

California Gambling Control Commission

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**MINUTES OF THE MAY 28, 2020
COMMISSION MEETING**

Pursuant to Executive Orders N-25-20 and N-29-20 regarding the COVID-19 virus, the meeting was held by tele/videoconference and there was no location open to the public.

OPEN SESSION

1. Call to Order.

Chairman Evans called the meeting to order at 10:00 a.m.

2. Roll Call of Commissioners was taken with Chairman Jim Evans, Commissioner Paula LaBrie, Commissioner Gareth Lacy, and Commissioner Trang To present.

Executive Director Stacey Luna Baxter gave ZOOM participation instructions.

3. Approval of Commission Meeting Minutes for:

A. January 9, 2020 – Commission Meeting

B. April 20, 2020 – GCA Hearing

C. April 29, 2020 – GCA Hearing

Action:

Upon motion of Commissioner LaBrie, seconded by Commissioner Lacy, and carried in a vote by roll call with Chairman Evans, Commissioners LaBrie, Commissioner Lacy, and Commissioner To voting yes; the Commission approved the January 9, 2020, Commission Meeting Minutes and the April 20, 2020 and the April 29, 2020 GCA Hearing Minutes.

4. Graton Mitigation Fund Final Report for Distribution to County of Sonoma and City of Rohnert Park – Quarter Ending March 31, 2020 (Pursuant to Government Code section 12012.56 and Compact section 4.5.1):

Federated Indians of Graton Rancheria

Action:

Upon motion of Commissioner LaBrie, seconded by Commissioner To, and carried in a vote by roll call with Chairman Evans, Commissioners LaBrie, Commissioner

Lacy, and Commissioner To voting yes; the Commission approved the distribution payments as listed in the report.

5. Consideration of A) Transfer of Shares; and, B) Initial State Gambling License (Pursuant to Business and Professions Code sections 19824(c) 19850, 19851 19852 and 19904; CCR, Title 4, sections 12054 and 12342):

A. Ocean's Eleven Casino: Ocean's Eleven Casino General Partnership
North County Gaming Inc., Partner
Robert H. and Sandra L. Carter Gaming Trust
dated October 27, 2015 (Transferor)
Carter Residuary Gaming Trust (Transferee)

Comments Received From:

Joy Harn, Attorney, Designated Agent, via video

Chairman Evans requested confirmation from Ms. Harn on behalf of her clients, whether they understood and would comply with the conditions listed on the report.

Ms. Harn, on behalf of her clients, confirmed her understanding, and assent to the conditions listed on the report.

Action:

Upon motion of Commissioner Lacy, seconded by Commissioner LaBrie, and carried in a vote by roll call with Chairman Evans, Commissioners LaBrie, Commissioner Lacy, and Commissioner To voting yes; the Commission approved the Transfer of Shares with the conditions noted below:

1. ***Acknowledgment of the Act.*** *Within 15 days following the Commission's approval of the Trust, the Trust's trustees shall confirm in writing to the Commission, with a copy to the Bureau, that they acknowledge, understand, and agree:*
 - A. *The Trust holds an ownership interest in a California licensed gambling enterprise. The Trust holds an ownership interest in a California licensed gambling enterprise. The ownership interests are referred to as the "Gambling Interest."*
 - B. *The Gambling Interest is subject to the Gambling Control Act (Act) (Business and Professions Code sections 19800 et seq.) and is subject to regulation by the California Gambling Control Commission (Commission), California Department of Justice's Bureau of Gambling Control (Bureau), or similar agency.*
 - C. *The Act and regulations adopted under it require certain individuals and entities to hold licenses, including, among others, partners, members, shareholders, trusts, and trustees.*
 - D. *The Act and regulations adopted under it provide that licensing of certain persons and entities is necessary for a non-natural person to be eligible for a license or registration.*

- E. The Act and regulations adopted under it make void certain dispositions of ownership interests, or prospective rights in ownership interests, in entities such as partnerships, limited liability companies, and corporations, without the Commission's prior approval.*
 - F. The Act prohibits certain persons from holding a position, or engaging in an activity, until he, she, or it secures the required license.*
 - G. The Gambling Interest shall be distributed only to beneficiaries or other persons, and held only by trustees, who are licensed, or otherwise permitted, by the Commission to hold such interests.*
 - H. For as long as the Trust holds the Gambling Interest, or an ownership interest in an entity subject to California gambling laws and regulation by the Commission, the Bureau, or similar agency, the trustee and any successor trustee shall comply in all respects with California gambling laws and regulations, including, without limitation, Penal Code sections 319 to 337.9 and the Act.*
 - I. For as long as the Trust holds the Gambling Interest or an ownership interest in an entity subject to California gambling laws and regulations, the Trust's and its trustee's right, power, or privilege to hold that ownership interest depends upon compliance with such laws and regulations in all material respects.*
- 2. Legend on Stock Certificate.** *Approval of the transfer contemplated by this application should be conditioned upon, within 15 days after the closing, the transferee confirming in writing to the Commission, with a copy to the Bureau, that each and every certificate evidencing the shares has been legended in accordance with the provisions of Business and Professions Code section 19882, subdivision (c).*
- 3. Additional Legend on Stock Certificate.** *Business and Professions Code section 19904 voids any purported sale or other disposition of a security issued by a corporate licensee that the Commission did not approve in advance. Approval of the transaction contemplated by this application should be conditioned upon, within 15 days after the closing, the transferee confirming in writing to the Commission, with a copy to the Bureau, that each and every certificate evidencing the Shares includes the following legend:*

