



California State Athletic Commission
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CALIFORNIA STATE ATHLETIC COMMISSION MEETING MINUTES

December 2, 2010

9:00 A.M. – Close of Business

Department of Consumer Affairs | Hearing Room
 2005 Evergreen Street, Suite 2010
 Sacramento, CA, 95815

Commissioners Present:

Chairman John Frierson

Commissioner Dr. Van Lemons

Commissioner Eugene Hernandez

Commissioner DeWayne Zinkin

Commissioner Steve Alexander

Staff Present:

George Dodd, Executive Officer

Dale Chessey, Assistant Executive Officer

Anita Scuri, DCA Legal

Che Guevara, Assistant Chief Athletic Inspector

Sarah Waklee, Athletic Inspector

Gil Deluna, DCA

The minutes reflect the order in which the agenda items were heard.

Agenda Item 1: Call to Order / Roll Call / Pledge of Allegiance

Five out of six commission members were present. Vice Chairman Giza was not in attendance.

Agenda Item 3: Approval of Previous Commission Meeting Minutes

- a. September 20, 2010 commission meeting minutes - Motion / Seconded / Carried (M/S/C) to approve minutes.

Agenda Item 4: Executive Officer Report - George Dodd

a. Status of Office

1. Sunset Review - Hearing scheduled for November was put off until the next newly elected governor was in place, a February-March time frame.
2. Strategic Plan - Thank you to everyone involved in completing the Strategic Plan quickly and efficiently.
 - Goal 1: Objective 4- The importance of reaching out to stakeholders by receiving their input about the commission operations and how to make it better for them and the health and safety of the fighters. On January 15, 2011 the commission will be holding a stakeholders meeting down in Los Angeles to discuss improvements and concerns. Location to be announced on the CSAC website
 - Goal 1: Objective 5- Inspector Training. Training for inspectors is tentatively scheduled for March 12, 2011. Funds for inspector training were included in the budget change proposal and the legislators granted CSAC the funds to properly train inspectors.

- Goal 2: Objective 3- Cash Handling Process. A 360 Audit was recently performed for the commission and reported CSAC is still deficient in a few areas. The commission has responded to some of the issues listed in the audit and taken action. The commission is also preparing to respond to the rest of the audit, while moving forward.
- Goal 2: Objective 6- Cost Effectiveness. Inspector costs around this time last year were very high; commission is pleased to announce expenses this year are down by nearly \$100,000. CSAC attributes this to being more efficient in scheduling inspectors to work events while not jeopardizing the health and safety at events.
- Goal 2: Objective 7- Individual Development Plan (IDP) for Staff. By the end of December all staff members will have completed IDP's and will work closely with Assistant Executive Officer Dale Chessey for training and career development. Some staff was in attendance and introduced themselves.
- Goal 2: Objective 10- Evaluations of Judges and Referees. The commission started an evaluation system for referees with five referees being evaluated so far. Judges scores have been watched and reviewed carefully with the utilization of an evaluation system to objectively evaluate scoring and ability.

Commissioner Alexander thanked Executive Officer George Dodd for producing the strategic plan booklet and reporting on the progress. Commissioner Alexander would like to request reports of the dates associated with objectives at every commission meeting to ensure the commission is indeed meeting these dates.

b. Personnel Update

Analyst Sal Barajas will be retiring at the end of December. After his retirement has gone through the commission will begin advertising for the vacant position.

c. Current Projects

1. Application to be a Judge - Bill Douglas

There was no real formal training program in place when Mr. Douglas first applied to be a judge. Executive Officer George Dodd and the commission came up with a mentorship program and asked Mr. Douglas to share his experience going through the comprehensive training program.

Mr. Douglas stated: "After completing 18 training events at this time I can say with absolute confidence that the program does work." He stated that any future CSAC employees looking to make a transition to a judge should go through this mentor program. The program gave him experience and confidence in his ability to be a judge and recommends the program to continue for any others interested.

