

**California Gambling Control Commission**

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**MINUTES OF OCTOBER 7, 2010  
COMMISSION MEETING**

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**OPEN SESSION**

1. Call to Order and Pledge of Allegiance.

Chairman Dean Shelton called the meeting to order at 10:01 a.m., and asked everyone to stand for the Pledge of Allegiance.

2. Roll Call of Commissioners.

Roll Call of Commissioners was taken, with Chairman Dean Shelton and Commissioners James Shelby and Stephanie Shimazu present.

3. Approval of Commission Meeting Minutes for :

A. August 24, 2010

B. August 26, 2010

Upon motion of Chairman Shelton, seconded by Commissioner Shimazu and unanimously carried in a vote by roll call with Chairman Shelton and Commissioners Shelby and Shimazu voting yes, the Commission approved the meeting minutes for August 24 and August 26, 2010.

4. Application for Approval of Initial State Gambling License (Pursuant to Business and Professions Code sections 19851& 19852; Title 4 CCR 12342(a)(8)):

Hustler Casino: El Dorado Enterprises, Inc.

The Larry Flynt Revocable Trust

Larry Flynt, Trustor, Trustee, and Beneficiary

Deputy Director Tina Littleton indicated that the Bureau of Gambling Control recommended that the Commission approve the initial applications. Staff has reviewed the Bureau's reports, concurred with their recommendations; and, recommended endorsement on the state gambling license for the remainder of the licensure period, valid through May 31, 2011.

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Upon motion of Chairman Shelton, seconded by Commissioner Shimazu and unanimously carried in a vote by roll call with Chairman Shelton and Commissioners Shelby and Shimazu voting yes, the Commission approved the staff's recommendation.

5. Application for Approval of Renewal of State Gambling License (Pursuant to Business and Professions Code section 19876):  
Oceana Cardroom: Mark Adam, Sole Proprietor

Deputy Director Tina Littleton indicated that staff recommended the Commission approve the renewal state gambling license application for the licensure period of November 1, 2010 through October 31, 2012.

Upon motion of Commissioner Shelby, seconded by Commissioner Shimazu and unanimously carried in a vote by roll call with Chairman Shelton and Commissioners Shelby and Shimazu voting yes, the Commission approved the staff's recommendation.

6. Application for Approval of Renewal of Third Party Provider of Proposition Services/ Gambling Business License (Pursuant to California Code of Regulations, Title 4, sections 12218.8 and 12238)

Certified Players, Inc.: Philip H. LeBlanc & Patricia A. LeBlanc Revocable Living Trust  
Philip H. LeBlanc, Trustor, Trustee, Beneficiary  
Patricia A. LeBlanc, Trustor, Trustee, Beneficiary  
Michael LeBlanc, Shareholder

Deputy Director Tina Littleton indicated that staff recommended that the Commission approve the renewal application for the licensure period of November 1, 2010 through October 31, 2012.

Upon motion of Commissioner Shelby, seconded by Commissioner Shimazu and unanimously carried in a vote by roll call with Chairman Shelton and Commissioners Shelby and Shimazu voting yes, the Commission approved the staff's recommendation.

7. Applications for Approval of Conversion of Third-Party Providers of Proposition Player Services /Gambling Business Supervisor/Player Registrations to Licenses (Pursuant to California Code of Regulations, Title 4, sections 12218 and 12233):

Gaming Management, LLC:  
Players: Alexander Chen Christine Nguyen Jared Richard

Deputy Director Tina Littleton indicated that the Bureau of Gambling Control recommended that the Commission approve the Third Party player applications. Staff has reviewed the Bureau's reports, concurred with their recommendations; and, recommended approval through October 31, 2012.

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Upon motion of Chairman Shelton, seconded by Commissioner Shelby and unanimously carried in a vote by roll call with Chairman Shelton and Commissioners Shelby and Shimazu voting yes, the Commission approved the staff's recommendation.

