

California Gambling Control Commission

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**MINUTES OF FEBRUARY 23, 2011
COMMISSION MEETING**

OPEN SESSION

1. Call to Order and Pledge of Allegiance.

Chairperson Stephanie Shimazu called the meeting to order at 10:03 a.m., and asked everyone to stand for the Pledge of Allegiance.

2. Roll Call of Commissioners.

Roll Call of Commissioners was taken, with Chairperson Stephanie Shimazu and Commissioners Tiffany Conklin and James Shelby present.

3. Applications for Approval of Initial State Gambling License; and, Transfer of Ownership Interests (Pursuant to Business and Professions Code sections 19824(c), 19851, 19852 & 19892: Title 4 CCR 12342(a)(8)):

A. Marina Club: Betty Burks, Sole Proprietor

Deputy Director Tina Littleton presented this item in two parts. First, the Bureau of Gambling Control recommended that the Commission approve the initial application. Staff has reviewed the Bureau's report, concurred with their recommendation, and recommended approval through February 28, 2013 with the following conditions:

1. *Beginning May 1, 2011 and every 60 days thereafter, Ms. Betty Burks must provide to the California Gambling Control Commission a written notification on the status of the Cesar Alfafara judgment and the General Motors judgment.*
2. *Within 30 days of Licensure, Ms. Betty Burks must provide to the California Gambling Control Commission a lease agreement for the operation of the cardroom.*
3. *Within 30 days of licensure, Ms. Betty Burks must provide to the California Gambling Control Commission the Marina Club's written policy governing loans to employees.*

Second, Deputy Director Tina Littleton further indicated, should the Commissioners approve the initial application; the staff recommended the Commission approve the

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transfer of ownership interest from the Guy Calamia and Ki-Sun Calamia Living Trust to Betty Burks.

Mr. Keith Sharp, Designated Agent for Betty Burks, indicated that his client agreed with the conditions; however, would like to amend condition number two to allow 60 days rather than 30 due to complexities of negotiating a lease amongst the family.

Deputy Director Tina Littleton suggested the following amendment to condition two:

Beginning May 1, 2011, and every 60 days thereafter, Ms. Betty Burks must provide to the California Gambling Control Commission written notification on the status of the lease agreement for the gambling establishment property.

Upon motion of Commissioner Shelby, seconded by Chairperson Shimazu and unanimously carried in a vote by roll call with Chairperson Shimazu and Commissioners Conklin and Shelby voting yes, the Commission approved both staff recommendations including the amended condition number two as stated by Ms. Littleton.

B. Oaks Card Club: Kathleen F. Tibbetts Family Trust
Kathleen Tibbetts, Trustee

Deputy Director Tina Littleton presented this item in two parts. First, the Bureau of Gambling Control recommended that the Commission approve the initial application. Staff has reviewed the Bureau's report, concurred with their recommendation, and recommended the Trust and Trustee to be endorsed on the state gambling license valid through the licensure period without the condition as originally proposed since the information requested has been received and the condition is no longer warranted. Second, should the Commissioners approve the initial application; the staff recommended the Commission approve the transfer of ownership interest held by Kathleen Tibbetts, Limited Partner to the Kathleen F. Tibbetts Family Trust.

Upon motion of Commissioner Shelby, seconded by Commissioner Conklin and unanimously carried in a vote by roll call with Chairperson Shimazu and Commissioners Conklin and Shelby voting yes, the Commission approved the both staff recommendations.

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

A. Merced Poker Room: Her J. Xiong, Sole Proprietor

Deputy Director Tina Littleton indicated staff recommended that the Commission approve the renewal application through April 30, 2012. Ms. Littleton stated that an accusation has been brought against the licensee by the Chief of the Bureau of Gambling Control; however, the renewal of the license is independent of the accusation and by preserving the status quo, simply permits the accusation process

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to move forward. The renewal does not bind the Commission or limit its ability to properly resolve the accusation when it comes before the Commission for action.

Mr. Neil Houston, Deputy Attorney General indicated that the accusation is in the negotiation stage of a revised settlement agreement. A settlement was attempted last year and was rejected by the Commission. Mr. Houston further indicated that they are attempting to craft a new settlement and that a hearing date in this matter has been scheduled for July of this year. Mr. Houston stated they are working between now and July to resolve the matter through settlement.

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

B. Ocean's Eleven Casino: Ocean's Eleven Casino General Partnership*

Deputy Director Tina Littleton indicated staff recommended the Commission approve the renewal application for the licensure period of March 1, 2011 through February 28, 2013 not including Haig Kelegian, Jr. Staff recommended that the Commission extend the endorsement for Haig Kelegian, Jr. through May 31, 2011.

