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FLORIDA GAMING CONTROL COMMISSION
PUBLIC MEETING

Date of Meeting: December 6, 2023

Stenographically Transcribed Audio Recording by
Carmel M. Street

Job No: 332976

1 APPEARANCES:

2 COMMISSION MEMBERS:

3 Vice Chair Julie I. Brown
4 Commissioner Charles Drago
5 Commissioner John D'Aquila
6 Commissioner Tina Repp
7 Executive Director, Louis Trombetta

8

SPEAKERS:

9

10 Emily Alvarado, Deputy Chief Attorney
11 Ms. Elina Valentine, Deputy General Counsel
12 Ms. Jamie Pouncey, Program Administrator
13 Mr. Marshman, General Counsel

14

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18 Joseph P. Cresse Hearing Room 148
19 Betty Easley Conference Center
20 4075 Esplanade Way
21 Tallahassee, Florida 32399-0850

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24 Various Members of the Public

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26 The Florida Channel

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1 The following proceeding was transcribed
2 from an audio-recorded file as follows:

3 VICE CHAIR BROWN: All right. Good
4 morning, everyone. Today is December 6th. The
5 time is 9:30.

6 This is the Florida Gaming Commission --
7 Control Commission's December annual --monthly
8 meeting.

9 And please rise for the Pledge of
10 Allegiance which will be given by Commissioner
11 Repp. Thank you.

12 Thank you all. And thank you,
13 Commissioner Repp. And I wanted to wish everyone,
14 Happy Holidays. Hope you all will have a wonderful
15 December.

16 We're starting off the meeting today
17 with -- we have a pretty brief agenda. But we'll
18 start off the meeting with Number 1.1 Discussion of
19 Amended Application for Pari-Mutuel Operating
20 License.

21 Good morning Ms. Pouncey.

22 MS. POUNCEY: Good morning. Jamie Pouncey
23 for Pari-Mutuel Wagering. Item number 1.1, Case
24 Number 2023-062189 is an application by Dania
25 Entertainment LLC. Permit Number 274. They have

1 submitted an application to amend their current
2 performances. There are 91 performances, 89
3 matinee and two charities.

4 The Division is recommending denial of
5 this request to amend their license.

6 VICE CHAIR BROWN: Thank you Ms. Pouncey.
7 Can you elaborate on why the Commission staff is
8 recommending a denial for this application renewal?

9 MS. POUNCEY: Yes, ma'am. This is a
10 highlight permit. The statute doesn't have an
11 allowance for highlights to amend their license.

12 VICE CHAIR BROWN: Thank you.
13 Commissioners, I would just like to have our legal
14 staff kind of elaborate a little bit further on the
15 applicable statutes related to this amended
16 application, please. Mr. Ross.

17 MR. MARSHMAN: Good morning. So, Ms.
18 Pouncey was correct of course, that this application
19 is to amend a series of games. There is no
20 provision in Section 550.01215 Sub 3 that permits
21 the Commission to issue amendments to a schedule of
22 games. The Only authority by statute is to amend a
23 schedule of racing.

24 VICE CHAIR BROWN: Thank you. And the
25 Commission dealt with a similar issue, if I recall

1 last year?

2 MR. MARSHMAN: Yes, ma'am.

3 VICE CHAIR BROWN: Commissioners, any
4 questions on this item? If not, we'll wait for a
5 Motion.

6 COMMISSIONER DRAGO: I'll make a Motion to
7 approve the recommendation.

8 VICE CHAIR BROWN: Is there a second?

9 COMMISSIONER D'AQUILA: I will second
10 that Motion.

11 VICE CHAIR BROWN: Thank you. Any
12 discussions? Seeing none all those in favor of the
13 Motion say aye.

14 BOARD MEMBERS: Aye.

15 VICE CHAIR BROWN: Thank you. Thank you,
16 Ms. Pouncey.

17 The next items are the discussions of
18 renewal applications for slot machines licenses.
19 Will you please combine 2.1 and 2.2?

20 MS. POUNCEY: Yes, ma'am. Item 2.1 is
21 Case Number 2023-050194, Casino Miami's application
22 for slot machines licensure. Item Number 2.2, Case
23 Number 2023-055203 The South Florida Racing
24 Association's application for slot machines
25 licensure. Both of these facilities have submitted

1 their applications, their required documentation
2 and the required fees and the Division is
3 recommending approval of these licenses.

4 VICE CHAIR BROWN: Thank you.
5 Commissioners, on these items, the 2.1 and 2.2 the
6 Statutory items seem to be completely met. If
7 there is no discussions, can I get a Motion to
8 approve the staff recommendation on 2.1, 2.2?

9 COMMISSIONER D'AQUILA: I make a Motion
10 to approve the staff recommendation on 2.1 and 2.2.

11 VICE CHAIR BROWN: Is there a second?

12 COMMISSIONER DRAGO: Second.

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

15 BOARD MEMBERS: Aye.

16 VICE CHAIR BROWN: The Motion passes on
17 those two items. Now, on to 2.3.

18 MS. POUNCEY: Item Number 2.3 is Case
19 Number 2023-062956, PPI, Incorporated. PPI has
20 submitted their application for slot machine
21 licensure. They currently possess a harness
22 permit. And they have submitted all of the
23 requirement -- all of the required documentation
24 except for the fees and a updated
25 updated surety bond.

