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FLORIDA GAMING CONTROL COMMISSION

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PROCEEDINGS  
Public Meeting

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Tuesday, January 7, 2025

9:31 a.m. - 11:41 a.m.

LOCATION:  
Betty Easley Conference Center, Room 152  
4075 Esplanade Way  
Tallahassee, FL 32399-0850

Stenographically Reported By:

TRACY BROWN

Job No.: 381002

1 APPEARANCES:

2 COMMISSION MEMBERS:

3 Vice-Chair Julie Brown  
4 Commissioner Chuck Drago  
5 Commissioner John D'Aquila  
6 Commissioner Tina Repp

7 PARTICIPANTS:

8 Ross Marshman, Acting Executive Director  
9 Carl Herold, Director of Gaming Enforcement  
10 Lisa Mustain, Director of Administration  
11 Joe Dillmore, Director of Pari-Mutuel Wagering  
12 Elina Valentine, General Counsel  
13 Marc Taupier, Deputy General Counsel  
14 Emily Alvarado, Chief Attorney  
15 La'Kesha Jelks, Government Operations Consultant III

16 OTHERS PRESENT:

17 Various Members of the Public  
18 The Florida Channel  
19 Jonathan Zachem  
20 Gary Rutledge  
21 Michael Stone

22 CERTIFICATE OF REPORTER

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1 Thereupon,

2 The following proceedings began at

3 9:31 a.m.:

4 VICE-CHAIR BROWN: All right. Good  
5 morning. Today is January 7th. And this is  
6 the Florida Gaming Control Commission's January  
7 agenda meeting.

8 Please stand for the Pledge of Allegiance  
9 which will be led Commissioner Repp.

10 (Pledge of Allegiance.)

11 VICE-CHAIR BROWN: Thank you.

12 Hope you all had a great New Year and a  
13 great holiday season. We were going to jump  
14 into our meeting today. We do have a closed  
15 attorney-client meeting at the end of the  
16 agenda, just to let you know. So we will let  
17 the Florida Channel know as well at that time.

18 Can we get to the approval of the meeting  
19 minutes for November 7th and December 5th,  
20 2024? Can I get a motion to approve?

21 COMMISSIONER DRAGO: So moved.

22 VICE-CHAIR BROWN: Is there a second?

23 COMMISSIONER D'AQUILA: Second.

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

1 (Members reply aye.)

2 VICE-CHAIR BROWN: That motion passes for  
3 November 7th and December 5th.

4 Now we are jumping into Item 2.1, which is  
5 Gulfstream Park's amended application for  
6 pari-mutuel operating license.

7 MS. JELKS: Good morning. La'Kesha Jelks  
8 for the record.

9 VICE-CHAIR BROWN: Good morning.

10 MS. JELKS: Good morning.

11 Case number 2024-068115. Gulfstream Park  
12 has requested to amend their operating license  
13 to change their charity date with an effective  
14 date of December 20th. It is our  
15 recommendation that this is approved.

16 VICE-CHAIR BROWN: Thank you.

17 Commissioners, do you have any questions  
18 on this item?

19 Commissioner D'Aquila, can we get a motion  
20 to approve the amended operating license  
21 schedule effective December 20th, 2024?

22 COMMISSIONER D'AQUILA: I make a motion to  
23 approval the amended operating schedule.

24 VICE-CHAIR BROWN: Is there a second?

25 COMMISSIONER REPP: Second.

1 VICE-CHAIR BROWN: Any discussion?

2 All those in favor, say aye.

3 (Members reply aye.)

4 VICE-CHAIR BROWN: Thank you.

5 Going to Item 3.1.

6 MS. JELKS: Case number 2024-073096. PPI  
7 would like to add two tables to its card room.  
8 They have paid the applicable fees. It is our  
9 recommendation that the Commission approves  
10 this request.

11 VICE-CHAIR BROWN: Thank you.

12 This is straightforward.

13 Commissioners, do you have any questions?

14 Can we please get a motion to approve the  
15 request to add additional card tables?

16 COMMISSIONER REPP: Motion to approve.

17 VICE-CHAIR BROWN: Is there a second?

18 COMMISSIONER D'AQUILA: Second.

19 COMMISSIONER DRAGO: Second.

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

22 (Members reply aye.)

23 VICE-CHAIR BROWN: Thank you.

24 And now we are on to 4.1.

25 MS. JELKS: Case number 2024-065781. PPI

1 has applied to renew their slots license. They  
2 have paid the applicable fees. It's our  
3 recommendation that this is approved as well.

4 VICE-CHAIR BROWN: Just to confirm, they  
5 have paid as of today?

6 MS. JELKS: They paid yesterday, yes,  
7 ma'am.

8 VICE-CHAIR BROWN: Thank you.

9 Commissioners, any questions on this?

10 Seeing that they met all the statutory  
11 requirements, can we get a motion to approve  
12 the item?

13 COMMISSIONER DRAGO: I move to approve.

14 VICE-CHAIR BROWN: Is there a second?

15 COMMISSIONER D'AQUILA: Second.

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

18 (Members reply aye.)

19 VICE-CHAIR BROWN: Thank you.

20 And the next two items, we do have a  
21 speaker card. We will ask for staff to present  
22 the consent orders first. Starting with 5.1.

23 Ms. Alvarado, good morning.

24 MS. ALVARADO: Good morning. Emily  
25 Alvarado, for the record.

1           Item 5.1 is Casino Miami, case numbers  
2   2023-043396, 2023-061088, 2024-027155, and  
3   2024-000410. In this case, there was a filed  
4   administrative complaint alleging five  
5   violations of 75-14.0203 and 75-14.05(8). The  
6   facility failed to take reasonable efforts to  
7   remove excluded patrons from a time period from  
8   July of 2022 until late April of 2024.

9           The respondent had no prior violations of  
10   this statute -- or these rules. Sorry.

11   Respondent has asked the Commission to consider  
12   the settlement in this case, which includes a  
13   fine of \$1,250 for all five counts.

14           VICE-CHAIR BROWN: And, Ms. Alvarez, just  
15   for clarification, that's \$250 per count?

16           MS. ALVARADO: Yes.

17           VICE-CHAIR BROWN: Okay. Thank you.

18           Commissioners, do you have any questions  
19   of Ms. Alvarado before we bring the speaker up?

20           All right. Mr. Zachem, please come to the  
21   podium.

22           Good morning.

23           MR. ZACHEM: Thank you. Good morning,  
24   Commissioners.

25           Yes, unfortunately in this situation, this

1 was a product of computer systems not being  
2 properly communicating with each other and  
3 having proper information submitted. So in  
4 working with attorneys for the Commission and  
5 with staff, we've implemented some new  
6 positions for the computers, some new programs  
7 so that they can communicate properly now so  
8 that this issue won't happen in the future. As  
9 well as additional trainings for staff so that  
10 we can make sure this problem won't happen.

11 I would point out to you that although  
12 there's a lengthy period of time that there  
13 were issues in place, it is a bit convoluted as  
14 far as the ownership that occurred during that  
15 period of time. My client seemed to have been  
16 part of it during the back half element of it,  
17 but takes full responsibility for their errors  
18 in communication and we appreciate the  
19 opportunity to work with you on it and support  
20 the settlement agreement.

21 VICE-CHAIR BROWN: Thank you, Mr. Zachem.  
22 Commissioners, are there any questions  
23 of --

24 Yes, Commissioner Repp.

25 COMMISSIONER REPP: Am I -- I just want a



1 clarification. Is a remedy now in place or  
2 will be in place in the future? Or what is  
3 this status of your remediation?

4 VICE-CHAIR BROWN: Yes, sir.

5 MR. ZACHEM: We're good to go back and  
6 forth?

7 VICE-CHAIR BROWN: Yes, sir.

8 MR. ZACHEM: Thank you.

9 Yes, it is in place now. We started  
10 working with vendors as soon as we were aware  
11 of the administrative complaint. They came up  
12 with a solution so that the programs can  
13 communicate and they are doing so going  
14 forward.

15 Additionally, staff training and  
16 understanding all three programs pertaining to  
17 this subject matter need to be checked and  
18 verified. The training started as soon as we  
19 were aware of the administrative complaint. So  
20 their education began immediately after we were  
21 aware of it.

22 COMMISSIONER REPP: Thank you.

23 VICE-CHAIR BROWN: Commissioners, any  
24 further questions?

25 Thank you, Mr. Zachem, for your

1 presentation or response here. Thank you.

2 MR. ZACHEM: Thank you.

3 VICE-CHAIR BROWN: All right,  
4 Commissioners.

5 We are ripe for a motion or discussion.

6 All right. Can we get a motion to approve  
7 the consent order as presented?

8 COMMISSIONER REPP: Motion to approve.

9 VICE-CHAIR BROWN: Is there a second?

10 COMMISSIONER D'AQUILA: I'll second.

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

13 (Members reply aye.)

14 VICE-CHAIR BROWN: Thank you. Motion  
15 passes unanimously.

16 And we are on to 5.2.

17 MS. ALVARADO: 5.2 is Casino Miami, case  
18 number 2024-033660. This case, you were  
19 provided an administrative complaint alleging  
20 that respondent violated Rule 75-14.058(8) by  
21 failing to comply with their internal controls  
22 in regards to verification of the legitimacy of  
23 a jackpot.

24 The respondent has no prior violations of  
25 this rule. The respondent has provided the

1 Commission with a settlement and consent order,  
2 which includes a \$250 fine in this case.

3 VICE-CHAIR BROWN: Thank you.

4 Commissioners, any questions from  
5 Ms. Alvarado before we hear the speaker?

6 Seeing none, Mr. Zachem, please come to  
7 the podium.

8 MR. ZACHEM: Should have stayed closer.  
9 My apologies.

10 Well, in this case, this was an  
11 unfortunate situation where we confused the  
12 identity of two patrons that were at the  
13 facility. So that -- I think in your  
14 materials, you'll see that the appropriate  
15 jackpot was paid out to winner. In trying to  
16 locate the individual that received the  
17 payment, we did our due diligence and it  
18 appears that they left the site swiftly  
19 afterwards unfortunately. But in making sure  
20 that we took responsibility for it, none of the  
21 moneys were removed from the jackpot. They  
22 were appropriately paid out.

23 This was something that was taken from the  
24 facility as far as our error was concerned.  
25 There is nothing that ends up affecting the

1 auditing or accounting or taxing issues that  
2 end up working with the State. This is  
3 something that we take responsibility for due  
4 to the confusion of our staff.

5 VICE-CHAIR BROWN: Thank you.

6 Commissioners, any questions of  
7 Mr. Zachem?

8 No.

9 I do want to thank you for coming on these  
10 two items. It does provide further  
11 clarification outside of even the materials.  
12 So it's very helpful, too. And showing what  
13 mitigation efforts are being made, too.

14 MR. ZACHEM: Glad to do it. Anything that  
15 we can do to try and work with the Commission  
16 so that we can educate them as far as the  
17 process and for us to understand, better, too,  
18 so that we can work going forward to make sure  
19 that the process and information is conveyed  
20 properly to you all.

21 VICE-CHAIR BROWN: Thank you.

22 MR. ZACHEM: Thank you.

23 VICE-CHAIR BROWN: Commissioners, any  
24 discussion on this item?

25 Can we get a motion to approve the consent

1 order as presented?

2 COMMISSIONER DRAGO: So moved.

3 VICE-CHAIR BROWN: Is there a second?

4 COMMISSIONER D'AQUILA: Second.

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

7 (Members reply aye.)

8 VICE-CHAIR BROWN: Thank you.

9 We are on to 5.3.

10 MS. ALVARADO: 5.3 is Gulfstream Park  
11 Racing Association, Inc., case number  
12 2023-041260. In this case, you were provided a  
13 filed administrative complaint alleging that  
14 the respondent violated Section 55.01215(3) by  
15 failing to conduct a race that was previously  
16 approved in accordance with the amended 2022,  
17 2023 application. The respondent has asked the  
18 Commission to consider the terms in this  
19 settlement and consent order which includes a  
20 \$1,000 fine for this case.

21 VICE-CHAIR BROWN: Thank you.

22 Commissioners, are there questions for the  
23 staff on this item?

24 Commissioner.

25 COMMISSIONER DRAGO: I guess -- I know the

1 information's in the material and we discussed  
2 it. Can you go over a little bit how this  
3 might have occurred? I think there's some  
4 circumstances that I think need to be on the  
5 record, how it occurred. If you could share  
6 that with us.

7 VICE-CHAIR BROWN: Thank you, Commissioner  
8 Drago.

9 MS. ALVARADO: So our -- one of our  
10 employees, Tracy Swain, discovered that they  
11 had missed this performance. The president --  
12 she contacted the vice-president of finance  
13 asking him to explain why they missed it. And  
14 he advised that it was their intent to cancel  
15 all their Thursday performances in the month of  
16 June of 2023. He also submitted a request to  
17 cancel the June 1st and June 8th performances  
18 and they forgot, I guess, to include this date  
19 that they also wanted to not race on. So they  
20 seemed very apologetic that they had done this,  
21 but they had forgot to mention the one date  
22 that they didn't want to race on.

23 COMMISSIONER DRAGO: Okay. Thank you.

24 VICE-CHAIR BROWN: Thank you.

25 So, Ms. Alvarado, it was an unintentional

1 oversight?

2 MS. ALVARADO: Right. That's what it  
3 seems like.

4 VICE-CHAIR BROWN: Okay. Commissioners,  
5 any further questions? If not, can we get a  
6 motion to approve the consent order?

7 COMMISSIONER D'AQUILA: I make a motion to  
8 approve the consent order as presented.

9 VICE-CHAIR BROWN: Thank you.

10 Is there a second?

11 COMMISSIONER REPP: Second.

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

14 (Members reply aye.)

15 VICE-CHAIR BROWN: Okay. Thank you.

16 We are on to 5.4.

17 MS. ALVARADO: 5.4 is Gulfstream Park  
18 Thoroughbred After Racing Program. Case number  
19 2023-041279. In this case, you're provided a  
20 filed administrative complaint alleging that  
21 the respondent violated 550.0215(3), Florida  
22 Statutes, by failing to conduct a race that was  
23 previously approved in accordance with the  
24 amended 2022, 2023 application.

25 Here, the respondent has asked the

1 Commission to consider the terms in this  
2 settlement and consent order which include a  
3 \$1,000 fine.

4 VICE-CHAIR BROWN: Commissioner D'Aquila.

5 COMMISSIONER D'AQUILA: Ms. Alvarado, is  
6 this a follow-up to the two dates that were  
7 overlooked --

8 MS. ALVARADO: Yes.

9 COMMISSIONER D'AQUILA: -- in this past  
10 case where you explained simply?

11 MS. ALVARADO: Yes.

12 COMMISSIONER D'AQUILA: Okay. Thank you.

13 VICE-CHAIR BROWN: Thank you.

14 All right. Can we get a motion to approve  
15 the consent order?

16 COMMISSIONER DRAGO: So moved.

17 VICE-CHAIR BROWN: Is there a second?

18 COMMISSIONER REPP: Second.

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

21 (Members reply aye.)

22 VICE-CHAIR BROWN: Thank you.

23 On to 5.5, Tampa Bay Downs.

24 MS. ALVARADO: 5.5 Tampa Bay Downs, Inc.,  
25 case number 2024-021977. This case, there was



1 a filed administrative complaint alleging a  
2 violation of Rule 75-11.04(4)(c) by failing to  
3 permanently alter cards that had been removed  
4 from play. The respondent has settled two  
5 prior administrative complaints with the same  
6 violation in the past -- I'm sorry, three.

7 VICE-CHAIR BROWN: Three.

8 MS. ALVARADO: Yes, three. The respondent  
9 here has asked the Commission to consider the  
10 terms in the settlement and consent order which  
11 includes a \$300 fine.

12 VICE-CHAIR BROWN: Ms. Alvarado, can you  
13 talk the mitigation efforts, seeing that there  
14 were three priors up until this point?

15 MS. ALVARADO: So their attorney,  
16 Mr. Rutledge, he's here and I think he's  
17 willing to present if you have any questions  
18 for him.

19 VICE-CHAIR BROWN: Wonderful. Hi,  
20 Mr. Rutledge.

21 MR. RUTLEDGE: Good morning and Happy New  
22 Year. A cold new year. Gary Rutledge of  
23 Rutledge Ecenia on behalf of the Tampa Bay  
24 Downs. I think it's really less in response to  
25 the question and issue of the corrective steps

1 they've taken, that I would like to point out  
2 two relevant things.

3 First of all, the last violation occurred  
4 approximately five years ago so this is not  
5 something that's been occurring with great  
6 frequency.

7 Secondly, with all due respect and I know  
8 it's a requirement of the Commission and has  
9 been, the cards that we're speaking about, the  
10 real critical component of a poker game is to  
11 remove a damaged card. Obviously you don't  
12 want to have damaged cards so other players can  
13 see that card. And in removing the card, or  
14 the cards as the case may be, they're then  
15 required to be sealed, subject to review of the  
16 Commission staff after the fact. There's also  
17 a requirement that when they do seal them in  
18 these envelopes, that they permanently alter  
19 them. The permanently altering of the card is  
20 really secondary to the identification and the  
21 segregation of the card.

22 And so that's what happened. It was this  
23 one instance, one card. There were not  
24 multiple cards they found problems with. It  
25 had been approximately five years since the

1 prior violation and that's why we proposed the  
2 settlement that's before you now. We  
3 appreciate your consideration. Be glad to  
4 answer anything else.

5 VICE-CHAIR BROWN: Thank you,  
6 Mr. Rutledge.

7 Commissioners, any question?

8 Again, really appreciate the  
9 clarification, too, and explanation and effect  
10 of the rule.

11 Can we get a motion to approve the consent  
12 order as presented?

13 COMMISSIONER DRAGO: So moved.

14 VICE-CHAIR BROWN: Is there a second?

15 COMMISSIONER D'AQUILA: Second.

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

18 (Members reply aye.)

19 VICE-CHAIR BROWN: All right. We are on  
20 to 5.6.

21 MS. ALVARADO: 5.6 is St. Petersburg  
22 Kennel Club. Case number 2024-053457. In this  
23 case, you were provided with a filed  
24 administrative complaint alleging a violation  
25 of 75-11.012(8). They failed to post a

1 surveillance access list on the inside door in  
2 the surveillance room. The response has two --  
3 had settled two prior administrative complaints  
4 with the same violation in the past. And here,  
5 they've asked that the Commission consider a  
6 settlement and consent order with a fine of  
7 \$300.

8 VICE-CHAIR BROWN: Thank you.

9 Commissioners, are there any questions of  
10 staff?

11 Yes, Commissioner D'Aquila.

12 COMMISSIONER D'AQUILA: When were the last  
13 two violations?

14 MS. ALVARADO: One was in 2022 and one was  
15 in 2023. The one in 2023 was actually two  
16 counts. So it was a \$750 fine for over two  
17 counts.

18 VICE-CHAIR BROWN: Commissioners, would  
19 you like to hear from the attorney on this  
20 matter to see if there are any mitigation  
21 efforts in place?

22 COMMISSIONER DRAGO: I would.

23 COMMISSIONER D'AQUILA: Yes, please.

24 VICE-CHAIR BROWN: Mr. Rutledge.

25 MR. RUTLEDGE: Should have stayed up here.

1 The last time hopefully.

2 I don't have a great deal to respond to  
3 about this except that the last violation that  
4 had the higher penalty that Ms. Alvarado spoke  
5 to had a component to it that was more  
6 significant than the failure to post the list.  
7 And that was, there was somebody that had  
8 gained access that was not technically on the  
9 list. That's not what this situation was.

10 The real key in these situations, as y'all  
11 can appreciate, is to not have unlicensed or  
12 inappropriately licensed individuals in these  
13 rooms. There was no indication that that was  
14 the case in this situation, unlike the prior  
15 violation where there was a \$750 fine where  
16 somebody was not on the list that was found to  
17 be accessing the room. This was merely the  
18 situation of the list not being posted, not  
19 that there was somebody that shouldn't have  
20 been in there like the prior violation.

21 That's really all I can say. And we  
22 appreciate y'all's consideration.

23 I didn't say it for Tampa Bay Downs, but  
24 both of these facilities, not leading up to  
25 this situation, but have undergone a great deal

1 of difficulty as, you know, because of the  
2 storms. So we appreciate your consideration.

3 VICE-CHAIR BROWN: Certainly. Storms,  
4 plural.

5 Commissioners, are there any questions of  
6 staff or any discussion on this item?

7 Okay. Can we get a motion to approve the  
8 consent order?

9 COMMISSIONER REPP: Motion to approve.

10 VICE-CHAIR BROWN: Is there a second?

11 COMMISSIONER DRAGO: Second.

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

14 (Members reply aye.)

15 VICE-CHAIR BROWN: Thank you.

16 All right. We're going to discussion of  
17 waiver requests. Item 6.1 and 6.2. We'll take  
18 them up separately.

19 MS. ALVARADO: Item 6.1 is La Ron Kelmel  
20 Maynor in case number 2024-058628. Here, the  
21 applicant applied for a card room employee  
22 occupational license. Upon review of the  
23 application, it was discovered that he had  
24 disqualifying misdemeanor offense of  
25 shoplifting, concealment of goods out of North

1 Carolina in 2007.

2 The applicant requested a waiver  
3 interview. The waiver interview was conducted  
4 on October 25th, 2024 and has been documented  
5 in the meeting materials. Here, the Commission  
6 could decide to waive the disqualifying  
7 offense. And if not, we would ask that the  
8 Commission authorize the division to issue a  
9 letter of license denial in this case.

10 VICE-CHAIR BROWN: Thank you,  
11 Ms. Alvarado. Can you just provide a little  
12 more clarification on this item? Was the  
13 arrest in 2002, though?

14 COMMISSIONER DRAGO: Yeah.

15 COMMISSIONER D'AQUILA: -- had the same  
16 question.

17 VICE-CHAIR BROWN: Or -- yeah, the arrest  
18 was in 2002.

19 COMMISSIONER DRAGO: Yeah.

20 MS. ALVARADO: Yes, it was in 2002.

21 VICE-CHAIR BROWN: How did the conviction  
22 date -- what lapsed until 2007, I guess?  
23 Failure to appear?

24 MS. ALVARADO: Yeah, he did fail -- yes,  
25 he did. He did fail to appear. He was issued

1 a bench warrant and he missed his court date.

2 VICE-CHAIR BROWN: Commissioners, do you  
3 have questions on this item?

4 Sure, Commissioner.

5 COMMISSIONER DRAGO: Yeah, if I could. I  
6 just -- I guess it's more of a comment. So it  
7 was 2002 that he committed the offense, 2007 he  
8 was convicted. We don't have any other  
9 consideration of any other criminal convictions  
10 in that time. I think he was licensed in  
11 another state as well during that period of  
12 time.

13 VICE-CHAIR BROWN: I think he's currently  
14 licensed in Iowa.

15 COMMISSIONER DRAGO: Yeah, Iowa, yeah.

16 So I think, again, this is one of those  
17 cases where the individual has rehabilitated  
18 himself over a period of time based on the  
19 information that we have. So I would ask that  
20 the Commission consider that when we make our  
21 determination on this.

22 VICE-CHAIR BROWN: Thank you, Commissioner  
23 Drago. I concur wholeheartedly and I think  
24 that this individual meets all of the standards  
25 for licensure at this time.



1 COMMISSIONER D'AQUILA: Uh-huh.

2 VICE-CHAIR BROWN: Commissioners, any  
3 comments?

4 Commissioner Repp.

5 COMMISSIONER REPP: I will concur with  
6 Commissioner Drago. I think -- I'd like to  
7 point out that he did disclose the offense  
8 which, as we know in the past from my  
9 discussions up here, I appreciate it when that  
10 is disclosed and my staff doesn't have to go  
11 searching for these and find these things after  
12 the fact and issue letters of deficiency.

13 I think he's taken responsibility,  
14 remained out of trouble. And I believe from  
15 what I've read, he's currently gainfully  
16 employed. So I think under these unique set of  
17 circumstances that I would be in favor of a  
18 waiver.

19 VICE-CHAIR BROWN: Okay. Commissioners,  
20 looks like we're ready for a motion to issue an  
21 employee occupational license at this time.

22 Can we get a motion to that effect?

23 COMMISSIONER REPP: Motion to approve the  
24 waiver.

25 VICE-CHAIR BROWN: Thank you. And issue

1 the license.

2 COMMISSIONER REPP: And issue the license.

3 VICE-CHAIR BROWN: Thank you.

4 Is there a second?

5 COMMISSIONER D'AQUILA: I'll second that  
6 motion.

7 VICE-CHAIR BROWN: Any discussion?

8 All those in favor, say aye.

9 (Members reply aye.)

10 VICE-CHAIR BROWN: Thank you.

11 Item 6.2.

12 MS. ALVARADO: Item 6.2 is Warren  
13 Millenor in case number 2024-059062. The  
14 applicant here applied for the general and  
15 visual occupational license. Upon review of  
16 the application, he had a disqualifying  
17 offense, a felony battery out of Pinellas  
18 County, Florida in 2005. He had requested a  
19 waiver. And a waiver interview was conducted  
20 on October 25th, 2024 and was documented in the  
21 meeting materials.

22 Here, the Commission can decide to grant  
23 the waiver. And if not, we would ask that you  
24 authorize the division to issue a letter of  
25 license denial in this case.

1           VICE-CHAIR BROWN: Okay. Commissioners,  
2 any questions for staff on this item? This  
3 dates back to 2006, 2005.

4           MS. ALVARADO: '5.

5           VICE-CHAIR BROWN: Are there any other  
6 additional charges or arrests since that time?

7           MS. ALVARADO: None disqualifying, no.

8           VICE-CHAIR BROWN: Thank you.

9           Commissioner Drago.

10          COMMISSIONER DRAGO: I think it's  
11 important to mention as well not only in terms  
12 of rehabilitation over this period of time, but  
13 apparently he's been working at Tampa Bay Downs  
14 as a valet for 18 years. So doesn't appear to  
15 be any issues with his employment or with his  
16 conduct during that period of time since he's  
17 been working there for so long, so just  
18 important, in my mind, to note that.

19          MS. ALVARADO: I don't think he's  
20 currently working. I think he previously  
21 worked as a valet for 18 years is what he said  
22 in his waiver review.

23          COMMISSIONER DRAGO: Okay.

24          VICE-CHAIR BROWN: Thank you.

25          Thank you, Commissioner Drago.

1 Commissioner D'Aquila.

2 COMMISSIONER D'AQUILA: Clarification, is  
3 he employed currently at the facility or he is  
4 not?

5 MS. ALVARADO: He's not. He previously  
6 worked at the facility for 18 years.

7 COMMISSIONER D'AQUILA: Okay. A second  
8 question, do I have this right, his age, 75?  
9 Is that incorrect?

10 MS. ALVARADO: He was born in 1949, so if  
11 that's correct math, then yes.

12 COMMISSIONER D'AQUILA: Close enough.

13 VICE-CHAIR BROWN: Spoken like an  
14 attorney.

15 I also want to point out, he completed --  
16 he paid his restitution, completed probation,  
17 was released from all of that early and  
18 completed anger management. And there was no  
19 further action recommended at that time. So I  
20 would, again, agree with Commissioner Drago on  
21 this item and believe that this man should be  
22 issued an occupational license.

