

**California Gambling Control Commission**  
2399 GATEWAY OAKS DRIVE, SUITE 220  
SACRAMENTO, CA 95833  
(916) 263-0700 FAX (916) 263-0499  
[www.cgcc.ca.gov](http://www.cgcc.ca.gov)

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**MINUTES OF JULY 24, 2014  
COMMISSION MEETING**

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**OPEN SESSION**

1. Call to Order and Pledge of Allegiance.

Chairman Lopes called the meeting to order at 10:00 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 Richard Lopes and Commissioners Tiffany Conklin, Lauren Hammond and Richard Schuetz present.

Chairman Lopes acknowledged the new set-up of the Commission Hearing Room.

Chairman Lopes then recognized the retirement of Aisha Martin-Walton, DOJA III and thanked her for 38 years of dedicated service to the Bureau of Gambling Control and the State of California. Chairman Lopes then presented her with a certificate of appreciation.

Aisha Martin-Walton thanked the Commission, Commissioners, and her staff for all of their hard work.

Commissioner Hammond also thanked Aisha Martin-Walton for her dedicated service and hard work.

3. Approval of Commission Meeting Minutes for:

A. June 12, 2014

B. June 18, 2014 – Regulation Hearing

Action:

Upon motion of Commissioner Conklin, seconded by Chairman Lopes and unanimously carried in a vote by roll call with Chairman Lopes and Commissioners Conklin, Hammond and Schuetz voting yes, the Commission approved the minutes for the June 12, 2014 Commission Meeting and the June 18, 2014 Regulation Hearing.

4. Request for Approval of A) Stock Purchase Agreement; and, B) Application for Initial State Gambling License (Pursuant to Business and Professions Code Sections 19904, 19850, 19851 and 19852; CCR, Title 4 section 12342):

A. Ocean’s Eleven Casino:                    North County Gaming, Inc.  
   Robert Carter, (Seller)  
   Hashem Minaiy, (Buyer)

Action:

Upon motion of Commissioner Hammond, seconded by Commissioner Conklin and unanimously carried in a vote by roll call with Chairman Lopes and Commissioners Conklin, Hammond and Schuetz voting yes, the Commission approved the Stock Purchase Agreement between Robert Carter and Hashem Minaiy for North County Gaming, Inc. dba Ocean’s Eleven Casino with the conditions noted below:

- 1. *Within 15 days after the closing, the Purchaser must provide copies of the stock certificates evidencing the shares to the Bureau and to the Commission.*
- 2. *Each and every of the stock certificates must contain the following legend:*

*THIS CERTIFICATE REPRESENTS SHARES OF STOCK ISSUED BY A CORPORATION THAT HOLDS A GAMBLING LICENSE PURSUANT TO THE LAWS OF THE STATE OF CALIFORNIA. THE STOCK MAY NOT BE TRANSFERRED, ASSIGNED, SOLD, PLEDGED, HYPOTHECATED, OR DISPOSED OF WITHOUT THE PRIOR APPROVAL OF THE CALIFORNIA GAMBLING CONTROL COMMISSION OR ITS SUCCESSOR.*

- 3. *Within 15 days after the closing, Purchaser must provide a written statement to the Bureau and to the Commission that the parties made no material change to the transaction and the transaction was substantially the same as approved by the Commission.*
- 4. *Within 15 days after the closing, the Purchaser must provide an executed copy of the Promissory Note to the Bureau and to the Commission.*

B. Ocean’s Eleven Casino:                    North County Gaming, Inc.  
   Hashem Minaiy

Comments Received From:

Joy Harn, Designated Agent  
Stacey Luna-Baxter, Assistant Bureau Chief, Bureau of Gambling Control

Action:

Upon motion of Commissioner Schuetz, seconded by Chairman Lopes and unanimously carried in a vote by roll call with Chairman Lopes and Commissioners Conklin, Hammond and Schuetz voting yes, the Commission approved the Initial State Gambling License application for Hashem Minaiy valid through February 28, 2015.

