



Massachusetts Gaming Commission Meeting Minutes

Date/Time: February 27, 2020 –10:00 a.m.

Place: MassMutual Center
1277 Main Street, Room 1 and 2
Springfield, MA 01103

Present: Chair Cathy Judd-Stein
Commissioner Gayle Cameron
Commissioner Enrique Zuniga
Commissioner Bruce Stebbins
Commissioner Eileen O'Brien

Hyperlinks to closed-captioned video
footage of discussions and the
meeting transcript are provided
throughout this document.



Call to Order

See [transcript](#) page 1

[10:00 a.m.](#) Chair Cathy Judd-Stein called to order public meeting #290 of the Massachusetts Gaming Commission.

Approval of Minutes

See [transcript](#) page 1

[10:04 a.m.](#) *Commissioner Stebbins moved to approve the minutes from the Commission meeting of February 13, 2019, subject to correction for typographical errors and other nonmaterial matters. Commissioner Cameron seconded the motion. The motion passed unanimously.*

Administrative Update

See [transcript](#) pages 1 – 10

10:05 a.m. General Update

Interim Executive Director/Director of the Investigations and Enforcement Bureau (IEB) Karen Wells stated that item number 6(b), the Springfield Lottery Impact Study, will be stricken from the agenda today, and she expects to have that back on the agenda for the March 26 Commission meeting.

Ms. Wells then advised that any public comments regarding [a potential new Region C Category 1 RFA process](#) are due on March 16 (email comments to mgccomments@state.ma.us with 'Region C' in the subject line).

Next, she reported an outage that resulted from an issue with the technology that runs the slot machines at Encore Boston Harbor the previous Friday evening. She stated that Encore is working with the vendor to identify preventative steps.

Lastly, Ms. Wells updated the Commission on a second renewal process being successfully implemented by the IEB for certain vendors that were licensed prior to Plainridge Park Casino (PPC)'s opening. She asked for any questions, to which there were none.

10:11 a.m. Problem Gambling Awareness Month/Research and Responsible Gaming Report

Mark Vander Linden, Director of Research and Responsible Gaming, announced that the month of March is [Problem Gambling Awareness Month](#), led by the national council on problem gambling. The theme of the month is awareness + action and highlights the services that are available. The Research and Responsible Gaming team has the assistance of Governor Charlie Baker and Lieutenant Governor Karyn Polito, who declared March as Problem Gambling Awareness Month and signed a proclamation. Mr. Vander Linden thanked the Chair for her assistance in working with the governor's office and gaining support for this cause. He highlighted its four key areas of focus, which are education outreach, prevention, research, and collaboration/support. He noted that the Cambridge Health Alliance's [Gambling Disorder Screening Day](#), which will be on March 10, 2020.

Next, Mr. Vander Linden provided a general update of matters within the Research and Responsible Gaming division. He and Program Manager Teresa Fiore are in the process of hiring a research manager who will help implement the team's research strategic plan and critical initiatives. He then summarized the two key areas of service that the division oversees, which are the research agenda and responsible gaming initiatives, both driven by the Expanded Gaming Act.

Lastly, He discussed emerging trends as well as current research projects with SEIGMA and MAGIC. He described several current initiatives, notably outreach to veterans, and the extension of operating hours for GameSense advisors to 24-7 at Encore Boston Harbor. The new data storage and access project will also be released later this month (MODE).

One local conference to attend that will showcase the work of the Research and Responsible Gaming division will be on May 29, 2020, in Natick, MA, to discuss trends in reducing gambling-related harm and promoting positive play. More information will be provided at a later date. Also noted was the [International Association of Gaming Regulators Annual Conference](#) that will be hosted by the Commission at the Boston Convention and Exhibition Center in September 2020.

[10:42 a.m.](#) The Chair asked how GameSense advisors would be visiting communities to help veterans. Mr. Vander Linden replied that his team will be working with the advisors to build connections with the veteran officers or organizations around the state, with the intent to provide the information that they would normally provide at the casinos directly to community veteran service organizations and veterans; a prevention initiative that will move from the casino into the community.

