

MINUTES OF MAY 18, 2006
COMMISSION MEETING

OPEN SESSION

1. Call to Order and Pledge of Allegiance.

Chairman Shelton called the meeting to order at 1:31 p.m., and asked everyone to stand for the Pledge of Allegiance.

2. Roll Call of Commissioners.

Roll Call of Commissioners was taken with Chairman Shelton and Commissioners Cruz and Vuksich present.

5. Approval of Minutes of April 20, 2006 Commission Meeting.

Upon motion of Commissioner Vuksich, seconded by Chairman Shelton and unanimously carried in a vote by roll call with Chairman Shelton and Commissioners Cruz and Vuksich voting yes, the Commission approved the April 20, 2006 meeting minutes.

4. Applications for Work Permit (Pursuant to Business and Professions Code section 19912):
 - A. The River Card Room: **Chavez, Leandro**

Deputy Director Ciau indicated that staff concurs with the Division of Gambling Control's recommendation to approve the application for a work permit for Leandro Chavez, Item 4.A. Chairman Shelton moved to adopt staff's recommendation and Commissioner Vuksich seconded the motion.

Commissioner Cruz inquired about Mr. Chavez's employment history and whether a card club, following the initial denial of his work permit application, employed him.

Ravi Mehta, representing Leandro Chavez, responded to Commissioner Cruz's inquiries indicating that he has no knowledge of Mr. Chavez being employed by a card club following the denial of his application.

Upon amended motion of Chairman Shelton to adopt the staff recommendation subject to the condition that *the applicant provide written evidence to the Commission of where he was employed from the time after he was denied his initial application to the present so that the Commission can determine that he had no employed involvement with a club*, seconded by Commissioner Vuksich and unanimously carried in a vote by roll call with Chairman Shelton and Commissioners Cruz and Vuksich voting yes, the Commission conditionally approved the application for a work permit for Leandro Chavez.

B. Gloria's Lounge and Casino: **Miller, Thomas**

Deputy Director Ciau indicated that staff concurs with the Division of Gambling Control's recommendation to deny the application for a work permit for Thomas Miller, Item 4.B. Deputy Director Ciau further indicated that the applicant has failed to respond to the notice sent on May 8, 2006 by certified mail informing him of the pending denial of his application. Upon motion of Commissioner Cruz, seconded by Commissioner Vuksich and unanimously carried in a vote by roll call with Chairman Shelton and Commissioners Cruz and Vuksich voting yes, the Commission denied the application for a work permit for Thomas Miller.

C. Lake Bowl Cardroom: **Kocmich, Michael**

Deputy Director Ciau indicated that staff concurs with the Division of Gambling Control's recommendation to deny the application for a work permit for Michael Kocmich, Item 4.C. Deputy Director Ciau further indicated that the applicant has failed to respond to the notice sent on May 8, 2006 by certified mail informing him of the pending denial of his application. Upon motion of Commissioner Vuksich, seconded by Commissioner Cruz and unanimously carried in a vote by roll call with Chairman Shelton and Commissioners Cruz and Vuksich voting yes, the Commission denied the application for a work permit for Michael Kocmich.

5. Applications for Key Employee (Pursuant to Business and Professions Code section 19854):

A. Bicycle Club: **Gin, Charlie; Tian, John**

Deputy Director Ciau indicated that staff concurs with the Division of Gambling Control's recommendation to approve the application for a key employee license for Charile Gin and John Tian, Item 5.A. Upon motion of Chairman Shelton, seconded by Commissioner Vuksich and unanimously carried in a vote by roll call with Chairman Shelton and Commissioners Cruz and Vuksich voting yes, the

Commission approved the application for a key employee license for Charlie Chin and John Tian.

A. Golden West Casino: **Hicks, Wood**

Deputy Director Ciau indicated that staff concurs with the Division of Gambling Control's recommendation to approve the application for a key employee license for Wood Hicks, Item 5.B. Upon motion of Commissioner Cruz, seconded by Commissioner Vuksich and unanimously carried in a vote by roll call with Chairman Shelton and Commissioners Cruz and Vuksich voting yes, the Commission approved the application for a key employee license for Wood Hicks.

