STATE OF ARIZONA
ARIZONA STATE LIQUOR BOARD
800 WEST WASHINGTON, 5TH FLOOR
PHOENIX, AZ 85007
PHONE: (602) 542-9789 FAX: 602-542-5707
Website: www.azliquor.gov
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
June 3, 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 June 3, 2010 at 9:00 a.m. with Mr. Huellmantel presiding.

B. Roll Call
Mr. Ghelfi is absent from the hearing, all other Board Members are present.

C. Minutes: review, consideration and action
Review of the April 2010 and May 2010 Hearing Minutes tabled until July 2010 Hearing.

D. Agenda: review, consideration and action

1. Bar Liquor License No. 06070387 - Person & Location Transfer Application

From:
Shelly Vitali, Agent
Arizona Club
Arizona Club
201 N. Central Avenue, Suite 3700
Phoenix, AZ 85004

To:
Jason B. Morris, Agent
CVS EGL Tatum Phoenix AZ, LLC
CVS Pharmacy #7852
28138 N. Tatum Boulevard
Phoenix, AZ 85331

Prior to hearing, the Department filed a withdrawal of its protest regarding this application. The agent, Jason B. Morris, Esq., appeared at the hearing and addressed the Board. Assistant Attorney General Camila Alarcon appeared on behalf of the Department and addressed the Board.

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

2. **Bar Liquor License No. 06070182 - Person & Location Transfer Application**

From:	To:
Katherine M. Killeen, Agent	Jason B. Morris, Agent
Tee Pee Mexican Foods, Inc.	CVS EGL North 16th AZ, LLC
Tee Pee Mexican Foods	CVS Pharmacy #8366
4144 E. Indian School Road	1610 E. Camelback Road
Phoenix, AZ 85018	Phoenix, AZ 85016

Prior to hearing, the Department filed a withdrawal of its protest regarding this application. The agent, Jason B. Morris, Esq., appeared at the hearing and addressed the Board. Assistant Attorney General Camila Alarcon appeared on behalf of the Department and addressed the Board.

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

3. **Beer & Wine Store Liquor License No. 10076006 – Agent Change Application**

From:	To:
Mukhpal S. Toor, Agent	Randy D. Nations, Agent
Mukhi Shah 1040, LLC	Mukhi Shah 1040, LLC
Food Mart	Food Mart
710 E. Indian School Road	710 E. Indian School Road
Phoenix, AZ 85014	Phoenix, AZ 85014

This was agenda item 4 and was taken out of order at 9:06 a.m. The agent, Randy Nations, appeared at the hearing, and was represented by counsel, Nicholas C. Guttilla, Esq., who addressed the Board. Mukhdal Toor also appeared on behalf of the applicant, was sworn, and testified. Assistant City Prosecutor Barbara Parascandola 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 -	DuPont
Seconded -	Linden
Yay -	Huellmantel, DuPont, Cantrell, Linden, Carruthers
Nay -	None
Abstained -	None
Disposition -	Agent Change Granted

4. **Beer & Wine Store Liquor License No. 10103585 - Original Application**

Jose L. Cornejo-Gracia, Agent
Tucson Quality Meats, LLC
Mercado Y Carniceria Mexicana
4550 S. 6th Avenue
Tucson, AZ 85714

This was agenda item 5 and was taken out of order at 9:26 a.m. The agent, Jose L. Cornejo-Gracia, appeared at the hearing, and was represented by counsel, Thomas Aguilera, Esq., who addressed the Board. Assistant Attorney General Camila Alarcon was present to provide legal advice to the Board.

Motion to Grant -	Carruthers
Seconded -	Cantrell
Yay -	Huellmantel, DuPont, Cantrell, Linden, Carruthers
Nay -	None

Abstained -	None
Disposition -	License Granted

5. **Beer & Wine Store Liquor License No. 10103584 - Original Application**

Daniel W. Ryan, Agent
Ryco Development Corporation
Hanson's Good To Go
1715 W. Irvington Road
Tucson, AZ 85746

This was agenda item 6 and was taken out of order at 9:33 a.m. The agent, Daniel W. Ryan, appeared at the hearing, and was represented by counsel, Thomas Aguilera, Esq., who 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.

