

California Gambling Control Commission
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Hiram Johnson State Office Building
455 Golden Gate Ave, Room 13536
San Francisco, CA 94102
Wednesday, July 23, 2003

**MINUTES OF JULY 23, 2003
COMMISSION MEETING**

OPEN SESSION

Acting Chairman Smith called the meeting of July 23, 2003, to order at 10:05 a.m. with Commissioners Palmer and Sasaki present.

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

DECISION ITEMS

1. Application for State Gambling License:
 - a. Outpost Casino Sports Bar and Restaurant: Mark Luciano, Sole Proprietor.

Deputy Director Qualset presented Item 1a, Outpost Casino Sports Bar and Restaurant to the Commission for its consideration of the application for a state gambling license. The Division of Gambling Control of the Department of Justice filed a report with the Commission recommending a denial of the application for a state gambling license. Deputy Director Qualset indicated that staff recommends the Commission deny Mark Luciano's state gambling license application for the Outpost Casino Sports Bar and Restaurant, subject to reconsideration if the applicant obtains such license from the City of San Ramon.

Chief Counsel Melnicoe provided an oral chronology of certain pertinent events pertaining to the administrative adjudication process of the appeal of Mark Luciano, and presented staff's recommendation for a motion as follows:

The application of Mark Luciano for a state gambling license to operate the Outpost Casino in the City of San Ramon be, and hereby is, denied on grounds of failure to obtain a license from the City of San Ramon in accordance with its ordinance Division B1-16 and Business and Professions Code section 19923, subject to reconsideration within six months of the date of this order if the applicant or a qualified successor in interest obtains a license from the City of San Ramon for the Outpost Casino and can demonstrate the ability to comply with such conditions of licensure as may be established by this Commission.

David Tierney, NetworkM, inquired whether a qualified successor would be required to assume responsibility to redeem chips.

Upon motion of Acting Chairman Smith, seconded by Commissioner Palmer and unanimously carried with Acting Chairman Smith and Commissioners Palmer and Sasaki voting yes, the Commission adopted the staff recommendation as presented by Chief Counsel Melnicoe.

PUBLIC COMMENT

Acting Chairman Smith opened the meeting for public comment. There were no comments from the public during this portion of the meeting.

ADJOURNMENT

Upon motion of Commissioner Sasaki, seconded by Commissioner Palmer and unanimously carried with acting Chairman Smith and Commissioners Palmer and Sasaki voting yes, the Commission adjourned the meeting at 10:15 a.m.