



THE STATE
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

550 W. 7th Avenue, Ste 1600
Anchorage, Alaska 99501
Main: 907.269.0350

MEMORANDUM

TO: Robert Klein, Chair and
Members of the Board
FROM: Cynthia Franklin
Director, ABC Board

DATE: July 15, 2016
RE: Tequila Kitchen Express, License
#5247

This is a late application for a renewal of a restaurant/eating place license in the Municipality of Anchorage (MOA). MOA has protested the renewal of the license failure to pay taxes. In addition, this license was tabled from the April 26, 2016 meeting where it was scheduled for the board to consider denial of a transfer due to non-action after delegation.

Date of application: February 25, 2016

Date of Protest: April 27, 2016

Basis of Protest: Non-payment of taxes to MOA

Requirements Met: Yes, protest issued by Anchorage Assembly in AR#2016-113;
applicant notified of Assembly hearing

Recommendation: Uphold protest and deny renewal of license. This licensee has been on every board meeting of the director's tenure since September, 2014 for continued violations of Title 4, failure to act on direction of board and staff, and failure to complete licensing duties such as transfer of stock ownership in a timely fashion. Suspensions have been issued. This renewal application was filed three days before the expiration of the license by operation of law and has now been protested by the MOA. The licensee has proven multiple times that they cannot or will not comply with Title 4 rules and requirements for licensure.

Andrews, Maxine R (CED)

From: Honest, Miranda L. <HonestML@ci.anchorage.ak.us>
Sent: Wednesday, July 13, 2016 1:31 PM
To: Franklin, Cynthia A (CED); Oates, Sarah D (CED)
Cc: AMCO Local Government Only (CED sponsored)
Subject: Tequila Kitchen Express LL#5247
Attachments: AR 2016-113 OCR.pdf; Tequila Kitchen Express LL#5247 Taxes.pdf

Hi Cindy & Sarah,
Attached are the documents supporting the Municipal protest of the renewal of license #5247. Please let me know if you need anything else.

Regards,
Mandy Honest
Business License Official

Municipal Clerk's Office
632 W. 6th Avenue, Suite 250
Anchorage, AK 99501
Phone: (907) 343-4316
MuniFax: (907) 249-7591
Email: MuniLicenses@muni.org
www.muni.org

Messages to and from this email address may be available to the public under Alaska Public Records Law.

Submitted by: ASSEMBLY CHAIR GRAY-JACKSON,
VICE-CHAIR TRAINI AND ASSEMBLY
PUBLIC SAFETY COMMITTEE CHAIR
EVANS

Prepared by: Municipal Clerk
For reading: April 26, 2016

CLERK'S OFFICE

APPROVED

Date: 4-26-2016

ANCHORAGE, ALASKA
AR NO. 2016-113

**A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY STATING ITS
PROTEST REGARDING THE RENEWAL OF A RESTAURANT/EATING PLACE LIQUOR
LICENSE #5247 FOR TEQUILA KITCHEN EXPRESS, LLC dba TEQUILA KITCHEN
EXPRESS, LOCATED AT 2514 E. TUDOR RD., ANCHORAGE, AK 99507 AND
AUTHORIZING THE MUNICIPAL CLERK TO TAKE CERTAIN ACTION.**

WHEREAS, Tequila Kitchen Express, LLC has made an application with the Alaska Alcohol and Marijuana Control Office (AMCO), formerly the Alcoholic Beverage Control (ABC) Board, and has paid the required fee for the renewal of a Restaurant/Eating Place Liquor License #5247, to be used for Tequila Kitchen Express, located at 2514 E. Tudor Rd., Anchorage, Alaska 99507; and

WHEREAS, the Assembly must enter any protest to the AMCO within 60 days following receipt of the application; and

WHEREAS, the Anchorage Municipal Clerk received a copy of this application on March 14, 2016 and has determined that the last day for the Assembly to file a protest is May 1, 2016; and

WHEREAS, the Assembly Meeting on April 26, 2016 is the last scheduled regular meeting of the Anchorage Assembly prior to the expiration of the protest period; and

WHEREAS, the Municipal Clerk reports the following status concerning this location:

1. Any AMCO violations and/or incidents on file that would lead to an AMCO violation are attached;
2. There are taxes owing to the Municipality of Anchorage in the amount of **\$1,171.72.**

WHEREAS, protest by the Assembly is in order pending Assembly confirmation that outstanding items required for this location have been completed.