B. Lucky Derby Casino: **Boyer, Leslie**

Deputy Director Ciau indicated that staff concurs with the Division of Gambling Control's recommendation to approve the application for a key employee license for Leslie Boyer, Item 5.C. Upon motion of Chairman Shelton, seconded by Commissioner Cruz and unanimously carried in a vote by roll call with Chairman Shelton and Commissioners Cruz and Vuksich voting yes, the Commission approved the application for a key employee license for Leslie Boyer.

C. Marina Club: **Calamia, Leila**

Deputy Director Ciau indicated that staff concurs with the Division of Gambling Control's recommendation to approve the application for a key employee license for Leila Calamia, Item 5.D. Upon motion of Chairman Shelton, seconded by Commissioner Cruz and unanimously carried in a vote by roll call with Chairman Shelton and Commissioners Cruz and Vuksich voting yes, the Commission approved the application for a key employee license for Leila Calamia.

D. Mortimer's Cardroom: **DeCourdes, Thomas**

Deputy Director Ciau indicated that staff concurs with the Division of Gambling Control's recommendation to approve the application for a key employee license for Thomas DeCourdes, Item 5.E. Upon motion of Commissioner Cruz, seconded by Commissioner Vuksich and unanimously carried in a vote by roll call with Chairman Shelton and Commissioners Cruz and Vuksich voting yes, the Commission approved the application for a key employee license for Thomas DeCourdes.

E. Palace Club: **Janas, Kevin**

Deputy Director Ciau indicated that staff concurs with the Division of Gambling Control's recommendation to approve the application for a key employee license for Kevin Janas, Item 5.F. Upon motion of Commissioner Cruz, seconded by

Commissioner Vuksich and unanimously carried in a vote by roll call with Chairman Shelton and Commissioners Cruz and Vuksich voting yes, the Commission approved the application for a key employee license for Kevin Janas.

F. Silver Fox: **Chu, Anita**

Deputy Director Ciau indicated that staff concurs with the Division of Gambling Control's recommendation to approve the application for a key employee license for Anita Chu, Item 5.G. Upon motion of Commissioner Cruz, seconded by Commissioner Vuksich and unanimously carried in a vote by roll call with Chairman Shelton and Commissioners Cruz and Vuksich voting yes the Commission approved the application for a key employee license for Anita Chu.

G. The 101 Casino: **Pastor, Anthony; Catalano Jr., Jim**

Deputy Director Ciau indicated that staff concurs with the Division of Gambling Control's recommendation to approve the application for a key employee license for Anthony Pastor and Jim Catalano, Jr., Item 5.H. Upon motion of Commissioner Vuksich, seconded by Commissioner Cruz and unanimously carried in a vote by roll call with Chairman Shelton and Commissioners Cruz and Vuksich voting yes the Commission approved the application for a key employee license for Anthony Pastor and Jim Catalano.

H. Village Club Cardroom: **Boyd Jr., Richard; Hudson, Stephen**

Deputy Director Ciau indicated that staff concurs with the Division of Gambling Control's recommendation to approve the application for a key employee license for Richard Boyd, Jr. and Stephen Hudson, Item 5.I. Upon motion of Commissioner Vuksich, seconded by Commissioner Cruz and unanimously carried in a vote by roll call with Chairman Shelton and Commissioners Cruz and Vuksich voting yes the Commission approved the application for a key employee license for Richard Boyd, Jr. and Stephen Hudson.

6. Request for Temporary State Gambling License (Pursuant to Business and Professions Code section 19824 (f)):
BVK Gaming, Inc. (Napa Valley Casino)

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

7. Applications for Renewal of State Gambling License (Pursuant to Business and Professions Code section 19876):

A. **Capitol Casino:** Capitol Casino Inc., California Corporation

Deputy Director Ciau indicated that staff concurs with the Division of Gambling Control's recommendation to approve an extension of the state gambling license from June 1, 2006 through July 31, 2006 to allow the Division time to complete the background investigation for Capitol Casino, Item 7.A. Upon motion of Commissioner Vuksich, seconded by Chairman Shelton and unanimously carried in a vote by roll call with Chairman Shelton and Commissioners Cruz and Vuksich voting yes, the Commission approved an extension of the state gambling license through July 31, 2006 for Capitol Casino.

