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 FEBRUARY 11, 2016 COMMISSION MEETING

OPEN SESSION

1. Call to Order and Pledge of Allegiance.

Chairman Evans 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 Jim Evans and Commissioners Tiffany Conklin, Roger Dunstan, Lauren Hammond, and Trang To present.

Chairman Evans welcomed attorney Kate Jefferies to the Commission. Chairman Evans stated that Ms. Jefferies has an extensive legal background and we are pleased to have her at the Commission.

Chairman Evans pulled without objection item 3.A., the December 10, 2015, draft meeting minutes at staff's request. There was an error in the minutes that will be corrected. The minutes will be scheduled for the March 10, 2016, agenda.

- 3. Approval of Commission Meeting Minutes for:
 - A. December 10, 2015 Pulled From Agenda
 - B. January 20, 2016 GCA Hearing

Action:

Upon motion of Commissioner Hammond, seconded by Commissioner Conklin and unanimously carried in a vote by roll call with Chairman Evans and Commissioners Conklin, Dunstan, Hammond, and To voting yes; the Commission approved the minutes for the January 20, 2016, GCA Hearing.

Item 4 was a recusal item for Executive Director Stacey Luna Baxter, who left the dais while this item was discussed.

 Application for Consideration of Initial Tribal-State Compact Key Employee Finding of Suitability (Pursuant to the Tribal-State Gaming Compact, section 6.4.4): Tachi Palace Hotel and Casino - Santa Rosa Indian Community of the Santa Rosa Rancheria

Lamberto Elenes Jr.

Comments Received From:

Lamberto Elenes Jr., via telephone

Yolanda Morrow, Assistant Bureau Chief, Bureau of Gambling Control

Commissioner Conklin made a motion which was seconded by Commissioner To to extend the Initial Tribal Key Application 180-days with an amended condition. However, both Commissioners withdrew their motions and requested that Mr. Elenes provide proof of a payment plan for his student loans be submitted to the Bureau of Gambling Control.

No Action Taken on this item.

5. Applications for Consideration of Renewal of State Gambling Licenses (Pursuant to Business and Professions Code sections 19850, and 19876; CCR, Title 4, section 12345):

A. Oceanview Casino: Veronica Chohrach, Sole Proprietor

Comments Received From:

Yolanda Morrow, Assistant Bureau Chief, Bureau of Gambling Control

Action:

Upon motion of Commissioner Dunstan, seconded by Commissioner Conklin and unanimously carried in a vote by roll call with Chairman Evans and Commissioners Conklin, Dunstan, Hammond, and To voting yes; the Commission approved the Renewal Application through February 28, 2018.

B. Sundowner Cardroom: Augustine Mora Jr., Sole Proprietor

Action:

Upon motion of Commissioner Conklin, seconded by Commissioner Dunstan and unanimously carried in a vote by roll call with Chairman Evans and Commissioners Conklin, Dunstan, Hammond, and To voting yes; the Commission approved the Renewal Application through February 28, 2018.

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

A. Nathan Ammaraphayak

Comments Received From:

Nathan Ammaraphayak, via telephone

Action:

Upon motion of Commissioner Hammond, seconded by Commissioner Dunstan and unanimously carried in a vote by roll call with Chairman Evans and Commissioners Conklin, Dunstan, Hammond, and To voting yes; the Commission approved the Initial Key Employee License through May 31, 2016.

B. Madelaine Jazmin

Comments Received From:

Madelaine Jazmin, via telephone

Yolanda Morrow, Assistant Bureau Chief, Bureau of Gambling Control

Action:

Upon motion of Commissioner Dunstan, seconded by Commissioner Conklin and unanimously carried in a vote by roll call with Chairman Evans and Commissioners Conklin, Dunstan, Hammond, and To voting yes; the Commission approved the Initial Key Employee License through March 31, 2016. The Commissioners asked the Bureau of Gambling Control to report on Ms. Jazmin's discharging of debt and payment to the IRS during her renewal in March 2016.

