

CALIFORNIA GAMBLING CONTROL COMMISSION
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2399 Gateway Oaks Drive, Suite 100
Sacramento, CA 95833
Wednesday, March 19, 2003

MINUTES OF MARCH 19, 2003 COMMISSION MEETING

OPEN SESSION

Commissioner Smith called the meeting of March 19, 2003, to order at 1:36 p.m. with Commissioners Palmer and Sasaki present.

Staff Participating: Gary Qualset, Deputy Director, Licensing and Compliance Division; Peter Melnicoe, Chief Counsel, Legal Division; and Herb Bolz, Senior Legal Counsel and Regulations Coordinator.

Commissioner Sasaki moved to approve the March 4, 2003, Commission Meeting Minutes. Commissioner Palmer seconded the motion, which was unanimously adopted.

DECISION ITEMS

1. Applications for Key Employee License:
 - a. Garden City Casino:
 - Colbert, Royal
 - Jenkins, Roger
 - Morimoto, Mutso
 - b. Hollywood Park Casino:
 - Rosen, Alyssa

The Commission took no action on Item 1a, Roger Jenkins, which was tabled at the request of the Division of Gambling Control.

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 1a, Royal Colbert, and Mutso Morimoto, and 1b, Alyssa Rossen. Commissioner Sasaki moved to approve the applications for a key employee license for Item 1a, Royal Colbert and Mutso Morimoto, and 1b, Alyssa Rosen. Commissioner Palmer seconded the motion, which was unanimously adopted.

2. Applications for State Gambling License:
 - a. Golden West Casino: Kern County Associates, L.P., A Limited Partnership.
 - b. Outpost Casino Sports Bar and Restaurant: Mark Luciano, Sole Proprietor.

Deputy Director Qualset indicated that both the Division of Gambling Control and Commission staff recommend approval of the application for a state gambling license for Item 2a, Golden West Casino. Deputy Director Qualset further indicated that the gambling establishment is currently operating under a provisional license that will remain in effect through March 31, 2003, and a state gambling license will be issued after all remaining application fees are paid. Commissioner Sasaki moved to approve the application for a state gambling license for Item 1a, Golden West Casino, contingent upon full payment of the application fees. Commissioner Palmer seconded the motion, which was unanimously adopted.

Item 2b, Outpost Casino Sports Bar and Restaurant, was granted a continuance to the April 23, 2003, Commission meeting, after Deputy Director Qualset indicated that Commission staff received a request for a continuance from Counsel for Outpost Casino Sports Bar and Restaurant.

3. Applications for Renewal of State Gambling License:
 - a. Bay 101: Sutter's Place Inc.: A Corporation.
 - b. Black Sheep Casino Company: Noel A. Paulson, Jr., Sole Proprietor.
 - c. Empire Sportsmen Association: A Non-Profit Corporation.

Deputy Director Qualset indicated that Item 3a, Bay 101, was previously issued a three-month temporary license pending receipt of additional information requested from the Division of Gambling Control. Deputy Director Qualset also indicated that Commission staff recommends approval of an additional three-month temporary license through June 30, 2003, because a response from the Division is still pending. Commissioner Palmer moved to approve a three-month temporary license through June 30, 2003, for Item 3a, Bay 101. Commissioner Sasaki seconded the motion, which was unanimously adopted.

Deputy Director Qualset indicated that Commission staff recommends a conditional approval of the application for renewal of a state gambling license for Item 3b, Black Sheep Casino Company, which included the following condition: licensee is prohibited from permitting unlawful wagering or any other form of illegal gambling on the premises. Deputy Director Qualset further indicated that Black Sheep Casino had previously been issued a temporary license and the renewal license is for the period of August 1, 2002 to July 31, 2003. Commissioner Palmer moved to approve the application for renewal of a state gambling license with the included condition. Commissioner Sasaki seconded the motion, which was unanimously adopted.

Deputy Director Qualset indicated that staff recommends an extension of the previously approved temporary state gambling license through May 31, 2003, for Item 3c, Empire Sportsman Association. Deputy Director Qualset further indicated that staff recommends an extension to allow the gambling establishment to remain operational while a final decision on the state gambling license is pending, because a request for a continuance has been granted. Commissioner Smith moved to extend the previously approved temporary state gambling license through to May 31, 2003, for Item 3c, Empire Sportsman Association. Commissioner Sasaki seconded the motion, which was unanimously adopted.

4. 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)).

The Commission took no action on Item 4, which was continued at the request of staff.

5. 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 5, which was continued at the request of staff.

6. Gambling Equipment Manufacturers or Distributors Shipment Reports (Title 4, California Code of Regulations, Section 12303).

Deputy Director Qualset provided a verbal report on the status of the Gambling Equipment Manufacturers or Distributors Shipment Reports for the first calendar quarter ending March 31, 2003, for which reports are due.

7. Proposed Regulation: Development and Implementation of Emergency Preparedness Plans for Gambling Establishments (Gambling Control Act).

Senior Legal Counsel and Regulations Coordinator Herb Bolz presented for discussion an overview concerning development and implementation of proposed regulation: Emergency Preparedness Plans for Gambling Establishments.

8. Discussion Item: Gaming Patrons' Bill of Rights:
 a. Gambling Establishments
 c. Tribal Casinos

Senior Legal Counsel and Regulations Coordinator Herb Bolz provided a report on the status of the ongoing drafting process of the Gaming Patrons Bill of Rights.

Steve Ingram, Consumer Attorneys of California, presented comments concerning the Gaming Patrons' Bill of Rights.

James E. Marino, Attorney, presented comments concerning the Gaming Patrons' Bill of Rights.

CONSENT CALENDAR ITEMS

1. 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:
- | | |
|------------------|-------------------|
| Alexander, Keely | Allen, Michelle |
| Baker, Christine | Campbell, Maurice |
| Cibotti, Johanna | Gomez, Victoria |
| Kettler, Kenneth | Smith, Douglas |
| Vega, Michael | Vitalich, Maria |
- b. Cher-Ae Heights Indian Community of the Trinidad Rancheria - Cher-Ae Heights Bingo & Casino:
 Wright, Eric
- c. Rumsey Indian Rancheria of Wintun Indians - Cache Creek Indian Bingo & Casino:
- | | |
|-------------------|-----------------|
| Franco, Sounthone | Luangrath, Liam |
| Miranda, Oscar | Prescott, David |
| Scrivener, Robert | Tuitele, Sean |
- d. Viejas (Baron Long) Group of Capitan Grande Band of Mission Indians of the Viejas Reservation – Viejas Casino and Turf Club :
- | | |
|----------------|------------------|
| Clark, Stephen | Hancock, Heather |
| Hurst, Thomas | Katunis, Thomas |
| Le, Israelita | |

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, and 1d. Commissioner Sasaki moved to approve the Consent Calendar items listed as applications for Tribal-State Compact Key Employee Finding of Suitability for Items 1a, 1b, 1c, and 1d. Commissioner Palmer seconded the motion, which was unanimously adopted.

PUBLIC COMMENT

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

CLOSED SESSION

Commissioner Smith announced that the Commission would be going into closed session. At 2:25 p.m. the Commission adjourned to closed session after Commission Counsel stated that discussions concerning personnel issues under Government Code Section 11126(a)(1) would take place, and there would be no discussions concerning litigation under Government Code Section 11126(e).

RECONVENE OPEN SESSION

Commissioner Smith reconvened the open session at 3:10 p.m., and indicated that there were no announcements from closed session. Commissioner Smith moved to adjourn the meeting. Commissioner Palmer seconded the motion; the meeting was adjourned at 3:12 p.m.