

DEPARTMENT OF CONSUMER AFFAIRS BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY • GOVERNOR GAVIN NEWSOM

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Members of the Commission Peter Villegas, Chair Dr. Vernon Williams, Vice Chair AnnMaria De Mars Christopher Gruwell Michael Hardeman Douglas Hendrickson

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

### MEETING OF THE CALIFORNIA STATE ATHLETIC COMMISSION

### **MEETING MINUTES**

Tuesday, March 1, 2022 10:00 a.m. - Conclusion of Business

### Location:

Teleconference

### **Commissioners Present**

Chair John Carvelli Vice Chair Peter Villegas Commissioner Dr. Vernon Williams Commissioner Michael Hardeman

### <u>Staff Present</u>

Andy Foster, Executive Officer Sophia Cornejo, Assistant Executive Officer Patrisha Blackstock, AGPA Lee Palmer, APGA Mark Relyea, Chief Athletic Inspector 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 10:00 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 first meeting of 2022 and stated that he wished this meeting could have been held in person. Chair Carvelli stated that he, Vice Chair Villegas, and Commissioner Dr. Williams attend UFC 270 in Anaheim and that it was great to see a full crowd. Chair Carvelli acknowledged all the boxing sanctioning bodies for their decision to not sanction any events in Russia during the ongoing Ukraine-Russia war.

Chair Carvelli stated that the Commission is in a great position to build back up and bounce back from the COVID pandemic and that events seem to be coming back to California. Chair Carvelli stated that this meeting would be his last as Chair and as a commissioner. He added that while he has been on the Commission, the Commission has been through 2 sunset reviews, approving delegated entities for the amateur programs, the passing of youth pankration with the help of former Commissioner Shen-Urquidez and former Vice Chair Mary Lehman, updating of regulations for the Boxers Pension fund, creating the Neurological Fund, and various Stakeholders meetings to discuss weight cutting, gender equity and the creating of an MMA pension fund.

Chair Carvelli stated the last two years dealing with COVID and working on the passing of the emergency COVID regulations to keep the Commission solvent wouldn't have been possible without the help from DCA Legal, the Governors Offices and the Commission staff. Chair Carvelli thanked everyone for all their hard work during his time on the Commission and added that he will miss working with everyone.

The meeting was opened to members of the Public, various Stakeholders, DCA staff and Commissioners as they all had words of appreciation and well wishes for outgoing Chair John Carvelli.

<u>Agenda Item 3- Approval of the November 30, 2021, Commission Meeting Minutes.</u> EO Foster presented the November 30, 2021, Commission meeting minutes for approval.

Vice Chair Villegas moved to approve the minutes.

Commissioner Dr. Vernon Williams **seconded** the motion.

### No Commission or Public Comments.

The motion **passed** 4-0 by roll call vote.

## Agenda Item 4- Review and Possible Action to Approve the Instant Replay Policy for Boxing Events.

Chair Carvelli thanked the subcommittee and Vice Chair Villegas for their hard work on preparing the Instant Replay Policy. EO Foster thanked all the committee members and former Commissioner Shen-Urquidez for getting on multiple calls overtime to work on the policy. EO Foster and Vice Chair Villegas presented the draft policy to the Commission for their review and approval.

Vice Chair Villegas motioned to approve the Instant Replay Policy for Boxing Events.

Commissioner Hardeman seconded the motion.

### **Commission Comments**

California State Athletic Commission Meeting Minutes March 1, 2022 Page 3 of 10

Commissioner Dr. Williams asked for clarification on what would happen if the Referee didn't agree with the Review Officer. EO Foster stated that the Referee as assigned is the Sole Arbiter of the bout and his or her decision would stand.

