
FLORIDA GAMING CONTROL COMMISSION

PUBLIC MEETING/WORKSHOP HEARING

LOCATION

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

(Page Nos. 1 - 111)

Wednesday, October 2, 2024

9:30 a.m. - 11:42 a.m.

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

Stenographically Reported By:
I. Iris Cooper
Stenographic Reporter

Job No.: 370470

1 APPEARANCES: (Appearing remotely via Zoom)

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COMMISSION MEMBERS:

3

Vice Chair Julie I. Brown

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Commissioner Charles Drago

Commissioner John D'Aquila

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Commissioner Tina Repp

Executive Director, Louis Trombetta

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8 PARTICIPANTS:

9

- Emily Alvarado, Deputy Chief Attorney

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- Joe Dillmore, Director of Pari-Mutuel Wagering

11

- Ross Marshman, Deputy Executive Director
and Chief Legal Officer

12

- Lisa M. Mustain, Director Of Administration

13

- Jamie Pouncey, Program Administrator

14

- Tracy Swain, Chief Revenue and Auditing Officer

15

- Marc Taupier, Deputy General and Chief Gaming
Enforcement Legal Advisor

16

17

- Elina Valentine, General Counsel

18

- Carl Herold, Director of Law Enforcement

19

20

OTHERS PRESENT:

21

- Various Members of the Public

22

- The Florida Channel

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1 Thereupon, the following proceeding began at 9:30 a.m.:

2 VICE CHAIR BROWN: Good morning. Today is
3 October 2nd. This is the Florida Gaming Control
4 Commission meeting, October meeting.

5 And before we begin with the agenda, I thought
6 it was appropriate, given the devastating events
7 over the past five, six days, not just in Florida
8 with Hurricane Helene, but in North Carolina and
9 around the country, really, as well as in Israel, I
10 thought it would be appropriate to just pause, give
11 tribute to those that have been afflicted with
12 these travesties.

13 And with that, they've been very life-changing
14 as well. With that, if you so choose, please stand
15 with us for the invocation which will be given by
16 Commissioner D'Aquila, followed by the pledge of
17 allegiance. Thank you.

18 COMMISSIONER D'AQUILA: Compassionate Lord, we
19 pray for those who have been devastated by the
20 recent natural disasters and other disasters that
21 are in our world today.

22 Please bring them validation and comfort.
23 Surround them with our prayer for strength and
24 accept prayers of grace for all first responders,
25 including the men and women in the state of Florida

1 who have been there in the natural disasters that
2 have affected us locally and north of us, our
3 brothers and sisters in Georgia and the Carolinas
4 and Tennessee. In your name, we pray. Amen.

5 VICE CHAIR BROWN: Thank you.

6 (Pledge of allegiance.)

7 VICE CHAIR BROWN: Thank you, all. Thank you,
8 Commissioner D'Aquila. And also L'Shana Tova for
9 those who are celebrating the Jewish New Year this
10 evening.

11 All right. We are going right into our
12 meeting agenda, starting with Item No. 1, which is
13 a discussion of the renewal application for slot
14 machine license.

15 Hi. Good morning.

16 MS. POUNCEY: Good morning. Jamie Pouncey,
17 for the record. Item No. 1.1 is Gulfstream Park
18 Racing Association, Case No. 2024-045168. They are
19 submitting for the renewal of their slot machine
20 license. The application has satisfied the
21 requirements, and the Division is recommending
22 approval.

23 VICE CHAIR BROWN: Thank you. Commissioners,
24 if there are no questions, Gulfstream has satisfied
25 all statutory requirements for renewal, and I think

1 it's appropriate to move for staff recommendation.

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 (Multiple ayes.)

8 VICE CHAIR BROWN: Thank you, Ms. Pouncey.

9 And then on to Item No. 2, which is a discussion of
10 amended application for cardroom license.

11 MS. POUNCEY: Item No. 2.1 is PPI, Inc., Case
12 No. 2024-053692. They have submitted an
13 application to add tables to their cardroom. The
14 request is to add six tables. They've paid the
15 associated fees and submitted the required
16 documentation, and the Division recommends
17 approval.

18 VICE CHAIR BROWN: Commissioners, are there
19 any questions? Commissioners, are there any
20 questions? If not, can I get a motion to approve.

21 COMMISSIONER D'AQUILA: Motion to approve.

22 COMMISSIONER REPP: Second.

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

25 (Multiple ayes.)

1 VICE CHAIR BROWN: Thank you again,
2 Ms. Pouncey. We are moving to Item No. 3, which we
3 have two speakers on. We are going to have staff
4 present the item first. Ms. Tracy Swain, which is
5 the discussion of the FTBOA annual plan for 2025.

6 MS. SWAIN: Good morning. Tracy Swain, Chief
7 of Revenue and Auditing. This is for Case No.
8 2024-054850, associated with the Florida
9 Thoroughbred Breeders' and Owners' Association
10 annual plan that must be submitted to the
11 Commission.

12 It requires that the FTBOA establish a uniform
13 rate and procedures for the payment of breeders and
14 stallion awards and make such payments in
15 compliance with the established uniform rate.

16 The plan may also include the payment of
17 awards to owners of registered Florida breed horses
18 that place first, second, or third in thoroughbred
19 races conducted in Florida.

20 And it requires the Commission to review and
21 approve -- to be approved by the Commission. FTBOA
22 submitted their annual plan at least 60 days prior
23 to the payment year, which begins January 1, 2025.

24 We have done our audit review, the staff have
25 of the entire plan, and it seems to be in

1 accordance with Sections 550.26165 and 550.2625.
2 And just last year, the Commission approved the
3 awards are at the same 20 percent rate as it was
4 last year.

5 So if you have any other questions, I'll let
6 Mr. Lonny Powell speak.

7 VICE CHAIR BROWN: Thank you. Does anybody
8 have any questions for staff before we give them an
9 opportunity to speak?

10 COMMISSIONER DRAGO: No.

11 VICE CHAIR BROWN: All right. We have
12 Mr. Powell and Ms. Yost.

13 MR. POWELL: Good morning. Thank you,
14 Madam Chair, Commissioners. Lonny Powell, chief
15 executive officer with the Florida Thoroughbred
16 Breeders' and Owners' Association.

17 Being very shy just like last time, but will
18 probably end up needing to come up here if there's
19 any specific economic questions is my CFO and
20 administrative vice president, Peggy Yost, who is
21 close by.

22 Also you're familiar with our other team, our
23 associate vice president of operations, Steve Koch
24 is here, who is always at these meetings. And
25 we're proud to say have the rest of the legal and

1 lobby team.

2 We just travel in packs. We needed something
3 to do, and it seemed like an important thing to do.
4 So thank you very much. I thought Tracy did an
5 excellent job in summarizing really what the plan
6 is.

7 Again, this plan is a result of, let's be
8 grateful, legislative success and in great support
9 from the legislature, from people like
10 Commissioner Simpson, from agencies, and just the
11 political infrastructure, in general, made this
12 legislation happen that made these new funds
13 available to go to breeders and stallion awards
14 primarily and also incentives for our Florida bred
15 who continue to improve in quality and win races.

16 Our number one priority is winning races in
17 Florida, but also all over the world, like you've
18 seen. This plan contemplates doing that same
19 thing. It's in compliance with 550.

20 And as you know, as of last year because of
21 legislation, we get our funds from two sources, you
22 the traditional source, from Statute 550. And then
23 separately, the Department of Agricultural and
24 Consumer Services does a review because that's
25 where the new legislative money went, and they have

1 allocated their check to us.

2 We received it last week. They're still big
3 enough you take a picture with it. I've never seen
4 checks that big before. It's really great to see
5 our Florida breeders and our Florida owners and
6 really the entire Florida industry when we take a
7 quick snapshot show already some positive effects
8 from this.

9 If you approve this plan, as you heard from
10 Tracy, it will reflect the same all-time high
11 awards in the history of thoroughbred racing for
12 the stallions and for breeders' awards. The plan
13 includes a paragraph that it's always had in it,
14 that there could be things especially after we just
15 experienced last week acts of God.

16 Or there could be things of litigation,
17 legislative change or whatever that might cause us
18 to come back and have to ask to modify this plan.
19 Hurricane would be a great example if that caused
20 some type of a stoppage of racing.

21 And I think the last time we saw something
22 legislatively that would have totally blown up our
23 industry was back in 2021 when there was the push
24 for decoupling. Meaning racetrack could be a
25 casino, keep the money, and the breeders and

1 horsemen would get no money, or we would have no
2 racing, quite honestly.

3 That was devastating enough. That would have
4 caused a complete meltdown of the infrastructure.
5 So that's the last time I can think that there was
6 a legislative threat that would absolutely have
7 melted something like that down.

8 I think back in 2021, we thought that got beat
9 down pretty good here by the legislature, but that
10 would be an example of one of those type of things.
11 I wanted to let you know that there's some pretty
12 good statistics to look at so far for how either
13 our state or how our state breds are doing.

14 This is with, what, Steve, about six or eight
15 months or 12 months of legislative history behind
16 us? Both 12 months of the legislative history,
17 including the funds that you approved through this
18 channel is when you factor out even the Jockey Club
19 this year, you know, recognize what really has
20 become just the absolute trend over the last 30
21 years.

22 Kentucky is something all by itself. It's
23 consolidated so much of the breeding industry.
24 It's become a world breeding center. You know, it
25 has historic racing. They pay huge purses.

1 They've taken a lot of horses away from not just
2 us, but everyplace else.

3 But nonetheless, Kentucky is Kentucky. But if
4 you factor out Kentucky, the rest of us, whether it
5 be Florida, New York, California, Pennsylvania are
6 considered the key regional breeding markets.

7 And at the Jockey Club roundtable, which I
8 think some of you might have been at this summer,
9 perhaps. It was presented -- let's talk about the
10 regional breeding markets.

11 Well, if you look at the regional breeding
12 markets, Florida leads all the other U.S. breeding
13 markets in combined breeders, stallion, and open
14 race owner awards. That alone is a huge statistic.
15 That means more than Pennsylvania, New York,
16 Maryland, Louisiana, California, Virginia, or
17 Indiana, for example, which are the other leaders.

18 As this legislation has taken place, our
19 Florida breds have continued to win, but now
20 they're winning for more money and at a bigger
21 volume. We lead national breeding markets in the
22 number of starters per year, so that's horses,
23 starts per year and wins per year.

24 When it comes to the championship level
25 racing, stakes racing, as we know you call it, open

1 stakes wins meaning not restricted to Florida
2 breds. We like to run against allcomers,
3 California, Kentucky, you name it.

4 We are number one in the country. We are over
5 twice the number two state, which is Maryland. We
6 exceed California, New York, and Pennsylvania once
7 again in the country amongst all the regional
8 breeding markets.

9 When it comes to graded stakes wins the
10 highest level of races in the world. We also rank
11 amongst the general breedings of states, number one
12 by far ahead of Pennsylvania, California, Maryland,
13 and New York.

14 We are a top three producer of foals in
15 North America. We are, in terms of total earnings
16 at racetracks, up in double digits. And so so far
17 if you look at even a case study in Tampa Bay,
18 their numbers were just mind blowing numbers in
19 terms of purses, field size impacts, just how this
20 legislation and the allegation of the moneys from
21 here have impacted that race meet as well.

22 So there's some positive things to say there
23 about what's going on. We'll just keep working.
24 Thank you for your support for approving this when
25 it was so new and all of us were going through it

1 the first time a year ago.

2 We appreciate your consideration and approval
3 this time around. We can answer any questions you
4 might have. Of course, if they get to anything
5 that takes any real amount of intelligence, then I
6 will revert to Peggy. But with that, do you have
7 any questions?

8 VICE CHAIR BROWN: Thank you, Mr. Powell.
9 Your presentation today was very informative, too,
10 highlighting some of the wonderful attributes here
11 in Florida. And I have to tell you, the promotion
12 plan and the marketing plan was really exhaustive,
13 too.

14 So it was nice to see all of that. Before I
15 turn to the commissioners, if you could, just
16 highlight some of the changes from this 2025
17 industry promotion plan versus 2024.

18 MR. POWELL: Okay. Would you rather answer
19 that, Peggy?

20 Really, when it comes to the promotional plan,
21 I think what you see is we're doing a lot of the
22 same things we've done, but we've mostly gone to
23 digital formats and head more heavily into the
24 Latino market as well. Those would be two of the
25 things that you would see.

1 We do very little prints, a lot more digital.
2 And then, of course, we've really expanded out into
3 all kinds of other broadcasts between podcasts and
4 all those type of things. As this new money is in
5 the system, we're also launching a campaign called
6 Invest in Florida.

7 Invest in Florida Thoroughbreds, or sometimes
8 it's Invest in the Florida Thoroughbred Industry to
9 remind the people in the state to take that money
10 and invest and improve their operation and also
11 entice people out of state.

12 In the old days, this was a no-no in our
13 business because everybody would go after each
14 other. But now, you know, there's a few strong
15 states left. Unfortunately, there's a lot of them
16 that are just kind of hanging on.

17 We're going after horses from other states as
18 well and saying at least bring part of your
19 operation over to Florida. It's a pretty good
20 place to establish an operation. I think those
21 would be the more significant changes.

22 VICE CHAIR BROWN: That's great. Thank you so
23 much. Appreciate it. Very excited for the
24 industry.

25 Commissioners, do you have any specific

1 questions of Mr. Powell or Ms. Yost?

2 COMMISSIONER DRAGO: Just one question, I
3 guess, just out of curiosity. I know people in the
4 industry understand what you're talking about and
5 the successes and so forth.

6 Do you feel like you're getting that message
7 out to the general public to understand what you're
8 doing in this state as it relates to these races
9 and the horses?

