



**Arizona State Board of Barbers**

1400 West Washington, Suite 220

Phoenix, Arizona 85007

(602) 542-4498

**AMENDED NOTICE AND AGENDA OF REGULAR MEETING  
OF THE ARIZONA BOARD OF BARBERS**

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Arizona Board Of Barbers (Board) and to the general public that the Board will hold a regular meeting open to the public on:

**Monday, March 16, 2015 at 9:30 a.m.**

**1400 West Washington**

**Conference Room B-1**

**Phoenix, Arizona 85007**

Title 2 of the Americans with Disability Act (ADA) prohibits the Board from discriminating on the basis of disability in its public meetings. Persons with a disability may request a reasonable accommodation by calling Mary Jane Jones at the Board office at 602-542-4498, or the TDD number at 800-367-8939. Requests should be made as early as possible to allow time to arrange the accommodation.

During the course of the meeting, the Board, upon a majority vote of a quorum of the members, may hold an executive session for the purposes of obtaining legal advice from the Board's attorney on any matter listed on the agenda pursuant to A.R.S. § 38-431.03 (A) (3). The executive session will be held immediately after the vote and will not be open to the public.

The agenda is subject to change up to 24 hours prior to the meeting. The Board Chairperson reserves the right to change the order of the items on the agenda, except for matters set for a specific time.

Please be aware that the Board may take action on any item listed on the agenda. Please note that any recommendations listed on the agenda are merely suggested Board actions. These recommendations do not become final until adopted by the Board. The Board has the authority to accept, reject, or modify any recommendations listed on the agenda.

**AGENDA**

**The Agenda for the meeting is as follows:**

- 1. Call to Order**
- 2. Roll Call**

**3. Declaration of Recusal or Conflict of Interest**

**4. Review, Discussion and Approval of Board Meeting Minutes for January 26, 2015**

**5. Review, Discussion and Legal Action on Formal Hearings.** Upon a majority vote of a quorum of the members, the Board may hold an executive session pursuant to A.R.S. § 38-431.03(A)(2), for the purposes of discussion or consideration of records exempt by law from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law.

<b>a.</b>	Case No:	<b>2014-042</b>	Inspection Report No.	<b>25201</b>
	Licensee:	<b>Ezequiel R Lopez</b>	License No(s):	<b>1274-E</b>
	Possible Violation(s):	<b>Allowing an employee to practice barbering with a lapsed license</b>		
	By Sam Barcelona	<b>Allowing an employee to practice barbering without posting a license</b>		
	Staff Report	<b>This shop has been closed and we cannot locate the owner.</b>		

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<b>b.</b>	Case No:	<b>2015-007</b>	Inspection Report No.	<b>25465</b>
	Licensee:	<b>Jose Gonzalez</b>	License No(s):	<b>5883</b>
	Possible Violation(s)	<b>Unsanitary work stand</b>		
	By Sam Barcelona			
	Staff Report	<b>Consent Agreement was signed and \$160 civil penalty paid.</b>		

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<b>c.</b>	Case No:	<b>2015-010</b>	Inspection Report No.	<b>25486</b>
	Licensee:	<b>Terrence Vyfhuis</b>	License No(s):	<b>5969</b>
	Possible Violation(s)	<b>unsanitary work stand and unsanitary tool drawer</b>		
	By Sam Barcelona			
	Staff Recommends	<b>\$100 civil penalty has been paid</b>		

**6. Review, Discussion and Legal Action on Informal Interviews.**

Upon a majority vote of a quorum of the members, the Board may hold an executive session pursuant to A.R.S. § 38-431.03(A)(2), for the purposes of discussion or consideration of records exempt by law from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law.

<b>a.</b>	Case No:	<b>2015-023</b>	Inspection Report No.	<b>25957</b>
	Licensee:	<b>Javier Perez</b>	License No(s):	<b>6086</b>
	Possible Violation(s)	<b>Unsanitary tool drawer</b>		
	By Joyce Voss			
	Staff Recommends	<b>Consent Agreement signed and \$50 civil penalty paid.</b>		

<b>b.</b>	Case No:	<b>2015-024</b>	Inspection Report No.	<b>25957</b>
	Licensee:	<b>John Gutierrez</b>	License No(s):	<b>6198</b>
	Possible Violation(s)	<b>Lapsed license</b>		
	By Joyce Voss			
	Staff Recommends	<b>Consent Agreement signed and \$160 civil penalty paid.</b>		

<b>c.</b>	Case No:	<b>2015-026</b>	Inspection Report No.	<b>25957</b>
	Licensee:	<b>Headliners Barber Shop LLC</b>	License No(s):	<b>0369-E</b>
	Possible Violation(s)	<b>2 employees working with a lapsed license</b>		
	By Joyce Voss			
	Staff Recommends	<b>Consent Agreement was accepted and civil penalty paid.</b>		

