

**California Gambling Control Commission**  
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**MINUTES OF MAY 12, 2016  
COMMISSION MEETING**

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**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. March 10, 2016
  - B. March 24, 2016
  - C. April 7, 2016 – GCA Hearing
  - D. April 11 & 12, 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 March 10, 2016, March 24, 2016, April 7, 2016 GCA Hearing and the April 11 & 12, 2016 GCA Hearing.

Item 9, and Closed Session items were recusal items for Executive Director Stacey Luna Baxter, who left the dais while these items were discussed.

4. Consideration of Loan (Pursuant to Business and Professions Code section 19824(c), 19901 and 19904):

Hustler Casino:

El Dorado Enterprises, Inc.  
Larry Flynt, Director  
Larry Flynt Revocable Trust, Sole  
Shareholder  
Larry Flynt, Trustee, Trustor, Beneficiary  
Majestic Properties, Inc., Landlord

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Larry Flynt, President, Director, Sole Shareholder

Comments Received From:

Chris Woodward, Vice President and Chief Operating Officer, Larry Flynt Publications

Chris Woodward indicated that Larry Flint will be submitting a Purchase Agreement for Normandie Club and that Mr. Flint's plans are to keep Normandie Club open.

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 loan documents.

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):

A. Central Coast Casino:

Central Coast Casino Grover Beach, Inc.

David Stearns, Chief Executive Officer, Chief Financial Officer, Secretary, Director, Sole Shareholder

Theresa Stearns, Community Property Interest Holder

Comments Received From:

Donald Ezzell, via telephone

David Stearns, via telephone

Anthony York, Senior Management Auditor, Audits and Compact Compliance Section, Bureau of Gambling Control

Frances Asuncion, DOJA II, Bureau of Gambling Control

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 May 31, 2018.

B. Napa Valley Casino:

BVK Gaming, Inc.

Brian Altizer, Secretary, Director, Shareholder  
Von Altizer, President, Chief Financial Officer, Director, Shareholder

Comments Received From:

Brian Altizer

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Action:

Upon motion of Chairman Evans 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 May 31, 2018.

C. Paso Robles Central Coast Casino:      PRCCC, Inc.  
Donald Ezzell, President, Secretary,  
Chief Financial Officer, Director, Sole  
Shareholder

Comments Received From:

Donald Ezzell, via telephone  
Anthony York, Senior Management Auditor, Audits and Compact Compliance  
Section, 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 May 31, 2018, removing the existing condition and adding a new condition noted below:

Existing Condition to be Removed:

*Robert Ezzell must submit a Key Employee Personal Portable License application to the Bureau of Gambling Control within 30 days of Commission approval.*

New Condition:

*Within 60 days of Commission approval, the Owner-Licensee must provide documentation to the Bureau of Gambling Control proving that the Gambling Establishment is in compliance with California Code of Regulations, Title 11, section 2053, subdivision (c).*

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

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. Mike Macchia
  - B. Scott McKinzie
  - C. Michael Paras

Comments Received From:

Scott McKinzie, via telephone

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Commissioner Conklin pointed out the importance of timeliness of submitting Key Employee applications. Commissioner Conklin stated that it is the Key Employee's responsibility to get their applications in on time and not to rely on their Designated Agent or the Human Resource Department of the cardroom. Ms. Conklin also noted that it is a portable license and the applicant can take it to any cardroom. In closing, Commissioner Conklin stated that it is the employee's license and their responsibility.

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 Applications through the periods listed in the report.

7. Application for Consideration of Initial Tribal-State Compact Key Employee Finding of Suitability (Pursuant to the Tribal-State Gaming Compact, section 6.4.4):

Habematolel Pomo of Upper Lake – Running Creek Casino:  
Heather Sparks

Comments Received From:

Heather Sparks, via telephone

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 Application through March 6, 2017.

