



**CALIFORNIA STATE ATHLETIC COMMISSION**

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Members of the Commission

John Carvelli, Chair  
Douglas J. Hendrickson  
Michael Hardeman  
Van Gordon Sauter  
Peter Villegas, Vice Chair  
Dr. Vernon Williams

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Agenda items may be taken out of order the  
agenda except public comment.  
Action may be taken on any item listed on  
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# CALIFORNIA STATE ATHLETIC COMMISSION

## MEETING MINUTES

Monday, June 7, 2021

10:00 a.m. - Conclusion of Business

Location:

*Teleconference*

**Commissioners Present**

Chair John Carvelli  
Vice Chair Peter Villegas

Commissioner Martha Shen-Urquidez  
Commissioner Van Gordon Sauter  
Commissioner Douglas J. Hendrickson  
Commissioner Dr. Vernon Williams

**Staff Present**

Andy Foster, Executive Officer  
Sophia Cornejo, Assistant Executive Officer  
Mark Relyea, Chief Athletic Inspector  
Patrisha Blackstock, Staff  
Laycosstia Palmer, Staff  
Kenneth Swenson, Legal Counsel

**OPEN SESSION**

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

The meeting was called to order at 10:03 a.m. by Chair John Carvelli. Executive Officer (EO) Andy Foster called roll and a quorum was established.

**Agenda Item 2 – Welcome –Chairman’s opening remarks**

Chair Carvelli welcomed everyone to the Commission’s video/teleconference meeting and introduced former Vice Chair Mary Lehman. Chair Carvelli presented former Vice Chair with a plaque and award of excellence. The award presented by the Commission read as follows:

*With this award in recognition for your service as Commissioner and Vice Chair of the California State Athletic Commission. Your visionary guidance, fairness and unconditional commitment to our mission has improved the experience of Californian consumers and improved significantly the health and well-being of our combat athletes.*

Chair Carvelli opened the meeting to allow Commissioners, Commission staff, Stakeholders, and members of the public an opportunity to express their personal recognition and appreciation to former Vice Chair Mary Lehman.

**Agenda Item 3- Approval of the March 1, 2021, Commission Meeting Minutes**

EO Foster presented the March 1, 2021, Commission meeting minutes for approval. Commissioner Shen-Urquidez submitted grammatical changes, those changes were added to the record.

*Vice Chair Villegas motioned to approve the minutes with changes added.*

*Commissioner Shen-Urquidez seconded the motion.*

*The motion passed 6-0 by roll call vote.*

**Agenda Item 4- Update regarding the Advisory Committee on Medical and Safety Standards Meeting on May 20, 2021**

EO Foster presented the Commission with a report and draft meeting minutes from the May 20, 2021, Advisory Committee on Medical and Safety Standards (MAC) meeting. The MAC voted unanimously to recommend to the Commission that there is no further medical reason or need to continue with the Commission's Emergency COVID-19 regulations, effective June 15, 2021, once the State of California resumes normal business operations.

EO Foster recommended that the Commission accept the MAC's recommendation that effective June 15, 2021, or when the State of California resumes normal business operations, the Commission no longer operates under the COVID-19 Emergency Regulations 4 CCR 299.6 relating to procedures to hold combative sporting events when an infectious disease causes a State of Emergency.

The Commission accepted the MAC's recommendation, no vote was taken as this agenda item was not an action item.

**Agenda Item 5- Review, Discussion and Possible Adoption of Certificate of Compliance and Language for Text of Proposed Regulation 4 CCR 299.5 Relating to Procedures to Hold Combative Sporting Events When an Infectious Disease Causes a State of Emergency**

EO Foster presented the text Proposed Regulation 4 CCR 299.5 Relating to Procedures to Hold Combative Sporting Events when an infectious disease causes a State of Emergency and informed the Commission that the emergency regulations were readopted and will expire December 24, 2021.

Legal Counsel Kenneth Swenson informed the Commission that they have three options to consider regarding the proposed regulation. The Commission can vote to make the emergency regulations permanent; the Commission can vote to allow the EO to determine what modifications can be made to the emergency regulations, or the Commission can vote to repeal the regulations.

*Vice Chair Villegas **motioned** for the Commission not to file a certificate of compliance to make the emergency regulations permanent and directed EO Foster to implement the recommendations from Advisory Committee on Medical and Safety Standards that effective June 15, 2021, or when the State of California resumes normal business operations, the Commission no longer operates under the COVID-19 Emergency Regulation 4 CCR 299.6 relating to procedures to hold combative sporting event when an infectious disease causes a State of Emergency*

*Commissioner Sauter **seconded** the motion.*

Commissioner Shen-Urquidez asked if the State of Emergency Order that is in effect by the Governor's office would prohibit the Commission from not doing the "bubble". EO Foster stated that the Guidelines from CDPH regarding the reopening of the state on June 15<sup>th</sup> allow the Commission to remove the "bubble" while the State of Emergency is still in effect.

### **Public Comments**

Roy Engelbrecht asked that if the motion passes by the Commission will he be able to host events as they were prior to the Emergency Regulations. EO Foster confirmed that was correct.

No further Commissioner or public comments.

*The motion **passed** 6-0 by roll call vote.*

### **Agenda Item 6- Discussion and Possible Action regarding Instant Replay for Boxing Events**

EO Foster informed the Commission that when he was tasked to look into Instant Replay in 2016, the use of Instant Replay in Boxing was not fully developed. Since then, the Nevada Commission has spent time and resources tailoring the use of instant replay for boxing. The Nevada Commission's procedures on instant replay were included in the meeting materials.