1 The surety bond is current but it is
2 scheduled to renew. As soon as that occurs they'll
3 send us the updated security. And once the fees
4 are received, we are requesting that the Commission
5 approve the approval of the license effective upon
6 receipt of fees.

7 VICE CHAIR BROWN: Thank you, Ms.
8 Pouncey. And this one is just a little unique
9 because it's more like akin to a conditional
10 approval since the necessary items aren't met just
11 yet based on the timing.

12 So with that Commissioners, I think we are
13 ripe to approve a conditional approval subject to
14 those requirements. Is there a Motion?

15 COMMISSIONER DRAGO: So moved.

16 VICE CHAIR BROWN: Thank you.

17 COMMISSIONER D'AQUILA: I'll second it.

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

20 BOARD MEMBERS: Aye.

21 VICE CHAIR BROWN: Thank you. Now, we
22 are on to Items 3.1 through 3.4, the discussion of
23 consent orders.

24 MS. VALENTINE: Good morning, Elina
25 Valentine for the record. Item 3.1 is Repass v

1 Florida Gaming Control Commission in Case Number
2 2023-025872. This case is before the Commission in
3 regards to --

4 VICE CHAIR BROWN: Can you put the
5 microphone closer, please? Thank you.

6 MS. VALENTINE: Sorry. This case is in
7 front of the Commission in regards to a settlement
8 offer proposed by the Petitioner also the Applicant
9 Ms. Repass in lieu of further litigation of this
10 matter.

11 Procedurally, the Commission has issued a
12 letter of license denial notifying Ms. Repass of
13 the Commission's intent to deny her application for
14 a license, a general individual occupational
15 license based on a disqualifying conviction.

16 Ms. Repass has requested a hearing, and
17 this case is now in litigation.

18 The terms of the proposed settlement are
19 set forth in the settlement and consent order
20 that's in front of the Commission.

21 And I can briefly go over those terms.
22 The main two provisions are increased and
23 heightened reporting requirements and also
24 revocation provisions should Ms. Repass be
25 found in violation of any state law or federal law

1 or any rules. And if you have any questions, we are
2 open to discuss them?

3 VICE CHAIR BROWN: Thank you. We do have
4 a speaker on this item before we get into questions.
5 We have Mr. Todd Repass. Is he in the audience here
6 or is he on the phone? I have a speaker card.
7 Going once, twice. All right. Commissioners, are
8 there any questions of staff? Yes. Commissioner
9 D'Aquila.

10 COMMISSIONER D'AQUILA: Yes. Deputy
11 General Counsel Valentine, I'm looking at all of the
12 documents prepared and presented. Do we know for
13 certain that the restitution that was requested by
14 The State of New Jersey on one of the felonies was
15 indeed paid in full? I was unable to ascertain
16 whether that was done or not.

17 MS. VALENTINE: Yes. According to the
18 correspondence submitted by Ms. Repass and I believe
19 our internal investigations, the restitution has
20 been repaid in full and the applicant's (inaudible)
21 rights have been restored.

22 COMMISSIONER D'AQUILA: Thank you.

23 VICE CHAIR BROWN: Thank you,
24 Commissioner D'Aquila. Executive Director
25 Trombetta, do we know if the individual is on the

1 phone?

2 MR. TROMBETTA: From what I understand, a
3 phone number to call in was provided and we're
4 not -- it does not look like anybody has called in.

5 VICE CHAIR BROWN: Okay. Thank you. So,
6 we will not defer the item. We will just go with
7 the consent order right now.

8 Commissioners, any other questions? I
9 want to compliment staff for the creativity coming
10 up with the settlement order. I think it's great
11 having a five-year probationary too. And
12 reinforcing the fact that the licensee needs to
13 notify us of any crimes and arrests. So,
14 thank you for your work on this.

15 Commissioner Drago.

16 COMMISSIONER DRAGO: I just want to just
17 verify something for myself. Does the Applicant
18 have a real estate license at this point?

19 MS. VALENTINE: Yes.

20 COMMISSIONER DRAGO: An active real
21 estate license?

22 MS. VALENTINE: Yes. That is correct.

23 COMMISSIONER DRAGO: Okay.

24 MS. VALENTINE: This is -- as part of the
25 Exhibit 1, the Applicant submitted e-mail

1 correspondence from DBPR verifying that she has a
2 license. And I believe that there's no action
3 against her license at this time.

4 COMMISSIONER DRAGO: Okay. Great. Thank
5 you very much.

6 VICE CHAIR BROWN: Commissioners, can we
7 get a Motion to approve the consent order at this
8 time?

9 COMMISSIONER REPP: I'll make an order
10 (inaudible) Motion to be approved.

11 VICE CHAIR BROWN: Thank you. Second?

12 COMMISSIONER DRAGO: Second.

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

15 BOARD MEMBERS: Aye.

16 VICE CHAIR BROWN: Thank you. The item
17 passes. On to 3.2.

18 MS. ALVARADO: Good morning. This is
19 Emily Alvarado for the record. Item 3.2 is Alavaro
20 Vasquez, 2023-034324. In this case you were
21 provided with the filed administrative complaint
22 alleging that the Respondent violated 7511.0048A
23 Florida Administrative Code by failing to clear his
24 hands when cash, chips or tokens were exchanged with
25 a player. You were also provided the settlement of

1 Consent Order that had an \$100 fine.

2 This is Respondent's first violation in
3 Florida. The case was presented at the October
4 meeting with a \$50 fine. The Commission asked that
5 I provide more information regarding the manager who
6 trained him in this case.