### **No further Commission Comments**

### **No Public Comments**

### The motion **passed** 4-0 by roll call vote.

### Agenda Item 5- Review and Possible Action regarding Mr. Abner Mares Professional Boxing License Application

Abner Mares came before the Commission to request a professional boxing license. EO Foster stated that Mr. Mares came before the MAC on December 7, 2021, during closed session and the MAC reviewed 3 years of records provided by Mr. Mares. Dr. Brian Estwick, Ophthalmologist MAC Member, stated that the surgeries Mr. Mares underwent have made his eye secure. The MAC motioned to approve and recommend licensure of Abner Mares with regards to his ophthalmologist exams.

EO Foster stated that Mr. Mares is 36 years old and has a boxing record of 31-3-1 with 15 wins by knockout. Mr. Mares' last bout was June 9, 2018, against Leo Santa Cruz at the Staples Center in Los Angeles, CA.

EO Foster recommended that the Commission approve a restricted license that limits the maximum number of scheduled rounds to 8 or less and for the Commission to revisit the topic in one year, if requested by Mr. Mares. Additionally, Mr. Mares is to undergo ocular follow-up before and after each bout.

Mr. Mares informed the Commission that in 2013 he had dealt a retina injury which was repaired, and he had received clearance to begin competing again. He stated that in 2019 when his most recent retina injury happened it was while he was in camp. Mr. Mares stated he underwent several surgeries to repair his retina. Mr. Mares asked for the Commission to give him a professional boxing license as he was a 3-time World Champion and just wants a chance to prove himself again in the ring. Mr. Mares added that he has no problem getting clearance before every fight to submit to the Commission.

Vice Chair Villegas asked Mr. Mares if he was currently in training, Mr. Mares stated that he is currently training and has had no issues with his vision.

Commissioner Dr. Williams stated that Mr. Mares has met the vision requirements and that the Dr. Estwick, MAC Member stated he saw no reason to allow Mr. Mares to complete. He added that the proposed limitation on the number rounds allowed to complete when first coming back into action is not just because of his eye, but also because Mr. Mares has been out for 3 plus years.

EO Foster stated that Commissioner Dr. Williams was correct and that the limitation on the number of rounds is also to ensure that Mr. Mares doesn't come back too fast. He added that after his first fight back the Commission can revaluate this item if Mr. Mares does well. Mr. Mares stated he understood the Commissions reasoning but added he felt it would be hard to find someone to agree to only go 8 rounds with him.

Commissioner Dr. Williams asked Mr. Mares when he spars is he wearing headgear? Mr. Mares stated that he does wear headgear.

Chair Carvelli asked Mr. Mares what his family thought about him returning to the ring. Mr. Mares stated that his wife wasn't all to happy about it but she understood that he had been fighting all his life and wanted to get back to it. Mr. Mares added that he only plans to fight another one to two years tops. Chair Carvelli asked Mr. Mares if he would accept the Commissions limit of 8-round fights for first year back? Mr. Mares stated he would but asked that if he looked well in his first fight back would have to wait a year before being allowed a 10-round bout? Mr. Mares asked for the Commission to reconsider and allow him to compete in either an 8 or 10-round bout. Chair Carvelli stated he didn't see a problem with that request.

EO Foster stated he saw no issue with approving Mr. Mares for 10-round bout, but he would not recommend Mr. Mares for a 12-round bout.

Vice Chair Villegas **motioned** to approve a restricted license that limits the maximum number of scheduled rounds to 10 or less and that the Commission can revisit this topic in one year.

Commissioner Hardeman **seconded** the motion.

EO Foster asked if the Commission wanted to require ocular follow-up to Mr. Mares?

Vice Chair Villegas **amende**d his **motion** to approve a restricted license that limits the maximum number of scheduled rounds to 10 or less and that the Commission can revisit this topic in one year and that Mr. Mares is to undergo ocular follow-up before and after each bout.

Commissioner Hardeman seconded the amended motion.

**No further Commission Comments** 

**No Public Comments** 

The motion **passed** 4-0 by roll call vote.

