



MEMORANDUM

TO: Alcoholic Beverage Control Board DATE: September 10, 2019
FROM: Erika McConnell, Director RE: 3572 Gallo's Mexican Restaurant #2

Requested Action: Transfer of ownership

Statutory Authority: AS 04.11.040(a): "A license issued under this title may not be transferred to another person except with the written consent of the board."

AS 04.11.470: "A person may object to an application for issuance, renewal, transfer of location, or transfer to another person of a license, or for issuance of a permit, by serving upon the applicant and the board the reasons for the objection. The board shall consider the objections and testimony received at a hearing conducted under AS 04.11.510(b)(2) when it considers the application..."

AS 04.11.510(b)(2): "the board may, on its own initiative or in response to an objection or protest, hold a hearing to ascertain the reaction of the public or a local governing body to an application if a hearing is not required under this subsection;"

Staff Rec.: Hold a public hearing; approve the transfer with delegation

Background: This is an application for transfer of ownership of a beverage dispensary license in Anchorage from Gallo's Mexican Restaurant, Inc., to Acapulco, Inc. A creditor has filed an objection.

Attachment: Creditor objection
Transfer application



August 15, 2019

GMW Fire Protection, Inc.
6108 MacKay Street
Anchorage, AK 99518

License Number:	3572
License Type:	Beverage Dispensary
Transferor:	Gallo's Mexican Restaurant, Inc.
Transferor Doing Business As:	Gallo's Mexican Restaurant #2

Transfer of Ownership Application

Transfer of Controlling Interest

AS 04.11.360(4) requires that the board deny an application for transfer of a license to another person if the transferor has not paid all debts or taxes arising from the conduct of the business licensed under this title unless the transferor gives security for the payment of the debts or taxes satisfactory to the creditor or taxing authority. Our records indicate that you are listed as a creditor or taxing authority for the above license.

We have received an application for transfer of ownership for the above liquor license. For the purposes of AS 04.11.360(4) and in compliance with AS 04.11.280(b), this letter serves to provide written notice and request for status from the above referenced entity regarding the above application (see attached application documents for more information).

Please complete and return this form to the AMCO office at alcohol.licensing@alaska.gov.

NAME: Todd Heesch, President
GMW Fire Protection, Inc.

PHONE: 907-250-0281

Do you have an objection to the transfer of this license?

Yes No

AMOUNT OWED: \$13,402.36

DATE: 8/16/19

COMMENTS: Debt arose from work to maintain facility crucial to this business

If you have any questions, please send them to alcohol.licensing@alaska.gov.

Sincerely,

Erika McConnell

Erika McConnell
Director, ABC Board



Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

What is this form?

This transfer license application form is required for all individuals or entities seeking to apply for the transfer of ownership and/or location of an existing liquor license. Applicants should review **Title 04 of Alaska Statutes** and **Chapter 304 of the Alaska Administrative Code**. All fields of this form must be completed, per AS 04.11.260, AS 04.11.280, AS 04.11.290, and 3 AAC 304.105.

This form must be completed and submitted to AMCO's main office, along with all other required forms and documents, before any license application will be considered complete.

Section 1 – Transferor Information

Enter information for the *current* licensee and licensed establishment.

Licensee:	Gallo's Mexican Restaurant, Inc		License #:	3572	
License Type:	Beverage Dispensary		Statutory Reference:	AS 04.11.090	
Doing Business As:	Gallo's Mexican Restaurant #2				
Premises Address:	8615 Old Seward Highway				
City:	Anchorage	State:	AK	ZIP:	99515
Local Governing Body:	Municipality of Anchorage				

Transfer Type:

- Regular transfer
- Transfer with security interest
- Involuntary retransfer

OFFICE USE ONLY

Complete Date:		Transaction #:	1035844
Board Meeting Date:		License Years:	
Issue Date:		BRE:	



Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

Section 2 – Transferee Information

Enter information for the *new* applicant and/or location seeking to be licensed.

