

California Gambling Control Commission  
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2399 Gateway Oaks Drive, Suite 100  
Sacramento, CA 95833  
Thursday, October 20, 2005

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MINUTES OF OCTOBER 20, 2005  
COMMISSION MEETING

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**OPEN SESSION**

Chairman Shelton called the meeting of October 20, 2005 to order at 1:28 p.m., with Commissioners Cruz, Sasaki and Williams present.

Staff Participating: Cara Podesto, Acting Deputy Director, Licensing Division.

**DECISION ITEMS**

1. Applications for Work Permit:
  - a. Gloria's Lounge and Casino:  
Reece, Michael
  - b. Lake Bowl Cardroom:  
Bederov, Vadim
  - c. Napa Valley Casino:  
Vilaphongphakdy, Damdy
  - d. The 101 Casino Casino:  
Wu, Jun

Acting Deputy Director Podesto indicated that both the Division of Gambling Control and Commission staff recommend approval of the applications for a work permit for Michael Reece, Item 1.a., Vadim Beberov, Item 1.b., Damdy Vilaphongphakdy, Item 1.c., and Jun Wu, Item 1.d. Upon motion of Commissioner Williams, seconded by Commissioner Sasaki and unanimously carried in the call for a vote with Chairman Shelton and Commissioners Cruz, Sasaki, and Williams voting yes, the Commission approved the applications for work permits for Items 1.a. through 1.d.

Commission Meeting of October 10, 2005

2

2. Application for State Gambling License:

a. Gold Rush Casino/Resort: Timothy Stroud, Sole Proprietor:

Acting Deputy Director Podesto indicated that both the Division of Gambling Control and Commission staff recommend denial of the application for a state gambling license for Gold Rush Casino/Resort, Item 2.a.

Commissioner Williams made a motion to deny the application for a state gambling license for Gold Rush Casino, Item 2.a., which was seconded by Chairman Shelton.

John Fricks, Attorney for Mr. Stroud, provided comments to the Commission concerning background information regarding Mr. Stroud's six-year request for licensure, which Mr. Fricks also stated was included in correspondence to the Commission dated April 6 and May 7, 2005.

Commissioner Cruz stated he felt an Administrative Law Judge (ALJ) should determine both sides of the issue and the Commission could take a vote today or the matter could be set for an Administrative Hearing.

Mr. Fricks advised the Commission that his client, Timothy Stroud requests an Administrative Hearing.

Chairman Shelton withdrew his motion, requested that the matter be referred to an ALJ, and advised Mr. Fricks to work closely with Chief Counsel Rickards.

3. Application for Renewal of State Gambling License:

a. California Grand: Lamar Wilkinson, Sole Proprietor

Acting Deputy Director Podesto indicated that both the Division of Gambling Control and Commission staff recommend approval of the application for a renewal of a state gambling license from November 1, 2005 through October 31, 2006 for California Grand, Item 3.a. Upon motion of Commissioner Sasaki, seconded by Commissioner Cruz and unanimously carried in the call for a vote with Chairman Shelton and Commissioners Cruz, Sasaki, and Williams voting yes, the Commission approved the application for a renewal of a state gambling license from November 1, 2005 through October 31, 2006, for California Grand.

b. Comstock Card Room: Joseph and Monica Melech, Sole Proprietors

Acting Deputy Director Podesto indicated that both the Division of Gambling Control and Commission staff recommend approval of the application for a renewal of a state gambling license from November 1, 2005 through October 31, 2006, for Comstock Card Room, Item 3.b. Upon motion of Commissioner Sasaki, seconded by Commissioner Cruz and unanimously carried in the call for

## Commission Meeting of October 10, 2005

3

a vote with Chairman Shelton and Commissioners Cruz, Sasaki, and Williams voting yes, the Commission approved the application for a renewal of a state gambling license from November 1, 2005 through October 31, 2006 for Comstock Card Room.

c. Don Juan Club and Casino: Juan Guzman, Sole Proprietor:

Acting Deputy Director Podesto indicated that both the Division of Gambling Control and Commission staff recommend denial of the application for renewal of a state gambling license, for failure to comply with the conditions of the temporary license. Acting Deputy Director Podesto stated Mr. Guzman was advised of the Commission's recommendation and also stated, Ms. Ruiz, Attorney for Mr. Guzman, requested to exercise their right for an Administrative Hearing.

