



Arizona State Board of Barbers

**1400 West Washington, Suite 220
Phoenix, Arizona 85007
(602) 542-4498**

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 31, 2017 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. Election of Officers

4. Declaration of Conflicts of Interest Recusal -- A.R.S. § 38-503

5. Review, Discussion and Approval of Board Meeting Minutes

- a. Discussion and approval of the Open Session Minutes from the May 22, 2017 Board Meeting

6. Mike Witt request to speak to the Board regarding legislation and the state of barbering in Arizona

7. 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.

8. 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

9. 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.

None

10. Review, Discussion and Possible Action on Paid Civil Penalties

- a. Case No. 2016-066 Josif Yakubov \$100 civil penalty has been paid

- b.** Case No. 2016-095 Executive Towers Barber Shop \$100 civil penalty has been paid
- c.** Case No. 2016-104 Mauricio Castro \$50 civil penalty has been paid
- d.** Case No. 2016-138 Rafael Khasanov \$50 civil penalty has been paid

11. 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:	2017-020	Inspection Report No.	30561 on 10/13/16
Licensee:	Miguel Cruz	License No(s):	4701
Possible Violation(s): By Bruce Bueno Staff Recommends	working with lapsed license and license not posted		
	Consent Agreement for Barber License No. 4701 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 \$260 civil penalty.		

- b.**

Case No:	2017-021	Inspection Report No.	30561 on 10/13/16
Licensee:	Melissa Chavez	License No(s):	1073-E
Possible Violation(s): By Bruce Bueno Staff Recommends	lapsed shop license, employee with lapsed license, employee license not posted		
	Consent Agreement for Establishment License No. 1073-E with a \$250 civil penalty for operating an establishment without a current license, a \$100 civil penalty for an employee working without a current license and a \$100 for an employee working without posting a license for a total \$450 civil penalty.		

- c.**

Case No:	2017-022	Inspection Report No.	31166 on 3/23/17
Licensee:	Miguel Cruz	License No(s):	4701
Possible Violation(s): By Bruce Bueno Staff Recommends	working with lapsed license and license not posted		
	Consent Agreement for Barber License No. 4701 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 \$260 civil penalty.		

- d.**

Case No:	2017-023	Inspection Report No.	31166 on 3/23/17
Licensee:	Melissa Chavez	License No(s):	1073-E
Possible Violation(s): By Bruce Bueno Staff Recommends	lapsed shop license, shop license not posted, employee with lapsed license, employee licenses not posted		
	Consent Agreement for Establishment License No. 1073-E with a \$250 civil penalty for operating an establishment without a current license, with a \$100 civil penalty for operating an establishment without posting a license, a \$100 civil penalty for an employee working without a current license and a \$100 for an employee working without posting a license for total \$550 civil penalty.		

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| Case No: | 2018-001 | Inspection Report No. | 31488 on
5/5/17 |
| Licensee: | Noe Sandoval | License No(s): | 0469-E |
| Possible Violation(s):
By Joyce Voss
Staff Recommends | 1 unlicensed barber, 1 employee with lapsed license, 1 license not posted

Consent Agreement for Establishment License 0469-E for a \$500 civil penalty for an unlicensed barber, \$100 civil penalty for employee working with a lapsed license and \$100 civil penalty for unposted license for a <u>total \$700 civil penalty.</u> | | |
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| Case No: | 2018-002 | Inspection Report No. | 31552 on
5/10/17 |
| Licensee: | Luis Santos | License No(s): | 1270-E |
| Possible Violation(s):
By Joyce Voss
Staff Recommends | 1 unlicensed barber, 2 employees working without posting a license

Consent Agreement for Establishment License No 1270-E with a \$500 civil penalty for an unlicensed barber and a \$200 civil penalty for 2 employees working without posting a license for a <u>total \$700 civil penalty.</u> | | |
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| Case No: | 2018-003 | Inspection Report No. | 31467 on
5/3/17 |
| Licensee: | Jeanette Jazquez | License No(s): | 1612-E |
| Possible Violation(s):
By Bruce Bueno
Staff Recommends | 2 unlicensed barbers, 3 inadequate dip sanitizers, 1 inadequate spray disinfectant, 1 dirty brush

Consent agreement for Establishment License 1612-E a civil penalty of \$1,000 for two unlicensed barbers, a \$150 civil penalty for three employees working with an inadequate dip sanitizer, a \$100 civil penalty for an employee working with a dirty neck duster and a \$50 civil penalty for employee with an inadequate spray disinfectant for a <u>total \$1,300 civil penalty.</u> | | |
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| Case No: | 2018-004 | Inspection Report No. | 31466 on
5/3/17 |
| Licensee: | Antonio F Ayala | License No(s): | 0256-E |
| Possible Violation(s):
By Bruce Bueno
Staff Recommends | 1 unlicensed barber, 1 barber with lapsed license

