



Arizona State Board of Barbers
1400 West Washington, Suite 220
Phoenix, Arizona 85007
(602) 542-4498

**AMENDED 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, July 11, 2016 at 9:30 a.m.
1400 West Washington
Conference Room B-2
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 Conflicts of Interest Recusal -- A.R.S. § 38-503

4. Review, Discussion and Approval of Board Meeting Minutes

- a. Discussion and approval of the Open Session Minutes from the May 23, 2016 Board Meeting

5. 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.

6. Review, Discussion and Possible 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.

None

7. Informal Interviews for the Review, Discussion and Possible Action on Informal Interview Cases that have been paid and are recommended for closure. The Consent Agenda items may be considered for approval as a single action unless a Board member or any other interested party wishes to remove an item for discussion.

<u>Case No.</u>	<u>Licensee</u>	<u>License #</u>	<u>Amt Pd</u>
a. 2015-071	Raudel Macias	528	\$ 50
b. 2015-079	Marina Martinez	2768	\$200
c. 2015-082	B Christina Zavala	3563	\$100
d. 2016-024	Juan Cuevas	4462	\$100
e. 2016-025	Ruth Camacho	1146-E	\$100

8. Review, Discussion and Possible 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.

Agenda – July 11, 2016

- a.** Case No: **2015-077** Inspection Report No. **26682 on 10/23/2014**
 Licensee: **Maria De Lourdes Saldana** License No(s): **3637**
 Possible Violation(s): **lapsed license, license not posted**
 By Joyce Voss
 Staff Report **Certified and regular mail sent to home address and by regular mail to shop on 5/20/16. Certified mail to home was accepted 5/23/2016 by (signature illegible). Response date was 5/30/2016.**
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- b.** Case No: **2015-087** Inspection Report No. **27110 on 12/18/2014**
 Licensee: **Christian Munive** License No(s): **3487**
 Possible Violation(s): **with an unsanitary tool drawer and a dirty neck duster**
 By Joyce Voss
 Staff Report **Certified and regular mail sent to home address and by regular mail to shop on 5/20/16. Certified mail was returned marked "attempted--not known" -- the envelope was returned but the green card was missing.**
- c.** Case No: **2015-088** Inspection Report No. **27110 on 12/18/2014**
 Licensee: **Xavier Sotelo** License No(s): **6047**
 Possible Violation(s): **with an inadequate wet sanitizer and an unsanitary workstation**
 By Joyce Voss
 Staff Report **Certified and regular mail sent to shop address on 5/20/16. Certified mail was accepted 5/23/2016 by Daniel Martinez. Response was due 6/7/2016.**
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- d.** Case No: **2015-109** Inspection Report No. **26969 on 11/12/2014**
 Licensee: **Manuel Mejias** License No(s): **6040 & 0521-E**
 Possible Violation(s): **For Barber License No. 6040--license not current; practicing in an unlicensed shop; For Establishment License No. 0521-E--operating a shop without a license**
 By Joyce Voss
 Staff Report **Certified and regular mail sent to shop address on 5/20/16. Both were returned marked vacant.**
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- e.** Case No: **2016-010** Inspection Report No. **28353 on 7/29/2015**
 Licensee: **Francis Fazio** License No(s): **446**
 Possible Violation(s): **unsanitary workstation, unsanitary tool drawer**
 By Joyce Voss
 Staff Report **Certified and regular mail sent to home address and by regular mail to shop on 5/20/16. Certified mail was accepted by Francis Fazio on 6/17/2016. We have received a response and he plans to attend the Interview.**
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- Case No: **2016-020** Inspection Report No. **28386 on 8/6/2015**

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f. Licensee: **Charles Muhammad** License No(s): **4823**
Possible Violation(s): **inadequate dip sanitizer**
By Joyce Voss
Staff Report **Certified and regular mail sent to home address and by regular mail to shop on 5/20/16. Certified mail was accepted 5/23/2016 by Boyjrak Muhammad. Response was due 6/7/2016.**

g. Case No: **2016-021** Inspection Report No. **28386 on 8/6/2015**
Licensee: **Anthony Washington** License No(s): **1490**
Possible Violation(s): **unsanitary tool drawer**
By Joyce Voss
Staff Report **Certified and regular mail sent to home address and by regular mail to shop on 5/20/16. Both envelopes to home address were returned. Response was due 7/12/2016.**

h. Case No: **2016-028** Inspection Report No. **28284 on 6/24/2015**
Licensee: **David F Lopez** License No(s): **5861**
Possible Violation(s): **dirty neck duster**
By Sam LaBarbera
Staff Report **Certified and regular mail sent to home address and by regular mail to shop on 5/20/16. Certified mail was accepted by (signature illegible) on 5/23/2016. Response was due 6/7/2016.**

