



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

J. D. GHELFI  
 Board Chair

ALAN EVERETT  
 Director

Arizona State Liquor Board Hearing Minutes  
 September 1, 2011

Members Present: J.D. Ghelfi -Chair, Bill DuPont -Vice-Chair (telephonically), Robin Cantrell, Tim Linden, Jim Carruthers (telephonically), Mike Farley (telephonically)

Members Absent: Vikki Scarafiotti

Counsel Present: Camila Alarcon, Assistant Attorney General

Staff Present: Stefanie Murphy, Board Administrator

**A. Call to Order**

The hearing of the Arizona State Liquor Board was called to order on September 1, 2011 at 10:06 a.m. with Mr. Ghelfi presiding.

**Roll Call**

Ms. Scarafiotti was absent from the hearing due to technical difficulties. All other board members were present.

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

**1. Beer & Wine Store Liquor License No. 10073832– Agent Change/Acquisition of Control Application**

Sukwi Kim, Agent  
 Amigo’s Market LLC  
 Amigo’s Market  
 9204 N. 7<sup>th</sup> Street #8-10  
 Phoenix, AZ 85020

This matter was set for hearing because the City of Phoenix recommended disapproval of this application. The applicant did not appear at the hearing and was not represented by counsel. Assistant City Prosecutor Barbara Parascandola appeared on behalf of the City of Phoenix. Assistant Attorney General Camila Alarcon was present to provide legal advice to the Board. Chairman Ghelfi noted that a request to continue the application was filed by the City of Phoenix.

Motion to Continue -	Carruthers
Seconded -	Linden
Yay -	Ghelfi, DuPont, Carruthers, Cantrell, Linden, Farley
Nay -	None
Abstained -	None
Disposition -	Continued to the October 6, 2011 hearings

**2. Bar Liquor License No. 06070457– Person Transfer Application**

From:  
 Michael Dove, Agent

To:  
 Nicholas Lujan, Agent

Whip Lounge  
420 S Mill Avenue #101  
Tempe, AZ 85281

TCBRN LLC  
Wasted Velvet  
420 S. Mill Avenue #101  
Tempe, AZ 85281

This matter was continued from the July 2011 Board Hearings and was set for hearing because the City of Tempe recommended disapproval and the Department of Liquor Licenses and Control (“Department”) also issued a protest in regard to this application. The applicant was not present at the hearing and was represented by counsel, Harvey Yee. Police Legal Advisor Bill Amato appeared on behalf of the City of Tempe. Assistant Attorney General Camila Alarcon was present to represent the Department of Liquor Licenses and Control. Chairman Ghelfi noted that a request to withdraw the application was filed by the applicant. There was no objection by the City of Tempe or the Department.

Motion to Withdraw -	DuPont
Seconded -	Farley
Yay -	Ghelfi, DuPont, Carruthers, Cantrell, Linden, Farley
Nay -	None
Abstained -	None
Disposition -	Withdrawal of application granted

**3. Restaurant Liquor License No. 12078762- Original Application**

Joseph Glenn Severs, Agent  
BS Inc.  
Road House Café/Double Duece  
7000 E. Main Street  
Mesa, AZ 85207

This matter was set for hearing because the City of Mesa recommended disapproval of the application. The applicant, Joseph Glenn Severs, was present at the hearing and was not represented by legal counsel. Assistant City Attorney Kelly Gregan appeared on behalf of the City of Mesa. Assistant Attorney General Camila Alarcon was present to provide legal advice to the Board. Chairman Ghelfi noted that a request to withdraw the recommendation of disapproval was filed by the City of Mesa and the Director of the Department of Liquor License and Control requests the Board cancel the hearing.

Motion to grant Director’s request to cancel the hearing -	DuPont
Seconded -	Cantrell
Yay -	Ghelfi, DuPont, Carruthers, Cantrell, Linden, Farley
Nay -	None
Abstained -	None
Disposition -	Director’s request to cancel the hearing granted

Motion to grant -	Farley
Seconded -	Cantrell
Yay -	Ghelfi, DuPont, Carruthers, Cantrell, Linden, Farley
Nay -	None
Abstained -	None
Disposition -	License granted

**4. Beer & Wine Store Liquor License No. 10076171- Original Application**

Juma Mohammad Abuarar, Agent  
Food For Less, LLC  
Food For Less  
2848 N. 43<sup>rd</sup> Avenue  
Phoenix, AZ 85009

This matter was set for hearing because the City of Phoenix recommended disapproval of the application. The applicant was not present at the hearing and was represented by counsel, Harvey Yee. The City of Phoenix did not appear at the hearing. Assistant Attorney General Camila Alarcon was present to provide legal advice to the Board. Chairman Ghelfi noted that a request to withdraw the recommendation of disapproval was filed by the City of Phoenix and the Director of the Department of Liquor License and Control requests the Board cancel the hearing.

