



Members of the Commission

John Frierson, Chairperson  
Eugene Hernandez, Vice-Chairperson  
VanBuren Lemons, MD  
Christopher Giza, MD  
Dean Grafilo

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**Action may be taken on any item listed on  
the agenda except public comment.  
Agenda items may be taken out of order**  
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**CALIFORNIA STATE ATHLETIC COMMISSION  
MEETING MINUTES**  
August 8, 2012

Department of Consumer Affairs  
Hearing Room  
1625 North Market Blvd.  
Sacramento, CA 95834

**Commissioners Present**

Chairman John Frierson  
Vice-Chairman Eugene Hernandez  
VanBuren Lemons, MD  
Christopher Giza, MD  
Dean Grafilo

**Staff Present**

Kathi Burns, Interim Executive Officer  
Che Guevara, Chief Athletic Inspector  
Michael Santiago, Senior Staff Counsel, DCA

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**Agenda Item 1 – Call to Order / Roll Call / Pledge of Allegiance**

The meeting was called to order at 10:30 a.m. and a quorum was present.

**Agenda Item 2 – Chairman Opening Remarks**

Mr. Frierson acknowledged that the Commission is going through changing times right now, but will continue to do its best by remaining transparent and by staying focused on its mission to protect the health and safety of fighters. He encouraged all stakeholders to remain in communication with the Commission's office to receive accurate information; as much of what is written about the Commission is incorrect.

**Agenda Item 3 – Appointment of Acting or Interim Executive Officer**

This item was heard in closed session from 10:45 a.m. to 11:50 a.m.

#### **Agenda Item 4 – Report from Closed Session**

Mr. Hernandez reported that in the interest of maintaining continuity, the Commission requested that Kathi Burns, the Commission's current Assistant Executive Officer, be appointed as the Interim Executive Officer. Ms. Burns accepted the appointment.

The process for selecting a new Executive Officer was discussed.

#### **Agenda Item 5 – Process for Selection of a New Executive Officer**

Mr. Hernandez reported that the Commission has requested the Department of Consumer Affairs to immediately commence with the selection process for a new Executive Officer. The Commission will review the prior selection process and establish a qualifications requirement.

Dr. Lemons and Mr. Grafilo will serve as the selection committee and will do the initial review of applications; bringing the final candidates before the Commission for interviews.

#### **Agenda Item 6 – Approval of Minutes**

##### **a. June 4, 2012**

Regular Meeting

It was (M)Giza / (S)Hernandez / (C) to approve the minutes as corrected.

VOTE: Unanimous

Strategic Planning Meeting

It was (M)Hernandez / (S)Giza / (C) to approve the minutes as corrected.

VOTE: Unanimous

##### **b. June 26, 2012**

It was (M)Grafilo / (S)Hernandez / (C) to approve the minutes as corrected.

VOTE: Unanimous

##### **c. June 30, 2012**

It was (M)Hernandez / (S)Giza / (C) to approve the minutes as corrected.

VOTE: Unanimous

##### **d. July 16, 2012**

It was (M)Hernandez / (S)Giza / (C) to approve the minutes.

VOTE: Unanimous

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

##### **a. Budget Update**

Ms. Burns described and presented documentation detailing the Commission's current fund balance and projections for future revenue and expenditures. She described and presented documentation of the steps taken to ensure the Commission remained solvent through the end of fiscal year 2011/12 and remarked that the Commission is

operating at minimum standards in order to ensure solvency month by month. She predicts that the Commission will need to operate within these standards for up to two years in order to obtain a healthy fund balance. On a positive note, Ms. Burns reported that this situation has caused the Commission to reevaluate its processes and consider ways to streamline and function with more efficiency.

Mr. Hernandez and Mr. Frierson extended their thanks on behalf of the Commission to the employee's that had to be let go and requested letters be sent in follow up.

**b. Status of Regulations**

Ms. Burns directed the Commission to the regulation table in the packet and noted that the hand wrap and asthma medication regulations have not moved forward due to the loss of the Commission's regulations analyst. Ms. Burns hopes to move them forward within the next 90 days.

**c. Staffing Update**

In addition to the temporary staff members that were let go to assist the Commission in finishing the fiscal year solvent, Ms. Burns reported that in mid-June the Commission declared layoff of two more Office Technicians and the Staff Services Manager Position, also known as the Assistant Executive Officer position. Due to the reduced number of rank and file employees, a Staff Services Manager position is no longer warranted. If need for more employees is warranted in the future and the Commission's budget allows, temporary help could be brought in to assist until new permanent positions can be reestablished.

**d. Sunset Review Report Status**

Ms. Burns referred to the draft report in the packet and noted that she will be meeting with the Senate Committee that handles the Sunset Review process to ensure the Commission addresses all of the Committee's concerns.

**e. Report of July 15, 2012 Stakeholder's Conference Call**

Ms. Burns provided notes of the meeting and indicated that very few promoters and stakeholders participated in the call, possibly due to the day of the week and time the meeting was held. Therefore, Ms. Burns will canvas the stakeholders and determine when the next meeting should be held.

