

CALIFORNIA GAMBLING CONTROL COMMISSION  
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Radisson – Harborview  
1646 Front Street  
San Diego, CA 92101  
Tuesday, March 4, 2003

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## MINUTES OF MARCH 4, 2003 COMMISSION MEETING

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### OPEN SESSION

Chairman Hensley called the meeting of March 4, 2003, to order at 1:46 p.m. with Commissioners Palmer, Smith and Sasaki present.

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

Commissioner Palmer moved to approve the February 20, 2003, Commission Meeting Minutes. Commissioner Smith seconded the motion, which was unanimously adopted.

### DECISION ITEMS

1. Applications for Work Permit:
  - a. Brooks Oceana Card Room:  
Snowdy, Susan
  - b. Gold Rush Gaming Parlor:  
Kunert, Frederick
  - c. Napa Valley Casino:  
Francisco, Meryl
  - d. Outlaws Card Parlour:  
Moritz, Gary
  - e. Pacific News Card Casino:  
Ha, Jeannie
  - f. Phillipine Gardens:  
Morfin, Flora

Deputy Director Qualset indicated that both the Division of Gambling Control and Commission staff recommend approval of the applications for a work permit for Item 1a, Susan Snowdy, 1b, Frederick Kunert, 1c, Meryl Francisco, 1d, Gary Moritz, and 1f, Flora Morfin. Commissioner Sasaki moved to approve the applications for a work

permit for Item 1a, Susan Snowdy, 1b, Frederick Kunert, 1c, Meryl Francisco, 1d, Gary Moritz, and 1f, Flora Morfin. Commissioner Palmer seconded the motion, which was unanimously adopted.

Deputy Director Qualset indicated that the Division of Gambling Control recommends that the application for a work permit for Item 1e, Jennie Ha, be denied under Business and Professions Code section 19850A(a)(1), (renumbered in 2003 to: 19859(a)), and Commission staff recommends a denial under Business and Professions Code section 19912(d) and Section 12105(a)(1) of Title 4 of the California Code of Regulations. Commissioner Palmer moved to deny to application for a work permit for Item 1e, Jeannie Ha. Commissioner Smith seconded the motion, which was unanimously adopted.

2. Applications for Key Employee License:

- a. Crystal Park Casino:  
Reed, Rodney
- b. Garden City Casino:  
Hagen, Maria  
Polito, Alphonse
- c. Hollywood Park Casino:  
Peate, Rod
- d. Village Club:  
Bridge, Maile

Deputy Director Qualset indicated that both the Division of Gambling Control and Commission staff recommend approval of the applications for a key employee license for Item 2a, Rodney Reed, 2b, Maria Hagen, and Alphonse Polito, 2c, Rod Peate, and 2d, Maile Bridge. Commissioner Sasaki moved to approve the applications for a key employee license for Item 2a, Rodney Reed, 2b, Maria Hagen, and Alphonse Polito, 2c, Rod Peate, and 2d, Maile Bridge. Commissioner Smith seconded the motion, which was unanimously adopted.

3. Request for Additional Authorized Tables:

- a. Village Club: Harvey Souza, Sole Proprietor (2 tables).

Deputy Director Qualset indicated that both the Division of Gambling Control and Commission staff recommend approval of the request for additional authorized tables for Item 3a, Village Club. Deputy Director Qualset further indicated that staff's recommendation was based on a review of the local ordinance and the Gambling Control Act expansion of gambling to ensure compliance. Commissioner Smith moved to approve the request for additional authorized tables for Item 3a, Village Club. Commissioner Sasaki seconded the motion, which was unanimously adopted.

4. Applications for Renewal of State Gambling License:
  - a. Bicycle Club: LCP Associates and Park Place Associates, Joint Venture.
  - b. Duffy's: Faye Stearns, Sole Proprietor.
  - c. Mike's: Michael Whiteley Jr., Sole Proprietor.

Deputy Director Qualset indicated that Item 1a, Bicycle Club was previously issued a temporary license pending completion of the Background investigation by the Division of Gambling Control. Deputy Director Qualset further indicated that the investigation has been completed and both the Division of Gambling Control and Commission staff recommend approval of the application for renewal of a state gambling license for Item 1a, Bicycle Club for the remaining term of the license through December 31, 2003. Commissioner Palmer moved to approve the application for a state gambling license for Item 1a, Bicycle Club. Commissioner Sasaki seconded the motion, which was unanimously adopted.

Deputy Director Qualset 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 4b, Duffy's. Commissioner Sasaki moved to approve the application for renewal of a state gambling license for Item 4b, Duffy's. Commissioner Palmer seconded the motion, which was unanimously adopted.

Deputy Director Qualset 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 4c, Mike's Card Casino. Commissioner Palmer moved to approve the application for renewal of a state gambling license for Item 4c, Mike's Card Casino. Commissioner Smith seconded the motion, which was unanimously adopted.