Commissioner Hernandez asked Executive Officer George Dodd if this mentor program is now the blue print for anyone looking to be a judge. He replied this was a special case due to the fact he was a regulator for years prior to applying to be a judge. He further commented

that the next step is to come up with a process of bringing new officials on board that have never been regulators of the sport; to develop a beginning and advanced two-phased training program.

2. Gym Inspections- Athletic Inspector Sarah Waklee

Sarah Waklee, along with office staff Danielle Scott, under the direction of Assistant Executive Officer Dale Chessey, developed a new licensing form. Through regulatory change, the commission is currently in the process of increasing the annual licensing fee from \$10.00 to \$100.00. After being licensed, gyms are required to report any knock outs or incidents involving loss of consciousness during training every month. This will help the commission keep track of the athlete's progress when evaluations are conducted. At the time of licensure the gym will be given a licensing packet with regulations pertaining to the gym, health and safety guidelines, information on the pension program, and various other helpful guides for outreach to both the facility and the athlete. By licensing these gyms it should cut down the amount of illegal events (smokers) that are held in training facilities or even nearby halls.

Chairman Frierson would like to know if the Commission has a record of all gyms throughout the state. Sarah Waklee responded there is no clear record of all the gyms in California; only about 85% are really known, the others will be eventually found out or even comply with the others when the licensing effort and outreach begins.

Commissioner Zinkin expressed concern on the reaction of the public when the licensing fee jumps from \$10.00 to \$100.00. Ms. Waklee said the fees are to help cover the costs of personnel going out to these gyms, regulation and enforcing the laws for better safety. The regulation change is going through public comment period and interested parties may voice their concerns.

Legal counsel Anita Scuri added "the regulation in question which is Rule 208, has not been changed since sometime before 1987, the \$10.00 fee has probably been in place for 30 years".

3. Dr. Newman Presentation - Executive Officer George Dodd

Executive Officer Dodd said that Dr. Newman has agreed to present his research on the deterioration of life for a professional fighter on February 4, 2011. Dr. Newman was not present at the meeting.

4. Budget Report – Executive Officer George Dodd

- Last year around this time frame the personnel budget expenditures were \$321,000.00. This year the expenditures are at \$287,000.00.
- March 1, 2011 a supplemental report is due to legislature. It is a report on the commission's budget package. The Executive Officer would like to have the commission members assist with the draft so that the commission can have a response ready by February and meet the dead line of March 1, 2011.

Commissioner Alexander voiced a concern regarding the licensing standards for all licenses.

Legal counsel Anita Scuri responded it will be easier to develop standards for officials because there are certain objective criteria that can be applied. Ms. Scuri suggested that the criterion the commission already has in place for its athletes is sufficient. It has to be a real case by case evaluation of the individual and the record.

Commissioner Zinkin asked whether there is an objective standard that applies to a case by case evaluation.

Asst. Chief Athletic Inspector Che Guevara replied, "Yes, there are specific evaluation criteria in place. What the commission lacks is an actual manual or documentation explaining that process."

Legal counsel Anita Scuri added that there are also criteria in regulations. Rule 281 requires an evaluation based on the totality of the person's physical condition for a license and it does apply to boxers and martial arts contestants. The reason this rule was enacted was to reduce the level of subjectivity when it came to the evaluation process.

Agenda Item 5: DCA Directors Report- DCA Executive Gil Deluna

1. Hiring Freeze

On August 31, 2010 DCA received a Governor's directive to seize hiring or no overtime is permitted with the employees. There may be exceptions in order to protect and preserve human life, safety, and disaster response. Only the most critical requests are being approved. An exemption filed by CSAC was on allowing for overtime on weekends for the some of the Athletic Inspectors at events.

2. Breeze Project

It is moving forward and is on target for completion. Final proposal is to be released at the end of December and the goal is to have a contract in place with a vendor by July 2011.

3. Web Casting

The Department appreciates that the commission is webcasting the meetings to keep costs low and make them available for everyone to see.

