



STATE OF ARIZONA
 ARIZONA STATE LIQUOR BOARD
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 Website: 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
 May 6, 2010

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

Members Absent: None

Counsel Present: Camila Alarcon, 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 May 6, 2010 at 9:00 a.m. with Mr. Huellmantel presiding.

B. Roll Call

All Board Members are present.

C. Minutes: review, consideration and action

Review of the April 2010 Hearing Minutes tabled until June 2010 Hearing.

D. Agenda: review, consideration and action

1. Liquor Store License No. 09070480 - Agent Change/Acquisition of Control

From:
 Hazem N. Arekat, Agent
 Najla, LLC
 Camelback Liquors
 2002 W. Camelback Road
 Phoenix, AZ 85015

To:
 Sahar K. Arekat, Agent
 Najla, LLC
 Camelback Liquors
 2002 W. Camelback Road
 Phoenix, AZ 85015

The agent 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. Harvey Yee, Esq., was present on behalf of the lien holder and addressed the Board.

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

2. Restaurant Liquor License No. 12078167 - Original Application

Lauren K. Merrett, Agent
VMAV Enterprises, LLC
Siracha Restaurant
91 W. Boston Street
Chandler, AZ 85225

The owner, Melissa Vongphachanh, appeared at the hearing, and was represented by counsel, H. J. Lewkowitz, Esq. Virakon Vongphachanh also appeared on behalf of the applicant, was sworn, and testified. Assistant Attorney General Camila Alarcon appeared on behalf of the Department and addressed the Board. Officers Chad Chesley, Craig Miller, and Adam Palubeskie also appeared on behalf of the Department, were sworn, and testified.

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

3. Restaurant Liquor License No. 12078231 - Original Application

H. J. Lewkowitz, Agent
West Phoenix Hooters, Inc.
Hooters
2820 N. 75th Avenue
Phoenix, AZ 85035

This was agenda item 4 and was taken out of order at 11:20 a.m. Prior to hearing, the City of Phoenix filed a withdrawal of its protest regarding this application. The agent, H. J. Lewkowitz, Esq., appeared and addressed the Board. Assistant City Prosecutor Nathan Watts 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 License - Linden
Seconded - Cantrell
Yay - Huellmantel, DuPont, Cantrell, Linden, Carruthers, Ghelfi
Nay - None
Abstained - None
Disposition - License Granted

4. Bar Liquor License No. 06070123 - Person Transfer Application

From:
Barbara L. Freeman, Agent
Rustee Enterprises, LLC
Door Lounge
1126 N. Scottsdale Road, Suite 5
Tempe, AZ 85281

To:
Omer C. Marion III, Agent
J.L.M. Enterprises, LLC
The Door
1126 N. Scottsdale Road, Suite 5
Tempe, AZ 85281

This was agenda item 3 and was taken out of order at 11:22 a.m. The agent, Omer C. Marion III, appeared at the hearing, and was not represented by counsel. Bruce L. Smith, License & Collection Supervisor, appeared on behalf of the City of Tempe. Assistant Attorney General Camila Alarcon was present to provide legal advice to the Board.

Motion to Continue - Carruthers
Seconded - Cantrell
Yay - Huellmantel, DuPont, Cantrell, Linden, Carruthers, Ghelfi
Nay - None
Abstained - None

Disposition -

Continued to June 2010 Hearings

Chairman Huellmantel excused himself from the hearing at 11:25 a.m.
The Board recessed at 11:25 a.m.
The Board reconvened at 11:34 a.m.

5. Beer & Wine Store Liquor License No. 10103575 - Original Application

Maen F. Mdanat, Agent
Michael M. Food Mart, LLC
Axis Food Mart
1540 E. Broadway Boulevard
Tucson, AZ 85719

The agent, Maen F. Mdanat, appeared at the hearing and addressed the Board. Assistant Attorney General Camila Alarcon was present to provide legal advice to the Board.

