

California Gambling Control Commission
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**MINUTES OF THE MARCH 26, 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 and Pledge of Allegiance.

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.
3. Consideration of Initial Work Permit (Pursuant to Business and Professions Code section 19912; CCR, Title 4, sections 12054 and 12104):
Casino Merced: Salena Yin

Comments Received From:

Salena Yin, via telephone

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

Commissioner LaBrie stated she was leaning towards staff recommendation as she had some concerns regarding the inconsistencies that seemed unnecessary and calls into question Ms. Yin's character. However, she wanted to hear from the other Commissioners.

Commissioner Lacy stated that he understood that Ms. Yin failed to disclose her termination on her 2017 Work Permit. Subsequently, Ms. Yin provided an addendum to her 2017 Work Permit after the Bureau inquired about her termination. Commissioner Lacy asked the Bureau how much prompting was required for Ms. Yin to disclose her termination on a separate addendum in 2017.

Assistant Director Morrow stated she did not have that information available at the time but she could confirm once the Bureau reached out, Ms. Yin provided the statement.

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Commissioner Lacy inquired why Ms. Yin was terminated in 2017. Assistant Director Morrow stated it was due to Ms. Yin's attendance issues.

Commissioner LaBrie noted that Ms. Yin was not required to disclose the termination on her 2017 Work Permit as the termination occurred following the submission.

Assistant Director Morrow clarified that Ms. Yin did not disclose the termination on her 2019 application. Ms. Yin explained she did not include that she was terminated as she was rushing to fill out her application as she had not worked for over a month as her badge expired.

Chairman Evans and Commissioner To noted that the underlying reason for termination, which was the attendance issues, and her explanation for non-disclosure was not egregious enough to rise to the level of requiring a GCA hearing. As such, they wanted to discuss with the applicant.

Commissioner LaBrie commented that Ms. Yin's employer was willing to re-hire her if she was willing to submit her medical documents. Commissioner LaBrie asked Ms. Yin why did she not submit the requested documents. Ms. Yin stated she did not provide the medical documents due to the medical facility not providing the medical documentation to her.

Ms. Yin explained the requested document was an x-ray. As the accident occurred at work, she was advised by her employer to go to a certain medical facility. The medical facility did not provide her with a copy of the x-ray. When she went back to the Casino to explain what occurred, she was terminated.

Ms. Yin further stated that she thought at the time, the Casino would be able to obtain the medical documentation from that medical facility.

Ms. Yin confirmed she was on Workmen's Compensation before she was terminated.

Chief Counsel Vlaanderen clarified that this particular Tribal Compact, section 10.3, allows the Tribe to waive participation in the state worker's compensation system if the Tribal Casino has its own worker's compensation. It is possible that the Tribe is not participating in the state workers compensation system.

Action:

Upon motion of Commissioner LaBrie, seconded by Commissioner To, and carried in a vote by roll call with Chairman Evans, Commissioner LaBrie, Commissioner Lacy, and Commissioner To voting yes; the Commission approved the Initial Work Permit through April 30, 2021.

4. Consideration of Stipulated Settlement, Decision and Order:

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In the Matter of the Application for Approval of State Gambling License for Casino Marysville, Sau Cung Phong, Inc., Sau Cung Phong, (CGCC-2018-0426-7C)

Comments Received From:

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

Bill Torngren, Deputy Attorney General, Department of Justice, via telephone

John Maloney, Attorney, via telephone

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

Chief Counsel Vlaanderen stated at its April 26, 2018 Commission Meeting, the Commission referred consideration of these applications to an evidentiary hearing pursuant to the Gambling Control Act. At the hearing on March 16, 2020, the Commission considered a proposed Stipulation Settlement Decision and Order that was presented by the Bureau and the applicants. That settlement was not approved. The parties have presented the Commission with a revised Stipulated Settlement Decision and Order that would be considered in Closed Session. Deputy Attorney General (DAG) Bill Torngren and attorney for the applicants, John Maloney, were on the phone to answer any questions the Commissioners had in Open Session.

Chairman Evans stated that during the last meeting the Commission specifically talked about two areas to amend in the settlement, if the parties could come to terms. To figure out a way to do some reporting back to the Commission regarding the progress of the sale of the Cardroom and align the time period by which there would be a sale with the expiration date of the current license. In addition, Chairman Evans wanted to explore the reasoning for the retention of the General Manager while the Cardroom was closed and requested the parties to address that matter.

