

California Gambling Control Commission

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**MINUTES OF MARCH 24, 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. February 10, 2016 – GCA Hearing
 - B. February 17, 2016 – GCA Hearing
 - C. February 24, 2016 – Regulation Workshop
 - D. February 29, 2016 – GCA Hearing

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 minutes for the February 10, 2016, GCA Hearing, February 17, 2016, GCA Hearing, February 24, 2016, Regulation Workshop and the February 29, 2016, GCA Hearing.

Items 4, 12, 13, and Closed Session items were recusal items for Executive Director Stacey Luna Baxter, who left the dais while these items were discussed.

4. Applications for Consideration of A) Renewal of State Gambling Licenses, B) Initial State Gambling Licenses, and C) Temporary State Gambling Licenses (Pursuant to Business and Professions Code sections 19850, 19851, 19852, 19824(f) and 19876; CCR, Title 4 sections 12342 and 12345):

A. Delta Casino: Delta C, LP
 Delta CM, Inc., General Partner
 Tigran Marcarian, Limited Partner; President,
 Chief Executive Officer, Treasurer, Chairman of the
 Board, and Shareholder of Delta CM, Inc.
 Chant Manoukian, Limited Partner; Director of Delta CM, Inc.

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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.

B. Delta Casino: Delta C, LP
 Delta CM, Inc.
 Tracey Kennedy, Shareholder
 James Mullins, Secretary and Shareholder
 Kerry Mullins, Shareholder
 Richard Shindle, Director and Shareholder
 Delta Fore, LLC, Shareholder
 Richard Shindle, Managing Member
 Tracey Kennedy, Member
 James Mullins, Member
 Kerry Mullins, Member

Comments Received From:

Richard Shindle
Yolanda Morrow, Assistant Bureau Chief, Bureau of Gambling Control

Before a motion was made, Commissioner Conklin stated that she highly recommended to Richard Shindle that he put some kind of firewall procedure in place to ensure there is no conflict with his son, David Shindle's employment with PT Gaming and Mr. Shindle's ownership of Delta Casino since PT Gaming is Delta's Third Party Proposition Player.

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 Initial Application through March 31, 2018.

C. Delta Casino: Delta C, LP
 Delta CM, Inc.
 Tracey Kennedy, Shareholder
 James Mullins, Secretary and Shareholder
 Kerry Mullins, Shareholder
 Richard Shindle, Director and Shareholder
 Delta Fore, LLC, Shareholder
 Richard Shindle, Managing Member
 Tracey Kennedy, Member
 James Mullins, Member
 Kerry Mullins, Member

No Action Required due to Approvals of **4.A.** and **4.B.**

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5. 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):

Capitol Casino: Capitol Casino, Inc.
Clarke Rosa, President, Director, Shareholder
Sandra Rosa, Secretary, Chief Financial Officer,
Director, Shareholder

Comments Received From:

Clarke Rosa
Kevin Kolbe, Special Agent in Charge, Compliance and Enforcement, Bureau of Gambling Control
Yolanda Morrow, Assistant Bureau Chief, Bureau of Gambling Control

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 Renewal Application through March 31, 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. Stephen Arnold	F. Branden Rupp
B. Babette Baquirig	G. Raweewan Thanasarn
C. Tan Wai Fung	H. Elgen Turner
D. James Hicklin	I. Khonglai Yang
E. Justin Kuraitis	J. Phatseluck Yang

By concurrence of the Commissioners, items 6.A. through 6.E. were considered as a group.

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 Applications through the periods listed in the report.

6.F. Branden Rupp

Comments Received From:

Branden Rupp, 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

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Conklin, Dunstan, Hammond, and To voting yes; the Commission approved the Initial Application through May 31, 2016.

6.G. Raweewan Thanasarn

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 Initial Application through June 30, 2016.

6.H. Elgen Turner

Comments Received From:

Elgen Turner

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 Application through April 30, 2016 with the condition noted below:

Beginning April 1, 2016, and every 180 days thereafter, Mr. Turner must submit a written update to the Bureau of Gambling Control regarding both the unpaid child support balance owed to the Harrison County, and the unpaid balance of the Federal Tax Lien owed to the Internal Revenue Service.

6.I. Khonglai Yang

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 Application through July 31, 2016.

6.J. Phatseluck Yang

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 Application through July 31, 2016.

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

Madelaine Jazmin

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Action:

Upon motion of Commissioner Dunstan, 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.

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

Central Coast Casino (GB): Noi Phabmixay

Comments Received From:

Noi Phabmixay

Yolanda Morrow, Assistant Bureau Chief, Bureau of Gambling Control

Action:

Upon motion of Commissioner Conklin, seconded by Commissioner Dunstan and carried in a vote by roll call with Commissioners Conklin, Dunstan, and Hammond, voting yes, and Chairman Evans and Commissioner To voting no; the Commission approved the Initial Application through October 31, 2017.

