California Gambling Control Commission

2399 GATEWAY OAKS DRIVE, SUITE 220 SACRAMENTO, CA 95833 (916) 263-0700 FAX (916) 263-0499 www.cgcc.ca.gov

MINUTES OF JANUARY 8, 2015 COMMISSION MEETING

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 recognized the passing of former Division of Law Enforcement Director Glenn Craig. Mr. Craig was a long time Department of Justice employee. During his law enforcement tenure, he was elected the Sheriff of Sacramento County for approximately twelve years. As well as, the Commissioner of the California Highway Patrol. Chairman Lopes went on to say he was a friend and mentor. Glenn Craig died at the age of eighty one.

- 3. Approval of Commission Meeting Minutes for:
 - A. October 22, 2014 Regulation Workshop
 - B. November 20, 2014
 - C. December 2, 2014 GCA Hearing
 - D. December 11, 2014
 - E. December 17, 2014 GCA Hearing

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 minutes for the October 22, 2014, Regulation Workshop, November 20, 2014, Commission Meeting, December 2, 2014, GCA Hearing, December 11, 2014, Commission Meeting, and the December 17, 2014, GCA Hearing.

4. Application for Consideration of Renewal of State Gambling License (Pursuant to Business and Professions Code section 19876; CCR, Title 4 section 12345):
Diamond Jim's Casino: Wizard Gaming, Inc.

Action:

Upon motion of Commissioner Hammond, 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 extension to allow time for the Bureau to complete their investigation through March 31, 2015, continuing with the following existing condition listed below:

Existing Condition:

Wizard Gaming, Inc. shall provide the Bureau of Gambling Control with a written report every 120 days regarding its efforts to resolve all outstanding disputes among the licensees and demonstrates a plan of action to operate Diamond Jim's in a matter which complies with the Gambling Control Act.

 Consideration to Remove Condition(s) from State Gambling License (Pursuant to Business and Professions Code section 19824(b)):
 Golden West Casino: Kern County Associates, L.P.

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 the request to remove condition #2 and continue with the existing condition listed below:

Existing Condition:

1. Barbara Daniels may not receive shares from John B, and Margaret F. Antonino Living Trust of 1981's percentage of interest of JLJ2D, Inc., until she has been licensed by the Commission as a Trustee/Beneficiary.

Removing Condition:

- 2. Dennis Thomas, Steven Thomas, and Joanne Taratusky shall not take part in the management or control of Golden West Casino operations, or participate in revenues, unless and until they are approved for a State Gambling License by the Commission as shareholders of JLJ2D, Inc.
- 6. Applications for Consideration of Initial Portable Personal Key Employee License (Pursuant to Business and Professions Code section 19854; CCR Title 4, section 12350):
 - A. Darren Forthman

Action:

Upon motion of Commissioner Hammond, 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 Key Employee License through June 30, 2015.

B. George Hsing

Comments Received From:

George Hsing, via telephone

Frances Asuncion, DOJA II, Bureau of Gambling Control

Action:

Upon motion of Chairman Lopes, 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 Key Employee License through February 28, 2015.

C. Robert Ketchum Jr.

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 Key Employee License through March 31, 2015.

D. Thanh Nguyen

Action:

Upon motion of Chairman Lopes, 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 deemed the Initial Key Employee Application abandoned.

E. Tem Phit

Action:

A motion was made by Commissioner Conklin, seconded by Commissioner Hammond. They both withdrew their motions and the Initial Key Employee license was Tabled until the February 10, 2015 Commission Meeting when Mr. Phit can call in or attend the meeting.

F. Sydney Segal

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 Initial Key Employee License through May 31, 2015.

7. <u>Application for Consideration of Renewal Work Permit (Pursuant to Business and Professions Code section 19912; CCR Title 4, section 12104):</u>

The Deuce Lounge and Casino:

Amv Saeteun

Action:

Upon motion of Chairman Lopes, 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 Work Permit License through January 31, 2017.

