

CALIFORNIA GAMBLING CONTROL COMMISSION  
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2399 Gateway Oaks Drive, Suite 100  
Sacramento, CA 95833  
April 18, 2002, 1:30 p.m.

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## MINUTES OF APRIL 18, 2002 COMMISSION MEETING

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### OPEN SESSION

Chairman Hensley called the meeting of April 18, 2002, to order at 1:33 p.m. with Chairman Hensley and Commissioners Sasaki, Smith, and Palmer present.

Staff Participating: Gary Qualset, Deputy Director Licensing and Compliance Division; Pete Melnicoe, Chief Counsel, Legal Division.

The Pledge of Allegiance was recited.

Commissioner Sasaki moved to approve the March 27, 2002, Commission Meeting Minutes. Commissioner Smith seconded the motion, which was unanimously adopted.

### DECISION ITEMS

1. Applications for Work Permit:
  - a. Empire Sportmen's Association:  
Hermiz, Hermiz  
Mangiapane, Andrea

Deputy Director Qualset recommended that the Commission consider the work permit applications under Item 1 separately.

Deputy Director Qualset indicated that both the Division of Gambling Control and Commission staff recommend approval of the applications for work permits for Item 1a. Commissioner Smith moved to approve the applications for work permits for Item 1a. Hermiz Hermiz and Andrea Mangiapane. Commissioner Sasaki seconded the motion, which was unanimously adopted.

- b. Napa Valley Casino:
  - Anderson, Heidi
  - Dionisio, Ador
  - Lee, Young
  - Tan, Bing
  - Tang, Yan Ping

Deputy Director Qualset indicated that both the Division of Gambling Control and Commission staff recommend approval of the applications for work permits for Item 1b. Heidi Anderson, Ador Dionisio, Young Lee, Bing Tan, and Yan Ping Tang. Deputy Director Qualset stated that three of these applicant's were currently working with a work permit that was previously issued by the local jurisdiction, which is no longer issuing work permits. Commissioner Smith asked if there were any other gambling establishments in the state that currently have employees working in a similar situation. Deputy Director Qualset stated that upon inquiry of the Division of Gambling Control regarding this situation, there were no other gambling establishments operating under a similar situation.

Commissioner Smith requested that Commission staff develop a policy and related procedures to address the instance when a local jurisdiction relinquishes the responsibility for issuing gambling enterprise employee work permits.

Chairman Hensley moved to: (1) notice the remaining employees whose position requires a work permit at Napa Valley Casino, and who have not yet applied to the Commission for a work permit renewal, to do so by April 30, 2002, to avoid termination of their work permit; and (2) to approve the applications for work permits for Item 1b. Heidi Anderson, Ador Dionisio, Young Lee, Bing Tan, and Yan Ping Tang. Commissioner Sasaki seconded the motion, which was unanimously adopted.

- c. Sonoma Joe's:
  - Annab, Salim
  - Phillips, Michael

Deputy Director Qualset indicated that both the Division of Gambling Control and Commission staff recommend approval of the applications for work permits for Item 1c. Salim Annab and Michael Phillips. Commissioner Sasaki moved to approve the applications for work permits of Salim Annab and Michael Phillips. Commissioner Smith seconded the motion, which was unanimously adopted.

2. Application for Key Employee – Request to Withdraw:
  - a. Normandie Club:  
Smith, Stephen

Deputy Director Qualset indicated that both the Division of Gambling Control and Commission staff recommend approval without prejudice of the request to withdraw the application for key employee license for Item 2a. Stephen Smith.

Deputy Director Qualset stated that the Division of Gambling Control did not **start the background investigation on the applicant and any unearned background investigation deposit** paid to the Division of Gambling Control will be refunded to the applicant if the application withdrawal request is approved. Commissioner Smith moved to approve without prejudice the request to withdraw the application for key employee license for Item 2a. Stephen Smith. Commissioner Palmer seconded the motion, which was unanimously adopted.

