

California Gambling Control Commission
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**MINUTES OF SEPTEMBER 8, 2016
COMMISSION MEETING**

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, and Trang To present. Commissioner Hammond was not present.

3. Approval of Commission Meeting Minutes for:
July 7, 2016

Action:

Upon motion of Commissioner Dunstan seconded by Commissioner Conklin and carried in a vote by roll call with Chairman Evans and Commissioners Conklin, Dunstan and To voting yes; the Commission approved the minutes for July 7, 2016.

Executive Director Stacey Luna Baxter recused herself from Item 4.A, B., and C, and left the dais.

4. Consideration of A) Retraction or Affirmation of Referral to an GCA Evidentiary Hearing of Application for a State Gambling License; B) Application for Renewal of State Gambling License; and C) Application for Temporary State Gambling License (Pursuant to Business and Professions Code sections 19824, 19825, 19850, 19852, and 19876; CCR, Title 4, sections 12054, 12056, 12058, and 12345):

A. Lake Bowl Cardroom: Waldemar Dreher, Sole Proprietor

Comments Received From:

Dan Dreher

Monica Dreher

Ron Diedrich, Deputy Attorney General, Department of Justice

Yolanda Morrow, Assistant Bureau Chief, Bureau of Gambling Control

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Daniel Dreher, a key employee and the cardroom owner's son, explained that the cardroom now has policies in place to correct prior incidents that led the Commissioners to initially refer Lake Bowl to an evidentiary hearing. The policies include that Third Party Proposition Players are not allowed to take any bets from any employees while on their shift. Also, if an employee wants to play on their off time, they must let the cardroom know of any wins or losses over \$1000.

Action:

Upon motion of Commissioner Conklin seconded by Commissioner To and carried in a vote by roll call with Chairman Evans and Commissioners Conklin, Dunstan and To voting yes; the Commission approved to retract the referral to a GCA evidentiary hearing.

B. Lake Bowl Cardroom: Waldemar Dreher, Sole Proprietor

For the record, Chief Counsel Todd Vlaanderen stated that the original Renewal Application was for 2013 through 2015, when the Commission voted to refer the renewal application to hearing the license was stayed during pending administrative action.

Action:

Upon motion of Commissioner Conklin seconded by Commissioner Dunstan and carried in a vote by roll call with Chairman Evans and Commissioners Conklin, Dunstan and To voting yes; the Commission approved the original Renewal Application through February 28, 2015, which will keep the cardroom on the existing renewal system.

C. Lake Bowl Cardroom: Waldemar Dreher, Sole Proprietor

Comments Received From:

Yolanda Morrow, Assistant Bureau Chief, Bureau of Gambling Control

Action:

Upon motion of Commissioner Conklin seconded by Commissioner To and carried in a vote by roll call with Chairman Evans and Commissioners Conklin, Dunstan and To voting yes; the Commission approved to issue a Temporary State Gambling License through February 28, 2017, with the conditions noted below:

- 1. This temporary license takes effect on the date of issuance and expires on February 28, 2017. This temporary license is not subject to renewal and may be extended only by order of the Commission at its discretion, but in no case shall this temporary license exceed 24 months.*
- 2. Issuance of this temporary license does not obligate the Commission to grant a regular license. Issuance of this temporary license does not create a vested right in the holder to either extension of the temporary license or to a regular license.*

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3. *Issuance of this temporary license does not change the license qualification requirements of the Gambling Control Act, including the legal requirement that the burden of proving his or her qualifications to receive any license is on the applicant.*
4. *The Commission, when evaluating the applicant's pending application for a regular state gambling license, will consider the conduct of the applicant and its employees, if applicable, during the term of the applicant's temporary license.*
5. *Notwithstanding any other limitations on this temporary license, it is also subject to the discipline and penalties provided in Article 10 and Article 11 of the Gambling Control Act. The issuance of this temporary license is without prejudice to the Bureau's prosecution of an accusation.*
6. *The granting of this temporary license in no way diminishes the responsibilities or powers of the Bureau in enforcing the Gambling Control Act and other applicable laws and regulations with respect to the temporary license.*
7. *This temporary license will only be valid as long as an application for a regular license is currently pending. Applicant must submit renewal applications to cover the 2015-2017 licensure period, and the subsequent 2017-2019 period.*
8. *The holder of this temporary license shall pay all applicable fees associated with that license as if the temporary were a regular license.*
9. *If a regular license is not issued within the valid time period of the temporary license, the temporary licensee may submit a request for a new temporary license.*
10. *Upon issuance or denial of a regular license, this temporary license shall become invalid.*
11. *The holder of a temporary license shall comply with all applicable provisions of the Gambling Control Act and Commission and Bureau Regulations.*
12. *The Commission may impose additional conditions to this temporary license in its sole discretion at any noticed public meeting. The imposition of additional conditions does not entitle the temporary licensee to an evidentiary hearing under the Gambling Control Act or Commission regulations.*