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5. Request for Approval of A) Transfer of Shares; and B) Applications for Approval of Initial State Gambling Licenses (Pursuant to Business and Professions Code sections 19824(c), 19851, 19852 and 19904; CCR, Title 4 section 12342):

- A. Player's Casino: Player's Poker Club, Inc.  
Monica Donohoo, (Transferor)  
The Monica C. Donohoo Trust Dated  
February 12, 1997, (Transferee)

Action:

Upon motion of Chairman Lopes, seconded by Commissioner Schuetz and carried in a vote by roll call with Chairmen Lopes and Commissioners Conklin, Hammond and Schuetz voting yes, the Commission approved the request to transfer shares in Player's Poker Club, Inc. dba Player's Casino held by Monica Donohoo Transferor to The Monica C. Donohoo Trust Dated February 12, 1997, Transferee.

- B. Player's Casino: Player's Poker Club, Inc.  
The Monica C. Donohoo Trust Dated  
February 12, 1997, Shareholder  
Monica Donohoo, Trustee, Settlor, Beneficiary

Action:

Upon motion of Commissioner Hammond, seconded by Commissioner Conklin and carried in a vote by roll call with Chairmen Lopes and Commissioners Conklin, Hammond and Schuetz voting yes, the Commission approved The Monica C. Donohoo Trust dated February 12, 1997 to be endorsed on the State Gambling License issued to Monica Donohoo through February 29, 2016.

6. Applications for Approval of Renewal of State Gambling Licenses (Pursuant to Business and Professions Code section 19876; CCR, Title 4 section 12345):

- A. Outlaws Card Parlour: Dora Brown, Sole Proprietor

Comments Received From:

Stacey Luna-Baxter, Assistant Bureau Chief, Bureau of Gambling Control

Action:

Upon motion of Commissioner Conklin, seconded by Commissioner Hammond and unanimously carried in a vote by roll call with Chairman Lopes and Commissioners Conklin, Hammond and Schuetz voting yes, the Commission approved the Renewal State Gambling License application through July 31, 2016 with the condition noted below:

*Within sixty (60) days of this approval, the owner-licensee shall submit to the Bureau of Gambling Control written proof that the security surveillance violation noted in the May 22, 2014, Letter of Warning has been remedied.*

- B. Poker Flats Casino: Terry Vargas, Sole Proprietor

Comments Received From:

Tawni Vargas

Stacey Luna-Baxter, Assistant Bureau Chief, Bureau of Gaming Control

Action:

After a lengthy discussion by the Commissioners with Ms. Vargas, the motion from Commissioner Hammond and seconded by Chairman Lopes was withdrawn by Commissioner Hammond and the item was tabled to provide staff time to prepare a revised statement of conditions. The conditions were shared with Ms. Vargas, the Bureau and Commissioners. The Commissioners then came back to this item before the discussion of the Consent Calendar. Upon motion of Commissioner Conklin, seconded by Commissioner Schuetz and unanimously carried in a vote by roll call with Chairman Lopes and Commissioners Conklin, Hammond and Schuetz voting yes, the Commission approved to extend the license 180-days through January 31, 2015 with the conditions noted below:

1. *By September 30, 2014, the owner-licensee shall provide the Bureau of Gambling Control (Bureau) documentation indicating that a separate, specifically designated, insured account with a licensed financial institution in an amount not less than the total value of the chips-in-use by the gaming establishment. The funds from this account may only be used to redeem chips from that gambling establishment. The account may not be used as collateral, or encumbered or hypothecated in any fashion. Alternatively, the Bureau may allow the gambling establishment to provide some other form of security acceptable to the Bureau, in lieu of maintaining the required account.*

*If the existing chip-in-use checking account is used to satisfy the above requirement, then on a quarterly basis, starting with the quarter ending on June 30, 2014, the owner-licensee shall submit to the Bureau no later than 15 days from the end of the quarter, the previous quarter bank statement for its chips-in -use bank account. In addition, the previous quarter bank statements for the general checking account shall be submitted.*

