

**WASHINGTON STATE GAMBLING COMMISSION
SPECIAL MEETING
WEDNESDAY, JUNE 19, 2013
APPROVED MINUTES**

- PUBLIC MEETING -

MEMBERS PRESENT: **Chair John Ellis**, Seattle
 Commissioner Mike Amos, Selah
 Commissioner Kelsey Gray, Spokane
 Commissioner Margarita Prentice, Renton (*arrived at 10:50 a.m.*)
 Commissioner Chris Stearns, Auburn

STAFF: **David Trujillo**, Interim Director
 Mark Harris, Assistant Director – Field Operations
 Lisa Benavidez, Administrator – Human Resources
 Callie Castillo, Assistant Attorney General
 Gail Grate, Executive Assistant

Chair John Ellis called the Special Gambling Commission meeting to order at 10:40 a.m. at the Lacey Headquarters' Office. He explained the purpose of the Special Meeting was to conduct an interview of the candidate for the agency director position and to conduct other pertinent business relating to filling that vacant position. He announced the Commission would adjourn to conduct an executive session to evaluate the references and interview the candidate. He estimated the executive session would last an hour and a half and then would take a break for lunch. The public meeting would be reconvened at approximately 1:30 p.m. for discussion and possible final action regarding the director position. He welcomed new Commissioner Chris Stearns, who is a member of the Navajo Tribe.

Administrator Lisa Benavidez explained the interview process. She would be asking the interview questions, and then the Commissioners would have an opportunity to ask follow-up questions of the candidate. The Commissioners will need to consider the responses to the questions fairly and objectively. Follow-up questions will be allowed to the candidate to clarify his responses. After the interview, the panel would discuss the overall performance and specific items or responses provided that are of interest or that may warrant further consideration by the panel. The Commissioners will need to evaluate the answer on the merit of the question, not on anything they know about the candidate. The findings from the reference checks will also be discussed in the executive session. After the interview and discussion of the candidate's answers and any follow up that is needed, all further discussions will be held during the public meeting.

Chair Ellis adjourned the meeting at 10:45 a.m. for the executive session to review the applicant's information and conduct an interview for the Director's position.

At noon, **Chair Ellis** announced that the executive session would be extended to 12:45 p.m. and the public meeting would be reconvened at 1:45 p.m.

Chair Ellis called the meeting back to order at 1:45 p.m. and announced there would be four items on the agenda: whether to require the polygraph exam and psychological testing; decision on the interview; whether the Commission should conduct performance reviews on the Director; and receive input from Commissioners on the direction of the commission.

Ms. Benavidez explained that the RCW requires that after 2005 the polygraph exam and psychological test be administered to all law enforcement personnel or if there was a break in service of more than two years. None of these requirements apply to Dave Trujillo as he started with the Gambling Commission prior to 2005 and has not had a break in service. Ms. Benavidez recommended the polygraph exam and psychological test not be required for candidate Dave Trujillo.

Commissioner Amos made a motion seconded by **Commissioner Prentice** to not require the polygraph exam exams for candidate Dave Trujillo. *The vote was taken; the motion passed with five aye votes.*

Commissioner Gray made a motion seconded by **Commissioner Prentice** to not require the psychological exam for candidate Dave Trujillo. *The vote was taken; the motion passed with five aye votes.*

Commissioner Amos made a motion seconded by **Commissioner Prentice** to appoint David Trujillo to the WA State Gambling Commission Executive Director position.

Commissioner Gray commented that in the application and interview process Dave Trujillo showed an understanding of both the Commission, its history and as a look to the future was able to clearly identify issues he thought were important to be addressed.

Commissioner Prentice said she has known Director Trujillo for as long as he has been with the Gambling Commission and she has seen characteristics that the Commission wants. He is not only knowledgeable, but he has the communication skills; he listens carefully and pays attention. She said she likes what she sees and always has.

Chair Ellis indicated that over the past eight years he has been on the Commission, he has been impressed with Dave Trujillo's professionalism and thoughtfulness. His background is impeccable and his 21 years of experience has ranged from field agent to Deputy Director so there is virtually no area of the Commission operation where he is not personally familiar with. It was apparent from the input received from staff that he is highly regarded, which made it easy for Chair Ellis to support the motion to appoint David Trujillo as the Executive Director of the Gambling Commission.