#### Agenda Item 6- Review and Possible Action regarding Triller Fight Club's Request to Hold an Event Using Triad Combat Rules per California Code of Regulations, Title 4, section 533.

Thorsten Meir and Sean Wheelock with Triller Fight Club came before the Commission to request permission to hold an event using Triad Combat Rules. EO Foster informed the Commission that Triad Combat is a hybrid sport with hybrid boxing rules in a triangle boxing ring. EO Foster stated that Triad has held one event in Texas with high level Boxers matched up against MMA fighters. He added that he doesn't see an issue with Triad Combat, but the matchmaking will have to be better so the competitors are more evenly matched. EO Foster informed the Commission that if approved each bout would be staffed with a boxing Referee, 2 boxing Judges and 1 MMA Judge.

Mr. Meir thanked the Commission for their time and added that he admires the Commission for all their hard work in protecting the health, safety, and welfare of the participants. He informed the Commission that Triller is looking to hold a Triad event in California if approved and one in New York. Mr. Meir stated that the event held in Texas had close to 600 million PPV buys with an average audience age of 25-45 years old. He added that he believes the triangle ring brings more action to the event therefore bringing in new people to sport.

Mr. Wheelock went over the Triad Combat rules with the Commission that were included in the meeting materials.

Chair Carvelli asked EO Foster if the Commissions regulations allowed this type of event, EO Foster stated that California Business and Professions Code Title 4, Section 533 will allow the Commission to permit the event.

Vice Chair Villegas and Commissioner Dr. Williams had questions regarding the last Triad event with how the competitors were matched, age of the competitors, results from event, and how many injuries.

Mr. Wheelock informed the Commissioners that Boxers were matched with MMA fighters, the ages of the competitors varied from 28 to 41 years old, 5 of the bouts went to decision with 2 bouts ending via technical knockout. He added that there were no significant injuries at the event.

Vice Chair Villegas **motioned** to recommend approval for Triad Combat to hold 1 event and for the Commission to revisit the issue after seeing how the initial event performs.

Commissioner Dr. Williams seconded the motion.

**No further Commission Comments** 

**Public Comments** 

California State Athletic Commission Meeting Minutes March 1, 2022 Page 6 of 10

Promoter Roy Englebrecht stated that he felt this event would be great for the sport.

### The motion **passed** 4-0 by roll call vote.

### Agenda Item 7- Discussion and Possible Action to Consider Positions Regarding Proposed Legislation.

### AB 1733- State bodies: Open Meetings.

This urgency bill would specify that a "meeting" held under the Bagley-Keene Open Meeting Act includes a meeting held entirely by teleconference. Meetings could also be hybrid in nature, in-person and remote. EO Foster informed that Commission that if passed, would be a cost savings of approximately \$10,000 per meeting that is held via teleconference.

Vice Chair Villegas motioned to for the Commission to take support position on AB 1733.

Commissioner Hardeman seconded the motion.

### No Commission or Public Comments.

The motion **passed** 4-0 by roll call vote.

### AB 1779- State Athletic Commission Act: Regulation of Contests: Licensed Physicians.

This bill would require a promoter to comply with additional safety requirements, including by requiring the promoter to ensure that there is an ambulance or medical personnel with appropriate resuscitation equipment continuously present on site. EO Foster informed the Commission that most of the language in AB 1779 are things the Commission does as it is required by the Commissions Regulations. EO Foster also informed the Commission that he was going to reach out to the Assembly Members staff and invite them to an event so they could see firsthand what the Commission does.

EO Foster recommended that the Commission take no position on the proposed Bill.

### AB 1813- State Athletic Commission; Executive Officer.

This bill would specify that the executive officer is not liable for discretionary acts, including the approval of contests and the assignment of officials for contests, taken while performing duties pursuant to the act. The bill would state that this provision is declaratory of existing law and does not constitute a change in existing law. Vice Chair Villegas informed the Commission that the proposed Bill clarifies language already in existence and this clarification would further protect the Commission and it's EO from lawsuits based on event procedure requirements.

