



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
July 9, 2009

Members Present: Charles Huellmantel-Chair, Alan Everett-Vice Chair, Jim Carruthers, Bill DuPont, Don Jongewaard, Robin Cantrell, Tim Linden

Members Absent: None

Counsel Present: Chris Munns, Assistant Attorney General
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 July 9, 2009 at 9:02 a.m. with Mr. Huellmantel presiding.

B. Roll Call

Mr. Jongewaard is absent, but enroute. All other Board Members are present.

C. Minutes: review, consideration and action

Review and approval of the minutes from the June 2009 Board Hearings has been tabled until the August 6, 2009 Board Hearings.

D. Agenda: review, consideration and action

Mr. Jongewaard joined the Hearings at 9:12 a.m.

1. Bar Liquor License No. 06073005 - Person & Location Transfer Application

From:
James A. Bellows, Agent
Bellows Golf Holdings, LLC
Estrella Mountain Golf Course
15205 W Vineyard Avenue
Goodyear, AZ 85338

To:
John P. Radice, Agent
Dos Gringos Alma, Inc.
Dos Gringos Mexigrille
1361 N. Alma School Road
Chandler, AZ 85224

This matter was continued from the June 2009 Board Hearings. The Board was represented by Chris Munns, Assistant Attorney General. The applicant was represented by counsel, Peter Schelstraete, who addressed the board, and requested the Applicant be allowed to withdraw the person and transfer application. Counsel for the Department, Camila Alarcon, addressed the Board and objected to the request for withdrawal. Counsel for the applicant subsequently stipulated that the establishment's owner, Brian Roerich, is unqualified to hold a liquor license due to a felony conviction.

Motion for Withdrawal -	DuPont
Seconded -	Linden
Yay -	Huellmantel, Everett, Carruthers, DuPont, Jongewaard, Cantrell, Linden
Nay -	None
Abstained -	None
Disposition -	Application Withdrawn

2. Bar Liquor License No. 06070206 – Acquisition of Control Application

Donald T. Kirkman
 Whitey's Tavern, Inc.
 The Snap Lounge
 1516 W. Camelback Road
 Phoenix, AZ 85015

The Board moved into Executive Session at 9:34 a.m.
 The Board returned from Executive Session at 9:40 a.m.

This matter was continued from the June 2009 Board Hearings. The Board was represented by Camila Alarcon, Assistant Attorney General. The Agent, Donald T. Kirkman appeared at the hearing and was represented by counsel, Harvey M. Yee. The City of Phoenix was represented at the hearing by Assistant City Prosecutor Barbara Perascandola. Robert Robinson and Ardis Edstron appeared in support of the applicant, were sworn, and testified. Detective Melissa Borquez of the Phoenix Police Department was sworn, and testified. Alan Davidon, and Linda Pollack appeared as witnesses for the City of Phoenix, were sworn, and testified.

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

3. Bar Liquor License No. 06070575 – Appeal of Director's Decision & Order

Onofre J. Padilla, Agent
 Escandolo Bar, LLC
 Mango's Sports Bar & Club
 5510 W. Camelback Road #9-13
 Glendale, AZ 85301

Complaint No.
 09A-0008-LIQ-(PHX)

Subsequent to this matter being set for hearing, the Applicant has withdrawn the Appeal of Director's Decision and Order. The Board was represented by Chris Munns, Assistant Attorney General. The Department was represented by Camila Alarcon, Assistant Attorney General. The Agent did not appear and was not represented by counsel.

Motion for Withdrawal -	Carruthers
Seconded -	DuPont
Yay -	Huellmantel, Everett, Carruthers, DuPont, Jongewaard, Cantrell, Linden
Nay -	None
Abstained -	None
Disposition -	Appeal Withdrawn

4. Restaurant Liquor License No. 12077353 – Appeal of Director's Decision & Order

Beverly S. Friedman, Agent
 AZ Group Enterprises, Inc.
 Bar Louie
 6770 N. Sunrise Boulevard, Ste. G109
 Glendale, AZ 85305

Complaint No.
 09A-0006-LIQ-(PHX)

Subsequent to this matter being set for hearing, the Applicant has withdrawn the Appeal of Director's Decision and Order. The Board was represented by Chris Munns, Assistant Attorney General. The Department was represented by Camila Alarcon, Assistant Attorney General. The Agent did not appear and was not represented by counsel.

