



Massachusetts Gaming Commission Meeting Minutes

Date/Time: August 2, 2018 – 12:30 p.m.

Place: MassMutual Center
1277 Main Street, Rooms 1 & 2
Springfield, MA 01103

Present: Chairman Steve 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 pages 2 - 3

[12:30 p.m.](#) Chairman Crosby called to order the 249th Commission meeting. He welcomed Denise Jordan, Chief of Staff for the City of Springfield, who spoke on behalf of Mayor Sarno. Ms. Jordan addressed the opening of MGM, and introduced the team that would be addressing the preparations involved by the City of Springfield.

Approval of Minutes

See transcript page 4

[12:32 p.m.](#) *Commissioner Stebbins moved to approve the minutes of the July 19, 2018 Commission Meeting, subject to correction for typographical errors and other nonmaterial matters. Commissioner Cameron seconded the motion. The motion was approved 3 – 0, with Commissioner Zuniga and Commissioner Stebbins abstaining.*

Racing Division

See transcript pages 4 - 8

12:36 p.m. **Discussion Regarding Expiration of Racing Legislation.**

The Commission addressed the Commonwealth's racing legislation that authorizes horse racing and simulcasting, that had expired at midnight on July 31, 2018. Executive Director Ed Bedrosian stated that because that legislation was not extended on the morning of August 1, 2018, a letter was sent to racing licensees informing them that as of July 31, 2018 there is no statutory authorization for live horse racing or simulcasting in the Commonwealth. Licensees were advised in the letter that simulcasting in all forms under any license is suspended, as well as live racing at Suffolk Downs and Plainridge Park until further notice. Director Bedrosian stated that he currently understands that the legislature is working on this issue, which may be an extension to the previous law.

Director Bedrosian reported additional actions that he took after the letter that was sent to racing licensees, and stated his concern for the individuals affected.

Ombudsman

See transcript pages 8 - 52

12:50 p.m. **MGM Springfield Opening Traffic Plan Presentation.**

The Commission reviewed a presentation illustrating the progress in the MGM Springfield project. Anticipation and mitigation of traffic issues was discussed. It was noted that Springfield has the Commuter Rail coming from Hartford and New Haven, and there is a study being conducted regarding implementation of an east-west rail. The City of Springfield is meeting with MassDOT to discuss. There is also a new pedestrian wayfinding system being implemented. The MBTA has given CRRC MA Corporation a \$566 million contract to build 152 Orange Line cars and 252 Red Line cars.

The Commission also reviewed a presentation by the Department of Public Works ("DPW") for the City of Springfield, showing the level of detail applied to the MGM Springfield Grand Opening Traffic Management Plan. The DPW reported that the work is substantially complete, and that they are ready for MGM Springfield to open. It was also reported that they have already coordinated with MassDOT, MA Turnpike, I291, and I91, and all of the overhead signs will be activated notifying people that the MGM facility will be opening on August 24, 2018. Planned street closures, parking ban areas, methods to control traffic in the city were reviewed. MGM will initiate the LOOP Bus program, serving downtown Springfield. DPW, MGM, Springfield Police Department are all coordinating together on these plans.

Springfield Police Commissioner John Barbieri presented the METRO security group plan for the casino's opening. He indicated that there will be a total of 37 officers, split into shifts. The downtown Springfield area will be split into four sections/divisions.

The opening day schedule for August 24th was reviewed. The public is urged to arrive early and stay late, and use alternative methods of transportation, such as the LOOP or Uber.

Research and Responsible Gaming

See transcript pages 52 - 74

1:23 p.m. **GameSense Communications Strategy Discussion.**

The Research and Responsible Gaming Division presented the new GameSense brand for relaunch and introduction into western Massachusetts to the Commission.

The GameSense marketing campaign was presented, and Elaine Driscoll, Director of Communications reviewed the GameSense Communications Objectives, and announced the completion of the website that had just gone "live". A GameSense kiosk at MGM Springfield was also described to the Commission. Director Driscoll then reviewed the advertising campaign that will launch the August 24th opening.

Administrative Update

See transcript pages 74 – 165

1:48 p.m. Executive Director Bedrosian announced that Governor has just signed off on the extension regarding racing in Massachusetts, and that he has sent an email to the MGC's licensees reauthorizing simulcasting and live racing.

2:00 p.m. **MGM Springfield Operations Certificate Status Presentations.**
Director Bedrosian introduced a presentation that would show the status of compliance with the conditions of the license for MGM Springfield, outlining the path to an operations certificate.

2:12 p.m. **Construction and Commitments**
The Commission reviewed the status of MGM's pre-opening requirements for the issuance of their Operations Certificate. Ombudsman John Ziemba requested approval of these items from the Commission, stating that there is substantial evidence that MGM Springfield has materially complied with the terms of its license. It was also noted that the Commission will continue to review MGM Springfield's progress in meeting all goals and standards, both in the short term and long term of the license.

