



California State Athletic Commission

2005 Evergreen St., Ste. #2010
 Sacramento, CA 95815
 www.dca.ca.gov/csac/
 (916) 263-2195 FAX (916) 263-2197



CALIFORNIA STATE ATHLETIC COMMISSION

Tuesday, November 18, 2008

10:00 A.M. – 12:00 P.M.

The Westin Los Angeles Airport
 Room 329
 5400 West Century Blvd.
 Los Angeles, CA 90045

Minutes

Commissioners Present:

Timothy Noonan, Chairman
 Peter Lopez
 June Collison

Mario Rodriguez, Vice-Chairman
 Howard Rose
 John Frierson

Commissioners Absent:

Dr. Christopher Giza

Staff Present:

Bill Douglas
 Dean Lohuis
 Karen Chappelle, Deputy Attorney General

Anita Scuri, Senior Legal Counsel, DCA
 James Maynard

The minutes reflect the order in which the agenda items were heard.

Agenda Item 1. The meeting was called to order at 10:10 a.m. CSAC Staff member Bill Douglas called the roll. Commissioners present and accounted for: Collison, Frierson, Lopez, Noonan, Rodriguez, and Rose. Commissioners absent: Giza.

Agenda Item 2. Pledge of Allegiance was not performed due to absence of flag.

Agenda Item 3. Election of Vice Chairperson

A motion was made, seconded, and carried unanimously to approve Mario Rodriguez as Vice Chairperson.

Agenda Item 4. Approval of Meeting Minutes

September 19, 2008 Minutes

A motion was made, seconded, and carried unanimously to approve the meeting minutes for the September 19, 2008 Commission Meeting.

October 22, 2008 Minutes

Chairman Noonan requested an addition to reflect the public comment of JT Steele and Turi Altavilla. JT Steele stated ProElite XC ceased all operations and it was a pleasure to work with the Commission. Turi Altavilla stated he would like to work with the Commission in the future.

A motion was made, seconded, and carried unanimously to approve the minutes for the October 22, 2008 appeals hearing as amended.

Agenda Item 5. Acceptance of the Resignation of the Executive Officer

A motion was made, seconded, and carried unanimously to accept the resignation of Executive Officer Armando Garcia with an effective date of December 31, 2008.

Agenda Item 6. Appointment of the Interim Executive Officer

Chairman Noonan stated that an Interim Executive Officer cannot be appointed until after December 31, 2008, the effective date of Executive Officer Armando Garcia's resignation. Chairman Noonan directed Bill Douglas in charge of office operations and Dean Lohuis in charge of field operations until an Executive Officer is named.

A motion was made, seconded, and carried unanimously to designate Spencer Walker to select an Assistant Executive Officer on behalf of the Commission.

Agenda Item 7. Appointment of the Search Committee for the Executive Officer Position

Chairman Noonan requested the assistance of the Department of Consumer Affairs in the administrative process. Chairman Noonan requested Commissioners Giza and Frierson to work with the Department of Consumer Affairs in the initial interviews and evaluations and return to the Commission with a list of appropriate candidates for final interviews no later than March 2009.

Yolanda Alvarez, Personnel Officer, explained the recruitment efforts and selection process in the search for an Executive Officer. Additionally, the recruitment efforts will be conducted nationwide.

Agenda Item 8. Appeals of Suspension and Fines

Alijab Reni

Mr. Reni was present for his appeal. Ms. Chappelle read the timeline of events to the Commission pertaining to Mr. Reni's suspension and fine for adulteration of urine sample.

Mr. Reni stated that he contracted pneumonia prior to his urine sample and had taken Nyquil, Pedialite, and water in an attempt to hydrate due to his illness.

Mr. Douglas testified to the prevalence of adulteration of urine samples and to the absence of masking agents or a positive test in Mr. Reni's sample.

Chairman Noonan requested a statement from Inspector Ray Villalva and the ringside physician to obtain more information.

A motion was made, seconded, and carried (5 yea, 1 abstention) to obtain more information.

Commissioner Collison requested Commissioner Giza give medical opinion and advice on the matter and requested a teleconference.

Chairman Noonan requested inspector Villalva and the ringside physician to be present on the teleconference call or in their absence, a declaration is acceptable. Chairman Noonan set the teleconference for December 2008 and Mr. Reni's suspension and fine are pending until this call at which time a vote will be held.

Agenda Item 9. The Professional Boxers' Pension Plan

Cashiering Procedures

Mr. Douglas stated that a teleconference was held on October 27, 2008 regarding several Pension Plan issues. This included Item 2B, the collection of data and money as well as the rounds purse. Data for 2006 has been completed in full, 2007 has been submitted to the pension benefits specialist, and 2008 data is expected to be completed by year's end 2008.

