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MEETING  
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P R O C E E D I N G S

>> CHAIR JUDD-STEIN: Good morning. Good morning, Austin. Thank you, everyone, for accommodating my few minutes of being late this morning. We're calling to order meeting number 272 of the Massachusetts Gaming Commission on Wednesday, June 12th, 2019, at 10:00 a.m. at our offices at 101 Federal Street here in Boston. As you know, Commissioner Cameron is not here today. We will begin with item 2 on our agenda, and that would be the minutes review. Commissioner Stebbins.

>> COMMISSIONER STEBBINS: Good morning, Madam Chair. In your packet, you have the meeting minutes from the May 23rd, 2019, meeting out in Springfield. I would move their approval subject to some just grammatical corrections I can go back over and make with staff.

>> COMMISSIONER ZUNIGA: I second that.

>> CHAIR JUDD-STEIN: Any questions or discussion? All in favor? Opposed? That would be 4-0, Catherine. Thank you. Item number 3 on the agenda, Ombudsman Ziemba, please.

>> MR. ZIEMBA: Good morning, Chair and Commissioners.

>> COMMISSIONER ZUNIGA: Good morning.

>> MR. ZIEMBA: On the agenda today is the latest on the traffic and safety preparations for the plan opening period for the Encore Boston Harbor Casino. Encore Boston Harbor will give both an update on its plans and will brief the Commission regarding its extensive public outreach activities for the opening. The Commission staff has been working with Encore on its opening preparations for many months. And as the Commission is aware, Encore Boston Harbor has already provided briefings on its plans at the May 6th meeting and also at the meeting last week. However, we all know how important this planning is and how important it is for the general public to hear about what you can expect at the opening. Before turning it over to Bob DeSalvio, President of Encore Boston Harbor for the presentations, I would first like to thank the numerous agencies, communities, and individuals that have been part of the planning effort. And with that, let me turn it over to Bob.

>> MR. DeSALVIO: Thank you, John. Good morning, Madam Chair and

Commissioners.

>> COMMISSIONER ZUNIGA: Good morning.

>> MR. DeSALVIO: Nice to be back. I'd like to take a moment and just introduce the whole team that's here. You're going to hear from them at various parts of the presentation today. Of course, with me is Jacqui Krum, our Senior Vice President and General Counsel, and then behind us, Jason Stump, our Vice President and CIO. He just waved. Bill, our director of casino finance, is here. Ed Collins, our director of casino credit, is here. Susie McDaniel you'll hear from later is our Vice President of Human Resources. Rich Prior, Executive Director of security and investigations, and Peter Campot, our Director of Construction.

>> CHAIR JUDD-STEIN: Good morning. Good morning and thank you, everyone, for being here.

>> MR. DeSALVIO: Great. What I'd like to do is double back through the presentation and provide for the Commission staff and the public that's watching, a general update of where we are right now to get you current on the transportation plan. And then a new item for today as we have some creative we want to show you that's part of the outreach campaign. So I'm going to jump right into that. Let me move towards the first slide. That one right there is perfect. As you know, it's a multimodal transportation plan involving many opportunities for guests to hopefully leave the car at home and try a different method, which is what we've been working on right from the beginning. We have our motor coach program that will operate the shuttle systems in from Wellington and in from Malden Center. The watercraft for the harbor premium water shuttle service, our premium park and ride service through the new motor coaches, the local runner that we're running through Everett are all part of the equation along with our ride share program.

Let me start with the shuttle bus service. I'm happy to report that the shuttle bus operation is already in full operation, even though we're not yet open to the public. We had to move significant numbers of new team members back and forth to the actual facility. As you know on June 3rd, we onboarded over 4,000 people that were part of the opening, and there was no reason to wait on the service. So we've already -- motor coaches have been received. Shuttle service is up and running. We completed the improvements that were in both Wellington and Malden Center. And so that's already under way.

With regard to the water shuttle, yesterday, the first of our water shuttles arrived at our dock for a test run. The first boat has now gone through its Coast Guard regulatory approval and checklist, and they're finishing up a couple items. And then the next two will be finishing up their runs with the Coast Guard and to make sure that they are completely certified. All of that will be done prior to opening. So it looked great. We got some nice photos of the first arrival of the test runs on the shuttle.

As far as the ride share, the lot that's across the street from the resort is nearly complete. And so we will have that ride share lot ready for day one. And our parking plans are now well in place, with the arrangements that we've made. On the next slide in terms of premium motor coach service, we will be beginning that service the day that we open. And as you know, we're operating in three locations, north, south and west of the resort. All of the agreements are in place in Londonderry and in Rockland and Millbury, and coaches are ready, and that service will begin as planned.

I mentioned earlier the MBTA stations. By the way, they look good. The signage is done. New crosswalk areas, really some nice improvements. In particular there was quite a bit of work to be done at Wellington, and I went and walked it the other day. It looks really good, especially the new signage.

We can move to -- oh, on grand opening day, I know we talked about this previously. We are going to add Wonderland as a good stop for us because we can intercept quite a few people coming in from the North Shore. So that plan is in play already for opening day. The Encore Neighborhood Runner is already up and running and going to three locations. One is the Chelsea Silver Line stop. The other is in downtown Everett, and the third stop at River Green. I toured the River Green parking lot, parking facility, just the other day. It's nearing completion. The shuttle is already stopping there because we have a number of employees that are walking there because they live close by. So we've already opened the stop even though that overflow parking lot is not yet complete. But it will be complete and ready to go for opening. So that looks good.

And the next slide shows the route where the Neighborhood Runner goes to. But that's been very well received already in the community. The employee shuttles, as I mentioned, are all operating fine. The harbor shuttle, we're going to do our own test run on Friday morning with some of our folks on board to run to all three stops. We got the final licenses in play. The dock work has already been done at World Trade Center. And by the end of this week, the dock work that needed to be done at Long Wharf North will be completed as well. So all of that's going well. And with the appropriate licenses. And you know where the stops are.

This is an important one, kind of new information on the maritime traffic plan. Since we've moved into the facility, we're already seeing, you know, obviously there's interest from the boating public about arriving to the facility. And in working with the Coast Guard and law enforcement, we've set up a schedule so that on opening day, they're going to -- they are going to limit the amount of openings on the Alford Street Bridge, and right now they've committed with just going to 6:00 a.m., noon, 6:00 P.M. and 8:00 P.M. for any larger boats that would need to actually force the opening of the Alford Street Bridge. Law enforcement, Coast Guard, everyone has been extremely cooperative, and I think that was the right call for that opening day because we know already there's going to be significant amount of traffic, and we're trying not to slow it down any further by the openings of the Alford Street Bridge.

>> COMMISSIONER ZUNIGA: Bob, do you know how long does it take to raise the bridge?

>> MR. DeSALVIO: You know, I've seen it go up and down a number of times. It's not that long. It's a new bridge, as you know. And so it operates faster than most of the old -- you know, the old style drawbridges. If I had to guess, the whole operation is five minutes, maybe.

>> COMMISSIONER ZUNIGA: Okay.

>> MR. DeSALVIO: Between up and down. It's pretty quick.

>> COMMISSIONER ZUNIGA: Yeah. Thank you.

>> MR. DeSALVIO: I'm sure they move it as fast as the mechanism can work. Also, as far as maritime traffic goes, the City of Everett just got a new police boat, so that's now sitting at our dock in front of the resort. And they've been doing some training runs

in and around. And they're going to work in conjunction with -- there's really three maritime efforts under way. One is, of course, the Massachusetts State Police. Then Boston Police has their own. As you know, they have significant resources in the harbor. And then Everett added their -- the local boat as well. So all of those maritime resources are going to be in play for day one.

Ride-share services, I mentioned, we're good to go on the lot across the street. As far as our own operation, we've hired staff. We have different vehicles that we're using. Our service is already up and running. We're testing it as folks come in and out, our own staff we've been picking up at the airport to make sure that we've got that down. Rideshare lot I already mentioned. Lyft and Uber, we're in good shape with them.

Parking lot access. As you know, we're really promoting folks to find lots and jump on the Orange Line specifically. And so there are great opportunities all around us. And in particular, over at -- we're finding that a lot of people are just going to Sullivan Square "T" station and walking because it's just gotten that much better in terms of sidewalk, the ADA improvements, the crosswalk. So on a good day, your best bet is to even just get off at Sullivan and walk. It's a very short walk right to the facility. So that's been working out well.

On this slide, like I said, there's numerous garages that people can go to all around the region, and we're encouraging folks to do that. The next slide just shows, of course, the transportation network of the "T." It really covers us from all over the place. I also sometimes don't mention enough commuter rail options. Anyone coming from the north can get out at Malden Center and then just jump on our free shuttle right to the facility as well. As you know, we're going to participate in the Blue Bike Program. So we've got two stations, one out on the harborwalk on the western side of the property near the Gateway Connector, and the other is out in the front of the property near Broadway. So those bikes will be in and up and running for the day we open.

The pedestrian connections look great. We had actually MassLive came out this weekend. We did a walk with Mayor DeMaria and walked the entire Gateway Harbor connection and all the way around the front of the property. So we've been trying to get as much media attention as we can in terms of promoting these different ways to get to the property. But as you can see from this particular slide, you can get right from Broadway, run the whole perimeter of the property, go under the MBTA commuter rail tracks, and then move over to the Gateway Connector. And we made some beautiful landscape improvements and, of course, we were out there visiting on Saturday and looked at the beautiful artwork that the Everett High School students did underneath the train trestle, there was some old graffiti that we had removed, and the senior class at Everett High School, the art program, came out and worked with Roger Thomas and our design development team, and they did these gorgeous murals that are now in the walk path for those that happen to crisscross from Gateway over to the property. It was a real source of pride for the mayor when we took the tour.

The grand opening drop-off plan, as you know, we're going to use Mystic View Drive. It's a way for us to get from Wellington over to the property very quickly without using Broadway. Those plans are all set. We've worked with DCR on making sure that they're on board and law enforcement. So I think that's a very clever way for us to keep some traffic off of Broadway.

>> COMMISSIONER ZUNIGA: So who gets to go on that drop-off?

>> MR. DeSALVIO: Our shuttles.

>> COMMISSIONER ZUNIGA: Your shuttles.

>> MR. DeSALVIO: Our shuttles from Wellington, and it will cut out significant time, and it will enable us to make a round trip from Wellington to the property and back very quickly. Because we literally eliminate Broadway altogether.

>> COMMISSIONER ZUNIGA: Yes.

>> MR. DeSALVIO: And the DCR has been -- the DCR has been very cooperative, and they said, you know, great, we're doing this for the opening day, but if we need it for the opening period or longer, they're certainly willing to work with us.

>> COMMISSIONER ZUNIGA: That's great.

>> MR. DeSALVIO: So they've been a great partner.

>> COMMISSIONER STEBBINS: Bob, as you anticipate people lining up for the first -- for the first day pre-opening, is this kind of the best queue for them to get in?

>> MR. DeSALVIO: Exactly.

If you look at that slide where the arrow points to the front of the property and you start heading first south and then west and then all the way around over to Gateway, that gives us an incredibly long queue, and so we're going to -- we suspect that people will come probably earlier in the morning on Sunday, the 23rd, and the idea was to not queue on Broadway to try to avoid that, if possible. So we are going to queue using the around the peninsula and then down through the Gateway Connector and heading over that way. But you could literally queue thousands of people on that and have them nowhere near an active roadway. So it's actually the perfect queueing location as far as public safety goes.

The operation traffic demand management. You know, signage was a big part of what I had mentioned at previous meetings. If you do drive in and around the area, you will notice many of our wayfinding signing packages are complete, specifically the one that gets you off if you get off -- if you're heading down 93 and get off at exit 31 and come in via the parkway, Mystic River Parkway, the entire wayfinding package is done. I looked at it yesterday. They put up the first couple signs in Sullivan Square. The highway signage is going to go up shortly. So all of those signs hopefully will be up right at opening. And on top of the permanent signs, we have the portable variable message signs in many locations where we can direct people based on current traffic needs. There's a number of those. Forward through those.

A big part of what we're doing involves our coordination with law enforcement. As you know, Rich and Jim Folk have been working on this for many, many months. We have significant law enforcement presence, as you can see from this slide. And so they've got this covered. Every possible which way you can get to and from the resort are going to be covered by one department or another using both the state police and local law enforcement. So we have their full commitment, and they will work with us as long as we need them. So whether it's a day, a week, a month, three months, they've committed that all we have to do is ask for the details, and they'll be able to help us out.

The next slide just shows you the first run of some of the different police details and shows you there are obviously different communities involved. Some are Boston, some are Everett. The next slide shows you all kinds of locations where state police are going to be involved, mainly involving the parkway and the other surrounding major

roadways. The next slide shows you where Medford Police details are going to be. The next one is Chelsea. And they're covering us, you know, to the east.

The next slide is our regional highway signage package. And again, many of them are up, and the remaining ones will be put up shortly. And the next slide is a list of all the stakeholders that have been involved. So that's kind of where we are right now in the plan. And John, did you want me to roll and keep going into the communications side or --

>> CHAIR JUDD-STEIN: If I could just interrupt.

>> MR. DeSALVIO: Oh, sure.

>> CHAIR JUDD-STEIN: That last slide which you glossed over quickly is a very important slide because it points out the number of hours that you have spent working with these stakeholders. So just so -- it says that each meeting -- you've been meeting biweekly since February, involve all partners to ensure the safety and success of our transportation planning. This is just transportation. Each meeting lasted two hours and involved significant input and follow-up through subcommittee discussions. Providing ongoing and meaningful opportunities for communication and input allows us to draw from experts in their perspective fields, and all the stakeholders are listed. So we appreciate all the folks who met regularly and Encore (off-mic).

>> MR. DeSALVIO: Great. Thank you, Commissioner.

>> COMMISSIONER ZUNIGA: Bob, you said how we're not only planning for the opening day but really we're looking for the opening period.

>> MR. DeSALVIO: Sure.

>> MR. ZUNIGA: Perhaps you can give a little bit more detail regarding some of the measures you put in place to deal with peak traffic periods. For example, your employee shifts.

>> MR. DeSALVIO: Sure. As you know, we purposely, in going through the environmental process, tried to limit the amount of movement during peak commuter hours. And so that we've actually redid the whole scheduling model inside the resort to try to reduce as much as possible traffic during the peak commuter hours. And that was a key. And it actually -- I got to hand it to our operators because it forced them to kind of rethink the way they traditionally would do your normal shifting and bringing in people earlier than normal, bringing in people later than normal, all with the goal in mind is to get people kind of off of those key peak hours. So the operators have been extremely cooperative.

The other key is, of course, the use of technology, the interconnect agreement that we have with Boston and Everett is extremely novel in the transportation industry because you have two separate communities that agreed to link their transportation technology assets together in a centralized command center, which is obviously Boston has an extensive command center at their -- the BTD headquarters. And the fact that we could get the two communities to work together to actually include that which involved running an interconnect underneath the Alford Street Bridge, so we had bridges involved, water involved, a 1600-foot run from Sullivan Square all the way to Bunker Hill Community College to take that all the way down Rutherford Avenue, all new time traffic signals, a very significant transportation technology effort because there's just only so much pavement that you've got out there. It's not just a matter of making roads wider. It's how do you do transportation smarter. That only works if you

can buy current technology and you actually get the communities agree to use it. And we've gotten -- and BTD in particular has been a wonderful partner on this. Bill Conroy and the other folks there, Jim before he left. But that cooperation has carried on from one leader in the department right to the next, so it's been a very impressive effort.

>> COMMISSIONER ZUNIGA: Bob, I had a question that pertains to this presentation. It's also part of the theme of the next one. But just regarding the opening day, I think it's a great strategy to have the multimode that you described. Could you speak a little bit relative to the flexibility you might have to be able to react?

>> MR. DeSALVIO: Sure.

>> COMMISSIONER ZUNIGA: I'll give you a quick example. What if you get a lot of people interested in going on the boats, let's say, because it's fun to take the boat, and it's more than you anticipated, let's say. How would you deal with that?

>> MR. DeSALVIO: Sure. A couple things. First of all, the state police is going to be setting up their command center vehicle in the parking lot. The MBTA has been great in working with us. So they're going to have the mobile operations unit there so that they'll be able to really work in concert with all of -- whether it's local or the state police assets. In terms of changing plans or rerouting folks. So part of it is on-the-fly communication. We're going to have additional motor coach assets available so that we could run more people from the stations. And then our operator of the water shuttles has additional boats available. So we've already talked about having some backup available if this is -- you know, if obviously it's as successful as we hope it will be. We also have a fourth boat on order. We started with three, as you know, and there will be another one joining the fleet. And then they've got additional water assets available as well to add capacity. One of them with a little higher capacity than ours. So we've tried to line up every possible available resource, and then we'll be able to call them into play as needed.

>> COMMISSIONER ZUNIGA: Thank you. Also on the opening day, one of the things that I was particularly -- it was interesting to see that happened at MGM. As people lined up with great expectation relative to the opening, there was all kinds of things going on relative to, for example, people with a sign saying, if you've got to go, let me know, they would stand in line for you for that person to go use the facility in the neighboring businesses. It's just an example of, you know, sort of how to deal with large crowds.

>> MR. DeSALVIO: Sure.

>> COMMISSIONER ZUNIGA: Can you speak a little bit to that, to the queueing that Commissioner Stebbins was also mentioning?

>> MR. DeSALVIO: Sure. Yeah, we're going to set up a program. . We wanted to make sure that people could get something as simple as water as snacks. So I think we picked six locations that run the perimeter of the harborwalk. And as people approach that area in the queue, we'll be offering free water and snacks for folks just in case they've been waiting out there for a while. Of course, we would allow them to use -- go inside and use any of the restroom facilities. You know, all of that's part of the plan. We'll have security out there. One of the reasons why, you know, we picked 10:00 a.m. was to do it, you know, on a day that was relatively slow in terms of normal commuter traffic, hopefully being very, very light. And by going to 10:00 a.m., we were trying to think about heat of the day. We wanted the opening to occur in the morning

so that if people were going to line up, it would be more early morning before it gets too hot. And so we're trying to be cognizant of public safety, in particular. And that's why we'll offer, like I said, free water, snacks, use of restrooms, all of that will be part of the equation.

>> COMMISSIONER ZUNIGA: Thank you.

>> MR. DeSALVIO: Great question, though. Thank you.

>> COMMISSIONER STEBBINS: Bob, a lot of this is obviously geared towards opening day, but tell me what adjustments you might have as it relates to your first Friday and Saturday.

>> MR. DeSALVIO: Sure.

>> COMMISSIONER STEBBINS: We know those are the busiest. What accommodations are you making to accommodate that?

>> MR. DeSALVIO: We believe we will keep this opening plan pretty much through the whole first week. So we do have an event on the first Saturday after we open on the 29th. We have a show with invited guests in our ballroom and a dinner. It's a dinner show. We know that first weekend will be busy. I'm sure the hotel will be sold out. And we think that will be as busy or close to as that initial Sunday. So the idea is to keep the pressure all the way through that first week with all the additional resources, and then we'll just scope it out as needed. But we've already got the commitments that all we have to do -- we have our own internal resources. The real additional resources we need are mainly law enforcement, and they've committed to basically give them some notice, and they'll provide the details. It's actually a good time to do this in the summer, you know, while we're not in sort of, you know, other than the big summer events that you know, of course, in Boston, the Esplanade, July 4th, it's a good time to do it. It's a little light in terms of education traffic, the convention market sort of slows down, and so law enforcement's been great. And if we need the details, they'll be able to provide them.

>> COMMISSIONER STEBBINS: Thank you.

>> MR. DeSALVIO: Mm-hmm. Great. Do you want to keep going?

>> MR. ZIEMBA: Sure.

>> MR. DeSALVIO: Great. So the second part of this plan is outreach. How do we let consumers know what some of these alternates are. So we wanted to show you a few different things. When we look at the objectives of the plan, we broke it up really into three groups. One is the general public that understands that Encore is providing multiple, alternate transportation methods. Potential guests, they understand how to get here without using their car. And then guests enjoy a premium experience that begins with a comfortable trip to the resort. That's more focused to the ones that are already booked or we know that are coming.

So this is our key message. Encore has carefully planned a variety of transportation options to create a convenient and elevated travel experience for our guests, while minimizing disruption to our neighbors. With so many easy ways to get to Encore, why drive? And that's one of the key themes of what we're trying to promote. I wanted to show you some creative executions. So, you know, thinking about consumers and convenience and our five-star experience. These are the kinds of ads that you will see out there where we use arrive relaxed. Arrive refreshed. Give people ideas. Show them -- we're trying to show them in the visuals that these are not your



typical transportation methods. I mean, you look at the coaches. They're brand-new vehicles. They are wrapped. The water shuttles are amazing. They were over a million dollars apiece. They are luxury motor yachts, not what you would typically find. The premium park and ride service. And even the local runner is a gorgeous shuttle vehicle. So again, we're trying to take our elevated style and service and apply it to transportation. And that's the way we think we can move the needle in terms of ridership. People want -- they want comfort. They want convenience. They want it to show up on time and either be free or reasonably priced. And so that's what we are focusing on.

