

California Gambling Control Commission
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**MINUTES OF MARCH 10, 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.

3. Approval of Commission Meeting Minutes for:
 - A. April 27 & 28, 2015 – GCA Hearing
 - B. December 10, 2015
 - C. February 9, 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 April 27 & 28, 2015, GCA Hearing, December 10, 2015, Commission Meeting and the February 9, 2016, GCA Hearing.

4. California Problem Gambling Treatment Services Program, Overview & Update:
Presenter: Terri Sue Canale-Dalman, Chief, Office of Problem Gambling, California Department of Public Health

Terri Sue Canale-Dalman provided Problem Gambling Treatment Program statistics for 2015. Ms. Canale-Dalman also showed a new 30-second Public Service Announcement in English and Spanish with the theme Don't Ignore the Signs. Further, Ms. Canale-Dalman stated that the program is working with the Tribal Casinos and Cardrooms to provide information on the self-exclusion program and tracking gambling patrons when they self-exclude. Ms. Canale-Dalman stated that the research will provide insight into the effectiveness of the self-exclusion program. In conclusion, she stated the study will take approximately 18 months.

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Chairman Evans and the Commissioners all commended on the great work that Ms. Canale-Dalman and the Problem Gambling Treatment Program is doing for the gambling patrons and the gaming industry.

Public Comment:

Keith Sharp, Attorney

Mr. Sharp stated that from the industry perspective that he appreciates what Ms. Canale-Dalman is doing and can only say positive things about the program. Mr. Sharp also stated that problem gamblers are not good for anyone including the gaming industry.

By concurrence of the Commissioners, Item 7 and 8.A, were heard after item 4, as Designated Agent Elijah Zuniga had to be in court in Santa Rosa in the afternoon.

Items 5 and 6.A. and Closed Session items were recusal items for Executive Director Stacey Luna Baxter, who left the dais while these items were discussed.

5. Consideration of Request to Purchase Proprietary Database and Amendment of Condition(s) on Third-Party Provider of Proposition Services License (Pursuant to Business and Professions Code sections 19824 and 19870(b)):
Gaming Fund Group, Inc.

Comments Received From:

David Chau, President, Gaming Fund Group

Keith Sharp, Attorney, Gaming Fund Group

Stephen Schreiner, Attorney, TAJA

Jade Jackale, Designated Agent, Gaming Fund Group

Yolanda Morrow, Assistant Bureau Chief, Bureau of Gambling Control

A motion by Chairman Evans to deny the request to purchase the Database was seconded by Commissioner Conklin. Both withdrew their motions.

Commissioner Conklin and Chairman Evans expressed their concerns that Gaming Fund Group is possibly violating the conditions that are in place by continuing to use the Database. They also expressed unease that the relationship with TAJA will not come to an end if they continue using the Database. Commissioner Conklin also expressed apprehension that the promissory note from TAJA is allowing Gaming Fund Group to pay over a five-year span; continuing a relationship with TAJA which also violates the conditions.

Action:

Upon motion of Commissioner Hammond, seconded by Commissioner Dunstan and carried in a vote by roll call with Dunstan, Hammond, and To voting yes, and Chairman Evans and Commissioners Conklin voting no; the Commission approved the request to purchase the Database but denied the promissory note and amended the existing conditions numbers 3 and 4 and added two conditions listed below:

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1. *Gaming Fund Group, Inc. will not provide third-party proposition player services to, or operate as a gambling business at Pocket 3's Gaming, Inc. dba Club Caribe until Pocket 3's Gaming, Inc. has repaid in full all outstanding loans owed to Gaming Fund Group, Inc. and/or Game Source, LLC.*
 2. *As required by the Gambling Control Act, Gaming Fund Group, Inc. shall not enter into any funding source or ownership agreements prior to the review and approval of the Commission and Bureau. Should Gaming Fund Group, Inc. enter into any funding source or ownership agreements prior to approval, it will be grounds for immediate revocation of Gaming Fund Group, Inc.'s Third Party Proposition Player Services contract agreements and the Bureau will take the appropriate steps for revocation of Gaming Fund Group, Inc.'s Third Party Proposition Player Services license.*
 3. *Except for payment amount of 1, 3, and 4 of the Final Arbitration award and the Judgment awarded on June 24, 2015, Gaming Fund Group, Inc. and its owners shall not enter into agreements with TAJA Enterprises. Further, Gaming Fund Group, Inc. shall cease any and all direct or indirect business involvement with TAJA Enterprises without prior approval by the Commission.*
 4. *Except for payment amount of 1, 3, and 4 of the Final Arbitration award and the Judgment awarded on June 24, 2015, Gaming Fund Group, Inc. shall not enter into any type of intellectual property license agreements with any person or entity without the prior approval of the California Gambling Control Commission.*
 5. *Gaming Fund Group, Inc. must submit a written agreement between Gaming Fund Group, Inc. and Game Services, LLC that details the services and reimbursement provided, to the Commission and the Bureau, within 30 days of placement of this condition.*
 6. *Gaming Fund Group, Inc. and its owners shall not enter into new agreements with James Aiello, Frank Salerno, William Schipani, or Thomas Artle or any of their businesses.*
 7. *Gaming Fund Group, Inc. shall notify the Bureau of Gambling Control when they have knowledge of TAJA Enterprises executing the final Judgment.*
6. Consideration to Extend Temporary State Gambling Licenses (Pursuant to Business and Professions Code sections 19824(f) and 19852):
- A. Oasis Card Room: Todd Mather, Sole Proprietor

