAIR BROWN: Thank you. Do you have any

1 additional details to provide us before I turn to
2 the Commissioners and see if there are any
3 questions?

4 MR. IZAGUIRRE: No, that concludes.

5 VICE CHAIR BROWN: Okay. Thank you.

6 Commissioners, do you have any questions?

7 COMMISSIONER DRAGO: No.

8 COMMISSIONER D'AQUILA: No.

9 VICE CHAIR BROWN: Okay. Seeing none, thank
10 you so much. We will be taking the matter in our
11 closed meeting coming up very shortly and then
12 we'll go back on the record. You can mute
13 yourself, please. Thank you.

14 MR. IZAGUIRRE: Thank you.

15 VICE CHAIR BROWN: Is there anybody else in
16 the public that would like to address us today can
17 come up. Seeing none. Okay.

18 Commissioners, before we briefly adjourn and
19 move to our attorney/client session, are there any
20 other matters that you would like to address right
21 now? Okay.

22 Again, you can mute yourself, Mr. Izaguirre,
23 please.

24 With that we are going to go ahead -- right
25 now I'm going to turn it over to Ms. Alvarado, who

1 will be discussing our attorney/client session.

2 Again, some statutory requirements to read.

3 MS. ALVARADO: The Office of General Counsel
4 requests that the Commissioners do close the
5 meeting so that the Office of General Counsel may
6 seek advice from Commissioners in a closed meeting
7 concerning litigations styled Florida Gaming
8 Control Commission versus PPI, Inc., Case Number
9 2023-043605; Florida Gaming Control Commission
10 versus Tampa Bay Downs in Case Numbers 2023-013802
11 and 2023-029054; Florida Gaming Control Commission
12 versus TBD Entertainment, LLC, Case Number
13 2024-067655; Florida Gaming Control Commission
14 versus Bestbet St. Augustine, Case Number
15 2024-045025; Florida Gaming Control Commission
16 versus Roberto Alvarez, Case Number 2024-054435;
17 Florida Gaming Control Commission versus
18 Scott David Acker, Case Number 2024-064119.

19 This advice relates to litigation strategy and
20 settlement negotiations and may, therefore, be
21 discussed in private pursuant to Sections 16.716
22 and 286.0118 Florida Statutes.

23 VICE CHAIR BROWN: Thank you, Ms. Alvarado.

24 Now, in connection with the performance of our
25 regulatory duty, it is necessary for the Commission

1 to hear information that's exempt or confidential.
2 Specifically the Commission and counsel will
3 be discussing litigation strategy and settlement
4 negotiations with the Commissioners related to the
5 aforementioned litigation style that Ms. Alvarado
6 read into the record.

7 The closing meeting -- the closed meeting is
8 scheduled for approximately 30 minutes. Those in
9 attendants will be Vice Chair Julie Brown,
10 Commissioner Chuck Drago, Commissioner Tina Repp,
11 Commissioner John A'Quila, Acting Executive
12 Director Ross Marshman, Division Director
13 Joe Dillmore, Deputy General Counsel Marc Taupier,
14 Chief Attorney Emily Alvarado, Senior Attorneys
15 Justin Hundersmarck and Shireen Anbardan,
16 Brandy Humphries, Dixie Parker, and our certified
17 Court Reporter Judy Martin.

18 In accordance with Section 16.716 and
19 286.011, Subsection 8(c) Florida Statutes: The
20 closed meeting including the necessity for closure
21 and specific reasons for such necessity will be
22 recorded by our certified court reporter.

23 No portion of the closed meeting will be by --
24 will be off the record. The court reporter's notes
25 will be fully transcribed and filed with the Clerk

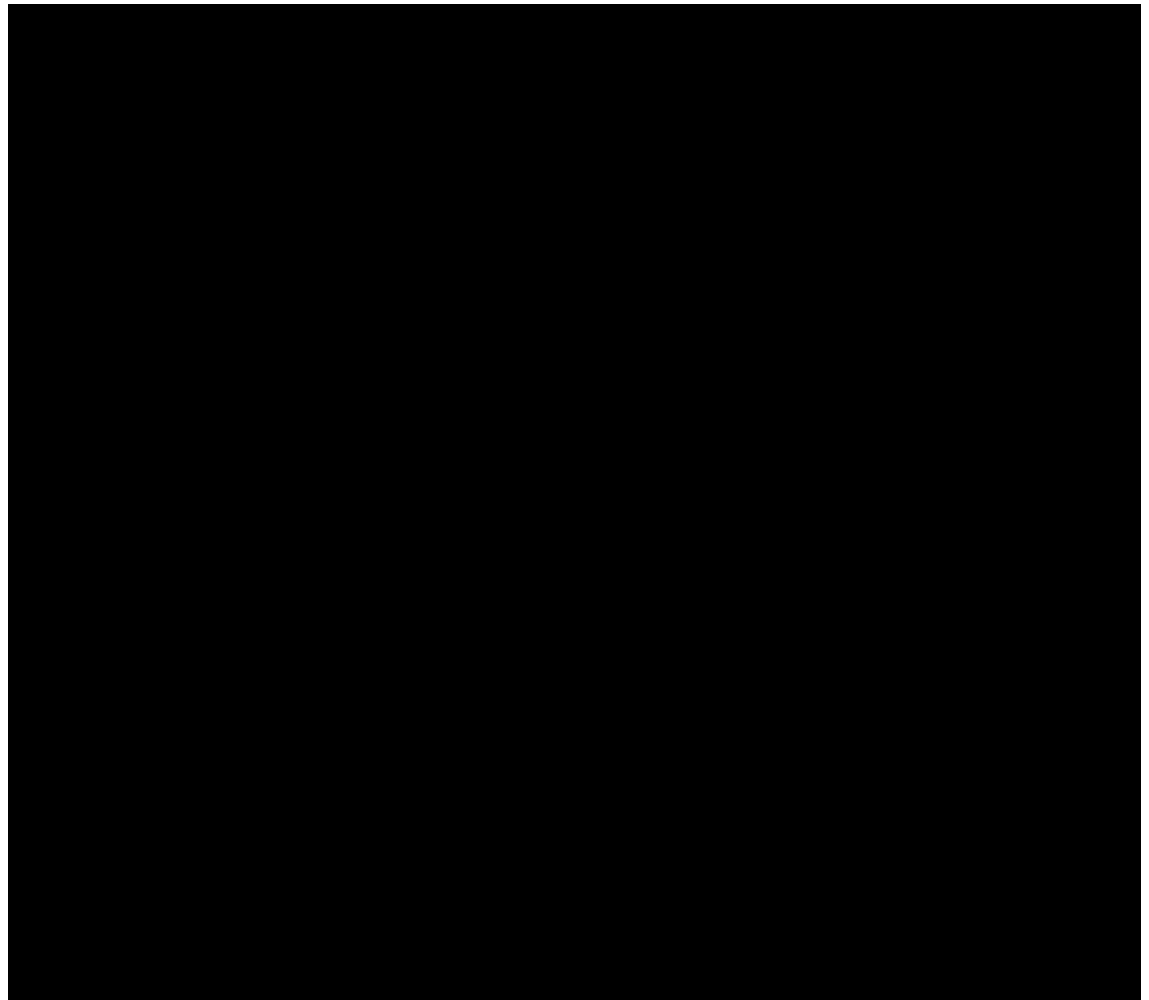
1 of our Commission. The transcript will be made
2 public upon conclusion of the litigation.

3 For the record, the time is now 11:30 a.m. and
4 I'm going to ask The Florida Channel to discontinue
5 the live feed for the next 30 minutes, so that we
6 can conduct our closed meeting.

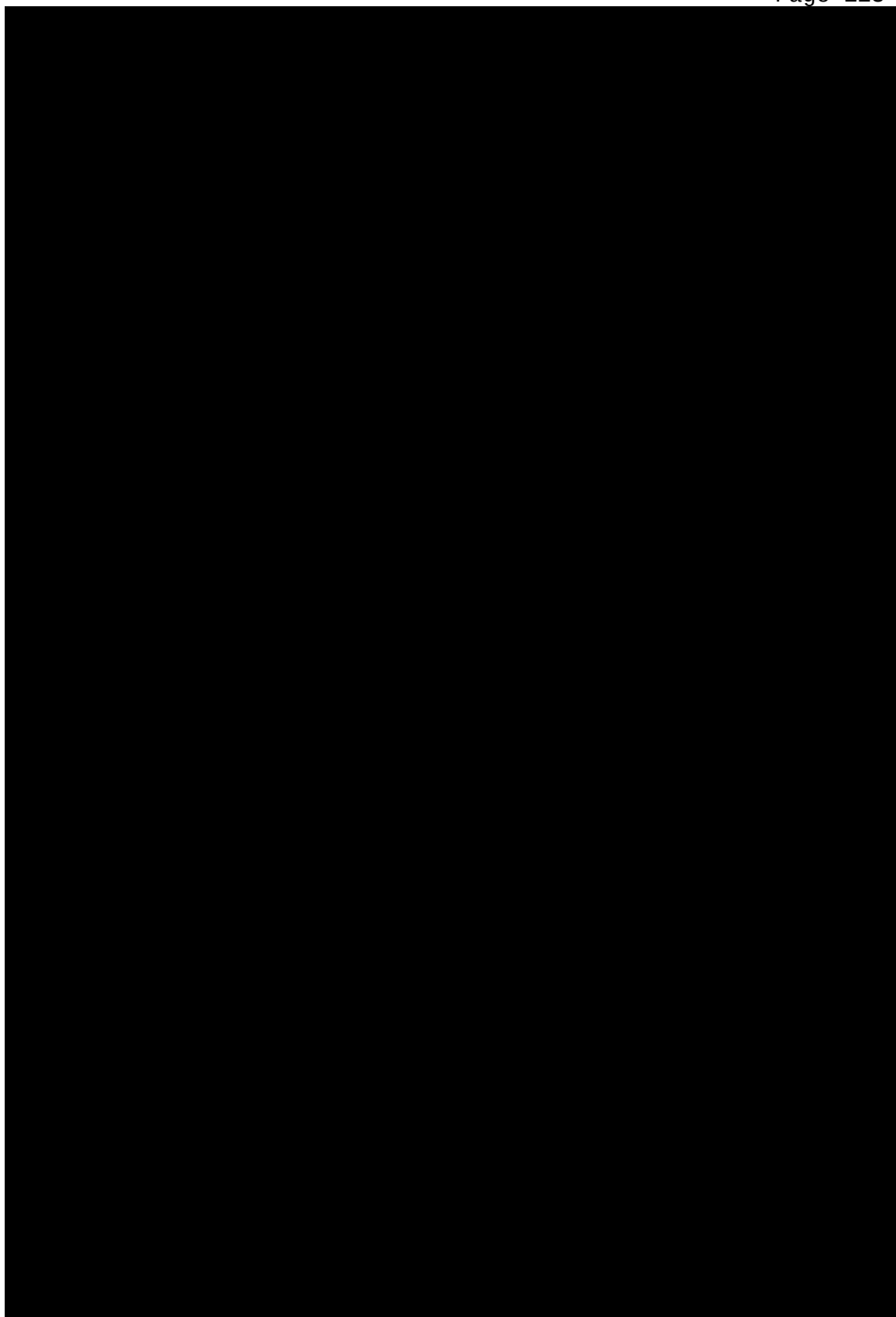
7 We're going to pause for about the next
8 (inaudible) minutes so that everybody can leave the
9 room other than those that we mentioned.