The next is sort of a transportation funnel where we start with mass market education. We get more specific into digital campaigns. And then we go into our program for if you've already made a reservation, we can even pop out instructions for how to get there. The next slide talks about our transportation mix. You can see it's heavy on out of home. Out of home is really big in the Boston market. We're lucky in that between where the roadways are, especially in relationship to where our resort is, and the amount of coverage, you really get -- some cities are just better than others in terms of outdoor, but Boston is really good for this general greater Boston because we can cover a lot of folks with out of home messages so we're going to use that. We're going to use a lot of programmatic display in particular you'll see with the "T." Radio, heavy radio campaign, and then social and then search engine marketing are all part of it.

As we move on to more of the general public campaign, this is, again, more of the mass strategy. You know, our -- just so you understand the seriousness with which we're taking this, just the initial period, we're going to spend over a million dollars in media just on the transportation method. Totally separate and apart from the -- from our grand opening TV campaign and other things. That buys you a lot of media in a very short window of time. So all of this was -- you know, in our business, you don't want to advertise too early because once people start hearing about the resort, they typically want to come. So after doing this for a number of years, you learn that you don't go way out in advance. You just go in that opening period a week or two before opening. So that's why we've started this now. And then the period right after opening is going to be critical, that first 30 days right after we open. And then this campaign will trail on and have legs all the way through the end of the year.

Next is our -- the next slide talks about our outdoor media strategy in transit. We've got MBTA interior cars. We have the live boards at "T" stations. We've got digital board rotations, some keyboards. There's a great board that we've got right on 93 as you round the corner by Somerville. And when you look out to the right, if you're traveling north on 93, you can see the resort right to the right. So we've got some great assets that are within close proximity to the resort that I think will be very monumental in terms of getting the message out.

>> CHAIR JUDD-STEIN: Bob, I travel that route, and I did see the billboard this morning. I'm going to be very honest. You have stiff competition today because the other billboard that we also note is end the drought, 123 days since our last championship.

>> MR. DeSALVIO: Ah.

>> CHAIR JUDD-STEIN: So the Bruins are winning today.

>> MR. DeSALVIO: Okay.

>> CHAIR JUDD-STEIN: On billboard competition. But if we're lucky, the win will happen tonight. And space will be reserved for you tomorrow.

>> MR. DeSALVIO: Thank you.

>> CHAIR JUDD-STEIN: But it was a stiff competition today.

>> MR. DeSALVIO: Yep. And let the Bruins' light shine today.

>> CHAIR JUDD-STEIN: Yes, that would be good for all.

>> MR. DeSALVIO: Yes. This shows you some of the interior car cards inside the MBTA. It's a great opportunity. Obviously, you have a captured audience sitting right there in the car. We've been working with them. The MBTA was a great partner in our recruitment campaign. We found that extremely effective. And so we're going to continue working with them.

The next, again, is some of the king size posters. One magnificent place, many ways to get there. Awe-inspiring destination, convenient transportation. So we're trying to combine the quality experience with a convenient option for getting to and from. The next are the one panel MBTA live boards. Arrive pampered, refreshed, relaxed, why drive? Again, hammering home that message all the way through.

The general public boards, see all the ways to get here. Opening June 23rd. And then we'll roll that campaign and drop the opening right there after opening. Geo-targeted messaging.

This will be really important in terms of whether it's live radio reports that we'll work out in conjunction with the stations, our social channels, search engine marketing, digital and mobile advertising. And you can see it's not just Boston. We're going all the way through the region. We're covering all the way from whether it's up in New Hampshire or in Maine or Manchester or Springfield, Hartford, all the way down to Providence. So we took a very regional approach to the transportation discussion.

We're going to have 30-second ads all over. You can see on the radio, again, going from Boston, the Cape, Concord, New Hampshire, Portsmouth, New Hampshire, Providence, Springfield, Worcester. And again, we can tie in the fact that you can use the premium park and ride service and drop your car and then jump on a motor coach to get here.

This next one, that's an example of some messaging. I won't do the radio read, but you can actually read the message. It's really good. It's really good. We've worked with an agency that's done a nice job with this. The next page talks about digital. Our digital strategy will work, I think, extremely well. More and more, as you know, marketing campaigns are shifting from traditional media into more digital. A great way to reach some of the younger audiences in particular. So we're going to be aggressive on that. The next are display banner ads. And again, that same messaging that transportation alternatives all the way through. It's aggressive. And when you talk about that much money for this type of media, you get significant amount of coverage. So people will be seeing this all over the place.

Paid social ads. Again, reflecting all the transportation routes. And then paid search. Obviously we work off of search engine optimization and making sure that we have the proper keywords that will connect the audience right to our messaging.

>> CHAIR JUDD-STEIN: Bob, on the motor coach service --

>> MR. DeSALVIO: Mm-hmm?

>> CHAIR JUDD-STEIN: -- the hours right now are 10:00 a.m. until 10:00 P.M.? And how are you going to be getting those details out for folks?

>> MR. DeSALVIO: Full on -- that's a big part of the transportation campaign. I'm going to -- in a little bit, I'm going to talk about the website. What I would encourage the Commissioners to do, when you get a couple moments, go on to the Encore Boston Harbor website and click the transportation link. And it really gives you a full array of all the different options and how to use them. It's -- we spent a lot of time thinking about the transportation page. So that's going to be -- we'll try to point -- you can't say it all, as you know, in an ad. But what you do is try to point people so that they can use the other digital assets to get really deep in terms of learning how to do it. As far as convenience goes on the premium bus program, we're going to have an advanced reservation link so people will be able to even book a spot for it.

>> CHAIR JUDD-STEIN: That's helpful to know. Thank you.

>> MR. DeSALVIO: Yeah. The PR campaign has been extensive. I have to give -- I'm going to give a shout-out to MassLive. Steph Solis came in, and she spent a good couple hours with us over at our Station Landing office, Jim Folk, myself. And she wrote probably the best transportation story I've seen in years. The whole goal was to use the broad reach of MassLive because it's really more of a statewide vehicle to really get those messages out. So we are actually asking the media to help us out in this -- in other words, to get the word out the best they can. And so I have to give them a shout-out because they did a really good job. And it's important when the media really does help the public, I think we should acknowledge that.

>> COMMISSIONER ZUNIGA: I was going to ask a question relative to exactly that point. And I'm sorry I'm making the same comparison to MGM, but that's an important case that we have here. It occurs to me that because of how important it was locally in Springfield, the media really covered a lot of just the news event that was the MGM opening. And what I recall is there was a real theme in many of those stories, usually look for alternative modes for opening day, et cetera. Now, I don't know what efforts they did, MGM, that is, relative to speaking and creating those stories. But anything else that you can speak to that that may be just complimenting what you're saying?

>> MR. DeSALVIO: Sure. We have a very extensive media day planned for the 21st, Friday the 21st. We've gotten a great response to media day. And we will be hammering home the message on transportation alternatives, and plus we're -- you know, between Michael Weaver and the local team, we are currently offering ourselves up for interviews in order to get the word out. So I think the media's been very good about this. Obviously, transportation, traffic planning has been probably the number one item talked about since I've been here for over five years. And it's nice to see that we can use those resources and assets to get the word out. So we're going to continue to hammer that home. And that will be one of the key themes on media day, which is how do you arrive at a luxury resort in a luxurious way that's convenient and affordable? So we'll continue to get that message out there. So it's going to be a combination of PR and paid media.

>> COMMISSIONER ZUNIGA: Okay. Thank you.

>> MR. DeSALVIO: Great. Again, that's a digital experience that you might see on a mobile device. This is a screenshot of the transportation tab that I mentioned earlier on the website and it's how to get to Encore Boston Harbor. And these are the tabs

below as you navigate the site, you get to see all the different options. And again, I would encourage you to just go ahead and go through the site, spend a few minutes, look at all the various options. But it really is a very simple, easy navigation tool to pick your method of transportation and figure out a way to go.

That's a great shot of one of the new motor coaches. Realtime update. This is going to -- I think it will work actually quite well. We'll be able to use social media channels to pop out any realtime information if we need to redirect traffic or do that. So that will do live updates right through our Twitter feed. And I believe -- of course, I want to talk about this page. We do have a full on-site call center. And for those that, you know, still want to call in, they'll be able to reach any of our professionals in the call center, and they'll be able -- they'll be scripted to have all the transportation messaging. And then again, we'll be providing for those that book reservations, we'll be giving them transportation alternatives on how to get to the property.

In summary, on the last page, this is kind of a one-page summary of the entire campaign and how we, again, broke it up into three sort of submarkets within the funnel starting with general public, probable guests and guests and the tactics that we use against it. But, again, you should -- you should hopefully have comfort that we have thought this through significantly. We're putting significant dollar resources behind it. And we're going to work with the media to get the word out. And with that, I'll open it up for any questions.

>> CHAIR JUDD-STEIN: Any questions? Ombudsman Ziemba?

>> MR. ZIEMBA: That's great. Thank you very much, Bob.

>> MR. DeSALVIO: Great.

>> CHAIR JUDD-STEIN: Thank you for that.

>> MR. DeSALVIO: Sure.

>> COMMISSIONER ZUNIGA: Thank you.

>> CHAIR JUDD-STEIN: Moving on to item number 4 on the agenda, administrative update from Executive Director Bedrosian, please.

>> MR. BEDROSIAN: Good morning, Commissioners.

>> COMMISSIONER STEBBINS: Good morning.

>> COMMISSIONER ZUNIGA: Good morning.

>> MR. BEDROSIAN: Chair, I think you have referenced the next important thing happening in the Commonwealth today, which is Game 7, of course. So go, Bruins. Today's meeting is about preparing to open Encore Boston Harbor. But before I get there, I do want to update you on thoroughbred racing in Massachusetts. We've had two weekends of racing so far, and we'll have one more at the end of June. We had May 18th and 19th that included a Preakness day on Saturday. Director Lightbown gave me some statistics on the attendance was just over 9,000 people. On the 19th, it was just under 5,000. And then last weekend, the 8th and 9th, was another racing weekend. On the 8th, which was the Belmont day, they had just under 9,000 people in attendance. And on the 9th, just over 5,000 people in attendance. There was approximately \$2 million in purses disbursed over four days, 11 races each day including 2 mass bred races each day. And as I said, the last scheduled day of racing right now at Suffolk Downs is scheduled for June 29th and 30th. That is -- just so we don't forget, and obviously the other thing we'll need to pay attention to, and General Counsel Blue, I think, was in the horse racing committee yesterday is the legislative

efforts that will happen between now and the end of July. As you know, racing legislation expires at the end of July. So we'll have to be in touch with the legislature and what is going to come up before the end of July. It affects not only racing but simulcasting into the next calendar year. So it's something we'll need to pay attention to and potentially be an active participant in.

>> COMMISSIONER ZUNIGA: Can I mention something on that note, too?

>> MR. BEDROSIAN: Sure.

>> COMMISSIONER ZUNIGA: After the dust settles a little bit, of course, with all things relative to Encore, I think it might be really a good exercise to go back and look at some of the statistics that you only summarized for Suffolk Downs but also for some of the breeders, funding that we've done. I remembered a letter that we got recently relative to just the number of participants in a breeding race in Finger Lakes that was very low. So it would be good for us to see how some of those -- some of that funding has translated into the objectives of the Racehorse Development Fund.

>> MR. BEDROSIAN: Absolutely. Okay. So as you said, today is about preparing for the opening of Encore Boston Harbor. And back to presentations. Today you'll hear from directors, and they'll hopefully let you know that Encore is both in substantial compliance with application, license conditions, host and surrounding community agreements, and that they are ready to open a gaming facility subject to a number of events, the most important which would be approved test nights that they successfully conduct next week.

At the end of the meeting, we'd ask you to consider appointing a delegate Commissioner to observe the test nights with the authority to issue what we call conditional operations certificate which may have conditions attached to it. To Wynn Mass LLC doing business as Encore Boston Harbor which would be valid until the next full Commission meeting at which time would be voted on fully.

I want to thank you, Commissioners, for your patience in digesting all of today's materials. They came in very quickly and up until the last minute just due to the nature of getting assurances from communities, state agencies, our licensees. It was a lot of work. I want to thank particularly Janice Reilly, Mary Ann for juggling presentation materials literally until the last minute. Thank you very much. Also, Joan Matsumoto was instrumental in working with directors and her commitment tracking software for months to keep all directors up to date on commitments. So you will hear from directors on their particular subject matter areas as to preparedness and substantial completion. And just a note, Director Wells will be substituting for Licensing Director Curtis today.

With that, I'd like to turn it over to John Ziemba who, along with Joe Delaney, and most importantly, supported by Mary Thurlow has been has done a substantial amount of work in the preparations. And then finally, again, go Bruins. So with that, John?

>> MR. ZIEMBA: Thank you very much, Ed. Commissioners, MGL Chapter 23K, Section 10c in the Commission's regulations 205 CMR 135 and 205 CMR 151 state that the Commission may not make a determination that a category 1 gaming establishment is open for business until the Commission has made a number of determinations. The report in your packet details the requirements of these regulations. The report also includes appendices providing further information about specific requirements, notably Encore Boston Harbor has included its submission regarding compliance with the

conditions of its license. Construction oversight manager Joe Delaney will provide details of compliance with construction requirements and further information regarding compliance with 205 CMR 135.

The determinations he will discuss cover the completion of the gaming area and other ancillary entertainment and nongaming amenities, completion of all the infrastructure improvements, compliance with the terms of the license, Commission regulations, host and surrounding community agreements, impacted live entertainment venue agreements, certificates of occupancy and approvals. We will also walk you through 205 CMR 151. But before Joe gets into the details, I'd like to just provide a general context of the determinations that the Commission will consider today.

In order to evaluate compliance with the construction-related requirements, Encore Boston Harbor and Commission staff have engaged in a very comprehensive review process described in a memo in your packet entitled "commitment closeout update," which Joe will discuss. In addition to this comprehensive review process, Encore Boston Harbor has provided significant support and evidence that it has met the conditions under its license. They submitted, as I mentioned, a detailed memorandum that appears in your packet.

The Commission's extensive reviews of the project over the last four-plus years provide additional evidence that Encore Boston Harbor is in material compliance with the conditions. During that time Encore Boston Harbor has appeared before the Commission 17 times to present its detailed quarterly reports. In addition to the quarterly reports and numerous other Commission meetings involving specific issues, the project has also been reviewed at approximately 45 access and opportunity committee meetings. By the proposed opening date, the Commission and Commission staff will have approved the final design -- and get ready for this list -- the Commission and the Commission staff will have approved the final design of the project, a detailed schedule of the project, a determination that the project has completed its final stage of construction, the floor plan, the internal controls, the emergency and critical incident response plan, the credit procedures, the gaming beverage license, approval of the slots and slot operations. The inspection following the test days. The approval and updating of the project Section 61 findings. A determination that the total infrastructure is complete. The regional tourism and marketing plan. The Workforce Development Plan, the diversity and affirmative marketing plan. The procurement diversity and local business plan. The responsible gaming framework and voluntary self-exclusion policy. As I noted, when I quoted a similar list in the review for the opening of the MGM Springfield project, that is quite a mouthful. But it goes to state how much work has gone into determining what we need to determine today.

Many of these approvals involve a staff review of the application requirements, the RFA2 requirements that relate to the topic areas of the Commission approvals. Further, the Commission has monitored reviews by other entities, notably the City of Everett Administration, the Everett city council, reviews by other surrounding communities, the MEPA office, The Mass Department of Transportation, taken together, there is substantial evidence that Encore has materially complied with the terms of its license.

Indeed, as is shown in a document entitled "appendix A," Encore Boston Harbor has not only met commitments made in its RFA2 documents, in many instances it has

exceeded them. Perhaps we can get that section on the screen. For some examples, capital investment. During the RFA2 period. For some examples during the RFA2 period, Encore estimated its capital investment at \$1.225 billion. We now have a \$2.6 billion facility. And of that incomparable regulations is \$2.289 billion pursuant to our regulations. There is an estimate of construction and operation jobs. Construction was tagged at 3,287 of direct jobs created at the Wynn facility during the construction period. And as of last week, we had an estimate of 7,354 workers.

We had an estimate of 4,382 total employees at the facility during that prior period. And Mr. DeSalvio told us that there is approximately 5800 either employed or in the works at a meeting just recently. Site cleanup. During that review period, there were public reports of \$30 million price tag for site cleanup. And more recent reports of a \$68 million remediation and cleanup plus an additional \$14 million on landscaping.

Hotel rooms in the RFA2, we were promised 500 five-star luxury rooms, each with the square footage of approximately 600 to 2300 square feet. And the facility today hosts 671 hotel rooms that are at least 600 square feet. And the largest suite is a two-story residence that measures approximately 5,500 square feet. Meeting and conference space, we had approximately 35,000 square feet at the time of the RFA2. Now we have approximately 60,000 square feet. And that facility will host the second largest ballroom in the Boston area.

For minority participation, there was a statistics of 15.3 of ethnic minorities at the RFA2 time. Now we have a statistic of 1742 minority workers with a 25.3% diverse workforce by April 30th, 2019. 6.9% women at the time of the RFA2. 7.2% as of the last accounting. For veterans, 3%. Now approximately 5.4% of the workforce by April 30th. For WBE construction contracts, approximately 12.7% of the contracts have been awarded to women business enterprises compared to a goal of 5.4%.

For responsible gaming, Encore is now a proud member of the GameSense program. We have a GameSense center on site. And Encore Boston Harbor has also entered into an agreement with the Commission to implement the play management system. And as the Commission knows, that would allow patrons to provide a very nice budgeting tool.

For lead, they promised lead gold, and every expectation that once the final forms are submitted, the facility will be at least lead gold, and there is a bright shining 688 kilowatt solar voltaic system sitting on the roof of the facility. So further, we do note that any determination that Encore is in material compliance for the purposes of its operations certificate reflects only a small portion of its compliance, consistent with prior practice, the Commission will continue to review Encore Boston Harbor's progress and meeting all such goals and standards, both in the short term and during the term of the license. Many of the requirements of the Commission we'll review today are ongoing requirements that will continue into the operations period. Some conditions will only be able to be met after the operations period begins. And with that, as a general background, I will turn to Joe. But Joe is joined by Jacqui and Bob as we begin the next stage of this review. But before turning this over to Joe, I also wanted to thank Janice and Mary Ann and Jamie for all of their patience with me, in particular, but for everything that they do every day and, of course, I want to give a special thank you to Mary Thurlow and Joe Delaney and Catherine Blue who continue to demonstrate such a high degree of dedication and professionalism in their work and in overcoming all

challenges that arise. And with that let me turn it over to Joe.

>> MR. DELANEY: Thank you, Commissioners. For my presentation today, I'm going to walk you through the memo that's in your packet, the memo that's entitled "determination that the gaming establishment may open for business." I'm just going to try to hit on some of the high points. I won't get into every detail there because it is a lengthy memo.

The first item in the memo, item A, which is compliance under 205 CMR 135. Under 135, there are a number of specific requirements that include approving a project schedule, a provision of affirmative action and marketing program, submission of quarterly reports and so on. As outlined in the memo, Encore is in compliance with each of these eight requirements in that section.

Under Section B of the memo, determination of completion of gaming area and other ancillary amenities, we are required to determine that the gaming area and other amenities have been built and are of superior quality. Our review of this, John and my review of this, focused on the physical construction of the amenities. Bruce Band in his presentation will talk more about the readiness of the gaming floor and the poker room and so on. So Executive Director Bedrosian, John Ziembra and I performed this determination on June 5th, 2019. In those areas of the project that are operating under the temporary certificate of occupancy, and I think I can say with a great degree of certainty that those areas are complete and are of superior quality.

We do need to do some final inspections on those areas that were not included in the temporary certificate of occupancy, such as the retail spaces and a couple of the food and beverage outlets. Item C in the memo, determination of completion of all infrastructure improvements. We are required to determine that all on and off-site infrastructure improvements have been completed. All off-site infrastructure work is substantially complete. We're pleased to inform you that we have received approval letters from all the required entities, those being the City of Everett and Public Works Department, the City of Boston transportation department, Mass DOT and Mass Port. I'd really like to thank all of the people from these agencies that worked closely with us and Encore in obtaining all of these necessary approvals. They were great to work with and, you know, we were working right up till the very last minute, but we do have all of those approvals in hand.

