



Meeting Minutes

Date/Time: September 24, 2015 – 10:30 a.m.

Place: MassMutual Center
1277 Main Street, Room 5
Springfield, Massachusetts

Present: Chairman Stephen P. Crosby
Commissioner Gayle Cameron
Commissioner James F. McHugh
Commissioner Bruce Stebbins
Commissioner Enrique Zuniga

**Time entries are linked to
corresponding section in
Commission meeting video**

Call to Order

See transcript page 2

10:31 a.m. Chairman Crosby called to order the 164th Commission Meeting held in Springfield at the MassMutual Center.

Administration

See transcript pages 2-5

[10:31 a.m.](#) Commissioner Stebbins provided an update on the Executive Director search which included the following: He has met with staff to go over details on the process, candidates are submitting their resumes and applications online through the new state HRD system, the Commission has received a healthy response to date – with both in-state and out-of-state candidates, they are seeking a broader breadth of experience, and they will continue to reach out to stakeholders.

[10:33 a.m.](#) Interim Director Wells and Chairman Crosby provided a brief update on the Plainridge Park Casino After Action Project and reported that key activity areas have been assigned to staff and more information will follow at a later meeting on the process.

Ombudsman

See transcript pages 6-135

- [10:34 a.m.](#) Ombudsman John Ziemba provided an overview of the MGM Quarterly Report and proposed facility design change that must be approved by the City of Springfield and the Massachusetts Gaming Commission.
- [10:38 a.m.](#) Brian Packer, Director of Design and Construction for MGM Resorts International, provided a summary of the 2nd Quarter Report which included status on the following activities: abatement, demolition, salvage, utility disconnection, site fence installation, and Mission construction completion. He also reported on design and construction commitments, diverse contractor list, and workforce statistics pertaining to women, minorities and Veterans.
- [10:42 a.m.](#) Chairman Crosby asked about the status of parking. Seth Stratton, Vice President and General Counsel for MGM Springfield, reported on the status of parking and noted that limited subsidized parking was provided for a number of spaces.
- [10:54 a.m.](#) Kevin Kennedy, Springfield Chief Development Officer, reported on comments received from the Chicago Consulting Group with regard to proposed design changes.
- [10:59 a.m.](#) Michael Mathis, President of MGM Springfield, reported on proposed design changes and continued commitment to the Springfield project. He also noted areas of commitment that are unchanged, such as - \$800 million project budget, \$25 million annually to the city, overall project elements, and economic development.
- [11:03 a.m.](#) Chairman Crosby asked where MGM is on their commitment to the Springfield project. President Michael Mathis responded that he is personally, and the company is, fully committed to the Springfield project.
- [11:04 a.m.](#) Commissioner Stebbins asked if the elimination of the tower will reduce construction workforce hours. Director Brian Packer responded that the workforce will remain consistent and he doesn't see a change.
- [11:09 a.m.](#) Commissioner Zuniga raised questions as to the budget reported and cost of the project. Vice President and General Counsel Seth Stratton responded that once the final design has been approved, they will be in a better position to report on project cost versus RFA-2 estimates.
- [11:22 a.m.](#) Commissioner Zuniga asked why they are proposing to eliminate the tower. President Michael Mathis responded that they are eliminating the tower because they are reacting to pricing and costs that led them to start evaluating the design. He also reported that review of the residential program revealed that given the costs of construction the rents would be too high for the market.

- [11:29 a.m.](#) President Michael Mathis presented on the site plan which included the following: relocation of the church, preservation of 95 State Street and commercial office space, expansion of green area, relocation of hotel rooms to Main Street, retention of 250 hotel rooms and quality, and relocation of the residential program off-site due to high rents and to energize other sectors.
- [11:49 a.m.](#) President Michael Mathis reported on hotel lobby relocation, reduction of level of garage, more enhanced green space for hotel guests, negotiations with cinema operator, relocation of the church to anchor the ice rink and farmers market, State Street Café, and 73 State Street building.
- [12:02 p.m.](#) Commissioner Zuniga asked what the design change will do to the schedule. Director Brian Packer responded that they are still committed to the September 2018 opening date.
- [12:04 p.m.](#) Commissioner Zuniga asked if design is now on hold. President Michael Mathis responded that they are proceeding on parallel tracks and spending money at risk to maintain schedule.
- [12:05 p.m.](#) Commissioner Zuniga asked what will be the impact of the elimination of one level of parking. President Michael Mathis responded that he anticipates approximately 200 spaces will be lost but does not think this will impact the customers.
- [12:14 p.m.](#) Commissioner Zuniga stated that he is troubled by request of a major change and the ability to attract players and generate revenue with a significant feature of the project gone.
- [12:16 p.m.](#) The Commission took a short recess.
- [12:29 p.m.](#) The meeting resumed.
- [12:29 p.m.](#) Ombudsman Ziemba reported on the Commission's request for public comments pertaining to a request from Mass Gaming and Entertainment, LLC (MGE) on the Region C licensing process. Ombudsman Ziemba reported he received a substantial amount of comments that included responses to the request posed, opposition to a casino and, support for a casino. He also highlighted three letters received – (1) from Donnelly & Clark, which represents MGE, stating that the Compact contemplates the possibility of a gaming establishment in Region C with a tribal casino; (2) from Shesky & Froelich, counsel to the City of Taunton, stating that litigation resulting from the land in trust determination is speculative; and (3) from Penn National, stating that the request from MGE is contrary to the Expanded Gaming Act.
- [12:37 p.m.](#) General Counsel Catherine Blue noted that the Commissioners cannot discuss or deliberate on the land in trust matter because it is not on the agenda and it is currently under review by staff.

[Commissioners responded to request by Mass Gaming and Entertainment, LLC]

[12:38 p.m.](#) Commissioner McHugh noted that this matter was discussed in April 2013. He stated that they should proceed as they always have and look at the RFA-2 application, look at what is in the best interest of the Commonwealth, and make a decision.

[12:43 p.m.](#) Commissioner Cameron stated that she is in agreement to not alter their course and to continue on in the process. She also stated they will look at everything at the time of the decision.

[12:45 p.m.](#) Commissioner Stebbins stated that he does not want to alter the course and that they had a similar situation over a year ago with review of one applicant. He also stated that there is new information that they need to review.

[12:46 p.m.](#) Commissioner Zuniga stated that he is in agreement that they should not alter the course. He also stated that when it is time to make a licensing decision they will take everything into account, including all interests – the Commonwealth, the tribe, the region or other regions.

[12:50 p.m.](#) Chairman Crosby stated that they should not change their plans. He stated they will evaluate the application, determine if they have a quality applicant, and make a decision to award based on all the conditions at the time, including the issue of land in trust.

Other Business Not Reasonably Anticipated

See transcript page 135-136

[12:55 p.m.](#) *Having no further business, a motion to adjourn was made by Commissioner Cameron. Motion seconded by Commissioner Zuniga. Motion passed unanimously.*

List of Documents and Other Items Used

1. Massachusetts Gaming Commission, Notice of Meeting and Agenda, dated September 24, 2015
2. MGM Springfield, Second Quarter Report dated September 24, 2015
3. Region C Public Comments received (multiple letters, emails and a *No Casino in Brockton* petition) regarding request by Mass Gaming and Entertainment, LLC to the Commission on the Region C Casino Licensing Process
4. Letter from Kevin Washburn, Bureau of Indian Affairs, to Cedric Cromwell, Mashpee Wampanoag Tribe, dated September 18, 2015 regarding Land in Trust Application approval and Record of Decision

/s/ Catherine Blue
Catherine Blue, Assistant Secretary