



CALIFORNIA STATE ATHLETIC COMMISSION
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Members of the Commission

James Araby
Luis Ayala
John Carvelli, Chair
Mary Lehman, Vice Chair
Martha Shen-Urquidez
Van Gordon Sauter
Vernon Williams, M.D.

**Agenda items may be taken out of order the
agenda except public comment.
Action may be taken on any item listed on**

CALIFORNIA STATE ATHLETIC COMMISSION

MEETING MINUTES

Tuesday, December 17, 2019
10:00 a.m. - Conclusion of Business

Location:

*State Capitol, Room 126
Sacramento, CA*

Commissioners Present

Chair John Carvelli
Vice Chair Mary Lehman
Commissioner Martha Shen-Urquidez
Commissioner Vernon Williams, MD
Commissioner James Araby
Commissioner Van Gordon Sauter

Staff Present

Andy Foster, Executive Officer
Sophia Cornejo, Assistant EO
Patrisha Blackstock, Staff
Kenneth Swenson, Legal Counsel
Alma Amaya, Staff
Claudia Ron, Staff
Lee Palmer, Staff
Derek Enns, Staff

Commissioners Absent

Commissioner Luis Ayala

OPEN SESSION

**Agenda Item 1 – Call the meeting to Order / Roll Call / Pledge of Allegiance/
Establishment of Quorum**

The meeting was called to order at 10:00 a.m. by Chair John Carvelli. Executive Officer (EO) Andy Foster called roll and a quorum was established; Commissioner Ayala was not present.

Agenda Item 2 – Welcome –Chairman’s opening remarks

Chair Carvelli commented about the KSI vs. Logan Paul boxing event held at the Staples Center in November 2019. He stated the two athletes, who are career

YouTubers, trained hard for this rematch, and the event was very entertaining. He added that the event was close to sold out but not with the typical fight crowd. He also thanked the Commission staff and officials for doing a great job.

Agenda Item 3 – Approval of the October 15,2019, Commission Meeting Minutes.

EO Foster presented the October 15,2019, Commission meeting minutes for approval. Commissioner Shen-Urquidez submitted some changes, those changes were added to the record.

Commissioner Shen-Urquidez motioned to approve the minutes with changes added.

Commissioner Dr. Williams seconded the motion.

The motion passed 6-0 by roll call vote.

Agenda Item 4- Review and Approval of the Proposed 2020 Commission meeting dates and locations.

EO Foster presented the Commission with the Proposed 2020 Commission meeting dates and locations. The Commissioners requested to review the dates proposed and will let the EO know which dates work or don't work.

Agenda Item 5-Appointments of the members to the Advisory Committee on Medical and Safety Standards.

EO Foster informed the Commission the terms of the current Advisory Committee on Medical and Safety Standards (MAC) members expired, and they need to be re-appointed. EO Foster recommended re-appointment of the following members:

- Chair Paul Wallace, M.D
- Brian K. Estwick, M.D
- Diego Allende, D.O
- Rhonda Rand, M.D
- Jonathan A. Schleimer, M.D

EO Foster recommended appointment of Dr. Robert Ruelaz as a new member, replacing Dr. Rudolph-Bear Gamboa. Curriculum vitae for all physicians was included in the meeting materials.

Commissioner Shen-Urquidez asked if there is a limit of the number of doctors appointed to the MAC. Commissioner Shen-Urquidez added Dr. Maurice Garcia, director of the trans-gender unit at Cedar Sinai is willing to serve on the MAC, and given some novel issues, his input may be relevant.

EO Foster stated the limit is six (6) doctors according to section 18645 of the Business and Professions Code. Attorney Swenson informed the Commission Dr. Garcia could serve as a consultant to the MAC but could not be a regular member of the MAC.

Commissioner Dr. Williams added Dr. Garcia would be able to add to those issues and provide information to the MAC.

Commissioner Araby made the motion to approve the proposed six (6) members to the Advisory Committee on Medical and Safety Standards.

Commissioner Shen-Urquidez seconded the motion.

The motion passed 6-0 by roll call vote.

No further Commission or Public Comments.

Agenda Item 6 – Discussion and Possible Action regarding the State Athletic Commission’s Neurological Examination Account.

EO Foster stated the agenda item was discussed at the October meeting and asked to be brought back. He added that the staff has reached out to BrainScope One for a quote but hasn’t heard back. Information about BrainScope One is contained in the meeting materials.

Commissioner Dr. Williams explained that BrainScope One was used by the Department of Defense, in emergency rooms, and in concussion testing. He added BrainScope One can detect small bleeds and is a little more accurate than the Infrascanner the Commission is currently using. Commissioner Dr. Williams stated he felt this would be a great addition to the tools the Commission is already using.