Commissioner Stearns appreciated the candor Director Trujillo showed in answering questions in the interview; the value he placed on trust, integrity, and honesty; and his willingness to work closely with the Commissioners.

The vote was taken; the motion passed with five aye votes.

Chair Ellis congratulated Director Trujillo and presented him with the Director's Badge #1.

Chair Ellis asked if there were any comments in response to Director Trujillo's question about the direction the Commissioners would like to see the Gambling Commission move.

Commissioner Gray commented that they are starting with a new director, granted he has a lot of experience, and there are three new or fairly new Commissioners. She thought it would be helpful for them to spend some time strategically to look at where the Commission is currently, what they would like to see happen around gambling in Washington, where they thought they should be going, and to reaffirm their role on the Commission. She said she was a big proponent of that type of planning and noted that in her current job she takes strategic looks into the future.

Chair Ellis recalled previous work sessions that were public meetings but were designed to be discussions within the Commission to give the Commissioners the opportunity to discuss those types of thinking and introspection and looking down the road to where they want the Commission to go.

Commissioner Prentice recalled that in 1993 there was a task force on gambling where they took tours all over the state to look at everything that was going on – it was just before the big expansion that was occurring. The Commission used to have meetings all over the state, which was valuable because stakeholders could talk to the Commissioners face to face. It is more difficult to do now with the travel restrictions and funding issues, but there are other innovative ways. It was valuable in understanding what was happening and to educate the Commission. She would like to see another work session held.

Commissioner Amos suggested tying a work session into the September Commission meeting, which is scheduled for September at the Great Wolf Lodge. He thought it would be good to devote a couple hours with staff for a strategic planning meeting and to look at where the Commission needs to be in the next few years.

Chair Ellis requested that Director Trujillo bring a draft plan to the July Commission meeting for a future work session. **Director Trujillo** replied he would put something together. He thought it would behoove staff to have the Commission's guidance. **Commissioner Gray** said she had plenty of techniques and offered to help with an agenda for the work session.

Chair Ellis asked if there were any comments on whether there should be periodic performance reviews of the Executive Director by the Commission. It would be consistent with what other state agencies do, at least with supervisory staff and managers.

Commissioner Gray thought performance reviews were very valuable. They provide an opportunity for goal setting, to look at the current status of the Commission and where they want to go, as an aid to the Commissioners to provide a clear understanding of their expectations, and as guidance to the Director. They are also an opportunity for the Director to let the Commissioners know his ideas and what he would like from them.

Commissioner Stearns agreed. It was a two-way street with a lot of benefits. It provides feedback from the Director and promotes transparency and accountability for the people of Washington.

Chair Ellis asked Ms. Benavidez to get ideas from other state agencies that have commissions or boards similar to this one that conduct performance reviews of directors and get some ideas on how they are handled and the frequency and substance of those reviews. **Ms. Benavidez** replied she would take care of that. **Director Trujillo** stated he welcomed performance reviews and would like that process to be in place.

Chair Ellis also thought they were very helpful. He asked if there was any other business.

Commissioner Prentice commented that she has been with the Commission, mostly as an ex-officio member, for 19 years. The reason she has stayed on the Commission is because of the high regard she has for this agency and how it has been run. She said she has been proud to serve on such a top-notch Commission.

Chair Ellis transferred the responsibility of supervising Ms. Benavidez to Director Trujillo. Ms. Benavidez had been reporting to Chair Ellis during the recruitment and hiring process. On behalf of the Commission, he thanked Ms. Benavidez and her staff for their excellent work.

Ms. Benavidez said she would prepare Director Trujillo's appointment letter with a June 19 effective date for Chair Ellis' signature. She recalled that the Commission had authorized Dave Trujillo, as Interim Director, the same salary as the previous director had been receiving because he would be assuming full duties of the position. The new salary grid allows for some growth in salary in upcoming years. She recommended retaining his current salary, which would increase on July 1 when the 3 percent temporary salary reduction would end.

Commissioner Gray made a motion seconded by **Commissioner Prentice** that Director Trujillo continue to receive his current salary. The vote was taken; the motion passed with five aye votes.

Chair Ellis called for public comment; there was none. He adjourned the meeting at 2:15 p.m.

Minutes prepared by:

Gail Grate, Executive Assistant