



Massachusetts Gaming Commission Meeting Minutes

Date/Time: February 28, 2019 – 10:00 a.m.

Place: Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, MA 02110

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

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



Call to Order

See transcript page 1

[10:00 a.m.](#) Chair Judd-Stein called to order public meeting #263 of the Massachusetts Gaming Commission.

Approval of Minutes

See transcript page 1

[10:00 a.m.](#) *Commissioner Stebbins moved to approve the minutes from the Commission Meeting of February 14, 2019, subject to correction for typographical errors and other nonmaterial matters. Commissioner Cameron seconded the motion. The motion passed unanimously.*

Commissioner Stebbins moved to approve the minutes from the Commission Meeting of February 20, 2019, subject to correction for typographical errors and other nonmaterial matters. Commissioner Zuniga seconded the motion. The motion passed unanimously.

Executive Session

See transcript pages 1 – 3

10:01 a.m. Pursuant to M.G.L. Chapter 30A Section 21(a)(3), an Executive Session is being held to discuss litigation strategy in the case of Stephen A. Wynn v. Karen Wells, the Massachusetts Gaming Commission, Wynn Resorts Ltd., et al when a discussion in an open session would have a detrimental effect on the litigation position for the Commission.

10:02 a.m. *Commissioner O'Brien moved to go into executive session. Commissioner Stebbins seconded the motion. Roll call vote:
Commissioner Stebbins: Aye.
Commissioner Cameron: Aye
Commissioner Zuniga: Aye.
Commissioner O'Brien: Aye.
Chair Judd-Stein: Aye.*

The Chair then stated that the Commission is now in executive session pursuant to the Open Meeting Law and that all members of the public and any staff members not involved in this matter to be discussed must leave the room. The Chair also asked that all live audio and video recording and live streaming be shut off and the doors to the room are closed.

12:41 p.m. The Commission reconvened in public session. The Chair stated that the Commission has just concluded an executive session and completed the necessary steps to finalize the resolution related to the Wynn litigation in Nevada. The Commission expects that the case will be formally dismissed in the coming days. She also stated that as the Commission was not asked to take any action at this time, so a vote was not necessary, and no vote was taken.

The Chair acknowledged the diligence of the staff investigators and counsel in this complex process. The Chair then asked that Executive Director Ed Bedrosian provide the Commission with an update for next steps and describe what the Commission should expect for a timeline as they begin preparations for an adjudicatory hearing.

Administrative Update

See transcript pages 3 – 4

12:50 p.m. **General Update**
Executive Director Bedrosian updated the Commission on the status and next steps for the Wynn investigation. He stated that once the litigation is resolved, the Commission can then move to prepare for the actual adjudicatory hearing. He added that the first step of this process would begin next week when the Investigations and Enforcement Bureau (IEB)

provides the Commissioners with information on any new qualifiers and then provides the investigative report. This information will take time for the Commissioners to review. During this time, any pre-hearing issues that need to be resolved in front of the Commission will be identified and scheduled for some time in March.

[12:52 p.m.](#) The Commission took a 30-minute break.

[1:25 p.m.](#) The Chair reconvened the meeting. She stated that as there has been a change to the order in the agenda and the MGM Springfield Quarterly Report will be presented next.

Ombudsman

See transcript pages 5 – 40

[1:26 p.m.](#) **MGM Springfield Quarterly Report**
Ombudsman Ziemba introduced Mike Mathis, President of MGM Springfield, Seth Stratton, Vice President and General Counsel of MGM Springfield, Jason Randall, Director of Human Resources, and Talia Spera, Executive Director of Arena Operations. He informed the Commission that Mr. Mathis might need to depart shortly after the quarterly report, and Joe Delaney, Construction Project Oversight Manager, will move into his seat.

i. MGM Timelines

Mr. Mathis reported activity throughout October, November, and December for revenue and taxes, and lottery throughout the fourth quarter of 2018. He explained the statistics in the context of a three-year stabilization period for the casino.

Compliance was also addressed, regarding the challenge they face of preventing minors from gaming. The porous design of the facility offers access to the casino floor before reaching the non-gaming amenities, so there are ongoing efforts to prevent minors from gaming. MGM Springfield has modified its enforcement policy and added a podium to the main entrance from the self-parking area. Mr. Mathis stated that these efforts had made a significant improvement.

[1:40 p.m.](#) Executive Director Bedrosian added that the Commission is working with MGM Springfield on this issue and that the IEB has met routinely with MGM on this issue.

Next, Mr. Stratton reported on operating expenses for the fourth quarter and compared them to spending goals. He reviewed diversity spending trends, local spending trends, vendor outreach efforts, and local supplier experience feedback with the Commission.

Mr. Randall reported on MGM's progress on hiring goals for the quarter. He reviewed employment numbers broken down by minorities, women, veterans, Springfield residents, western Massachusetts residents, and Massachusetts residents. Mr. Randall also discussed MGM's workforce development plan and recruitment efforts for 2018.