THIS CERTIFICATE REPRESENTS SHARES OF STOCK ISSUED BY A CORPORATION THAT HOLDS A LICENSE OR REGISTRATION TO ENGAGE IN GAMBLING-RELATED BUSINESS PURSUANT TO THE LAWS OF THE STATE 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.

4. Transaction Completed as Approved. *Within 15 days after the closing, the transferee shall confirm in writing to the Commission, with a copy to the Bureau, that the transaction has been completed as approved by the Commission.*

B. Ocean's Eleven Casino: Ocean's Eleven Casino General Partnership
North County Gaming Inc., Partner
Carter Residuary Gaming Trust, Shareholder
David Carter, Trustee
Sandra Carter, Trustor, Beneficiary

Action:

Upon motion of Chairman Evans, seconded by Commissioner To, and carried in a vote by roll call with Chairman Evans, Commissioners LaBrie, Commissioner Lacy, and Commissioner To voting yes; the Commission approved the Initial State Gambling Licenses through February 28 2021.

6. Consideration of Renewal of State Gambling License (Pursuant to Business and Professions Code sections 19850, 19852, and 19876; CCR, Title 4, sections 12054 and 12345):

A. California Club Casino: Lamar Wilkinson, Sole Proprietor
Elizabeth Wilkinson, Financial Interest Holder

Comments Received From:

David Fried, Attorney, Designated Agent, via video

Commissioner LaBrie requested confirmation from Mr. Fried on behalf of his clients, whether they understood and would comply with the amended existing conditions listed as on the report.

Mr. Fried, on behalf of his clients, confirmed his understanding, and assent to the amended existing conditions listed on the report.

Action:

Upon motion of Commissioner LaBrie, seconded by Commissioner To, and carried in a vote by roll call with Chairman Evans, Commissioners LaBrie, Commissioner Lacy, and Commissioner To voting yes; the Commission approved the Renewal State Gambling Licenses through May 31, 2022, continuing with the amended existing conditions noted below:

~~1. Prior to opening for business, Mr. Lamar Wilkinson must submit the following documentation to the Bureau of Gambling Control:~~

~~•Cardroom Supplemental Information for State Gambling License Rev. 4/08 (BGC-APP-015C) reflecting the new address of the gambling establishment.~~

~~•A copy of the business license issued by the City of San Ramon.~~

~~•A written approval of the Patron Safety and Security Plan from the~~

~~San Ramon Chief of Police.~~

~~•A complete Emergency and Evacuation Plan, including approval from the responsible local authority.~~

1. Prior to the opening for business, the Owner-Licensee, shall provide to the Bureau of Gambling Control:
 - 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. Owner-Licensee must comply with applicable relocation requirements pursuant to California Code of Regulations, Title 4, Division 18, Chapter 7, Article 1, Section 12364;
 - C. A current and valid business license issued by the City of San Ramon for the gambling establishment;
 - D. A current reviewed and approved Safety and Security Plan, as required by California Code of Regulations, title 4, sections 12370 and 12372;
 - E. 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;
 - F. A current lease for the gambling establishment's premises, if applicable;And
 - G. A current and complete Chart of Accounts, as required by California Code of Regulations, title 4, section 12312
2. The Owner-Licensee may not open or offer controlled games until the Bureau of Gambling Control has inspected the cardroom and determined the cardroom is in compliance with all pertinent regulatory standards.
- 2.3. The local ordinance must be in compliance with Business and Professions Code section 19860(a)(1) prior to California Club Casino operating.

B. Capitol Casino:

Capitol Casino, Inc.

Clarke Rosa, President, Chief Executive Officer, Director, Shareholder

Sandra Rosa, Secretary, Chief Financial Officer, Director, Shareholder

Commissioner LaBrie asked how many were in in the class action suit.

There was no response, and Commissioner LaBrie stated that it had no bearing on the decision of the item.

Action:

Upon motion of Commissioner To, seconded by Chairman Evans, and carried in a vote by roll call with Chairman Evans, Commissioners LaBrie, Commissioner Lacy, and Commissioner To voting yes; the Commission approved the Renewal State Gambling Licenses through March 31, 2022.

C. 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

Action:

Upon motion of Commissioner To, seconded by Commissioner LaBrie, and carried in a vote by roll call with Chairman Evans, Commissioners LaBrie, Commissioner Lacy, and Commissioner To voting yes; the Commission approved the Renewal State Gambling Licenses through May 31, 2022.