NOW, THEREFORE, THE ANCHORAGE ASSEMBLY RESOLVES:

Section 1. The Anchorage Assembly hereby enters its **PROTEST** for the renewal of the Restaurant/Eating Place Liquor License #5247 until this condition is met:

- Taxes owing to the Municipality of Anchorage in the amount of \$1,172.72 are paid in full.

Section 2. A copy of this Assembly Resolution may be presented to the AMCO as proof that the Anchorage Assembly, as the local governing body, has stated its protest in order to allow the Director of the AMCO to hold processing of the Restaurant/Eating Place Liquor License #5247 under local protest, until receipt by the Director of confirmation from the Municipal Clerk that the conditions in Section 1 have been met, and this protest is lifted as authorized by this Assembly Resolution.

Section 3. The Anchorage Assembly hereby authorizes the Municipal Clerk, upon Municipal Clerk's confirmation that all Assembly conditions in Section 1 have been met, to provide written notification to the AMCO that this protest by the Anchorage Assembly is lifted, without further action by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this 26th day of April, 2016.


Chair of the Assembly

ATTEST:


Municipal Clerk

RECEIVED OFFICE OF
MAR 24 2016
MUNICIPAL CLERK

LL

Municipality of Anchorage

Business License Review

Finance - Business Personal Property Taxes

To: Diana Flavin/Blyss Cruz

Phone: 343-6940/343-6946

Fax: 343-6677

Liquor License

5247

Sent: 03-24-2016

Renew

Due: 04-07-2016

Previous License

Current Application

Owner:

Owner:

Tequila Kitchen Express, LLC

Business:

Business:

Tequila Kitchen Express

Address:

Address:

2514 E Tudor Rd.

Anchorage,

Anchorage, AK 99507

License is not protested

Date: _____

License is protested for taxes

Date: 3-24-16

PERSONAL Property Taxes 35-54/33300171

\$ 1167.45

PERSONAL Property Taxes _____

\$ _____

PERSONAL Property Taxes _____

\$ _____

REAL Property Taxes: _____

\$ _____

Hotel/Motel: _____

\$ _____

Reviewed By: Blyss Cruz

Date: 3-24-16

Collections: D Flavin

Date: 3-24-16

Comments: Taxes must be paid in full prior to approval.

- Certified Funds -

Protest Released - TAXES PAID IN FULL

MAILED
3/24/16 MB

Date: _____ Signed/Title: _____

Honest, Miranda L.

From: Flavin, Diana L.
Sent: Thursday, April 14, 2016 9:21 AM
To: Honest, Miranda L.
Subject: RE: Taxes Owed Tequila Kitchen Express LL#5247

Good Morning!

They have not. The current amount due is \$1171.72.

From: Honest, Miranda L.
Sent: Thursday, April 14, 2016 9:18 AM
To: Flavin, Diana L. <FlavinDL@ci.anchorage.ak.us>
Subject: Taxes Owed Tequila Kitchen Express LL#5247

Hi Diana,
I'm getting ready to submit documents for the Assembly agenda. Has Tequila Kitchen Express paid their taxes?

Regards,
Mandy Honest
Business License Official

Municipal Clerk's Office
632 W. 6th Avenue, Suite 250
Anchorage, AK 99501
Phone: (907) 343-4316
MuniFax: (907) 249-7591
Email: HonestML@muni.org
www.muni.org

13827

Alcoholic Beverage Control Board
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501

Renewal Liquor License 2016/2017

Phone: (907) 269-0350
Email: alcohol.licensing@alaska.gov
<http://commerce.alaska.gov/web/abc/Home.aspx>

License is: Full Year OR Seasonal If seasonal, list dates of operation: _____

SECTION A - LICENSE INFORMATION		
License Number: 5247	License Type: Restaurant/Eating Place	Statute Reference: Sec. 04.11.100
Local Governing Body: Anchorage, Mun. of Other(Anch,Sit,Jno,Com.Car,WA)		Community Council (if applicable): N/A
Name of Licensee: Tequila Kitchen Express, LLC		Doing Business As (DBA): Tequila Kitchen Express
Mailing Address: 2514 E Tudor Rd Anchorage, AK 99507		Street Address or Location of Premises: 2514 E Tudor Road
Phone: (907) 561-5611	Fax:	Email: pionetjpe@yahoo.com

SECTION B - OWNERSHIP INFORMATION - CORPORATION (if owner is a sole proprietor, skip to SECTION C)				
<i>Corporations, LLCs, LLPs and LPs must be registered with the Alaska Division of Corporations.</i>				
Name of Entity (Corporation/LLC/LLP/LP): Tequila Kitchen Express, LLC				
Is the Entity in "Good Standing" with the Alaska Division of Corporations? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, attach written explanation. Your entity <i>must</i> be in compliance with Title 10 of the Alaska Statutes to be a valid liquor licensee.				
Entity Members (Must include President, Secretary, Treasurer, Vice-President, Manager and Shareholder/Member with 10% or more of stock)				
Name	Title	%	Mailing Address	Telephone Number
Jose Picasso	Member	50	2954 Suncatcher St Anchorage, AK 99507	(907) 748-4266
Andrew Zhelayev	Member	50	2525 Blueberry Rd, Suite 206 Anchorage, AK 99503	(907) 250-1203
NOTE: If you need additional space, please attach a separate sheet.				