[1:58 p.m.](#)

Commissioner Cameron stated that she would like to see MGM Springfield start tracking employee promotion/growth within the company, as this information is an important piece when reviewing employment numbers. Mr. Stratton agreed, responding that there has been dialogue with staff regarding reporting this data.

Commissioner Stebbins stated that he noticed there are around 30 positions still posted on MGM Springfield's website. He noted that there are still opportunities to work at the property that are both full and part-time positions.

Commissioner Stebbins added that he would like to see specific data in the immediate future of the overall number of employees throughout amenity facilities as well as in the casino. Thus, the Commission can determine if there is a way to extract diversity information from the tenants on the property as well. Mr. Mathis stated that there are approximately 250 employees that are tenant employees. Commissioner Stebbins suggested meeting with the Executive Director and perhaps a member of the compliance committee to review their diversity reporting format for MGM Springfield before the next quarterly report.

Mr. Mathis presented marketing highlights with slides of the newsletters that have been used throughout the quarter. He also highlighted MGM Springfield's sponsorships and partnerships with a slide presentation.

Mr. Mathis stated that he would like to conduct a working session regarding compliance. This would put MGM in a position to produce data for the Commission in a way that better shows the good effort that they are putting forth. Commissioner Zuniga noted that aptly reporting this data is important for not only the Commission and staff but also for the public.

[2:18 p.m.](#)

The Commission revisited the issue of minors entering the gaming floor. The Chair asked how many incidents there were in January. Mr. Stratton stated that it was very similar to December. Mr. Mathis commented that he was pleased to see that 25% of gaming incidents were discovered in five minutes or less, which is a positive trend and

progression. He stated that they are still working on efforts to reduce this time even further.

Ms. Spera reported on entertainment programming for the fourth quarter. She reviewed the entertainment headliners, entertainment community and event programming, and highlighted anticipated upcoming entertainment.

Mr. Stratton presented on local business impact. Specifically, he reported that some businesses within proximity to MGM had seen a spike in sales.

ii. MGM Residential Requirement Extension

The Commission reviewed an email sent to Ombudsman Ziembra by Springfield City Councilor Edward Pikula requesting a 30-day extension to report on “31 Elm vs. Plan B decision.”

Ombudsman Ziembra stated that the current agreement says that by March 1st, MGM Springfield shall provide a final commitment; written documentation for the 31 Elm Street project along with a realistic construction timetable from the City of Springfield. If MGM Springfield cannot meet this condition by March 1st, MGM Springfield shall proceed with the independent residential requirement within the timeframe set in the Host Community Agreement.

Mr. Stratton updated the Commission on the status of the discussions regarding whether or not to proceed with the 31 Elm Street project. He stated that they are extremely close to a decision with the City of Springfield. Ombudsman Ziembra added that it does appear that there has been very significant activity.

The Ombudsman and staff recommend that the Commission approve the 30-day extension to the agreement.

The Chair asked if MGM would have their Plan B ready to discuss and execute at the March 28th Commission meeting if 31 Elm Street does not go through. Mr. Stratton responded that at the end of a 30-day extension, MGM would be prepared to report what their Plan B is, the project, and their expected timeline for completion.

[2:41 p.m.](#)

Commissioner Stebbins moved to approve the request from the City of Springfield for a 30-day extension concerning the development agreement to be finalized for 31 Elm Street. Commissioner Cameron seconded the motion.

The motion passed unanimously.

Mr. Stratton updated the Commission on future development plans for MGM Springfield, to include the development of the Armory, the “Dave’s Furniture” lot, and MGM Springfield’s Food & Beverage outlets coming soon.

[2:45 p.m.](#) Ombudsman Ziemba concluded this section by providing an update on MGM Springfield’s transportation commitments, summarizing progress of projects and expected dates of completion. He recommended that the Commission re-examine the July 8th, 2019 deadline for the construction of the “Dave’s Furniture” lot, as that date will not be met and needs to be discussed at the March 28th Commission meeting.

[2:48 p.m.](#) **MGM Service Employee Exemption Request**
The Commission is being asked to consider 15 positions for exemption at MGM Springfield. Commission staff worked with MGM Springfield in developing this set of recommendations and agrees with all job positions contained in the meeting packet. The Licensing Division recommends that the Commission approve the 15 SER exemptions for MGM Springfield.

[3:00 p.m.](#) *Commissioner Zuniga moved to approve the Gaming Service Employee exemptions as stated in the packet. Commissioner Cameron seconded the motion.
The motion passed unanimously.*

[3:06 p.m.](#) **Plainridge Park Casino Quarterly Report**
The Commission reviewed Plainridge Park Casino’s Quarterly Report with Lance George, General Manager of PPC, Kim Rego, Vice President of Human Resources at PPC, and Mike Mueller, Vice President of Operations at PPC.

Mr. George reviewed slides that illustrated gaming revenue and taxes, broken down by net slot revenue, state taxes, and racehorse taxes. He also discussed lottery sales, highlighting the difference between 2017 and 2018. He examined spending and procurement by state and a breakdown of local vendor spending in the host and surrounding communities.

