



STATE OF ARIZONA  
ARIZONA STATE LIQUOR BOARD  
800 WEST WASHINGTON, 5<sup>TH</sup> FLOOR  
PHOENIX, AZ 85007  
PHONE: (602) 542-9789 FAX: 602-542-5707  
Website: [www.azliquor.gov](http://www.azliquor.gov)  
Website: [www.azliquor.gov/liquor\\_board.asp](http://www.azliquor.gov/liquor_board.asp)

JANICE K. BREWER  
Governor

CHARLES HUELLMANTEL  
Board Chair

JERRY A. OLIVER SR.  
Director

---

Arizona State Liquor Board Hearing Minutes  
January 14, 2010

Members Present: Charles Huellmantel-Chair, Alan Everett-Vice Chair, Bill DuPont, Robin Cantrell, Tim Linden, Jim Carruthers, J.D. Ghelfi

Members Absent: None

Counsel Present: Camila Alarcon, Assistant Attorney General  
Chris Munns, Assistant Attorney General

Staff Present: Kelly Stetson, Board Administrator

**A. Call to Order**

The hearing of the Arizona State Liquor Board was called to order on January 14, 2010 at 9:00 a.m. with Mr. Huellmantel presiding.

**B. Roll Call**

All Board Members are present.

**C. Minutes: review, consideration and action**

Minutes from the November 2009 and December 2009 Board Hearings were approved by a 7-0 vote of the Board.

**D. Agenda: review, consideration and action**

**1. Bar Liquor License No. 06080039 - Person & Location Transfer**

From:  
Robert W. Peet, Agent  
Tequila Bob's  
2925 Northern  
Kingman, AZ 86401

To:  
Kevin M. McCaan, Agent  
JAX Full, LLC  
Mr. Lucky's Billiards  
3313 Maricopa Avenue  
Lake Havasu City, AZ 86406

Prior to hearing, the Department filed a withdrawal of its protest regarding this application. The agent, Kevin M. McCaan, appeared at the hearing, and was represented by counsel, Jerry Lewkowitz, Esq., who addressed the board. Assistant Attorney General Camila Alarcon appeared on behalf of the Department and addressed the Board. Assistant Attorney General Chris Munns, from the Solicitor General's Office, was present to provide legal advice to the Board.

Motion to Grant License - Everett  
Seconded - Cantrell  
Yay - Huellmantel, Everett, DuPont, Cantrell, Linden, Carruthers, Ghelfi  
Nay - None  
Abstained - None

Disposition -

License Granted

**2. Beer & Wine Store Liquor License No. 10033164 - Original Application**

Donnie L. Gardner, Agent  
Lynx, Inc.  
Lynx Fuel & Food Mart  
395 N. Main Street  
Fredonia, AZ 86022

Prior to hearing, the agent requested a continuance of this matter. The agent, Donnie L. Gardner, did not appear at the hearing, and was not represented by counsel. Assistant Attorney General Camila Alarcon appeared on behalf of the Department and addressed the Board. Assistant Attorney General Chris Munns, from the Solicitor General's Office, was present to provide legal advice to the Board.

Motion to Grant Continuance -	DuPont
Seconded -	Ghelfi
Yay -	Huellmantel, Everett, DuPont, Cantrell, Linden, Carruthers, Ghelfi
Nay -	None
Abstained -	None
Disposition -	Continuance granted until the February 4, 2010 Board Hearings

**3. Bar Liquor License No. 06100041 - Location Transfer**

From:  
Andrew I. Sommers, Agent  
Zero Gravity, LLC  
North on 4th  
536 N. 4<sup>th</sup> Avenue  
Tucson, AZ 85705

To:  
Andrew I. Sommers, Agent  
Zero Gravity, LLC  
The Avenue Restaurant & Bar  
522/526 N. 4<sup>th</sup> Avenue  
Tucson, AZ 85705

This was agenda item 6 and was taken out of order at 9:12 a.m. The agent, Andrew I. Sommers, did not appear at the hearing, and was not represented by counsel. Assistant City Prosecutor Gioia Sanderson appeared on behalf of the City of Tucson, and addressed the Board. Assistant Attorney General Camila Alarcon was present to provide legal advice to the Board.