7 Following the meeting, investigations
8 provided me with information that the manager has
9 since been terminated and excluded from the facility
10 for an unrelated theft incident. Also, I spoke with
11 the individual and they have no further violations
12 since the incident occurred.

13 Therefore, the Division would ask that the
14 Commission approve the consent order in this case.

15 VICE CHAIR BROWN: Thank you, Ms.
16 Alvarado. Any questions on this item? None.
17 Commissioner D'Aquila.

18 COMMISSIONER D'AQUILA: I'd like to make a
19 Motion approve the recommendation to the
20 Commission.

21 VICE CHAIR BROWN: Thank you.

22 COMMISSIONER REPP: Second.

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

25 BOARD MEMBERS: Aye.

1 VICE CHAIR BROWN: Thank you. On to 3.3.

2 MS. ALVARADO: 3.3 is OBS Real Estate
3 Holdings LLC. Case Number 2023-043589. In this case
4 you were provided with a five-count administrative
5 complaint alleging that the Respondent violated Rule
6 7511.0144B2, 750.251B and 7511.0253 Florida
7 Administrative Codes by failing to mark the sealed
8 evidence bags with the appropriate information three
9 times, allowing an employee in a supervisory role to
10 be present for the surveillance of the courtroom and
11 drop activities and failing to ensure the number of
12 security guards were required -- as required by the
13 securities plan were present for shifts.

14 Respondent has two prior violations of
15 failing to appropriately mark the sealed evidence
16 bags. The Respondent has signed the consent order
17 which has a \$2000 fine in this case. Therefore, the
18 Division would ask that the Commission adopt the
19 Consent Order.

20 VICE CHAIR BROWN: Thank you, Ms.
21 Alvarado. Commissioners, any questions on 3.3? If
22 not, can we get a Motion to approve?

23 COMMISSIONER REPP: (Inaudible) Motion.

24 VICE CHAIR BROWN: Thank you. Is there a
25 second?

1 COMMISSIONER DRAGO: I'll second.

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

4 BOARD MEMBERS: Aye.

5 VICE CHAIR BROWN: Thank you. On to 3.4.

6 MS. ALVARADO: 3.4 is South Marion Real
7 Estate Holdings which is Case Number 2023049873. In
8 this case there was a filed administrative complaint
9 alleging that the Respondent violated Rule 7511.0129
10 by failing to issue a photo ID to a card room
11 employee. Respondent has one prior violation of
12 this rule which resulted in a \$250 fine. Respondent
13 has sent back the fine, settlement and consent order
14 in this case. It contained a \$500 fine.

15 Therefore, the Division would ask that the
16 Commission adopt the consent Order in this case.

17 VICE CHAIR BROWN: Thank you, Ms.
18 Alvarado. I think that's an appropriate amount as
19 well. Commissioners, any questions? Can I get a
20 Motion? Commissioner D'Aquila.

21 COMMISSIONER D'AQUILA: Yes, I'd like to
22 make a Motion to approve the recommendation of
23 Counsel.

24 VICE CHAIR BROWN: Okay. Is there a
25 second?

1 COMMISSIONER DRAGO: I'll second.

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

4 BOARD MEMBERS: Aye.

5 VICE CHAIR BROWN: Thank you. Thank you
6 for your work on that. On to Discussion of default
7 final orders. 4.1 through 4.7.

8 MS. ALVARADO: 4.1 is Kevin Ramos.
9 2022-045861. In this case there was a five-count
10 administrative complaint alleging that while working
11 at Casino Miami it was discovered that Respondent
12 was removing money from the ticket redemption unit
13 cassette and documenting the incorrect amount on the
14 control log. This amount ended up totaling over
15 \$3500.

16 The Respondent was excluded and arrested
17 for grand theft. The Respondent failed to notify
18 the Commission of his arrest and his conviction. He
19 is subject to exclusion as well of revocation or
20 suspension of his license.

21 We attempted to serve Respondent via USPS
22 and hand service. But we were unsuccessful.
23 Therefore, we published a notice in the local
24 newspaper. Respondent failed to respond to the
25 publication notice.

1 Therefore, the Division would ask that the
2 Commission enter an order finding that the
3 Respondent was given notice via publication and
4 failed to respond by the deadline, that the factual
5 allegations in the administrative complaint are
6 accepted as the facts in this case.

7 And concluding that Respondent
8 shall be added to the permanent exclusion list for
9 all Pari-Mutuels and slot machine facilities and
10 that his slot machine, card room Pari-Mutuel
11 occupational license is revoked.

12 VICE CHAIR BROWN: Thank you for your
13 thorough summary. Commissioners, can I get a Motion
14 to approve 4.1 recommendation?

15 COMMISSIONER DRAGO: So moved.

16 VICE CHAIR BROWN: Thank you.

17 COMMISSIONER REPP: Second.

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

20 BOARD MEMBERS: Aye.

21 VICE CHAIR BROWN: Thank you. 4.2 -- and
22 I do want to note, 4.7 has been withdrawn, I'm
23 sorry for the record.

24 MS. ALVARADO: It's actually 4.4 and
25 4.81 are going to be withdrawn and moved to another

1 meeting.