10 CLOSED SESSION

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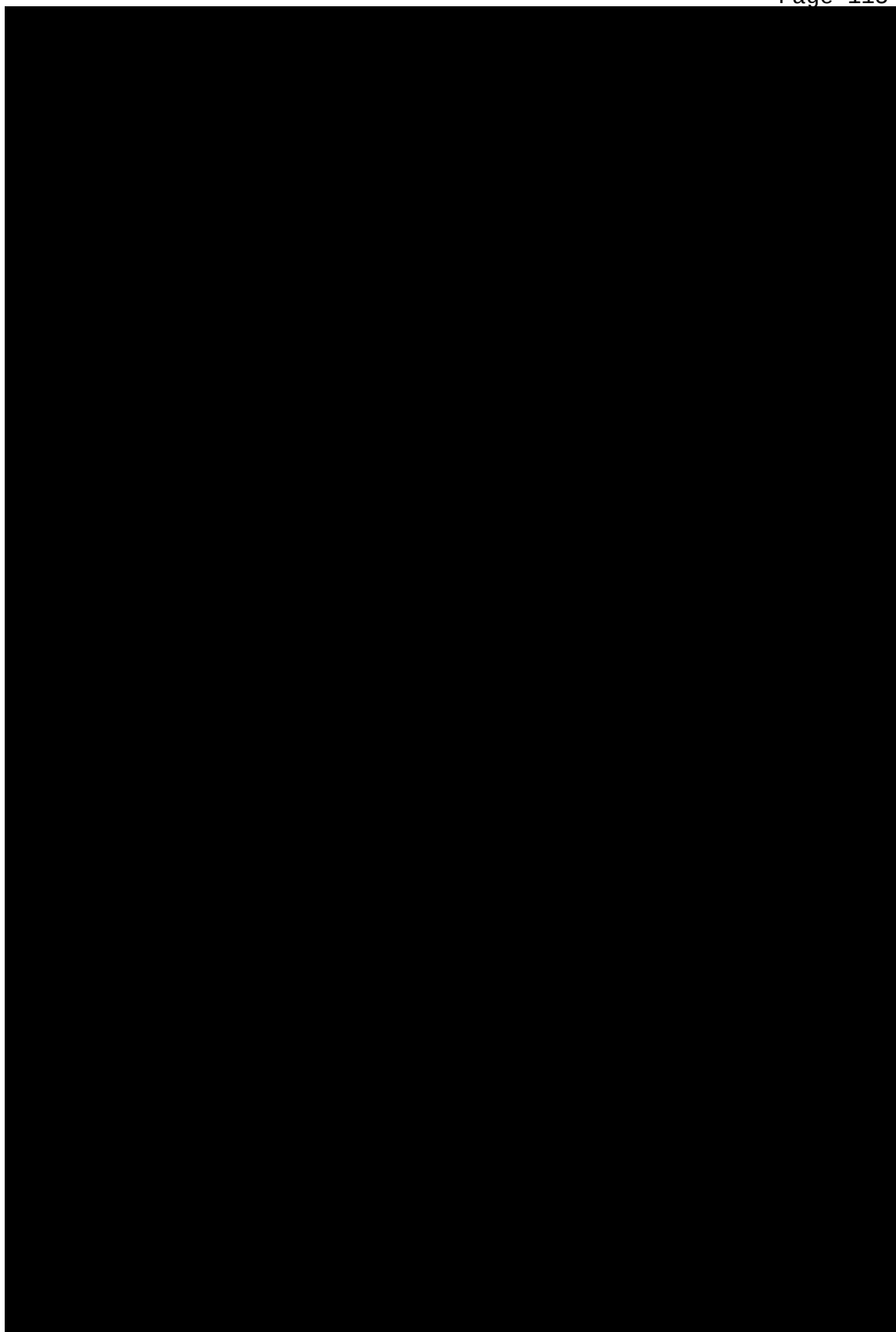
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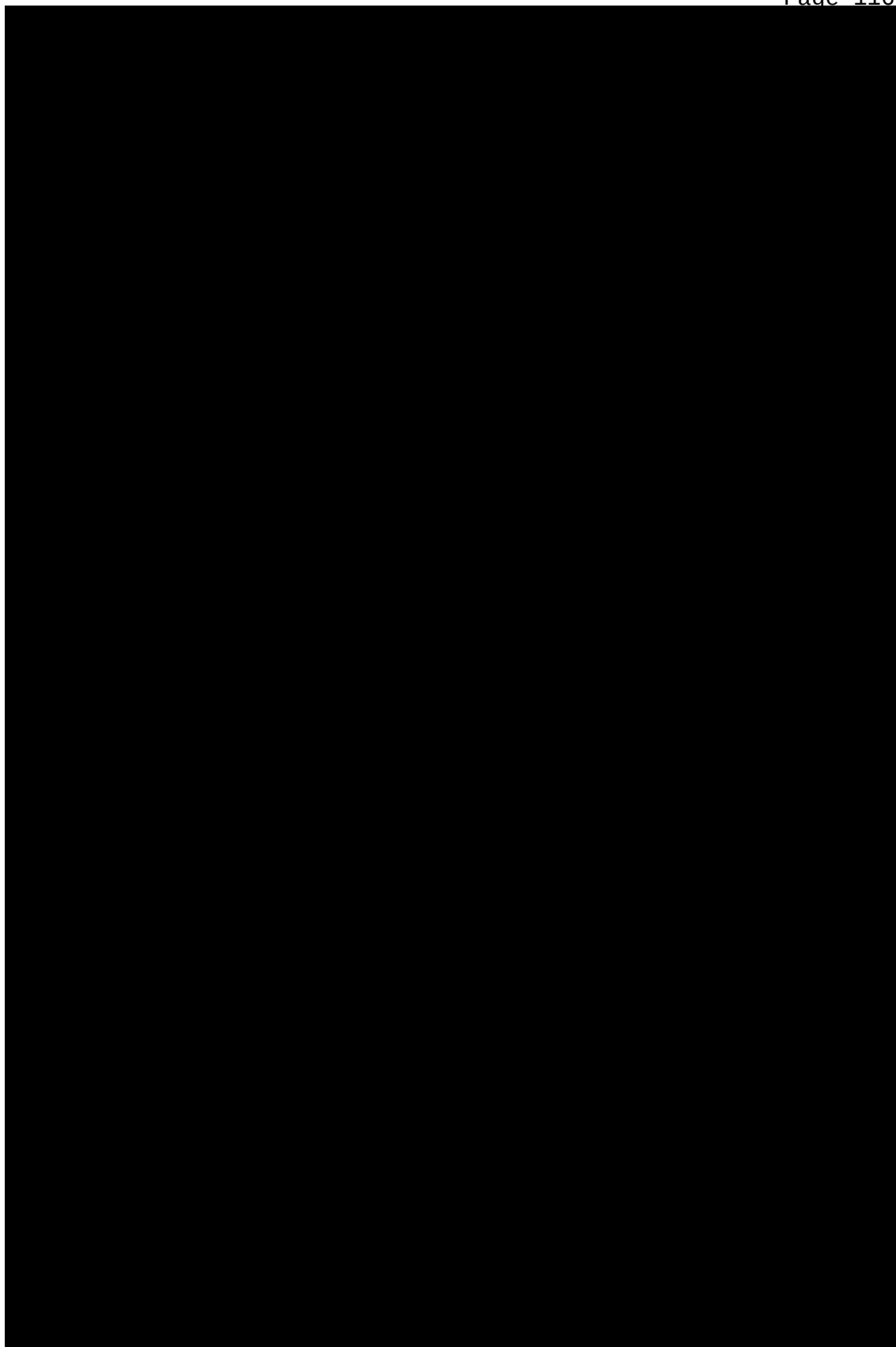
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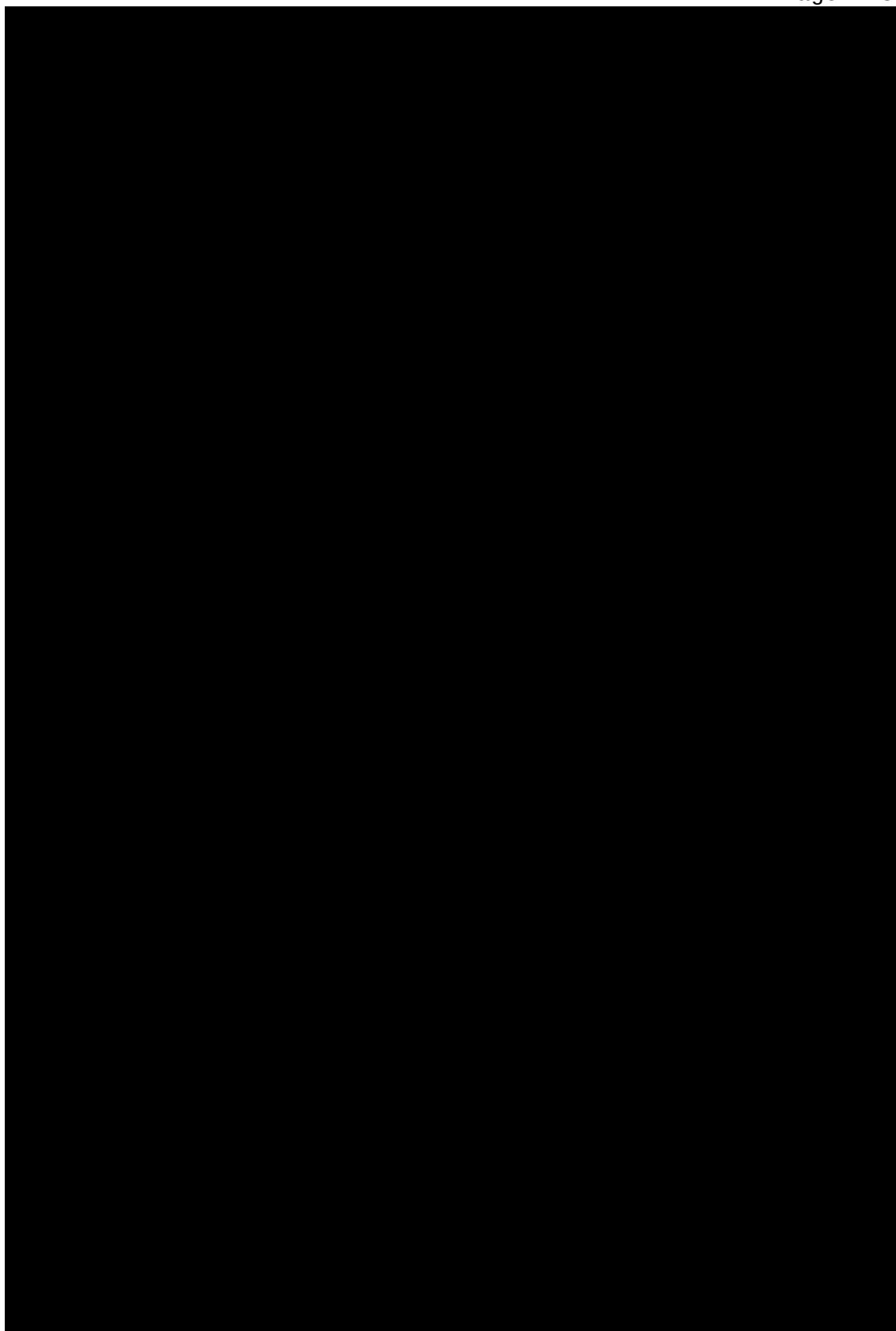
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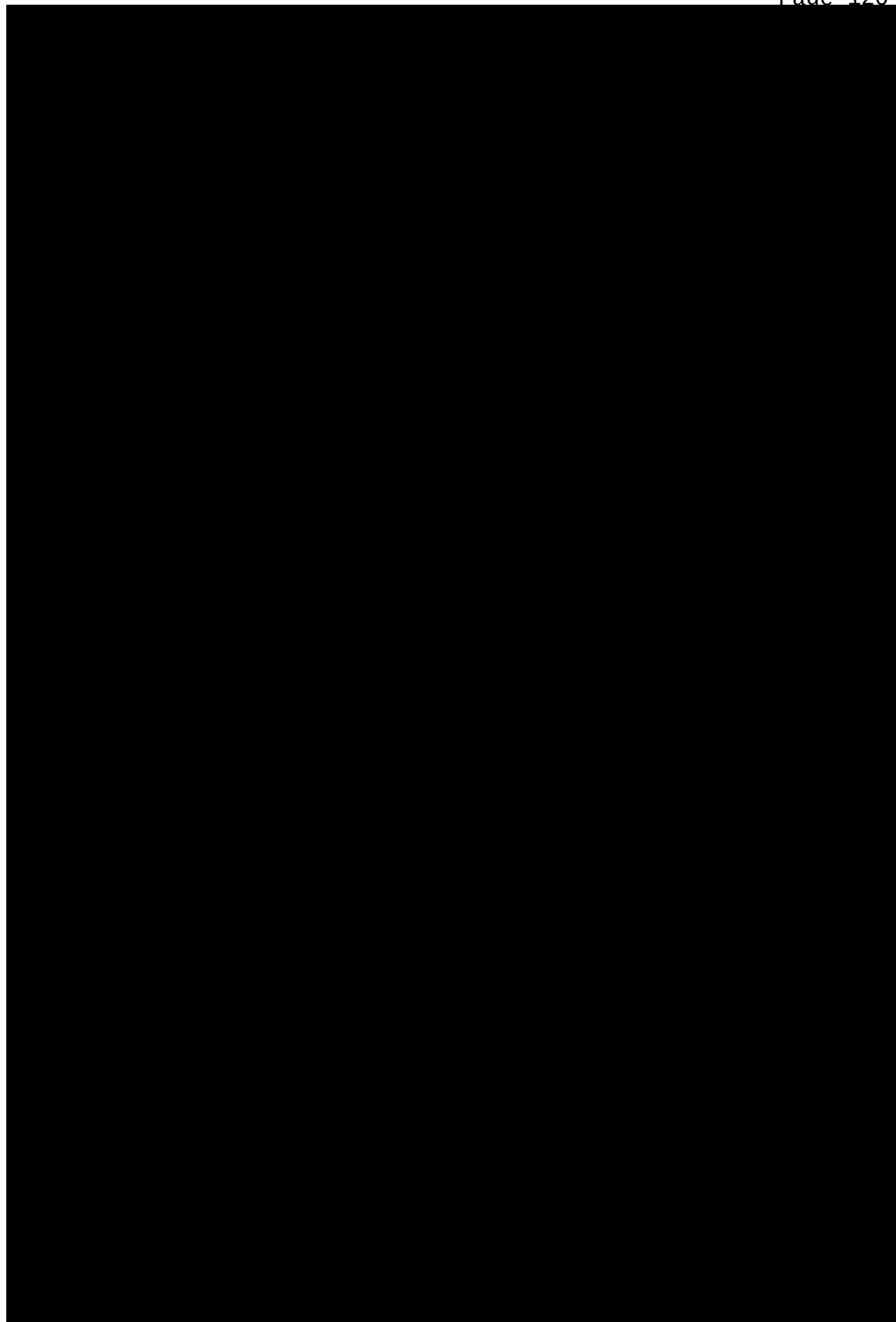