Research and Responsible Gaming

See [transcript](#) pages 10 – 22

[10:47 a.m.](#) **Springfield Public Safety Update**
Crime Analyst Christopher Bruce and Massachusetts State Police Det. Lt. Brian Connors joined Mr. Vander Linden to discuss the one-year public safety impact report of MGM Springfield. Mr. Vander Linden described the timeline and overall analysis of the study. He thanked the 11 communities that worked with him to provide feedback for this ongoing study. He introduced Mr. Bruce to provide detail of his findings.

[10:51 a.m.](#) Mr. Bruce led the Commission through a PowerPoint presentation, reporting crime trends, and describing any percentage relationship to the casino. He summarized impacts to traffic, as well as highlighting any crime patterns, such as Operating Under the Influence (OUI) arrests and calls-for-service between September 2018 through August 2019.

[11:04 a.m.](#) Lastly, Mr. Bruce addressed concerns about OUI arrests, and late data that he has received concerning “last drink” locations in Massachusetts, to which MGM Springfield is noted as one of the leading locations. There was a discussion around reasons for any increase in OUI arrests in casino areas, as well as where the last drinks were consumed in connection with these types of arrests.

Mr. Bruce stated to the Chair that his next report will include data on where the last drinks were consumed in any OUI arrests. Commissioner Stebbins asked if the data would also show the time of the last drinks consumed. Mr. Bruce later

stated that his next report will contain a full analysis of OUI arrests, a comparison to control areas, analysis of fraud cases, and comparative statistics for the casino-specific crime.

[11:15 a.m.](#) At Commissioner Cameron's request, Springfield Police Captain Robert Tardiff described the BPD's efforts made to ensure public safety during the Red Sox weekend. Next, Det. Lt. Connors provided details on their work to intercept any drunk drivers. A key component is the 24/7 law enforcement presence onsite for immediate response. Det. Lt. Connors stated that reports come from security and valet. He will return to the Commission with additional clarity on the numbers and report further.

[11:24 a.m.](#) Next, Commissioner Cameron requested that Captain Tardiff describe the work of the Metro Unit to the Commission. He provided an overview of the unit to the Commission, stating that the unit is located on 75 Dwight Street, and is essentially a small police department within a police department. He went on to describe the unit as a very proactive unit that meets twice a week to gather the information that assists in their investigations, and they also share it with other agencies.

Ombudsman

See [transcript](#) pages 22 – 49

[11:28 a.m.](#) **MGM Residential Requirement**

Construction Project Oversight Manager Joe Delaney reviewed the status of the construction schedule for the 31 Elm Street project with the Commission. With him was Ombudsman John Ziemba and MGM Vice President and General Counsel Seth Stratton.

Mr. Delaney reviewed a series of documents that provide the framework to allow the 31 Elm Street project to move forward. He then described the terms and conditions listed in the documents for the Commission. There was a general discussion among commissioners about the positive impact of the development moving forward.

[11:36 a.m.](#) Commissioner Stebbins asked what the status of the housing project on 195 State Street will be, now subject to this agreement. Mr. Delaney responded that the property will be returned to the city at no cost.

[11:46 a.m.](#) *Commissioner Stebbins moved that the Commission eliminate the reference to the construction of the 54 units of residential housing from the construction timeline as approved by the Commission on April 12, 2018, and that MGM's payment of \$16 million to MassHousing by January 8, 2021, in accordance with the schedule outlined in the Cooperative Agreement satisfies the housing commitment established in the RFA-2 and Gaming license. Any changes to the dates in the Cooperative Agreement, should they occur, should be further reviewed and approved by the Commission. Additionally, if the required payments are not made*

by MGM to MassHousing, then MGM will be required to construct the 54 market-rate housing units as envisioned in the RFA-2 and the third amendment to the Host Community Agreement unless otherwise determined by the Commission. Commissioner Zuniga seconded the motion. The motion passed unanimously.

Commissioner Stebbins further moved that the Commission shall eliminate the date on Line 17 from the MGM Construction Schedule and change the footnote on number 17 to "The residential requirement shall be satisfied by compliance with the provisions of the Fifth Amendment to the Host Community Agreement, Cooperative Agreement, and Grant Agreement, as applicable; and eliminate condition numbers two and three of the approved timeline and replace them with: "In lieu of providing 54 units of housing, MGM shall comply with the provisions of the Fifth Amendment to the Host Community Agreement, Cooperative Agreement, and Grant Agreement, as applicable, regarding payments to the MassHousing Development Fund or the Downtown Springfield Market Rate Housing Fund." Commissioner Zuniga seconded the motion. The motion passed unanimously.

