

LIQUOR LICENSE DISAPPROVAL FORM

Police Department Liquor License Disapproval Recommendation

Application Information

Business Name	KASSANDRA	District	8
Business Location	1639 EAST MCDOWELL ROAD		
Applicant Name	KASSANDRA LA SANTISIMA LLC, Jeffrey Craig Miller, Agent	Series Type	7

Sergio Eduardo Jimenez Guadarrama through Kassandra La Santisima LLC have applied for a person to person and location transfer of a Series 7 liquor license to Kassandra at 1639 East McDowell Road.

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

Historical Information:

Sergio Jimenez Guadarrama and his sister Marlene Jimenez opened the Kassandra nightclub at 1639 East McDowell Road in August of 2016. They began advertising on Facebook for bartenders, waitresses and staff for the bar. No applications for a liquor license were received for this location until this application was filed on May 15, 2017.

Phoenix Police off duty officers work across the street from this location at the Karamba Nightclub at 1724 E McDowell Road. In August of 2016 Officer Knight-Fogel contacted me and stated she observed on several occasions Kassandra to be open. Knight-Fogel expressed concerns the bar might not be properly licensed.

On September 14, 2016 the Arizona Department of Liquor received an anonymous complaint that the location was unlicensed and selling alcohol. According to the DLLC investigation report, on September 23, 2016 an inspection was conducted of the location by DLLC Officer Webb. Upon arrival he asked to speak to the owner, a male subject exited the building and verbally identified himself as "Sergio Eduardo Jimenez", the owner. Officer Webb observed security at the door, lights were dimmed, loud music was playing and there were approximately 50 individuals sitting at tables most of whom were in possession of alcoholic beverages. Mr. Jimenez Guadarrama explained at the time it was a private party, all of the alcohol was free and he intended to apply for a liquor license but wanted to have a few private parties first before opening to the public.

In October 2016, Officer Fogel contacted me again when she noticed on the Kassandra Facebook page there was a birthday/Halloween party planned at the bar for October 28, 2016. Det. Westfall contacted Officer Williams with the DLLC and coordinated a covert inspection for the night of the party on October 28, 2016. Two officers went into the bar in plain clothes and were able to purchase alcohol. There were several patrons in the bar who were interviewed all said they had purchased alcohol. During the investigation Mr. Jimenez Guadarrama stated he tried to get a license for the alcohol but state licensing told him no, to date this is the first application received from Mr. Jimenez Guadarrama for a liquor license, there is no history of him applying for a license.

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Sergio Eduardo Jimenez Guadarrama and his sister Isabel Jimenez were both cited by DLLC Officer Williams for violation of 4-244.1, Sale of alcohol without a license, a class one misdemeanor. They plead guilty to this offense and paid a fine. Mr. Jimenez Guadarrama was also cited by the DLLC for a compliance violation and ordered to pay a \$2000 fine. DLLC sent letters to Mr. Jimenez Guadarrama asking him to pay his fine, he ignored these letters for six months, when he applied for this license his application was flagged because he had not taken care of the fine. This is the second incident of Mr. Jimenez Guadarrama ignoring the DLLC, back in September when told to get a license he refused to do so and held an event in which he sold liquor without a license. Therefore Mr. Jimenez Guadarrama is not capable, qualified and reliable.


Location:

The Phoenix Police Department has concerns regarding the issuance of this liquor license at this location. There are currently several existing businesses with liquor licenses in the area between 16th Street and the SR51 on McDowell including, Aqua Night Club, Karamba Night club, Delirium Night Club, and Plush Gentleman's Club to name a few. There is currently one Series 7 Beer and Wine Bar, seven Series 6 Bar and 17 Series 10 Beer and Wine Store licenses in the 85006 zip code that satisfy the area's need and convenience.

A.R.S. 4-203 A states in part "A spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and, with the exception of wholesaler, producer, government or club licensees, that the public convenience requires and that the best interest of the community will be substantially served by the issuance." Therefore the applicant has not demonstrated that granting a license for this location is in the best interest of the community.

Based on the criminal history of the applicants relating to liquor violations at this location and the applicant's failure to comply with DLLC requests the applicant is not capable, qualified, nor reliable to hold a liquor license. Additionally, there are currently several existing businesses with liquor licenses in the area, that satisfy the area's need and convenience, granting a license in this area is not in the best interest of the community. Therefore, it is my recommendation that the City Council recommend disapproval of this application.

This recommendation for disapproval is submitted by: Det. G. Westfall #7011

SIGNATURES	
Administrative Licensing Investigator	I. Alonge A4289 
Liquor Enforcement Detail Supervisor	Sgt. Doty 5785 