**Agenda Item 8 - Public Comment**

Roy Englebrecht, promoter, expressed concern about the regulations that were referenced in the earlier regulation report relating to the Boxer's Pension program. He questioned by he was not allowed to participate in developing these regulations given the fact that at a past Commission meeting he was asked to work on a subcommittee to consider revisions to the program. He expressed the importance of reevaluating the age of pension eligibility and the break in service requirement.

Ms. Burns explained that the regulations referred to in the regulation table are not related to the boxer's qualifications, but address only the method of calculating the assessment and these regulations have been pending for more than a year. Work on the regulation changes he is referring to has not yet begun.

Dr. Lemons commented that possibly the reason Mr. Englebrecht had not be contacted to further discuss this topic is because the Commission members on the Boxer's Pension Fund subcommittee are no longer with the Commission. He urged the Commission to get to a place to be able to reestablish this subcommittee.

Mr. Frierson agreed and hoped to be able to do this once the Commission was full again; as it is currently down 2 members.

### **Agenda Item 9 – Petitions for Change of Decision**

#### **a. Issac De Jesus vs Adrian Diaz – MMA**

Mr. Dejesus appealed the bout based upon the possible premature stoppage of a professional mixed martial arts bout held on May 18, 2012 in Stockton, CA

The Commissioners watched a video of the bout, heard testimony and engaged in discussion with Mr. Dejesus and his manager Tom Call; as well as Chief Athletic Inspector Che Guevara.

It was (M)Hernandez / (S)Giza / (C) to deny the request for change of decision and let the referee's decision stand.

VOTE: Unanimous

#### **b. Dave Villescaz vs Michael Person – MMA**

Mr. Villescaz appealed the bout held on May 26, 2012 in Plymouth, CA based upon the fact that his bout contract was for three - three minute rounds; however, the first round went five minutes.

The Commissioners heard testimony and engaged in discussion with Mr. Villescaz and his trainer Jeff Baca; as well as Mr. Guevara. It was established that a Commission lead inspector failed to notify the timekeeper of the correct length of rounds, which resulted in the extended round length.

It was (M)Hernandez / (S)Grafilo / (C) to grant the request and change the decision to no contest due to a rule violation.

VOTE: Unanimous

Jason De La O from Topping Events requested that the Commission add to the bout agreement a space to indicate the contracted length of rounds. As it stands bout contracts do not have a space for this number so the length is usually just written in; although sometimes it's omitted altogether.

#### **c. Villagomez vs Madriz - MMA**

Mr. Villagomez appealed the bout held on May 12, 2012 in Woodland, CA based upon allegations that the ruling of a TKO loss was incorrect, as the stoppage that occurred was due to an illegal blow, and not a legal blow as the referee indicated.

The Commissioners watched video of the bout, heard testimony and engaged in discussion with Mr. Villagomez and his trainer Frank Aleman; and as well as Mr. Guevara.

It was (M)Hernandez / (S)Grafilo / (C) to grant the request and change the decision to no contest.

VOTE: Unanimous

Mr. Hernandez stressed his dislike for overturning referee's decision, especially without the benefit of speaking with the referee. He requested that referees be present when their bout decisions are appealed.

Dr. Giza agreed that overturning a referee's decision should not be taken lightly and that it's important to hold referees to the highest standards and in the end to do the right thing.

**Agenda Item 10 – Applications for Licensure – Appearance before Commission**  
**a. Milton Wallace – MMA Referee**

Ms. Burns explained that Mr. Wallace met the requirements for licensure as a referee and recommended that he be issued a temporary license since his experience was derived from amateur bouts only. Once he demonstrates competency to senior officials, a permanent license should be issued.

JT Steel of CAMO spoke in support of Mr. Wallace obtaining a professional MMA referee license.

It was (M)Grafilo / (S)Hernandez / (C) to grant Mr. Wallace a temporary professional MMA referee license and upon favorable evaluation by senior officials, be issued a permanent MMA referee license.

VOTE: Unanimous

**Agenda Item 11 – Request for Renewal of License**  
**a. Thor Skancke – Fighter**

Ms. Burns summarized Mr. Skancke's history with the Commission including the issuance of a suspension and a \$2,500 fine for testing positive for steroid use.

Mr. Skancke apologized for his conduct and described the difficulties he's faced since the action occurred. He is requesting an opportunity to prove he is not a cheater.

It was (M)Hernandez / (S)Giza / (C) to renew Mr. Skancke's license once he has taken and passed a random drug test and that he be drug tested every time he fights in California.

VOTE: Unanimous

Dr. Lemons expressed his appreciation that Mr. Skancke admitted his guilt and did not provided excuses,

Mr. Hernandez also recognized Mr. Skacke for adhering to the suspension and not fighting elsewhere during the suspension period.

### **Agenda Item 12 – Future Agenda Items and Meeting Dates**

Future meeting date is October 8, 2012 in the Los Angeles area.

Future Agenda Items:

- Strategic Plan
- Sunset Review Report

Dr. Giza requested the Advisory Committee on Medical Safety Standards meeting be held in September if possible. Ms. Burns advised that it could be held telephonically and will move forward with scheduling.

Mr. Frierson went on record stating that the delegation to two members to handle significant budget issues has ended now that the solvency threat is over. All significant budget issues are to go before the full commission.

The meeting adjourned at approximately 1:30 p.m.