8. 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):

A. Avalon Gaming, Inc.: Randy Beard, President, Vice President,  
Secretary, Treasurer, 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 May 31, 2018.

B. Happ Controls, 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 May 31, 2018.

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Item 9, and Closed Session items were recusal items for Executive Director Stacey Luna Baxter, who left the dais while these items were discussed and did not return for the remainder of the Commission Meeting.

9. Hearings Pursuant to Business and Professions Code sections 19870 and 19871 and CCR, Title 4, section 12060:

Default Decision and Order In the Matter of the Application for Initial Work Permit for David Arts

Comments Received From:

Paras Mohda, Deputy Attorney General, Department of Justice

Action:

Upon motion of Chairman Evans 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 Default Decision. The Default Decision and Order was signed by the Chairman and the Commissioners in Closed Session.

**CONSENT CALENDAR ITEMS:**

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

- |                        |                 |
|------------------------|-----------------|
| A. Nathan Ammaraphayak | G. Michael Hong |
| B. Andrew Collins      | H. Emery Jakobi |
| C. David Conner        | I. Kevin Janas  |
| D. Erik Dade           | J. Wil Sako     |
| E. Jose Garcia         | K. Joyce Sun    |
| F. Jason Giannini      |                 |

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

Parkwest Casino Sonoma:      Lizabeth Asvitt-Osman                      Sherry Santos

12. 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: | Sary Khath   | Khouanchay Phouthone |
| B. Parkwest Casino Sonoma:         | Sean McMahan |                      |
| C. Poker Flats Casino:             | Glenn Sutter |                      |

13. 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):

- |                |                   |                  |
|----------------|-------------------|------------------|
| A. Arise, LLC: |                   |                  |
| Supervisor:    | Alyson Polian     |                  |
| Players:       | Jacqueline Garcia | Gabriel Gonzales |

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B. PT Gaming, LLC:

Supervisor: David Duong  
Players: Jason Agustin      Deo Mark Alpajora      Javier Arencibia  
                 Angel Betancourt      Jason Chau      Phirek Chey  
                 Donald Cooper      Jennifer Hernandez      Sulesa Iosia  
                 Sawanjit Johal      Jimena Mejia      Bouloko Ngilbus  
                 Eric Nguyen      Luis Otzoy      Wichinne Pruk Hall  
                 Joseph Raya-Ellis      Thalia Sanchez      Chao Xiong  
                 Basim Zaidan      Anthony Zamora

14. Applications for Consideration of Renewal 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. Gaming Fund Group, Inc.:

Supervisor: Gregory Graves

B. PT Gaming, LLC:

Supervisors: Jeanette Garcia      David Shindle  
Players: Zenas Balbuena      Ka Ngai      Lo Saetern

C. Qualified Player Services, LLC:

Players: Pepsi Saelee      Lany Wong

15. 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. Augustine Casino - Augustine Band of Cahuilla Indians:

Jose Alfredo Franco Jr.

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

Damian Garcia

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

Lisa Bird-Soria      Dylan Holly

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

Jon-Charles Tarpin

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

Guadalupe Puga

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

Bronte Guillory      Dustin Hamilton      Brett Lagerman  
Deborah Steele      Alfred Vinluan

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

Ertell San Luis

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

Lewis Fiorella

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

Nathaniel Tracy

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

Francis Couraut      Freddie Lu

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- K. Pechanga Resort & Casino - Pechanga Band of Luiseno Mission Indians of the Pechanga Reservation:  
Robert Hussey
- L. Red Hawk Casino - Shingle Springs Band of Miwok Indians, Shingle Springs Rancheria:  
Brittney Heindel
- M. San Manuel Indian Bingo and Casino - San Manuel Band of Mission Indians:  
Linda Richardson Seth Tremble
- N. Spa Resort Casino - Agua Caliente Band of Cahuilla Indians:  
Venessa Castro Darryl Galvan
- O. Sycuan Casino and Resort - Sycuan Band of the Kumeyaay Nation:  
Cynthia Ha
- P. Table Mountain Casino - Table Mountain Rancheria:  
Jose Lopez Vanhnaly Phommahasay
- Q. Tachi Palace Hotel and Casino - Santa Rosa Indian Community:  
Vincent Squeo
- R. Viejas Casino and Resort - Viejas Group of Capitan Grande Band of Mission Indians of the Viejas Reservation:  
April Main