Pension Statements

Mr. Douglas stated that the 2005 statements would be mailed within the next two weeks, and the 2006 statements would be mailed once received in the office, expected by year's end 2008.

Mr. Douglas presented information to Beth Harrington on November 17, 2008 on the impact of lowering retirement age from 55 to 50.

Annual Report Update

Mr. Douglas stated that beginning 2009 a report must be given at the end of the year, typically by the Executive Officer, to the Commission to update them on the status of the Professional Boxer's Pension Plan.

No public comment was given.

Agenda Item 10. Request to Set Regulatory Hearing for Proposed Adoption/Amendment

Article 12. Pension Plan § 406. Determination of Benefits.

Ms. Chappelle presented the history of Article 12. Pension Plan § 406.

Mr. Douglas presented the fiscal impact of lowering the retirement age from 55 to 50, based on reports of December 31, 2005. Furthermore, the current balance of the Professional Boxer's Pension Plan as of October 31, 2008 was \$4 million.

Vice Chair Rodriguez clarified that the lowering of the retirement age would not impact the actual amount of money due or received but only allow earlier access to these funds.

Public Comment:

Rubin Castillo – Mr. Castillo asked the Commission how money will be dispersed, does the amount of years fighting impact the benefits received, and how soon the dispersal of this money can be expected.

Ms. Scuri stated the dispersing of benefits is subject to regulatory hearing and changes which would place the dispersal of money a minimum of six months out.

Mario Beltran- Mr. Beltran stated that he worked for Senator Gilbert Cedillo, and that Senator Cedillo supports the change in retirement age from 55 to 50, and the Commission can expect his full support on the issue.

A motion was made, seconded, and carried unanimously to amend Article 12. Pension Plan § 406 to lower the retirement age from 55 to 50.

Chairman Noonan reiterated that this Commission is committed to resolving all pension matters.

Article 12. Pension Plan § 405. Vesting.

This agenda item was tabled until the next Commission meeting.

Agenda Item 11. Commission Disciplinary Hearings: Procedure for Decisions

Mr. Douglas stated that the Commission needs to provide written decisions on steroids appeals per Government Code.

Agenda Item 12. Physician's Malpractice Insurance Issue

Ringside Physician's Association

Mr. Douglas stated that the ringside physician's have organized and that information will be provided by Commissioner Giza and Dr. Wallace.

Ringside Physician's Pay Scale

This item was tabled until the next Commission meeting.

Agenda Item 13. Anti-Doping Program Update

New Contracts

Mr. Douglas states that the Commission has a contract with the UCLA Olympic Analytical Lab for anabolic agents, masking agents, and peptide hormones. The contract was approved approximately three weeks ago. The process will implement World Anti Doping Association protocols for the handling and transportation of specimens to eliminate potential tampering and contamination. The testing will begin December 1, 2008.

Mr. Douglas states that the Commission has a contract with the Drug Testing Network for drugs of abuse, effective November 17, 2008.

Agenda Item 14. Public Comment

Tim Lynch- Mr. Lynch stated that Governor Schwarzenegger has set forth a plan to decrease the California budget by increasing sales tax, including those taxes on sporting events.

Juanito Ybarra- Mr. Ybarra asked the Commission if the amateur rulings of mixed martial arts have been ratified. Mr. Ybarra requested a special hearing on the status of rules and regulations governing amateur mixed martial arts or for the item to be placed on the agenda for the next Commission meeting. Mr. Ybarra expressed desire for his company to be the regulatory body for amateur mixed martial arts.

Chairman Noonan placed the issue on the agenda for the next Commission meeting.

Kazja Patschull- Mr. Patschull stated that he submitted a license application and fees in 2000 and is still waiting to receive his license or status of application. His application and documents can be accessed at www.kazja13.com

Ms. Scuri presented a brief history of Mr. Patschull's dealings with the Commission.

Chairman Noonan requested Mr. Douglas compile a file on Mr. Patschull and will place the matter on the agenda for the next Commission meeting.

Ryan Chenoweth- Mr. Chenoweth stated that he owns a gym and works with amateur mixed martial arts fighters, and he would like to see the incorporation of amateur mixed martial arts in California for the benefit and safety of all fighters.

Agenda Item 15. Agenda Items for Future Meetings

- Amateur Mixed Martial Arts Rules incorporating Mr. Patschull's and Mr. Chenoweth's concerns
- Professional Boxer's Pension Plan: regulatory hearing, and § 405. Vesting
- Training for Officials and Referees

Agenda Item 16. Future Meeting Dates

- Teleconference set for December regarding Mr. Reni's appeal
- February 10, 2009 in Van Nuys, CA
- April 14, 2009 in Los Angeles, CA

Agenda Item 17. Adjournment

The meeting was adjourned at 12:00 p.m.