2. *On a quarterly basis, starting with the quarter ending on June 30, 2014, the owner-licensee shall maintain for the Bureau's review the following documents:*
  - *The jackpot records for the previous quarter*
  - *The daily count sheets for the previous quarter*
3. *The owner-licensee shall engage an accountant/bookkeeper, approved by the Bureau, to maintain accurate financial records and accounting system. The accounting system must have the ability to but not limited to generate accurate general ledger reports and produce accurate Balance Sheets and Profit & Loss Statements in a timely matter. On a quarterly basis, starting with the quarter ending on September 30, 2014, the owner-licensee shall submit to the Bureau, quarterly Balance Sheets and Profit & Loss Statements no later than 15 days from the quarter's close. In addition, the following shall be submitted to the Bureau:*

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- *By September 30, 2014, the owner-licensee shall submit a letter to the Bureau from the accountant stating what changes were made to the record keeping system and confirm that the accounting system can generate financial statements to the satisfaction of the Bureau.*
  - *By September 30, 2014, the owner-licensee shall submit accurate Balance Sheets and Profit & Loss Statements for the periods of January 1, 2012, through December 31, 2012, and January 1, 2013, through December 31, 2013.*
  - *By September 30, 2014, the owner-licensee shall submit federal tax returns for the year ending 2012, 2013, and annually going forward. The federal tax returns must be submitted to the Bureau within 15 days of the Federal Tax Return due date or the filing date, whichever occurs first. If an extension is filed, the owner-licensee shall submit a copy of the extension to the Bureau within 15 days of filing an extension.*
  - *By September 30, 2014, the owner-licensee shall submit its record keeping policies and procedures pertaining to the maintenance of the financial accounting system. The owner-licensee shall review their record keeping policies and procedures annually to ensure the accurate reflection of its record keeping process. Revisions to the record keeping policies and procedures shall be submitted to Bureau within 15 days of its effective date.*
4. *By September 30, 2014, the owner-licensee shall provide the Bureau documentation to indicate the satisfaction of all tax lien obligations or documentation on a payment plan approved by the tax agency.*
5. *The owner-licensee shall submit to the Bureau Applications for Gambling Establishment Key Employee License and appropriate fees for Tawni Vargas within 30 days of Commission action and for Sai Saechao within 90 days of Commission action.*
6. *In accordance with Bureau regulation 2051, the owner-licensee shall submit to the Bureau all unmarked gambling chips currently in use at the Poker Flats Casino. In addition, the cardroom shall ensure that all uncashed chips are redeemed and provide an exact amount for the cardroom's entire chip inventory within 60 days of Commission action on the license.*
7. Request for Approval to Withdraw Application for State Gambling License (Pursuant to Business and Professions Code section 19869; CCR, Title 4 section 12047):  
Normandie Club: Normandie Club, A General Partnership  
Michelle Miller-Wahler, Officer

Comment Received From:

Steve Schreiner, Designated Agent, via telephone

Action:

Upon motion of Chairman Lopes, seconded by Commissioner Conklin and unanimously carried in a vote by roll call with Chairman Lopes and Commissioners

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Conklin, Hammond and Schuetz voting yes, the Commission approved the Request to Withdraw Ms. Miller-Wahler's application for her State Gambling License **without prejudice**.

8. Applications for Approval of Initial Portable Personal Key Employee Licenses (Pursuant to Business and Professions Code section 19854; CCR Title 4, section 12350):

A. Daniel DeLaney

Comments Received From:

Daniel DeLaney

Stacey Luna-Baxter, Assistant Bureau Chief, Bureau of Gambling Control

Action:

Upon motion of Commissioner Hammond, seconded by Commissioner Conklin and carried in a vote by roll call with Chairman Lopes and Commissioners Conklin and Hammond voting yes, and Commissioner Schuetz voting no, the Commission approved the Initial Key Employee Application through August 31, 2014.

B. Thanh Nguyen

Comments Received From:

Thanh Nguyen

Action:

Upon motion of Chairman Lopes, seconded by Commissioner Conklin and carried in a vote by roll call with Chairman Lopes and Commissioners Conklin and Schuetz voting yes, and Commissioner Hammond voting no, the Commission approved to refer this matter to an evidentiary hearing. Immediately following the vote, Mr. Nguyen orally waived his right to an evidentiary hearing and provided a signed statement to that effect.