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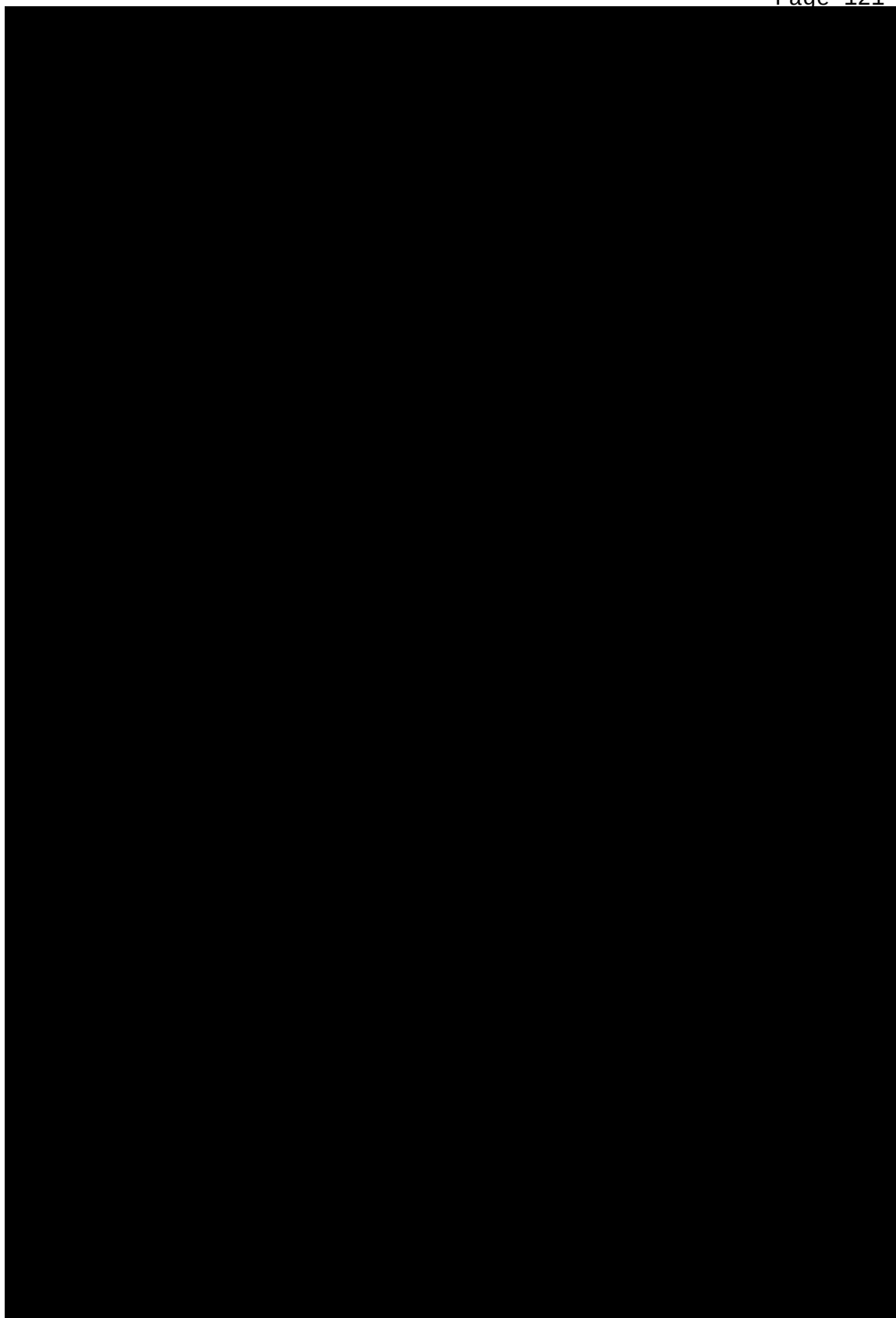
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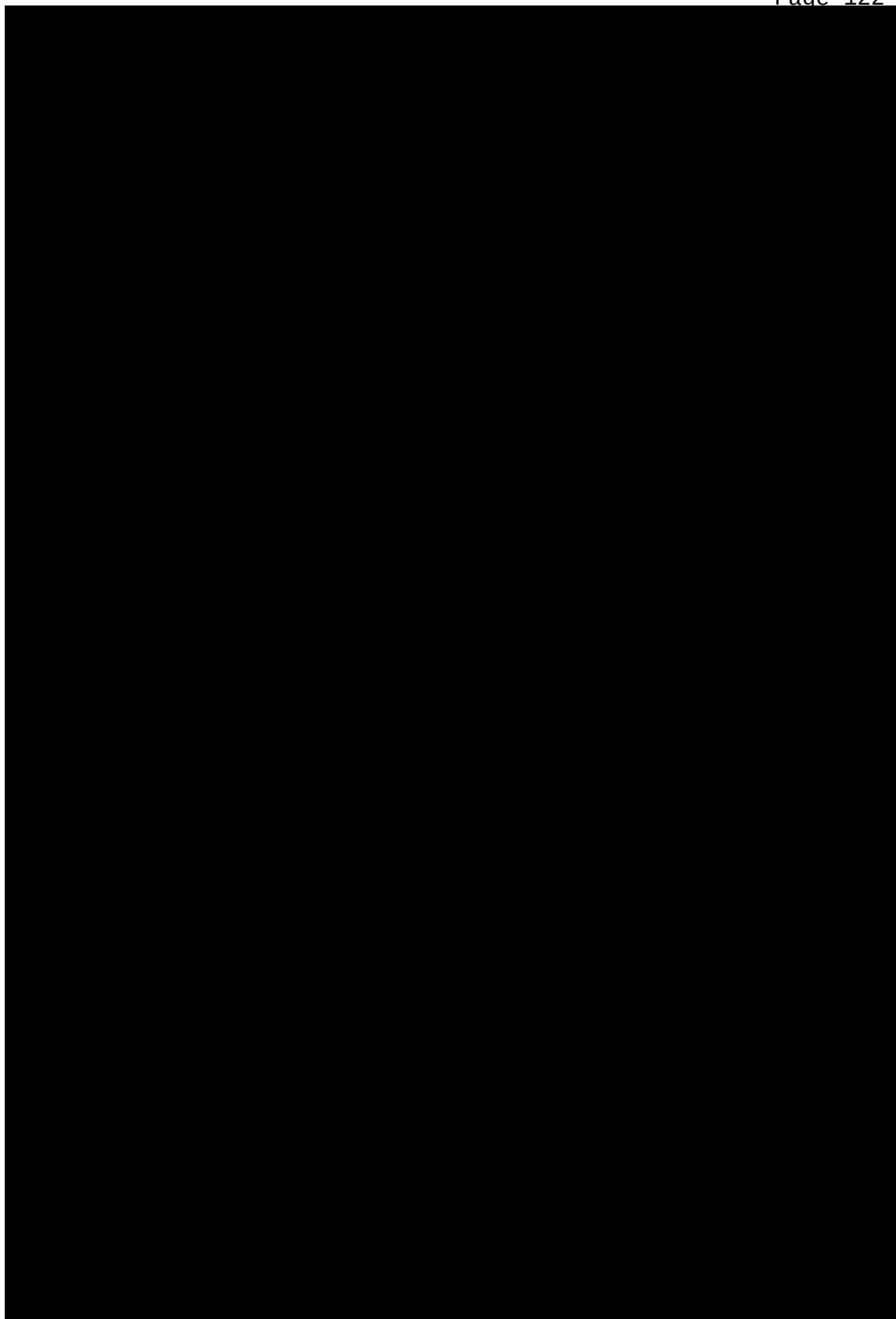
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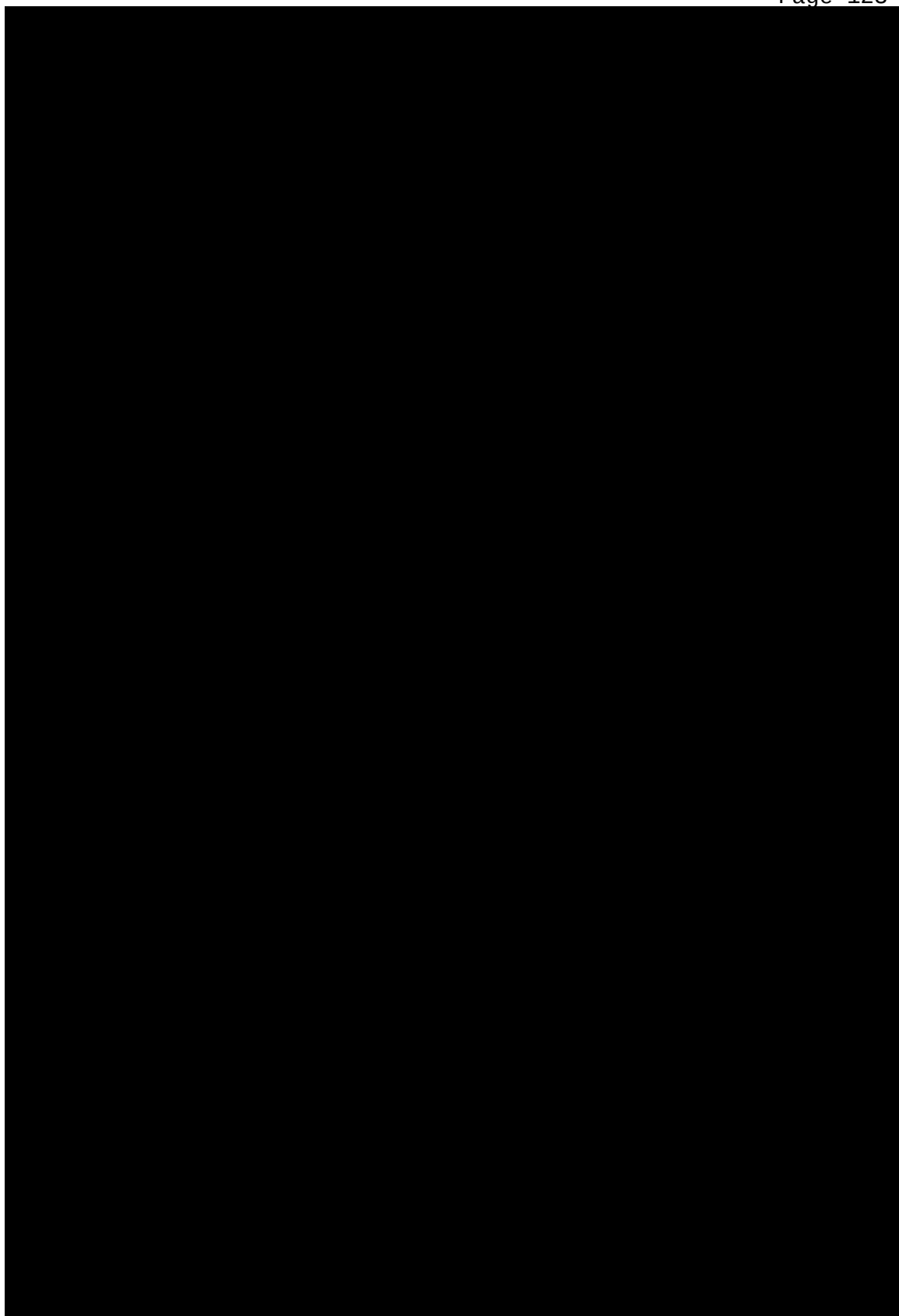
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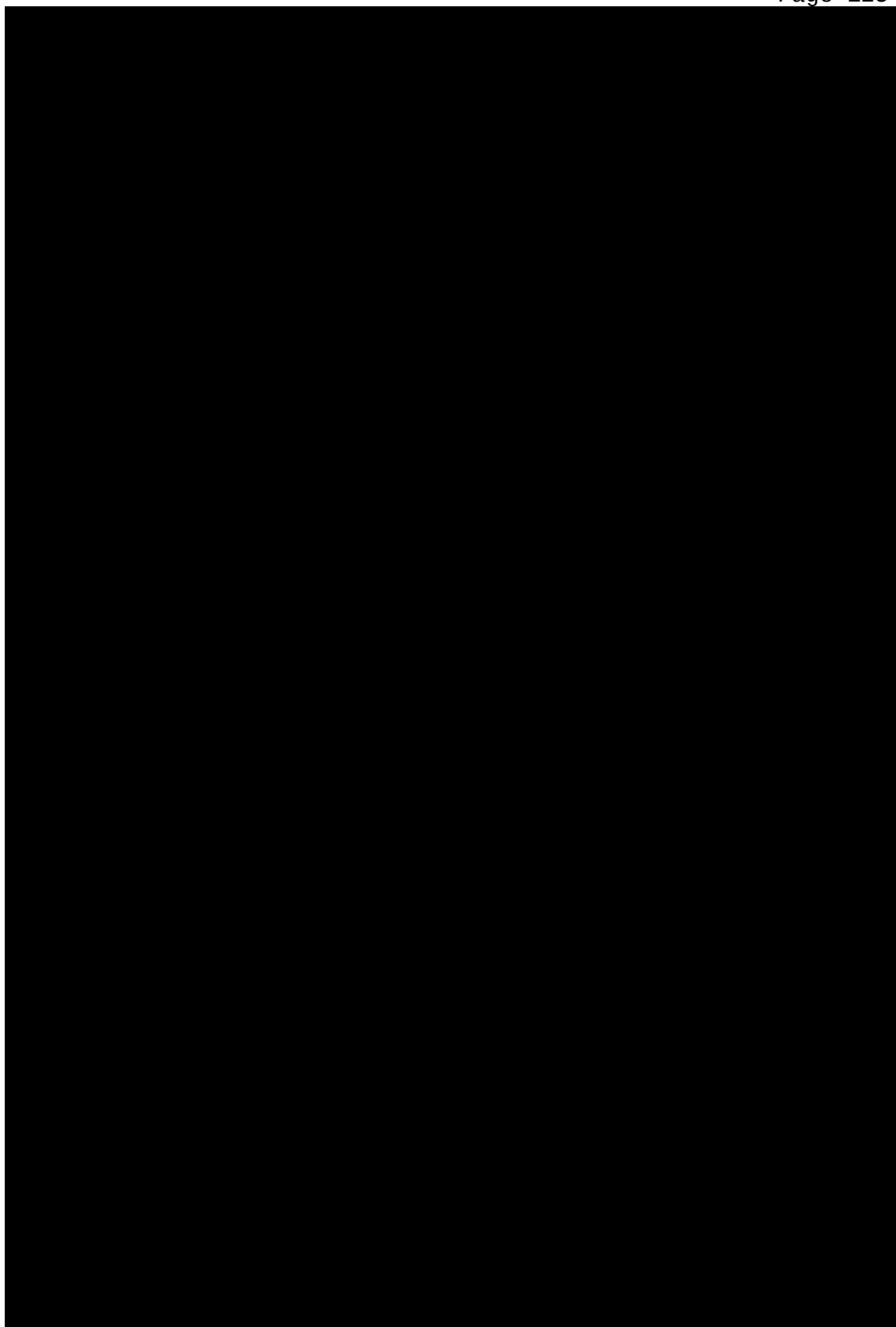