23 Can we get a motion to approve waiver and  
24 issue the license?

25 COMMISSIONER DRAGO: So moved.

1 VICE-CHAIR BROWN: Is there a second?

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

4 VICE-CHAIR BROWN: Any discussion?

5 All those in favor, say aye.

6 (Members reply aye.)

7 VICE-CHAIR BROWN: All right. Thank you.

8 We are moving on to request to vacate  
9 final orders, 7.1 through 7.3. We're going to  
10 start with 7.1.

11 MS. ALVARADO: 7.1 is Jesus Suarez,  
12 2024-042895. On October 2nd, 2024, the  
13 Commission issued a final order suspending  
14 respondent's license for a period extending  
15 until respondent has fully satisfied all  
16 outstanding financial obligations and proof of  
17 payment is received by the Commission due to a  
18 financial judgment that was related to  
19 horseracing conducted at a pari-mutuel facility  
20 out of Broward County, Florida.

21 On December 18th, 2024, the Commission  
22 staff received an order granting a motion to  
23 vacate that Broward County judgment; therefore,  
24 the division would ask that the Commission  
25 enter an order vacating the final order and

1 removing the suspension from the respondent's  
2 license.

3 VICE-CHAIR BROWN: Thank you. It's good  
4 to see that these are being processed and  
5 they're paying their judgments to get back to  
6 work.

7 Commissioners, are there any questions on  
8 this item?

9 The next two are going to be unique ones  
10 that we haven't seen yet before, so can we get  
11 a motion to vacate the final order and remove  
12 this suspension on the occupational license?

13 COMMISSIONER REPP: I'll make that motion.

14 VICE-CHAIR BROWN: Is there a second?

15 COMMISSIONER DRAGO: Second.

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

18 (Members reply aye.)

19 VICE-CHAIR BROWN: Okay. Again, 7.2 and  
20 7.3 are unique and if you can point out the  
21 nuances, please.

22 MS. ALVARADO: Sure. 7.2 is Jose Gallegos  
23 in 2024-054212. Here on December 5th, 2024,  
24 the Commission issued a final order suspending  
25 respondent's license until such time that

1 respondent has fully satisfied all outstanding  
2 financial obligations and proof of payment is  
3 received by the Commission due to a financial  
4 judgment related to horseracing conducted at a  
5 pari-mutuel facility out of Broward County,  
6 Florida.

7 Here, the Commission received a letter  
8 from the obligee in this case stating that  
9 there has been a payment plan set up to fulfill  
10 this judgment. And we've received a request  
11 from respondent to vacate the final order while  
12 they complete this payment plan.

13 VICE-CHAIR BROWN: Thank you.

14 And do you know how long the payment plan  
15 itself will continue?

16 MS. ALVARADO: Here it says they've agreed  
17 to make \$2,000 to be paid on October 10th,  
18 2024. And there was another one that was going  
19 to be paid November 10th, 2024. That's all the  
20 information that I have on here, which would  
21 have been paid already. But we have not  
22 received any letter from -- sorry. Oh, I'm  
23 sorry. And then there's \$1,000 to be paid  
24 after that for ten more months after that. So  
25 it would be for another ten months, I guess,

1 now or eight months now.

2 VICE-CHAIR BROWN: I understand that the  
3 default final judgment was 12,000, roughly.  
4 \$12,200.

5 MS. ALVARADO: Yes.

6 VICE-CHAIR BROWN: So, Commissioner, I see  
7 you going for the button. Go ahead.

8 COMMISSIONER D'AQUILA: What is the  
9 procedure if the payment plan is not honored?  
10 Does this have to start again?

11 MS. ALVARADO: At that point we'd have to  
12 open a new case. We'd have to issue a new  
13 administrative complaint if it's brought back  
14 to the Commission.

15 COMMISSIONER D'AQUILA: Right. So our  
16 options as a Commission are just that, to  
17 accept or deny. There is no middle ground?

18 MS. ALVARADO: Right.

19 COMMISSIONER D'AQUILA: It would start  
20 over again if the payment plan is not honored?

21 MS. ALVARADO: Right.

22 COMMISSIONER D'AQUILA: Understood. Thank  
23 you.

24 VICE-CHAIR BROWN: As a follow-up to  
25 Commissioner D'Aquila, though, how would we



1 know that the payment plan or the debtor is in  
2 default?

3 MS. ALVARADO: We would have to receive  
4 notification from this party that they're not  
5 paying the payment plan. They would have to  
6 send us notification just like they sent us  
7 these judgments in the first place.

8 VICE-CHAIR BROWN: So the onus would be,  
9 again, on another party, not the licensee?

10 MS. ALVARADO: Right.

11 VICE-CHAIR BROWN: Uh-huh. Commissioners,  
12 any questions or discussion?

13 The one thing that I discussed with our  
14 staff during the meeting was -- my briefing  
15 with them was how -- again, this point of  
16 conversation when you have an over-lengthy  
17 payment plan, there's no judgment that has been  
18 vacated yet by the court while the payment plan  
19 is in place. So it's problematic to just go  
20 ahead and issue them a license -- reinstate the  
21 license without any type of condition or  
22 notification. So one thing that we discussed  
23 was possibly vacating the final order and  
24 entering a new order reinstating the license  
25 provided that the maintenance payment -- they

1 maintain the payment plan throughout the term  
2 of that.

3 Commissioner D'Aquila.

4 COMMISSIONER D'AQUILA: Yeah. As a  
5 follow-up to my other question, can it be  
6 granted that if a payment missed within X  
7 number of days the order shall stand? Is that  
8 a possibility? Is that --

9 MS. ALVARADO: I'm going to refer to Marc  
10 Taupier on that.

11 MR. TAUPIER: Marc Taupier, for the  
12 record. For clarification, are you saying the  
13 order from the court or the Commission's order?

14 COMMISSIONER D'AQUILA: The Commission's  
15 order.

16 MR. TAUPIER: The Commission's order would  
17 still stand. The good thing about this  
18 particular case is that this settlement is  
19 filed with the court. So if there is any type  
20 of missed payment or any kind of lapse in  
21 payment, it's going to go through the court  
22 process. The court's going to make the  
23 determination of whether or not there's a  
24 default on that payment plan so all the work is  
25 necessarily going to be done for you guys

1 before we ever get this back.

2 There could be instances where they miss a  
3 payment but they work it out. So it's the  
4 obligee who's asking for this, which hopefully  
5 gives you a little bit of comfort for that  
6 because they want to work with this person.  
7 And I can say with high confidence that this  
8 obligee and this attorney will, within seconds,  
9 tell us if they are not obliging with any kind  
10 of payment plan. So hopefully that gives you  
11 some reassurance as well.

12 COMMISSIONER D'AQUILA: Thank you very  
13 much for that very concise explanation.

14 VICE-CHAIR BROWN: Commissioners, any  
15 further follow-up questions?

16 So would an appropriate motion be to  
17 vacate the final order, enter a new order  
18 reinstating the license provided that the  
19 licensee maintains payment -- compliance with  
20 the payment plan?

21 MR. TAUPIER: Yes, ma'am.

22 VICE-CHAIR BROWN: Okay. Commissioners,  
23 could we get a motion to that effect?

24 COMMISSIONER DRAGO: So moved.

25 VICE-CHAIR BROWN: Is there a second?

1 COMMISSIONER REPP: Second.

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

4 (Members reply aye.)

5 VICE-CHAIR BROWN: All right. Thank you.  
6 Ms. Alvarado, 7.3.

7 MS. ALVARADO: 7.3 is Leon Minott in case  
8 number 2024-058920. On December 5th, 2024, the  
9 Commission issued a final order suspending  
10 respondent's license until such time the  
11 respondent has fully satisfied all outstanding  
12 financial obligations and proof of such payment  
13 is received by the Commission due to a  
14 financial judgment related to horseracing  
15 conducted at a pari-mutuel facility out of  
16 Broward County, Florida. Here, on  
17 December 11th, the respondent has entered into  
18 a payment plan which we received from the  
19 obligee and the respondent has requested that  
20 Commission vacate the final order in this case.

21 VICE-CHAIR BROWN: Thank you. Same  
22 attorney that is representing the oblig -- you  
23 know what I'm saying.

24 COMMISSIONER DRAGO: Yeah.

25 VICE-CHAIR BROWN: Yep. And the

1 stipulation for payment of final judgment has  
2 been entered with the court as well, so same  
3 similar fact pattern --

4 MS. ALVARADO: Yes.

5 VICE-CHAIR BROWN: -- as the previous  
6 case. Can we -- if there's no questions on  
7 this item, can we get a motion to vacate the  
8 final order and enter a new order reinstating  
9 the licensee provided they maintain compliance  
10 with the payment plan?

11 COMMISSIONER D'AQUILA: So moved.

12 VICE-CHAIR BROWN: Is there a second?

13 COMMISSIONER REPP: Second.

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

16 (Members reply aye.)

17 VICE-CHAIR BROWN: Thank you, Ms. Alvarado  
18 and Mr. Taupier.

19 All right. We are moving in to the  
20 executive director update.

21 MR. MARSHMAN: Good morning.

22 VICE-CHAIR BROWN: Good morning.

23 MR. MARSHMAN: Happy New Year.

24 For this portion of the proceeding, I  
25 propose asking Director Herold to provide an

1 update about DGE's activities for the preceding  
2 month, discuss the employees of the month and  
3 any scheduling we have for the month of May.

4 VICE-CHAIR BROWN: Thank you, Director  
5 Marshman.

6 Good morning. No, please. Is there --

7 MR. HEROLD: No, I can make it.

8 VICE-CHAIR BROWN: Okay. Happy New Year,  
9 Director Herold.

10 MR. HEROLD: Well, thank you. Happy New  
11 Year to each of you. And Carl Herold, for the  
12 record. And thank you for allowing me to share  
13 some more exciting information about the  
14 activities of the gaming enforcement unit this  
15 past month.

16 Certainly it's the beginning of the new  
17 year, but this is the activity for this last  
18 month, so kind of closes out the activity of  
19 all of our law enforcement professionals in the  
20 gaming enforcement unit for the past -- during  
21 December.

22 Some of the things that I'd like to touch  
23 on are -- again, the investigators touched  
24 about 50 different investigations this past  
25 month. And essentially that means some

1 involved a conclusion, but others were just --  
2 they're long-term investigations and different  
3 items come in. Different types of intelligence  
4 and they further the investigation through  
5 different activities.

6 I am quite excited that through our  
7 partnerships and our own individualized work,  
8 this past month we closed ten illegal arcades.  
9 And as a result of that, we collected 450  
10 illegal slot machines. And the significance of  
11 that is is that, you know, no longer are these  
12 machines out there for innocent persons to be  
13 victimized through these predatory practices  
14 but also it means more and more warehouse space  
15 that we have to find for these machines.

16 Fifteen individuals were arrested or  
17 issued notice to appear with a total of 70  
18 charges. And I would like to, you know, bring  
19 to everybody's attention and you're all aware,  
20 but there was a -- probably the biggest  
21 activity, enforcement activity, that the gaming  
22 enforcement unit has participated in this past  
23 month with Jacksonville SO. And that took  
24 place during December and three and a half  
25 million dollars in illegal funds were seized in

1 total with our participation with the  
2 Jacksonville Sheriff's Office.

3 And I've had a couple people come up to me  
4 and go, wow, you know, the gaming commission is  
5 getting an awful lot of money from these  
6 seizures. And I did want to take the  
7 opportunity to say that oftentimes we don't get  
8 that money. It's -- the reason that I'm  
9 bringing it up is and talk about it is because  
10 two things: One, is I want the uninformed  
11 folks to understand that there's a significant  
12 amount of illegal money that's floating through  
13 these operations and it's not your ma and pa  
14 organizations that are running these illegal  
15 casinos. These are highly organized and  
16 there's a great deal of money.

17 And so I think that by bringing that  
18 information to each of you and to the public  
19 is -- it helps those that are uninformed to  
20 understand that there's a great deal of money  
21 being involved and it's all illegal and it's  
22 typically -- it's going to bad actors who are  
23 doing additional bad things.

24 Also, you know, I talk about it because it  
25 helps illustrate the importance of



1 disincentivizing these bad actors. Because if  
2 you take away their proceeds and their profits,  
3 it hopefully steers them to trying to do  
4 something other than be involved in illegal  
5 gambling.

6 VICE-CHAIR BROWN: If I could have you  
7 pause for a moment.

8 Commissioners, are there any questions or  
9 comments on this?

10 COMMISSIONER DRAGO: None so far.

11 VICE-CHAIR BROWN: Okay.

12 MR. HEROLD: Also this past month, we took  
13 in another 253 complaints through either our  
14 Make A Report portal on our website or through  
15 law enforcement agencies or other individuals.  
16 And much like last month, you know, the number  
17 of complaints far exceeds our ability to  
18 service them. And, you know, we've done some  
19 amazing work, but gosh, if we had more people,  
20 think about how much more amazing work we could  
21 do, so --

22 VICE-CHAIR BROWN: And that's an increase  
23 from the prior month and the --

24 MR. HEROLD: Yeah, it was 217 last month,  
25 if I recall.

1 COMMISSIONER DRAGO: Can I ask?

2 VICE-CHAIR BROWN: Yes, Commissioner  
3 Drago.

4 COMMISSIONER DRAGO: Just for  
5 clarification --

6 MR. HEROLD: Absolutely.

7 COMMISSIONER DRAGO: -- for folks  
8 listening. What are those reports that you  
9 receive? What kinds of reports come through  
10 that portal? Just give us an example, if you  
11 would.

12 MR. HEROLD: I would say that -- well,  
13 there's a vast variety of them there. There  
14 are individuals that are complaining about an  
15 illegal casino or something that's in their  
16 neighborhood that is having a negative effect  
17 on either them and the community or them  
18 individually. We get, oftentimes, many reports  
19 from individuals that are negatively impacted.  
20 They call in and they go, listen, there's an  
21 illegal arcade or illegal casino in our  
22 community and my spouse has gone down there and  
23 spent all of our money. They have a problem.  
24 They can't stop going to these locations.  
25 They've spent all our money for rent this month

1 and I don't know what we're going to do. We  
2 see some that talk about, my grandmother goes  
3 down here and she spent all of her retirement  
4 money.

5 So it's a lot of really disastrous  
6 comments that, you know, you can't help but  
7 feel, you know, terrible for these individuals  
8 that are being victimized by these illegal  
9 gambling locations.

10 We get some reports about poker  
11 tournaments that are going on around the state.  
12 We get some reports about bingo being illegally  
13 conducted throughout the state. But I will say  
14 that probably close to 80 percent of all the  
15 complaints and reports that we get are about  
16 these illegal casinos across the state.

17 COMMISSIONER DRAGO: Do we ever get  
18 reports regarding people who have had issues at  
19 these casinos, illegal casinos, like they  
20 didn't get paid when they were supposed to get  
21 paid or they got robbed while they were in a  
22 casino or whatever? Things like that that  
23 occur to them while they were at the casino or  
24 failure to receive what they expected when they  
25 got there?

1           MR. HEROLD: Absolutely. And thank you  
2 for asking that question.

3           The -- we receive a number of complaints  
4 concerning people that have won supposedly a  
5 jackpot and they're not paid. It appears that  
6 that seems to be standard business practices,  
7 that's if somebody happens to win a prize of a  
8 thousand or 4,000, 5,000, the business manager  
9 that's in these locations comes over and  
10 says -- they unplugged the machine and say that  
11 there's been some glitch and they refuse to pay  
12 them.

13           Those that will actually pay them say that  
14 the standard practice is if you win \$5,000, you  
15 can't have it all today. You can get it up to  
16 \$200 a day. And you come back every day and  
17 they'll give you \$200. Well, the whole scheme  
18 behind that is that they hope that if -- that  
19 the business manager hopes that if he gives you  
20 \$200, since you had to come there, you're just  
21 going to turn around and put it in the machine  
22 and play again. And so they're really never  
23 ever paying out actual jackpots or those kinds  
24 of things.

25           We never get any reports that say I won

1 and I got my payout. Thank you very much. So  
2 I would tend to believe that it's probably an  
3 issue with these individuals not paying that --  
4 these folks.

5 And the other problem is is that, you  
6 know, the public still has a difficulty  
7 discerning between what's legal and illegal and  
8 that's part of the educational campaign that we  
9 continue to push out there is help them  
10 understand that these illegal casinos do not  
11 have their best interest at heart and that  
12 they're not using sound business practices.  
13 And they're also not falling in line with our  
14 regulated and lawful gaming establishments  
15 across the state. And they would be better  
16 served by going somewhere else.

17 COMMISSIONER DRAGO: So people are  
18 learning that they can contact the Commission  
19 through that portal and ask questions about  
20 whether this type of activity is legal, illegal  
21 or that type of thing?

22 MR. HEROLD: They do ask some of those  
23 types of questions. I will say that the  
24 portal, the file a report portal has grown --  
25 you know, there are no months when it goes down

1 we'll just say. It continues to grow for a  
2 variety of reasons. We have individuals that  
3 self-report that they have problems and, you  
4 know, they would like to have these illegal  
5 casinos done away with because they have  
6 problems. We have family members that report  
7 it. We have people that are very concerned  
8 about the effects that it has on their  
9 communities and they'll drive around and  
10 they'll send us five or six or seven of these  
11 locations across the area. But there's  
12 certainly -- of all the activities, the illegal  
13 casinos is the vast majority of the reports  
14 that we get and they seem to have the greatest  
15 negative impact on individuals and communities  
16 at this point.

17 COMMISSIONER DRAGO: I'm sorry to hear  
18 that we keep getting more -- the numbers keep  
19 going up every month, but it's also encouraging  
20 to think that that means more and more people  
21 are becoming aware of the availability of that  
22 portal and the access to the Commission through  
23 it, which I think is a good thing. And I know  
24 it's a big burden on you and your folks to try  
25 to keep up with those reports, but I think

1 it's -- that access the public has to the  
2 Commission, I think, is invaluable.

3 MR. HEROLD: And to add on to that, if you  
4 don't mind, you're right, I don't necessarily  
5 think that the number of reports as the  
6 increase is a negative. I believe it's a  
7 result of the education we've done, the  
8 enforcement activity the gaming commission has  
9 taken on. Because it seems we have a definite  
10 spike in activity and reports every time we  
11 take some sort of enforcement action. You  
12 know, the news media reports it, people become  
13 a little more curious about it. They -- you  
14 know, they're beginning to understand that  
15 there are lawful and illegal types of  
16 activities that -- in the gaming community.

17 And so it is overwhelming from a  
18 standpoint of a 29-member law enforcement unit,  
19 but it does -- it gives us some reason to be  
20 hopeful that people are understanding the  
21 difference.

22 COMMISSIONER DRAGO: Thank you.

23 VICE-CHAIR BROWN: Thank you.

24 Commissioner D'Aquila.

25 COMMISSIONER D'AQUILA: Director Herold,

1 in every one of these raids, it seems most of  
2 them are in strip malls, commercial spaces and,  
3 you know, zoned commercial and whether it be  
4 suburban or urban environments. Can you  
5 comment on what are the penalties on the  
6 landlords participating in this knowingly? Or  
7 what has transpired to date? Is there -- has  
8 there been -- do we need to make any effort to  
9 communicate to the commercial realty space?

10 MR. HEROLD: Well, you know, that's a  
11 great question and I'll expound on it a little  
12 bit, if you don't mind. And that is that we do  
13 recognize within the Commission that different  
14 problems have different strategies for success,  
15 in that these individuals that you're talking  
16 about that are in strip malls, we do recognize  
17 that we need to try and get the landlords  
18 involved in it. There is a statute that deals  
19 with lawfully -- or excuse me, knowingly,  
20 knowingly renting or leasing this property.

21 And "knowingly" creates yet another  
22 standard that we have to overcome within the  
23 enforcement side of it. It's not  
24 insurmountable, but we recognize that for those  
25 illegal casinos that are in strip malls,



1 besides the enforcement activity that we've  
2 taken up to this point, ultimately -- and I'll  
3 say this, ultimately our goal is for people to  
4 not do it. If we can convince them to not do  
5 illegal gambling without arresting them, so be  
6 it. We've accomplished our goal. If we to  
7 have arrest individuals, then that has to  
8 happen as well.

9         So we do try to provide persuasive action  
10 that will make them want to get out of those  
11 kinds of things. And we are currently  
12 addressing how we might go about noticing these  
13 landlords that these locations that they're  
14 renting or leasing to a location that has been  
15 identified as having illegal slot machines and  
16 hopefully that will dis -- you know, dissuade  
17 them from continuing to do that.

18         Same way with, you know, as a side item,  
19 the convenience stores. You know, when we talk  
20 about illegal casinos, those are businesses  
21 that are not based upon any type of lawful  
22 activity. They're wholly based on illegal  
23 activity with the slot machines. But  
24 convenience stores are a different type of  
25 activity. You know, they're individuals that

1 have got two or three machines in there that  
2 are attempting to maybe just get a little  
3 additional income. We find that most of them  
4 have been given some inaccurate information  
5 about the legality of these machines and so  
6 they -- you know, they look at it from a  
7 different standpoint.

8           And so we are weighing the opportunity or  
9 their strategy of trying to dissuade those  
10 individuals. You know, we don't want to have  
11 to arrest everybody. You know, if we can  
12 dissuade them by telling them, should they have  
13 these illegal slot machines in their  
14 businesses, maybe we can leverage our  
15 partnership with alcohol and -- alcoholic  
16 beverage and tobacco, potentially maybe  
17 lottery, some of these other locations and try  
18 to dissuade them that any time they have these  
19 slot machines in there, that they may be  
20 getting some benefit out of it through the  
21 operation or the profit-sharing with whoever  
22 the business that's bringing them. But they,  
23 you know, have the potential of losing so many  
24 other legitimate incomes.

25           How was that?

1 COMMISSIONER D'AQUILA: Thank you.

2 VICE-CHAIR BROWN: Commissioner Repp?

3 COMMISSIONER REPP: Thank you, Director  
4 Herold.

5 My question's regarding warehouse space.  
6 I know that's been an ongoing issue. Where are  
7 we at the status of our space and our  
8 availability of space? And do you happen to  
9 have a number -- I'm sure not exact -- of how  
10 many machines are we holding right now pending  
11 a trial or legal action or other --

12 MR. HEROLD: I wish I had known that  
13 question was coming, I would have prepared for  
14 it. But I will say that as it stands right now  
15 I believe we have nine warehouses across the  
16 state. We are looking to secure additional  
17 warehousing space. And the purchasing and the  
18 leasing agreements that go with that are far  
19 outside of my expertise and that would be for  
20 Director Mustain. But I can tell you that  
21 she's working extremely hard to try and get us  
22 warehouse space as -- because, quite frankly,  
23 we are at -- nearly at capacity on all of our  
24 nine warehouses.

25 We have been given some additional funding

1 to go find some more warehousing space. And  
2 we're trying to create a broader, more open  
3 strategy for our -- for how we, you know,  
4 collect these machines.

5 And if you'll indulge me, I'll say this  
6 part, and that is, you know, in our two years  
7 of law -- or actual law enforcement activity,  
8 about a year and a half, up to this point, of  
9 all the machines -- and I'm going to shoot from  
10 the hip and I'm going to say it's probably  
11 about 1500 machines, maybe more.

12 Unless -- do you have that number?

13 MR. MARSHMAN: Not yet.

14 MR. HEROLD: Okay. I knew you'd be  
15 working on it. But what I would say is that we  
16 haven't had the opportunity to clear out space  
17 from previous law enforcement activities  
18 because, for whatever reason, these cases take  
19 a great deal of time in the criminal court  
20 system. And so we have machines that have been  
21 sitting in our warehouse now for over a year  
22 and a half because the criminal case has not  
23 resolved itself yet and we haven't had that  
24 opportunity to destroy them and create space  
25 and recycle that space. And that seems to be

1 one of the biggest concerns for us is that --  
2 you know, the recycling of that space is not  
3 occurring at the rate that we would certainly  
4 hope.

5 COMMISSIONER REPP: Thank you.

6 VICE-CHAIR BROWN: Thank you. And I just  
7 want to add, we're talking about bricks and  
8 mortar spaces, but an area that is extremely  
9 important is that illegal online gaming.

10 MR. HEROLD: Absolutely.

11 VICE-CHAIR BROWN: And I know we've had  
12 discussions on this, but that is an area of  
13 high importance, high priority. You know, we  
14 talk about partnerships possibly with the  
15 Department of Lottery, Department of AB&T, and  
16 other states have been very successful with  
17 that.

18 I think one that the law enforcement  
19 division should consider also is the Department  
20 of Education. Right now these young -- young  
21 children are getting addicted to online gaming,  
22 online illegal gambling. And an area of  
23 importance right now is to focus a lot of  
24 attention on that. They don't know what is  
25 regulated, what is not. If it's legal, if it's

1 not. And an area to educate is those  
2 youngsters that are getting hooked on it at  
3 young teenaged years. And it's such an area  
4 that I'm concerned with that I'd really like us  
5 to look at a little bit further and focus our  
6 efforts on partnering with DOE.

7 MR. HEROLD: And I -- that's an  
8 educational campaign that I think is extremely  
9 important because we do get a lot of -- or a  
10 number of reports, much what Commissioner Drago  
11 was asking. We also get reports about these  
12 young folks -- what happens is we get reports  
13 from parents who say, my young son or daughter.  
14 But it's typically always a young son that's  
15 run up -- somehow or another gotten on an  
16 online gaming app and has run up a debt of 3,  
17 4, \$5,000. And it's gotten to the point that  
18 they can no longer hide it or they've used  
19 their parents' credit card and the bill comes  
20 due and, you know, these parents are writing in  
21 and wondering what's happening. You know, how  
22 to resolve this and educate their children and  
23 educate the folks at school.

24 And, you know, if we had an opportunity  
25 financially to have a campaign within the

1 schools, I think it would pay significant  
2 benefit.

3 VICE-CHAIR BROWN: Definitely. And there  
4 is a huge illegal component online as well that  
5 is raging.

6 MR. HEROLD: Absolutely. Yes, yes. And  
7 we are addressing that. There's certain  
8 complexities associated with online  
9 investigation and they make those last a little  
10 bit longer but I can tell you that we are  
11 investigating those and taking very much an  
12 active role in trying to at least inhibit that  
13 as much as we can.