The Executive Director cancelled the Interim Key Employee License for Mr. Nguyen based on the Bureau's recommendation of denial.

9. Application for Approval of Renewal Work Permit (Pursuant to Business and Professions Code section 19912; CCR Title 4, section 12104):

Empire Sportsmen's Association: Uoth Ou

Comments Received From:

Uoth Ou, via telephone

Frances Asuncion, DOJA II, Bureau of Gambling Control

Action:

Upon motion of Commissioner Conklin, seconded by Commissioner Hammond and unanimously carried in a vote by roll call with Chairman Lopes and Commissioners

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Conklin, Hammond and Schuetz voting yes, the Commission approved the Renewal Work Permit application through February 29, 2016 with the condition noted below:

*On August 1, 2014 and every 180 days thereafter, Mr. Ou shall provide to the Bureau of Gambling Control proof of payments toward his plan for the California Franchise Tax Board until all outstanding balances have been paid in full.*

10. Applications for Approval of Conversion of Third-Party Providers of Proposition Player Services/Gambling Business Supervisor/Player Registrations to Licenses (Pursuant to Business and Professions Code section 19984; CCR, Title 4, sections 12218 and 12233):

PT Gaming, LLC:

Players: Karina Corona Sokum Ouk Farm Saephan

Karina Corona

Comments Made From:

Karina Corona, via telephone

Action:

Upon motion of Chairman Lopes, seconded by Commissioner Schuetz and carried in a vote by roll call with Chairman Lopes and Commissioners Conklin and Schuetz voting yes, and Commissioner Hammond voting no, the Commission approved to refer this matter to an evidentiary hearing.

Sokum Ouk

Farm Saephan

Action:

Upon motion of Commissioner Conklin, seconded by Commissioner Schuetz and unanimously carried in a vote by roll call with Chairman Lopes and Commissioners Conklin, Hammond and Schuetz voting yes, the Commission approved the Initial applications for Conversion through the periods listed in the reports.

**Removed From Consent Calendar:**

By concurrence of the Commissioners, Consent Calendar Item 15.K. Soboba Casino, Jessica Kelly was removed from the Consent Calendar and heard in Open Session following item 10.

**MOVED FROM CONSENT:**

Item 15. Application for Approval of Initial Tribal-State Compact Key Employee Finding of Suitability (Pursuant to the Tribal-State Gaming Compact, section 6.4.4):

**K. Soboba Casino - Soboba Band of Luiseno Indians:**

Jessica Kelly

Comments Heard From:

Jessica Kelly, via telephone

Action:

Upon motion of Commissioner Schuetz, seconded by Chairman Lopes and unanimously carried in a vote by roll call with Chairman Lopes and Commissioners Conklin, Hammond and Schuetz voting yes, the Commission approved the Initial Finding of Suitability application through November 17, 2014.

11. Revenue Sharing Trust Fund Final Report for Distribution to Eligible Recipient Indian Tribes for Quarter Ending June 30, 2014 – Quarterly License Revenue Received and Shortfall (Pursuant to Government Code section 12012.75)

Action:

Upon motion of Chairman Lopes, seconded by Commissioner Conklin and unanimously carried in a vote by roll call with Chairman Lopes and Commissioners Conklin, Hammond and Schuetz voting yes, the Commission approved distribution of funds to the eligible tribes as listed in the Revenue Sharing Trust Fund Report and that the allocation of California Valley Miwok Tribe be withheld pending resolution by the Federal government of the tribal leadership dispute.

**CONSENT CALENDAR ITEMS:**

12. Applications for Approval of Initial Work Permits (Pursuant to Business and Professions Code section 19912; CCR Title 4, section 12104):

- |                                    |                |                |             |
|------------------------------------|----------------|----------------|-------------|
| A. Central Coast Casino (GB):      | Efrain Martin  | Jessica Ramiro |             |
| B. Empire Sportsmen's Association: | Peter Jacobs   |                |             |
| C. Merced Poker Room:              | Quirino Garcia |                |             |
| D. Outlaws Card Parlour:           | Aloma Davis    |                |             |
| E. The 101 Casino:                 | Zheming Cao    | John Guzy      | Wilson Kong |
|                                    | Danny Rucker   | Kian Yap       |             |

