

California Gambling Control Commission
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**MINUTES OF APRIL 25, 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, Lauren Hammond, and Trang To present. Commissioner Roger Dunstan was absent.

3. Approval of Commission Meeting Minutes for:
 - A. February 25, 2016
 - B. March 29, 2016 – GCA Hearing

Action:

Upon motion of Commissioner Conklin seconded by Commissioner Hammond and carried in a vote by roll call with Chairman Evans and Commissioners Conklin, Hammond, and To voting yes; the Commission approved the minutes for February 25, 2016, and the March 29, 2016 GCA Hearing.

Deputy Director Katherine Ellis noted that Item 11.U. Jose Currel Jr. and Item 11. W. Heather Sparks were pulled from the Tribal Initial Key Employee list in the Consent Calendar to be heard in open session after Item 7.

Item 8, 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 Renewal of State Gambling Licenses (Pursuant to Business and Professions Code sections 19850, 19852, and 19876; CCR, Title 4, section 12345):
 - A. Hemphill's Lounge and Cardroom: Timothy Long, Sole Proprietor

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Action:

Upon motion of Commissioner To seconded by Commissioner Hammond and carried in a vote by roll call with Chairman Evans and Commissioners Conklin, Hammond, and To voting yes; the Commission approved the Renewal Application through April 30, 2018, and amending the conditions listed below:

Amending Conditions:

1. *Prior to the opening for business of Hemphill's Lounge and Cardroom, Mr. Timothy Long, shall provide to the Bureau of Gambling Control's (Bureau) satisfaction:*
 - a. *A current and fully completed Cardroom Supplemental Information for State Gambling License, Rev. 4/08 (BGC-APP-015C), or its most current successor form, which includes the new address of the gambling establishment;*
 - b. *A current and valid business license issued by the City of Napa for the gambling establishment;*
 - c. *A current, reviewed and approved Safety and Security Plan, as required by California Code of Regulations, title 4, sections 12370 and 12372;*
 - d. *A current Emergency and Evacuation Plan, as required by California Code of Regulations, title 4, section 12370, that has been approved by the responsible local authority;*
 - e. *A current lease for the gambling establishment's premises, if applicable; and*
 - f. *A current and complete Chart of Accounts, as required by California Code of Regulations, title 4, section ~~12402~~ 12312 (d) and (e).*

2. *Once Hemphill's Lounge and Cardroom has opened for business, Mr. Timothy Long shall engage a Certified Public Accountant, who is knowledgeable regarding the licensed gambling industry, to perform an annual audit of the gambling establishment. This requirement shall continue for four years, with the first audit to be submitted to the Bureau on the first anniversary of the opening day of the gambling establishment.*

B. The Saloon at Stones Gambling Hall: King's Casino, LLC

C. The Tavern at Stones Gambling Hall: King's Casino, LLC

By concurrence of the Commissioners, items 4.B. and 4.C. were considered as a group.

Comments Received From:

Jarhett Blonien, Designated Agent

Yolanda Morrow, Assistant Bureau Chief, Bureau of Gambling Control

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Action:

Upon motion of Commissioner Hammond seconded by Commissioner To and carried in a vote by roll call with Chairman Evans and Commissioners Conklin, Hammond, and To voting yes; the Commission approved the Renewal Applications through April 30, 2018, and removing the existing conditions noted below:

Removing Conditions:

1. *King's Casino Management Corporation (Corporation) must add a provision to its bylaws that the purported sale, assignment, transfer, pledge, or other disposition of any security issued by the Corporation or the grant of an option to purchase that security is void unless approved in advance by the Commission and made in compliance with the Act and any rules and regulations issued pursuant to the Act, Business and Professions Code section 19904.*
2. *The Corporation must add a provision to its bylaws to provide certificates evidencing any security issued by the Corporation shall be legended in accordance with Business and Professions Code section 19882, subdivision (c).*
3. *The Corporation must confirm to the Commission and the Bureau that each and every certificate evidencing the Corporation's stock has been legended in accordance with the provisions of Business and Professions Code section 19882, subdivision (c).*
4. *The Corporation must confirm to the Commission and the Bureau that each and every certificate evidencing the Corporation's stock includes the following legend:*

THE CERTIFICATE REPRESENTS SHARES OF STOCK ISSUED BY A CORPORATION THAT HOLDS A GAMBLING LICENSE PURSUANT TO THE LAWS 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.