10 MR. POWELL: I mean, that's been the challenge
11 of racing since it began in the '30s in this
12 country is getting the massive public. But in
13 terms of getting the word out, you know what the
14 biggest challenge is?

15 It's covering your stakeholders so they can
16 help talk about it correctly, too, the direct
17 people. So most of our communication has been
18 based on them. We have gotten a lot of press. Our
19 numbers have reflected that a couple of different
20 national conferences.

21 And I think otherwise, the biggest way, you
22 know, we improve people's interest is by improving
23 the level and quality of the horses racing and by,
24 you know, showing good ROIs on things like Florida
25 horses and Florida farms.

1 But we do have a media company. We have
2 subsidiaries underneath us. So we have a media
3 company, and we spend a considerable amount on
4 media. But you can never spend enough.
5 Especially, in some ways it's an easy message.

6 But in other ways, it's a very complicated
7 message, right, and you got to try to hit the
8 balance on that where you can get enough of the
9 audience to understand. So we'll continue our
10 efforts.

11 But quite honestly, you know, when you think
12 about it, we've only been at it for a year. A year
13 ago or 13 months ago, I would have had nothing good
14 to say. So I'd be saying, well, I really don't
15 want to go out there and tell the public about how
16 I have nothing good to say.

17 Now a year later, you're the first ones to
18 hear the results of this information, which we're
19 going to use in our own media pieces, in fact, our
20 annual meeting coming up. So you got a scoop on my
21 own members on the stats, so hot off the press to
22 be seen in more press later.

23 COMMISSIONER DRAGO: Thank you. Good luck.

24 MR. POWELL: Thank you very much.

25 VICE CHAIR BROWN: Commissioner D'Aquila has a

1 question.

2 COMMISSIONER D'AQUILA: Yes. Mr. Powell, how
3 does our incentive program as you have laid out
4 compare to some of the other states, putting the
5 state of Kentucky aside?

6 MR. POWELL: There are several states that
7 have programs that are significantly more
8 aggressive than us that have a much lower quality
9 of racing, much smaller industry, and quite
10 honestly don't have early the dollar impact on the
11 state economy that we have.

12 You know, I'll come up here to sign -- this is
13 what legislators get to hear. You know, you can go
14 to a state like New York. The state is also
15 building the new Belmont for the industry.

16 Their breeders' awards because they have a
17 casino in downtown New York, as you know, that
18 actually pays a real share to breeders and to
19 horsemen, and that money is unbelievable.

20 So the amount of money involved and available
21 in New York compared to the caliber of racing where
22 I just read to you we outdid them in every
23 category, there's an imbalance.

24 By the way, I'm not being critical. Good for
25 them. I wish I could talk about imbalance. We're

1 far from that, even with this money. Pennsylvania
2 has way more money than the quality of horse.
3 Louisiana probably has the largest amount of money.

4 And knowing their rank in -- I don't know --
5 in the top ten, I can think of -- there's probably
6 a dozen inequities where there's states that have
7 stronger incentive programs with lesser racing. So
8 we always have something we can always keep
9 communicating, that's for sure.

10 We get asked the question a lot because it
11 also translates into things like purses and so
12 forth, too. It's a very good question. So though
13 I had all these good things to say, you'll notice
14 one of the good things I didn't say is that our
15 breeders and stallion awards absolutely smash out
16 everyplace in the country.

17 However, here's what I can say and I almost
18 forgot to say. Is when you combine everything
19 together that we just talked about, the money from
20 ag, the money from here, and things called
21 incentives, Florida breds win more in open race,
22 for example.

23 You combine all of that together and again
24 factor out Kentucky, and we're number one of all
25 the breeding, regional breeding markets. So we

1 still got something to talk about. We're just not
2 right where we'd really like to be on the breeders'
3 and stallion awards.

4 But in terms of all money, again, if it wasn't
5 for the legislation and it wasn't for folks like
6 you, we wouldn't be there. But I think we need to
7 be ever diligent. This is ongoing legislation.
8 That means you show up to Tallahassee every day
9 ready to tell your story.

10 A lot of people probably wish I wouldn't.
11 Those of you who know me, some from as much as 13
12 years, that's kind of what I do every year. I
13 spend a lot of time here. Any other questions?

14 VICE CHAIR BROWN: Commissioners?

15 COMMISSIONER DRAGO: No.

16 VICE CHAIR BROWN: No. I'm happy to see the
17 \$2 million in reserves. I think it's very
18 important to the industry, so I'm happy to see that
19 continue moving forward.

20 COMMISSIONER D'AQUILA: Congratulations on the
21 very clean financial report and auditor's report.
22 It seems like your organization is being very well
23 run.

24 MR. POWELL: Thank you very much. The staff
25 was great to work with. They ask all the right

1 questions, know how to get at all the right stuff.
2 So it's easy when you got it from both sides, you
3 know, working on something like that.

4 Again, this lady here, I cannot tell you what
5 she means to when it comes to our world of audits,
6 whether it be a state audit or independent audit or
7 just our operation, in general. Her talents are
8 amazing. We just love her. She's just too shy.
9 She's really the one that deserves a lot of that
10 credit, Peggy Yost.

11 VICE CHAIR BROWN: That was coming from a CPA,
12 so that's --

13 MR. POWELL: I know.

14 VICE CHAIR BROWN: -- stupendous.

15 MR. POWELL: He and I have had some technical
16 talks, so I've gone wow. I know he knows his
17 business, yes. So I consider that to be a very
18 high honor. I appreciate that.

19 VICE CHAIR BROWN: Thank you.

20 Commissioner D'Aquila, can we please get a
21 motion to approve the Florida Thoroughbred
22 Breeders' and Association's annual plan.

23 COMMISSIONER D'AQUILA: I make a motion to
24 approve the Florida Breeders' Association annual
25 plan.

1 VICE CHAIR BROWN: Thank you.

2 Commissioner Repp.

3 COMMISSIONER REPP: Second.

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

6 (Multiple ayes.)

7 VICE CHAIR BROWN: Thank you again,
8 Mr. Powell. Good luck.

9 MR. POWELL: Thank you very much. Thank you.

10 VICE CHAIR BROWN: With that, we're going to
11 move on to the discussion of default final orders.
12 We have several Item Nos. 4.1 through 4.14.

13 Good morning, Ms. Alvarado.

14 MS. ALVARADO: Good morning. Emily Alvarado,
15 for the record. Item 4.1 is 2023-043127, Vivian
16 Mendez Perez. In this case, there was a one-count
17 administrative complaint alleging that the
18 respondent was excluded from Hialeah Park on July
19 24, 2023.

20 She's subject to permanent exclusion from all
21 pari-mutuel and slot machine facilities pursuant to
22 Sections 550.0251(6) and 551.112. She was served
23 with the administrative complaint and failed to
24 respond within 21 days.

25 Therefore, the Division would ask that the

1 Commission enter an order finding that the
2 respondent was served with the administrative
3 complaint, failed to respond within 21 days, that
4 the facts in the administrative complaint are
5 accepted as the facts in this case and concluding
6 that this respondent will be added to the permanent
7 exclusion list for all pari-mutuel and slot machine
8 facilities.

9 VICE CHAIR BROWN: Thank you, Ms. Alvarado.
10 This respondent, was she convicted of felony theft?
11 I know it's in Exhibit A. Yes, I think she was
12 arrested. I don't know if she was actually
13 convicted.

14 MS. ALVARADO: I don't think we have the
15 conviction report on here. There was a conviction.
16 We don't have it on the investigative file, but
17 there was an arrest.

18 VICE CHAIR BROWN: Thank you.

19 Commissioners, can we please get a motion
20 approving the final order permanently excluding the
21 respondent.

22 COMMISSIONER REPP: I'll make that order.
23 I'll make that motion.

24 VICE CHAIR BROWN: Thank you. Can we get a
25 second?

1 COMMISSIONER DRAGO: Second.

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

4 (Multiple ayes.)

5 MS. ALVARADO: And just for clarification,
6 actually, there is a conclusion that was updated by
7 the investigator that says that the case was
8 dismissed, so we do have an update on that.

9 VICE CHAIR BROWN: Thank you, Ms. Alvarado.
10 All right. We're moving on to 4.2.

11 MS. ALVARADO: Item No. 4.2 is 2023-050182,
12 Jose Martinez De Osaba. In this case, there was a
13 one-count administrative complaint alleging that
14 the respondent was excluded from Casino Miami on
15 August 3, 2023.

16 She is subject to permanent exclusion from all
17 pari-mutuel and slot machine facilities pursuant to
18 Sections 550.0251(6) and 551.112 Florida Statutes.
19 You were also provided the tracking that shows that
20 she was served and failed to respond within 21
21 days.

22 Therefore, the Division would ask that you
23 enter an order finding that this respondent was
24 properly served, failed to respond within 21 days,
25 that the facts in this administrative complaint are

1 accepted as the facts in this case and concluding
2 that the respondent will be added to the permanent
3 exclusion list for all pari-mutuel and slot machine
4 facilities.

5 VICE CHAIR BROWN: Thank you.

6 Commissioners, any questions on this? I have
7 a question just in that Exhibit 1. There was not a
8 conspirator, but there was somewhat of a
9 co-conspirator, Mr. Aguirre.

10 MS. ALVARADO: Yes.

11 VICE CHAIR BROWN: Is he going to be
12 permanently excluded, too?

13 MS. ALVARADO: So we have a case opened
14 against him as well. We've been unable to get
15 service so far, but we're seeking service to do the
16 exact same thing.

17 VICE CHAIR BROWN: Thank you.

18 Commissioners, can we please get a motion to
19 approve the default final order.

20 COMMISSIONER D'AQUILA: I make a motion to
21 approve the default final order.

22 VICE CHAIR BROWN: Is there a second?

23 COMMISSIONER REPP: Second.

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

1 (Multiple ayes.)

2 VICE CHAIR BROWN: Thank you. 4.3, please.

3 MS. ALVARADO: 4.3 is 2023-067533, Kristopher
4 Bohlman. In this case, there was a two-count
5 administrative complaint alleging that respondent
6 was observed falsifying promotional payout
7 documentation and taking money from a rolling vault
8 while he was employed as a cardroom employee at
9 Pensacola Greyhound Racing.

10 He's, therefore, subject to revocation of his
11 cardroom occupational license, and he's also
12 subject to exclusion pursuant to Section
13 550.0251(6).

14 You were provided an email confirmation
15 showing that he was served with this administrative
16 complaint, and he has not responded within 21 days.

17 Therefore, the Division would ask that the
18 Commission enter an order finding that he was
19 properly served with the administrative complaint,
20 failed to responded within 21 days, that the facts
21 in the administrative complaint are accepted as the
22 facts in this case, and concluding that his
23 cardroom employee occupational license shall be
24 revoked, and he will also be added to the permanent
25 exclusion list for all pari-mutuel facilities.

1 VICE CHAIR BROWN: Thank you.

2 Commissioners, this is a two-prong motion.

3 It's not just to permanently exclude the respondent
4 but also to revoke his occupational license. Can
5 we please get a motion to that effect.

6 COMMISSIONER DRAGO: So moved.

7 VICE CHAIR BROWN: Is there a second?

8 COMMISSIONER D'AQUILA: Second.

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

11 (Multiple ayes.)

12 VICE CHAIR BROWN: Thank you. We're moving on
13 to 4.4.

14 MS. ALVARADO: 4.4 is 2024-002190, Luis
15 Garcia. In this case, there was an administrative
16 complaint seeking to suspend his pari-mutuel
17 wagering general individual occupational license
18 due to an outstanding debt related to horseracing
19 pursuant to 550.105(7).

20 You were also provided the confirmation that
21 he had been served with the administrative
22 complaint. He failed to respond within 21 days.

23 Therefore, the Division would ask the
24 Commission enter an order finding that he was
25 properly served with the administrative complaint,

1 failed to respond within 21 days, that the facts in
2 the administrative complaint are the facts in this
3 case, and concluding that his pari-mutuel wagering
4 general individual occupational license will be
5 suspended until we can get proof of satisfaction of
6 payment.

7 VICE CHAIR BROWN: Thank you. And, actually,
8 if you don't mind, also 4.5 is a very similar
9 pattern of facts. Would you please read that?

10 MS. ALVARADO: Sure. Item No. 4.5 is
11 2024-002270, Martin Rivera. Similarly, as Item No.
12 4.4, there was a complaint opened against this
13 respondent for an outstanding debt. We are seeking
14 suspension of his pari-mutuel wagering professional
15 individual occupational license. And here, he was
16 served and failed to respond within 21 days.

17 So here we would also ask that we find that he
18 was served with the administrative complaint,
19 failed to respond within 21 days, that the facts in
20 that administrative complaint are the facts in this
21 case and concluding that his pari-mutuel wagering
22 professional individual occupational license will
23 be suspended until we can get proof of satisfaction
24 of payment.

25 VICE CHAIR BROWN: Thank you.

1 Commissioners, if there are no questions on
2 Item Nos. 4.4 and 4.5, can we please get a motion
3 to approve the default final on those items
4 suspending the occupational license of the
5 respondents until financial obligations are
6 satisfied.

7 COMMISSIONER REPP: I'll make that motion.

8 VICE CHAIR BROWN: Is there a second?

9 COMMISSIONER DRAGO: Second.

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

12 (Multiple ayes.)

13 VICE CHAIR BROWN: Thank you. Both 4.4 and
14 4.5 pass. On to 4.6, please.

15 MS. ALVARADO: 4.6 is 2024-009191, Duy Ngoc
16 Tran. In this case, you were provided a one-count
17 administrative complaint alleging that the
18 respondent was excluded from Ocala Bets on February
19 5, 2024.

