



Commission Meeting Minutes
Monday, October 3, 2011
Elihu M. Harris State Building
1515 Clay Street, Oakland, CA 94612

Commissioners Present:

John Frierson, Chairman
Dr. Van Buren Lemons
Michael Munoz
Linda Forster

Dr. Christopher Giza, Vice Chairman
Eugene Hernandez
Brian Edwards

Staff Present:

George Dodd, Executive Officer
Anita Scuri, Legal Counsel
Nichole Bowles, Student Assistant

Kathi Burns, Asst. Executive Officer
Karen Chappelle, Supervising Deputy
Attorney General

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

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

Agenda Item 2. Chairman's Report

a. Executive Officer Evaluation

Mr. Frierson stated that all commissioners were e-mailed instruction for completing the DCA executive officer evaluation on-line. He asked that all commissioners complete the evaluation by October 14, 2011, and that those commissioners not very familiar with George Dodd are expected to complete the evaluation to the best of their ability.

Agenda Item 3. Approval of Minutes

a. August 15, 2011

Commissioner Munoz asked that the word "recused" be changed to "abstained" for the motion in Agenda Item 6(b).

Anita Scuri recommended that the motion for agenda item 4(e) include the implementation date of January 1, 2012.

It was moved, seconded, and carried (M/S/C) to approve the August 15, 2011 commission meeting minutes with the above noted changes.

Agenda Item 4. Executive Officer's Report

a. Budget Update

Mr. Dodd reported that the budget looks good; however, the projections provided are based upon only two months of the fiscal year and are therefore limited.

b. Update on Status of Regulations

Kathi Burns reported that the regulations regarding hand wraps, rehabilitation criteria and number of rounds in a mixed martial arts event were disapproved by the Office of Administrative Law due to procedural errors. Corrections are being made for resubmission.

Any changes to actual language will be brought before the commission at the December 13, 2011 meeting. She summarized all current regulation proposals and referred the commissioners to the regulation summary sheet in their meeting packet and offered to answer questions.

c. Staff Recognition

Melissa Raposa, a CSAC office technician, was recognized by management for providing consistent quality services to the many stakeholders of the commission. A copy of the recognition letter was provided and placed in her personnel file.

Agenda Item 5. Public Comment on Items not on the Agenda

Mr. Englebrecht, promoter, stated that he had an outstanding relationship with Mr. Dodd and is very happy with the changes Mr. Dodd has made within the commission. He reported that he feels Mr. Dodd understands the business and looks at the issues facing the commission from all sides.

Agenda Item 6. License Reinstatement- Danny Batchelder

Mr. Batchelder was not present. A review of submitted documents revealed that Mr. Batchelder failed to submit the required application and; therefore, is not eligible for consideration at this time.

It was M/S/C to remove the item from the agenda due to the lack of a current license application.

Agenda Item 8. Request to Appeal Bout Decision

a. Whynaught vs. Martinez

Mr. Whynaught requested the commission change the "KO (Martinez)" decision to a "technical draw" due to a strike occurring after the bell sounded.

After reviewing the video of the bout and various statements from the fighter, commission staff, and the referee, the commission granted the appeal.

It was M/S/C 6:1 (Munoz opposed) to change the decision to a "technical draw."

b. Haskil vs. Santiago

Mr. Haskil requested the commission change "decision win (Santiago)" to "no decision" in light of Mr. Santiago's positive marijuana drug test.

It was M/S/C to change the "decision win (Santiago)" to "no decision."

Jason De La O, promoter, stated that he has noticed an increase in positive drug tests. Mr. De La O recommends that the commission order a fighter to repay any win bonuses that were awarded to the winning fighter if the winner tests positive for illegal drug use.

Mr. Engelbrecht suggested the conditions pertaining to win bonuses be outlined in the contract.

Agenda Item 7. New Promoter Application for Licensure – Executive Officer

a. Howes Entertainment, LLC Professional Promoter

Mr. Dodd stated that there have been no problems reported with Mr. Howes' events as a temporary promoter licensee. Mr. Dodd recommends granting licensure after Mr. Howes provides a financial statement signed by an accountant reflecting the LLC's assets equal \$50,000.00 or more.

It was M/S/C to grant a promoter's license to Mr. Howes contingent upon receipt of a signed financial statement indicating that Howes Entertainment, LLC has cash or liquid assets equaling at least \$50,000.00.

Agenda Item 9. Ethics Training (Open Meeting Act) – DCA Legal Counsel

Ms. Scuri encouraged those commissioners who have not attended the DCA Board Member Training to do so as the training is mandatory and must be completed within one year of appointment to the commission. Ms. Scuri covered rules regarding ethical conduct and decision making and reminded commissioners that they are not allowed to engage in meetings or discuss commission business where 3 or more commissioners are present, nor can they make decisions unless it is in a public setting and due notice has been provided to the public. She advised of the limitations of group e-mails and text messages as those fall into the category of a group meeting. Ms. Scuri also clarified how and when to recuse oneself from a motion and addressed when it's appropriate to hold a closed session.

Agenda Item 10. Medical Advisory Committee – Review of Minutes and Discussion

The committee meets next on November 6, 2011, in Sacramento and will report its activities to the commission at the December 13, 2011 meeting.

Agenda Item 11. Neurological Fund – History and Purpose of Fund

Mr. Dodd referred to the history of the Neurological Fund provided in the meeting packet and explained the limitations that exist regarding fund expenditures. Currently, it may not be possible to use the funds to pay for a study of neurological injuries. However, several options regarding the injury study and the payment and type of neurological exams needed are being explored by the Medical Advisory Committee. Recommendations from the committee will be provided at the December 13, meeting.

Agenda Item 12. Request to Set Regulatory Hearing – Amateur Boxing Rules

Concerns were raised regarding potential costs and consistency between CSAC and amateur unity rules.

It was M/S/C to table this item until staff provides further information regarding existing amateur boxing requirements and fiscal implications of further regulation.

Agenda Item 13. Agenda Items and Meeting Dates for Future Meetings

- Tentative 2012 commission meeting dates are: February 6, April 9, June 4, August 6, October 8, and December 3.
- Next commission meeting is December 13, in Los Angeles.
- Revisiting the 10 second rule.
- Officials update.
- Recovery of a win bonus when bout decision is changed.
- Regulation changes to amateur rules.
- Closed session: executive officer evaluation.

- Potential legislative proposals regarding increasing the amount of a fine the commission can issue for a violation and changing weigh-in times, once further study is conducted on dehydration.

Adjournment