5. *The Corporation must add a provision to its bylaws to provide that it may not borrow money or pledge any of its personal or real property, tangible or intangible, as security for any obligation or liability without the Commission's prior approval in accordance with Business and Professions Code section 19900 (a)(1).*
5. Applications for Consideration of Initial Portable Personal Key Employee Licenses (Pursuant to Business and Professions Code section 19854; CCR, Title 4, section 12350):
 - A. Margaret Lopez
 - B. Abraham Trevino

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By concurrence of the Commissioners, items 5.A. and 5.B. were considered as a group.

Action:

Upon motion of Commissioner Hammond seconded by Commissioner Conklin and carried in a vote by roll call with Chairman Evans and Commissioners Conklin, Hammond, and To voting yes; the Commission approved the Initial Applications through the periods listed in the report.

6. Applications for Consideration of Renewal of Third-Party Provider of Proposition Player Services License (Pursuant to Business and Professions Code section 19984; CCR, Title 4, section 12218.8)

A. Mega Gaming, LLC: Michael Tang, Member

Comments Received From:

Michael Tang, via telephone

Action:

Upon motion of Commissioner Hammond seconded by Commissioner To and carried in a vote by roll call with Chairman Evans and Commissioners Conklin, Hammond, and To voting yes; the Commission approved the Renewal Application through April 30, 2018.

B. Pacific Gaming Services, LLC: Pacific Gaming Services, LLC
Lori B. Suson Revocable Living Trust, Member
Lori Suson, Sole Beneficiary, Trustee, Trustor,
Managing Member

Comments Received From:

Lori Suson

Action:

Upon motion of Chairman Evans seconded by Commissioner Hammond and carried in a vote by roll call with Chairman Evans and Commissioners Conklin, Hammond, and To voting yes; the Commission approved the Renewal Application through March 31, 2018.

7. Revenue Sharing Trust Fund Final Report for Distribution to Eligible Recipient Indian Tribes for Quarter Ending March 31, 2016 – Quarterly License Revenue Received and Shortfall (Pursuant to Government Code section 12012.75)

Action:

Upon motion of Commissioner Conklin, seconded by Commissioner To and carried in a vote by roll call with Chairman Evans and Commissioners Conklin, Hammond, and To voting yes; the Commission approved the distribution payments as listed in the reports.

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Items 11.U. and 11.W. were pulled from Consent Calendar and heard in Open Session as noted below:

- 11.U. Applications for Consideration of Initial Tribal-State Compact Key Employee Finding of Suitability (Pursuant to the Tribal-State Gaming Compact, section 6.4.4):
River Rock Casino - Dry Creek Rancheria Band of Pomo Indians:
Jose Curiel Jr.

Comments Received From:
Jose Curiel Jr., via telephone

Action:
Upon motion of Chairman Evans seconded by Commissioner To and carried in a vote by roll call with Chairman Evans and Commissioners Conklin, Hammond, and To voting yes; the Commission approved the Initial Application through June 16, 2016.

- 11.W. Applications for Consideration of Initial Tribal-State Compact Key Employee Finding of Suitability (Pursuant to the Tribal-State Gaming Compact, section 6.4.4):
Running Creek Casino - Habematolel Pomo of Upper Lake:
Heather Sparks

Ms. Sparks was not in attendance via phone or in person. No Action Taken. Item to be placed on the May 26, 2016, Commission Meeting.

Item 8, and Closed Session items were recusal items for Executive Director Stacey Luna Baxter, who left the dais while these items were discussed.