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

A. Alan Kakimoto

Comments Received From:

Alan Kakimoto, via telephone

Action:

Upon motion of Commissioner Conklin, seconded by Commissioner To and unanimously carried in a vote by roll call with Chairman Evans and Commissioners Conklin, Dunstan, Hammond, and To voting yes; the Commission approved the Renewal Key Employee License through February 28, 2018.

B. Francis Smallwood

Comments Received From:

Francis Smallwood, via telephone

Yolanda Morrow, Assistant Bureau Chief, Bureau of Gambling Control

Action:

Upon motion of Commissioner To, seconded by Commissioner Conklin and unanimously carried in a vote by roll call with Chairman Evans and Commissioners Conklin, Dunstan, Hammond, and To voting yes; the Commission approved the Renewal Key Employee License through February 28, 2018.

8. <u>Application for Consideration of Renewal of Third Party Provider of Proposition Services/Gambling Business Licenses (Pursuant to Business and Professions Code section 19984; CCR, Title 4, sections 12218.8 and 12238):</u>

Premier Player Providers, Inc.: Nasser Qutob, President, Secretary, Treasurer,

Director, Shareholder

Comments Received From:

Nasser Qutob

Jade Jaeckle, Designated Agent, via telephone

Action:

Upon motion of Commissioner Hammond, seconded by Commissioner Conklin and unanimously carried in a vote by roll call with Chairman Evans and Commissioners Conklin, Dunstan, Hammond, and To voting yes; the Commission approved the Renewal Application through February 28, 2018, continuing with the existing conditions noted below:

- 1. Beginning March 1, 2014, and on a quarterly basis thereafter, Nasser Qutob shall submit to the Bureau of Gambling Control evidence of monthly payments made to repay the promissory note that became effective January 1, 2009, between himself and Game Source, LLC.
- 2. Nasser Qutob may not accept any loans for the purpose of using the funding for Premier Player Providers, Inc. without first obtaining approval by the Commission.
- 9. Application for Consideration of Conversion of Third-Party Providers of Proposition Player Services Player Registration to License (Pursuant to Business and Professions Code section 19984; CCR, Title 4, section 12218):

Qualified Player Services, LLC:

Player: Amber Cadena

Comments Received From:

Amber Cadena

Yolanda Morrow, Assistant Bureau Chief, Bureau of Gambling Control

Chairman Evans made a motion to send to an evidentiary hearing and then withdrew his motion.

Action:

Upon motion of Commissioner Conklin, seconded by Chairman Evans and unanimously carried in a vote by roll call with Chairman Evans and Commissioners Conklin, Dunstan, Hammond, and To voting yes; the Commission referred the matter to an GCA hearing and requested that Ms. Cadena submit to the Bureau of Gambling Control and Commission, copies of her payment plans regarding all outstanding Failure to Pay as well as proof of payment within 90-days.

10. <u>Application for Consideration of Renewal of Third-Party Providers of Proposition</u>
<u>Player Services Player License (Pursuant to Business and Professions Code section</u>
19984; CCR, Title 4, section 12218.8):

Pacific Gaming Services, LLC: Player: Jimmy Trinh

Action:

Upon motion of Commissioner To, seconded by Chairman Evans and unanimously carried in a vote by roll call with Chairman Evans and Commissioners Conklin, Dunstan, Hammond, and To voting yes; the Commission approved to extend the Third Party Renewal for 30-days through March 31, 2016, so that the Commissioners could speak directly with Jimmy Trinh. Mr. Trinh was not available during this Commission meeting.

11. <u>Applications 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>:

A. Dynasty Games Distributing: Roger Fuller, Sole Proprietor

Comments Received From:

Roger Fuller

Action:

Upon motion of Commissioner Conklin, seconded by Commissioner Dunstan and unanimously carried in a vote by roll call with Chairman Evans and Commissioners Conklin, Dunstan, Hammond, and To voting yes; the Commission approved the Initial Finding of Suitability through February 28, 2018.

B. Everi Games Inc.: Ram Chary, President, Chief Executive Officer,

Director

Juliet Lim, Executive Vice President, General Counsel, Corporate Secretary, Director Randy Taylor, Executive Vice President, Chief

Financial Officer, Treasurer, Director

Action:

Upon motion of Commissioner To, seconded by Commissioner Hammond and unanimously carried in a vote by roll call with Chairman Evans and Commissioners Conklin, Dunstan, Hammond, and To voting yes; the Commission approved the Initial Finding of Suitability through September 30, 2017.