14 VICE-CHAIR BROWN: Excellent, Director  
15 Herold.

16 Commissioners?

17 I think you're done.

18 Except for that.

19 MR. HEROLD: Real -- I'll go through the  
20 rest of this. For the law enforcement, the  
21 gaming enforcement unit, we had some training  
22 this past month for advanced nighttime  
23 surveillance. We brought the agents up and had  
24 a three-day nighttime advanced surveillance  
25 class that the analysts did some in-service

1 training on social media networking, because  
2 that's how these bad actors communicate a lot  
3 is through social media networking. They even  
4 had some training on the Tren de Aragua. I'm  
5 certain I said that wrong. But that game. And  
6 then some computer classes.

7 Anything to add?

8 Okay. You were looking at me so I wasn't  
9 sure.

10 Had five intel meetings this week. And I  
11 know everybody's aware that intel is about  
12 staying current on what the trend is. And so  
13 it's very important that our intel folks stay  
14 current with the -- with these intel meetings.

15 As far as our intel folks this past month  
16 they did five subject backgrounds and two  
17 business backgrounds and employment  
18 backgrounds. And then also, I think of special  
19 significance is that during the operation with  
20 Jacksonville SO, our analysts -- besides the  
21 fact that the law enforcement individuals went  
22 over there and assisted in that operation, our  
23 analysts and other support capacity folks also  
24 went over there to help process evidence and  
25 get it in warehouses and everything. It was a



1 true team effort and I want to thank them for  
2 all their help as it relates to that.

3 And I think I will -- if -- unless we have  
4 a question.

5 VICE-CHAIR BROWN: No questions.

6 MR. HEROLD: All right. I wasn't sure if  
7 you had a question.

8 Personnel actions real quickly. We are  
9 very nearly at capacity for our law enforcement  
10 unit. Trying to fill vacancies and then the  
11 additional positions that we were given for the  
12 budget year. We have two -- two individuals,  
13 one in Ocala and one in Miami that have been  
14 selected as agents, and they are currently in  
15 background. That will fill out our law  
16 enforcement components in both of those  
17 locations. We have one agent vacancy here in  
18 Tallahassee and that's been advertised. And  
19 then we've also selected administrative aides  
20 for Miami and Ocala. And that, too -- with  
21 those four personnel or those four positions  
22 filled, we'll be at capacity for the time being  
23 in those two locations.

24 We have an accreditation manager. I know  
25 that Commissioner Drago's much interested in

1 that. And she is currently in background and  
2 anticipated to start this month. And then  
3 we're advising for our two cyber computer  
4 analysts. But things are going along  
5 fantastic. Fantastic.

6 VICE-CHAIR BROWN: Commissioners, any  
7 questions? A great monthly report. Really  
8 educational. Just not for us but really for  
9 the public to know all of the work that you're  
10 doing. And I appreciate the dialogue and  
11 discussion.

12 All right. Thank you.

13 MR. HEROLD: Thank you.

14 COMMISSIONER DRAGO: Thank you.

15 VICE-CHAIR BROWN: We are going to move  
16 into the employee of the month recognition by  
17 Director Marshman.

18 MR. MARSHMAN: Before we do that, if I can  
19 address some of the questions that were asked  
20 during Director Herold's presentation.

21 VICE-CHAIR BROWN: Certainly.

22 MR. MARSHMAN: The number of machines that  
23 we possessed prior to assisting JSO was 2,724  
24 machines. That total now is exceeding 3,000  
25 machines.

1           The number of square foot that the  
2           Commission currently has is 28,042 square feet.  
3           And we are acquiring more space as we speak in  
4           central and south Florida. Support ongoing  
5           efforts there.

6           And, Commissioner D'Aquila, you asked,  
7           What is penalty for a landlord that rents  
8           knowingly a space to a criminal enterprise such  
9           as illegal gaming. It's a misdemeanor. If I  
10          stole my iPhone, that would be a felony. But  
11          if I run an illegal gaming enterprise in an old  
12          7-Eleven in Jacksonville, that's a misdemeanor.

13          Most gaming offenses -- and when I say  
14          most, I say almost all, are now classified as  
15          misdemeanor level offenses.

16          If an officer goes into an illegal arcade,  
17          the probable cause that officer had immediately  
18          would be for misdemeanor offenses. Maintaining  
19          a gambling house, possessing a slot machine,  
20          those are all treated the exact same way,  
21          second degree misdemeanor, \$500 fine. That is  
22          if you are convicted. That is if you actually  
23          go to trial and lose. That isn't going to  
24          happen. We're keeping track of the people that  
25          are caught up in these raids. They are not

1 going to prison. They're not going to jail.  
2 They're going back to work at these illegal  
3 casinos.

4 So, Director Herold and his team will be  
5 incredibly busy for the duration unless there's  
6 a change. Expecting a different outcome with  
7 the same statutory framework is not going to be  
8 a successful strategy. There has to be some  
9 change, in my opinion, to the underlying  
10 statutes and the penalties so that Director  
11 Herold and his team will have stronger  
12 penalties to go after -- to actually dissuade  
13 the criminals from going back to work. A  
14 second degree misdemeanor is not going to cut  
15 it. A first degree number is not going to cut  
16 it.

17 And, again, if I can steal a cell phone  
18 and that's a felony, there seems to be an  
19 imbalance in how gaming's currently classified.

20 VICE-CHAIR BROWN: Yes. Thank you,  
21 Director Marshman. I didn't know you were able  
22 to pull those stats, too, so quickly. So thank  
23 you for that. That's very elucidating.

24 Commissioner D'Aquila?

25 COMMISSIONER D'AQUILA: So if I understand

1 you correctly, considering that as a Commission  
2 we're maybe two and a half years old, we've  
3 really ramped up our work in law enforcement,  
4 specifically over the last 12, 15 months --

5 MR. HEROLD: Since May of last year.

6 COMMISSIONER D'AQUILA: If I do some rough  
7 math in my head, we're going to be in the  
8 hundreds of thousands of square feet of  
9 climate-controlled space in Florida, and  
10 multi-thousands of these machines. When one  
11 considers -- I think if I'm hearing correctly,  
12 many of these people are going back to work  
13 because the incentives are so high, and  
14 reopening.

15 Fair statement?

16 MR. MARSHMAN: That's fair. The barrier  
17 to reentry into the criminal market is low.

18 COMMISSIONER D'AQUILA: And that's the  
19 issue right there, barrier to reentry, with the  
20 current misdemeanor statute.

21 MR. MARSHMAN: Or just barrier to entry  
22 into the market as itself.

23 COMMISSIONER D'AQUILA: And the cost for  
24 the Florida taxpayer for the climate-controlled  
25 storage will continue to mount.

1 MR. MARSHMAN: That's correct.

2 COMMISSIONER D'AQUILA: And I believe it's  
3 in the multi hundreds of thousands, as we speak  
4 today, to grow.

5 MR. MARSHMAN: I would ask Director  
6 Mustain to confirm the numbers, but it is more  
7 money than I want to spend.

8 COMMISSIONER D'AQUILA: Thank you for  
9 clarifying that very important point as we come  
10 close to legislature session.

11 VICE-CHAIR BROWN: Thank you, Commissioner  
12 D'Aquila. But regardless, some entity would  
13 have to store those illegal gaming machines, if  
14 not FGCC, before we reformed, it was scattered  
15 throughout local enforcement or -- correct?

16 MR. MARSHMAN: That's correct. These  
17 machines are not small. You've seen them.  
18 Think of like a -- maybe a larger arcade  
19 cabinet if you go to a Chuck E Cheese, just  
20 bigger. And because it is evidence and  
21 contraband, it has to be maintained in the  
22 condition that we seize it. It's not like 400  
23 grams of marijuana that's vacuum-sealed into  
24 the back. This requires movers. This requires  
25 warehouses, as you've heard.

1           Director Mustain and DGE have to spend a  
2 lot of their time worrying about logistics and  
3 crushing their hands when they're moving these  
4 things on dollies. So the warehouses are  
5 unfortunately a necessary evil at this time.  
6 But, again, if the barriers to entry into this  
7 illegal activity were raised, perhaps we would  
8 see a decrease in the overall machines coming  
9 into this state because people would be  
10 dissuaded from becoming felons instead of a  
11 diversion program and then getting back out.

12           VICE-CHAIR BROWN: Thank you, Director  
13 Marshman. I agree.

14           Commissioner Drago?

15           COMMISSIONER DRAGO: Director, you kind of  
16 started -- you answered it, I guess. What I  
17 was going to ask is if you can explain why the  
18 Commission has to hold on to all these slot  
19 machines rather than just destroy them or give  
20 them away or whatever. That we have to hold  
21 these for so long. The legal reasons behind  
22 that, if you could just go into that a little  
23 more.

24           MR. MARSHMAN: Of course. So as I  
25 mentioned briefly, they are considered

1     contraband and evidence. So they have to be  
2     maintained during the course of the trial  
3     proceedings. The first trial proceedings, so  
4     to speak -- forfeiture and seizure. We're not  
5     going to be trying to necessarily forfeit an  
6     illegal arcade. That's always going to be  
7     contraband. You don't forfeit marijuana. You  
8     don't forfeit crack. But if there is cash in  
9     the machines, we're going to try to go after  
10    that.

11           So those are the initial trial proceedings  
12    that are going to happen involving this space.  
13    But what's going to make us keep these for  
14    longer are the criminal cases. So if someone  
15    is facing a deprivation of their liberty, then  
16    the government has to maintain the evidence  
17    against them. That's just basic due process,  
18    basic government. So for the misdemeanor that  
19    face charges against them, maybe they're not  
20    attached to the hundred machines that we take  
21    out of a county. Maybe that's someone else.  
22    And maybe that person, due to the investigative  
23    efforts of us or some of our partners, are  
24    facing felony financial crimes. Not felony  
25    gaming crimes, because, again, those are pretty



1 much nonexistent. The penalties there are  
2 prison time. And no one that I ever  
3 represented signed up quickly to go to prison.  
4 So the cases are going to take time. And  
5 that's due process. That's the court system.  
6 And we cannot compel prosecutors or defendants  
7 to move any faster than they're going to move  
8 through their process.

9         So, in the meantime, we're left holding  
10 this evidence. The evidence that we're left  
11 holding just happens to be what we have to put  
12 in a warehouse and not anything else. Our  
13 partner agencies want to work with us. They  
14 want to go after gaming, but just like everyone  
15 else, they only have so much money, so much  
16 time and so much resources. If we, say, have  
17 29 people for the entire state but we can  
18 locate warehouse space so that other partners  
19 can store their machines, well, that's  
20 something we can do immediately and have an  
21 impact. And that's what we are doing in  
22 addition to our own investigative work and  
23 investigative support.

24         So for now, while these criminal cases are  
25 still pending, we are stuck holding the

1 evidence. And what we have not talked about  
2 yet is what happens when these cases are  
3 closed. Someone is going to have to pay for  
4 the destruction of this contraband. It's us.  
5 And that will be an additional cost that we  
6 will have to bear. And that's something that  
7 we can already start to plan for with Director  
8 Mustain. But in law, there is no summary  
9 mechanism for this seizure and immediate  
10 destruction of evidence. You can't do it with  
11 illegal slot machines, you can't do it with  
12 drugs, you can't do it with guns. It really is  
13 all treated the same way. Again, it just  
14 happens that ours takes up warehouse space.

15 COMMISSIONER DRAGO: Thank you.

16 VICE-CHAIR BROWN: Thank you.

17 COMMISSIONER DRAGO: That helped a lot.

18 VICE-CHAIR BROWN: Commissioners, any  
19 further questions?

20 All right. Director Marshman.

21 MR. MARSHMAN: So changing gears to  
22 something more positive. We did start an  
23 acknowledgment program for employees that  
24 really represent what the Commission is doing  
25 and go above and beyond in their jobs. So

1 these are the ones that we received from last  
2 month. Again, we received way more nominations  
3 than we can reasonably fit into a meeting.

4 So first, in no particular order, from the  
5 Division of Administration is Christine Hutton.  
6 And Ms. Hutton is present. Christine Hutton is  
7 Division of Administration's employee of the  
8 month for her exceptional contribution to our  
9 accounting and budgeting process. Christine is  
10 a, quote, "charter member," of the FGCC, having  
11 filled the original position of budget officer  
12 of the newly created FGCC.

13 She has been instrumental in building the  
14 accounting and budgeting processes with FGCC  
15 administration and managing the FGCC budget.  
16 She frequently communicates with the accounting  
17 unit to ensure accuracy and to resolve any  
18 potential discrepancies that may lead to  
19 budgetary issues throughout the fiscal year.

20 She works closely with our budgeting  
21 partners to ensure FGCC's budget plan and  
22 projections are accurate and monitors the  
23 budget on a daily basis. In conclusion,  
24 Christine's extraordinary performance and  
25 dedication to excellence are both commendable

1 and inspiring.

2 VICE-CHAIR BROWN: Congratulations.

3 COMMISSIONER DRAGO: Can Christine stand  
4 up so we can recognize her?

5 (Applause.)

6 VICE-CHAIR BROWN: I like that. Charter  
7 member, too.

8 MR. MARSHMAN: The next individual is from  
9 IT. And it's Mr. Randol Lazala Badia. Randol  
10 has been a dedicated part of the help desk team  
11 since its beginning. He was promoted to help  
12 desk supervisor last year. Randol has  
13 demonstrated exceptional leadership and  
14 dedication. He has earned numerous  
15 certifications showcasing his commitment to  
16 professional growth while consistently  
17 providing outstanding customer service. I can  
18 personally attest to that as many of the people  
19 sitting around me can.

20 Known for their expert troubleshooting  
21 skills and relentless work ethic, Randol goes  
22 above and beyond to resolve any issue  
23 efficiently. His kind and caring nature  
24 fosters a supportive environment for both  
25 colleagues and clients, making him an

1     invaluable asset to the team. And Randol is  
2     present as well.

3             VICE-CHAIR BROWN: Thank you.

4             (Applause.)

5             MR. MARSHMAN: Next is from gaming  
6     enforcement. Special agent supervisor David  
7     Carney is nominated for DGE's employee of the  
8     month for his exceptional leadership with the  
9     Florida Gaming Control Commission. Respected  
10    as an informal leader before his promotion to  
11    supervisor in the central region, Dave  
12    continues to excel in his role mentoring  
13    subordinates and maintaining crucial  
14    relationships with logistics partners. His  
15    effective coordination ensures smooth law  
16    enforcement operations for the agency.

17            More recently, Dave's attention to detail  
18    led to a \$5,000 cost saving for the FGCC when  
19    he identified an inaccurate charge in a vendor  
20    invoice. His leadership, mentorship, and  
21    commitment to financial integrity make him an  
22    invaluable asset to the FGCC team.

23            VICE-CHAIR BROWN: All right. Dave. He's  
24    central Florida?

25            MR. MARSHMAN: He's in central, yes,

1 ma'am.

2 (Applause.)

3 MR. MARSHMAN: Next is from Commission  
4 staff. And part of the reason why these  
5 meetings run as smoothly as they do, which is  
6 Brandy Humphries. She was selected as the  
7 January Commission/OGC employee of the month.

8 In October of 2022, Brandy came to our  
9 agency from DEO. During her time with us, she  
10 has taken ownership of her work and exhibits  
11 great work habits. Personally I know that when  
12 she doesn't have anything to do, she pesters  
13 you until you find something for her to do.  
14 She excels, though, at organizing meeting  
15 materials and is thorough in ensuring documents  
16 are available for the Commission's deadlines.  
17 She is also responsible for ensuring documents  
18 are redacted and available to the public before  
19 each Commission meeting.

20 She was -- has most recently taken on the  
21 task of keeping track of public records  
22 requests that come into the agency and  
23 maintains Gov QA portals to ensure deadlines  
24 are met. Brandy is committed to the mission of  
25 the agency. Willingly assists other divisions

1 when needed and has an amazing team attitude.

2 Brandy should be here.

3 VICE-CHAIR BROWN: She is. Absolutely.

4 (Applause.)

5 MR. MARSHMAN: Next is from pari-mutuel  
6 wagering, PMW. This is Amy Hall, nominated  
7 by --

8 MR. STONE: Can we have them stand,  
9 please?

10 VICE-CHAIR BROWN: Absolutely. We'll have  
11 everybody stand in the room after.

12 MR. MARSHMAN: Amy Hall was nominated by  
13 Glenda Ricks to be the pari-mutuel wagering  
14 employee of the month. Amy Hall's an  
15 operations review specialist in the division of  
16 pari-mutuel wagering's operations unit. She is  
17 responsible in part for guiding and training  
18 members of the licensing team. She conducts  
19 the second-level review of applications --  
20 process by new staff and handles the final  
21 review of all slot limit applications.

22 Additionally, she processes licensing  
23 applications received from the National Racing  
24 Compact.

25 Those familiar with the licensing unit

1 know that it is a high-volume, fast-paced  
2 environment. It can be stressful at times.  
3 But Ms. Hall manages to adjust and thrive under  
4 pressure, delivering positive feedback and  
5 guidance to both the staff and the general  
6 public. Amy consistently goes the extra mile  
7 to assist applicants to resolve issues. Her  
8 coworkers routinely benefit from her experience  
9 and assistance.

10 When the public reaches out with kudos for  
11 the assistance and positive attitude delivered  
12 by one of our employees, Amy Hall, you know the  
13 individual has made an impression reflective of  
14 the level of service and commitment which  
15 exceeds expectations.

16 And, again, she is in Tallahassee.

17 Is she present?

18 VICE-CHAIR BROWN: Ms. Hall.

19 (Applause.)

20 VICE-CHAIR BROWN: At this time, can we  
21 have all those employees of the month that are  
22 present, please stand up for applause.

23 (Applause.)

24 VICE-CHAIR BROWN: Thank you. Thank you  
25 for all that you do. And, Director Marshman,



1 thank you for highlighting specific efforts  
2 that -- there's one more?

3 MR. MARSHMAN: There's one more.

4 VICE-CHAIR BROWN: There is.

5 MR. MARSHMAN: This is the southern  
6 region.

7 VICE-CHAIR BROWN: My bad. Sorry.

8 MR. MARSHMAN: No problem.

9 This is Angie Medina nominated by Bill  
10 Crafts. Angie Medina is a tax auditor four.  
11 She does the daily function audits for the four  
12 Broward facilities. During the months of  
13 October and November, our other tax auditor  
14 four was on medical leave. And not only did  
15 Angie do the daily audits for her four  
16 properties, but she also covered the other  
17 auditor and did the daily financial audits for  
18 the four Miami properties as well. So that  
19 means all eight slot facilities were being  
20 overseen in part by Angie.

21 Angie shows up for work every day with a  
22 can-do attitude and displays the FGCC values.  
23 She is a vital part of our team.

24 VICE-CHAIR BROWN: Thank you.

25 (Applause.)

1           VICE-CHAIR BROWN:  Angie's in south  
2 Florida, so thank you.  I hope she's watching.

3           MR. MARSHMAN:  I hope so, too.

4           VICE-CHAIR BROWN:  Thank you, Director  
5 Marshman.  And appreciate you pointing out what  
6 they do and the contributions that they're  
7 making.

8           MR. MARSHMAN:  Of course.

9           VICE-CHAIR BROWN:  Appreciate it.

10          MR. MARSHMAN:  The last item I had was  
11 scheduling of the May meeting.  I believe we're  
12 out to May now.  In the past, we have had the  
13 May meeting in south Florida to be closer to  
14 some of our licensees.  So session end, I  
15 believe, on May 2nd, which is the Friday.  The  
16 week after, perhaps, would be a good time to  
17 start looking at calendars if you did indeed  
18 want to travel to south Florida and host the  
19 meeting there.

20          VICE-CHAIR BROWN:  Thank you.  I think  
21 those May meetings in south Florida are  
22 fruitful since so many of our licensees are --  
23 and permit holders are located in there.  I  
24 think it would be appropriate if you all are  
25 also in agreement.  Does that week work?

1 COMMISSIONER DRAGO: Yes.

2 VICE-CHAIR BROWN: Week of May 5th?

3 COMMISSIONER REPP: Yes.

4 COMMISSIONER D'AQUILA: No, I've got --  
5 can we do the following week?

6 VICE-CHAIR BROWN: Absolutely. Sure.

7 How about the week of May 12th?

8 MR. MARSHMAN: We work for you all so as  
9 long as that is good for you, that will be good  
10 for us.

11 VICE-CHAIR BROWN: Okay. Can we do  
12 earlier in the week?

13 COMMISSIONER DRAGO: Tuesday?

14 VICE-CHAIR BROWN: Tuesday, May 13th?

15 MR. MARSHMAN: Okay. May 13th.

16 VICE-CHAIR BROWN: Yes. Would that be  
17 okay?

18 MR. MARSHMAN: It works for us if it works  
19 for you.

20 VICE-CHAIR BROWN: Okay. Wonderful.

21 Thank you.

22 Are there any other questions for Director  
23 Herold -- Director Herold. Director Marshman?  
24 Again, I need more coffee.

25 Thank you for your report today.

1 MR. MARSHMAN: Thank you.

2 VICE-CHAIR BROWN: We are going to open up  
3 for public comments. Is there anybody in the  
4 public that would like to speak before the  
5 Commission? Now is the time to do it.

6 Seeing none.

7 Commissioners, are there any other matters  
8 before we close this meeting for the  
9 attorney-client session?

10 Okay. The time is 10:44. We're going to  
11 close the meeting and adjourn it. And we're  
12 going to have a 25-minute attorney-client  
13 session. And then we --

14 MS. VALENTINE: I have to say the magic  
15 words.

16 VICE-CHAIR BROWN: The magic words. Thank  
17 you.

18 MS. VALENTINE: For agenda item 10.1, the  
19 Office of the General Counsel seeks advice from  
20 the Commissioners in a closed meeting  
21 concerning litigation styled Florida Gaming  
22 Control Commission versus Stephen Glen Kirby,  
23 FGCC case number 2024-015793. This advice  
24 relates to the litigation strategy and  
25 settlement negotiations and therefore will be

1 discussed in private pursuant to Section 16.716  
2 and 286.011(8), Florida Statutes.

3 VICE-CHAIR BROWN: I know better. I'm  
4 sorry. Thank you.

5 Thank you, General Counsel Valentine. At  
6 this time, we will close the meeting. Thank  
7 you all. And safe travels.

8 We are adjourned for 25 minutes.

9 MS. VALENTINE: Twenty-five minutes is  
10 fine. If you could just announce for the  
11 record who's going to be staying in the closed  
12 meeting.

13 VICE-CHAIR BROWN: Do you want me to do it  
14 now?

15 MS. VALENTINE: Before the closed meeting.

16 VICE-CHAIR BROWN: For the record, the  
17 closed meeting is scheduled for approximately  
18 30 minutes. Those that will be in attendance  
19 will be myself, Julie Brown; Commissioner Chuck  
20 Drago; Commissioner John D'Aquila; Commissioner  
21 Tina Repp; acting executive director Ross  
22 Marshman; division director Joe Dillmore;  
23 general counsel Elina Valentine; deputy general  
24 counsel Marc Taupier; chief attorney Emily  
25 Alvarado; Brandy Humphries; Dixie Parker; and

1 our certified court reporter, Tracy Brown.

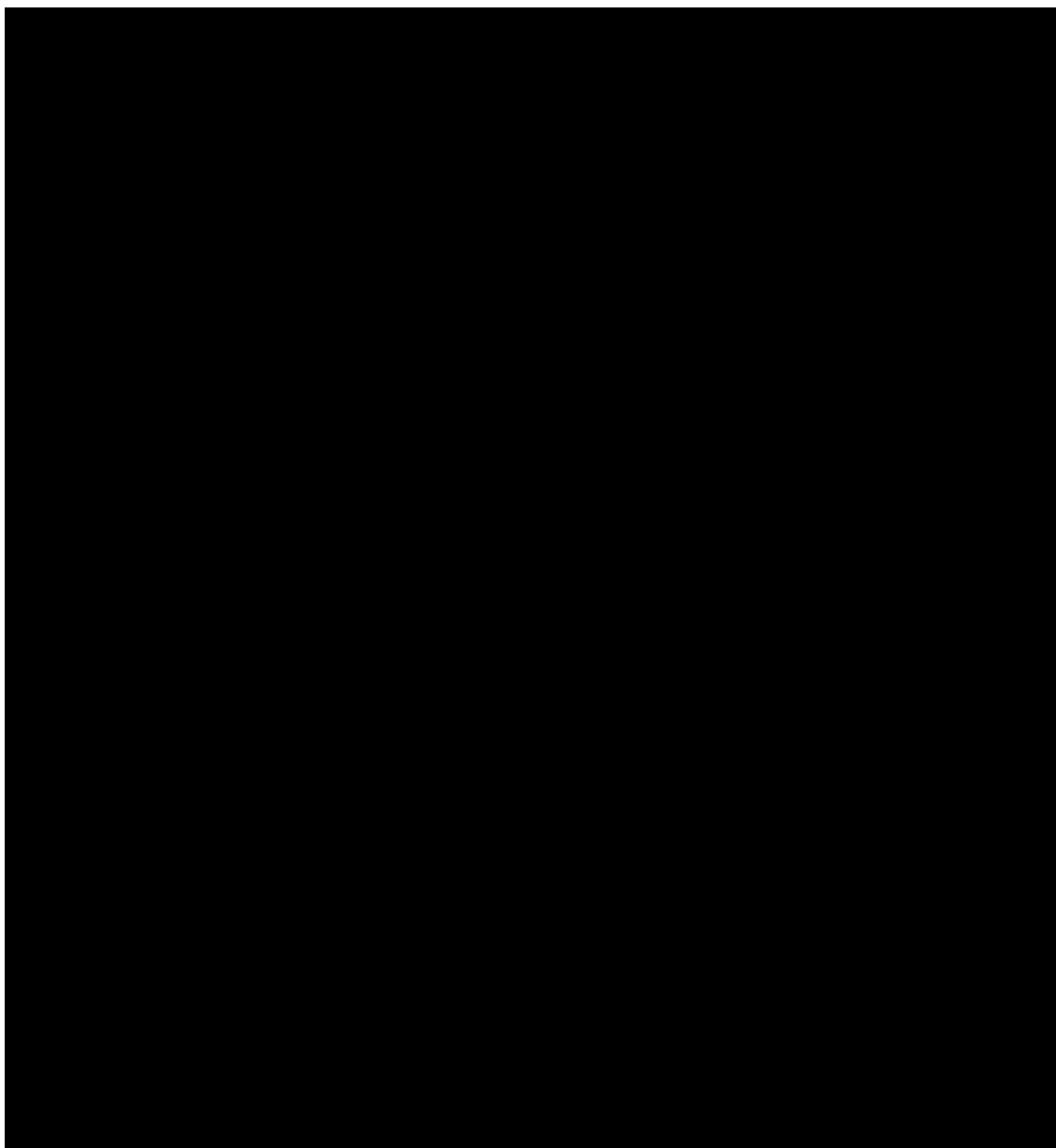
2 We're going to take a quick five-minute  
3 recess.