8. Application for Approval of Renewal of State Gambling Licenses (Pursuant to Business and Professions Code section 19876; CCR Title 4 section 12345):
Consideration of Stipulated Settlement; Decision and Order In the Matter of the Accusation Against Normandie Club dba Normandie Club, Russell Miller, Lawrence Miller, Gregory Miller, Stephen Miller (OAH No. 2013120253 BGC Case No. HQ2013-00002AC)

There was no comment. Item to be heard in Closed Session.

CONSENT CALENDAR ITEMS:

9. Applications for Consideration of Initial Work Permit (Pursuant to Business and Professions Code section 19912; CCR, Title 4, section 12104):
- | | |
|------------------------------------|------------------------------------|
| A. Empire Sportsmen's Association: | Jamie Herring |
| B. Lake Bowl Cardroom: | William Johnson |
| C. Napa Valley Casino: | Brian Yee |
| D. Parkwest Casino Sonoma: | Jenna Carrender Jazmin Murillo |

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

PT Gaming, LLC:

Supervisor:	Steven Gates		
Players:	Christopher Bunleuth	Marlene Chneang	Sharmaine Concepcion
	Jennifer Dixon	Andy Duch	Richard Garcia
	Ana Monica Gumtang	Martha Lopez	Vickie Lor
	Christopher McDermott	Janai Meeks	Kieu Nguyen
	Diane Omar	Brenda Padilla	Tatiana Perez
	Darleena Phouetha	Amelia Tukuafu	Robert Virata
	Antionette Viveros	Robert Williamson	

11. 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:
Evangelestine Canada Donald Didion Jr. Sandra Gallegos
Carmen Ventura
- B. Augustine Casino - Augustine Band of Cahuilla Indians:
Charles Williams
- C. Barona Resort and Casino - Barona Group of Capitan Grande Band of Mission Indians:
Dillon Wulff
- D. Black Oak Casino - Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria:
Alicia Butler Tammy Gutierrez Christopher Lamberton
- E. Cache Creek Casino Resort - Yocha Dehe Wintun Nation:
Ana Garcia Osornio
- F. Casino Pauma - Pauma Band of Luiseno Mission Indians of the Pauma & Yuima Reservation:
Cordis Gilliam
- G. Chicken Ranch Casino - Chicken Ranch Rancheria of Me-Wuk Indians:
Dennis Ponder Sr.
- H. Colusa Casino Resort - Cachil DeHe Band of Wintun Indians of the Colusa Indian Community of the Colusa Rancheria:
Pablo Gutierrez
- I. Coyote Valley Casino - Coyote Valley Band of Pomo Indians:
Roberta Wheeler
- J. Eagle Mountain Casino - Tule River Indian Tribe of the Tule River Reservation:
Joshua Butler
- K. Fantasy Springs Resort Casino - Cabazon Band of Mission Indians:
Juan Villarreal
- L. Graton Resort & Casino - Federated Indians of Graton Rancheria:
Thomas Friel James Hackwood Shawn Miller
David Nguyen
- M. Harrah's Resort Southern California - Rincon Band of Luiseno Mission Indians of the Rincon Reservation:
Katherine Liang Justin Smith David Tran

