



CALIFORNIA STATE ATHLETIC COMMISSION

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Members of the Commission

John Carvelli, Chair
Mary Lehman, Vice Chair
Martha Shen-Urquidez
Van Gordon Sauter
Peer Villegas

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

CALIFORNIA STATE ATHLETIC COMMISSION

MEETING MINUTES

Friday, May 29, 2020

10:00 a.m. - Conclusion of Business

Location:

Teleconference

Commissioners Present

Chair John Carvelli
Vice Chair Mary Lehman
Commissioner Martha Shen-Urquidez
Commissioner Van Gordon Sauter
Commissioner Peter Villegas

Staff Present

Andy Foster, Executive Officer
Sophia Cornejo, Assistant EO
Patrisha Blackstock, Staff
Lee Palmer, Staff
Kenneth Swenson, Legal Counsel
Clay Jackson, Legal Counsel

OPEN SESSION

Agenda Item 1 – Call the meeting to Order / Roll Call / Pledge of Allegiance/ 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 Commission’s teleconference meeting. He stated an extraordinary amount of effort has gone into working on the emergency regulations that will be presented today as to ensure they can be passed, and in place, so combat sports can resume in California. Chair Carvelli added in addition to the Commission staff and the Department of Consumer Affairs, many others worked on the emergency regulations; Legal Counsel Clay Jackson, Legal Counsel Kenneth Swenson, Secretary Castro Ramirez, and the Governor’s Office. Chair Carvelli thanked everyone involved in the process.

Chair Carvelli mentioned during the down time, training has been held for Boxing and MMA officials and EO Foster and the Commission staff should be proud of all the training efforts.

Agenda Item 3- Election of Officers for 2020 Pursuant to the Requirements of Business and Professions Code section 18606.

*Commissioner Shen-Urquidez **motioned** to continue with the current officers: John Carvelli as Chair and Mary Lehman as Vice Chair.*

*Commissioner Villegas **seconded** the motion*

No other nominations were received.

No Commissioner or public comments received.

Vice Chair Lehman and Chair Carvelli accepted their nominations.

*The motion **passed** 5-0 by roll call vote.*

Agenda Item 4 – Approval of the December 17, 2019, Commission Meeting Minutes.

EO Foster presented the December 17, 2019, Commission meeting minutes for approval. Vice Chair Lehman submitted some changes, those changes were added to the record.

*Commissioner Shen-Urquidez **motioned** to approve the minutes with changes added.*

*Vice Chair Lehman **seconded** the motion.*

*The motion **passed** 4-0 by roll call vote with 1 **abstention** by Commissioner Villegas.*

Agenda Item 5- Review and Possible Action to Approve Proposed Procedures to Hold Combative Sporting Events without Live Audiences during Phase III of Governor Newsom's Resiliency Roadmap.

Chair Carvelli stated while there are two documents presented, one describing the procedures to be followed and the other being the regulation package, the Commission only needs to move forward with the regulation. Otherwise, there will be duplicative documents.

Agenda Item 6- Review and Possible Action to Approve Proposed Emergency Regulations Relating to Procedures to Hold Combative Sporting Events without Live Audiences during Phase III of Governor Newsom's Resiliency Roadmap.

EO Foster stated the regulation package was put together following the Commission's Stakeholders' meeting. The regulation package is referenced as an emergency regulation package, which will expedite the process of approval. Chair Carvelli stated the regulation

package was drafted for all infectious diseases by many experts, including the MAC, and will be something the Commission can utilize in the event other infectious diseases occur. Chair Carvelli added in addition to the agencies and people mentioned earlier, other departments were also involved, including the California Department of Public Health (CDPH) and the California Division of Occupational Health and Safety Administration (Cal/OSHA).

*Commissioner Shen-Urquidez **motioned** to find the adoption of a regulation relating to Procedures to Hold Combative Sporting Events When an Infectious Disease Causes a State of Emergency is necessary to address the emergency created by the COVID-19 epidemic; and to approve the text of the proposed emergency language to add Section 299.5 to Article 6 of Chapter 1 of Division 2 of Title 4 of the California Code of Regulations Procedures to Hold Combative Sporting Events When an Infectious Disease Causes a State of Emergency.*

*Commissioner Villegas **seconded** the motion.*

EO Foster informed the Commission many of the health and safety procedures referenced are from the Centers for Disease Control and Prevention (CDC) and CDPH. They are incorporated by reference in the regulation, should those guidelines change, the regulations will change with them. EO Foster presented and reviewed the proposed emergency regulations to the Commission.

After review and discussion of the proposed emergency regulations, the following sections were amended as follows (new text is underlined, and deleted text shown with ~~strikethrough~~):

Subsection (a) (7): “Personnel” is defined as person present at the Event in an essential capacity, including, but not limited to Commission personnel, promoter, promoter personnel, officials, athletes, seconds, media and television crew. ~~Personnel shall not include non-participating attendees to an Event, as deemed acceptable by the California Department of Public Health (CDPH) based on CDPH guidelines and subject to the sole approval of the Commission upon considering health risks to Personnel.~~

Subsection (b): The Promoter shall provide specific training, prior to the Event, on specific health and safety protocols for the infectious disease that is the subject of the then-current state of emergency declared by the State of California and shall certify, in writing, to the Commission that it meets or exceeds the then-applicable protocols deemed necessary and/or recommended by the CDC for the applicable infectious disease and in consultation with the CDPH and the Advisory Committee on Medical and Safety Standards [“Medical Advisory Committee” (MAC)].

