



STATE OF ARIZONA  
ARIZONA STATE LIQUOR BOARD  
800 WEST WASHINGTON, 5<sup>TH</sup> FLOOR  
PHOENIX, AZ 85007  
Website: [www.azliquor.gov](http://www.azliquor.gov)

KATIE HOBBS  
Governor

TROY L. CAMPBELL  
Board Chair

BEN HENRY  
Director

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Arizona State Liquor Board Hearing Minutes  
November 2, 2023

Members Present: Troy L. Campbell – Chairman  
Lynn Shulman – Vice Chair  
Jill Pernice  
Victoria Yarbrough  
Paul David

Members Absent: None

Counsel Present: Deanie Reh, Assistant Attorney General  
Linda Bergevin, Assistant Attorney General  
Roberto Pulver, Assistant Attorney General, Independent Advisor to the Board

Staff Present: Denise Bale, Board Administrator  
Haley Garcia, Board Administrator

**A. Call to Order**

The hearing of the Arizona State Liquor Board was called to order on November 2, 2023, at 9:00 a.m. with Mr. Campbell presiding. Google Meet was utilized for facilitating the meeting. Board members, staff and all parties participated either online or telephonically. Board members were asked if they have, or a relative who has, a substantial interest or a remote interest with any of the matters on the agenda. Each member declared that he/she did not have a conflict of interest with any matters on the agenda.

**Roll Call**

All members were present.

**B. 9:00 a.m. Agenda: Review, consideration and action**

The Board welcomed Haley Garcia, the new Board Administrator and Policy Analyst who will be taking over the position once Denise Bale officially retires in December. Haley is a recent graduate from Arizona State University and is happy to be here.

**1. Granting of Rehearing and Review of Restaurant Liquor License Application, No. 231573**

Sol Park, Agent  
AZ Stone 1 LLC  
The Stone Korean Tofu House  
6910 E. Hampton Avenue  
Phoenix, AZ 85042

Attorney Michael Raine entered his appearance in this matter on behalf of the Applicant and filed a Motion to Continue Board's Consideration of the Stone House's Request for Rehearing or Review on October 30, 2023.

On November 2, 2023, Attorney Michael Raine appeared and presented an oral argument to the Board in regard to why the Applicant should be granted a continuance for consideration of the rehearing to the December meeting.

Assistant Attorney General Deanie Reh appeared and presented an oral argument to the Board in regard to why the Applicant should not be granted a continuance for consideration of the rehearing to the December meeting.

Chairman Campbell called upon the Board to have open discussion in which Board members Troy Campbell, Lynn Shulman, Jill Pernice, Victoria Yarbrough and Paul David participated. The matters that were discussed include whether or not the Applicant should be granted a continuance for consideration of a rehearing.

*Motion*

Ms. Pernice made a motion in the matter of Restaurant Liquor License Application No. 231573, AZ Stone 1 LLC, to grant a continuance for consideration of the rehearing to the December meeting. Vice Chair Shulman seconded Ms. Pernice's motion.

Seconded -	Shulman
Yay -	Campbell, Shulman, Pernice
Nay -	Yarbrough, David
Abstained -	None
Disposition -	DLLC Case No. 231573, AZ Stone 1 LLC, has been granted a continuance of the rehearing to the December Board meeting.

**2. Denial of Beer and Wine Store Liquor License Application No. 247869**

Suresh Kumar Thathi, Agent  
Thathi Gas LLC  
Speedy Mart  
1204 N. Alvernon Way  
Tucson, AZ 85718

This matter came before the Arizona State Liquor Board on September 14, 2023. The Applicant and the City of Tucson filed a Stipulated Motion to Continue the hearing to the November Board meeting. The Stipulated Motion to Continue was granted.

The following witnesses were sworn in:

Suresh Kumar Thati  
Steve Kozachik  
Ericka Stropka  
Kristine Yarter  
Margaret Johnson

Attorney Jake Curtis appeared and presented oral arguments to the Board on behalf of the Applicant in regard to why the Applicant should be granted a liquor license.

Principal Assistant City Attorney Shilpa Hunter-Patel appeared and presented oral arguments to the Board on behalf of the City of Tucson in regard to why the Applicant should not be granted a liquor license.

Suresh Kumar Thati appeared and testified on why the Applicant should be granted a liquor license.

City of Tucson Councilman Steve Kozachik appeared and testified on why the Applicant should not be granted a liquor license.

Tucson Police Department Lieutenant Ericka Stropka appeared and testified on why the Applicant should not be granted a liquor license.

Southwest Quadrant Leader for Garden District Neighborhood Kristine Yarter appeared and testified on why the Applicant should not be granted a liquor license.

The City of Tucson did not call upon Margaret Johnson to testify, and rested its case.

Chairman Campbell called upon the Board to have open discussion in which Board members Troy Campbell, Lynn Shulman, Jill Pernice, Victoria Yarbrough and Paul David participated. The matters that were discussed are whether or not the Applicant should be granted a Beer and Wine Store Liquor License.

*Motion*

Mr. David spoke about location factors, such as lack of community support, the City of Tucson recommended disapproval, and the complaints from the neighbors.

Ms. Shulman discussed the applicant's cavalier attitude toward neighborhood complaints, and the fact that the applicant has not demonstrated personal interest in the license, allowing the applicant's son to represent the business.