Commissioner Stebbins moved that the Commission hereby approves an amendment to condition number five of the April 12, 2018 construction timeline, to add "this security mechanism will be maintained through December 31, 2020.", and further moved that if MGM Springfield does not make its final payment to MassHousing by January 8, 2021, the Commission shall, subject to further review by the Commission, require the posting of a new bond. Commissioner Zuniga seconded the motion. The motion passed unanimously.

Commissioner Stebbins finally moved that the Commission may make further adjustments, as circumstances warrant and as deemed necessary by the Commission, to effectuate the original purposes of providing residential housing near the MGM Springfield Casino. Commissioner O'Brien seconded the motion. The motion passed unanimously.

[11:49 a.m.](#)

Springfield Chief Development Officer Report

Chief Development Officer of the City of Springfield Timothy Sheehan provided the Commission with an update regarding the city's priorities and activities as they relate to the real estate footprint surrounding the casino overlay district. He described slides that illustrated areas to be pursued as immediate priorities and summarized an assessment of the first year of MGM Springfield's impacts on tourism and taxes.

Next, he outlined the next phases that need to occur to activate the real estate in question in Springfield. There is a need to galvanize and facilitate targeted development and investment in the casino target area of Court Square quickly.

He described an economic overlay strategy and the framework for implementation.

[11:57 a.m.](#) Commissioner Zuniga asked about the status of the foreclosed properties in the current slide depicting Main Street. Mr. Sheehan described the foreclosed properties. Commissioner Zuniga asked if there were plans for these buildings, and Mr. Sheehan replied that there is the potential to work with the bank on a range of options to facilitate the control and the ultimate redevelopment of them.

Mr. Sheehan continued the presentation, detailing important issues and opportunities, and zoning/land use controls and guidelines. The City of Springfield is currently creating a casino impact zone development district focused on the Springfield area becoming the region's convention, meeting and entertainment center. The other focuses are on growth of market-rate housing in the downtown, and the expansion of entrepreneurial infrastructure to attract downtown employers and businesses. He anticipates that the final development plan will be brought to the City Council for approval.

[12:09 p.m.](#) **MGM Quarterly Report**
Newly appointed President and COO of MGM Springfield Chris Kelley, Vice President, and Legal Counsel Seth Stratton, Dir. of Communications Saverio Mancini, Dir. of Finance Ryan Geary, Dir. of Compliance Daniel Miller, Vice President of Human Resources Marikate Murren, and Director of Government Affairs Jose Delgado gathered to present the Q4 Quarterly Report for MGM Springfield to the Commission.

[12:10 p.m.](#) Mr. Stratton formally introduced Mr. Kelly to the Commission. He described Mr. Kelley's professional background. Mr. Kelly then greeted the Commission and stated that he is very motivated by the positive catalyst for growth, partnership, and collaboration for businesses. He also stated that he has been in regional gaming his entire career, for approximately 23 years. In his comments, he added that he considers himself very fortunate to be a part of the team that collectively works towards the renaissance of the City of Springfield.

[12:15 p.m.](#) Mayor Domenic Sarno appeared and thanked the Commission for its continued belief and investment in the City of Springfield. He described the circumstances surrounding the aforementioned foreclosed properties, as well as various projects, as well as the effect that the positive investment will have on the area. Mayor Sarno stated that this is a historic day, as the 31 Elm Street project has languished for over 30 years until MGM Springfield arrived. He noted that there is very well-known entertainment coming soon that will be good for not only MGM, but for the City of Springfield as far as the restaurateurs, bar owners, and hotels.

[12:28 p.m.](#) Mr. Mancini continued the MGM Springfield quarterly report and presented slides to the Commission that illustrated highlights of the quarter. He described

the unveiling of a solar canopy on the roof of the parking garage, which is slated to be complete by mid-March.

[12:30 p.m.](#) Mr. Geary reviewed the Q4 gaming revenue and taxes with the Commission, as well as lottery revenue.

