



Notice and Agenda of Commission Meeting

California Gambling Control Commission

Hearing Room 100

2399 Gateway Oaks Drive

Sacramento, CA 95833

www.cgcc.ca.gov

10:00 a.m. and 2:00 p.m. Thursday March 21, 2013

Notice: The order of business reflected in the Notice and Agenda is subject to change by the Commission at the meeting

OPEN SESSION

1. Call to Order and Pledge of Allegiance.
2. Roll Call of Commissioners.
3. Approval of Commission Meeting Minutes for:
February 21, 2013
4. Applications for Approval of Renewal of State Gambling Licenses (Pursuant to Business and Professions Code section 19876; CCR, Title 4 section 12345):
 - A. Commerce Casino: California Commerce Club, Inc.*
 - B. Lake Bowl Cardroom: Waldemar Dreher, Sole Proprietor
 - C. Lucky Derby Casino: Point Walker, Inc.
Kermit Schayltz, President
Leo Chu, Vice President, Chief Financial Officer and Secretary
Sandra Schayltz, Community Property Interest Holder
Ivy Chu, Community Property Interest Holder
 - D. St. Charles Place: Robert Bertges, Sole Proprietor
Lori Bertges, Community Property Interest Holder
 - E. Tommy's Casino and Saloon: Tommie Wayne Buck, Inc.
Tommie Wayne Buck, President, Secretary, Treasurer, Shareholder
Alicia Gomez Buck, Community Property Interest Holder

*See Attachment A for a list of specific applicants

13. Applications for Approval of Renewal State Gambling Licenses (Pursuant to Business and Professions Code section 19873 and CCR, Title 4, section 12050):
In the Matter of the Statement of Reasons for Denial of License Renewals Regarding Palomar Card Club, General Partnership, Donald Staats and Susan Staats, General Partners, dba Palomar Card Club, BGC Case No. BGC-SD-2010-00017, CGCC Case No. CGCC-2012-0314-2
14. Applications for Approval of Renewal Key Employee Portable Personal License (Pursuant to Business and Professions Code sections 19854, 19876 and CCR, Title 4, section 12050):
In the Matter of the Statement of Reasons for Denial of License Renewal Regarding Naseem Salem, Key Employee, Palomar Card Club, BGC Case No. BGC-SD-2010-0001-00017, CGCC Case No. CGCC-2012-03 14-3
15. Applications for Approval of Renewal of State Gambling Licenses (Pursuant to Business and Professions Code section 19876 and CCR, Title 4, section 12050):
In the Matter of the Statement of Issues Against Robert Brown and Deuces Wild, Inc., dba Deuces Wild Casino & Lounge, OAH Case No. 2011120884, BGC Case No. HQ2011-0001AL1, CGCC Case No. CGCC-2010-01-21

CONSENT CALENDAR ITEMS:

(Items on the consent calendar will be taken up and voted on as a group. A Commissioner may request that an item be discussed, in which case it will be discussed separately at a later point in the meeting.

16. Request for Name Change of Gambling Establishment (Pursuant to Business and Professions Code section 19824 (c)):
Wine Country Casino and Restaurant: Lodi Casino
17. Applications for Approval of Initial Work Permit (Pursuant to Business and Professions Code section 19912):
 - A. Empire Sportsmen's Association: Rathkaya Koy Savath Nhep
 - B. Lake Bowl Cardroom: Ryan Hauser
 - C. Merced Poker Room: Nang Xiong
18. Applications for Approval of Renewal Work Permit (Pursuant to Business and Professions Code section 19912):
 - A. Lake Bowl Cardroom: Jacqueline Bolyan
 - B. The 101 Casino: Jennifer Sena
19. Application for Approval of Renewal of Third Party Providers of Proposition Player Services/Gambling Business Supervisor/Player Licenses (Pursuant to Business and Professions Code section 19984; CCR, Title 4, sections 12218.8 and 12238):
PT Gaming, LLC:
Player: Sotheary Sou
20. Applications for Approval of Initial Tribal-State Compact Key Employee Findings 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:
Brian Foster Jr. Luis Garcia
 - B. Barona Resort and Casino – Barona Band of Mission Indians:
Josue Gonzalez-Marchena
 - C. Black Oak Casino – Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria:
Kelly Dunn

