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In The Matter Of:  
Florida Gaming Control Commission  
Public Meeting

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DATE: Wednesday, April 3, 2024  
TIME: 9:31 a.m. to 10:37 a.m.  
LOCATION: The Joseph P. Cresse Hearing  
Room 148 in the Betty Easley  
Conference Center  
4075 Esplanade Way  
Tallahassee, Florida 32399

Stenographically Reported by:  
JUDY LYNN MARTIN, STENOGRAPHER

Job Number: 345108

1 APPEARANCES:

2 Julie Brown, Vice Chair

3 Tina Repp, Commissioner

4 Chuck Drago, Commissioner

5 John D'Aquila, Commissioner

6

7 PARTICIPANTS:

8 Louis Trombetta, Executive Director

9 Ross Marshman, Deputy Exec. Director/Chief Legal Officer

10 Elina Valentine, General Counsel

11 Carl Herold, Director of Gaming Enforcement

12 Joseph Dillmore, Director of PMW

13 Joseph Klein, Senior Attorney

14 Lisa Mustain, Director of Administration

15 Elizabeth Stinson, Chief Attorney

16 Marc Taupier, Gaming Enforcement Legal Advisor

17 La'Keshia Jelks, Operations Review Specialist

18

19 OTHER PRESENT:

20 The Florida Channel

21 Various Members of the Public

22

23

24

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1 Proceedings began at 9:37 a.m.

2 VICE CHAIR BROWN: Good morning. Today is  
3 Wednesday, April 3rd. The time is roughly 9:31.  
4 Thank you all for joining us on this very dreary  
5 day, appreciate you coming out here.

6 If you would like, we are going to give the  
7 Pledge of Allegiance shortly, which will be led  
8 Henry Mahler, the head of our legislative affairs,  
9 who just came off with a very successful  
10 legislative session with the passing of our agency  
11 bills.

12 So, Henry, if you will please join us and lead  
13 us in the Pledge of Allegiance.

14 (Pledge of Allegiance)

15 VICE CHAIR BROWN: Thank you, Henry. Thank  
16 you for all your work.

17 All right. This meeting is called to order.  
18 I just want to before we get into our discussion of  
19 items today, I just want to welcome back  
20 Marc Taupier. He is back with us to the Gaming  
21 Commission. He's an attorney and he is heading up  
22 law enforcement as their attorney in-house there,  
23 so very excited to have you. And also welcome  
24 Special Agent Mark Perez (ph) here too as well.

25 With that we are going to move to discussion

1 of rulemaking for Greyhound rules.

2 Ms. Stinson.

3 MS. STINSON: Good morning, Commissioners.

4 The first meeting agenda packet item which you have  
5 is dealing with the removal of references to live  
6 Greyhound racing from our rules in Chapter 75.

7 As you all are aware in 2018 the voters into  
8 Florida voted to remove -- or voted to make  
9 Greyhound racing in the State of Florida  
10 unconstitutional or -- unconstitutional.

11 And so at this point we last year asked the  
12 Commission for us to go into rule development and  
13 the -- before you are the rules that we would like  
14 to move into proposed rulemaking, remove the  
15 references to Greyhound -- to live Greyhound  
16 racing.

17 VICE CHAIR BROWN: Thank you, Ms. Stinson.  
18 And these are all -- this has already been noticed  
19 and all of this is a public matter and long time  
20 coming. I don't see any issues with the proposal.

21 Commissioners, can we -- I guess the motion  
22 would be to approve the --

23 MS. STINSON: What we are seeking is for the  
24 Commission to approve this language and vote to  
25 move in -- vote for us to make a notice of proposed

1 rulemaking in the Florida Administrative Register.

2 VICE CHAIR BROWN: Mr. Trombetta.

3 MR. TROMBETTA: Yeah. If I can just -- I  
4 think for clarity if you can just authorize staff  
5 to do exactly what Ms. Stinson described, which is  
6 essentially file a notice of proposed rulemaking  
7 when it comes to these Greyhound rules.

8 VICE CHAIR BROWN: Can I get a motion to that  
9 effect?

10 Commissioner D'Aquila.

11 COMMISSIONER D'AQUILA: Yes. I will make a  
12 motion to file as Ms. Stinson has stated, make the  
13 rulemaking changes -- enable staff to make -- get  
14 to work on those changes.

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

17 COMMISSIONER REPP: Second.

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

20 (Aye responses)

21 VICE CHAIR BROWN: Thank you.

22 We are going to move into amended application  
23 for pari-mutuel operating license, Item 2.1.

24 Good morning.

25 COMMISSIONER D'AQUILA: Good morning.

1 MS. JELKS: Good morning. Gulfstream Park  
2 Racing Association has applied to amend their  
3 operating license to cancel one performance for a  
4 total of 161 performances. It's our recommendation  
5 is that the Commission approve this request.

6 VICE CHAIR BROWN: Thank you.

7 Commissioners, any questions on this item?

8 I have a question of our staff on it. I know  
9 our agency bill had some modifications that will  
10 affect I guess amending applications moving  
11 forward.

12 Can you provide -- or, Mr. Dillmore, can you  
13 provide some updates for the public? Although I  
14 know it's not signed into law yet.

15 MR. DILLMORE: Yes, Commissioner, thank you.

16 So the current process is a little bit -- it  
17 was in statute, little antiquated. It was back in  
18 the time when racetracks were extremely  
19 competitive.

20 So in the agency bill we kind of -- it's a  
21 little language makes that process easier for a  
22 permit holder to amend dates. They don't require  
23 the notification from other permit holders and  
24 allows them more flexibility to amend more dates in  
25 their application process.

1           VICE CHAIR BROWN: Thank you. And obviously  
2 the permit holders are aware of the process here of  
3 filing amended applications so -- and they know --  
4 now that we are commissioned, it's a little more  
5 notice time. So when we get these applications, we  
6 don't want them after the fact.

7           MR. DILLMORE: Yes. We have been working with  
8 the industry about the timing of those -- those  
9 requests. This -- this new process when it goes  
10 into effect, it goes into effect July 1st, will  
11 actually make that process a little better, because  
12 they won't have as many things to gather in a file.  
13 So it's probably efficiency on both our parts, both  
14 the industry and the staff.

15           VICE CHAIR BROWN: Thank you so much.  
16           Commissioners, do y'all have any questions on  
17 this? Can we get a motion to approve the item?

18           COMMISSIONER DRAGO: So moved.

19           VICE CHAIR BROWN: 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.

24           All right. We are moving on to a discussion  
25 of license denials, Item 3.1.

1 Mr. Klein.

2 MR. KLEIN: Yes, thank you. This is  
3 Joseph Klein for the record.

4 Item 3.1 is Osmel Nunez, Case Number  
5 2023-071556. The Division received an application  
6 from Mr. Nunez on December 13, 2023, seeking a  
7 pari-mutuel professional individual occupational  
8 license.

9 After review of the application, it was  
10 discovered that in 2013 the applicant was convicted  
11 of two felony offenses in the State of Florida,  
12 armed cannabis trafficking between 250 and 2,000  
13 pounds and controlled substance possession of place  
14 for purpose of trafficking.

15 The applicant failed to disclose the status of  
16 his arrest and case dispositions at the time of  
17 application. He applied for a waiver, which was  
18 declined by the executive director.

19 As such the Division's recommendation is that  
20 the Commission authorize the issuance of a notice  
21 to deny.

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

23 Commissioners, any questions on this item?  
24 Commissioner Drago.

25 COMMISSIONER DRAGO: No.



1 VICE CHAIR BROWN: Commissioner Repp.

2 COMMISSIONER REPP: Is there still an  
3 outstanding fine on this or --

4 MR. KLEIN: Do you mean the -- with regards to  
5 the insurance?

6 COMMISSIONER REPP: I thought that he had an  
7 outstanding (technical interference).

8 VICE CHAIR BROWN: Citizens Property  
9 Insurance.

10 COMMISSIONER REPP: Yeah. Yeah.

11 MR. KLEIN: Property Insurance. A  
12 restitution?

13 COMMISSIONER REPP: Yeah. The outstanding I  
14 believe 45,000, that's been figured out what that  
15 is or whether it's due?

16 MR. KLEIN: I'm not sure that that can be  
17 ascertained by -- by what's available on the -- on  
18 the record, because the -- the property owner says  
19 that she had a \$45,000 insurance settlement, but on  
20 the -- the court documents show it was 5,000 -- a  
21 \$5,000 repayment and something like \$82 a week or a  
22 month I think.

23 The insurance company doesn't know. They  
24 can't find the records or don't have access to --  
25 to what was actually owed in the first place, so I

1 don't know that we can determine what the status of  
2 that was, but his -- his probation was terminated  
3 and it was a term of it.

4 COMMISSIONER REPP: Thank you.

5 VICE CHAIR BROWN: Commissioners, can we get a  
6 motion to approve the license denial -- notice of  
7 intent to deny?

8 COMMISSIONER D'AQUILA: I will make a motion  
9 to approve staff's recommendation for license  
10 denial.

11 VICE CHAIR BROWN: Is there a second?

12 COMMISSIONER DRAGO: Second.

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

15 (Aye responses)

16 VICE CHAIR BROWN: Thank you.

17 Thank you, Mr. Klein.

18 We're moving into discussion of recommended  
19 orders, 4.1 and 4.2.

20 MR. KLEIN: Thank you.

21 Item 4.1 is Florida Gaming Control Commission  
22 versus Anthony Cespedes, 2022-010240. The case  
23 comes before you following a recommended order  
24 issued by the hearing officer. An informal hearing  
25 was conducted on January 4th, 2024, regarding an

1 administrative complaint seeking to exclude the  
2 respondent from all pari-mutuel and slot machine  
3 facilities in the state.

4 Pursuant to Sections 550.0215(6) and 551.112  
5 of the Florida statutes, the hearing officer issued  
6 a recommended order on April 1st, 2024,  
7 recommending that the respondent be permanently  
8 excluded from all pari-mutuel and slot machine  
9 facilities in the State of Florida.

10 Therefore the Division would ask that the  
11 Commission adopt the hearing officer's recommended  
12 order and add respondent to the permanent exclusion  
13 list.

14 VICE CHAIR BROWN: Commissioners, I don't see  
15 any objection to the staff's recommendation. If  
16 you all are inclined, can you go ahead and please  
17 make a motion to approve the recommended order.

18 COMMISSIONER DRAGO: So moved.

19 VICE CHAIR BROWN: Is there a second?

20 COMMISSIONER REPP: Second.

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

22 (Aye responses)

23 VICE CHAIR BROWN: Thank you, Mr. Klein.

24 MR. KLEIN: Thank you.

25 Item 4.2, Florida Gaming Control Commission

1 versus Marquitta Jones, Case Number 2023-003527.

2 The case comes before the Commission following  
3 a recommended order issued by the hearing officer.

4 An informal hearing was conducted on January 4,  
5 2024, regarding an administrative complaint seeking  
6 to exclude the respondent from all pari-mutuel and  
7 slot machine facilities in the state.

8 Pursuant to Sections 550.0251(6) and 551.112  
9 of the Florida Statutes, the hearing officer issued  
10 a recommended order on March 29, 2024, recommending  
11 that the respondent be permanently excluded from  
12 all Florida licensed pari-mutuel and slot machine  
13 facilities.

14 As such the Division would ask that the  
15 Commission adopt the hearing officer's recommended  
16 order and add respondent to the permanent exclusion  
17 list.

18 VICE CHAIR BROWN: Thank you.

19 Commissioners, if there are no objections, can  
20 we get a motion to approve the recommended order.

21 COMMISSIONER REPP: Motion to approve the  
22 recommended order.

23 VICE CHAIR BROWN: Is there a second?

24 COMMISSIONER D'AQUILA: Second.

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

1 (Aye responses)

2 VICE CHAIR BROWN: Thank you.

3 Moving on to the discussion of final orders  
4 pursuant to request from respondents, 5.1 and 5.2.

5 MR. KLEIN: Thank you.

6 Item 5.1 is Florida Gaming Control Commission  
7 versus Arsenio Cue, Case Number 2023-040862. The  
8 respondent was served with an administrative  
9 complaint seeking his exclusion from all  
10 pari-mutuel and slot machine facilities in the  
11 State of Florida.

12 Respondent turned in an election of rights  
13 indicating that he does not dispute the allegations  
14 set forth in the complaint, waiving his right to a  
15 hearing in the matter and requesting that a final  
16 order be entered in this case. Pardon me.

17 The Division would therefore ask that the  
18 Commission enter a final order permanently  
19 excluding respondent from all pari-mutuel and slot  
20 machine facilities.

21 VICE CHAIR BROWN: Thank you, Mr. Klein.

22 Commissioners, are there any questions on this  
23 item? All right. Can we get a motion to approve  
24 the final order?

25 COMMISSIONER DRAGO: So moved.

1 VICE CHAIR BROWN: Is there a 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.

6 5.2, please.