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

Pacific Gaming Services, LLC:

Player: Jimmy Trinh

Comments Received From:

Jimmy Trinh

Thuc Phan, Interpreter for Jimmy Trinh

Action:

The Commissioners asked Mr. Trinh through his interpreter if he understood the condition being placed on Mr. Trinh's license. The interpreter stated that yes Mr. Trinh understood the condition. 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 Renewal Application through January 31, 2018, with the condition noted below:

By May 30, 2016, Jimmy Trinh must provide to the Bureau of Gambling Control proof of a payment plan to satisfy the fine to the Sacramento County Superior Court.

10. Applications for Consideration of Renewal of Third Party Provider of Proposition Services Licenses (Pursuant to Business and Professions Code section 19984; CCR, Title 4, section 12218.8):

Pacific Gaming Services, LLC:

Pacific Gaming Services, LLC

Lori B. Suson Revocable Living Trust, Member

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

- A. Central Coast Casino (GB): Jessica Ramiro
- B. Merced Poker Room: Niki Yang
- C. Oceana Cardroom: Joanne Tsai
- D. Parkwest Casino Sonoma: Romie Mohamed Beau Mori Walter Mosteiro
Felicia Stafford
- E. Poker Flats Casino: John Holmes My Ly Vang

15. Applications for Consideration of Conversion of Third-Party Providers of Proposition Player Services Player Registrations to Licenses (Pursuant to Business and Professions Code section 19984; CCR, Title 4, section 12218):

- A. Arise, LLC:
Player: Brissa Moncada
- B. PT Gaming, LLC:
Players: Michael De Guzman Ryan Freese Ashley Gentry-Andrews
James Lucas Sarah Martinez Gerald McAllister
Patricia McKee Christian Ortega Eric Ramirez
Alejandro Ochoa Renteria Rodolfo Salaya Erica Tang
Amisha Thoi Stayton Todd Anita Toun
Sarah Walter Tyler Wormuth Charlesetta Wright
Melvin Yabes Panhia Yang

16. 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:
Stephanie Guzman
- B. Augustine Casino - Augustine Band of Cahuilla Indians:
Corrina Jamail
- C. Barona Resort and Casino - Barona Group of Capitan Grande Band of Mission Indians:
Nikolas Garcia
- D. Blue Lake Casino and Hotel - Blue Lake Rancheria:
Hector Sandoval
- E. Coyote Valley Casino - Coyote Valley Band of Pomo Indians:
Michael Wheeler
- F. Graton Resort & Casino - Federated Indians of Graton Rancheria:
Kadekeo Chandara Abel Rocha BecerraXiaoTong Wang
- G. Morongo Casino Resort and Spa - Morongo Band of Mission Indians:
Andy Ho
- H. Paiute Palace Casino - Bishop Paiute Tribe:
Michael Padilla
- I. Pechanga Resort & Casino - Pechanga Band of Luiseno Mission Indians of the Pechanga Reservation:
Rami Abedsalam Caitlynn Biles
- J. Red Hawk Casino - Shingle Springs Band of Miwok Indians, Shingle Springs Rancheria:
Todd Tomblin

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- K. Running Creek Casino - Habematolel Pomo of Upper Lake:
Orin Terry Jr.
- L. Spa Resort Casino - Agua Caliente Band of Cahuilla Indians:
Mark Jones Trevon Matthews
- M. Table Mountain Casino - Table Mountain Rancheria:
Fady Nicolas Tha Vang
- N. Tortoise Rock Casino - Twenty-Nine Palms Band of Mission Indians:
Christina Hamilton
- O. Viejas Casino and Resort - Viejas Group of Capitan Grande Band of Mission
Indians of the Viejas Reservation:
Theresa Grady

17. 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:
Christine Baker-Arceneaux Kim Bond Daniel Clinard
Kevin Cooper Cassandra Diaz Karina Elenes
Iwona Gierasimow Huyen Mai Santa Oliva
Jerry Park Jr. Robert Quintana Lyn Sabac
Silvia Salgado Elizabeth Smith Glendy Sosa Enriquez
- B. Augustine Casino - Augustine Band of Cahuilla Indians:
Bertha Lopez Ivan Rivera Rodriguez Christopher Seiple
Charles Torman
- C. Barona Resort and Casino - Barona Group of Capitan Grande Band of Mission
Indians:
Jean Clough Marilyn Geronimo Nathan McEntire
Jesus Moraga Arian Qerkini Dominic Randazzo
Gregorio Rodriguez Kristen Truncale Isak Xhelili
- D. Bear River Casino Hotel - Bear River Band of the Rohnerville Rancheria:
Jesse Reeves
- E. Black Oak Casino - Tuolumne Band of Me-Wuk Indians of the Tuolumne
Rancheria:
Steven Nolan
- F. Blue Lake Casino and Hotel - Blue Lake Rancheria:
Shannon Murphy
- G. Cache Creek Casino Resort - Yocha Dehe Wintun Nation:
San Yang
- H. Chukchansi Gold Resort and Casino - Picayune Rancheria of Chukchansi
Indians:
Oscar Yeppez
- I. Eagle Mountain Casino - Tule River Indian Tribe of the Tule River Reservation:
Julie Valenzuela
- J. Feather Falls Casino & Lodge - Mooretown Rancheria of Maidu Indians:
Matthew Weisser
- K. Garcia River Casino - Manchester Band of Pomo Indians of the Manchester
Rancheria:
Stanley Spencer