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

6. Bar Liquor License No. 06100066 - Person & Location Transfer Application

From:
William McHugh, Agent
DKB, Inc.
McHugh's Good Times Lounge
3218 N. Oracle Road
Tucson, AZ 85705

To:
Rudolph D. Flores, Agent
Prim Enterprises, LLC
Office Bar
6333 S. 6th Avenue
Tucson, AZ 85706

The agent, Rudolph D. Flores, appeared at the hearing and addressed the Board. Mercedes Flores also appeared on behalf of the applicant, was sworn, and testified. Assistant City Prosecutor Gioia Sanderson appeared on behalf of the City of Tucson and addressed the Board. Beki Quintero and Lamont Hatch also appeared on behalf of the City of Tucson, were sworn, and testified. Assistant Attorney General Camila Alarcon was present to provide legal advice to the Board.

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

The Board recessed at 1:20 p.m.
The Board reconvened at 1:45 p.m.
Mr. Huellmantel returned to the hearing at 1:45 p.m.
Mr. Linden excused himself from the hearing at 1:45 p.m.

7. Beer & Wine Store Liquor License No. 10103562 -Original Application

Randy A. Guse, Agent
Walgreen Arizona Drug Co.
Walgreens #05209
3180 N. Campbell Avenue
Tucson, AZ 85719

The agent, Randy A. Guse, appeared at the hearing, and was represented by counsel, Peter H. Schelstraete, Esq. Laurie Moore, David Zezuto and Chris Elliott also appeared on behalf of the applicant, were sworn, and testified. Assistant City Prosecutor Gioia Sanderson appeared on behalf of the City of Tucson and addressed the Board. Michael Murray, Esq., appeared as pro-bono attorney for the neighborhood association and addressed the Board. Sandra Miller also appeared on behalf of the City of Tucson, was sworn, and testified. Assistant Attorney General Camila Alarcon was present to provide legal advice to the Board.

The Board recessed at 2:26 p.m.

The Board reconvened at 2:43 p.m.

The Board moved into Executive Session at 3:27 p.m.

The Board reconvened from Executive Session at 3:40 p.m.

Motion to Grant License -	Ghelfi
Seconded -	Cantrell
Yay -	Huellmantel, DuPont, Cantrell, Carruthers, Ghelfi
Nay -	None
Recused -	None
Disposition -	License Granted

8. Beer & Wine Store Liquor License No. 10075954 -Original Application

Randy A. Guse, Agent
Walgreen Arizona Drug Co.
Walgreens #07784
2650 W. Glendale Avenue
Phoenix, AZ 85051

This was agenda item 15 and was taken out of order at 4:45 p.m. The agent, Randy A. Guse, appeared at the hearing, and was represented by counsel, Peter H. Schelstraete, Esq. Assistant Attorney General Camila Alarcon was present to provide legal advice to the Board.

Motion to Continue -	Carruthers
Seconded -	DuPont
Yay -	DuPont, Cantrell, Linden, Carruthers, Ghelfi
Nay -	None
Abstained -	None
Disposition -	Continued to June 2010 Hearings

Mr. DuPont excused himself from the hearing at 4:47 p.m.

The Board recessed at 4:47 p.m.

The Board reconvened at 5:00 p.m.

Mr. Linden returned to the hearing at 5:00 p.m.

9. Beer & Wine Store Liquor License No. 10075936 -Original Application

Randy A. Guse, Agent
Walgreen Arizona Drug Co.
Walgreens #03769
1616 E. Thomas Road
Phoenix, AZ 85016

This was agenda item 14 and was taken out of order at 5:00 p.m. The agent, Randy A. Guse, appeared at the hearing, and was represented by counsel, Peter H. Schelstraete, Esq. Assistant Attorney General Camila Alarcon was present to provide legal advice to the Board.

Motion to Continue -	Carruthers
Seconded -	Cantrell
Yay -	Huellmantel, Cantrell, Linden, Carruthers, Ghelfi

Nay - None
Abstained - None
Disposition - Continued to June 2010 Hearings

10. Beer & Wine Store Liquor License No. 10103568 -Original Application

Randy A. Guse, Agent
Walgreen Arizona Drug Co.
Walgreens #03377
1900 S. 6th Avenue
South Tucson, AZ 85713

This was agenda item 13 and was taken out of order at 5:03 p.m. The agent, Randy A. Guse, appeared at the hearing, and was represented by counsel, Peter H. Schelstraete, Esq. Lee Nevarez and Arnold Duarte also appeared on behalf of the applicant, were sworn, and testified. City Attorney Hector M. Figueroa appeared on behalf of the City of South Tucson and addressed the Board. City Manager Enrique Serna, Deputy Police Chief Richard Vidaurri, Professor Andrea Romero, Michael Orduna, Alejandro Gallego, Gloria Hamelitz, and Michael Urrea also appeared on behalf of the City of South Tucson, were sworn, and testified. Assistant Attorney General Camila Alarcon was present to provide legal advice to the Board.