Agenda Item 6: Public Comment on Items not on the Agenda- *Note: the commission may not discuss or take action on any matter raised during this public comment section, except to decide whether to place the matter on the agenda for a future meeting. [Government Code Sections 11125, 11125.7(a)]*

- **No public comment**

~ Break ~

Agenda Item 7: Applicants for Referee and Judge to Appear Before the Commission (Section 18662 of the Business and Professions Code) – Original Application

a. Mark Lawley- MMA - Judge/Referee

Mark Lawley has not met all of the requirements to become a judge/referee. Executive Officer George Dodd recommends that the commission grant him the ability to approve the license upon satisfactory completion of the remaining requirements.

Motion / Seconded / Carried (M/S/C) to give Executive Officer George Dodd the authority to grant Mark Lawley licensure after satisfactory completion of the remaining requirements in Rule 543.

Public Comment

- J.T. Steele: Mr. Lawley is a referee for CAMO and has been with the organization since it was first established. He highly recommended that CSAC grant Mark Lawley licensure as a judge.

Agenda Item 8: New Promoter Applications for Licensure - George Dodd

a. Brett Roberts – Bamma USA

Brett Roberts was not in attendance. No action taken.

b. Arpine Esmalian – King of the West

M/S/C to grant Arpine Esmalian permanent licensure as a promoter under King of the West.

c. Isreal Montes – Montes Entertainment/ Battle of the Badges (amateur)

M/S/C to approve Isreal Montes a license as an amateur promoter license d.b.a. Battle of the Badges.

Agenda Item 11: Subcommittee Report

a. Muay Thai Subcommittee Update – Chairman Frierson/Vice Chairman Giza

Since the Muay Thai meeting that was held, CSAC will be putting together a matrix of where the rules need to be adjusted in order to fit the Muay Thai sport.

Brian Dobbler – Thai Boxing Association of the USA for Muay Thai: thanks the commission for its diligence in the matter of keeping Muay Thai at the forefront of its attention.

Commissioner Lemons asked whether anyone investigated the need for amateurs wearing head gear.

Brian Dobbler replied that their regulations require everyone under the age of 18 to wear headgear.

Agenda Item 12: USA Boxing – Northern California

No written report was produced. Oscar Ortiz asked USA Boxing Official Don Rivera to attend the commission meeting in his place.

- Don Rivera: USA Boxing was not contacted regarding a report needing to be produced.
- Che Guevara: Mr. Ortiz was notified that a report was supposed to be produced.

M/S/C to table Agenda Item 12 to request that staff bring documentation and a recommendation later in the day.

Agenda Item 13: Bout Appeals

a. Adam Rothweiler vs. Nick Garcia

M/S/C to change the decision to no contest

b. Ryan Roy vs. Joe Schilling

M/S/C (4-0-1) to deny the appeal and sustain the decision (Commissioner Hernandez abstained)

Agenda Item 14: Neurological/Boxer Pension Fund Report to Legislature

M/S/C to send the report to the legislature

Agenda Item 12: USA Boxing – Northern California

M/S/C to suspend USA Boxing of Northern California if a satisfactory report is not received by December 15, 2010. Staff was directed to inform USA Boxing what is required to be included in the report.

Agenda Item 9: License Reinstatement

a. Josh Barnett - Professional Fighter

M/S/C to table Agenda Item 9 until the next meeting because Mr. Barnett requested to have counsel present.

Agenda Item 10: License Reinstatement

a. Chael Sonnen

Both parties were present and represented by counsel with the hearing held with written and oral evidence taken.

M/S/F (2-2) to maintain the fine and suspend the license - split

M/S/C (3-1) to reduce the suspension from year to six months, with the fine continuing to be \$2,500.

Agenda Item 15: Agenda items and meeting dates for future meetings

- **February 4, 2010 in Los Angeles**
- **Matrix to be developed for the strategic plan**
- **Licensing standards**

Agenda Item 16: *Adjournment*