13. Applications for Approval of Renewal Work Permit (Pursuant to Business and Professions Code section 19912; CCR Title 4, section 12104):

- |                               |                  |
|-------------------------------|------------------|
| A. Central Coast Casino (GB): | Shaun Geisbauer  |
| B. Napa Valley Casino:        | Andrew Andronico |

14. Application for Approval of Renewal of Third Party Providers of Proposition Player Services/Gambling Business Supervisor/Player Licenses (Pursuant to Business and Professions Code section 19984; CCR, Title 4, sections 12218.8 and 12238):

PT Gaming, LLC:

Player: Lo Chiew Saeteurn

15. Applications for Approval of Initial Tribal-State Compact Key Employee Finding of Suitability (Pursuant to the Tribal-State Gaming Compact, section 6.4.4):

- |   |                       |                 |
|---|-----------------------|-----------------|
| A. Augustine Casino - Augustine Band of Cahuilla Indians:                                 | Lucero Murillo Rivera | Jaime Uribe Jr. |
| B. Casino Pauma - Pauma Band of Luiseno Mission Indians of the Pauma & Yuima Reservation: | Jake Cook Jr.         |                 |



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- C. Chukchansi Gold Resort and Casino - Picayune Rancheria of Chukchansi Indians:
    - Stephanie Granado
  - D. Chumash Casino Resort - Santa Ynez Band of Chumash Mission Indians of the Santa Ynez Reservation:
    - Paul Baker                      David Cabrera                      Sarah Monedero
  - E. Graton Resort & Casino - Federated Indians of Graton Rancheria:
    - Alvin Hoffman                      Tiarra Jauregui                      Kevin Nelson
  - F. Harrah's Rincon Casino & Resort - Rincon Band of Luiseno Mission Indians of the Rincon Reservation:
    - Tuan Bui
  - G. Pala Casino Spa Resort - Pala Band of Luiseno Mission Indians of the Pala Reservation:
    - Mark Isabell
  - H. Pechanga Resort & Casino - Pechanga Band of Luiseno Mission Indians of the Pechanga Reservation:
    - Scott Hendrix
  - I. Red Hawk Casino - Shingle Springs Band of Miwok Indians, Shingle Springs Rancheria:
    - Mongkhon Thienpheth
  - J. River Rock Casino - Dry Creek Rancheria Band of Pomo Indians:
    - Maria Rodriguez
  - K. Soboba Casino - Soboba Band of Luiseno Indians:
    - Jessica Kelly-**Heard in Open Session**      William Pasley
  - L. Spa Resort Casino - Agua Caliente Band of Cahuilla Indians:
    - Hubert Moy
  - M. Sycuan Casino and Resort - Sycuan Band of the Kumeyaay Nation:
    - Melonie Morrison      Kelly Sturdivant      Maria Texler-Hassin
  - N. Table Mountain Casino - Table Mountain Rancheria:
    - Carrie Melton
  - O. Tachi Palace Hotel and Casino - Santa Rosa Indian Community:
    - Dennis Crotti
  - P. Thunder Valley Casino Resort - United Auburn Indian Community of the Auburn Rancheria:
    - Raymond Castro      Allan Charles                      Cyndi Luu
    - James Smith
  - Q. Viejas Casino and Resort - Viejas Group of Capitan Grande Band of Mission Indians of the Viejas Reservation:
    - Winston Caballa      Christopher Keener
  - R. Win-River Casino - Redding Rancheria:
    - Michael Booth
16. Applications for Approval of Renewal Tribal-State Compact Key Employee Finding of Suitability (Pursuant to the Tribal-State Gaming Compact, section 6.4.4):
- A. Black Oak Casino - Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria:
    - Matthew Burlison      Christoph Phipps      Tina Rust-Horvath

