



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, September 12, 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 July 11, 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 Paid Civil Penalties.

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.

- a. 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 **The \$100 civil penalty has been paid.**

- b. 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 **The \$100 civil penalty has been paid..**

7. 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.

a. Case No: **2016-003** Inspection Report No. **28089 on 7/17/15**
 Licensee: **Aaron W Johnson** License No(s): **1223**
 Possible Violation(s): **working with a lapsed license, working without posting a license**
 By Joyce Voss
 Staff Report **Certified and regular mail sent to home and to shop on 7-14-2016. All mailings were returned.**

b. Case No: **2016-004** Inspection Report No. **28089 on 7/17/15**
 Licensee: **Jose Vasconcelos** License No(s): **0710-E**
 Possible Violation(s): **employee working with a lapsed license and that license not posted, unlicensed person**
 By Joyce Voss
 Staff Report **Certified and regular mail sent to home and to shop on 7-14-2016. All mailings were returned.**

c. Case No: **2016-005** Inspection Report No. **28385 on 8/6/15**
 Licensee: **Jose Vasconcelos** License No(s): **4665**
 Possible Violation(s): **unsanitary workstation, unsanitary tool drawer**
 By Joyce Voss
 Staff Report **Certified and regular mail sent to home and to shop on 7-14-2016. All mailings were returned.**

d. Case No: **2016-021** Inspection Report No. **28386 on 8/6/15**
 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 and to shop on 7-14-2016. Regular mail was returned. Both certified envelopes were returned.**

e. Case No: **2016-037** Inspection Report No. **28569-28570 on 9/30/15**
 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 and to shop on 7-14-2016. Certified mail to home received 7/16/2016 by (illegible). Certified mail to shop was returned.**

f. Case No: **2016-040** Inspection Report No. **28559-28560 on 9/29/15**
 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 and to shop on 7-14-2016. Certified mail to shop received 7/16/2016 by Art Martinez. Both letters to home and letter to shop were returned.**

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.

a.	Case No:	2015-062	Inspection Report No.	26157 on 8/7/14
	Licensee:	Gerardo Magdalena	License No(s):	1489&1129-E
	Possible Violation(s): By Sam Barcelona Staff Report	For Barber License No. 1489--tools left out; For Establishment License No. 119-E--dirty sinks and overall condition of shop Consent Agreement signed 1-12-2016. \$200 civil penalty is due 3-17-2016. Informal Hearing Notice was hand delivered and accepted 8-4-2016.		

b.	Case No:	2016-064	Inspection Report No.	27928 on 5/20/15
	Licensee:	Gerardo Magdalena	License No(s):	1489 & 1129-E
	Possible Violation(s): By Sam Barcelona Staff Report	For Barber License No. 1489 license not posted, inadequate dip sanitizer and dirty neck duster For Establishment License No. 1129-E dirty neck duster Consent Agreement signed 1-12-2016. \$410 civil penalty is due 3-17-2016. Informal Hearing Notice was hand delivered and accepted 8-4-2016.		

9. 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.

a.	Case No:	2017-001	Inspection Report No.	29854 on 4/20/16
	Licensee:	Carlos Cedano	License No(s):	1812
	Possible Violation(s): By Sam Barcelona Staff Report	unsanitary workstation Consent Agreement for Barber License No. 1812 with a \$50 civil penalty for a dirty workstation for a total of a \$50 civil penalty.		

b.	Case No:	2017-002	Inspection Report No.	29854 on 4/20/16
	Licensee:	Michael Lamb	License No(s):	5276
	Possible Violation(s): By Sam Barcelona Staff Report	unsanitary workstation, dirty brush Consent Agreement for Barber License No.5276 with a \$50 civil penalty for working with an unsanitary workstationand a \$100 civil penalty for working with a dirty neck duster for a total of a \$150 civil penalty.		

