



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, November 27 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 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 September 25, 2017 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. 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

8. 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. The Board has determined that if an establishment license holder is offered a consent agreement, the establishment

license holder will be held responsible for all of the violations found in the shop during the inspection and, in addition, the individual barber licenses will also be offered a consent agreement for their individual violations.

A. Incident No.: 2018-029 Inspection Report No. 32027 on 10/12/17
 Inspected by Bruce Bueno

Case No.	License No.	Licensee	Total Fine	By Violation	Each Fine
2018-029-A	1688-E	Roosevelt Barber Shop LLC	250	Lapsed shop license	250

Staff Recommends a Consent Agreement for each of the above licenses for the civil penalties and violations listed.

B. Incident No.: 2018-030 Inspection Report No. 32150 on 10/26/17
 Inspected by Bruce Bueno

Case No.	License No.	Licensee	Total Fine	By Violation	Each Fine
2018-030-A	1347-E	Claudia Cisneros	1,000	2 unlicensed barbers	1,000

Staff Recommends a Consent Agreement for each of the above licenses for the civil penalties and violations listed.

C. Incident No.: 2018-031 Inspection Report No. 32029 on 10/12/17
 Inspected by Bruce Bueno

Case No.	License No.	Licensee	Total Fine	By Violation	Each Fine
2018-031-A	3142	Manuel Rocha	100	Inadequate dip sanitizer	50
				Unsanitary workstation	50
2018-031-B	1760-E	Jose Ceballos	100	Failure to supervise	100

Staff Recommends a Consent Agreement for each of the above licenses for the civil penalties and violations listed.

D. Incident No.: 2018-032 Inspection Report No. 31898 on 8/31/17
 Inspected by Bruce Bueno

Case No.	License No.	Licensee	Total Fine	By Violation	Each Fine
2018-032-A	2471	Pablo Guerro	160	Lapsed license	160
2018-032-	0087-E	Julian Nunez	260	Failure to supervise	160
				Employee working with lapsed license	100

Staff Recommends a Consent Agreement for each of the above licenses for the civil penalties and violations listed.

S
 E. Incident No.: 2018-033 Inspection Report No. 31905 on 7/19/17
 Inspected by Bruce Bueno

Case No.	License No.	Licensee	Total Fine	By Violation	Each Fine
2018-033-A	3414	Aaron Arriaga	160	Lapsed license	160
2018-033-B	0112-E	Aaron Arriaga	260	Failure to supervise	160
				Employee working with lapsed license	100

Staff Recommends a Consent Agreement for each of the above licenses for the civil penalties and violations listed.

F. Incident No.: 2018-034 Inspection Report No. 31933 on 8/1/17
 Inspected by Bruce Bueno

Case No.	License No.	Licensee	Total Fine	By Violation	Each Fine
2018-034-A	1473	Daniel Vidal-Amaya	160	Lapsed license	160
2018-034-B	1652-E	Barbershop on Main LLC	260	Failure to supervise	160
				Employee working with lapsed license	100

Staff Recommends a Consent Agreement for each of the above licenses for the civil penalties and violations listed.

G. Incident No.: 2018-035 Inspection Report No. 31809 on 7/6/17
 Inspected by Bruce Bueno

Case No.	License No.	Licensee	Total Fine	By Violation	Each Fine
2018-035-A	4065	Javier Villagomez	150	Unsanitary tool drawer	50
				Dirty neck duster	100
2018-035-B	3568	Martin Apresa	50	Unsanitary tool drawer	50
2018-035-C	6146	Abraham Vasquez	160	Lapsed license	160
2018-035-D	0994-E	Oscar's 602 Barber Shop	560	Failure to supervise	360
				Dirty neck duster	100
				Employee working with lapsed license	100

Staff Recommends a Consent Agreement for each of the above licenses for the civil penalties and violations listed.

H. Incident No.: 2018-036 Inspection Report No. 31436 on 4/20/17
 Inspected by Bruce Bueno

Case No.	License No.	Licensee	Total Fine	By Violation	Each Fine
2018-036	0749-E	Daniel Cordova	2,100	4 unlicensed barbers	2,000
				Establishment license not posted	100

Staff Recommends a Consent Agreement for each of the above licenses for the civil penalties and violations listed.

I. Incident No.: 2018-037 Inspection Report No. 32210 on 10/18/17
 Inspected by Joyce Voss

Case No.	License No.	Licensee	Total Fine \$	By Violation	Each Fine \$
2018-037-A	0749-E	Daniel Cordova	1,500	3 unlicensed barbers	1,500

Staff Recommends a Consent Agreement for each of the above licenses for the civil penalties and violations listed.