There is some additional on-site work to be completed between now and the opening. Some of the outdoor patio areas, landscaping, line striping, some final paving, you know, it's really, you know, final final kinds of things that are remaining to be done. And we do expect all of that work will be complete before opening. Item D is the opportunity to inspect to determine compliance. As John indicated earlier, we performed numerous compliance-related activities on site which included weekly and monthly meetings with Encore staff, weekly site walks, schedule reviews and many other oversight functions. But one of the main things that we used in determining compliance was the commitment tracking system that was developed by Encore. In fact, this system drove a lot of the work that we have recently completed like the design approval and the Section 61 revisions.

I would like to spend a couple minutes just to describe the system and how it was utilized. Once the Encore project received all of its approvals from all the necessary agencies, there were numerous documents that had specific requirements that Encore



must comply with. These include the RFA2, the gaming license, host and surrounding community agreements, the MEPA documents, all local permits, et cetera. The Encore team reviewed all of these documents, and when broken down into their individual components, there were over 2,250 commitments of which approximately 1900 need to be completed before opening.

In order to effectively track these, the Encore team developed a system by which each commitment was issued a unique identifier and was tracked using various spreadsheets and document management software. Each individual commitment was assigned to a team member who then assembled the necessary documentation to demonstrate compliance with the commitment. And then periodically a package of these commitments would be compiled and then submitted to us for review. The first set of these completed commitments was sent to us in December 2018, and we've been churning through those ever since to where we are today.

The internal review process first involved my review of the commitment and the backup documentation to make a determination whether or not the commitment was adequately addressed. In certain instances I would request that additional information be provided to better document compliance with the commitment. And depending upon the list, I might have asked for additional information on as many as 5% to 10% of those individual commitments.

After my review, John would then perform a spot check of my work and reevaluate some of these just to make sure I was doing -- that we were all in agreement. So to date I have looked at all of the 2,250 commitments and have not found any issues that would materially impact the project opening.

With that said, I performed the detailed review on about 2100 of these which leaves us about 150 to go between now and the opening. Now, given the sheer volume of commitments to review, the final completion of some of these items may not happen until the days and weeks after the project opens. For example, many of the off-site infrastructure improvements require as built drawings to finally close out the commitment. So this work won't necessarily be complete until sometime after opening, but we do know that the improvement itself has been completed and is fully operational.

So in this case, we're not talking about performance. We're just talking about the compilation of the documentation. So far we have identified a few commitments that may not be complete at the project opening. We're still working with Encore to close these out, but they could potentially spill over until after opening. We'll be summarizing these before the operations permit is issued because we're still trying to work through them. I think most of them will be done before opening. But if there are any left over at the end, the Commission may need to place a condition on the operations permit to ensure that those items are completed.

With all that said, I really want to thank Peter Campot and his team and particularly Kim Ripley who I work very closely with in this whole process for the development and use of this system. It's allowed us to efficiently review and evaluate compliance with literally thousands of items by compiling and storing all of the documentation in one place.

So on item E is compliance with the gaming license and the RFA2. John addressed these items in his opening remarks, so I don't need to go over those again. Compliance with the host community agreement. Enclosed in your packet is a letter

from the City of Everett regarding Encore's compliance with the host community agreement, stating that they're in material compliance with that. Of course, the City has been actively involved in this project in the design, review, permanenting construction from the very start. Item G, compliance with surrounding community agreements. In this presentation we're only going to talk about compliance with the pre-opening requirements of the surrounding community agreements. There are lots of ongoing things that will have to take place over the 15-year duration of the license. And these generally revolve around pre-opening payments as well as outreach to the surrounding communities to identify local bidding opportunities, workforce opportunities, and other business opportunities.

So in your packets is a chart showing all of the pre-opening payments that have been made to the surrounding communities. Encore has also reached out to the surrounding communities to get letters that attest to Encore's compliance with each surrounding community agreement. In addition to the letters that you have in your packet, we did receive an email this morning from Somerville that their letter will be forthcoming. We do expect to have all of these letters before the project opens.

Item H is compliance with impacted live entertainment venues. Encore does have one I-level with the Massachusetts Performing Arts Coalition which Jill Griffin will discuss further in her presentation. Item I, certificates of occupancy and approvals. The temporary -- Encore was issued a temporary certificate of occupancy for the project on May 31st for the entire project with the exception of the Mystique and Memoir spaces. Those will be issued a separate permit because they were permitted separately outside of the overall project.

In addition, the retail spaces were excluded from the overall TCO as they are still under construction. All of these spaces are expected to be complete and receive TCOs before the project opens. Encore is attempting to get the final certificate of occupancy before opening, but it may need to open its doors under the temporary certificate of occupancy, which is typical for projects of this scale. In fact, MGM opened under a temporary certificate, and they operated under that for, I think, about a month or so before they got their final.

Elevator certificates. There are 32 elevators and 12 escalators that need permits from the state. In your packet we gave you an update as of June 7th. But as of this morning, all but one of the elevators and escalators have been inspected. And we will get copies of all of those permits before opening. And the last inspection is scheduled for this week.

And then permits. The project requires dozens of permits for construction and occupancy. We've included a couple of charts in your packet that show all of the construction-related permits and then all of the operational permits necessary and the status of those. Again, that was through last Friday. We're working with Encore and getting updates on those on a regular basis, and we fully expect that all of the operational permits will be in place before the project openings -- project opens, but we do expect that they'll be coming in probably right up to the very last minute.

The next section of the memo, these all get much shorter now because there's some redundancy in the sections. But the opening requirements pursuant to 205 CMR 151, as I just said, most of these are covered in 205 CMR 135 that I just discussed. So we don't need to discuss those any further. Most of the other items here will be

discussed in Bruce Band's presentation including internal controls, the emergency response plan, approval of the gaming area floor plans and evaluation and test period. One additional item regarding a current list of all gaming employees will be included in Jill Griffin's presentation.

And then opening requirements pursuant to 23K, section 10, each of the opening requirements of 23K have been incorporated into either 205 CMR 135 or 151, so we don't need to discuss them any further here. This concludes my remarks. And I'd be happy to answer any questions.

>> COMMISSIONER ZUNIGA: Yeah, Joe. Well, just a reaction, not really a question. You mentioned that this was a lengthy memo, but I would characterize it as a really good summary of all of the work that has gone on for really from the beginning, from the start of the oversight. I think it's notable what you mentioned, John, the commitments that have been significantly exceeded in many cases, or met, of course. But there's another theme that arises from this memo, and that's the documentation of the work that we, you all, have been doing, not just the licensee that has a significant role in, of course, meeting all of these commitments and documenting it, but us in the role of verifying it as well for our own purposes. So I think it's a really good summary.

>> COMMISSIONER STEBBINS: Joe, there was one letter we had gotten in which -- I'm trying to find it right now -- the June 6th letter from MassDOT, just referencing a couple of things that should have been wrapped up this weekend. Do we know whether that work got done?

>> MR. DELANEY: There's some line striping that was done, and I'll be honest, I haven't been out there this week to check that. But I'll obviously be following up on that before opening. I think that was the last -- the last major item that needed to be done at Bell Circle and some at Wellington.

>> COMMISSIONER STEBBINS: Okay. That's the Paul Steadman letter.

>> MR. DELANEY: Yeah.

>> CHAIR JUDD-STEIN: I want to thank both Ombudsman Ziemba and Mr. Delaney for their thorough briefing from me. This is a very complex statute that we follow. The expectations are very high. Welcome to Massachusetts.

[ Laughter ]

And we are delighted that we have that road map in our statute. And I think you've noted, Commissioner Zuniga, and I noted earlier that this has taken a very significant collaboration with Encore and our team. Just the tracking system alone that you note, Mr. Delaney, was so critical to the success so that today you can make the report, that you can make where we are in a situation where there's substantial compliance, and we're at very low risk at this point in time. I understood yesterday that there were permits waiting on the elevators. That's all good news. We have one elevator that sounds -- that was probably the most significant item that was on your punch list, Mr. Delaney. Is there anything else that could keep you up tonight about --

>> MR. DELANEY: There's a half dozen things or so.

>> CHAIR JUDD-STEIN: We won't say the Bruins at this point.

>> MR. DELANEY: No, I think we're in real good shape. Obviously, we need those final certificates of occupancy for those final spaces and things of that nature, but I don't think there's anything right now.

>> CHAIR JUDD-STEIN: And that's the Memoir and Mystique and then the retail.

And I understand that those are expected to be completed before opening day.

>> MR. DELANEY: And I think, you know, on the landscaping, I'm sure those last flowers are going to be going in.

>> MR. DeSALVIO: Sure.

>> MR. DELANEY: Up until the 22nd. You know, there's thousands and thousands of plants that need to be done out there and cleanup and those kinds of things. So, yeah, things will be pushing right up till the end but, you know, I think it's all going to get there.

>> CHAIR JUDD-STEIN: And I also think it was a great highlight that Ombudsman Ziemba provided where you've exceeded so many of your initial goals which were set much earlier, particularly noteworthy, of course, was the extensive environmental work that Encore did that will benefit Massachusetts for a long time. So thank you. Any other comments? Questions? Are you all set, Ombudsman Ziemba?

>> MR. ZIEMBA: Thank you. That concludes our report.

>> CHAIR JUDD-STEIN: Thank you very much. I think that we're next on for --

>> MR. BEDROSIAN: Workforce development commitments with Director Griffin.

>> CHAIR JUDD-STEIN: There she is. I just didn't see Director Griffin, so thank you.

>> MR. BEDROSIAN: While we're making a transition, I would note, Commissioners, that we do have office spaces over at the property. I think some of you might have seen both or one. They're more than sufficient. We initially had one and realized with the Gaming Enforcement Unit, we needed an additional. And Bob was generous in finding office space. I think between the two, we're in a really good situation right now. So thank you.

>> CHAIR JUDD-STEIN: Good morning, Director Griffin.

>> MS. GRIFFIN: Good morning, Chairwoman and Commissioners.

>> COMMISSIONER STEBBINS: Good morning.

>> MS. GRIFFIN: So I'm here to talk to you about the workforce and economic development as well as some of the diversity commitments relative to pre-opening. And I'm focusing today on the operations. If you'll remember on June 6th, I presented relative to the construction period.

So first before we begin, I'd like to indicate I'm joined by Bob DeSalvio, Susie McDaniel, VP of Human Resources, and Jacqui Krum as well. And I'd also like to thank Crystal Howard, Program Manager, who has also worked diligently to make sure that oversight compliance is complete.

So we've been working since the start of the project, and I want to detail some of the oversight that we have been doing. Staff formed the MGC Workforce Opportunity Team, and I really have to commend Encore Boston Harbor for working with this team of regional employment boards, career centers, workforce training providers, and community groups from the host and surrounding communities. They worked collaboratively and really utilized the suggestions, advice and referrals for workforce. And then additionally, they worked collaboratively with the Commission's Vendor Advisory Team, which included city representatives, local chambers, and business assistance groups. And we met regularly.

And I would also like to indicate -- I think this may be a theme, that Encore demonstrated very strong performance, exceeding most commitments and

requirements. So in the operational hiring commitments, Joe mentioned the Affirmative Action Program. To satisfy this requirement, they submitted a workforce development and diversity plan within the 90-day requirement. Jerry Ruben, the Executive Director of Jewish Vocational Services, one of the premier workforce development organizations in Boston, has mentioned that this is one of the strongest employer plans that he has ever seen. The plan was detailed very strategic, and Encore has executed the plan as described.

In terms of operational hiring commitments, we will continue to review their progress well beyond opening. As we know that the first year of operations can have high turnover as Massachusetts residents get used to the casino jobs. Encore has complied with the statements in the RFA2 application regarding total employees hired. As the current projected employment totals are well beyond the 4,700 projected in the RFA2.

The licensee established a hiring preference for the host community residents of Everett and Malden as a secondary hiring preference and preferences for surrounding communities of Boston, Cambridge, Chelsea, Medford and Somerville. And you'll see later in their report that their results demonstrate that they followed those preferences. They report that 50% of their total head count were actually from these host and surrounding communities.

They committed to hire 75% of their employees within a 30-mile -- or 30-minute radius which the Commission defined in their June 6th meeting as 30 miles. And you'll hear later that they did indeed exceed those expectations and commitments. They did set diversity goals as required, and they exceeded most of those diversity goals. So you'll hear more later from Encore about that. Their operational hiring preferences for Suffolk Downs employees. Encore has complied with Section 5 license condition 3 through their regular career and hiring fairs and by providing priority access hours for Suffolk Downs employees at several Mass Hiring events, including a communications letter that was jointly sent by the former chair of the gaming Commission and by Bob DeSalvio in early 2015, I think. They'll highlight their medical and dental benefits which indicate that they have complied with the condition of license condition 5 in the Chapter 23K regarding providing comprehensive medical/dental benefits that are commensurate with those provided in the region.

So the average wage scale, Encore Boston Harbor is required -- was required in the RFA2 to provide an estimate of the total number of employees and the average wage by position and benefits. And this information is confidential. So I don't have details in the report. But I can assure you that staff reviewed the detailed information regarding the current wages, average by position to demonstrate compliance with the estimated employee wages provided by the licensee in 2014 and in the request by the review committee for clarification around that same time. Most department totals in terms of the total number of employees exceed the projections, and they meet projections in most categories for payroll and benefits. In fact, it was amazing how well they projected in terms of payroll and benefits in many cases.

The total number of employees is much higher than projected, obviously. And the total all departments payroll and benefits per FTE is almost 99.5% of the payroll and benefits projected in the RFA2 document. So I would say they complied. Regarding the impacted live entertainment venue agreement, pursuant to Chapter 23K, Section 17

on January 30th, the licensee entered into an impacted live entertainment venue agreement with the Mass Performing Arts Coalition. Staff reviewed the agreement, and there appeared to be no pre-opening requirements with that agreement.

>> CHAIR JUDD-STEIN: Director Griffin, can I just interrupt?

>> MS. GRIFFIN: Sure.

>> CHAIR JUDD-STEIN: On that point and I want to encourage the coalition, that should they have -- I think the agreement allows and encourages the coalition to come to the Commission. Is that correct?

>> MS. GRIFFIN: Absolutely. If impact feels a need to bring anything to our attention --

>> CHAIR JUDD-STEIN: They may. Of course, I suspect that they would work anything out with the folks at Encore, but that is in the agreement, which is important. The only other thing, before we go on, because I know that you've got the rest of your report, but back on operational hiring --

>> MS. GRIFFIN: Yes.

>> CHAIR JUDD-STEIN: -- and I know that Bob and team will give us more details, but do you have -- the numbers are extraordinary. But -- and given, of course, our low unemployment rate, it's particularly extraordinary. I wondered, though, if we had a breakdown, because I understand --

>> MS. GRIFFIN: Sure.

>> CHAIR JUDD-STEIN: -- the roles, the jobs are different depending on the category, the breakdown of full-time versus part-time. Do you have that or is that premature? Should we leave that to --

>> MS. GRIFFIN: I'm going to leave it to Susie to cover. We do --

>> CHAIR JUDD-STEIN: You'll have it, okay. Excellent.

>> MS. GRIFFIN: She has it. She came prepared.

>> CHAIR JUDD-STEIN: All right. Thank you so much.

>> COMMISSIONER STEBBINS: Jill, just another quick question, picking up on the Chair's comment about the impacted live entertainment venue and obviously some of those things, as you suggest, don't kick in, is a pre-opening requirement, but can you speak real quickly to how that might dovetail with the regional tourism plan? Because you have some entities covered under it who are actually who I believe are some of your partners in the region, the tourism plan if that's the case.

>> MS. GRIFFIN: Yes. So the impact agreement was detailed or mentioned in the tourism plan. And Encore has agreed, I guess, not to allow an exclusivity agreement with their performers, and they have additionally agreed to market, I think, events to their employees.

>> MR. DeSALVIO: Sure. If you want --

>> MS. GRIFFIN: Yeah, please.

>> MR. DeSALVIO: Good morning again, Commissioners. Bob DeSalvio. Our whole theory on entertainment is to really take advantage of the great assets that are available in greater Boston, and that's through a number of different things, whether it's use of buying tickets at various events. We just entered into an agreement with the Boch Center to do a sponsorship over there. We're also doing the, you know, the performance venue that's in the seaport. We obviously have agreements with all of the major sports teams, and those sort of span between sports and entertainment. And so

the idea is that we can use a lot of the assets that are already available in the community, and so that works quite well besides things that we would want to do on property. And we found partnership has been a good way to go.

>> COMMISSIONER STEBBINS: One other thing before we get off it is the operational hiring, and I'm also impressed with the numbers that you're surpassing. But just a reminder to you, Director Griffin, at some point we need to get our licensees together because we have some data collection efforts that we want to undertake to kind of look at things apples to apples in terms of breakout of executive level, management, you know, kind of entry-level positions, the diversity within those ranks and then collectively also looking at promotions on how people are having an opportunity to move up through the organization. It's more on your to-do list than actually part of this report.

>> MS. GRIFFIN: I appreciate that, Commissioner Stebbins. I'm on it. So regarding the tourism and marketing plan, I did present to you in the June 6th meeting, and a vote is required today, you will do that later on in the agenda. So the Affirmative Action Program for Equal Opportunity. This requirement was satisfied when Encore Boston Harbor submitted their supplier diversity and local commitments plan in September of 2018. And in that plan, they detailed their strategy for identifying local vendors and vendors in their host and surrounding community as well as detailing their diversity goals and commitments.

So I'm going to at this point turn it over to Encore Boston Harbor to present more details regarding (off-mic).

>> MS. McDANIEL: Good morning. How are you? I'm quite loud, so I'll try not to speak too loudly in here. So a little bit about workforce development. We're really proud. We've worked very hard, as you said earlier, finding this many employees in a market with low unemployment has been a little bit of a challenge but great and seeing them all come on property last week was amazing. It was really a fun day to see all of the work pay off. So my opening was last week. So I'm done. No.

[ Laughter ]

I'm out. No. So we're excited to be here. And about some of our numbers.

Jill mentioned earlier that one of our primary commitments was to the host and local surrounding communities. We met -- our commitment within the 30-mile radius as well. When we look at our local hires, we have a 50% hire rate from the local communities of Everett, Malden, Boston, Cambridge, Chelsea, Medford and Somerville. With Everett being 13% of that and 600 employees. And when we look at the 30-mile or 30-minute radius, we're at 85% with a 75% commitment. So we're about 10% over that.

We're continuing to hire. That will be a theme for quite some time. And we will continue to promote these diversity requirements -- excuse me, hiring requirements to the community. We do training with all of our management team before they start interviewing. And one of the first things we educate them on are the expectation or the commitments that we have to our community and to Mass Gaming with our hiring efforts. So that's a little bit about the local efforts.

The next one is workforce diversity goals. We have three commitments with women being 50%, minorities, 40%, and veterans at 3%. And where we are today for our females, we're at 44% actuals, 51% minorities, and 3% veterans. So we're really

proud of the minority and veterans. And we need to do a little work on our females, and we have some plans for that as we continue to hire and as we open. We've had a great hires into positions that may be seen as traditionally not having as many women as men. And we have some great representatives from those departments that I think we'll use internally to market to other areas as we allow transfers and people to grow their careers. We'll have a training program, a management training program that will focus on high-potential minorities and females in the workplace, and that will launch as soon as we get our feet underneath us after opening where we can really identify some great performing employees that are minorities and females and help them grow their careers, whichever way they would like.

>> CHAIR JUDD-STEIN: When you mention traditional areas, could you elaborate on that, please, and then just -- I'm assuming when you say that you're going to be working with females and minorities, it will be for them to actually also infiltrate what is perceived to be perhaps a barrier.

>> MS. McDANIEL: Exactly. You know, we work really hard to look at our applicant pool, and when we go out and market, we look at our applications. If I have, for example, in facilities, right. If you have an application pool of 95% men, what can we do to -- I'm not saying that's not our pool, I'm just giving an example -- but what can we do to increase that? What can we do to draw interest for females applying for those positions? And I think a lot of that is if people don't see somebody that represents them in that area, they may not be comfortable in applying or think it's something that's out of their skill set. So we have some great -- we have an electrician who's fantastic that's a female and has been in the industry for, I think, 16 years. And to work with her, to do presentations, to get her in front of the rest of the workforce, not only in the community, but within our walls that are already there and show them that there is opportunity. You know, we're not just talking about this. Look, you know, as she speaks, I've done this for 14 years. I've had a great career. I support my family, and to be able to have that communication to our -- her coworkers as well as the community I think is huge to open the doors for people to see that, hey, okay, wait, there is a chance for a female in this area where you traditionally may see more men.

>> MR. DeSALVIO: I want to add one comment to that because I think the facilities area is a great example of how we can benefit from the work that we did with Girls in Trade. And you think about the effort on the construction site where we got over 7.2% females, which was pretty much unheard of in the area, we're hoping that a number of those young women might then be interested down the road in joining our in-house team. And so they've seen the way that we focus on that and that it would just be a great dovetail.