### All Commissioners present at the meeting voiced support for AB 1813.

California State Athletic Commission Meeting Minutes March 1, 2022 Page 7 of 10

*Commissioner Dr. Williams motioned to for the Commission to take support position on AB 1813.* 

Commissioner Hardeman **seconded** the motion.

### No Commission or Public Comments.

The motion passed 4-0 by roll call vote

### Agenda Item 8- Election of Officers Pursuant to the Requirements of Business and Professions Code Section 18606.

Chair Carvelli motioned to nominate Commissioner Dr. Williams as Vice Chair.

Commissioner Hardeman seconded the motion.

No other nominations were received.

No Commissioner or public comments received.

Commissioner Dr. Williams accepted his nomination.

The motion **passed** 4-0 by roll call vote.

Chair Carvelli motioned to nominate Vice Chair Villegas as Chair.

Commissioner Hardeman **seconded** the motion.

No other nominations were received.

No Commissioner or public comments received.

Vice Chair Villegas accepted his nomination.

The motion passed 4-0 by roll call vote.

### Agenda Item 9- Executive Officer's Report

a. <u>Recognition of Yoshihiro "Yosh" Uchida for His Contribution to Martial Arts.</u>

Legal Counsel Swenson presented Yoshihiro Uchida with a resolution honoring his lifetime contributions to Combat Sports.

"The **California State Athletic Commission** recognizes **Yoshihiro** "**Yosh**" **Uchida** for his more than **75 years** of coaching and promoting the sport of judo in California.

*Mr.* Uchida has been the sensei, or teacher, to generations of student athletes at San José State University and has helped shape judo into a modern international sport.

Judo, meaning the gentle way of life, is a Japanese martial art involving both a system of throws, trips, and grappling and a practice designed to promote the principles of maximum efficiency, mutual welfare, and benefit.

Sensei Uchida began the study of judo at the age of 10 when his parents encouraged him to take up the martial art as a way of learning more about his Japanese heritage. He was a diligent student and progressed quickly.

In 1940, after graduating from high school, Sensei Uchida enrolled in San José State University and was soon selected as a student-coach for judo. Soon after enrollment, his studies were interrupted by service in the U.S. Army during World War II. Faced with discrimination and conflict, Sensei Uchida served in a segregated unit of the Army while members of his family were held in internment camps.

Sensei Uchida returned to San José State University to complete his studies following his military service. In 1947, he graduated with a bachelor's degree in biology and started teaching a beginning judo course at the university. Many of his students were fellow veterans who also served in World War II. Starting from this nucleus, Sensei Uchida established a judo team at San José State University.

Sensei Uchida became a businessman, an entrepreneur, an innovator, an educator, and a tireless advocate for judo, sharing what he began to study as an expression of cultural values with students from diverse backgrounds. His advocacy and valuation of humanity exemplified his embodiment of judo's principle of mutual welfare and benefit. Broaching the commencement of the civil rights movement, Sensei Uchida's advocacy displayed an uncommon courage and foreshadowed the shifting of sports' racial representation and participation. Hence, his leadership promoted understanding and stimulated social change.

In 1953, Sensei Uchida persuaded the Amateur Athletic Union (AAU), the national governing body for Olympic sports in the United States at that time, to sanction judo as a sport. His voice was instrumental as San José State University would host the first National AAU Championships later that year.

In 1962, Sensei Uchida helped organize the first National Collegiate Judo Championships held at the U.S. Air Force Academy. Interestingly that same year, San José State University won the first of its more than 45 team championships.

In 1964, Sensei Uchida coached the first U.S. Olympic Judo Team at the Games of the XVIII Olympiad held in Tokyo, Japan. The team included two athletes from San José State University, Ben Nighthorse Campbell and Paul Maruyama.

