



Massachusetts Gaming Commission Meeting Minutes

Date/Time: April 26, 2018 – 1:00 p.m.

Place: MassMutual Center
1277 Main Street
Springfield, MA 01103

Present: Chairman Stephen P. Crosby
Commissioner Gayle Cameron
Commissioner Eileen O'Brien
Commissioner Bruce Stebbins
Commissioner Enrique Zuniga

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

Call to Order

See transcript page 2

[1:00 p.m.](#) Chairman Crosby called to order the 241st Commission meeting.

Approval of Minutes

See transcript pages 2 – 3

Commissioner Stebbins moved to approve the minutes of the meeting of April 12, 2018, subject to correction for typographical errors and other nonmaterial matters. Commissioner Stebbins requested corrections in terms of reference to organizations and a typo on page seven. Commissioner Cameron seconded the motion.

The motion was approved as amended, 5 – 0.

Administrative Update

See transcript pages 3 - 27

[1:02 p.m.](#)

MGM – Opening Update.

Executive Director Edward Bedrosian reported that there is an official opening date of August 24th, 2018 for the MGM Casino.

The Commission’s current objectives at this time are to issue a gaming operations certificate and have a sufficient number of trained gaming agents. Executive Director Bedrosian reported that a training session would be starting in about the third week of May for gaming agents. Gaming agents’ initial task will be inspecting slot machines and tables prior to opening.

Executive Director Bedrosian noted that the Gaming Enforcement Unit is in the final stages of the Memorandum of Understanding (MOU) being signed, and are selecting officers and troopers from the Massachusetts State Police and Springfield Police.

Paul Connelly, Director of Licensing and Jill Griffin, Director of Workforce, Supplier Development and Diversity Development will be working with Marikate Murren, MGM Springfield Vice President to monitor the number of applicants on a weekly basis.

Mark Vander Linden, Director of Research and Responsible Gaming is working with the Massachusetts Council on Compulsive Gambling to ensure that the GameSense space is ready, with hired and trained GameSense agents.

The Commission has been working with the City of Springfield regarding construction, the overall readiness of the police, and shared revenue accounting matters.

Finally, Executive Director Bedrosian stated that the Commission will need to approve the overall gaming liquor license for the property.

[1:04 p.m.](#)

City of Springfield Presentation

Kevin Kennedy, Chief Development Officer for the City of Springfield, and Brian Connors, Director of Economic Development for the City of Springfield gave a presentation entitled, “The New Springfield”. The presentation touched on the overall economic development and the investment in the city since the beginning of the MGM project.

The improvements to Springfield include several new attractions, new residential units, repaired roads with a pedestrian way-finding system, new police substation with police kiosks, a bike share program, renovated parks, and a rehabilitated railway station. Springfield is also host to Eversource’s largest solar installation in Massachusetts.

Ombudsman

See transcript pages 27 - 74

[1:15 p.m.](#)

Designation of MGM Springfield Gaming Floor

Ombudsman John Ziemba presented the Commission's designation of the MGM Springfield gaming floor with Seth Stratton, MGM Springfield Vice President and Legal Counsel, and Alex Dixon, MGM Springfield General Manager.

Pursuant to 205 CMR 138, MGM is required to submit a floor plan for approval. Counsel Stratton presented finalized floor plans proposed for the gaming area, defining boundaries around areas with gaming activity, minor access, employee access, and alcohol sales. He also noted that the gaming area is approx. 88,000 square feet.

The Commission expressed concern about whether or not minors would be able to access the gaming area. Mr. Dixon explained that signage would be in place, as well as communication through social media, press releases, and other mass media about where minors are able to go and not able to go. There was discussion around security and efforts that will be made to manage blocking minors from accessing the gaming floor and bar area.

Bruce Band, IEB Assistant Director/Gaming Agents Division Chief explained the proposed practice of allowing minors to use designated paths to transverse the floor with non-gaming space. He noted that this method is successful in other establishments. He suggested that the Commission implement this method with the understanding that they could give the executive director the ability to stop it if it is determined problematic by reviewing security and surveillance reports.

[1:50 p.m.](#)

*Commissioner Zuniga moved that the Commission approve the gaming area as depicted, accepting the traverse areas designated in green and the gaming area designated in red, and delegate to the Executive Director the ability to make any modifications after opening day and bring back to the Commission if needed. Commissioner Cameron seconded.
The motion passed 5 – 0.*

Designation of MGM Springfield Gaming Establishment

Ombudsman John Ziemba presented the Commission's designation of the MGM gaming establishment. Changes were made to the boundaries of the MGM construction project. Ombudsman Ziemba recommended that the Commission approve the new boundary, provided that they agree to review the site plan again, no later than March 31, 2019. By that time, the Commission will have significant new information about MGM Springfield's plans for the facility, including but not limited to its plans for 101 State Street.