B. **Clovis 500 Club:** Clovis 500 Club, General Partnership

Deputy Director Ciau indicated that staff concurs with the Division of Gambling Control's recommendation to approve an extension of the state gambling license from June 1, 2006 through August 31, 2006 to allow the Division time to complete the background investigation for Clovis 500 Club, Item 7.B. Upon motion of Commissioner Cruz, seconded by Commissioner Vuksich and unanimously carried in a vote by roll call with Chairman Shelton and Commissioners Cruz and Vuksich voting yes, the Commission approved an extension of the state gambling license through August 31, 2006 for Clovis 500 Club.

C. **EI Resbalon:** Marcos Cabrera, Sole Proprietor

Deputy Director Ciau presented to the Commission for its consideration staff's recommendation of the following two options concerning the application for renewal of the state gambling license for EI Resbalon, Item 7.C.

Option A: If Mr. Cabrera submitted the balance of \$700 to complete his background investigation, staff recommends that the current license be extended from June 1, through August 31, 2006.

Option B: If Mr. Cabrera did not submit the \$700, the recommendation is to close the gambling establishment until the background investigation is completed and the Commission decides to extend the license.

Deputy Director Ciau informed the Commission that Mr. Cabrera submitted payment of \$500 to the Division on May 16, 2006 and staff has not been successful in contacting the sole proprietor.

Upon amended motion of Commissioner Cruz to *extend the state gambling license through June 9, 2006 and staff to provide notice to Mr. Cabrera that the remaining*

balance of the \$700 due shall be received by the Commission before close of business on June 7, 2006, seconded by Chairman Shelton and unanimously carried in a vote by roll call with Chairman Shelton and Commissioners Cruz and Vuksich voting yes, the Commission approved an extension of the state gambling license through June 9, 2006 for the El Resbalon.

D. Empire Sportsmen's Association: Empire Sportsmen's Association, Non-Profit Corporation

Deputy Director Ciau indicated that staff recommends that the Commission approve the card room representative's request to extend the license from June 1, 2006 to August 31, 2006 to allow them time to respond to the Commission's Questions. Upon motion of Chairman Shelton, seconded by Commissioner Cruz and unanimously carried in a vote by roll call with Chairman Shelton and Commissioners Cruz and Vuksich voting yes the Commission approved an extension of the state gambling license through August 31, 2006 for Empire Sportsmen's Association.

E. Golden West: Kern County Associates, L.P., a Limited Partnership

Deputy Director Ciau indicated that staff concurs with the Division of Gambling Control's recommendation to approve an extension of the state gambling license from June 1, 2006 through August 31, 2006 to allow the Division time to complete the background investigation for Golden West, Item 7.E. Upon motion of Commissioner Cruz, seconded by Commissioner Vuksich and unanimously carried in a vote by roll call with Chairman Shelton and Commissioners Cruz and Vuksich voting yes, the Commission approved an extension of the state gambling license through August 31, 2006 for Golden West.

F. Kelly's: Albert Cianfichi, Sole Proprietor

Deputy Director Ciau indicated that staff concurs with the Division of Gambling Control's recommendation to approve an extension of the state gambling license from June 1, 2006 through September 30, 2006 for Kelly's, Item 7.F., subject to the following condition:

Licensee of Kelly's must have prior approval from the Division of any advertisement and/or operations or promotions of the licensee of gambling establishment.

Upon motion of Chairman Shelton, seconded by Commissioner Vuksich and unanimously carried in a vote by roll call with Chairman Shelton and Commissioners Cruz and Vuksich voting yes, the Commission approved an extension of a conditional state gambling license through September 30, 2006 for Kelly's.

