

**California Gambling Control Commission**

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**MINUTES OF JANUARY 14, 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 Stephanie Shimazu, and Alexandra Vuksich present.

3. Approval of Commission Meeting Minutes for :
  - A. November 24, 2009
  - B. December 3, 2009
  - C. December 10, 2009

Commissioner Shimazu requested amending the November 24, 2009 minutes to the following:

Page 9, item 8 A – Commissioner Shimazu requested staff to add a statement to the condition requesting documentation as to why the returns did not require amending.

Upon motion of Commissioner Vuksich, seconded by Commissioner Shimazu and unanimously carried in a vote by roll call with Chairman Shelton and Commissioners Shimazu and Vuksich voting yes, the Commission approved the meeting minutes for November 24, as amended, December 3 and 10, 2009.

By request of Deputy Director Tina Littleton and upon concurrence of the Commissioners the following items were tabled:

- 4A: Golden West Transfer of Shares - will be rescheduled upon receipt of the background investigation for the new ownership.
- 10E: Ms. Rivera – is no longer employed
- 11: Lomeli - is no longer employed
- 14A - Dick Vink Corporation will be scheduled on the 1/28/10 agenda.

4. Request for Transfer of Shares (Pursuant to Business and Professions Code section 19892):

- A. Golden West Casino: Kern County Associates, Limited Partnership\*- TABLED
- B. The Bicycle Casino: The Bicycle Casino Limited Partnership\*

Staff Counsel Jason Pope presented background information to the Commission indicating Item 4B involved a transfer of shares from the Estate of Ms. Judith Krokover and the Limited Partners of Bicycle Casino, via Louis Krokover. Ms Krokover passed away in 2009 and her interest in the casino was passed to Louis Krokover. Louis Krokover applied for licensure so that he could receive the interest from the estate as an owner. However, Mr. Krokover has now decided to withdraw his application and sell his interest to the remaining limited partners in the Bicycle Casino. Mr. Pope further indicated that all the limited partners are licensed; therefore, staff recommended approval of the transfer to the limited partners via Louis Krokover.

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

5. Approval of Chart of Accounts (Pursuant to California Code of Regulations, Title 4, section 12402(b))

Club San Rafael: Pete's 881 Club, Inc.

Staff recommends the Commission approve the Chart of Accounts for Pete's 881 Club, Inc. with the following condition to be placed on the state gambling license:

*Pete's 881 Club, Inc. shall modify the existing Chart of Accounts to establish a revenue account for tournament administrative fees; and, a tournament liability account. The modified Chart of Accounts shall be submitted to the Commission and Bureau within 90 days of this approval.*

Commissioner Vuksich requested clarification regarding loans listed on the Chart of Accounts.

Rodney Blonien indicated that prior to December 2009, Randy Pellolio was not an owner, he was the General Manager. Mr. Blonien speculated that the loans to Randy Pellolio and Bobbie Harrison, the bookkeeper, were to provide them with funds over and above their regular wage. Mr. Blonien further indicated that this situation came about because of the transition of ownership and was a way for Randy Pellolio to receive some funds.

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

6. Discussion and Consideration of Imposition of Condition(s); and, Application for Approval for Temporary State Gambling License (Pursuant to Business and Professions Code section 19824(b) and 19824(f):

Marina Club: Guy Calamia and Ki-Sun Calamia Living Trust

A. Review of "Order After Submission" and "Special Master's Orders" and consideration of imposition of condition(s)

Staff Counsel Jason Pope presented background to the Commission indicating that Guy Calamia owned the Marina Club as a sole proprietor until 2008 his interest then passed to the Guy Calamia and Ki-Sun Calamia Living Trust, Ki-Sun being Guy Calamia's second wife. However Betty Burks Calamia, former wife of Guy Calamia, filed suit claiming that she owned half of the Marina Club. The court issued a decision on May 20, 2009 which stated that Betty Calamia has an ownership interest in the Marina Club equal to that of Ki-Sun Calamia. The court also determined that Betty Calamia held a fifty percent proportional share of the invested profits of the Marina Club since she and Guy Calamia purchased the club in the early seventies.

Mr. Pope indicated that the court appointed a Special Master to oversee management, control and access to the Marina Club on behalf of Betty Burks Calamia and the Special Master has issued an order which largely dealt with Betty Burk's access to the Marina Club. Mr. Pope further indicated that the order does not directly affect the matters before the Commission but it does indicate that the court is addressing these matters via the Special Master. Betty Burks Calamia, via her counsel Robert Tabor, requested the Commission impose a variety of conditions on the Marina Club in light of the orders. Staff has prepared a couple of possible conditions for consideration. Staff's position was that the draft conditions are not required though they are consistent with the Commissions authority.