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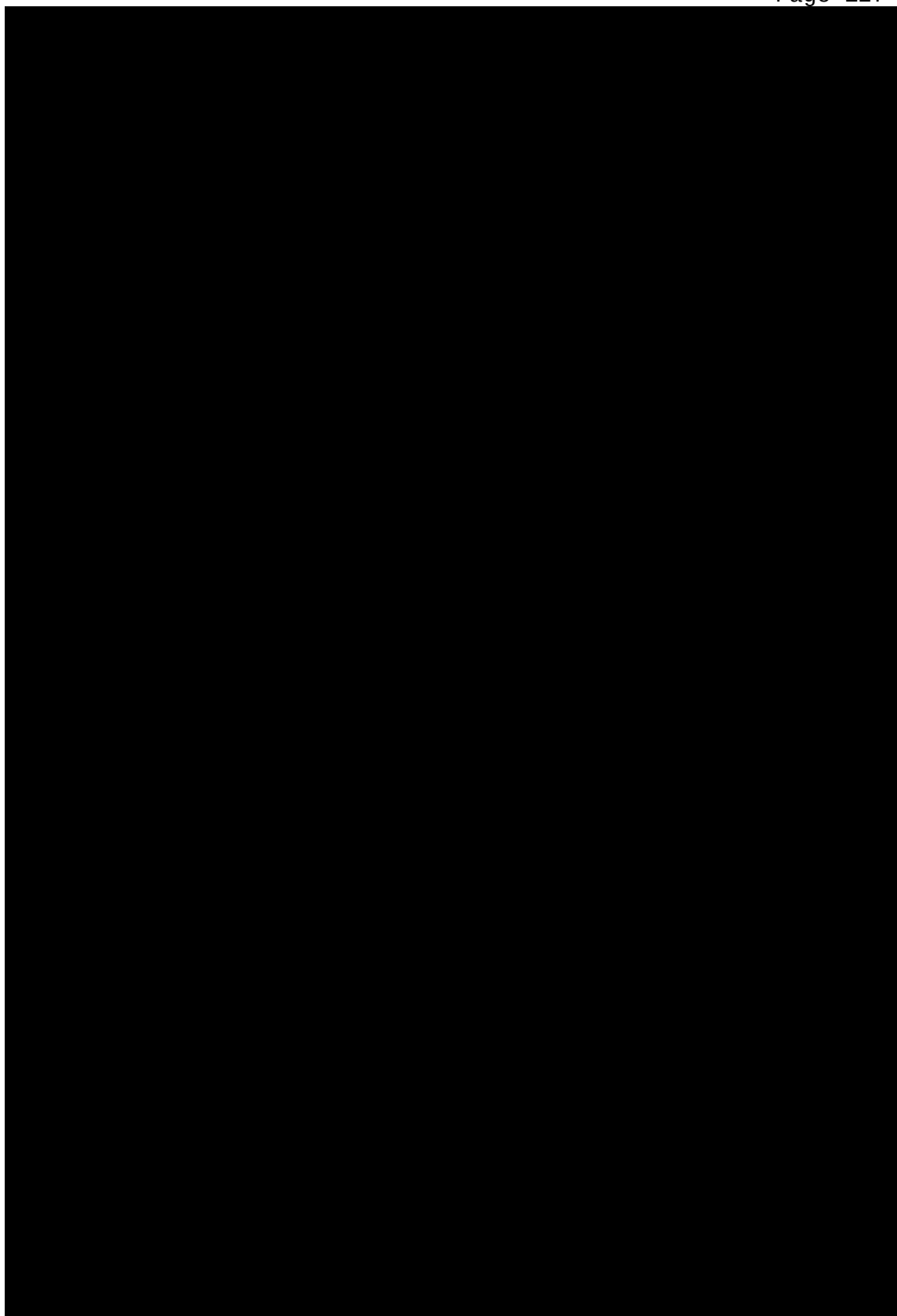
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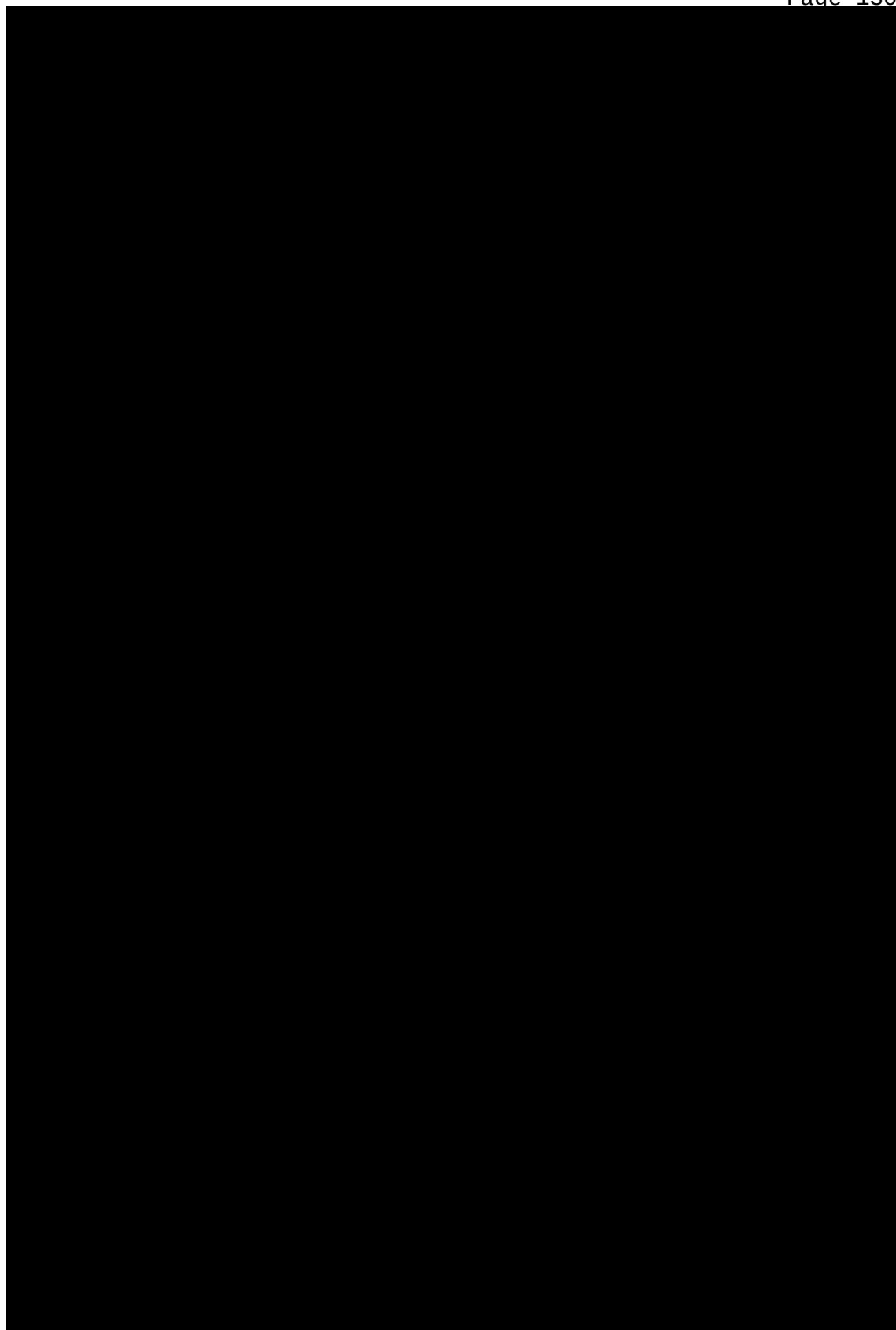
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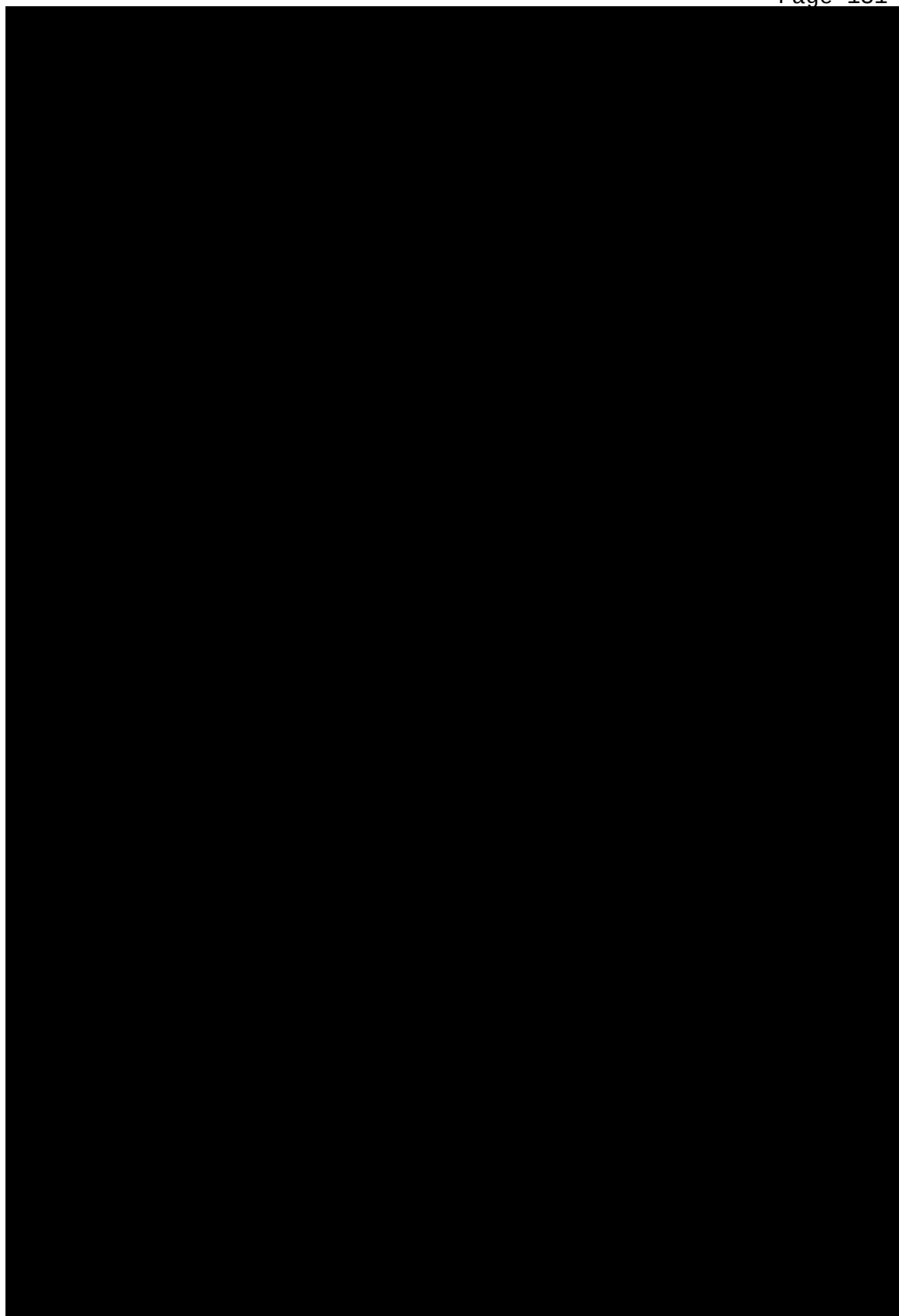
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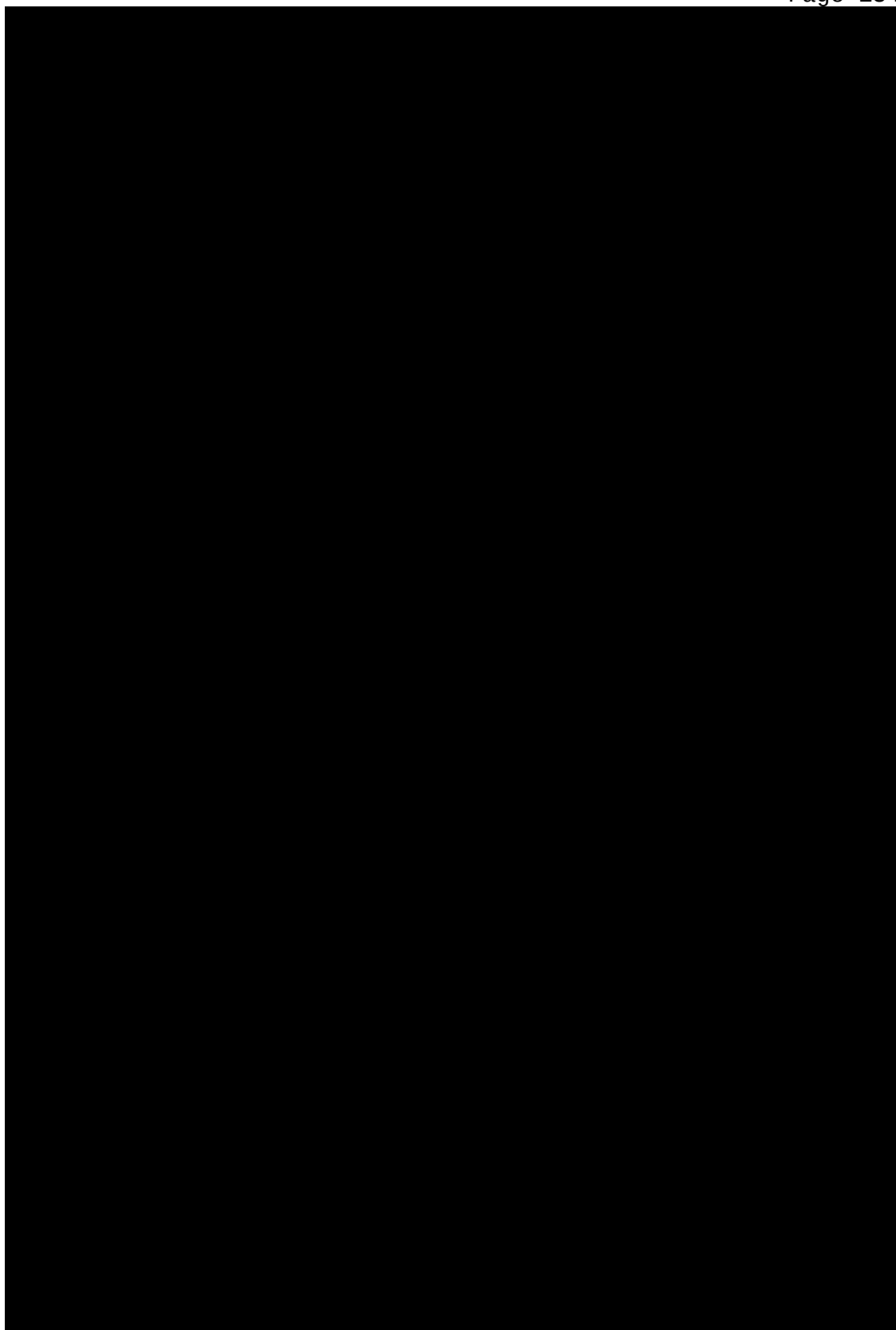