7 MR. KLEIN: 5.2 is Florida Gaming Control

8 Commission versus Brianna Lubin, 2023-039433.

9 The respondent was served with an  
10 administrative complaint seeking her exclusion from  
11 all pari-mutuel and slot machine facilities in the  
12 State of Florida.

13 Respondent returned an election of rights form  
14 that requested an informal hearing. During that  
15 hearing respondent stated that she did not oppose  
16 being excluded from all licensed pari-mutuel  
17 wagering and slot machine facilities in the State  
18 of Florida.

19 As a result, a motion to relinquish  
20 jurisdiction was made by counsel and granted by the  
21 hearing officer so that a final order excluding  
22 respondent from all pari-mutuel wagering and slot  
23 machine facilities could be issued by the  
24 Commission.

25 Therefore the Division would ask that the

1 Commission enter a final order adding respondent to  
2 the permanent exclusion list.

3 VICE CHAIR BROWN: Thank you, Mr. Klein.

4 Commissioners, are there any questions on --

5 COMMISSIONER DRAGO: I just have one question.  
6 I think we talked about this before. When we have  
7 a situation like this where the person is not just  
8 committing a regulation violation, it's committing  
9 a crime, are -- are we referring this to law  
10 enforcement or -- or -- our law enforcement people  
11 investigating this as a criminal act or do we just  
12 handle it in terms of the civil regulation and  
13 don't follow up with criminal investigation or  
14 referral to a law enforcement agency?

15 MR. TROMBETTA: Thank you, Commissioner Drago.

16 We take them kind of on a case-by-case basis,  
17 but we are finding ways to incorporate our -- our  
18 law enforcement division into the regulatory work  
19 in that -- exactly how you're describing it.

20 So I don't believe we did it with this  
21 specific case, but I know that our Division of Law  
22 Enforcement is working with our regulatory team on  
23 other matters.

24 COMMISSIONER DRAGO: I'd like to hear more  
25 about that at -- at some point when -- after we get

1 it all worked out, because I think it's --  
2 important part of this is not only excluding them  
3 from a facility but also making it clear that  
4 they're going to be investigated criminally and  
5 possibly have criminal charges against them for  
6 these types of obvious criminal offenses. Thank  
7 you.

8 VICE CHAIR BROWN: Thank you,  
9 Commissioner Drago. Is that also a motion to  
10 approve the final order?

11 COMMISSIONER DRAGO: It is.

12 VICE CHAIR BROWN: Is there a second?

13 COMMISSIONER REPP: Second.

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

16 VICE CHAIR BROWN: Thank you. The motion  
17 passes.

18 I appreciate those comments,  
19 Commissioner Drago, and agree with you.

20 We are going to move on to the discussions of  
21 policies and procedures. So let me -- a few things  
22 are adjusted. I'm just going to read them. I know  
23 our agenda has items -- different items, but the  
24 ones that we are taking up today are 6.1, 6.3, 6.5,  
25 6.6, 6.7, and 6.8.



1 Is that correct, Mr. Trombetta?

2 MR. TROMBETTA: Yes, ma'am.

3 VICE CHAIR BROWN: So with that there's some  
4 law enforcement policies here and there's also some  
5 admin policies here, so we're going to start I  
6 guess with 6.1 of law enforcement.

7 Chief Herold.

8 MR. HEROLD: Good morning. We are bringing  
9 forward two policies this morning, 02.11.01 for  
10 search and seizure and warrants and 02.37.01 for  
11 field training. The other two we're going to ask  
12 to hold those back and bring those forward at a  
13 different time.

14 The first one is policy on search, seizure,  
15 and warrants and the purpose of the policy is to,  
16 you know, provide guidance for our law enforcement  
17 officers on the federal and state constitutional  
18 rights of everybody and ensure that we don't  
19 participate in any unreasonable or illegal searches  
20 or seizures as an agency and as a law enforcement  
21 unit.

22 And then the other one is our field training  
23 policy and it simply sets and places minimum  
24 standards for field training as we bring new  
25 individuals on and checks and balances to evaluate

1 their performances they continue through the field  
2 training process.

3 VICE CHAIR BROWN: Thank you,  
4 Commissioner Herold.

5 Let's go to the first one, the search and  
6 seizure and warrants. Commissioners, do you have  
7 any questions on the proposal? It's like reading a  
8 law -- in law school all over again. It's very  
9 straightforward. Any questions?

10 COMMISSIONER DRAGO: I just have one question,  
11 if I could. Yeah, I -- I agree that the legal part  
12 of it was outstanding and very in depth and it  
13 would leave no doubt in anybody's mind what -- what  
14 they're allowed to do by law and what they can't  
15 do, so that -- that was great.

16 My -- my thing is I hope we will follow up  
17 with a little bit more in terms of procedures for  
18 the actual execution of the search warrant and  
19 we -- we can do that in procedural process as  
20 opposed to just putting it all in the policy.

21 But other than that I think it's -- I think  
22 it's great. I think it's -- it's very  
23 comprehensive and I just think we need to formalize  
24 the procedures a little better in terms of that,  
25 but otherwise it looks good.

1 MR. HEROLD: And if I may, to your point,  
2 Commissioner, yes, we will address those things in  
3 a forthcoming policy that we have and then also we  
4 appreciate the comments about the quality of the --  
5 the policy itself and I want to make sure that  
6 Marc Taupier gets the credit for that. That was  
7 none of me, so...

8 COMMISSIONER DRAGO: Thank you. That was very  
9 good work.

10 VICE CHAIR BROWN: Very good work.

11 Commissioners, can we get a motion to approve  
12 I guess the -- the correct policy number is  
13 02.11.01?

14 COMMISSIONER D'AQUILA: I'll make a motion to  
15 approve the policy as presented.

16 VICE CHAIR BROWN: Is there a second?

17 COMMISSIONER REPP: Second.

18 VICE CHAIR BROWN: Any discussions? Seeing  
19 none, all those in favor say aye.

20 (Aye responses)

21 VICE CHAIR BROWN: Thank you. Then moving on  
22 to the field training one.

23 Are there specific questions or -- of the  
24 Commissioners on field training?

25 Would you like to elaborate any more on that,

1 Mr. Herold?

2 MR. HEROLD: You know, I think I covered it,  
3 it's --

4 VICE CHAIR BROWN: It's pretty  
5 straightforward.

6 MR. HEROLD: Yeah, pretty straightforward.

7 VICE CHAIR BROWN: Thank you.

8 Commissioners, any questions? Seeing none,  
9 can I get a motion to approve the item?

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: Thank you and thank you for  
16 your work.

17 We are moving on to HR policies. The first  
18 one is 6.5, which is career service grievance  
19 process.

20 MR. TROMBETTA: Lisa Mustain is here to help.

21 And, Lisa, if you're prepared, I'd ask you to  
22 kind of go through this.

23 MS. MUSTAIN: Thank you. Yes, good morning.

24 VICE CHAIR BROWN: Good morning.

25 COMMISSIONER D'AQUILA: Good morning.

1 MS. MUSTAIN: I want to make sure that I have  
2 the right one. So we're -- I think we're on 6.6,  
3 career service grievance process.

4 VICE CHAIR BROWN: Right. It kind of got  
5 renumbered with the new --

6 MS. MUSTAIN: This policy provides career  
7 service employees with uniform process for filing  
8 internal grievances and supervisors with guidelines  
9 of processing employee grievances with them at the  
10 Florida Gaming Control Commission the (inadible) --  
11 the tenets of Section 16.712 the Florida Statutes  
12 and the applicable rules.

13 VICE CHAIR BROWN: It seems very again  
14 standard HR management.

15 Commissioners, if there are no questions, can  
16 we get a motion to approve the item?

17 COMMISSIONER REPP: Motion to approve.

18 VICE CHAIR BROWN: Is there a second?

19 COMMISSIONER D'AQUILA: Second.

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

22 VICE CHAIR BROWN: Thank you.

23 The next one I think it just says for clarity  
24 of drug-free work policy -- drug-free workplace  
25 policy, which would be 03.14.01.

1 MS. MUSTAIN: Drug-free work policy, this  
2 policy is from the Florida Gaming Control  
3 Commission to provide a drug-free workplace for all  
4 of our employees.

5 The policy has been adopted in accordance with  
6 Section 12.0455 (sic) of the Florida Statutes.  
7 It's also known as the Drug-Free Workplace Act.  
8 It's pretty self-explanatory. You have any  
9 questions?

10 VICE CHAIR BROWN: Very thorough. Very  
11 thorough.

12 Commissioners, any questions?

13 COMMISSIONER D'AQUILA: No.

14 VICE CHAIR BROWN: Can we get a motion to  
15 approve the drug-free workplace policy?

16 COMMISSIONER D'AQUILA: Motion to approve the  
17 drug-free workplace policy as written.

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 MS. MUSTAIN: And I believe that's all that we  
23 put forward today.

24 VICE CHAIR BROWN: I thought for --  
25 Mr. Trombetta, I thought we had 6.7 and 6.8 -- or

1 recruitment selection and --

2 MR. TROMBETTA: Yes. Yes, ma'am. On my notes  
3 I have recruitment and selection and 3. -- or it  
4 would be --

5 VICE CHAIR BROWN: Lactation.

6 MR. TROMBETTA: -- our FGCC Policy 03.19.01  
7 lactation breaks.

8 MS. MUSTAIN: I found it.

9 VICE CHAIR BROWN: Okay.

10 MS. MUSTAIN: I apologize, Commissioners. I  
11 thought this one had been pulled.

12 In accordance with the applicable federal,  
13 state, and local law, the Florida Gaming Commission  
14 provides equal opportunity to applicants and  
15 employees regardless of actual or perceived race,  
16 ethnicity, national origin, religion, sex, sexual  
17 orientation, gender identity, or expression age  
18 disability pregnancy, genetic information, veteran  
19 status, marital status, and other clarifications or  
20 status protected by law.

21 The Commission does not show partiality and  
22 grant -- or grant special status to any applicant  
23 employee or group of employees unless otherwise  
24 required by law.

25 This policy establishes our uniform

1 recruitment and selection process in accordance  
2 with those requirements.

3 VICE CHAIR BROWN: Thank you. I do have a  
4 question just on the selection on page 5, G1.  
5 Again it's on the recruitment and selection policy,  
6 and it says: Or posted requisitions, applications,  
7 or resumes received after the deadline shall not be  
8 considered.

9 Sometimes we do get applications after. I  
10 think changing the word shall to may would just  
11 lend -- lend some discretion.

12 MS. MUSTAIN: Done.

13 VICE CHAIR BROWN: Thank you.

14 Commissioners, any other questions or  
15 comments?

16 COMMISSIONER DRAGO: I guess just in terms of  
17 law enforcement. Does law enforcement have their  
18 own selection retention -- or selection hiring  
19 policy or would we go under the same agency-wide  
20 policy for selection and hiring, recruitment?

21 MS. MUSTAIN: Law enforcement does have more  
22 substantial requirements. They follow this policy,  
23 but they have additional requirements and  
24 background checks that they implement before they  
25 give the PARS to us to hire the applicant.



1           COMMISSIONER DRAGO: And have we -- have we  
2 finalized that policy yet, Mr. Herold, for law  
3 enforcement?

4           MR. HEROLD: I have to check.

5           COMMISSIONER DRAGO: I don't remember us doing  
6 it, that's why I'm asking. I just want to make  
7 sure that we are -- we are -- we either do have one  
8 or we're going to have one as it pertains  
9 specifically to law enforcement as well.

10          MR. HEROLD: Well, we just go by the criminal  
11 standards requirements. I mean, we can incorporate  
12 that into a policy.

13          COMMISSIONER DRAGO: There's no specific  
14 differences between this and how we might handle  
15 sworn officers hiring, recruitment, and selection?

16          MR. HEROLD: Are you asking me? I'm sorry.

17          COMMISSIONER DRAGO: I'm just saying -- I'm  
18 just asking because as we said, there's a lot of  
19 differences with law enforcement, sworn personnel,  
20 and what we do and so forth, and I know this is an  
21 umbrella that will certainly affect them as well,  
22 but do we have a separate policy that outlines how  
23 we will address hiring --

24          MR. HEROLD: We do not.

25          COMMISSIONER DRAGO: -- sworn law enforcement

1 officers.

2 MR. HEROLD: We do not at this time.

3 COMMISSIONER DRAGO: Do we plan on doing that,  
4 has that -- has that been considered or you don't  
5 think we need one? I guess is my --

6 MR. HEROLD: No. I mean, we will consider it.  
7 I'll get back with you.

8 MS. MUSTAIN: If I may, FDLE has provided us  
9 with CJIS of standards of everything that has to be  
10 in a law enforcement application, that is a  
11 checklist and it says: Currently we are going  
12 through the checklist to ensure that we have all  
13 the documents for review by FDLE if they should  
14 come over and audit us, but we can certainly make  
15 it into a policy.