Motion for Withdrawal -	Carruthers
Seconded -	DuPont
Yay -	Huellmantel, Everett, Carruthers, DuPont, Jongewaard, Cantrell, Linden
Nay -	None
Abstained -	None
Disposition -	Appeal Withdrawn

5. Restaurant Liquor License No. 12143126 – Appeal of Director's Decision & Order

Majid S. Jajo, Agent
Famous Sam's
2052 S. 4th Avenue
Yuma, AZ 85364

Complaint No.
09A-0004-LIQ-(TUC)

Subsequent to this matter being scheduled for hearing, Counsel for the Department in this case, Kathryn Winters, has filed a request for continuance of this matter until the August 2009 Board Hearings. The Board was represented by Chris Munns, Assistant Attorney General. The Department was represented by Kathryn Winters, Assistant Attorney General. The Agent did not appear and was not represented by counsel.

Motion to Grant Continuance -	Carruthers
Seconded -	DuPont
Yay -	Huellmantel, Everett, Carruthers, DuPont, Jongewaard, Cantrell, Linden
Nay -	None
Abstained -	None
Disposition -	Continuance Granted until August 6, 2009 Board Hearings

Mr. Huellmantel excused himself from the Hearings at 11:22 a.m.
The Board went into Recess at 11:23 a.m.
The Board returned from Recess at 11:31 a.m.

6. Beer and Wine Bar Liquor License No. 07070669 - Person & Location Transfer Application

From:
Jose Emiliano Guzman Lopez, Agent
Torres & Guzman, LLC
Vallartas II Restaurant & Nightclub
3241 W. Thomas Road
Phoenix, AZ 85009

To:
Jose Carmen Briseno Lopez, Agent
Salon de Fiestas La Cascada
2722 W. Thomas Road
Phoenix, AZ 85009

This matter was continued from the June 2009 Board Hearings. The Board was represented by Chris Munns, Assistant Attorney General. The agent, Jose Carmen Briseno Lopez, appeared at the hearing, was sworn and testified, and was not represented by counsel. Assistant City Prosecutor Fred Bibeau appeared on behalf of the City of Phoenix. Assistant Attorney General Camila Alarcon appeared on behalf of the Department. Detective Amber Campbell of the Phoenix Police Department and Investigator Mario Trevizo of the Department of Liquor Licenses and Control both appeared, were sworn, and testified.

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

The Board Recessed for Lunch 12:14 p.m.
The Board returned from Lunch Recess at 1:30 p.m.

7. Beer and Wine Store Liquor License No. 10103530 – Original Application

Kelly Vaughan, Agent
QuikTrip Corporation
QuikTrip #1490
2345 E. Irvington Road
Tucson, AZ 85714

Subsequent to this matter being scheduled for hearing, the sole public protest of this matter has been withdrawn. The Board was represented by Camila Alarcon, Assistant Attorney General. Applicant appeared with counsel, Harvey Yee, who addressed the Board.

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

8. Beer and Wine Store Liquor License No. 10103529 - Original Application

Kelly Vaughan, Agent
QuikTrip Corporation
QuikTrip #1452
5151 E. Speedway Boulevard
Tucson, AZ 85711

The Board was represented by Camila Alarcon, Assistant Attorney General. Applicant appeared with counsel, Harvey Yee, who addressed the Board. No Public Protestors appeared at the Hearing.

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

9. Beer and Wine Store Liquor License No. 10103525 – Original Application

Kelly Vaughan, Agent
QuikTrip Corporation
QuikTrip #1450
68 W. River Road
Tucson, AZ 85704

The Board was represented by Camila Alarcon, Assistant Attorney General. Applicant appeared with counsel, Harvey Yee, who addressed the Board. No Public Protestors appeared at the Hearing.

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

Mr. Huellmantel rejoined the Hearings at 1:45 p.m.

10. Beer and Wine Bar Liquor License No. 07080103 - Person Transfer Application

From:
Augustin Nunez, Agent
La Conchita Restaurant
1226 Riverview Drive
Bullhead City, AZ 86442

To:
Claudia Allums, Agent
Claudia LLC
Eclipse Sports Bar
1226 Riverview Drive
Bullhead City, AZ 86442

The Board was represented by Camila Alarcon, Assistant Attorney General. The agent, Claudia Allums, did not appear at the hearing, and was not represented by counsel. Assistant City Prosecutor Maria Kannianen appeared on behalf of the City of Bullhead City. Corporal Alberto Otero appeared on behalf of the City of Bullhead City, was sworn, and testified.