Motion to Grant Withdrawal -	Carruthers
Seconded -	Cantrell
Yay -	Huellmantel, Everett, DuPont, Cantrell, Linden, Carruthers, Ghelfi
Nay -	None
Abstained -	None
Disposition -	Withdrawal Granted

**4. Bar Liquor License No. 06070103 - Person Transfer**

From:  
Alfonso A. Larriva, Agent  
Ed & Al, Inc.  
Boomerang Bar & Billards  
6601 W. Thomas Road, Suites 8-11  
Phoenix, AZ 85035

To:  
Phillip B. Marcus, Agent  
Bruce, LLC  
Boomerang Bar & Billards  
6601 W. Thomas Road, Suites 8-11  
Phoenix, AZ 85035

This was agenda item 7 and was taken out of order at 9:14 a.m. Prior to this hearing, the applicant filed a request to withdraw the application. The agent, Phillip B. Marcus, appeared at the hearing, and was not represented by counsel. Assistant City Prosecutor Sharon Stolpen appeared on behalf of the City of Phoenix and addressed the Board. Assistant Attorney General Camila Alarcon was present to provide legal advice to the Board.

Motion to Grant Withdrawal -	DuPont
------------------------------	--------

Seconded -	Carruthers
Yay -	Huellmantel, Everett, DuPont, Cantrell, Linden, Carruthers, Ghelfi
Nay -	None
Abstained -	None
Disposition -	Withdrawal Granted

**5. Beer & Wine Bar Liquor License No. 07070105 - Original Application**

Dolores Wilson, Agent  
 JCH El Tejano, LLC  
 El Tejano  
 1605 W. Broadway Road  
 Phoenix, AZ 85041

The agent, Dolores Wilson, did not appear at the hearing, and was not represented by counsel. Assistant City Prosecutor Will Gonzalez appeared on behalf of the City of Phoenix and addressed the Board. Assistant Attorney General Camila Alarcon appeared on behalf of the Department and addressed the Board. Assistant Attorney General Chris Munns, from the Solicitor General's Office, was present to provide legal advice to the Board.

Motion to Deny License and Cancel Interim Permit -	Everett
Seconded -	Carruthers
Yay -	Huellmantel, Everett, DuPont, Cantrell, Linden, Carruthers, Ghelfi
Nay -	None
Abstained -	None
Disposition -	License Denied, Interim Permit Cancelled

The Board recessed at 9:22 a.m.  
 The Board reconvened at 9:27 a.m.

**6. Beer and Wine Bar Liquor License No. 07070187 - Person Transfer**

From:	To:
Mary Ann Ruiz, Agent	Chih-Yi Kan, Agent
Fernando's Hide Away	Infierno II, LLC
15014 N. Cave Creek Road	El Infierno
Phoenix, AZ 85032	15014 N. Cave Creek Road
	Phoenix, AZ 85032

The agent, Chih-Yi Kan, appeared at the hearing, and was represented by counsel, Jerry Lewkowitz, Esq. Assistant City Prosecutor Will Gonzalez appeared on behalf of the City of Phoenix. Stephen Korf, Gumersindo Rey, Refugio Fierro, and Tammy Mitchell appeared on behalf of the applicant, were sworn, and testified. Det. Larry Santa Cruz, Inv. Mary Jaramillo, Ben Ellison, and John Pavkovich appeared on behalf of the City of Phoenix, were sworn, and testified. Assistant Attorney General Camila Alarcon was present to provide legal advice to the Board.

The Board recessed at 10:55 a.m.  
 The Board reconvened at 11:05 a.m.

Motion to Deny License -	DuPont
Seconded -	Cantrell
Yay -	Huellmantel, DuPont, Cantrell, Ghelfi
Nay -	Everett, Carruthers, Linden
Abstained -	None
Disposition -	License Denied

Motion to Cancel Interim Permit -	DuPont
Seconded -	Cantrell
Yay -	Huellmantel

Nay - Linden  
Abstained - None  
Disposition - Interim Permit Cancelled

The Board recessed for lunch at 1:50 p.m.  
The Board reconvened from lunch at 2:10 p.m.

**7. Liquor Store License No. 09106002 - Original Application**

Kim K. Kwiatkowski, Agent  
Circle K Stores Inc.  
Circle K Store #6469  
1720 W. Irvington Road  
Tucson, AZ 85746

Prior to hearing, counsel for the agent requested a continuance of this matter. The agent, Kim K. Kwiatkowski, did not appear at the hearing, but was represented by counsel, David G. Cisiewski, Esq. Assistant City Prosecutor Gioia Sanderson appeared on behalf of the City of Tucson, and addressed the Board. Assistant Attorney General Camila Alarcon was present to provide legal advice to the Board.