16 COMMISSIONER DRAGO: I guess that's my  
17 question is whether I'm going to have that  
18 information and the checklist, et cetera, in the  
19 policy so that we know what we're -- we have to  
20 follow. Because it is such specific criteria when  
21 hiring law enforcement people, that we've got that  
22 documented somewhere, somehow.

23 MR. HEROLD: It is in the works.

24 VICE CHAIR BROWN: Mr. Trombetta, did you have  
25 something to add?

1 MR. TROMBETTA: No. That's okay.

2 VICE CHAIR BROWN: Commissioner Drago, I think  
3 that's a very fair point to make. I appreciate you  
4 bringing that up.

5 COMMISSIONER DRAGO: Thank you.

6 VICE CHAIR BROWN: Commissioners, any  
7 questions or comments? Can we get a motion to  
8 approve the item of recruitment and selection with  
9 one modification as presented?

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: Motion passes.

16 And we have one last one under admin. It's  
17 the lactation breaks, which are self-explanatory  
18 and thorough, but if you want to just do an  
19 overview.

20 MS. MUSTAIN: Policy 13.19.01, this is a  
21 policy for the Florida Gaming Control Commission to  
22 provide in compliance with the Fair Labor Standards  
23 Act reasonable break time and appropriate  
24 facilities to accommodate any employee desiring to  
25 express breast milk for her infant nursing child or

1 up until one year after the child's birth. It  
2 provides for this ability to give nursing mothers  
3 reasonable accommodations.

4 VICE CHAIR BROWN: Thank you. Excellent.  
5 Commissioners, can we get a motion to approve  
6 the item as presented -- policy as presented?

7 COMMISSIONER REPP: Motion to approve the  
8 policy.

9 VICE CHAIR BROWN: Is think a second?

10 COMMISSIONER D'AQUILA: Second.

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

13 VICE CHAIR BROWN: Thank you. Thank you all,  
14 and we will have more policies to come. I know we  
15 had to pull a few items today, but we will have  
16 more at our next meeting. So that concludes our  
17 policies and procedures today.

18 We are moving into the executive director  
19 updates --

20 MR. TROMBETTA: Thank you, Commissioner Brown.

21 I have two updates. The first one is  
22 something you mentioned at the start of the  
23 meeting, an additional update on our legislative  
24 session.

25 Both of our trust fund bills have now been

1 signed off by Governor DeSantis, so two more  
2 successes from -- from the session are now kind of  
3 officially in the books. Our law enforcement team  
4 now has both federal and state trust fund that  
5 they'll be able to utilize.

6 Second deals with the meeting in May. As we  
7 had discussed the prior meeting, we are organizing  
8 a May meeting in South Florida. We still are  
9 finalizing the location, the specific location for  
10 the meeting, but plans are -- are moving forward to  
11 move this party down there.

12 The meeting's set for Thursday, May 2nd. I  
13 believe that we are going to try to kind of have  
14 two -- two meetings, I think one meeting with a  
15 break. We'll have our normal Commission business  
16 meeting, which will then be followed by another  
17 meeting just on cashless wagering.

18 At this point the staff here has had two  
19 workshops and has received feedback from the  
20 industry on two separate times. We have a good  
21 kind of idea of some decisions that we need your  
22 feedback on essentially before we go down the task  
23 of drafting language.

24 So the point of that second part of the  
25 meeting, we're not sure exactly how we're going to

1 do it, but the point is there's going to be a  
2 specific time to discuss cashless wagering in South  
3 Florida in addition to our regular meeting.

4 And I'm also able to answer any questions  
5 about that or anything else you have, but those are  
6 my two updates.

7 VICE CHAIR BROWN: Thank you,  
8 Director Trombetta.

9 Commissioners, any questions for  
10 Mr. Trombetta?

11 VICE CHAIR BROWN: Thank you for the update.  
12 We are moving into public comments. I have no  
13 speaker cards today, but if there's anybody in the  
14 public that would like to address us, please feel  
15 free to come up to the podium at this time. Seeing  
16 none.

17 Commissioners, any other matters to address  
18 before we get to the last item? All right. We  
19 will now discuss Agenda Item 9.

20 General Counsel Elina Valentino -- Valentine.

21 MS. VALENTINE: I desire the Commission's  
22 advice concerning litigation in connection with  
23 Case Number 2023-000965, Florida Gaming Control  
24 Commission versus Washington County Kennel Club.

25 However, before we begin the session, I would

1 like to suggest perhaps a break, maybe 10 or 15  
2 minutes.

3 VICE CHAIR BROWN: Before we adjourn? Before  
4 we get into the script here?

5 MR. MARSHMAN: Once we begin the  
6 attorney/client session, we're going to have to  
7 close the meeting, meaning everyone who's here that  
8 may want to speak with staff or the Commissioners  
9 will be asked to leave.

10 VICE CHAIR BROWN: Right.

11 MR. MARSHMAN: So if you would like an  
12 opportunity for those conversations to happen  
13 before the attorney/client session, we would  
14 encourage the Commission to consider a break. If  
15 not, staff is ready to move into the  
16 attorney/client session. However, we will have to  
17 ask everyone in the audience that we have not  
18 previously noticed as being part of the meeting to  
19 leave.

20 VICE CHAIR BROWN: I don't think we need to  
21 take a 15-minute break for that.

22 Commissioners, are you prepared to move into  
23 the attorney/client meeting?

24 COMMISSIONER DRAGO: Yes.

25 VICE CHAIR BROWN: I'm going to go ahead and

1 read the script and then just to put everybody on  
2 notice, at the conclusion of the script, I'm going  
3 to ask The Florida Channel and all to adjourn.

4 So with that I will begin. Is that okay,  
5 Ms. Valentine?

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

13 Specifically we'll be discussing strategy  
14 relating to pending litigation related to Case  
15 Number 2023-000965, FGCC versus Washington County  
16 Kennel Club, Inc. The closed meeting will be  
17 approximately 30 minutes.

18 And for the record those that will be in  
19 attendance are Vice Chair Julie Brown,  
20 Commissioner Charles -- Chuck Drago,  
21 Commissioner John D'Aquila, and Commissioner Tina  
22 Repp, Executive Director Louis Trombetta, Deputy  
23 Executive Director and Chief Legal Officer  
24 Ross Marshman, General Counsel Elina Valentine,  
25 Chief Attorney Elizabeth Stinson, Attorneys



1 Darrell Garvey and Joseph Klein, Division Director  
2 Joe Dillmore, Revenue Program Administrator  
3 Tracy Swain, and Commission staff Dixie Parker,  
4 Brandy Humphries, and Sherine Anbardan and court  
5 reporter, of course, Judy Martin.


6 To comply with Section 16.716 and  
7 286.011(8)(c) Florida Statutes, there will be a  
8 written record of this separation of necessity of  
9 closure that will be filed with the official record  
10 custodian of the Commission.

11 And now I will ask those in the audience as  
12 well as the Florida Channel to discontinue the live  
13 feed for the next 30 minutes, because this will be  
14 a closed meeting and not open to the public.

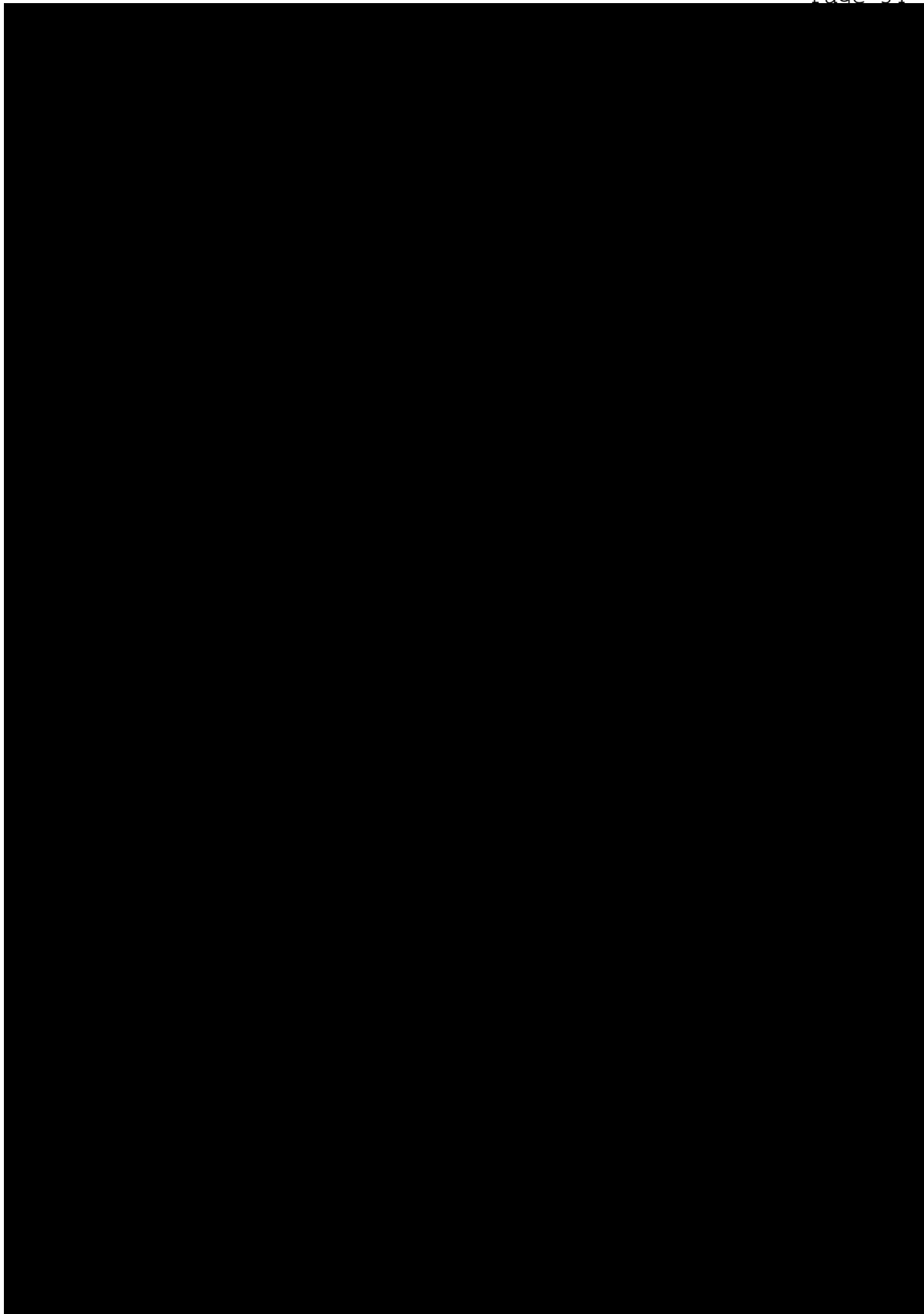
15 So we're just going to pause for a second to  
16 make sure that you adjourn and thank you all for  
17 being here today and leaving.