Keith Sharp on behalf of Guy Calamia and Ki-Sun Calamia Living Trust indicated that their position is that the conditions that are proposed are unnecessary and unwarranted at this time. Mr. Sharp expressed that the Commission was being asked to insert itself into an ongoing civil litigation dispute. Mr. Sharp clarified that there has been no judgment entered; instead there is an interim order, ordering an accounting which could take up to a year for completion.

Mr. Sharp shared that there was a meeting scheduled on January 21, 2010, with the parties and the Special Master to deal with these issues.

Mr. Sharp indicated that he thought the Commission should wait until after the January 21, 2010 meeting and after Ms. Burks completes the licensure process. He recommended the Commission leave the license as is with the current conditions.

Designated Agent Robert Tabor, representing Betty Burks Calamia, clarified that the order that was issued by the judge was very clear that Betty Burks Calamia had been an owner of the Marina Club since she and her husband purchased it in 1971. And, that the representation that Guy Calamia was a sole proprietor was an inaccurate representation. Mr. Tabor stated that it's their position that these conditions not only do not put the Commission between these two parties, but in fact, removes the

Commission from being involved in such a dispute and authorizes the judge to do what he really needs to do. He suggested that the conditions should be amended by the caveat that the parties be under obligation to provide copies, within five days, of any orders the judge may issue, especially as those issues that deal with the funds of the club. Mr. Tabor further indicated that condition two is essential in that, according to records being reviewed by Betty Burks' accountant, there have been significant sums of money disbursed to Ki-Sun Calamia in the last year. Mr. Tabor commented that Judge Silver was not sure if he could issue an order to sequester Betty Burks' funds without the Commission's approval. He indicated that without this order and condition number two they believe that the funds of the club will be continued to be spent in a way that is not necessarily in compliance with gaming laws and certainly not in the best interest of a person the court has determined is a fifty-fifty owner in the club since 1971.

Commissioner Shimazu asked if they had gone to the Special Master and asked him to sequester the funds. Mr. Tabor indicated that they did and the Judge Silver was not certain he had the authority and did not want to take action that would conflict with the Gambling Control Act.

Commissioner Vuksich asked if Judge Silver has specially asked for something from the Commission. Mr. Tabor indicated that the judge asked him if there was something he can get from the Commission that would indicate to him what his rights, obligations and freedoms to act are.

Commissioner Shimazu suggested that if the judge were looking for guidance, perhaps there was something other than the proposed conditions.

Mr. Tabor suggested that the conditions could say the Commission does not object to the sequestering of the funds.

Chairman Shelton questioned why the Commission would have a role in sequestering funds when it is the courts obligation.

Staff Counsel Jason Pope interjected that the Chairman was correct that this is primarily a civil dispute; however the Commission does have a statutory role in the ownership interests of gambling establishments and seeing that the interests are conveyed properly. That's why the Commission would have the authority to take actions that it deems appropriate in this matter.

Chief Legal Counsel Joe Dhillon pointed out that both sides acknowledged that the conditions were within the Commission's authority. He agreed with Commissioner Shimazu suggesting that probably there is a process short of conditions which would satisfy both parties. Where the Special Master, through the parties, could develop whatever it felt was appropriate to address the concerns it had and staff could work with the parties and the Special Master to ensure the Commissions' equities were protected.

## Commission Meeting Minutes of January 14, 2010

Chairman Shelton expressed that it was not the Commissions role to set civil judgment on disputes.

Robert Tabor commented that condition one tells the judge he has the authority to act as he deems fit. Mr. Tabor believes the Commission does have a vested interest in ensuring that all owners of clubs whether they have been licensed or not has their rights protected.

Chairman Shelton inquired if there were any parties involved that were not licensed.

Deputy Director Tina Littleton indicated that Ki-Sun Calamia is on this specific agenda requesting a temporary license.

Keith Sharp indicated that they are fine with providing orders within five days of issuance. Mr. Sharp commented that his recollection of the Special Masters concern with the Gambling Control Act stemmed from the request by Betty Burks, through Mr. Tabor, that some distribution of funds be made to her, which they objected to because it would violate the Gambling Control Act. Mr. Sharp indicated he didn't recall the judge asking for guidance and that the proposed conditions go beyond just giving him guidance, they propose conditions, they say sequester the funds.

Chief Legal Counsel Joe Dhillon indicated that both of the conditions allow the order of funds as the judge sees fit and is not tying the hands of the court. Mr. Dhillon further indicated that the whole point was not to insert the Commission in any dispute, but to preserve the status quo while the matter is properly before the court and allow the Special Master to make an accounting.

Commission Shimazu indicated that the Commission does have the authority but it is a matter of if it is appropriate. Ms. Shimazu commented that she feels assured that the Special Master is taking everything into account and taking care of it.

Robert Tabor reiterated that the conditions will ensure that the judge has the opportunity, the right, and the ability to take the actions he deems necessary.