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 to extend the Temporary State Gambling License through March 31, 2017, continuing with the existing conditions and amending a condition noted below:

1. *Provide proof of escrow within ten (10) days of escrow closing to the Bureau of Gambling Control.*

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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.*

7. Application for Consideration of Initial State Gambling License (Pursuant to Business and Professions Code sections 19850, 19851, and 19852; CCR, Title 4 section 12342):

Commerce Casino: California Commerce Club, Inc.
Mary Schott, Chief Financial Officer

Action:

Upon motion of Commissioner To, 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 State Gambling License through March 31, 2017.

8. Applications for Consideration of Renewal of State Gambling Licenses (Pursuant to Business and Professions Code sections 19850, 19852, and 19876; CCR, Title 4, section 12345):

A. Bankers Casino: Old Town Investments, Inc.
Salvador Jimenez Jr., Chief Executive
Officer, President, Chief Financial Officer,
Director, Shareholder
Hector Campos, Vice President, Secretary,
Director, Shareholder

Comments Received From:

Elijah Zuniga, Designated Agent
Anthony York, Senior Management Auditor, Audits and Compact Compliance
Section, Bureau of Gambling Control

Action:

Upon motion of Commissioner Hammond, 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 an 180-day extension through September 30, 2016, and continued with the existing modified condition and removed a condition noted below:

Continued with the existing modified condition:

1. *By ~~January 31, 2016~~ April 30, 2016, the owner-licensee shall submit **reviewed financial statements** to the Bureau for Messrs. Campos' and Jimenez's ~~respective individual tax returns~~ for the years 2011, 2012, 2013, and 2014.*

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Removed the following condition:

2. *Within 90 days after Commission approval, all verbal contracts with Bankers Casino shall be in writing and shall be submitted to the Commission, with a copy to the Bureau.*

B. Mike's Card Casino: Michael Whiteley Jr., Sole Proprietor

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 a 120-day extension through July 31, 2016.

C. Rogelio's: Rogelio's, Inc.
Rogelio Garcia, President, Director,
Shareholder
Mew Ha Garcia, Chief Financial Officer,
Secretary, Director, Shareholder

Action:

Upon motion of Commissioner Conklin 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 Renewal Application through March 31, 2018.

9. 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):
Konami Gaming, Inc.

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 application through March 31, 2018.

10. Application for Consideration of Renewal Tribal-State Compact Key Employee Finding of Suitability (Pursuant to the Tribal-State Gaming Compact, section 6.4.4):
Barona Resort and Casino – Barona Group of Capitan Grande Band of Mission Indians of the Barona Reservation:
Carl Leath

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 March 25, 2018, and removed the existing condition noted below:

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Removed condition:

Mr. Leath must provide proof to the Bureau of Gambling Control and the California Gambling Control Commission of having filed state and federal taxes annually no later than April 30 of each year.

CONSENT CALENDAR ITEMS:

11. Consideration to Withdraw Application for State Gambling License (Pursuant to Business and Professions Code section 19869; CCR, Title 4 section 12015):

Lucky Chances Casino: Lucky Chances, Inc.
Wendy Andong, Trustee

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

A. Gene Clevenger	G. Tuan Nguyen
B. Tim Lam	H. Janet Reynolds
C. Tony Le	I. Pamela Rosa
D. Matthew Miller	J. Dina Shamoon
E. Oscar Miranda	K. Samnang Um
F. Robert Newman	