i. Case No: **2016-029** Inspection Report No. **28284 on 6/24/2015**
Licensee: **Jose C Borboa** License No(s): **5948**
Possible Violation(s): **inadequate dip sanitizer**
By Sam LaBarbera
Staff Report **Certified and regular mail sent to home address and by regular mail to shop on 5/20/16. Certified mail was accepted by (signature illegible) on 5/23/2016. Response was due 6/7/2016. He plans to attend the Interview.**

j. Case No: **2016-030** Inspection Report No. **28284 on 6/24/2015**
Licensee: **Jose D Burboa** License No(s): **1391**
Possible Violation(s): **dirty neck duster**
By Sam LaBarbera
Staff Report **Certified and regular mail sent to home address and by regular mail to shop on 5/20/16. Both mailings to home address were returned marked "attempted--unknown". Response was due 6/12/2016.**

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k. Case No: **2016-031** Inspection Report No. **28284 on 6/24/2015**
Licensee: **Eladio Burboa** License No(s): **0805-E**
Possible Violation(s): **unlicensed barber, 2 dirty neck dusters**
By Sam LaBarbera
Staff Report
Certified and regular mail sent to shop on 5/20/16. Certified mail was accepted by (signature illegible) on 5/23/2016. Response was due 6/7/2016.

l. Case No: **2016-033** Inspection Report No. **28495 on 8/26/2015**
Licensee: **Manuel Ortiz** License No(s): **3994**
Possible Violation(s): **lapsed license**
By Joyce Voss
Staff Report
Certified and regular mail sent to home address and by regular mail to shop on 5/20/16. Certified mail was accepted by I T Ortiz on 5/24/2016. Manuel Ortiz telephoned the office to inform us he has been living in Washington for many years. He owns his own shop there. His accounting firm sent a letter verifying this information.

m. Case No: **2016-037** Inspection Report No. **28569-28570 on 9/30/2015**
Licensee: **Alfonso Orozco** License No(s): **6296**
Possible Violation(s): **unsanitary workstation, excess trash, inadequate dip sanitizer**
By Joyce Voss
Staff Report
Certified and regular mail sent to home address and by regular mail to shop on 5/20/16. The USPS tracking systems says certified mail was delivered 6/13/2016 and left with an individual, however it was returned to us marked "return to sender". Response

n. Case No: **2016-040** Inspection Report No. **28559-29560 on 9/29/2015**
Licensee: **Andre Rodriguez** License No(s): **1332**
Possible Violation(s): **unsanitary work station**
By Joyce Voss
Staff Report
Certified and regular mail sent to home address and by regular mail to shop on 5/21/16. The USPS tracking systems says certified mail was delivered 6/26/2016 and left with an individual; however, all three envelopes were returned Response was due 7/11/2

9. Consent Agenda for the Review, Discussion and Possible Action on Consent Agreements

a.	Case No:	2016-076	Inspection Report No.	29209 on 12-31-2015
	Licensee:	Manuel Ortiz	License No(s):	3994
	Possible Violation(s):	Lapsed license		
	By Sam Barcelona	License not posted		
	Staff Report	Certified and regular mail sent to home address and by regular mail to shop on 5/20/16. Certified mail was accepted by I T Ortiz on 5/24/2016. Manuel Ortiz telephoned the office to inform us he has been living in Washington for many years. He owns his own shop there. His accounting firm sent a letter verifying this information.		

10. Consent Agenda for the Review, Discussion and Possible Action on Investigative Reports: Cases recommended for disciplinary consent agreements. The Consent Agenda items may be considered for approval as a single action unless a Board member or any other interested party wishes to remove an item for discussion. If the Board moves to offer a consent agreement to any or all of the following cases, each consent agreement that is accepted is to be returned within 21 days of receipt and the civil penalty is 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.

None

11. Report from the Assistant Attorney General – the Board may review and discuss the listed items:

- a.** Cash payments of fees
- b.** Board generated complaints for non-compliance/timely compliance
- c.** Dual citations for licensed barber and supervisor/holder of license to operate a shop
- d.** Invalid consents; service
- e.** Cease and desist; injunctive relief for unlicensed barber
- f.** Inspection of barber schools
- g.** DES/DCSS update

12. Report from the Executive Director – the Board may review and discuss the listed items:

- a.** Website reviewed
- b.** IT network possibilities
- c.** Independent contractors vs employees and their implications for inspections
- d.** School deficiencies and alternatives
- e.** Instructor’s examinations
- f.** Request from the Department of Economic Security regarding child support
- g.** Update on personnel changes –
- h.** Changes in mailing procedures and certified mail

13. Discussion of items to be placed on a future meeting agenda.

14. **Discussion of Future Meeting Dates – September 12, 2016**
15. **Motion to Adjourn**
16. **POSTED** July 7, 2016