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- L. Jackson Rancheria Casino & Hotel - Jackson Rancheria of Me-Wuk Indians:
Damien Dinh Alexandru Iliescu Neilson Palapal
- M. Morongo Casino Resort and Spa - Morongo Band of Mission Indians:
John James Kendra Pimentel
- N. Pala Casino Spa Resort - Pala Band of Luiseno Mission Indians of the Pala Reservation:
Jeffrey Kneezle Jorge Maldonado
- O. Red Earth Casino - Torres Martinez Desert Cahuilla Indians:
Maria Torres
- P. San Manuel Indian Bingo and Casino - San Manuel Band of Mission Indians:
Bryan Bates Lewylyn Flores Sun Huh
Rick Loya Lena Mario Michael Perry
Jessica Reyes Jonathan Santana Rhonda Zahn
- Q. Spa Resort Casino - Agua Caliente Band of Cahuilla Indians:
Dawn Ames Joydelyne Balanay Carolyn Cara
Ernesto Hernandez Jr. William Oliver Shaynna Silver
- R. Spotlight 29 Casino - Twenty-Nine Palms Band of Mission Indians:
Jose Lomeli Milian Faviola Lua Christine Ortega
- S. Sycuan Casino and Resort - Sycuan Band of the Kumeyaay Nation:
Romeo Buensuceso Jr. Rafi Butres George Cruz
Bill Inthamala Ketkeo Inthavong Neil Lambert
Mary Meier David Penn Sherwin Perez
- T. Table Mountain Casino - Table Mountain Rancheria:
Gregory Dean Millie Khanthaman David Segovia Jr.
Matilda Villafan
- U. Tachi Palace Hotel and Casino - Santa Rosa Indian Community:
Michelle Correa Shannon Souza Gino Vang
Mai Xiong
- V. Thunder Valley Casino Resort - United Auburn Indian Community of the Auburn Rancheria:
Chamroeun Chheang Janet Donoho Gerald Flagor
Cyndi Luu Laura Miller Darold Netser
Val Nye Mouang Saefong Flordeliza Santos
Tu-Kenny Tran
- W. Tortoise Rock Casino - Twenty-Nine Palms Band of Mission Indians:
Kevin Schwerdt

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 Consent Calendar items 14 through 17.

PUBLIC COMMENT:

None.

CLOSED SESSION DISCLOSURE:

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Prior to holding Closed Session, Chief Counsel Vlaanderen disclosed that the Commissioners would meet in Closed Session on item II D.

Executive Director Stacey Luna Baxter did not join the Commissioners for the Closed Session item, as she had recused herself from all Closed Session items.

CLOSED SESSION: 11:09 AM

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

- II. Hearing Deliberations Pursuant to Government Code Section 11126(c)(3):
 - A. Default Decision and Order In the Matter of the Application for Initial Work Permit for David Arts, (GCADS-GEWP-002211)
 - 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 Work Permit for Kannitha Phonn, (GCADS-GEWP-002096)
 - D. In the Matter of the Application for Renewal of Third Party Proposition Players Services License for Dog Named Blue, Inc. dba California Gaming Consultants, Richard Baldaramos, and the Rick Baldaramos Trust (CGCC-2013-0627-7B); Consideration of Stipulation, Decision, and Order.
 - E. In the Matter of the Application for Renewal of Key Employee License for Darren Furtado, (CGCC-2013-0523-2)
 - F. In the Matter of the Application for Approval of Initial Key Employee License for Michael Fuston, (CGCC-2014-1211-12B)
 - G. In the Matter of the Application for Approval of Third-Party Proposition Player Services License for Ronald Hellen, III, (GCADS-TPPL-101325)

RECONVENE TO OPEN SESSION:

11:25 AM

The proposed settlement was rejected for Closed Session item II. D. and a GCA hearing will be scheduled at a date to be determined.

ADJOURNMENT:

Chairman Evans adjourned the Commission Meeting at 11:26 AM