



California State Athletic Commission
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Members of the Commission

John Frierson, Chair
Christopher Giza, MD, Vice Chair
VanBuren Lemons, MD
Martha Shen-Urquidez
Mary Lehman
John Carvelli

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

**CALIFORNIA STATE ATHLETIC COMMISSION
MEETING MINUTES
February 10, 2014
10:00a.m. - Conclusion of Business**

Location:

Ronald Regan State Building
300 South Spring Street
Los Angeles, California 90013

Commissioners Present

Chairman John Frierson
Vice Chairman John Carvelli
Christopher Giza, MD
VanBuren Lemons, MD
Martha Shen-Urquidez
Mary Lehman

Staff Present

Andy Foster, Executive Officer
Spencer Walker, Staff Counsel, DCA
Sophia Cornejo, Assistant Executive Officer

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

The meeting was called to order at 10:00 a.m. and a quorum was present.

Agenda Item 2 – Chairman’s Opening Remarks

Chairman Frierson welcomed all who were present and those on the panel for their attendance.

Agenda Item 3 – Election of Officers

a. Chair - Commissioner Giza made a motion and nominated John Frierson to be the committee chair for calendar year 2014. No other commissioners were nominated and the commissioners voted 6-0 in support of John Frierson as chair.

b. Vice-Chair - Commissioner Giza made a motion and nominated John Carvelli as the 2014 vice chairman. No other commissioners were nominated and the commissioners voted 6-0 in support of John Carvelli as vice chair.

Agenda Item 4 – Approval of the December 16, 2013 Meeting Minutes

Commissioner Lehman requested an edit to USFL instead of USFO under pankration. John Carvelli made a motion to approve the December 16th, 2013 Commission Meeting Minutes as amended, Chairman Frierson seconded the motion and the motion passed on a 6-0 vote.

Agenda Item 5 – Executive Officer’s Report

a) Budget Update

- a. Executive Officer Andy Foster stated that the commission is over budget on several line items in the budget and has been communicating with the Department of Consumer Affairs on ways to achieve savings over the next six months.
- b. Mr. Foster stated the commission fund balance is approximately \$516,000.
- c. Mr. Foster stated the commission is on target to deposit more than it will spend for the current fiscal year 2013-14.

b) Boxer’s Pension Fund/Neurological Examination Account Update

- a. Executive Officer Foster stated that the boxer pension fund has approximately \$5.5 million and the Neurological fund has slightly under \$700,000.

c) Staffing Update

- a. No update.

d) Subcommittee Reports

- a. Legal Oversight Subcommittee Commissioner Shen-Urquidez deferred discussion to closed session.
- b. Youth Pankration Subcommittee Vice Chair Carvelli presented a report.
 - i. Vice Chair Carvelli stated the subcommittee has received a lot of useful information from various stakeholders and is still accepting input as it works on meeting a July 2014 deadline for reporting its results.
- c. Therapeutic Use Exemption Subcommittee
 - i. Commissioner Shen-Urquidez commented about the recent letter issued by the Association of Ringside Physicians. The consensus statement does not state there should be no exemption policy at all. The statement supports the elimination of general exemptions. Our TUE policy is in compliance with the statement.
 - ii. Commissioner Lemons stated our TUE policy is consistent with the Association of Ringside Physicians statement on TUE.
 - iii. Commissioner Shen-Urquidez will defer further discussion on this item to agenda item 10.
- d. Amateur MMA oversight Subcommittee Commissioner Shen-Urquidez provided a subcommittee report.
 - i. Commissioner Shen-Urquidez summarized CAMMO's cooperation with the subcommittee.
- e. Amateur Boxing oversight Subcommittee Commissioner Shen-Urquidez deferred to agenda item 16
- f. Ringside Officials Oversight Subcommittee Commissioner Shen-Urquidez provided a report.

- g. Boxers Pension Fund Subcommittee Vice Chair Carvelli asked to defer discussion until agenda item 8.
- h. Anti-Bullying Campaign Subcommittee Executive Officer Andy Foster provided an update.
 - i. Mr. Foster stated the commission has worked with athletes to record anti-bullying messages.
 - ii. Mr. Foster stated the commission has been working with the Los Angeles Unified School District.
- i. Large Event Incentive Subcommittee Vice Chair Carvelli provided a report.
 - i. Vice Chair Carvelli stated that California is losing large events to other states that are changing their tax codes to attract large events.
 - ii. Vice Chair Carvelli stated the subcommittee is seeking input from private corporations as well on how to attract large events.
- j. Transgender Licensing Subcommittee Commissioner Giza defer to later action item.
 - i. Commissioner Lehman asked the Executive Officer to put an action item on the next agenda to seek a legislative change for the Medical Advisory Committee quorum requirements.
- k. Neurological Fund Subcommittee Commissioner Giza provided a report.