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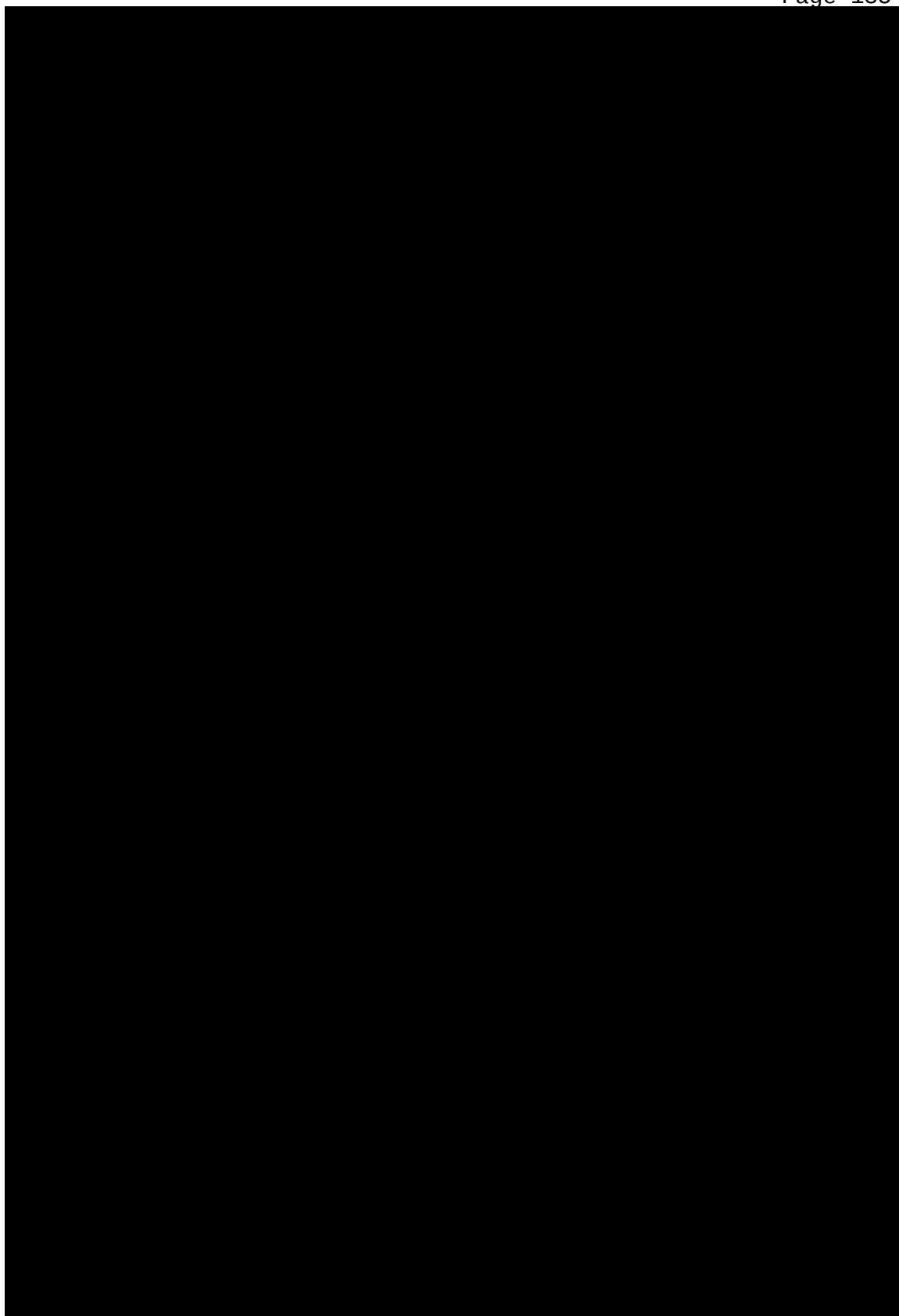
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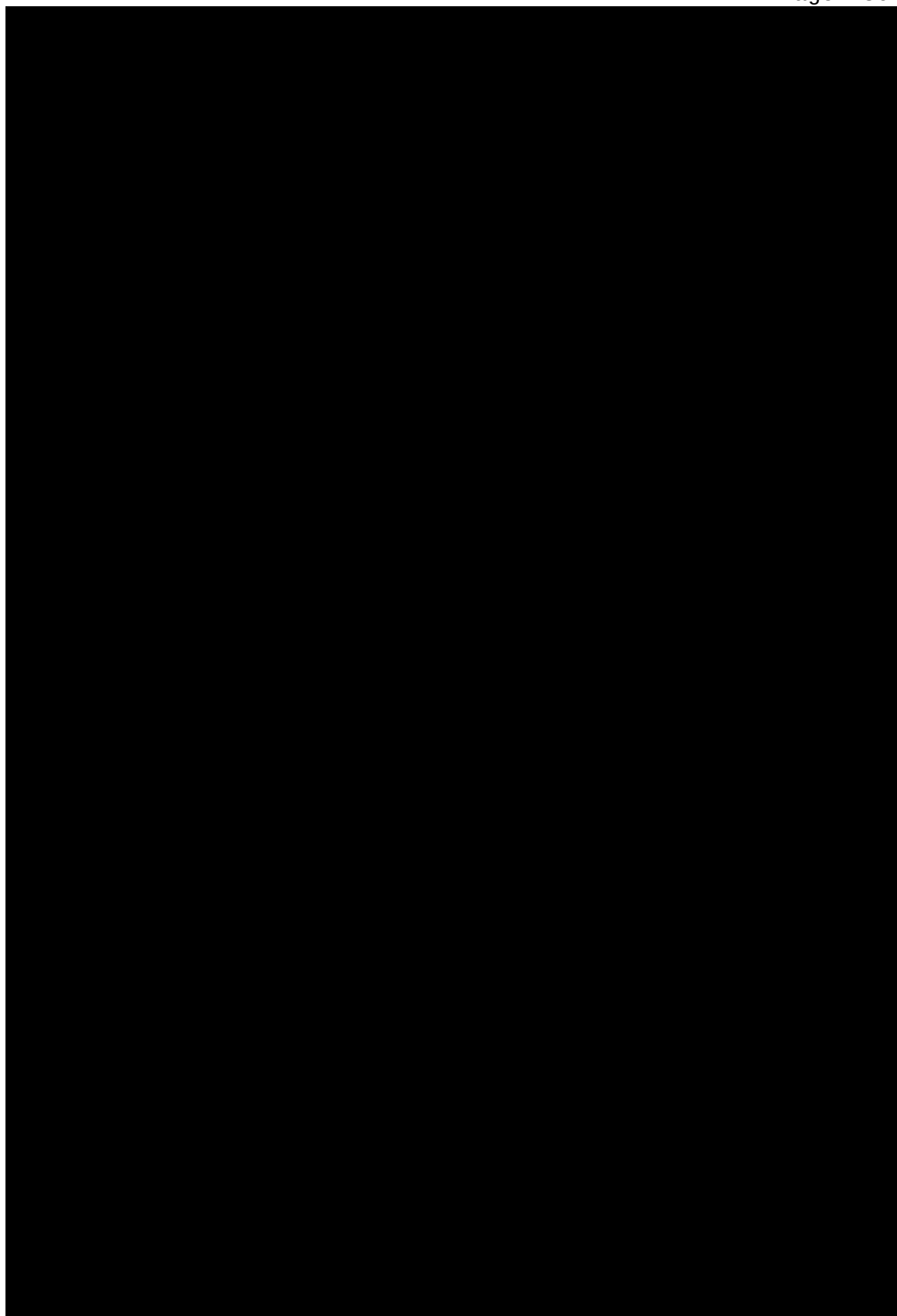
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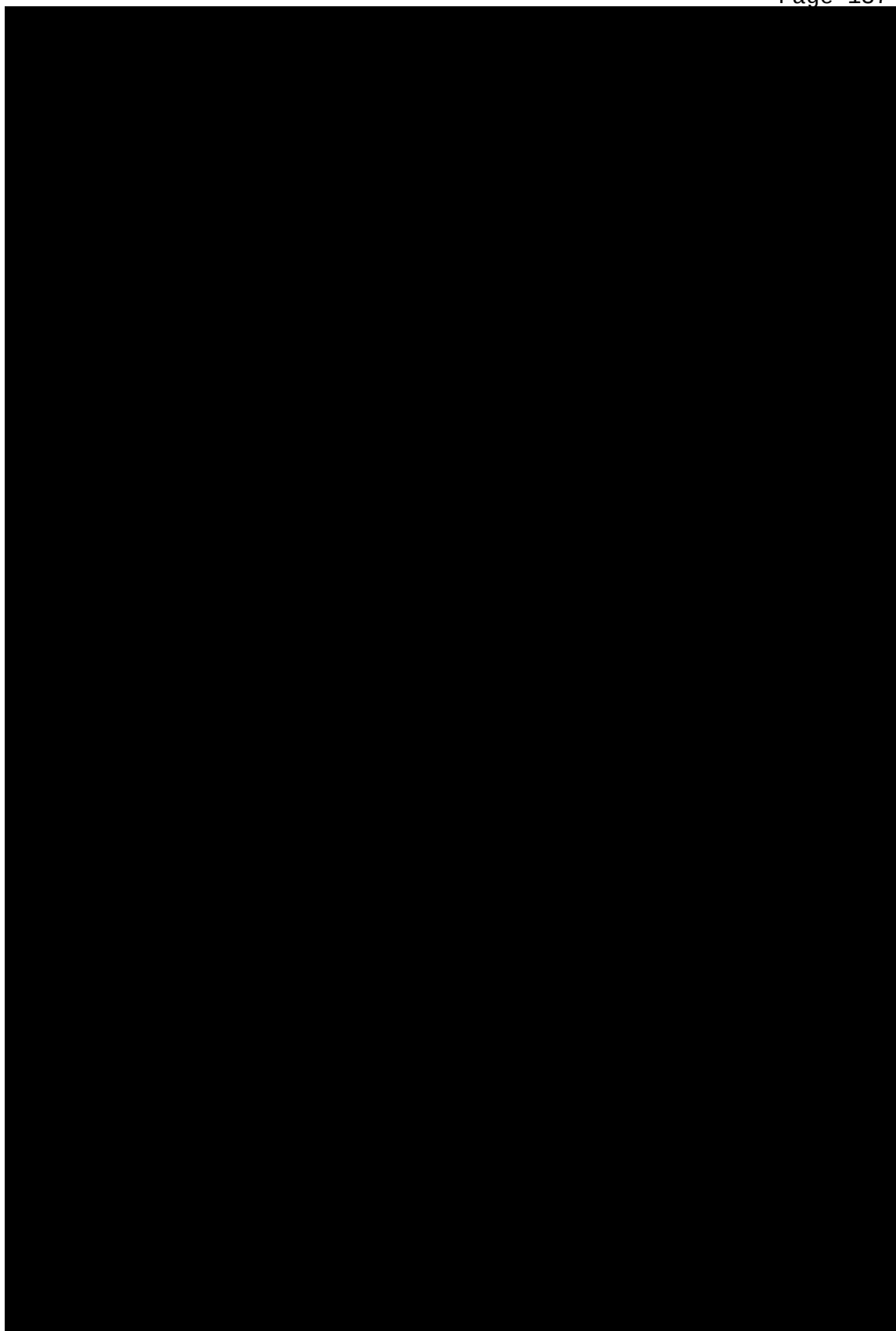
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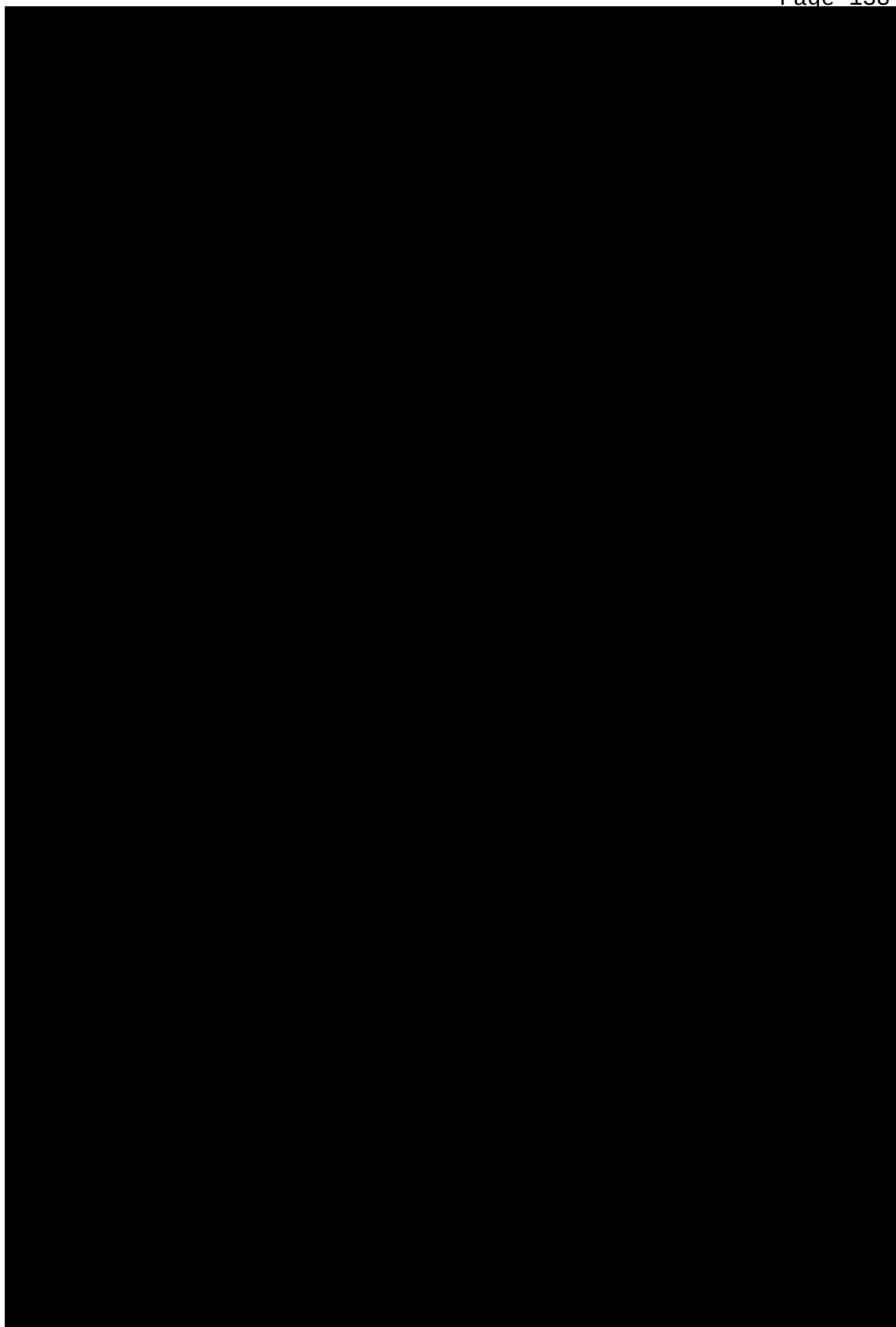