Chief Legal Counsel Joe Dhillon indicated that paragraph six of the Special Masters orders sets up a process and asked if there were any problems with the way the process works.

Robert Tabor indicated there had been when it involved requests involving funds or anything related to the expenses of the club. He commented that the judge always inquires what the Gambling Control Act says in regards to the request.

Keith Sharp indicated that in his recollection the judge hesitation has been in response to specific requests for direct distribution of funds. That's why the item of sequestering funds is on the agenda for the meeting coming up in January. Mr. Sharp shared that he would tell Judge Silver that an order to sequester funds, in his estimation, is not a

violation of the Gambling Control Act in his capacity of Special Master. Mr. Sharp presented the issue of taxes when sequestering funds. He indicated when it comes time to pay taxes they would have to report one hundred percent income to the trust but fifty percent of the money would be sitting in an account that isn't to be touched.

Chief Legal Counsel Joe Dhillon clarified that the condition does allow for the payment of taxes. Mr. Dhillon indicated the real issue is if there is a problem that needs to be addressed through these conditions. He commented that the process seems to be working for both parties and there doesn't seem to be a problem.

Robert Tabor indicated he disagreed and thinks the judge feels that his hands are tied by the Gambling Control Act. Mr. Tabor thinks that if there is no condition two, then he believes that condition one, would be a great asset to the judge to able to know that he has the opportunity to do what he will and not be in violation of the Gambling Control Act or regulations.

Chairman Shelton indicated that is was not in the interest of the Commission to act on this at this time.

Commissioner Vuksich voiced her reluctance to act now also.

Chairman Shelton indicated that there is a reliable Special Master working with the parties who is perfectly capable of interpreting the Gambling Control Act in an appropriate fashion.

Commissioner Shimazu indicated she had concerns about the distribution to an unlicensed party, but believed the Special Master understood the implications. Commissioner Shimazu further commented that the Special Master has the ability to sequester funds and he has all the pertinent information available to him and therefore is the most reliable source to go through for this matter.

No action was taken by the Commission at this time.

#### B. Ki-Sun Calamia, Beneficiary

Deputy Director Tina Littleton indicated the Bureau of Gambling Control recommended the Commission approve the temporary license request for endorsement on the Marina Club's state gambling license. Staff reviewed the Bureau's report, concurred with their recommendation; and, recommended approval with the following conditions:

Condition(s):

1. *The temporary initial license takes effect on the date that the Commission approves the request and expires March 31, 2010. If more time is needed to complete the background process, then the temporary state gambling license can be extended for an appropriate amount of time after consultation with the Bureau.*

Commission Meeting Minutes of January 14, 2010

2. *Issuance of a temporary license does not obligate the Commission to grant a permanent license. Issuance of a temporary license does not create a vested right in the holder to either extension of the temporary license or to a regular license.*
3. *Issuance of this temporary license does not in any way change the legal requirement that the applicant bears the burden of establishing that he/she is suitable pursuant to Business and Professions (B&P) Code section 19856(a) for a regular license.*
4. *Issuance of this temporary license does not change the license qualification requirements of the Gambling Control Act, including but not limited to B&P Code sections 19856, 19857, 19858, and 19859.*
5. *The applicant has pending applications for regular state gambling licenses. A regular license may or may not be issued, depending upon the results of the complete background investigation and upon the conduct of the applicant and its employees during the term of the temporary license.*
6. *If, during the term of the temporary license, the Executive Director determines that any particular applicant is disqualified for any of the reasons set forth in B&P Code section 19859, the Executive Director shall prepare an order to show cause why that applicant's temporary license should not be cancelled, which shall be considered at the first available noticed Commission meeting. The applicant may address the Commission by way of an oral statement at the noticed Commission meeting and/or may submit documents in support of the temporary licensure not less than five days prior to the meeting. The applicant may request an evidentiary hearing either in writing not less than five days prior to the meeting or at the meeting itself.*
7. *If, during the term of the temporary license, the Executive Director determines that any particular applicant may have violated one or more of the conditions under which the temporary license was issued, the Executive Director shall prepare an order to show cause why that applicant's temporary license should not be cancelled, which shall be considered at the first available noticed Commission meeting. The applicant may address the Commission by way of an oral statement at the noticed Commission meeting and/or may submit documents in support of the temporary licensure not less than five days prior to the meeting. Either in writing not less than five days prior to the meeting or at the meeting itself, the applicant may request an evidentiary hearing.*

Commissioner Shimazu inquired if there were direct distributions going to the beneficiary.

Deputy Director Tina Littleton indicated there shouldn't be; however, the background investigation should capture that information.