c. Case No: **2017-003** Inspection Report No. **29854 on 4/20/16**
 Licensee: **Kelvin Kimble** License No(s): **3858**
 Possible Violation(s): **unsanitary workstation**
 By Sam Barcelona
 Staff Report **Consent Agreement for Barber License No. 3858 with a \$50 civil penalty for a dirty workstation for a total of a \$50 civil penalty.**

d. Case No: **2017-004** Inspection Report No. **29854 on 4/20/16**
 Licensee: **Liberty Barbershop AZ #1 LLC** License No(s): **1460-E**
 Possible Violation(s): **2 dirty neck dusters**
 By Sam Barcelona
 Staff Report **Consent Agreement for Establishment License No1460-E with a \$100 civil penalty for each of two dirty neck dusters for a total of a \$200 civil penalty.**

e. Case No: **2017-005** Inspection Report No. **29877 on 5/4/16**
 Licensee: **Carlos Quezada** License No(s): **1241**
 Possible Violation(s): **unsanitary workstation and dirty brush**
 By Sam Barcelona
 Staff Report **Consent Agreement for Barber License No.1241 with a \$50 civil penalty for working with an unsanitary workstationand a \$100 civil penalty for working with a dirty neck duster for a total of a \$150 civil penalty.**

f. Case No: **2017-006** Inspection Report No. **29877 on 5/4/16**
 Licensee: **Salvador Quezada Jr** License No(s): **3867**
 Possible Violation(s): **dirty neck duster**
 By Sam Barcelona
 Staff Report **Consent Agreement for Barber License No.3867 with a \$100 civil penalty for working with a dirty neck duster for a total of a \$100 civil penalty.**

g. Case No: **2017-007** Inspection Report No. **29877 on 5/4/16**
 Licensee: **Original Barber LLC** License No(s): **1684-E**
 Possible Violation(s): **2 dirty neck dusters**
 By Sam Barcelona
 Staff Report **Consent Agreement for Establishment License No 1684-E with a \$100 civil penalty for each of two dirty neck dusters for a total of a \$200 civil penalty.**

h. Case No: **2017-008** Inspection Report No. **29881 on 5/4/16**
 Licensee: **Jaime J Castaneda** License No(s): **6252**
 Possible Violation(s): **inadequate dip sanitizer and unsanitary workstation**
 By Sam Barcelona
 Staff Report **Consent Agreement for Barber License No. 6252 with a \$50 civil penalty for an inadequate wet sanitizer and a \$50 civil penalty for an unsanitary workstation for a total of a \$100 civil penalty.**

- i.** Case No: **2017-009** Inspection Report No. **29881 on 5/4/16**
Licensee: **Maria Hernandez** License No(s): **2298**
Possible Violation(s): **lapsed license, unsanitary workstatiion and a dirty neck duster**
By Sam Barcelona
Staff Report **Consent Agreement for Barber License No. 2298 with a \$50 civil penalty for an inadequate wet sanitizer and a \$50 civil penalty for an unsanitary workstation and a \$100 civil penalty for a dirty neck duster for a total of a \$200 civil penalty.**
- j.** Case No: **2017-010** Inspection Report No. **29881 on 5/4/16**
Licensee: **DMND Kutz LLC** License No(s): **0773-E**
Possible Violation(s): **dirty neck duster**
By Sam Barcelona
Staff Report **Consent Agreement for Establishment License No 0773-E with a \$100 civil penalty fora dirty neck duster for a total of a \$100 civil penalty.**

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

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

- a. School meeting
- b. Website reviewed
- c. IT network possibilities
- d. Grounds for recusal
- e. Proof of illegal activity
- f. Jurisdiction over students
- g. Closure of Elite Hairstyling Barber College
- h. Representative from Elite Hairstyling Barber College
- i. School deficiencies and possible fines
- j. Meeting with Attorney General on 9-6-2016

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

13. Discussion of Future Meeting Dates – November 14, 2016

14. Motion to Adjourn

15. POSTED September 8, 2016