4 (Recess from 10:48 a.m. to 10:58 a.m.)

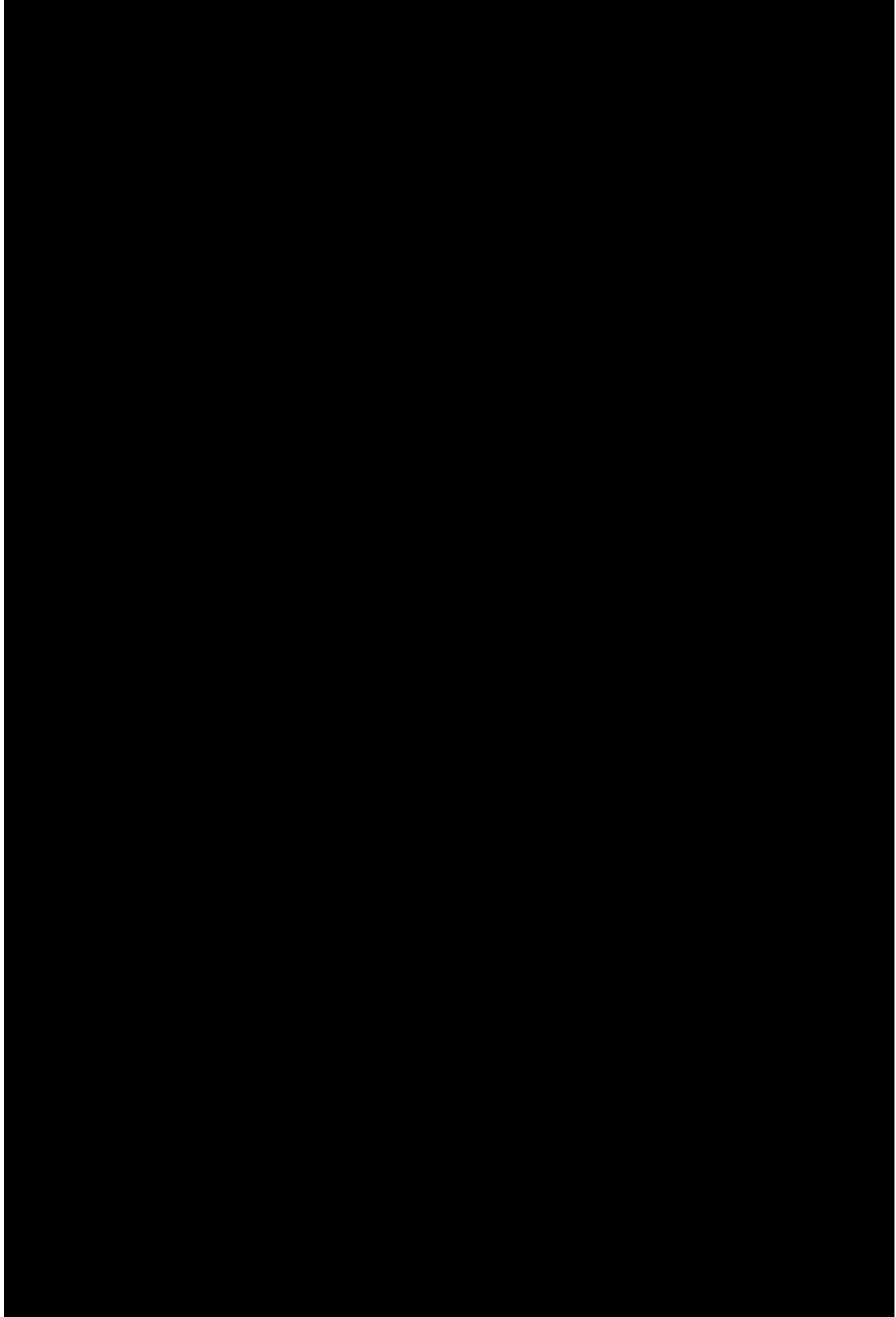
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6 (Beginning of closed attorney-client  
7 session.)

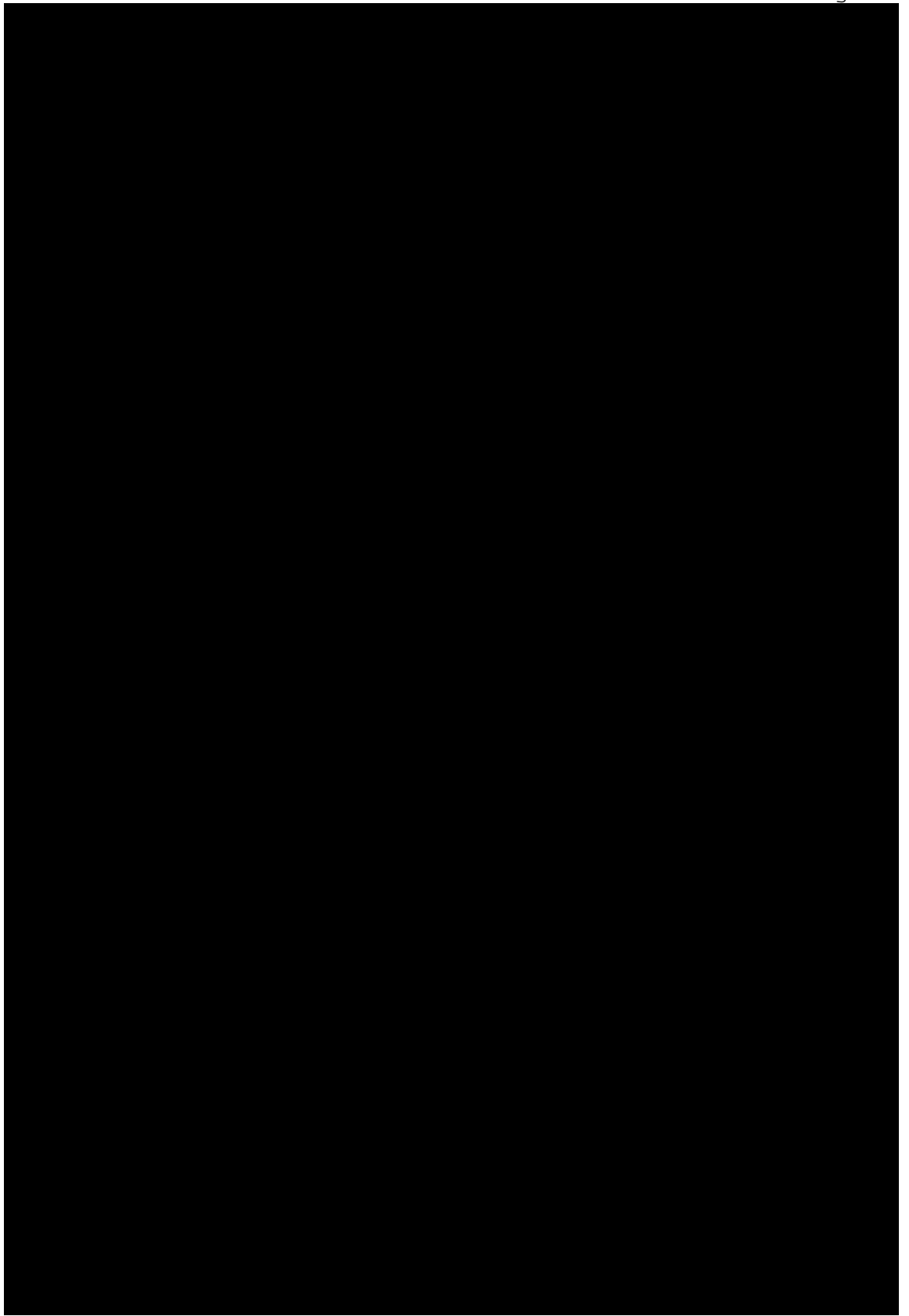
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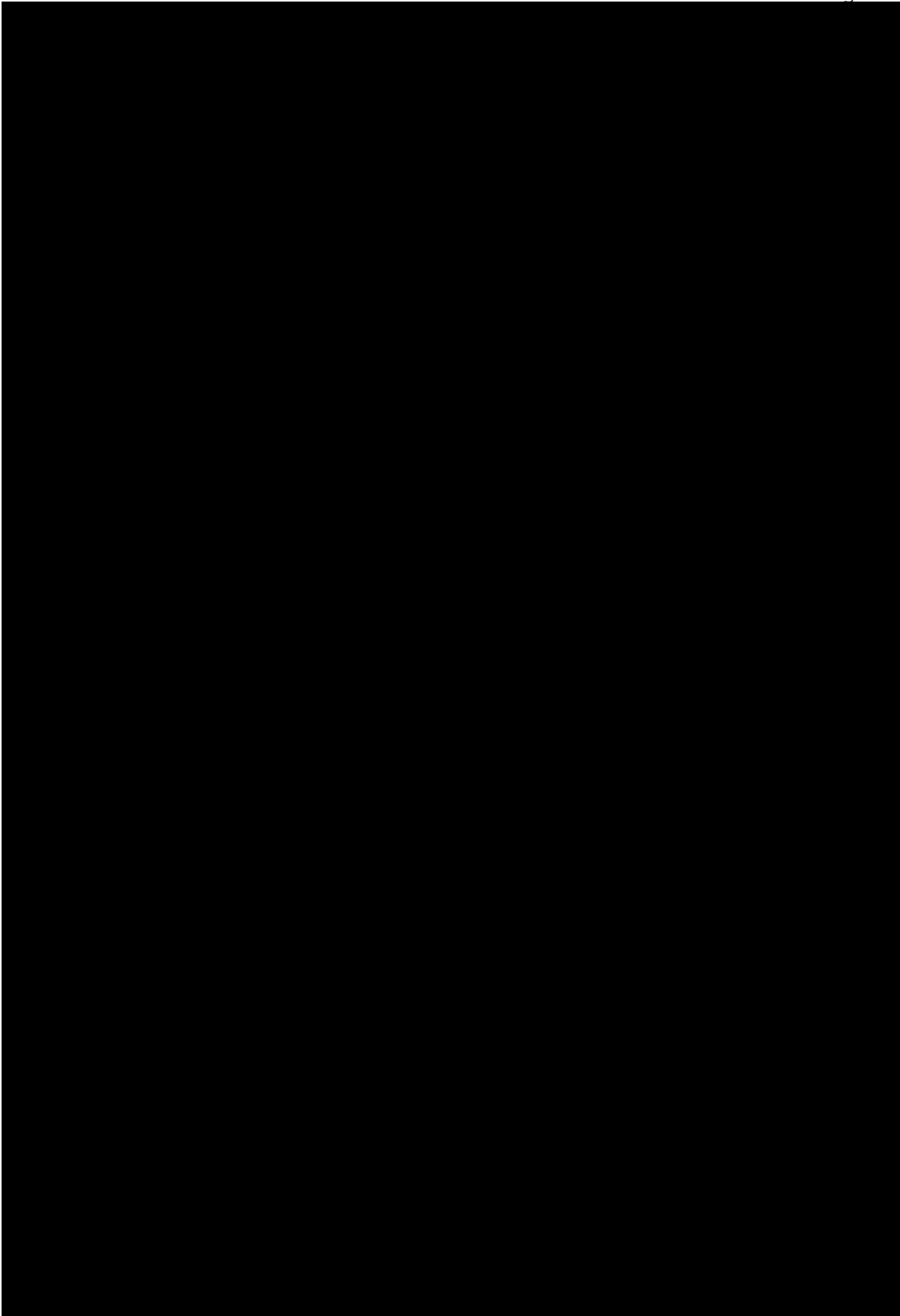


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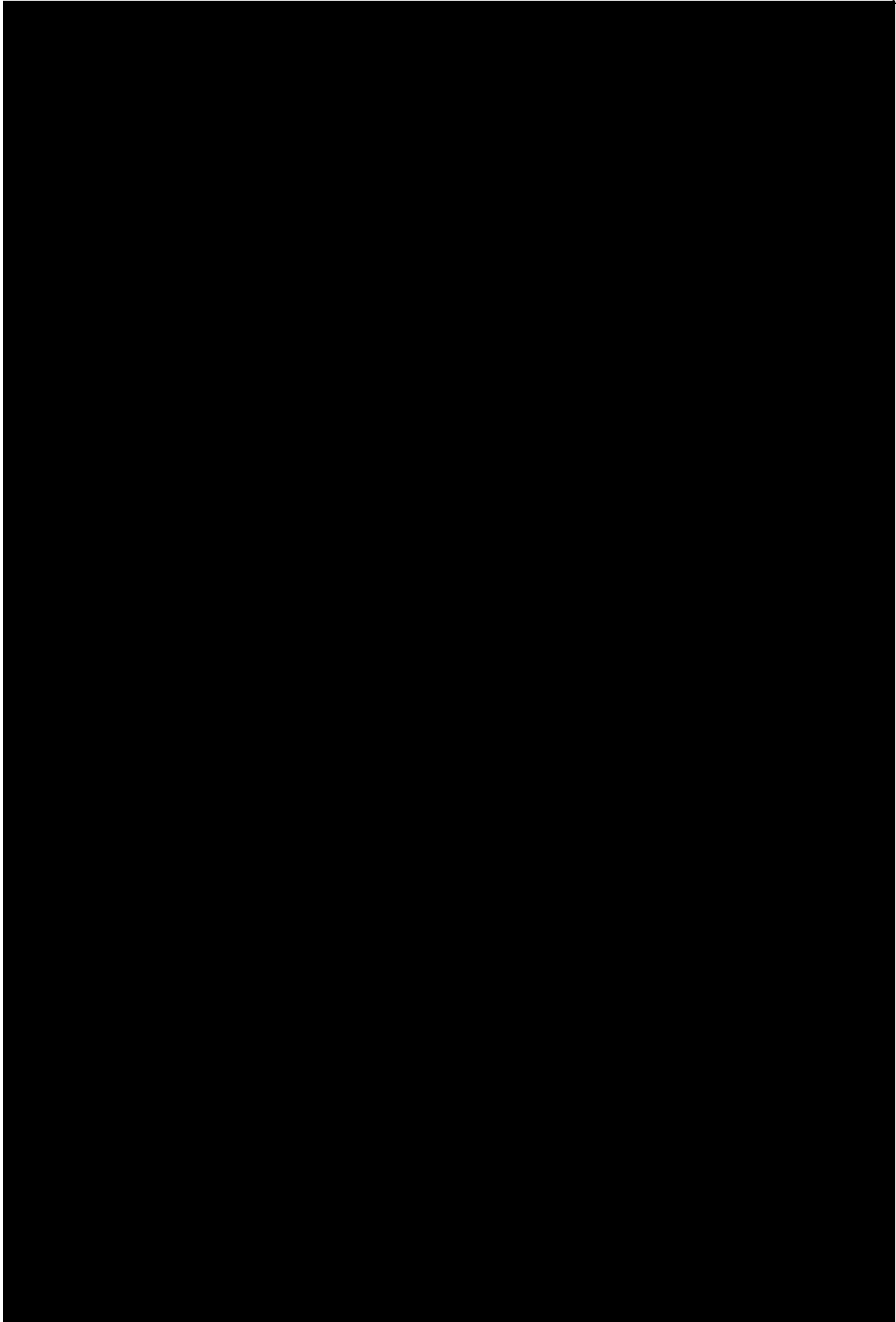




