



**Alcoholic Beverage Control Board
Meeting Agenda
September 10, 2019
Second Judicial District
Our Savior's Lutheran Church, 507 Bering Street
Nome, Alaska
Call-in Number: 1-800-315-6338, code 69173#**

All times are approximate.
Lunch from 12:00 noon to 1:00pm

- **ADMINISTRATION** 9:00 am
 - A. Call to Order
 - B. Roll Call
 - C. Approval of Agenda
 - D. Approval of the July 9, 2019, Meeting Minutes **TAB 1**
 - E. Approval of the July 29, 2019, Meeting Minutes **TAB 2**

- **BOARD GOVERNANCE** 9:05 am

- **PUBLIC TESTIMONY** 9:10 am

Public testimony is limited to issues not on this agenda and that are not proposed regulations.
The call-in number is 1-800-315-6338, code 69173#.

- **DIRECTOR'S REPORT** 9:30 am
 - A. Report **TAB 3**
 - B. Legislative Requests **TAB 4**

- **BOARD INTERPRETATIONS** 9:45 am
 - A. **Manufacturer License Samples** TAB 5
 - B. **Sole Proprietors** TAB 6

- **ENFORCEMENT REPORT** 10:00 am TAB 7
 - A. **Notices of Violation Issued and Licensee Responses** TAB 8
 - B. **1381 Creekbend Company:** Creekbend Company LLC TAB 9
64777 Second Street, Hope
License: Restaurant or Eating Place
Local Governing Body: Kenai Peninsula Borough

- **LICENSING REPORT** 10:30 am TAB 10

- **BOARD CONSIDERATION** 10:35 am
 - A. **Three-Year Review of TIPS Server Education Course – Online Version** TAB 11
 - B. **Gold Miners Lodge Restaurant and Motel LLC** TAB 12
Renewal applications.
NOVs for violation of AS 04.11.450; City of Houston protests for non-operation.
 - 1. **4380 Gold Miners Lodge Restaurant and Motel** TAB 13
20333 W Parks Highway, Houston
License: Restaurant or Eating Place
 - 2. **4526 Gold Miners Lodge Restaurant and Motel** TAB 14
Mile 60.5 Parks Highway, Houston
License: Beverage Dispensary - Tourism
 - C. **263 Coghill's:** Coghill's, Inc. TAB 15
807 North A Street, Nenana
License: Package Store
Local governing body: City of Nenana

Requesting additional time extension under AS 04.11.030(b).
 - D. **1176 Tundra Lodge & R/V Park:** Barbara A Abbott TAB 16
Milepost 1315 Alaska Highway, Tok
License: Beverage Dispensary - Seasonal

Requesting additional time extension for transfer under AS 04.11.030(b).

- E. **3934 Residence Inn by Marriott:** JL 35th Avenue Hotel, LLC TAB 17
1025 35th Avenue, Anchorage
License: Restaurant or Eating Place

Renewal application.

Local governing body action: Municipality of Anchorage does not protest
Restaurant or eating place license with less than 50% of sales from food.

- F. **4353 No DBA:** Kenneth Fuller TAB 18
No Premises, Anchorage
License: Beverage Dispensary
From: Latin Connection Entertainment, LLC, dba Playhouse, at 333 W 4th Avenue

Transfer of ownership and location, and dba change.

Local governing body action: Municipality of Anchorage requests conditions
Approvals: Department of Labor – Employment Security, Department of Revenue
Background investigations: complete
Department of Labor - Workers Compensation objects; creditors object due to non-payment.

● **PUBLIC HEARINGS – PROTESTS**

- A. **1036 Slippery Salmon Bar & Grill:** Northern Lodging, LLC TAB 19
115 E 3rd Avenue, Anchorage
License: Beverage Dispensary - Tourism
From: Kress Properties, Inc. 50% & Alaska Resort Condos, Inc. 50%
To: Kress Properties, Inc. 100%

Transfer of controlling interest.

Approvals: Department of Labor, Department of Revenue
Pending: Creditors
Background investigations: complete
Municipality of Anchorage protests pending payment of delinquent taxes and certification by Fire and Health Departments.