Now, some of them may turn around and -- listen, if they stay in the trades, that's terrific. But down the road, I hope they would consider us, or just the fact that we're an active participant in that group might open up a few doors for Susie and the recruitment team. So that's one good example of how to take an area that's been a little bit more skewed one way and continue to introduce some great opportunities for females in facilities.

>> CHAIR JUDD-STEIN: Can you remind me, the work I believe you're doing with the vocational schools in the area?

>> MR. DeSALVIO: Sure. The Girls in Trade group was co-founded with Jennie



Peterson who's our director of employment and Mary Ann Hamm who happens to run the program up at Minute Man.

>> CHAIR JUDD-STEIN: Minute Man, yeah.

>> MR. DeSALVIO: In Lexington. But then that spanned off looking at the other schools in the area. There's other really strong vo tech programs in the area. I think we can make an impact. And hopefully the work that we did early on would show people that we're real serious about this.

>> CHAIR JUDD-STEIN: Thank you.

>> MS. McDANIEL: You're welcome. The next section is regarding benefits. Providing comprehensive medical and dental benefit package, which we have. We have traditional health insurance through UHC, multitiered, depending on if you're family, single, et cetera. We offer dental and vision. We have a flexible spending account for our employees as well as a health savings account. We have other ancillary insurance that's traditional long term, short term disability, accidental dismemberment, so on and so forth. We also are offering transportation, continuing the theme of Bob's presentation about transportation earlier. We want to encourage and are encouraging our employees to take public transit whenever possible. And we're doing that in several ways. And one of them is offering discounted passes for the employees that they can actually buy through Encore Boston Harbor without even having to go to the MBTA and can have those items payroll deducted at 50% cost reduction up to \$50 a month. And that's true for MBTA, the local train and buses as well as the commuter rails in the area. And we're marketing that. In our back of the house, we have 28 huge, beautiful poster boards available to market to our employees of a wide variety things, and transportation is one of the first that we put up. So that's huge for us.

>> COMMISSIONER O'BRIEN: Can I ask on the parental leave, since it seems like the vast number of employees are going to come into this not qualifying for the paid leave, what, if anything, is provided to them in their first year?

>> MS. McDANIEL: We also offer personal leaves, like a 30-day personal leave, depending on their time with the company, obviously it's a year for FMLA. But personal leave is the biggest thing that we will offer. Also we offer leave with any ADA requirements. So if somebody's in a condition and typically pregnancy would qualify for that for time away from work as well.

>> COMMISSIONER ZUNIGA: Ms. McDaniel, just following up on the scheduling that Bob talked about earlier relative to mitigating some of the traffic, he mentioned, you know, the operational implications. I'm curious if you have any feedback from actual employees relative to earlier starts or later starts. I have my own ideas about, you know, I would like to myself avoid traffic, rush hour traffic, but there's a number of things that go into my commute hours. I'm wondering if you can speak to that from the employee perspective, if you have any kind of feedback?

>> MS. McDANIEL: Yeah. Absolutely. It's been interesting to watch because obviously that was a concern for us, okay, how are our employees going to get to work? If you make it too difficult, it's going to be difficult for them. It's been interesting. We were very concerned about the buses and the travel on the buses, and I think we felt like we needed to figure that out for everybody. And they've been figuring it out pretty well on their own, even though we've tried to get them on certain paths. They've made

it a little more simple for us than I thought they would. And I think being in an urban setting where people are used to taking public transit, it's a little bit easier. I worked in Las Vegas and in L.A. In Las Vegas, we have parking everywhere. And in L.A., there's no parking. It's like Boston. When I moved there, I was, like, oh, my gosh, what do our employees do? And nobody ever even asked about parking there. And here I think we made a lot -- a much bigger deal out of it than they have. But the Sullivan Square stop is key. They're getting off on the Orange Line, either walking or hopping on the bus, the local bus, that takes them to the stop right in front of the property and walking in. So it's been a lot less trouble than I thought. I'm across the harbor at Assembly Row, so I'm going to get -- I'm going to paddle -- no, I'm joking. I've been trying to figure out how could I get across this without having to go around?

>> COMMISSIONER ZUNIGA: There might be a bridge there one day.

>> MS. McDANIEL: What's going on with that bridge this morning?

Yes, we are trying to make it easy. The shuttles are running from Wellington Station. That's a heavy, heavy hub of people getting off there as well or people that have driven in, which we discourage as much as possible. We'll hop on the Wellington shuttles and come over, and they run, like, every 10 to 15 minutes. So it's not like people -- employees are sitting there for 30 minutes waiting on a shuttle. We're also going to have an app that our employees will be able to access once we're up and running to be able to see where the shuttle is at any given time. So if it's cold out, they can sit in their car for a few minutes or in a closed-in area before they head out to the bus stop to hop on the shuttle.

>> MS. KRUM: And I think some of the initial feedback we've received on the shifts is people actually appreciating the flexibility.

So some people are more than happy to come in early and leave earlier. And it's taken a bit of adjustment because it's not your typical, you know, 8 to 5 or 9 to 6, whatever, job. But I think people are appreciating it now.

>> MS. McDANIEL: Another thing we're doing is I love to promote our operators scheduling ten-hour shifts because then people only have to be -- commute four days a week as opposed to seven days a week traditionally. So I think a lot of our operators have embraced that. And just from a recruitment standpoint, if I can tell you, hey, you're only having to sit in traffic four days this week or be on the train four days this week, not seven, I think that's really attractive to a lot of employees as well. So there a couple of things that we're doing. And I think we're learning every day. We definitely move quickly. When we hear something's not working, we want our employees to have a good experience coming to and from work. Obviously it's going to make my job a little bit easier from a recruitment standpoint, so we're trying to be agile as we hear things that they need.

>> MR. DeSALVIO: And one other additional benefit that has been incredibly well received is, as you know from your tours, we have this wonderful team dining. And the initial response on that has been outstanding. And they get a free meal, you know during their shift as part of it. To say employees have been surprised and delighted might be the understatement of the year. But it's been a great, great feature to have.

>> COMMISSIONER ZUNIGA: That's great.

>> MS. KRUM: That and the pet insurance.

>> MS. McDANIEL: The pet insurance, yeah. Yeah, people really have loved

our -- our employee dining room is called Le Staff Cafe, and there's a line getting into it most days. The food is fantastic. And we have great ice cream. Some healthy options as well. I know Jacqui was upset we were out of ice cream a couple days ago. She showed up on my office immediately.

[ Laughter ]

So, yes.

Okay. A little -- also, we have not talked -- we touched on Suffolk Downs a little bit earlier with Jill. So we've had a couple of different hiring events for Suffolk Downs. We've had the Maylin that Jill talked about earlier. We will continue to commute regarding the positions that we have available. Again, we'll continue to hire. And as we have interest, those employees will definitely take priority during the interview and selection process.

>> MR. DeSALVIO: And just one -- oh, I'm sorry, go ahead.

>> COMMISSIONER O'BRIEN: I'm sorry, have you hired anybody to date?

>> MS. McDANIEL: We have, and we will continue.

>> MR. DeSALVIO: One historical perspective note on that is at the time that we had offered to do that preference, we had believed then that Suffolk Downs was actually going to close.

>> COMMISSIONER ZUNIGA: Yes.

>> MR. DeSALVIO: As you know, they're still in operation, running simulcasting and racing. And so in a sense, maybe some of those folks might become more interested as their schedule changes, and I don't know what the final outcome of the schedule is over there. But we'll continue to make sure that we treat them the same way, should even they show up at a later date and be interested in employment in the property. But a lot of them are still working. Great folks. So I attended -- I remember we did -- I know we mentioned one, but I think we actually had two sessions over at the Hilton Garden Inn right near there, and it's a nice group of folks. So we're ready, willing and able. We have plenty of jobs over. And if they want to come over, we'll -- I think this will be more of an ongoing thing as well, depending on what happens to their schedule.

>> CHAIR JUDD-STEIN: I think that's an important clarification. I had asked the same question because I didn't understand the history. So Encore is not poaching. They are, of course --

>> MR. DeSALVIO: Offering.

>> CHAIR JUDD-STEIN: -- offering in accordance with an agreement.

>> MR. DeSALVIO: Correct.

>> CHAIR JUDD-STEIN: So thank you.

>> MR. DeSALVIO: Sure.

>> MS. McDANIEL: And that's all I have prepared. Do you have any questions?

>> COMMISSIONER STEBBINS: Just one. It's not really a matter of -- meaning -- well, it is kind of meeting a statute condition, I guess, but can you tell me what kind of interest you're having to date in terms of the day-care services you're making available? I know the facility isn't going to open until later in the year.

>> MR. DeSALVIO: Later in the year, yep.

>> COMMISSIONER STEBBINS: But what kind of interest are you getting from people that you've brought on board or people that you're still talking to?

>> MS. McDANIEL: We've had a few questions, says not a ton thus far. We -- any

time we have something that I think our employees that have been here for a little while are used to this already and the ones that have just started will see. We market internally for anything that we have to offer our employees. So we haven't started doing that yet. And I think when we do that, we'll have a great amount of interest in it. You know, we have some other options that we've talked about with care.com that we're working on and have gotten some final proposals that we're trying to work through on that. And that we will communicate sooner than later. But I've probably only had maybe three people reach out to me with child-care questions thus far.

>> COMMISSIONER STEBBINS: Thank you.

>> MS. McDANIEL: You're welcome.

>> COMMISSIONER O'BRIEN: Can I -- going back to your comment about the sort of gender areas and lower numbers than you wanted. For the women, is it a question of not getting enough in the applicant pool or is it a question of not getting the qualified applicants in the applicant pool for those areas?

>> MS. McDANIEL: I think there's a little bit of both. So, for example, security has worked -- that's another area that you traditionally see more men in those roles, even from an applicant's standpoint. And we have definitely -- I think because of that history where you don't have as many people with experience. So Rich Prior, Executive Director of Security, is really working hard in finding candidates that are female with a base knowledge and working with training them, even bringing people -- some people in that maybe aren't quite there but have exhibited things during their interview process that are hopeful for us, and we believe that we can train and develop. So we're taking some chance there and bringing people in. But we definitely also need to have that base of experience. That's a high-risk area, facilities, as well as security. And then, again, the applicant pool. And I -- I think in other cities that I've worked in, if you can get your applicant pool at a better balance that's closer to where your goals are obviously it's much easier. So I think it's a combination of both. But I'm hoping some of the internal training that we will do and, again, other females seeing females be successful in those roles will really help us encourage those applicant pools to have a better split for us to be able to reach our hiring goals there.

>> COMMISSIONER ZUNIGA: I'd like to mention something that our colleague, Commissioner Cameron, might mention in exactly this situation, even though she's not here. And I take all your comments -- I think they're right on point. It's a lot about what people see and the comfort level. But I think she would mention, and I believe that women are really good at defusing situations, and in the area of security, that's also a very important skill to have. And to the extent that we can at least emphasize that going forward on those conversations, that would be also very useful.

>> MS. McDANIEL: Absolutely. Thank you for that.

>> MS. GRIFFIN: And chairwoman Judd-Stein, I think you had asked about the full time versus part-time ratio?

>> MS. McDANIEL: I'm sorry, I forgot. For our head count, we're at 21% is our split to full time and part time right now.

>> CHAIR JUDD-STEIN: Okay. Could you say that one more time?

>> MS. McDANIEL: 21% part time to full time.

>> CHAIR JUDD-STEIN: And you're saying 20.4%?

>> MS. McDANIEL: 21%. Of our overall staff is part time.

>> CHAIR JUDD-STEIN: Is part time.

>> MS. McDANIEL: Or we call it steady extra.

>> CHAIR JUDD-STEIN: And do they receive a benefit package of sorts, or how does that work?

>> MS. McDANIEL: They do have an option for a scaled down benefits package. It's not quite as rich, if you will, for the full-time employees but they do have access to some benefits at a little bit higher rate. And our -- even for full time, you only have to average 30 hours a week. So you don't have to work 40 hours a week to have full-time benefits. And we look at that annually. So once you have -- once you're hired in as a full-time employee, once a year we'll go in and analyze hours. And even if you were hired in as a steady extra employee when we analyze those hours, if you are averaging 30 hours a week, even though you'll keep your steady extra status, we will move you into a full-time benefits package. It's all based on hours more so than status after first year.

>> MR. DeSALVIO: So for all practical purposes, it becomes available to almost everyone because there will be very few jobs where we want anyone less than 30 hours.

>> MS. McDANIEL: Yes.

>> MR. DeSALVIO: So it's almost going to be -- even though the number might say 79/21, really, in effect, you're going to have almost all of the staff would be available for full-time benefits so long as they're averaging 30 hours. And that -- we've seen that historically in other places where -- and especially in markets where you have access to large numbers of local individuals to come to the facility. And by that -- by being in the greater Boston market, we'll have significant amount of midweek business compared to maybe a resort location that's not near high concentration of population. So that means that we're going to be asking everyone, please work more hours. And that then gives them the ability to bump up to the full-time package at 30 hours, which is a really -- pretty much easy threshold based on our typical habits of scheduling. If that makes sense.

>> CHAIR JUDD-STEIN: That makes great sense. And it's admirable that it kicks in at 30%. It's also noteworthy that some of the positions are less than a traditional full-time position because that also is an attractive alternative for many of our residents. Thank you very much for that update. But I just wanted to make sure when we do read the numbers, we're kind of aware that they may be full time, 30 -- you know, 30% piece -- I mean 30 hours a week is really important to know. But we'll just keep that in mind.

>> MR. DeSALVIO: Sure.

>> CHAIR JUDD-STEIN: And continue to be updated, see how many you shift them over to that full-time slot.

>> MR. DeSALVIO: Yes.

>> CHAIR JUDD-STEIN: Bob. Excellent. Does anyone else have any other questions for Director Griffin and the Encore team? Susie, thank you for your report.

>> MS. McDANIEL: Oh, you're welcome. Thank you for having us today.

>> CHAIR JUDD-STEIN: All set? All right. Do we want to take a short break? It's actually 11:58, which is hard to believe. I thought it was 10:58. Do we need a short break or shall we continue with a lunch break? Do you want a ten-minute break right

now? Thank you, everyone, for your patience. This is a very meaty meeting, and we'll take a ten-minute break now and reconvene at 12:00 -- no, not necessarily. We're going to see. We're going to see. I sit next to Commissioner Zuniga.

>> COMMISSIONER ZUNIGA: I need to eat.

>> CHAIR JUDD-STEIN: He needs to eat.

>> COMMISSIONER ZUNIGA: Yes, yes.

[ Laughter ]

>> COMMISSIONER STEBBINS: She's right in the middle.

>> CHAIR JUDD-STEIN: Thank you, Austin. We have reconvened, and the next item on our agenda is the report from -- on gaming technological compliance and information technology, chief information officer of gaming Commissioner, Katrina Jagroop-Gomes. I've never said your last name out loud, Katrina, but it's so nice to have you here along with Scott Helwig and, again, I'm saying your last name for the first time. Do you want to correct me?

>> MR. HELWIG: It's Helwig, yeah, hell and wig.

>> CHAIR JUDD-STEIN: Yes, L is there, Helwig. And Katrina and I and Scott have met a few times now, but I've never had to use your last name, so thank you. And we have Jason Stump, chief information officer from Encore. So thank you.

>> MS. JAGROOP-GOMES: Good afternoon, Madam Chair, Commissioners, Executive Director Bedrosian. Thank you for taking care of the introductions for me, so that saves me a couple breaths.

>> CHAIR JUDD-STEIN: You would have done a better job.

>> MS. JAGROOP-GOMES: No you did perfectly fine. Thank you. Thank you for introducing the team and also by no means does the few of us represent the individuals that actually worked on this project, and as a special note, I would like to recognize the collaboration, due diligence and efforts put forth by both Encore Boston Harbor and the MGC Technology staff.

So today we will be presenting a summary of the diligent efforts to ensure compliance with our regulations and several technology areas pertaining to electronic gaming devices, EGD. EGD management or slots and the internal controls information network security plan. Gaming laboratories international or GLI performed an on-site inspection at Encore on June 5th for compliance with all pertinent sections of 205 CMR 143 and 144. The scope of work was to perform an inspection of IGT advantage which is Encore's health system or their central monitoring system. And all systems passed with no issues.

On May 15th, BMM test labs what real refer to as BMM hereafter, certified the Wynn management systems cage and collections at Encore Boston Harbor for compliance with all pertinent sections of 205 CMR 139 and 143. On June 5th, Scott Helwig, MGC's gaming technical compliance manager, in conjunction with BMM validated the systems, and all systems passed with no issues. The IEB gaming agents division tested the EGDs for compliance with all pertinent sections of 205 CMR 143 and 144 and all 3,151 machines were received, passed and sealed prior to June 5th. And further details will be addressed in the IEB gaming agents division presentation to the Commission later on today.

In accordance with 205 CMR 144, GLI and BMM certified each type of EGD at

Encore Boston Harbor. All EGDs and internal systems were verified by the MGC gaming technical compliance team, and this included financial promotional crediting, manufacturing models, and software on the approved list. The IGT's network operations team or commonly referred to as the NOC completed all fiber and cabling installations at all banks to ensure communications with the Commission's central monitoring system and the 3,151 EGDs. In addition, the game soft fair was verified via the program validation disable check which allows for compliance against GLI and BMM's approved software to live games on the floor.

Pursuant to 205 CMR 138.02 and further detailed in 143.12, the submitted information network security plan was reviewed which included information on security standards, access control policy, remote access policy, server work station build policy, BYOD or bring your own device policy, patch management policy and procedure, production change control and data classification. All feedback provided to Encore Boston Harbor was reviewed by the necessary teams and the documents have been updated to reflect critical changes that would impact operational readiness. All other recommendations will be reviewed for inclusion as applicable.

As with all policies, they're only effective as when placed into practice. So it's the intention of the MGC's gaming technical compliance team to conduct a security audit within the first year of operations.

>> CHAIR JUDD-STEIN: Could I interrupt? I just -- you were so helpful going through this with me. I just want to make sure we understand the process that you engaged with in developing the security plan. It's my understanding Encore perhaps started with a plan and then there was a collaboration including the benefit of an outside consultant?

>> MS. JAGROOP-GOMES: So Encore already have their corporate information and network security plans. They submit that to us for compliance with our regulations. However, the IT department, that would be myself and a few other of our staffers, including an independent security consultant, reviews the -- all of the policies for compliance with our regs but also for NIST and CIS standards. And those are industry IT standards.

>> COMMISSIONER ZUNIGA: What does that mean? NIST?

>> MS. JAGROOP-GOMES: NCIS? Was not prepared for that. Those are commonly used acronyms but they're all very defined. One is a federal standards. And the other one is a newer standard that includes both fed ram and federal and state governance as well.

>> CHAIR JUDD-STEIN: And then you give back the feedback in conjunction with the benefit of the outside consultant and then work out the plan with Encore.

>> MS. JAGROOP-GOMES: Correct. Jason and other members of the EBH team took all of our feedback in. We had many discussions. We've gone through it several times and had conference calls. They've made the changes that we felt would impact operational readiness. And then there were other just housekeeping -- housekeeping things that we recommended that they are going to take a look at it and include, but it does not impact operational readiness.

>> CHAIR JUDD-STEIN: That would be something going forward.

>> MS. JAGROOP-GOMES: Yes.

>> MR. BEDROSIAN: Katrina, could it be the national institute for standards and

technology?

>> MS. JAGROOP-GOMES: Thank you.

>> COMMISSIONER ZUNIGA: It's good to have Google.

[ Laughter ]

>> CHAIR JUDD-STEIN: I kid you not, on the way to work today, my husband and my adult son, who's living with us for a couple months till his apartment becomes available in Boston, talked about how acronyms should never be used, that they just are so confusing. So acronyms. Here we are.

>> MS. JAGROOP-GOMES: That is true. Between technology and government, we have alphabet soup on a regular basis.

>> CHAIR JUDD-STEIN: And then there was another one that Director Griffin and I were confused by yesterday, compendium. That also came up, ironically. So there were two matters on my ride as we were also looking at your billboards. So it turned out to be a very productive ride in. And so with respect to the security plan, because I felt that that was a critical piece of this compliance, you feel satisfied at this point?

>> MS. JAGROOP-GOMES: We do. It's been reviewed by an entire team several times, and we are, through the conversations with Jason and their internal staff, we are very comfortable with their procedures and process and policies.

>> CHAIR JUDD-STEIN: All right. Thank you.

>> MS. JAGROOP-GOMES: Thank you. I'd also like to express my sincere appreciation for all the hard work and due diligence of the information technology services team, which comprises both of corporate and gaming technology, and that includes Pria, Tim, Kevin and B.J. And in conclusion, it is our recommendation that Executive Director Bedrosian approves the information network security plan as presented. And at this time we would like to give you guys even another opportunity to ask more questions.