Clarification was made that there will be no major construction either on the first floor or for the remainder of the building at 101 State by opening date, as construction must meet the LEED Gold standard. The Commission would need to take action regarding that in the future as part of any Section 61 finding changes or revisions would need to be brought back to the Commission. It was also recommended that the Commission add the residential units into

the definition of 'project' as defined in 205 CMR 135, and it was acknowledged that this topic would also be discussed further in the future.

[2:11 p.m.](#)

Commissioner Cameron moved that the Commission approve Blue Tarp reDevelopment's proposed gaming establishment boundary as presented to the Commission today and that the Commission's decision awarding a license to operate a Category 1 gaming establishment in Region B dated November 7, 2014 be amended by striking Exhibit B in its entirety and replacing with the new Exhibit B consisting of a revised gaming establishment boundary included in the Commission packet and presented at today's meeting provided that the Commission will review the gaming establishment boundary by the end of the first quarter of 2019 to determine what, if any, additional adjustments may be needed, including the status of the first floor of 101 State Street and provided further that this approval shall not amend any Commission Section 61 finding in the amendment of which will require separate action by the Commission to the extent necessary.

Commissioner Cameron further moved that the Commission find that for purposes of 205 CMR 135, the residential units included in the construction schedule approved by the Commission at the April 12, 2018 Commission meeting are included in the definition of project under 205 CMR 135. Commissioner Stebbins seconded.

The motion passed 5 – 0.

Workforce, Supplier and Diversity Development

See transcript pages 74 - 130

[2:14 p.m.](#)

MGM Springfield Plan to Identify Local Vendors

Jill Griffin, Director of Workforce, Supplier Development and Diversity Development presented the MGM Springfield Procurement Diversity and Local Business Plan with Ryan Geary, Operations Controller of MGM Springfield, Eddie Estrella, Assistant Manager for Strategic Sourcing, Chelan Brown, Manager of Diversity for MGM Springfield.

License condition 17 of the Massachusetts Gaming Commission's agreement to award a Category 1 license to Blue Tarp reDevelopment states that MGM Springfield is required to submit this plan to identify local vendors. Director Griffin presented a memo that reviewed the contents of the plan and discussed the requirements.

Mr. Geary gave a slide presentation on the MGM Springfield Procurement Diversity and Local Business Plan and reviewed their goals and strategies, as well as some of the sample reporting that they would be providing quarterly moving forward.

Ms. Brown discussed opportunities for local and diverse members of the Community Partners Network. She explained that the Community Partners Network was created from the construction side of the house, and that they

sought to replicate the successes of working with the community and partnering with the community on the operational side of the house for opportunities for local and diverse vendors.

Mr. Geary explained the Vendor Advisory Task Force Meeting that they partner with the MGC and also with their local certification partners to identify opportunities and match suppliers.

Director Griffin recommended that the Commission approve the plan as it satisfies the license condition 17.

[2:52 p.m.](#)

Commissioner Stebbins moved that the commission approve the MGM Springfield Procurement Diversity and Local Business Plan as provided in the packet. Commissioner Zuniga seconded. Motion was approved 5 – 0.

Expanding Economic Access Grants

Director Griffin announced grants for Expanding Economic Access Grants with Sheriff Nick Cocchi of the Hampden County Sherriff and his team, as well as Sheila Cuddy with the Quaboag Valley Community Development Corporation on hand to acknowledge the awards.

Crystal Howard, Project Coordinator for the Workforce Supplier and Diversity Development Department gave an overview of the grant program offered by the Commission's Workforce Supplier and Diversity Development department. The objective of the program is to ensure that grass roots, diverse, community and business groups are part of the outreach effort.

Ms. Howard stated that the team organized a committee for review of the 17 different proposals received. The committee is comprised of Derek Lennon, Chief Financial and Accounting Officer, Trupti Banda, Human Resource Manager, Commissioner Bruce Stebbins, Jill Griffin, Director of Workforce, Supplier and Diversity Development and herself.

The organizations included the Hampden County Sheriff Department, Quaboag Valley Community Development Corporation, the Asian American Civic Association, Best Hospitality Training, Chelsea Collaborative and partnership with La Communida and the Hispanic American Institute. The committee determined that each of the six could be funded, resulting in awards totaling \$74,697.99.

Racing Division

See transcript pages 130 - 176

[3:20 p.m.](#)

The Commission determined to take the Racing Division matters first in order to accommodate interested parties who were waiting for this piece.