18 ATTORNEY/CLIENT CLOSED SESSION

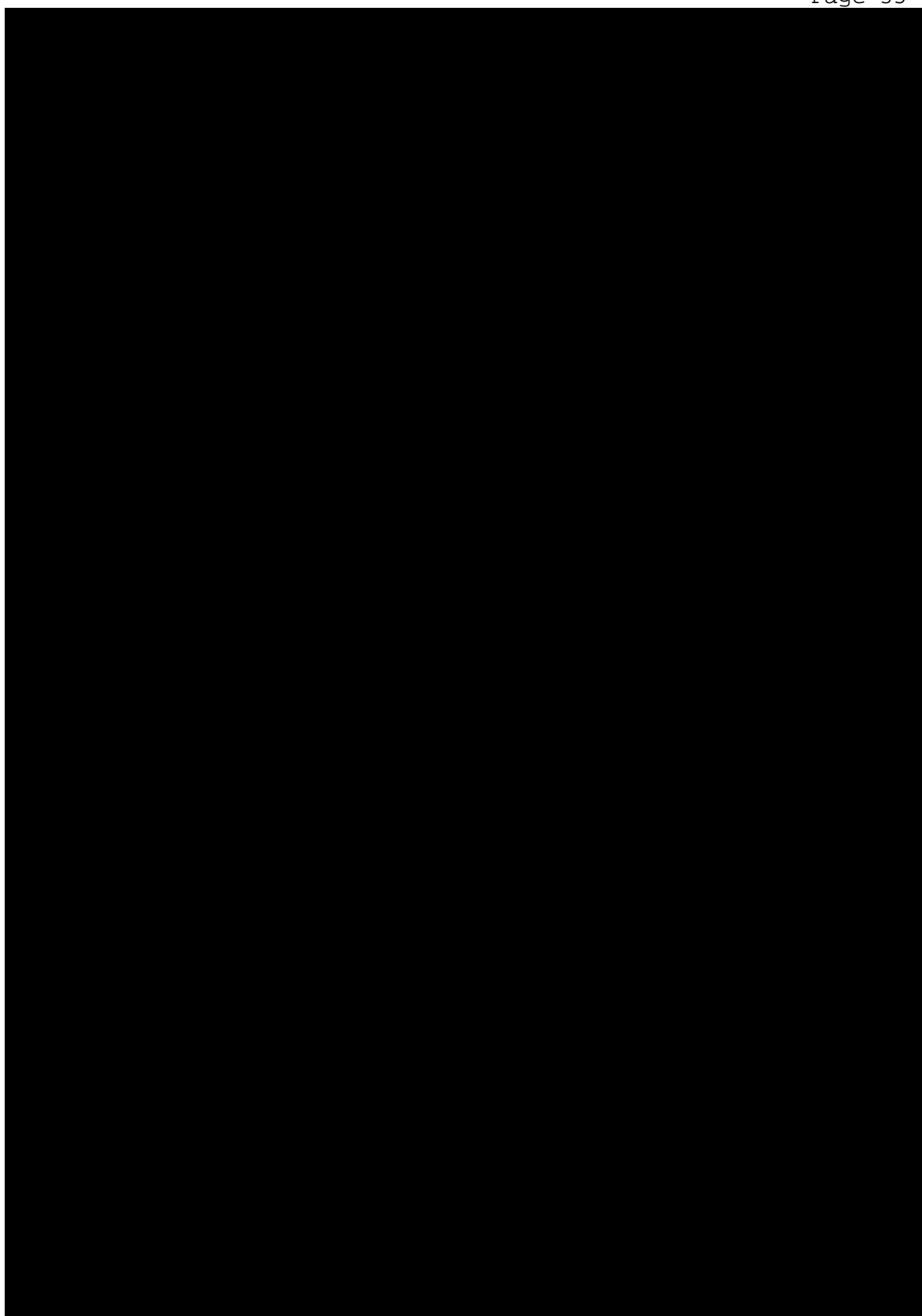
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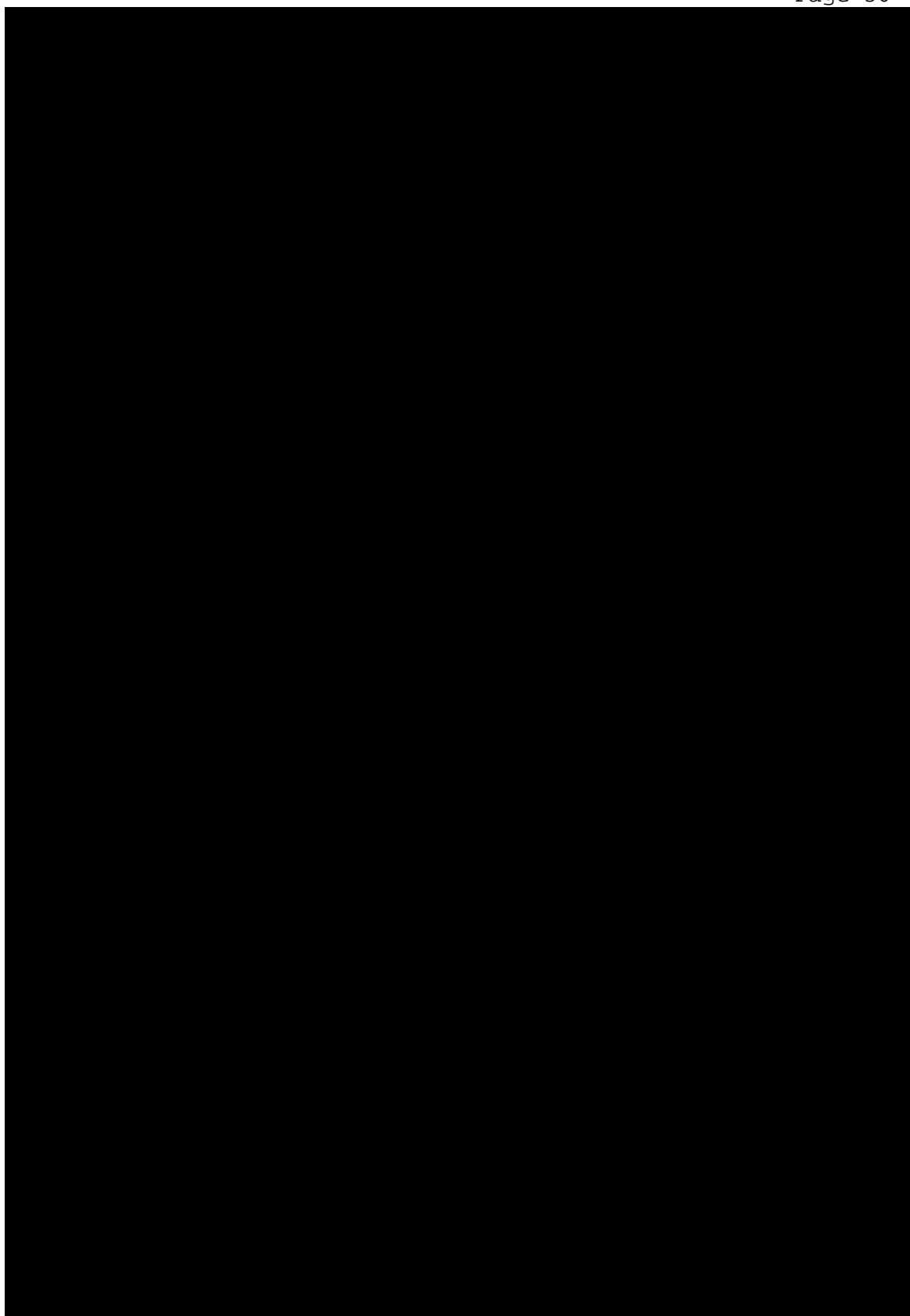
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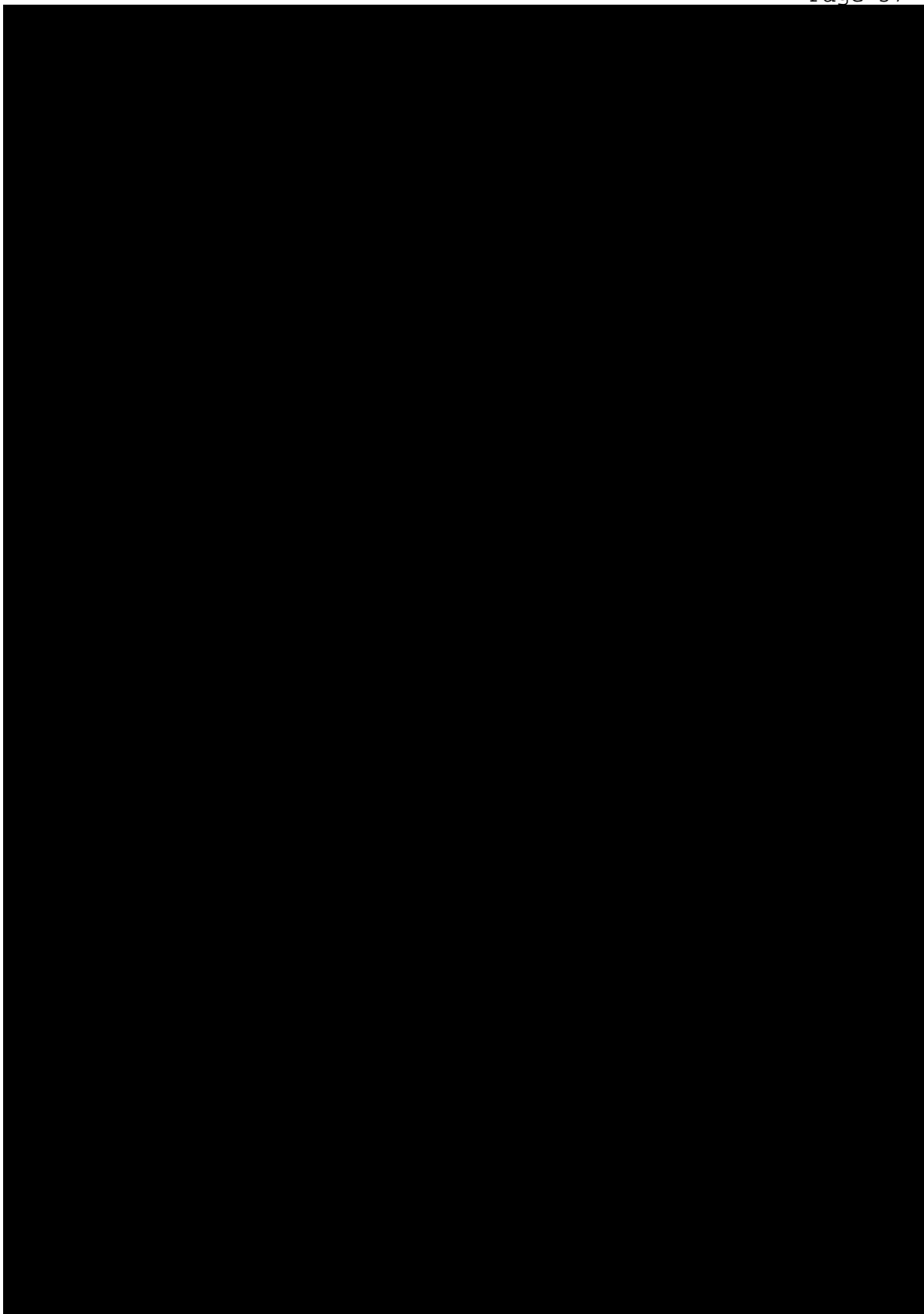
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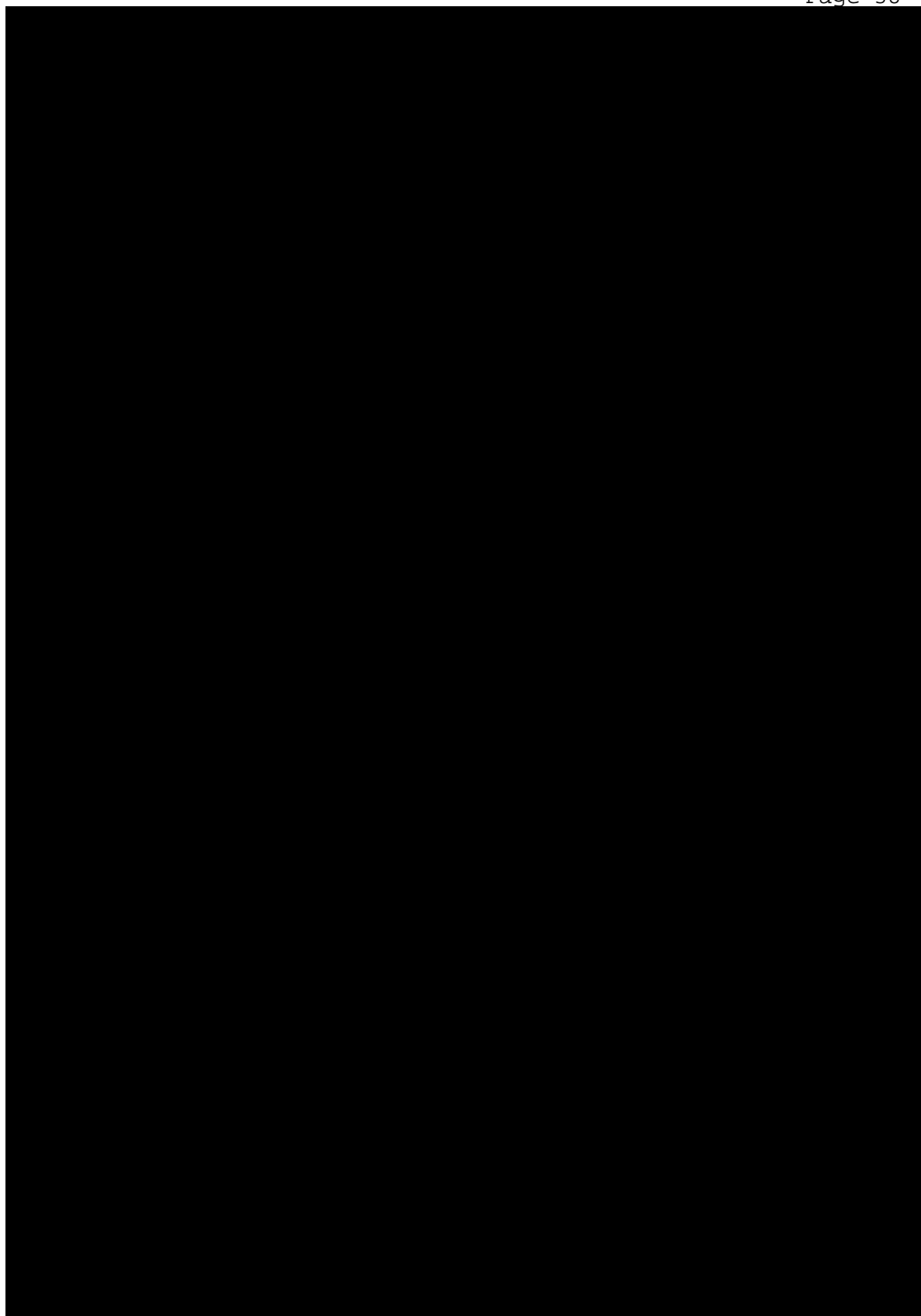
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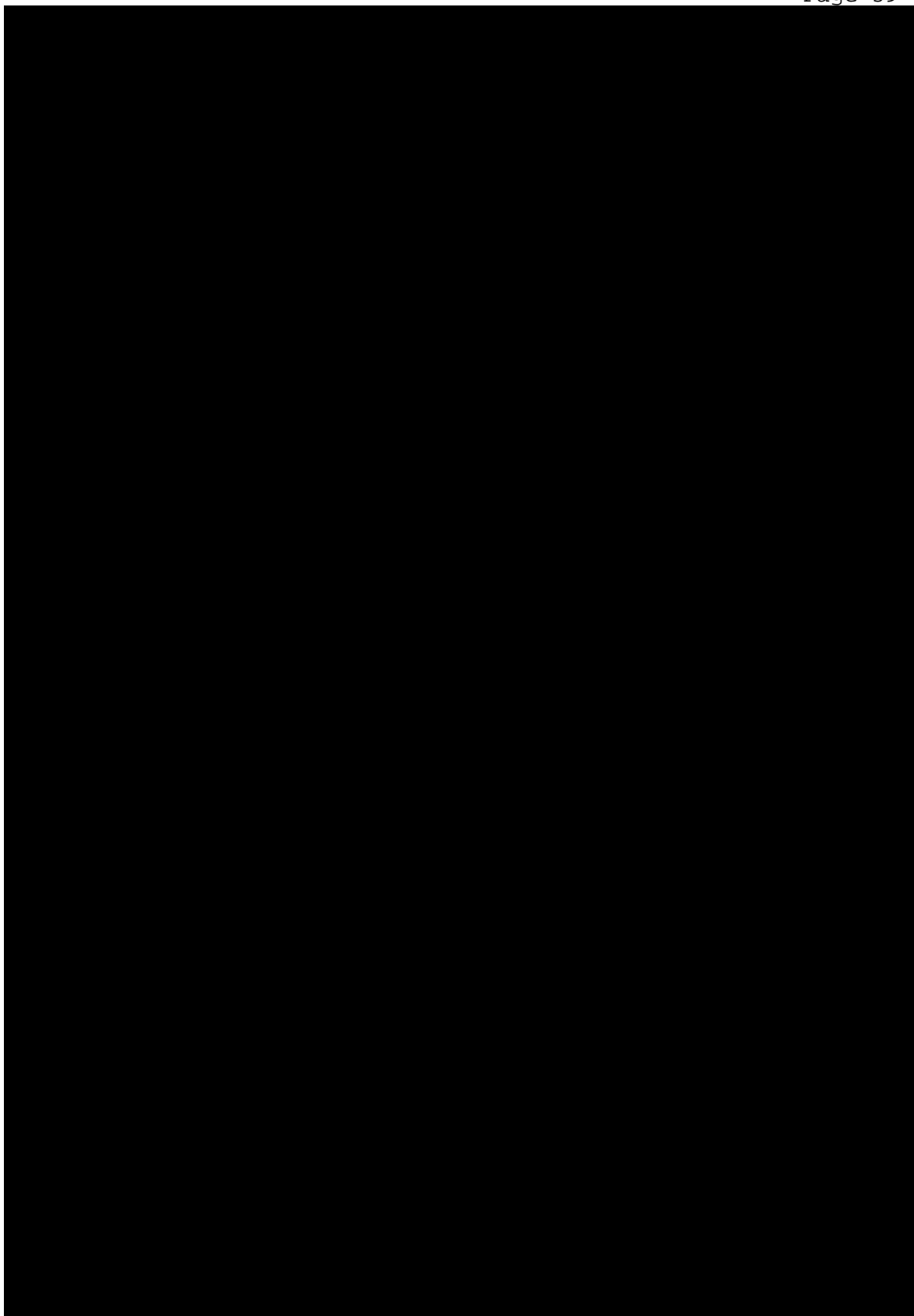
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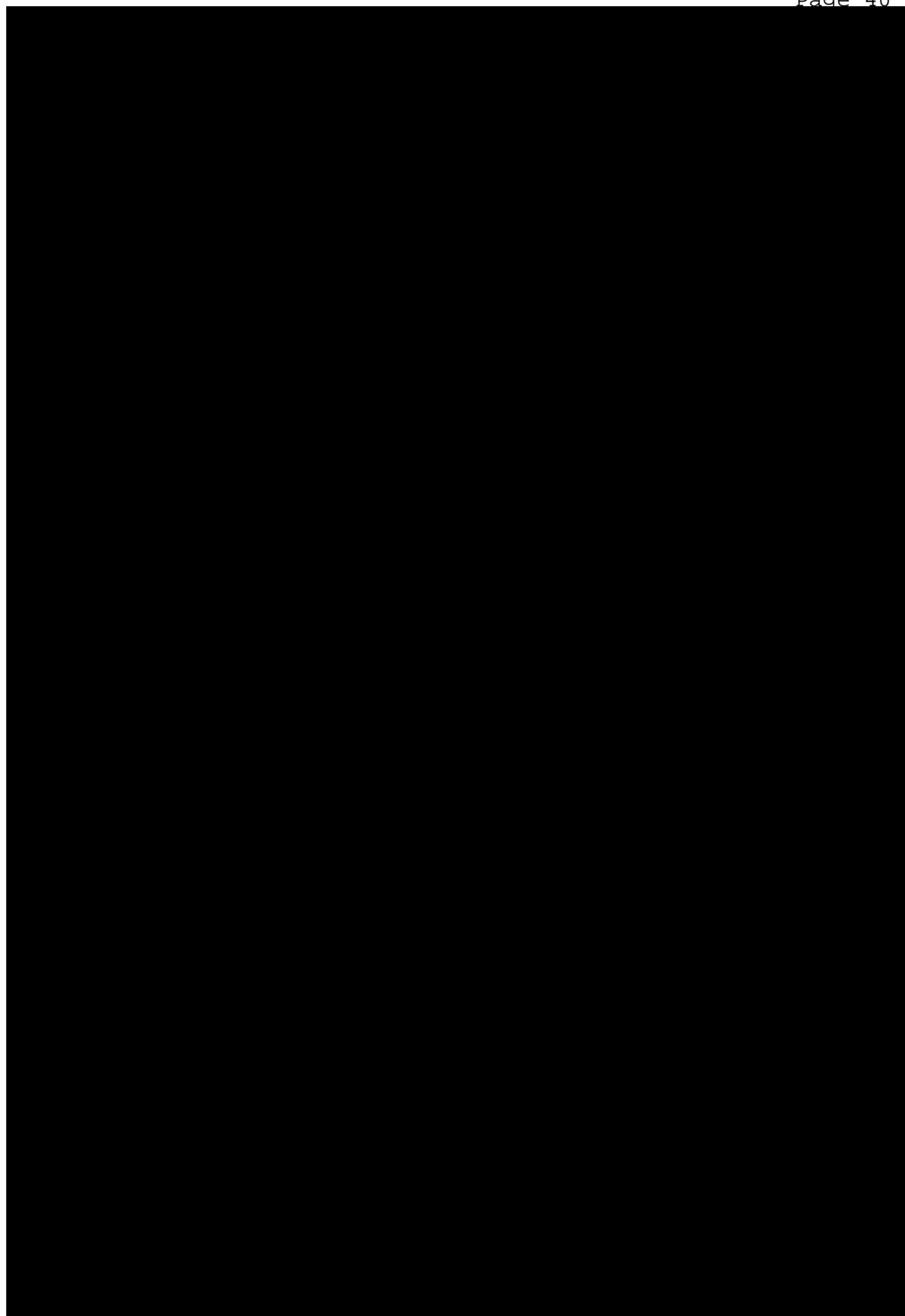
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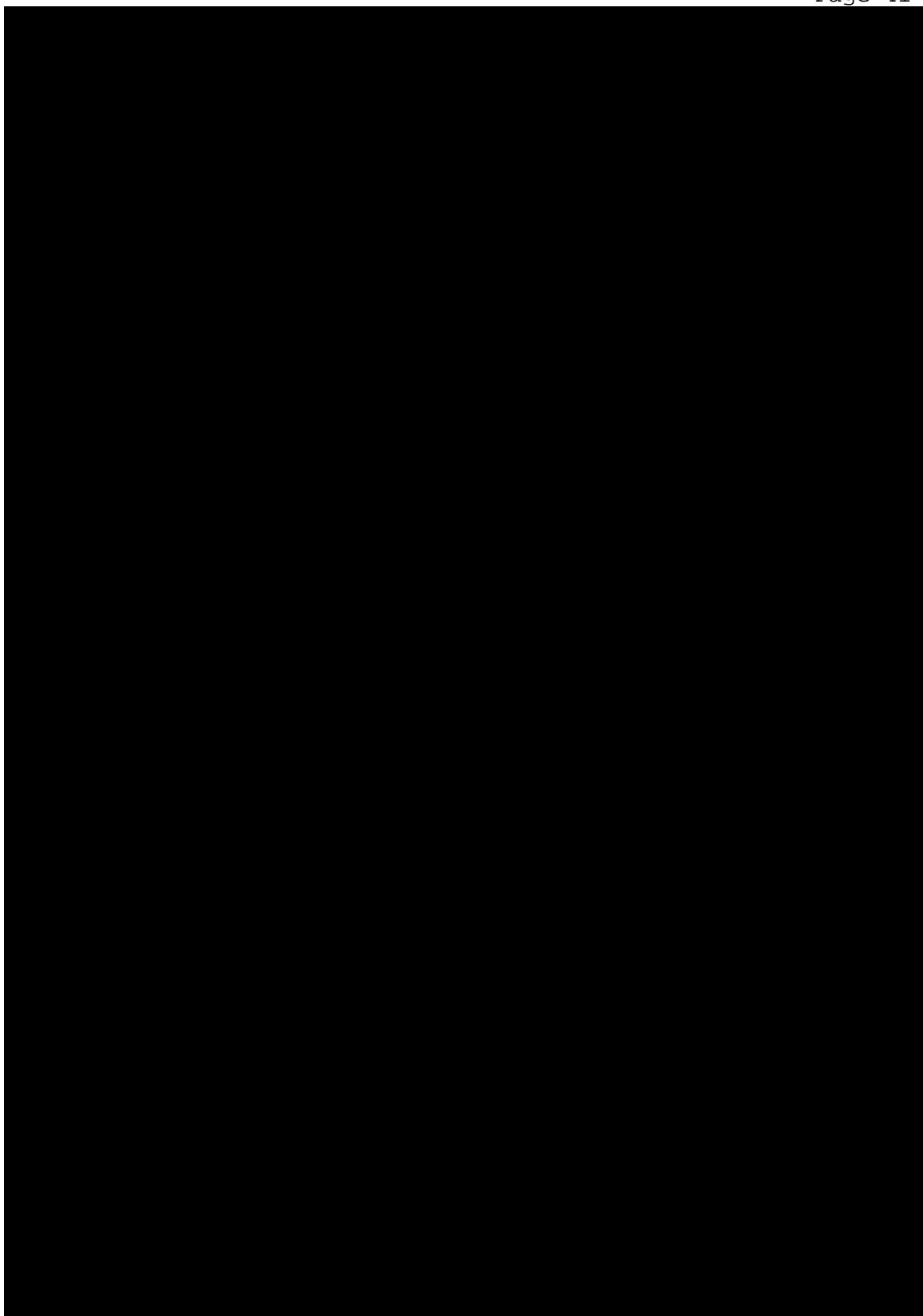


