

CALIFORNIA GAMBLING CONTROL COMMISSION  
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2399 Gateway Oaks Drive  
Sacramento, CA 95833  
November 4, 2002, 1:30 p.m.

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## MINUTES OF November 4, 2002 COMMISSION MEETING

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### OPEN SESSION

Chairman Hensley called the meeting of November 4, 2002, to order at 1:35 p.m. with Commissioners Smith and Palmer present. Commissioner Sasaki was in attendance by conference call and did not vote.

Staff Participating: Cara Podesto, Manager, Licensing and Peter Melnicoe, Chief Counsel, Legal Division.

The Pledge of Allegiance was recited.

Commissioner Smith moved to approve the October 23, 2002, Commission Meeting Minutes. Commissioner Palmer seconded the motion, which was unanimously adopted.

### DECISION ITEMS

1. Applications for Work Permit:
  - a. Ven-A-Mexico:  
Stewart, Robert

Manager Podesto indicated that both the Division of Gambling Control and Commission staff recommend approval of the application for a work permit for Item 1a, Robert Stewart. Commissioner Smith moved to approve the application for a work permit for Item 1a, Robert Stewart. Commissioner Palmer seconded the motion, which was unanimously adopted.

2. Applications for Key Employee License:
  - a. Artichoke Joe's:  
Herke, Julius
  - b. Saigon Casino Club:  
Que, Huynh

Manager Podesto indicated that both the Division of Gambling Control and Commission staff recommend approval of the applications for a key employee license for Item 2a, Julius Herke, and 2b, Huynh Que. Chairman Hensley moved to approve the applications for a key employee license for Item 2a, Julius Herke, and 2b, Huynh Que. Commissioner Smith seconded the motion, which was unanimously adopted.

3. Request for Additional Authorized Tables:
  - a. Empire Sportsmen's Association: Gary and Debra Baird, Sole Proprietors. (1 Table)

Manager Podesto indicated that at the request of the owner of Empire Sportsmen's Association Item 3 was being removed from the agenda.

4. Request to Purchase Existing Gambling Establishment:
  - a. Gold Sombrero Cardroom: Jack Xiong, Sole Proprietor.

Manager Podesto indicated that Commission staff recommends approval of a three-month extension in which to consider the purchase of the Gold Sombrero Cardroom by Jack Xiong to allow additional time for the Division of Gambling Control to complete and forward to the Commission its recommendation on the request to purchase an existing gambling establishment. Commissioner Smith moved to approve a three-month extension for Item 4a, Gold Sombrero. Commissioner Palmer seconded the motion, which was unanimously adopted.

5. Application for State Gambling License:
  - a. Gold Sombrero Cardroom: Jack Xiong, Sole Proprietor.

Item 5 was tabled by the Commission pending a recommendation from the Division of Gambling Control on the application for a state gambling license.

6. Applications for Renewal of State Gambling License:
  - a. Central Coast Casino (Grover Beach): David and Theresa Stearns, Sole Proprietors.
  - b. Dealers Choice Cardroom: Philip Hawkins, Sole Proprietor.
  - c. Don Juan Club and Casino: Juan Jose Guzman, Sole Proprietor.
  - d. Empire Sportsmen's Association: Gary and Debra Baird, Sole Proprietors.
  - e. Napa Valley Casino: Paul Maguire, Sole Proprietor.
  - f. Outlaws Card Parlour: Alfred and Dora Brown, Sole Proprietors.
  - g. Saigon Casino Club: Sy A. Xin, Sole Proprietor.

Manager Podesto indicated that both the Division of Gambling Control and Commission staff recommend approval of the application for renewal of a state gambling license for Item 6a, Central Coast Casino. Commissioner Palmer moved to approve the application for renewal of a state gambling license for Item 6a, Central Coast Casino. Commissioner Smith seconded the motion, which was unanimously adopted.

Manager Podesto indicated that both the Division of Gambling Control and Commission staff recommend approval of the application for renewal of a state gambling license for Item 6b, Dealers Choice Cardroom. Commissioner Smith moved to approve the application for renewal of a state gambling license for Item 6b, Dealers Choice Cardroom. Commissioner Palmer seconded the motion, which was unanimously adopted.

Manager Podesto indicated that the Division of Gambling Control recommended approval of the application for a state gambling license for Item 6c, Don Juan Club and Casino. Manager Podesto further indicated that Commission staff recommends a two-month temporary approval of the license renewal pending completion of an audit of the gambling establishments financial records by the State of California. Commissioner Palmer moved to approve a two-month temporary approval of the application for renewal of a state gambling license for Item 6c, Don Juan Club and Casino. Commissioner Smith seconded the motion, which was unanimously adopted.

Manager Podesto indicated that the record should be corrected to show Item 6d is a non-profit corporation, not sole proprietors, and that both the Division of Gambling Control and Commission staff recommend approval of the application for a state gambling license for Item 6d, Empire Sportsmen's Association. Commissioner Palmer moved to approve a one-month temporary license renewal pending receipt and review by the Commission of the gambling establishments Articles of Incorporation and By-Laws. Commissioner Smith seconded the motion, which was unanimously adopted.

Manager Podesto indicated that the Division of Gambling Control was unable to forward a recommendation to the Commission for Item 6e, Napa Valley Casino because the application was filed late. Manager Podesto further indicated that Commission staff recommend a three-month temporary approval of the application for renewal of a state gambling license for Item 6e, Napa Valley Casino, pending completion of the Division of Gambling Control's recommendation. Commissioner Smith moved to approve a three-month temporary approval of the application for renewal of a state gambling license for Item 6e, Napa Valley Casino. Commissioner Palmer seconded the motion, which was unanimously adopted.

Manager Podesto indicated that both the Division of Gambling Control and Commission staff recommend approval of the application for renewal of a state gambling license for Item 6f, Outlaws Card Parlour. Commissioner Palmer moved to approve the application for renewal of a state gambling license for Item 6f, Outlaws Card Parlour. Chairman Hensley seconded the motion, which was unanimously adopted.

Manager Podesto indicated that both the Division of Gambling Control and Commission staff recommend approval of the application for renewal of a state gambling license for Item 6g, Saigon Casino Club. Commissioner Smith moved to approve the application for renewal of a state gambling license for Item 6g, Saigon Casino Club. Commissioner Palmer seconded the motion, which was unanimously adopted.

#### 7. Gaming Policy Advisory Committee: Appointment of Members.

Chairman Hensley announced that Item 7 would be continued to the next Commission meeting.

#### **PUBLIC COMMENT**

John Sustaita, Gambling Consultant, requested that the Commission amend the state gambling license renewal application to include applicable proposition player services information.

#### **CLOSED SESSION**

Chairman Hensley announced that the Commission would be going into closed session. At 2:00 p.m. the Commission adjourned to closed session after Commission Counsel stated that discussions concerning litigation under Government Code Section 11126(c) and 11126(e) would take place.

**RECONVENE OPEN SESSION**

Chairman Hensley reconvened the open session at 3:00 p.m. and indicated there were no announcements from the closed session.

**ADJOURNMENT**

Commissioner Smith moved to adjourn the meeting. Commissioner Palmer seconded the motion, which was adopted unanimously; the meeting was adjourned at 3:05 p.m.