**d.** Case No: **2015-029** Inspection Report No. **25965**  
 Licensee: **Donneil L Perryman** License No(s).: **5525**  
 Possible Violation(s) **Inadequate dip sanitizer**  
 By Joyce Voss **Unsanitary tool drawer**  
 Staff Recommends **Consent Agreement was accepted and civil penalty paid.**

**e.** Case No: **2015-034** Inspection Report No. **25965**  
 Licensee: **Headliners Barber Shop** License No. **0447-E**  
**LLC**  
 Possible Violation(s) **3 employees working with a lapsed license**  
 By Joyce Voss  
 Staff Recommends **Consent Agreement accepted and civil penalty paid.**

**8. Review, Discussion and Legal Action on Consent Orders**

**a.** Case No: **2015-025** Inspection Report No. **25957**  
 Licensee: **David Gandarela** License No(s).: **2353**  
 Possible Violation(s) **Lapsed license**  
 By Joyce Voss **Inadequate dip sanitizer**  
 Staff Recommends **Certified mail was returned; regular mail was not. Response time is over.**

**b.** Case No: **2015-035** Inspection Report No. **25971**  
 Licensee: **Kareli E Ruiz** License No. **1149**  
 Possible Violation(s) **Unsanitary neck duster**  
 By Joyce Voss  
 Staff Recommends **Consent Agreement signed and civil penalty paid.**

**c.** Case No: **2015-038** Inspection Report No. **25971**  
 Licensee: **Jesus Uriarte** License No(s).: **0566-E**  
 Possible Violation(s) **Shop license not renewed**  
 By Joyce Voss **Overall condition of shop**  
 Staff Recommends **Certified mail and regular mail was not returned. Response was due 3-10-15.**

**d.** Case No: **2015-042** Inspection Report No. **26317**  
 Licensee: **Richard Frisbie** License No(s).: **130**  
 Possible Violation(s) **Unsanitary neck duster**  
 By Joyce Voss  
 Staff Recommends **Consent Agreement was signed and \$50 civil penalty paid.**

**e.** Case No: **2015-043** Inspection Report No. **26317**  
 Licensee: **Emma Alayeva** License No(s).: **1129**  
 Possible Violation(s) **Unsanitary tool drawer**  
 By Joyce Voss  
 Staff Recommends **Consent Agreement was signed and \$50 civil penalty paid.**

**9. Review, Discussion and Legal Action on Investigative and Inspection Reports.**

Upon a majority vote of a quorum of the members, the Board may hold an executive session pursuant to A.R.S. § 38-431.03(A)(2), for the purposes of discussion or consideration of records exempt by law from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law.

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|-----------|------------------------|---|-----------------------|-------|
| <b>a.</b> | Case No:               | 2015-110  | Inspection Report No. | 27617 |
|           | Licensee:              | Juan Gonzales   | License No(s):        | 5692  |
|           | Possible Violation(s): | Unsanitary brush  |                       |       |
|           | By Sam Barcelona       |   |                       |       |
|           | Staff Recommends       | Consent Agreement for Barber License No. 5692 with a \$100 civil penalty for working with an unsanitary brush for a <u>total of a \$100 civil penalty</u> , this consent agreement to be returned within 21 days and the civil penalty to be due 60 days after the acceptance of the consent agreement, and if the consent agreement is not approved or the civil penalty is not paid, an informal interview will be scheduled. .   |                       |       |
|           |                        |   |                       |       |
| <b>b.</b> | Case No:               | 2015-111  | Inspection Report No. | 27617 |
|           | Licensee:              | Gabriel Villegas  | License No(s):        | 241   |
|           | Possible Violation(s): | Unsanitary brush  |                       |       |
|           | By Sam Barcelona       |   |                       |       |
|           | Staff Recommends       | Consent Agreement for Barber License No. 241 with a \$100 civil penalty for working with an unsanitary brush for a <u>total of a \$100 civil penalty</u> , this consent agreement to be returned within 21 days and the civil penalty to be due 60 days after the acceptance of the consent agreement, and if the consent agreement is not approved or the civil penalty is not paid, an informal interview will be scheduled. .  |                       |       |
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| <b>c.</b> | Case No:               | 2015-112  | Inspection Report No. | 27617 |
|           | Licensee:              | Cesar Alcantar  | License No(s):        | 4507  |
|           | Possible Violation(s): | Unsanitary brush  |                       |       |
|           | By Sam Barcelona       |   |                       |       |
|           | Staff Recommends       | Consent Agreement for Barber License No. 4507 with a \$100 civil penalty for working with an unsanitary brush for a <u>total of a \$100 civil penalty</u> , this consent agreement to be returned within 21 days and the civil penalty to be due 60 days after the acceptance of the consent agreement, and if the consent agreement is not approved or the civil penalty is not paid, an informal interview will be scheduled. .   |                       |       |
|           |                        |   |                       |       |
| <b>d.</b> | Case No:               | 2015-113  | Inspection Report No. | 27617 |
|           | Licensee:              | Juan Munoz  | License No(s):        | 5876  |
|           | Possible Violation(s): | Unsanitary workstand  |                       |       |
|           | By Sam Barcelona       | Unsanitary brush  |                       |       |
|           | Staff Recommends       | Consent Agreement for Barber License No. 5876 with a \$50 civil penalty for working with an unsanitary workstand and a \$100 civil penalty for working with an unsanitary brush for a <u>total of a \$150 civil penalty</u> , this consent agreement to be returned within 21 days and the civil penalty to be due 60 days after the acceptance of the consent agreement, and if the consent agreement is not approved or the civil penalty is not paid, an informal interview will be scheduled. . |                       |       |