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

The Board recessed at 7:00 p.m.
The Board reconvened at 7:10 p.m.

11. Beer & Wine Store Liquor License No. 10103574 -Original Application

Randy A. Guse, Agent
Walgreen Arizona Drug Co.
Walgreens #04764
5455 E. Speedway Boulevard
Tucson, AZ 85712

This was agenda item 8 and was taken out of order at 7:10 p.m. The agent, Randy A. Guse, appeared at the hearing, and was represented by counsel, Peter H. Schelstraete, 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 License - Ghelfi
Seconded - Carruthers
Yay - Huellmantel, Cantrell, Linden, Carruthers, Ghelfi
Nay - None
Abstained - None
Disposition - License Granted

12. Beer & Wine Store Liquor License No. 10103572 -Original Application

Randy A. Guse, Agent
Walgreen Arizona Drug Co.
Walgreens #02451
4220 N. Oracle Road
Tucson, AZ 85705

This was agenda item 9 and was taken out of order at 7:12 p.m. The agent, Randy A. Guse, appeared at the hearing, and was represented by counsel, Peter H. Schelstraete, 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 License -	Ghelfi
Seconded -	Cantrell
Yay -	Huellmantel, Cantrell, Linden, Carruthers, Ghelfi
Nay -	None
Abstained -	None
Disposition -	License Granted

13. Beer & Wine Store Liquor License No. 10103555 -Original Application

Randy A. Guse, Agent
Walgreen Arizona Drug Co.
Walgreens #04104
2411 N. Oracle Road
Tucson, AZ 85705

This was agenda item 10 and was taken out of order at 7:14 p.m. The agent, Randy A. Guse, appeared at the hearing, and was represented by counsel, Peter H. Schelstraete, Esq. Lee Nevarez and Rick Torres also appeared on behalf of the applicant, were sworn, and testified. Assistant City Prosecutor Gioia Sanderson appeared on behalf of the City of Tucson and addressed the Board. Oscar Bojorquez and Jim Quinn also appeared on behalf of the City of Tucson, were sworn, and testified. Assistant Attorney General Camila Alarcon was present to provide legal advice to the Board.

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

14. Beer & Wine Store Liquor License No. 10103560 -Original Application

Randy A. Guse, Agent
Walgreen Arizona Drug Co.
Walgreens #00950
1900 E. Grant Road
Tucson, AZ 85719

This was agenda item 11 and was taken out of order at 8:00 p.m. The agent, Randy A. Guse, appeared at the hearing, and was represented by counsel, Peter H. Schelstraete, Esq. Assistant Attorney General Camila Alarcon was present to provide legal advice to the Board.

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

15. Beer & Wine Store Liquor License No. 10103578 -Original Application

Randy A. Guse, Agent
Walgreen Arizona Drug Co.
Walgreens #06766

1880 E. Irvington Road
Tucson, AZ 85714

This was agenda item 12 and was taken out of order at 8:04 p.m. The agent, Randy A. Guse, appeared at the hearing, and was represented by counsel, Peter H. Schelstraete, Esq. Alex Muniz and Chris Elliott also appeared on behalf of the applicant, were sworn, and testified. Assistant City Prosecutor Gioia Sanderson appeared on behalf of the City of Tucson and addressed the Board. Sandra Fimbres also appeared on behalf of the City of Tucson, was sworn, and testified. Assistant Attorney General Camila Alarcon was present to provide legal advice to the Board.

The Board moved into Executive Session at 8:41 p.m.
The Board reconvened from Executive Session at 8:45 p.m.

Motion to Grant License -	Ghelfi
Seconded -	Linden
Yay -	Huellmantel, Cantrell, Linden, Carruthers, Ghelfi
Nay -	None
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 June 3, 2010 at 9:00 a.m.

G. Adjournment

The Board adjourned at 9:00 p.m.

Kelly Stetson
Administrator of the
Arizona State Liquor Board

Date