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

A. Napa Valley Casino:	Chunxiu Zhang
B. Parkwest Casino Sonoma:	Michelle Roy

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

A. Empire Sportsmen's Association:	Mary Abrahamson	Alicia Eck	Joshua Klok
	Rathkaya Koy	Scott Smith	
B. Napa Valley Casino:	Yi Yuen Teh		
C. Oasis Card Room:	John Broyles	Karen Mather	
D. Parkwest Casino Sonoma:	Duangrudee Pflueger	Shannon Valenza	
	Olga Ventura de Cruz		

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

A. Arise, LLC:			
Player:	Brett Holz		
B. PT Gaming, LLC:			
Supervisors:	Aaron Robinson	David Villegas	
Players:	Susan Bou	Patrick Burke	Robert Castorena
	Christopher Dequina	Bereket Ghebregabher	Scott Groff
	Ozark Le	Julia Loustalot	Kim Mac
	Kadra Morin	Nam Nguyen	Tony Phu
	John Sydiongco	Julian Torres	Steve Tran
	Eliza Young		

16. 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):

PT Gaming, LLC:

Players: Ricky Farfan Kai Her Jonathan Lewis

17. Applications for Consideration of Initial 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:
Albert Chapman Jr.

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

Robert Kawamoto Moses Oriem

C. Chicken Ranch Casino - Chicken Ranch Rancheria of Me-Wuk Indians:
John Scurich

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

Cory McMahan

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

Jose Gonzalez Jr

F. Eagle Mountain Casino - Tule River Indian Tribe of the Tule River Reservation:
Jonathan Minyard

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

Arnie Arnsdorff Thanh Thy Pham Mary Wirta

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

Arthur Ebitner Rigo Rodriguez Dorado

I. Hopland Sho-Ka-Wah Casino - Hopland Band of Pomo Indians:

Yociri Alcazar

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

Raymond Stogner

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

Blendi Shehu

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

Yuan Chen Shlomit Madar Bashar Najeeb

Yuang Wang

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

Tina Scott Matthew Truett Kayla Vaccaro

Stanley Yanovak

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

Michael Garrow

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

Kyle Lowery Kaye Roem

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- P. Spa Resort Casino - Agua Caliente Band of Cahuilla Indians:
Kimberle Mason
- Q. Sycuan Casino and Resort - Sycuan Band of the Kumeyaay Nation:
Alice Ott
- R. Table Mountain Casino - Table Mountain Rancheria:
June Kingkham
- S. Tachi Palace Hotel and Casino - Santa Rosa Indian Community:
Tracie Gomez Fong Yang
- T. Thunder Valley Casino Resort - United Auburn Indian Community of the Auburn Rancheria:
George Jackson Caelen Klopson Maidor Lee
Daniel Phares Nai Saepanh Feuy Saetern
- U. Valley View Casino & Hotel - San Pasqual Band of Diegueno Mission Indians:
Kenneth Escalante Jr.
- V. Viejas Casino and Resort - Viejas Group of Capitan Grande Band of Mission Indians of the Viejas Reservation:
Steven Archiquette Catherine Farquhar

18. 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. Augustine Casino - Augustine Band of Cahuilla Indians:
Eleida Bolanos Elsa Castaneda
- B. Barona Resort and Casino - Barona Group of Capitan Grande Band of Mission Indians:
Wilson Capili Jeffty Connelly Sean Coplin
Leah David Andrew Gonzales Robert James Jr
James Lake Travis Poe
- C. Cache Creek Casino Resort - Yocha Dehe Wintun Nation:
Daniel Amundsen John Chao Shawn Costello
Samuel Evans Pedro Fung Jessie Garcia
Wendy Gillen Lon Gostin Sherry Greer
Kelsey Hawkins Phetsamay Lakhamsene Joey Lee
Courtney Saelee Mike Saephan William Sloan
Robert Smith Alice Spencer Eleanor Thompson
Irene Yu
- D. Chukchansi Gold Resort and Casino - Picayune Rancheria of Chukchansi Indians:
Wanda Adams Andres Arredondo Diana Au
Monique Ayers Connie Bessinger Robert Black
Monica Chapman Evencio Cortes Lori Cuevas
Michael Delano Stephanie Granado Jessica Hutchens
Carter Kinsman Pang Lee Vong Lee
Johnny Lorance George Markarian Charlisha Mart
Roberto Medina Chiela Moreno Jamielind Navarro
Nicole Nichols Maritza Romo Joel Saunders Jr.
Roy Sells Augustin Serros Rhonda Sherrill
Robert Sherwood Anna Shurrum Kene Singmuongthong
Sean Stevens Rebecca Thompson Ben Valverde