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- e.** Case No: 2015-114 Inspection Report No. 27617  
 Licensee: Kyra Whitten License No(s): 0118-E  
 Possible Violation(s): Unlicensed barber  
 By Sam Barcelona Overall condition of shop  
 Staff Recommends Consent Agreement for Establishment License No. 0118-E with a \$500 civil penalty for employing an unlicensed barber and \$100 civil penalty for the overall condition of the shop for a total of a \$600 civil penalty, this consent agreement to be returned within 21 days and the civil penalty to be due 60 days after the acceptance of the consent agreement, and if the consent agreement is not approved or the civil penalty is not paid, an informal interview will be scheduled. .
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- f.** Case No: 2015-115 Inspection Report No. 27638  
 Licensee: Jose J Ahumada License No(s): 3954  
 Possible Violation(s): Lapsed License  
 By Sam Barcelona License not posted  
 Unsanitary brush  
 Staff Recommends Consent Agreement for Barber License No. 3954 with a \$160 civil penalty for working with a lapsed license, a \$100 civil penalty for working without posting a license and a \$100 civil penalty for working with an unsanitary brush for a total of a \$360 civil penalty, this consent agreement to be returned within 21 days and the civil penalty to be due 60 days after the acceptance of the consent agreement, and if the consent agreement is not approved or the civil penalty is not paid, an informal interview will be scheduled. .
- g.** Case No: 2015-116 Inspection Report No. 27638  
 Licensee: Jacob A Galvez License No(s): 448  
 Possible Violation(s): Lapsed License  
 By Sam Barcelona Unsanitary tool drawer  
 Unsanitary brush  
 Staff Recommends Consent Agreement for Barber License No. 448 with a \$160 civil penalty for working with a lapsed license, a \$50 civil penalty for working with an unsanitary tool drawer and a \$100 civil penalty for working with an unsanitary brush for a total of a \$310 civil penalty, this consent agreement to be returned within 21 days and the civil penalty to be due 60 days after the acceptance of the consent agreement, and if the consent agreement is not approved or the civil penalty is not paid, an informal interview will be scheduled. .
- h.** Case No: 2015-117 Inspection Report No. 27638  
 Licensee: John A Perales License No(s): 3055  
 Possible Violation(s): Lapsed License  
 By Sam Barcelona License not posted  
 Staff Recommends Consent Agreement for Barber License No. 3055 with a \$160 civil penalty for working with a lapsed license, and a \$100 civil penalty for working without posting a license for a total of a \$260 civil penalty, this consent agreement to be returned within 21 days and the civil penalty to be due 60 days after the acceptance of the consent agreement, and if the consent agreement is not approved or the civil penalty is not paid, an informal interview will be scheduled. .

- i.** Case No: 2015-118 Inspection Report No. 27638  
Licensee: Eduardo Morales License No(s): 1615-E  
Possible Violation(s): 3 Lapsed License  
By Sam Barcelona 2 License not posted  
Staff Recommends Consent Agreement for Establishment License No. 1615-E with a \$300 civil penalty for 3 employees working with a lapsed license, and a \$200 civil penalty for 2 employees working without posting a license for a total of a \$500 civil penalty, this consent agreement to be returned within 21 days and the civil penalty to be due 60 days after the acceptance of the consent agreement, and if the consent agreement is not approved or the civil penalty is not paid, an informal interview will be scheduled. .

**10. Review, Discussion and Legal Action on General Agency Operations.**

**a. Report from Assistant Attorney General**

**b. Report from Executive Director**

**i. Executive Order 2015-01**

**ii. Five-Year Review Report to Governor’s Regulatory Review Council**

**11. Establishment of Future Meeting Dates**

**a. May 18, 2015**

**13. Call to the Public**

The Board may make an open call to the public during the meeting, subject to reasonable time, place, and manner restrictions, to allow individuals to address the Board on any issue within its jurisdiction. Those wishing to address the Board should fill out a speaker request form. Pursuant to A.R.S. § 38-431.01 (H), members of the Board are not allowed to discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action. However, the Board may ask staff to review a matter or may ask that a matter be placed on a future agenda.

**14. Discussion of Items to be placed on a future meeting agenda**

**15. Adjournment**

**16. POSTED March 12, 2015**