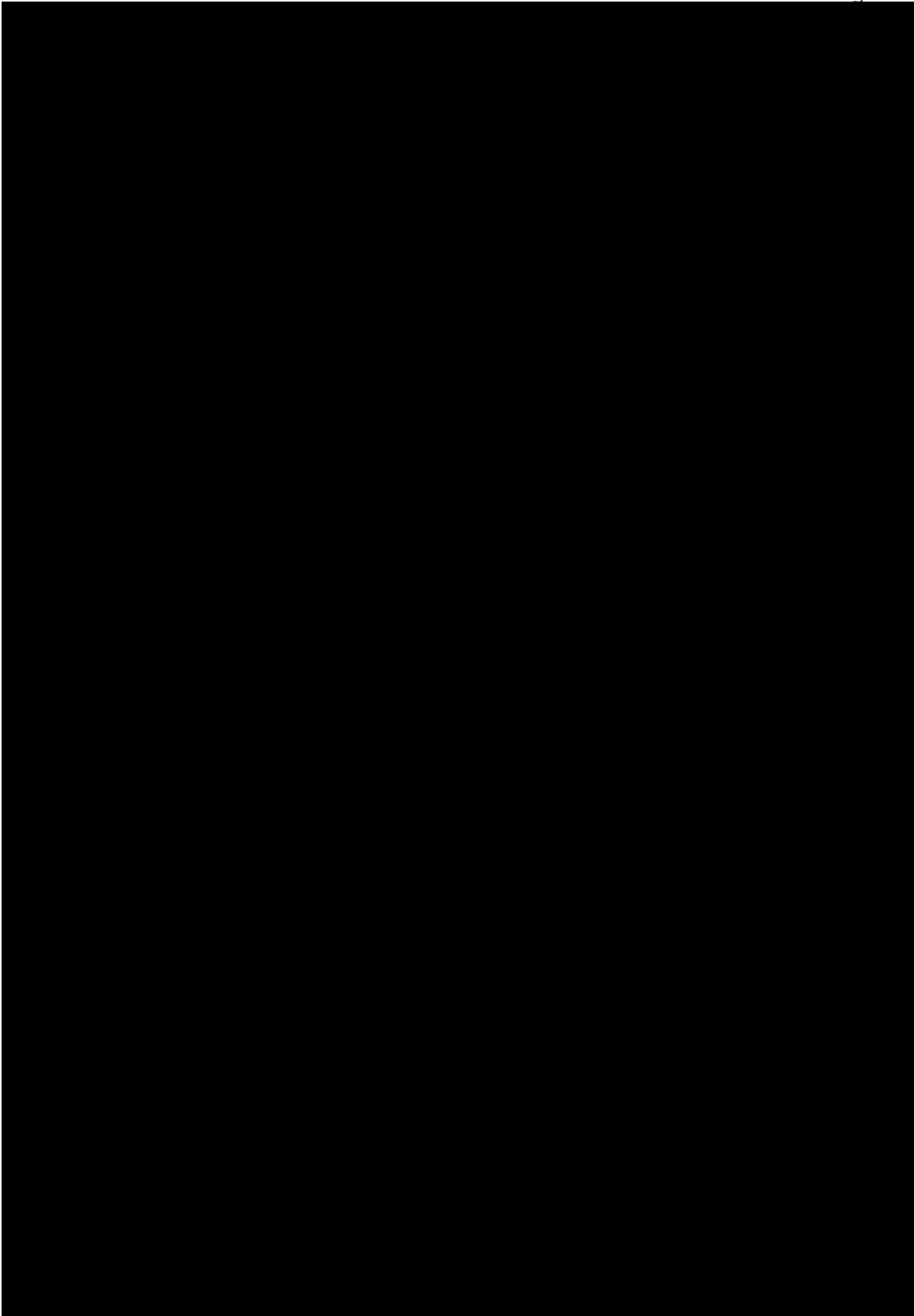
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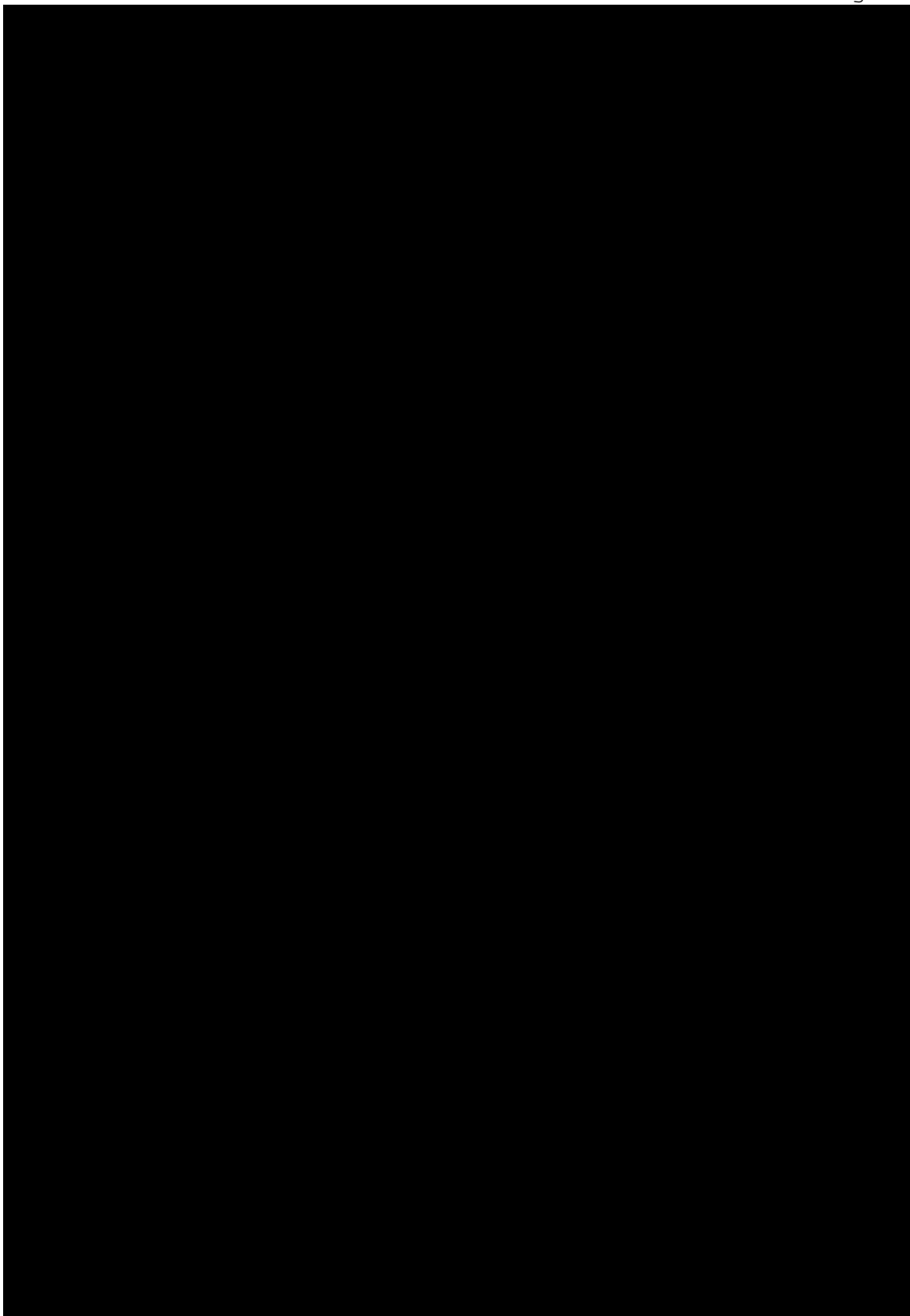
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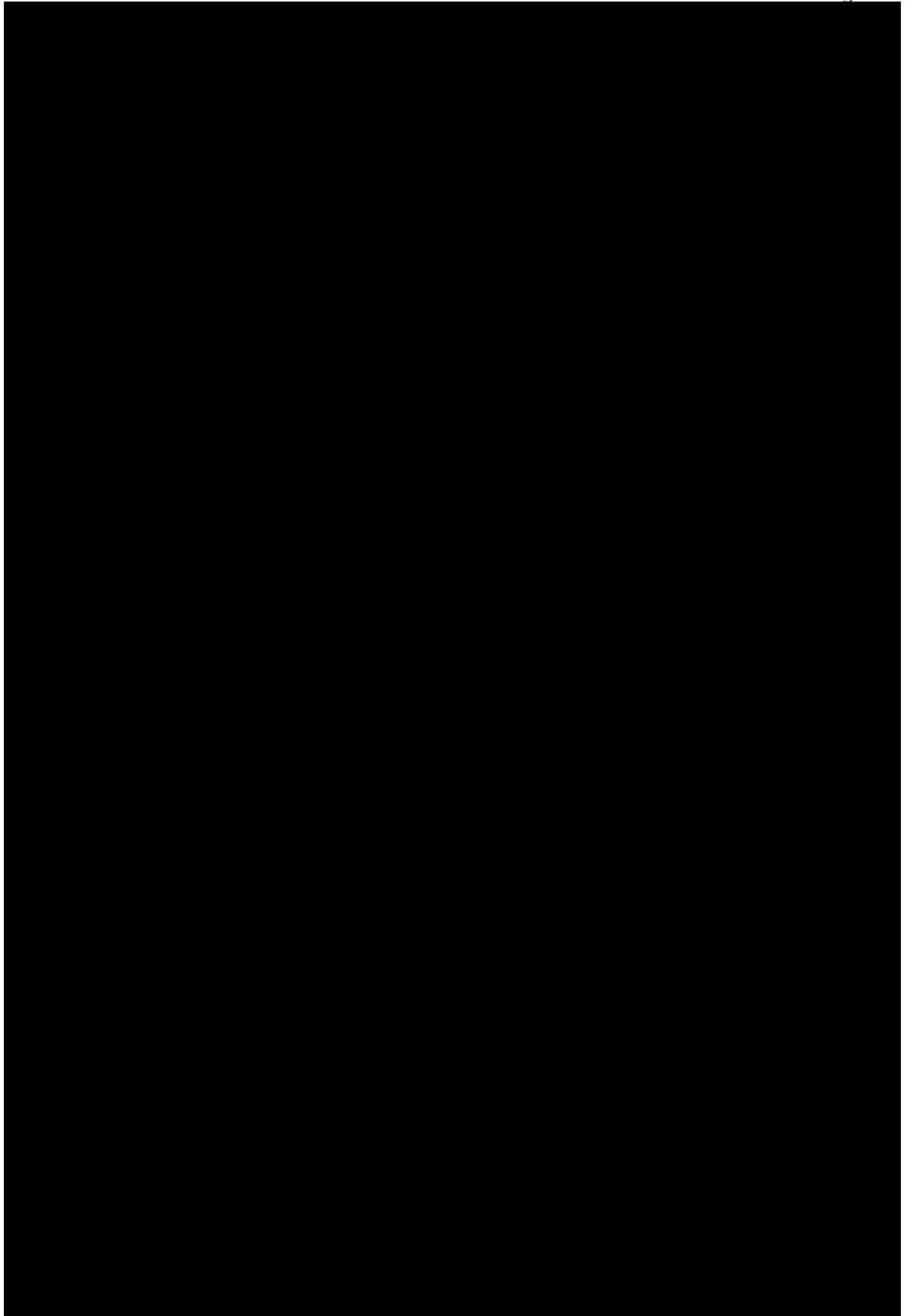
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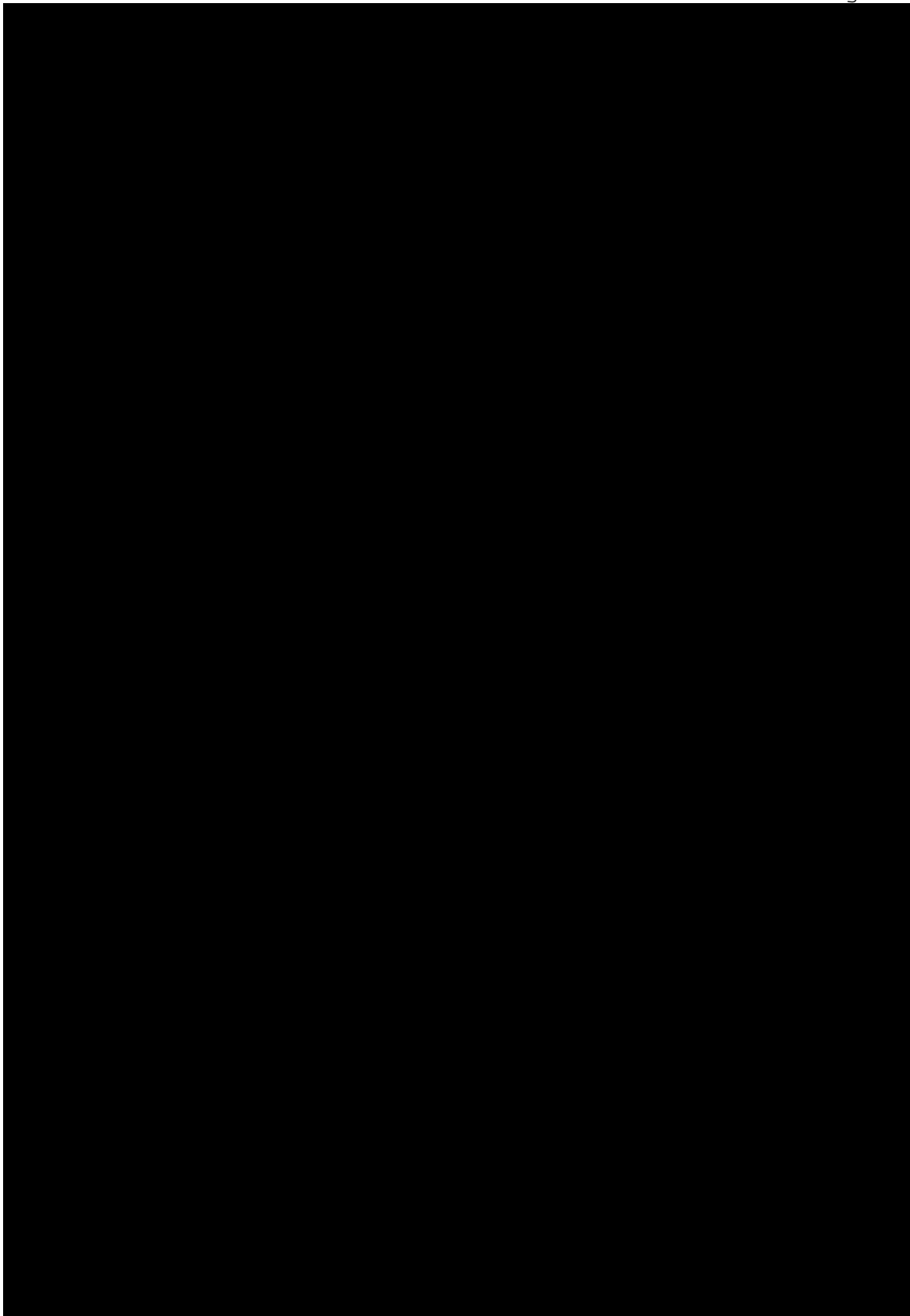
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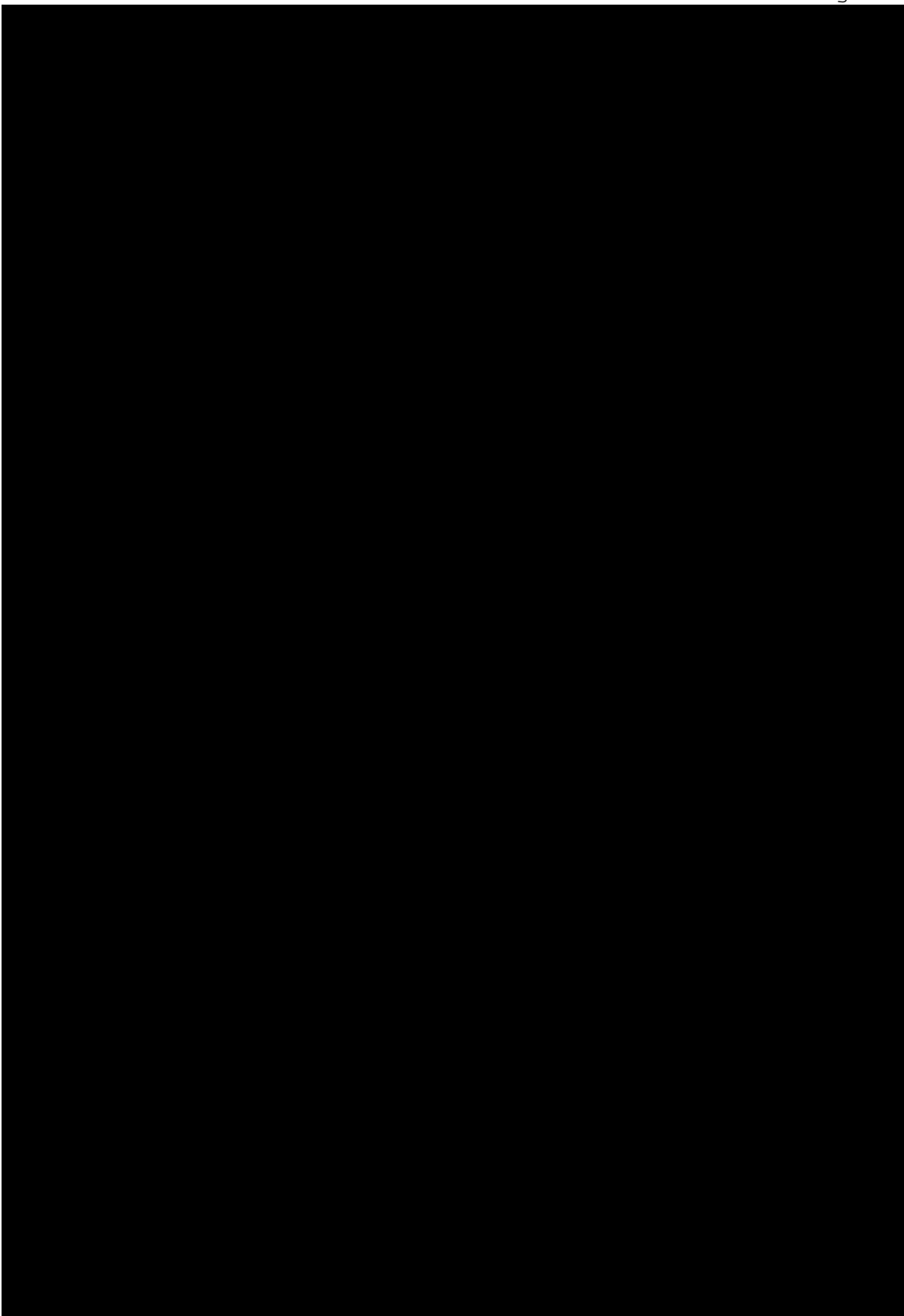
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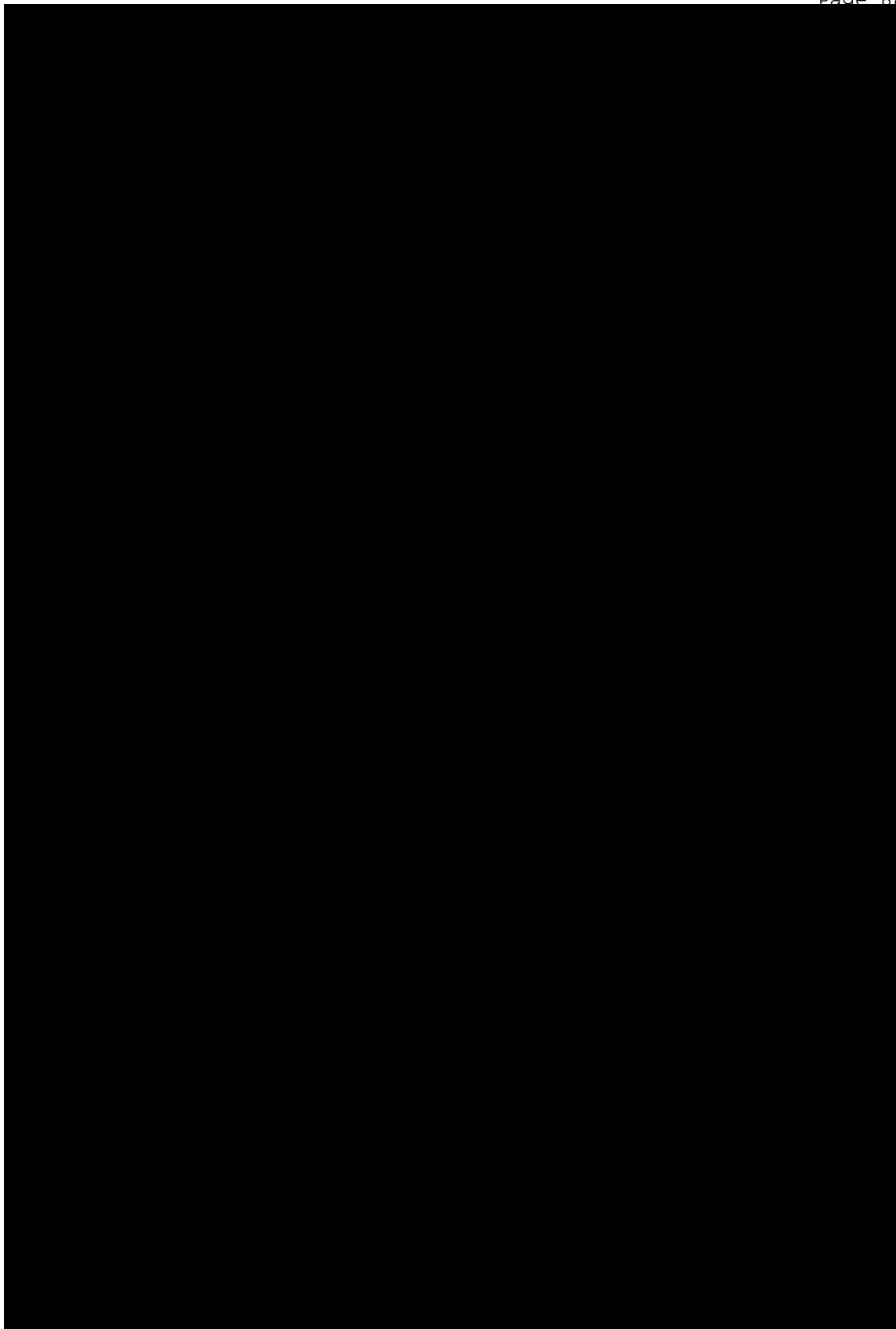
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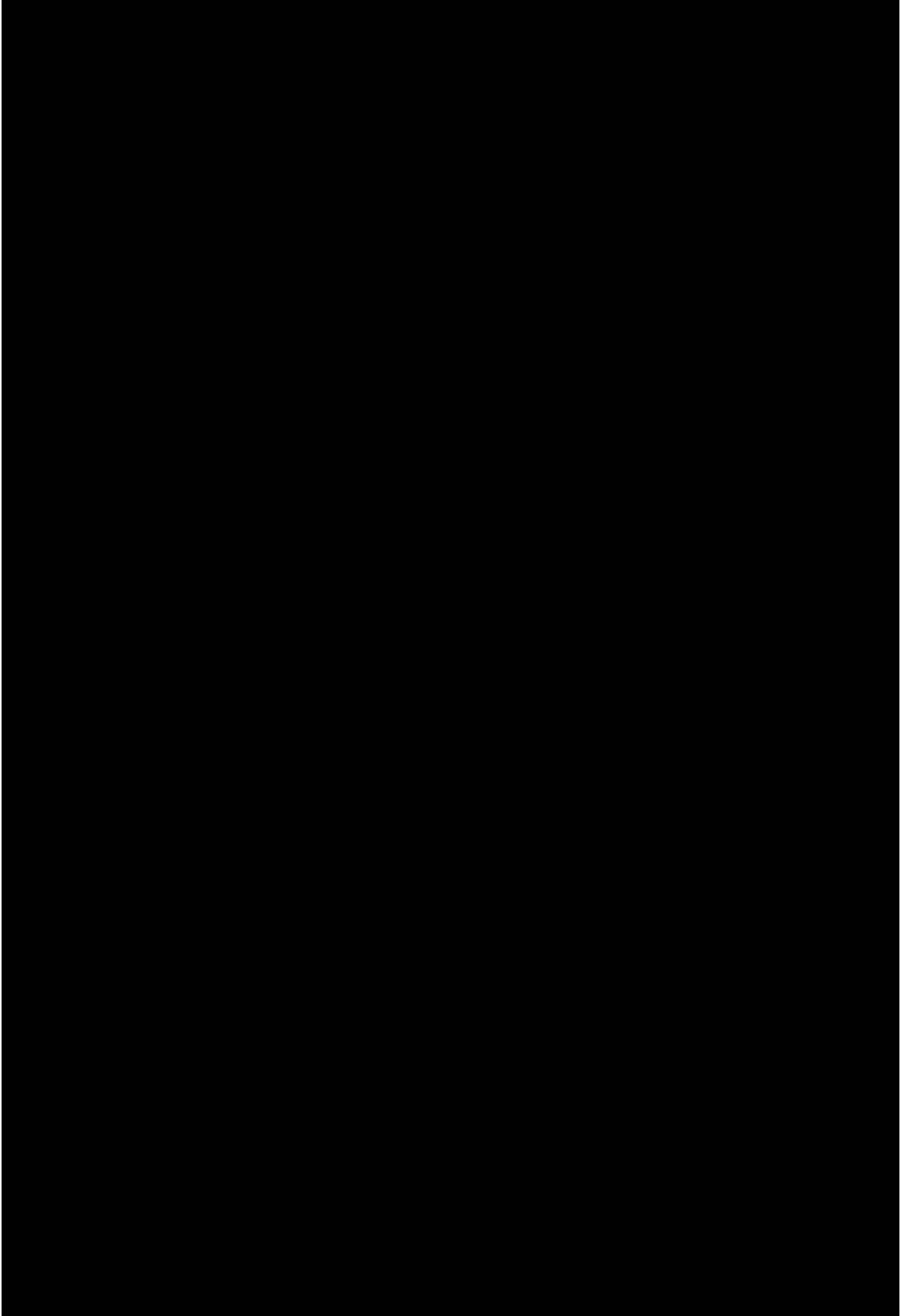


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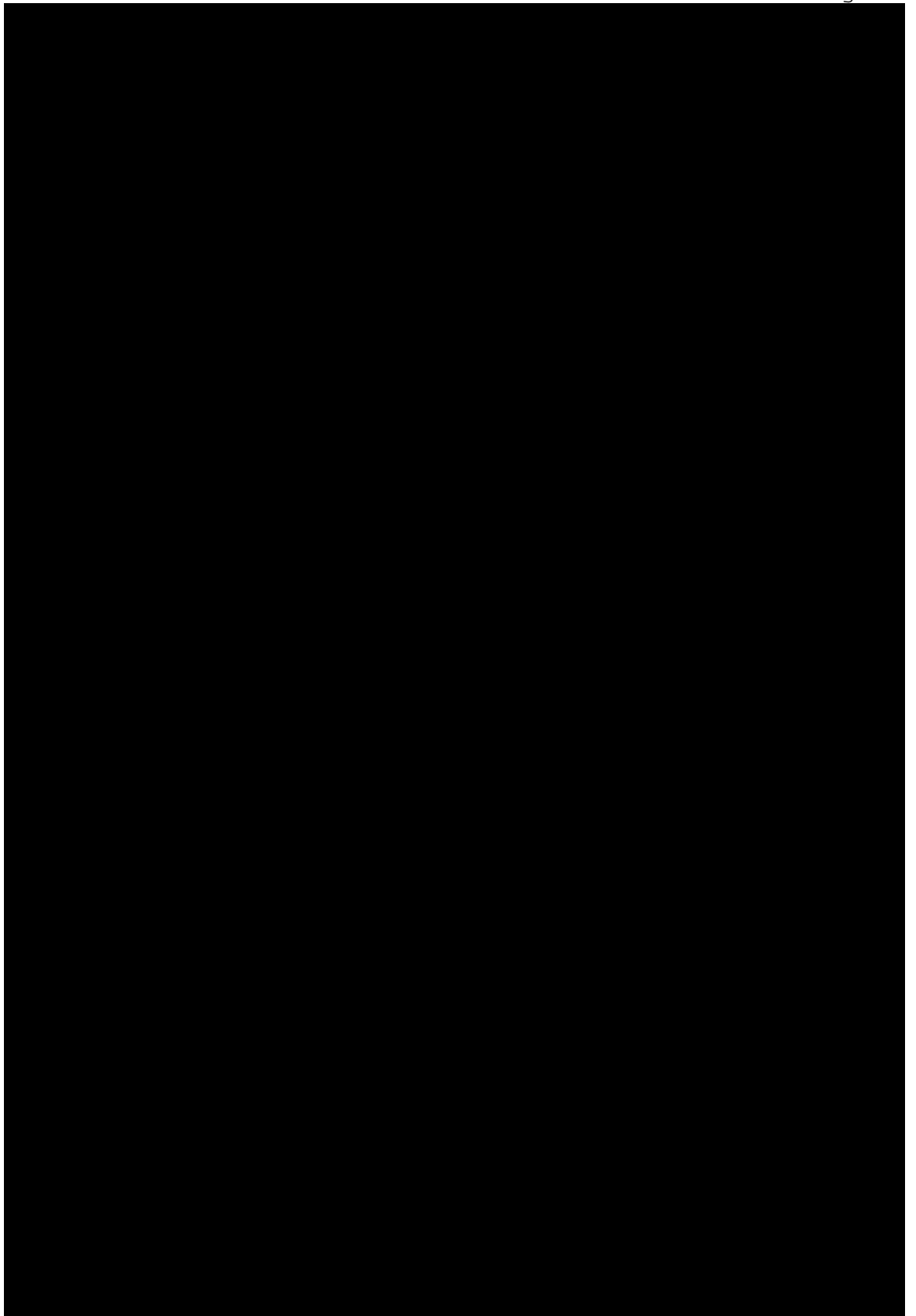