SECTION C – OWNERSHIP INFORMATION – SOLE PROPRIETORSHIP (INDIVIDUAL OWNER & SPOUSE)

Individual Licensees/Affiliates (The ABC Board defines an "affiliate" as the spouse or significant other of a licensee. Each affiliate must be listed.)

Name: Address: Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:	Name: Address: Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:
Name: Address: Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:	Name: Address: Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:

SECTION D – SUPPLEMENTAL QUESTIONS

Was your business open at least 30 days for 8 hours each day in 2014? Yes No

Was your business open at least 30 days for 8 hours each day in 2015? Yes No

Has any person named in this application been convicted of a felony or Title 4 violation?
If yes, attach a written explanation. Yes No

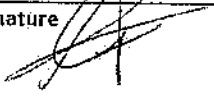
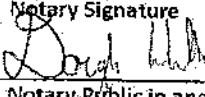
Has the licensed premises changed from the last diagram submitted?
If yes, attach a new diagram with designated premises areas outlined in red. Yes No

Were your gross receipts from the sale of food at least 50% of your total gross receipts for 2014 and 2015? Yes No

DECLARATION

- I declare under penalty of perjury that I have examined this application, including the accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct, and complete.
- I hereby certify that there have been no changes in officers or stockholders that have not been reported to the Alcoholic Beverage Control Board. The undersigned certifies on behalf of the organized entity, it is understood that a misrepresentation of fact is cause for rejection of this application or revocation of any license issued.
- I further certify that I have read and am familiar with Title 4 of the Alaska statutes and its regulations, and that in accordance with AS 04.11.450, no person other than the licensee(s) has any direct or indirect financial interest in the licensed business.
- I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.
- As a licensee (sole proprietor or partner), I certify that I have received Alaska alcohol server training and my certification is currently valid.
- As a corporate/LLC licensee, I certify that all agents and employees who serve, sell, or are otherwise responsible for the service, sale, or storage of alcoholic beverages have received Alaska alcohol server training and their certification is currently valid. I further certify that certain shareholders, officers, directors, or members of the entity who are not directly or indirectly responsible for the service, sale, or storage of alcoholic beverages are not Alaska alcohol server training certified and will not be required to be certified.
- As a licensee, I certify that all of my agents and employees tasked with patron identification verification have received alcohol server training and their certification is currently valid.

License Fee	\$ 600.00
Filing Fee	\$ 200.00
TOTAL	\$ 800.00
Late Fee of \$500.00 – if received or postmarked after 12/31/2015	\$ 500
Fingerprint Fee – \$49.75 per person (only for new owners/members)	\$
GRAND TOTAL	\$ 1300⁰⁰

Licensee Signature 	Printed Name & Title: Josie Picasso Member
Notary Signature 	Subscribed and sworn to before me this 28 day of February, 2016
Notary Public in and for the State of: Alaska	My commission expires: 09-27-2017

Division of Corporations, Business and Professional Licensing

Name(s)

Type	Name
Legal Name	Tequila Kitchen Express, LLC

Entity Details

Entity Type: Limited Liability Company

Entity #: 10036154

Status: Good Standing

AK Formed Date: 2/25/2016

Duration/Expiration: Perpetual

Home State: ALASKA

Next Biennial Report Due: 1/2/2018

Entity Mailing Address: 2514 E TUDOR RD, ANCHORAGE, AK 99507

Entity Physical Address: 2514 E TUDOR RD, ANCHORAGE, AK 99507

Registered Agent

Agent Name: Josue Picasso

Registered Mailing Address: 2514 E TUDOR RD, ANCHORAGE, AK 99507

Registered Physical Address: 2954 SUNCATCHER CT, ANCHORAGE, AK 99507

Officials

AK Entity#	Name	Titles	Percent Owned
	Andrew Zhelayev	Member	50
	Josue Picasso	Member	50

Filed Documents

Date Filed	Type	Filing	Certificate
2/25/2016	Creation Filing		
2/25/2016	Initial Report		