D. Hemphill's Lounge and Cardroom: Polvora, Inc.
Michael LeBlanc, Chief Executive Officer, Director,
Shareholder
Gabriel Pattee, Vice President, Director, Shareholder
Mark English, Chief Financial Officer, Secretary,
Director

Comments Received From:

Jarhett Blonien, Attorney, Designated Agent, via video
Joseph Costa, Attorney, public comment on behalf of BVK Gaming
Todd Vlaanderen, Chief Counsel, Gambling Control Commission, via telephone

Chairman Evans requested confirmation from Mr. Blonien on behalf of his clients, whether they understood and would comply with the amended existing conditions listed as on the report.

Mr. Blonien, on behalf of his clients, confirmed his understanding, and assent to the amended existing conditions listed on the report.

From:

Mr. Costa stated that on May 26, 2020 he sent a letter to the Commission and that he was an attorney for BVK Gaming which was in litigation over the Hemphill's license. Mr. Costa then stated that the Commission previously made a determination that the license should be approved. Mr. Costa then stated that they have a trial scheduled for August 3, 2020. In the letter sent to the Commission has identified how Polvora has taken the position that this Commission's decision had impacted the courts ability to rule on the validity of the license agreement. Mr. Costa then stated that this has been expressly against what the Commission said what they wanted to happen. Mr. Costa then stated that his recommendation would be that the Commission be very clear in its conditions. Mr. Costa concluded by stating that his concern is that the Commission may not be communicated with the truth.

Chief Counsel Vlaanderen stated that those were issues that came up at the approval of the transaction as well as the approval of the initial licenses. It was made clear that that the Commission approval was not a statement with respect to the litigation and who was the appropriate buyer of the cardroom ownership interest.

Chief Counsel Vlaanderen then stated the Commission simply approved the transaction maintaining it was consistent with the Gambling Control Act, and that it had no violations which was what the Commission discussed at the approval meeting. It was the Commission's position and there was no change to that.

Chief Counsel Vlaanderen concluded by stating the Commission would follow any orders that the court makes and the Commission would find a way to unwind the transaction or transfer the interests if that's what the Commission would need to do. The Commission will find a way to comply with the courts orders.

Action:

Upon motion of Commissioner Lacy, seconded by Commissioner LaBrie, and carried in a vote by roll call with Chairman Evans, Commissioners LaBrie, Commissioner Lacy, and Commissioner To voting yes; the Commission approved the Renewal State Gambling Licenses through May 31, 2022, continuing with the amended existing conditions noted below:

~~1. Prior to operating, the Owner-Licensee must comply with applicable relocation requirements pursuant to California Code of Regulations, Title 4, Division 18, Chapter 7, Article 1, Section 12364, which include the Owner-Licensee submitting the following documentation to the Bureau of Gambling Control:~~

- ~~•A copy of the Security and Surveillance Plan~~
- ~~•A copy of the Emergency Preparedness and Evacuation Plan~~
- ~~•A copy of the Chips-in-Use Account~~
- ~~•A copy of the Players' Bank Account, if applicable~~

1. Prior to the opening for business, the Owner-Licensee, shall provide to the Bureau of Gambling Control:

- 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. Owner-Licensee must comply with applicable relocation requirements pursuant to California Code of Regulations, Title 4, Division 18, Chapter 7, Article 1, Section 12364;
- C. A current and valid business license issued by the City of Napa for the gambling establishment;
- D. A current reviewed and approved Safety and Security Plan, as required by California Code of Regulations, title 4, sections 12370 and 12372;

- E. 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;
 - F. A current lease for the gambling establishment's premises, if applicable; and
 - G. A current and complete Chart of Accounts, as required by California Code of Regulations, title 4, section 12312
2. The Owner-Licensee may not open or offer controlled games until the Bureau of Gambling Control has inspected the cardroom and determined that the cardroom is in compliance with all pertinent regulatory standards.

E. Napa Valley Casino: BVK Gaming, Inc.
 Von Altizer, President, Chief Financial Officer,
 Director Shareholder
 Brian Altizer, Secretary, Director, Shareholder

Comments Received From:

Christopher Huang, Designated Agent, via telephone
 Keith Sharp, Designated Agent, Attorney, via telephone
 Brian Altizer, via telephone
 Todd Vlaanderen, Chief Counsel, Gambling Control Commission, via telephone

Mr. Huang stated that the cardroom is still operating under the same set of standards as they have had since the last renewal.

Mr. Sharp stated that they would like to see the Commission approve option two, removing the existing conditions as the conditions have been in place for over a year and have been in complete compliance.

Upon questioning by Commissioner Lacy regarding the individual who allegedly took several hundred thousand dollars that gave rise to some of the license conditions, Mr. Altizer stated that he worked with local law enforcement on the case but they declined to prosecute Rosette Dy.