>> COMMISSIONER ZUNIGA: So you may have mentioned this, but perhaps quickly, there's been already communication with the NOT with their own network operations center here.

>> MS. JAGROOP-GOMES: Correct.

>> COMMISSIONER ZUNIGA: But the real test will come during test night?

>> MS. JAGROOP-GOMES: Correct. We will have staff on site on all of the test nights, and we will be treating the test nights as fully operational, how the communications need to go between the EBH staff and the MGC NOC and our internal staff as well.

>> COMMISSIONER ZUNIGA: And I'm just curious to the extent that you can highlight that we use the two independent labs in different ways, just from a general principle, if not going only with just one. But can you describe a little bit more how that division of work worked here, perhaps for the benefit of our own testing?

>> MS. JAGROOP-GOMES: Sure. Most of the EGT testing -- and again, as I referred to earlier, the IEB gaming agents division really took care of that validation and testing. We took care of the software technical validation. So every single EGD on the floor has something called a signature. They tie into the system with a unique identifier. And every signature on the floor, every piece of software, appliance, because there are multiple components within a slot machine, and Scott, feel free to jump in and correct me during this explanation, but every single slot has multiple



components and has specific software. They certify those signatures. They certify that software and they validate it. And so that's why sometimes you have to use both and not just one because the manufacturers may go with one independent testing versus the other.

>> COMMISSIONER ZUNIGA: But it's not like they both check the same kind of equipment? In other words, there was no double testing necessarily? There was just testing according to the manufacturer referenced?

>> MR. HELWIG: No, there was no double -- no redundant testing, so manufacturers may submit their software depending on who they decide to use. And there's usually no overlap. But they both test against the GLI standards which are considered industry standards.

>> COMMISSIONER ZUNIGA: Which we adopted.

>> MR. HELWIG: Absolutely, yes.

>> COMMISSIONER STEBBINS: Just a quick question. I know that the statute speaks about this. There was a preference in the statute for domestically manufactured machines. Seeing your breakdown kind of by manufacturer, do you get a good sense of how many are domestic made or even, again, a foreign-owned company makes them in the United States? But looking at the list, do you have a good sense of who's domestic?

>> MS. JAGROOP-GOMES: So there are actually only ten manufacturers on the floor, and of the ten, six of them are U.S.-based and manufactured in the U.S. As for the other four, they are internationally based, says but they do have headquarters in the U.S. and they manufacture in the United States.

>> COMMISSIONER STEBBINS: Thank you.

>> MS. JAGROOP-GOMES: Do we have any other questions?

>> CHAIR JUDD-STEIN: Mr. Stump, do you want to add anything?

>> MR. STUMP: No, I appreciate Katrina and her team. We talk frequently and it's been a great partnership. I can't thank her and the team for the partnership and support.

>> CHAIR JUDD-STEIN: Excellent. Thank you. Any other questions? Thank you very much.

>> MS. JAGROOP-GOMES: Thank you.

>> COMMISSIONER STEBBINS: Thanks.

>> CHAIR JUDD-STEIN: We'll move on to item 4b on the agenda regarding responsible gaming and our director, Mark Vander Linden, and Teresa is joining and Teresa Fiore and --

>> COMMISSIONER STEBBINS: Oh.

>> CHAIR JUDD-STEIN: And Teresa Fiore, Program Manager, and Bob. Jacqui. Thank you.

>> MR. VANDER LINDEN: Good afternoon, Chairwoman and Commissioners.

>> COMMISSIONER STEBBINS: Good afternoon.

>> COMMISSIONER ZUNIGA: Good afternoon.

>> MR. VANDER LINDEN: I have a presentation that's broken into two parts. The first is going to be centrally focused on the responsible gaming plan that was submitted and accepted by Encore Boston Harbor. The second is going to kind of steer away from that, but it also falls under the umbrella of responsible gaming. And Teresa, Andy

Lane will talk just briefly about the GameSense communication campaign that supports the opening of Encore Boston Harbor.

So first off, the Expanded Gaming Act includes a number of protections in regards to the prevention and mitigation of social impacts of introducing gaming in Massachusetts. I think that the Gaming Commission took this mandate very clearly and very literally. And from the beginning, we have been working from a responsible gaming framework. The responsible gaming framework is intended to both inform regulation in Massachusetts but also provide just an overall orientation to responsible gaming practice and policy adopted by the Gaming Commission as well as our gaming licensees.

Our gaming licensees have, in differing degrees, adopted many of the recommendations or tactics that are contained in that responsible gaming framework. Encore Boston Harbor, when they were developing their responsible gaming plan, I very much appreciate that they took the Massachusetts responsible gaming framework and adopted that structure. So they, similar to the Massachusetts Gaming Commission, responsible gaming to Encore Boston Harbor is seen as something that is multidimensional. It's not just putting a brochure out on a rack, but instead it's seen as a corporate culture. It's seen as a public health issue. It's seen as engagement with the community, et cetera.

So I'm going to hop to the responsible gaming plan or program that was -- that Encore Boston Harbor proposed and what I'm recommending that the gaming Commission accept. There are seven strategies within the responsible gaming framework. Commitment to corporate social responsibility, Encore Boston Harbor is developing a responsible gaming committee that's led by executive staff, and they've submitted to the Gaming Commission this responsible gaming plan.

Strategy 2 is supporting responsible play. They're collaborating with the GameSense program in the front and back of house to ensure that employees and patrons have the information they need to support positive play. And as a side note, GameSense adviser Linh Ho has so far trained every Boston Encore employee 4,865 employees over the course of 19 trainings. It's outstanding in two ways. One, that responsible -- this GameSense training, this responsible gaming training, is an important commitment that Encore Boston Harbor has made, and they have allotted very valuable time for their employees to receive this training. Probably even more impressive is Linh Ho, the GameSense adviser, who works for the Mass Council on Impulsive Gambling, and I would, I would say, endurance to be able to do this.

In promoting public health and safety within the casino, activities include a clear plan to assist patrons in need of help, safeguards on property protections against child abandonment, and a clear -- very clear plan to prevent underage gambling. Strategy 4, which is to ensure responsible marketing, the Encore Boston Harbor has adopted or and is adhering to the industry-accepted standards on responsible gaming advertising. Managing high-risk financial transactions. They've developed many procedures that are actually regulations that have been -- that are in their internal controls. But these also include such things as there aren't ATM machines on the gaming floor. They have a regulation that requires they're at least 15 feet off of the gaming floor. There are procedures for cashing checks. There's procedures for suspension of credit privileges. There's a number of procedures that fall under this specific strategy.

Strategy -- the next strategy, engaging the community. They have a clear plan to gather patron comments and complaints and respond in a timely manner. Where relevant integrating that information into strategic decision-making and the community mitigation process. And finally, the last strategy deals with a commitment to continuous improvement in reporting. And I appreciated that they identified the responsible gaming committee as having the overall responsibility for developing and revising, subject to MGC approval, and implementing a plan. They've developed a clear method in order to -- for internal audits, surveying employees and reviewing relevant data and making changes as necessary based upon that circle of feedback.

Now skipping specifically to a couple -- so that was the sort of overview of their responsible gaming plan. There are a few specific items in that gaming plan that are also commitments that I'd like to highlight. The first is a voluntary self-exclusion program. As you know, the voluntary self-exclusion program is an important program for individuals whom have lost control of their gambling and are looking for an external reinforcement of a decision not to gamble. The voluntary self-exclusion program is an evidence-based practice. It's shown through evaluation in Massachusetts and elsewhere that persons who enroll in the program have better outcomes, have improved mental health and relationship quality after enrollment than prior to that.

We're working closely with Boston -- Encore Boston Harbor security supervisors who will be trained as designated agents to administer the voluntary self-exclusion program. We identify what a designated agent is, the gaming Commission does. We want those individuals to be very specifically trained to understand the very big decision that people make when they come forward to enroll in the voluntary self-exclusion program, and how this is very much an opportunity to connect them with additional help down the road.

Encore Boston Harbor VSE policies and requires meet the environment of 205 CMR 133 for the voluntary self-exclusion program. Next is the GameSense information Center.

>> COMMISSIONER STEBBINS: Mark, can I just stop you on the voluntary self-exclusion? Help me understand a little bit of the thinking, one where -- one of the security supervisors will actually do the VSE registration, and I guess the second question is, are we hoping to cover hours that a GameSense agent isn't on the floor and kind of --

>> MR. VANDER LINDEN: Thanks for that. That's right. So much like the other two casinos, we have three lines to be able to respond to an individual that's stepping forward at the casino property and saying that they would like to enroll in the voluntary self-exclusion. The first line is our GameSense advisers. They will ultimately end up doing a vast majority of any of the voluntary self-exclusions at the casino property. They're very good at it. They're wrapping up what amounts to about four weeks of training that lead up to this position, and that's our preference.

Second to that is training of the MGC gaming agents. So should a GameSense adviser not be available for any reason, including their occupied on the gaming floor, they may be already doing a voluntary self-exclusion, or it may be hours that the GameSense Center isn't operating. The next line is our gaming agents, and they have received the training. And then finally is the operator. So that's where the security supervisors step in. They can assure 24/7 coverage, especially in those hours are

GameSense isn't operating from 1:00 a.m. to 9:00 a.m. There is a more -- it's more likely that we would need to draw upon their services to help this enrollment, and we want everybody to be on the same page about what enrollment means and the process and procedure to do that.

>> COMMISSIONER STEBBINS: In terms of space? Obviously this is a very thoughtful conversation you're having with an individual. You're not going to do it right in the middle of the gaming floor. Where would a security -- you know, one of the Encore security supervisors takes somebody to have that conversation.

>> MR. VANDER LINDEN: Right. You know, that's actually a very good question. I'm wondering if Jacqui and Bob may have a response.

>> MS. KRUM: Sure. We do have space back of house where a security officer could escort someone, a guest back of house, to have a private conversation.

>> MR. VANDER LINDEN: The GameSense information center also includes a private space that if it's not being used, it's available to MGC gaming agents and obviously Encore staff for that purpose as well.

>> COMMISSIONER STEBBINS: Okay. Thank you.

>> MR. VANDER LINDEN: Finally is the GameSense Information Center. This is the hub of where responsible gaming activities take place. Encore Boston Harbor has said many different times in many different ways and including in their responsible gaming plan that they value the program -- the programming that GameSense brings. They recognize their expertise and intend to draw upon that, that resource in their daily operations with their guests. Encore Boston Harbor has worked with the Gaming Commission to ensure that the GameSense Info Center meets requirements of 23K, Section 9 (8) (2) I can never say the right, whatever the correct language is. But it specifies on-site space for an independent substance abuse and mental health counseling service by a provider to be identified by the Gaming Commission. In this case it's the Mass Council on Compulsive Gambling at this point in cooperation with Encore Boston Harbor. Like you said, the GameSense information center is a central hub at Encore Boston Harbor for information and resources on positive play as well as at-risk and problem gambling. The GSAs will be staffed 9:00 a.m. to 1:00 a.m. seven days per week. Over the next couple months we intend to kind of monitor the utilization of the GameSense Information Center, both in terms of monitoring how many guests are at the casino at any given time, the daily tracking logs to see when interactions are taking place in order to optimize that service. The GameSense Information Center at Encore Boston Harbor, we're pleased with the location that it is in. There are four primary entrances into the casino. The GameSense Information Center is located at one of those very adjacent to one of those four entrances and specifically we appreciate that it's near an entrance where the tour buses will be dropping patrons off. My conclusion of the responsible gaming policies in this memo meet the Commission's high expectations and statutory and regulatory requirements.

Before I turn it over, what I did intend at the beginning to just kind of call out those that have been involved in this including Teresa who has been our point on all things GameSense, managing the details this program. As we get further into the GameSense program, that list of details only seems to grow as we try to continuously improve this program. Also, behind me is Marlene Warner, the Executive Director of the Mass Council on Compulsive Gambling who has operated the GameSense

Information Center since we opened at Plainridge Park Casino. The training that she and Julie Heinz, their director of responsible gaming, have pulled together for a new cohort of GameSense advisers coming on board is nothing short of extraordinary. They receive training on the entire spectrum. They will receive training on how to talk to patrons about how games work, on responsible gaming tips, on just customer service and engagement. They will receive training on mental health first aid, on motivational interviewing, on suicide, on problem gambling, on the resources that are available in the community, and how to mostly using motivational interviewing, how to try to shepherd persons who are exhibiting gambling-related harm, how to shepherd them to additional resources. It's -- it truly is an extraordinary program that tries to meet the needs of any casino patron that comes their way. So thank you to Marlene and specifically the extraordinary GameSense advisers. So with that, I'll turn it over to your questions.

>> CHAIR JUDD-STEIN: Any questions? Of this half?

>> COMMISSIONER ZUNIGA: No, just, you know, to reiterate the commitment that this Commission has made in the efforts that we see from the statute and some of the requirements related specifically to this space. I have not yet seen the finished space. I saw a little while ago, before it was furnished, that it's in a prominent place, as you describe it, just off the casino floor in an entrance that will be a main entrance. But I think one of the key pieces that has worked well with us is the ability of, in the past with MGM and Plainridge, is the ability that the GameSense advisers have in terms of walking around the property to greet and eventually meet and if it requires, suggest to a patron to come back to the GameSense office to have a deeper conversation, if needed. I know that we're also still thinking about the hours, what might be the most impactful hours, because we want to have presence. But I don't think it's necessary. It's too costly to have 24-hour coverage, 7 days a week. So the designation of others like the gaming agents or even the security personnel, I think, is critical. And what you describe is also very important, and that is the coordination to resolve whatever might come up in terms of logistics or operations, cross-training, et cetera is also very important in the efforts of implementing this program. So it's really good to hear that you're off to a good start.

>> MR. VANDER LINDEN: We all are. When I -- this plan is much stronger than even what was submitted in the RFA2, and I credit Jacqui and Bob and their team for living in Massachusetts understanding what the Commission's commitment is to this, seeing -- seeing that -- and then kind of working with us to assure that their plan is very strong, so I appreciate that. I appreciate the cooperation and partnership in that.

>> MR. DeSALVIO: Thank you, Mark.

>> COMMISSIONER STEBBINS: I think the location gives us another opportunity to plug the alternative modes of transportation to get to Encore Boston Harbor, get dumped off at that exit, and usually the GameSense Info Center has free swag. So as much as we can play that up as possible is great.

>> MR. VANDER LINDEN: It's going to be a great service.

>> CHAIR JUDD-STEIN: Any other questions? Next presentation?

>> MR. VANDER LINDEN: Sure, yeah.

>> CHAIR JUDD-STEIN: Thank you.

>> MR. VANDER LINDEN: Again, this steers off just a little bit, but I think it's an important piece for the Commission to have an idea of the communication campaign

that's being rolled out in Eastern Massachusetts to support the -- support the opening of Encore Boston Harbor.

>> CHAIR JUDD-STEIN: Director Driscoll -- yeah.

>> MS. DRISCOLL: Good afternoon, Commissioners.

>> COMMISSIONER STEBBINS: Good afternoon.

>> COMMISSIONER ZUNIGA: Good afternoon.

>> MS. DRISCOLL: So I will just give a very brief download, but essentially what we are looking to do is basically ramp up public outreach about the GameSense program in advance of the opening and then also throughout the opening period. As some of you may recall from the MGM Springfield opening, we had introduced a new brand overall look and feel following BCLC's lead after they did a brand refresh last summer. So utilizing all of the assets that we created at that time including the new website. We will be doing a comprehensive campaign that kicks off as soon as today to basically increase brand awareness about GameSense throughout Region A and also the availability of the GameSense Info Center and the GameSense advisers at Encore Boston Harbor.

So essentially, we put together a campaign that will do a few things. Increase brand awareness about GameSense, hopefully drive traffic to the GameSense MA website, highlight the many resources that are available with GameSense including the voluntary self-exclusion program. For example, we'll be sending out a press release announcing and reminding the public about the availability that as soon as today, if not tomorrow morning. It's an opportunity to educate on responsible gaming tips, promote informed player choice, and then obviously ultimately it underscores the Commonwealth's commitment to ensuring responsible gaming and mitigating problem gambling.

So we'll accomplish all of this four ways. One, starting June 17th, we will do a paid advertising campaign that will run through to the opening period, like the second week in August. Not dissimilar, actually, to what Mr. DeSalvio said about choices that were made for their transportation campaign, the most -- the highest impact is really to go digital. It's really the way you can get basically the most impact. So we'll be doing a digital campaign that starts on June 17th. Similarly, it will be behavior, web browsing behavior targeted. And then secondly, we'll be doing marketing initiatives that includes in-casino signage. And then we'll also be doing earn media as I mentioned earlier such as the announcement of the availability of the voluntary self-exclusion program. And then lastly, we'll be doing an aggressive social campaign through all of our social channels of which we have many. So between the Massachusetts Gaming Commission social channels and then also the GameSense channels which we also operate. And then we'll be working with the Mass Council to amplify that through their social channels as well, so we have an extended plan already in place for what that will look like over the course of the next six weeks.

>> MS. FIORE: Thank you, Elaine. So I am going to go through some of the more detailed tactics which Elaine just described, starting with the brochures for which I dropped off a few examples for you. So we broke up the brochures into two different primary types. The first being game-specific brochures. And our goal that we tried to accomplish in designing those is to provide very high-level information so that players can make informed decisions about their gaming. Here are the game brochures. And

I put the slot one and gave you the slot one as an example because it is, by far, our most popular brochure.

Our second type would be brochures with messaging specific to responsible and problem gambling. These in addition to the game-specific brochures are available in the GameSense Info Center, but these ones will also be found throughout the property in different areas on the casino floor. So we have translated these into Spanish, traditional Chinese, much like the gaming brochures, but we've also translated them into a simplified Chinese and a Vietnamese.

We also have a huge library of digital signage, which is something that we are working with the property to identify the perfect locations on the gaming floor. So these are some examples of assets we've used previously at properties. The left is an ATM-specific sign. It says "put your Benjamins on a budget." And the right one we envisioned would go at the end of a slot bank, for example, in rotation with their digital signs, and it says play smart, learn to lose like a winner. And go to the GameSense Info Center for helpful gaming tips.

I actually worked directly with Jacqui on this a while ago about how Encore Boston Harbor is going to promote the program on their website and in their advertising. So there is a set of requirements that many gaming operators follow in terms of adding a disclaimer on any of their advertising. So we hammered out very specific language, which they have included on all their ads across platforms. On their website, if you look on the left-hand side, that's a screenshot. They have a tile specific to GameSense. And if you click on that, it links directly to the GameSense MA website.

And these are just examples of some additional creative, which we have in our library. And many of these have been updated to include calls to action, which is specific to Encore Boston Harbor. So that would mean if you would like more information and would like to visit the GameSense Info Center, it is located by the east lobby.

And Elaine mentioned the social media plan, which we have created. She didn't touch on the GameSense website, which I know Chair Judd-Stein is new to you. You weren't there for the MGM presentation. But some of the items which we have on that website are entertaining videos, valuable tips and advice, a myth-busting quiz, interactive tools, slot and table game guides, support services and information on voluntary self-exclusion.

This slide just goes through the four phases of the advertising campaign. So I won't touch on that. I am very happy to talk about our Encore Boston Harbor GameSense adviser team. We have hired 12, which is our largest team, and that is obviously to reflect the size of the gaming floor, the number of staff members, and the number of guests who we expect to visit this property. And you can see in the little box that I've created that for every GameSense adviser, there is 453 Encore Boston Harbor staff members. They are currently in the fourth week of intensive training, and they have a combined 63 years of direct gaming experience. This breadth of experience is supplemented by bachelor's degrees in applied psychology, in mass media communication, as well as a decade of service in medical translation service and time spent in the U.S. Armed Forces, I believe the Air Force.

In addition to English, certain members of this team are fluent in Spanish Mandarin, Cantonese, Vietnamese, Dutch, and Papiamentu.

>> COMMISSIONER ZUNIGA: Which one was the last one?

>> MS. FIORE: I wrote it down. It is a Spanish Creole spoken in Aruba, Bonaire and Curacao.

>> COMMISSIONER ZUNIGA: Very interesting.

>> CHAIR JUDD-STEIN: I think it's interesting that your team has 63 years of gaming experience, Massachusetts is a gaming industry, so are almost all of your team members coming from outside of Massachusetts?

>> MS. FIORE: Many of them are, and I can get more specific answers for you on that one. But what I'm finding in working with many people in this industry is that it is a rather small population that travels to a lot of different properties. And they're very proud of that, and they will tell you all the different properties where they've worked and what they've learned in those locations. So, yes, they span the U.S.

>> CHAIR JUDD-STEIN: So generally, they don't only have an extensive background in psychology and counseling, which I would have expected, but they actually have gaming touches, which is extraordinary. That's good.