2 VICE CHAIR BROWN: Thank you.

3 MS. ALVARADO: Item 4.2 is Alexis Comano
4 in Case Number 2022-051619. In this case you were
5 provided with a one-count complaint seeking the
6 suspension of Respondent's Pari-Mutuel wagering
7 professional individual occupational license due to
8 an outstanding debt related to horse racing in
9 Florida. We attempted to serve this Respondent
10 again via USPS and hand service but were
11 unsuccessful.

12 Therefore, we had posted a notice in a
13 local newspaper. Respondent failed to respond to
14 the publication notice.

15 Therefore, the Division
16 would ask that the Commission enter an order that
17 Respondent was given notice via publication and
18 failed to respond, that the facts in the
19 administrative complaint are accepted as the facts
20 in this case.

21 And concluding that Respondent's
22 Pari-Mutuel wagering professional individual
23 occupational license shall be suspended until the
24 Commission receives confirmation that the payment
25 has been satisfied.

1 VICE CHAIR BROWN: Thank you.

2 Commissioners, can I get a Motion to approve this
3 Staff recommended order?

4 COMMISSIONER D'AQUILA: I make a Motion
5 to approve the staff recommendation in regards to
6 this matter.

7 VICE CHAIR BROWN: Thank you.

8 COMMISSIONER REPP: I'll second.

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

11 BOARD MEMBERS: Aye.

12 VICE CHAIR BROWN: Thank you. On to 4.3.

13 MS. ALVARADO: 4.3 is Yaneri Garcia in
14 Case Number 2023-026969. This case was a one-count
15 administrative complaint alleging that Respondent was
16 excluded from Calders Casino on May 9th 2023 for
17 capping her bet.

18 She is subject to exclusions from
19 all Pari-Mutuel and all slot machine facilities in
20 the state pursuant to 550.02516 and 551.112 Florida
21 Statutes.

22 You were also provided with the USPS mail
23 certified tracking that showed that it was served on
24 Respondent and she failed to respond within 21 days.

25 Therefore, the Division would ask that the

1 Commission enter an order finding that the Respondent
2 has been properly served with the administrative
3 complaint, that she failed to respond within 21 days,
4 that the facts in the administrative complaint are
5 accepted as the facts in this case

6 And concluding that she should be added to
7 the permanent exclusion list for all slot machine and
8 Pari-Mutuel facilities.

9 VICE CHAIR BROWN: Thank you, Ms.
10 Alvarado. Can I please get a Motion for 4.3
11 approving staff recommended order?

12 COMMISSIONER REPP: I'd like to make
13 Motion.

14 VICE CHAIR BROWN: Thank you. Is there a
15 second?

16 COMMISSIONER D'AQUILA: I'll make a
17 second.

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

20 BOARD MEMBERS: Aye.

21 VICE CHAIR BROWN: Thank you. 4.3
22 passes. On to 4.5. Again, 4.4 is withdrawn.

23 MS. ALVARADO: 4.5 is Yesiset Acevedo in
24 Case Number 2023-043905. In this case you were
25 provided with a two-count administrative complaint

1 alleging that while working at Casino Miami,
2 Respondent was terminated when it was discovered that
3 she was stealing chips in the amount of \$49 from the
4 player's pot.

5 She's subject to exclusion as well as
6 revocation or suspension of her license. You were
7 also provided with the USPS tracking that showed that
8 she was served and did not respond within 21 days.

9 Therefore, the Division would ask the
10 Commission to enter an order finding that the
11 Respondent was properly served with the
12 administrative complaint, failed to respond within 21
13 days, that the facts in the administrative complaint
14 are accepted as the facts in this case.

15 And concluding that she shall be added to
16 the permanent exclusion list for all slot machines
17 and --

18 VICE CHAIR BROWN: Is that 4.4 or 4.5?

19 MS. ALVARADO: 4.5. 4.4 was removed from
20 the agenda.

21 VICE CHAIR BROWN: Okay.

22 MS. ALVARADO: Sorry, did I say the wrong
23 name?

24 VICE CHAIR BROWN: It's Zachary. 4.5 is
25 Zachary -- hold on.

1 MS. ALVARADO: Okay.

2 MR. TROMBETTA: Commissioner Brown.

3 VICE CHAIR BROWN: Uh-huh.

4 MR. TROMBETTA: There might just be a
5 different -- Emily might have a different agenda.

6 MS. ALVARADO: Yeah.

7 MR. TROMBETTA: So, I think if you -- I'd
8 suggest maybe go through the numbers you have
9 Emily --

10 MS. ALVARADO: Yeah.

11 MR. TROMBETTA: -- and associate it with
12 the name or the Case Number just so you can get on
13 the same page.

14 VICE CHAIR BROWN: Thank you, because
15 (inaudible).

16 MR. TROMBETTA: Yes, ma'am.

17 VICE CHAIR BROWN: Thank you.

18 MS. ALVARADO: (Inaudible) removed.

19 Okay. So for clarification, mine had 4.4 as a
20 different person. So, 4.4 is not removed. That's
21 the one I'm looking on right now.

22 VICE CHAIR BROWN: Thank you.

23 MS. ALVARADO: I can go back and start
24 over but this is the same Case Number and the same --

25 VICE CHAIR BROWN: Right.

1 MS. ALVARADO: -- person. It's just 4.4
2 instead of 4.5.

3 VICE CHAIR BROWN: I think that's clear
4 for the record. Thank you.

5 MS. ALVARADO: Okay. So we're going to
6 ask that the Commission enter an order concluding
7 that Respondent shall be added to the permanent
8 exclusion list for all Pari-Mutuel facilities and all
9 slot machine facilities and conclude that
10 Respondent's card room employee occupational license
11 shall be revoked.