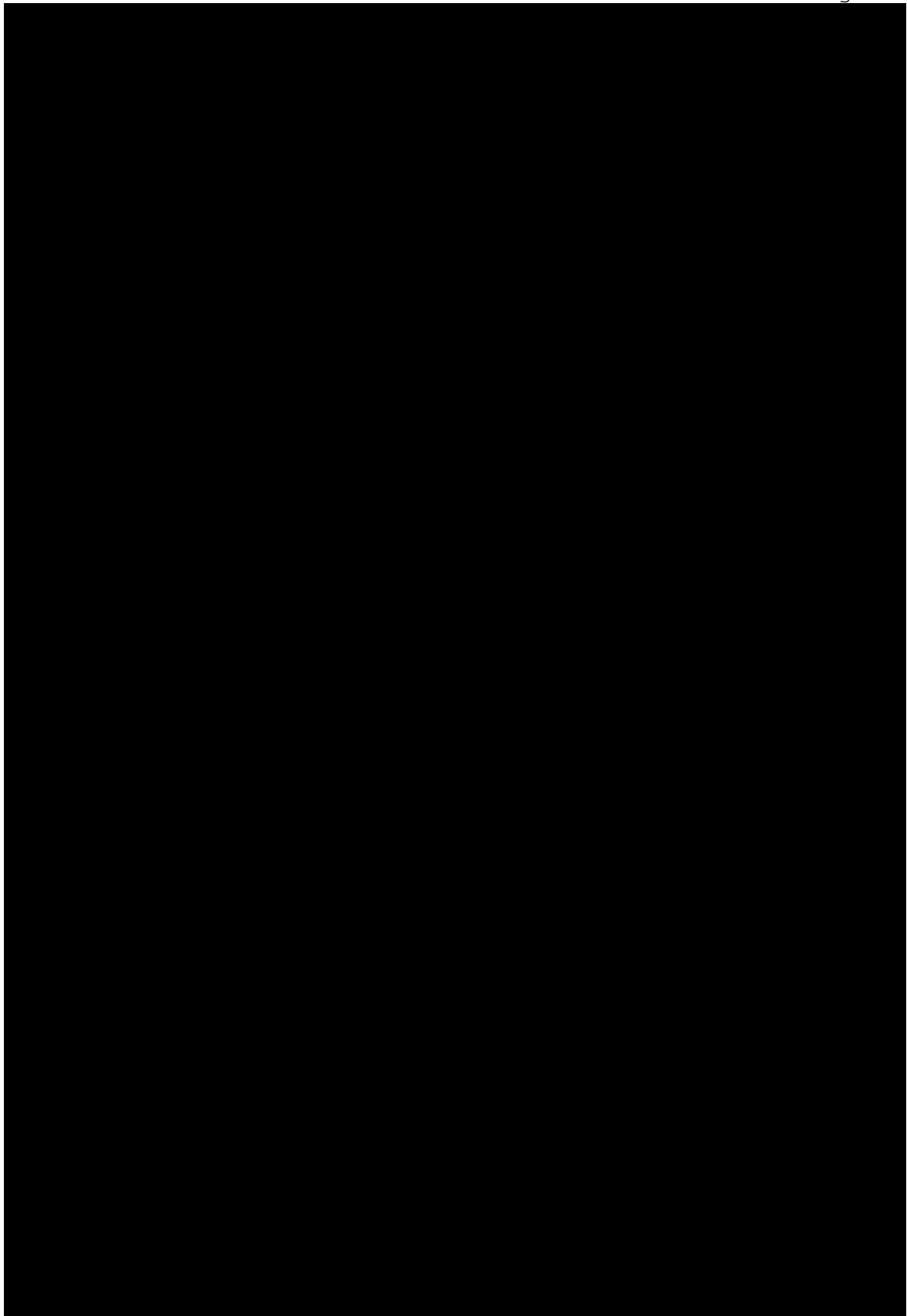
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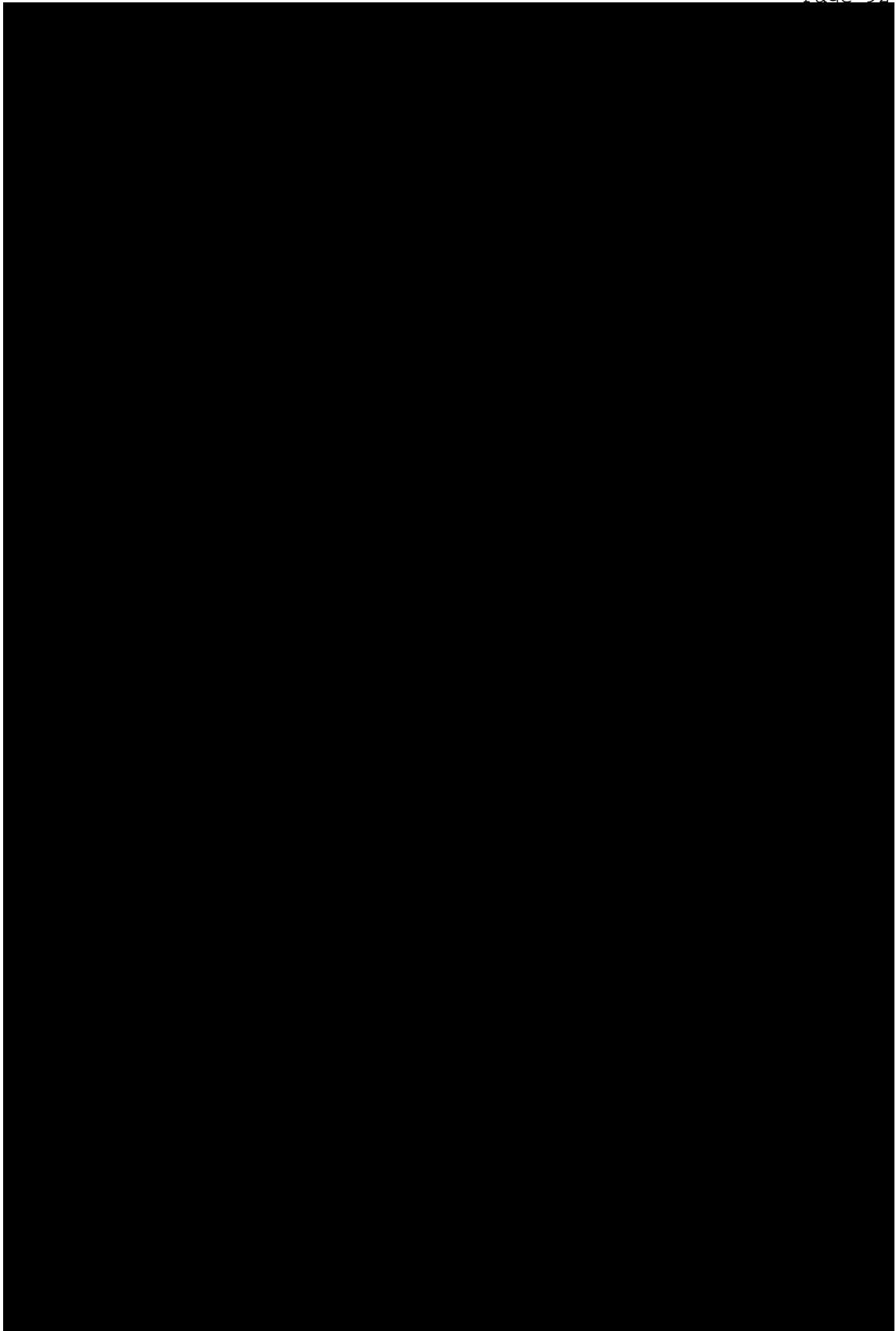
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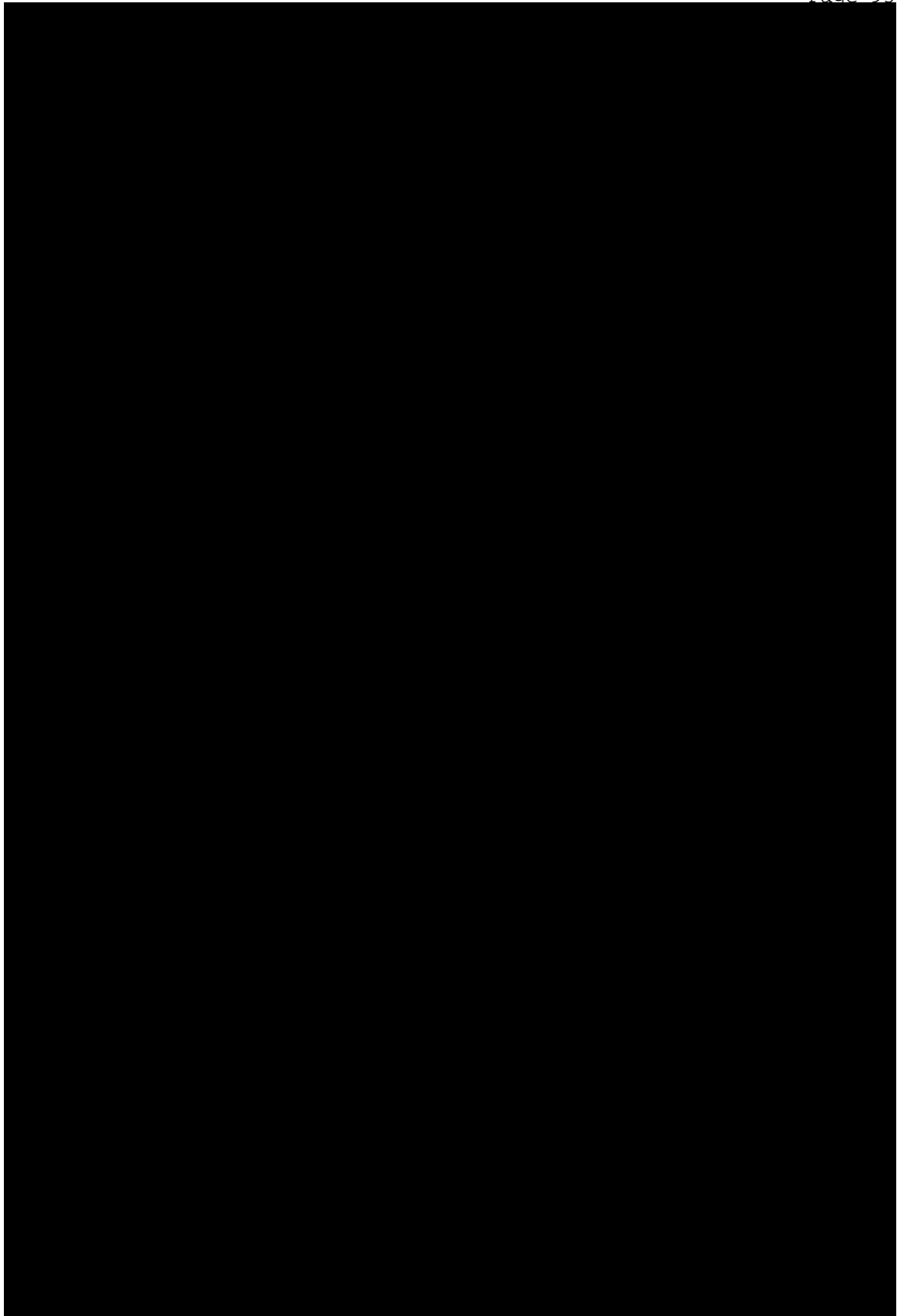
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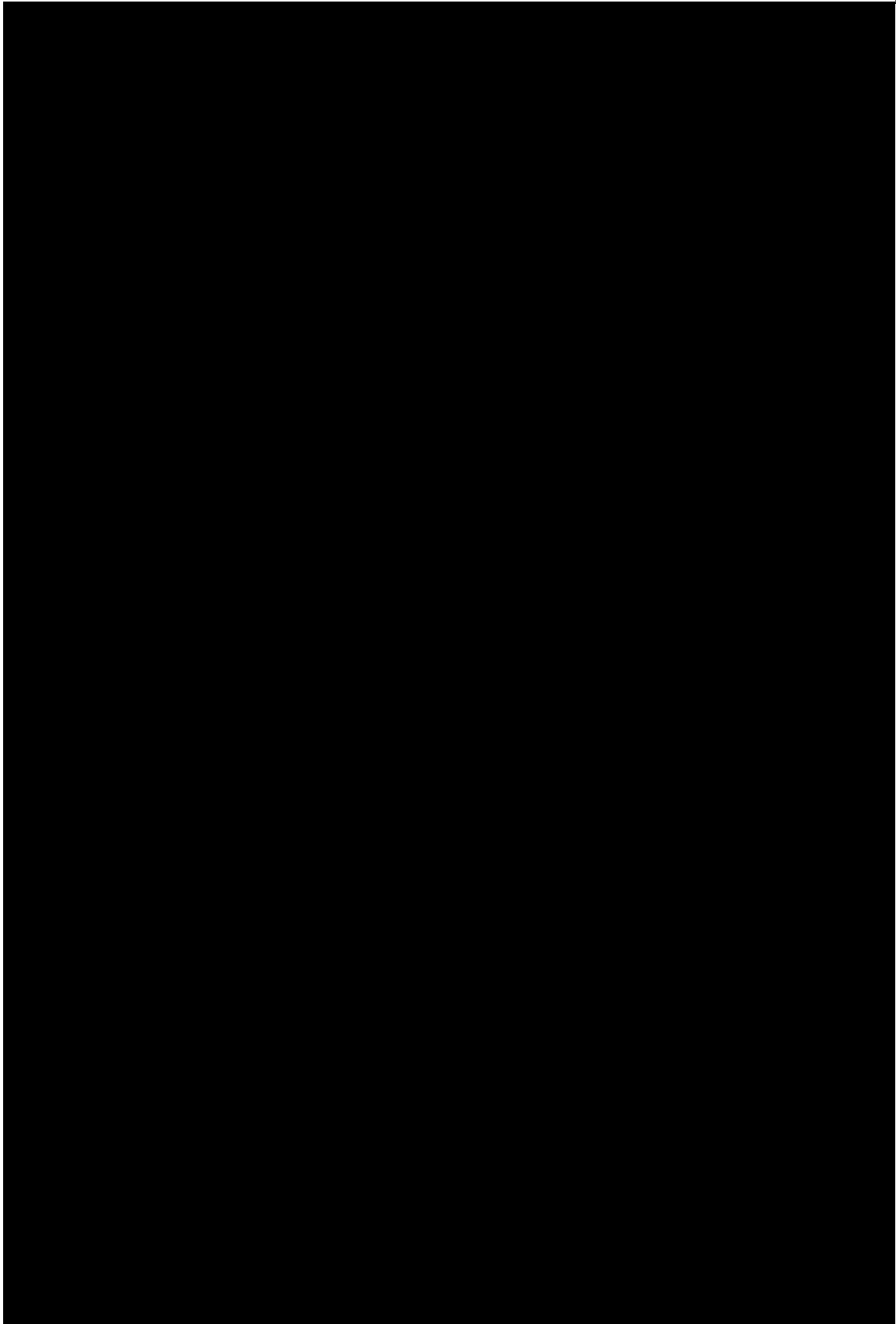
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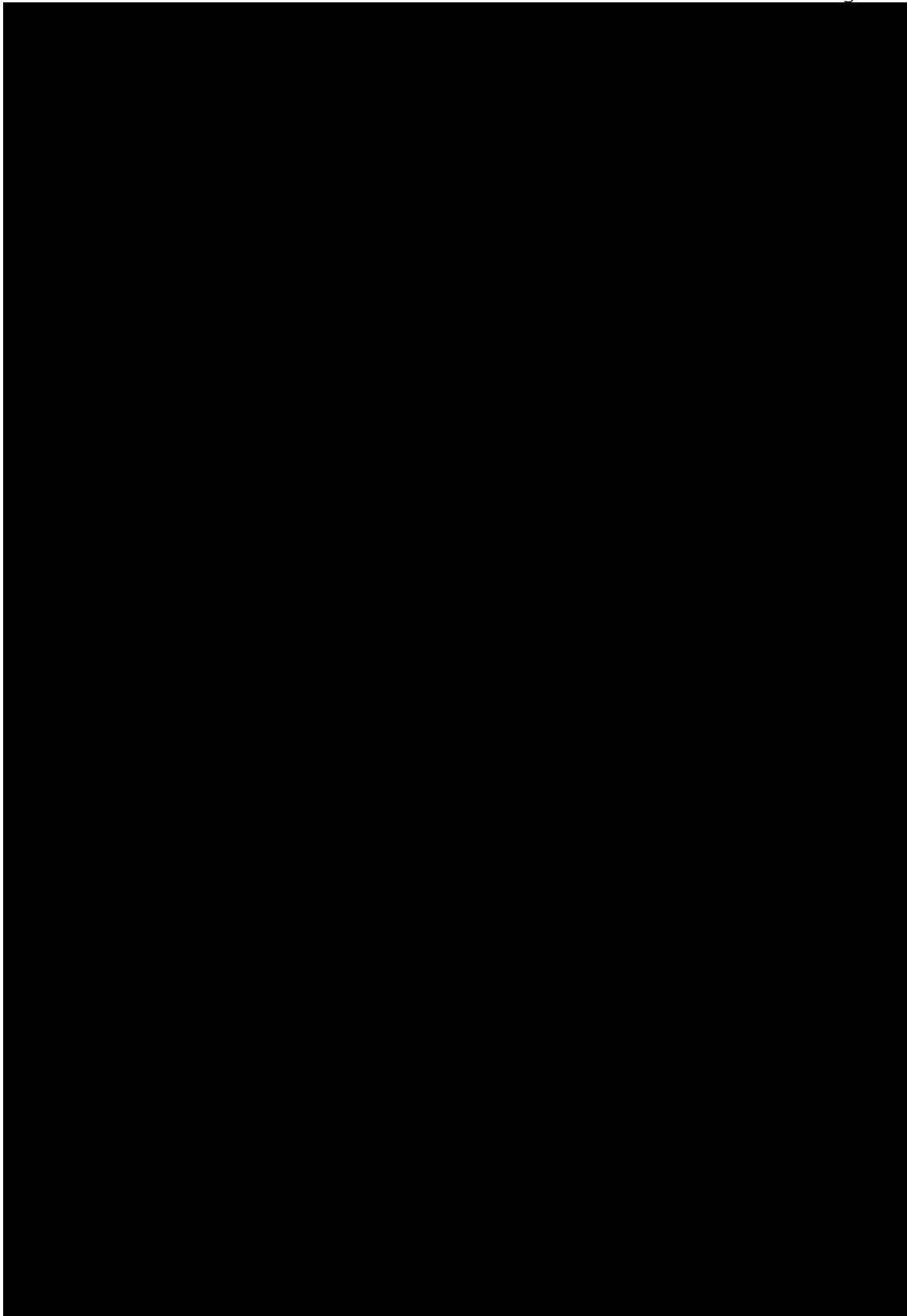
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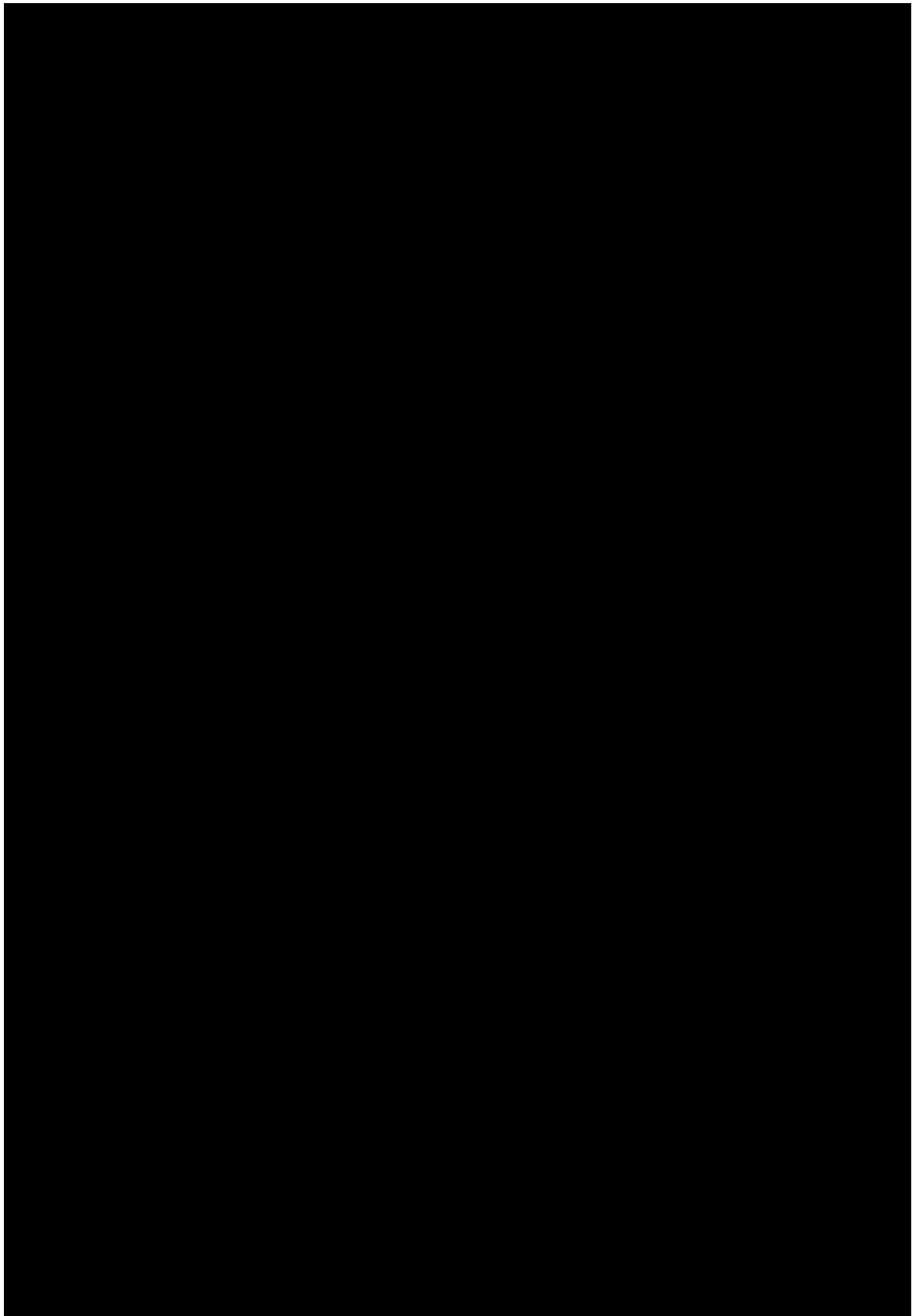
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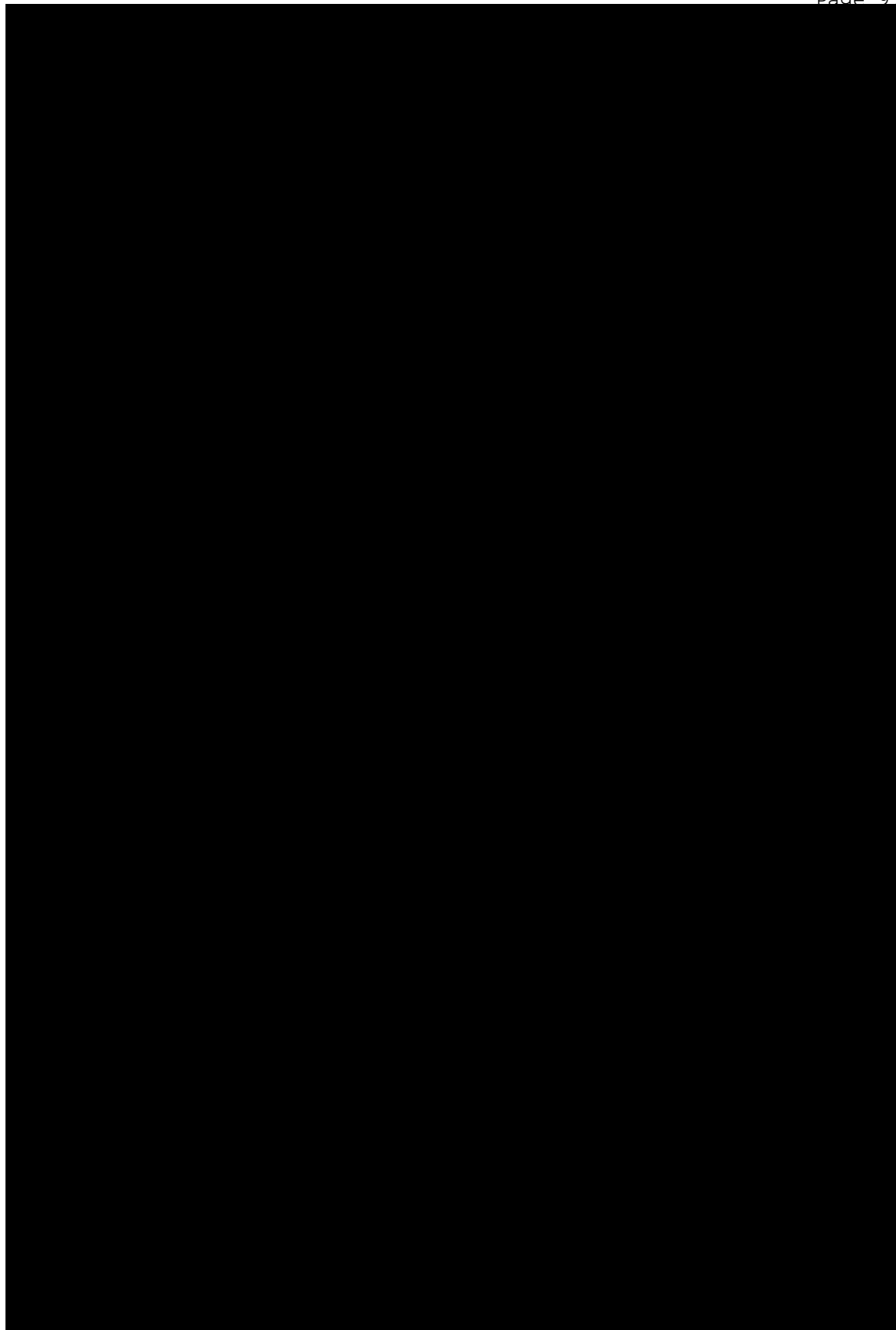


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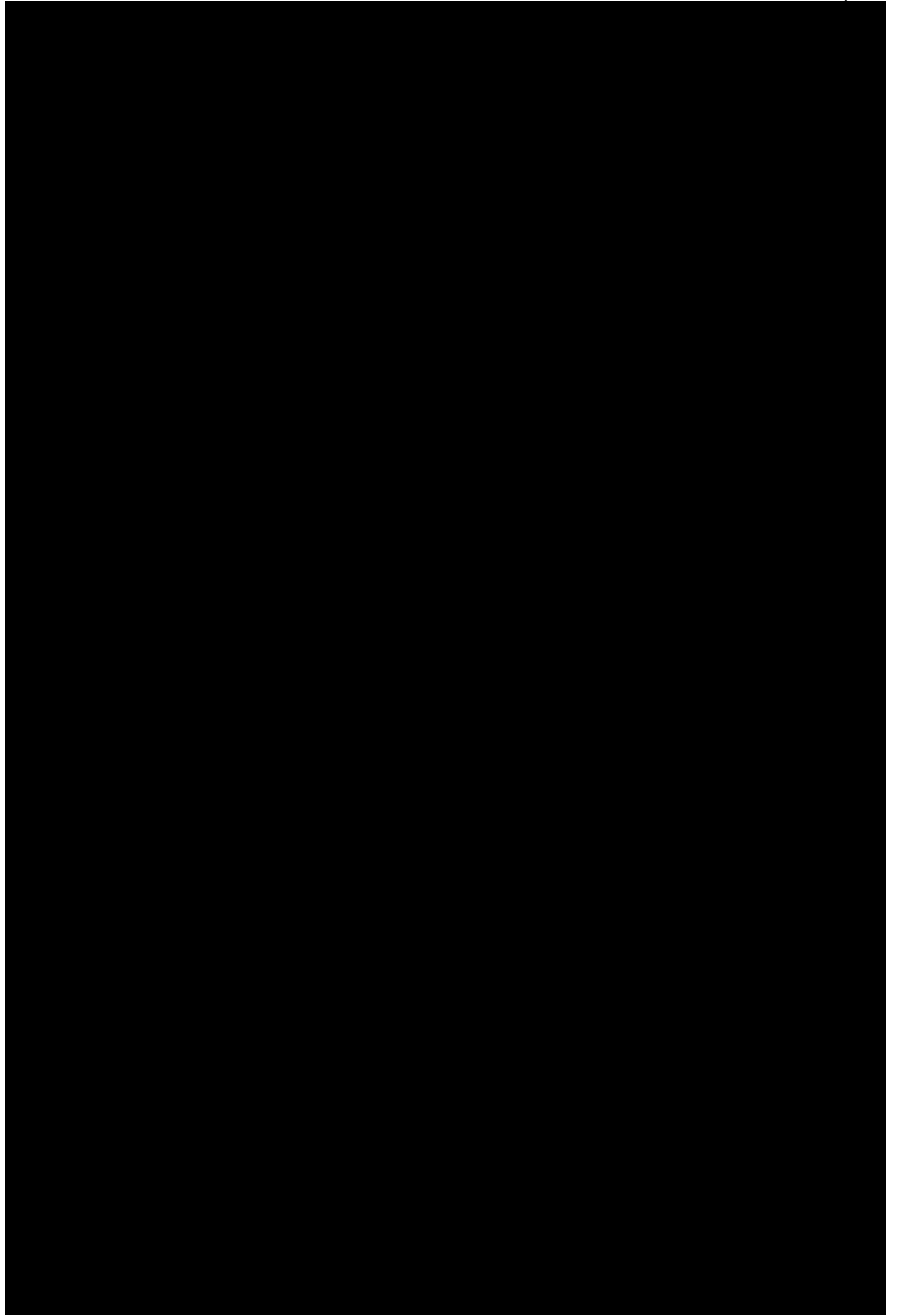