>> MR. VANDER LINDEN: It's an interesting balance of who do we want to be GameSense advisers. We can teach individuals that have been in the gaming industry a long time on some of the more human service aspects, but we can also teach individuals that come with a human service background a lot of information about gaming. And both are represented in the GameSense advisers.

>> CHAIR JUDD-STEIN: And it looks like that population is represented here as well. Thank you.

>> MS. FIORE: And finally, as Mark had mentioned and I would love to call out senior GameSense adviser Encore Boston Harbor Linh Ho who has conducted trainings for 4,865 Encore Boston Harbor employees. Within this training, staff are invited to utilize GameSense as a professional -- not only a professional but also a personal resource, should they need it themselves. And I would just like to add that I was actually at the property on June 10th, so a few days ago, in the new staff, the new Encore Boston Harbor staff, were actually participating in a scavenger hunt, and GameSense was one of the stops there. And as part of the scavenger hunt, they had to answer the question, what is one of the signs of problem gambling? And we overheard some terrific brainstorming and conversations. So we were very pleased to see that.

>> MR. VANDER LINDEN: And just to add, just before our presentation, Jacqui and I were talking about an advanced training or an enhanced GameSense training. So while these 4,800 employees have the basic GameSense training, there's also an enhanced training, and we're planning the rollout of that enhanced training to key employees.

>> MS. FIORE: Finally, from my visit a few days ago, we observed back of house signage which included the 24-hour gambling help line number, information about GameSense, and more general information about responsible and problem gambling. So it really shows Encore's commitment to the program, and we're really excited to keep working with them and make this program operate as successfully as we possibly can. Any questions?

>> COMMISSIONER STEBBINS: Teresa, when you guys were working with the team at MGM prior to opening, you also did a lot of kind of outreach to gamblers,



anonymous groups and others to, again, try to make the access to the VSE effort a little easier to access. Are you doing anything like that with respect to the workup to the opening of Encore?

>> MS. FIORE: Yeah. So there has been a few additional designated agents trained in the Region A area. In addition to that, Mark and I have made ourselves available to actually run -- conduct VSEs here at our office. So we kind of take everyone on a case-by-case basis. And if they need to meet somewhere, that's closer to their office or their home, we're able to do so.

>> COMMISSIONER STEBBINS: That's great.

>> COMMISSIONER ZUNIGA: Thank you for this great presentation. I like very much and recognize many of the strategies and tactics from the MGM campaign. I like the cost effectiveness of the social media and the coordination with advisers and the branding. But can anybody speak a little bit about what, if any, may be a new tactic or an enhanced procedure that we've done as a lesson from the prior launch?

[ Laughter ]

>> MS. DRISCOLL: Well, it's funny, actually, we were just talking about that earlier today before this meeting. I think that one of the things we've really been able to do that we've taken lessons learned, even today with crafting what the announcement message is about the expansion, I think we've honed messaging really well over the course of, just like I said, through our experience. I think that we understand even how to target for earned media, just the most impactful way to go about that. What Commissioner Stebbins also just said got me thinking, which is that we're planning on issuing our announcement like we always do about the availability of the voluntary self-exclusion program. There's actually no reason why, based on our research and our various contacts, why we can't sort of target that announcement to key audiences even more closely. So I think that we can take that announcement that today was intended to be broad and identify certain areas and send direct messaging to them for that. Some of our more, you know, maybe at-risk groups may have newsletters and things like that that they could include this announcement in, so I think we can very specifically target there. I think that's a great idea. And I think that we've also taken the opportunity to enhance our digital assets for our social campaign. So, for example, we've created a new video that's a brief snippet that would go out over Facebook and Twitter that basically is a GameSense -- the website 101. It's a quick review that says, here's how to find your way around the GameSense website and types of things that might be of interest to you. So we've enhanced that. We've also created a digital enrollment 101 for VSE, and we'll be putting that out as well. So we've added some new assets. We've enhanced our messaging, and we can target certain groups based on the research.

>> MR. VANDER LINDEN: Yeah. And on the programming side, we've also -- we're continuously evaluating what the program is, and I think it's reflected in the four-week training that the GameSense advisers have gone through. MGM is a great test case for operating in a casino that has both slot machines and table games. And we've learned a great deal over the past nine months of operating at MGM and just what types of concerns, problems patrons are coming to the GameSense program with and being able to respond to those.

You know, the Mass Council hired a Director of Responsible Gaming with extensive experience in prevention. And so it's beginning to look at how we fold prevention strategy, kind of comprehensive prevention strategy, into GameSense tactics and GameSense messaging. And I think that that's a breakthrough, quite honestly. We had a tool chest of GameSense activities and ways of talking about it that's very helpful. But I think that at a certain point, you -- and our experience and through the evaluation that we've done, you kind of reach that glass ceiling. How do we break through that in order to continue to make this interesting, make this engaging, make this meaningful and working towards the sort of end goal of mitigating gambling-related harm.

>> MS. DRISCOLL: And the last thing I just want to add, too, sorry, is we studied the metrics and performance from the GameSense campaign around MGM Springfield, particularly how the ads performed, the digital ads performed. So we're able to use that to decide which ads we should use for this, like the more popular ones, the ones that were most likely to inspire a click that went through to the website and the ones that didn't really work, seeming, you know, that they didn't get any clicks or as much reach. So we're able to use that entail to hopefully have a more targeted and sharp campaign for this.

>> COMMISSIONER ZUNIGA: Would it be -- and I don't know how I would personally feel about this, but would it be worthwhile to try to, within the communication, within the messaging, to try to remind those who may be in the voluntary self-exclusion list, that when it comes to Massachusetts, you're excluded from all three casinos, apropos of the new one opening? And the reason I say would it be worthwhile is clearly because this is a broad campaign targeted to a lot of people, but there's this particular group that, you know, we are also interested in.

>> MR. VANDER LINDEN: Right.

>> COMMISSIONER ZUNIGA: Do you have any thoughts as to whether that would be worthwhile?

>> MR. VANDER LINDEN: Yeah. We had that discussion last week about how to reach out in a very discreet way to individuals that are already on the list that may not have received notification when MGM opened up that it was a statewide voluntary self-exclusion list. So there's a plan for direct outreach as well as a plan to post on our website as a reminder to persons that it's a statewide list regardless of when and where you signed up. If you're on the list, it applies to all three casinos in Massachusetts.

>> COMMISSIONER STEBBINS: I just want to, Mark, acknowledge some of the work you guys have done kind of in the lead-up. I'm starting to call you our director of research and player health.

>> MR. VANDER LINDEN: Thank you.

>> COMMISSIONER STEBBINS: Kind of the lead-up -- you had a great meeting with the Secretary of Veterans Services because we know Encore is opening up very closely to the Chelsea Soldiers Home. We know veterans are predominantly a higher at-risk population, but, you know, the two of you undertook some outreach efforts over there. So kudos to you for a lot of the work you've done leading up to the -- done leading up to the opening.

>> MR. VANDER LINDEN: Thank you.

>> CHAIR JUDD-STEIN: Thank you very much. Thank you, Teresa, for the

brochures. Very helpful today, and your presentation. I think at this time it makes sense for us to break for lunch. I appreciate everyone who's been here all morning and invite you to return if you would like, and then I know we have many members of our team that need to present for the afternoon. So thank you. We will return in -- should we say 2:00? Is that enough? Or do you want a full hour? It's 1:10 now. 2:00 is fine. Excellent. We will go with 2:00. Thank you so much.

>> COMMISSIONER ZUNIGA: Thank you.

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>> CHAIR JUDD-STEIN: Thank you, Austin. Good afternoon, everyone. We're reconvening public meeting 272, and we left off on our agenda. We are now at item 4b, V. Mr. Band, would you like to -- thank you.

>> MR. BAND: Madam Chair and Commissioners, I'm here today with Burke Cain, my field manager, Bob DeSalvio and Jacqui Krum. We're here to talk about the gaming regulatory compliance review. And these are all the inspections that our staff has been doing over at Encore since the beginning of February, actually. During that time the staff inspected 3,158 slot machines. Even though there's only going to be 300 -- 3,151 games on the floor after Bob changed his mind in the high limit zone.  
[ Laughter ]

>> MR. DeSALVIO: Sorry, Bruce.

>> MR. BAND: It's all right. The inspection started on February 4th, and we finished it by, like, June 1st. And that was doing the denomination, software, machine, percentage payout, returned to the play, pretty comprehensive inspection. These electronic gaming tables. We also have just completed this week the inspection of 144 table games and 88 poker tables. And that includes all the shuffling devices, cards, tiles, and all the equipment that comes with that.

We also did 12 Roulette wheels and 28 ticket redemption machines as well. We inspected three cashier cages, the money routes on the floor, security and surveillance submissions. We approved over 144 submissions, and the credit should go to Carpenter for all the hard work that he did on that. That's months of work. You know, on that thing itself. We also looked at the proposed gaming day, which will be 24/7, gaming day would start at 6:00 a.m. in the morning. The emergency and critical incident response plans was reviewed with the Everett department and has been approved. We've looked at their credit and suspension of credit procedures and have all met the requirements of our regs. The liquor license has been in compliance. We still have an on-site walk-through on Friday with ABCC to complete that. Slot operations plan was great. And then the final plan for test nights is in place. I received it from Encore today, their layout of what each of the three days will look like. And it was very similar to what we did at MGM, and it was all acceptable. I would like to take a moment to give special thanks to the field manager Burke Cain and Luis Lozano for all the hard work he's done. I don't know if --

>> COMMISSIONER STEBBINS: There he is in the back.

>> MR. BAND: Right back there. He's been out there since February with the whole staff organizing things and making sure everything gets done. He's done a great job.

Same with everybody on the staff up to this point. Any questions?

>> MR. BEDROSIAN: Bruce, do you want to just highlight the floor?

>> MR. BAND: That's, I think, later on.

>> MR. BEDROSIAN: Oh, okay.

>> MR. BAND: In the agenda.

>> CHAIR JUDD-STEIN: Can you just remind me of the approval process where you say reviewed and approved? Does director Bedrosian sign off, and is there actual documentation for that?

>> MR. BAND: We actually review what gets submitted. They look at our regs. Some of these things are 30, 40 pages long. All their submission compares it to the reg to make sure it's in compliance. And after we do that review, Ed gets the letter to do the official sign-off for it.

>> CHAIR JUDD-STEIN: Is that the case with all the presentations? I know Katrina also said that you would be signing off. Were we -- how's that -- is that something that you've been doing all along?

>> MR. BEDROSIAN: It is -- on the internal controls, it is. And usually what happens is they will sit and explain to me what the process is because I was a newbie to the industry and I didn't understand --

>> MR. BAND: (Off-mic).

>> MR. BEDROSIAN: Exactly. And I would sign off on internal controls. On the information security plan, I think I still need to sign off on it.

>> CHAIR JUDD-STEIN: That's what I understood. So that's what prompted me. You said reviewed and approved. That's the actual approval that you, I understand, and you've briefed me, thank you.

>> MR. BAND: Yes.

>> CHAIR JUDD-STEIN: I felt that everything's been met and that, Ed, you actually sign off. Thanks.

>> MR. BEDROSIAN: And yes, there is documentation.

>> CHAIR JUDD-STEIN: Right. Thank you.

>> MR. BAND: In the PowerPoint, when you get to this real colorful thing, it's a list of all the regulations that we reviewed and approved. I'm surprised Stirrell can still see.

>> CHAIR JUDD-STEIN: It is hard. The color helps, though, Bruce.

>> MR. BAND: Anybody have any questions?

>> CHAIR JUDD-STEIN: Any questions for Mr. Band?

>> COMMISSIONER ZUNIGA: Yeah. I remember that a lot of the testing that we did initially on PPC, we relied on the lab, even though we had less staffing.

>> MR. BAND: GLI.

>> COMMISSIONER ZUNIGA: Also, there was less table games. If my recollection is right, we did all of the denomination testing of the machines for MGM, and that's the case -- but that's the case here as well.

>> MR. BAND: They helped us with progressive testing of MGM.

>> COMMISSIONER ZUNIGA: The progressive?

>> MR. BAND: Yes. But our staff worked with them to learn what their inspection was. This time our staff did the complete inspection, all except the software approval for the advantage system.

>> COMMISSIONER ZUNIGA: Okay. Which Katrina talked about earlier, right?

>> MR. BAND: Correct, yes.

>> COMMISSIONER ZUNIGA: That was what she was referring to?

>> MR. BAND: Yes.

>> COMMISSIONER ZUNIGA: And then besides the denomination testing, are there other actual testing that, in our past, someone else did like a lab that we now do?

>> MR. BAND: We pretty much do all our inspections. With the games and stuff, we, of course, always require a GLI letter saying that it's approved in our jurisdiction.

>> COMMISSIONER ZUNIGA: Yep.

>> MR. BAND: But the actual inspection itself our staff does complete at no additional cost like we had in the past.

>> COMMISSIONER ZUNIGA: Yeah. Thank you.

>> COMMISSIONER STEBBINS: Bruce, just a quick question and remind me the critical incident preparedness plan, that's not just all the machines go dark or anything else? It's --

>> MR. BAND: That's more a security emergency. It's part of the security plan.

>> COMMISSIONER STEBBINS: Right. Right. You guys review it, I'm assuming our --

>> MR. BAND: With conjunction with the state police.

>> COMMISSIONER STEBBINS: State police.

>> MR. BAND: And I think the City of Everett reviews it as well.

>> COMMISSIONER STEBBINS: Okay.

>> COMMISSIONER ZUNIGA: Is there any new games here that we have not seen or anything --

>> MR. BAND: You'll see pai gow piles you'll see, even though I don't think they've opened it yet, have they? You'll see that in new games. Maybe test night we'll get you there to try it out.

>> COMMISSIONER ZUNIGA: Yeah.

>> MR. BAND: All the slots are new models and stuff. So I'm sure you'll see some things that you hadn't seen before.

>> MR. CAIN: They also have the table that will light up with three dice when they're in the shape.

>> COMMISSIONER STEBBINS: The difference between this property and MGM, a lot more private gaming rooms?

>> MR. BAND: Yes.

>> COMMISSIONER STEBBINS: What does that do or change how you track information or track --

>> MR. BAND: We have unfettered access to that, but we also have complete access to the surveillance system.

>> COMMISSIONER STEBBINS: Okay.

>> MR. BAND: To watch with that, and their playing rating system. So we really kind of know what's going on in the room and everything.

>> COMMISSIONER STEBBINS: Okay.

>> MR. BAND: You'll get a big player like a Michael Jordan or something that doesn't want to play out in the public or somebody that owns a business that doesn't want to publicize. And the last three, the maps of the floor, that's actually in the floor plan approval. So I will address that later on in the agenda.

>> CHAIR JUDD-STEIN: (Off-mic).

>> MR. BAND: Yes. Thank you very much.

>> COMMISSIONER ZUNIGA: Thank you.

>> CHAIR JUDD-STEIN: (Off-mic).

>> MR. BAND: Thank you.

>> CHAIR JUDD-STEIN: Next on our agenda is item IV, b6, and director Wells, you are helping out today. Your colleague Licensing Manager, Bill Curtis.

>> MS. WELLS: Yes, good afternoon, Madam Chair and Commissioners. As you may have noticed, I am stepping in for Mr. Curtis this morning. He did submit a memorandum for your consideration which is in the packet just to give you an overview of the -- from the licensing division's perspective, the issues that are required to be brought forth before the Commission for the operations certificate. As far as employee compliance, required for the operations certificate, they do have to list the gaming employees. And that's done through the LMS system, and the company and the licensing division are in constant contact, and that's been updated, so we do have a current list of employees which complies with 205 CMR 151. As far as the vendor compliance, there's a requirement that the vendors be licensed and registered. The mechanism for this is that the company provides a disbursement report. So they tell the licensing division all the money that's flowing out through the company expenditures, and then the MGC verifies that. So I've been in touch with Mr. Curtis. That's ongoing. That's done on a regular basis. So they confirmed that they're not spending money or giving money to vendors that are not licensed or registered. It is important to remember there are some exemptions that don't have to be licensed or registered, but we confirmed those. So that process is in place. And the company is in compliance with that.

They also are required to submit a jobs compendium which they had done. The proposed amendments to the compendium have also been submitted. And the licensing team and the company worked together on that. And then all the documentation is not only reviewed by the Licensing Manager, but they work with the gaming agents chief, so Bruce Band, just to check that the level of licensure is appropriate and that we're doing everything in that respect. And those are approved, and all of that procedure has been flowing smoothly. No issues on the jobs compendium.

The other final issue with respect to the licensing division is the gaming beverage license which Mr. Band already referenced, that that has been approved by the Commission, but we do have a final walk-through that we're doing on Friday. We'll go through with that. I believe the Chair will sign off on the actual license themselves. We've got a process in place to get that done. So they may have their actual certificates as early as this Friday. Oh, she already signed it? So it's done.

>> COMMISSIONER ZUNIGA: Which certificate was that?

>> MS. WELLS: The gaming beverage certificates. So they have their different locations, so the Chair signs off on those.

>> COMMISSIONER STEBBINS: Karen, I'm sorry.

>> MS. WELLS: No, go ahead.

>> COMMISSIONER STEBBINS: Real quick. So the gaming beverage license is allowing them to serve on the test nights. However, you know, I know shadowing

Bruce and Burke out in Springfield, other issues arose around beverage service. How do we kind of play that off? They already have the license, but we may find some discrepancies in service or what have you.

>> MS. WELLS: Correct. So it would be as if you had an operating casino. So if there's any issues, there would be a notification to the licensee, an opportunity to correct the issue. If there becomes a pattern of noncompliance, for example, leaving open liquor bottles, having people with access to liquor who shouldn't have access, there can be some enforcement action taken, but there's a process and procedure in place as to the steps before we would take any action against the casino.

So just for the Commission's edification, the whole team which includes the licensing team and the state police investigators, they've done nine key executive licenses, 152 key standard licenses, 1460 gaming employee licenses, 1360 service employee registrations. They had 58 fingerprinting events. And so total, I think there's 2,981 licenses or registrations. And Mr. Curtis asked, because he's such a good leader for his team, to specifically thank on his behalf his team, Mary Pulgarin, Lisa Brookner, Tara, and Connor McCourt, just processing all of those applications in dealing with the public, getting people through the process in the most efficient way possible, making them feel welcome as part of the, you know, the whole licensing and registration process was important. And he also wanted a shout-out to Trooper Scott Walker who did a lot of the fingerprinting and coordinating a lot of the efforts. That's a big task in getting those people in. And I got excellent reviews as far as the efficiency of the process, not only on the licensing side but also the investigatory side. And I can't thank Bill Curtis enough. This is someone who was working weekends, working nights, always on LMS, you know, I could see emails going back and forth at all hours. So he, you know, working with both Gina Joyce and Mike Banks, they really worked very, very hard to make sure that these things are moving so that this thing could open on time. And that the project would be successful.

>> MS. KRUM: And it's been incredibly smooth on our side thanks to the team. We haven't had any complaints of anything being held up. While the application is lengthy, they've been unbelievably supportive in terms of getting people processed, getting back to them and having a constant communication with our team.

>> COMMISSIONER ZUNIGA: To that end, can you just expound a little bit on the LMS, the way our system has worked towards these efficiencies that you --

>> MS. WELLS: One of the most -- one of the smartest things we did was implementing this LMS system just as an agency because the efficiencies, especially in all parties being able to view the same database. So when the applicant submits, it then goes to a queue so the company can check to verify that that person actually works for the casino. The casino can also check where that person is in the process. The person can get their notifications through the LMS system. I can check how many applications are in each stage of the process. There's so many ways to access the same information. When we tried to do that by paper when we opened Plainridge, much more difficult. You know, one file that was located in Plainridge, I'm over in Boston asking questions and getting information was much more difficult. I can look up something at 9:00 on a Saturday night from my house through my VPN and check where an application is if I get a question or something happens. So it's that direct access to information and the ability to communicate more efficiently with the applicant

and the casino. It just keeps everybody informed, and nobody's wondering, well, what's going on here. And if people know what's going on, they understand, so there might be a holdup if there's information they're waiting for from the applicant, but then they know what it is, so they're not frustrated. They know and they're not left in the dark and, and then they feel like they're part of the process and they feel respected.

>> COMMISSIONER ZUNIGA: And in the past we also issued a number of temporary licenses.

>> MS. WELLS: Yes, yes.

>> COMMISSIONER ZUNIGA: Not just vendors but also some individuals. That was done by necessity just to manage --

>> MS. WELLS: Correct.

>> COMMISSIONER ZUNIGA: -- the large influx.

>> MS. WELLS: Right.

>> COMMISSIONER ZUNIGA: How is that process this time?