DAG Torngren stated that after the March 16, 2020 Commission Meeting there has been a change of circumstances after COVID-19. The original settlement provided that Mr. Va Phong would be terminated or not perform any job in the gaming industry that required licensure of the Commission, Bureau, or the City of Marysville. Mr. Torngren stated that during negotiations, the applicants requested Mr. Phong stayed on during this time. Because the Cardroom is closed and because any possible harm to the public as the result of Mr. Phong's employment is non-existent and the economic condition of the Cardroom as it is not making any money at all due to the closure, the request was included in the revised Settlement.

Mr. Maloney concurred and stated that the Cardroom is in a tremendous economic strain and does not have the resources to pay anyone. Mr. Phong is the brother of the owner. Mr. Phong would retain his employment during the closure and would not be paid.

Commissioner LaBrie inquired how long it would take the Bureau to approve a General Manager once the Cardrooms are able to open.

Assistant Director Morrow stated that it depends on who is selected. If it is someone who has undergone the licensing process, it could be done in a short time. If it is someone new to the industry, then it would be a little more difficult. The applicant can request an interim license while the Bureau conducts their investigation.

CONSENT CALENDAR ITEMS:

5. Approval of Commission Meeting Minutes for:
 - A. December 19, 2019 – Commission Meeting
 - B. February 5, 2020 – GCA Meeting

6. Consideration of Transfer of Shares (Pursuant to Business and Professions Code section 19904):

Commerce Casino: California Commerce Club, Inc.
Maureen Orbus (Transferor)
Ryan Orbus (Transferee)
Todd Orbus (Transferee)

7. Consideration of Extension and/or Renewal of State Gambling License (Pursuant to Business and Professions Code sections 19850, 19852, and 19876; CCR, Title 4, sections 12054 and 12345):
 - A. Rogelio's: Rogelio's Inc.
Rogelio Garcia, Director, Shareholder
Mew Ha Garcia, Chief Financial Officer, Secretary,
Director, Shareholder

 - B. Westlane Card Room: Delta C, LP

8. Consideration of Initial Portable Personal Key Employee License (Pursuant to Business and Professions Code section 19854; CCR, Title 4, sections 12054 and 12350):
 - A. Shawn Brown
 - B. Dale Wolfe, Jr.

9. 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:
 - Supervisors: i) Brian Cutts ii) Rolando Hinojosa Sanchez
iii) John Kim

 - B. Blackstone Gaming, LLC:
 - Supervisors: i) Erin Chham ii) Bernadette Duque
iii) Raymond Garcia
iv) Jeanette Garcia Jacome
v) James Khiev vi) Erin Pulley
vii) Eric Sok

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C. Knighted Ventures, LLC:

- | | | |
|-------------|-------------------------|---------------------------|
| Supervisors | :i) Ricardo Calma, Jr. | ii) Amitesh Chand |
| | iii) Daniel Christensen | iv) Garrett Clark |
| | v) Michael Duran | vi) Jacques Gandolfo-Monk |
| | vii) Eric Lorono | viii) Alexa Rea |
| | ix) Sou Saephan | x) Isaac Trumbo |

D. Metis TPS, LLC:

Player: Rayana Crooks

E. Pacific United Service, Inc.:

Supervisor Shung Mok

10. Consideration of Tribal-State Compact Extension and/or Renewal Finding of Suitability as a Gaming Resource Supplier (Pursuant to the Tribal-State Gaming Compacts):

Konami Gaming, Inc.

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

A. Agua Caliente Casino Resort Spa - Agua Caliente Band of Cahuilla Indians of the Agua Caliente Indian Reservation:

Eric Hardisty

B. Blue Lake Casino and Hotel - Blue Lake Rancheria:

i) Stephanie Pena ii) Stephanie Underwood

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

Travis Weaver

D. Casino Pauma - Pauma Band of Luiseno Mission Indians of the Pauma & Yuima Reservation:

i) Gabriel Solis ii) Michael Wells

E. Pala Casino Spa and Resort - Pala Band of Mission Indians:

Elizabeth Barrantes

F. Pechanga Resort & Casino - Pechanga Band of Luiseno Mission Indians:

Justin Harris

G. Rain Rock Casino - Karuk Tribe:

Brandon Bethea

H. Soboba Casino Resort - Soboba Band of Luiseno Indians:

Kraig Fuller

12. Consideration of Renewal Portable Personal Key Employee License (Pursuant to Business and Professions Code section 19854; CCR, Title 4, sections 12054 and 12351):

- | | |
|---------------------|-------------------|
| A. Darren Bishop | F. Tony Le |
| B. Michael Brown | G. Matthew Miller |
| C. Richard Garcia | H. Oscar Miranda |
| D. Madelaine Jazmin | I. Tuan Nguyen |
| E. Tim Lam | J. Janet Reynolds |