During public comment, Frank Calamia clarified that in March 2008 Guy Calamia, licensee, transferred ownership of the Marina Club to the Guy Calamia and Ki-Sun Calamia Living Trust, not in September 2008. Mr. Calamia further indicated that the

accountant for Betty Burks Calamia found that the temporary licensee, Robert Ward, has made significant cash disbursements to Ki-Sun Calamia.

Chairman Shelton reminded Mr. Calamia that the Commission cannot consider information that has not been substantiated.

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

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

A. Angie's Poker Club: Angela Harris, Sole Proprietor

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

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

B. Golden West Casino: Kern County Associates, Limited Partnership\*

Deputy Director Tina Littleton indicated that staff recommended the Commission approve the renewal state gambling license application for the period of February 1, 2010 through January 31, 2012 continuing with the existing condition, and adding a new condition as follows:

*Existing Condition:*

*Shirley Thomas, Trustor & Trustee of the John and Shirley Thomas Family Trust, may not take part in the management or control of Golden West Casino operations.*

*New Condition:*

*No person may receive shares from the Estate of John Antonino's percentage of interest of JLJ2D, Inc., until that person has been licensed by the Commission as a shareholder.*

Commissioner Vuksich inquired if the number of tables, 45, includes the 15. Deputy Director Tina Littleton responded yes.

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



8. Request to Remove Condition from State Gambling License (Pursuant to Business and Professions Code section 19824(b)):  
Commerce Casino: California Commerce Club, Inc.

Deputy Director Tina Littleton indicated that staff recommended the Commission approve the removal of the existing condition on the Commerce Casino state gambling license.

Rodney Blonien thanked the Commission and staff for its attention to this matter.

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

9. Application for Initial State Gambling License – Request to Withdraw (Pursuant to Business and Professions Code section 19869):  
The Bicycle Casino: The Bicycle Casino Limited Partnership\*  
Louis Krokover

Deputy Director Tina Littleton indicated the staff recommended that the Commission approve the request to withdraw without prejudice.

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

10. Applications for Initial Key Employee Portable Personal Licenses (Pursuant to Business and Professions Code section 19854(d)):
- A. Robert Ching - TABLED
  - B. Michael Lazer
  - C. Kyle Morris
  - D. Billy Saetern
  - E. Josefa Rivera- TABLED

Mr. Robert Ching was questioned about his internet gambling, possible gambling addiction problem; and, concerns as it relates to Mr. Ching's tax preparer. Based upon Mr. Ching responses, it was determined that further information is required before final determination on his suitability could be made.

Chairman Shelton requested that Item 10A, Robert Ching be tabled until the Bureau of Gambling Control can follow-up on the applicants tax preparer's qualifications, the possibility of gambling addiction; and, the legality of Mr. Ching gambling via the internet.

Licensing Manager Marianne Estes indicated the Bureau of Gambling Control recommended the Commission approve the initial key employee portable personal license applications for the applicants in Items 10B through 10D. Staff reviewed the

Commission Meeting Minutes of January 14, 2010

Bureau's reports, concurred with their recommendations; and, recommended approval through January 31, 2012.

Upon motion of Chairman Shelton, seconded by Commissioner Vuksich and unanimously carried in a vote by roll call with Chairman Shelton and Commissioners Shimazu and Vuksich voting yes, the Commission approved the staff recommendation for Items 10B through 10D.

11. Application for Initial Work Permit (Pursuant to Business and Professions Code section 19912):

Empire Sportsmen's Association: Alfredo Lomeli - TABLED

12. Applications to Convert Third Party Proposition Supervisor/Player Registrations to a Licenses (Pursuant to Business and Professions Code section 19984 and California Code of Regulations, Title 4, section 12218):

A. Certified Players, Inc.

Player: Linda Singanongh

B. Gaming Fund Group, Inc.

Players: Nathaniel Carter      Kiely Highfill      Janice Huynh  
Cheuk Lee

Sominea Meas      Hai Nguyen

C. Gaming Management, LLC

Players: Leonel Ceja      Crystal Costilla      Richard Jensen      Doua Lor

Amanda Misquez

D. Network Management Group, Inc.

Supervisor: Kristin Kramer

Players: Owen Cameron      Jessica Coldiron      William Devine  
Shane Hobaugh

Valerie Jara      Dennis Johnson      Todd Payne      Michael Presenti

Armando Reyes, Jr.      Barbara Savage      Ryan Sawai

Damien Tau

Abraham Vang

E. Pacific Gaming Services, LLC

Player: Charlee Kaing      Jimmy Trinh      Jimmy Ung

Licensing Manager Marianne Estes indicated the Bureau of Gambling Control recommended the Commission approve the applications to convert supervisor and player registrations to licenses in Items 12A through 12E. Staff reviewed the Bureau's reports, concurred with their recommendations; and, recommended approval through January 31, 2012.