12 VICE CHAIR BROWN: Excellent, thank you.
13 Commissioners, if there are no questions can we get a
14 Motion to approve the item on 4.4 on our meeting
15 Agenda for the recommended order? Commissioner
16 Drago.

17 COMMISSIONER DRAGO: So moved.

18 VICE CHAIR BROWN: Is there a second?

19 COMMISSIONER REPP: Second.

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

22 BOARD MEMBERS: Aye.

23 VICE CHAIR BROWN: Item 4.4 on the posted
24 meeting agenda passes.

25 MS. ALVARADO: Okay. So, Item 4.5 is

1 Zachary Oranje which is Case Number 2023-044814. In
2 this case you were provided with a three-count
3 administrative complaint alleging that Respondent was
4 arrested and convicted of one felony and two
5 misdemeanor offenses.

6 Respondent failed to notify
7 the Commission of his arrest and his convictions. He
8 is therefore subject to revocation of his card room
9 employee occupational license.

10 You were also provided with the USPS
11 certified mail showing that he was served and did not
12 respond within 21 days.

13 Therefore, the Division would ask that the
14 Commission enter an order finding that Respondent was
15 properly served with an administrative complaint,
16 that he failed to respond within 21 days, that the
17 facts in the administrative complaint are accepted as
18 the facts in this case. And concluding that
19 Respondent's card room occupational license shall be
20 revoked.

21 VICE CHAIR BROWN: Thank you.
22 Commissioners, are there any questions on this item?
23 If not, can we get a Motion to approve the staff
24 recommended order in 4.5?

25 COMMISSIONER D'AQUILA: I make a

1 recommendation to approve the staff recommendation
2 order on 4.5.

3 VICE CHAIR BROWN: Is there a second?

4 COMMISSIONER DRAGO: I second.

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

7 BOARD MEMBERS: Aye.

8 VICE CHAIR BROWN: Thank you. On to 4.6,
9 Mr. Blanco or Ms. Blanco.

10 MS. ALVARADO: Andry Blanco, Case Number
11 2023-046372. In this case you were provided with
12 one-count administrative complaint seeking suspension
13 of Respondent's Pari-Mutuel wagering professional
14 individual occupational license due to an outstanding
15 debt related to horse racing in Florida. You were
16 also provided with the USPS tracking that showed that
17 the Respondent was served and failed to respond
18 within 21 days.

19 Therefore, the Division would ask that the
20 Commission enter an order finding that the
21 Respondent was properly served, that they failed to
22 respond within 21 days; that the facts in the
23 administrative complaint are accepted as the facts
24 in this case.

25 And concluding that the Respondent's

1 Pari-Mutuel wagering professional individual
2 occupational license shall be suspended until we
3 receive confirmation of payment.

4 VICE CHAIR BROWN: Thank you. This is
5 similar to 4.2. Commissioners, if there are no
6 questions can we get a Motion to approve the
7 recommended order in 4.6?

8 COMMISSIONER REPP: Motion to approve the
9 recommended order.

10 VICE CHAIR BROWN: Thank you. Is there a
11 second?

12 COMMISSIONER D'AQUILA: Second.

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

15 BOARD MEMBERS: Aye.

16 VICE CHAIR BROWN: Thank you. Ms.
17 Alvarado, was 4.7 withdrawn?

18 MS. ALVARADO: Yes, it is.

19 VICE CHAIR BROWN: Okay. Thank you.
20 Thank you for your work on this -- these items.
21 Moving on to the discussion of stewards recommended
22 Order 5.1.

23 MS. ALVARADO: 5.1 is Aubrey Maragh in
24 Case Number 2023-003854. This comes before you
25 following the recommended order that was issued by

1 the stewards after a stewards' hearing.

2 The hearing was conducted on September
3 20th regarding an administrative complaint alleging
4 that Respondent violated 550.24151A Florida Statute
5 and Rule 756.0082F Florida Administrative Code by
6 racing a horse with an impermissible amount of
7 hydro dantrolene.

8 The stewards issued a recommended order on
9 October 10th recommended that the Respondent pay a
10 fine of \$1500. They issued a 15-day suspension and
11 return the purse that was obtained from that race.
12 Rule 753.00119B provides that if the stewards
13 determine a statute or rule has been violated and
14 the penalty is greater than 60 days or a fine of a
15 thousand dollars it must be presented -- the
16 recommendation must be presented before the
17 Division for an order to be issued.

18 Therefore, the Division would ask you
19 enter an order adopting the stewards' recommended
20 order in this case.

21 VICE CHAIR BROWN: Thank you, Ms.
22 Alvarado. I just have a question on this. The
23 Statute that they cite and the rule that they cite,
24 it doesn't -- it provides a limit for how much the
25 fine is, or is that by racing standards, the

1 violation of this Class 4?

2 MS. ALVARADO: So, they followed the
3 ARC guidelines but the Stewart's have a hearing but
4 they consider it mitigation and can make the
5 penalty based on whatever is presented at a
6 hearing.