K. Pamela Rosa

L. Leonardo Soto Duarte

13. 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:

Players:	Tylani Barron	Sonny Cobos	Romina Dalangin
	Fu Kit Raymond Du Jeruinne		Mary Lourdes Tesch
	Luis Pelayo Flores		

B. Alpha Gaming, Inc.:

Player: Eduardo Meraz-Alvarado

C. Arise, LLC:

Players: Jordyn Navarro Courtney Seeley

D. Blackstone Gaming, LLC:

Players:	Kyle Anderson	Tony Dao	Jaqueline Hernandez
	Najee Hutchinson	Tanya Najar	Alex Quiroz
	Guillermo Zaragoza Quiroz		

E. Gold Gaming Consultants, Inc.:

Player: Diana Rinn

F. Knighted Ventures, LLC:

Other Employee: Gregory LaPolla

Players:

Apollo Aquilles Baoas, Jr.		
Roberto Barrera-Sanchez		
Alexander Bisler	Patricia Brewer	Cameron Griffith
Danh Le	Ismael Lopez	Katie Lor
Adriana Martinez	Rogelio Moran, Jr.	Christian Nevarez
Marcus Nott	Brian Park	Sanjay Poudel
Martin Rivera Martinez		Nathan Sayalinh
Elton Tran	Linh Tran	John Yang

Majesty Partners, LLC:

Players: Andrew Aguirre Mitzi Martinez Liwei Wang

G. Metis TPS, LLC:

Players: Jonathan Orona Boguang Rong Fuzhen Teng

Angel Vital Zhigang Wang Tebei Zhao

H. Pacific United Service, Inc.:

Players: Chien Ching Adam Gossai

I. PT Gaming, LLC:

Players: Huyen Amerson Rachel Argaw Pablo Gorriceta III

Kristopher Knowles Vicky Lee Peter Nobela

Gabriela Robles Joanna Saefong Fe Soleil Sales

14. 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):

A. Pacific United Service, Inc.:

Player: Shekima Bradley

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- B. The Independent:
Player: Jocelyn Aquino

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

- A. Black Oak Casino - Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria:
Bryan Brown
- B. Blue Lake Casino and Hotel - Blue Lake Rancheria:
Philip Aycock Christopher Jacla
- C. Cache Creek Casino Resort - Yocha Dehe Wintun Nation:
Kristin Henderson
- D. Chicken Ranch Casino - Chicken Ranch Rancheria of Me-Wuk Indians:
Donald Weaver
- E. Graton Resort & Casino - Federated Indians of Graton Rancheria:
Angela Dluzak
- F. Jamul Casino - Jamul Indian Village:
Mary Cheeks
- G. Pechanga Resort & Casino - Pechanga Band of Luiseno Mission Indians of the Pechanga Reservation:
Charles Hellman
- H. Red Hawk Casino - Shingle Springs Band of Miwok Indians, Shingle Springs Rancheria:
Phi Sin Noleenoy Suvankham Johnny Yip
- I. San Manuel Casino - San Manuel Band of Mission Indians:
Benjamin Fenison Brian Henn Charles Martin
- J. Soboba Casino Resort - Soboba Band of Luiseno Indians:
Oscar Juarez
- K. Sycuan Casino and Resort - Sycuan Band of the Kumeyaay Nation:
Cherryl Barlis
- L. Tachi Palace Hotel and Casino - Santa Rosa Indian Community:
Sandy England
- M. Thunder Valley Casino Resort - United Auburn Indian Community of the Auburn Rancheria:
Mathew Cook Oscar Flores
- N. Valley View Casino & Hotel - San Pasqual Band of Diegueno Mission Indians:
Jorge Leon

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

- A. Agua Caliente Casino Resort and Spa Rancho Mirage - Agua Caliente Band of Cahuilla Indians:
Randall Fink
- B. Barona Resort and Casino - Barona Group of Capitan Grande Band of Mission Indians:
Winona Creed Lance Gurrola Matthew McFarlane
Octavio Nicasio Jennifer Ortiz Mark Wanser
Teresa Williams