Chief Counsel Vlaanderen stated that the applicant can come back to the Commission for Condition Removal Request in six months.

Mr. Sharp stated that the compliance for the cardroom has been very clean but will see the Commission back in six months for condition removal.

Action:

Upon motion of Commissioner LaBrie, seconded by Commissioner Lacy, and carried in a vote by roll call with Chairman Evans, Commissioners LaBrie, Commissioner Lacy, and Commissioner To voting yes; the Commission approved the Renewal State Gambling Licenses through May 31, 2022 continuing with the existing conditions noted below and

directed staff to place the matter on agenda in six months for the Commission to consider removing the conditions.

1. *Beginning January 1, 2019 and every 90 days thereafter, Napa Valley Casino must send unaudited financials to the Bureau every 90 days covering the three previous monthly periods.*
2. *No owner shall loan or extend credit to any customer.*
3. *Beginning January 1, 2019 and every 90 days thereafter, each Napa Valley Casino owner must certify to the Bureau every 90 days that no owner has made any loans or extended credit to any customer in the previous 90-day period.*
4. *No loans or credit may be extended by Napa Valley Casino unless and until internal policies and procedures are changed to comply with the Minimum Internal Control Standards (MICS) and Napa Valley Casino sends notification of the update to the Bureau with Napa Valley Casino's updated policies and procedures regarding the extension of loans or credit.*
5. *If credit policies are changed to allow for loans or credit, Napa Valley Casino must send the Bureau a report of all outstanding credit within thirty days of the adoption of the new credit policies that allow for loans or credit, and every 90 days thereafter.*
6. *If any owner is extended credit, that owner shall only use the subject chips for his or her own play and shall not lend or give such chips to any other player.*

7. Consideration of Initial Portable Personal Key Employee License (Pursuant to Business and Professions Code section 19854; CCR, Title 4, sections 12054 and 12350):

A. Deborah Reynolds

Deputy Director Olivarez informed the Commission that multiple attempts to confirm Ms. Reynolds attendance were made by the Commission staff; however, Ms. Reynolds did not confirm attendance. Deborah Reynolds did not announce herself at the meeting.

Action:

Upon motion of Chairman Evans, seconded by Commissioner To, and carried in a vote by roll call with Chairman Evans, Commissioners LaBrie, Commissioner Lacy, and Commissioner To voting yes; the Commission approved the Initial Key Employee License through September 30, 2020.

B. Tateo Yoshida

Deputy Director Olivarez informed the Commission that multiple attempts to confirm Mr. Yoshida attendance were made by the Commission staff; however, Mr. Yoshida did not confirm attendance. Tateo Yoshida did not announce himself at the meeting.

Comments Received From:

Todd Vlaanderen, Chief Counsel, Gambling Control Commission, via telephone

Deputy Director Olivarez stated that the item can be held over and remain in compliance with the 120-days.

Commissioner Lacy stated it would be nice to have the applicant confirm that these are personal funds and that this is for poker. Since the applicant was not present, Executive Director Luna Baxter stated that the Commission had the confirmation in writing from the applicant and did specifically respond that the matter was for poker, and that it was his funds, but understanding if Commissioner Lacy prefers a verbal acknowledgement from the applicant instead.

Commissioner Lacy stated that a written confirmation is sufficient.

Chief Counsel Vlaanderen stated that there could have been some conflict of interest if he was engaging in Proposition Player activities at the same time that he was engaging in Key Employee responsibilities. Depending upon his responsibilities, he could have been technically supervising the dealer at the same time.

Chief Counsel Vlaanderen then stated that perhaps a compromise would be to prohibit him from engaging in Key Employee activities at the same time as engaging in Proposition Player activities.

Without objection, Chairman Evans directed that the Commission put this item over so the Commissioners can ask the applicant direct questions.

Took no Action.

8. Consideration of Conversion of Third-Party Providers of Proposition Player Services Registrations to License (Pursuant to Business and Professions Code section 19984; CCR, Title 4, sections 12054 and 12218):

A. Blackstone Gaming, LLC:
Supervisor: Maria Ramirez

Comments Received From:

Maria Ramirez, via video

Commissioner Lacy requested confirmation from Ms. Ramirez, whether she understood and would comply with the condition listed as on the report.

Ms. Ramirez confirmed her understanding, and assent to the condition listed on the report.

Action:

Upon motion of Commissioner Lacy, seconded by Chairman Evans, and unanimously carried in a vote by roll call with Chairman Evans, Commissioner LaBrie, Commissioner Lacy, and Commissioner To voting yes; the Commission approved the conversion of the registration to Initial License through May 31, 2022, with the condition noted below:

Beginning July 1, 2020, and every 90 days thereafter, Maria Ramirez must provide the Bureau of Gambling Control with proof of efforts to satisfy her civil judgment, collection, and charge-off accounts until resolved and proof of resolution is provided to the Bureau.