8. Request for Approval to Withdraw Application of Tribal-State Compact Gaming Resource Supplier Finding of Suitability (Pursuant to Business and Professions Code section 19869):  
Global Cash Access Inc..\*

Deputy Director Tina Littleton indicated that staff recommended the Commission deny the request to withdraw the finding of suitability applications; and, allow the Bureau of Gambling Control to complete the background investigation.

Commissioner Shimazu requested clarification regarding the processing of transactions at the machines.

Mr. John Maloney, attorney representing Global Cash Access, Inc. indicated that there are two processes; for ATM transactions, it is cash straight out of the machine; for cash advances, pin number resets or overdrawn accounts, the patron would complete their transaction at the cage.

Commissioner Shelby asked if there were separate machines for the use of credit cards; and, what is the cash transaction fee.

Ms. Katie Lever, General Counsel representing Global Cash Access, Inc. indicated there are three types of devices (kiosks) on the gaming floor, multi-function, ATM and cash advance. Ms. Lever further explained the ranges of fees and indicated that the fees are set by contract and are driven by the casinos.

Mr. Maloney added that the devices are cash transactions only and the money flows back to the tribal casinos; the casinos are not paying Global Cash Access, Inc.

Chairman Shelton asked if the Electronic Benefits Transfer (EBT) cards would work in the machines.

Mr. Maloney stated that 30,000 transactions were denied and a total of 258 were approved. In California, 136 were approved, which equated to \$10,000. The approvals happened due to a software problem in a new network.

Commissioner Shelby requested clarification regarding Global Cash Access, Inc. receiving a fee from the casinos.

Mr. Maloney indicated that if a patron has a dispute, the patron will go to Global Cash Access, Inc. for resolution, not the tribal casino. Mr. Maloney further indicated that Global Cash Access, Inc. is not the financial institution; they are the conduit. He

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stated, when a patron accesses the machine, the financial institution is deciding whether the patron will receive the cash, not Global Cash Access, Inc.

Commissioner Shelby stated that he believed that there is money flowing back and forth into the casinos via the ATM machines, even though there is not a direct contract; there is a payment going back to the tribes from business generated from the ATM machines.

Mr. Maloney indicated that he does not see how an ATM machine and cash fits into the definition of gaming resource.

Chairman Shelton stated he did not understand what would be gained by denial of the withdrawal.

Chief Counsel, Joe Dhillon indicated that the company has been licensed by a tribe and the Bureau is obligated to investigate and present the finding of suitability to the Commission. The gain is strict compliance with the compact.

Mr. Maloney was told by the TGA's that they have the right to license and review the companies that are doing business with the casino. Mr. Maloney commented that it is a big step to say that, because the tribe is licensing Global Cash Access, Inc., it is a gaming resource.

Mr. Dhillon indicated that he did not see a distinction within the compact on the issue. If the tribes want to make a determination of licensure because a company is doing business in their facility; it seems the same interest would apply to the Commission.

Mr. Maloney indicated that if the Commission decides that Global Cash Access, Inc. needs to be licensed, they will cooperate in any way and will be found suitable. Commissioner Shimazu asked if any Tribal Gaming Associations responded to the request from the Bureau regarding the withdrawal request.

Ms. Aisha Martin-Walton indicated that the Bureau contacted the TGA's and four responded with the information included in the report. Ms. Martin-Walton further indicated that Global Cash Access, Inc. included in their application a list of tribes they do business with and have licenses with as a gaming resource supplier.

Commissioner Shimazu stated that after review of the compact she did not think Global Cash Access, Inc. was completely outside the definition and actually could fit under the definition of gaming resource supplier. With regards to leveling the playing field, Commissioner Shimazu indicated that the Commission would need to consider each on a case-to-case basis.

Ms. Lever indicated that to consider companies on a case-by-case basis would be unjust and not in the best interest of gaming. Ms. Lever further indicated that they

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hoped to see a policy decision on this issue that would lead regulation for their industry.

Upon motion of Commissioner Shelby, seconded by Commissioner Shimazu and unanimously carried in a vote by roll call with Chairman Shelton and Commissioners Shelby and Shimazu voting yes, the Commission approved the staff recommendation.