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J. Incident No.: 2018-038 Inspection Report No. 32208 on 10/18/17
 Inspected by Joyce Voss

Case No.	License No.	Licensee	Total Fine	By Violation	Each Fine
2018-036-A	5030	Jay Cadelinia	150	Inadequate dip sanitizer	50
				Unsanitary workstation	50
				Unsanitary tool drawer	50
2018-036-B	1557-E	Jay Cadelinia	400	Failure to supervise	150
				Lapsed shop license	250

Staff Recommends a Consent Agreement for each of the above licenses for the civil penalties and violations listed.

K. Incident No.: 2018-039 Inspection Report No. 32307 on 10/26/17
 Inspected by Joyce Voss

Case No.	License No.	Licensee	Total Fine	By Violation	Each Fine
2018-038-A	5957	Nancy Martinez	160	Lapsed license	160
2018-038-B	0596-E	Daniel Gomez	1,110	Failure to supervise	160
				Unlicensed barber	500
				Employee working with lapsed license	100
				Lapsed shop license	250
				Shop license not posted	100

Staff Recommends a Consent Agreement for each of the above licenses for the civil penalties and violations listed.

L. Incident No.: 2018-040 Inspection Report No. 32250 on 10/26/17
 Inspected by Joyce Voss

Case No.	License No.	Licensee	Total Fine	By Violation	Each Fine
2018-040-A	3567	Ezequiel Oblea	360	Lapsed license	160
				Unsanitary workstation	50
				Inadequate dip sanitizer	50
				Dirty neck duster	100
2018-040-B	2399	Alejandro Oblea	150	License not posted	100
				Inadequate dip sanitizer	50
2018-040-C	1224-E	Ezequiel Oblea	1,110	Failure to supervise	510
				Dirty neck duster	100
				Unlicensed barber	500

Staff Recommends a Consent Agreement for each of the above licenses for the civil penalties and violations listed.

M. Incident No.: 2018-041 Inspection Report No. 32230 on 10/24/17
 Inspected by Joyce Voss

Case No.	License No.	Licensee	Total Fine	By Violation	Each Fine
2018-041-A	1781-E	Jon Balyoe	1,000	2 Unlicensed barber	1,000

Staff Recommends a Consent Agreement for each of the above licenses for the civil penalties and violations listed.

N. Incident No.: 2018-042 Inspection Report No. 32303 on 10/26/17
 Inspected by Joyce Voss

Case No.	License No.	Licensee	Total Fine	By Violation	Each Fine
2018-042-A	3270	Peter Sanchez	160	Lapsed license	160
2018-042-B	0553-E	A Yolanda Sanchez	260	Failure to supervise	160
				Employee working with lapsed license	100

Staff Recommends a Consent Agreement for each of the above licenses for the civil penalties and violations listed.

O. Incident No.: 2018-043 Inspection Report No. 32226 on 10/24/17
 Inspected by Joyce Voss

Case No.	License No.	Licensee	Total Fine	By Violation	Each Fine
2018-043-A	4612	Darnell Van	100	Inadequate dip sanitizer	50
				Unsanitary tool drawer	50
2018-043-B	0949-E	Darnell Van	250	Failure to supervise	100
				Dirty bathroom	50
				Overall condition of shop	100

Staff Recommends a Consent Agreement for each of the above licenses for the civil penalties and violations listed.

P. Incident No.: 2018-044 Inspection Report No. 32214 on 10/18/17
 Inspected by Joyce Voss

Case No.	License No.	Licensee	Total Fine	By Violation	Each Fine
2018-044-A	184	Rene Portillo	160	Lapsed license	160
2018-044-B	6266	Alex Dabdoub	310	Lapsed license	160
				Unsanitary tool drawer	50
				Dirty neck duster	100
2018-044-C	1643	Paul Bustamonte	310	Lapsed license	160
				Inadequate dip sanitizer	50
				Dirty neck duster	100
2018-044-D	0752-E	Angel Flores	1,280	Failure to supervise	780
				Lapsed shop license for 2 years	500

Staff Recommends a Consent Agreement for each of the above licenses for the civil penalties and violations listed.

Q. Incident No.: 2018-045 Inspection Report No. 32213 on 10/19/17
 Inspected by Joyce Voss

Case No.	License No.	Licensee	Total Fine	By Violation	Each Fine
2018-045-A	0269-E	Zamira Valenzuela	750	Lapsed shop license (inspected 3 times)	750

Staff Recommends a Consent Agreement for each of the above licenses for the civil penalties and violations listed.