Chair Carvelli asked EO Foster for an example when the use of instant replay had been utilized. EO Foster gave the example of Fury vs Wallin when a cut was caused from what

seemed a clash of heads in an early round but was then reviewed and determined that the cut was caused from a legal punch.

Vice Chair Villegas stated that he feels the use Instant Replay in combative sports is something the Commission should consider.

Commissioner Hendrickson stated that the use and evolution of Instant Replay in the NFL has helped the game when it comes to clarification and feels it makes sense to have Instant Replay in boxing.

Commissioner Sauter stated he appreciated the comments from the other Commissioners however he would like to see a review and statical information on how often Instant Replay was used, how often the Referee's ruling was changed and how long the review took. Additional Commissioner Sauter stated he would like more details on the process and cost of using Instant Replay.

Commissioner Dr. Williams stated that in general he is in favor of using Instant Replay but only if done correctly and echoed the concerns brought forth by Commissioner Sauter.

Commissioner Shen-Urquidez stated the use of Instant Replay is utilized in almost all professional sports and if adding some time to review a call allows the Commission to ensure that a call was correct it will further protect the integrity of the sport of boxing. She further stated that the "review officer" will not be able to overturn a Referee's call, the Referee is the sole arbiter and only the Referee can make the decision to change his/her call.

Chair Carvelli stated that the integrity of the sport is paramount and anything that the Commission can look at to add to the integrity is something they must do.

No Public Comments

Chair Carvelli asked EO Foster to form a subcommittee to look into the use of Instant Replay.

### **Agenda Item 7- Executive Officer's Report**

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

EO Foster presented the Commission the updated revenue numbers as of June 7, 2021. This fiscal year, the Commission deposited \$797,685 to the support fund with another 60,000 that would be deposited this week, \$6,950 to the neurological fund, and \$307,700 to the Boxer Pension Fund, which includes a \$300,000 transfer from the Boxer Pension investment account.

EO Foster stated the support fund would most likely end up slightly ahead of the revised budget office projections. EO Foster stated that his best estimate would be approximately \$850,00 in revenue for FY 20-21 with approximately \$1,400,000 in expenditures.

EO Foster stated the Pension Investment account is healthy with approximately \$5.2 million dollars.

Beth Harrington and Matt Harrington with Benefit Resources presented the end of the year reports for the Boxer Pension Plan which were included in the meeting materials. Beth Harrington reported the balance in the plan at the end of 2020 was \$5,387,290, they have 336 covered boxers totaling \$3,897,561 of the plan and of those covered boxers 11 were paid a total of \$235,021 in benefits. 4 late claimants came forward representing \$92,943. Mrs. Harrington informed the Commission that a re-work was conducted to include fights that were held on Tribal Lands from May 1, 1996 to December 31,2020, after the re-work the number of covered boxers increased by 17.

**b. Report of Pending and Proposed Regulations**

EO Foster asked AEO Cornejo to update the Commission on the proposed regulations. The Examination of Boxer Applicants regulatory package, which was filed with the Office of Administrative Law on January 8, 2021, for publication on January 22, 2021, and the 45-day public comment period ended on March 8, 2021. The Commission staff are currently completing the finalizing of the regulation package. The Emergency COVID-19 Resiliency Procedures were discussed with Agenda Item number 5 and the Commission voted to not file the certificate of compliance. Staff is working on the regulation changes to Section 299, Dehydration and Rehydration. Staff is currently finalizing of the regulation package for the Boxers Pension Plan.

**c. Staffing Update**

EO Foster reported that due to the loss in revenue this fiscal year, the Commission's staff was reduced to four (4) fulltime office staff and one (1) fulltime position in the field. One of the staff members who was temporarily working at another agency accepted a permanent position with another department. The Commission has two other staff members who are temporarily working at other agencies.

EO Foster thanked the Commission staff for all their hard work over the last year working and running the events.

**d. Upcoming Event Schedule and discussion regarding event activity under the Commission's emergency COVID-19 regulations**

EO Foster reported that since the Commission began regulating events under the

COVID-19 regulations, thirty-one (31) events have been held since July 24, 2020, with very few COVID-19 positives.

**e. Update on the upcoming ABC Conference in July 2021**

EO Foster informed the Commission that the annual conference would be held in Orlando, Florida from July 26<sup>th</sup> to 29<sup>th</sup> and that he had been asked to present at the Conference. EO Foster stated that if his travel was approved by DCA he would attend in person.

**f. Update on the Stakeholders Meeting held May 11, 2021, regrading creating an MMA Pension Plan**

EO Foster stated the Commission held a Stakeholder meeting via Zoom to discuss and gain input from Stakeholders on creating a pension for mixed martial arts similar to the current plan for Boxers. During the Stakeholders meeting input was received about the proposed guidelines to be vested in the plan and how the plan would be funded. Chair Carvelli asked for this to be placed on an upcoming Commission meeting agenda.

**Agenda Item 8- Public Comment on Items Not on the Agenda**

No Public Comments.

**Agenda Item 9- Next Commission Meeting will be on Monday, September 13, 2021**

No Commissioner or Public Comments.

**Agenda Item 10- Adjournment**

Meeting Adjourned at 11:55 a.m.