>> MS. WELLS: Yeah, and I think that's been going well, too. The state police, particularly Gina Joyce and Mike Banks, would be in communication with the casino. If there were particular employees that they needed to get on very quickly in order to make operations run smoothly, those would be put on a priority list. The state police would understand that, so the background could be put first in the queue so we could get potentially a temporary license if we needed to do that. They would check things that would be particularly problematic if someone had a temporary license, but as long as they cleared those hurdles, let them have the temporary license. Let the process go. And then if there's a problem, they can always circle back later. But that system worked pretty well. And they were in communication. It's all about communication and talking and seeing what you need and being responsive to the business model.

>> COMMISSIONER ZUNIGA: Any more -- any need for a lot more overtime hours for Bill or anyone else? How is the next few days?

>> MS. WELLS: Well, the wave peaked.

>> COMMISSIONER ZUNIGA: Yeah.

>> MS. WELLS: So we're on the back end now. You know, the people that, you know, state police and the licensing division, they worked really hard. You know, they were up and they were moving these things along on a regular basis. So they really did a good job and they should be commended. They took pride in it and wanted to make sure that the system was successful. So I think now it's playing a little bit of catch-up. So if there's some folks that have temporary license, you've got to circle back and get them those. And then the registrations, those people who are -- as soon as their application's complete, they can get to work. So we can finish up on those investigations, make sure those are all set. There's a little bit of catch-up on the back end, but as long as the business process is working, we have the resources right now to get done what we need to get done.

>> COMMISSIONER ZUNIGA: So we will have people either licensed permanently or temporarily or registered --

>> MS. WELLS: Yep.

>> COMMISSIONER ZUNIGA: Before the opening.

>> MS. KRUM: And I think the temporary license has worked well. We let our employees know up front that it is a temporary license and that the Gaming Commission



has not finished their investigation. We've only had a handful of candidates who have been nervous about giving notice on a previous job. Most people come to it knowing that they've got a clean record so they're prepared to go through that process. And it's been an enormously efficient way of getting through a large volume.

>> MR. DeSALVIO: And I just wanted to add some thanks to Bill who, you know, every once in a while we'd have these critical cases, and he was on speed dial. He would pick up the phone any time, day, night, weekend, if we had emergencies where we had to get somebody through the system as quickly as possible. So just a shout-out to him.

>> MS. KRUM: I think you called him by mistake yesterday.

>> MR. DeSALVIO: I did. I did.

>> CHAIR JUDD-STEIN: Well, I think it's fair that all of us are thinking of Bill today and acknowledge his exceptional work and leading here. I think that the statistic -- the metric here that we should be all looking at is that there were nearly 3,000 licenses and registrations processed since June 4th.

>> MS. WELLS: That might be as of June 4th. I'm looking at that. I think that's as of June 4th.

>> CHAIR JUDD-STEIN: As of. So it was really --

>> COMMISSIONER STEBBINS: Still impressive.

>> CHAIR JUDD-STEIN: Still very, very concentrated. So that's what I was wondering because, of course, the employees have been coming in, but still it's been a very concentrated time. And then the same with the fingerprinting, which I understand (off-mic). But Bill's leadership should be recognized and all his time, so thank you. And, of course, the collaboration again. Great job. Thanks. Thanks, Director Wells.

>> COMMISSIONER STEBBINS: Thanks, Karen.

>> CHAIR JUDD-STEIN: All right. Next item. 4b, VII, our CFO, Derek Lennon, and Revenue Manager Doug O'Donnell, please, and Bob is still on the hot seat.

>> MR. LENNON: Good afternoon, Madam Chair and Commissioners. I'm joined by Douglas O'Donnell, revenue manager of the Mass. Gaming Commission, and we're here to give you a recommendation on the procedures for verifying taxes on gross gaming revenue. One thing I do want to remind everyone is you do not see anything in your package because the documents that we deal with are highly sensitive. They have been covered under nondisclosure agreements. And each licensee does their revenue a little different, and we've respected that. We haven't presented anything for the Plainridge Park opening other than verbal. Didn't present anything for the MGM opening other than verbal, and we're doing the same thing for the Encore Boston Harbor opening. Just a verbal presentation.

I'll just do a quick overview and then I'll turn it over to Doug O'Donnell. But we have been working diligently with the Encore Boston Harbor staff just as we did with our other two licensees prior to their openings to make sure that the facility has both competent staff and a good system of internal controls and procedures to provide training and oversight to the staff working at the facility who will be responsible for the daily drop, count and revenue audit process to produce a daily gross gaming revenue figure. Prior to turning the presentation over to Doug, I'd like to thank members of the MGC finance HR office as well as some of the Encore Boston Harbor team for all the work they've done. Doug and his team of Sara and Noelle Low have been instrumental

in the gross gaming revenue component of opening which you'll hear about in detail from Doug as well as getting our internal revenue recognition systems and controls in place. Agnes Beaulieu and Jay Lee have worked tirelessly to make sure that the supplies and technology are ordered on time as well as the standards that our employees get to enjoy. Trooper Deband and Natasha Martin have been aiding all of our staff in getting positions posted, advertised, interviewed and onboarded in a timely fashion. Jacqueline Kinette, she had to correct me in the pronunciation. Jacqueline Kinette has been a great addition to the team, as she's helping review every single slot machine, the testing data on it, so she actually takes the handwritten sheets from the slot text, puts that into a database, then compares that to what came out of the CMS and compares that to what came out of the advantage system to make sure that all three different areas of testing are in compliance. Doug reviews that and then kicks it back to some of the gaming agents when there are problems it kicks it back to the NOC staff to take a look at it. She's also helped with all the onboardings of new employees and credentialing, helping to order supplies and keeping our entire team accountable for our compliance and monitoring schedule. I'd like to thank the IEB gaming agents and the IGT NOC which have been great partners throughout the entire opening process. Bob DeSalvio who calls us regularly to deal with, Bill and Amina have been nothing but professional, helpful and cooperative all while trying to open this major project. At this point I'd like to turn over the presentation to Doug O'Donnell to discuss the time line in details that we've done to get to this point.

>> MR. O'DONNELL: Good afternoon. I would just like to echo what Derek said about our staff and how hard they have been working over the past few months. We were short staffed up until two months ago when we added an additional employee, Noelle Low, to our team, which has been a huge help. Things have been moving along very smoothly, and we're quite happy with the way things have gone. And Encore Boston Harbor, in working with them, they will be using their on-site staff to count and calculate the daily GGR which we will verify for purposes of assessing the 25% tax rate. Encore will be using the IGT advantage house casino system for tracking play on the casino floor and calculating the daily GGR. This is the exact same software package that MGM Springfield is currently using. So we are very familiar and comfortable with the core reporting systems of the system. It's been very helpful, and again, it's running very smoothly for all of us.

In February of this year, the MGC finance team began meeting with Encore compliance and revenue audit staff. These meetings happen on a biweekly and monthly schedule and come with the following topics. Overview of internal controls and procedures for the slot and table game GGR calculations, slot audit observations and detail, table game audits, gaming audit and accounting compliance. It was during these meetings that we were able to interact with the managers and staff that will be responsible for implementing the advantage system and training the revenue audit team at Encore. While the staff was not intimately familiar with the IGT's advantage system, they are extremely qualified and knowledgeable in the area of revenue audit, gross gaming calculation, and variance tracking and reconciliations with over 50 years of combined experience in the casino industry. We were actually able to see documents from Wynn's Vegas property and how the audit process worked. And as a reminder, back last year when -- during the opening of MGM, our IT team department scheduled

four days of training with the IGT to demonstrate the advantage slot accounting and management system. The training combined with the daily review of MGM reports from the advantage system proved to be a helpful base to have an understanding of how the system works. The Encore team has recently taken the training, and they feel very comfortable and familiar with the system now.

We've also worked very closely with the agents and the MGC team and the CMF networks to review the manual testing of the slot machines and comparing those sheets with the central monitoring system to ensure accurate GGR calculations of the slot play. We have reviewed in all 3,107 slot machines which they have all passed. And we can thank Jacqueline Kinnette for putting that spreadsheet together and going over every single machine to making sure that they did pass. Again, our team worked very diligently and very hard in getting this process finalized. And with everything we have reviewed and worked on with the Encore team and our internal MGC partners, the gaming agents, CMS, the IT team, we recommend that the Commission approve the daily GGR package, controls and tax package the Encore team has submitted to the finance office for usage during test nights. So if you have any questions, we'd be more than happy to answer them for you.

>> COMMISSIONER ZUNIGA: Excuse me. I do -- I -- I'm just somewhat familiar with the capabilities of the IGT advantage system, the house system. And you mentioned that there's perhaps different approaches to using a system like this between licensees. Is there any similarities in terms of reports that we're going to require, or are we seeing differences, perhaps in the procedures that would cause us to just adjust in a different way because it's a different licensee from MGM?

>> MR. LENNON: So our tax package is the same baseline reports. The process for reviewing and revenue audit is different from licensee. MGM has a one-stop shop approach where everything goes up to the shared financial offices system in Vegas where the Encore Boston Harbor team will be doing a lot of it on site. The daily audit procedures are a little different. What reports are used but our tax package are the same fields, same calculations, using the same electronic table game managers, you know, similar slips. How many they pull to audit may vary differently from how many MGM pulls to audit. You know, the slips, see if all the signatures are the same on there. Their processes. So that's the differences we see. And that's where each place is a little different when you look at the details of the revenue audit process. But the baseline reports, all the same.

>> COMMISSIONER ZUNIGA: We've been using them now for a while and seeing them and reconciling them.

>> MR. LENNON: Yes.

>> MR. O'DONNELL: With MGM. We plan on doing the same approach or having the same approach with Encore as we do with MGM. We meet with them every week or every other week to review our taxes that have been paid and any other discrepancies that we may have. And recently we have been meeting with Encore, the financial team, and we have had gone over every single tax report that we've had, and everything is tying out. So we're -- we feel very confident and comfortable moving forward with Encore.

>> COMMISSIONER ZUNIGA: Great.

>> CHAIR JUDD-STEIN: Executive Director, do you sign off on that report? I

believe that Doug might have said that he was seeking a Commission's approval. What is the process for that?

>> MR. BEDROSIAN: I think it's just the overall vote that we will be using the same system that we're using with MGM. We're familiar with it.

>> CHAIR JUDD-STEIN: I understand.

>> MR. BEDROSIAN: Yeah. It's just an overall approval, I think.

>> CHAIR JUDD-STEIN: Thanks. Thank you for that report. Any questions?

Further questions?

>> COMMISSIONER STEBBINS: No.

>> MR. LENNON: Thank you.

>> CHAIR JUDD-STEIN: Next on the agenda, we're going to hear from General Counsel Blue for item 4b, VII, legal.

>> MS. BLUE: Thank you, Commissioners. Legal is here today to report on the status of two agreements, the MOU between the Department of Revenue, Encore Boston Harbor, and the Commission, and the status of the lottery agreement between the lottery and Encore Boston Harbor. The MOU between the Department of Revenue, the Commission, and Encore Boston Harbor is required under 23K, Section 51 and 52 in order to set the process for sharing information between the Department of Revenue and the licensee regarding winnings and whether payments were back taxes, child support, or transitional assistance may be owed. That agreement is complete. The terms have been negotiated. And the parties are currently executing it. We expect it will be here for the Commission to execute sometime today.

The lottery agreement between the Encore Boston Harbor and the lottery was executed in September of 2014. That agreement is required pursuant to 23K, Section 15, as has been the case with our other licensees, there are sometimes amendments made after execution from time to time. But our statute is complied with once that agreement is executed. So Encore Boston Harbor is in compliance with that requirement. And that is legal's report.

>> COMMISSIONER ZUNIGA: Catherine, early on in the process with PPC for the operation of that check that -- well, that review or that reconciliation between DOR's database and the casino's database had to be worked out. Is there any testing or procedure that we do for that -- or that DOR does or that the casino -- that the licensee is supposed to do to ensure that prior to the start of the operations?

>> MS. BLUE: So my understanding is that some of the issues that we ran into with PPC have been corrected over time. The parties have understood that that process didn't work quite as well as it should. And I believe DOR has also changed its platform a little bit. So yes, there have been significant improvements since the first memorandum with DOR. And they do test it. So we think -- we think there's a process now that works. It works at MGM, and it works -- it should work at Encore Boston Harbor.

>> COMMISSIONER ZUNIGA: Right. Thank you.

>> CHAIR JUDD-STEIN: Any further questions for General Counsel Blue? Thank you, Catherine. And thank you all. Thank you, Executive Director Bedrosian. I believe your update is now complete.

>> MR. BEDROSIAN: It is.

>> CHAIR JUDD-STEIN: We'll move on now to -- return to Ombudsman John

Ziemba, item number 5 on the agenda.

>> MR. ZIEMBA: Thank you, Chair. I'm going to turn it over to Joe for a discussion of the detailed -- the final stage of construction requirement. We discussed this previously when we discussed the detailed schedule a little bit earlier in May.

>> MR. DELANEY: Thank you, Commissioners. This final stage of construction, this is a requirement under 205 CMR 135, the determination has to be made for the final stage of construction. What this does is Encore issued a bond for the project early on and has been maintaining that throughout in order to release the bond, we have to make this determination. So we are expecting a letter from Encore certifying that the project has reached its final stage of construction. I think based on our earlier report today, it's pretty clear that the project is at its final stage of construction and that its certification can certainly be made. So we're recommending that the Commission determine that Encore Boston Harbor has reached the final stage of construction subject to the receipt of the Encore Boston Harbor certification that the project has reached the final stage of construction. And after we get that, we'll take the necessary steps to allow the bond to be released which would not happen until the 23rd at the earliest. So I think there's a motion that you have that you are asking for at this point?

>> CHAIR JUDD-STEIN: (Off-mic).

>> MS. BLUE: No, we do not have a motion for this. We have motions for that are opening, but you can just move that it's based on the memorandum in your Commissioner packet.

>> CHAIR JUDD-STEIN: (Off-mic) do you have any questions (off-mic)?

>> COMMISSIONER STEBBINS: Just clarification. Nothing takes place despite our motion until the letter certification -- letter from Encore Boston Harbor?

>> MR. DELANEY: Correct.

>> MR. ZIEMBA: And nothing takes place until at least --

>> COMMISSIONER STEBBINS: Oh, I'm sorry.

>> CHAIR JUDD-STEIN: (Off-mic).

>> COMMISSIONER STEBBINS: No, and I kind of glurbed right through that. I want to see how she transcribes glurb. It's with our vote, bond doesn't get released until the official certification letter arrives from Encore Boston Harbor. So more of a clarification.

>> MR. ZIEMBA: And no earlier than the 23rd.

>> COMMISSIONER STEBBINS: And no earlier than the 23rd. I could have just asked Peter. Thank you, Madam Chair. That was my question.

>> CHAIR JUDD-STEIN: Do you have any questions?

>> COMMISSIONER ZUNIGA: No. No.

>> CHAIR JUDD-STEIN: Commissioner O'Brien? So now I think we're good without a written motion, if there is one, I'll entertain one.

>> COMMISSIONER STEBBINS: Madam Chair, I request that the Commission determine that the Encore Boston Harbor project has reached the final stage of construction as of the proposed opening day, June 23rd, 2019, subject to the receipt of the Encore Boston Harbor certification that the project has reached the final stage of construction. And after such receipt of such certification, staff would then take the necessary steps so that the bond may be released.

>> COMMISSIONER ZUNIGA: Second.

>> CHAIR JUDD-STEIN: Any questions, General Counsel Blue, in regard to that work? That portion?

>> MS. BLUE: Yes, that's fine.

>> CHAIR JUDD-STEIN: Excellent. Thank you. Any questions? All those in favor. Opposed? 4-0. Thank you. And thank you, Ombudsman.

>> COMMISSIONER ZUNIGA: Thank you.

>> CHAIR JUDD-STEIN: All righty. Next on the agenda, legal division, General Counsel Blue. If you would like to proceed, please.

>> MS. BLUE: We have Director Griffin here to talk about the marketing and tourism plan. And then the design and construction diversity commitment.

>> MS. GRIFFIN: Good afternoon.

>> COMMISSIONER STEBBINS: Good afternoon.

>> MS. GRIFFIN: On June 6th, we presented Encore Boston Harbor's regional tourism and marketing plan, and Encore was there to present the plan as well as others. And I recommend it's ready for approval unless you have any questions.

>> COMMISSIONER ZUNIGA: Remind us, they presented we were going to put it for public comment, or it was just a presentation and then come back and approve at a later time?

>> MS. GRIFFIN: That's right. We were consistent with what we did with the casino in Western Mass.

>> COMMISSIONER ZUNIGA: Okay.

>> CHAIR JUDD-STEIN: So we did get a full presentation earlier. Do we have any questions? Do you want any further clarifications? And it's my understanding that you do need to have an approval under our statute. Do I have a motion?

>> COMMISSIONER STEBBINS: Madam Chair, I would move, in order to fulfill pre-opening requirements of license condition 15, I move that the Commission approve Encore Boston Harbor's regional tourism and marketing plan which was presented at the June 6th, 2019, MGC public meeting. And as shown in the attached documents, provided that such approval shall not be construed to supersede any obligations pursuant to mass General Law 23K or to the conditions Encore Boston Harbor's license including but not limited to condition number 9, which is relative to compliance with the information included in the application filed by the designated licensee in the evaluation reports filed by the Commission.

>> COMMISSIONER O'BRIEN: Second.

>> CHAIR JUDD-STEIN: Any further comments? Discussion? And my only comment would be is that the presentation was excellent at the time. And we appreciate the good work.

>> MR. DeSALVIO: Thank you.

>> CHAIR JUDD-STEIN: All those in favor. Opposed? 4-0, Catherine. Thank you. And Director Griffin, I believe you have --

>> MS. GRIFFIN: Yes, diversity commitments.

>> CHAIR JUDD-STEIN: Thank you.

>> MS. GRIFFIN: Also on June 6th, I was joined by Encore, and we talked about all the commitments related to construction diversity and pre-opening. And I'm actually not sure that we require a separate vote on this. We do. Okay. And these were all the commitments relative to Chapter 23K, license agreements involving Affirmative

Marketing Program, the affirmative action program for equal opportunity, setting the diversity goals and regular reporting, which I confirmed to you at that time that Encore had satisfied all those requirements.

>> CHAIR JUDD-STEIN: Director Griffin, I'm just going to ask perhaps General Counsel Blue, you could clarify what vote is needed, because I don't have a vote planned.

>> MS. BLUE: The vote is to confirm that they met their license requirements as part of this plan. Director Griffin's report indicates that they did. So the vote is just confirming that they met their commitments pursuant to the license and the statute.

>> COMMISSIONER ZUNIGA: It may, perhaps for clarification, what we have in the packet is the memo from May 31st that says that there's no vote required at that time.

>> MS. GRIFFIN: That's right.

>> COMMISSIONER ZUNIGA: It's included as a reminder but I was confused as well.

>> CHAIR JUDD-STEIN: That's right. I know that we have a vote, but to be fair to Director Griffin, we met and we also were a little bit confused as to exactly what is required as a vote. We understand the compliance. But we're just wondering what the obligation of the Commission is in terms of meeting our statutory requirements.

>> MS. BLUE: The Commission, by voting to accept Director Griffin's report, is confirming that Encore Boston Harbor has complied with the terms of their license agreement by meeting these commitments. This is a separate license condition, also a separate statutory condition. We have not rolled it up under the general compliance.

>> CHAIR JUDD-STEIN: You mean under Director Bedrosian's report?

>> MS. BLUE: Yes.

>> CHAIR JUDD-STEIN: So that's why this particular evidence of compliance needs to have a separate vote.

>> MS. BLUE: Yes.

>> CHAIR JUDD-STEIN: All right. Any further questions? Okay. Does somebody want to make a motion so that we can, in fact, meet our obligations?

>> COMMISSIONER STEBBINS: Sure. Madam Chair, I'd recommend that the Commission determine that Encore Boston Harbor has reasonably met their construction diversity pre-opening compliance requirements and commitments.

>> COMMISSIONER ZUNIGA: I second that.

>> CHAIR JUDD-STEIN: All those in favor. Opposed? 4-0. Thank you.

>> MS. GRIFFIN: Thank you very much.

>> CHAIR JUDD-STEIN: Thank you so much, Director Griffin.

>> MS. GRIFFIN: Thank you.

>> CHAIR JUDD-STEIN: And my apologies for the confusion. And --

>> MR. BAND: I'd like to refer you to the last three pages of the gaming regulatory compliance PowerPoint. The first page is titled "casino floor plan," first floor.

>> COMMISSIONER ZUNIGA: Yeah, they're in a separate tab in the same order.

>> MR. BAND: Yeah.

>> COMMISSIONER ZUNIGA: Right next to the --

>> MR. BAND: What they're referring to as the gaming floor is on the map you see the orange line that goes around. Everything inside that is gaming floor space. Yeah. There's two floors. I haven't gotten to the second floor yet. The next page is the

second floor. And you can see the same orange line outlining the gaming floor space with that as well. Your third print actually shows a path for if you come up right near our office, right next to Dunkin' Donuts and those elevators, this is where they'd be sending anybody that was underage around that green line which is noncasino floor space.