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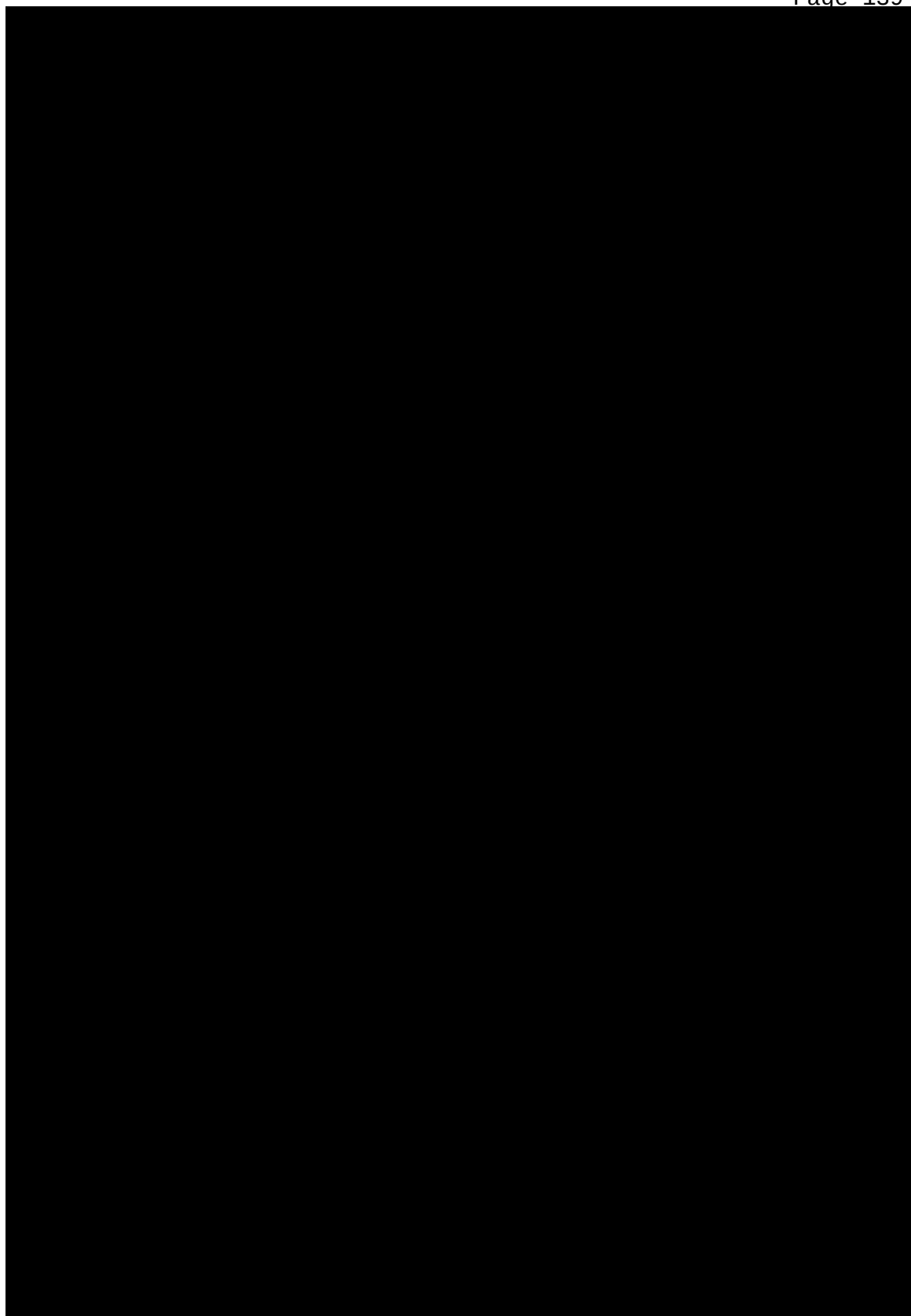
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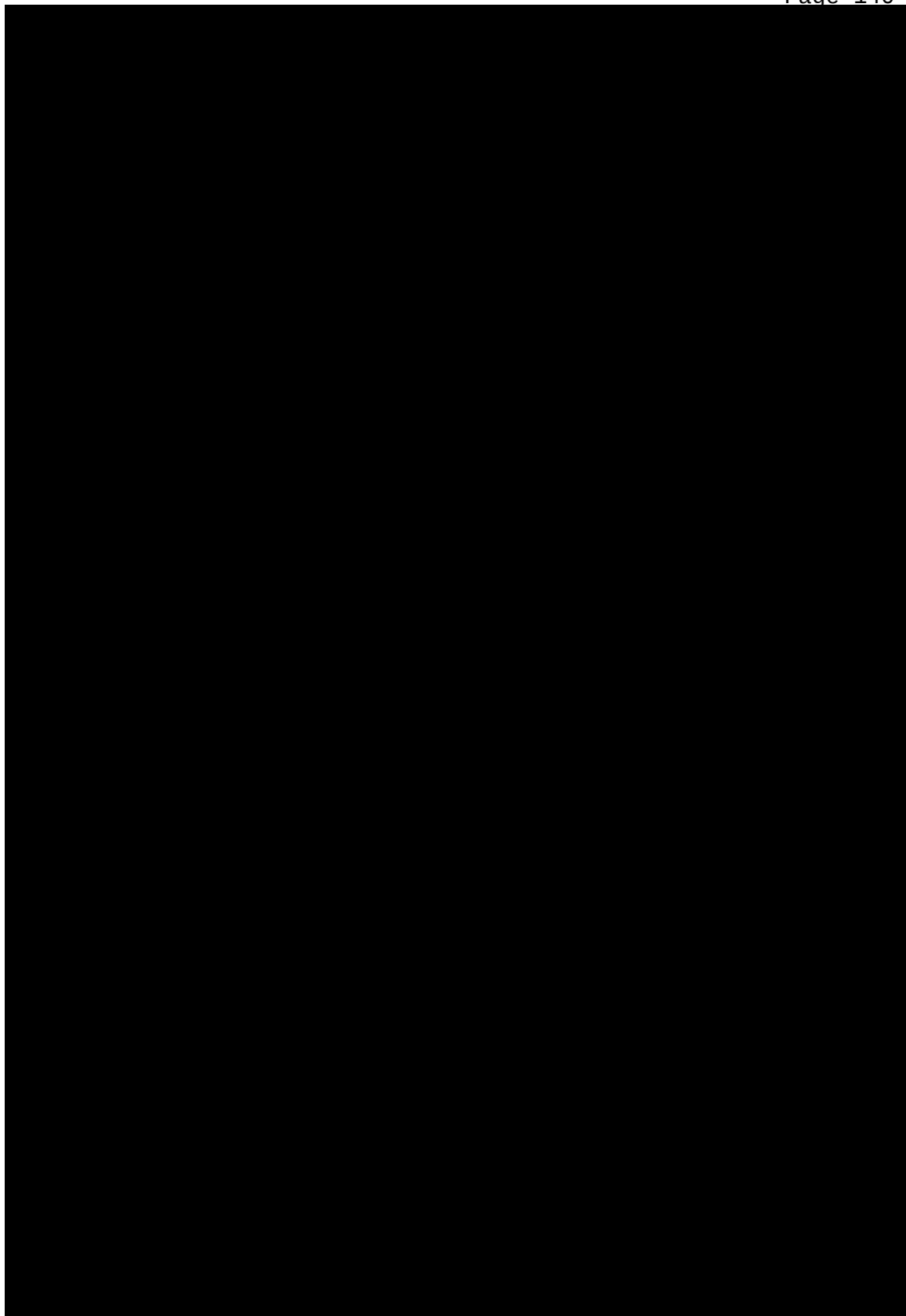
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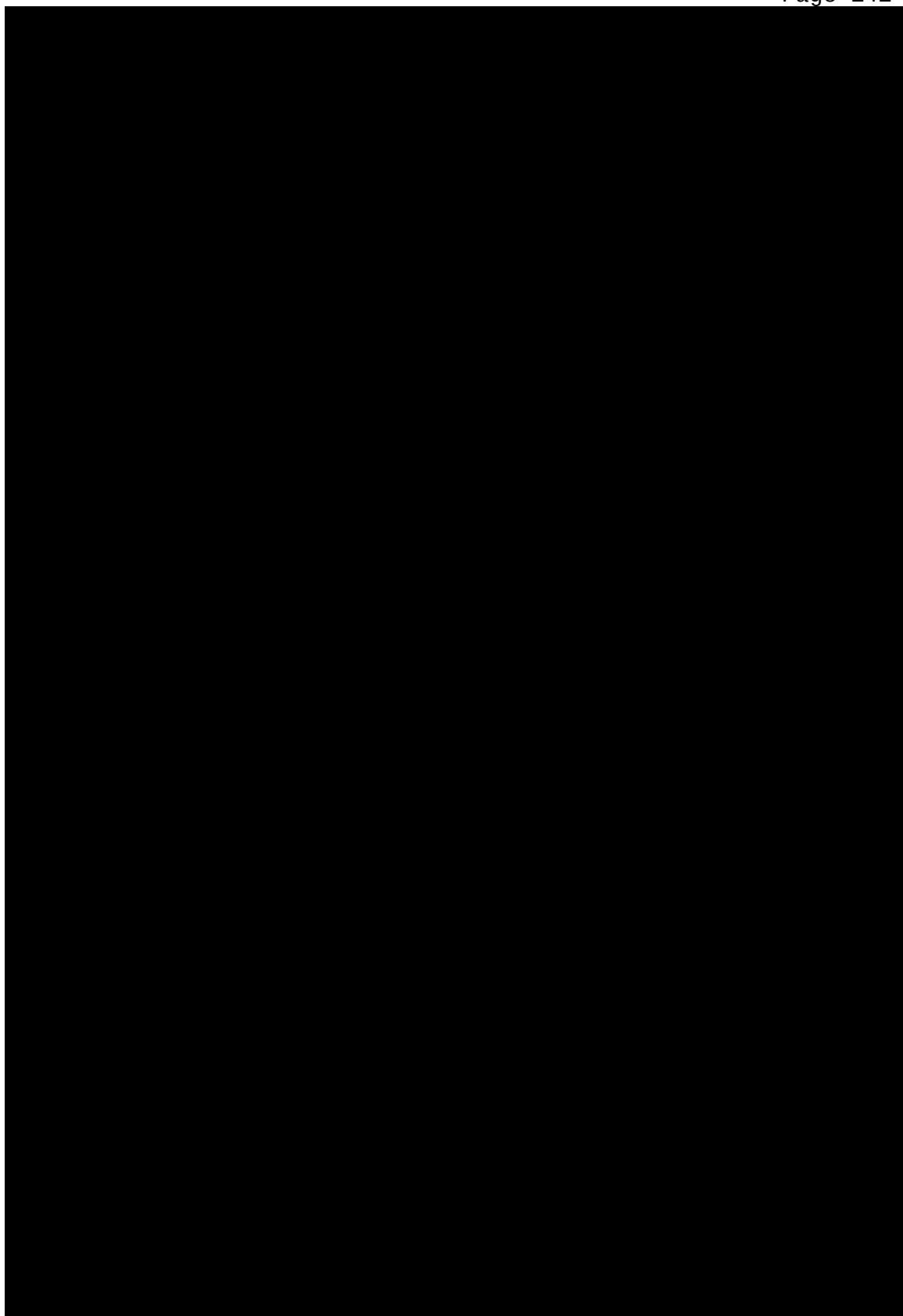
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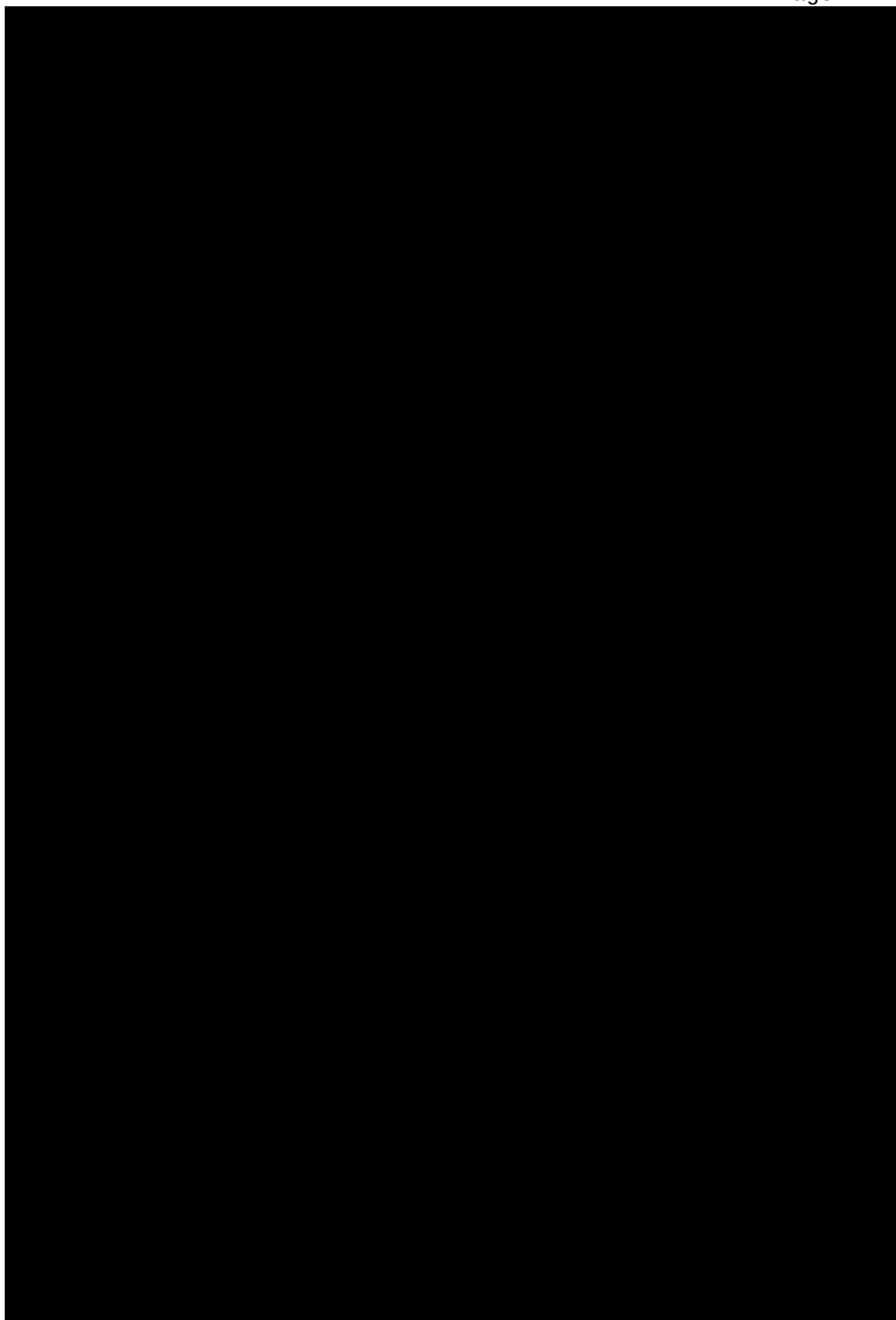
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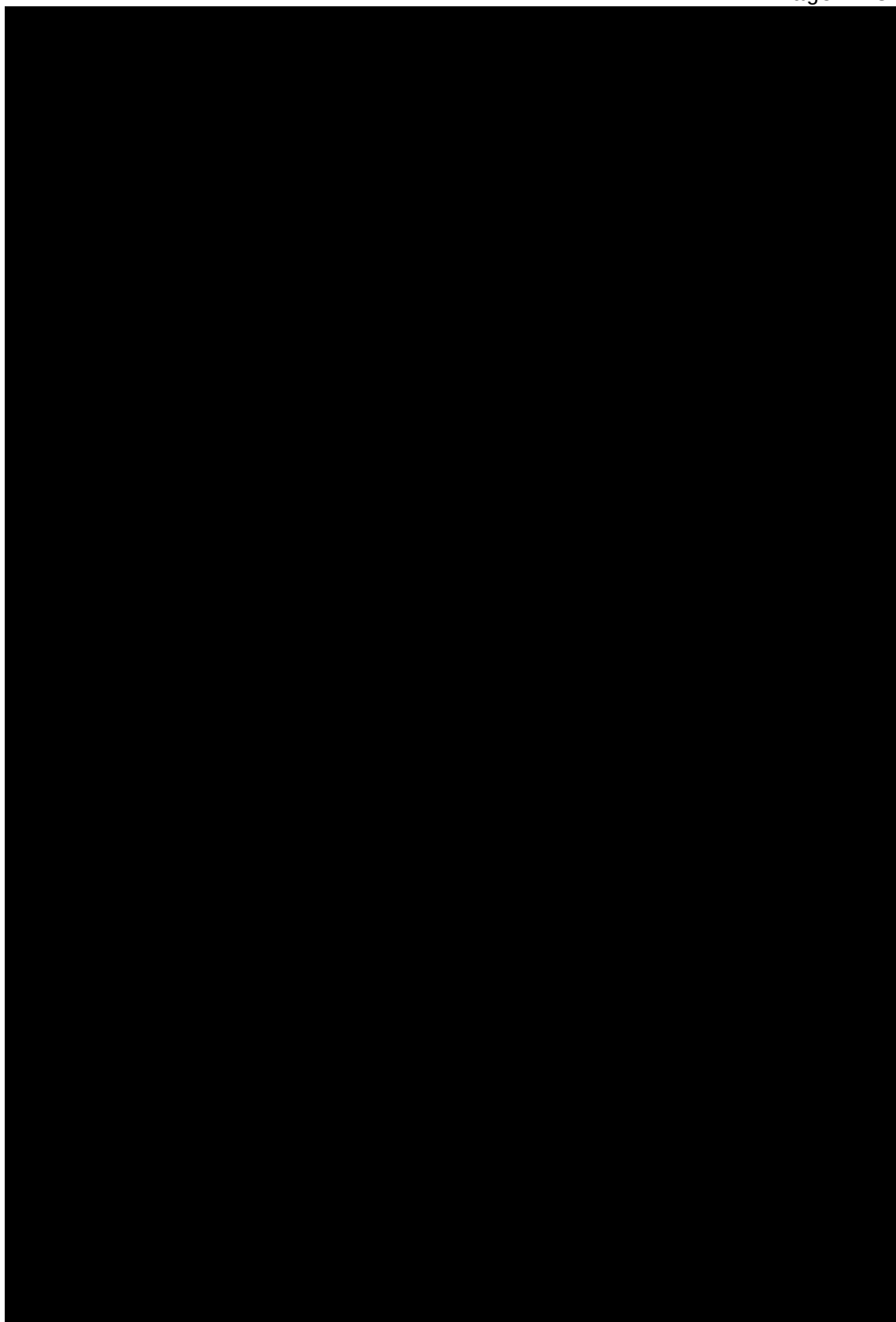