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- C. Bear River Casino Hotel - Bear River Band of the Rohnerville Rancheria:
Michael Pires
- D. Chumash Casino Resort - Santa Ynez Band of Chumash Mission Indians of the Santa Ynez Reservation:
Jeremy Barnett Cynthia Bloxham Matthew Christian
Michael Fonseca Desiree Hooper Johnny Jimenez
Sylvia Martini John Ormond Roberto Rodriguez
- E. Colusa Casino Resort - Cachil DeHe Band of Wintun Indians of the Colusa Indian Community of the Colusa Rancheria:
Doyle Smotherman Jr.
- F. Coyote Valley Casino - Coyote Valley Band of Pomo Indians:
Roberta Selvidge
- G. Fantasy Springs Resort Casino - Cabazon Band of Mission Indians:
Shirley Abreu
- H. Feather Falls Casino & Lodge - Mooretown Rancheria of Maidu Indians:
Emily Somppi
- I. Harrah's Resort Southern California - Rincon Band of Luiseno Mission Indians of the Rincon Reservation:
Patrick Brownlow Ryan Cameron Aldo Hernandez
Ernest Russell IV
- J. Lucky 7 Casino - Smith River Rancheria:
Mary Hulse
- K. Morongo Casino Resort and Spa - Morongo Band of Mission Indians:
Jonathan Melhorn Thai Phan Anthony Pierce II
John Sanchez Jr.
- L. Paiute Palace Casino - Bishop Paiute Tribe:
Clayton Eddy Dexter Tsinnijinnie
- M. Pala Casino Spa and Resort - Pala Band of Luiseno Mission Indians of the Pala Reservation:
Joel Dennis Jr.
- N. River Rock Casino - Dry Creek Rancheria Band of Pomo Indians:
Larry Arterberry
- O. Running Creek Casino - Habematolel Pomo of Upper Lake:
Kyle Shasteen
- P. San Manuel Casino - San Manuel Band of Mission Indians:
Regina Carrillo Paprhi Chakma Trung Dang
Robert Leach Annie Kar Ng Frank Rodriguez
Artemio Sanchez Javier Uribe
- Q. Sycuan Casino and Resort - Sycuan Band of the Kumeyaay Nation:
Imelda Achenbach Christian Noeh Agapay Samuel Bonner
Kira Contreras Gillan Klariss DeRomas Troy Fuller
Christopher Niss Chay Saing Cynthia Snow
Lourdes Wilder
- R. Table Mountain Casino - Table Mountain Rancheria:
Ryan Delp Ermei He Juan Carlos Hernandez
Gordon Woods Jr.
- S. Tachi Palace Hotel and Casino - Santa Rosa Indian Community:
Stanley Osborne Vincent Squeo

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- T. Thunder Valley Casino Resort - United Auburn Indian Community of the Auburn Rancheria:
Janet Donoho
- U. Twin Pine Casino & Hotel - Middletown Rancheria of Pomo Indians:
Gregg Alexander
- V. Viejas Casino and Resort - Viejas Group of Capitan Grande Band of Mission
Yair Jimenez Gary Robinson Rafi Shaoka
John Webb Alfredo Zermeno
- W. Win-River Casino - Redding Rancheria:
Matthew Chain Michael Pair

Action:

Upon motion of Commissioner To, 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 Consent Calendar items 5 through 16, with the exception of item 6, wherein the Commission approved the Transfer of Shares with the Conditions listed in the report, and items 7.A., 7.B, and 10 wherein the Commissioners approved a 120-day extension through July 31, 2020.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA:

Commissioner To thanked Commission Staff as well as Executive Director Stacey Luna Baxter for all their hard work.

Mr. Torngren and Mr. Maloney thanked the Commission Staff for all their hard work.

CLOSED SESSION DISCLOSURE:

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

- II. Litigation (Government Code section 11126(e)):
 - D. In the Matter of the Application for Approval of State Gambling License for Casino Marysville, Sau Cung Phong, Inc., Sau Cung Phong, (CGCC-2018-0426-7C)
 - B. In the Matter of the Application for Approval of Third-Party Player of Proposition Player Services License for Valerie Chavez, (CGCC-2019-0613-6Ci)

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)
 - 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)

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- 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)
- 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 Player of Proposition Player Services License for Valerie Chavez, (CGCC-2019-0613-6Ci)
 - C. In the Matter of the Application for Initial Key Employee License for Callaye Jo Strauss, (CGCC-2017-0713-7G)
 - D. In the Matter of the Application for Approval of State Gambling License for Casino Marysville, Sau Cung Phong, Inc., Sau Cung Phong, (CGCC-2018-0426-7C)

Chairman Evans came out of Closed Session and announced that In the Matter of the Application for Approval of State Gambling License for Casino Marysville, Sau Cung Phong, Inc., Sau Cung Phong, the Commission approved the modified Stipulated Settlement; Decision and Order.

ADJOURNMENT:

Chairman Evans adjourned the Commission Meeting at approximately 10:48 a.m.