16. 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:  
Thomas Voght
- B. Barona Resort and Casino - Barona Group of Capitan Grande Band of Mission Indians:  
William Allen Jacob Arena Mark Aschenbrener  
Rachel Baca Hoa Bui David Collier  
Carlos Guerrero-Ochoa Jacquelyn Hatfield Fletcher Linton  
Gabriela Martinez Janine Rheäume Jamin Steindorf
- C. Bear River Casino Hotel - Bear River Band of the Rohnerville Rancheria:  
Brenda Conde Sarah Edgar Amber Lakey
- D. Blue Lake Casino and Hotel - Blue Lake Rancheria:  
Tyrone Bachus
- E. Cache Creek Casino Resort - Yocha Dehe Wintun Nation:  
Michael Chau Zachary Hayden Hang Le  
Koy Saechao Ou Saechao Christopher Stevens  
Naba Thapa
- F. Casino Pauma - Pauma Band of Luiseno Mission Indians of the Pauma & Yuima Reservation:  
Joseph Collins Brian Linderman Edgar Ramirez
- G. Chukchansi Gold Resort and Casino - Picayune Rancheria of Chukchansi Indians:  
Julie Gonzalez Joseph Shafer Christopher White
- H. Colusa Casino Resort - Cachil DeHe Band of Wintun Indians of the Colusa Indian Community of the Colusa Rancheria:  
Magaly Acevedo Ordonez

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- I. Coyote Valley Casino - Coyote Valley Band of Pomo Indians:  
Steven Lowblad                      Lynn Mueck
- J. Eagle Mountain Casino - Tule River Indian Tribe of the Tule River Reservation:  
Adrian Ramos
- K. Fantasy Springs Resort Casino - Cabazon Band of Mission Indians:  
Sang Kim                                  Pamela Mathews
- L. Feather Falls Casino & Lodge - Mooretown Rancheria of Maidu Indians:  
John Pyeatt
- M. Graton Resort & Casino - Federated Indians of Graton Rancheria:  
Marlin Advincula                      James Ybarra
- N. Harrah's Resort Southern California - Rincon Band of Luiseno Mission Indians of  
the Rincon Reservation:  
Timothy Hargesheimer      Brian Lewis                      Danell Phillips  
Kathryn Pinzon                      Joanie Schmitz                  Colin Skidmore  
Raymond Sullivan
- O. Havasu Landing Resort & Casino - Chemehuevi Indian Tribe of the Chemehuevi  
Reservation:  
Manuel Jacques                      Mervin Smith
- P. Jackson Rancheria Casino & Hotel - Jackson Rancheria of Me-Wuk Indians:  
Aaron Christian                      Sharon Conner                  Sheryl Mettler  
Lisa Peat                                  David Rivera                      James Whitmore
- Q. Konocti Vista Casino - Big Valley Band of Pomo Indians of the Big Valley  
Rancheria:  
Glenna Sabine
- R. Lucky 7 Casino - Smith River Rancheria:  
John Scott
- S. Mono Wind Casino - Big Sandy Rancheria Band of Western Mono Indians:  
Frances Houston-Bailey
- T. Pala Casino Spa Resort - Pala Band of Luiseno Mission Indians of the Pala  
Reservation:  
Betty Bailey                              Eddie Ho                              Gulfield Jones  
Justina Welch
- U. Pechanga Resort & Casino - Pechanga Band of Luiseno Mission Indians of the  
Pechanga Reservation:  
April Covarrubias                      Robert Embesi II                  Lovell Lim
- V. Quechan Casino Resort - Quechan Tribe of the Fort Yuma Indian Reservation:  
Rigoberto Frausto Jr.                  Daniel Perez                      Luis Rodriguez  
Ronnie Ruiz
- W. Red Hawk Casino - Shingle Springs Band of Miwok Indians, Shingle Springs  
Rancheria:  
Bryan Delugo                              Patricia Hawkins                  Franklyn Mosher
- X. Rolling Hills Casino - Paskenta Band of Nomlaki Indians:  
Dennis Barnes
- Y. San Manuel Indian Bingo and Casino - San Manuel Band of Mission Indians:  
Rolly Bataller                              Linda Bawardi                      Travis Collins  
David Martin                              Veronica Mota                      Nathan Rauk  
Craig Seeley                                  Paul Stephenson