B. Knighted Ventures, LLC:

Supervisor: i) Joshua Smith

Deputy Director Olivarez informed the Commission that multiple attempts to confirm Mr. Smith attendance were made by the Commission staff; however, Mr. Smith did not confirm attendance. Joshua Smith did not announce himself at the meeting.

Action:

Upon motion of Chairman Evans, seconded by Commissioner LaBrie, and unanimously carried in a vote by roll call with Chairman Evans, Commissioner LaBrie, Commissioner Lacy, and Commissioner To voting yes; the Commission approved the conversion of the registration to Initial License through May 31, 2022.

Players: ii) Christopher Abad

Action:

Upon motion of Commissioner LaBrie, seconded by Commissioner To, and unanimously carried in a vote by roll call with Chairman Evans, Commissioner LaBrie, Commissioner Lacy, and Commissioner To voting yes; the Commission approved the conversion of the registration to Initial License through May 31, 2022.

iii) Choua Lor

Deputy Director Olivarez informed the Commission that multiple attempts to confirm Ms. Lor attendance were made by the Commission staff; however, Ms. Lor did not confirm attendance. Choua Lor did not announce herself at the meeting.

Comments Received From:

Yolanda Morrow, Assistant Director, Bureau of Gambling Control, via telephone

Commissioner LaBrie stated that it looks like she was no longer employed with this third party proposition provider which was on February 27, well before the COVID-19 environment. She may have plans to come back. Commissioner LaBrie then stated

that she would be in favor with approving the application and give Ms. Lor a chance to re-enter the workforce.

Assistant Director Morrow confirmed that the Bureau received the notice on March 4, 2020, which was before the card rooms shut down so it not likely related to the COVID-19 closures.

Assistant Director Morrow then stated that since Ms. Lor has a valid registration, she would be able to reinstate that registration at some point if she wanted to, as long as it's not expired, but she could also reinstate the license if she was licensed.

Executive Director Luna Baxter stated that it is the second time that the Commission put her on the agenda because the applicant has not shown to answer comments from the Commissioners which may be a factor to deem the application abandoned and that Ms. Lor had not participated in the process moving forward.

Chairman Evans stated that if the application was deemed abandoned Ms. Lor would have to pay for the license and she would have to pay to go through the process again.

Commissioner LaBrie made a motion for option one to approve.

Commissioner To stated that the applicant had a responsibility for calling in or participating in the process when her license was at stake. Ms. Lor had a criminal history and it was an isolated incident. Commissioner To stated that he was wondering how serious Ms. Lor was working in the industry.

Commissioner To stated that he would support approval.

Commissioner Lacy stated that he would be supportive of option one.

Action:

Upon motion of Commissioner LaBrie, seconded by Commissioner Lacy, and unanimously carried in a vote by roll call with Chairman Evans, Commissioner LaBrie, Commissioner Lacy, and Commissioner To voting yes; the Commission approved the conversion of the registration to Initial License through May 31, 2022.

C. Pacific United Service, Inc.:
Supervisor: Joanna Chihuahua

Action:

Upon motion of Chairman Evans, seconded by Commissioner To, and unanimously carried in a vote by roll call with Chairman Evans, Commissioner LaBrie, Commissioner Lacy, and Commissioner To voting yes; the Commission approved the conversion of the registration to Initial License through May 31, 2022.

9. Consideration of Renewal of Third-Party Providers of Proposition Player Services License (Pursuant to Business and Professions Code section 19984; CCR, Title 4, sections 12054 and 12218.8):

Metis TPS, LLC:

Player: Steven Wang

Deputy Director Olivarez informed the Commission that multiple attempts to confirm Mr. Wang attendance were made by the Commission staff; however, Mr. Wang did not confirm attendance. Steven Wang did not announce himself at the meeting.

Action:

Upon motion of Chairman Evans, seconded by Commissioner LaBrie, and unanimously carried in a vote by roll call with Chairman Evans, Commissioner LaBrie, Commissioner Lacy, and Commissioner To voting yes; the Commission approved a 120-day extension through September 30, 2020.

10. Consideration to Continue Condition(s) on Third-Party Provider of Proposition Player Services Registration (Pursuant to Business and Professions Code section 19824(b), and 19984(b)):

Fortune Players Group, Inc.: Fortune Players Group, Inc.

Tricia Castellanos, Chief Executive Officer, Director,
Shareholder

Phyllis Cuison, Chief Financial Officer, Director,
Shareholder

Remil Medina, Secretary, Director

Chief Counsel Todd Vlaanderen recused himself on the matter, and muted himself as well as turned off video feed. Senior Attorney Jason Pope with the Commission presided over the legal portion of the item

Comments Received From:

Jarhett Blonien, Designated Agent, via video

Jason Pope Staff Counsel, California Gambling Control Commission, via telephone

Stacey Luna Baxter, Executive Director, via phone

Mr. Blonien stated that some work needed to be done on condition one in light of recent settlement talks and asked the Commission if the item could be put over to correctly correspond with those settlement negotiations.