20 He is therefore subject to permanent exclusion
21 from all pari-mutuel facilities pursuant to Section
22 550.0251(6). You were also provided confirmation
23 that he had been served and failed to respond
24 within 21 days.

25 Therefore, the Division would ask that the

1 Commission enter an order finding that he was
2 properly served, failed to respond within 21 days,
3 that the facts in the administrative complaint are
4 accepted as the facts in this case, and concluding
5 that the respondent will be added to the permanent
6 exclusion list for all pari-mutuel facilities.

7 VICE CHAIR BROWN: Thank you. Would you also
8 mind reading 4.7 at this time.

9 MS. ALVARADO: 4.7 is 2024-014354, Alfonse
10 Rescigno. In this case, there was a one-count
11 administrative complaint alleging that this
12 respondent was excluded from Harrah's Pompano Park
13 on March 2, 2024.

14 They are subject to exclusion from all
15 pari-mutuel and slot machine facilities pursuant to
16 550.0251(6) and 551.112. You were provided
17 confirmation that they were properly served and
18 failed to respond within 21 days.

19 Therefore, the Division would ask that you
20 enter an order finding that the respondent was
21 properly served, failed to respond within 21 days,
22 that the facts in this administrative complaint are
23 the facts in this case, and concluding that they'll
24 be added to the permanent exclusion list for all
25 pari-mutuel and slot machine facilities.

1 VICE CHAIR BROWN: Thank you, Ms. Alvarado.
2 In 4.6, the respondent was posting past posting
3 bets on several occasions. And 4.7, they were card
4 swapping.

5 If there are no questions on those two items,
6 can we get a motion to approve the default final
7 orders permanently excluding the respondents in 4.6
8 and 4.7.

9 COMMISSIONER D'AQUILA: I'll make a motion.

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

12 COMMISSIONER REPP: Second.

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

15 (Multiple ayes.)

16 VICE CHAIR BROWN: 4.6 and 4.7 pass. We are
17 on to 4.8.

18 MS. ALVARADO: Item No. 4.8. is 2024-016007.
19 This is Luc-Hugues Genna, II. In this case, you
20 were provided a two-count administrative complaint
21 alleging that respondent was observed swapping
22 chips he had received as a tip with chips of higher
23 value while he was employed at Calder Casino.

24 He is, therefore, subject to revocation of his
25 slot machine cardroom pari-mutuel wagering

1 occupational license, as well as exclusion from all
2 pari-mutuel and slot machine facilities. You were
3 also provided confirmation that he had been served
4 and failed to respond within 21 days.

5 Therefore, the Division would ask the
6 Commission to enter a final order finding that they
7 were properly served with the administrative
8 complaint, that they failed to respond within 21
9 days, that the facts in the administrative
10 complaint are accepted as the facts in this case,
11 and concluding that respondent's slot machine
12 cardroom pari-mutuel wagering occupational license
13 shall be revoked, and he shall be added to the
14 permanent exclusion list for all pari-mutuel and
15 slot machine facilities in the state.

16 VICE CHAIR BROWN: Thank you. This is another
17 one similar to 4.3, not just revoking the
18 occupational license but also permanently
19 excluding.

20 I think this is the message, really, to these
21 folks that have occupational licenses that they're
22 not just going to have their license revoked, but
23 they're going to be permanently excluded if they
24 commit these onerous acts.

25 So, Commissioners, if you don't have any

1 questions, can we get a motion to approve.

2 COMMISSIONER DRAGO: So moved.

3 COMMISSIONER REPP: Second.

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

6 (Multiple ayes.)

7 VICE CHAIR BROWN: Ms. Alvarado, would you
8 mind presenting 4.9, 4.10, and 4.11 together.

9 MS. ALVARADO: Yes, I can do that. 4.9 is
10 2024-039109, Paulo Torres. In this case, there was
11 a one-count administrative complaint alleging that
12 he was excluded from Casino Miami on April 9, 2024.

13 4.10 is Natasha Dostaly, 2024-039251. In this
14 case, there was a one-count administrative
15 complaint alleging that the respondent was excluded
16 from Harrah's Pompano Park on June 30, 2024.

17 And 4.11 is Roberto Miranda, 2024-039355. And
18 in this case, there was a one-count administrative
19 complaint alleging that the respondent was excluded
20 from Casino Miami on May 28, 2024.

21 All three are subject to exclusion from all
22 pari-mutuel facilities and all slot machine
23 facilities pursuant to 550.0251(6) and 551.112.

24 All three of these respondents were properly served
25 and failed to respond within 21 days.

1 Therefore, the Division would ask that we add
2 all three of these respondents to the permanent
3 exclusion list for all pari-mutuel and slot machine
4 facilities and also that we find that they were
5 properly served with the administrative complaint,
6 failed to respond within 21 days, and that the
7 facts in this case are the facts -- the facts in
8 the administrative complaint are the facts in this
9 case.

10 VICE CHAIR BROWN: Thank you.

11 Commissioners, any questions on 4.9 through
12 4.11, 4.11 having a really unusual set of facts, by
13 the way. If there are none, can we please get a
14 motion to approve the final orders permanently
15 excluding the respondents from 4.9 through 4.11.

16 COMMISSIONER D'AQUILA: I make a motion to
17 approve the exclusion of these three individuals as
18 you have stated.

19 VICE CHAIR BROWN: Thank you,
20 Commissioner D'Aquila. Is there a second?

21 COMMISSIONER REPP: Second.

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

24 (Multiple ayes.)

25 VICE CHAIR BROWN: 4.9, through 4.11 passes.

1 We have three left, 4.12.

2 MS. ALVARADO: 4.12 is 2024-040690, Daniel
3 Brantley, Jr. In this case, there was a two-count
4 administrative complaint alleging that the
5 respondent violated Rules 75-11.004(8)(a) and
6 75-11.004(8)(d) by failing to clear his hand on one
7 or more occasions and failing to inspect both sides
8 of each card by spreading the deck in front of the
9 imprest tray so that the card can be identified.

10 Respondent has no prior violations of either
11 of these rules. You were also provided the
12 tracking that showed that he was served with the
13 administrative complaint. Therefore, we would ask
14 that the Division would ask the Commission to enter
15 an order finding that they were properly served
16 with the administrative complaint, that they failed
17 to respond within 21 days, that the facts in the
18 administrative complaint are the facts in this
19 case, and that an administrative fine of \$100 will
20 be issued.

21 VICE CHAIR BROWN: Thank you.

22 Commissioners, any objections to the
23 administrative fine? If not, can we get a motion,
24 please, to issue a final order.

25 COMMISSIONER REPP: I'll make that motion.

1 VICE CHAIR BROWN: Is there a second?

2 COMMISSIONER DRAGO: Second.

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

4 aye.

5 (Multiple ayes.)

6 VICE CHAIR BROWN: The item passes. On to

7 4.13.

8 MS. ALVARADO: If you'd like, I can do 4.13

9 and 4.14. together.

10 VICE CHAIR BROWN: Thank you.

11 MS. ALVARADO: 4.13 is 2024-042881, Kendel

12 Standlee. 4.14 is 2024-042895, Jesus Suarez. In

13 both cases, the respondents were served with an

14 administrative complaint seeking suspension of

15 their pari-mutuel wagering professional individual

16 occupational licenses due to an outstanding debt

17 related to horseracing in the state of Florida

18 pursuant to Section 550.105(7) Florida statutes.

19 You were provided the confirmation that they

20 were served. They failed to responded within 21

21 days. Therefore, the Division would ask that the

22 Commission enter an order finding that both

23 respondents were properly served, that they failed

24 to respond within 21 days, that the facts in the

25 administrative complaint are the facts in this case

1 and concluding that both of the respondents'
2 pari-mutuel wagering professional individual
3 occupational license will be suspended until we
4 receive proof of satisfaction of payment.

5 VICE CHAIR BROWN: Thank you.

6 Commissioners, if there are no questions on
7 4.13 and 4.14, can we please get a motion to
8 approve the final order suspending the respondents'
9 occupational licenses until the financial
10 obligations are satisfied.

11 COMMISSIONER DRAGO: So moved.

12 VICE CHAIR BROWN: Is there a second?

13 COMMISSIONER D'AQUILA: Second.

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

16 (Multiple ayes.)

17 VICE CHAIR BROWN: 4.13 and 4.14 pass. We are
18 moving on to discussion of consent orders. There
19 is just one item, Item No. 5.1.

20 MS. ALVARADO: Item No. 5.1 is 2023-068738 and
21 2024-011543, West Volusia Racing Inc. In the case
22 materials, you were provided a two-count
23 administrative complaint showing that the
24 respondent violated Rule 75-11.014(4)(c) and
25 75-11.025(7)(b) by failing to permanently alter a

1 card removed from play and failing to limit access
2 to the surveillance room to authorized personnel.

3 The respondent has two prior violations of
4 75-11.014(4) and three prior violations of
5 75-11.025(7)(b). The Commission also was provided
6 a settlement and consent order that had \$1,500 fine
7 total for both two cases.

8 Therefore, the Division would ask that the
9 Commission adopt the settlement and consent order
10 in this case.

11 VICE CHAIR BROWN: Thank you.

12 Commissioners, any problem with the settlement
13 and consent order? Seeing none, can we please get
14 a motion to approve the same.

15 COMMISSIONER REPP: I'll make a motion to
16 approve the settlement and consent order.

17 VICE CHAIR BROWN: Is there a second?

18 COMMISSIONER D'AQUILA: Second.

19 VICE CHAIR BROWN: And just for clarification,
20 that's on two different cases. All those in favor,
21 say aye.

22 (Multiple ayes.)

23 VICE CHAIR BROWN: Thank you, Ms. Alvarado.
24 Now we are moving into discussion of recommended
25 orders. There are three of them under 6.1 through

1 6.3.

2 MS. ALVARADO: Item No. 6.1 is 2023-058027,
3 Luis Ocasio. This case came before you following
4 the recommended order that was issued by the
5 hearing officer on September 11th.

6 An informal hearing was conducted on August
7 22, 2024 regarding a letter of license denial that
8 was issued to Mr. Ocasio seeking to deny his
9 application for pari-mutuel wagering general
10 individual occupational license due to various
11 felony convictions.

12 Hearing officer entered a recommended order
13 recommending that the Commission deny her
14 application. Here the Division would ask that you
15 adopt the hearing officer's recommended order and
16 deny petitioner's application for a pari-mutuel
17 wagering general individual occupational license.

18 VICE CHAIR BROWN: Thank you. And there's an
19 extensive amount of felony convictions, 13. To be
20 brief, I would tend to agree with the hearing
21 officer.

22 Commissioners, any questions? If not, can we
23 get a motion to adopt the hearing officer's
24 recommendation.

25 COMMISSIONER DRAGO: So moved.

1 VICE CHAIR BROWN: Is there a second?

2 COMMISSIONER D'AQUILA: Second.

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

5 (Multiple ayes.)

6 VICE CHAIR BROWN: Thank you. 6.2, please.

7 MS. ALVARADO: 6.2 is 2023-071556, Osmel
8 Nunez. This case also comes before you following a
9 recommended order that was issued by the hearing
10 officer on September 11th.

11 An informal hearing was conducted on August
12 22nd regarding a letter of license denial that was
13 issued to Mr. Nunez seeking to deny his application
14 for a pari-mutuel wagering professional individual
15 occupational license due to his felony conviction.

16 The hearing officer issued the recommended
17 order recommending that the Commission deny the
18 application. So here the Division would also ask
19 that you adopt the hearing officer's recommended
20 order and deny petitioner's application for a
21 pari-mutuel wagering professional individual
22 occupational license.

23 VICE CHAIR BROWN: Thank you. Again, I agree
24 with the hearing officer in this item.

25 Commissioners, if you don't have any

1 questions, can we please get a motion to adopt the
2 hearing officer's recommended order.

3 COMMISSIONER D'AQUILA: I make a motion to
4 adopt the hearing officer's recommended order.

5 VICE CHAIR BROWN: Is there a second?

6 COMMISSIONER DRAGO: Second.

7 COMMISSIONER REPP: Second.

8 VICE CHAIR BROWN: All those in favor, say
9 aye.

10 (Multiple ayes.)

11 VICE CHAIR BROWN: Thank you. And the last
12 one, please, 6.3.

13 MS. ALVARADO: 6.3 is 2024-025901, Julian
14 Bernard. This case comes before you following a
15 recommended order that was issued by the hearing
16 officer on September 11th.

17 An informal hearing was conducted on August
18 22nd regarding an administrative complaint seeking
19 to exclude the respondent from all pari-mutuel and
20 slot machine facilities pursuant to Sections
21 550.0251(6) and 551.112.

22 The hearing officer issued the recommended
23 order recommending that the respondent be added to
24 the permanent exclusion for all pari-mutuel and
25 slot machine facilities. And here, the Division

1 would ask that you adopt the hearing officer's
2 recommended order and add respondent to the
3 exclusion list for all pari-mutuel and slot machine
4 facilities.

5 VICE CHAIR BROWN: Thank you. Again, this is
6 the capping bet issue. If there's no questions can
7 we please get a motion to adopt the hearing
8 officer's recommended order.

9 COMMISSIONER REPP: I'll make that motion.

10 VICE CHAIR BROWN: Is there a second?

11 COMMISSIONER DRAGO: Second.

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

14 (Multiple ayes.)

15 VICE CHAIR BROWN: All right. 6.3 passes. We
16 are now moving into discussion of request for
17 waivers. I will note, we have a speaker on two of
18 the items, for your information, 7.1 and 7.4, with
19 7.1 being telephonically. My understanding is that
20 7.3 will be deferred; is that correct,
21 Ms. Alvarado?