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

13. Application for Tribal-State Compact Gaming Resource Supplier Finding of Suitability – Request to Withdraw (Pursuant to Business and Professions Code section 19869):

Gaming Ticket, Inc.: Janet Dunn, Principal     William Ledford, Principal

Licensing Manager Marianne Estes indicated the staff recommended the Commission approve the request to withdraw without prejudice.

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

14. Application for Initial Tribal-State Compact Gaming Resource Supplier Finding of Suitability (Authority Pursuant to the Tribal-State Gaming Compact, section 6.4.5):

A. Dick Vink Corporation: a California Corporation - TABLED

Dick Vink, President, Treasurer, Secretary, Manager and Sole Shareholder

B. Masque Publishing, Inc.: a Colorado Corporation

James Wisler, President     David Zinger, Director, General Counsel

Donna Adam, Director of Gaming and Sales

Licensing Manager Marianne Estes indicated the Bureau of Gambling Control recommended the Commission approve the initial finding of suitability application. Staff reviewed the Bureau's report, concurred with their recommendation; and, recommended approval for the period of January 14, 2010 through January 31, 2012.

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

15. Applications for Approval for Interim State Licenses for Bingo Manufacturers and Distributors (Penal Code 326.5 and California Code of Regulations, Title 4, section 12492):

A. Planet Bingo, LLC: Rick White, President, CEO

B. E-Max Gaming Corporation: Arrow International, Inc.\*

Licensing Manager Marianne Estes indicated that the staff recommended the Commission approve the initial interim applications for the applicants in item 15A and 15B for the period of January 14, 2010 through January 31, 2011 with the following conditions:

*(1) An interim license shall be valid for one year from the date it is issued by the Commission and may be renewed if regulations specifying the criteria for a regular license have not been adopted.*

*(2) Upon adoption of regulations specifying the criteria for a regular license, the Commission will notify the holder of the interim license of the*

*requirement to submit a regular application package within 30 days of the effective date of the regulations. If a response has not been received within 30 days, the interim license will not be eligible for renewal.*

- (3) An interim license does not obligate the Commission to issue a regular license nor does it create a vested right in the holder to either a renewal of the interim license or to the granting of a subsequent regular license.*
- (4) Issuance of an interim license has no bearing on the question of whether the holder will qualify for issuance of any Commission permit, registration, or license. The interim license will be cancelled in the event that the Commission subsequently determines the applicant does not qualify for a regular license.*
- (5) If, during the term of an interim license, it is determined that the holder is disqualified pursuant to Section 12494, the Executive Director shall prepare an order to show cause why that interim license should not be cancelled. The holder of the interim license shall be given at least 30 days, but not more than 90 days, to respond in writing. After receipt of the holder's response, or if the holder fails to respond in the time specified, the matter shall be set for consideration at a noticed Commission meeting. The holder may address the Commission by way of an oral statement at the Commission meeting and, either in writing not less than ten days prior to the meeting or at the meeting itself, may request an evidentiary hearing.*

Commissioner Vuksich requested clarification regarding the disclosure of a misdemeanor in the Bureau's report which was not disclosed on the application.

Associate Government Analyst Kelly Schmidt indicated that the applications for interim licenses do not have a background investigation from the Bureau; however, staff does review the results of a criminal history check. Staff did contact the applicant and he subsequently provided that information.

Chairman Shelton inquired if the applicants are aware of the conditions.

Licensing Manager, Marianne Estes indicated that the applicant was notified of the recommended conditions.

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

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Licensing Manager Marianne Estes indicated that Staff requested the Commission consider the Consent Calendar prior to Items 16 and 17.

**CONSENT CALENDAR ITEMS:**

18. Applications for Renewal Key Employee Portable Personal License (Pursuant to Business and Professions Code section 19854(d)):

Katie Li

19. Applications for Initial Work Permit (Pursuant to Business and Professions Code section 19912):

A. Club San Rafael: Frank Marino

B. Empire Sportsmen's Association: Christina Balcita          Katherina Chun  
Malena Reth

C. Lake Bowl Cardroom: Donald Helmig      Min Shu Wang

D. Napa Valley Casino: Qiulan Deng          Christopher Huang      Pamela Jackson  
Abla Nimri          Juan Sahagon III      Ai Yin Wang

E. Oceana Cardroom: Linda Miossi

20. Applications for Renewal Work Permit (Authority Pursuant to Business and Professions Code section 19870):

A. Empire Sportsmen's Association: Chad Asay          Samothy Men

B. Napa Valley Casino: Terry Mattos

C. The 101 Casino: Sopheak Chao      Romeo Manangquil

21. Applications for Initial Tribal-State Compact Key Employee Findings of Suitability (Authority Pursuant to the Tribal-State Gaming Compact, section 6.4.4):

A. Augustine Casino - Augustine Band of Cahuilla Mission Indians:  
Kevin Darcy          Leonel Posada

B. Barona Valley Ranch Resort - Barona Band of Mission Indians:  
Hasan Attiyeh          Tracie Doan          Jon Townsend