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- N. Jackson Rancheria Casino & Hotel - Jackson Rancheria of Me-Wuk Indians:
Kenneth Frazel Jr. Shannon Gibson Pamela Hendricks
- O. Morongo Casino Resort and Spa - Morongo Band of Mission Indians:
Arlene Brandt Christina Butler LeVans Figueredo
Angela Hunter William Matsko Aki Matsubara
Fred Napoli Ralph Piccola Jr
- P. Paiute Palace Casino - Bishop Paiute Tribe:
Daniel Chavez
- Q. Pala Casino Spa Resort - Pala Band of Luiseno Mission Indians of the Pala Reservation:
Guillermo Moreno
- R. Pechanga Resort & Casino - Pechanga Band of Luiseno Mission Indians of the Pechanga Reservation:
Mary Ann Camat Douglas Monte Kristin Ramirez
- S. Quechan Casino Resort - Quechan Tribe of the Fort Yuma Indian Reservation:
Kelvin Owens
- T. Red Hawk Casino - Shingle Springs Band of Miwok Indians, Shingle Springs Rancheria:
Ryan Leandro
- U. River Rock Casino - Dry Creek Rancheria Band of Pomo Indians:
Jose Curiel Jr. – Heard in Open Session Angelina James
Raul Leon
- V. Rolling Hills Casino - Paskenta Band of Nomlaki Indians:
Perry Thomas
- W. Running Creek Casino - Habematolel Pomo of Upper Lake:
Heather Sparks – Heard in Open Session
- X. San Manuel Indian Bingo and Casino - San Manuel Band of Mission Indians:
Shane Bouley Kristopher Rasmussen Mickey Vandenberg
- Y. Soboba Casino - Soboba Band of Luiseno Indians:
Hue Bui Velarde
- Z. Spa Resort Casino - Agua Caliente Band of Cahuilla Indians:
Thomas Terry
- AA. Sycuan Casino and Resort - Sycuan Band of the Kumeyaay Nation:
Steven Peters Alexandria Santana
- BB. Table Mountain Casino - Table Mountain Rancheria:
Alicia Erbele Maivue HerVang Chia Lor
Junny Saechao Yang Xiong
- CC. Thunder Valley Casino Resort - United Auburn Indian Community of the Auburn Rancheria:
Jeffrey Allen Anson Au Chean Chheng
Tony Dang Douglas Welty Sing Wong
- DD. Tortoise Rock Casino - Twenty-Nine Palms Band of Mission Indians:
Colleen Tahbo
- EE. Viejas Casino and Resort - Viejas Group of Capitan Grande Band of Mission Indians of the Viejas Reservation:
Nolan Childress Jacqueline Fulcher Errol Pangelinan
Arianna Sellers

12. 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:
Eric Darancette Destany Raine James Seablom
Curtis Sebastian
- B. Augustine Casino - Augustine Band of Cahuilla Indians:
Robert Cortez Janette Kelley Justin Newborn
- C. Bear River Casino Hotel - Bear River Band of the Rohnerville Rancheria:
Amanda Castillo
- D. Cher-Ae-Heights Casino - Cher-Ae Heights Indian Community of the Trinidad Rancheria:
Billy Gritts Cynthia Stockham
- E. Chumash Casino Resort - Santa Ynez Band of Chumash Mission Indians of the Santa Ynez Reservation:
Cora Antofie Lance Brown Zachary Fairhurst
Maria Fonseca Michael Fonseca Andrew Guardado
Brian Hatter
- F. Colusa Casino Resort - Cachil DeHe Band of Wintun Indians of the Colusa Indian Community of the Colusa Rancheria:
Kristopher Howard
- G. Elk Valley Casino - Elk Valley Rancheria:
Boris Brown
- H. Konocti Vista Casino - Big Valley Band of Pomo Indians of the Big Valley Rancheria:
Raul Rojas Mallory White
- I. Mono Wind Casino - Big Sandy Rancheria Band of Western Mono Indians:
Alton Arnold
- J. Morongo Casino Resort and Spa - Morongo Band of Mission Indians:
Debra Lee Joe Payan
- K. Pala Casino Spa Resort - Pala Band of Luiseno Mission Indians of the Pala Reservation:
Tam Bandith Jerad Brown David Cronk
Beatriz Keedy Robert O'Brien
- L. River Rock Casino - Dry Creek Rancheria Band of Pomo Indians:
Yi Li Joshua Mitchell
- M. Rolling Hills Casino - Paskenta Band of Nomlaki Indians:
Bruce Thomas
- N. San Manuel Indian Bingo and Casino - San Manuel Band of Mission Indians:
John Armoush Viroj Chaisomboonpan Bianca Duran
Jeffrey Grove Sim Kong Adrian Nicholas
Erik Segura Razmik Shabany Lealia Silva
Alan Tan
- O. Soboba Casino - Soboba Band of Luiseno Indians:
John Hicks Carissa Hulsey-Espinoza Jill Tucker
- P. Spa Resort Casino - Agua Caliente Band of Cahuilla Indians:
Anthony Abriel Noreen Marchese Jose Montano
Jesus Sanchez Salvador Sifuentes Jr. Lorena Tovar