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

Motion to Term Interim Permit -	Carruthers
Seconded -	Cantrell
Yay -	Huellmantel, Everett, Carruthers, DuPont, Jongewaard, Cantrell, Linden
Nay -	None
Abstained -	None
Disposition -	Interim Permit Terminated

11. Bar Liquor License No. 06070325 – Person Transfer Application

Elliott J. Glasser, Agent
Le Grand Citron, LLC
Le Grand Citron
2040 N. Scottsdale Road
Scottsdale, AZ 85257

This matter was set for further hearing during the May 2009 Board Hearings, and continued from the June 2009 Board Hearings. The Board was represented by Camila Alarcon, Assistant Attorney General. The Agent, Elliott J. Glasser appeared at the hearing, was sworn and testified. The agent was represented by counsel, Donna McDaniel, who addressed the Board. The City of Scottsdale was represented at the hearing by Assistant City Prosecutor Paul Norman, who addressed the Board.

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

12. Liquor Store License No. 09070744 – Acquisition of Control Application

Terry A. Renaker, Agent
Blue Parrot, Inc.
Cork 'n' Bottle Liquors
4101 E. McDowell Road
Phoenix, AZ 85008

This matter was heard out of order at 1:30 p.m. Subsequent to this matter being scheduled for hearing, Counsel for the Agent, Jerry Lewkowitz, has filed a request to withdraw this Application. The Board was represented by Camila Alarcon, Assistant Attorney General.

Motion for Withdrawal -	Jongewaard
Seconded -	DuPont
Yay -	Everett, Carruthers, DuPont, Jongewaard, Cantrell, Linden
Nay -	None
Abstained -	None
Disposition -	Application Withdrawn

13. Beer and Wine Store Liquor License No. 10075762 – Original Application

Evelia Quintana, Agent
E.Q. Discount .99 Cents Plus
4520 N. 19th Avenue
Phoenix, AZ 85015

The Board was represented by Camila Alarcon, Assistant Attorney General. The Applicant failed to appear at the Hearing. The City of Phoenix was represented at the hearing by Assistant City Prosecutor Barbara Perascandola, who addressed the Board. Donna Neill and Miguel Vasquez appeared as a witnesses for the City of Phoenix, were sworn, and testified.

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

14. Beer and Wine Store Liquor License No. 10075764 – Original Application

Erika F. Torres De Leon, Agent
Tropicarnes Mercado Y Carniceria, LLC
Tropicarnes Mercado Y Carniceria
4501 N. 27th Avenue
Phoenix, AZ 85019

This matter was heard out of order at 2:00 p.m. Subsequent to this matter being scheduled for hearing, the Agent has filed a request for continuance of this matter. The Board was represented by Camila Alarcon, Assistant Attorney General. The Agent appeared at the hearing and addressed the Board. The City of Phoenix was represented at the hearing by Assistant City Prosecutor Barbara Perascandola, who addressed the Board.

Motion for Continuance -	Jongewaard
Seconded -	Huellmantel
Yay -	Huellmantel, Everett, Carruthers, DuPont, Jongewaard, Cantrell, Linden
Nay -	None
Abstained -	None
Disposition -	Continuance Granted until September 3, 2009 Board Hearings

15. Beer and Wine Bar Liquor License No. 07070105 – Person Transfer Application

From:
Alma Rodriguez De Sanchez, Agent
El Tejano, LLC
El Tejano
1605 W. Broadway Road
Phoenix, AZ 85041

To:
Jose A. Vidales-Quiroz, Agent
El Tejano
1605 W. Broadway Road
Phoenix, AZ 85041

This matter was heard out of order at 1:40 p.m. Subsequent to this matter being scheduled for hearing, the Applicant has filed a request to withdraw this application. The Applicant did not appear at the hearing. The Board was represented by Camila Alarcon, Assistant Attorney General.

Motion for Withdrawal -	DuPont
Seconded -	Jongewaard
Yay -	Everett, Carruthers, DuPont, Jongewaard, Cantrell, Linden
Nay -	None
Abstained -	None
Disposition -	Application Withdrawn

E. Call to the Public

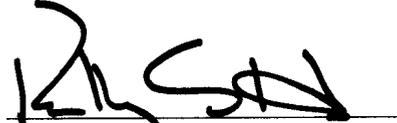
Ms. Donna Neill addressed the Board to offer thanks for their work today.

F. Future Board Date

The next meeting of the Arizona State Liquor Board is scheduled for August 3, 2009 at 9:00 a.m.

G. Adjournment

The Board adjourned at 2:50 p.m.



Kelly Stetson
Administrator of the
Arizona State Liquor Board



8/7/09
Date