Agenda Item 6 – Ringside Physician Shortage / Use of Non-trained Physicians

Executive Officer Andy Foster stated sometimes, especially during summer, the commission does not have enough experienced ring side physicians for all the events that are going on. In the past, Mr. Foster has assigned an experienced ring side physician with a non experienced ring side physician. Mr. Foster stated that he believed this decision to use non-trained physicians at times is in the best interest of boxing. Mr. Foster stated that some experienced physicians do not agree with his decision, they would have preferred one physician at the event to get double pay.

Commissioner's Giza and Lemons stated support for the current commission policy of allowing a non-qualified ring side physician to work with an experienced ring side physician. The commissioners also stressed to the Executive Officer the importance of recruiting and training additional ring side physicians.

Agenda Item 7 – Rulemaking Change to Allow Flexibility in the Timing of Weigh-Ins

Commissioner Lemons stated that rule 297 is the most dangerous rule in the rule book.

Commissioner Lemons stated that non heavy weight athletes dehydrate themselves for weigh in and that dehydration is dangerous and athletes have died in the past. Additionally, rehydration before an event is dangerous too and the dehydration / rehydration cycle is paired closely with an event making it very dangerous for our athletes.

Commissioner Lemons stated he would like to at least have a subcommittee explore moving the weigh in time to perhaps a week before an event or to allow athletes to recover before they engage in arguably the most dangerous sport on the planet.

Commissioner Shen-Urquidez stated that the commission may want to consider obtaining digital urine refractometers to more adequately measure athlete hydration.

Commissioner Giza echoed Commissioner Lemons comments and added there is some evidence to suggest danger and caution in shortening the time between weigh-in and actual fight.

Commissioner Lehman stated she believes dehydration is a problem and that the language allowing 1 hour before fight is crazy - 24 hours seems to work - a proposal would be to perform two weigh-ins with one right before the fight to measure the level of hydration and set a cutoff.

Executive Officer Andy Foster stated that the 24 hour rule is standard across the country

Chairman Frierson assigned the topic to the Medical Advisory Committee for further discussion and recommendations.

Agenda Item 8 – California Amateur Mixed Martial Arts (CAMO) Dehydration Study

No Action Taken - Deferred Until Next Meeting

Agenda Item 9 – Public Announcement of California State Athletic Commission's Support for the Cleveland Clinic Professional Fighters Brain Health Study

No Action Taken - Deferred Until Next Meeting

Agenda Item 10 – Review and Possible Action of Therapeutic Use Exemption Proposed Regulation Language

Commissioner Lemons proposed adding language to make retro-active TUE approvals more clear. Specifically, Commissioner Lemons stated that retro-active approvals will not be granted for testosterone.

Commissioner Giza made a motion to accept the proposed language as amended and direct the commission staff to begin the rule making process and give the Executive Officer authority to make non-substantive changes. Commissioner Lemons seconded the motion. The motion passed on a 6-0 vote.

Agenda Item 11 – Review and Possible Action of Transgender Licensing Proposed Regulation Language

Commissioner Giza made a motion to accept the proposed language as amended and direct the commission staff to begin the rule making process and give the Executive Officer authority to make non-substantive changes. Commissioner Lemons seconded the motion. The motion passed on a 6-0 vote.

Agenda Item 12 – Review and Possible Action of Pension Lost Beneficiary Clause Proposed Regulation Language

Executive Officer Foster stated that Mr. Harris from the Center for Public Interest Law (CPIL) assisted in drafting the proposed language. Mr. Harris stated the goal of the proposed language is to set aside a reserve of 20 percent to pay any potential future claim on forfeited pension accounts. Mr. Harris stated there were some recent language changes and definitions added to the proposed language. He stated he would provide the commissioners with the updated language within a few weeks. No Action Taken - Deferred until next meeting.