8. Application for Consideration of Renewal Portable Personal Key Employee License (Pursuant to Business and Professions Code section 19854; CCR Title 4, section 12351):

Phillip Rogers

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 the Renewal Key Employee License through January 31, 2017 and removed existing conditions noted below:

Removing the existing Conditions:

- 1. Beginning February 1, 2013, and every 90 days thereafter, Mr. Rogers must submit to the Bureau of Gambling Control a written update showing proof of all payments and/or negotiations for the tax liens with Employment Development Department.
- 2. Also beginning February 1, 2013, and every 90 days thereafter, Mr. Rogers must submit to the Bureau of Gambling Control a written update showing any payments and/or negotiations for the civil judgment with the Pacific Bell Directory until said judgment is satisfied.
- Consideration to Withdraw Application for Portable Personal Key Employee License (Pursuant to Business and Professions Code section 19869. CCR Title 4, section 12015):

Donald Helmig

Comments Received From:

Donald Helmig, via telephone

Frances Asuncion, DOJA II, Bureau of Gambling Control

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 request to withdraw **with prejudice** and cancelled Mr. Helmig's Interim Key Employee License effective January 8, 2015. Pursuant to CCR Title 4, Section 12015(b), Mr. Helmig cannot reapply for a Key Employee License until one year from the date of request for withdrawal was granted.

By Commissioner's concurrence, the following agenda items 10.A. through 10. B. were considered simultaneously:

- 10. <u>Applications for Consideration 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):</u>
 - A. Premier Player Providers, Inc.:

Player: Arisona Simphoukham

B. PT Gaming, LLC:

Players: Charisse Patton Christopher Thao

Action:

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

11. <u>Application for Consideration of Initial Tribal-State Compact Gaming Resource Supplier Finding of Suitability (Pursuant to the Tribal-State Gaming Compact, section 6.4.5)</u>:

Cummins – Allison Corp.

Comments Received From:

Charles Seul, 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 Conklin, Hammond and Schuetz voting yes, the Commission approved the Initial Finding of Suitability as a Gaming Resource Supplier for Cummins - Allison and its principals through January 31, 2017.

By Commissioner's concurrence, the following agenda items 12.A. through 12. B. were considered simultaneously:

12. <u>Applications for Consideration of Renewal of Tribal-State Compact Gaming Resource Supplier Finding of Suitability (Pursuant to the Tribal-State Gaming Compact, section 6.4.5)</u>:

A. Game Stands, LLC: Ronald McKown, Managing Member Christine McKown, Member

B. TCS John Huxley America, Inc.

Action:

Upon motion of Chairman Lopes, 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 Renewal of Finding of Suitability as a Gaming Resource Supplier for Game Stands, LLC and

its principals, and TCS John Huxley America, Inc. and its principals through January 31, 2017.

13. <u>Application for Consideration of Initial Tribal-State Compact Key Employee Finding of Suitability (Pursuant to the Tribal-State Gaming Compact, section 6.4.4):</u>
Quechan Casino Resort – Quechan Tribe of the Fort Yuma Indian Reservation:
Jeronimo Torres

Action:

Upon motion of Chairman Lopes, 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 Initial Finding of Suitability Application through December 18, 2015.

14. Consideration and Approval of the Commission's 2015 Rulemaking Calendar for Publication in the California Regulatory Notice Register. [Gvt. Code section 11017.6]

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 Commission's 2015 Rulemaking Calendar for filing with the Office of Administrative Law and publication in the California Regulatory Notice Register.

CONSENT CALENDAR ITEMS:

15. <u>Applications for Consideration of Renewal Portable Personal Key Employee License</u> (<u>Pursuant to Business and Professions Code section 19854; CCR Title 4, section 12351</u>):

A. Patrick BerryB. Alexander Bond

C. Oscar Breeze

D. Frank Calamia

E. Raymond Callas

F. Jesse Crawford

G. James Dent

H. Evan Evans

I. Lloyd Moser

J. Jeremy Neuman

K. Mario Santos

L. David Simon

M. Panu Suwanjinda

N. Sharon Thomas

O. Danny Twitchen

P. Sum Vien

Q. Jong Weeks

R. Michael Wilkinson

16. <u>Applications for Consideration of Initial Work Permit (Pursuant to Business and Professions Code section 19912; CCR Title 4, section 12104):</u>

