

State of Alaska
Alcoholic Beverage Control Board
August 28, 2008
Agenda

Location: Nome - City Chambers
Anchorage – Alaska Housing Finance Corporation Building, 4300 Boniface Pkwy

Time: 8:45 – Director Briefing

1. ADMINISTRATION

- A. Approve minutes of the July 10, 2008 Board meeting.**
- B. Delegate tie-breaking vote to the Director.**

2. ADMINISTRATIVE MATTERS

A. INFORMAL CONFERENCES

B. HEARING OFFICER DECISIONS

C. SETTLEMENT AGREEMENT

D. VOLUNTARY RELINQUISHMENT OF LICENSE

E. REQUEST FORMAL HEARING

F. SUSPENSION

- 1. 3796 Ramada Ltd Hotel of Anchorage; How How Inc.; located at 207 Muldoon Rd in Anchorage; beverage dispensary – tourism license.
Board consideration of suspension/fine. (Furnishing/TAM)**

Attachment 2F-1

2. 3946 **Hot Tamale;** Mario Valderrain; located at 112 N Turner St in Fairbanks; restaurant/eating place license.

Board consideration of suspension/fine. (TAM)

Attachment 2F-2

3. 1540 **Froso's**; Minas Charalambous; located at 35433 Kenai Spur Rd in Soldotna; restaurant/eating place license.

Board consideration of suspension/fine. (TAM)

Attachment 2F-3

G. BOARD CONSIDERATION

1. Status of violations

Attachment 2G-1

2. NOV Responses

Attachment 2G-2

3. CONSENT AGENDA

A. 4795 **Beluga Lake Lodge;** Beluga Lake Lodge Inc.; located at 204 Ocean Dr Lp in Homer; ; **new** beverage dispensary - tourism license; backgrounds complete.

All statutory requirements have been met. City of Homer does not protest.

B. 4755 **Don Jose's Mexican Restaurant;** Don Jose's LLC; located at 924 Muldoon Rd in Anchorage; **new** restaurant/eating place license; backgrounds complete.

All statutory requirements have been met. Municipality of Anchorage does not protest. Temporary approval issued.

C. 762 **F Street Station;** Station Inc. (stock transfer); located at 325 F St in Anchorage; **transfer of ownership** beverage dispensary license; backgrounds complete.

All statutory requirements have been met. Municipality of Anchorage has not responded (notice sent 1/14/08).

D. 4781 **I Luv Sushi;** Minjing Kim; located at 9220 Lake Otis Pkwy in Anchorage; **new** restaurant/eating place license; backgrounds complete.

All statutory requirements have been met. Municipality of Anchorage does not protest. Temporary approval issued.

E. 4157 **Rumrunners Old Towne Bar & Grill;** Basilio Gallo.; located at 415 E St in Anchorage; **transfer of ownership** of a beverage dispensary license; from Grizzly's Inc., DBA Rumrunners Old Towne Bar; backgrounds complete.

All statutory requirements have been met. Municipality of Anchorage does not protest.

F. 4671 **Celestial Meads;** Michael Kiker; located at 600 W 58th Ave in Anchorage; **transfer of location** of a winery license; from 700 W 41st Unit H; backgrounds complete.

All statutory requirements have been met. Municipality of Anchorage does not protest. Temporary approval issued.

END CONSENT AGENDA

4. DELEGATION CONSENT AGENDA

A. 4823 Alaska on the Home Shore; Alaska on the Home Shore Co; located in Alaskan Waters; **new** common carrier – seasonal license; backgrounds not complete.

All statutory requirements have been met. No local governing body.

B. 4809 Alaska Sportsman’s Bear Trail Lodge; Alaska Sportsman’s Lodge LLC; located at 21 King Salmon Creek in Bristol Bay Borough; **new** lodge - seasonal license; backgrounds not complete.

All statutory requirements have **not** been met (DCED and State Fire Marshal). Bristol Bay Borough has not responded – notification sent June 16, 2008.

C. 4787 Casa del Sol; Casa del Sol LLC; located at 158 Holmgren Pl in Anchorage; **new** restaurant/eating place license; backgrounds not complete.