C. Bear River Casino - Bear River Band of the Rohnerville Rancheria:  
Jay Curd

D. Blue Lake Casino - Blue Lake Rancheria:  
Jami Hatton

E. Casino Pauma – Pauma Band of Luiseno Mission Indians of the Pauma and Yuima Reservation:

Robert Reines          Karen Woodruff

F. Chukchansi Gold Resort and Casino – Picayune Rancheria of the Chukchansi Indians:  
Joyce Markle

G. Colusa Casino and Bingo – Cachil Dehe Band of Wintun Indians of the Colusa Indian Community of the Colusa Rancheria:  
Jerry Choup

H. Coyote Valley Casino - Coyote Valley Band of Pomo Indians:  
Ashley Ricci

I. Desert Rose Casino – Alturas Rancheria:  
Kathleen Penoli

J. Eagle Mountain Casino – Tule River Indian Tribe of the Tule River Reservation:  
Morris Hunter

Commission Meeting Minutes of January 14, 2010

- K. Jackson Rancheria Hotel & Casino – Jackson Rancheria Band of Miwok Indians:  
John Jenkins                      Van Allen Rader
- L. Morongo Casino Resort & Spa – Morongo Band of Cahuilla Indians of the  
Morongo Reservation:  
Sarah Adams
- M. Paiute Palace Casino – Paiute-Shoshone Indians of the Bishop Community  
Wilfredo Pascual
- N. Pechanga Resort and Casino – Pechanga Band of Luiseno Mission Indians  
of the Pechanga Reservation:  
Mary Coltharp                      Andres Manalo, Jr.
- O. Red Hawk Casino – Shingle Springs Band of Miwok Indians:  
Melinda Ibarra
- P. River Rock Casino – Dry Creek Rancheria Band of Pomo Indians:  
Roy Bankey, Jr.
- Q. Soboba Casino - Soboba Band of Luiseno Indians:  
Jason Lankford                      Shawn McDonald                      Joseph Mujica  
Adrian Ramirez
- R. Spotlight 29 Casino - Twenty-Nine Palms Band of Mission Indians:  
Modesta Garcia
- S. Sycuan Casino & Resort- Sycuan Band of the Kumeyaay Nation:  
Jeffery Corrigan                      John Dinius                      Erik Isner  
John Lienert                      Peter Maxwell                      James Shultz  
Shaun Sotos                      William Teichman
- T. Tachi Palace Hotel & Casino – Santa Rosa Indian Community of the Santa Rosa  
Rancheria:  
Theresa Burke                      Freedom Croft
- Y. Valley View Casino – San Pasqual Band of Diegueno Mission Indians:  
Adrian Bonilla                      Stacy Campbell                      Terrance Scaife
22. Applications for Renewal Tribal-State Compact Key Employee Findings of Suitability  
(Authority Pursuant to the Tribal-State Gaming Compact, section 6.4.4):
- A. Agua Caliente Casino – Agua Caliente Band of Cahuilla Indians:  
Andrea Catapano                      Maricris David                      Ronald Giunta  
Vera Lehman
- B. Augustine Casino - Augustine Band of Cahuilla Mission Indians:  
Erin Isham
- C. Barona Valley Ranch Resort - Barona Band of Mission Indians:  
Nick Dillon                      Greg Guerrero                      Susan Liptak  
Karter McMurry                      Mary Pinaire                      Gradon Warner  
Jesus Zarzosa
- D. Black Oak Casino – Tuolumne Band of Me-Wuk Indians of the Tuolumne  
Rancheria:  
Sandra Hornback
- E. Casino Pauma – Pauma Band of Luiseno Mission Indians of the Pauma and  
Yuima Reservation:

Commission Meeting Minutes of January 14, 2010

- Alan Dinwiddie
- F. Chukchansi Gold Resort and Casino – Picayune Rancheria of the Chukchansi Indians:
- |                |                |                 |
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| Johnny Lorance | Matthew Petrie | Augustin Serros |
| Kene           |                |                 |
| Singmuongthong |                |                 |
- G. Chumash Casino – Santa Ynez Band of Chumash Mission Indians of the Santa Ynez Reservation:
- |                |                |                 |
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| Garry Ashbrook | Roger Dacuycuy | Ann Juarez      |
| Clinton Kitson | Randall Rogers | Benjamin Schaub |
| Tamera Terrill |                |                 |
- H. Diamond Mountain Casino – Susanville Indian Reservation:
- Radley Shipes, Jr.
- I. Eagle Mountain Casino – Tule River Indian Tribe of the Tule River Reservation:
- Vivian Bernal
- J. Fantasy Springs Casino – Cabazon Band of Mission Indians:
- |              |               |               |
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| Kurtis Bauer | Robert Bruner | Michelle Wood |
|--------------|---------------|---------------|
- K. Feather Falls Casino – Mooretown Rancheria of Maidu Indians:
- |              |                 |  |
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| Thomas Bruno | Diane Mallinson |  |
|--------------|-----------------|--|
- L. Harrah's Rincon – Rincon Band of Luiseno Indians:
- |                |            |                    |
|----------------|------------|--------------------|
| Kathryn Dillon | Judy Smith | Jennifer Tomasello |
| Harry Welker   |            |                    |
- M. Jackson Rancheria Hotel & Casino – Jackson Rancheria Band of Miwuk Indians:
- |                  |                |             |
|------------------|----------------|-------------|
| Robert Ashton    | Lani Burkhardt | Rita Burley |
| Linda Richardson |                |             |
- N. Lucky Bear Casino – Hoopa Valley Tribe:
- |               |                 |                |
|---------------|-----------------|----------------|
| Anneta Birkle | Tyson Dempewolf | Norvin Hostler |
|---------------|-----------------|----------------|
- O. Mono Wind Casino – Big Sandy Rancheria Band of Western Mono Indians:
- |               |           |  |
|---------------|-----------|--|
| Richard Lewis | Teng Yang |  |
|---------------|-----------|--|
- P. Paiute Palace Casino – Paiute-Shoshone Indians of the Bishop Community of the Bishop Colony:
- Lawrence Sharkey, Jr.
- Q. Pechanga Resort and Casino – Pechanga Band of Luiseno Mission Indians of the Pechanga Reservation:
- |                   |                    |                  |
|-------------------|--------------------|------------------|
| Gillian Busenbark | Joseph Diaz        | Nam Dien         |
| Rene Fajardo      | Geoffrey Greenwood | James Grizzle    |
| Daniel Rafferty   | Laurie Schultz     | Tiffany Swedberg |
| Patrick Tuntakit  |                    |                  |
- R. River Rock Casino – Dry Creek Rancheria Band of Pomo Indians:
- |                 |             |               |
|-----------------|-------------|---------------|
| Arnie Arnsdorff | Jamon Heard | Barbara Mason |
|-----------------|-------------|---------------|
- S. Sycuan Casino & Resort - Sycuan Band of the Kumeyaay Nation:
- |                  |                  |                |
|------------------|------------------|----------------|
| Imelda Achenbach | Williams Adams   | Antonio Angulo |
| Marites Asuncion | Maricela Burrows | Matasana Case  |
| Siu Chu          | Norberto Dominix | Lani Gonzalez  |

Commission Meeting Minutes of January 14, 2010

- |                  |                   |                 |
|------------------|-------------------|-----------------|
| Tracie Guerrero  | Ricardo Lim       | Yuthy Luy       |
| Andre Logan, Jr. | Saundra Morgan    | Kristy Shapiro  |
| Norborne         | Bartlett Stephens | Jamie Stevenson |
| Spottswood       |                   |                 |
- T. Tachi Palace Hotel & Casino – Santa Rosa Indian Community of the Santa Rosa Rancheria:  
Benjamin Morquecho
- U. Thunder Valley Casino - United Auburn Indian Community of the Auburn Rancheria:  
Joshua Edwards      Bryan Gusman      Masumi Kamio  
Khieng Lenh      Jonathan Medina      Christy Vang  
Nai Saetern      My Yang
- V. Twin Pine Casino – Middletown Rancheria Band of Pomo Indians:  
Gayle Brossard      Gwen Brown      Dawn Chappell  
Christine Edgerton      Pamela McConnell
- W. Viejas Casino & Turf Club - Viejas Band of Kumeyaay Indians:  
Duane Anderson      Terrie Ingalls      Rohanee Madeira  
Hsiu-Yen Novak
- X. Win-River Casino – Redding Rancheria:  
Brian Saechao

Licensing Manager Marianne Estes indicated that Staff recommended the Commission approve agenda items 18, 19, 20, 21 and 22.

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

16. Disciplinary Matter (Title 4 CCR 12552):

Stipulated Settlement and Disciplinary Order: S&S Gaming, Inc. dba Club Caribe Casino (BGC Case No. BGC-LA-2008-00039, CGCC Case No. CGCC-2009-05-12, OAH Case No. 2009070511)

Staff Counsel Russell Johnson presented Item 16 indicating that it involves a proposed Stipulated Settlement and Disciplinary Order: In the Matter of the Accusation against S&S Gaming dba Club Caribe Casino. Mr. Russell indicated that before the matter proceeds to closed session, Michelle Laird, Deputy Attorney General, with the Department of Justice, was present to comment.

Michelle Laird indicated that the renewal license expires on the January 31<sup>st</sup>. Based on the previous renewal of ninety days and assuming the Commission will adopt this order, the Bureau had no objection with that continuing for ninety days or however long the Commission deems appropriate.