12. <u>Application 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>

HCAL. LLC

Action:

Upon motion of Commissioner Hammond, seconded by Commissioner To and unanimously carried in a vote by roll call with Chairman Evans and Commissioners Conklin, Dunstan, Hammond, and To voting yes; the Commission approved the Renewal Finding of Suitability through February 28, 2018.

CONSENT CALENDAR ITEMS:

13. <u>Consideration of Additional Temporary Authorized Tables (Pursuant to California Code of Regulations, Title 4, section 12358):</u>

Commerce Casino: California Commerce Club, Inc.

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

A. Patricia Abelt J. Donald Olsen B. Michele Fanucchi K. Joseph Rogers C. Maria Hagen L. Meuy Saechao M. Michael Singleton D. Mike Henry E. Samedy Kuoch N. James Smith F. Stephanie Lim O. Manuelito Solis G. Julie Morgan P. Shane Totua H. Julie Muldrow Q. Peter Yang

I. Thuy Nguyen

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

A. Lake Bowl Cardroom: Brandon Aber Sokheap Main

B. Napa Valley Casino: Lyn Beck Duangmanee Charoensuk

Mai Huang Feng Li

Kristal Slape Lengpheav Tan Qian Wang Canhui Wen

Changcun Zhao

C. Parkwest Casino Sonoma: Shane Hawkins Jaime Jimenez

Bruce Long Volsan Ordenis

Kris Wong

D. Sundowner Cardroom: Khounsak Kiaosouvath

E. The Deuce Lounge & Casino: Chiab Saechao

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

A. Empire Sportsmen's Association: Setha Dy
B. Lake Bowl Cardroom: Joan Ray
C. Napa Valley Casino: Narin Phorth

D. Parkwest Casino Sonoma: Nathan Gronenthal

17. <u>Applications for Consideration of Conversion of Third-Party Providers of Proposition Player Services Player Licenses (Pursuant to Business and Professions Code section 19984; CCR, Title 4, section 12218.8):</u>

A. Arise, LLC:

Player: Juan Rodriguez

B. Certified Players, Inc.:

Player: Frank Zamarripa

C. Mega Gaming, LLC:
Player: Kai Her
D. PT Gaming, LLC:

Players: Kevin Alexander II Rick Barillas Amina Budhwani

Tiffany Garcia Aaron Hui Richard-Francis Japor

Sarah Jara Ji Liu Michael Moua
Jackline Ndegwa Andrew Nguyen Revay Purifoy
Matthew Ramirez Christopher Saephan Punlok Seng
Leumel Smith Eric Sok Bopha Uth
Nguyen Vo Brandi White David Wicks

18. <u>Applications for Consideration of Renewal of Third-Party Providers of Proposition Player Services Player Licenses (Pursuant to business and Professions Code section 19984; CCR, Title 4, section 12218.8):</u>

PT Gaming, LLC:

Players: Julie Arroyo Erica Bonifacio Diane Chantha

Khoa Nghiem Christopher Race Ka Vang

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

A. Acme Player Services, LLC:

Supervisor: Jorge Guerrero

B. Certified Players, Inc.:

Supervisor: Joanna Chihuahua

- 20. <u>Applications for Consideration of Initial Tribal-State Compact Key Employee Finding</u> 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:

Jennifer Birmingham Socorro Hernandez Brian Mitchell

Wallace Phipps

B. Augustine Casino - Augustine Band of Cahuilla Indians:

Ralph Garcia

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

Wally Ly Carlos Reynaga

D. Chicken Ranch Casino - Chicken Ranch Rancheria of Me-Wuk Indians: Scott Hayden

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

Matthew Kellogg

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

Jacob Yearwood

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

Matthew Mingrone Julie Valenzuela

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

Nicole Kurowski Kevin Truong

I. Garcia River Casino - Manchester Band of Pomo Indians of the Manchester Rancheria:

Carl Gonzales

J. Harrah's Resort Southern California - Rincon Band of Luiseno Mission Indians of the Rincon Reservation:

Michael Peragallo Laura Ramirez Colin Skidmore

- K. Jackson Rancheria Casino & Hotel Jackson Rancheria of Me-Wuk Indians: Michael Battaglia II
- L. Konocti Vista Casino Big Valley Band of Pomo Indians of the Big Valley Rancheria:

Zachary Bassham Mallory White

- M. Mono Wind Casino Big Sandy Rancheria Band of Western Mono Indians:

 Jared Kerbow Kerry Smith
- N. Morongo Casino Resort and Spa Morongo Band of Mission Indians:

Vanessa Barcenas Burton Batey Jean Byrum

Thomas Deisenhammer Jeffrey Hunter

O. Paiute Palace Casino - Bishop Paiute Tribe:

Lena Williams

P. Pala Casino Spa Resort - Pala Band of Luiseno Mission Indians of the Pala Reservation:

Alvin Monzon Nicole Onpeng-Nguyen

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

Jesus Candido

R. Red Hawk Casino - Shingle Springs Band of Miwok Indians, Shingle Springs Rancheria:

Frances Bradley Mei Luong

- S. River Rock Casino Dry Creek Rancheria Band of Pomo Indians: Daniel Pellegrini
- T. San Manuel Indian Bingo and Casino San Manuel Band of Mission Indians: Jessica Reyes
- U. Soboba Casino Soboba Band of Luiseno Indians:

Todd Harrington

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

Kimberly Cardoza Curtis Covey Joseph Villegas-Ruiz

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

Evelvn Ramirez

X. Table Mountain Casino - Table Mountain Rancheria:

Taunya Cramer Leah Finnegan Kevin Li

Tommy Ngo Solyta Peang Glenda Turner

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

Brady Harris

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

Brian Werner Jr.

AA. Win-River Casino - Redding Rancheria:

Janine Ward-Corral

21. Applications for Consideration of Renewal Tribal-State Compact Key Employee Finding 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:

Maria Bahena Jennifer Cervantes Juanita Cunningham Harold Dachenhausen Trinidad Gracia William Kieler III George Palomares Judy Sgro Adrian Soria

B. Augustine Casino - Augustine Band of Cahuilla Indians:

Exequiel Arellano Ricardo Castillo Frances Elenes Alejandro Felix Elizabeth Loredo Flores Dennis Moore

Guadalupe Ochoa Robert Williams

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

Daniel Buchter Matthew Buggert Sharon Call Israel Corona Constance Holzheimer Tara Meyers Francisco Sarabia Jennifer Ortiz Octavio Nicasio

Benjamin Steltzer

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

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

Leslie Villani Mark Rippee Candace Robinson

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

Peter Hill

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

Priscilla Grace Bagalay Matthew Bingham **Ebony Black** Jezeca Cuambot Cynthia Crets Kevin Fung Sherri Garofalo Michael Geving Ashley Heller Jason Ihli Susan Lua Maureen McManus

Rogelio Mendoza Sameth Phon Rudy Presas

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

Alec Hasty

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

Jonathan Bobbitt Eduardo Medina-Herrera Joshua Reagan

Joseph Telesmanic Jr.

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

Maria Lowe Jose Munoz

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

Jaime Gutierrez

L. Eagle Mountain Casino - Tule River Indian Tribe of the Tule River Reservation: Stanley Santos

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

James Malia Jr. Darlene McQueeney Biljana Peters

Sabrina Serna

N. Konocti Vista Casino - Big Valley Band of Pomo Indians of the Big Valley Rancheria:

Jose Barba-Contreras

O. Lucky 7 Casino - Smith River Rancheria:

Merlin Goodlin

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

Jason Asher Christopher Gile Rick Martinez
Edward Montes Joseph Samano John Sanchez Jr.