During his more than 75 years as a judo coach, Sensei Uchida held many leadership positions in judo including president of the National Collegiate Judo Association, president of the United States Judo Federation, and assistant director for judo at the Games of the XVIII Olympiad in Los Angeles in 1984. His athletes have won numerous individual national championships and world and Olympic medals"

**RESOLVED**, that the **California State Athletic Commission**, by token of this resolution and on behalf of the **state of California**, congratulates **Sensei Uchida** on the occasion of his 102<sup>nd</sup> birthday for his dedication to the advancement of the sport of judo and the countless lives he shaped through his coaching.

Mr. Uchida thanked the Commission for his award and stated that he was honored to be receiving the resolution. Mr. Uchida added that this award was not just won by him but by all the students he ever taught that had the desire to win.

### b. <u>Budget Update for the Support Fund, the Neurological Fund, and Pension</u> <u>Program</u>

EO Foster presented the Commission the updated revenue numbers as of March 1, 2021. This fiscal year, the Commission deposited \$1,139,036 to the support fund, \$4,983 to the neurological fund, and \$47,314 to the Boxer Pension Fund. EO Foster stated the Pension Investment account is healthy with approximately \$5.3 million dollars as of January 31, 2022.

### c. <u>Report of Pending and Proposed Regulations</u>

EO Foster asked AEO Cornejo to update the Commission on the proposed regulations. The Examination of Boxer Applicants regulatory package was submitted to the Office of Administrative Law on October 27, 2021 and should be in effect by July 1, 2022. Staff is working on the regulation changes to Section 299, Dehydration and Rehydration. Staff has been working closely with DCA Regulations Unit and Benefit Resources on finalizing the proposed language of the Boxers Pension Plan.

### d. Status Update of Delegated Entities

### <u>California Amateur Mixed Martial Arts Organizations (CAMO)</u>

JT Steele, President of CAMO, submitted his written report to the Commission, which is contained in the meeting materials. Mr. Steele stated that CAMO has a busy schedule with 10 events in March and more being added to the schedule. He added that CAMO is having an issue getting equipment as COVID disrupted the supply chain which is making them look at other vendors. Mr. Steele stated that he and CAMO are looking forward to working with the Commissions new leadership.

USA Boxing

Mr. Mike McAtee, submitted his written report to the Commission, which is contained in the meeting materials. Mr. McAtee stated that USA Boxing supervised 42 successful events in California during the 4<sup>th</sup> quarter which came out to be 1,040 bouts. Mr. McAtee informed the Commission that 5 boxers from California medaled in the Youth Pan American games. Mr. McAtee congratulated Chair Villegas on his appointment.

<u>United States Fight League (USFL)</u>

Jon Frank submitted his written report to the Commission, which is contained in the meeting materials. Mr. Frank stated that USFL is slowly recovering from the COVID Pandemic. He added that USFL held their first in Texas with 35 bouts making the event a huge success.

### International Kickboxing Federation (IKF)

Toni Fossum submitted her written report to the Commission, which is contained in the meeting materials.

### e. Staffing Update

EO Foster informed the Commission that Staff Analyst Lee Palmer was prompted to Associate Analyst thus making the Commission's staff two Associate Analysts, the Chief Athletic Inspector, the AEO and the EO.

### f. <u>Upcoming Event Schedule</u> An updated event schedule was included in the meeting materials.

**g.** <u>Discussion regarding event activity during the COVID-19 Pandemic</u> EO Foster stated the Commission is operating under the current CDPH Guidelines.

### Agenda Item 10- Public Comments on Items Not on the Agenda.

### **Closed Session**

Agenda Item 11- 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.

### **Open Session**

# Agenda Item 12- Next Commission Meeting will be on Monday, June 6, 2022, in Los Angeles.

### Agenda Item 13- Adjournment

Meeting Adjourned at 12:42 p.m.