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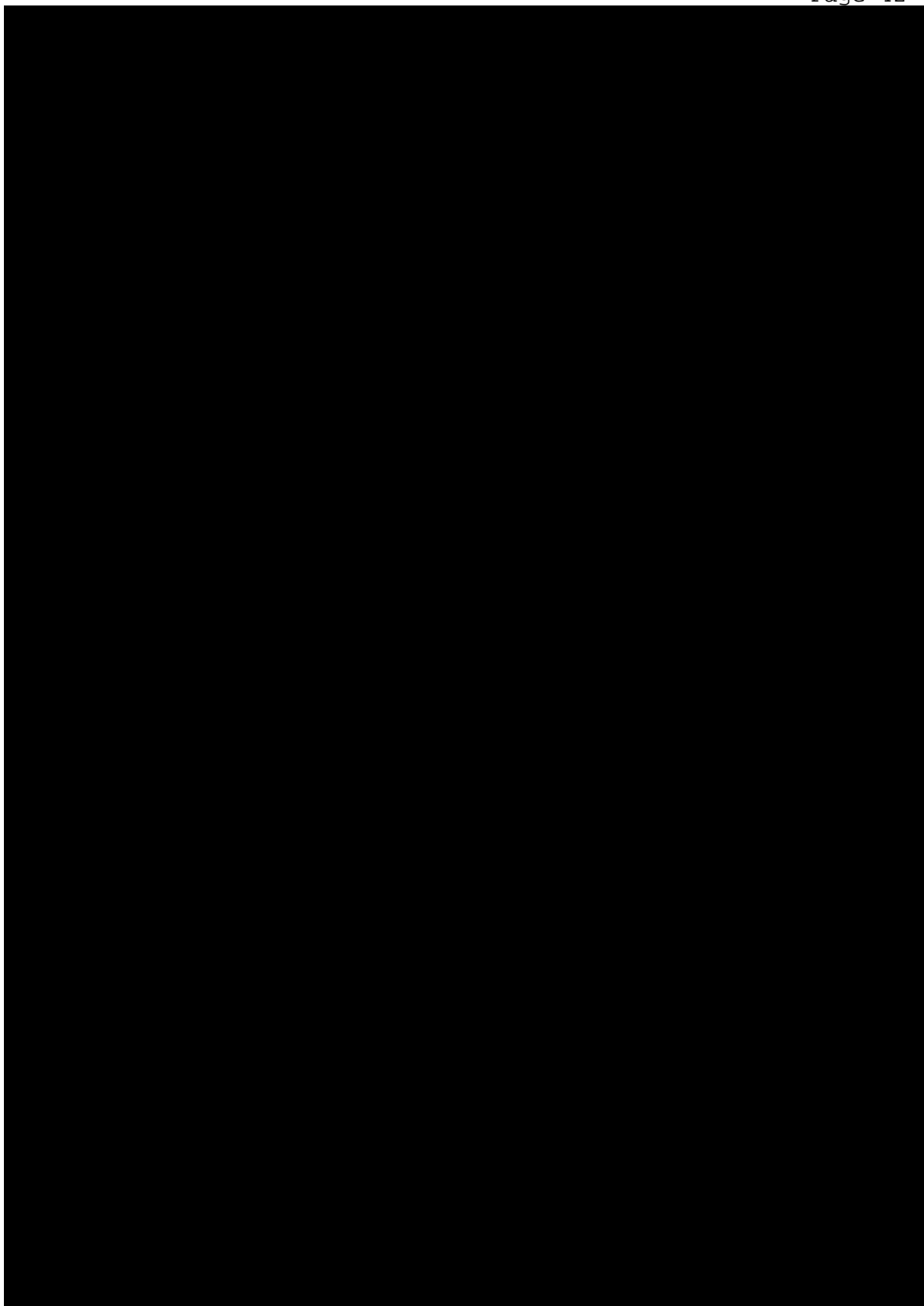




