

NOTICE OF HEARINGS AND AGENDA FOR THE
ARIZONA STATE LIQUOR BOARD

STATE LIQUOR BOARD HEARING DECISION NOTED IN RED FONT

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Arizona State Liquor Board and the general public that the Arizona State Liquor Board will hold a meeting open to the public on **November 5th, 2009** beginning at **9:00 a.m.**, in the Department's Hearing Room at 800 West Washington, 5th Floor, Phoenix, Arizona. As indicated in the following agenda, the Arizona State Liquor Board may vote to go into executive session, which will not be open to the public, to discuss certain matters, and that it may organize as a Panel to hear matters pursuant to A.R.S. § 4-111(D). In addition to any executive sessions listed below, when necessary, the Board or Panel may move to go into executive session intermittently throughout the meeting regarding any of the open meeting agenda items pursuant to A.R.S. § 38-431.03(A)(4) to obtain legal advice from its counsel or review any confidential records and/or A.R.S. § 38-431.03(A)(2), respectively. The Board may review, discuss or take action on any item on the agenda. Further, except for those matters indicating a specific time, the presiding officer will set the order of the agenda and items may be taken out of order.

Note: If any person needs special ADA accommodation, please notify the Department of Liquor Licenses and Control at (602) 542-5141 in time to make the accommodation.

The agenda for the meeting is as follows:

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- A. Call to order of the Board to identify the Board Members present, and indicate the date, time and location of this meeting. **ALL MEMBERS PRESENT**
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- B. Minutes: review, consideration and action. September 2009 minutes. **APPROVED**
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- C. 9:00 A.M. Scheduled Agenda: review, consideration and action.
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1. Bar Liquor License No. 06070506

Person & Location Transfer Application
WITHDRAWAL OF APPLICATION GRANTED

From:
Mark A. Maertens, Agent
Glam, LLC
Glam
3174 E. Indian School Road
Phoenix, AZ 85016

To:
Damian J. Hartze, Agent
Shark Bite, LLC
Cabo Joe's
8190 W. Deer Valley Road, Suite 110
Peoria, AZ 85382

Note: This matter is set for hearing because the City of Peoria has recommended disapproval and the Department of Liquor Licenses and Control has issued a protest in regard to this application.

2. Restaurant Liquor License No. 12078018

Original Application
DENIED

Damian J. Hartze, Agent
Shark Bite, LLC
Cabo Joe's Sports Bar & Grill
15651 W. Roosevelt Street
Goodyear, AZ 85338

Note: This matter is set for hearing because the City of Goodyear has recommended disapproval and the Department of Liquor Licenses and Control has issued a protest in regard to this application.

3. Restaurant Liquor License No. 12078005

Original Application

CONTINUED UNTIL DECEMBER 3, 2009 BOARD HEARINGS

Randy D. Nations, Agent
McFadden's Glendale, LLC
McFadden's Restaurant & Saloon
9425 W. Coyotes Boulevard, Building H
Glendale, AZ 85305

Note: Subsequent to this matter being set for hearing, the Department has requested a continuance until the December 2009 Board Hearings. This matter is set for hearing because the Department of Liquor Licenses and Control has issued a protest in regard to this application.

D. 1:30 P.M. Scheduled Agenda: review, consideration and action.

4. Beer & Wine Store Liquor License No. 10023116 Original Application
GRANTED

Dawn S. Wilson, Agent
American Museum of Natural History
Southwestern Research Station
2003 W. Cave Creek Road
Portal, AZ 85632

Note: This matter is set for hearing because the County of Cochise has forwarded the application with no recommendation.

5. Restaurant Liquor License No. 12103964 Original Application
DENIED

Charles R. Martinez, Agent
Los Palominos Restaurant, LLC
Los Palominos Restaurant
840 E. Ft. Lowell Road
Tucson, AZ 85719

Note: This matter is set for hearing because the City of Tucson has recommended disapproval.

6. Beer and Wine Bar Liquor License No. 07146002 Original Application
GRANTED

Jon Giesler, Agent
Sodexo America, LLC
Arizona Western College
2020 S. Avenue 8E
Yuma, AZ 85365

Note: This matter is set for hearing because the City of Yuma has recommended disapproval.

7. Beer and Wine Bar Liquor License No. 07070187 Person Transfer Application

CONTINUED UNTIL DECEMBER 3, 2009 BOARD HEARINGS

From:
Mary Ann Ruiz, Agent
Fernando's Hide Away
15014 N. Cave Creek Road
Phoenix, AZ 85032

To:
Chih-Yi Kan, Agent
Infierno II, LLC
El Infierno
15014 N. Cave Creek Road
Phoenix, AZ 85032

Note: Subsequent to this matter being set for hearing, counsel for the applicant has requested a continuance of this matter until the December 2009 Board Hearings. This matter is set for hearing because the City of Phoenix has recommended disapproval. This location currently has an interim permit.

8. Bar Liquor License No. 06070103

Person Transfer Application

CONTINUED UNTIL JANUARY 14, 2010 BOARD HEARINGS

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

Note: This matter is set for hearing because the City of Phoenix has recommended disapproval. This location currently has an interim permit.

9. Restaurant Liquor License No. 12077973

Original Application

CONTINUED UNTIL DECEMBER 3, 2009 BOARD HEARINGS

Richard Regalado Jr., Agent
Sports Center Bar & Grill, LLC
Sports Center Bar & Grill
5235 S. Kyrene Road, Suite #104
Tempe, AZ 85283

Note: Subsequent to this matter being set for hearing, the Department has requested a continuance until the December 2009 Board Hearings. This matter was continued from the September 2009 Board Hearings. This matter is set for hearing because the Department of Liquor Licenses and Control has issued a protest in regard to this application. This location currently has an interim permit.

10. Beer and Wine Store License No. 10075708

Request for Rehearing - Denial of Application

REQUEST FOR REHEARING DENIED

Efren Gutierrez Rodriguez, Agent
Las Milpas Super Market, LLC
Las Milpas Super Mercado
8210 W. Indian School Road
Phoenix, AZ 85033

Note: This matter was continued from the September 2009 Board Hearings. This application was denied at the May 7, 2009 Board Hearings. The order was issued on June 2, 2009. The request for rehearing was filed with the Department on July 7, 2009.

11. Beer & Wine Bar Liquor License No. 07070367 Person & Location Transfer
DENIED

From:
Rudy R. Johnson, Agent
Bill Johnson's Restaurants, Inc.
Bill Johnson's Big Apple West
3101 W. Indian School Road
Phoenix, AZ 85017

To:
Jose Lopez Sanchez, Agent
El Dos De Oros
16816 N. Cave Creek Road
Phoenix, AZ 85032

Note: This matter was continued from the August and September 2009 Board Hearings. This matter is set for hearing because the City of Phoenix has recommended disapproval.

12. Liquor Store License No. 09070020 Person & Location Transfer
GRANTED

From:
Nicholas C. Guttilla, Agent
Albertson's, LLC
Albertson's #976
409 N. Litchfield Road
Goodyear, AZ 85338

To:
Clare H. Abel, Agent
Wal-Mart Stores, Inc.
Wal-Mart Supercenter #5768
800 E. Southern Avenue
Tempe, AZ 85282

Note: This matter is set for hearing because the City of Tempe has forwarded the application with no recommendation.

E. Call to the Public. **NONE**

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