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- B. Cache Creek Casino Resort - Yocha Dehe Wintun Nation:  
Kacey Chao            Brenda Cucueco            Raymond DeLosAngeles  
Darren Delatorre       Nancy Dizon                Ronel Dizon  
Teresa Friedrichs       Thomas Inphay             Kathleen Jackson  
Charlie Kuoch           Edward Leonzon            Jonathan Longshore  
Joseph Magbitang      Ay Mahaphengxay        Josephine Nakayama  
Danny Nguyen           Tracy Nichols              Alan Pfeiffer  
Soukinda Phothong     Johann Pichlmaier        Kristen Smith
- C. Casino Pauma - Pauma Band of Luiseno Mission Indians of the Pauma & Yuima Reservation:  
Sara Aauto                Harry Taylor
- D. Chukchansi Gold Resort and Casino - Picayune Rancheria of Chukchansi Indians:  
Jamielind Navarro
- E. Desert Rose Casino - Alturas Indian Rancheria:  
Martha Felix
- F. Fantasy Springs Resort Casino - Cabazon Band of Mission Indians:  
Kevin Kim
- G. Feather Falls Casino & Lodge - Mooretown Rancheria of Maidu Indians:  
Christopher Desylva
- H. Havasu Landing Resort & Casino - Chemehuevi Indian Tribe of the Chemehuevi Reservation:  
Joseph Souza
- I. Konocti Vista Casino - Big Valley Band of Pomo Indians of the Big Valley Rancheria:  
Octavio Calvillo Jr.
- J. Lucky 7 Casino - Smith River Rancheria:  
Marla Richards
- K. Morongo Casino Resort and Spa - Morongo Band of Mission Indians:  
Violeta Cheney        Jacob Gearn                Ross Koepp  
Andrew Lester         Tina Lowe
- L. Quechan Casino Resort/Paradise Casino California - Quechan Tribe of the Fort Yuma Indian Reservation:  
Kyong Qualls
- M. Soboba Casino - Soboba Band of Luiseno Indians:  
Javier Lopez Jr.        Shawn McDonald        Corey Polo
- N. Spa Resort Casino - Agua Caliente Band of Cahuilla Indians:  
Steven Finley            Sunday Silverman
- O. Sycuan Casino and Resort - Sycuan Band of the Kumeyaay Nation:  
Jeffrey Bueller         Lance Goode               Robert Kasawdish  
Feu Lutau                Travis Ly                    George Yelda
- P. Table Mountain Casino - Table Mountain Rancheria:  
Jalani Simon             Laura Vera                 Regina Wilson
- Q. Tachi Palace Hotel and Casino - Santa Rosa Indian Community:  
Regina Enriquez        Eleanor Phelps
- R. Thunder Valley Casino Resort - United Auburn Indian Community of the Auburn Rancheria:  
Mae Cooley              Donald Davis

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S. Win-River Casino - Redding Rancheria:  
Donald Acuna Jr.

Action:

Upon motion of Commissioner Schuetz, seconded by Chairman Lopes and unanimously carried in a vote by roll call with Chairman Lopes and Commissioners Conklin, Hammond and Schuetz voting yes, the Commission approved Consent Calendar items 12 through 16.

**CLOSED SESSION:**

None.

1. Litigation: (Government Code section 11126(e)):
  - A. *Pauma Band of Luiseno Mission Indians v. Gambling Control Commission; and Arnold Schwarzenegger*, U.S. Dist Court S. D. California (09 CV01955 LAB AJB)
  - B. *San Pasqual Band of Mission Indians v. State of California, et al.*, Los Angeles County Superior Court (BC431469)
  - C. *Bingo Innovations of California, Inc. v. California Gambling Control Commission*, Sacramento County Superior Court (34-2012-80001139)
  - D. *Yavapai Apache Nation v. Iipay Nation of Santa Ysabel, the State of California, and the California Gambling Control Commission*, Sacramento County Superior Court (34-2012-001199727)
  - E. *Robert Saucier, et al. v. California Gambling Control Commission*, Sacramento County Superior Court (34-2013-80001594)
  - F. *California Valley Miwok Tribe v. The California Gambling Control Commission*; Court of Appeal of the State of California, Fourth Appellate District, Division One (D0645271), San Diego County Superior Court (37-2008-00075326-CU-CO-CTL).

**PUBLIC COMMENT:**

None.

**ADJOURNMENT:**

Chairman Lopes adjourned the Commission Meeting at 11:46 AM.