- B. **3123 Hangar Lounge: David K Freeman** TAB 20
Mile 1.5 S Big Lake Road, Big Lake
License: Beverage Dispensary - Seasonal

Renewal application.

Matanuska-Susitna Borough protests pending payment of delinquent taxes and fees.

- C. **5833 Alpine Creek Lodge:** Alpine Creek Lodge LLC TAB 21
Mile 68 Denali Highway, Cantwell
License: Beverage Dispensary
- New license application.**
Approvals: Department of Environmental Conservation, State Fire Marshal
Background investigations: complete
Matanuska-Susitna Borough protests pending issuance of conditional use permit.

● **PUBLIC HEARINGS – OBJECTIONS**

- A. **1244 Matanuska Brewing Downtown Brewpub:** Matanuska Brewing Downtown LLC TAB 22
535 W 3rd Avenue, Anchorage
License: Beverage Dispensary
From: Woodshed, LLC, dba Matanuska Brewing Downtown
- Transfer of ownership with security interest agreement and dba change.**
Local governing body action: pending Municipality of Anchorage
Approvals: Department of Revenue, Department of Labor – Worker’s Compensation
Background investigations: complete
Department of Labor – Employment Security objects due to non-compliance.

- B. **2159 Whisky & Ramen:** Whisky & Ramen, LLC TAB 23
436 W 4th Avenue, Anchorage
License: Beverage Dispensary
From: Fish or Cut Bait LLC, dba Blues Central, at 609 F Street
- Transfer of ownership and location, and dba change.**
Local governing body action: pending Municipality of Anchorage
Approvals: Department of Labor – Worker’s Compensation, Department of Revenue
Background investigations: complete
Department of Labor – Employment Security objects due to non-compliance; creditor objects due to non-payment.

- C. **3572 Gallo’s Mexican Restaurant #2:** Acapulco, Inc. TAB 24
8615 Old Seward Highway, Anchorage
License: Beverage Dispensary
From: Gallo’s Mexican Restaurant, Inc.
- Transfer of ownership.**
Local governing body action: pending Municipality of Anchorage
Pending: Department of Revenue, Department of Labor
Background investigations: complete
Creditor objects due to non-payment.

● **WAIVERS OF MINIMUM OPERATING REQUIREMENTS**

A. Third Waiver Applications

1. **4835 Henri Hawaii:** Henri Hawaii, Inc. **TAB 25**
201 E Northern Lights Boulevard, Ste B, Anchorage
Waiver for 2017.

● **SECURITY INTEREST TRANSFERS & INVOLUNTARY RETRANSFERS**

A. Alaskan Lights, Inc **TAB 26**

From: Rabideu's Clear Sky Lodge, Inc.

Transfers of ownership with security interest agreements.

1. **242 Clear Sky Lodge** **TAB 27**

Mile 280 Parks Highway, Clear

License: Beverage Dispensary

Local governing body action: pending Denali Borough

Approvals: Department of Labor, Department of Revenue

Background investigations: complete

2. **243 Clear Sky Lodge** **TAB 28**

Mile 280 Parks Highway, Clear

License: Package Store

Local governing body action: pending Denali Borough

Approvals: Department of Labor, Department of Revenue

Background investigations: complete

B. 691 Malemute Saloon: Jingle LLC **TAB 29**

3660 Main Street, Ester

License: Beverage Dispensary - Tourism

From: Malemute, Inc. dba Malemute Saloon/Ester Gold Camp

Transfer of ownership with security interest agreement and dba change.

Local governing body action: pending Fairbanks North Star Borough

Approvals: Department of Labor, Department of Revenue

Background investigations: complete

● **PUBLIC CONVENIENCE – NEW APPLICATIONS**

- A. 5819 Shogun Seafood & Steak BBQ Restaurant: Y & C LLC** **TAB 30**
4400 Homer Spit Road, Homer
License: Restaurant or Eating Place – Public Convenience

New license application.