All statutory requirements have been met. Municipality of Anchorage does not protest. Temporary approval issued.

D. 4826 Era Aviation – N881EA; Era Aviation Inc.; located in Alaskan Skies; **new** common carrier license; backgrounds not complete.

AND

4827 **Era Aviation – N882EA;** Era Aviation Inc.; located in Alaskan Skies; **new** common carrier license; backgrounds not complete.

AND

4828 **Era Aviation – N883EA;** Era Aviation Inc.; located in Alaskan Skies; **new** common carrier license; backgrounds not complete.

AND

4829 **Era Aviation – N889EA;** Era Aviation Inc.; located in Alaskan Skies; **new** common carrier license; backgrounds not complete.

All statutory requirements have been met. No local governing body. Temporary approvals issued.

E. 3717 Glacier Bay Country Inn; Glacier Bay Country Inn LLC; located at 1 Mile Tong Rd in Gustavus; **transfer of ownership** of a restaurant/eating place license; from Ken & Sandra Marchbanks; backgrounds not complete.

All statutory requirements have been met. City of Gustavus does not protest. Temporary approval issued.

F. 4798 Lodge at Black Rapids, The; The Lodge at Black Rapids LLC; located at 227.4 Richardson Hwy in an unorganized area; **new** restaurant/eating place – tourism license; backgrounds not complete

All statutory requirements have been met. No local governing body. Temporary approvals issued.

G. 4575 **Alaska Bar**; Isner Inc.; located at No Premise in Ketchikan; **transfer of ownership, location & name change** of a beverage dispensary license; from Thomas Basin LLC, DBA That One Place, located at 211 Stedman St; backgrounds complete.

AND Simultaneously

4799 **No DBA**; Creek Street Cabaret, Inc.; located at No Premise in Ketchikan; **transfer of ownership & name change** of a beverage dispensary license; from Isner Inc., DBA Alaska Bar; backgrounds not complete.

All statutory requirements have been met. City of Ketchikan does not protest.

H. 4816 **Mayan Palace**; Taco Azteca Incorporated; located at 3401 Airport Way in Fairbanks; **transfer of ownership, location & name change** of a beverage dispensary license; from TKKO Inc., DBA Sunset Strip, located at 345 Old Richardson Hwy; backgrounds not complete.

All statutory requirements have *not* been met (Depts. of Revenue). Fairbanks does not protest.

I. 4362 **Settler's Bay Lodge**; Settler's Bay Lodge Inc.; located at 5801 S Knik-Goose Bay Rd in MatSu Borough; **transfer of ownership** of a beverage dispensary license; from Settlers Bay Investments Incorporated; backgrounds not complete.

All statutory requirements have been met. Matsu Borough does not protest.

J. 4815 **Anchorage Golf Course**; Anchorage Cleek Corporation, Inc.; located at 3651 O'Malley Rd in Anchorage; **new** golf course license; backgrounds not complete.

AND

2696 **O'Malley on the Green**; Anchorage Cleek Corporation, Inc.; located at 3651 O'Malley Rd in Anchorage; **transfer of ownership** of a beverage dispensary license; from Alyeska Resort Management Company; backgrounds not complete.

All statutory requirements have been met. Municipality of Anchorage does not protest.

K. 4814 **Trapper Jack's Pub & Grub**; JTF Investments of Alaska, LLC; located at Mile 14 Spur Rd in MatSu Borough; **new** restaurant/eating place license; backgrounds not complete.

All statutory requirements have *not* been met (DEC & Fire Marshal). MatSu Borough does not protest.

L. 4822 **Tunnels End Café & Espresso**; Tunnels End Espresso & Eatery LLC; located at 12 Harbor Lp in Whittier; **new** restaurant/eating place – public convenience license; backgrounds not complete.

All statutory requirements have *not* been met (Fire Marshal). City of Whittier approves.

M. 4810 **Wildman Lake Lodge**; Wildman Lake Lodge, Inc.; located at Lot 1, ALS # 87-131A in Lake & Peninsula Borough; **new** lodge - seasonal license; backgrounds not complete.