Consent Agreement for Establishment License 0256-E a \$500 civil penalty for an unlicensed barber and \$100 civil penalty for an employee working with a lapsed license for a <u>total \$600 civil penalty</u> | | |
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| Case No: | 2018-005 | Inspection Report No. | 31463 on
5/3/17 |
| Licensee: | Matthew A Gallegos | License No(s): | 1204-E |
| Possible Violation(s):
By Bruce Bueno
Staff Recommends | 1 employee with a lapsed license, 2 employees with a license not posted

Consent Agreement for Establishment License No. 1204-E with a \$100 civil penalty for an employee working with a lapsed license and a \$200 civil penalty for two employees working without posting a license for a <u>total \$300 civil penalty.</u> | | |
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| Case No: | 2018-006 | Inspection Report No. | 31433 on |
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| Licensee: | Angel Flores | License No(s): | 4/26/17
0752-E |
| Possible Violation(s):
By Bruce Bueno | Operating an unlicensed barber shop, barber shop license not posted, 3 employees with lapsed license and 1 employee without a license posted | | |
| Staff Recommends | Consent Agreement for Establishment License 0752-E with a \$250 civil penalty for operating a barber shop without a current license, a \$100 for not posting a barber shop license, a \$300 civil penalty for 3 employees working with a lapsed license and a \$100 civil penalty for an employee not posting a license for a <u>total \$750 civil penalty.</u> | | |
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| Case No: | 2018-007 | Inspection Report No. | 31420 on
4/25/17 |
| Licensee: | Ace of Fades Barbershop
LLC | License No(s): | 1173-E |
| Possible Violation(s):
By Bruce Bueno | 2 employees with lapsed license, 2 employees with no posted license, 7 employees with inadequate dip sanitizer | | |
| Staff Recommends | Consent Agreement for Establishment License 1173-E with a \$200 civil penalty for 2 employees working with a lapsed license, a \$200 civil penalty for 2 employees working without a posted license and a \$350 civil penalty for 7 employees working with inadequate dip sanitizer for a <u>total \$750 civil penalty.</u> | | |
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| Case No: | 2018-008 | Inspection Report No. | 32424 on
4/25/17 |
| Licensee: | Headliners Barber Shop
LLC | License No(s): | 0422-E |
| Possible Violation(s):
By Bruce Bueno | Shop license not posted, 3 employees with lapsed license, 1 employee with unposted license, 1 inadequate spray disinfectant, 3 employees with dirty brushes | | |
| Staff Recommends | Consent Agreement for Establishment License 0422-E with a \$100 civil penalty for unlicensed shop license, \$300 civil penalty for 3 employees working with lapsed licenses, \$100 civil penalty for 1 employee with unposted license, \$50 civil penalty for 1 employee with inadequate spray disinfectant and \$300 for 3 employees with dirty brushes for a <u>total \$850 civil penalty.</u> | | |
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| Case No: | 2018-009 | Inspection Report No. | 31512 on
5/9/17 |
| Licensee: | Juventino F Morales | License No(s): | 0875-E |
| Possible Violation(s):
By Joyce Voss | unlicensed barber, 1 lapsed license, 1 unposted license, 2 unsanitary tool drawer | | |
| Staff Recommends | Consent Agreement for Establishment License 0875-E with a \$500 civil penalty for an unlicensed barber, a \$100 civil penalty for 1 lapsed license, \$100 civil penalty for 1 unposted license and \$100 for 2 unsanitary tool drawer for a <u>total \$800 civil penalty.</u> | | |

- n.** Case No: **2018-010** Inspection Report No. **31510 on 5/9/17**
 Licensee: **Douglas A Morales** License No(s): **1570-E**
 Possible Violation(s): **lapsed barber shop license, inadequately supplied bathroom, 1 employee with lapsed license, 1 employee with unposted license, 2 employees in inadequate dip sanitizers, 3 employees with unsanitary tool drawer**
 By Joyce Voss
 Staff Recommends **Consent Agreement for Establishment License 1570-E with a \$100 civil penalty for unposted barber shop license, \$100 for inadequately supplied bathroom, \$100 for employee with a lapsed license, a \$100 for employee with unposted license, \$100 for 2 inadequate dip sanitizers and \$150 for 3 unsanitary tool drawers for a total \$650 civil penalty.**
- o.** Case No: **2018-011** Inspection Report No. **31723 on 6/1/17**
 Licensee: **Original Barber LLC** License No(s): **1684-E**
 Possible Violation(s): **1 employee with a lapsed license, 1 employee with an unposted license, 4 employees with inadequate dip sanitizer, 1 employee with unsanitary tool drawer, 1 dirty neck duster**
 By Bruce Bueno
 Staff Recommends **Consent Agreement for Establishment License 1684-E with a \$100 civil penalty for 1 employee working with a lapsed license, a \$00 civil penalty for employee working with an unposted license and a \$200 civil penalty for 4 employees working with inadequate dip sanitizer, a \$50 civil penalty for an unsanitary tool drawer and \$100 civil penalty for a dirty neck duster for a total \$550 civil penalty.**
- p.** Case No: **2018-012** Inspection Report No. **31655 on 6/9/17**
 Licensee: **Bogie J Rodriguez** License No(s): **0080-E**
 Possible Violation(s): **2 employees with a lapsed license**
 By Bruce Bueno
 Staff Recommends **Consent Agreement for Establishment License 0080-E with a \$200 total penalty for 2 employees working with a lapsed license.**
- q.** Case No: **2018-013** Inspection Report No. **31743 on 6/8/17**
 Licensee: **Cerrone Burton** License No(s): **1262-E**
 Possible Violation(s): **1 employee with a lapsed license, 4 employees with an inadequate dip sanitizer, 1 dirty neck duster**
 By Bruce Bueno
 Staff Recommends **Consent Agreement for Establishment License 1262-E with a \$100 civil penalty for an employee working with a lapsed license, a \$200 civil penalty for 4 employees with an inadequate dip sanitizer and a \$100 civil penalty for a dirty neck duster for a total \$400 civil penalty.**
- r.** Case No: **2018-014** Inspection Report No. **31738 on 6/8/17**
 Licensee: **Hall of Fades LLC** License No(s): **1639-E**
 Possible Violation(s): **2 unlicensed barbers, 1 employee with a lapsed license, 1 employee with an inadequate dip sanitizer**
 By Bruce Bueno
 Staff Recommends **Consent Agreement for Establishment License 1639-E for a civil penalty of \$1,000 for 2 unlicensed barbers, a \$100 civil penalty for an employee working with a lapsed license and a \$50 civil penalty for an inadequate dip sanitizer for a total \$1,150 civil penalty.**