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GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

Sarah Daulton Oates
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
Phone: 907.269.0350

amco.localgovernmentonly@alaska.gov

March 2, 2016

Ms. Miranda Honest
Municipality of Anchorage
VIA Email: honestml@muni.org

Re: Notice of 2016/2017 Liquor License Renewal Applications

Dear Ms. Honest,

We have received a renewal application for each of the following licenses within your jurisdiction:

Lic. #	Doing Business As	License Type	Licensee	Premises Address
10	Al's Alaskan Inn	Beverage Dispensary-Tourism	Allen Henry Choy, LLC	7830 Old Seward Hwy.
5247	Tequila Kitchen Express	Restaurant/Eating Place	Tequila Kitchen Express, LLC	2514 E Tudor Road
5283	Shobu	Restaurant/Eating Place	Young Chul Kim	351 #B Muldoon Road
5311	White Spot Café	Restaurant/Eating Place	Thomas Patrick Doerner	109 W 4 th Avenue

A local governing body as defined under AS 04.21.080(b)(18) may protest the approval of an application(s) pursuant to AS 04.11.480 by providing the board **and** the applicant with a clear and concise written statement of reasons in support of a protest within 60 days of receipt of this notice. If a protest is filed, the board will not approve the application unless it finds that the protest is arbitrary, capricious, and unreasonable. Instead, in accordance with AS 04.11.510(b), the board will notify the applicant that the application is denied for reasons stated in the protest. The applicant is entitled to an informal conference with either the director or the board and, if not satisfied by the informal conference, is entitled to a formal hearing in accordance with AS 44.62.330-44.62-630. **IF THE APPLICANT REQUESTS A HEARING, THE LOCAL GOVERNING BODY MUST ASSIST IN OR UNDERTAKE THE DEFENSE OF ITS PROTEST.**

Under AS 04.11.420(a), the board may not issue a license or permit for premises in a municipality where a zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages, unless a variance of the regulation or ordinance has been approved. Under AS 04.11.420(b) municipalities must inform the board of zoning regulations or

ordinances which prohibit the sale or consumption of alcoholic beverages. If a municipal zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages at the proposed premises and no variance of the regulation or ordinance has been approved, please notify our office and provide a certified copy of the regulation or ordinance if you have not previously done so.

Protest under AS 04.11.480 and the prohibition of sale or consumption of alcoholic beverages as required by zoning regulation or ordinance under AS 04.11.420(a) are two separate and distinct subjects. Please bear that in mind when responding to this notice.

AS 04.21.010(d), if applicable, requires the municipality to provide written notice to the appropriate community council(s).

If you wish to protest the application(s) referenced above, please do so in the prescribed manner and within the prescribed time. Please show proof of service upon the applicant. For additional information regarding local governing body protests, please refer to 3 AAC 304.145.

If you have any questions or concerns or require additional information, please feel free to contact our licensing unit at amco.localgovernmentonly@alaska.gov.

Sincerely,



Sarah Daulton Oates

Records & Licensing Supervisor

sarah.oates@alaska.gov



THE STATE
of ALASKA

GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

Sarah Daulton Oates
550 W 7th Avenue Ste. 1600
Anchorage, AK 99501
Direct: 907.269.0350
alcohol.licensing@alaska.gov

April 27, 2016

Campbell Park Community Council
Attn: Kevin Fimon, Chair
VIA email: ffskevin@gmail.com
Cc: info@communitycouncils.org

Re: Notice of Liquor License Renewal Applications

Dear Mr. Chair,

We have received a renewal application for each of the following licenses within your jurisdiction:

Lic. #	Doing Business As	License Type	Licensee	Premises Address
5247	Tequila Kitchen Express	Restaurant/Eating Place	Tequila Kitchen Express, LLC	2514 E Tudor Road

AS 04.11.310(b) requires that the Alcoholic Beverage Control Board provide notice to a community council about pending applications for liquor licenses. Additionally, under AS 04.21.010, the local governing body shall provide notice to you "at least 10 days before the date set for municipal action on an application...". **Please contact your municipal/borough clerk for scheduled review by the assembly. Comments you may have about the application should first be presented to your local governing body.**

If you have any questions or concerns or require additional information, please feel free to contact me directly.