Licensee:	Acapulco, Inc				
Doing Business As:	Gallo's Mexican Restaurant #2				
Premises Address:	8615 Old Seward Highway				
City:	Anchorage	State:	AK	ZIP:	99515
Community Council:	Taku/Campbell				

Mailing Address:	PO Box 111846				
City:	Anchorage	State:	AK	ZIP:	99511

Designated Licensee:	Abraham Gallo				
Contact Phone:	907-771-6060	Business Phone:			
Contact Email:	renee.gallos@outlook.com / gallostk@gmail.com				

Seasonal License? Yes No If "Yes", write your six-month operating period: _____

Section 3 – Premises Information

Premises to be licensed is:

- an existing facility a new building a proposed building

The next two questions must be completed by beverage dispensary (including tourism) and package store applicants only:

What is the distance of the shortest pedestrian route from the public entrance of the building of your proposed premises to the outer boundaries of the nearest school grounds? Include the unit of measurement in your answer.

1.4 miles

What is the distance of the shortest pedestrian route from the public entrance of the building of your proposed premises to the public entrance of the nearest church building? Include the unit of measurement in your answer.

2.5 miles



Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

Section 4 – Sole Proprietor Ownership Information

This section must be completed by any sole proprietor who is applying for a license. Entities should skip to Section 5. If more space is needed, please attach a separate sheet with the required information. The following information must be completed for each licensee and each affiliate (spouse).

This individual is an: applicant affiliate

Name:					
Address:					
City:		State:		ZIP:	

This individual is an: applicant affiliate

Name:					
Address:					
City:		State:		ZIP:	

Section 5 – Entity Ownership Information

This section must be completed by any entity, including a corporation, limited liability company (LLC), partnership, or limited partnership, that is applying for a license. Sole proprietors should skip to Section 6.

If more space is needed, please attach a separate sheet with the required information.

- If the applicant is a corporation, the following information must be completed for each *stockholder who owns 10% or more* of the stock in the corporation, and for each *president, vice-president, secretary, and managing officer*.
- If the applicant is a limited liability organization, the following information must be completed for each *member with an ownership interest of 10% or more*, and for each *manager*.
- If the applicant is a partnership, including a limited partnership, the following information must be completed for each *partner with an interest of 10% or more*, and for each *general partner*.

Entity Official:	Abraham Gallo				
Title(s):	Pres, Shareholder, Sec, Treasurer, Director	Phone:	907-771-6060	% Owned:	100
Address:	PO Box 111846				
City:	Anchorage	State:	AK	ZIP:	99511



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Entity Official:					
Title(s):		Phone:		% Owned:	
Address:					
City:		State:		ZIP:	

Entity Official:					
Title(s):		Phone:		% Owned:	
Address:					
City:		State:		ZIP:	

Entity Official:					
Title(s):		Phone:		% Owned:	
Address:					
City:		State:		ZIP:	

This subsection must be completed by any applicant that is a corporation or LLC. Corporations and LLCs are required to be in good standing with the Alaska Division of Corporations (DOC) and have a registered agent who is an individual resident of the state of Alaska.

DOC Entity #:	65014D	AK Formed Date:	10/20/1998	Home State:	AK
Registered Agent:	Abraham Gallo		Agent's Phone:	907-771-6060	
Agent's Mailing Address:	PO Box 111846				
City:	Anchorage	State:	AK	ZIP:	99511

Residency of Agent: Yes No

Is your corporation or LLC's registered agent an individual resident of the state of Alaska?



Alaska Alcoholic Beverage Control Board
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Section 6 – Other Licenses

Ownership and financial interest in other alcoholic beverage businesses:

Yes No

Does any representative or owner named as a transferee in this application have any direct or indirect financial interest in any other alcoholic beverage business that does business in or is licensed in Alaska?

If "Yes", disclose which individual(s) has the financial interest, what the type of business is, and if licensed in Alaska, which license number(s) and license type(s):

Abraham Gallo owner of all restaurants
-Beverage Dispensary-Northern Lights Business Inc #4314
-Beverage Dispensary-Eureka Services, Inc #2973
-Beverage Dispensary-Gallo's Mexican Restaurant #2833

Section 7 – Authorization

Communication with AMCO staff:

Yes No

Does any person other than a licensee named in this application have authority to discuss this license with AMCO staff?