- s.** Case No: **2018-015** Inspection Report No. **31702 on 5/24/17**
 Licensee: **Jacob Alexander Abril** License No(s): **1610-E**
 Possible Violation(s): **1 employee with a lapsed license, 1 employee with unposted license**
 By Bruce Bueno
 Staff Recommends **Consent Agreement for Establishment License 1610-E with a \$100 civil penalty for an employee working with a lapsed license and a \$100 civil penalty for 1 unposted license for a total \$200 civil penalty.**
- t.** Case No: **2018-016** Inspection Report No. **21827 on 7/13/17**
 Licensee: **Eliot Montijo** License No(s): **1256-E**
 Possible Violation(s): **shop license is lapsed**
 By Bruce Bueno
 Staff Recommends **Consent Agreement for Establishment License 1256-E with a total \$250 civil penalty for operating a shop without a license.**
- u.** Case No: **2018-017** Inspection Report No. **31837 on 7/14/17**
 Licensee: **A Tucson Barbershop LLC** License No(s): **1664-E**
 Possible Violation(s): **1 employee with a lapsed license, 2 dirty neck dusters**
 By Bruce Bueno
 Staff Recommends **Consent Agreement for Establishment License 1664-E with a \$100 civil penalty for an employee working with a lapsed license and a \$200 civil penalty for two dirty neck dusters for a total \$300 civil penalty.**
- v.** Case No: **2018-018** Inspection Report No. **31829 on 7/13/17**
 Licensee: **Otanez Meza Enterprises LLC** License No(s): **1223-E**
 Possible Violation(s): **shop license is lapsed**
 By Bruce Bueno
 Staff Recommends **Consent Agreement for Establishment License 1223-E with a total \$250 civil penalty for operating a shop without a license.**
- w.** Case No: **2018-019** Inspection Report No. **31719 on 5/31/17**
 Licensee: **Omar Chavez** License No(s): **1546-E**
 Possible Violation(s): **1 employee with a lapsed license, 1 employee with a license not posted**
 By Bruce Bueno
 Staff Recommends **Consent Agreement for Establishment License No. 1546-E with a \$100 civil penalty for an employee working with a lapsed license and a \$100 civil penalty for an employee working without posting a license for a total \$200 civil penalty.**
- x.** Case No: **2018-020** Inspection Report No. **31677 on 6/16/17**
 Licensee: **Claudia Cisneros** License No(s): **1347-E**
 Possible Violation(s): **2 unlicensed barbers, 1 inadequate dip sanitizer,**
 By Bruce Bueno
 Staff Recommends **Consent Agreement for Establishment License 1347-E with a \$1,000 fine for two unlicensed barbers and a \$50 civil penalty for an inadequate dip sanitizer for a total \$1,050 civil penalty.**

12. Report from the Assistant Attorney General – the Board may review and discuss the listed items:
13. Report from the Executive Director – the Board may review and discuss the listed items:
 - a. Update on Deloitte and e-licensing
 - b. Update on 1740 move
 - c. Inspection Report Review
 - d. Report on meeting with the national testing firm
 - e. Update on meeting with Floyd's
 - f. Implementation of HB2372/A.R.S. § 41-1080.01 waiver beginning August 8, 2017
 - g. Backlog of Consent Agreements to be mailed
14. Discussion of items to be placed on a future meeting agenda.
15. Discussion of Future Meeting Dates – September 25, 2017
16. Motion to Adjourn
17. POSTED: July 26, 2017