[12:32 p.m.](#) Mr. Miller reported on compliance. He addressed the topic of any minors intercepted while alcohol and identifying false identification. He described the podiums with the VeriDocs system that has been put in place and reported on its effectiveness. The security staff is looking into potential mobile options for the VeriDocs system. He stated that there was no spike in incidents regarding minors on the gaming floor on Winter Weekend.

[12:38 p.m.](#) Mr. Geary reported on MGM's Q4 2019 operating spend and described a spike in spending with Diversity Suppliers, notably Women Business Enterprises (WBEs). The Chair asked specifically how many WBE's the increase represents in terms of real numbers. Mr. Geary answered there is an increase of three or four WBEs, on the design side in architecture.

Next, Mr. Geary continued his review of the operating spend with local spending numbers. He also reported on vendor outreach efforts.

[12:45 p.m.](#) Ms. Murren reported on MGM's Q4 Employment with the Commission, reviewing slides that illustrated progress in hiring goals and employment numbers.

[12:51 p.m.](#) Ms. Murren stated that 394 people applied for positions with MGM Springfield at the most recent job fair. However, 52% of those individuals did not return calls or emails. Moreover, 42% of the individuals who did respond did not show up to the interview event. The acceptance rate of an actual job offer is close to 90%, however. Ms. Murren expressed her concern about "ghosting" – residents signing up for interview times and just not showing up. The Chair asked if those people who did not return calls or emails are already gainfully employed. Ms. Murren responded that she could have this information for the Commission at the next meeting.

[12:56 p.m.](#) Commissioner Stebbins asked how MGM will regard an individual who had previously become unresponsive in the hiring process. Ms. Murren stated that MGM would still welcome them.

Concerning attrition numbers, Ms. Murren will ensure that they share this information in future presentations for the Commission's edification. Ms. Murren then continued to report on the Q4 recruitment efforts.

[1:01 p.m.](#) Mr. Mancini continued the presentation with a video of a new "ski chalet" called Base Camp to activate the outdoor space, renting a rendition of igloos equipped

with heaters. He then described some of the nightlife activations for the Armory throughout 2019.

[1:05 p.m.](#) Mr. Delgado highlighted community engagement efforts for 2019, notably Bright Nights, which was named one of the best light displays in the country by [USA Today](#). He then reported on events with the YWCA for women and girls, and domestic violence survivors, as well as against human trafficking.

[1:09 p.m.](#) Mr. Stratton updated the Commission on current development projects, aside from 31 Elm, such as Wahlburgers, to open in the summer of 2020, the Armory work in progress, and the re-branding of their Italian restaurant to now be called Costa opening Friday, February 28, 2020. Costa will be a family-style, classic Italian restaurant. Commissioner Stebbins asked if Costa will present competition to any area restaurants to which Mr. Stratton replied that the high demand for this restaurant concept would not affect area restaurants.

Research and Responsible Gaming – Mark Vander Linden, Director of Research and Responsible Gaming

See [transcript](#) pages 49 – 59

[1:54 p.m.](#) **MGM GameSense Update**
Program Manager of Research and Responsible Gaming Teresa Fiore, Director of the Mass Council on Problem Gambling Chelsea Turner, and GameSense Supervisors Israel Rosario-Garcia and Amy Gabriela updated the Commission on the current status of the GameSense information program with Mr. Vander Linden.

[2:00 p.m.](#) Ms. Turner reviewed slides with the Commission that detailed information about the GameSense Information Center (GSIC), the team, the hours and location, and ongoing professional development efforts.

[2:07 p.m.](#) Ms. Gabriela updated the Commission with examples of GameSense clients who are successfully participating in the Voluntary Self-Exclusion Program.

[2:13 p.m.](#) Ms. Turner continued to describe the GameSense Logic model concerning promoting positive play. She explained the elements of the model, also describing the PlayMyWay tool. Next, she explained the model's focus on the reduction of gambling-related harm by interacting with patrons and staff, as well as community outreach efforts.

[2:17 p.m.](#) Ms. Gabriela provided the Commission with more examples of interactions with patrons with regard to reducing gambling harm.