7 This is on terms with the ARC guidelines
8 as well when you look at whether it's a Class C
9 substance as well.

10 VICE CHAIR BROWN: The fines just seem a
11 little more steep than other Class 4.

12 MS. ALVARADO: He has prior. He has prior
13 violations. So, he had two prior violations in
14 this case so they considered that when making the
15 penalty as well.

16 VICE CHAIR BROWN: Thank you for the
17 clarification.

18 COMMISSIONER REPP: Yeah.

19 VICE CHAIR BROWN: Commissioners, are
20 there any questions? if not, can we get a motion
21 to approve that Stewart's recommended order?

22 COMMISSIONER DRAGO: So moved.

23 VICE CHAIR BROWN: Thank you.

24 COMMISSIONER D'AQUILA: Second.

25 VICE CHAIR BROWN: All those in favor say

1 aye

2 BOARD MEMBERS: Aye.

3 VICE CHAIR BROWN: Thank you. 5.1 passes.

4 On to discussion of license denial 6.1 and
5 6.2.

6 MS. ALVARADO: 6.1 is Tamari Muldrow on
7 Case Number 2023-05815. The Division received an
8 application on October 17th, 2023. Applicant was
9 seeking a slot machine card room
10 Pari-Mutuel Wagering combination occupational
11 license.

12 After review of the application, it was
13 discovered that they were convicted of grand theft
14 in the third degree in 2015 and resisting an
15 officer and violence in 2018.

16 They did not disclose this on their
17 application, and there are many other arrests since
18 then, but there was no other convictions passed
19 that 2018 conviction.

20 There is not super-specific
21 information on the arrest itself, other than the --
22 they were issued being two months probation in that
23 2018 case. And it does not seem like the fines
24 have been paid. They were sent to a collection
25 agency so I can't confirm if the collection agency

1 was able to receive those fines, but I do not think
2 so.

3 They did not apply for a waiver because
4 that is not contemplated under 551.10768.
5 Therefore, the Division would ask the Commission
6 authorization for the notice of intent to deny in
7 this case..

8 VICE CHAIR BROWN: Thank you. Commissioner
9 D'Aquila.

10 COMMISSIONER D'AQUILA: I'm just going to make
11 a motion to issue an intent to deny.

12 VICE CHAIR BROWN: Thank you. If there are no
13 questions, can we get a second?

14 COMMISSIONER REPP: Second.

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

16 BOARD MEMBERS: Aye.

17 VICE CHAIR BROWN: Thank you. Commissioner
18 D'Aquila. 6.2.

19 COMMISSIONER REPP: 6.2 is Kevin Robinson in
20 Case Number 2023-063904. In this case, the
21 Applicant applied for a slot machine card room
22 Pari-Mutuel Wagering Occupational license on
23 November 1st, 2023.

24 After review, it was discovered that they were
25 convicted of grand theft in the third degree in

1 2001. They had previously applied for a license
2 back in 2019 which was denied. He still failed to
3 disclose it on his application. It seems like
4 there was some sort of violation of a probation
5 back in 2002. But I believe it has been completed.
6 It's still unclear. There wasn't much information
7 online about the conviction there I guess, because
8 it was from 2001.

9 They did not apply for a waiver of the felony
10 conviction because it's not contemplated under
11 Chapter 551. Therefore, we would ask that the
12 Commission authorize the notice of intent to deny
13 in this case.

14 VICE CHAIR BROWN: Thank you. I just note for
15 the record that PMW Division did not have the
16 license back in 2019 as well.

17 Commissioners, are there any questions? If
18 not, can we get a Motion for the recommended order?

19 COMMISSIONER DRAGO: Just one question, I
20 think. I've always had trouble with the ones that
21 are so old as this. 22 years since the offense was
22 committed and doesn't appear to be any other
23 offenses in all that period of time. And it's a
24 third degree, grand theft third degree. Do we know
25 what the sentencing was or anything in this case,

1 Ms. Alvarado?

2 MS. ALVARADO: I know that he was issued
3 probation for six months. That seemed to have
4 ended in 2002. There was some indication that
5 there was a violation of probation. So, I'm not
6 sure if that was extended. But it seemed like it
7 was still ended in 2002.

8 COMMISSIONER DRAGO: Can they get a license
9 now?

10 MS. ALVARADO: No.

11 COMMISSIONER DRAGO: None, right, no temporary
12 or anything?

13 MS. ALVARADO: No.

14 COMMISSIONER DRAGO: Okay.

15 MS. ALVARADO: I don't believe so. Actually,
16 let me check that before I say that. But no, I
17 don't think so.

18 VICE CHAIR BROWN: Commissioner Drago,
19 typically I tend to agree except for the underlying
20 offense of theft. And I believe he's opined to be
21 a security officer and is established. So, that is
22 one of those, I guess, really disqualifies an
23 individual even though given the amount of time.

24 COMMISSIONER DRAGO: Yeah, I'd just like us
25 to, I guess, thoroughly, closely look at these

1 where there's a considerable amount of time between
2 the offense, and they're attempting to get a
3 license while, of course, always remembering it is
4 our duty to protect the public.

5 And so, we try to do that but we also don't
6 want to hamper people from being able to make a
7 living if there's not a reason to. So, I just want
8 to make sure we've got all the facts, all the
9 information on this before the Commission makes a
10 decision. Back to you.