Suffolk Downs Racecourse Purse Request

Dr. Alexandra Lightbown, Director of Racing, with Chip Tuttle, COO of Suffolk Downs, and Bruce Barnett, Legal Counsel for Suffolk Downs presented Suffolk Downs' request that the entire portion of the Racehorse Development Fund allocated to thoroughbred purses (\$12 million) be given to Suffolk Downs for deposit into the Suffolk Downs purse account. Suffolk Downs stated that if the money could not be used for purses, Suffolk Downs would return the funds to the Commission.

Catherine Blue, General Counsel noted that this issue had been brought before the Commission a couple of weeks previously. There were several additional letters that were received on this issue which are included in the Commission packet. She stated that the issue before Commission was to determine what course of action to take when money is directed to be used for a particular purpose by statute, and that designated purpose does not occur. Ultimately, the statute requires that the money be used for purses, and there are not sufficient purses to use the amount of money that is available.

General Counsel Blue advised that the Commission could leave the money where it is until the need arises, or go to the legislature for guidance, which in fact the Commission has already done since it has held the money in the fund and has filed new legislation regarding the use of the fund, among other racing matters, each year over the last three years.

There was discussion around whether or not there was an event under the Commission's regulations that triggered the need for the money to go into escrow, and whether or not the regulation was valid under the statute. It was also discussed that there has to be a purse agreement.

The Commission requested assurance from Suffolk Downs that there will be races and a purse agreement in 2019. Suffolk Downs currently has no agreement for 2019.

Chairman Crosby stated the Commission has addressed this with the legislature previously, and the legislature has had several opportunities to solve this issue, but has not acted.

[4:05 p.m.](#)

Commissioner Cameron moved to deny the request of Suffolk Downs Racecourse to transfer the Thoroughbred moneys into the Sterling Suffolk purse account. Commissioner Zuniga seconded.

Motion passed 4 – 1, with Chairman Crosby voting against the motion.

Legal Division

See transcript pages 176 - 180

[4:07 p.m.](#)

Amendments to 101 and 115 et al.

Catherine Blue presented the changes that define the standard of review for the hearing officer and the standard of review for the Commission. The changes previously requested by the Commission were made. Counsel Blue

requested that the Commission approve these changes as well as the Small Business Impact Statement in order to begin the promulgation process.

[4:10 p.m.](#) *Commissioner Cameron moved that the Commission approve the Small Business Impact Statement for 205 CMR 101 for the adjudicatory proceedings, and 205 CMR 115 et al., which includes the technical updates to various regulations required by the amendments to 205 CMR 101 as included in the packet. Commissioner O'Brien seconded. Motion passed 5 – 0.*

Commissioner Cameron further moved that the Commission approve the version of 205 CMR 101, adjudicatory proceedings, and 205 CMR 115 et al., which includes the technical updates to various regulations required by the amendments 205 CMR 101 as included in the packet and authorize the staff to take all steps necessary to begin the regulatory promulgation process. Commissioner Zuniga seconded. Motion passed 5 – 0.

Commissioners' Updates

See transcript pages 180

[4:11 p.m.](#) The Commission commented on the status of the MGM Springfield project and its anticipated opening. It was noted that remarkable progress has been observed in just a number of months. The next few months are expected to be busy. It was remarked that a considerable amount of homage is being paid to the past and history of the City of Springfield in the architecture and construction.

[4:13 p.m.](#) *Having no further business, a motion to adjourn was made by Commissioner Zuniga. Commissioner Cameron seconded the motion. Motion passed unanimously.*

List of Documents and Other Items Used

1. Notice of Meeting and Agenda, dated April 26, 2018
2. Commission Meeting Minutes Draft dated April 12, 2018
3. MGM Springfield Presentation
4. Memo RE: Underage Persons on the Gaming Floor, dated April 26, 2018
5. MGM Springfield Gaming Area Map
6. MGM Springfield 2018 Gaming Establishment Map
7. MGM Local Business Plan Memo dated April 23, 2018
8. Expanding Access Grant MGC Memo dated April 20, 2018
9. 205 CMR 101.00 Draft Small Business Impact Statement
10. 205 CMR 101.00 Draft Regulation
11. 205 CMR 115.00 et al. Draft Small Business Impact Statement
12. 205 CMR 115.00 Draft Regulation

13. Suffolk Racecourse Purse Distribution Email & Document dated April 23, 2018
14. Letter to Chairman Crosby from NEHBPA dated April 19, 2018
15. Letter from B. Barnett to General Counsel Catherine Blue RE: SSR Request for RHDF Disbursement dated April 23, 2018
16. Letter from MA Thoroughbred Horsemen's Association RE: SSR Request

/s/ Catherine Blue
Assistant Secretary