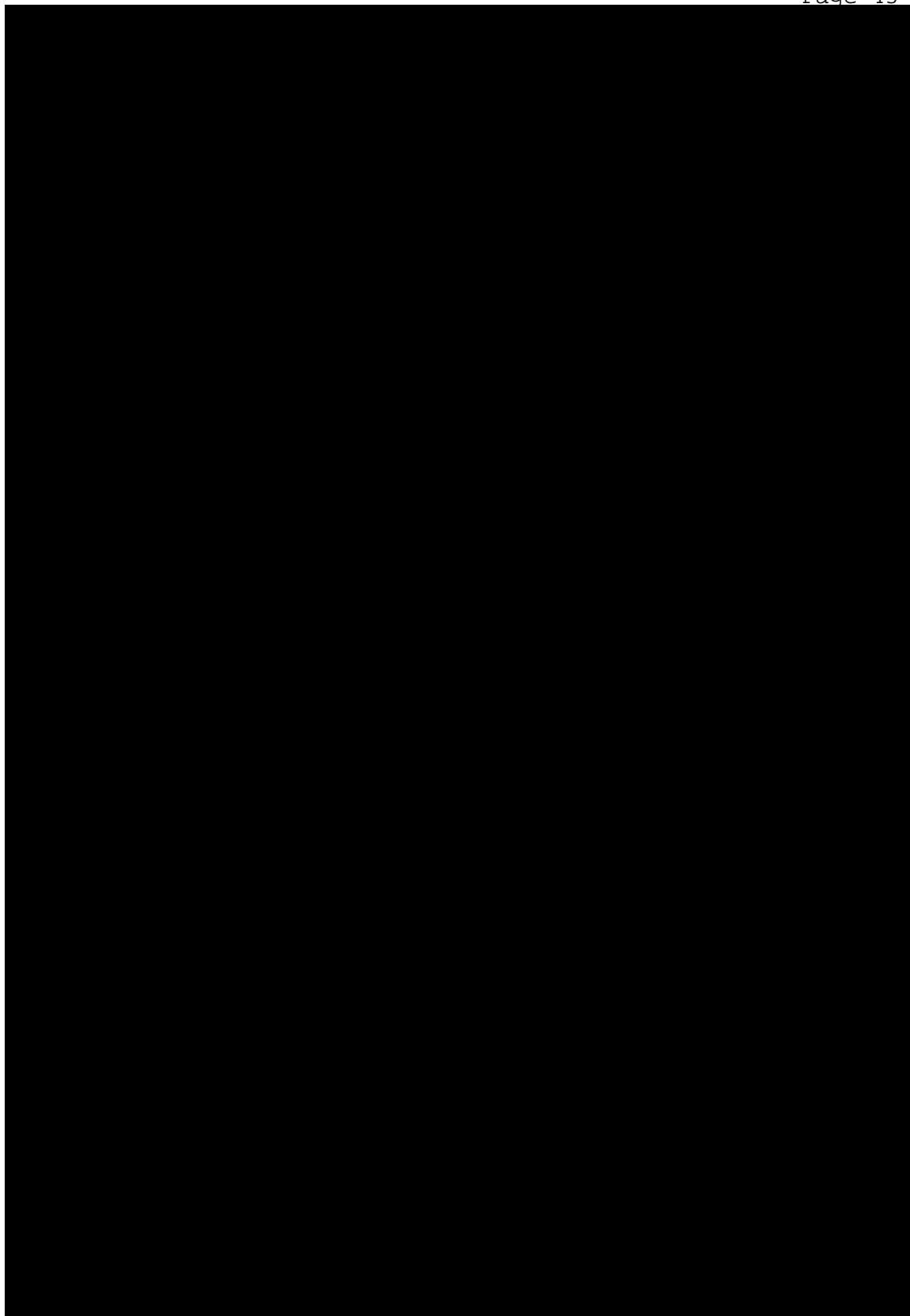
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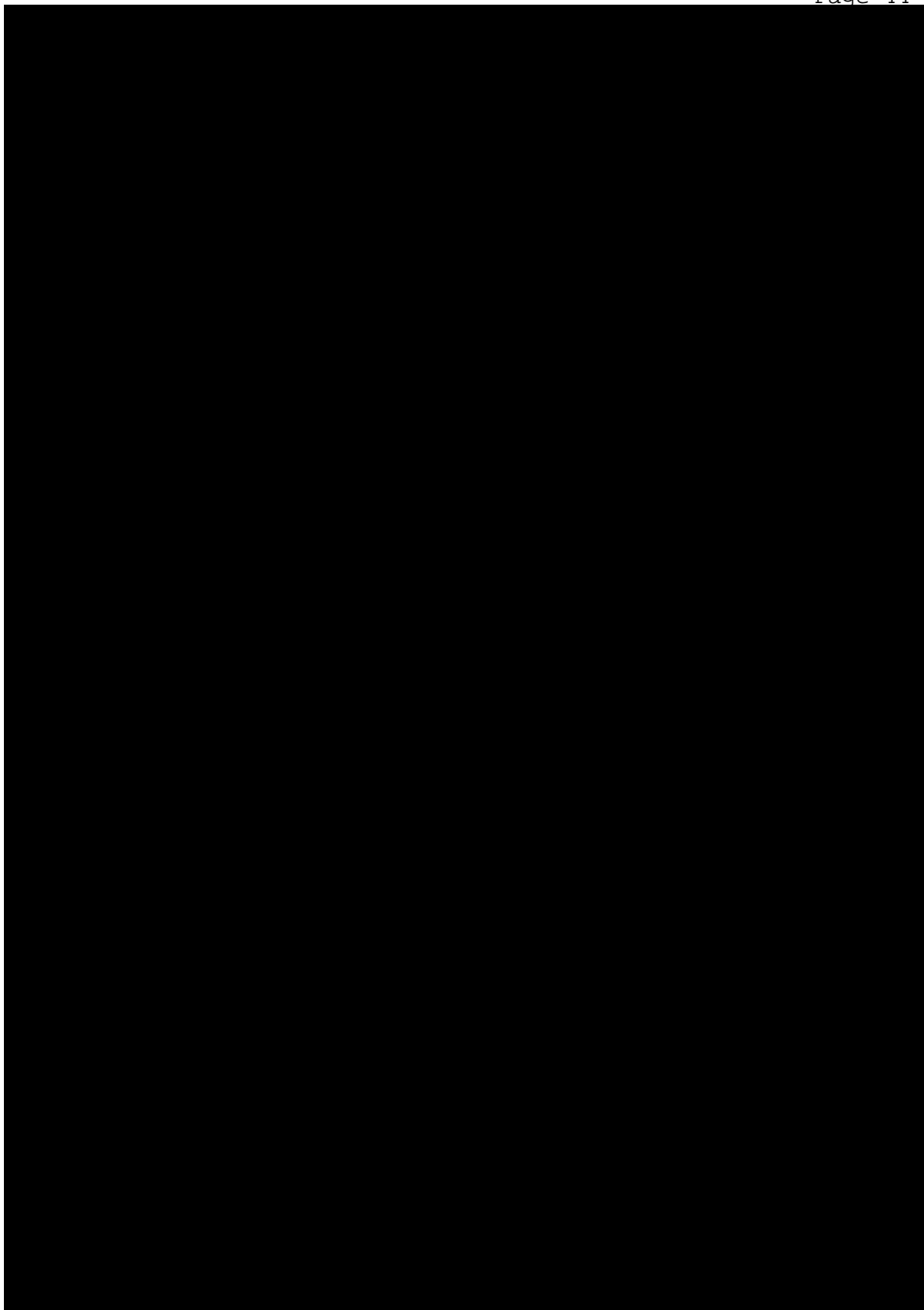
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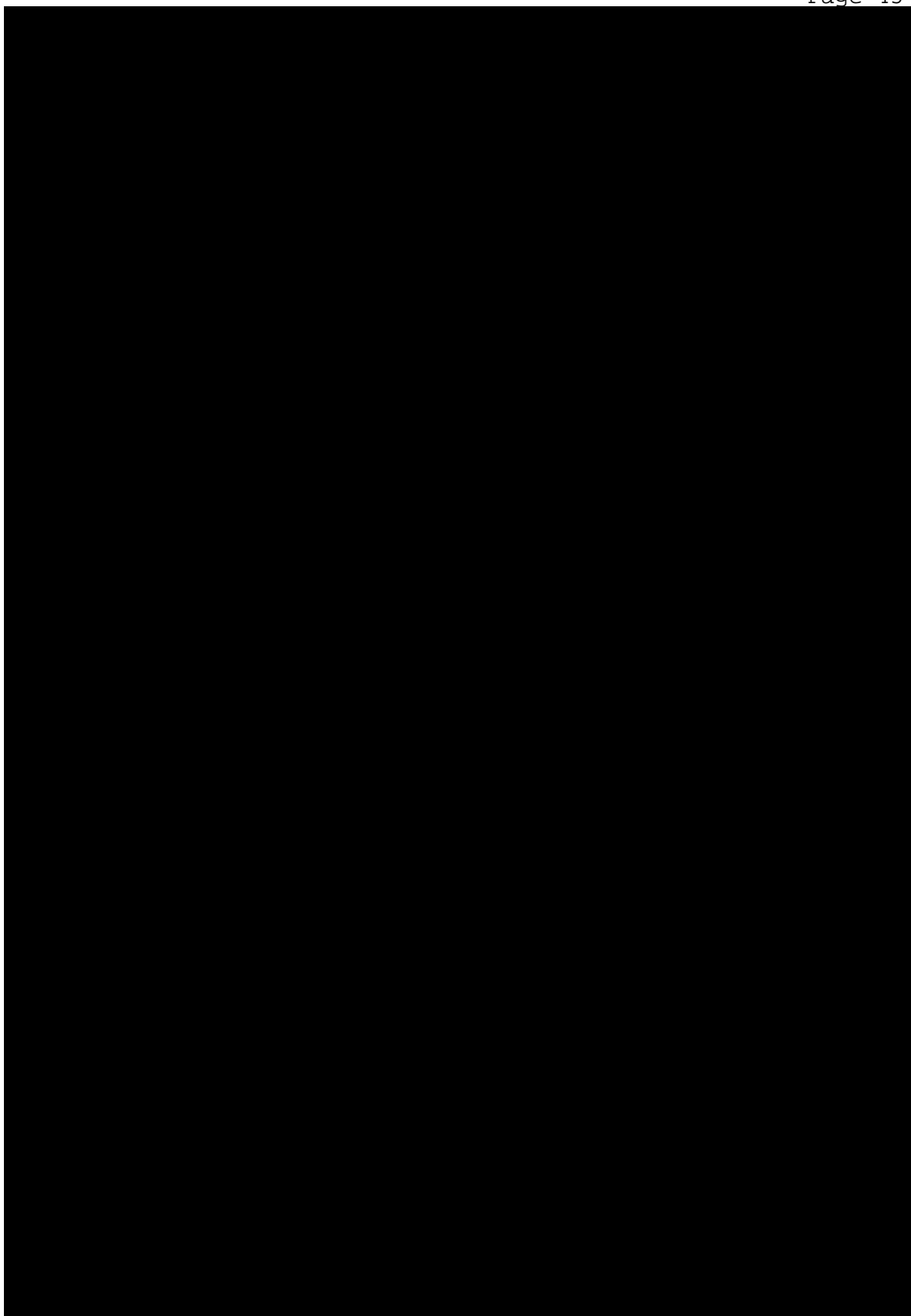
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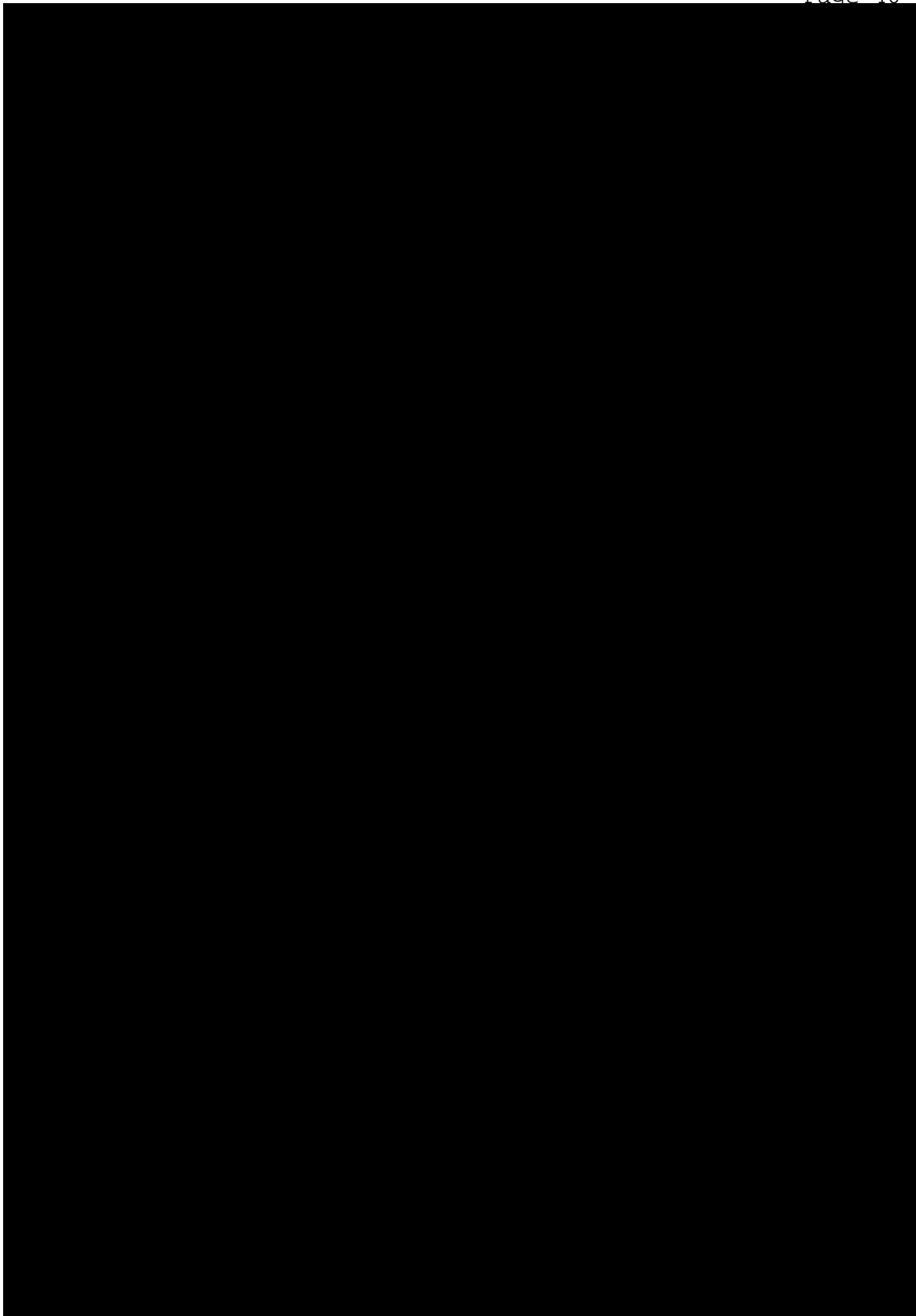
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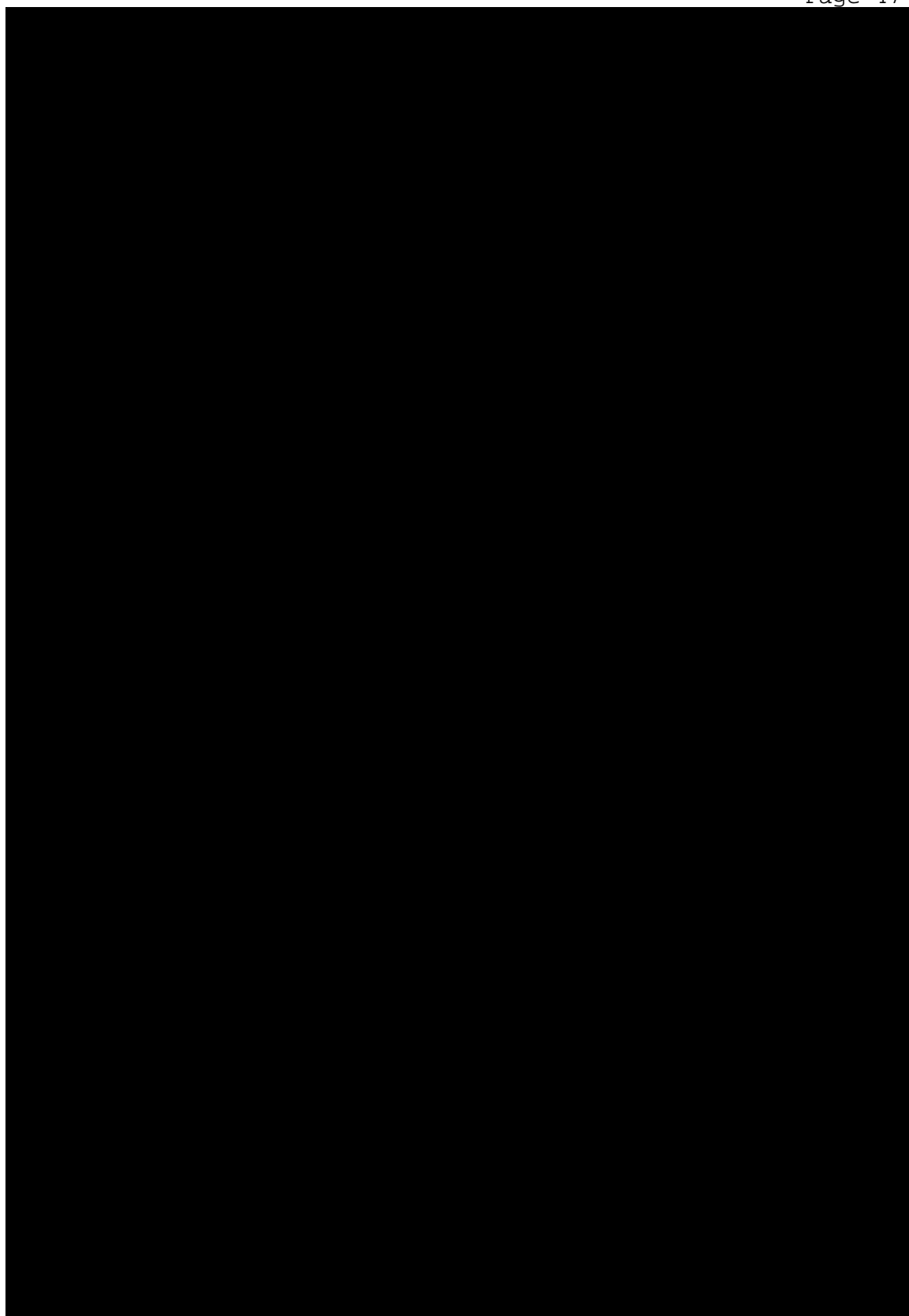
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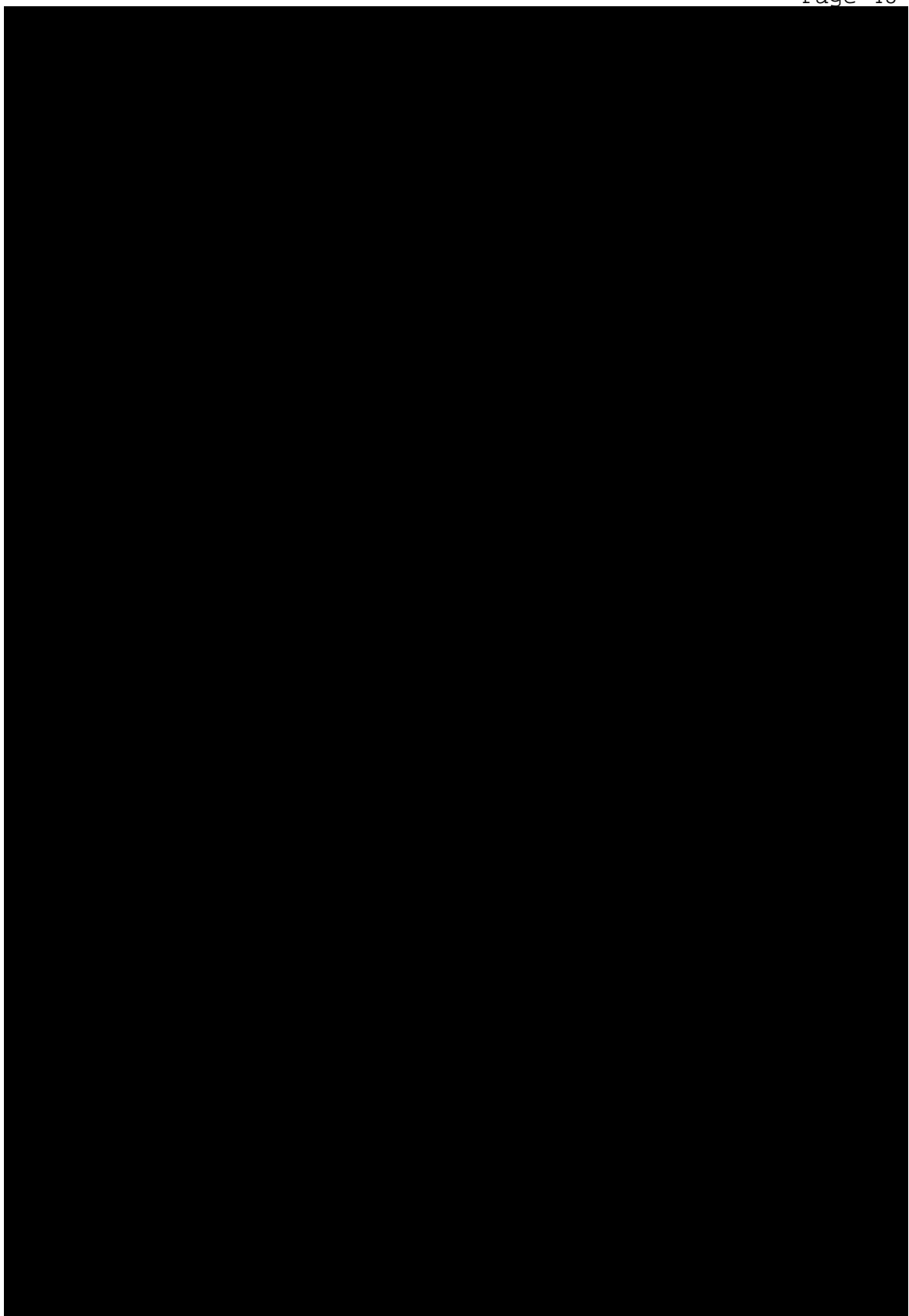
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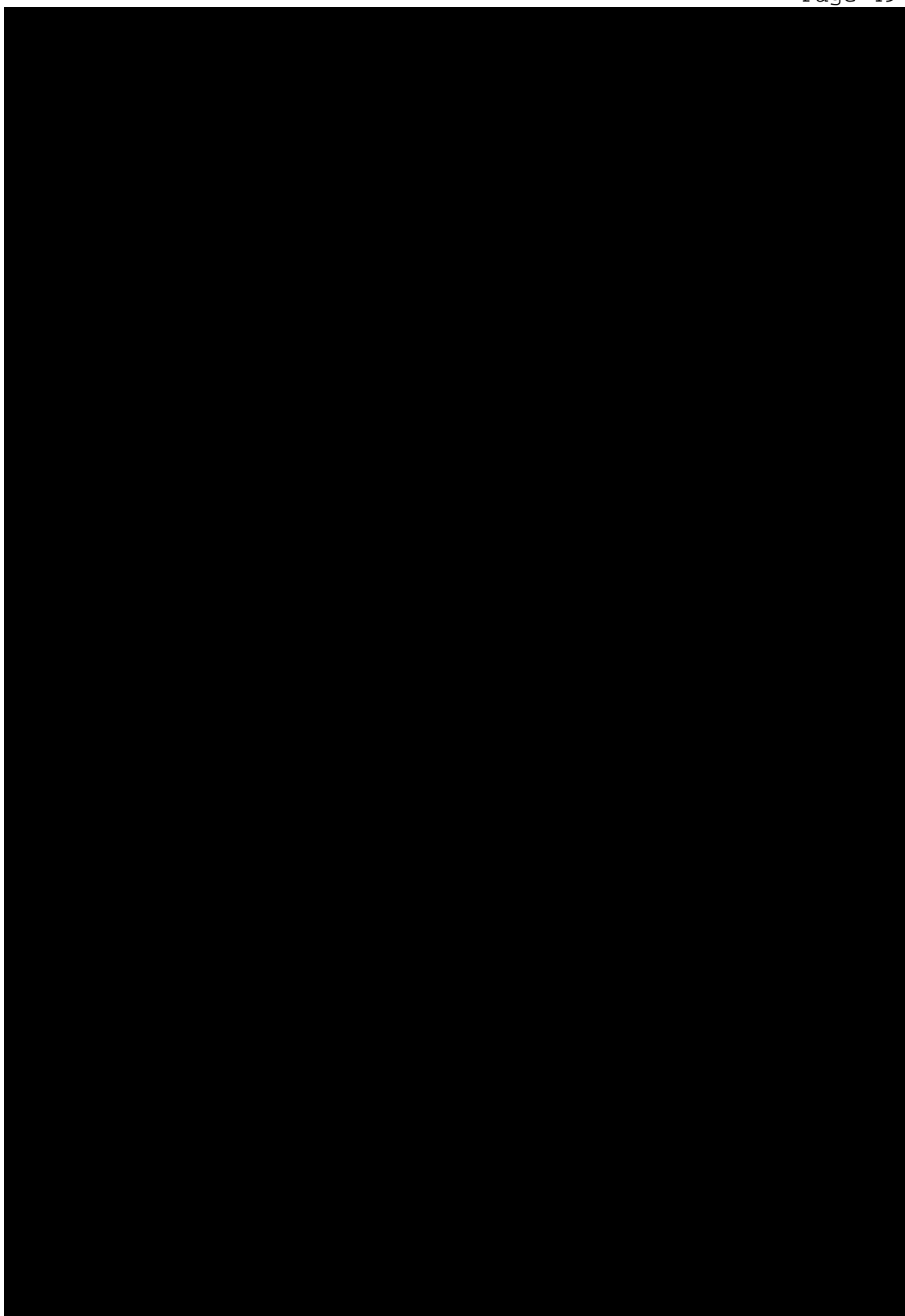