Motion to Grant Continuance - DuPont  
Seconded - Carruthers  
Yay - Huellmantel, Everett, DuPont, Cantrell, Linden, Carruthers, Ghelfi  
Nay - None  
Abstained - None  
Disposition - Continuance granted until the March 4, 2010 Board Hearings

**8. Beer & Wine Bar Liquor License No. 07100168 - Original Application**

Mark E. Gucciardo, Agent  
2 Goombas Inc.  
Gooch's Grill  
1118-20 E. 6<sup>th</sup> Street  
Tucson, AZ 85719

This matter was called in order as item 3 on the agenda, but moved to the afternoon agenda to await additional filings from the applicant and was called at 2:15 p.m. Prior to hearing, the agent filed a request to withdraw the application. The agent, Mark E. Gucciardo, did not appear at the hearing, and was not represented by counsel. Assistant Attorney General Camila Alarcon appeared on behalf of the Department and addressed the Board. Assistant Attorney General Chris Munns, from the Solicitor General's Office, was present to provide legal advice to the Board.

Motion to Grant Withdrawal and Cancel Interim Permit - Carruthers  
Seconded - Everett  
Yay - Huellmantel, Everett, Cantrell, Linden, Carruthers,  
Ghelfi  
Nay - None  
Abstained - None  
Disposition - Withdrawal Granted, Interim Permit Cancelled

**9. Restaurant Liquor License No. 12103989 - Original Application**

Bryan T. Mazon, Agent  
Boca, LLC  
Boca  
828 E. Speedway Boulevard  
Tucson, AZ 85719

This was agenda item 10 and was taken out of order at 2:16 p.m. The agent, Bryan T. Mazon, appeared at the hearing and addressed the Board. Assistant City Prosecutor Gioia Sanderson appeared on behalf of the City of Tucson, and addressed the Board. Assistant Attorney General Camila Alarcon was present to provide legal advice to the Board.

Motion to Grant Continuance -	DuPont
Seconded -	Linden
Yay -	Huellmantel, Everett, DuPont, Cantrell, Linden, Carruthers, Ghelfi
Nay -	None
Abstained -	None
Disposition -	Continuance granted until the April 1, 2010 Board Hearings

Mr. Huellmantel excuses himself from the hearing at 2:19 p.m.

**10. Liquor Store License No. 09104001 - Location Transfer**

From:	To:
Kim K. Kwiatkowski, Agent	Kim K. Kwiatkowski, Agent
Circle K Stores Inc.	Circle K Stores Inc.
Circle K Store #1796	Circle K Store #FTLWL
3795 S. Palo Verde Road	3128 N. 1 <sup>st</sup> Avenue
Tucson, AZ 85706	Tucson, AZ 85719

The agent, Kim K. Kwiatkowski, did not appear at the hearing, but was represented by counsel, David G. Cisiewski, Esq. Bruce Landini, Swain Chapman, and Dave Williamson appeared on behalf of the applicant, were sworn, and testified. Nancy Reid and Laurie Clark appeared as public protestors, were sworn, and testified. Assistant Attorney General Camila Alarcon was present to provide legal advice to the Board.

Motion to Grant License -	Ghelfi
Seconded -	Cantrell
Yay -	Everett, DuPont, Cantrell, Linden, Carruthers, Ghelfi
Nay -	None
Abstained -	None
Disposition -	License Granted

Mr. Huellmantel returned to the hearing at 3:18 p.m.

Mr. DuPont excuses himself from the remainder of the hearings at 3:17 p.m.

**11. Hotel/Motel Liquor License No. 11073178 - Original Application**

Shailesh H. Kuber, Agent  
Soleil Bistro & Lounge, LLC  
Holiday Inn & Suites Phoenix Airport  
3220 S. 48<sup>th</sup> Street  
Phoenix, AZ 85040

The agent, Shailesh H. Kuber, appeared at the hearing, was represented by counsel, Frederick G. Gamble, Esq. Assistant City Prosecutor Robert Smith appeared on behalf of the City of Phoenix. Det. Mike Ballantine appeared on behalf of the City of Phoenix, was sworn, and testified. Assistant Attorney General Camila Alarcon was present to provide legal advice to the Board.

Motion to Grant License -	Everett
Seconded -	Linden
Yay -	Huellmantel, Everett, Cantrell, Linden, Ghelfi
Nay -	Carruthers
Abstained -	None
Disposition -	License Granted

**E. Call to the Public**

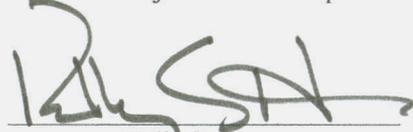
None.

**F. Future Board Date**

The next meeting of the Arizona State Liquor Board is scheduled for February 4, 2010 at 1:30 p.m.

**G. Adjournment**

The Board adjourned at 4:17 p.m.



Kelly Stetson  
Administrator of the  
Arizona State Liquor Board



Date