22 MS. ALVARADO: 7.3 yes.

23 VICE CHAIR BROWN: So we're just taking up the
24 other items under this through 7.5. So for the
25 speaker on the phone, we're going to have our staff

1 attorney provide an overview, and then we'll give
2 you an opportunity to speak. We're going to turn
3 to Ms. Alvarado first.

4 MS. ALVARADO: Item No. 7.1 is 2024-032775,
5 Christie Smith. The applicant applied for a
6 pari-mutuel wagering professional individual
7 occupational license.

8 Upon review of the application, it was
9 discovered that she had disqualifying offenses,
10 including driving under the influence habitual out
11 of San Diego County, California in 2008; driving
12 under the influence habitual out of San Diego
13 County, California in 2009; and operating while
14 intoxicated impaired controlled substances, third
15 offense out of Wayne County, Michigan in 2019.

16 The applicant failed to list all of these
17 felony convictions on their first application, and
18 the applicant now is seeking a waiver of these
19 felony offenses and issuance of a pari-mutuel
20 wagering professional individual occupational
21 license.

22 The waiver interview was conducted on July 9,
23 2024 and has been documented in the meeting
24 materials. The Commission now has the opportunity
25 to either grant this application or this license.

1 Or if not, we would ask that you give us the
2 authority to issue a letter of license denial in
3 this case.

4 VICE CHAIR BROWN: Thank you.

5 Ms. Christie Smith, are you on the phone?

6 MS. SMITH: Yes, I am.

7 VICE CHAIR BROWN: Thank you so much, and
8 welcome. You are given an opportunity to speak.
9 We can hear you clearly.

10 MS. SMITH: Okay. I just wanted to tell the
11 commissioners that the charges that I had were --
12 some of them are 2008. It was shortly after my
13 sister died, and I'm sorry that I went down the
14 wrong path.

15 I'm not that same person, by any means. My
16 parents, we had resources when I was younger. And
17 I do want to address one thing. After 2011 or 2008
18 -- I'm sorry -- I made a terrible mistake almost
19 six years ago, and I did drink and I drive.

20 But by the grace the God, it didn't totally
21 ruin my life. And I love these horses more than
22 anything. I would never do any harm to them at
23 all. I just want to be able to have a horse
24 ownership so that I can possibly get back into the
25 business and to lift others up that even though you

1 make mistakes, you can turn from that.

2 I ask that you just look back on it. I know
3 this -- the one back from six years ago, I could --
4 it was the day after my birthday. And there's no
5 excuse for it, none.

6 But the ones prior to that was in 2008 and
7 2009, and I paid the price. I'm just looking for a
8 license to be able to have a horse and get back in
9 the business.

10 VICE CHAIR BROWN: Thank you, Ms. Smith. Do
11 you have anything else to address.

12 MS. SMITH: Not really?

13 VICE CHAIR BROWN: Greatly appreciate you
14 participating in the process and providing your
15 background on your request for waiver, too, so
16 thank you for that.

17 Commissioners, are there any questions for
18 staff or for Ms. Smith? If there are no questions,
19 now is an opportunity to either grant the waiver or
20 deny and issue of letter of intent to deny. All
21 right. We are ripe for a motion. Come on, one
22 were you.

23 COMMISSIONER REPP: I'm going to make a
24 motion to deny.

25 VICE CHAIR BROWN: Thank you. Is there a

1 second?

2 COMMISSIONER DRAGO: Second.

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

5 (Multiple ayes.)

6 VICE CHAIR BROWN: Thank you. Thank you,
7 Ms. Smith. We are moving on to --

8 MS. SMITH: It's denied that?

9 VICE CHAIR BROWN: Thank you.
10 We are moving on to Item No. 7.2.

11 MS. ALVARADO: 7.2 is 7.2. 2024-035057,
12 Michael Alley. Here the applicant applied for a
13 cardroom employee occupational license. And upon
14 review of the application, it was discovered that
15 he had a disqualifying felony offense of leaving
16 the scene of an accident with personal injury in
17 2017.

18 The applicant is seeking a waiver of the
19 felony offense and issuance of the cardroom
20 employee occupational license. A waiver interview
21 was attempted on June 24th, June 25th, and June
22 27th, and the applicant did not answer.

23 On July 1st, a letter was sent to the
24 applicant to set up a waiver interview. He has not
25 responded to this letter. Therefore, now you can

1 consider whether to grant the waiver in this case
2 or issue a letter of license denial.

3 VICE CHAIR BROWN: Thank you.

4 Commissioners, are there any questions on 7.2?
5 If not, can we get a motion to issue a letter of
6 license denial.

7 COMMISSIONER DRAGO: So moved.

8 VICE CHAIR BROWN: Is there a second?

9 COMMISSIONER D'AQUILA: Second.

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

12 (Multiple ayes.)

13 VICE CHAIR BROWN: All right. Thank you.
14 We're jumping over to 7.4, in which we have a
15 speaker. I will ask Mr. Edgar Diaz to come to the
16 podium over to my right. Our staff is going to
17 present an overview before you are given an
18 opportunity to speak.

19 Ms. Alvarado.

20 MS. ALVARADO: Item No. 7.4 is 2024-040616,
21 Edgar David Diaz. Here the applicant applied for a
22 cardroom employee occupational license. And upon
23 review of the application, it was discovered that
24 there was a disqualifying offense of aggravated
25 battery of a pregnant victim in 2022.

1 The licensee's license was also revoked in
2 2023 due to this conviction. Here the applicant is
3 seeking a waiver of the felony offense and issuance
4 of a cardroom employee occupational license.

5 Like the other past two, now you have the
6 opportunity to either grant this waiver or issue a
7 letter of license denial in this case.

8 VICE CHAIR BROWN: Thank you.

9 Mr. Diaz, thank you for coming to appear
10 before us and participate.

11 MR. DIAZ: Of course.

12 VICE CHAIR BROWN: You are given an
13 opportunity to speak.

14 MR. DIAZ: I am rather nervous.

15 VICE CHAIR BROWN: Please don't be, please.

16 MR. DIAZ: Well, I wrote it down just so I
17 wouldn't have to, you know, just do it off the top
18 of my head. But, hello. Thank you guys for having
19 me here today. My name is Edgar Diaz. I thank you
20 for the opportunity to speak on my behalf.

21 I started working at a poker room when I was
22 still in high school as a host, and soon it turned
23 into more than just a job for me. It turned into a
24 passion after I started dealing.

25 It was a way for me to pay my bills and still

1 pursue a higher education, which I'm currently
2 still trying to do. And -- sorry. I can take care
3 of my needs and go to school while having a hobby
4 to pay the bills. It was my true passion.

5 And it all sounds great. However, I was
6 young. And while I'm not here to make excuses for
7 myself, I still want to say that we all have our
8 mistakes, and this was mine. I was in an
9 on-and-off-again relationship with someone who
10 clearly wasn't a good fit.

11 But being naive, I never thought anything bad
12 would ever come of it. However, I would later find
13 myself in jail because of it. And without going
14 into too much detail, after four months, I was out
15 and I had to start my life over again.

16 At the time, I wasn't aware that I had to
17 report anything to you guys. And for that, I'm
18 sorry. I'm very regrettable. If I'd known, I
19 would have. After a few months, I got enough money
20 to move cities, started over, and everything was
21 going well.

22 I started a new poker room and started paying
23 all my debts that I had fallen behind on. And I
24 found a bunch of good and positive things that were
25 going for me. I even found my girlfriend, who is

1 here today to support me and who has helped me so
2 much along my journey.

3 I would find myself -- I would find out later
4 that my arrest would be examined by the FGCC. And
5 after the proceedings, my license was revoked. I
6 lost my livelihood and struggled to make ends meet
7 and rediscovered what a blessing dealing poker
8 really was to me in my life.

9 Since then, I have managed to pay all my court
10 fees and finish paying and completing my therapy
11 and completing my community service hours while
12 being in perfect standing with the law and the
13 institution whose job it is to supervise me.

14 I truly believe that through my experiences
15 going through what I did, I have changed from the
16 better and truly learned and rehabilitated. I'm
17 not done yet. There's still a lot more I want to
18 do. However, I do feel stuck for the loss that I
19 got or the loss of the job that I enjoyed and that
20 I was good at.

21 I would ask the councilmembers to please see
22 my situation, know that I'm truly sorry and full of
23 regret and that I have learned from my experiences.
24 And I feel that if presented with the opportunity
25 to regain my occupational license, I would treasure

1 and not squander it.

2 I hope you take my words and commitment into
3 consideration and know that the four-hour drive
4 here, the struggle with employment, and other
5 things I've done to get -- other things I've done
6 and gone through since the incident years ago is
7 only a small gesture of what this means to me.

8 Thank you very much for your time, and have a
9 good day.

10 VICE CHAIR BROWN: Thank you, Mr. Diaz.

11 Commissioners, are there any questions for our
12 staff or for Mr. Diaz? I will just say I am
13 somewhat sympathetic with everyone, the fact that
14 everyone does make mistakes, and there are
15 different facts and patterns and he say, she say,
16 and all of that that goes into consideration.

17 I know you still have probation. Your
18 probation is not completed, and I know that isn't
19 until next year, mid next year. But I understand
20 that you are in good standing with the law. It
21 doesn't look like there are any other offenses that
22 you've committed.

23 MR. DIAZ: No. And I would like to add that
24 I'm currently working with a lawyer, as well as my
25 probation office, to file for early termination.

1 VICE CHAIR BROWN: That being said, thank you.
2 I don't think the commissioners have any questions,
3 but thank you for your testimony here today.

4 MR. DIAZ: Thank you guys very much.

5 VICE CHAIR BROWN: Commissioners, any thoughts
6 on this waiver? Commissioner D'Aquila.

7 COMMISSIONER D'AQUILA: Clarification, there
8 was only this one instance?

9 MS. ALVARADO: Yes.

10 COMMISSIONER D'AQUILA: Counsel, is that
11 correct?

12 MS. ALVARADO: Yes.

13 COMMISSIONER D'AQUILA: And I've read the
14 brief. It appears that all fees and fines have
15 been complied with?

16 MS. ALVARADO: Yes.

17 VICE CHAIR BROWN: Thank you. Just to follow
18 up, the actual position that the applicant is
19 applying for, is it a dealer, or is it a poker
20 dealer?

21 MS. ALVARADO: Yes, poker dealer at
22 Daytona Beach.

23 VICE CHAIR BROWN: Not a security officer?

24 MS. ALVARADO: No.

25 VICE CHAIR BROWN: Commissioner.

1 COMMISSIONER DRAGO: These are always tough.
2 And we certainly are trying to do whatever we can
3 to help people get jobs and work and support their
4 families and so forth. And then, of course, we
5 still have the challenge of protecting the public.

6 So it's always a very difficult route to go
7 when we try to make these decisions based on the
8 facts. And in this case, it's a very serious
9 offense, obviously, that can't be ignored when we
10 consider these kinds of things.

11 I'm not offering any judgment on him at all.
12 I'm just looking at in terms of our responsibility
13 for protecting the public in these types of
14 situations and also look at the fact that the
15 offense has nothing to do with larceny or any
16 thefts or any kinds of offenses within the casino
17 or against the public, casino public.

18 I also consider that in terms of the type of
19 offense in protecting the public and try not to get
20 too bogged down in the particular offense because
21 this is a very heinous, serious offense, in my
22 mind, and it's not easy to get around.

23 So I'm just saying that from a non-judgmental
24 perspective of whether or not we feel that this
25 offense and being convicted of this offense would

1 in any way put the public and the casinos in any
2 danger.

3 And thank you for coming in. I know it's not
4 easy to do what you just did. Certainly, I think
5 the Commission considers that and your concern for
6 your livelihood and your love for the position that
7 you want to regain.

8 I thank you for your courage to come up here
9 and talk about something that you probably want to
10 forget about. So those are my comments before we
11 make a decision on what we want to do with this.

12 VICE CHAIR BROWN: As usual,
13 Commissioner Drago, you could not articulate it
14 more perfectly with all of the comments that you
15 just made. And it's something that I struggle
16 with, too, because the offense is somewhat heinous.

17 The applicant has completed an intervention
18 program, paid all court costs and fees, 80
19 community service hours, served his time as well.
20 The only thing is if we were to be inclined to
21 grant the waiver, I would like to see the probation
22 period expire.

23 I would be open to more of a conditional until
24 the probationary period was expired. Is that
25 something that we are inclined -- have done?

1 MR. TAUPIER: Marc Taupier, for the record.
2 You guys can issue a conditional license until such
3 time and proof that probation has been satisfied to
4 which conditions could come off. I think there
5 would need to be a discussion amongst the
6 commissioners on what conditions you would like to
7 see.

8 Seeing all of this, I would recommend maybe a
9 discussion to where any type of violation, whether
10 it be a full-blown violation where they have full
11 rights or just a technical violation would
12 immediately suspend the license until that was
13 taken care of. But I believe that conditions are
14 something that you all would have to decide on.

15 COMMISSIONER DRAGO: If we were to deny it
16 today, when could he come back and apply again?

17 MR. TAUPIER: Hearing that he is trying to do
18 early termination, that usually happens, typically.
19 And it's not the rule for all, but typically
20 happens at the halfway point to which seeing his
21 progress, he's well over that.

22 I don't know what the timeline is for him if
23 they are ready to do that motion. But if he wants
24 to come back or reapply once that is done and he
25 can show us that he's off probation and that is

1 something that you guys want to see, we can go that
2 way and deny it today. But again, that's something
3 that's up to you guys.