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- Q. Spotlight 29 Casino - Twenty-Nine Palms Band of Mission Indians:
Rosa Corrales Eduardo Zavala
- R. Sycuan Casino and Resort - Sycuan Band of the Kumeyaay Nation:
Juan Baca Manuel Balladares Qi Chen
Ernesto Garcia Kin Lee Eric Lisowski
Irving Lopez Thang Nguyen Jonathan Papin
Joyce Christine Ray David Schleicher
- S. Table Mountain Casino - Table Mountain Rancheria:
Bryan Xiong
- T. Tachi Palace Hotel and Casino - Santa Rosa Indian Community:
Noe Noyola Gwen Peyegrin
- U. Thunder Valley Casino Resort - United Auburn Indian Community of the Auburn Rancheria:
George Cvek Jr. Alan Duong Alan Marrandino
Michael Mason George Ninh Wendy Phoong
Daniel Rhodes Kao Saelee Joseph Saenz
Khae Saetern Ouko Saeteun Chiew Saeteurn
Philip Sweeney
- V. Tortoise Rock Casino - Twenty-Nine Palms Band of Mission Indians:
Rachel Bennett
- W. Valley View Casino & Hotel - San Pasqual Band of Diegueno Mission Indians:
Jesus Adame Edward Alacio Raul Arce
Fely Blanz Robert Coleman Danilo Mangilinan
Corey Palmer Oscar Pizano Garcia Randy Reedy
Kyle Thompson Joseph Tripp
- X. Viejas Casino and Resort - Viejas Group of Capitan Grande Band of Mission Indians of the Viejas Reservation:
Stacia Draper

Action:

Upon motion of Commissioner Conklin, seconded by Commissioner Hammond and carried in a vote by roll call with Chairman Evans and Commissioners Conklin, Hammond, and To voting yes; the Commission approved the Consent Calendar items 9 through 12.

PUBLIC COMMENT:

None.

CLOSED SESSION DISCLOSURE:

Prior to holding Closed Session, Chief Counsel Vlaanderen disclosed that the Commissioners would meet in Closed Session on items II A., B., D. and H.

CLOSED SESSION: 10:25 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)

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- 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. 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)
- B. In the Matter of the Application for Renewal of Key Employee License for Darren Furtado, (CGCC-2013-0523-2)
- C. In the Matter of the Application for Approval of Initial Key Employee License for Michael Fuston, (CGCC-2014-1211-12B)
- D. In the Matter of the Application for Approval of Third-Party Proposition Player Services License for Ronald Hellen, III, (GCADS-TPPL-101325)
- E. In the Matter of the Application for Tribal-State Compact Gaming Resource Supplier Finding of Suitability for Sharp Image Gaming, Inc., (CGCC-2010-02-03)
- F. In the Matter of the Accusation against Roberto Pena (BGC-HQ2015-00001AL) Default Decision and Order
- G. In the Matter of the Application for Approval of Tribal-State Compact Key Employee Finding of Suitability for Linh Dao, (CGCC-2015-0528-10B)
- H. Stipulated Settlement; Decision and Order In the Matter of the Accusation Against Normandie Club dba Normandie Club, Russell Miller, Lawrence Miller, Gregory Miller, Stephen Miller (OAH No. 2013120253 BGC Case No. HQ2013-00002AC)
- I. In the Matter of the Application for Approval of Initial State Gambling License for Oasis Card Room, Todd Mather, Sole Proprietor, (CGCC-2015-0326-4)

RECONVENE TO OPEN SESSION: 10:49 AM

Commissioners approved item II. H.; the Normandie Club Stipulated Settlement; Decision and Order.

ADJOURNMENT into Closed Session:

Chairman Evans adjourned the Commission meeting to go into Closed Session at 10:50 AM.

No further information was given.