9. Application for Approval of Renewal Key Employee Portable Personal License (Pursuant to Business and Professions Code section 19854(d)):  
Mark Martini
  
10. Applications for Approval of Initial Work Permits (Pursuant to Business and Professions Code section 19912):
  - A. Napa Valley Casino: Randall Kirkwood
  - B. The 101 Casino: Vanessa Clark
  
11. Applications for Approval of Renewal Work Permits (Pursuant to Business and Professions Code section 19912):
  - A. Napa Valley Casino: Jangsoo Kim
  - B. Sundowner: Virath Kiaosuvath
  - C. The 101 Casino: Florena Chavez Carol Yee
  
12. Application for Approval of Renewal of Third Party Providers of Proposition Player Services/Gambling Business Supervisor/Player Registration to License (Pursuant to California Code of Regulations, Title 4, sections 12218.8 and 12238).  
Gaming Management, LLC: Lindy Smith
  
13. Applications for Approval of Initial Tribal-State Compact Key Employee Findings of Suitability (Pursuant to the Tribal-State Gaming Compact, section 6.4.4):
  - A. Agua Caliente Casino – Agua Caliente Band of Cahuilla Indians:

Rey Acacio	Minnie Agbayani	Maria Bahena
Christine Baker-Arceneaux	Jaime Barriga	Leslie Bingham
Radoslav Borisov	Carla Castaneda	Mindy Chiang
Michael Cook	Yancy Diaz	George Dickey
Juan Frias	Silvia Hernandez	Melodie Hunter
Hasmig Mesrobian	Maria Cristina Santos	Ronald Sheweloff
  - B. Augustine Casino - Augustine Band of Cahuilla Mission Indians:  
Heron Garcia
  - C. Barona Valley Ranch Resort & Casino - Barona Band of Mission Indians:  
Salvador Lira Juan Morales Yohmary Rios
  - D. Blue Lake Casino - Blue Lake Rancheria:  
Tyrone Bachus
  - E. Casino Pauma – Pauma Band of Luiseno Mission Indians of the Pauma and Yuima Reservation:  
Lauretta Alfano Christopher Booher Jacob Hansen

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- F. Chumash Casino – Santa Ynez Band of Chumash Mission Indians of the Santa Ynez Reservation:  
Curtis White
- G. Colusa Casino and Bingo – Cachil Dehe Band of Wintun Indians of the Colusa Indian Community of the Colusa Rancheria:  
Carlos Moreno                      Chad Puckett                      Ong Thao  
Jean Turner                              Damon Wallace                      Cathleen Wells
- H. Coyote Valley Casino - Coyote Valley Band of Pomo Indians:  
Jimmy Vaca
- I. Gold Country Casino – Berry Creek Rancheria of Maidu Indians of California:  
Rodney Huffman
- J. Harrah’s Rincon Casino & Resort – Rincon Band of Luiseno Indians:  
Phuong Butsumyo                      Alejandro Galvez                      Alvin Tengson
- K. Jackson Rancheria Hotel & Casino – Jackson Rancheria Band of Miwok Indians:  
Shelby Bennett                      Patricia Talley
- L. Morongo Casino Resort & Spa – Morongo Band of Cahuilla Indians of the Morongo Reservation:  
Paul Reimers
- M. Pala Casino – Pala Band of Mission Indians:  
Genevieve Harding
- N. Pit River Casino – Pit River Tribe:  
Phillip Raglin
- O. Quechan Casino Resort - Quechan Tribe of the Fort Yuma Indian Reservation:  
Peggy Phillips
- P. Red Earth Casino – Torres-Martinez Band of Cahuilla Mission Indians:  
Michael Gilligan
- Q. Red Hawk Casino – Shingle Springs Band of Miwok Indians:  
Vue Chue                                      Timothy Lee                                      Morris Ramonat
- R. River Rock Casino – Dry Creek Rancheria Band of Pomo Indians:  
Kaung Cho                                      Fernando Mariano, Jr.
- S. Robinson Rancheria Bingo and Casino – Robinson Rancheria of Pomo Indians:  
Darlene Roubidoux
- T. San Manuel Indian Bingo and Casino – San Manuel Band of Serrano Mission Indians of the San Manuel Reservation:  
Mark Dimaggio, Sr.                      Jeffrey Ly
- U. Sherwood Valley Rancheria Casino – Sherwood Valley Rancheria of Pomo Indians of California:  
Allen Wright
- V. Sho-Ka-Wah Casino – Hopland Band of Pomo Indians of the Hopland Rancheria:  
Sacheen Williams
- W. Spotlight 29 Casino - Twenty-Nine Palms Band of Mission Indians:  
Matthew Singleton