4 COMMISSIONER DRAGO: So we can deny it today,
5 and he can come back at any time?

6 MR. TAUPIER: He could.

7 COMMISSIONER DRAGO: Understanding what we're
8 saying here today when he reaches whatever that
9 point is, he could reapply. So he would not be
10 granted any conditional license or anything. In
11 the meantime, it's denied. But there's nothing
12 that says he can't come back for another year or
13 two years or anything like that; right?

14 MR. TAUPIER: Absolutely. There's no
15 restriction on someone applying for a license, so
16 he could come back tomorrow, if you denied it
17 today, and reapply.

18 COMMISSIONER DRAGO: Understand. Thank you.

19 VICE CHAIR BROWN: Thank you. That was a good
20 clarification. Commissioners, any thoughts?

21 COMMISSIONER REPP: I would also like to add
22 that I would be more comfortable, I think, if the
23 probation was completed and wrapped up.

24 VICE CHAIR BROWN: That's kind of where I'm
25 at, too.

1 Commissioners.

2 COMMISSIONER DRAGO: Ready for a motion?

3 VICE CHAIR BROWN: I think we're ripe.

4 COMMISSIONER DRAGO: I would make a motion
5 that we deny. And I think that the applicant can
6 listen to what we're saying here and what we're
7 talking about and make his own judgment as to if
8 and when he wants to reapply.

9 VICE CHAIR BROWN: I would agree with that.
10 Commissioner.

11 COMMISSIONER REPP: Second.

12 VICE CHAIR BROWN: Is there any discussion?
13 I just want to reiterate what we've said
14 today. You've heard us, and hoping a swift
15 termination of your probation.

16 With that, all those in favor, say aye.
17 (Multiple ayes.)

18 VICE CHAIR BROWN: Thank you. Thank you for
19 coming up.

20 All right. We are moving on to 7.5, please.

21 MS. ALVARADO: 7.5 is 2024-045735, Pamela
22 Bruce. Here the applicant applied for a cardroom
23 employee occupational license. And upon review of
24 the application, it was discovered that she had a
25 disqualifying misdemeanor offense of retail theft

1 in the November of 2023.

2 The applicant is seeking the waiver of this
3 misdemeanor offense and issuance of her cardroom
4 employee occupational license. A waiver interview
5 was conducted on August 13, 2024 and was documented
6 in the meeting materials.

7 You'll hear the Commission can decide again to
8 grant the waiver in this case. Or if not, we'd ask
9 that you allow us to issue a letter of license
10 denial.

11 VICE CHAIR BROWN: And also, this applicant,
12 she had a few letters of recommendation as well; is
13 that correct?

14 MS. ALVARADO: Yes.

15 VICE CHAIR BROWN: And this is her only
16 offense. It's a disqualifying offense, but it's a
17 misdemeanor?

18 MS. ALVARADO: Yes. All of her fines have
19 been paid, and she had early termination of her
20 probation. She was previously licensed. It
21 expired in June of 2024.

22 VICE CHAIR BROWN: And she has been licensed
23 since 2008?

24 MS. ALVARADO: Right.

25 VICE CHAIR BROWN: Commissioners, any

1 questions or comments on the waiver request?

2 COMMISSIONER DRAGO: I make a motion. We're
3 ready.

4 VICE CHAIR BROWN: Commissioners, do you have
5 any comments on this? Again, this individual --
6 this one is the only reason why I'm inclined to
7 agree with denying the waiver is the actual offense
8 of petty theft, and it goes directly to the heart
9 of what we're trying to protect in the industry.

10 But other than that, she has a very clean
11 record. And the interview investigation and the
12 report by the police also does not lend itself to
13 agreeing with the facts of the justification. So
14 with that, we're ready for a motion.

15 COMMISSIONER DRAGO: I make a motion to deny.

16 VICE CHAIR BROWN: Is there a second?

17 COMMISSIONER REPP: Second.

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

20 (Multiple ayes.)

21 VICE CHAIR BROWN: Thank you. Okay. We are
22 moving on to 8.1 through 8.3, actual license
23 denials.

24 MS. ALVARADO: 8.1 is 2024-046662, Jean
25 Delphine. The Division of Pari-Mutuel Wagering

1 received a completed license application for Jean
2 Delphine on August 6, 2024. She is seeking a slot
3 machine cardroom pari-mutuel combination
4 occupational license.

5 After review of the application, it was
6 discovered that she had a felony conviction for
7 failure to return a hired vehicle in 2017. This
8 was not disclosed on the original application. She
9 is applying to be a security agent at Dania.

10 Here the Division would ask that the
11 Commission authorize the issuance of a letter of
12 license denial in this case.

13 VICE CHAIR BROWN: Commissioners. Yes,
14 Commissioner D'Aquila.

15 COMMISSIONER D'AQUILA: Make a motion.

16 VICE CHAIR BROWN: If there are no questions,
17 can we get a motion.

18 COMMISSIONER D'AQUILA: Make that motion,
19 deny.

20 VICE CHAIR BROWN: Is there a second?

21 COMMISSIONER DRAGO: Second.

22 VICE CHAIR BROWN: Any discussion? All those
23 in favor, say aye.

24 (Multiple ayes.)

25 VICE CHAIR BROWN: Thank you. Item 8.2.

1 MS. ALVARADO: 8.2 is 2024-049266 Benjamin
2 Robbins. The Division of Pari-Mutuel Wagering
3 received a completed license application for
4 Mr. Robbins on August 23, 2024. He is seeking a
5 slot machine cardroom pari-mutuel combination
6 occupational license.

7 After review of the application, it was
8 discovered that he had a felony conviction for
9 trafficking in cocaine, 20 to 200 grams in 2005.
10 This was disclosed on the original application, and
11 he is applying for a director of food and beverage
12 at the Big Easy Casino.

13 Here the Division would ask that the
14 Commission authorize the issuance of a letter of
15 license denial in this case.

16 VICE CHAIR BROWN: Thank you. And I
17 understand that the time period here is a long
18 time, 20 years since it occurred. But the position
19 he's applying for is also one of concern.

20 Commissioners, are there any questions? If
21 not, can we get a motion.

22 COMMISSIONER REPP: I'll make a motion to
23 deny, to issue the letter.

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

1 COMMISSIONER DRAGO: Second.

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

4 (Multiple ayes.)

5 VICE CHAIR BROWN: All right. And last, we
6 are moving on to 8.3.

7 MS. ALVARADO: 8.3 is 2024-049431, Raquel
8 Garcia. The Division of Pari-Mutuel Wagering
9 received a completed license application for
10 Ms. Garcia on August 20, 2024. The applicant is
11 seeking a slot machine cardroom pari-mutuel
12 combination occupational license.

13 After review of the application, it was
14 discovered that she was convicted of child neglect
15 great bodily harm in 2005. She did not disclose
16 this on the original application and is applying
17 for a food and beverage cashier at Dania.

18 Here the Division would ask that the
19 Commission authorize the issuance of a letter of
20 license denial in this case.

21 VICE CHAIR BROWN: Thank you.

22 Commissioners, on this item, are there any
23 questions? No comment? Okay. Can we please get a
24 motion.

25 COMMISSIONER DRAGO: I make a motion to deny.

1 VICE CHAIR BROWN: Is there a second?

2 COMMISSIONER REPP: Second.

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

5 (Multiple ayes.)

6 VICE CHAIR BROWN: Thank you. We're going to
7 move on to Item No. 9.1, which is the discussion of
8 final order pursuant to request from respondent.

9 MS. ALVARADO: Item No. 9.1 is 2023-067514,
10 Zoe Nicole Bryant. In this administrative
11 complaint, there was two counts alleging the
12 respondent was observed falsifying promotional
13 payout documentation while employed at Pensacola
14 Greyhound Racing.

15 She is subject to revocation of her cardroom
16 employee occupational license, as well as exclusion
17 from all pari-mutuel facilities in the state. The
18 respondent responded to the complaint with an
19 election of rights form marking option three
20 stating that she did not dispute the allegations
21 contained within the administrative complaint.

22 She waived her rights to any form of hearing
23 and requested the Commission enter a final order
24 imposing a penalty or a fine in this case.
25 Therefore, the Division would ask that the

1 Commission enter an order revoking her cardroom
2 employee occupational license and adding the
3 respondent to the permanent exclusion list for all
4 pari-mutuel facilities in the state.

5 VICE CHAIR BROWN: Thank you. And if I'm
6 right, I think the individual that she was involved
7 with is listed under 4.3, an item that we deferred;
8 is that right?

9 MS. ALVARADO: No. 7.3 is what we deferred.
10 4.3, you issued an order adding them to the
11 exclusion list and revoking the license as well.

12 VICE CHAIR BROWN: Thank you for that
13 clarification.

14 Commissioners, are there any questions? If
15 not, then we are ripe for a motion, a two-part
16 motion. Yes, Commissioner D'Aquila.

17 COMMISSIONER D'AQUILA: I'll make that motion.

18 VICE CHAIR BROWN: And is there a second?

19 COMMISSIONER REPP: Second.

20 VICE CHAIR BROWN: Are you clear on the
21 motion?

22 MS. ALVARADO: Yes.

23 VICE CHAIR BROWN: All right. All those in
24 favor, say aye.

25 (Multiple ayes.)

1 VICE CHAIR BROWN: Thank you, Ms. Alvarado,
2 for the extensive overview of all of the items. We
3 are moving on to a discussion of rulemaking under
4 10.1, patron dispute process.

5 Good morning.

6 MS. VALENTINE: Good morning. Item 10.1
7 relates to the adoption of Rule 75-15.002. There
8 are no changes to the proposed language that
9 commissioners voted to approve at the September 5th
10 Commission meeting.

11 As we have discussed yesterday in individual
12 meetings, in order to proceed with the adoption of
13 the rule, Commission staff request that the
14 commissioners vote to approve the final language of
15 Rule 75-15.002 and to authorize Executive Director
16 Trombetta to execute documents necessary to adopt
17 the rule, including certifications that the
18 Commission has complied with the statutory
19 requirements. Please let me know if you have any
20 questions.

21 VICE CHAIR BROWN: Well, Ms. Valentine, I'm
22 definitely not asking you any more questions.
23 There's no way.

24 MS. VALENTINE: Apologies.

25 COMMISSIONER DRAGO: You're a softie.

1 VICE CHAIR BROWN: I am. I am.

2 Commissioners, any questions?

3 COMMISSIONER DRAGO: Not after that, no.

4 VICE CHAIR BROWN: Let's just stay over there.
5 So what they're asking for -- and we've already
6 been over this, and we've had briefings. It's just
7 to approve the language proposed and authorize our
8 executive director to execute all necessary
9 documents to file with the Department of State.

10 So that would be the motion. I see
11 Commissioner D'Aquila is inclined to make that
12 motion.

13 COMMISSIONER D'AQUILA: So moved.

14 VICE CHAIR BROWN: And Commissioner Drago is
15 inclined to make the second.

16 COMMISSIONER DRAGO: I am. I second that.

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

19 (Multiple ayes.)

20 VICE CHAIR BROWN: Thank you, Ms. Valentine.
21 We are moving on to the executive director report.
22 We have at least two big items on there.

23 Good morning.

24 MR. TROMBETTA: Good morning, Commissioners.
25 Thank you. The first update has to do with our

1 professional compulsive and addictive gambling
2 process. As you all are aware, we have been
3 working to get a new contract in place, since the
4 old one expired beginning July of this year.

5 I am happy to report that the ITN invitation
6 to negotiate has been published where we are
7 formally seeking a new solicitation for the
8 procurement of this contract. I'm happy to address
9 any questions.

10 VICE CHAIR BROWN: I will note I had them
11 reversed. Sorry. I don't why I did. But we do
12 have a speaker on this item. I believe -- I don't
13 know if Mr. Pinsky wants to speak under 11.1 or
14 under public comment.

15 MR. PINSKY: Your choice, Madam Chair.

16 VICE CHAIR BROWN: You can please come on up.
17 Mr. Trombetta, you're not asking for approval?

18 MR. TROMBETTA: No, ma'am. It's out there.
19 It's been published.

20 VICE CHAIR BROWN: Okay. Thank you.
21 Good morning.

22 MR. PINSKY: Madam Chair, Commissioners,
23 Richard Pinsky with the Akerman Law Firm on behalf
24 of the Florida Council on Compulsive Gambling.

25 Commissioner Repp, we've not yet met.

1 Congratulations on your appointment or condolences.
2 I've been advised that there is a limited time
3 that I have, so I'm not going to spend the time
4 talking about the Commission's decision not to
5 renew the current contract, which you did have that
6 option and things could have kept going along.

7 And I also don't want to get close to
8 violating anything, although it would not be a
9 violation as pursuant to what the conversation I
10 had with your executive director in addressing the
11 ITN, which is going forward.

12 I do think that it would be healthy that the
13 same way you spent considerable time considering
14 the Florida Thoroughbred Association presentation
15 that you should do that for the prevention of
16 compulsive or addictive gambling prevention program
17 to understand the nuts and bolts and the history.

18 Florida Council on Compulsive Gambling has
19 been in existence since the mid-1980s when the
20 state first enacted the statute for the program and
21 issued the first RFP for someone to manage the
22 program in 2007. Council has been operating it
23 ever since then.

24 It used to be under DBPR. And as you know,
25 under the type 2 transfer that created this

1 commission, we came under you. I would like to
2 talk about, though, spend my time about the current
3 status, which I believe is of an emergency health
4 and welfare status.

5 On July 1st when the program -- it was no
6 longer in existence pursuant to your fiduciary
7 responsibility to oversee and operate the
8 prevention program. Basically, Florida did not
9 have a prevention program operating as it had been
10 since 2007. That's a direct statutory obligation
11 to run that program.