- D. Blue Lake Casino and Hotel – Blue Lake Rancheria:
Casey Carrothers Martin Modine Barton Reed Jr.
 - E. Cache Creek Casino Resort – Yocha Dehe Wintun Nation:
Eleanor Thompson
 - F. Cher-Ae-Heights Casino – Cher-Ae-Heights Indian Community of the Trinidad Rancheria:
Javier Castro Jr. Billy Gritts
 - G. Chukchansi Gold Resort and Casino – Picayune Rancheria of the Chukchansi Indians:
Kalyn Kohl
 - H. Chumash Casino Resort – Santa Ynez Band of Chumash Mission Indians of the Santa Ynez
Reservation:
Consuelo Bernal
 - I. Coyote Valley Casino – Coyote Valley Reservation:
Merry Earley
 - J. Fantasy Springs Resort Casino – Cabazon Band of Mission Indians:
Alan Campbell
 - K. Harrah’s Rincon Casino & Resort – Rincon Band of Luiseno Indians:
Sisomphone Sayabanha
 - L. Havasu Landing Resort & Casino – Chemehuevi Indian Tribe of the Chemehuevi
Reservation:
Thomas Martinez
 - M. Morongo Casino Resort & Spa – Morongo Band of Cahuilla Indians of the Morongo
Reservation:
Richard Cun Romulos Enriquez Gary Rice
 - N. Pala Casino Spa Resort – Pala Band of Mission Indians:
Tong Lu
 - O. Pechanga Resort & Casino – Pechanga Band of Luiseno Mission Indians of the Pechanga
Reservation:
Michelle Embree Derek Hall Silverio Ruiz
 - P. Red Hawk Casino – Shingle Springs Band of Miwok Indians:
Delana Dodds Michael Machen Carlos Moreno
Kenneth Mosser II
 - Q. River Rock Casino – Dry Creek Rancheria Band of Pomo Indians:
Raoul Diez
 - R. Robinson Rancheria Resort & Casino – Robinson Rancheria Band of Pomo Indians:
Charles Waycik Dean Williams Jr.
 - S. San Manuel Indian Bingo and Casino – San Manuel Band of Serrano Mission Indians of the
San Manuel Reservation:
Veronica Mota
 - T. Sycuan Casino & Resort – Sycuan Band of the Kumeyaay Nation:
Toni Peters
 - U. Thunder Valley Casino Resort – United Auburn Indian Community of the Auburn Rancheria:
Matthew Dillon
 - V. Valley View Casino & Hotel – San Pasqual Band of Diegueno Mission Indians:
Ana Gonzalez Corey Palmer Amy Quiroz
Lee Tran Dominga Wilson
 - W. Viejas Casino – Viejas Band of Kumeyaay Indians:
Maryanne Scanio
21. Applications for Approval of Renewal Tribal-State Compact Key Employee Findings 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:
Joydellyne Balanay Carla Coyne Ernesto Hernandez
Silvia Hernandez William Oliver
 - B. Augustine Casino – Augustine Band of Cahuilla Mission Indians:
Adrian Hernandez John Lienert Sabrina Martinez
Rocio Monroy

*See Attachment A for a list of specific applicants

- C. Chumash Casino Resort – Santa Ynez Band of Chumash Mission Indians of the Santa Ynez Reservation:
 Sherry Ashbrook Sergio Castillo Letitia Flores
 Amy Fortin Matthew Giuli Christopher Jose
- D. Diamond Mountain Casino and Hotel – Susanville Indian Reservation:
 Campbell Jamieson
- E. Elk Valley Casino – Elk Valley Rancheria:
 Johnnie Rodriguez, Sr.
- F. Jackson Rancheria Casino & Hotel – Jackson Rancheria Band of Miwuk Indians:
 Sheldon Windley, Jr.
- G. Morongo Casino Resort & Spa – Morongo Band of Cahuilla Indians of the Morongo Reservation:
 Christopher Amis Tary Duarte Patrick Hixon
- H. Pala Casino Spa Resort – Pala Band of Mission Indians:
 John Clausen Jane De La Torre Sandra Dunn
 Sal Enriquez, Jr. Vivian Imai David Katzenbach
 Brett Marek Sarah Mazzola Laura Sanchez
 Soang Unn
- I. Red Earth Casino – Torres-Martinez Band of Cahuilla Mission Indians:
 Salvador Espinoza Sharon France Nicole Gable
 Juana Garcia Rodolfo Gaxiola Nicholas Hauf
 Sandra Hernandez Nicola Joukovsky Sandra Kaelberer
 Andrew Nichols
- J. Red Hawk Casino – Shingle Springs Band of Miwok Indians:
 Wei Tan
- K. Santa Ysabel Casino – Santa Ysabel Band of Digueno Indians:
 Matilda Fernandez Judith Haworth Erlynda Perez
 Betsy Pietila
- L. Soboba Casino – Soboba Band of Luiseno Indians:
 Joseph Mujica
- M. Spotlight 29 Casino – Twenty-Nine Palms Band of Mission Indians:
 Deon Calderon Mary Johnson Marco Machuca
 Richard Montigny Gabriel Saenz Rena Salgado
 Thomas Sedlock Osvaldo Soliz Charles Whittaker
- N. Table Mountain Casino – Table Mountain Rancheria:
 Charles Thompson, Jr.
- O. Win-River Casino – Redding Rancheria:
 Jared Garalde Randall Roberts

PUBLIC COMMENT:

The Commission affords an opportunity to members of the public to address the Commission on items of interest that are within the Commission's jurisdiction. The Commission is not permitted to take action on items that are not identified on the agenda. The Commission "reserves the right to limit speakers if necessary to provide an adequate opportunity for all to be heard."