Deputy Director Littleton indicated that this is scheduled to be placed on the January 28, 2010 agenda depending on the outcome of the closed session. If the Commission adopts the stipulation, then the Commission will need to extend the license through the time period indicated.

Commission Shimazu inquired if the parties are aware and understand the risk involved in the 365 days. Commission Shimazu wanted to make it clear that they understand that the temporary or the initial license may not be completed within the 365 days.

Michelle Laird indicated that the parties understood.

17. Request to Vacate Order Granting Reconsideration of Denial of Initial Gambling License Application (Government Code section 11521): Stipulated Settlement and Proposed Decision and Order: Timothy Eugene Stroud (DC No. 1059, OAH No. N2006110055)

Staff Counsel Russell Johnson presented Item 17 indicating it involves a Proposed Stipulated Settlement In the Matter of Statement of Issues against Timothy Eugene Stroud. Before the matter proceeds to closed session, Michelle Laird is present to answer questions.

There were no questions at this time.

## **PUBLIC COMMENT**

There were no public comments at this time.

Chairman Shelton announced recess to Closed Session at 10:58 a.m.

## **CLOSED SESSION:**

1. Deliberation on Decision Regarding Disciplinary Matter (Government Code section 11126(c)(3)):  
Stipulated Settlement and Disciplinary Order: S&S Gaming, Inc. dba Club Caribe Casino  
(BGC Case No. BGC-LA-2008-00039, CGCC Case No. CGCC-2009-05-12, OAH Case No. 2009070511)
2. Deliberation on Request to Vacate Order Granting Reconsideration of Denial (Government Code section 11126(c)(3)):  
Stipulated Settlement and Proposed Decision and Order: Timothy Eugene Stroud (DC No. 1059, OAH No. N2006110055)
3. Litigation: (Government Code section 11126(e)):

## Commission Meeting Minutes of January 14, 2010

- A. *California Valley Miwok Tribe v. The California Gambling Control Commission*; San Diego County Superior Court (37-2008-00075326-CU-CO-CTL).
- B. *Candace Cates v. Steve Westly, et al.*, San Diego County Superior Court (GIC 821775).
- C. *Colusa Indian Community v. State of California, et al.*, U.S. Dist. Court, E.D. California (CIV.S –04-2265 2FOD KJM).
- D. *Colusa Indian Community v. State of California, et al.*, U.S. Dist. Court, E.D. California (07-CIV.-01069 FCD-JKM).
- E. *Linda Susan Tellers v. California Gambling Control Commission, et al.*, San Diego County Superior Court (37-2008-00080660-CU-MC-CTL).
- F. *San Pasqual Band of Mission Indians v. State of California, et al.*, U.S. Dist. Court, S.D. California (06CV0988 LAB AJB).
- G. *TDC Games, Inc. v. State of California Gambling Control Commission, et al.*, San Joaquin County Superior Court (C030875).
- H. *Tuolumne Band of Me-Wuk Indians v. State of California, et al.*, U.S. Dist. Court, E.D. California (2:09-CV-02263-JAM-EFB)
- I. *Pauma Band of Luiseno Mission Indians v. Gambling Control Commission; and Arnold Schwarzenegger*, U.S. Dist Court S. D. California (09 CV01955 LAB AJB)

### Reconvene to Open Session:

Chairman Shelton announced Open Session at 11:24 a.m.

Staff Counsel Russell Johnson indicated that in Item 16 in the Matter of the Accusation against S&S Gaming Inc.dba Club Caribe Casino (BGC Case No. BGC-LA-2008-00039, CGCC Case No. CGCC-2009-05-12, OAH Case No. 2009070511). Upon deliberation of the Commissioners, the Commissioners voted 3 to 0 to not adopt the Stipulated Settlement and Disciplinary Order presented before the Commission today.

Chairman Shelton indicated that the order was fine as it was written but it did not go far enough. It's the Commissions opinion that the Department of Justice should be fully reimbursed but, they also believe they need to send a larger message. The Commission is requesting a \$5,000.00 fine per violation of which there are five. Chairman Shelton further indicated that if the order was returned with that modification the Commission would find that acceptable.

Staff Counsel Russell Johnson indicated that in Item 17 in the Matter of the Statement of Issues against Timothy Eugene Stroud (num) Upon the deliberation of the Commissioners, the Commissioners voted 3 to 0 to approve the Stipulated Settlement presented before the Commission today.

### Adjournment:

## Commission Meeting Minutes of January 14, 2010

Upon motion of Chairman Shelton, seconded by Commissioner Shimazu and unanimously carried in a vote by roll call with Chairman Shelton and Commissioners Shimazu and Vuksich voting yes, the meeting was adjourned at 11:26 a.m.