11 VICE CHAIR BROWN: I appreciate that. Thank
12 you, Commissioner Drago.

13 Commissioner Repp.

14 COMMISSIONER REPP: I'm on the same lines --
15 I'm looking at this. What was his date?

16 MS. ALVARADO: One second. Occurred in 2001.
17 Let me see. '28 the late 20s.

18 VICE CHAIR BROWN: Commissioners, any other
19 questions?

20 Commissioner Drago, would you like to defer
21 this item to get more information?

22 COMMISSIONER DRAGO: I think I would, yes.

23 VICE CHAIR BROWN: Okay.

24 COMMISSIONER DRAGO: I'd appreciate that.
25 Yeah, I think that would be a good idea.

1 MS. ALVARADO: Okay the 90n days is January
2 30th? So, this can be pushed to the next meeting,
3 early January.

4 COMMISSIONER DRAGO: Great.

5 VICE CHAIR BROWN: We're going to defer 6.2.
6 Ms. Alvarado, if you could just get more
7 information on this, that would be helpful to the
8 commissioners. Thank you.

9 On to discussion of policies and procedures
10 under Item 7.

11 MR. TROMBETTA: Thank you Vice Chair Brown.
12 On the agenda this month, we have eight total
13 policies, six of them are specific to law
14 enforcement division, two are agency-wide. If you
15 don't mind, we can correct and go through with them
16 with the record and then both Director Herold and
17 myself are here to answer any questions you may
18 have.

19 VICE CHAIR BROWN: Excellent.

20 MR. TROMBETTA: So, relating to law
21 enforcement, we have Policy 02.18.01, Operations
22 Planning and Deconfliction, policy 02.12.01 blue
23 alert, 02.42.01 Ride Along, 02.38.01 Off-duty law
24 enforcement actions, 02.22.01 Record Section,
25 02.52.01 Training. And then the two agency wide

1 policies are Number 03.11.01 reporting of arrest,
2 convictions and Court Orders, 04.01.01 Assignment,
3 use and management of motor vehicles.

4 VICE CHAIR BROWN: Thank you. Commissioners,
5 I think the best way to go through this is just if
6 you want to get through each item and get questions
7 on an order, I'll just ask you all. So, let just go
8 through the first one. 02.12.01 blue alert. It's
9 like a very standard policy that is applied
10 statewide. Any questions?

11 Seeing none, can we get a Motion to approve
12 that item?

13 COMMISSIONER REPP: So -- go ahead.

14 COMMISSIONER DRAGO: So moved.

15 VICE CHAIR BROWN: Is there a second?

16 COMMISSIONER REPP: Second.

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

18 BOARD MEMBERS: Aye.

19 VICE CHAIR BROWN: That motion passes.

20 On to the second policy, 02.18.01 Operation
21 Planning and Deconfliction. Are there any
22 questions?

23 Seeing none, can I get a Motion to approve
24 that item. Thank you.

25 COMMISSIONER D'AQUILA: Second.

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

2 BOARD MEMBERS: Aye.

3 VICE CHAIR BROWN: Thank you.

4 Moving on to 02.22.01, Records. Is there any
5 questions on this item?

6 Seeing none, can I get a Motion to approve
7 that item?

8 COMMISSIONER DRAGO: So moved.

9 VICE CHAIR: Is there a second?

10 COMMISSIONER D'AQUILA: Second.

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

12 BOARD MEMBERS: Aye.

13 VICE CHAIR BROWN: Thank you. The Motions
14 passes.

15 Moving on to 02.38.01 Off-Duty law enforcement
16 actions. Are there any questions?

17 COMMISSIONER D'AQUILA: No.

18 VICE CHAIR BROWN: Seeing none -- all those in
19 favor say -- oh, pardon me. Is there a Motion?

20 COMMISSIONER DRAGO: So moved.

21 VICE CHAIR BROWN: Is there a second?

22 COMMISSIONER D'AQUILA: Second.

23 VICE CHAIR BROWN: All these in favor say aye.

24 BOARD MEMBERS: Aye.

25 VICE CHAIR BROWN: Thank you. That policy

1 passes.

2 Moving on to 02.42.01 Ride-Alongs. Is there
3 any discussion or questions?

4 COMMISSIONER D'AQUILA: No.

5 VICE CHAIR BROWN: Can I get a Motion to
6 approve the policy as presented?

7 COMMISSIONER REPP: Motion to approve.

8 VICE CHAIR BROWN: Is there a second?

9 COMMISSIONER D'AQUILA: Second.

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

11 BOARD MEMBERS: Aye.

12 VICE CHAIR BROWN: That Motion passes.

13 And for our last law enforcement policy,
14 02.52.01 Training. Is there any discussion or
15 questions? Can I get a Motion to approve the
16 policy?

17 COMMISSIONER DRAGO: So moved.

18 VICE CHAIR BROWN: Is there a second?

19 COMMISSIONER REPP: Second.

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

21 BOARD MEMBERS: Aye.

22 VICE CHAIR BROWN: And that passes. And I
23 want to thank Carl Herold, Chief and Mr. Trombetta
24 as well for the work that went into this. I know
25 we all had briefings on these items, and spent a

1 good deal of time going over them individually with
2 you also. Thank you for coming up with solid
3 policies.

4 Moving on to the 03.11.01 human resource --
5 report, arrest, convictions and court orders that's
6 under human resource management. Are there any
7 questions from that item?