All statutory requirements have *not* been met (DEC). Lake & Peninsula Borough has not responded – notice sent 6/23/08.

N. 4493 **Wild Spice;** Dong Joon Yi & Kwang Su Yoon; located at 140 Seward St in Juneau; **transfer of ownership** of a restaurant/eating place license; backgrounds not complete.

All statutory requirements have *not* been met (Labor). City of Juneau does not protest.

O. 1090 **Cattle Company Steakhouse (stock transfer);** ARG Enterprises, Inc.; located at 300 Tudor Rd in Anchorage; **transfer of ownership & name change** of a beverage dispensary license; from ARG Enterprises, Inc., D.B.A. Stuart Anderson's Cattle Company; backgrounds not complete.

All statutory requirements have been met. Municipality of Anchorage has not responded (notice sent 6/24/08).

P 4806 **Trapper Creek Trading Post;** Trapper Creek Trading Post LLC; located at Mile 11.5 Parks Hwy in MatSu Borough; **new** restaurant/eating place license; backgrounds not complete.

All statutory requirements have *not* been met (Fire Marshal). MatSu Borough **protests** based on taxes owed (\$129.51).

FYI: 13 AAC 104.145(g)(1) Protest - requires the amount of delinquent taxes to be at least **\$200**.

END DELEGATION CONSENT AGENDA

5. **PROTESTS**

A. **REMOVED**

B. 4804 **Polaris Distributors**; Chang Lee; located at 601 W. Parks Hwy in Wasilla; **new** wholesale license; backgrounds not complete.

All statutory requirements have not been met (Fire Marshal). City of Wasilla protests based on:

- no application for a business license
- address is already occupied as a Chevron service station
- no change of use permit on file

FYI: this applicant was denied the issuance of a wholesale license in 2003 (in Anchorage) by the Board based on the fact that his affiliate at the time held ownership in a package store license.

Additional: Lease for this property states (page 5): **USE:** The premises shall be used and occupied only for the purpose of a **Church**. **Attachment 5B**

6. **OTHER FILINGS**

Item A - is a Consent Agenda item

A. 4760 **Evangelos**; K & G Enterprises LLC; located at 2530 E Parks Hwy in Wasilla; **transfer of ownership, location & name change** of a beverage dispensary license; from B&S Ventures Inc.; located at Mile 49 Parks Hwy in MatSu Borough; DBA Dead Dog Saloon; backgrounds complete.

All statutory requirements have been met. City of Wasilla **AND** MatSu Borough approve. Temporary approval issued.

FYI: this license is being transferred based on AS 04.11.400(m) – transfer of a beverage dispensary license from a borough into an organized city within the borough.

B. 533 Houston Lodge; Doris Jean Incorporated; located at 16966 W Parks Hwy in Houston; **transfer of ownership** of a beverage dispensary license; from Houston Lodge, Inc.; backgrounds not complete.

AND

534 **Houston Lodge;** Edward Evans Incorporated; located at 16966-A W Parks Hwy in Houston; **transfer of ownership** of a package store license; from Houston Lodge, Inc.; backgrounds not complete.

All statutory requirements have been met. City of Houston does not protest.

A former licensee continues to hold a security interest the licenses. The former licensee asserts a lien, but agrees to the approval of the transfer of both licenses, with payment at closing. **Attachment 6B**

Item C is a Consent Agenda item.

C. 4775 Brown Jug – Dimond & Victor; Brown Jug, Inc.; located at 2203 W Dimond Blvd in Anchorage; **transfer of location & name change** of a package store license; from 2534 Spenard Rd, D.B.A. Brown Jug – Chilkoots; backgrounds complete.

All statutory requirements have been met. Municipality of Anchorage does not protest. Temporary approval issued. Objection attached. **Attachment 6C**

7. **BACKGROUND INFORMATION**

8. **MUTUALLY EXCLUSIVE AND COMPETING APPLICATIONS**

9. **EXPIRED LICENSES**

Date of next meeting: _____ Location of next meeting: _____

ADDENDUM

G. BOARD CONSIDERATION

3. Proposed regulations

Attachment 2G-3