Chairman Shelton recommended that Ms. Ruiz work with Chief Counsel Rickards to have the matter set for Administrative Hearing.

d. Gloria's Lounge and Casino: Gloria Gutierrez, Sole Proprietor

Acting Deputy Director Podesto indicated that both the Division of Gambling Control and Commission staff recommend approval of the application for a renewal of a state gambling license from November 1, 2005 through October 31, 2006 for Gloria's Lounge and Casino, Item 3.d. Upon motion of Commissioner Cruz, seconded by Chairman Shelton and unanimously carried in the call for a vote with Chairman Shelton and Commissioners Cruz, Sasaki, and Williams voting yes, the Commission approved the application for a renewal of a state gambling license from November 1, 2005 through October 31, 2006, for Gloria's Lounge and Casino.

e. Hotel Del Rio and Casino: Hand Family Trust, Charlene and Ralph Hand Trustees, Sole Proprietors

Acting Deputy Director Podesto indicated that both the Division of Gambling Control and Commission staff recommend approval of the application for renewal of a state gambling license from November 1, 2005 through October 31, 2006, contingent on the payment of fees, for Hotel Del Rio and Casino, Item 3.e. Upon motion of Chairman Shelton, seconded by Commissioner Sasaki and unanimously carried in the call for a vote with Chairman Shelton and Commissioners Cruz, Sasaki, and Williams voting yes, the Commission approved the application for a renewal of a state gambling license from November 1, 2005 through October 31, 2006, contingent upon the payment of fees, for Hotel Del Rio and Casino.

## Commission Meeting of October 10, 2005

4

## f. Kelly's: Albert Cianfichi, Sole Proprietor

Acting Deputy Director Podesto indicated that both the Division of Gambling Control and Commission staff recommend approval of a temporary state gambling license from November 1, 2005 through February 28, 2006, for Kelly's, Item 3.f., with the following condition:

1. *Licensee of Kelly's must have prior approval from the Division of Gambling Control of any advertisement and/or operations of promotions at the licensed gambling establishment.*

Upon motion of Commissioner Cruz, seconded by Commissioner Sasaki and unanimously carried in the call for a vote with Chairman Shelton and Commissioners Cruz, Sasaki, and Williams voting yes, the Commission approved the application for a renewal of a temporary state gambling license from November 1, 2005 through February 28, 2006, for Kelly's, with the condition presented by staff applied to the license.

## g. Marina Club: Guy Calamia, Sole Proprietor

Acting Deputy Director Podesto indicated that both the Division of Gambling Control and Commission staff recommend approval of the application for renewal of a state gambling license from November 1, 2005 through October 31, 2006 for Marina Club, Item 3.g. Upon motion of Commissioner Sasaki, seconded by Commissioner Cruz and unanimously carried in the call for a vote with Chairman Shelton and Commissioners Cruz, Sasaki, and Williams voting yes, the Commission approved the application for a renewal of a state gambling license from November 1, 2005 through October 31, 2006, for Marina Club.

## h. Oasis Card Room: Chieko Epstein, Sole Proprietor

Acting Deputy Director Podesto stated that both the Division of Gambling Control and Commission staff recommend approval of the application for renewal of a state gambling license for Oasis Card Room, Item 3.h. Ms. Podesto advised that Commission staff has provided for Commission consideration, two license renewal options:

## Option A:

*Renewal of state Gambling license from November 1, 2005 through February 28, 2007 with the following condition: The licensee must pay the annual table fees pursuant to Business and Profession Code section 19876(a) and will not operate from October 31, 2006 to February 28, 2007 unless fees in the amount of \$250.00 are paid no later than October 31, 2006.*

Commission Meeting of October 10, 2005

5

Option B:

*Non-rotation recommended approval period would be from November 1, 2005 through October 31, 2006.*

Upon motion of Commissioner Cruz to approve Option A, seconded by Commissioner Sasaki and unanimously carried in the call for a vote with Chairman Shelton and Commissioners Cruz, Sasaki, and Williams voting yes, the Commission approved the application for renewal of a state gambling license from November 1, 2005 through February 28, 2007, for Oasis Card Room, with condition A, presented by staff applied to the license.