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

5. Applications for Approval of Initial Key Employee Portable Personal Licenses (Pursuant to Business and Professions Code section 19854):

- A. Cynthia Easley
- B. Jimmy Manansala
- C. Andrew Witham

Deputy Director Tina Littleton indicated the Bureau of Gambling Control recommended that the Commission approve the initial applications in items 5A through 5C. Staff has reviewed the Bureau's reports and concurred with their recommendations. Staff further recommended a condition to be placed on Ms. Easley's (item 5A) license as follows:

Beginning April 1, 2011, and every 180 days thereafter, Ms. Easley must submit to the Commission a written update concerning the issue of the outstanding credit accounts currently in collections.

Upon motion of Commissioner Shelby, seconded by Commissioner Conklin and unanimously carried in a vote by roll call with Chairperson Shimazu and

Commissioners Conklin and Shelby voting yes, the Commission approved the staff recommendation.

6. Request for Approval to Withdraw Application for Key Employee Portable Personal License and Application for Approval of Initial Key Employee Portable Personal Licenses (Pursuant to Business and Professions Code sections 19854 and 19869):
Dao Tep

Deputy Director Tina Littleton indicated staff recommended the Commission deny Mr. Tep's withdrawal request; and, deny Mr. Tep's initial application.

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

7. Application for Approval to Convert Third Party Provider of Proposition Services Owner Registration to a License (Pursuant to Business and Professions Code section 19984 and CCR, Title 4, section 12218):

Certified Network M, Inc.: John Park, Chairman, Shareholder
 Patricia LeBlanc, Chief Financial Officer, Shareholder
 Michael LeBlanc, Secretary, Treasurer, Shareholder
 Richard Shindle, Director

Deputy Director Tina Littleton indicated the Bureau of Gambling Control recommended the Commission approve the initial applications through February 28, 2013. Staff has reviewed the Bureau's reports and concurred with their recommendation.

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

8. Request for Approval to Apply Conditions on Third Party Provider of Proposition Services/ Gambling Business License; and, Application for Approval of Renewal of Third Party Provider of Proposition Services/ Gambling Business License (Pursuant to Business and Professions Code section 19824(b); CCR, Title 4, sections 12218.8 and 12238):

Gaming Fund Group, Inc.: Game Source, LLC
 Tony Pourmohamad, Member

Deputy Director Tina Littleton indicated staff recommended the Commission approve the renewal application for Mr. Pourmohamad through September 30, 2012; adding new conditions to Game Source LLC's endorsement as follows:

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1. *Game Source, LLC shall submit to the Commission and Bureau quarterly reports of investor holding within 30 days of the end of each quarter. The Commission reserves the right to request documentation regarding any additional investments based on these quarterly reports.*
2. *Tony Pourmohamad shall submit to the Commission evidence of quarterly payments made to repay the promissory note between himself and Houshang Pourmohamad with 15 days of payment.*
3. *No Game Source, LLC member shall accept any loans or monetary gifts from Houshang and Marilyn Pourmohamad for the purpose of increasing their investment in Game Source, LLC.*

Mr. Tony Pourmohamad answered questions from Chairperson Shimazu regarding the increased amount of the loan from his father that occurred following licensure. Mr. Pourmohamad also inquired if Commission approval was needed to enable him to amend the promissory note between himself and his father.

Deputy Director Littleton responded that advance Commission action would not be required to amend the promissory note; however, the Commission would require a copy of the new amended promissory note.

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

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

A. California Gaming Consultants:

Players: Shane Hobaugh Duc Huynh Sheryl Michael

B. Certified Network M, Inc.:

Supervisors: Mark English Ferdinand Gordovez Alvin Kim

Darren Maloney

Players: Armen Abramian Karlet Abramsan Kristian Adkins

Paul Andrade Monichan Chea Raymond Ouch

Fidel Vannak

C. Certified Players, Inc.:

Supervisors: Douglas Madden Richard Sharrah

D. Gaming Management, LLC:

Players: Matthew Carp Michael Chhit Arianna Felix

Jose Garcia Oscar Perez Linda Phongboupha

Lisana Sanderson Allison Sniath Marielle Wardell

Matthew Williams

E. Pacific Gaming Services:

Players: Jennifer Arroyo

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Deputy Director Tina Littleton indicated the Bureau of Gambling Control recommended the Commission approve the conversion applications in items 9A through 9E. Staff has reviewed the Bureau's reports, concurred with their recommendations; and, recommended approval through February 28, 2013.

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

10. Request for Approval to Withdraw Applications to Convert Third Party Proposition Supervisor Registration to a Licenses (Pursuant to Business and Professions Code section 19984 and CCR, Title 4, section 12218.5):
A. Gaming Management, LLC: Dan Lim Arlene Yusi
B. Network Management Group, Inc.: Zechariah Gauna

Deputy Director Tina Littleton indicated staff recommended the Commission approve the withdrawal requests without prejudice in items 10A and 10B.