Q. Pala Casino Spa Resort - Pala Band of Luiseno Mission Indians of the Pala

Reservation:

Nicole Audet-Silvestre Robert Hill Sherry Lambert

Ralph Yanes

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

Elma Afa'ese Silvestre Corral Flores Nam Dien
Kimberly Escobar Katherine Kiyabu Hazel Martinez
Daniel Rafferty Tiffany Swedberg Joy Trimble

James Williams Philip Zamora

S. Quechan Casino Resort - Quechan Tribe of the Fort Yuma Indian Reservation: Carletta Bitsoie Jeronimo Torres

T. Red Hawk Casino - Shingle Springs Band of Miwok Indians, Shingle Springs Rancheria:

Chad Abelein Terri Russell Mary Springsteen

U. River Rock Casino - Dry Creek Rancheria Band of Pomo Indians:

Danny Gonsalves

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

James Aulgur Jr Jerry Berns Regina Carrillo
Paprhi Chakma Trung Dang Jason Lim
Kimberly Maya Annie Kar Ng Frank Rodriguez

Artemio Sanchez Javier Uribe

W. Soboba Casino - Soboba Band of Luiseno Indians:

Russell Weiss

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

Robert Cain Derek Fryer Brian Jacobsen

Kenneth Perrie Gil Reeves

Y. Sycuan Casino and Resort - Sycuan Band of the Kumeyaay Nation:Imelda Achenbach Christian Noeh Agapay Kira Contreras

Marla More Kimberly Ostern Cynthia Snow

Fifian Stepho Stacey Wheeler

Z. Table Mountain Casino - Table Mountain Rancheria:

Leo Castillo Arnold Dagatan Julie Lopez
Antoan Tripp Felipe Valdez Jr. Gordon Woods Jr.

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

Jennifer Candia Phetsavanh Homsombath Michelle Lawrence

Nakaikuaana Raposa-Urata Nai Saeteurn Dari Son

Joseph Zarate

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

Dana Cahill Jr. Hiep Hoang Long Nguyen

Scott Rapoport Kae Saephan

CC. Viejas Casino and Resort - Viejas Group of Capitan Grande Band of Mission

Indians of the Viejas Reservation:

Laarni Genoso Yair Jimenez Gary Robinson

Esmeralda Samson

DD. Win-River Casino - Redding Rancheria:

Charles Hawes Jr. Constance Manning

Action:

Upon motion of Commissioner Dunstan, seconded by Commissioner Hammond and unanimously carried in a vote by roll call with Chairman Evans and Commissioners Conklin, Dunstan, Hammond, and To voting yes; the Commission approved the Consent Calendar Items 13 through 21.

PUBLIC COMMENT:

None.

Executive Director Stacey Luna Baxter, recused herself from all Closed Session items.

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. Robert Saucier, et al. v. California Gambling Control Commission, Sacramento County Superior Court (34-2013-80001594)
 - D. Stand Up For California, et al. v. State of California, et al., Madera County Superior Court (MCV062850)
 - E. California Valley Miwok Tribe v. California Gambling Control Commission et al.; US District Court, Southern District California (15 CV 0622 AJB JLB)
 - F. California Valley Miwok Tribe v. California Gambling Control Commission et al.; San Diego County Superior Court (37-2015-00031738-CU-CO-CTL)

- II. <u>Hearing Deliberations Pursuant to Government Code Section 11126(c)(3):</u>
 - A. In the Matter of the Application for Approval of Initial Work Permit for Gerry Yang, (CGCC-2015-0514-9)
 - B. In the Matter of the Accusation Against Garden City Inc., Jeanine Lunardi, Peter Lunardi, III, The Lunardi Family Living Trust, and Eric G. Swallow, (OAH No. 2014060129)
 - C. In the Matter of the Application for Approval of Tribal Key Employee Finding of Suitability for Jeffrey-Jun Sambrano, (GCADS-TRKE-014594)
 - D. In the Matter of the Application for Approval of Third-Party Proposition Player Services License for Vanessa Garcia, (CGCC-2015-0429-8)
 - E. In the Matter of the Application for Approval of Third-Party Proposition Player Services License for Brianna Montegrande-Klingenberg, (GCADS-TPPL-014337)

ADJOURNMENT:

Chairman Evans adjourned the Commission Meeting at 11:17 A.M.