8 COMMISSIONER D'AQUILA: No.

9 VICE CHAIR BROWN: Okay, I do just wanted to
10 reinforce that once that particular item, and some
11 of these others, but this is for our whole agency
12 that says staff, for all agencies informed of this
13 particular policy so that they have notification of
14 when they have the duty to report anything. Some
15 of them are very timely felony is immediately
16 misdemeanors within three days. So staff just need
17 to be made aware of their duty.

18 MR. TROMBETTA: Oh, yes, ma'am.

19 VICE CHAIR BROWN: Thank you. If there are no
20 questions, can we get a Motion to approve that
21 item, 03.11?

22 COMMISSIONER REPP: Motion to approve.

23 VICE CHAIR BROWN: Is there a second?

24 COMMISSIONER D'AQUILA: Second.

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

1 BOARD MEMBERS: Aye.

2 VICE CHAIR BROWN: Thank you. And that
3 passes.

4 On to our last one, 04.01.01, Assignment, use
5 and management of motor vehicle policy. If there's
6 no questions, can I get a Motion to approve?

7 COMMISSIONER DRAGO: So moved.

8 VICE CHAIR BROWN: Is there a second?

9 All those in favor say aye.

10 BOARD MEMBERS: Aye.

11 VICE CHAIR BROWN: Thank you. Those items
12 pass.

13 On to executive director update.

14 MR. TROMBETTA: Thank you. I have essentially
15 one -- one -- well, one ask and then I'm happy to
16 answer any questions.

17 So, the ask is that at the prior meeting, the
18 Commission authorized me to file notice of rule
19 development as it relates to the patient dispute
20 process that we are working on establishing with
21 the Seminole Tribe as required by the 2021 compact.

22 I believe that we will be able to do that
23 prior to our next meeting.

24 And I'm now asking for judicial authority to
25 file a notice of proposal as well, so that if

1 everything goes well, we don't necessarily have to
2 wait for the January meeting to file the second
3 action.

4 Again, the rule makes process in multiple
5 stages. Stage 1 is rule development. Stage 2 is
6 filing the notice of proposal rule and No. 3 is
7 moving for adoption. So this will allow us to
8 hopefully get through -- get into that second stage
9 prior to the January meeting.

10 VICE CHAIR BROWN: This is a natural linear
11 process. So, with that I think Commissioner --
12 unless you have any questions.

13 COMMISSIONER DRAGO: No, I don't.

14 VICE CHAIR BROWN: You can make a Motion to go
15 ahead with that recommendation.

16 COMMISSIONER D'AQUILA: I'll make a Motion to
17 go ahead with the executive director's
18 recommendation and proceed to Step 2.

19 VICE CHAIR BROWN: Thank you. Is there a
20 second?

21 COMMISSIONER D'AQUILA: Second.

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

23 BOARD MEMBERS: Aye.

24 VICE CHAIR BROWN: Thank you, Mr. Trombetta.
25 Those were asks. Do you have any other update?

1 MR. TROMBETTA: Updates, we are moving towards
2 sessions. We are working kind of on -- we have a
3 few agency packages that we're trying to, you know,
4 get moving; one dealing with criminal stuff, one
5 dealing with sort of regulatory side and then one
6 dealing with the trust fund.

7 I will provide updates as we move into session
8 and get more, you know, I guess, things get filed
9 and things change. We have sponsors for all these
10 bills. And I'm kind of optimistic about feedback
11 rating and going into our early sessions here.

12 VICE CHAIR BROWN: Okay, Commissioners, are
13 there any questions? Mr. Trombetta? I do want to
14 compliment Mr. Mahler on a really thorough
15 legislative update report, doing a great job. And
16 there's a lot of work going on and really just you
17 hopped in and taking off. So, thank you for your
18 work.

19 If there are no questions for Mr. Trombetta,
20 we are now into public comment. All right, is
21 there anybody from the public that would like to
22 address the Commission?

23 Seeing none. Are there any other matters to
24 address? All right, oh, yes, Mr. Trombetta.

25 MR. TROMBETTA: Just for a point of order, we

1 are going to do swearing in ceremony for our
2 Division of law enforcement following this meeting.
3 So, just on your radar, I don't know how you'd like
4 to wrap up the meeting. But I think it's important
5 that we do let the public know that we will be
6 turning off. But as the meeting ends, once we're
7 officially done, we're going to ask Florida Channel
8 to stop recording and we will conduct our ceremony
9 afterwards. And obviously, you're welcome to join
10 us.

11 VICE CHAIR BROWN: Thank you. I think the
12 Florida Channel is here. So, with that as soon as
13 we're adjourned which is minute late, then we ask
14 the Florida Channel to stop the rolling tape.

15 And if there are no other matters, this
16 concludes the meeting and we're adjourned.

17 Have a safe travel. Happy holidays to all.
18 Enjoy your time with your family and friends.
19 Thank you.

20 (Thereafter, the proceedings ended).

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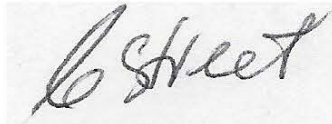
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REPORTER'S CERTIFICATE

STATE OF FLORIDA
COUNTY OF ORANGE

I, Carmel M. Street, do hereby certify
that I was authorized to and did stenographically
transcribed the foregoing proceedings, and that the
transcript, pages 1 through 42, is a true and complete
record of my stenographic notes.

Dated this 19th day of March, 2024.



CARMEL M. STREET