Workforce, Supplier and Diversity Development

See [transcript](#) pages 59 – 63

[2:56 p.m.](#)

Business Technical Assistance Grant

Director of Workforce, Supplier and Diversity Development Jill Griffin introduced John Waite of [Franklin County Community Development Corporation](#) (FCCDC) and [Local Enterprise Assistance Fund](#) (LEAF) Amine Benali as the recipients of the Small Business Technical Assistance Grant.

[2:39 p.m.](#)

Mr. Waite described his business by stating that FCCDC provides technical assistance, training, and workshops, one-on-one with small businesses to help them start and grow. He also described a loan fund that assists with the business plan, the marketing plan, and clients' financials.

[2:42 p.m.](#)

Mr. Benali of LEAF stated that his company offers financing solutions, cooperatives to small businesses. They also provide technical assistance in business and financial management to local small businesses in the state that are either owned by minorities and women or operate in areas that have traditionally been disadvantaged with limited access to financial resources, financial advice, and capital. Mr. Hunter stated that they are extremely excited to continue working with local businesses and to bring in more WBE, VBE, and MBE clients.

Ms. Griffin thanked Encore and MGM's procurement teams for the initial meetings and for embracing this program. She added that they are in the process of setting up a follow-up meeting with Plainridge Park Casino as well.

Legal Division

See [transcript](#) pages 63 – 69

[2:54 p.m.](#)

Initial Draft Version of an amendment to 205 CMR 133.04: Duration of Exclusion and Removal from the List, revising the period between the exit session and re-entry onto the gaming floor after removal from the Voluntary Self-Exclusion list; and Small Business Impact Statement.

[2:57 p.m.](#)

Ms. Fiore explained the amendment to the regulation and how it will affect the process to the Commission. She and Mr. Vander Linden then provided an overview of the process.

[3:07 p.m.](#)

*Commissioner O'Brien further moved that the Commission approve the small business impact statement for 205 CMR 133.04: Duration of Exclusion and Removal from the List as included in the Commissioners' Packet. Commissioner Cameron seconded the motion.
The motion passed unanimously.*

Commissioner O'Brien moved that the Commission approve the draft version of 205 CMR 133.04: Duration of Exclusion and Removal from the List as included

in the Commissioners' Packet and authorize the staff to take all steps necessary to begin the regulation promulgation process. Commissioner Stebbins seconded the motion.

The motion passed unanimously.

[3:09 p.m.](#)

Final Draft Versions of 205 CMR 134.01 and 134.06 Re: Licensing and Registration of Employees, Vendors, Junket Enterprises and Representatives, and Labor Organizations, to authorize Encore Boston Harbor to begin running junkets; and Amended Small Business Impact Statements; the **Final Draft Version of an amendment to 205 CMR 133.05: Voluntary Self-Exclusion**, to allow licensees to provide an aggregated no-marketing list to junket operators that will include individuals on the Voluntary Self-Exclusion list but will not identify them as being on such list; and Amended Small Business Impact Statement; the **Final Draft Version of several amendments to 205 CMR 134.00: Licensing and Registration of Employees, Vendors, Junket Enterprises and Representatives, and Labor Organizations**, to include procedural and administrative updates, and the addition of a waiting period to reapply for a license; and Amended Small Business Impact Statement.

Ms. Wells summarized that these regulations have been previously approved, but needed to cycle through the promulgation process once more due to a housekeeping error with the filing agency.

[3:13 p.m.](#)

Commissioner Zuniga moved that the Commission approve the amended small business impact statement for 205 CMR 134.01: Key Gaming Employee Licensees and 205 CMR 134.06: Junket Enterprises and Junket Representatives as included in the Commissioners' Packet. Commissioner Stebbins seconded the motion. The motion passed unanimously.

Commissioner Zuniga further moved that the Commission approve the version of 205 CMR 134.01: Key Gaming Employee Licensees and 205 CMR 134.06: Junket Enterprises and Junket Representatives as included in the Commissioners' Packet and authorize the staff to take all steps necessary to finalize the regulation promulgation process. Commissioner O'Brien seconded the motion. The motion passed unanimously.

[3:14 p.m.](#)

Commissioner Zuniga moved that the Commission approve the amended small business impact statement for 205 CMR 133.05: Maintenance and Custody of the List as included in the Commissioners' Packet. Commissioner Stebbins seconded the motion.