>> COMMISSIONER STEBBINS: Mm-hmm. Sending them around the outside as opposed to --

>> MR. BAND: Yeah, around the outside, not on the casino floor. Hopefully not many people come up that elevator because they have adequate signage down below. But a lot of times people just don't read signs.

>> CHAIR JUDD-STEIN: And on the left is the hotel.

>> MR. BAND: Yeah, the left side is the hotel lobby area. The right would be, like, Dunkin' Donuts at the end of that. Yes.

>> COMMISSIONER O'BRIEN: And just for point of clarification, the first floor plan where you have the separate squared-off gaming area. That's not highlighted in green because they don't want any confusion about people thinking that --

>> MR. BAND: Yeah, that squared off of-off gaming area, that is their stadium gaming.

>> COMMISSIONER O'BRIEN: You didn't highlight the green because they don't intend to have them wandering that far?

>> MS. KRUM: Right, no minors would go through any area.

>> COMMISSIONER O'BRIEN: Even though it is technically not the gaming floor.

>> MS. KRUM: Correct.

>> MR. BAND: And the gaming floor is approximately 200,000 square feet. We're going to be getting a new measurement on that now that we have the orange line.

>> COMMISSIONER ZUNIGA: I'm sorry, I didn't catch that -- I didn't quite catch that last point. Can you refer back to the slide of the first floor, which is the carve-out --

>> COMMISSIONER O'BRIEN: First floor. Do you see the carve-out?

>> COMMISSIONER ZUNIGA: Oh, yes.

>> COMMISSIONER O'BRIEN: The separated space. But that's not going to be part of the green walkway.

>> MS. KRUM: That's correct.

>> COMMISSIONER O'BRIEN: If you compare the first schematic with the last in terms of how they're going to escort minors.

>> MS. KRUM: We try to avoid any area where there's gaming equipment on either side of the path.

>> CHAIR JUDD-STEIN: Thanks.

>> COMMISSIONER STEBBINS: Bruce, with respect to the first floor walking plan and, again, this has kind of been here before with respect to MGM. You know, understanding that people may bring their families to go to the dining establishments or to something in the convention and banquet space, how do you feel in terms of --

>> MR. BAND: I feel comfortable with the way the security posts and the number of security people they have.

>> MS. KRUM: 21 and over.

>> MR. BAND: So that gets taken out of the equation as well. You might see a lot of underage people. So I think it's a completely different setting than we had at MGM.



>> COMMISSIONER STEBBINS: Did you say a buffet gets taken out?

>> MS. KRUM: Buffet is 21 and open. The only restaurant that's on the gaming floor that's accessible to minors is Red 8 and we'll have security there to make sure that no one permeates that boundary between Red 8 and the security there are.

>> MR. DeSALVIO: If you recall, Red 8 has a separate card or that leads back to the Esplanade so they would not have to crisscross with the gaming floor.

>> MS. KRUM: We were concerned with them moving directly onto the gaming floor.

>> MR. DeSALVIO: And you'll note we eliminated the idea of anyone through the center. This just seemed to make more sense and was a little more controllable.

>> CHAIR JUDD-STEIN: And if I remember correctly, it's marked off just by the lines.

>> MR. DeSALVIO: Change of carpet pattern.

>> CHAIR JUDD-STEIN: Change of -- thank you.

>> MR. DeSALVIO: Yes.

>> CHAIR JUDD-STEIN: Change of carpet. And then also that will be reinforced by lots of eyes and security.

>> MR. DeSALVIO: Lots of eyes, lots of signage in the garage. We're trying to separate traffic from resort and casino. But ultimately, you know, inevitably somebody will wind up in the wrong location, and hence we have at least a pathway if we need to use it. But the idea is to try to isolate the gaming floor and keep all minors off of it.

>> MS. KRUM: And when you do pull into the garage, there's signage that says if you're going to the resort, go left. If you're going to the casino, go right. And additionally, they're signage that says minors are not permitted on the casino floor, so park on the other side.

>> CHAIR JUDD-STEIN: Right. Do you know how many steps are on that green line?

>> MR. DeSALVIO: I do not, but that's quite a walk.

>> MS. KRUM: It's about -- it's about a, what, five-minute walk, probably?

>> MR. DeSALVIO: Yeah.

>> MS. KRUM: I'll calculate that using my Fitbit.

>> CHAIR JUDD-STEIN: So this is really helpful. We had been looking for this and appreciate it and appreciate the vigilance that we know you'll use to keep the minors safe. So thank you. I believe that you need a vote, Mr. Band.

>> MR. BAND: Yes, ma'am.

>> CHAIR JUDD-STEIN: So --

>> COMMISSIONER STEBBINS: Madam Chair, I'd move that the Commission approve the designated first and second floor casino floor plans as well as the first floor walking plan as provided in the packet.

>> COMMISSIONER ZUNIGA: Second.

>> CHAIR JUDD-STEIN: Any further discussion? Questions? Those in favor? Opposed? 4-0. Thank you.

>> MR. BAND: Thank you.

>> CHAIR JUDD-STEIN: Thank you very much, Mr. Band.

>> MS. BLUE: The next four motions are the motions that you have traditionally used to start the opening process, and we can take them in the order that they're listed on the agenda, or we can take them in any order that you prefer. The first one is the motion to approve the opening for the test and the evaluation play. This allows Encore Boston

Harbor to actually set up and run and to allow them to game, to serve alcohol, and to go through the test and evaluation process.

>> MR. BEDROSIAN: And just unrelated to the vote but as a reminder FYI, any profits from those nights usually go to charity. They're not counted in gross gaming revenue, and I believe that will be the process here, correct?

>> MR. DeSALVIO: That's correct.

>> COMMISSIONER STEBBINS: Bruce, do you have any detail on hours of the test nights?

>> MR. BAND: The first night, which is the 17th, is noon to 8:00. Then we have two more test nights, the 19th and 20th, and that's from 4:00 to midnight, correct?

>> CHAIR JUDD-STEIN: Any further questions for General Counsel Blue?

>> CHAIR JUDD-STEIN: Do I have a motion?

>> COMMISSIONER O'BRIEN: Madam Chair --

>> CHAIR JUDD-STEIN: (Off-mic).

>> COMMISSIONER O'BRIEN: I know.

>> CHAIR JUDD-STEIN: I just wondered if we could reference it by (off-mic).

>> COMMISSIONER O'BRIEN: By section?

>> CHAIR JUDD-STEIN: Or by description if that's okay.

>> COMMISSIONER O'BRIEN: Certainly. I don't get any editing.

>> CHAIR JUDD-STEIN: Actually, go right ahead and read it because actually, reading it may --

>> COMMISSIONER O'BRIEN: Spawn questions.

>> CHAIR JUDD-STEIN: Thank you.

>> COMMISSIONER O'BRIEN: In relation to the approval for the opening of test nights and evaluations, I move pursuant to 205 CMR 151.03 that the Commission authorize Wynn Mass LLC doing business as Encore Boston Harbor, referred to as the licensee to open for test play on June 17 for an evaluation and test period -- sorry, June 17, 1 and 20, 2019, for a test period providing the following. One, that prior to June 17, Wynn Mass LLC DBA Encore Boston Harbor has received a certificate of occupancy from the City of Everett. Two, that the licensee may accept currency in exchange for chips and other items of gaming value at the cage and gaming tables. Three, the licensee may process currency and other items of value in the count room. Four, the licensee may operate slot machines and other electronic gaming devices previously approved and certified in accordance with 205 CMR 144. Five, 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 lastly number six, the licensee may serve alcoholic beverages pursuant to the terms and conditions of its gaming beverage license.

>> COMMISSIONER STEBBINS: Madam Chair, I just had one quick question. It's certificate of occupancy. It's not temporary certificate.

>> MS. BLUE: They have a temporary certificate of occupancy currently.

>> COMMISSIONER STEBBINS: Right.

>> MS. BLUE: It is possible that they have one, permanent one, before them, but they may not. We've left -- just called it a certificate of occupancy in this motion, but they do have a temporary, and that allows them to open to do this.

>> COMMISSIONER ZUNIGA: And my recollection is that MGM operated on a

temporary certificate of occupancy for at least a month after they opened.

>> MS. BLUE: Yes. As did PPC.

>> COMMISSIONER STEBBINS: Yeah. And just a note, if we need to add temporary to the language or not.

>> CHAIR JUDD-STEIN: Any further questions?

>> COMMISSIONER ZUNIGA: I second that motion.

>> CHAIR JUDD-STEIN: Any further questions? Okay. All those in favor. Opposed? 4-0. Thank you, Catherine.

>> MS. BLUE: The next motion is the Commission's motion to delegate authority to a single Commissioner to observe the test nights. And then to ultimately, if that Commissioner is comfortable, issue the conditional operations certificate subject to any conditions that that Commissioner wishes to add to that.

>> CHAIR JUDD-STEIN: Do you want to just explain the process a little bit more so that folks who aren't as familiar understand?

>> MS. BLUE: So a Commissioner will be on site for all of the test nights, along with many, many staff people. That Commissioner will meet with the staff to determine how the process is going. Things from how the slot machines and the table games are being run to how the money is dropped, how it's counted later, and that Commissioner will meet with the staff periodically over that period to determine how things are working. If there are things that need to be fixed, for example, if there's surveillance cameras that maybe aren't in quite the right place or if there are some other minor issues that can be fixed right away, that Commissioner and staff will meet with the licensee to have those things fixed. If there are other things that may take a little bit longer and they need some time to resolve, those will be added as conditions to the temporary or the conditional operations certificate. We should keep in mind that if the Commissioner was at all concerned about opening, that Commissioner would have the authority to not allow the casino to open. So the Commissioner has the authority to do that. And then that Commissioner will come back and report on the results of the test and evaluation at the next Commission meeting, which currently is June 27th. And at that point the Commission will confirm what the Commissioner reports. And the Commission will issue a permanent operations certificate with any conditions that the Commission at that time decides to impose.

>> CHAIR JUDD-STEIN: Can I ask a point of clarification? You said that the Commissioner who would -- if we move forward on this that is delegated this authority could decide not to authorize the opening. That Commissioner would have the right to certainly report to at least one of us to say that there is an outstanding and perhaps very critical condition that has not been met. And then we could convene, because we do have time, at any time, an emergency meeting to make a decision as a group.

>> MS. BLUE: That's correct.

>> CHAIR JUDD-STEIN: So that is -- I mean, I think it's an important -- as I understand this process, because I haven't been through it, it's really was derived because of a few factors. We operate under the Open Meeting Law, so we can't make decisions altogether, and we would be making these decisions in realtime, the evening of test. Test nights. The very experienced staff and the Encore folks would be describing -- or really being able to reveal how everything is functioning. But if there were something so serious, I think the individual who is delegated this authority should

absolutely know that a tool that would be available to him or to her would be that we could convene an emergency meeting. That way such an ominous decision would not have to be on their shoulders.

>> COMMISSIONER ZUNIGA: That's a great clarification. I am now remembering perhaps a factor in the genesis of this delegation was when we started with Plainridge. The test night was the night prior to the scheduled opening. And so there was practically no option that you describe, Madam Chair.

>> CHAIR JUDD-STEIN: Right. And in this case, we do have time.

>> COMMISSIONER ZUNIGA: Yes.

>> CHAIR JUDD-STEIN: And that's why I wanted to point out, we do have time. So no one -- Commissioners should feel that if there would be something that should go so awry which we do not anticipate, but if it did, that that should not be an unnecessary or unfair burden to any individual. We understand probably notwithstanding the Open Meeting Law, that it makes sense to have this kind of a construct for efficiency purposes.

>> COMMISSIONER STEBBINS: Catherine, just a quick question.

Obviously, not only does the appointed Commissioner review gaming operations but also because we issued the alcohol beverage license that they also review. Go around, make sure stuff's put away, locked up, you know, as we've talked about periodically here. So it's just to be clear, it's more than gaming operations. It's also the alcohol operations.

>> CHAIR JUDD-STEIN: And a further clarification, it's my understanding that notwithstanding this delegation that members of the Commission will be attending test night over time. We will not be deliberating. In fact, I'm going to run if I see you to the other -- to the other side of the room. No, I make that -- without joking, it's a very important part of our work to see these operations in action, and we make this delegation as a very important delegation. But we will, should people see us, we will be there, perhaps not for the same amount of time as delegated the authority, but we will be there so that we can learn as well from our team but we will be there but we will not be there in our official capacity as a deliberative body. We will not be speaking with each other.

>> COMMISSIONER ZUNIGA: And given the size of this casino, it's quite possible that we might not even run into each other.

[ Laughter ]

>> CHAIR JUDD-STEIN: On the other side. So that's just another caveat. And again, I haven't spoken to my fellow Commissioners, we have no plans in terms of set timing, but if the public were to see us, we are there to learn and understand the operations.

>> COMMISSIONER STEBBINS: Well, I can also say that you won't see the floor any quieter than we will on test night because after that it will be full-on operation 24/7.

>> CHAIR JUDD-STEIN: So do we have a motion for this particular --

>> COMMISSIONER STEBBINS: I'm happy to make a motion because I've done this once before. I'm not going to offer myself up to do it again, but I would ask my good neighbor, Commissioner O'Brien, if she would be interested in being the designated party, nominate her.

>> COMMISSIONER O'BRIEN: Certainly.

>> COMMISSIONER STEBBINS: And I'm on the other side of the room so I'm not twisting her room.

>> COMMISSIONER O'BRIEN: Your office is next door to mine.

>> COMMISSIONER STEBBINS: Madam Chair, I'd move, pursuant to 205 CMR 15.01 (1) that the Commissioner grant to Commissioner Eileen O'Brien the authority to observe and review the results of the test and evaluation nights to be held by Wynn Mass LLC, DBA Encore Boston Harbor. And based upon that observation and review and any prior approvals granted by the full Commission the authority if she is satisfied that the licensee has met the legal requirements described in Chapter 23K, Section 10, and 205 CMR Sections 135 and 151.01. And subject to any conditions necessary and her discretion to issue a conditional operations certificate effective 12:01 a.m. June 21st, 2019, through 12:01 a.m. June 28th, 2019, which shall be subject to ratification by the full Commission at its June 27th, 2019, public meeting or at such earlier meeting as the Commission determines appropriate. I further move that Commissioner O'Brien will report on the results of the test night to the full Commission at the next regularly scheduled Commission meeting.

>> CHAIR JUDD-STEIN: Do we have a second?

>> COMMISSIONER ZUNIGA: I second that motion.

>> CHAIR JUDD-STEIN: Those in favor? We have three with one abstention. We approve. Thank you. And thank you for taking on that responsibility, Commissioner O'Brien.

>> COMMISSIONER O'BRIEN: Certainly.

>> CHAIR JUDD-STEIN: Catherine, would you like to go through the next vote that we need.

>> MS. BLUE: To approve the forms of the temporary and the permanent certificates of operation. These are the forms that we have used for our other licensees. Ultimately the permanent certificate of operation will be posted at the casino. The temporary one will be in their possession for the short period between the time it's issued and the time the permit is issued. We will fill in the blanks on that as we get closer to the test nights. And then ultimately when you get to award the permanent certificate of operations, we will fill in all of that information, too. So right now you're just approving the form.

>> CHAIR JUDD-STEIN: Any questions for Catherine?

>> COMMISSIONER ZUNIGA: This is the same form that we've approved before. Madam Chair, I would move that the Commission approve the form of both the temporary and the permanent operating certificates as those documents that appear in today's Commission packet.

>> COMMISSIONER STEBBINS: Second.

>> CHAIR JUDD-STEIN: Questions? All those in favor? Opposed? 4-0. Thank you. The last item on the agenda before Commissioner updates.

>> MS. BLUE: The next motion is really the reason why we were all here today. This motion allows you, based upon the presentations that you received today, plus earlier presentations to move that Encore Boston Harbor has met all of the requirements that need to be met up to this point. And they can be allowed to open. This motion is always slightly different for each of our licensees. And in this case, at the end of the motion, what you'll see is we're asking the Commission to give Encore

Boston Harbor 90 days after opening to provide some of the paperwork that we might not have yet received. And I know Mr. Ziembra and Mr. Delaney talked about that in their presentation where there's some letters that we're waiting for, but we know the work has been done. We're asking the Commission to give Encore Boston Harbor 90 days to supply that to us so we can finally close it out.

>> CHAIR JUDD-STEIN: They questions on this?

>> COMMISSIONER STEBBINS: Catherine, just thinking about something that might not be issued or forthcoming in 90 days. That might be a requirement of this statute. I'm just thinking in one case is the lead certification which we know takes a while. Is that -- are you thinking in that 90-day window or --

>> MS. BLUE: The lead -- no, because we know that that takes quite some time.

>> COMMISSIONER STEBBINS: Right.

>> MS. BLUE: We are a little more concerned here with some of the letters from the municipalities where we believe Encore is in compliance but we don't have the letter. Some of the sign-offs may be from other agencies that we need to have. We don't think this is like MGM where MGM has ongoing requirements that took longer than 90 days. But there might be some traffic demand, management things in the Section 61s we need to look at. In this case we believe it's mostly documentation to support what we already believe is compliant.

>> COMMISSIONER STEBBINS: Okay.

>> CHAIR JUDD-STEIN: I'm satisfied based on my briefing from Ombudsman Ziembra and Mr. Delaney that 90 days should be sufficient to achieve the compliance that we would be confirming here with an affirmative vote.

>> COMMISSIONER ZUNIGA: I am, too, and I would add, you know, a lot of what was presented today in all of the evidence -- all of the materials point to all the work that has been done before. I keep comparing this to MGM, but in the case of MGM, there were important elements of the project that by necessity and for other reasons had to be approved or are going to be compliant with later. I'm notably thinking of the presidential piece, which was the subject of a lot of discussion and approval at the Commission meetings prior to the opening and then since. I think that's not the case here. As you say, this is mostly one of documentation or verification of the documentation that exists but maybe is not yet uploaded into the system or a letter that has not yet been obtained from the agency. So I'm quite comfortable with this approval.

>> CHAIR JUDD-STEIN: Any further questions for Counsel Blue on this matter and if need be, Ombudsman Ziembra? Do I have a motion?

>> COMMISSIONER ZUNIGA: Madam Chair, I would move that the Commission find and determine that based upon the reports provided to the Commission at the June 6th and the June 12th of 2019 Commission meetings and the project updates provided to the Commission at previous meetings subject to any terms and conditions expressed by the Commission at those meetings and any terms and conditions determined by single Commissioner O'Brien in their discretion after the tests and evaluation period, that Wynn Mass LLC doing business as Encore Boston Harbor has demonstrated material compliance with MGL Chapter 23K, 205 CMR, the terms and conditions of the agreement to award the license and the license issued to Wynn Mass LLC on September 17, 2014, and effective November 7, 2014, subject to any further terms and 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.

I further move that as a condition of the Wynn Mass LLC Encore Boston Harbor permanent operations certificate, Wynn Mass LLC, DBA Encore Boston Harbor, shall provide to the Commission any further documentation needed to confirm its compliance with the commitments described in the commitment closeout update. Included in the Commission packet or any other commitments described at the June 12th, 2019, Commission meeting. No later than 90 days after the opening of Encore Boston Harbor subject to any further extensions of time granted by the Commission in the Commission's sole discretion.

>> CHAIR JUDD-STEIN: Is there a second?

>> COMMISSIONER O'BRIEN: Second.

>> CHAIR JUDD-STEIN: Any further questions on this final vote, comprehensive vote of the day?

>> COMMISSIONER ZUNIGA: No. It's great work by everybody.

>> CHAIR JUDD-STEIN: It was excellent work, and yes, we should -- we don't have our entire team here, but there will be many opportunities for the Commission to thank everyone who has worked so hard from our team. We won't try to say names at this time. Although I'm sure they're all watching. What we have recognized is that you've been very diligent and you've been very responsible and you've taken your -- all these responsibilities very, very seriously, and that's a standard that I think our friends at Encore recognize that that's just how we operate. So we appreciate everyone's help, Executive Director Bedrosian, excellent job today with your team. Catherine, thank you very much, et al., and Austin, thank you. We're not concluding yet.

>> COMMISSIONER ZUNIGA: We're still -- okay. Sorry.

>> CHAIR JUDD-STEIN: I'm just reminding you his name, we all know. We've had discussion. No further questions. Those in favor. Opposed? 4-0.

The last item on the agenda. Any Commissioner update? Do I have a motion to adjourn?

>> COMMISSIONER ZUNIGA: So moved.

>> COMMISSIONER STEBBINS: Second.

>> CHAIR JUDD-STEIN: Those in favor? 4-0. Thank you, Catherine.

[ Adjourned at 3:17 P.M. ]