Vice Chair Lehman asked how Commissioner Dr. Williams envisioned using this tool, if it would be used post-bout. Commissioner Dr. Williams stated that would one way of using it, but it could be used pre-bout also. Commissioner Shen-Urquidez stated that MRI’s are only required every five (5) years and in that time the athlete could have suffered an injury we don’t know about and this tool could be used to minimize the chances of something happening in our jurisdiction. Commissioner Shen-Urquidez brought up the cost of the device and Commissioner Dr. Williams stated that the disposable electrodes are where most of the cost is. Commissioner Shen-Urquidez and Commissioner Dr. Williams mentioned the possibility of sharing data with BrainScope One to see if that would assist with the cost. Commissioner Dr. Williams stated he would reach out to BrainScope One.

Commissioner Van Gordon Sauter asked if any other sports organizations use this, Commissioner Dr. Williams stated that the concussion version of the system is used by the NFL.

No further Commission or Public Comments.

Agenda Item 7- Review and Approval of Amendments to the Commission’s Bout Contract and New policies to be added to the Commission’s Administrative Manual.

EO Foster presented the Commission with new policies to be added to the Commission's Administrative Manual and changes to the Commission's Bout Contract.

Attorney Swenson explained that with the passing of AB 5, the Commission is trying to make it clear in the bout agreement that the athlete is maintaining their independent contractor status. He added nothing in the bout agreement will nullify or change any of the Commission's existing laws, this change is focusing on the relationship between the fighter and promoter.

Vice Chair Lehman stated she would like to see the fighter's rights stated clearer in the bout contract. Commissioner Shen-Urquidez added she would like to see the bout contract written in plainer terms. Commissioner Araby stated he would like to see the bout contract more specific as to the role of the Commission, the Promoter, and the Athlete.

Vice Chair Lehman asked if the liquidated damages part of the bout contract was finalized. EO Foster stated he was still working on that section. Vice Chair Lehman added she would assist EO Foster with the language if needed. Chair Carvelli stated he has had several conversations with EO Foster and Attorney Swenson about the updates to the bout contract regarding the changes made for AB 5. Commissioner Shen-Urquidez recommended the bout contract be written clearer and shorten. Vice Chair Lehman and Commissioner Araby agreed. Revisions were made to the proposed bout contract; those changes were read into the record.

Commissioner Araby motioned to approve the changes to the Commission's bout contract.

Commissioner Dr. Williams seconded the motion.

The motion passed 6-0 by roll call vote.

No further Commission or Public Comments

EO Foster summarized and explained the reasoning behind the provided policies included in the meeting materials and the policies will be added to the Commission's Administrative Manual. Vice Chair Lehman stated she wants EO Foster to bring policy 2019-10 back before the Commission in nine (9) months to see what the referee's take is on the policy. EO Foster stated he would present Policy 2019-10 to the MAC at their next scheduled meeting to get the opinion of the ringside physicians.

Vice Chair Lehman and Commissioner Shen-Urquidez made two changes to Policy 2019-01. Commissioner Shen-Urquidez stated she would like to see an approval of contestants' policy for Mixed Martial Arts.

Commissioner Shen-Urquidez motioned to ratify Policy 2019-01 with the changes added.

Commissioner Araby seconded the motion.

The motion passed 6-0 by roll call vote.

No further Commission or Public Comments.

Commissioner Shen-Urquidez asked the EO Foster present the Memorandum on Referee and Ringside Physicians stopping contests at the next ringside physicians training. Commissioner Dr. Williams stated this has been discussed at previous MAC meetings.

Commissioner Shen-Urquidez motioned to ratify the March 7, 2017, Memorandum on Referee and Ringside Physicians stopping contests.

Commissioner Araby seconded the motion.

The motion passed 6-0 by roll call vote.

No further Commission or Public Comments

Agenda Item 8- Review and Possible Action approving proposed changes to Sections 401-405 of Article 12, of Division 2 of Title 4 of the California Code of Regulations-to remove the break in service from the Boxers Pension Plan eligibility requirements.

EO Foster presented the proposed changes to the Boxers Pension Plan and language clean-up. Clay Jackson, the Commission's regulation attorney discussed the terms to be added in the definitions section and the non-substantive changes made. Chair Carvelli thanked Mr. Jackson for his hard work.

Vice Chair Lehman made the motion approve the provided changes to the Boxers Pension Plan, to authorize EO Foster to clean-up the language, and to authorize the EO to make non-substantive changes to the proposed language as necessary or to make non-substantive changes as defined by California Code of Regulations Title 1 section 40.

Commissioner Shen-Urquidez seconded the motion.

The motion passed 6-0 by roll call vote.