3. Application for Renewal of State Gambling License:
  - a. Barney's Cardroom: Larry Aguilar, Sole Proprietor.

Deputy Director Qualset recommended that the Commission consider Items 3b., 3c. and 3d. with one motion, and Item 3a. separately.

Deputy Director Qualset indicated that the Division of Gambling Control recommended that the Commission take no action on Item 3a. Barney's Cardroom. The Division of Gambling Control was not able to complete its background investigation for license renewal of the cardroom because the owner did not submit a complete application to the Division of Gambling Control and has failed to respond to requests for additional information. Commissioner Smith moved to notice the **gambling establishment** owner, Larry Aguilar, to cease operation of the **gambling establishment** at expiration of the license on April 30, 2002. Commissioner Palmer seconded the motion, which was unanimously adopted.

- b. La Primavera Pool Hall & Café: Virginia Salas, Sole Proprietor.
- c. The River Cardroom: Michael Giacomini, Sole Proprietor.
- d. Sundowner Cardroom: Augustine Mora Jr., Sole Proprietor.

Deputy Director Qualset indicated that both the Division of Gambling Control and Commission staff recommend approval of the applications for renewal of state gambling license for Item 3b. La Primavera Pool Hall & Café, Item 3c. The River Cardroom, and Item 3d. Sundowner Cardroom. Commissioner Sasaki moved to approve the applications for renewal of state gambling license for Item 3b. La Primavera Pool Hall & Café, Item 3c. The River Cardroom, and Item 3d.

Sundowner Cardroom. Commissioner Smith seconded the motion, which was unanimously adopted.

4. Consideration of Proposed Changes to Proposed Uniform Tribal Gaming Regulations CGCC-1 and CGCC-2.

Chief Counsel Pete Melnicoe presented to the Commission for its consideration proposed changes to regulations CGCC-1 and CGCC-2 as adopted by the Commission at the February 26, 2002, meeting. Chief Counsel Melnicoe provided the Commission a summary explanation for each of the proposed changes to the regulations. Commissioner Palmer moved to approve the proposed changes to CGCC-1 and CGCC-2. Commissioner Sasaki seconded the motion, which was unanimously adopted.

A copy of regulation CGCC-1 and CGCC-2, containing the proposed changes as approved has been included as an attachment to the minutes and is referenced as Attachment 1.

5. Discussion of Voting and Other Procedures Being Considered by the Association of Tribal and State Gaming Regulators.

Chief Counsel Melnicoe provided the Commission with a report that summarized the proposed changes to the process of voting and other procedures concerning the Draft Protocol for State Regulations Submitted to the Association for considered by the Association of Tribal and State Gaming Regulators at its April 30, 2002, meeting.

A copy of the Draft Protocol for State Regulations Submitted to the Association has been included as an attachment to the minutes and is referenced as Attachment 2.

## **PUBLIC COMMENT**

John Sustaita, Gambling Consultant, presented to the Commission questions concerning local land use issues; and requests to the Commission for the development of a contact information list of the local jurisdictions, and the development of a process to shorten the time-frame for issuance of key employee licenses.

Brian Wallace, Chairman, Washoe Tribe of Nevada and California, requested a response from the Commission to his March 12, 2002, letter to the Commission. Mr. Wallace provided copies of the letter to the Commission, which has been incorporated into these minutes as Exhibit A.

## **CONSENT CALENDAR ITEMS**

None.

**CLOSED SESSION**

Chairman Hensley announced that the Commission would not be going into closed session after Commission Counsel stated that there were no items for discussion concerning litigation under Government Code Section 11126(c) and 11126(e) and there were no personnel issues for discussion under Government Code Section 11126(a)(1).

Commissioner Smith moved to adjourn the meeting. Commissioner Palmer seconded the motion, which was adopted unanimously; the meeting was adjourned at 2:30 p.m.