5. Adoption of Uniform Tribal Gaming Regulation CGCC-7 (Emergency/Evacuation Plans), to Become Effective Immediately, and Adoption of Finding of Exigent Circumstances, for Submission to all Compact Tribes and the Association of Tribal and State Gaming Regulators (Tribal-State Gaming Compact Section 8.4.2(d)).

Chief Counsel Melnicoe presented a revised version of proposed Uniform Tribal Gaming Regulation CGCC-7 for submission to the Association of Tribal and State Gaming Regulators at their March 5, 2003, meeting, as alternative and in addition to, the version previously adopted by the Commission at its February 5, 2003, meeting, that was subsequently transmitted to the Association. The Chief Counsel indicated that the changes in this proposed alternate version of CGCC-7 resulted from suggestions made at a workshop of the Association Regulation Task Force on February 18, 2003. Commissioner Smith moved to adopt the alternate version of CGCC-7 for submission to the Association at their March 5, 2003, meeting, for consideration as an alternate version of the previously transmitted regulation. Commissioner Sasaki seconded the motion, which was unanimously adopted.

A copy of the alternate version of CGCC-7, as presented to the Commission, is incorporated into the minutes as Attachment A.

6. Readoption of Uniform Tribal Gaming Regulation CGCC-7 (Emergency/Evacuation Plans) and Adoption of Written Response to Objections of the Association of Tribal and State Gaming Regulators to CGCC-7, for Submission to all Compact Tribes (Tribal-State Gaming Compact Section 8.4.1 (b) & (c)).

The Commission took no action on Item 6, at the request of staff.

7. Amendments to Uniform Tribal Regulation CGCC-2; Financial Sources.

The Commission took no action on Item 7, at the request of staff.

8. Discussion Item: Gambling Patrons' Bill of Rights:
  - a. Cardrooms
  - b. Tribal Casinos

The Commission took no action on Item 8, which was continued as the request of staff.

- \*9. Finding of Necessity for the Addition of an Item (i.e., closed session item no. 2) to a Previously Posted Agenda (Government Code Section 11125.3.)

Chief Counsel Melnicoe presented the Finding of Necessity for the Addition of an Item, recommending to the Commission adoption of "The Commission finds that there is a need to take immediate action on a confidential personnel matter and that the need for action came to the attention of the Commission after the agenda for the March 4, 2003, meeting had been posted as required by Government Code section 11125, part of the Bagley-Keene Open Meeting Act." Chairman Hensley moved to adopt the Finding of Necessity for the Addition of an Item, as recommended by the Chief Counsel. Commissioner Smith seconded the motion, which was unanimously adopted.

**CONSENT CALENDAR ITEMS**

Applications for Tribal-State Compact Key Employee Finding of Suitability:

- a. Agua Caliente Band of Cahuilla Indians of the Agua Caliente Reservation–  
Agua Caliente Casino:
 

Abendschoen-Field, Pia	Alva, Leonor
Angle, Eric	Barnato, James
Cain, Robert	Cortez, Maria
Fleeman, Donald	Kilpatrick, Rebecca
Libby, Richard	Lowey, Leslie
Nystrom, Eric	Russell, Jill
Spencer, Trudy	Stevens, Christopher
Tomsic, Donald	
  
- a. Alturas Indian Rancheria – Alturas Casino:
 

Alexander, Myra	Enz, Patricia
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- c. Jackson Rancheria of Me-Wuk Indians – Jackson Rancheria:
 

Mendibles, Joe
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- d. Smith River Rancheria – Lucky 7 Casino:
 

Garcia, Librado
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- e. Viejas (Baron Long) Group of Capitan Grande Band of Mission Indians of  
the Viejas Reservation – Viejas Casino and Turf Club:
 

Newman, Dianne
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Deputy Director Qualset presented to the Commission for its consideration of the applications for Tribal-State Compact Key Employee Finding of Suitability Items 1a, 1b, 1c, 1d, and 1e. Commissioner Smith moved to approve the applications for Tribal-State Compact Key Employee Finding of Suitability for Items 1a, 1b, 1c, 1d, and 1e. Commissioner Sasaki seconded the motion, which was unanimously adopted.

**PUBLIC COMMENT**

No comments were presented to the Commission during this portion of the meeting.

**CLOSED SESSION**

Chairman Hensley announced that the Commission would be going into closed session. At 2:15 p.m. the Commission adjourned to closed session after Commission Counsel stated that discussions concerning litigation would take place under Government Code Section 11126(e), and personnel issues under Government Code Section 11126(a)(1).

**RECONVENE OPEN SESSION**

Chairman Hensley reconvened the open session at 3:55 p.m., and indicated that there were no announcements from closed session. Chairman Hensley moved to adjourn the meeting. Commissioner Palmer seconded the motion; the meeting was adjourned at 3:57 p.m.