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

11. Applications for Approval of Initial Tribal-State Compact Gaming Resource Supplier Finding of Suitability (Pursuant to the Tribal-State Gaming Compact, section 6.4.5):
Buena Vista Development Co., LLC: *

Deputy Director Tina Littleton indicated the Bureau of Gambling Control recommended the Commission approve the finding of suitability application. Staff has reviewed the Bureau's report, concurred with their recommendation; and, recommended approval through February 28, 2013.

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

12. Application for Approval of Initial Tribal-State Compact Key Employee Findings of Suitability (Pursuant to the Tribal-State Gaming Compact, section 6.4.4):
Bear River Band of the Rohnerville Rancheria: Gary Robinson

Deputy Director Tina Littleton indicated the Bureau of Gambling Control recommended the Commission deny the finding of suitability. Staff has reviewed the Bureau's report, and concurred with their recommendation.

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

CONSENT CALENDAR ITEMS:

13. Application for Approval of Renewal Key Employee Portable Personal License (Pursuant to Business and Professions Code section 19854):
Brian Klarman

14. Applications for Approval of Initial Work Permit (Pursuant to Business and Professions Code section 19912):
 - A. Empire Sportsmen's Association: Boutdy Phavavichane
 - B. Nineteenth Hole: Tiffany Brittan
 - C. The 101 Casino: Cory Carlson Tiffany Brittan Amber LeSieur
Jamie Saetern Kenneth Simonson

15. Applications for Approval of Renewal Work Permit (Pursuant to Business and Professions Code section 19912):
 - A. Napa Valley Casino: Phavanh Daraseng Rachel Medlar Joseph Niswonger
Paworawan Suebdee-Macias
 - B. The 101 Casino: Shqipe Delia Eric Faison Adam Kelly
Wendy McChesney Alan Scott

16. Applications for Approval of Renewal of Third Party Providers of Proposition Player Services/Gambling Business Supervisor/Player Licenses (Pursuant to California CCR Title 4, sections 12218.8 and 12238).
Gaming Management, LLC:
Players: Tamika Jones Phajae Lee Van Nguyen Eddy Yang

17. 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 Resort Spa – Agua Caliente Band of Cahuilla Indians:
Chimera Davis Carolina Magdael Janesha Strange
 - B. Bear River Casino - Bear River Band of the Rohnerville Rancheria:
Robert Cowell Jesse Orr Michael Pires
John Simmons Tiffany Strohbin
 - C. Cache Creek Casino Resort – Yocha Dehe Wintun Nation:
Diem Le
 - D. Colusa Casino Resort – Cachil Dehe Band of Wintun Indians of the Colusa Indian Community of the Colusa Rancheria:
Kevin Feuerstein
 - E. Coyote Valley Casino - Coyote Valley Band of Pomo Indians:
Roberta Wheeler
 - F. Harrah's Rincon Casino & Resort – Rincon Band of Luiseno Indians:

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Martin Goldman

G. Jackson Rancheria Casino & Hotel – Jackson Rancheria Band of Miwok Indians:
Gustavo Espana Mickey Miller James Summers

H. Lucky 7 Casino – Smith River Reservation:
Rebecca Vickers

I. Morongo Casino Resort & Spa – Morongo Band of Cahuilla Indians of the
Morongo Reservation:

Darryl Dragon Katherine Weeks

J. Paiute Palace Casino – Paiute-Shoshone Indians of the Bishop Community
of the Bishop Colony:

Jared Saulque

K. Pala Casino Spa Resort – Pala Band of Mission Indians:

Vincent Ahsue Joel Dennis, Jr. Samuel Granat

Patrice Houston Robert O'Brien Joann Rodriguez

Soang Unn Vickie Vong Joseph Young

L. Pechanga Resort & Casino – Pechanga Band of Luiseno Mission Indians
of the Pechanga Reservation:

Blanca Richardson Philip Zamora

M. Quechan Casino Resort - Quechan Tribe of the Fort Yuma Indian
Reservation:

James Barley

N. Red Hawk Casino – Shingle Springs Band of Miwok Indians:

Adelfa Cruz Daniel DePedro Melissa Doan

Ken Harvey Glenn Hokanson Lianxay Louangsarath

O. River Rock Casino – Dry Creek Rancheria Band of Pomo Indians:

Randolph Arnest Joshua Simon

P. Tachi Palace Hotel and Casino – Santa Rosa Indian Community of the Santa
Rosa Rancheria:

Chy Keomanivong Allysa Unlayao

Q. Thunder Valley Casino Resort - United Auburn Indian Community of the
Auburn Rancheria:

Martin Gonzalez Sharon Trau

R. Win-River Casino – Redding Rancheria:

Michael Barnes Joseph Zeno

18. 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. Augustine Casino - Augustine Band of Cahuilla Mission Indians:

Oscar Garcia Rose Ann Hamilton Michael Oaks

Patricia Reyes

B. Barona Resort and Casino - Barona Band of Mission Indians:

Hasan Attiyeh James Cain, Jr. Colleen Gaffney

Fernando Gutierrez, Jr. Rick Gutierrez Maria Madrigal

Teresa Moore Robert Reiter

C. Black Oak Casino – Tuolumne Band of Me-Wuk Indians of the Tuolumne
Rancheria:

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- Joseph Ryan
- D. Chukchansi Gold Resort and Casino – Picayune Rancheria of the Chukchansi Indians:
Jerry Lee Suzanne Phillips Ben Valverde
- E. Chumash Casino – Santa Ynez Band of Chumash Mission Indians of the Santa Ynez Reservation:
Monica Beebe Andre Brown Susan Didrickson
Adrienne Mendoza Linda Myjak Larry Palato
- F. Eagle Mountain Casino – Tule River Indian Tribe of the Tule River Reservation:
Morris Hunter Danny Marberry
- G. Fantasy Springs Resort Casino – Cabazon Band of Mission Indians:
Rungthip Nungkhiangjan
- H. Harrah’s Rincon Casino & Resort – Rincon Band of Luiseno Indians:
Alexia Alsop Lisa Arellano Christie Demarinis
Andrew Duquette Jerry Kimmey Ruth Rhymes
Tom Shelton Michael Smith Jorge Villalobos
Theresa White
- I. Jackson Rancheria Casino & Hotel – Jackson Rancheria Band of Miwuk Indians:
Michael Bottoni Gina Wittmayer
- J. Mono Wind Casino – Big Sandy Rancheria Band of Western Mono Indians:
John Robertson
- K. Morongo Casino Resort & Spa – Morongo Band of Cahuilla Indians of the Morongo Reservation:
Steven Field Roger Ray Thomas Ward
- L. Paiute Palace Casino – Paiute-Shoshone Indians of the Bishop Community of the Bishop Colony:
Darlene Salas
- M. Pala Casino Spa Resort – Pala Band of Mission Indians:
Kimberly Adams
- N. Pit River Casino – Pit River Tribe:
Lamont Maldonado
- O. Red Earth Casino – Torres-Martinez Band of Cahuilla Mission Indians:
Monica Aguilar-Rodriguez Salvador Espinoza John Evanoff
Juana Garcia Nicholas Hauf Sandra Hernandez
Sandra Kaelberer Esther Lopez Andrew Ichols
James Nuckles Anthony Paneris Kimberly Pedroza
- P. San Manuel Indian Bingo and Casino – San Manuel Band of Serrano Mission Indians of the San Manuel Reservation:
Fida Abdo Tammy Eversole Hector Garcia
Virginia Garcia Darla Griffin Matthew Gunn
Ernestina Hall Michael Idom Ralph Rubio, Jr.
Carol Sudweeks Felix Yglesias Linette Young
- Q. Soboba Casino - Soboba Band of Luiseno Indians:
Arnold Alagao Jonine Dunson David Wortham
- R. Table Mountain Casino - Table Mountain Rancheria:
Arthur Negrete Donnita Wiliker

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S. Tachi Palace Hotel & Casino – Santa Rosa Indian Community of the Santa Rosa Rancheria:

Veda Houngviengkham

T. Thunder Valley Casino Resort - United Auburn Indian Community of the Auburn Rancheria:

Casey Byers

Eric Chong

Donald Davis

Angelica Gomez

Vianey Guadarrama, Jr.

Todd Hart

Michelle Kaaihue

Sing Ngai

Gerrit Ongers

Tom Phu

Lester Ritter

Chip Saechao

Awang Saepanh

Nai Saetern

James Wong

Lee Yang

Deputy Director Tina Littleton indicated staff recommended the Commission approve consent calendar items 13 through 18.

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

PUBLIC COMMENT:

There was no public comment at this time.

CLOSED SESSION:

Chairperson Shimazu recessed the Commissioners to closed session at 10:22 a.m.

RECONVENE TO OPEN SESSION:

Chairperson Shimazu reconvened to open session at 11:02 a.m. and indicated the Commissioners had discussed litigation concerns and that no action was taken on any item at this time.

ADJOURNMENT

Upon motion of Commissioner Shelby, seconded by Chairperson Shimazu and unanimously carried in a vote by roll call with Chairperson Shimazu and Commissioners Conklin and Shelby voting yes, the Commission adjourned the meeting at 11:03 a.m.