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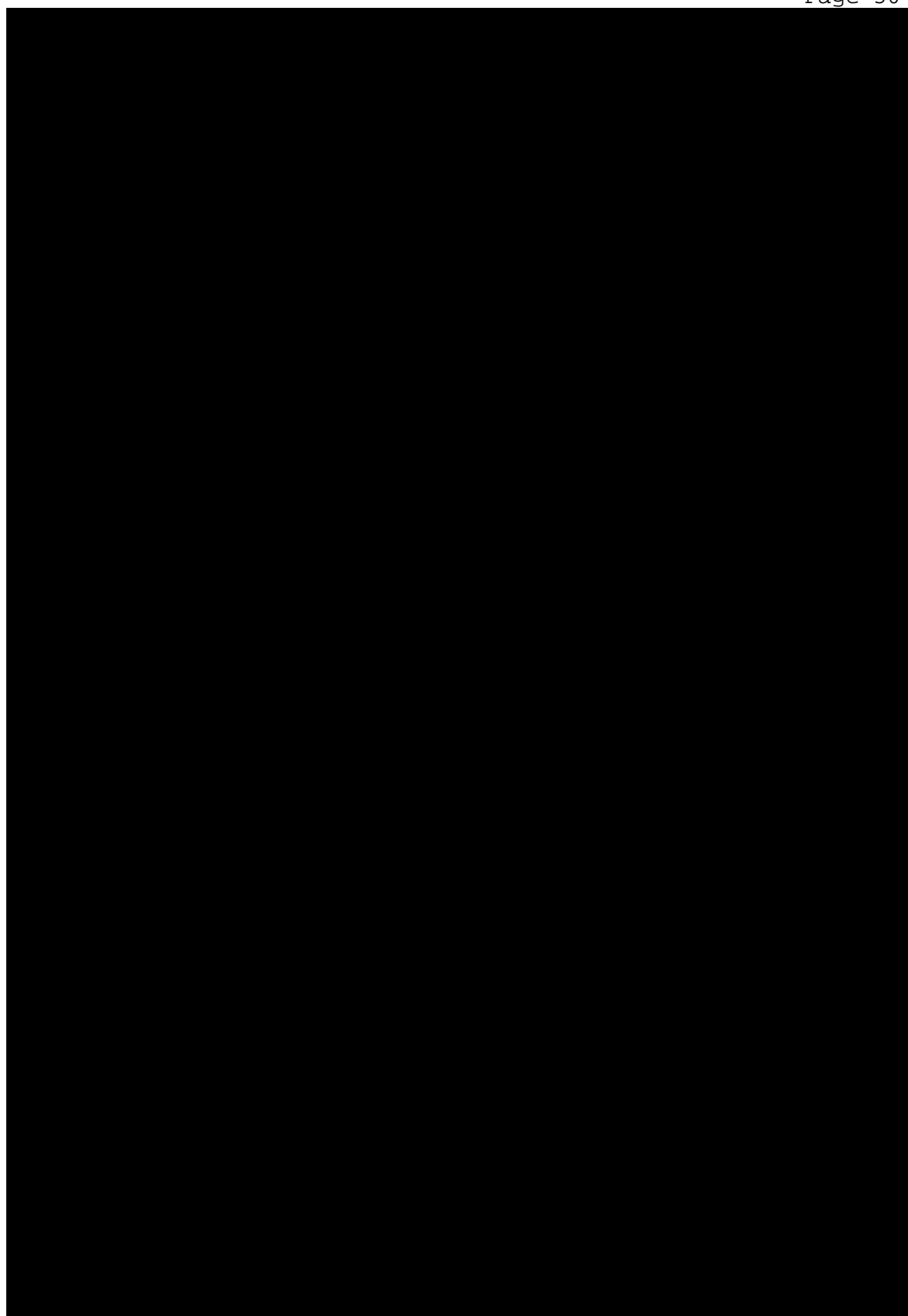