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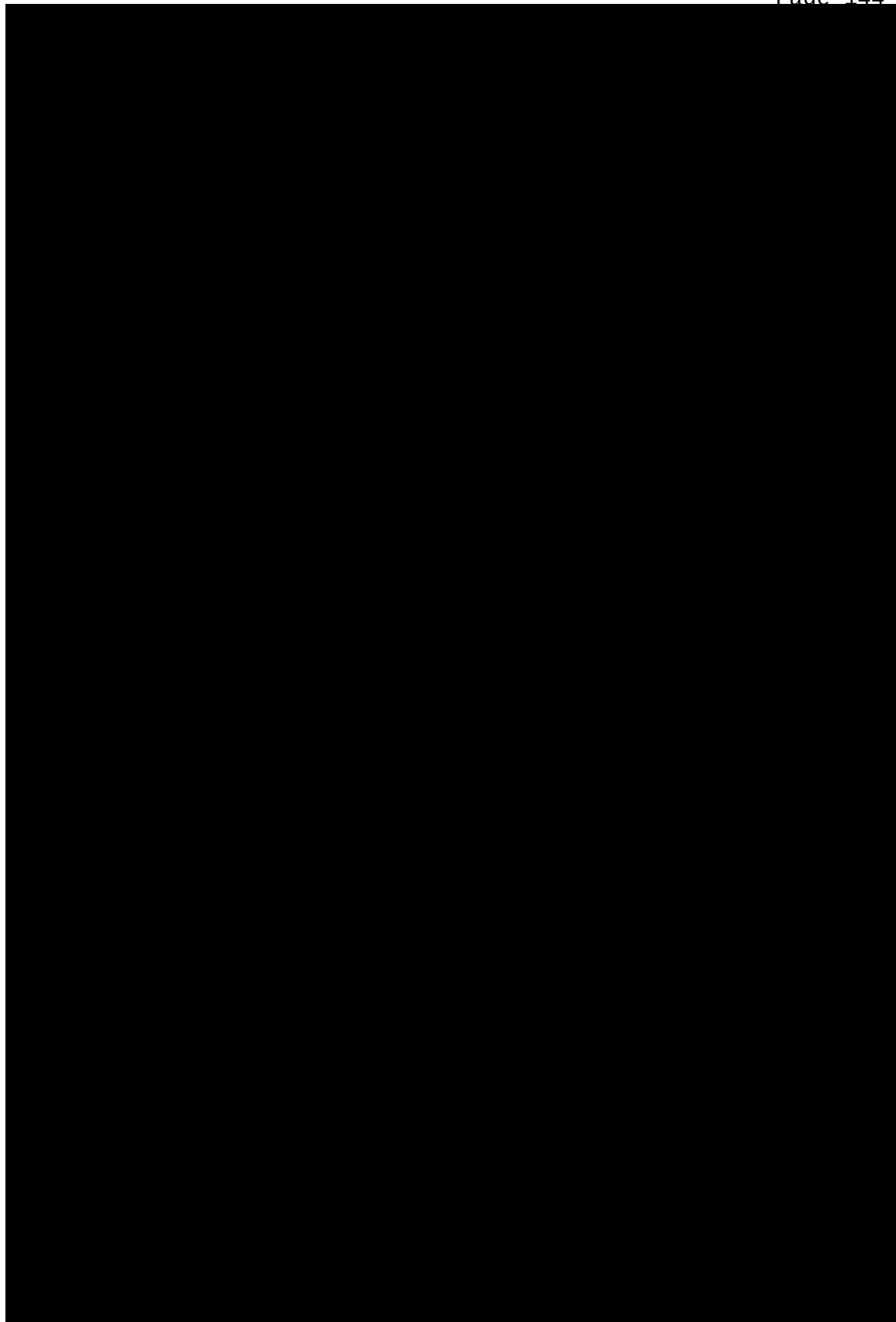
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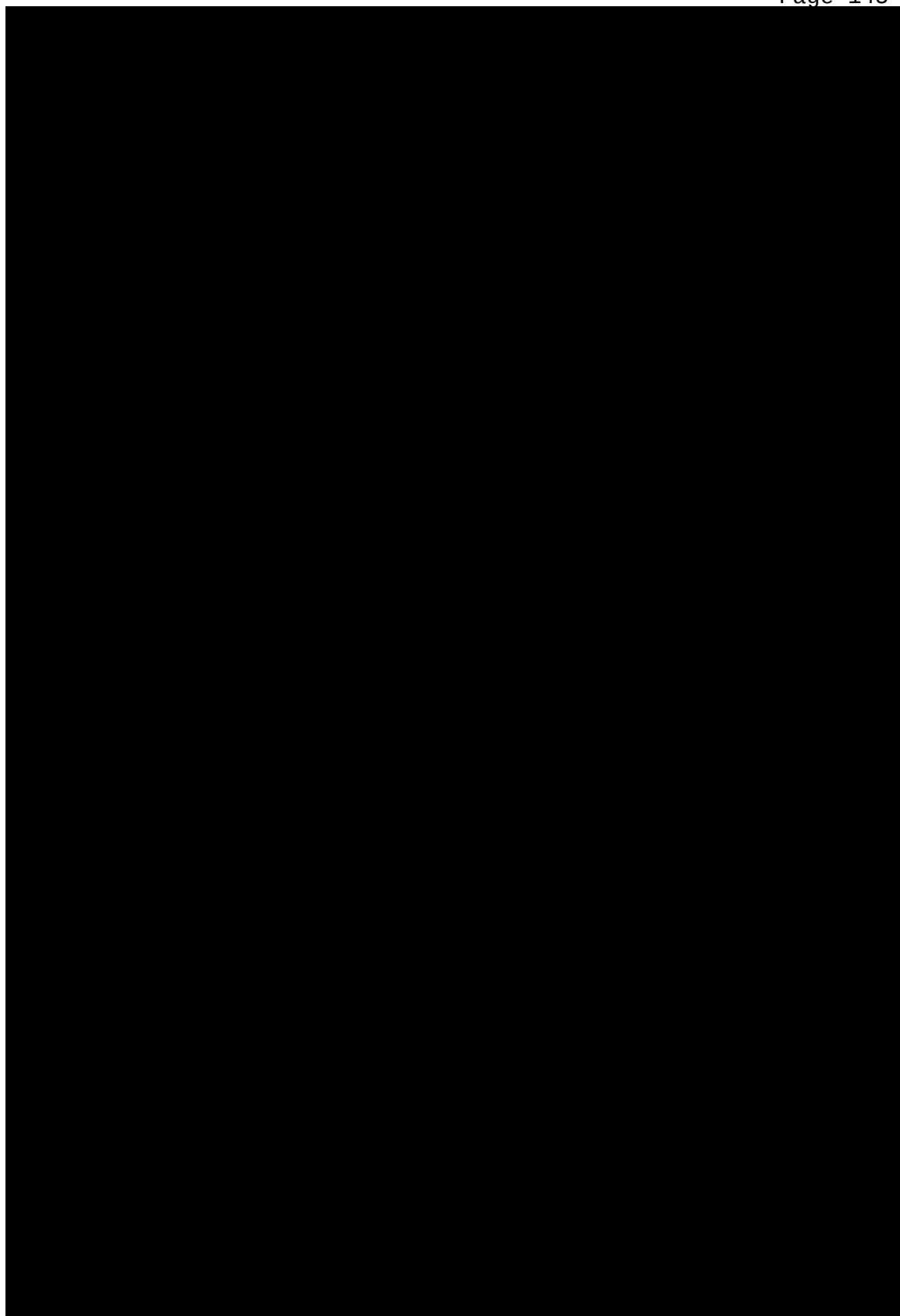
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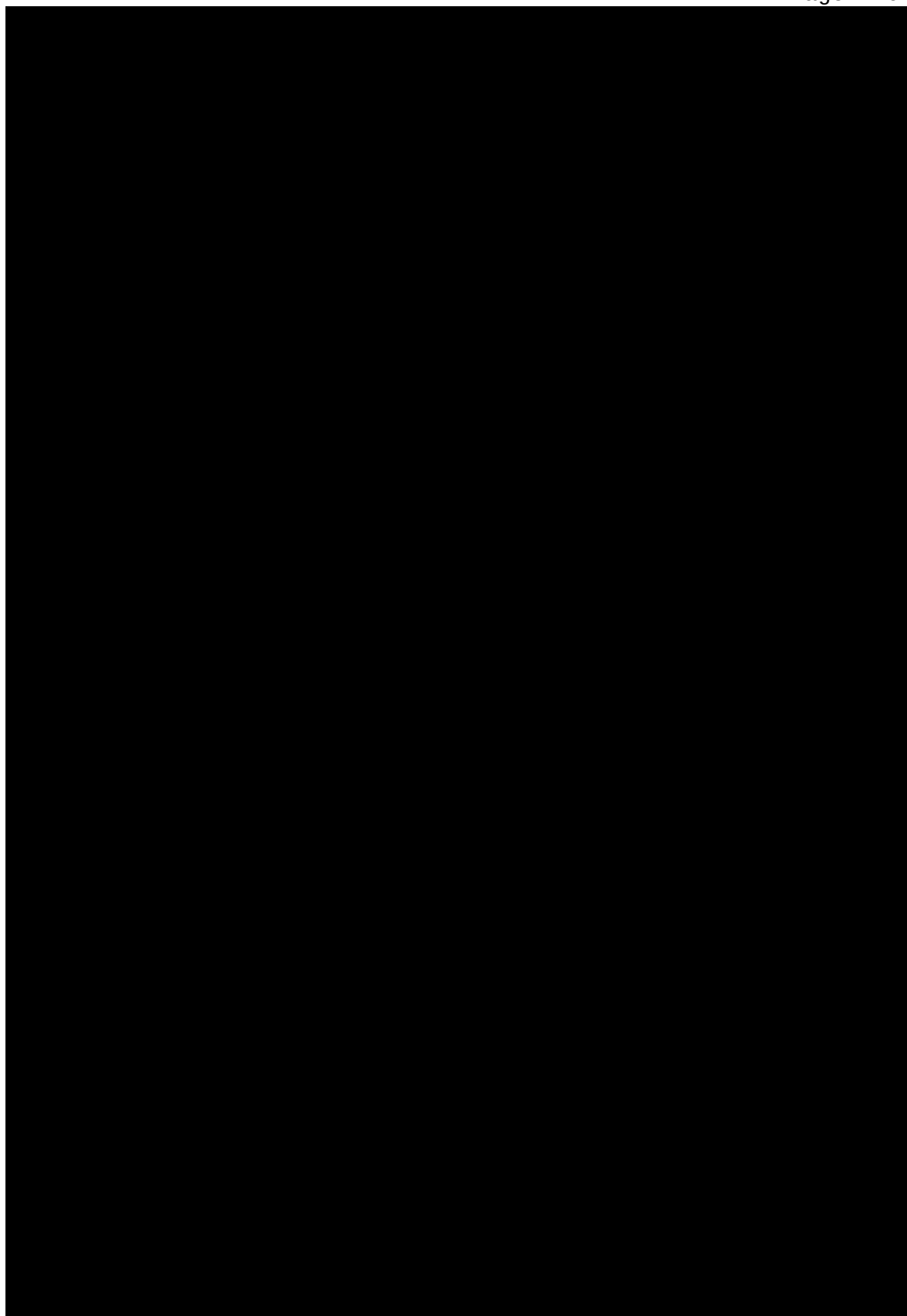
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23 (Closed session ended)