For Condition No. 7, staff recommends the applicants submit two renewal applications: one to cover the 2015-2017 licensure period, which is being addressed by the Temporary State Gambling License; and another for the 2017-2019 period, which will be considered following the expiration of the Temporary State Gambling License.

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Commissioner Conklin asked if Dan Dreher understood the 12 conditions and if he accepted them. He replied that he did.

Executive Director Stacey Luna Baxter came back to the dais for the remainder of Open and Consent session of the Commission meeting.

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

A. Parkwest Casino Lotus: The Silver F, Inc.
John Park, President, Secretary, Treasurer,
Director, and Shareholder

Comments Received From:
Mike Vasey, Designated Agent

Action:
Upon motion of Commissioner To seconded by Commissioner Dunstan and carried in a vote by roll call with Chairman Evans and Commissioners Conklin, Dunstan and To voting yes; the Commission approved the Renewal Application through September 30, 2018.

B. Racxx: Michael Lincoln, Sole Proprietor

Comments Received From:
Michael Lincoln

Action:
Upon motion of Commissioner Conklin seconded by Commissioner Dunstan and carried in a vote by roll call with Chairman Evans and Commissioners Conklin, Dunstan and To voting yes; the Commission approved the Renewal Application through September 30, 2018, continuing with the existing condition and adding a new condition noted below:

Existing Condition:

Within sixty (60) days of securing a location for the gambling establishment, provide a copy of the following to the Bureau of Gambling Control:

*Fictitious Name Statement;
Business License;
Chips in Use Account;
Chart of Accounts; and
Executed Copies of the Lease Agreement*

New Condition:

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.

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Commissioner Conklin asked Mr. Lincoln if he understood the conditions. He stated that he did.

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

A. Nicholas Ferrante

Comments Received From:
Nicholas Ferrante, via telephone

Action:

Upon motion of Commissioner Dunstan seconded by Commissioner To and carried in a vote by roll call with Chairman Evans and Commissioners Conklin, Dunstan and To voting yes; the Commission approved the Initial Application through December 31, 2016.

B. Alejandro Torres

Action:

Upon motion of Commissioner To seconded by Commissioner Dunstan and carried in a vote by roll call with Chairman Evans and Commissioners Conklin, Dunstan and To voting yes; the Commission approved the Initial Application through June 30, 2017.

7. Applications for Consideration of Initial Work Permit (Pursuant to Business and Professions Code section 19912; CCR, Title 4, sections 12054 and 12104):
Outlaws Card Parlour: John Pearson Melissa Pearson

By concurrence of the Commissioners, John Pearson and Melissa Pearson were heard together.

Comments Received From:
John Pearson, via telephone
Yolanda Morrow, Assistant Bureau Chief, Bureau of Gambling Control

Action:

Upon motion of Commissioner Conklin seconded by Commissioner Dunstan and carried in a vote by roll call with Chairman Evans and Commissioners Conklin, Dunstan and To voting yes; the Commission approved the Initial Applications through March 31, 2018.

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):

Casinfo, LLC: Gary Kuipers, President, Member
Pilar Davalos-Lince, Secretary, Treasurer, Member

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Comments Received From:

Gary Kuipers, via telephone

Yolanda Morrow, Assistant Bureau Chief, Bureau of Gambling Control

Action:

Upon motion of Commissioner To seconded by Commissioner Dunstan and carried in a vote by roll call with Chairman Evans and Commissioners Conklin, Dunstan and To voting yes; the Commission approved to extend the determination of suitability through February 28, 2017.

Chairman Evans asked Mr. Kuipers if he understands the extension, he said he did.