Local governing body action: pending City of Homer and Kenai Peninsula Borough
Approvals: Department of Environmental Conservation
Pending: State Fire Marshal
Background investigations: complete

● **OUTDOOR RECREATIONAL LODGE LICENSES – NEW APPLICATIONS**

- A. 5831 Highliner Lodge & Charters Inc.: Highliner Lodge & Charters Inc.** **TAB 31**
1014 Salmon Way, Pelican
License: Outdoor Recreation Lodge - Seasonal

New license application.

Local governing body action: pending City of Pelican
Approvals: Department of Environmental Conservation, State Fire Marshal
Background investigations: complete

● **DELEGATED CONSENT AGENDA – NEW & TRANSFER APPLICATIONS**

TAB 32

- A. 567 Donnelly Dome Liquors: Donnelly Dome LLC**
1205 Richardson Highway, Delta Junction
License: Package Store
From: Jack's Liquor & Service, Inc. dba Jack's Liquor & Service, at Mile 266 Richardson Highway

Transfer of ownership and location, and dba change.

Local governing body action: City of Delta Junction does not protest
Approvals: Department of Revenue, Department of Environmental Conservation, Department of Labor
Pending: State Fire Marshal
Background investigations: complete

- B. 1384 Bowl of Pho: Haienadangle, LLC**
3121 Glacier Highway, Suite 107, Juneau
License: Restaurant or Eating Place
From: Alfonso Soriano, dba Jovany's Italian Restaurant, at 1921 Glacier Highway

Transfer of ownership and location, and dba change.

Local governing body action: pending City and Borough of Juneau
Approvals: Department of Revenue, Department of Labor
Background investigations: pending

- C. 2789 Vitus Energy LLC:** Vitus Energy LLC
Mile 115.5 Parks Highway, Trapper Creek
License: Package Store
From: Trapper Creek Trading Post LLC, dba Trapper Creek Trading Post

Transfer of ownership and dba change.

Local governing body action: pending Matanuska-Susitna Borough
Approvals: Department of Revenue, Department of Labor
Background investigations: complete

- D. 4806 Vitus Energy LLC:** Vitus Energy LLC
Mile 115.5 Parks Highway, Trapper Creek
License: Restaurant or Eating Place
From: Trapper Creek Trading Post LLC, dba Trapper Creek Trading Post

Transfer of ownership and dba change.

Local governing body action: pending Matanuska-Susitna Borough
Approvals: Department of Revenue, Department of Labor
Background investigations: complete

- E. 4965 Marcello's Greek and Italian Restaurant:** FCAOLM LLC
551 W Parks Highway, Wasilla
License: Restaurant or Eating Place
From: Piccolino's Restaurants, Inc., dba Piccolino's

Transfer of ownership and dba change.

Local governing body action: City of Wasilla does not protest; pending Matanuska-Susitna Borough
Approvals: Department of Revenue, Department of Labor
Background investigations: complete

- F. 5807 Roald Amundsen:** Hurtigruten Cruise AS LLC
Alaskan Waters
License: Common Carrier

New license application.

Pending: USCG COC/COI
Background investigations: complete

- G. 5820 Originale, LLC:** Originale, LLC
400 D Street, Suite 1-B, Anchorage
License: Restaurant or Eating Place

New license application.

Local governing body action: pending Municipality of Anchorage
Background investigations: complete

- H. 5822 Sami's City Diner:** Hukali, LLC
3000 Minnesota Drive, Anchorage
License: Restaurant or Eating Place

New license application.

Local governing body action: pending Municipality of Anchorage
Background investigations: complete

- I. 5823 Gumbo House:** Cilantros, Inc.
611 W 9th Avenue, Anchorage
License: Restaurant or Eating Place

New license application.

Local governing body action: pending Municipality of Anchorage
Background investigations: complete

- J. 5825 Anchorage Brewing Company:** Anchorage Brewing, LLC
148 W 91st Avenue, Anchorage
License: Brewpub

New license application.

Local governing body action: pending Municipality of Anchorage
Background investigations: complete

- K. 5827 M/V L'Austral:** Ponant Company, SAS
Alaskan Waters
License: Common Carrier

New license application.

