

California Gambling Control Commission
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**MINUTES OF THE OCTOBER 9, 2020
COMMISSION/REGULATIONS MEETING**

Pursuant to Executive Orders N-25-20 and N-29-20 regarding the COVID-19 virus, the meeting was held by tele/video conference 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. Consideration of Additional Permanent Authorized Tables (Pursuant to Business and Professions Code section 19841(p); CCR, Title 4, section 12359):

Larry Flynt's Lucky Lady Casino: Casino, LLC

Action:

Upon motion of Commissioner LaBrie, seconded by Commissioner Lacy, and carried in a vote by roll call with Chairman Evans, Commissioner LaBrie, Commissioner Lacy, and Commissioner To voting yes; the Commission approved the request for 59 additional permanent authorized tables.

4. Deliberation and Consideration of 15-Day Written Public Comments and Final Adoption of Regulations Concerning Licensing (Title 4, CCR, 12002, 12003, 12004, 12005, 12006, 12008, 12014, 12015, 12017, 12035, 12040, 12052, 12056, 12080, 12082, 12100, 12101, 12102, 12104, 12105, 12106, 12108, 12110, 12112, 12114, 12116, 12118, 12120, 12122, 12124, 12126, 12128, 12130, 12132, 12134, 12136, 12138, 12140, 12142, 12144, 12200, 12200.1, 12200.3, 12200.5, 12200.6, 12200.7, 12200.9, 12200.10A, 12200.10B, 12200.10C, 12200.11, 12200.14, 12200.15, 12200.17, 12200.18, 12200.20, 12201, 12202, 12203, 12203A, 12203.1, 12203.2, 12203.3, 12203.5, 12204, 12205, 12205.1, 12218, 12218.1, 12218.7, 12218.8, 12218.9, 12218.11, 12218.13, 12220, 12220.1, 12220.3, 12220.5, 12220.6, 12220.14, 12220.15, 12220.17, 12220.18, 12220.20, 12220.20A, 12220.23, 12221, 12222, 12223, 12224, 12225, 12225.1, 12233, 12235, 12236, 12237, 12238, 12239, 12250, 12252, 12254, 12256, 12260, 12261, 12263, 12264, 12270, 12272, 12274,

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12276, 12278, 12287, 12290, 12301, 12309, 12311, 12312, 12313, 12315, 12316, 12335, 12340, 12341, 12342, 12345, 12346, 12347, 12348, 12349, 12350, 12351, 12352, 12353, 12354, 12355, 12357, 12358, 12359, 12360, 12362, 12364, 12368, 12369, 12370, 12372, 12380, 12381, 12384, 12385, 12386, 12387, 12388, 12391, 12392, 12395, 12396, 12460, 12461, 12462, 12463, 12464, 12465, 12466, 12470, 12472, 12474, 12492, 12500, 12503, 12550, 12554, 12556, 12558, 12560, 12562, 12564, 12566, and 12568).

Presented by:

Josh Rosenstein, Legislative and Regulatory Specialist, Gambling Control Commission, via video

Mr. Rosenstein stated that on June 19, 2020, the notice of proposed action for this Regulation was published in the California Regulatory Notice Register which commenced a 45-day written comment period. A Hearing to receive additional written and oral comment was not scheduled, and no request for a Hearing was received from any interested party pursuant to Government Code 11346.8. Six written comments were received during the 45-day written comment period ending August 5, 2020.

On September 11, 2020, the Commission held a Regulation Meeting to consider the adoption of the proposed amendments. The Meeting concluded with the Commission instructing Staff to notice specified changes for a 15-day written comment period. That comment period commenced on September 12, 2020, and ended on September 28, 2020.

Commission Staff recommends that the Commission, after considering the 15-day written comments, approve and adopt the modified text and instruct Staff to complete all documents necessary and file the Rulemaking package with the office of Administrative Law.

Commissioner Lacy, Commissioner To, Commissioner LaBrie, and Chairman Evans all stated their appreciation and willingness of Mr. Freed and Mr. Titus to participate in the regulatory process.

PUBLIC COMMENT:

David Fried stated that he appreciated all the hard work everyone put into the Regulation Package.

Action:

Upon motion of Chairman Evans, seconded by Commissioner Lacy, and carried in a vote by roll call with Chairman Evans, Commissioner LaBrie, Commissioner Lacy, and Commissioner To voting yes; the Commission approved the Regulation Package.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA:

None

CLOSED SESSION:

Chairman Evans disclosed that there were no Closed Session items on this agenda.

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- 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)*
 - 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. *California Valley Miwok Tribe v. California Gambling Control Commission et al.; San Diego County Superior Court (37-2017-00050038-MU-CO-CTL)*
 - F. *Yavapai-Apache Nation v. La Posta Band of Diegueno Mission Indians and California Gambling Control Commission, Sacramento Superior Court (34-2018-00238711)*
 - G. *Manuel Corrales, Jr. v. California Gambling Control Commission, San Diego County Superior Court (37-2019-00019079-CU-MC-CTL)*
 - H. *Kris Kat, LLC and Steven C. Ayers v. California Gambling Control Commission, Sacramento County Superior Court (34-2019-80003142)*
 - I. *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)*
 - J. *Lucky Chances, Inc., VC Cardroom, et al. v. State of California, California Gambling Control Commission, et al. San Francisco County Superior Court (CPF-20-517086)*
- 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 Approval of Third-Party Proposition Player Services Player License for Roderick Lee Hebert, (CGCC-2019-1219-12A)
 - C. In the Matter of the Application for Approval of Third-Party Proposition Player Services Player License for Aaron Robles, (CGCC-2019-1024-11B)

ADJOURNMENT:

Chairman Evans adjourned the Commission/Regulation Meeting at 10:20 am.