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- Z. Soboba Casino - Soboba Band of Luiseno Indians:  
Michelle Priest
- AA. Spa Resort Casino - Agua Caliente Band of Cahuilla Indians:  
Erika Mendoza
- BB. Spotlight 29 Casino - Twenty-Nine Palms Band of Mission Indians:  
Jorge Beltran                      Thanh Huynh
- CC. Sycuan Casino and Resort - Sycuan Band of the Kumeyaay Nation:  
Kris Babao                      Jorge Guerrero Jr.    Roberto Jardiniano  
Lela Sandoval
- DD. Table Mountain Casino - Table Mountain Rancheria:  
Michael Bounleuang              Peter DePasquale    Tony Her  
Brian Rankin                      Tria Vang              Roger Yang
- EE. Tachi Palace Hotel and Casino - Santa Rosa Indian Community:  
Jeanette Diaz                      Regina Enriquez      Raul Hernandez Jr  
Putheavy Hunt                      Don Langdon
- FF. Thunder Valley Casino Resort - United Auburn Indian Community of the Auburn Rancheria:  
Steve Carlson                      Barbara Clark              Daniel Ernst  
Gerald Glenn                      Mitchell Kornfield      Julio Mayhew  
Ann Peer                              Kristofferson Ruiria    Fam Saelee  
May Saelee                              Nai Saeteurn
- GG. Valley View Casino & Hotel - San Pasqual Band of Diegueno Mission Indians:  
Mitra Bakhtiari                      Linda Bohard              Vinh Bui  
Ramona Ochoa
- HH. Viejas Casino and Resort - Viejas Group of Capitan Grande Band of Mission Indians of the Viejas Reservation:  
Lou DiBella                              Daniel Espinoza III    Ashley Solis

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 10 through 16.

**PUBLIC COMMENT:**

Commissioner Hammond noted that there is only one paragraph on Designated Agents in the current Regulations packet. Commissioner Hammond then inquired if there was going to be a workshop to review Designated Agent Regulations.

Deputy Director Katherine Ellis stated that the new Regulation Packet that is still under review has more information regarding Regulations for Designated Agents and may have information Commissioner Hammond is seeking.

**CLOSED SESSION DISCLOSURE:**

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

**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. *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 Tribal-State Compact Gaming Resource Supplier Finding of Suitability for Sharp Image Gaming, Inc., (CGCC-2010-02-03)
  - D. In the Matter of the Application for Approval of Tribal-State Compact Key Employee Finding of Suitability for Linh Dao, (CGCC-2015-0528-10B)
  - E. 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)
  - F. Default Decision and Order In the Matter of the Application for Initial Work Permit for David Arts, (GCADS-GEWP-002211)
  - G. In the Matter of the Application for Approval for Approval of Initial Work Permit for William Karr, (GCADS-GEWP-002142)
  - H. In the Matter of the Application for Approval for Approval of Initial Key Employee License for Vincente Lopez, (CGCC-2015-1022-5)

**ADJOURNMENT:**

Chairman Evans adjourned the Commission meeting at 10:47 AM. No further information was given.