Joe Delaney, Construction Project Oversight Manager presented items in a memo addressing the opening requirements for MGM Springfield. It was determined on July 31st that the items required for a temporary certificate of occupancy are complete. The Commission will continue inspections of projects that are still in progress, but are scheduled to be complete before the opening of MGM Springfield.

[2:32 p.m.](#) **Workforce and Hiring.**

The Commission reviewed design and construction commitments with regard to women-owned business, minority-owned businesses, and veteran-owned businesses. It was reported that staff believes that they have met the requirements to establish a workforce development plan.

Marikate Murren, Vice President of Human Resources at MGM Springfield reported employee diversity statistics as of July 25, 2018. Ms. Murren stated that she believed that MGM Springfield appears to have met their hiring goals so far. She will come back in 90 days to report attrition “fall out” number.

[2:55 p.m.](#) **Technology**

The Commission reviewed the status of regulation compliance in several technology related areas, as presented by Katrina Jagroop-Gomes, Chief Information Officer and Scott Helwig, Gaming Technical Compliance Manager. Work performed was reported, and recommendations were made to the Executive Director relative to the Network Security Plan. The Commission’s Gaming Technical Compliance team will conduct a security audit during the first year of MGM Springfield’s operations.

[3:00 p.m.](#) **Responsible Gaming**

The Research and Responsible Gaming Division presented the Voluntary Self-Exclusion program, the GameSense Information Center, and the MGM Springfield Responsible Gaming Plan with Karen McRae, Director of Compliance for MGM Springfield. Director Vander Linden advised that the key responsible gaming initiatives and policies outlined for the Commission in these programs meet the Commission’s high expectations and statutory and regulatory requirements.

[3:07 p.m.](#) **Gaming Regulatory Compliance**

The Commission reviewed the status of gaming regulatory compliance with MGM Springfield. Bruce Band, Gaming Agents Division Chief reported status of all plans (MGM’s floor plan, surveillance plan and camera locations, emergency and critical incident response plan, slot operations plan, play night inspection plan, gaming day operations, and liquor license) stating that they have all been reviewed by the Investigations and Enforcement Bureau, and have been found to be satisfactory, meeting the requirements of the regulation after testing nights.

[3:12 p.m.](#)

Employee Vendor Licensing

The Licensing Division reported that as of Monday, July 30, 2018 there are 1,739 licenses and registrations issued. There were 29 fingerprinting events with 1,247 individuals fingerprinted. Each event was staffed by Massachusetts State Police. It was also reported that the License Management System (LMS) has worked successfully, expediting the licensing and registration process.

Paul Connelly, Director of the Licensing Division introduced new employee Tara DeMoe, Licensing Technician.

[3:32 p.m.](#)

Finance

The Commission reviewed MGM Springfield's Gross Gaming Revenue ("GGR"). Derek Lennon, Chief Financial Officer advised that as there has been no live play at MGM Springfield yet, he is able to make a recommendation based only on the controls presented that were worked on collaboratively between MGM Springfield and the MGC Finance Division. CFO Lennon recommended that the Commission approve the GGR calculation process for MGM Springfield for tax reporting based on these controls.

[3:41 p.m.](#)

Legal

The Commission reviewed two agreements reported by the Legal Division. First was a Memorandum with the Department of Revenue that has been agreed to between MGM and the Commission, which has been agreed to. Second was an agreement with the Massachusetts State Lottery and MGM Springfield, which has also been agreed to by both parties. Both documents will be finalized next week.

Ombudsman

See transcript pages 165 - 166

[3:43 p.m.](#)

Determination of Final Stage of Construction

Joe Delaney, Construction Project Oversight Manager recommended that the Commission vote to approve MGM's certification that the project has reached the final stage of construction, so that the earlier vote to reduce the bond may be effectuated.

The Commission reviewed a memo from Mr. Delaney, and a letter from MGM Springfield that affirmed that the construction at MGM Springfield is in the final stage, as described in their project schedule pursuant to 205 CMR 135.02(2).

[3:45 p.m.](#)

Commissioner Zuniga moved that the Commission approve MGM's certification that the project has reached the final stage of construction, so that the earlier vote to reduce the bond may be effectuated. Commissioner O'Brien seconded the motion.

The Motion passed 5 – 0.

Legal Division

See transcript pages 166 - 175

3:45 p.m. **Votes Required for the Opening of MGM Springfield.**

Approval of MGM Springfield to Open for Test and Evaluation – VOTE

All profits on test nights will go to charity; specifically, Head Start and Square One.

3:46 p.m. *Commissioner Cameron moved pursuant to 205 CMR 151.03 that the Commission authorize Blue Tarp redevelopment LLC, referred to as the licensee, to open for test play on August 14, for an evaluation and test period on August 16th, and August 20th, 2018 provided the following:*

- 1. That prior to August 14th, Blue Tarp redevelopment LLC has received a certificate of occupancy from the City of Springfield;*
- 2. The licensee may accept currency in exchange for chips and other items of gaming value at the cage and gaming tables;*
- 3. The licensee may process currency and other items of value in the count room;*
- 4. The licensee may operate slot machines and other electronic gaming devices previously approved and certified in accordance with 205 CMR 144.00;*
- 5. The licensee shall determine how the gross gaming revenues from the evaluation and test period are utilized and advise the Commission at the next public Commission meeting of such utilization; and*
- 6. The licensee may serve alcoholic beverages pursuant to the terms and conditions of its gaming beverage license.*

Commissioner Zuniga seconded the motion.