12 In the middle of July, I contacted your
13 executive director and pointed out that the item
14 that you -- that was posted on your website
15 referring to the national helpline phone number as
16 a substitute was wholly inadequate.

17 And the reason being because all of the calls
18 to any national helpline -- and this is a coalition
19 of all the 50 states -- gets referred back to that
20 state's operator of that helpline. So any call
21 that's going to the national helpline posted on
22 your website comes back to the Florida Council on
23 Compulsive Gambling.

24 Even if there's someone in another state, a
25 phone number that happens to be in Florida and

1 reaches a live operator in another state, which is
2 not always the case, those are still referred back
3 to us.

4 So if I'm a Michigan cell phone number, it
5 rings in Michigan. I call the national helpline.
6 They find out I'm standing in Fort Lauderdale.
7 They automatically --

8 VICE CHAIR BROWN: I don't really want to cut
9 you off. It's crazy how quickly time passes.

10 Commissioners, are you okay with extending his
11 time to finish in a brief fashion?

12 MR. PINSKY: And I'll wrap up. Thank you very
13 much.

14 VICE CHAIR BROWN: You're welcome, Mr. Pinsky.

15 MR. PINSKY: So I suggested that the
16 Commission initiate an emergency health and welfare
17 contract to continue it while you do your
18 procurements. You went through an RFI, then you're
19 going to anticipate another procurement which
20 you're starting.

21 So can we do a month to month to keep this
22 program operating? That was the ask and pointing
23 out that in the meantime, you are using the
24 services indirectly but not paying for them.

25 So the council has not been paid for any of

1 the services that we've been providing. Not a
2 phone call has been missed, not a text message, a
3 referral, nothing has fallen through the cracks
4 since July 1st. We're just not getting paid.

5 We've contacted the Governor's office and
6 pointed out that an emergency health and welfare
7 extension to the contract precedent set in 2019
8 when Halsey Beshears was director of DBPR at the
9 time to keep it going when the contract lapsed
10 inadvertently, but it was done as an emergency.

11 We believe the health and welfare safety of
12 the public not being able to access in a timely
13 manner is an issue that pursuant to statute
14 warrants an emergency contract.

15 Your executive director responded back, and
16 we've been communicating. And by the way, I would
17 like to complement your executive director. The
18 communication between himself and me has been
19 great. We're just not agreeing to what has to get
20 done for a solution.

21 That is why we're here before the Commission.
22 I believe it's a Commission decision, not an
23 executive director decision, in all due respect to
24 your staff, which is great. But this is a decision
25 that we have to bring to your attention to say

1 until you complete your procurement process, what
2 is wrong with compensating the people that 24 hours
3 a day answer a live call and give people help?

4 Right now you have posted suicide hotline on
5 your website. None of those things get at
6 compulsive gambling issues. Please we ask you
7 today, again, all due respect to the staff
8 recommendation. But we believe this is a Gaming
9 Commission decision to say, yes, please negotiate a
10 month-to-month contract --

11 VICE CHAIR BROWN: Thank you, Mr. Pinsky.

12 MR. PINSKY: -- with the Florida Council on
13 Compulsive Gambling.

14 VICE CHAIR BROWN: Thank you. And just stand
15 by in case the commissioners have a question.
16 Thank you.

17 Before we get to the commissioners, is there
18 anything that legal, the executive director, deputy
19 executive director would like to respond to some of
20 the comments Mr. Pinsky raised?

21 MR. TROMBETTA: No, thank you, unless you
22 specifically direct me to. I mean, as Mr. Pinsky
23 said, we've been talking. I agree that it's been
24 easier the last month or two. We've almost had
25 weekly calls at this point.

1 We just are on a different page, essentially.
2 My phone line is always open. His is open, and we
3 have been reaching out. I don't have much to
4 respond.

5 VICE CHAIR BROWN: And I just want
6 confirmation just for the public, too. I mean,
7 there's an extensive amount of negotiations that
8 have been going back and forth for months upon
9 months and discussion with this group.

10 I mean, we were back here almost a year ago,
11 so it's not something that has been triggered. And
12 also the fact that the Gaming Commission takes
13 compulsive gambling extraordinarily seriously, and
14 it is imperative.

15 And we are moving expeditiously with the ITN.
16 We were supposed to have a meeting last week, but
17 we also have resources that are currently
18 available; is that correct?

19 MR. TROMBETTA: Yes, it is correct. I'm just
20 -- a little more background then. You know, I
21 think one of the difficult parts about being a
22 regulator is our job is not always to say yes. You
23 know, that cliché. If you're doing your job right,
24 people aren't always happy.

25 When this situation arose, I've relied on

1 legal counsel. I've relied on legal's advice.
2 I've kept you all in the loop. I think I've done a
3 very good job of keeping you aware of what's going
4 on, listening to your feedback.

5 From the start, you all have stressed the
6 importance of having a problem gambling service
7 provider available. I think from my team, the
8 direction has been this is important.

9 We need to make sure that we are not -- that
10 we are doing everything we can to make sure that we
11 are following the law when it comes to securing a
12 new procurement. I think that's where the
13 difference of opinion is, is in what the law allows
14 us to do.

15 So that's the part I really prefer not to
16 discuss that right now. But I can assure you that,
17 you know, Mr. Pinsky, the other people that
18 represent the FCCG, the FCCG itself, they're trying
19 to do a good thing.

20 They're trying to provide support for the
21 people in the state that everyone in this room
22 thinks is important. We're just differing on how
23 to go about doing that. We have the ITN out.

24 We'd encourage them and anyone similarly
25 situated to apply and to put in a bid and see where

1 we go. And we will, again, just follow what's in
2 Chapter 287 regarding competitive procurement of
3 the service.

4 VICE CHAIR BROWN: Thank you.

5 Commissioners, do you have any questions for
6 Mr. Pinsky or Mr. Trombetta or Mr. Marshman?

7 COMMISSIONER DRAGO: No, I don't.

8 VICE CHAIR BROWN: Well, I did get an
9 opportunity to read the ITN, too. I know it just
10 came out, but I think it's definitely evolving.
11 And I think the compulsive gambling programs also
12 need to continue to evolve as the demographics are
13 widening on this area. So I'm excited to see some
14 good folks apply with the evolution of the program.

15 And, Mr. Pinsky, thank you for working with
16 our staff and continuing to discuss, and I
17 appreciate you coming up here.

18 MR. PINSKY: Okay. Thank you. Can I make one
19 closing remark?

20 VICE CHAIR BROWN: If it's under three
21 minutes.

22 MR. PINSKY: It will be under one minute.

23 VICE CHAIR BROWN: Just brief, please.

24 MR. PINSKY: The exponential increase in
25 calls, particularly as we're entering the football,

1 college football, and national football --

2 VICE CHAIR BROWN: Thank you. We are aware of
3 this. Thank you very much. I appreciate it.

4 MR. PINSKY: Well, I was just going to say
5 that that has increased the burden on the council.
6 Again, not being compensated is really an issue of
7 fairness. And in all due respect, there is 287
8 compensation.

9 VICE CHAIR BROWN: Thank you. I appreciate
10 that. We are continuing to work and discuss with
11 our staff and executive director every single week
12 on this issue. So thank you for your testimony.

13 We are going into our LBR. Commissioners, we
14 have some sheets with some data that our executive
15 director came and provided to us. You should all
16 have it. Do you have it?

17 MR. TROMBETTA: Thank you. The second item on
18 my update is essentially that LBR request. So in
19 Chapter No. 16, the Gaming Commission is required
20 to approve its budget, which then goes forward for
21 the next fiscal year.

22 So it seems early, but it's still good to get
23 ahead of it. What staff has done is prepared some
24 request items based on our current needs. I'm
25 happy to kind of go through -- there's 14 of them.

1 If you'd like, I can go through them quickly and
2 just give a summary.

3 VICE CHAIR BROWN: How about this.
4 Commissioners, are there items that you would like
5 Mr. Trombetta to kind of highlight?

6 I think the big ones are, you know, Item No.
7 2, the law enforcement side, and then the IT side
8 as well as anything else that you think is
9 appropriate.

10 MR. TROMBETTA: Yes, ma'am.

11 COMMISSIONER DRAGO: I'd like to make a
12 request, if I could. I'd like to go through them
13 all.

14 VICE CHAIR BROWN: You do?

15 COMMISSIONER DRAGO: If you don't mind. If
16 the Commission doesn't mind, I would like to have
17 it out in the public.

18 VICE CHAIR BROWN: Certainly.

19 COMMISSIONER DRAGO: And have a chance for
20 everybody to hear what we're looking at and the
21 work that's being done and so forth. So if the
22 Commission doesn't mind.

23 VICE CHAIR BROWN: No.

24 COMMISSIONER DRAGO: If Trombetta doesn't
25 mind, I appreciate it.

1 VICE CHAIR BROWN: Not at all. There's 14
2 items.

3 MR. TROMBETTA: Some of them are kind of
4 grouped together. So our budget request reflects
5 essentially kind of the current state of the Gaming
6 Commission. We are continuing to work on building
7 our law enforcement team and our IT needs.

8 From the start, the Commission had a, hey,
9 let's get going mentality from before everybody
10 even here was appointed going back to the working
11 group that was required in law to be created in
12 DBPR.

13 We've continued to learn as we've expanded and
14 grown and gotten better at what we do. So really,
15 this reflects as you can see on the right side, the
16 column, it's really a lot of gaming enforcement and
17 IT.

18 There's very few on the PMW side. There's
19 none on the PMW side. The PMW side really is we're
20 moving money from a PMW category into the law
21 enforcement category. So Item No. 1 and Item No.
22 14 are kind of related.

23 What we're trying to do is maximize the amount
24 of warehouse space we have because we found that
25 this is one of the biggest tools that's become

1 effective in our fight against illegal casinos
2 throughout the state.

3 We, Carl Herold, Director Herold's team offers
4 to store slot machines that are seized in operation
5 throughout the state. We've quickly used up a lot
6 of money and a lot of space. Item No. 1 requests
7 an additional recurring amount of \$835,000 for
8 additional warehousing space.

9 Again, the space will be used to secure
10 warehouses throughout the state so that we can use
11 them to collect and store our evidence during the
12 pendency of any criminal action. Item No. 14 --

13 VICE CHAIR BROWN: And by the way, feel free
14 to just jump in.

15 COMMISSIONER DRAGO: Just so everyone
16 understands, we're required to keep those illegal
17 slot machines pending the case going to court;
18 right?

19 MR. TROMBETTA: Yes, sir.

20 COMMISSIONER DRAGO: That's why we have them.
21 We have to store them. We're required to in order
22 to be able to present them as evidence in court.

23 MR. TROMBETTA: And we have to keep them in
24 the same condition in which we received them, which
25 requires climate control. So the warehousing it's

1 a little bit pricey. And the other things we've
2 discovered -- I mean, Lisa Mustain has done a great
3 job. The size of these machines, I think it's
4 about 7 square feet per machine.

5 The fish tables, which are larger, take up a
6 lot more. The space gets filled very quickly. So
7 what we've tried to do is ask -- you know, the
8 legislature has been very receptive to this. The
9 Governor's office and legislature last year gave us
10 money.

11 This year, we're asking for a little bit more.
12 Item No. 14 is also our own attempt to move money
13 around to solve this problem. So Item No. 14 is a
14 move from a PMW category towards warehousing space
15 to adding additional money to this goal.

16 VICE CHAIR BROWN: Commissioner.

17 COMMISSIONER D'AQUILA: So if I understand
18 correctly, every month hundreds of these machines
19 are being added to storage?

20 MR. TROMBETTA: That's a generalization, but
21 yes. It's about -- that's a good characterization.

22 COMMISSIONER D'AQUILA: And the pace with
23 which the matters are being resolved, we see
24 machines coming in every month. We see very few
25 coming out.

1 MR. TROMBETTA: Correct. And I think it's --
2 you know, we're at the start of this, so the wave
3 is still kind of building. As cases get resolved
4 as time goes on, we'll eventually get orders, as
5 Commissioners Drago mentioned, allowing us to
6 destroy the contraband.

7 And then we'll have more space opening up. So
8 the goal is not to continuously ask for more. The
9 goal here is to kind of say, hey, this is what we
10 have, this is our plan, and this is kind of it.

11 COMMISSIONER D'AQUILA: And the legislature is
12 being made aware that we are going to have in the
13 near future one of the largest collections of
14 illegal slot machines of which we're paying for in
15 climate controlled storage?

16 MR. TROMBETTA: Yes.

17 COMMISSIONER D'AQUILA: Thank you.

18 VICE CHAIR BROWN: And local law enforcement
19 prior to the formation of the Gaming Commission,
20 local law enforcement was reticent to store it
21 because they don't have the capabilities and
22 continue not. Is that --

23 MR. TROMBETTA: Yes. That's kind of why I
24 mentioned. One of the -- there's a few reasons we
25 were seeing such a large number increasing the

1 number of illegal casinos that exist in the state
2 of Florida.

3 There was in 2017, 2018, there was a bill that
4 dropped penalties from felonies to misdemeanors.
5 Last session, we tried to correct it. I'm going to
6 recommend that we try again this year, but we're
7 not there yet.

8 That may be at the next meeting or another
9 meeting. The other one had to do with just
10 resources. It's a resource heavy operation to go
11 and seize 100 machines, 200 machines. Where do you
12 put them?

13 So when Director Herold started doing his
14 outreach and meeting with people, quickly we said,
15 hey, maybe this is an area we can offer a solution
16 in that if we store them, I think we'll be able to
17 kind of multiply our forces and get some help.
18 It's paid off. I mean, it really has.