The motion passed unanimously.

Commissioner Zuniga further moved that the Commission approve the version of 205 CMR 133.05: Maintenance and Custody of the List as included in the Commissioners' Packet and authorize the staff to take all steps necessary to

finalize the regulation promulgation process. Commissioner O'Brien seconded the motion.

The motion passed unanimously.

[3:15 p.m.](#)

Commissioner Zuniga moved that the Commission approve the amended small business impact statement for 205 CMR 134.00, specifically sections 134.07, 134.09, 134.10, 134.11, 134.13, and 134.14: Licensing and Registration of Employees, Vendors, Junket Enterprises and Representatives, and Labor Organizations as included in the Commissioners' Packet. Commissioner Stebbins seconded the motion.

The motion passed unanimously.

Commissioner Zuniga further moved that the Commission approve the version of 205 CMR 134.00, specifically sections 134.07, 134.09, 134.10, 134.11, 134.13, and 134.14: Licensing and Registration of Employees, Vendors, Junket Enterprises and Representatives, and Labor Organizations as included in the Commissioners' Packet and authorize the staff to take all steps necessary to finalize the regulation promulgation process. Commissioner Stebbins seconded the motion.

The motion passed unanimously.

Commissioner Items and Updates

See [transcript](#) page 70

There were no commissioner updates at this time.

[3:17 p.m.](#)

With no further business, Commissioner Cameron moved to adjourn.

Commissioner Zuniga seconded the motion.

The motion passed unanimously.

List of Documents and Other Items Used

1. Notice of Meeting and Agenda dated February 27, 2020
2. Draft Commission Meeting Minutes dated February 13, 2019
3. PowerPoint Presentation: Research and Responsible Gaming dated February 27, 2020
4. Memorandum: Research Update dated February 27, 2020
5. Article: Research Snapshot via Gambling Research Exchange, Ontario dated 2019
6. Problem Gambling Awareness Month Proclamation dated February 12, 2020
7. PowerPoint Presentation: Assessing the Impact of Gambling on Public Safety in Massachusetts by Christopher Bruce
8. Report: Assessing the Influence of Gambling on Public Safety in Massachusetts Cities and Towns dated February 20, 2020
9. Memorandum: MGM Springfield Residential Requirements and Requested Approvals dated February 21, 2020

10. PowerPoint Presentation: The Implementation Blueprint, An Economic Development Strategy for the Casino Impact Area – Phase One Implementation Strategy by City of Springfield Office of Planning and Economic Development dated February 27, 2020
11. Presentation: MGM Springfield Q4 2019 Report dated February 27, 2020
12. PowerPoint Presentation: M.A. Council Report: MGM GameSense from July 1 – December 31, 2019
13. Report: M.A. Lottery Revenue and MGM Springfield: Statewide and Local Analysis – First Year Analysis by SEIGMA dated February 6, 2020
14. Report: M.A. Lottery Revenue and MGM Springfield: Statewide and Local Analysis –by SEIGMA dated February 27, 2020
15. Memorandum: Small Business Technical Assistance Grant dated February 27, 2020
16. Draft Regulation 205 CMR 133.04 and Small Business Impact Statement
17. Final Draft Regulation 205 CMR 134.01 and Amended Small Business Impact Statement
18. Final Draft Regulation 205 CMR 134.06 and Amended Small Business Impact Statement
19. Final Draft Regulation 205 CMR 133.05 and Amended Small Business Impact Statement
20. Final Draft Regulation 205 CMR 134.06 and Amended Small Business Impact Statement
21. Final Draft Regulation 205 CMR 134.07 and Amended Small Business Impact Statement
22. Final Draft Regulation 205 CMR 134.09 and Amended Small Business Impact Statement
23. Final Draft Regulation 205 CMR 134.10 and Amended Small Business Impact Statement
24. Final Draft Regulation 205 CMR 134.11 and Amended Small Business Impact Statement
25. Final Draft Regulation 205 CMR 134.13 and Amended Small Business Impact Statement
26. Final Draft Regulation 205 CMR 134.14 and Amended Small Business Impact Statement
27. Final Draft Regulation 205 CMR 134.20 and Amended Small Business Impact Statement

/s/ Bruce Stebbins
Secretary