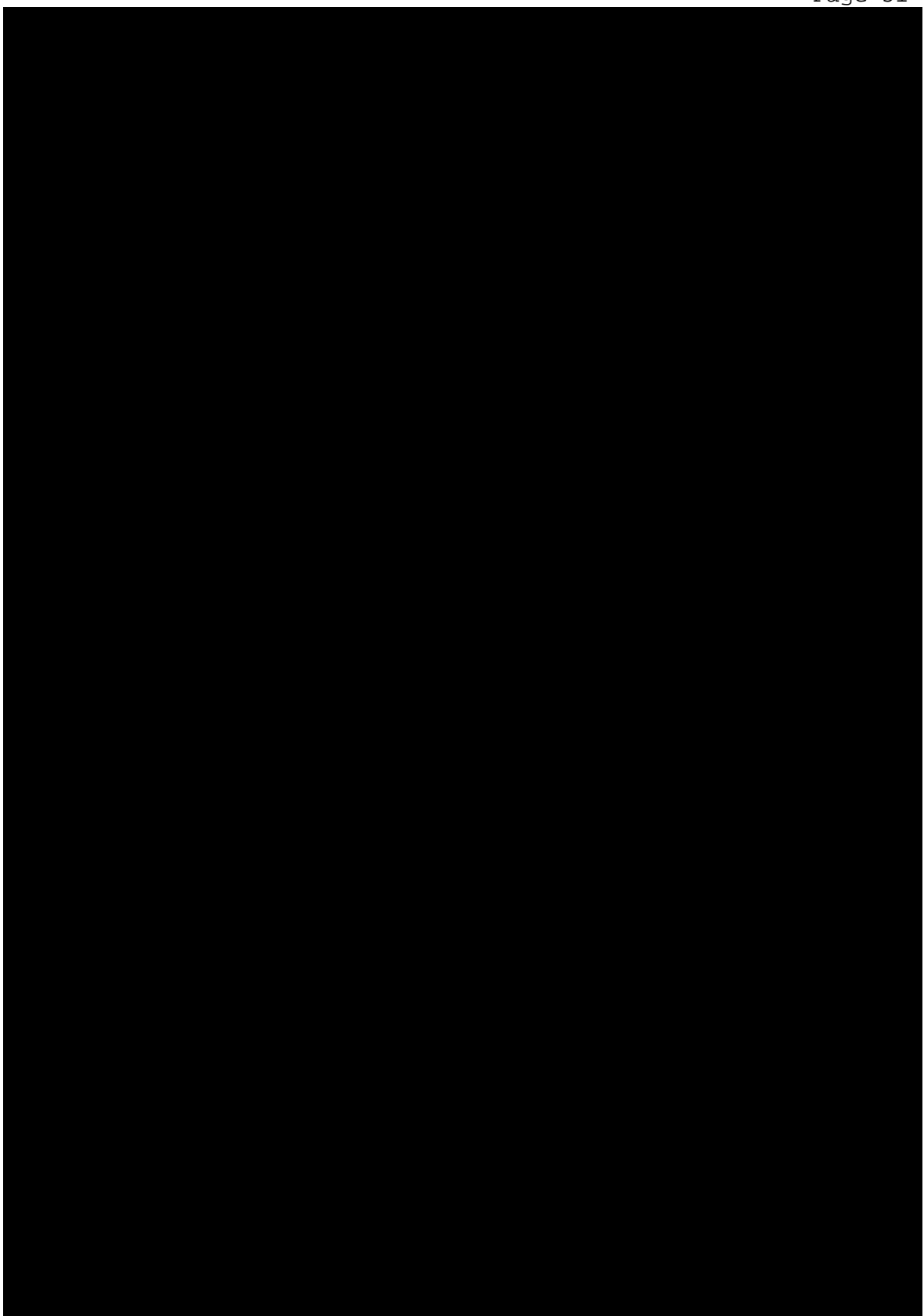
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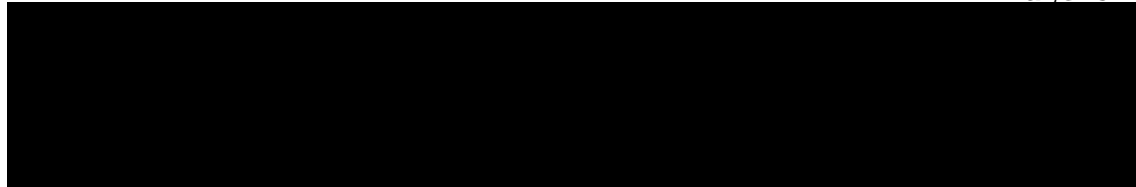
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PUBLIC MEETING RESUMED

VICE CHAIR BROWN: We are reopening the meeting at 10:34 on the closed meeting session in the Case 2023-000965.

MS. STINSON: Thank you.

VICE CHAIR BROWN: Now we may adjourn.

(The proceedings concluded at 10:37 a.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 52, 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 13th day of April, 2024.

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JUDY LYNN MARTIN