Agenda Item 9 Subcommittees Updates

a. Pension Fund Subcommittee (Commissioners Lehman and Araby)

Vice Chair Lehman thanked the staff for getting the information out about the Boxer Pension Plan. The graph provided in the packet shows the number of increased payouts from 2018 to 2019. Vice Chair Lehman thanked the WBC for helping the Commission get the information out about the Boxer Pension Plan. EO Foster stated at a boxing show at the Avalon, Commissioner Shen-Urquidez presented a check to

a retired boxer. AEO Cornejo stated the office staff has seen an increase in calls about the pension plan.

b. Gender Equity Task Force with report of pay disparity of male to female athletes in combat sports (Commissioners Lehman and Shen-Urquidez)

Commissioner Shen-Urquidez stated at the October 15, 2019 Stakeholder Meeting, one the larger topics discussed was allowing women to fight three (3) minute rounds instead of two (2) minute rounds. Commissioner Shen-Urquidez would like to see additional data regarding concussions in women vs. men, Kos, and TKOs.

Agenda Item 10-Executive Officer's Report

a. Budget Update for the Support Fund, the Neurological Fund, and Pension Program

The EO presented to the Commission the updated revenue numbers as of December 4, 2019. The Commission deposited into the support fund \$1,242,255.45, the neurological fund \$5,543.30 and \$49,002.72 into the Boxer Pension Fund. EO Foster stated the Commission received their first budget report of this fiscal year from the budget office, which is provided in the meeting materials.

b. Report on pending and proposed regulations

EO Foster gave the Commission the status of the proposed regulations; the Examination of Boxer Applicant's package was sent to legal on March 6, 2019, for review. Attorney Swenson stated that by December 31, 2019 the package would be sent to agency. Staff is working on the regulation package for the October 15, 2019 proposed changes to Section 299, Dehydration and Rehydration.

c. Status update of Delegated Entities

Chair Carvelli stated the delegated entities would not have to attend all the meetings but would need to attend at least one of the meetings. He added the entities would still be required to submit their reports for each meeting.

California Amateur Mixed Martial Arts Organizations (CAMO)

JT Steele, President of CAMO, submitted his written report to the Commission, which is contained in the meeting materials. Mr. Steele stated CAMO alumni Dominic Reyes would be fighting Jon Jones in Texas. Mr. Steele stated CAMO is looking to add a division for older fighters as they are seeing an increase in 40 plus individuals competing in amateur MMA. Vice Chair Lehman suggested that the delegated entities look into doing press releases.

USA Boxing

Mr. Mike McAtee submitted his written report to the Commission, which is contained in the meeting materials. Commissioner Shen-Urquidez stated she would like to see more accuracy in USA Boxing's financial reports.

United States Fight League (USFL)

Jon Frank submitted his written report to the Commission, which is contained in the meeting materials. EO Foster stated Jon Frank has proposed a few rule changes and he is working with him on those proposed changes.

International Kickboxing Federation (IKF)

Steve Fossum submitted his written report to the Commission, which is contained in the meeting materials. Mr. Fossum stated they had good year and Dan Stell, their chief of officials implemented a training program. Vice Chair Lehman asked what their plans are for next year. Mr. Fossum stated they are currently trying to organize a West Coast Tournament.

d. Update on C3 Logix Sports Concussion Management Program

EO Foster informed the Commission they tested and uploaded 1,643 tests as of December 6, 2019.

e. Staffing Update

EO Foster informed the Commission he requested to be placed on the State Personnel Board meeting agenda to discuss reestablishment of the Chief Athletic Inspector and Assistant Athletic Inspector positions.

f. Upcoming Event Schedule

EO Foster mentioned an event on the upcoming schedule the Commission might want attend; Bellator, January 25, 2020 at the Forum and an upcoming significant event at the Honda Center on February 14, 2020.

Agenda Item 11 – Business and Professions Code section 18640.5 requires the Commission to invite stakeholder testimony at Commission meetings in order to identify actions that may lead to greater opportunities for licensees to participate in major professional boxing contests

No stakeholder comments received.

Agenda Item 12 – Public Comment on Items Not on the Agenda

CLOSED SESSION

Agenda Item 13 – The Commission will meet in closed session as authorized by Government Code §11126, subdivision (c)(3) to deliberate on disciplinary matters and petitions; and subdivision (e)(1) to confer with legal counsel regarding pending litigation.

Agenda Item 14- Pursuant to Government Code Section 1126(a)(1) the Commission will conduct an annual review of the Executive Officer.

OPEN SESSION

Agenda Item 15-Next Meeting Scheduled for February 11, 2020, in Orange County, CA

Agenda Item 16- ADJOURNMENT

Meeting Adjourned.