A. Central Coast Casino (GB):

B. Empire Sportsmen's Association:

C. Merced Poker Room:

Sryan Kahanu
Sary Khath
Lea Lor

D. Napa Valley Casino: Alberto Doble Ling Gao

E. The 101 Casino: Drew Silveria Robert Tucker Jr.

17. <u>Applications for Consideration of Renewal Work Permit (Pursuant to Business and Professions Code section 19912; CCR Title 4, section 12104):</u>

A. Empire Sportsmen's Association: Hermiz Hermiz

B. Napa Valley Casino: Vince Cavallo Bopharoth Yos

C. Outlaws Card Parlour: Suzy Shewell
D. Sundowner Cardroom: Billy Blackmon

E. The 101 Casino: Donald Bankert Nolan McCoy

Wen Xin Yu

F. The Deuce Lounge & Casino: Kyle Kirkland

- 18. <u>Applications for Consideration 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):</u>
 - A. Gaming Fund Group, Inc.:

Player: Jennifer Huynh

B. Pacific Gaming Services, LLC:

Supervisor: David Honadle

Players: Regina Sanchez Teresa Simpson David White

C. Premier Players Providers, Inc.:

Supervisor: Ariel Reyes

D. PT Gaming, LLC:

Supervisors: Arthur Blackinton Phong Le James Razon

Jonathan Razon

Players: Leonard Block Rosa Briseno Lilybeth Lewis

Ling Liang Allan Ly Mark Paolini

Crystal Salanoa Brenda Saephan Edwina Springfield

- 19. Consideration to Withdraw Applications to Convert Third Party Proposition Supervisor Registration to a License (Pursuant to Business and Professions Code section 19984 and CCR, Title 4, section 12015):
 - A. Acme Player Services, LLC:

Supervisors: Victor Fregoso Mark Klocek

B. Arise, LLC:

Supervisor: Michael Lu

C. Knighted Ventures, LLC:

Supervisors: Kathleen Pane Kimberly Wong

D. PT Gaming, LLC:

Supervisor: Say Her

- 20. <u>Applications for Consideration of Initial Tribal-State Compact Key Employee Finding of</u> Suitability (Pursuant to the Tribal-State Gaming Compact, section 6.4.4):
 - A. Agua Caliente Casino Resort Spa Agua Caliente Band of Cahuilla Indians:

Adrian Ramirez

B. Barona Resort and Casino - Barona Group of Capitan Grande Band of Mission Indians: Stephanie Benz

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

D. Blue Lake Casino and Hotel - Blue Lake Rancheria:

David Hicks

E. Cache Creek Casino Resort - Yocha Dehe Wintun Nation:

Christopher Stevens

F. Casino Pauma - Pauma Band of Luiseno Mission Indians of the Pauma & Yuima Reservation:

> Andy Garcia Link Harmon

G. Chumash Casino Resort - Santa Ynez Band of Chumash Mission Indians of the Santa Ynez Reservation:

Francisco Gonzalez

H. Fantasy Springs Resort Casino - Cabazon Band of Mission Indians:

Sela Curry

I. Graton Resort & Casino - Federated Indians of Graton Rancheria:

Gerald Bloom III Savin Chhoy Kaung Cho Zhenghua Jin Jaekoo Jun Jaymie Kehr Vanda Kingsbury Teresa Lazo Thao Le Antonio Torrente Sokkha Touch
Shirley Vollmor Chan Saelee Matthew Truett

Shirley Vollmer

J. Jackson Rancheria Casino & Hotel - Jackson Rancheria of Me-Wuk Indians:

Jose Perez Mark Rahill

K. Morongo Casino Resort and Spa - Morongo Band of Mission Indians:

Philip Erwin Lee Hang Troy Vasquez

L. Pala Casino Spa Resort - Pala Band of Luiseno Mission Indians of the Pala Reservation: Kimberly Combs Vitalina Yurakova