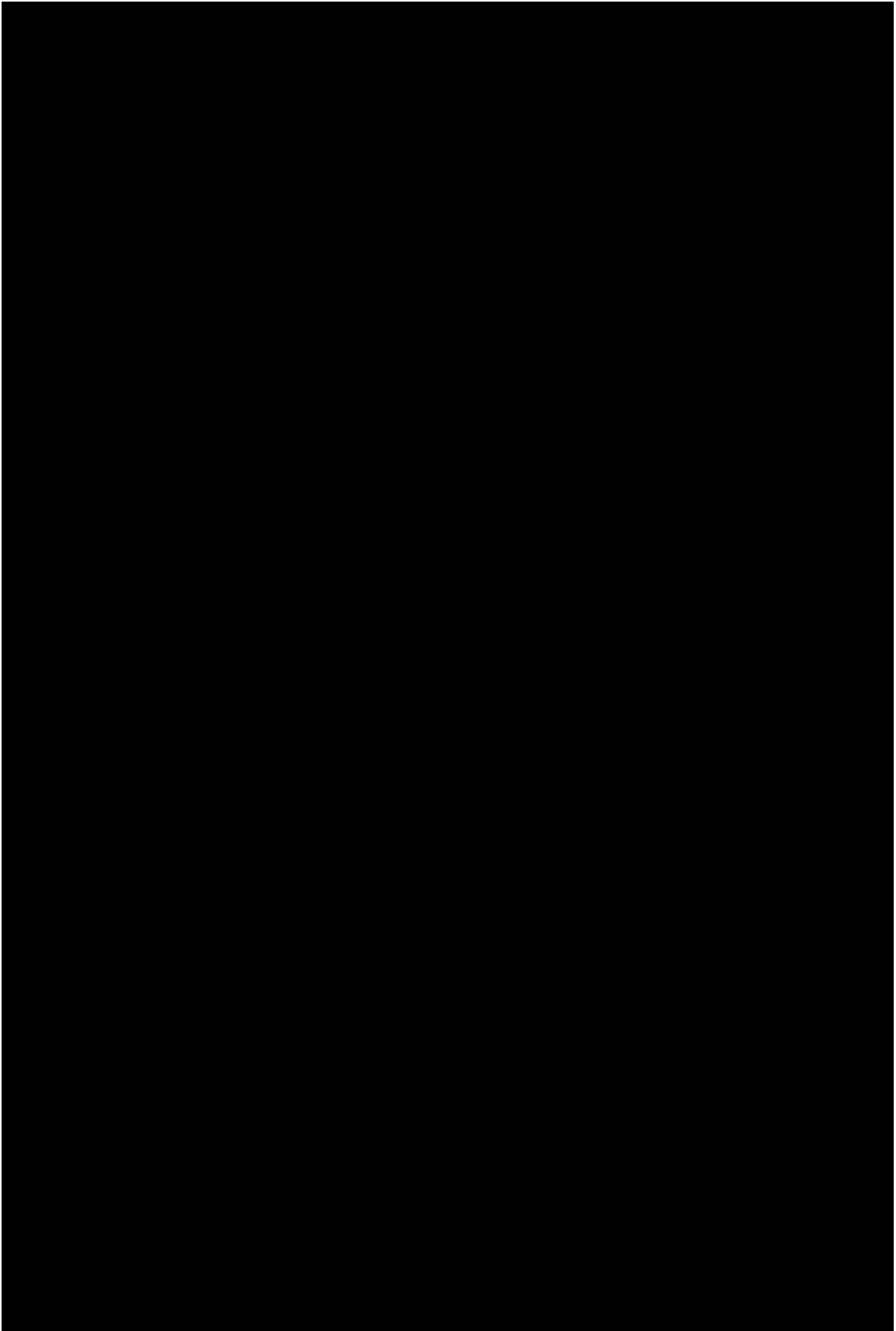
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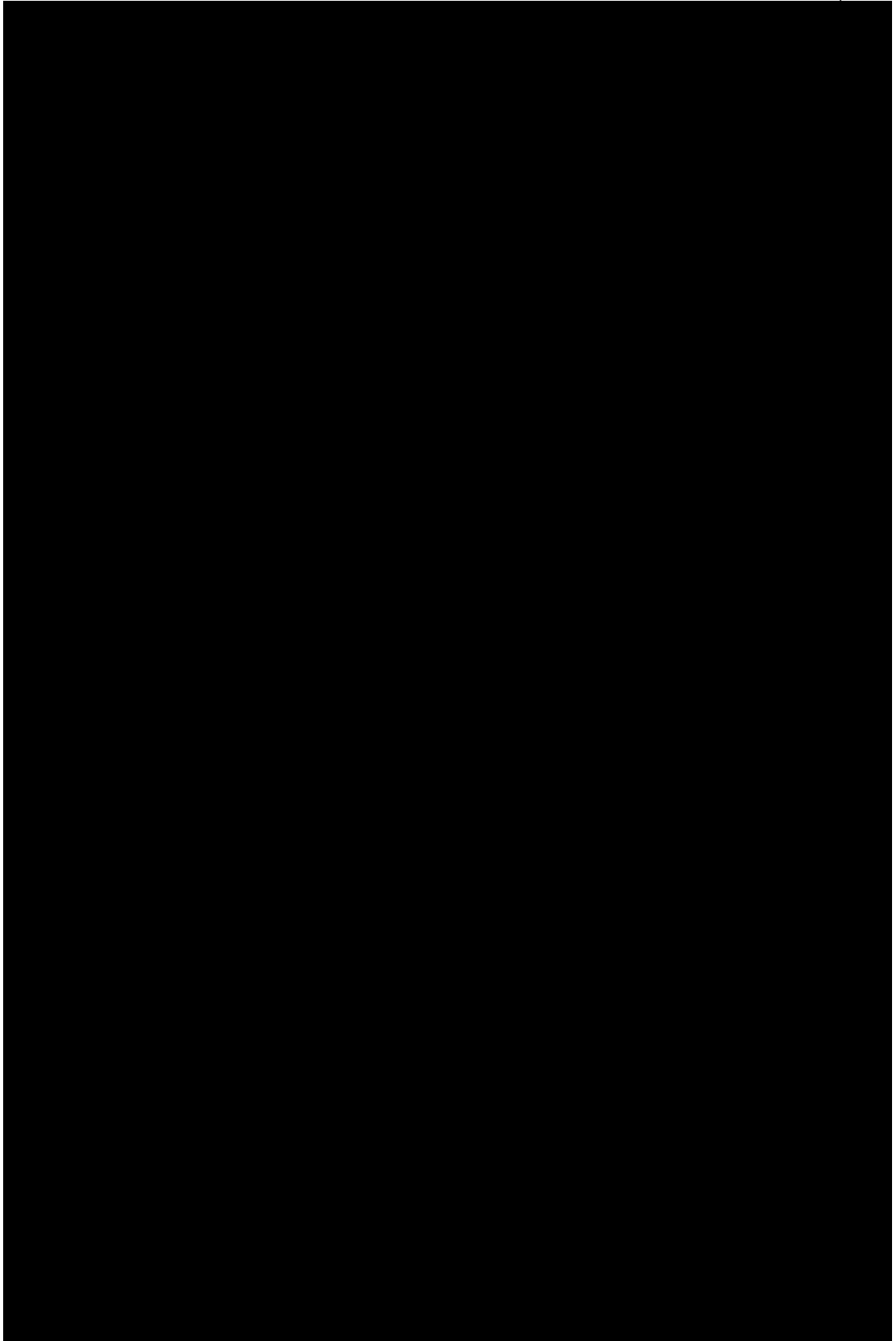
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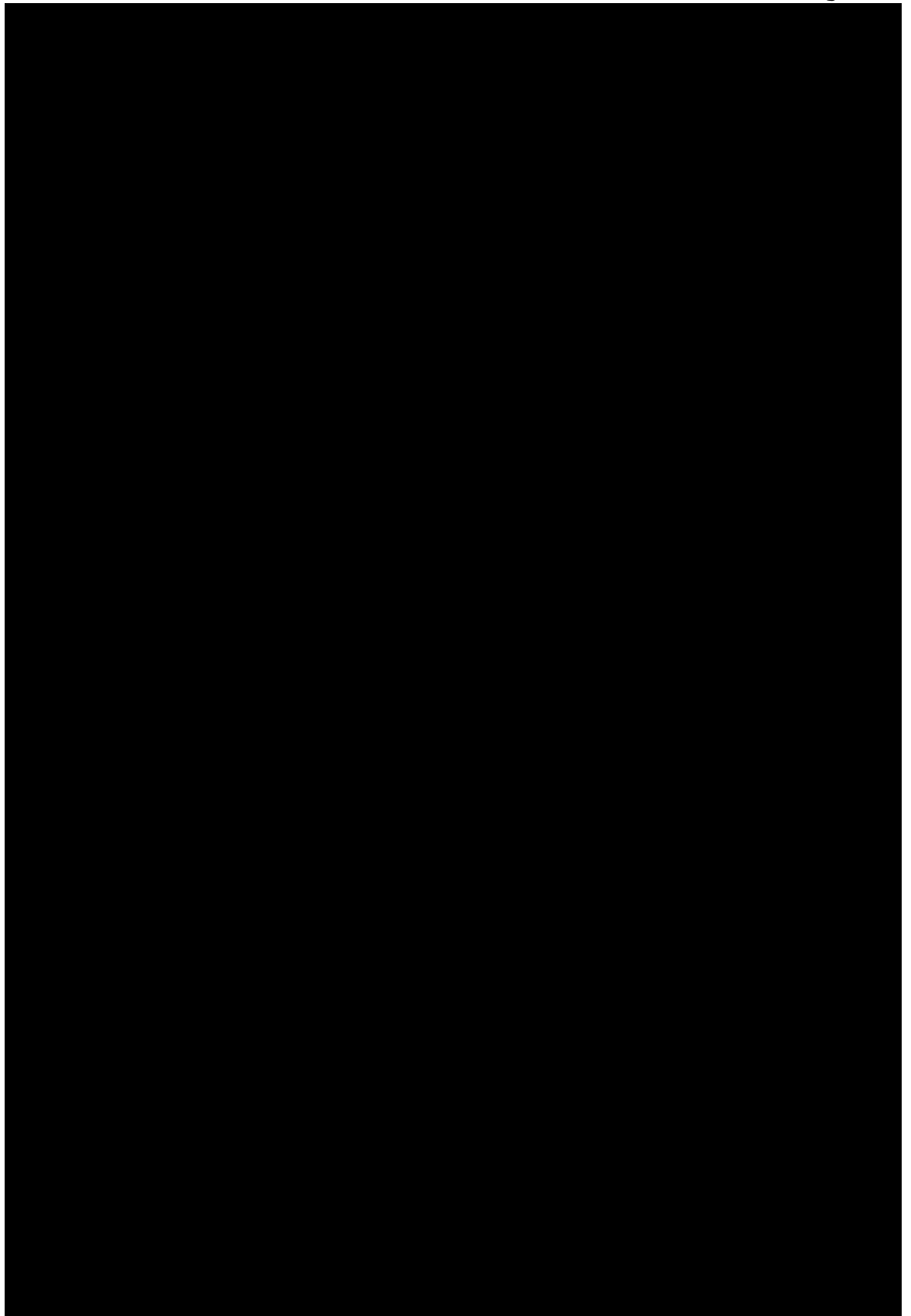
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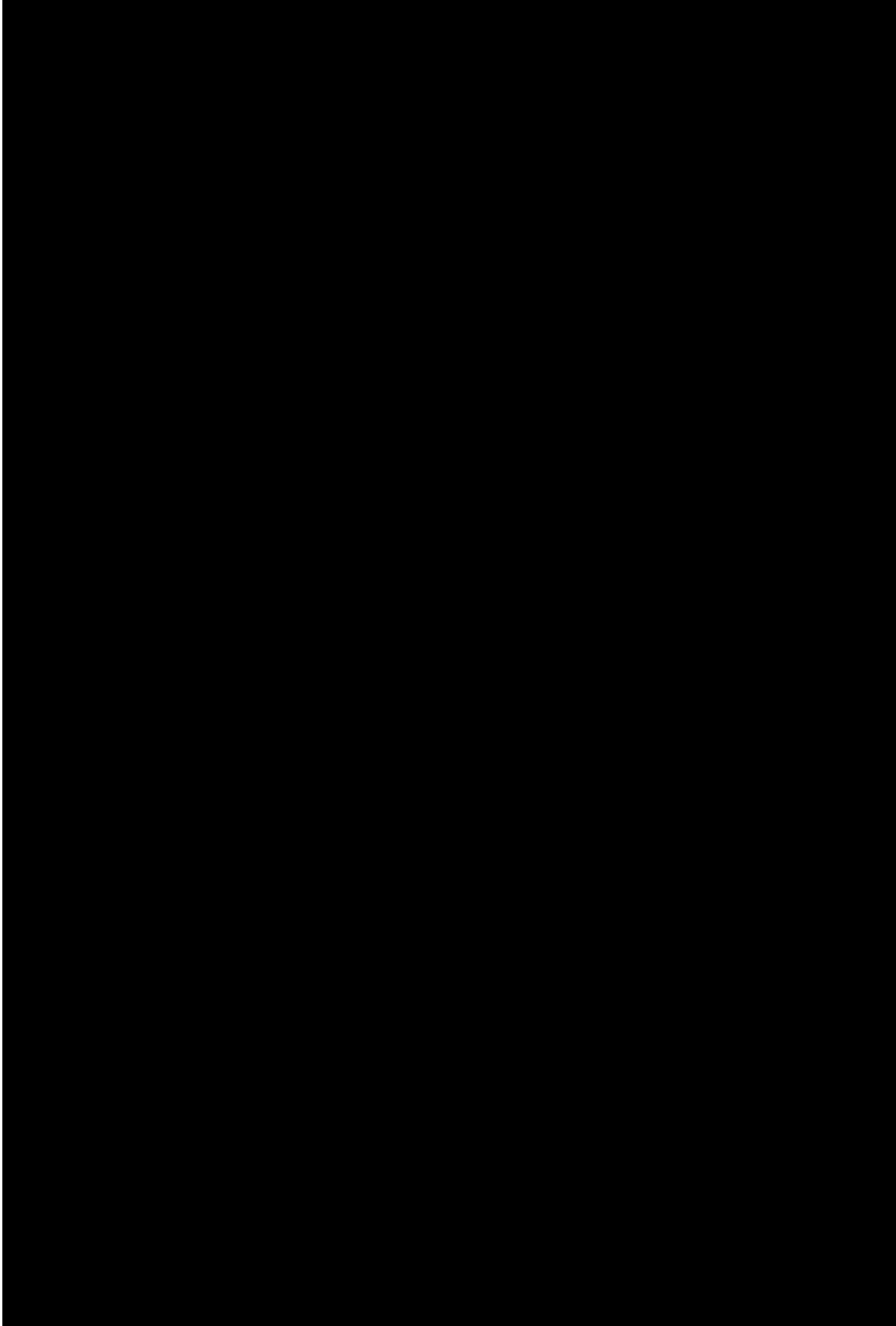
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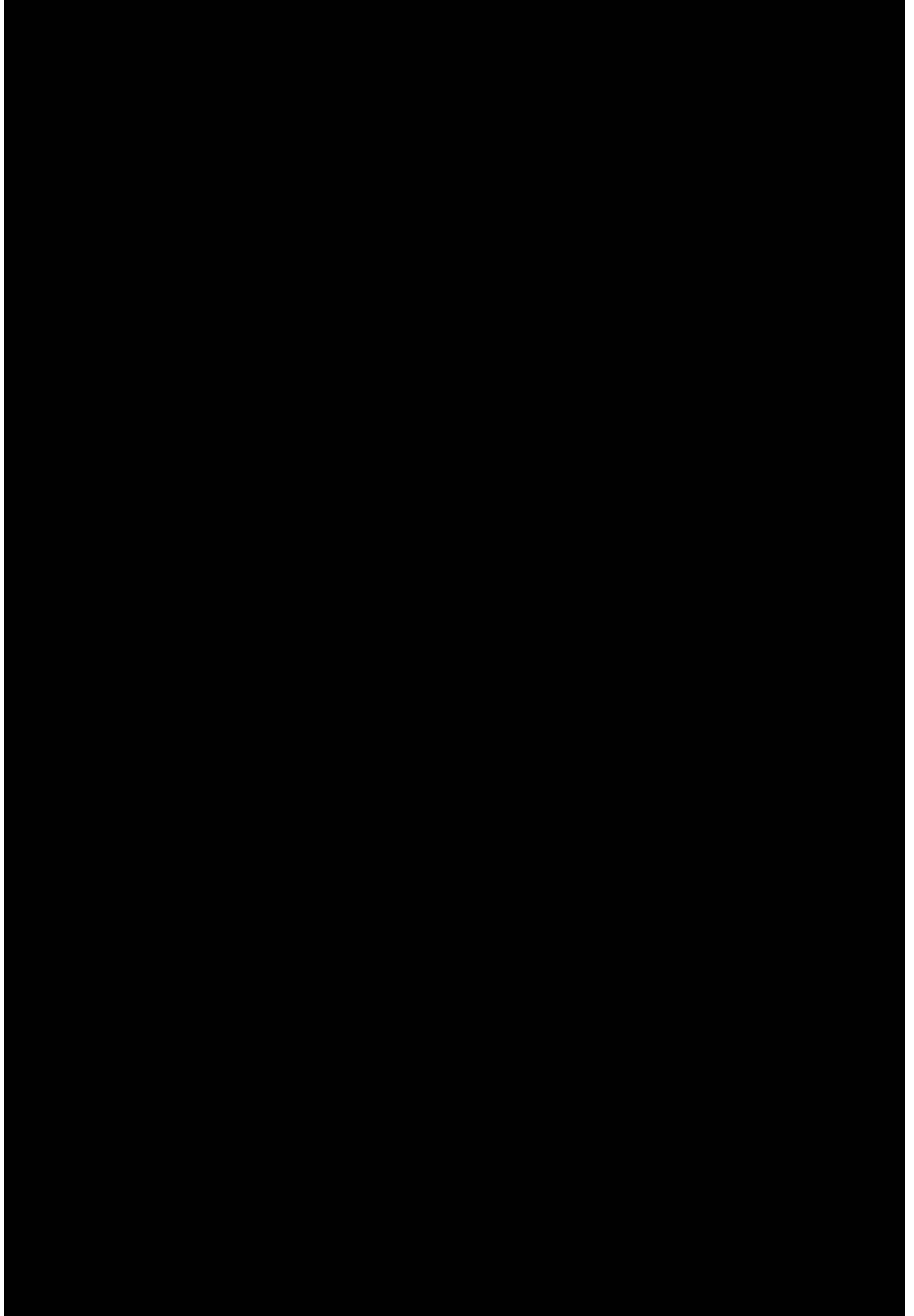
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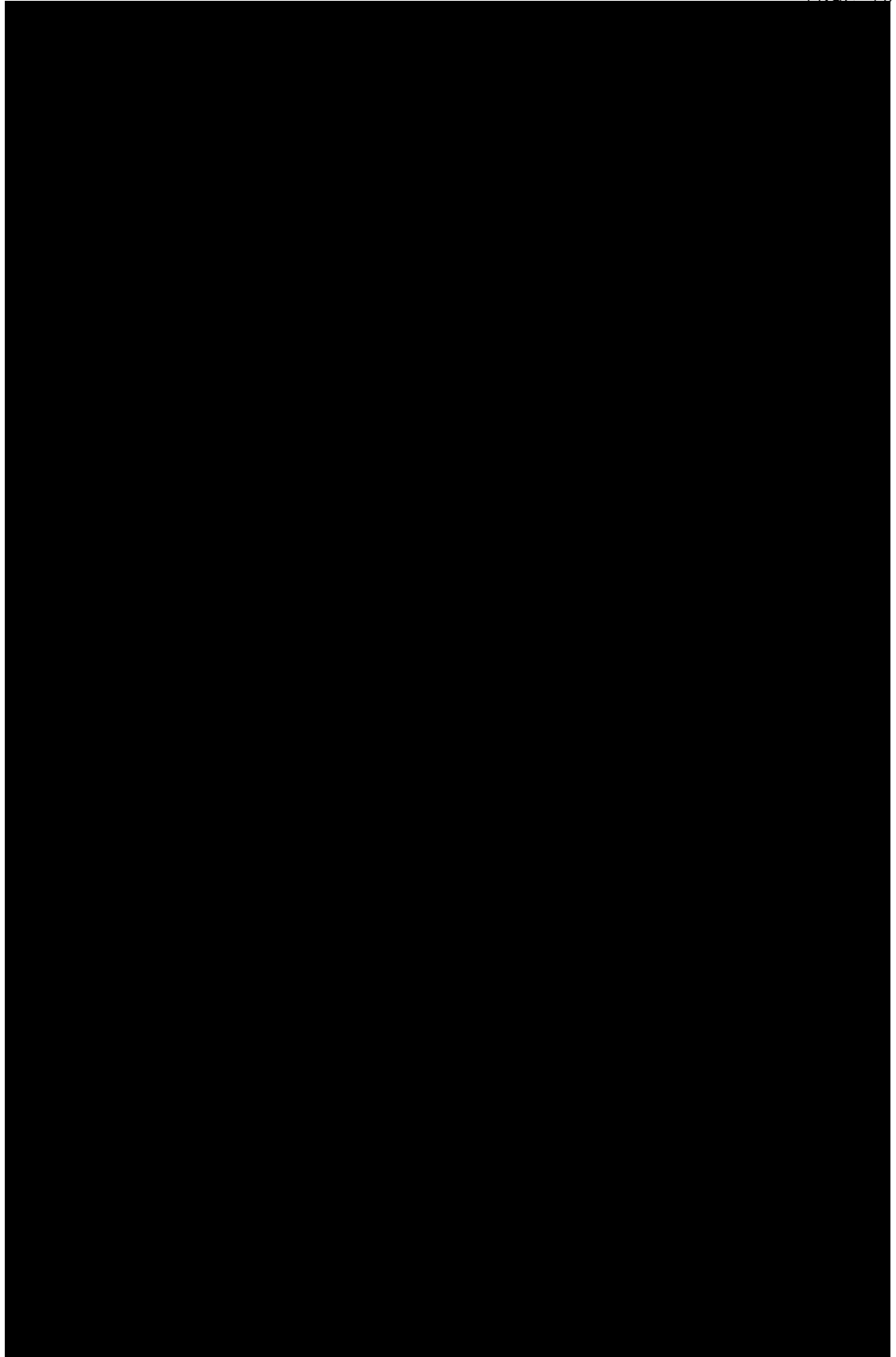
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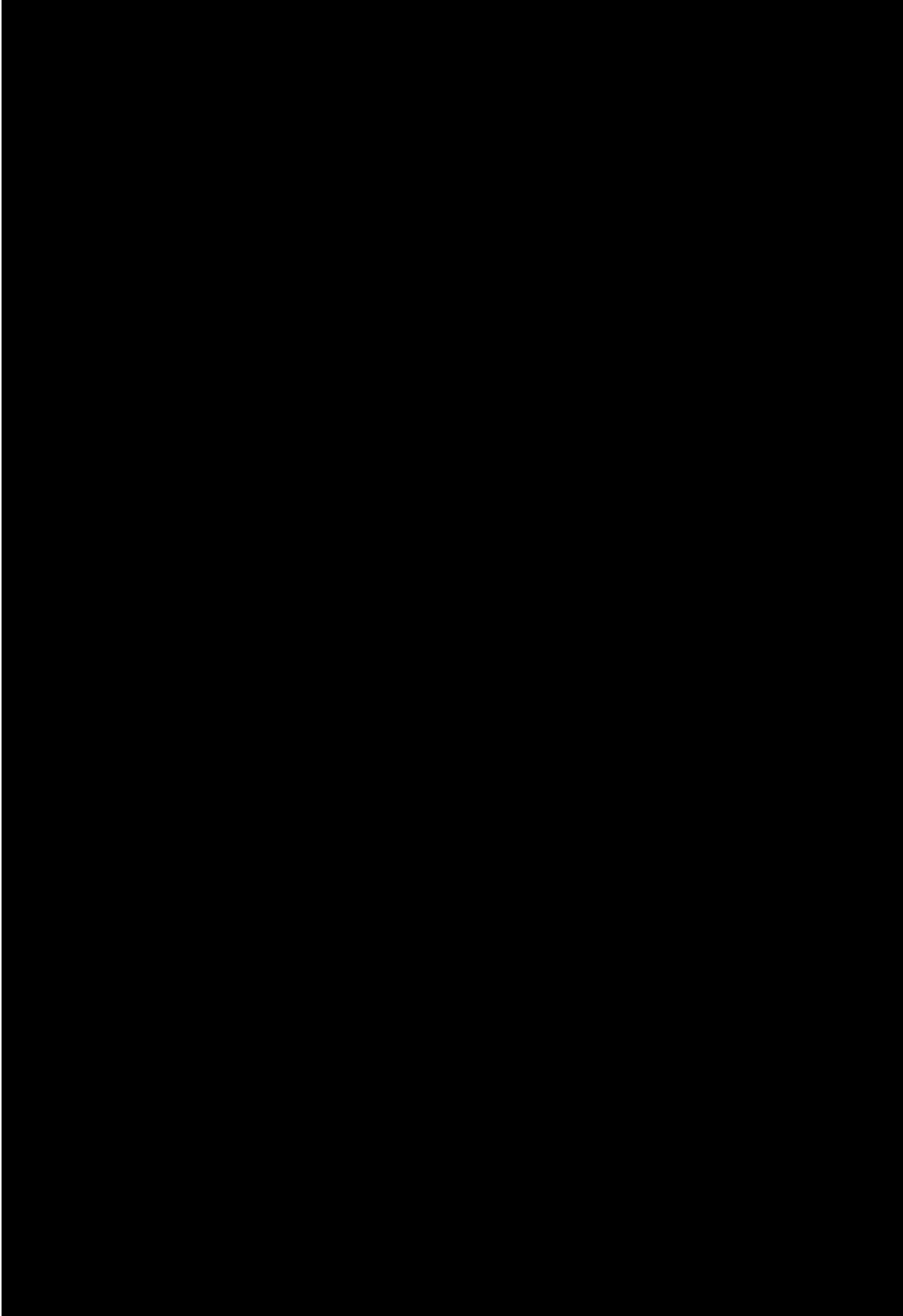


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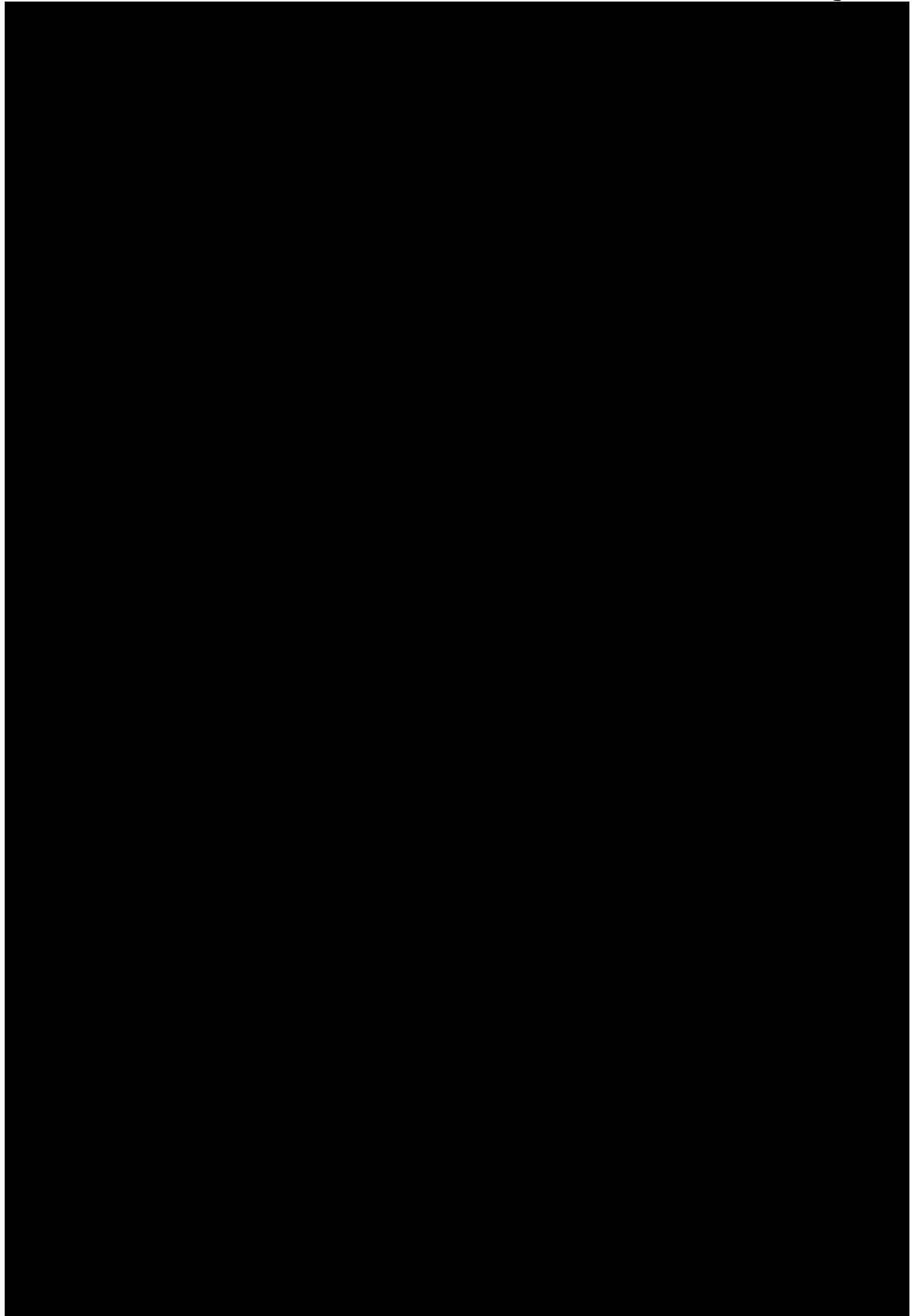