G. Normandie Club: California General Partnership

Deputy Director Ciau indicated that staff concurs with the Division of Gambling Control's recommendation to approve an extension of the state gambling license from June 1, 2006 through September 30, 2006 to allow the Division time to complete the background investigation for Normandie Club, Item 7.G. Upon motion of Commissioner Vuksich, seconded by Commissioner Cruz and unanimously carried in a vote by roll call with Chairman Shelton and Commissioners Cruz and Vuksich voting yes, the Commission approved an extension of the state gambling license through September 30, 2006 for Normandie Club.

H. Ocean's Eleven Casino: Ocean's Eleven Casino, General Partnership

Deputy Director Ciau indicated that staff recommends that the Commission approve an extension of the state gambling license from June 1, 2006 through August 31, 2006 to allow staff time to review the Division's recommendation for Ocean's Eleven Casino, Item 7.H. Upon motion of Commissioner Vuksich, seconded by Commissioner Cruz and unanimously carried in a vote by roll call with Chairman Shelton and Commissioners Cruz and Vuksich voting yes, the Commission approved an extension of the state gambling license through August 31, 2006 for Ocean's Eleven Casino.

I. Turlock Poker Room: Jose Fernandez, Sole Proprietor

Deputy Director Ciau indicated that staff recommends that the Commission approve an extension of the state gambling license from June 1, 2006 through July 31, 2006 to allow staff time to review the Division's recommendation, additionally, staff also recommends that the Commission remove the existing condition currently applied to the license for Turlock Poker Room, Item 7.I. Upon motion of Commissioner Cruz, seconded by Commissioner Vuksich and unanimously carried in a vote by roll call with Chairman Shelton and Commissioners Cruz and Vuksich voting yes, the Commission adopted the staff recommendation.

J. Village Club: Harvey Souza, Sole Proprietor

Deputy Director Ciau indicated that staff recommends tha the Commission approve a renewal of the state gambling license for the remaining licensing period through December 31, 2006 for Village Club, Item 7.J., subject to the following condition:

Ms. Maile Bridge must submit an Application for State Gambling License to be endorsed as a Financial Interest Holder within 90 days of May 18, 2006.

Commissioner Cruz moved to adopt the staff recommendation and Commissioner Vuksich seconded the motion.

Rodney Blonien responded to questions from Commissioner Cruz's inquiries regarding the range in salaries of key employees.

The motion made by Commissioner Cruz and seconded by Commissioner Vuksich to adopt the staff recommendation unanimously carried in a vote by roll call with Chairman Shelton and Commissioners Cruz and Vuksich voting yes.

CONSENT CALENDAR ITEMS:

8. Applications for Tribal-State Compact Key Employee Finding of Suitability: Authority Pursuant to the Tribal-State Gaming Compact, section 6.4.4):
 - A. Agua Caliente Band of Cahuilla Indians of the Agua Caliente Reservation - Agua Caliente Casino:
Hill, Jon
Kranick, Wayne
Picker, Bonnie
 - B. Augustine Band of Cahuilla Mission Indians of the Augustine Reservation - Augustine Casino: **Wang, Jun**
 - C. Barona Group of Capitan Grande Band of Mission Indians of the Barona Reservation - Barona Valley Ranch Resort and Casino:
Malinoski, Timothy
Reilly, Geffery
 - D. Bear River Band of the Rohnerville Rancheria - Bear River Casino:
Pelley, Loren
 - E. Cabazon Band of Mission Indians - Fantasy Springs Resort Casino:
Stevens, Jack
 - F. Jackson Rancheria of Me-Wuk Indians of California - Jackson Rancheria Casino, Hotel, and Conference Center:
Bruno, Glenn
Cannadate, Beverly
Robinson, Andrew
Svec, Joanne
 - G. Morongo Band of Cahuilla Mission Indians of the Morongo Reservation - Casino Morongo:
Sohn, Sang
Honruth, Robert
 - H. Pala Band of Luiseno Mission Indians of the Pala Reservation - Pala Casino:
Ahee, Suzanne
Enriquez Jr., Sal
Gradiz, Esther