The Motion passed 5 – 0.

Delegation of Authority to a Single Commissioner to Observe and Review the Results of Test Nights and to Issue a Conditional Operations Certificate on Behalf of the Commission – VOTE

3:48 p.m. *Commissioner O'Brien moved pursuant to 205 MR 151.01(1) that the Commission grant to Commissioner Stebbins the authority to observe and review the results of the test and evaluation nights to be held by MGM Springfield, and base upon that observation and review and any prior approvals granted by the full Commission the authority, if he is satisfied, that the licensee has met the legal requirements described in c. 23K § 10 and 205 CMR §§ 35.00 and 151.01, and subject to any conditions necessary in his discretion, to issue a conditional operation certificate. This certificate shall be effective 12:01 a.m. August 23, 2018 through 12:01 a.m. September 14, 2018*

and shall be subject to ratification by the full Commission at its September 13, 2018 public meeting or at such earlier meeting as the Commission determines appropriate.

Commissioner O'Brien further moved that Commissioner Stebbins will report on the results of the test night to the full Commission at the next regularly scheduled Commission meeting. Commissioner Cameron seconded the motion. The Motion passed 4 – 0, with Commissioner Stebbins abstaining.

Approval of the Form of the Conditional and Permanent Certificate of Operations – VOTE

[3:50 p.m.](#) *Commissioner Cameron moved that the Commission approve the form of both the temporary and permanent operating certificates as those documents appear in the Commission packet. Commissioner O'Brien seconded the motion. The Motion passed 5 – 0.*

Approval of Compliance with the Terms of c. 23K, 205 CMR and Category 1 Gaming Establishment License Conditions – VOTE

[3:51 p.m.](#) *Commissioner Zuniga moved that the Commission find and determine that based upon the reports provided to the Commission at the July 19th and August 2nd, 2018 Commission meetings, and project updates provided to the Commission at previous meetings, subject to any terms and conditions expressed by the Commission at those meetings, and subject to any terms and conditions determined by the single Commissioner in his discretion after the test and evaluation period, that Blue Tarp redevelopment LLC has demonstrated material compliance with M.G.L. c. 23K, 205 CMR, the terms and conditions of the Agreement to Award a license and the license issued to Blue Tarp redevelopment LLC on June 13th, 2014 and effective November 7th, 2014 subject to any further terms or conditions deemed appropriate or necessary by the Commission and subject to the Commission's right to review or revisit such material compliance in the Commission's discretion. Commissioner Cameron seconded the motion. The Motion passed 5 – 0.*

[3:52 p.m.](#) *Having no further business, a motion to adjourn was made by Commissioner Cameron. Commissioner O'Brien seconded the motion. The Motion passed unanimously.*

List of Documents and Other Items Used

1. Notice of Meeting and Agenda, dated August 2, 2018
2. Draft Commission Meeting Minutes dated July 19, 2018

3. Letter to Licensees regarding Racing and Simulcasting dated August 1, 2018
4. City of Springfield Presentation
5. MGM Springfield Grand Opening Traffic Management Plan
6. MGM Traffic & Parking Tips Presentation
7. New GameSense Brand, Redesigned Website and Integrated Campaign PowerPoint Presentation
8. Memo regarding MGM Springfield compliance with 205 CMR 135 & 151; Determination that Gaming Establishment May Open for Business dated August 2, 2018
9. Memo regarding Determination that the MGM Springfield Gaming Establishment May Open for Business dated July 30, 2018
10. Memo regarding MGM Compliance with RFA-2 and License Conditions for Pre-opening dated August 2, 2018
11. MGM Massachusetts Gaming Commission Diversity Update Presentation dated August 2, 2018
12. MGM Springfield Workforce Diversity Report dated July 25, 2018
13. MGM Springfield Workforce Development and Hiring Update Presentation dated August 2, 2018
14. Letter regarding MGM Springfield Workforce Development Compliance dated July 11, 2018
15. Memo regarding MGM Springfield – Gaming Technology Review dated July 29, 2018
16. MGM Springfield On-Site Inspection Report dated July 26, 2018
17. Information Technology Services – Gaming Technology PowerPoint Presentation
18. Memo regarding MGM Springfield Responsible Gaming Readiness dated August 2, 2018
19. Gaming Regulatory Compliance PowerPoint Presentation
20. Licensing: MGM Springfield PowerPoint Presentation
21. MGM Springfield Temporary Certificate of Operations
22. MGM Springfield Permanent Certificate of Operations
23. Memo regarding Final State of Construction dated July 31, 2018

/s/ Catherine Blue
Assistant Secretary