19 VICE CHAIR BROWN: Thank you.

20 COMMISSIONER REPP: Are we -- the number can
21 become -- at some point, someone is going to say
22 this is too much money. Working in law
23 enforcement, I know it's incredibly difficult to
24 get the permission to dispose of evidence, and it's
25 being held onto for longer than some people even

1 stay with an agency.

2 Are we working on or are we collaborating with
3 someone to come up with some creative ideas as to
4 what happens if we've maxed out our storage? Is
5 this kind of an ongoing -- you know, are we not
6 just relying on getting more money for more space?

7 MR. TROMBETTA: So we are not completely
8 relying on getting more money for more space, to
9 that question. We are coming up with -- working
10 with our partners, we now have other people about
11 essentially -- and the prosecutors, what do they
12 actually need to make the case?

13 Do we need to take all 200 machines? You
14 know, can we take some subset? Can we take a part
15 of the machine? Can we take a photo? That's the
16 stuff that we're working with. It's an area that
17 we're exploring.

18 VICE CHAIR BROWN: Thank you.

19 MR. TROMBETTA: So moving on, Item Nos. 2 and
20 3 are additional positions related to gaming
21 enforcement. So Item No. 2 is two positions. This
22 is a financial analyst and a cyber analyst to help
23 us follow money and deal with crimes happening on
24 the internet.

25 VICE CHAIR BROWN: That's excellent.

1 MR. TROMBETTA: Item 3 are intelligence
2 positions, so this would be an intelligence
3 analyst, one in the central office in Ocala and one
4 in the office in Miami. Right now, all of our
5 intelligence analysts are up here.

6 Item Nos. 4 and 5 go together. So once again,
7 credit to Director Dillmore. We are moving
8 positions from the PMW budget into law enforcement.
9 These are kind of IT-specific positions, but the
10 goal here is to help support law enforcement.

11 So one is kind of a forensic security analyst.
12 The other one is a help desk personnel. This item,
13 Item No. 5, also includes a lot of money to address
14 the need for -- how do I describe it. We're
15 calling them environments.

16 What it is is essentially are different
17 networks that will be utilized by the law
18 enforcement team that will without providing too
19 many details in the public, give them more tools to
20 look into and respond to crimes happening online.
21 So think of like an undercover network or a network
22 that's completely separate from our normal network.

23 VICE CHAIR BROWN: Like offshore sports
24 betting type?

25 MR. TROMBETTA: Yes.

1 VICE CHAIR BROWN: Thank you.

2 MR. TROMBETTA: Item No. 6, this is additional
3 salary and rate to help attract agents that we're
4 having trouble filling positions with. Item No. 7
5 are radios associated with the new positions that
6 are also included here.

7 Item No. 8 is \$75,000 for software to -- it's
8 essentially case management software for the law
9 enforcement team. Right now, we are reliant on
10 another agency's instance. This would allow us to
11 get our own so we could customize it and tailor it
12 to our own needs.

13 \$30,000 for Oko (phonetic). So Oko is used to
14 make purchases over, I think it's \$4,999 or greater
15 for equipment. This is just something that law
16 enforcement -- the Division of Gaming Enforcement
17 did not have its own Oko category, so this will be
18 a new Oko category for them.

19 Item No. 10 is our licensing system. So Susie
20 Whitmire has done a great job of getting this cost
21 down. What we're trying to do here is take a new
22 look at requesting money for our own licensing
23 system.

24 Much like Smart Cop, we are still relying on
25 DBPR's version of our licensing tool. So this is

1 an attempt again to get our own licensing, you
2 know, software. This is half of the ask that we
3 had last year, so really our team has done a good
4 job.

5 We've also kind of re-looked at this. There's
6 some different ways of implementing this that I
7 think I've asked the team to be creative and come
8 up with ways to cut this cost down, and they cut it
9 in half. So that really is a phenomenal job.

10 VICE CHAIR BROWN: Just a quick question for
11 Ms. Mustain. Isn't DBPR in the process of getting
12 a new licensing system while we still are on their
13 system?

14 MS. MUSTAIN: I'm sorry, Commissioner. I'm
15 not aware.

16 MR. TROMBETTA: I've heard rumors about that,
17 but I don't know enough to comfortably speak about
18 it. I can find out more and brief you.

19 VICE CHAIR BROWN: I didn't know if we were
20 involved in that process since we have a contract
21 with them.

22 MR. TROMBETTA: We're not, if it is happening.
23 Item No. 11, our additional salary to attract our
24 network person. We were having -- we've had a lot
25 of trouble hiring and keeping network engineers.

1 The rate that we have is just too low. We're not
2 competitive, so this is money to address that
3 problem.

4 Item No. 12 is money associated with the Palm
5 move. I'm going to rely on Lisa if there are any
6 questions on this.

7 VICE CHAIR BROWN: Yes, the CPA.
8 Commissioner D'Aquila.

9 COMMISSIONER D'AQUILA: I understand that
10 those expenditures are for the hiring of two
11 full-time individuals. So should that be two
12 full-time equivalent being added who are -- is it a
13 temporary position or a full-time position?

14 The other part of my question, this is
15 required by Florida law to make this conversion?

16 MS. MUSTAIN: Yes. They're contract services
17 dollars staff augmentation. There are two
18 positions that are mapping how we will move forward
19 from Flair to Project Palm in the accounting
20 environment.

21 COMMISSIONER D'AQUILA: So they'll be contract
22 positions?

23 MS. MUSTAIN: They're contracted positions.

24 COMMISSIONER D'AQUILA: And they'll be here
25 for a certain period of time?

1 MS. MUSTAIN: Yes.

2 COMMISSIONER D'AQUILA: Thank you for the
3 clarification.

4 VICE CHAIR BROWN: And Palm goes into effect
5 in -- I mean, it will be done by January 2026.

6 MS. MUSTAIN: January 2026.

7 VICE CHAIR BROWN: A long time coming. Thank
8 you.

9 MR. TROMBETTA: Item No. 13 and 14 go
10 together. Item No. 14 is the move from the PMW
11 side, and 13 is the add to the Gaming Enforcement
12 side.

13 VICE CHAIR BROWN: Commissioners, do you have
14 any questions on any specific item here? It looks
15 like the bulk of this are gaming enforcement and
16 IT. I appreciate the overview and depth. You
17 don't need approval, do you?

18 MR. TROMBETTA: I do.

19 VICE CHAIR BROWN: Can we get a motion to
20 approve the budget request issues for fiscal year
21 2025 and 2026.

22 COMMISSIONER REPP: Motion to approve.

23 VICE CHAIR BROWN: Is there a second?

24 COMMISSIONER DRAGO: Second.

25 VICE CHAIR BROWN: Any discussion? All those

1 in favor, say aye.

2 (Multiple ayes.)

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

4 MR. TROMBETTA: Thank you. Just an update, on
5 Sept 6, 2024 the Division of PMW made its
6 distribution of cardroom revenue to counties.

7 Though this is something that happens annually in
8 accordance with Section 849-086(13)(h).

9 It's a total of \$2.8 million that has been
10 distributed to 22 counties, so that's that one. I
11 wanted to -- our law enforcement team has really
12 done a lot of great work, including an operation
13 the day before the hurricane.

14 I just want to kind of recognize everybody,
15 and I know that you all have mentioned that as
16 well. I would also like to offer Director Herold
17 the opportunity to provide an update for the month.

18 VICE CHAIR BROWN: That would be great.

19 Director Herold.

20 MR. HAROLD: Good morning. Carl Herold,
21 Director of Gaming Enforcement, for the record.
22 Vice Chair, Commissioners, thank you. Very excited
23 to speak with you this morning because a lot of
24 really good stuff has happened in the gaming
25 enforcement unit.

1 This update, I would like to kind of divide it
2 into three separate categories: One is
3 investigative activity, another one is addressing
4 our partnerships and collaboration efforts, and
5 then lastly, education, our generalized education
6 of both our agents and analysts and also the
7 education that we provide to our stakeholders.

8 So as far as investigative activity begins
9 this past month, investigators and analysts touched
10 approximately 94 nor investigations. That doesn't
11 mean that 94 came to a conclusions. But again, you
12 know, these cases take time.

13 Sometimes we're reliant on information to be
14 provided to us, and so we touched 94 different
15 investigations. We also made nine arrests for
16 possession of slot machines, nine arrests for
17 gambling houses, and we assisted in closing down
18 three illegal casinos this past month.

19 In that, we collected 146 machines. Though,
20 again, we're collecting more machines that have to
21 be kept for evidence, at least until the conclusion
22 of the case. And then we also seized or were part
23 of the seizure of \$194,770.

24 And then that's the law enforcement side. The
25 analysts, the work that they do is equally

1 important. None of these cases that the law
2 enforcement personnel bring to a conclusion or
3 participate in are done in a vacuum.

4 Everything that they do is touched by an
5 analyst, and the work of the analyst is
6 instrumental in getting this done. The analyst did
7 ten-fold investigations of either backgrounds on
8 suspects or businesses.

9 Again, knowing every aspect of what a suspect
10 or an individual -- what they're involved in is
11 absolutely instrumental. And then absolutely, the
12 businesses knowing how they're structured, whether
13 they have any associated businesses that help them
14 or other mechanisms for conducting their business,
15 they're involved in that.

16 They also did -- they were involved in some
17 training this past month. So talking about that,
18 much to what Director Trombetta was talking about
19 was that the team has been out there helping a
20 great deal.

21 They've been doing a lot of work, and that
22 kind of leads us into the next category I would
23 like to talk about, which is our partnerships and
24 collaboration. And that is, besides our own
25 investigations, we support local law enforcement,

1 other law enforcement entities across the state.

2 And we were asked by Brevard County to assist
3 them this past month, and we sent our team to
4 Brevard County and helped Brevard County out right
5 up through the 24th.

6 And our guys, a number of our guys who had
7 homes and households in the projected path of
8 Hurricane Helene left in the middle of the night
9 after working all day long and drove back to their
10 homes to prepare for whatever eventuality that may
11 come with this storm.

12 And so the dedication and the sacrifice on
13 their part was exemplary, and, you know, I'm very
14 proud to have these individuals working in gaming
15 enforcement.

16 Additionally, you know, the partnerships that
17 we have with other law enforcement are instrumental
18 in getting our overall mission done. And so I want
19 to thank everybody that we work with, all these
20 other local law enforcements.

21 This last month was Brevard County, but that
22 is not just the only, you know, partnership that we
23 have. We continue to work on cases with other law
24 enforcement units that we have anticipated coming
25 to a conclusion as we continue this investigation.

1 But we also field the investigators and the
2 analysts field phone calls every day from local law
3 enforcement asking for help and understanding on
4 how to investigate these types of cases because
5 they are unique in the way that you accomplish
6 these.

7 And so we give support to our partners in the
8 field through giving them direction on how they
9 could -- investigative strategies or techniques on
10 how to build the case and get a successful
11 prosecution.

12 And so we do that, and we appreciate that
13 partnership with all of our partner units. In
14 return, we get fantastic leads from them for our
15 investigations. So that talks about the
16 partnerships.

17 And then lastly, the education side of what we
18 do. And, you know, oftentimes people encapsulate
19 what we're doing in raw number of arrests and those
20 kind of things, you know, how many machines we
21 seize and how much money.

22 But one of the more important parts of what we
23 do is educating our stakeholders, other law
24 enforcement, educating prosecutors. I will say
25 that Mr. Taupier and I are speaking at the Florida

1 Prosecuting Attorneys Association in December to
2 talk to them about the need for more vigorous
3 prosecution of these types of cases and then also
4 to help them overcome any inhibitions that they may
5 have about taking on these cases and prosecuting
6 them.

7 And so, you know, I'm thankful that
8 Mr. Taupier and I are going to be there. He'll be
9 the brains, and I'll be the muscle, I guess. But
10 when we talk about education, also our goal in
11 gaming enforcement is not just to be educating
12 locally.

13 We want to educate our stakeholders all across
14 the United States. And to that end, I do want to
15 take this opportunity to brag on our intel unit for
16 putting together and hosting the fall conference
17 for the -- I want to get this right. It's a long
18 acronym -- the National Gambling Intelligence
19 Sharing Group.

20 These are folks -- these are intelligence and
21 analytical individuals that gather at set times
22 during the year, and we offered to host that and
23 give our perspective on all the things that we've
24 learned and the techniques that we found and how
25 these organizations are structured.

1 And to give you an idea about the interest in
2 this, this is a 50-seat conference. It's limited.
3 We have folks from Louisiana, Nevada, Iowa,
4 Washington state, Massachusetts, Pennsylvania, and
5 the Virgin Islands who are coming to attend this.

6 And so this is, once again, a chance for us in
7 Florida to lead by example and show these
8 individuals what we have and how we can work
9 together.

10 So the only thing in kind of my closing
11 argument or closing thing here would be that while
12 -- you know, the newspaper articles and the arrests
13 and those kind of things like that certainly are
14 beneficial and encapsulate a part of what we do.

15 There is so much more that's happening behind
16 the scenes to keep us actively involved in the
17 illegal gambling enforcement and being good
18 partners to our stakeholders across the state, and
19 we continue to build. Thank you for that.

20 VICE CHAIR BROWN: Director Herold, every
21 month, it just grows. The numbers grow. The
22 involvement grows. To see the progression is just,
23 you know, mind blowing. You don't need to make an
24 argument here because I think this team here is
25 completely convinced with the great work that

1 you're doing.

2 So thank you and your team tremendously. I'm
3 going to turn it over to Commissioner Drago because
4 I think you want to say something.

5 COMMISSIONER DRAGO: I just want to comment
6 that, again, thank you for that presentation and
7 for the work everybody's doing.