Haines, Henry
Hull IV, John
Katzenbach, David
Kauler, Robert
Kettering, Charles
McQuade, Stephanie
Macleod, Carol
Mears, Keven
Rodriguez, Eugene
Thompson, Kevin
Weber, Donna

- I. Pauma Band of Luiseno Mission Indians of the Pauma & Yuima Reservation - Casino Pauma:
Schwartz, Neil
Sisoutham, Bountha
- J. Pechanga Band of Luiseno Mission Indians of the Pechanga Reservation - Pechanga Gaming Center:
Foster, John
Nonesoung, Phayvanh
Ohlhauser, Michael
Watson, Blake
- K. Picayune Rancheria of Chukchansi Indians - Chukchansi Gold Resort and Casino:
Brown, Moua
Czerwin, Roger
- L. Pit River Tribe - Pit River Casino: **Raglin, Phillip**
- M. Quechan Tribe of the Fort Yuma Indian Reservation - Quechan Paradise Casino:
Jackson, Christina
- N. Redding Rancheria - Win-River Casino: **Anstead, James**
- O. Rincon Band of Luiseno Mission Indians of the Rincon Reservation - Harrah's Rincon Casino & Resort:
Davis, Richard
Dillon, Kenneth
- P. San Pasqual Band of Diegueno Mission Indians of California - Valley View Casino:
Bakhtiari, Mitra
- Q. Santa Rosa Rancheria - The Palace: **Smith, Leeandra**
- R. Santa Ynez Band of Chumash Mission Indians of the Santa Ynez Reservation - Chumash Casino Resort:
Martinez, Herlindo
Ruiz, Jared
Weller, Rodney
- S. Soboba Band of Luiseno Mission Indians of the Soboba Reservation -

- Soboba Casino:
Barrios, Martin
Bennett, Carl
Collins, Travis
- T. Sycuan Band of Diegueno Mission Indians of California - Sycuan Casino and Resort:
Holstrom Jr., Vincent
Lao, Lovell
McDonald, Samantha
- U. Table Mountain Rancheria of California - Table Mountain Casino:
Cesar, Loida
Compos, Danny
Dugovic, Steven
Karst, Dennis
Wilson, Regina
- V. Tule River Indian Tribe - Eagle Mountain Casino: **Garfield, William**
- W. Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria of California - Black Oak Casino:
Batt, Aaron
Raphael, Susan
Theilen Jeanette
- X. United Auburn Indian Community of the Auburn Rancheria of California - Thunder Valley Casino:
Follis, Harold
Penner, Louis
Saechao, Kim
Saeteun, Cheo
Sutherland, Michelle
Tieu, Tony
- Y. Viejas (Baron Long) Group of Capitan Grande Band of Mission Indians of the Viejas Reservation - Viejas Casino: **Tedesco, Angela**

Deputy Director Ciau presented the Consent Calendar to the Commission for its consideration of the applications for Tribal-State Compact key employee finding of suitability. Upon motion of Chairman Shelton, seconded by Commissioner Cruz and unanimously carried in a vote by roll call with Chairman Shelton and Commissioners Cruz and Vuksich voting yes, the Commission approved the Consent Calendar.

PUBLIC COMMENT

Rodney Blonien, citizen, presented comments to the Commission.

[Paul Justi, Attorney for John Scherick, presented comments to the Commission concerning John Scherick's application for a state gambling license to operate the](#)

Outpost Casino. Mr. Justi indicated that Mr. Scherick's application has been pending Commission action for a considerable amount of time, which has caused a tremendous financial burden to Mr. Scherick and urged that the matter be brought before the Commission for a decision on the pending application in the near future.

Brian Altizer, BVK Gaming, presented comments to the commission concerning the pending purchase of Napa Valley Casino, indicating that the recent problems between the former owner of Napa Valley Casino and BVK Gaming resulted from miscommunications that have since been resolved.

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.

ADOURNMENT

Upon motion to adjourn the meeting by Chairman Shelton, seconded by Commissioner Cruz and unanimously carried in a roll-call vote, with Chairman Shelton and Commissioners Cruz and Vuksich voting yes, the meeting adjourned at 2:08 p.m.