### **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:*  

<i>Durnil, Christina</i>	<i>Geronimo, Teresita</i>
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  - b. *Augustine Band of Cahuilla Mission Indians of the Augustine Reservation – Augustine Casino:*  
*Asmussen, William*
  - c. *Berry Creek Rancheria of Maidu Indians of California – Gold Country Casino:*  
*Saechao, Kao*
  - d. *Blue Lake Rancheria – Blue Lake Casino:*  
*Thomson, Robert*
  - e. *Cachil DeHe Band of Wintun Indians of the Colusa Indian Community of the Colusa Rancheria – Colusa Casino:*  
*Crandell, James*
  - f. *Picayune Rancheria of Chukchansi Indians of California – Chukchansi Gold Resort and Casino:*  

<i>Horejs, Ralph</i>	<i>Sobkowiak, Joseph</i>
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  - g. *Quechan Tribe of the Fort Yuma Indian Reservation – Paradise Casino:*  

<i>Chacon, Lizbeth</i>	<i>Ortega, Danell</i>
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  - h. *Robinson Rancheria of Pomo Indians of California – Robinson Rancheria Casino and Bingo:*  
*Carver, Charles*
  - i. *Rumsey Indian Rancheria of Wintun Indians of California – Cache Creek Casino Resort:*  

<i>Cooney, Marcy</i>	<i>Wilson, Charles</i>
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  - j. *Santa Ynez Band of Chumash Mission Indians of the Santa Ynez Reservation – Chumash Casino Resort:*  

<i>Garrett, Zachary</i>	<i>Kamidoi, Evan</i>
<i>Gomez, Raul</i>	<i>Titworth, James</i>
<i>Greer, Sydney</i>	

## Commission Meeting of October 10, 2005

6

- k. Soboba Band of Luiseno Indians- Soboba Casino  
Kojis, Stan*
- l. Twenty-Nine Palms Band of Mission Indians of California –  
Spotlight 29 Casino:  
Arroyo, Juan Greenwood, Geoffrey*
- m. United Auburn Indian Community of the Auburn Rancheria of  
California – Thunder Valley Casino:  
Bowman, Cynthia Phan, Quynh*
- n. Viejas (Baron Long) Group of Capitan Grande Band of Mission  
Indians of the Viejas Reservation – Viejas Casino:  
Phan, Johnny*

Acting Deputy Director Podesto presented the Consent Calendar to the Commission for its consideration of, Tribal-State Compact Key Employee Findings of Suitability and advised that, Item 1.l. will be corrected to read Spotlight 29. Acting Deputy Director Podesto also requested that Geoffrey Greenwood, Consent Item 1.l., be tabled. Upon motion of Chairman Shelton, seconded by Commissioner Sasaki and unanimously carried in a roll-call vote with Chairman Shelton and Commissioners Cruz, Sasaki, and Williams voting yes, the Commission approved the Consent Calendar with the changes indicated by staff.

**PUBLIC COMMENT**

None

**CLOSED SESSION**

Chairman Shelton announced that the Commission would not adjourn to Closed Session since there were no new matters under Government Code section 11126(e) that required discussions.

**ADJOURNMENT**

Upon motion to adjourn the meeting by Commissioner Cruz, seconded by Commissioner Sasaki and unanimously carried in the call for a vote with Chairman Shelton and Commissioners Cruz, Sasaki, and Williams voting yes, the meeting adjourned at 1:59 p.m.