Sincerely,

Sarah Daulton Oates

Records & Licensing Supervisor



Municipality of Anchorage

P.O. Box 196650 • Anchorage, Alaska 99519-6650 • Telephone: (907) 343-4316 • Fax: (907) 249-7533 <http://www.muni.org/assembly/license>

Office of the Municipal Clerk Licensing

April 27, 2016

Ms. Sarah Oates
Alaska Alcohol and Marijuana Control Office
550 W 7th Ave. Ste. 1600
Anchorage, Alaska 99501

RE: Anchorage Assembly Action on Liquor Licenses

Dear Ms. Oates:

The Anchorage Municipal Assembly at its regular meeting on **April 26, 2016** took the following final action:

APPROVAL/NON -OBJECTION

New Liquor License

- **Beverage Dispensary-Duplicate**
-Bore Tide Deli LL#5466

PROTEST

New Liquor License

- **Beverage Dispensary-Duplicate**
- Brown Bag Sandwich Co. LL#5465
Pending a public hearing set for May 10, 2016.

Renewal Liquor License

- **Restaurant/Eating Place**
-Tequila Kitchen Express LL#5247
Pending payment of taxes owed to the Municipality in the amount of \$1,171.72
- **Beverage Dispensary**
-Fantasies on 5th LL#1078
Continued protest, applicant requested an extension of the public hearing. Public hearing set for June 21, 2016.

Any prior conditions placed on any license are to continue until specifically removed or amended. If you require additional information or if I can be of any assistance please call me.

Cordially,



Mandy Honest
Business License Official

Concur,



Amanda K. Moser
Deputy Municipal Clerk

C: Bore Tide Deli
Brown Bag Sandwich Co.
Tequila Kitchen Express
Fantasies on 5th

Submitted by: ASSEMBLY CHAIR TRAINI,
VICE-CHAIR GRAY-JACKSON AND
ASSEMBLY PUBLIC SAFETY
COMMITTEE CHAIR HONEMAN

Prepared by: Municipal Clerk
For reading: April 26, 2016

ANCHORAGE, ALASKA
AR NO. 2016-

**A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY STATING ITS
PROTEST REGARDING THE RENEWAL OF A RESTAURANT/EATING PLACE LIQUOR
LICENSE #5247 FOR TEQUILA KITCHEN EXPRESS, LLC dba TEQUILA KITCHEN
EXPRESS, LOCATED AT 2514 E TUDOR RD., ANCHORAGE AK, 99507 AND
AUTHORIZING THE MUNICIPAL CLERK TO TAKE CERTAIN ACTION.**

WHEREAS, Tequila Kitchen Express, LLC has made an application with the Alaska Alcohol and Marijuana Control Office (AMCO), formerly the Alcoholic Beverage Control (ABC) Board, and has paid the required fee for the renewal of a Restaurant/Eating Place Liquor License #5247, to be used for Tequila Kitchen Express, located at 2514 E Tudor Rd., Anchorage, Alaska 99507; and

WHEREAS, the Assembly must enter any protest to the AMCO within 60 days following receipt of the application; and

WHEREAS, the Anchorage Municipal Clerk received a copy of this application on March 14, 2016 and has determined that the last day for the Assembly to file a protest is May 1, 2016; and

WHEREAS, the Assembly Meeting on April 26, 2016 is the last scheduled regular meeting of the Anchorage Assembly prior to the expiration of the protest period; and

WHEREAS, the Municipal Clerk reports the following status concerning this location:

1. Any AMCO violations and/or incidents on file that would lead to an AMCO violation are attached;
2. There are taxes owing to the Municipality of Anchorage in the amount of \$1,171.72.

WHEREAS, protest by the Assembly is in order pending Assembly confirmation that outstanding items required for this location have been completed.

NOW, THEREFORE, THE ANCHORAGE ASSEMBLY RESOLVES:

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Section 1. The Anchorage Assembly hereby enters its **PROTEST** for the renewal of the Restaurant/Eating Place Liquor License #5247 until this condition is met:

- Taxes owing to the Municipality of Anchorage in the amount of \$1,172.72 are paid in full.

Section 2. A copy of this Assembly Resolution may be presented to the AMCO as proof that the Anchorage Assembly, as the local governing body, has stated its protest in order to allow the Director of the AMCO to hold processing of the Restaurant/Eating Place Liquor License #5247 under local protest, until receipt by the Director of confirmation from the Municipal Clerk that the conditions in Section 1 have been met, and this protest is lifted as authorized by this Assembly Resolution.

Section 3. The Anchorage Assembly hereby authorizes the Municipal Clerk, upon Municipal Clerk's confirmation that all Assembly conditions in Section 1 have been met, to provide written notification to the AMCO that this protest by the Anchorage Assembly is lifted, without further action by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this _____ day of _____, 2016.

Chair of the Assembly

ATTEST:

Municipal Clerk