Pending: USCG COC/COI
Background investigations: pending

- L. 5828 M/V Le Boreal:** Ponant Company, SAS
Alaskan Waters
License: Common Carrier

New license application.

Background investigations: pending
Temporary license issued.

- M. 5829 M/V Le Soleal:** Ponant Company, SAS
Alaska Waters
License: Common Carrier

New license application.

Background investigations: pending
Temporary license issued.

- N. 5836 Lane's Quickie Tacos:** Lane's Quickie Tacos, LLC
3412 College Road, Suite #1, Fairbanks
License: Restaurant or Eating Place

New license application.

Local governing body action: pending Fairbanks North Star Borough
Approvals: Department of Environmental Conservation
Pending: Fire Marshal
Background investigations: pending

- O. 5838 Big Lake Estate Brewing Company:** Herman and Cynthia Acevedo
5874 South Katie Way, Big Lake
License: Brewery

New license application.

Local governing body action: pending Matanuska Susitna Borough
Pending: Department of Environmental Conservation, State Fire Marshal
Background investigations: complete

- P. 5845 Tent City Taphouse:** Tent City Taphouse LLC
343 W 6th Avenue, Anchorage
License: Restaurant or Eating Place

New license application.

Local governing body action: pending Municipality of Anchorage
Background investigations: pending

● **CONSENT AGENDA – NEW & TRANSFER APPLICATIONS**

TAB 33

- A. 156 In & Out Liquor #1:** KYJ Corporation
3601 Arctic Boulevard, Anchorage
License: Package Store
From: Dong Kyu Kang

Transfer of ownership.

Local governing body action: Municipality of Anchorage does not protest
Approvals: Department of Revenue, Department of Labor
Background investigations: complete

- B. 1064 Sorrento's:** Venus Restaurant Corporation
610 E Fireweed Lane, Anchorage
License: Restaurant/Eating Place
From: Pete Gyfteas 100%
To: Kosta Gyfteas 100%

Transfer of controlling interest.

Local governing body action: Municipality of Anchorage does not protest
Approvals: Department of Labor, Department of Revenue
Background investigations: complete

- C. **3210 Café Cups:** Bivalves, Inc.
162 W Pioneer Avenue, Homer
License: Restaurant or Eating Place
From: Babaloo, LLC

Transfer of ownership.

Local governing body action: City of Homer and Kenai Peninsula Borough do not protest
Approvals: Department of Labor, Department of Revenue
Background investigations: complete

- D. **5824 M/V Forge:** Alaska Luxury Tours LLC
Alaskan Waters
License: Common Carrier

New license application.

Background investigations: complete

- E. **5832 Alaskan Airlines – Red Dog:** ASA Beverages LLC
Alaskan Skies
License: Common Carrier – Single Destination

New license application.

Background investigations: complete

- F. **5835 Melinda Leigh:** Allen Marine Tours, Inc.
Alaskan Waters
License: Common Carrier

New license application.

Background investigations: complete

● **REGULATIONS**

A. Proposed Regulations Projects

1. Board Requests

B. Open Regulations Projects

1. Server Education Course

Status: Board amended and adopted on 7/29/19
Potential Board Actions: Reconsider to provide clarity on amendment

TAB 34

2. Permits

Status: Revised draft for board consideration
Potential Board Actions: Amend and/or put out for public comment

TAB 35

3. Death of a Licensee **TAB 36**
Status: First draft for board consideration
Potential Board Actions: Amend and/or put out for public comment

4. Interpretation of AS 04.11.460(b) – When Petition is Required **TAB 37**
Status: First draft for board consideration
Potential Board Actions: Amend and/or put out for public comment

● **ALCOHOL MAILBOX** **TAB 38**

All correspondence received in the alcohol@alaska.gov inbox from June 22, 2019 – August 23, 2019.

● **EXECUTIVE SESSION FOR PERSONNEL ISSUES UNDER AS 44.62.310(c)(2)**

● **NEXT ABC BOARD MEETING**

The next meeting is November 12, 2019, in Anchorage. All applications must be deemed complete and all other information for inclusion in the board's packets must be received by **October 25, 2019**.

● **ADJOURN**