Ms. Yarbrough discussed her concern that the money the applicant spent on the building should have been spent on the exterior of the building to address neighborhood concerns.

Ms. Pernice discussed her concern that the applicant was not directly involved in the application process, and the applicant has not been personally involved in resolving issues related to the application.

Chairman Campbell invited a motion.

Mr. David made the motion to find that Suresh Thati, on behalf of DLLC Case No. 247869, Thati Gas LLC, Speedy Mart, the public convenience does not require and it is not in the best interest of the

community to grant a liquor license based on the following location factors: there is a lack of community support, the City of Tucson recommended disapproval, and the complaints from the neighbors.

Ms. Yarbrough seconded Mr. David's motion.

Chairman Campbell offered an amendment based on the personal qualifications of the applicant in failing to address the concerns by the City and by the community, and the lack of outreach to the City, as additional reasons for denial.

Ms. Yarbrough seconded Chairman Campbell's amended motion.

Seconded -	Yarbrough
Yay -	Campbell, Shulman, Pernice, Yarbrough, David
Nay -	None
Abstained -	None
Disposition -	DLLC Case No. 247869, Thathi Gas LLC, Speedy Mart, Beer and Wine Store Liquor License Application has been denied.

**3. Denial of Restaurant Liquor License Application No. 250000**

Raymond Joseph Kubik, Agent  
West Side Tavern LLC  
Westside Tavern  
3558 W. Northern Avenue  
Phoenix, AZ 85051

This matter was set for hearing because of the City of Phoenix Police Department recommended disapproval based on the applicant's history of liquor license violations, multiple outstanding tax liens and submitting an application which indicates the location will be a bar versus a restaurant.

The following witnesses were sworn in:

Raymond Joseph Kubik  
Andy Wing

Attorney Troy Froderman appeared and presented oral arguments to the Board on behalf of the Applicant in regard to why the Applicant should be granted a Restaurant Liquor License.

Assistant City Prosecutor Paul Vollemer appeared in substitution of Assistant City Prosecutor Jay Chapman on behalf of the City of Phoenix. Assistant Attorney General Deanie Reh declared that there were no concerns substituting for Mr. Chapman and Mr. Froderman had no objection to the substitution.

Mr. Vollemer appeared and presented oral arguments to the Board on behalf of the City of Phoenix in regard to why the Applicant should not be granted a Restaurant Liquor License.

Raymond Joseph Kubik appeared and testified in regard to why the Applicant should be granted a Restaurant Liquor License.

Phoenix Police Department Detective Andy Wing appeared and testified in regard to why the Applicant should not be granted a Restaurant Liquor License.

Chairman Campbell called upon the Board to have open discussion in which Board members Troy Campbell, Lynn Shulman, Jill Pernice, Victoria Yarbrough and Paul David participated. The matters that were discussed include whether or not the Applicant should be granted a Restaurant Liquor License.

*Motion*

Ms. Yarbrough made the motion to find the Applicant not qualified, capable and reliable based on the history of his liquor violations and lack of attention to key areas of his business and that the Board deny his application. Vice Chair Shulman seconded the motion.

Seconded -	Shulman
Yay -	Campbell, Shulman, Yarbrough, David
Nay -	Pernice
Abstained -	None
Disposition -	DLLC Case No. 250000, West Side Tavern LLC, Westside Tavern, Restaurant Liquor License Application has been denied.

**C. Title 4 Training:**

The Board members and Ms. Reh came to an agreement that the Board members will individually review the presentation on Title 4 amendments that were enacted during the 56<sup>th</sup> Legislature – First Regular Session, and have a discussion regarding any questions in the December Board meeting.

**D. Approval of Minutes: Review, Consideration and Action**

Vice Chair Shulman made the motion to approve the minutes of October 5, 2023. Mr. David seconded the motion. (Ms. Yarbrough was not present during the October Board meeting and will therefore not be participating in the vote.)

Seconded -	David
Yay -	Campbell, Shulman, Pernice, David
Nay -	None
Abstained -	None
Disposition -	The minutes from the October 5, 2023 Board meeting are approved.

**E. Reports on Current Events, Matters of Board Procedure, Requests and Items for Future Agenda**

The next Board meeting is scheduled for December 7, 2023. Ms. Yarbrough left the meeting. Mr. David inquired why the Director of the Department was not permitted to provide information on DLLC Case No. 231573, AZ Stone 1 LLC. Chairman Campbell declared that it was a matter of Board procedure, that the Department’s counsel should have introduced the Director as a witness when it was their time to present statements to the Board and that the Arizona Liquor Board is separate from the Department.


**F. Call to the Public**

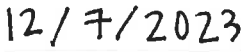
None.

Vice Chair Shulman made the motion to adjourn meeting. Ms. Pernice seconded the motion. (Ms. Yarbrough was not present during this time of the meeting and will therefore not be participating in the vote.)

Seconded -  
Yay -  
Nay -  
Abstained -  
Disposition -

Pernice  
Campbell, Shulman, David, Pernice  
None  
None  
Meeting adjourned at 2:06 p.m.

  
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Haley Garcia  
Administrator of the  
Arizona State Liquor Board

  
\_\_\_\_\_  
Date