9. Consideration of Stipulated Settlement: Decision and Order: (Pursuant to Business and Professions Code section 11552): In the Matter of the Accusation Against Kings Casino LLC dba The Tavern at Stones Gambling Hall and dba The Saloon at Stones Gambling Hall, Ryan E. Stone, Masis A. Kevorkian, Kermit D. Schayltz, King's Casino Management Corp. (BGC Case No. HQ 2016-00002AC)

Comments Received From:

Michael Lipman, Attorney for Stones

Bill Torngren, Deputy Attorney General, Department of Justice

Commissioner Conklin pointed out that the Respondents in the proposed stipulated settlement still have an unrelated pending application with the City of San Jose that San Jose could ultimately deny. Commissioner Conklin asked how the pending San Jose application could impact this stipulated settlement. Deputy Attorney General Bill Torngren noted that the San Jose application is out of the Bureau/Commission's jurisdiction and we have no control over the City of San Jose. He also noted that the facts underlying the San Jose report were already taken into consideration by the Bureau and are reflected in the size of the penalty and a stayed suspension which the Bureau has not done before in prior settlements.

This item was heard 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, sections 12054 and 12351):

A. Patrick Boring

E. Margaret Lopez

B. Anthony Candell

F. Hai Lu

C. Richard Clark II

G. Stafford Nelson

D. Stephen Higley

H. Frank Phillips

11. Applications for Consideration of Initial Work Permits (Pursuant to Business and Professions Code section 19912; CCR, Title 4, sections 12054 and 12104):

A. Central Coast Casino:

Damen Hess

B. Napa Valley Casino:

Caina Ma

Milton Talisman

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- C. Outlaws Card Parlour: Brian Ellis
- D. Poker Flats Casino: Misty Alonzo Margaret Kammerer

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

- A. Empire Sportsmen's Association: Peter Jacobs Jessica Ramirez
- B. Lake Bowl Cardroom: Ashley Beatie
- C. Napa Valley Casino: Pamela Mean Alexander Mocarapiromya
Andy Nim Renato Racela
- D. Nineteenth Hole: David Whatley
- E. Poker Flats Casino: See Xiong
- F. The Deuce Lounge & Casino: Justin Saechao

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

- A. Acme Player Services, LLC:
Player: Jose Gonzalez Sanchez
- B. Fortune Players Group, Inc.:
Players: Benny Chan Melinda Chan Roly Inalvez
Jin Xiong Lin Johnny Yuen
- C. Gaming Fund Group, Inc.:
Player: Chanda Shaikh
- D. Knighted Ventures, LLC:
Players: Michael Christian Aclan Bryan Afinidad
Siam Asgedom Amy Banquerigo Jordon Battle
Armando Chavez Luis Diaz Christopher Lett
Richani Lim Edgar Lopez Jessica Lopez
Dale Manzella Jorge Rangel Joseph Shumsky
- E. PT Gaming, LLC:
Players: Monika Arreola Yale Deng Dmytro Makotseba
Fernando Nadayag

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, sections 12054 and 12218.8):

- A. Certified Players, Inc.:
Player: Samrach Uth
- B. Gaming Fund Group, Inc.:
Supervisor: Raymond Lee
Player: Shui Chow
- C. PT Gaming, LLC:
Players: Sulema Aparicio Dennis Balingit Kim Hoang

15. Consideration to Withdraw Applications to Convert Third Party Proposition Supervisor Registration to a License (Pursuant to Business and Professions Code section 19984; CCR, Title 4, sections 12015 and 12054):

- A. Knighted Ventures, LLC:
Supervisor: Myles Austerweil

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B. PT Gaming, LLC:

Supervisors: Kenneth Billy Dimaya Thomas Truong

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:

Minnie Agbayani	Janet Agbayani	Michael Dunn
Mayra Fernandez	Svjetlana Gegic	Randall Hemken
Socorro Hernandez	Dorothy Howard	Brian Mitchell
Marcia Myers	Darwin Stone	Michael Wohlenberg

B. Augustine Casino - Augustine Band of Cahuilla Indians:

Oscar Garcia

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

Rodrigo Acero Chacon	Rafael Alvarez	Olympia Carneiro
Brian Doerr	Eugene Gutierrez	Christopher Harris
Charles Hickey	Robert Hinrichs	David Howell
Linda Jordan	Collin Mills	Javier Zavala

D. Bear River Casino Hotel - Bear River Band of the Rohnerville Rancheria:

Jena Miyata

E. Cache Creek Casino Resort - Yocha Dehe Wintun Nation:

Robert Azzolino

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

Hong Bui	Olivia Hernandez	Kai Lee
Leonilo Udan	Bounsoum Xayasomroth	

G. Chukchansi Gold Resort and Casino - Picayune Rancheria of Chukchansi Indians:

Marco Alcantar

H. Eagle Mountain Casino - Tule River Indian Tribe of the Tule River Reservation:

Donna Medrano

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

Pamela Hendricks	Richard Hoffman	Eva Mace
Ernest Mauck III	Karen Ottinger	Carol Parks
Kenneth Powers	Vickey Runquist	Jacob Zanetta