Chairman Evans stated that the issue was not related to this item. Legal counsel was then requested.

Senior Counsel Pope stated the item was specifically for Fortune Players Group, Inc. and not the settlement agreement. Senior Counsel Pope then stated that he was not privy to the settlement agreement. Chief Counsel Vlaanderen has indicated, the Commission had segregated those particular items.

Mr. Blonien stated that he would like to make an official request to table the item.

Chairman Evans stated that considering the cardrooms are not open right now, the item would be approved today with the conditions and be brought back in 30 days.

Executive Director Luna Baxter suggested approving the conditions as suggested and bringing back the item at a later date if the conditions require modification due to the aforementioned settlement agreement.

Mr. Blonien agreed.

Action:

Upon motion of Chairman Evans, seconded by Commissioner To, and unanimously carried in a vote by roll call with Chairman Evans, Commissioner LaBrie, Commissioner Lacy, and Commissioner To voting yes; the Commission approved the existing conditions noted below, for placement on the Renewal Registration:

- 1. Rene Medina shall be prohibited from entering or being present in any areas on Fortune Players Group, Inc. property or any gambling establishments in which Fortune Player's Group, Inc. provides third party proposition player services.*
- 2. Rene Medina shall be prohibited from working, providing services for, or contracting with Fortune Players Group, Inc. without prior Commission approval.*
- 3. If Rene Medina is observed by a Fortune Players Group, Inc. employee or agent in a manner which violates condition 1, 2, or 4, the employee shall immediately report their observation to an owner or the manager in-charge who shall within 30 minutes telephone (1) the California Gambling Control Commission (Commission), and (2) the Department of Justice, Bureau of Gambling Control (Bureau). The call to the Commission shall be made to the Executive Director at (916) 263-0700. The call to the Bureau shall be made to the Bureau Assistant Director at (916) 830-1700.*
- 4. Any communication between Rene Medina and any shareholder or employee of Fortune Players Group, Inc. concerning the operation of the Fortune Players Group, Inc. shall be disclosed to the Executive Director and the Bureau Assistant Director of Licensing within one business day of the communication. This disclosure requirement applies to both oral and written communications. This disclosure must be made in writing. The owners shall maintain records documenting each disclosure for four years following the disclosure.*

5. *The owners shall exercise due diligence in ensuring compliance with all conditions.*

11. Consideration of Tribal-State Compact Renewal Finding of Suitability as a Gaming Resource Supplier (Pursuant to the Tribal-State Gaming Compact):

Avalon Gaming, Inc.: Avalon Gaming, Inc.
Randy Beard, President, Vice President, Secretary,
Treasurer, Director, Shareholder

Action:

Upon motion of Chairman Evans, seconded by Commissioner To, and unanimously carried in a vote by roll call with Chairman Evans, Commissioner LaBrie, Commissioner Lacy, and Commissioner To voting yes; the Commission approved the Renewal Finding of Suitability through May 31, 2022.

By concurrence of the Commissioners, items 12A through 12B were heard as a group.

12. Consideration of Initial Tribal-State Compact Key Employee Finding of Suitability (Pursuant to the Tribal-State Gaming Compact):

A. Agua Caliente Casino Resort and Spa Rancho Mirage - Agua Caliente Band of Cahuilla Indians:
Louis Furdge

Action:

Upon motion of Chairman Evans, seconded by Commissioner LaBrie, and unanimously carried in a vote by roll call with Chairman Evans, Commissioner LaBrie, Commissioner Lacy, and Commissioner To voting yes; the Commission approved the Initial Finding of Suitability through June 1, 2022.

B. Thunder Valley Casino Resort - United Auburn Indian Community of the Auburn Rancheria:
John Valente

Action:

Upon motion of Chairman Evans, seconded by Commissioner LaBrie, and unanimously carried in a vote by roll call with Chairman Evans, Commissioner LaBrie, Commissioner Lacy, and Commissioner To voting yes; the Commission approved the Initial Finding of Suitability through February 1, 2021.

13. Consideration of Approval of New Interim Renewal State Gambling License (Pursuant to CCR, Title 4, section 12035(b)):

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

Action:

Upon motion of Commissioner LaBrie, seconded by Commissioner To, and unanimously carried in a vote by roll call with Chairman Evans, Commissioner LaBrie, Commissioner Lacy, and Commissioner To voting yes; the Commission approved to issue an additional Interim Renewal License through May 31, 2022, removing the existing condition noted below:

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

14. Consideration of Renewal of State Gambling License (Pursuant to Business and Professions Code sections 19850, 19852, and 19876; CCR, Title 4, sections 12054 and 12345): Consideration of Stipulated Settlement, Decision and Order;
In the Matter of the Second Amended Accusation and Statement of Issues Against: *PRCCC, Inc. dba Paso Robles Central Coast Casino and Donald E. Ezzell* (BGC Case No. HQ2017-00003AL; OAH Case No. 2018080180)

Presented By:

Todd Vlaanderen, Chief Counsel, Gambling Control Commission, via telephone

Chief Counsel Todd Vlaanderen introduced himself and noted that Deputy Attorney General Colin Wood was also available on behalf of the Bureau, as well as Mr. Donald Ezzell.