Motion to grant Director's request to cancel the hearing -	Carruthers
Seconded -	Cantrell
Yay -	Ghelfi, DuPont, Carruthers, Cantrell, Linden, Farley
Nay -	None
Abstained -	None
Disposition -	Director's request to cancel the hearing granted

Motion to grant -	DuPont
Seconded -	Cantrell
Yay -	Ghelfi, DuPont, Carruthers, Cantrell, Linden, Farley
Nay -	None
Abstained -	None
Disposition -	License granted

**5. Liquor Store Liquor License No. 09077009- Original Application**

Jason B. Morris, Agent  
German Dobson CVS, LLC  
CVS Pharmacy #9347  
1525 N. Central Avenue  
Phoenix, AZ 85004

This matter was continued from the April 2011 Board Hearings and was set for hearing due to public protest. The applicant Jason B. Morris was present at the hearing and was represented by counsel, Adam Baugh. Kristina Floor was present representing the protestors. Assistant Attorney General Camila Alarcon was present to provide legal advice to the Board.

Chairman Ghelfi noted that the hearing was continued back in April to allow both parties time to meet and enter into a settlement agreement to remove the protest. Ms. Floor stated that the protestors and applicant have entered into an agreement at this time. Mr. DuPont verified that he reviewed the material from the April hearing and was prepared to vote on the matter. Ms. Alarcon clarified for the record that the agreement is between the neighborhood and CVS and the Department of Liquor Licenses and Control has no enforcement power in the event of a violation. Chairman Ghelfi noted that the private party agreement does not bind the Department and the enforcement issue does not relate to the Department. Both parties agreed they understood that the agreement reached between the protestors and CVS was not binding upon or enforceable by the Department. Ms. Cantrell, Chairman Ghelfi, Mr. Farley made note of the efforts between the two parties to come to the agreement and complimented their work.

Mr. Linden made a motion to approve the application based on the community protest being satisfied and both parties agreeing to the community agreement.

Motion to grant -	Linden
Seconded -	Cantrell
Yay -	Ghelfi, DuPont, Carruthers, Cantrell, Linden, Farley
Nay -	None
Abstained -	None
Disposition -	License granted

**C. Minutes**

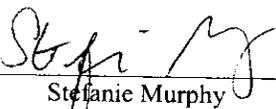
Mr. Linden noted he was not present for the March 2011 hearings. Mr. Carruthers noted he was not present for the December 2010 and July 2011 hearings.

Motion to approve -	DuPont
Seconded -	Cantrell
Yay -	Ghelfi, DuPont, Cantrell, Linden, Farley
Nay -	None
Abstained -	Carruthers
Disposition -	December 2010 minutes approved
Motion to approve -	DuPont
Seconded -	Farley
Yay -	Ghelfi, DuPont, Carruthers, Cantrell, Linden, Farley
Nay -	None
Abstained -	None
Disposition -	January 2011 minutes approved
Motion to approve -	DuPont
Seconded -	Farley
Yay -	Ghelfi, DuPont, Carruthers, Cantrell, Linden, Farley
Nay -	None
Abstained -	None
Disposition -	February 2011 minutes approved
Motion to approve -	Cantrell
Seconded -	Carruthers
Yay -	Ghelfi, DuPont, Carruthers, Cantrell, Farley
Nay -	None
Abstained -	Linden
Disposition -	March 2011 minutes approved
Motion to approve -	DuPont
Seconded -	Farley
Yay -	Ghelfi, DuPont, Cantrell, Linden, Farley
Nay -	None
Abstained -	Carruthers
Disposition -	July 2011 minutes approved
Motion to approve -	DuPont
Seconded -	Farley
Yay -	Ghelfi, DuPont, Cantrell, Linden, Farley
Nay -	None
Abstained -	Carruthers
Disposition -	July 2011 executive minutes approved

**D. Call to the Public**

None.

The Board adjourned at 10:30 a.m.

  
 \_\_\_\_\_  
 Stefanie Murphy  
 Administrator of the  
 Arizona State Liquor Board

\_\_\_\_\_  
 11/3/11  
 Date