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

Inna Franklin

K. Paiute Palace Casino - Bishop Paiute Tribe:

Tenaya Howard

L. Pala Casino Spa Resort - Pala Band of Luiseno Mission Indians of the Pala Reservation:

Brandon Brown

M. Pechanga Resort & Casino - Pechanga Band of Luiseno Mission Indians of the Pechanga Reservation:

Susan Anicete	Jesus Candido	Marlon Cordoba
Maria Garcia Salas	Deborah Greco	Anthony Hale
Donna Horne	Te Inthilath	Ivan Mendez
Nina Peart	Mircea Predeleanu	Jesse Soto
Christopher Tong	Jimmy Vargas	

N. Soboba Casino - Soboba Band of Luiseno Indians:

Thomas Beach	William Jewett	Edgar Valenzuela Barraza
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O. Spa Resort Casino - Agua Caliente Band of Cahuilla Indians:

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Leslie Bingham	David De La Fuente	Damir Gegic
Randie Gerardo	Angela Hernandez	Walter Hyde
Hailey Randle	Donald Rieu	Lisa Stepp
Kenneth Stock Jr.		

P. Sycuan Casino and Resort - Sycuan Band of the Kumeyaay Nation:

Richard Dean Bonifacio	Mitchell Carter	Tramaine Cooper
Maria Guerrero	Roger Hagoriles	Elizabeth Hinds
Nabil Kasawdish	Maybelyn Nagtalon	Soyla Ruiz
Jia Zhao		

Q. Table Mountain Casino - Table Mountain Rancheria:

Diana Guzman	Joshua Logan	Seuythavinh Lokeomanivong
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R. Tachi Palace Hotel and Casino - Santa Rosa Indian Community:

Timmy Davis	Bradley Smith
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S. Thunder Valley Casino Resort - United Auburn Indian Community of the Auburn Rancheria:

Casey Byers	Angelica Gomez	Farid Haddad
Melissa Hall	Tiffany Lam	Daniel Martz
Felipe Masangya	Veasna Muth	Chou Nadone
Todd Neely	Sing Ngai	Tom Phu
Awang Saepanh		

T. Tortoise Rock Casino - Twenty-Nine Palms Band of Mission Indians:

Arthur Prudhomme

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

Habib George	Robert McCowin	Nick Thieng
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Action:

Upon motion of Commissioner Dunstan, seconded by Commissioner Conklin and carried in a vote by roll call with Chairman Evans and Commissioners Conklin, Dunstan, and To voting yes; the Commission approved the Consent Calendar items 10 through 16.

PUBLIC COMMENT:

None

CLOSED SESSION DISCLOSURE:

Prior to holding closed session, Chief Counsel Vlaanderen disclosed that the Commissioners would meet in closed session on items I H. and II.C Executive Director Stacey Luna Baxter recused herself from closed session item I. H.

CLOSED SESSION: 10:55 AM

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)

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- 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)
 - F. *Eric G. Swallow v. California Gambling Control Commission*, Sacramento County Superior Court (34-2016-800002402)
 - G. *Garden City, Inc. v. Eric Swallow*, Sacramento County Superior Court (34-2016-00198132)
 - H. *Darren Furtado v. California Gambling Control Commission*, Sacramento County Superior Court (34-2016-800002425)
- II. Hearing Deliberations Pursuant to Government Code Section 11126(c)(3):
- A. In the Matter of the Application for Approval of Renewal of Key Employee License for Charles McCormick Jr., (CGCC-2015-0924-7)
 - B. In the Matter of the Application for Approval of Initial State Gambling License for Oasis Card Room (GEGE-001339) of: Todd J. Mather (GEOW-003450); BGC Case No. BCG-HQ2015-00010SL; CGCC Case No. CGCC-2015-0326-4
 - C. Consideration of Stipulated Settlement: Decision and Order In the Matter of the Accusation Against Kings Casino LLC dba The Tavern at Stones Gambling Hall and dba The Saloon at Stones Gambling Hall, Ryan E. Stone, Masis A. Kevorkian, Kermit D. Schayltz, King's Casino Management Corp. (BGC Case No. HQ 2016-00002AC)

RECONVENE TO OPEN SESSION: 11:20 AM

The Commission approved the settlement for II. C. No further information was given.

ADJOURNMENT

Chairman Evans adjourned the Commission meeting at 11:20 AM