Chief Counsel Vlaanderen stated that the Bureau filed an accusation against the licensees in this matter on May 17, 2018. On May 24, 2018 the Commission referred the licensee's renewal applications to an evidentiary hearing to be consolidated with the accusation. After that, the Bureau of Gambling Control filed an amended accusation and Statement of Issues on January 9, 2019, and then again on July 10, 2019.

The parties submitted the noted Stipulated Decision and Order to the Commission, on March 3, 2020. The timing of the settlement was coordinated to coincide with the licensees new Interim Renewal License and is before the Commission today for consideration. The matter is placed on open session in the event the Commissioners have any questions for the parties, but otherwise, it will be considered and voted upon in closed session.

Deputy Attorney General (DAG) Colin Wood introduced himself representing Complainant Director Stephanie Shimazu in her capacity as Director of the Bureau of Gambling Control and the Bureau wished to thank the Commission for considering the Stipulated Settlement and it was reached at the beginning of the fifth day of Hearing at the Office of Administrative Hearings.

The Bureau has provided the Commission with the Stipulated Settlement and a memorandum evaluating the Stipulated Settlement and that the Bureau continues to

believe that the settlement is in the best interest for parties in the public and therefore, The Bureau respectfully requests that you approve and adopt stipulated settlement and DAG Wood is pleased to answer any questions that you may have.

Chairman Evans asked DAG Wood what were the dates of the Hearing.

DAG wood responded there were four days in November. That was the week before Thanksgiving, and then the hearing was continued to February 11, for an additional four days and at the beginning of that fifth day of hearing that's when the settlement agreement was reached.

Chairman Evans asked if Mr. Ezzell would like to address the Commission.

Mr. Ezzell stated they visited with Chief Counsel Vlaanderen on an issue. We agreed in the stipulation to join and so we join in Mr. Wood's comments.

Chairman Evans asked if the Commissioners have any questions or comments for the parties.

The Commissioners did not have any questions or comments.

The Public did not have any questions.

Chairman Evans then told the parties that after the consent items, the Commission will go into closed session to consider the stipulation settlement and will come back out and report to them. Chairman Evans then instructed the parties to stay on the line and he will come back out and report.

Chairman Evans then stated, thank you very much for both your advocacy.

CONSENT CALENDAR ITEMS:

15. Consideration of Initial Portable Personal Key Employee License (Pursuant to Business and Professions Code section 19854; CCR, Title 4, sections 12054 and 12350):
Michael Vassallo
16. Consideration of Renewal Portable Personal Key Employee License (Pursuant to Business and Professions Code section 19854; CCR, Title 4, sections 12054 and 12351):
 - A. Nathan Ammaraphayak
 - B. James Bertrand
 - C. Bengsan Chumingshut
 - D. Erik Dade
 - E. Aaron Dennis
 - F. Vincent DiNatale
 - G. Jose Garcia
 - H. Jason Giannini

I. Michael Lemons
J. Zachary Miller
K. Daniel Pena

L. Sara Parra-Aguilera
M. Joyce Sun

17. Consideration of Renewal Work Permit (Pursuant to Business and Professions Code section 19912; CCR, Title 4, sections 12054 and 12104):

A. Casino Merced: Sia Vang
B. Central Coast Casino: Ronald Santiago
C. Empire Sportsmen's Association: Kate Hanson Erica Martin
Khouanchay Phouthone
Fongsamouth Samonthy
D. Golden Valley Casino: Glendell Sutter
E. Napa Valley Casino: Ling Gao Wenling Li Jinhao Lin
Sithun Preap Jinping Tan
F. The Nineteenth Hole: Ying Doucet

18. Consideration of Conversion of Third-Party Providers of Proposition Player Services Registrations to License (Pursuant to Business and Professions Code section 19984; CCR, Title 4, sections 12054 and 12218):

A. Acme Player Services, LLC:
Player: Yogen Rai
B. Blackstone Gaming, LLC:
Player: Gary Griffin
C. Knighted Ventures, LLC:
Supervisors: Robert Cortez William Del Cid Socheata Sim
Players: Erick Canto Louie Edusada Xai Hang
Mel Prepotente Mia Roth
D. PT Gaming, LLC:
Supervisor: Raymond Carter
Player: Van Nguyen

19. Consideration of Initial Tribal-State Compact Key Employee Finding of Suitability (Pursuant to the Tribal-State Gaming Compact):