CLOSED SESSION:

- I. Litigation: (Government Code section 11126(e)):
- A. *California Valley Miwok Tribe v. The California Gambling Control Commission*; San Diego County Superior Court (37-2008-00075326-CU-CO-CTL).
- B. *John Chiang, California State Controller, and California Gambling Control Commission v. Candace Cates*, Court of Appeal of the State of California, Fourth Appellate District, Division One (D060570)
- C. *Pauma Band of Luiseno Mission Indians v. Gambling Control Commission; and Arnold Schwarzenegger*, U.S. Dist Court S. D. California (09 CV01955 LAB AJB)

- D. *Timothy Eugene Stroud v. California Gambling Control Commission*, Sacramento County Superior Court (34-2010-080000614)
 - E. *San Pasqual Band of Mission Indians v. State of California, et al.*, Los Angeles County Superior Court (BC431469)
 - F. *Bingo Innovations of California, Inc. v. California Gambling Control Commission*, Sacramento County Superior Court (34-2012-80001139)
 - G. *Iipay Nation of Santa Ysabel v. California Gambling Control Commission*, U.S. Dist. Court, S.D. California (12CV1876BENRBB).
 - H. *Richard Jonathan Scott v. California Gambling Control Commission*, Sacramento County Superior Court (34-2012-80001292)
 - I. *Yavapai Apache Nation v. Iipay Nation of Santa Ysabel, the State of California, and the California Gambling Control Commission*, Sacramento County Superior Court (34-2012-001199727)
- II. Deliberation on Decisions (Government Code section 11126(c)(3)):
- A. Stipulated Settlement; Decision and Order In the Matter of the Statement of Reasons for Denial of License Application Regarding University Heights Associates, LLC; Naseem Salem, Managing Member, Adel Salem, Member, BGC Case No. BGC-SD-2010-0001-00017, CGCC Case No. CGCC-2012-0314-4
 - B. Stipulated Settlement; Decision and Order In the Matter of the In the Matter of the Statement of Reasons for Denial of License Renewals Regarding Palomar Card Club General Partnership, Donald Staats and Susan Staats, General Partners, dba Palomar Card Club, BGC Case No. BGC-SD-2010-00017, CGCC Case No; CGCC-2012-0314-2
 - C. Stipulated Settlement; Decision and Order In the Matter of the Statement of Reasons for Denial of License Renewal Regarding Naseem Salem, Key Employee, Palomar Card Club, BGC Case No. BGC-SD-2010-0001-00017, CGCC Case No. CGCC-2012-03 14-3
 - D. Stipulation and Proposed Decision and Order In the Matter of the Statement of Issues Against Robert Brown and Deuces Wild, Inc., dba Deuces Wild Casino & Lounge, OAH Case No. 2011120884, BGC Case No. HQ2011-0001AL, CGCC Case No. CGCC-2010-01-21

RECESS

RECONVENE TO OPEN SESSION – 2:00 PM

CALL TO ORDER

- 22. Discussion of Tribal-State Gaming Compact Special Distribution Fund Review of Berry Creek Rancheria of Maidu Indians pursuant to Compact Section 5.3 (Government Code section 11126.4; Tribal State Compact Section 7.4.3.; Executive Order D-66-03)

CLOSED SESSION

- III. Discussion of Tribal-State Gaming Compact Special Distribution Fund Review of Berry Creek Rancheria of Maidu Indians pursuant to Compact Section 5.3 (Government Code section 11126.4; Tribal State Compact Section 7.4.3.; Executive Order D-66-03)

RECONVENE TO OPEN SESSION

ADJOURNMENT

Please contact Lisa Chimento at (916) 263-0700, or TDD 1-800-345-4275, to submit written material regarding an agenda item or to request special accommodations for persons with disabilities. Any person with a disability who wishes to receive this Notice and Agenda in an alternative format, or who wishes to request auxiliary aids or services to participate in meeting of the California Gambling Control Commission, in accordance with State or Federal law, should contact Lisa Chimento at this above phone number or address.