M. Pechanga Resort & Casino - Pechanga Band of Luiseno Mission Indians of the Pechanga Reservation:

Wenifredo Ambrosio Robin Garwood Chaiyaporn Pundhsingh Joseph Young

N. Quechan Casino Resort - Quechan Tribe of the Fort Yuma Indian Reservation: Luis Rodriguez

O. Robinson Rancheria Resort, Casino & Bingo - Robinson Rancheria Band of Pomo Indians:

John Brewer

P. San Manuel Indian Bingo and Casino - San Manuel Band of Mission Indians:

Christy Martin

Q. Spotlight 29 Casino - Twenty-Nine Palms Band of Mission Indians:

John Paul Navarro Faviola Lua

R. Tachi Palace Hotel and Casino - Santa Rosa Indian Community:

June Sophabmixay Jose Velez

S. Viejas Casino and Resort - Viejas Group of Capitan Grande Band of Mission Indians of the Vieias Reservation:

Nicholas Dillon II

21. <u>Applications for Consideration of Renewal Tribal-State Compact Key Employee Finding of Suitability (Pursuant to the Tribal-State Gaming Compact, section 6.4.4):</u>

A. Agua Caliente Casino Resort Spa - Agua Caliente Band of Cahuilla Indians:

James Bott Adolfo Carpena Harold Dachenhausen

Derek Fryer Karen Hamann-Kilian Jerry Sandau

Gilberto Taira-Diaz Mickey Vandenberg

B. Augustine Casino - Augustine Band of Cahuilla Indians:

Rodolfo Linares Martinez Sabrina Martinez

C. Barona Resort and Casino - Barona Group of Capitan Grande Band of Mission Indians:

Rodrigo Acero Chacon Fabiola Alcantar Ortiz Rafael Alvarez Ian Burke Debra Dischiavo David Howell Robin Liggett Robert McDonald Collin Mills Michael Murphy Chinh Nguyen Olga Nunez Teodora Sanchez-Romero Janice Welch Brandon Wells

Javier Zavala

D. Bear River Casino Hotel - Bear River Band of the Rohnerville Rancheria:

Jaimoe Kibby Nigel Smith James White

E. Cache Creek Casino Resort - Yocha Dehe Wintun Nation:

Thomas Chan Shawn Danel Mian Eziz Vinh Hong Peter Kamlamai Larick Liang

Frank Liu Lengkear Mar Soucho Saephanh

Mario Salvani Blong Thao Ian Welter

F. Casino Pauma - Pauma Band of Luiseno Mission Indians of the Pauma & Yuima Reservation:

Lorena Cook Robert Weiser

G. Chumash Casino Resort - Santa Ynez Band of Chumash Mission Indians of the Santa Ynez

Reservation:

Monica Beebe Andre' Brown Clifford Chapman II
Ted Funkhouser Guy Galbois Zachary Garrett
Wayne Hurte Jr. Nathaniel Kindschy David Charles Lee
Adrianne Mendoza Linda Myjak Brittany Rehr

Jonathan Schaub Fidel Terrones Jr.

H. Colusa Casino Resort - Cachil DeHe Band of Wintun Indians of the Colusa Indian Community of the Colusa Rancheria:

Michael Stamps

I. Coyote Valley Casino - Coyote Valley Band of Pomo Indians:

Crystal Collins

J. Eagle Mountain Casino - Tule River Indian Tribe of the Tule River Reservation:

Marisol Magdaleno Arias Donna Medrano

K. Elk Valley Casino - Elk Valley Rancheria:

Michael White

L. Feather Falls Casino & Lodge - Mooretown Rancheria of Maidu Indians:

Allen Owens Jr.