Agenda Item 13 – Review and Possible Action of Neurological Assessment Proposed Regulation Language

No Action Taken - Deferred Until Next Meeting

Agenda Item 14 – Discussion and Possible Action Regarding Increasing the Television Tax Cap

No Action Taken - Deferred Until Next Meeting

Agenda Item 15 – Discussion and Possible Action Regarding Delegation of Amateur Kickboxing

No Action Taken - Deferred Until Next Meeting

Agenda Item 16 – Discussion and Possible Action Regarding Status of Current Delegation to USA Boxing

No Action Taken - Deferred Until Next Meeting

Agenda Item 17 – Review of Internal Investigation of Altered Gloves Confiscated on September 20, 2013.

- a) Review and Possible Action of License Suspension - Rodrigo Mosquera
 - a. Commissioner Carvelli asked for the Executive Officer's recommendation.
 - b. Executive Officer Andy Foster stated that although the gloves were not to standards and should not have been used, he does not believe Mr. Mosquera had ill intent to cheat. Mr. Foster recommended time served and lift the suspension.
 - c. Commissioner Giza made a motion to impose the maximum fine of \$2,500 and suspend the license for the maximum amount of time permissible (until the license expires). Commissioner Lehman seconded the motion. The motion passed on a 5-0 vote. Commissioner Shen-Urquidez recused.
- b) Review and Possible Action of License Suspension - Ricardo Rodriquez
 - a. Commissioner Carvelli asked for the Executive Officer's recommendation.
 - b. Executive Officer Andy Foster stated that although the gloves were not to standards and should not have been used, he does not believe Mr. Rodriquez had ill intent to cheat. Mr. Foster recommended time served and lift the suspension.
 - c. Commissioner Lehman made a motion to suspend the license of Mr. Rodriquez for time served. Vice Chair Carvelli seconded the motion. The motion passed on a 4-1 vote. Commissioner Giza voted no and Commissioner Shen-Urquidez recused.

Agenda Item 18 – Review and possible action of license application for Kella Byers.

- a) Executive Officer Foster recommended approval of Ms. Byers application to be licensed as a professional boxer with the understanding that the same matchmaking requirements would be enforced and any opponent would need approval.
- b) Commissioner Lehman stated that maybe someone from the commission could watch Ms. Byers spar to evaluate her skills.

- c) Commissioner Shen-Urquidez stated that Dr. Wallace, in association with the Association of Ringside Physicians, expressed a concern that because of Ms. Byers age, there is a rationale to deny licensure based on medical injury risk.
- d) Chairman Frierson stated this has nothing to do with age at all, but with proper matchmaking. The commission will only sanction fights that are properly matched.
- e) Executive Officer Foster recommended that before Ms. Byers compete as a licensed professional boxer, a commission referee evaluate Ms. Byers boxing skills.
- f) Commissioner Lehman made a motion to approve Ms. Byers professional boxing application as long as Ms. Byers completes a skills evaluation within the next several weeks. Chairman Frierson seconded the motion. The motion did not pass on a 2-2-2 vote. Commissioner Lehman and Chairman Frierson votes yes; Commissioners Lemons and Carvelli voted no; and Commissioners Shen-Urquidez and Giza abstained.
- g) **PUBLIC COMMENT:** Kenny Crum - Professional Fighter - Mr. Crum stated that Ms. Byers can really fight and wouldn't let her fight to get hurt.

Agenda Item 19 – Request for Mixed Martial Arts License for Tony Lopez and Acceptance of Fine

- a) Executive Officer Foster stated that Mr. Lopez has paid his fine and been cooperative with the commission. In addition, Mr. Lopez made a public apology and Mr. Foster recommends acceptance of Mr. Lopez's application and apology.
- b) Vice Chair Carvelli made a motion to accept Mr. Lopez's application. Commissioner Lehman seconded the motion. The motion was adopted by a 6-0 vote.

Agenda Item 20 – Public Comment on Items not on the Agenda

Brent Robertson - MMA Promoter - It is not financially rewarding in California to do business right now. Fans should know whether marketing materials are promoting professional versus amateur fighters. I am responsible for broken hands that are not wrapped by professionals. Every broken hands costs me as a promoter \$500 and I would like to make someone else responsible for this cost if my professional or a licensed hand wrapper doesn't do it. Indian casinos are risky for fighters because there is no insurance to protect the fighters. I have no idea who is the appropriate manager for a fighter and I find myself negotiating with several people saying they are the manager. There should only be one manager and they should be licensed so that I do not have to deal with three people for one fighter. I would like to see some formality in the management process.