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- X. Sycuan Casino & Resort- Sycuan Band of the Kumeyaay Nation:
  - Enrique Conchas      Richard Lieu      Tuufaatasi Lutau
- Y. Table Mountain Casino - Table Mountain Rancheria:
  - Joey Abbs      Loida Cesar      Seth Conae
  - Manuel Fajardo III      Christi Frazel      April Milor
  - Kerry O'Donoghue      Michelle Reid      Donnita Wiliker
  - Collin Xiong
- Z. Tachi Palace Hotel & Casino – Santa Rosa Indian Community of the Santa Rosa Rancheria:
  - Zenaida Bautista      Lee Bustamante      Channa Nhean
  - Nakaikuaana Raposaurata      Phoungoun Sisavaddy      Ann Solorio
  - Robert Stanley
- AA. Thunder Valley Casino - United Auburn Indian Community of the Auburn Rancheria:
  - Kristen Jones      Julie Kim      Daovee Luangrath
  - Casey Rodenbaugh      Tyler Rogo      Ricky Saechao
  - Ray Vang
- BB. Valley View Casino – San Pasqual Band of Diegueno Mission Indians:
  - Maria Ortega
- CC. Viejas Casino & Turf Club - Viejas Band of Kumeyaay Indians:
  - Christina Faulkner      Jared John Garalde
- 14. Applications for Approval of Renewal Tribal-State Compact Key Employee Findings of Suitability (Pursuant to the Tribal-State Gaming Compact, section 6.4.4):
  - A. Barona Valley Ranch Resort & Casino - Barona Band of Mission Indians:
    - Paula Contreras      George Denny      Andre DuDoit
    - Kay McLean      Elizabeth Pinto      Arben Qerkini
    - Ernest Robles      Stephanie Roper      Ricardo Salinas
    - Christopher Stalcup      William Vicaldo, Jr.      Javier Zavala
  - B. Black Oak Casino – Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria:
    - Stacy Bernardo      Kelly Bester      Atheena Davis
    - Matthew Maddox      Robert McQueary      John Wilson
    - Vanessa Woodruff
  - C. Cache Creek Casino Resort – Yocha Dehe Wintun Nation:
    - Philip Chau      Jacqueline Newbre
  - D. Casino Pauma – Pauma Band of Luiseno Mission Indians of the Pauma and Yuima Reservation:
    - George Carrasco      Kai Lee
  - E. Chukchansi Gold Resort and Casino – Picayune Rancheria of the Chukchansi Indians:
    - Tracey Baker-Horejs      Douglas Thigpin
  - F. Colusa Casino and Bingo – Cachil Dehe Band of Wintun Indians of the Colusa Indian Community of the Colusa Rancheria:
    - Carol Hull
  - G. Harrah's Rincon Casino & Resort – Rincon Band of Luiseno Indians:

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|----------------|-----------------|--------------|
| Betty Collins  | Andrea Riccardi | Nalin Shukla |
| Jeff Stoneking |                 |              |
- H. Jackson Rancheria Hotel & Casino – Jackson Rancheria Band of Miwok Indians:
- |                  |               |                   |
|------------------|---------------|-------------------|
| Connie Cates     | Jason Combs   | Stephanie D’Amato |
| Jimmy Delap      | Kevin Fuller  | Mickey Hand       |
| Christine Haynes | Daniel Kelly  | Eddie Klein       |
| Jeffrey Laird    | Eva Mace      | Ernest Mauck      |
| Tonie McKinney   | Carol Parks   | Emily Quintoa     |
| Mary Springsteen | Jacob Zanetta |                   |
- I. Pala Casino – Pala Band of Mission Indians:  
Gregory Clark                      Osama Hamideh
- J. Red Earth Casino – Torres-Martinez Band of Cahuilla Mission Indians:  
Nader Alaraj                      Roland Dannenhauer
- K. Red Hawk Casino – Shingle Springs Band of Miwok Indians:  
MaryLou                      Elizabeth Horstman                      Skylar Dice  
Patterson
- L. San Manuel Indian Bingo and Casino – San Manuel Band of Serrano Mission Indians of the San Manuel Reservation:  
Tara Magee                      Juana Meza-Corral                      Warren Yang
- M. Santa Ysabel Casino – Santa Ysabel Band of Digueno Indians:  
Danilo Mangilinan
- N. Sycuan Casino & Resort- Sycuan Band of the Kumeyaay Nation:  
Mitchell Carter                      Stephen Clark                      Tramaine Cooper  
Kevin Davidson                      Jason Deapen                      Patricia Edwell  
Jesus Garcia                      Alden Harris                      Elizabeth Hinds  
Florence Jardiniano                      Martha Jayo                      Nabil Kasawdish  
Ryan Ly                      Balagtas Mendoza                      Bravo Palander  
Trung Pham                      Sammy Rios                      Frances Robinson  
Mark Tompkins                      Emerito Twano
- O. Table Mountain Casino - Table Mountain Rancheria:  
Eric Ausburn                      Jimmy Yang
- P. Tachi Palace Hotel & Casino – Santa Rosa Indian Community of the Santa Rosa Rancheria:  
Phiangphak Kiaosouvath
- Q. Thunder Valley Casino - United Auburn Indian Community of the Auburn Rancheria:  
John Barber                      Kimberly Bradshaw                      Marysabel Chavez  
Cindy Cisneros                      Greg Cordingley                      Gerald Flagor  
Deloris Geer                      John Gervais                      Laura Miller  
Darold Netser                      Val Nye                      Louis Penner  
Thomas Sanderson                      Cedric Valdemoro                      Sonexay Vobouxasinh  
Karen Wilson
- R. Twin Pine Casino – Middletown Rancheria Band of Pomo Indians:  
Vernon Churchill                      Narissa Gardner                      Susan Knowles  
Deborah Waldon
- S. Viejas Casino & Turf Club - Viejas Band of Kumeyaay Indians:

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Gabriela Rodriguez    Eric Tinderholt

Deputy Director Tina Littleton indicated that staff recommended the Commission approve agenda items 9, 10, 11, 12, 13, and 14.

Upon motion of Chairman Shelton, seconded by Commissioner Shelby and unanimously carried in a vote by roll call with Chairman Shelton and Commissioners Shelby and Shimazu voting yes, the Commission approved the staff recommendation.

### **CLOSED SESSION:**

Chairman Shelton recessed the Commission to Closed Session at 10:29 to discuss the following Closed Session items:

1. Litigation: (Government Code section 11126(e)):
  - A. *California Valley Miwok Tribe v. The California Gambling Control Commission*; San Diego County Superior Court (37-2008-00075326-CU-CO-CTL).
  - E. *Linda Susan Tellers v. California Gambling Control Commission, et al.*, San Diego County Superior Court (37-2008-00080660-CU-MC-CTL).

### **OPEN SESSION:**

Chairman Shelton resumed open session at 10:36 a.m.

Chief Counsel Joe Dhillon indicated the Commissioners received legal counsel on closed session items 1A and 1E and that no action was taken at this time.

### **ADJOURNMENT**

Chairman Shelton adjourned the meeting at 10:37 a.m.