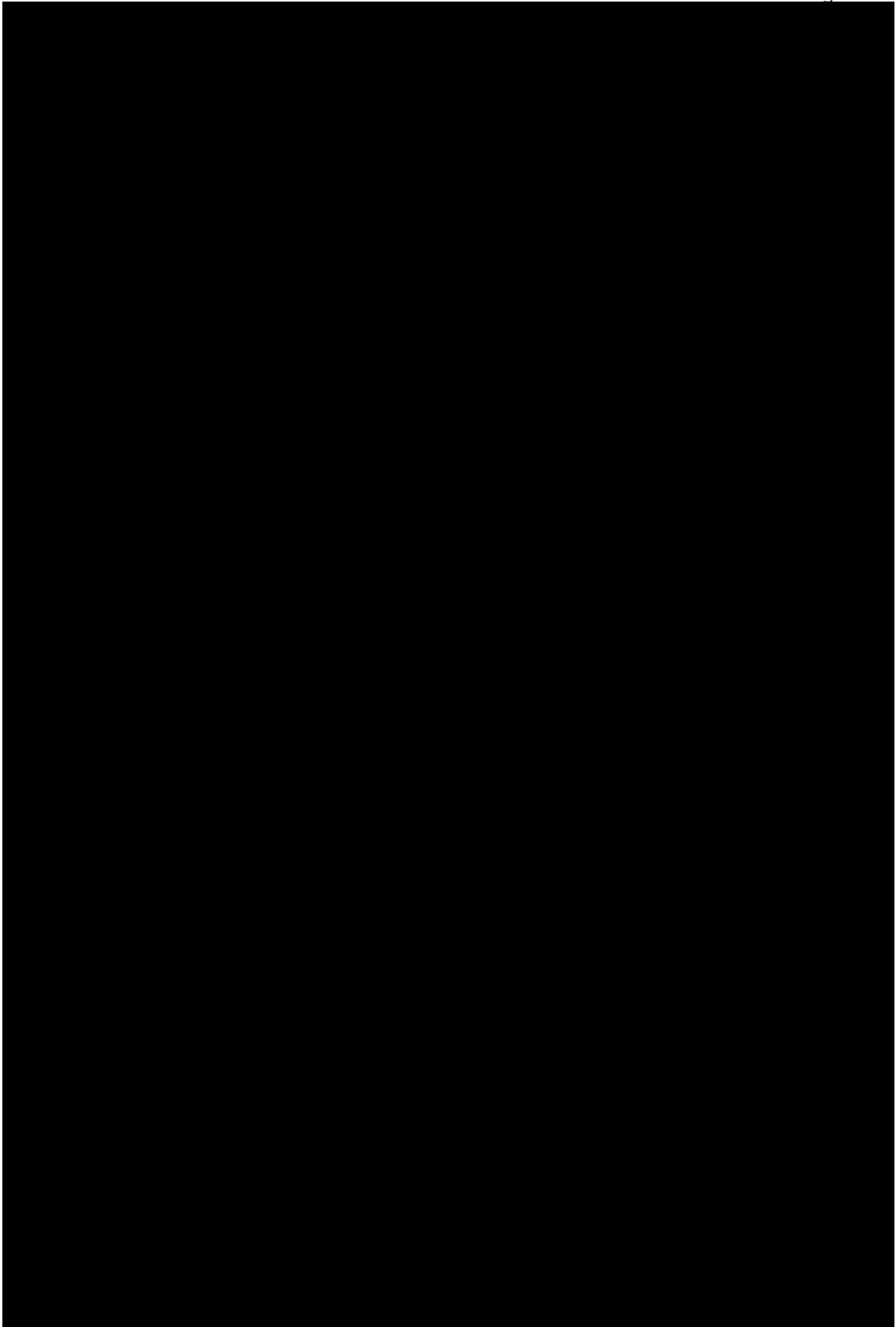
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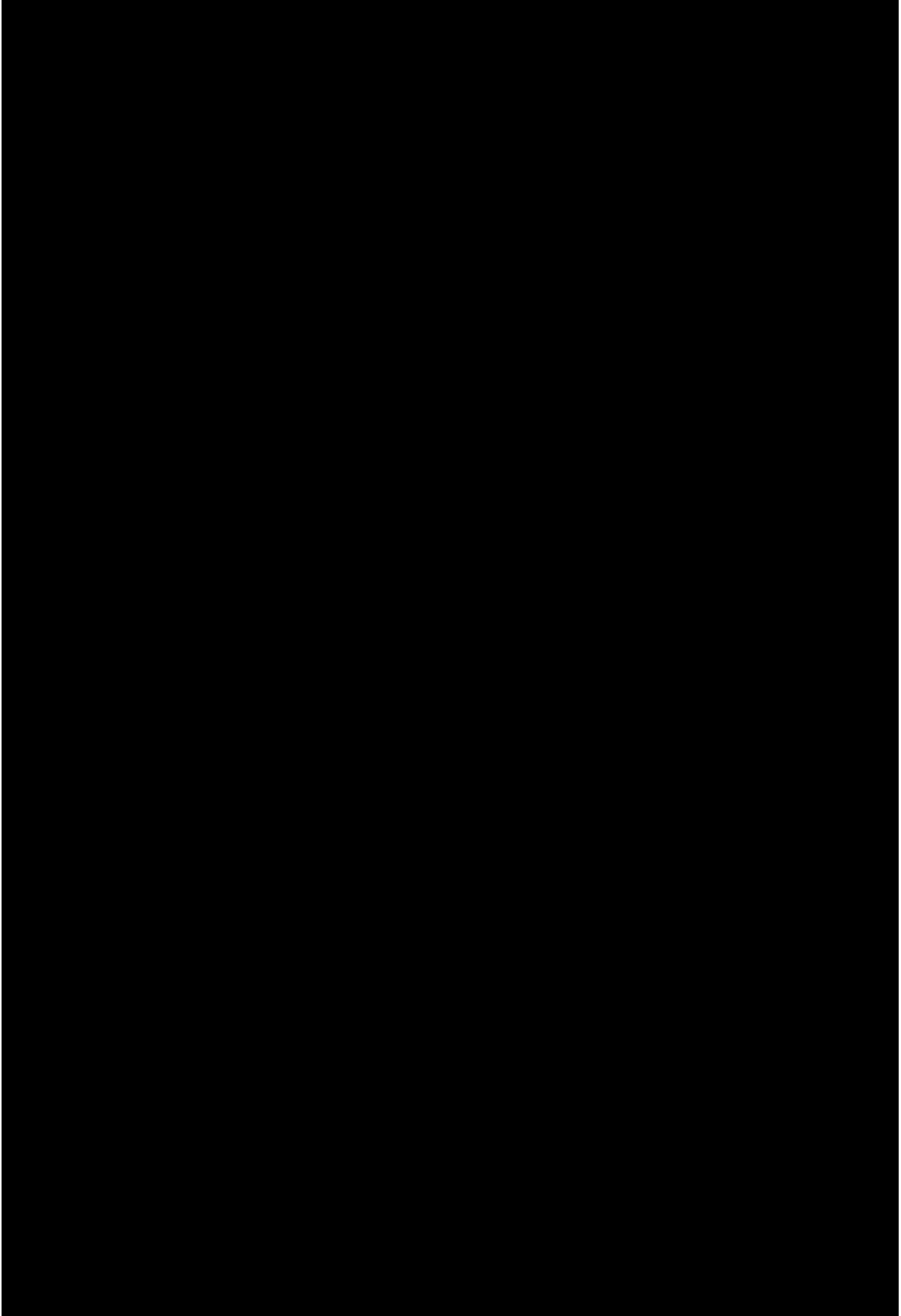
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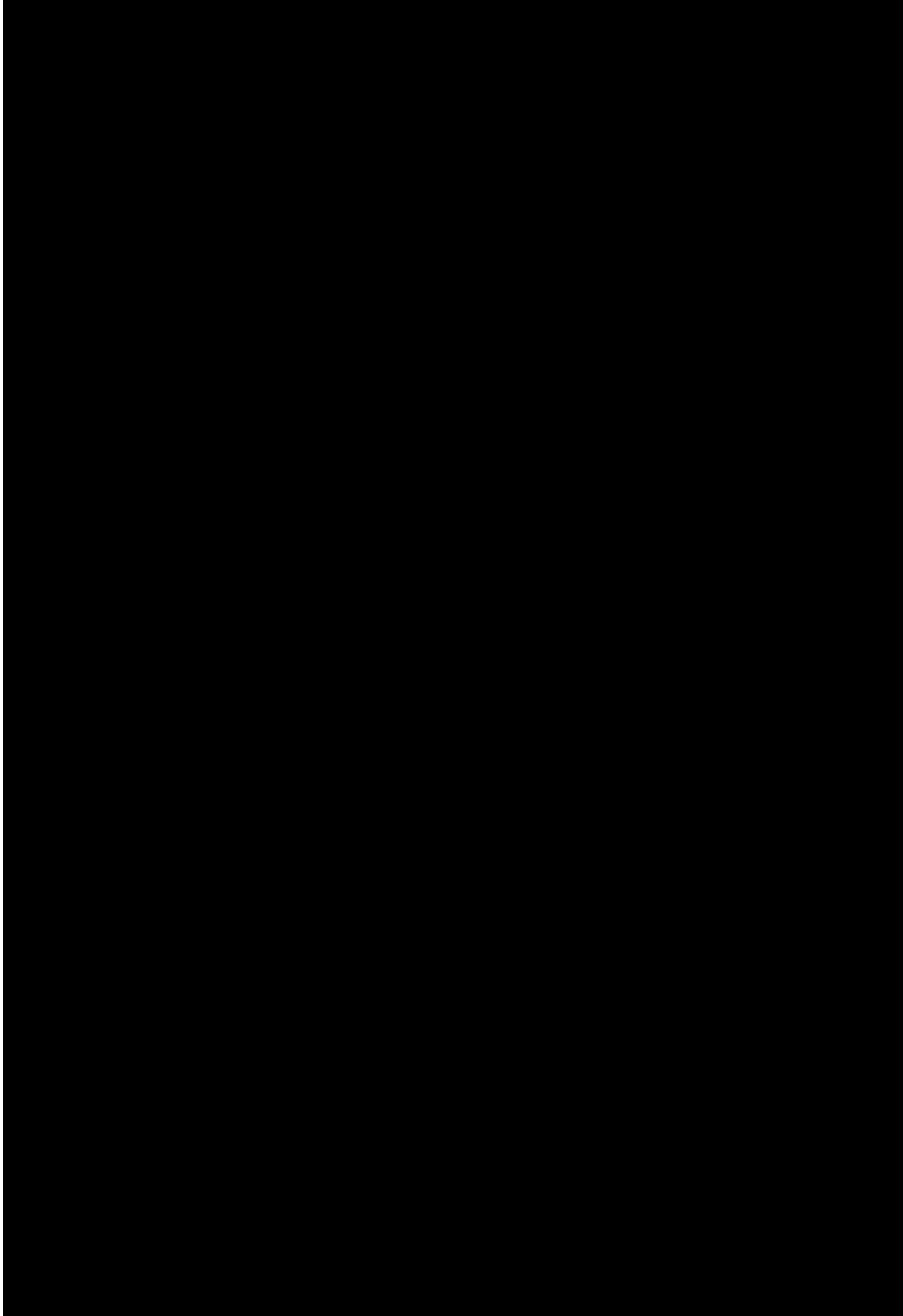
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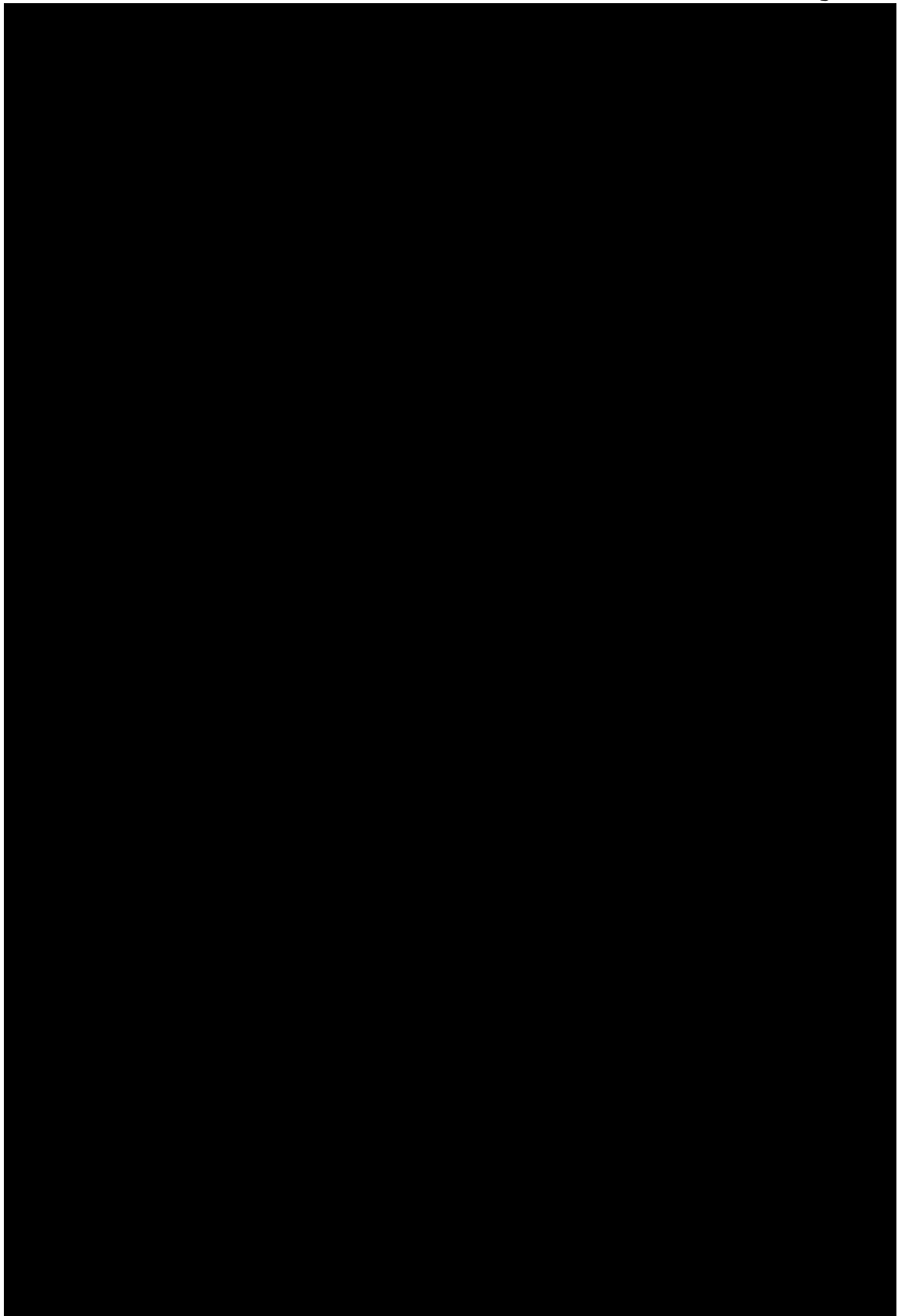
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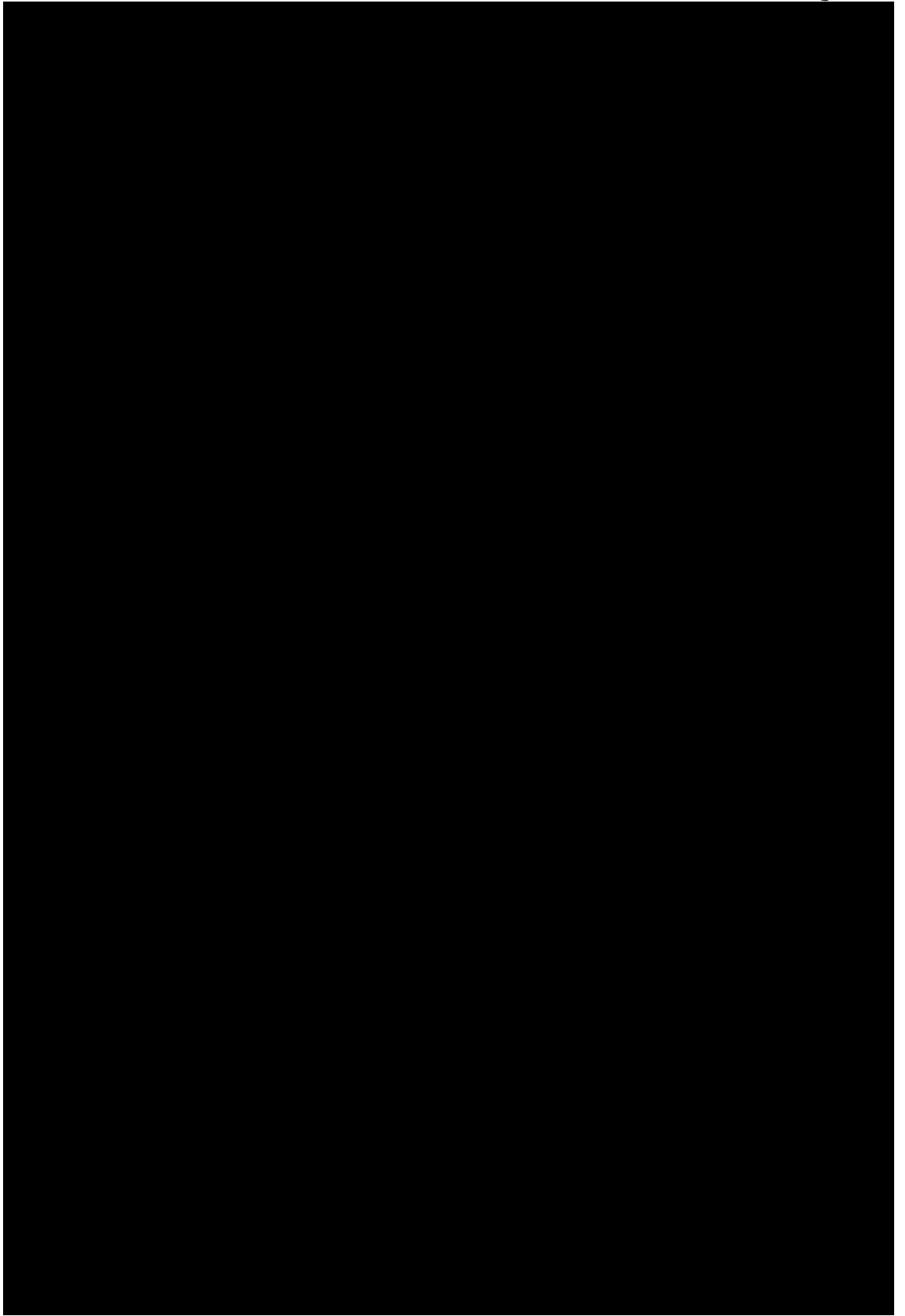
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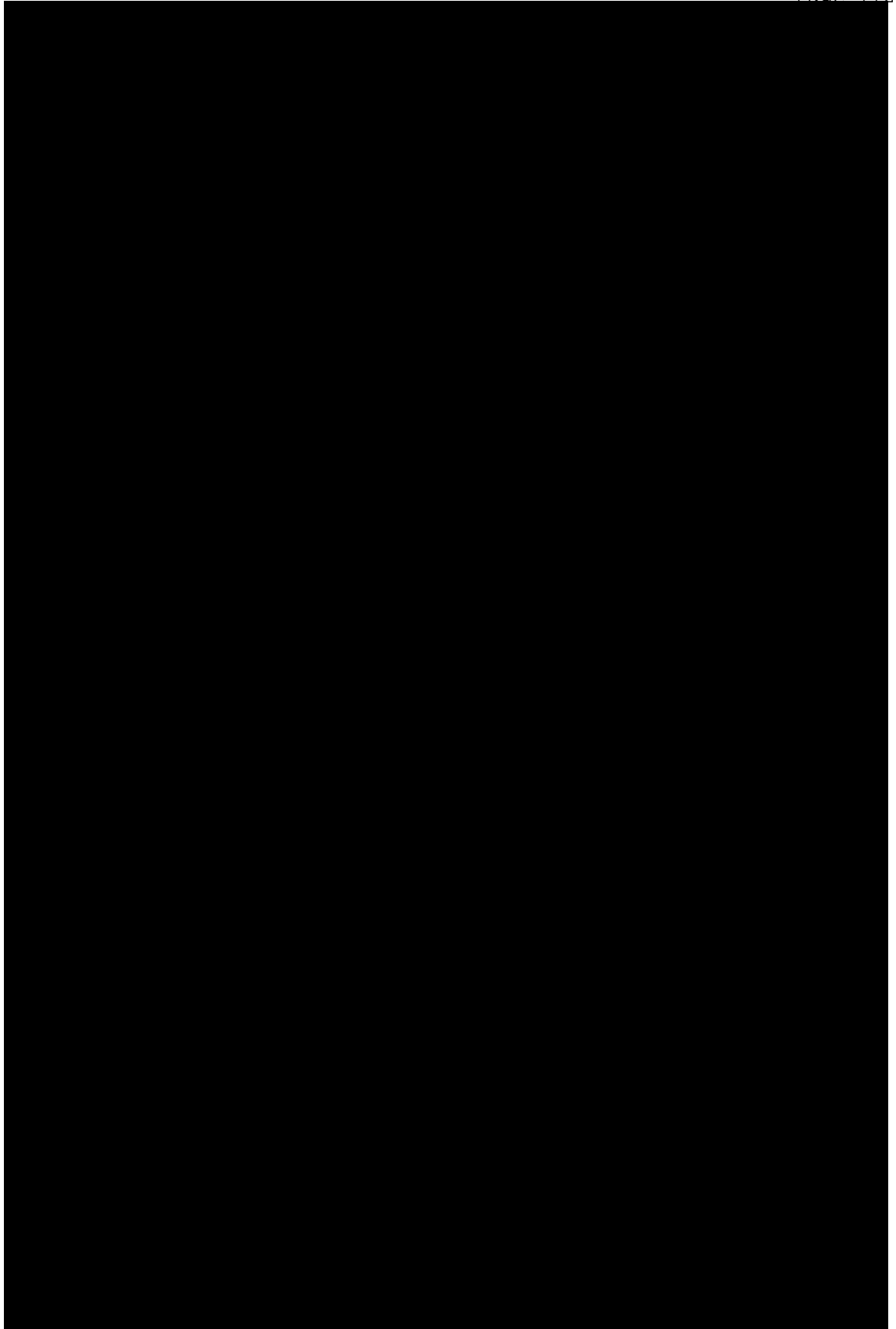
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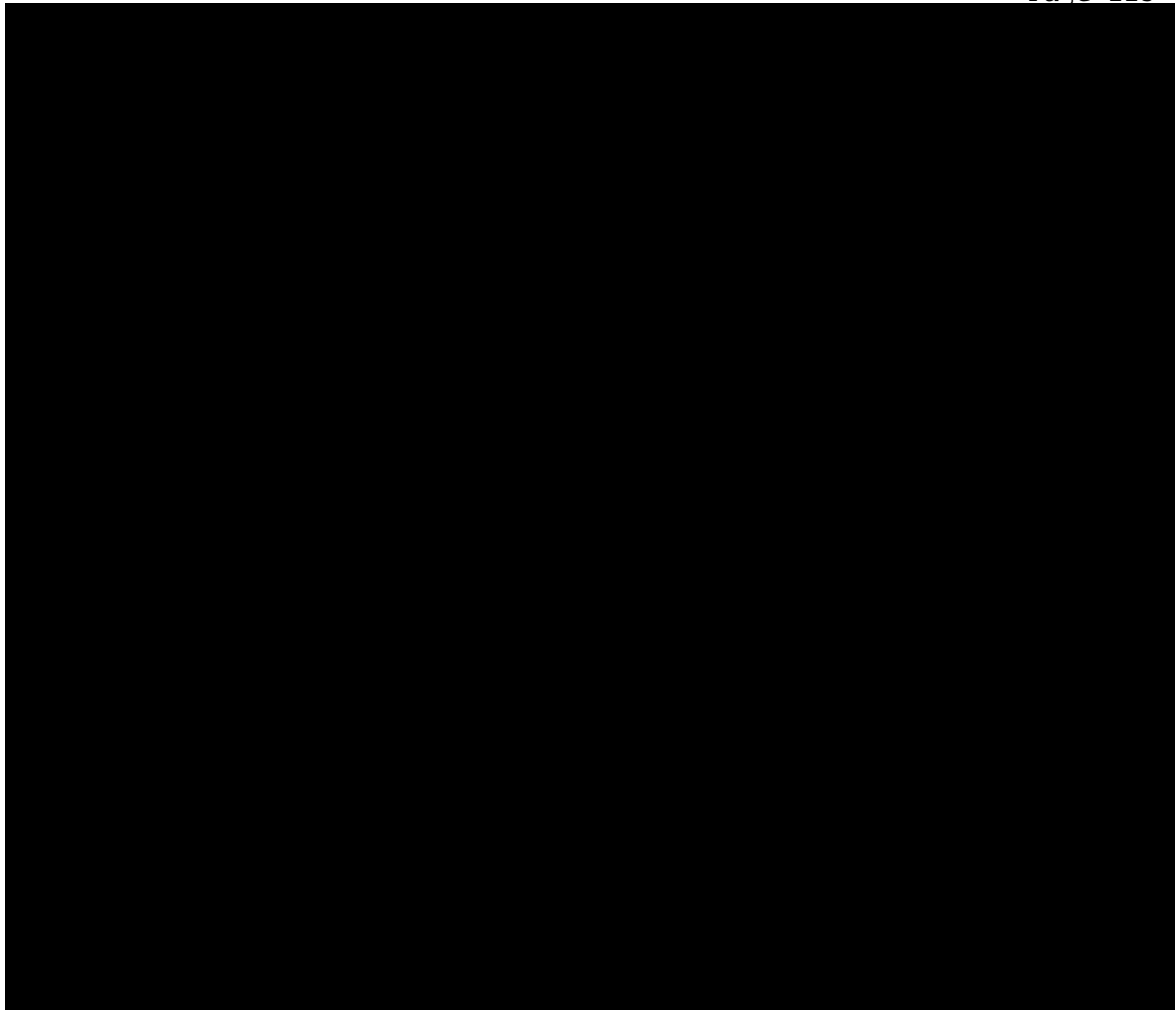


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(End of attorney-client session.)

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VICE-CHAIR BROWN: Good morning. We are reopening the meeting. The time is 11:38 a.m. in this Florida Gaming Control Commission January 7th meeting. The closed meeting has been terminated and the public meeting is now reopened.

At this time, I would like to ask Commissioners for a motion regarding the FGCC

1 case number 2024-01-793.

2 Ms. Valentine, would you like to say  
3 anything before we proceed?

4 MS. VALENTINE: No. I was just going to  
5 ask for the motion.

6 VICE-CHAIR BROWN: All right.  
7 Commissioners, regarding the case, can I please  
8 get a motion of your liking? Whoever.

9 COMMISSIONER REPP: How would you like to  
10 structure the motion?

11 VICE-CHAIR BROWN: Ms. Valentine has asked  
12 us to either direct them to continue settlement  
13 negotiations or revoke the licensee's license;  
14 is that correct?

15 MS. VALENTINE: Yes, that is correct.

16 COMMISSIONER REPP: Then I'll make a  
17 motion to continue settlement negotiations on  
18 this matter.

19 VICE-CHAIR BROWN: Is there a second?

20 COMMISSIONER DRAGO: Second.

21 VICE-CHAIR BROWN: Any discussion from  
22 staff as well?

23 Seeing none, all those in favor, say aye.

24 (Members reply aye.)

25 VICE-CHAIR BROWN: Okay. That would

1 conclude the item.

2 And therefore, if there are no other  
3 matters to discuss, this meeting is now  
4 officially closed.

5 (Meeting adjourned at 11:41 a.m.)

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CERTIFICATE OF REPORTER

STATE OF FLORIDA  
COUNTY OF LEON

I, Tracy Brown, certify that I was  
authorized to and did stenographically report  
the foregoing proceedings, and that the  
transcript is a true and complete record of my  
stenographic notes.

Dated this 31st day of January, 2025.



---

TRACY BROWN  
tbrown567@comcast.net  
Tallahassee, FL