Subsection (b)(2): As applicable to the subject infectious disease, eEnough disposable gloves or any other disposable items deemed necessary by the CDC for the applicable

infectious disease, shall be supplied by the Promoter to its Personnel to allow Personnel to change such items, as needed. All Personnel shall have their own face coverings supplied by the Promoter and shall not share. All Personnel, except for the athletes during their applicable bouts, contests, or matches, are required to wear a Face covering that covers their nose and mouth and any other areas recommended by the CDC for the applicable infectious disease. Promoter shall ensure that all Personnel wear gloves and face coverings in connection with their job functions, including the Host Accommodation(s) staff and the staff at the Venue and Event. Promoter shall train its Personnel on the proper use of face coverings, including:

Subsection (b)(3)(A): All Personnel present at the Event shall be subject to testing of the applicable infectious disease prior to the Event within a timeframe that is deemed acceptable by the Commission given the type of infectious disease and utilizing ~~the most a~~ reliable form of the test available prior to the Event as determined by the Executive Officer of the Commission in consultation with CDPH or its equivalent.

Subsection (b)(3)(H): Notwithstanding paragraph (G) above, any ~~non-essential~~ Personnel ~~to~~ deemed to be non-essential by the Commission for the weigh-in shall be allowed to arrive at the Host Accommodation(s) no later than 24-hours prior to the Event, so long as the non-essential weigh-in Personnel's only duties occur during the day of the Event and only after those non-essential Personnel's testing is negative for the subject infectious disease. All isolation and other activities described in paragraph (G) above shall apply to the non-essential weigh-in Personnel described in this paragraph.

Subsection (b)(4)(B)(1): All surfaces, including the ring or cage mat and padded areas shall be disinfected with disinfectants effective against coronaviruses and/or any other infectious disease that is the subject of the then-current state of emergency declared by the State of California and approved by the Environmental Protection Agency (EPA), according to product instructions, following each bout. Pursuant to California Code of Regulations, Title 4, Division 2, Chapter 1, Article 8, section 363, best efforts will be made to keep the mat in a non-slip condition between bouts.

Subsection (b)(4)(B)(3): In the corner, between rounds, best efforts shall be made to avoid potential transmission of the subject infectious disease to others outside of the ring.

Public Comments regarding the Proposed Emergency Regulations:

Rick Mirigian asked if a promoter deemed a sponsor, tribal council member or other person as essential personnel and they adhere to the regulations, can they attend. EO Foster stated the promoter has the right to deem what personnel is essential at the event.

Legal Counsel Clay Jackson stated based on the revision, personnel is defined as someone present in an essential capacity the promoter has deemed essential. Chair Carvelli stated the definition of "Personnel" as modified, includes all essential personnel

and covers the question asked by Mr. Mirigian. Commissioner Shen-Urquidez stated the more people at an event, the greater health and safety risk and economic risk to the Promoter.

Roy Englebrecht asked if item "B" meant the Promoter would have to cover all the costs of the testing for all the individuals allowed at the event. EO Foster stated that was correct. Mr. Englebrecht stated as a club promoter, he uses local athletes who don't normally require hotel rooms. He asked if that was still going to be possible. EO Foster stated all fighters and camps would have to stay at the host hotel to mitigate the spread of COVID-19.

Robert Gasparri asked if item "E" would allow any flexibility if a fight were to fall out after the 14 to 21-day testing window, and before the fight, for example, during fight week? Mr. Gasparri asked if the commission would permit the promoter to replace the fighter? EO Foster responded the Promoter would not be permitted to replace the fighter because the replacement fighter will not have been tested. EO Foster suggested Promoters submit backup fighters from the beginning and test them in case a fighter falls out.

Robert Gasparri asked if the venue used is attached to a hotel and the referees have a room with a shower would that meet the regulation? EO Foster stated it would, this is when the venue is away from the hotel.

Commissioner Sauter applauded the staff and others who worked on these regulations.

No further Commissioner or Public comments.

*Commissioner Shen-Urquidez **motioned** to find the adoption of a regulation relating the Procedures to Hold Combative Sporting Events When an Infectious Disease Causes a State of Emergency is necessary to address the emergency created by the COVID-19 epidemic; and Approve the text of the proposed emergency language, as amended, to add Section 299.5 to Article 6 of Chapter 1 of Division 2 of Title 4 of the California Code of Regulations Procedures to Hold Combative Sporting Events When an Infectious Disease Causes a State of Emergency.*

*Commissioner Villegas **seconded** the motion.*

*The motion **passed** 5-0 by roll call vote.*

Agenda Item 7– Public Comments on Items Not on the Agenda.

No Public Comments

Agenda Item 8-Next Meeting Scheduled for June 30,2020, via teleconference.

Chair Carvelli changed the next meeting from June 30, 2020, to June 16, 2020, via teleconference.

Agenda Item 9– ADJOURNMENT

Meeting Adjourned at 12:17 p.m.