Ms. Rego reported on vendor diversity goals and progress toward these goals, by quarter. She also reviewed employment statistics and noted that the racing staff affects numbers as they are seasonal and will be returning.

Ms. Rego also noted that two new programs comprise an initiative called “Women Leading at Penn.” Women have a 5% increase in executive presence at Plainridge Park Casino.

The Commission thanked Ms. Rego for her efforts and stated that she had been a pleasure to work with, as she is relocating for a new job.

Mr. Mueller addressed compliance. He reviewed slides with the Commission that illustrated incident statistics, local community event efforts, sponsorships, and marketing highlights for the fourth quarter.

[3:25 p.m.](#)

Plainridge Park Casino Commitments Review

The Commission reviewed a memo summarizing the Commission staff's review of Plainridge Park Casino's progress toward meeting its goals and requirements that were put forth in their original application, per 205 CMR 139.04(4). The staff recommended that the reports be deemed to satisfy the annual report requirements for 2017. It was noted that Plainridge Park would file an additional annual report by September 30, 2019.

The Commission then reviewed a summary of measures that Plainridge has taken to comply with the host and surrounding community agreements, to include a traffic monitoring program, a new bus route, employment measures, and a Workforce Memorandum Plan.

Staff recommends that the Commission:

1. Should request Plainridge Park to discuss with its host and surrounding communities the status of its compliance with its goals, particularly the local hiring goals;
2. Should request that Plainridge Park meet with GATRA and MassDOT regarding the proposal to extend the Route 14 bus line to Plainridge Park; and
3. Should post the amended Workforce Plan before taking any final action of such a plan.

Jill Griffin, Director of Workforce and Diversity Development, briefed the Commission on the process that has been taking place to achieve these goals.

Mr. George reviewed the progress made working with GATRA, and creating non-gaming amenities using the racing apron,

Ms. Rego proposes that they shift the hiring goal from maintaining 90% coming from the host and surrounding communities to 35%, as it has proven to be more difficult due to some factors. Plainridge Park Casino would also like to increase additional goals to the plan that 50% will be women, 2% will be veterans, and to hire 65% or more of their workforce from the state of Massachusetts.

[3:40 p.m.](#)

Commissioner O'Brien asked if there has been any further action taken to find additional options for childcare accommodation for employees, as it was previously discussed before the Commission that the casino is currently recommending one daycare center that is two miles away. Commissioner

O'Brien asked for some progress on this issue, and Mr. George responded that he would take this under advisement and look into this.

Commissioner Updates

See transcript pages 40 – 41

[3:46 p.m.](#) Commissioner Cameron stated that the Board of Directors for the International Association of Gaming Regulators has beneficially selected the Commission to host the 2020 conference here in Boston.

Commissioner Zuniga stated that March is Problem Gambling Awareness Month, and there will be events at MGM Springfield, and Plainridge Park Casino focused on education and prevention work with casino employees. There will be more updates in the coming Commission meetings.

[3:49 p.m.](#) *With no further business, Commissioner Cameron moved to adjourn the meeting. Commissioner Zuniga seconded the motion. The motion passed unanimously.*

List of Documents and Other Items Used

1. Notice of Meeting and Agenda, dated February 28, 2019
2. Draft Commission Meeting Minutes dated February 14, 2019
3. Draft Commission Meeting Minutes dated February 20, 2019
4. PowerPoint Presentation – Plainridge Park Casino's Q4/Year-End 2018 Report to the Massachusetts Gaming Commission
5. Memo to Commissioners RE: Plainridge Park Commitments Review
6. City of Springfield Email to the Ombudsman dated February 25, 2019
7. Memo to the Chair and Commissioners RE: Gaming Service Employee (SER) Exemptions for MGM Springfield dated February 25, 2019
8. Document: Identification of Potential Positions for Exemption from the Registration Requirement by the MGC – Food & Beverage Cashier
9. Document: Identification of Potential Positions for Exemption from the Registration Requirement by the MGC – Creative Manager
10. Document: Identification of Potential Positions for Exemption from the Registration Requirement by the MGC – Food Server / Room Service
11. Document: Identification of Potential Positions for Exemption from the Registration Requirement by the MGC – Head Baker
12. Document: Identification of Potential Positions for Exemption from the Registration Requirement by the MGC – Master Cook
13. Document: Identification of Potential Positions for Exemption from the Registration Requirement by the MGC – Limo Driver

14. Document: Identification of Potential Positions for Exemption from the Registration Requirement by the MGC – Lead Kitchen Worker
15. Document: Identification of Potential Positions for Exemption from the Registration Requirement by the MGC – Supervisor Entertainment Events-Activations
16. Document: Identification of Potential Positions for Exemption from the Registration Requirement by the MGC – Transportations Supervisor
17. Document: Identification of Potential Positions for Exemption from the Registration Requirement by the MGC – Warehouse Supervisor

/s/ Catherine Blue
Assistant Secretary