A. Agua Caliente Casino Resort and Spa Rancho Mirage - Agua Caliente Band of Cahuilla Indians:
Alejandra Loaiza Gutierrez
B. Blue Lake Casino and Hotel - Blue Lake Rancheria:
Kimberly Hill
C. Cache Creek Casino Resort - Yocha Dehe Wintun Nation:
Joanne Guillermo Norma Jacobo
D. Graton Resort & Casino - Federated Indians of Graton Rancheria:
Karla Romero Byers
E. Morongo Casino Resort and Spa - Morongo Band of Mission Indians:
Rolly Bataller
F. Pala Casino Spa and Resort - Pala Band of Luiseno Mission Indians of the Pala Reservation:

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William Trimble

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

Cody Schneider

H. Valley View Casino & Hotel - San Pasqual Band of Diegueno Mission Indians:

David Blanco Rebeca Montiel

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

Georgina Maile

20. Consideration of Renewal Tribal-State Compact Key Employee Finding of Suitability (Pursuant to the Tribal-State Gaming Compact):

A. Jamul Casino - Jamul Indian Village:

John Tehan

B. Rain Rock Casino - Karuk Tribe:

Victor Kwasnikow Stephen Paino Marilyn Yawnick

C. Table Mountain Casino - Table Mountain Rancheria:

Michael Bounleuang

Action:

Upon motion of Commissioner To, seconded by Chairman Evans, and carried in a vote by roll call with Chairman Evans, Commissioner LaBrie, Commissioner Lacy and Commissioner To voting yes; the Commission approved the Consent Calendar items 15 through 20.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA:

None.

CLOSED SESSION DISCLOSURE:

Chairman Evans disclosed the items below to be heard in Closed Session:

I. Litigation (Government Code section 11126(e)):

E. Rene Medina v. Xavier Becerra, Jim Evans, et al.; United States District Court, Northern District of California (17-cv-03293 KAW)

II. Hearing Deliberations Pursuant to Government Code section 11126(c)(3):

B. In the Matter of the Application for Initial Key Employee License for Callaye Jo Strauss, (CGCC2017-0713-7G)

D. Consideration of Stipulated Settlement: Decision and Order In the Matter of the Second Amended Accusation and Statement of Issues Against: PRCCC, Inc. dba Paso Robles Central Coast Casino and Donald E. Ezzell (BGC Case No. HQ2017-00003AL; OAH Case No. 2018080180)

CLOSED SESSION:

I. Litigation (Government Code section 11126(e)):

A. Stand Up For California, et al. v. State of California, et al., Madera County Superior Court (MCV062850)

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- B. Eric G. Swallow v. California Gambling Control Commission, Sacramento County Superior Court (34-2016-800002402)
 - C. Garden City, Inc. v. Eric Swallow, Sacramento County Superior Court (34-2016-00198132)
 - D. Lucky Chances, Inc. v. California Gambling Control Commission, Sacramento County Superior Court (34-2017-80002549)
 - E. Rene Medina v. Xavier Becerra, Jim Evans, et al.; United States District Court, Northern District of California (17-cv-03293 KAW)
 - F. California Valley Miwok Tribe v. California Gambling Control Commission et al.; San Diego County Superior Court (37-2017-00050038-MU-CO-CTL)
 - G. Callaye Jo Strauss v. California Gambling Control Commission, Sacramento County Superior Court (34-2018-80002882)
 - H. Yavapai-Apache Nation v. La Posta Band of Diegueno Mission Indians and California Gambling Control Commission, Sacramento Superior Court (34-2018-00238711)
 - I. Manuel Corrales, Jr. v. California Gambling Control Commission, San Diego County Superior Court (37-2019-00019079-CU-MC-CTL)
 - J. Kris Kat, LLC and Steven C. Ayers v. California Gambling Control Commission, Sacramento County Superior Court (34-2019-80003142)
 - K. Larry C. Flynt, et al., v. Kamala Harris, Jim Evans, et al.; United States District Court, Eastern District of California (16 CV 02831 JAM EFB)
- II. Hearing Deliberations Pursuant to Government Code section 11126(c)(3):
- A. In the Matter of the Accusation and Statement of Issues Against Lucky Chances, Inc., Rommel Medina, Ruell Medina, (OAH No.201511046)
 - B. In the Matter of the Application for Initial Key Employee License for Callaye Jo Strauss, (CGCC2017-0713-7G)
 - C. In the Matter of the Application for Approval of Third Party Proposition Player Services Player License for Andrew Joseph Arellano, (CGCC-2019-0307-8C)
 - D. Consideration of Stipulated Settlement: Decision and Order In the Matter of the Second Amended Accusation and Statement of Issues Against: PRCCC, Inc. dba Paso Robles Central Coast Casino and Donald E. Ezzell (BGC Case No. HQ2017-00003AL; OAH Case No. 2018080180)

Chairman Evans came back from Closed Session at 11:30 a.m. and reported that the Commission approved the Stipulated Settlement of item #14 In the matter of the Second Amended Accusation and Statement of Issues Against PRCCC, Inc. dba Paso Robles Central Coast Casino and Donald E. Ezzell.

ADJOURNMENT:

Chairman Evans adjourned the Commission Meeting back into Closed Session at 11:40 a.m.. No further information was given.