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- Fue Vang Theng Vang Bee Vang
Vicky Xiong Joe Xiong Tou Yang
- E. Chumash Casino Resort - Santa Ynez Band of Chumash Mission Indians of the Santa Ynez Reservation:
Lori Broder David Cabrera Ervin Cruz
Saul Ortega John Vinluan
- F. Colusa Casino Resort - Cachil DeHe Band of Wintun Indians of the Colusa Indian Community of the Colusa Rancheria:
Jourdyn Pummill
- G. Fantasy Springs Resort Casino - Cabazon Band of Mission Indians:
Amalia Lopez Meng Wang Lisa White
- H. Harrah's Resort Southern California - Rincon Band of Luiseno Mission Indians of the Rincon Reservation:
Dancette Carvalho Charles Collazo Charompol Hongthong
Stanley Johnson Jr. Ethan Meadows Toan Nguyen
Chris Sanchez Tamara Williams Robin Zetts
- I. Morongo Casino Resort and Spa - Morongo Band of Mission Indians:
Michelle Andrade Philip Erwin Raad Sahawneh
James Thiros Jose Torres Jr.
- J. Pechanga Resort & Casino - Pechanga Band of Luiseno Mission Indians of the Pechanga Reservation:
ReNae Brouillette Cleve Hearn Connie Makepeace
Christine Partello Chaiyaporn Pundhsingh Alex Rodriguez
Evelyn Wheelock Colin Wingate Joseph Young
- K. River Rock Casino - Dry Creek Rancheria Band of Pomo Indians:
Veronica Casillas Abel Gonzalez Javier Ramirez
- L. Soboba Casino - Soboba Band of Luiseno Indians:
Edgar Magana Charles Warren
- M. Spotlight 29 Casino - Twenty-Nine Palms Band of Mission Indians:
Angelica Valenzuela
- N. Sycuan Casino and Resort - Sycuan Band of the Kumeyaay Nation:
Richard Jewell Nicolas Marcon
- O. Table Mountain Casino - Table Mountain Rancheria:
Roman Ramirez
- P. Tachi Palace Hotel and Casino - Santa Rosa Indian Community:
James Keuangthirath Gricelda Perez
- Q. Thunder Valley Casino Resort - United Auburn Indian Community of the Auburn Rancheria:
Marysabel Chavez Cindy Cisneros Ann Easley
Jason Edwards
- R. Win-River Casino - Redding Rancheria:
Teresa Romero
19. Applications for Consideration of Renewal Interim State License for Bingo Manufacturers and Distributors (Pursuant to Penal Code sections 326.3, 326.5, and CCR, Title 4, section 12492):
- A. LIF Capital Group, LLC: Lee Ira Fried and Nancy Fried Lew 2000 Revocable Trust

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Lee Ira Fried, Trustee, Beneficiary, Trustor
Nancy Fried Lew, Trustee, Beneficiary
Trustor
Steven Rockwell, Member

B. Madison Capital Corp.: Nevada Madison Capital Corporation
Martha McKinney, President, Secretary, Treasurer
The D.A. Facciani Living Trust
Martha McKinney, Trustee

C. Pacific Gaming, LLC: Lee Ira Fried and Nancy Fried Lew 2000
Revocable Trust
Lee Ira Fried, Trustee, Beneficiary, Trustor
Nancy Fried Lew, Trustee, Beneficiary,
Trustor
Steven Rockwell, Member

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 Consent Calendar Items 11 through 19.

PUBLIC COMMENT:

None.

CLOSED SESSION DISCLOSURE:

Prior to holding Closed Session, Chief Counsel Vlaanderen disclosed that the Commissioners would meet in Closed Session on item II.D. and II.F. No further information was provided.

CLOSED SESSION:

- I. 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. *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)

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- II. Hearing Deliberations Pursuant to Government Code Section 11126(c)(3):
- A. In the Matter of the Application for Approval of Third-Party Proposition Player Services License for Vanessa Garcia, (CGCC-2015-0429-8)
 - 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 Third-Party Proposition Player Services License for Brianna Montegrando-Klingenberg, (GCADS-TPPL-014337)
 - D. In the Matter of the Application for Approval of Work Permit for Kannitha Phonn, (GCADS-GEWP-002096)
 - E. In the Matter of the Application for Renewal of Third Party Proposition Players Services License for Dog Named Blue, Inc. dba California Gaming Consultants, (CGCC-2013-0627-7B)
 - F. In the Matter of the Statement of Issues Against Crystal Piper, a.k.a. Crystal Piper-Chavez, (OAH No. 2015071027)

ADJOURNMENT

Chairman Evans adjourned the Commission Meeting at 12:50 P.M.