R. Incident No.: 2018-046 Inspection Report No. 32211 on 10/18/17
 Inspected by Joyce Voss

Case No.	License No.	Licensee	Total Fine	By Violation	Each Fine
2018-046-A	1646-E	Gilbert/Angelina Diaz	750	Lapsed shop license	250
				Unlicensed barber	500

Staff Recommends a Consent Agreement for each of the above licenses for the civil penalties and violations listed.

S. Incident No.: 2018-047 Inspection Report No. 32209 on 10/18/17
 Inspected by Joyce Voss

Case No.	License No.	Licensee	Total Fine	By Violation	Each Fine
2018-047-A	2092	Omar Hernandez	100	Unsanitary workstation	50
				Unsanitary tool drawer	50
2018-047-B	1297-E	Omar Hernandez	350	Failure to supervise	100
				Lapsed shop license	250

Staff Recommends a Consent Agreement for each of the above licenses for the civil penalties and violations listed.

T. Incident No.: 2018-048 Inspection Report No. 32047 on 10/18/17
 Inspected by Joyce Voss

Case No.	License No.	Licensee	Total Fine	By Violation	Each Fine
2018-048-A	1078	Ryan Collins	100	Inadequate dip sanitizer	50
				Unsanitary tool drawer	50
2018-048-B	4037	Christopher Anderson	50	Unsanitary tool drawer	50
2018-048-C	1199-E	Chamberlain/Mate	400	Failure to supervise	150
				Lapsed shop license	250

Staff Recommends a Consent Agreement for each of the above licenses for the civil penalties and violations listed.

U. Incident No.: 2018-049 Inspection Report No. 32042 on 10/18/17
 Inspected by Joyce Voss

Case No.	License No.	Licensee	Total Fine	By Violation	Each Fine
2018-049-A	4694	Carlos Canez	100	Dirty neck duster	100
2018-049-B	5836	Javier Martinez	310	Lapsed license	160
				License not posted	100
				Inadequate dip sanitizer	50
2018-049-C	1625	Jayne Encinas	410	Lapsed license	160
				License no posted	100
				Inadequate dip sanitizer	50
				Dirty neck duster	100
2018-04-D	0689-E	Jayne Encinas	1,470	Failure to supervise	820
				Lapsed shop license	250
				2 dirty neck dusters	200
				2 lapsed license	200

Staff Recommends a Consent Agreement for each of the above licenses for the civil penalties and violations listed.

V. Incident No.: 2018-050 Inspection Report No. 32344 on 11/2/17
 Inspected by Joyce Voss

Case No.	License No.	Licensee	Total Fine	By Violation	Each Fine
2018-050-A	4319	Alexis Apaucio	300	Inadequate dip sanitizer	50
				Unsanitary workstation	50
				Unsanitary tool drawer	50
				Dirty neck duster	100
				Dirty sink	50
2018-050-B	6042	Ruben Nava	260	Lapsed license	160
				Unsanitary workstation	50
				Dirty sink	50
2018-050-C	498	Abel Lopez	250	License not posted	100
				Inadequate dip sanitizer	50
				Unsanitary tool drawer	50
				Dirty sink	50
2018-050-D	5415	Ricardo Macias	50	Dirty sink	50
				Dirty sink	50
2018-050-E	1611-E	Ray's Barber Shop LLC	1,860	Failure to supervise	860
				Employee working with lapsed license	100
				2 Unlicensed barbers	1,000

Staff Recommends a Consent Agreement for each of the above licenses for the civil penalties and violations listed.

W. Incident No.: 2018-051 Inspection Report No. 32225 on 10/26/17
 Inspected by Joyce Voss

Case No.	License No.	Licensee	Total Fine	By Violation	Each Fine
2018-051-A	Revoked	Gerardo Magdaleno		No License	
			50	Inadequate dip sanitizer	50
2018-051-B	6459	Janine Castro	50	Unsanitary workstation	50
2018-0510A	1129-E	Gerardo Magdaleno	350	Failure to supervise	100
				Lapsed shop license	250

The Staff has no recommendation about this matter. The establishment license that was posted was a fake. Gerardo Magdaleno's personal license was revoked for a period of two years on February 23, 2017.

9. Report from the Assistant Attorney General – the Board may review and discuss the listed items:
10. 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. Implementation of HB2372/A.R.S. § 41-1080.01 waver beginning August 8, 2017
 - d. Hours reporting requirements, acquired hours and certifications

11. Discussion of items to be placed on a future meeting agenda.
12. Discussion of Future Meeting Dates – January 29, 2018
13. Motion to Adjourn
14. POSTED: November 20, 2017