

LIQUOR LICENSE DISAPPROVAL FORM

Police Department Liquor License Disapproval Recommendation

Application Information

Business Name	Golden Margarita	District	8
Business Location	330 E. Roosevelt Street		
Applicant Name	Golden Margarita LLC/Jeffrey Miller	Series Type	12

The Police Department recommends disapproval of this liquor license application for the following reasons:

Saraj Gem Ray, Managing Member and controlling person for Golden Margarita LLC re-applied for a Series 12 restaurant liquor license for Golden Margarita located at 330 E. Roosevelt Street, Phoenix, AZ. Prior to this current application for an acquisition of control. Mr. Ray submitted an application for a Series 12 which was withdrawn shortly after the Department of liquor licenses and Control cancelled the Interim Permit.

During Det. Kevin Crotty's investigation, he found complaints called in by surrounding neighbors about loud music coming from the Golden Margarita. One of the callers stated in an e-mail to the City Manager's Office that the loud music was coming from the Golden Margarita. Further, the e-mail stated during the week the music continues until 1:00 a.m. and 2:00 a.m. on the weekends. The music is described as "distasteful" and stated the lyrics in the music has "foul language". It should be noted that per the stipulations on his required use permit, it is expressly written that the "volume shall not be greater than surrounding ambient conditions".

Det. Crotty contacted Det. John Barchak who is with the Arizona Department of Liquor and Control (DLLC). Det. Barchak stated that Mr. Ray lost his ability to run a restaurant in Scottsdale, AZ due to a low finding of 17% food sales and several fights at the restaurant's location that generated a police response. Additionally, Mr. Ray has an outstanding fine with DLLC of \$6,500 that had not been paid at the time of this report. Det. Crotty was also informed that the Golden Margarita has three service bars located within the establishment eluding that the Golden Margarita may be set up for the possibility of becoming a bar/pub type atmosphere and not a restaurant.

The aforementioned violations in Scottsdale show a history of non-compliance by Mr. Ray, as the sole Controlling Person of Three Wise Men, at 7323 East Shoeman Lane. Here is a summary of those violations:

--The DLLC performed an audit, reference interim permit license 1207B288 for Three Wise men, using the information that the licensee provided from January 1, 2019 through December 29, 2019 and concluded that the licensee did not meet the definition of a restaurant because its food sales percentage for the audit period was 15.69%.

--On February 27, 2020, in response to an Order to Show Cause issued by the DLLC on February 26, 2020, the licensee submitted additional documentation raising the food sale percentage to 17.21%. In addition to failing the audit, the licensee failed to provide complete records as required by R19-1-317(D).

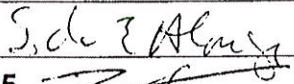
--On or about January 17, 2020, an investigation by Scottsdale PD discovered an assistant general manager was intoxicated while on duty.

--Licensee was ordered to pay the DLLC on or before March 16, 2020, a civil penalty pursuant to ARS 4-210.01(A) for \$6,500. The licensee failed to pay the DLLC as required; the licensee failed to comply with Title 4.

Based upon the reasons listed above, the applicant has not demonstrated that he is reliable, capable, or qualified to be responsible enough to hold a liquor license.

This recommendation for disapproval is submitted by: Ofc Jan Rollon #8104

SIGNATURES

Investigating Detective	I Alonge A4289 
Liquor Enforcement Detail Supervisor	Sgt. M. Doty 5785 