8 I don't want to leave here without thanking
9 you and the agents for what they did when the storm
10 bearing down on their homes and their families and
11 so forth and being committed enough to leave their
12 homes and go out somewhere to get their job done.

13 I don't think we should let that slide by and
14 recognize that for what it is and that kind of
15 determination and loyalty to their job. And I know
16 that you're preparing something more formal for
17 that and to recognize that.

18 I appreciate that, and I look forward to
19 hearing and seeing more of this kind of discussion
20 about the great work that people are doing behind
21 the scenes and recognize them formally here and in
22 other ways because we do appreciate that work.

23 I think it stands out so much with the agents
24 because they're actually facing physical things
25 occurring to their families and their houses and

1 all that kind of thing, so it sticks out even more.

2 But I know there's a lot of work people are doing.

3 They're not risking their lives, but they're
4 taking time away from their families and their
5 homes and everything to get the job done. So I
6 look forward to and always appreciate you coming
7 and telling us about those kinds of things behind
8 the scenes that are occurring that we may not be
9 aware of.

10 And I'm glad to hear that with the
11 intelligence meeting that you've got so many people
12 coming, especially coming here during the
13 90-something degree heat. Usually, you get them in
14 the wintertime. They can't wait to come down to
15 Florida, but it's great that you got that many
16 coming down at this time.

17 MR. HAROLD: I'm not sure many of these folks
18 that are coming in really realize where Tallahassee
19 is. I think they think there's a very big beach
20 and we're along Fort Lauderdale. I don't know.

21 COMMISSIONER DRAGO: Right.

22 VICE CHAIR BROWN: Commissioner D'Aquila.

23 COMMISSIONER D'AQUILA: I was going to say
24 getting the Virgin Islands to come to Tallahassee
25 is an accomplishment.

1 VICE CHAIR BROWN: Yes, Commissioner Repp.

2 COMMISSIONER REPP: I just want to let you
3 know that we're extremely grateful for everything
4 that law enforcement does for us. And please take
5 it back to your agents that the Commission and the
6 people of the state of Florida are indeed very
7 grateful for the sacrifice that they make all the
8 time that don't always get mentioned or pointed out
9 to anyone. So we are very grateful to them.
10 Please let them know.

11 MR. HAROLD: Thank you. I have to give all
12 the credit to Chief Linton and Chief Snyder sitting
13 behind me and the men and women that work for
14 gaming enforcement. It's all on them. All the
15 kudos are for them.

16 VICE CHAIR BROWN: You have a tremendous team,
17 really, and that is going to continue to grow.
18 Thank you.

19 MR. HAROLD: Thank you.

20 VICE CHAIR BROWN: And with that,
21 Mr. Trombetta.

22 MR. TROMBETTA: Our favorite part, scheduling.

23 VICE CHAIR BROWN: We do have public comment,
24 just for everyone in the audience.

25 MR. TROMBETTA: So right now according to what

1 I have, November 7th here or in this building, I
2 think the other room, and December 5th. Both are
3 Thursdays.

4 VICE CHAIR BROWN: Yes, December 7th sounds
5 good.

6 MR. TROMBETTA: Any thought on going beyond
7 that?

8 VICE CHAIR BROWN: Commissioners, do you want
9 to go to January? Let's go. Somehow I have -- I
10 was going to say January 9th.

11 COMMISSIONER DRAGO: We haven't picked it yet,
12 but that would be the first Thursday.

13 VICE CHAIR BROWN: Mr. Dillmore, is there
14 something pressing?

15 MR. TROMBETTA: There's a slot license renewal
16 on January 8th, which is a Wednesday.

17 VICE CHAIR BROWN: Does January 7th work for
18 you all, Tuesday? We may not have this room.

19 COMMISSIONER DRAGO: Having the meeting on the
20 7th?

21 VICE CHAIR BROWN: Yes, the Tuesday. Yes,
22 that works, it looks like. And if not, we'll get
23 back to you.

24 COMMISSIONER DRAGO: Yes, that works.

25 VICE CHAIR BROWN: Does that conclude?

1 MR. TROMBETTA: That concludes my updates.

2 But as always, if you have any other questions,
3 happy to --

4 VICE CHAIR BROWN: I just want to complement
5 the executive director as well as Director Herold
6 and, of course, Director Mustain for constantly
7 keeping us informed of the moving parts.

8 As Commissioner Drago said, there's a lot of
9 stuff that goes on not in front of these meetings
10 and that you guys have been tremendous in
11 continuing to keep us apprised of all of the
12 different things going on.

13 We really appreciate the hard work you've been
14 doing, especially throughout the hurricane. With
15 that, we're going to go to public comment. We have
16 two speakers today. We have Mr. Jonathan Zachem
17 first, unless Mr. Rutledge wants to go. It's up to
18 you two.

19 MR. ZACHEM: I don't know if it matters, and I
20 promise to be very brief. First of all, thank you,
21 Madam Chair and members of the Commission. I
22 appreciate the opportunity to be here.

23 As many of you know, I have the privilege of
24 representing multiple facilities in South Florida.
25 And in doing so, we would bring something to your

1 attention and maybe combine it with a little bit of
2 a request to try and find an opportunity to examine
3 our slot rules that we have before us.

4 As we've mentioned before in some of the
5 previous discussions we've had, many of those rules
6 haven't been looked at since 2017 or prior, and
7 they're starting to get a little bit problematic,
8 as far as how they address process, accounting,
9 things of that nature.

10 So we would request an opportunity for staff
11 to start looking at them and see if there's a way
12 we can examine them to modernize them and maybe
13 create an opportunity for them not to be barriers
14 to some of the things that I know the Commission is
15 trying to do going forward.

16 But that would be what our request is today.
17 And if you all have any questions about that, I'd
18 be more than happy to help.

19 VICE CHAIR BROWN: Yes. The request is what
20 specific rules are you looking at?

21 MR. ZACHEM: We're looking at the accounting
22 rules and the areas that focus on the facility's
23 base monitoring system. It's addressed in multiple
24 locations and how access is granted and looked at
25 in those areas.

1 I can give a specific list to you all at some
2 point. Very candidly, I don't have the list in
3 front of me to do so. I didn't know how much
4 detail you wanted today, but I would be more than
5 happy to supply that at a later meeting, if you
6 would like.

7 VICE CHAIR BROWN: Commissioners, would you
8 like a specific list? I think it would be helpful
9 to see what it is, the request specifically?

10 Commissioner D'Aquila.

11 COMMISSIONER D'AQUILA: Can you be more
12 specific on the accounting rule?

13 MR. ZACHEM: Yes. I'm assuming we're okay for
14 a back and forth, Madam Vice Chair?

15 VICE CHAIR BROWN: Of course.

16 MR. ZACHEM: Thank you. Thank you. Well, for
17 instance, the facility-based monitoring ends up
18 requiring elements of accounting to be done on
19 site. It's creating some problems because there's
20 some issues with now as the facilities are growing
21 and some of them are modernizing, if there's a
22 consolidation of your accounting departments for
23 some of these large corporations and so forth,
24 examining really what access can be granted, how
25 it's done if the security is in place, some of

1 those things, Commissioner, that I think we've
2 discussed at least briefly previously.

3 COMMISSIONER D'AQUILA: Thank you for the
4 clarification. I understand now.

5 VICE CHAIR BROWN: Mr. Zachem, if I may ask if
6 you could provide us -- even if you send it to our
7 executive director and general counsel with the
8 list of specific rules, then I think we can have a
9 better idea, if that's okay.

10 MR. ZACHEM: I'd be more than happy to. Thank
11 you very much for the consideration.

12 VICE CHAIR BROWN: Thank you.

13 MR. ZACHEM: Thank you, all.

14 VICE CHAIR BROWN: All right. Mr. Gary
15 Rutledge.

16 MR. RUTLEDGE: I won't dare say best for last,
17 but a couple of personal comments and then just one
18 business comment at the end. It's really hard to
19 believe -- and, Emily, I was thinking about you
20 with the voices between you and the other end.

21 I wouldn't have thought that -- I would have
22 thought you would have been the hoarse one, not at
23 the other end of the presentations during the
24 counsel here. But it's hard to believe, Madam Vice
25 Chair and commissioners and Mr. Executive Director

1 and others, what was transpiring right around the
2 corner from here one week ago right now where the
3 emergency management systems are, for those of you
4 that know.

5 And for someone that's been a longtime
6 resident here and also a resident part time just
7 outside the city of Ashville, it was an incredible
8 experience that I had left here to go to
9 North Carolina. And I don't need to tell you
10 what's going on there.

11 VICE CHAIR BROWN: Amazing that you're back.

12 MR. RUTLEDGE: I made it back a day or two
13 ago. And friends and family, it's tough. No
14 water, no electricity, no cell service, no power.
15 Parts of the community that I grew up in as a small
16 child doesn't exist, literally do not exist.

17 But I was grateful to see that the governor
18 was providing, in addition to the problems in
19 Florida, resources of an emergency nature to
20 western North Carolina. So I wanted to acknowledge
21 that publicly, number one.

22 Number two, knowing that this storm went from
23 Southwest Florida to Virginia and tremendous
24 impacts adverse in Florida, of course. Just to
25 make mention of a few things in terms of

1 facilities, I've had brief communications with some
2 of my clients, Tampa Bay Downs, the horse track in
3 the Tampa area.

4 It's the same damage, roof, barns, et cetera.
5 They should be okay, and they're not operating live
6 currently. The oldest prior dog track in the state
7 -- we're not conducting dog racing, of course, now
8 -- is St. Petersburg Kennel Club Derby Lane.

9 They remain closed. They had considerable
10 flooding. Their entire electrical systems and the
11 like are down. They hope optimistically to get
12 open again next week. But members of the
13 management and ownership of those facilities, some
14 of them have lost their homes in the St. Petersburg
15 and Tampa area, and others have suffered tremendous
16 damage.

17 It's pretty remarkable for somebody that's
18 grown up in Florida and grew up in Jacksonville and
19 elsewhere. The breadth and depth of the storm, I
20 don't think there will be any question will end up
21 being calculated as the most damaging from a
22 property and other standpoint and probably the
23 second most damaging hurricane, in terms of loss of
24 life.

25 All of that puts the last comments that I have

1 of a business nature a little more in perspective,
2 as I know all of you all appreciate. I've had a
3 few conversations with the executive director and
4 Mr. Dillmore about a matter that we would like to
5 bring to your attention.

6 And it has to do with cardrooms being able to
7 provide certain free or complementary play as a
8 promotion. As you probably know, slot facilities
9 do this. Slots have complementary play. You sign
10 up, you get \$10 in free play, et cetera, et cetera.

11 Florida law does not prohibit that for
12 cardrooms. There is, however, a bit of an
13 antiquated rule that's been in existence since
14 1997, which was the year after cardrooms were
15 authorized in 1996, that is ambiguous about the
16 ability of cardrooms to do this.

17 So we have dialogued. There's not an ask of
18 you. I wanted to bring it to your attention
19 because it seems rather crazy that a cardroom
20 couldn't provide \$5 or \$10 in chips for free play
21 as a promotion, and they provide other free
22 benefits on occasion. They're not prohibited.

23 In the slot facilities in Miami Dade and
24 Broward Counties can do this with their slot
25 operations much larger, et cetera, and the

1 cardrooms can't. So we would appreciate your
2 support.

3 There's a rule, like I say -- I won't get into
4 the weeds. It's 20-some years old that may
5 indicate it's not legal, not complementary play.
6 It talks about how you have to acquire your chips
7 and the conduct of the game.

8 So we would appreciate your support and
9 endorsement for us to be able to do that,
10 particularly in the times that many of the
11 facilities have as a result of Amendment 3
12 deregulation in terms of the prohibition of
13 greyhound racing at facilities and the other
14 challenges that these facilities have throughout
15 the state for their ability, if they choose to, to
16 be able to do that.

17 So we appreciate again Lou and Joe their
18 discussions, and I would hope that we could do this
19 expeditiously, particularly because of the time of
20 year. Thank you.

21 VICE CHAIR BROWN: Thank you, Mr. Rutledge.
22 Thank you. And sorry about all of the occurrences
23 that are going on with your family in Ashville.
24 Again, I'm just going to turn to staff real quick.
25 I understand that you have been in discussion with

1 Mr. Rutledge about this particular item.

2 MR. DILLMORE: Yes. Good morning. Joe
3 Dillmore, for the record. We have talked to
4 Mr. Rutledge. There does seem to be -- and he's
5 right. There's a rule that seems to contemplate
6 some interference with that proposal.

7 So to the extent -- I think in talking with
8 our legal staff that some rule amendment would be
9 necessary for them to implement that. So if it's
10 the Commission's desire at some point to open up
11 that section of rule and hold workshops of that
12 nature, we would follow your direction.

13 VICE CHAIR BROWN: And I know Mr. Rutledge
14 asked for it to be expeditiously. But I would love
15 it if we have an opportunity to talk individually
16 with you and your team a little bit more about it
17 before we make a decision. So maybe next meeting
18 we'll come back, and we'll have that discussion.

19 Does that sound good, Commissioners?

20 COMMISSIONER DRAGO: Sounds good, yes.

21 VICE CHAIR BROWN: Okay. Thank you. With
22 that, is there anybody from the public that would
23 like to address us, under three minutes? Being
24 none, Commissioners, are there any other matters to
25 address?

1 COMMISSIONER DRAGO: No.

2 VICE CHAIR BROWN: All right. We stand
3 adjourned. Thank you.

4 (Proceedings concluded at 11:32 a.m.)

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CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF LEON

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

Dated this 20th day of October, 2024.



I. Iris Cooper
Stenographic Reporter
Notary Public, State of Florida
My Commission No. 1366674
Expires: February 7, 2028

Job No.: 370470