24 (Recessed at 12:23 p.m. to 12:26 p.m.)

25 VICE CHAIR BROWN: All right. Thank you for

1 rejoining us. The time is now 12:26 and the closed
2 meeting is hereby terminated. The public meeting
3 has been reopened in the Florida Gaming Control
4 Commission June meeting.

5 And, Commissioners -- or, Ms. Alvarado, is
6 there anything that you need to state before we
7 take up these items.

8 MS. ALVARADO: No, I don't believe so.

9 VICE CHAIR BROWN: All right. Commissioners,
10 I'm going to need to ask for a motion on each item.
11 So for Item 12.5 can I please get a motion,
12 Commissioner Repp.

13 COMMISSIONER REPP: Motion to allow counsel to
14 continue to negotiate the matter.

15 VICE CHAIR BROWN: Thank you.

16 Can you get a second?

17 COMMISSIONER DRAGO: Second.

18 VICE CHAIR BROWN: Any discussion? All those
19 in favor say aye.

20 (Aye responses)

21 VICE CHAIR BROWN: Thank you. Can I please
22 get a motion on 12.2.

23 COMMISSIONER DRAGO: I'll move to have staff
24 continue to negotiate.

25 VICE CHAIR BROWN: Thank you. Is there a

1 second?

2 COMMISSIONER D'AQUILA: Second.

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

4 (Aye responses)

5 VICE CHAIR BROWN: Thank you. Can I please
6 get a point on 12.3.

7 COMMISSIONER REPP: Motion to allow counsel to
8 continue negotiations on 12.3.

9 VICE CHAIR BROWN: Thank you.

10 Can I get a second?

11 COMMISSIONER DRAGO: Second.

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

13 (Aye responses)

14 VICE CHAIR BROWN: There's three more, 12.4,
15 can I please get a motion.

16 COMMISSIONER DRAGO: I'll move to have --
17 allow staff to continue negotiations.

18 VICE CHAIR BROWN: Thank you.

19 Is there a second?

20 COMMISSIONER D'AQUILA: Second.

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

22 (Aye responses)

23 VICE CHAIR BROWN: Thank you. 12.5, can I
24 please get a motion.

25 COMMISSIONER REPP: Motion to allow staff to

1 continue negotiations.

2 VICE CHAIR BROWN: Thank you.

3 May I get a second?

4 COMMISSIONER D'AQUILA: A second.

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

6 (Aye responses)

7 VICE CHAIR BROWN: Thank you. And lastly

8 12.6.

9 COMMISSIONER DRAGO: Make a motion to allow
10 staff to continue negotiations.

11 VICE CHAIR BROWN: Thank you. Can we get a
12 second?

13 COMMISSIONER REPP: Second.

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

15 (Aye responses)

16 VICE CHAIR BROWN: All right. All five of
17 those -- six of those unanimously.

18 With that, are there any other matters to
19 address before we adjourn? Seeing none, we are
20 officially adjourned. Thank you all.

21 (The proceedings concluded at 12:31 p.m.)

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CERTIFICATE OF REPORTER

STATE OF FLORIDA

COUNTY OF WAKULLA

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 152, 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 29th day of June, 2025.

A handwritten signature in black ink that reads "Judy Lynn Martin". The signature is written in a cursive, flowing style. The first name "Judy" is written with a large, looped "J". The last name "Martin" is written with a large, looped "M".

JUDY LYNN MARTIN