M. Harrah's Rincon Casino & Resort - Rincon Band of Luiseno Mission Indians of the

Rincon Reservation:

Lori Davila Andrew Duquette Cindy Flores Revan Jebrail Sisomphone Sayabanha Michael Smith

Jorge Villalobos

N. Jackson Rancheria Casino & Hotel - Jackson Rancheria of Me-Wuk Indians: Vernon Edwards Sally Phung Lo Saeteurn Amanda Stone Vaddanak Vutthy O. Konocti Vista Casino - Big Valley Band of Pomo Indians of the Big Valley Rancheria: Anthony Mitchell Lawrence Green P. Morongo Casino Resort and Spa - Morongo Band of Mission Indians: Michael Morgan Prudence Kaffer **Janet Powers** Q. Pala Casino Spa Resort - Pala Band of Luiseno Mission Indians of the Pala Reservation: **Edward Blair** Genevieve Harding Elaine Martinez R. Pechanga Resort & Casino - Pechanga Band of Luiseno Mission Indians of the Pechanga Reservation: William Ball Richard Carmichae I Suda Charusarn Joselen Chavez Linda Gonzales Kevin Grushewsky Yvonne Harrison Rudy Lopez Anthony Heng Thu Nguyen Alona Roberts Merari Seller **Dustin Weaver** S. Quechan Casino Resort - Quechan Tribe of the Fort Yuma Indian Reservation: William Billingsley Jerry Allison Christopher Duran Donna Hannum Yesenia Jackson Peggy Jefferson Gerado Talamantes Charles Montague Kristina Sanchez Tasha Thomas T. River Rock Casino - Dry Creek Rancheria Band of Pomo Indians: Linda Giannini Kimberly Whitfield U. San Manuel Indian Bingo and Casino - San Manuel Band of Mission Indians: Rafaela Davis Danny Kim Jonathan Raef Debra Rodriguez Brenda Roach Damien Sims Selma Sulce Maria Soto V. Soboba Casino - Soboba Band of Luiseno Indians: Will Aufranc Robert Barnard Kenneth Toler W. Spa Resort Casino - Agua Caliente Band of Cahuilla Indians: Mary Anagnos Robert Cain Jesita Eaton Brian Jacobsen Sherree Mc Eachran Iris Moyer Lorena Tapia X. Sycuan Casino and Resort - Sycuan Band of the Kumeyaay Nation: Antonio Angulo Samuel Bonner Matasaua Case David Centman Kira Contreras James Freeman Carole Harris Kimberly Ostern Cynthia Snow Fifian Stepho Y. Table Mountain Casino - Table Mountain Rancheria: John Chang Oscar Salcedo Z. Tachi Palace Hotel and Casino - Santa Rosa Indian Community: Tyler Aragon Ruth Ritchie Lyn Shandor

Brian Tiffin

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

> Tiffany Crocker Matthew Dillon **Durand Dresslar** Amanda Garcia Siniin Le Arthur Munoz Daniel Robertson Liowang Saephanh Kuasaypao Thao

Bao Vang Michele Vossler

BB. Valley View Casino & Hotel - San Pasqual Band of Diegueno Mission Indians:

Robert Anaya Michael Goodson Mark-Anthony Nagal

David Spence Jr.

Action:

Upon motion of Commissioner Hammond, seconded by Commissioner Conklin and carried in a vote by roll call with Chairman Lopes and Commissioners Conklin, Hammond and Schuetz voting yes, the Commission approved Consent Items 15 through 21.

PUBLIC COMMENT:

None.

CLOSED SESSION:

None.

- I. <u>Litigation: (Government Code section 11126(e)):</u>
 - 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. lipay 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. Stand Up For California, et al. v. State of California, et al., Madera County Superior Court (MCV062850)
 - G. 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).
 - H. Picayune Rancheria of Chukchansi Indians v. U.S. Department of the Interior, et al., U.S. Dist. Court, San Francisco Division (3:14-cv-04273-EDL)
- II. Hearing Deliberations Pursuant to Government Code Section 11126(c)(3):
 - A. In the Matter of the Application for Renewal of State Gambling License for: La Primavera Pool Hall and Café, Candelario Salas, Sole Proprietor, (CGCC Case No. 2009-12-03-02)
 - B. In the Matter of the Application for Approval of Conversion of Third-Party Provider of Proposition Player Services Player Registration to a License for Karina Corona, (CGCC Case No. 2014-0724-10)

ADJOURNMENT:

Chairman Lopes adjourned the Commission Meeting at 10:52 a.m.