The Board moved into Executive Session at 9:41 a.m.
The Board reconvened from Executive Session at 9:43 a.m.

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

6. **Beer & Wine Store Liquor License No. 10075902 - Original Application**

Imad Y. Warda, Agent
Uno Stop Market 2, LLC
Uno Stop
4105 N. 35th Avenue
Phoenix, AZ 85017

This was agenda item 3 and was taken out of order at 10:04 a.m. The agent, Imad Y. Warda, did not appear at the hearing, but was represented by counsel, Peter H. Schelstraete, Esq., who addressed the Board Assistant City Prosecutor Elizabeth Sugges 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 Continue -	DuPont
Seconded -	Carruthers
Yay -	Huellmantel, DuPont, Cantrell, Linden, Carruthers
Nay -	None
Abstained -	None
Disposition -	Continued to July 2010 Hearings

7. **Liquor Store License No. 09100257 - Person & Location Transfer Application**

From:	To:
Michael J. Basha, Agent	Thomas R. Aguilera, Agent
Basha's, Inc.	Sonora Market, LLC
Food City #69	Sonora Market
3923 N. Flowing Wells Road	3050 E. 36th Street
Tucson, AZ 85705	Tucson, AZ 85713

The Board moved into Executive Session at 10:08 a.m.
The Board reconvened from Executive Session at 10:09 a.m.

The owner, Asraf Shiha, appeared at the hearing, and was represented by counsel, Thomas Aguilera, Esq., who addressed the Board. Protestor Chung Lee appeared, was sworn, and testified. Assistant Attorney General Camila Alarcon was present to provide legal advice to the Board.

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

Chairman Huellmantel excused himself from the hearing at 10:30 a.m.

The Board recessed at 10:30 a.m.
The Board reconvened at 1:30 p.m.

The Board recessed at 1:32 p.m.
The Board reconvened at 2:00 p.m.

8. <u>Bar Liquor License No. 06070123 - Person Transfer Application</u>

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

The agent, Omer C. Marion III, did not appear at the hearing, and was not represented by counsel. The City of Tempe did not appear at the hearing. Assistant Attorney General Camila Alarcon was present to provide legal advice to the Board.

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

9. <u>Beer & Wine Store Liquor License No. 10075954 -Original Application</u>

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

This was agenda item 10 and was taken out of order at 2:02 p.m. Prior to hearing, the Public Protestor filed a request to continue the hearing. 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 -	DuPont, Cantrell, Linden, Carruthers
Nay -	None
Abstained -	None
Disposition -	Continued to July 2010 Hearings

The Board recessed at 2:03 p.m.
The Board reconvened at 3:31 p.m.

10. 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 9 and was taken out of order at 3:32 p.m. The agent, Randy A. Guse, appeared at the hearing, and was represented by counsel, Peter H. Schelstraete, Esq. Assistant City Prosecutor Barbara Parascandola 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 Continue -	Carruthers
Seconded -	Cantrell
Yay -	DuPont, Cantrell, Linden, Carruthers
Nay -	None
Abstained -	None
Disposition -	Continued to July 2010 Hearings

11. 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 matter was scheduled for the completion of an appropriate motion on this matter that was heard during the May 2010 Board Hearings. Due to the absence of all Board Members who were present during the original hearing, this matter was tabled until the Chairman is able to call a panel of those Board Members who were present. Assistant Attorney General Camila Alarcon was present to provide legal advice to the Board.

Motion to Table -	DuPont
Seconded -	Linden
Yay -	DuPont, Cantrell, Linden, Carruthers
Nay -	None
Abstained -	None
Disposition -	Matter Tabled

E. Call to the Public

None.

F. Future Board Date

The next meeting of the Arizona State Liquor Board is scheduled for July 8, 2010 at 9:00 a.m.

G. Adjournment

The Board adjourned at 3:41 p.m.

Kelly Stetson
Administrator of the
Arizona State Liquor Board

7.8.10
Date