If "Yes", disclose the name of the individual and the reason for this authorization:

Renee Johnston Office Admin



Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

Section 8 – Transferor Certifications

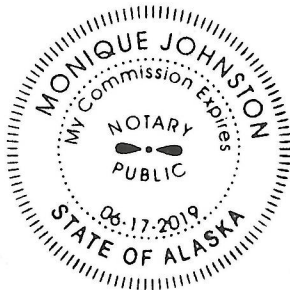
Additional copies of this page may be attached, as needed, for the controlling interest of the current licensee to be represented.

I declare under penalty of perjury that the undersigned represents a **controlling interest** of the current licensee. I additionally certify that I, as the current licensee (either the sole proprietor or the controlling interest of the currently licensed entity) have examined this application, approve of the transfer of this license, and find the information on this application to be true, correct, and complete.

Abraham Gallo
Signature of transferor

Abraham Gallo
Printed name of transferor

Subscribed and sworn to before me this 2nd day of February, 2019.



Monique Johnston
Signature of Notary Public

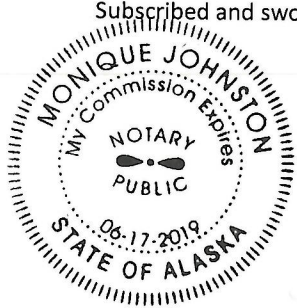
Notary Public in and for the State of Alaska

My commission expires: June 17, 2019

Abraham Gallo
Signature of transferor

Abraham Gallo
Printed name of transferor

Subscribed and sworn to before me this 2nd day of February, 2019.



Monique Johnston
Signature of Notary Public

Notary Public in and for the State of Alaska

My commission expires: June 17, 2019



Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

Section 9 – Transferee Certifications

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

I certify that all proposed licensees (as defined in AS 04.11.260) and affiliates have been listed on this application.

AB

I certify that all proposed licensees have been listed with the Division of Corporations.

AB

I certify that I understand that providing a false statement on this form or any other form provided by AMCO is grounds for rejection or denial of this application or revocation of any license issued.

AB

I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check the identification of a patron will complete an approved alcohol server education course, if required by AS 04.21.025, and, while selling or serving alcoholic beverages, will carry or have available to show a current course card or a photocopy of the card certifying completion of approved alcohol server education course, if required by 3 AAC 304.465.

AB

I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.

AB

As an applicant for a liquor license, I declare under penalty of perjury that I have read and am familiar with AS 04 and 3 AAC 304, and that this application, including all accompanying schedules and statements, is true, correct, and complete.

Abraham Gallo

Signature of transferee

Abraham Gallo

Printed name

Subscribed and sworn to before me this 2nd day of February, 2019.



Monique Johnston

Signature of Notary Public

Notary Public in and for the State of Alaska

My commission expires: June 17, 2019



Alaska Alcoholic Beverage Control Board

Form AB-02: Premises Diagram

What is this form?

A detailed diagram of the proposed licensed premises is required for all liquor license applications, per AS 04.11.260 and 3 AAC 304.185. Your diagram must include dimensions and must show all entrances and boundaries of the premises, walls, bars, fixtures, and areas of storage, service, consumption, and manufacturing. If your proposed premises is located within a building or building complex that contains multiple businesses and/or tenants, please provide an additional page that clearly shows the location of your proposed premises within the building or building complex, along with the addresses and/or suite numbers of the other businesses and/or tenants within the building or building complex.

The second page of this form is not required. Blueprints, CAD drawings, or other clearly drawn and marked diagrams may be submitted in lieu of the second page of this form. The first page must still be completed, attached to, and submitted with any supplemental diagrams. An AMCO employee may require you to complete the second page of this form if additional documentation for your premises diagram is needed.

This form must be completed and submitted to AMCO's main office before any license application will be considered complete.

Yes No

I have attached blueprints, CAD drawings, or other supporting documents in addition to, or in lieu of, the second page of this form.

Section 1 – Establishment Information

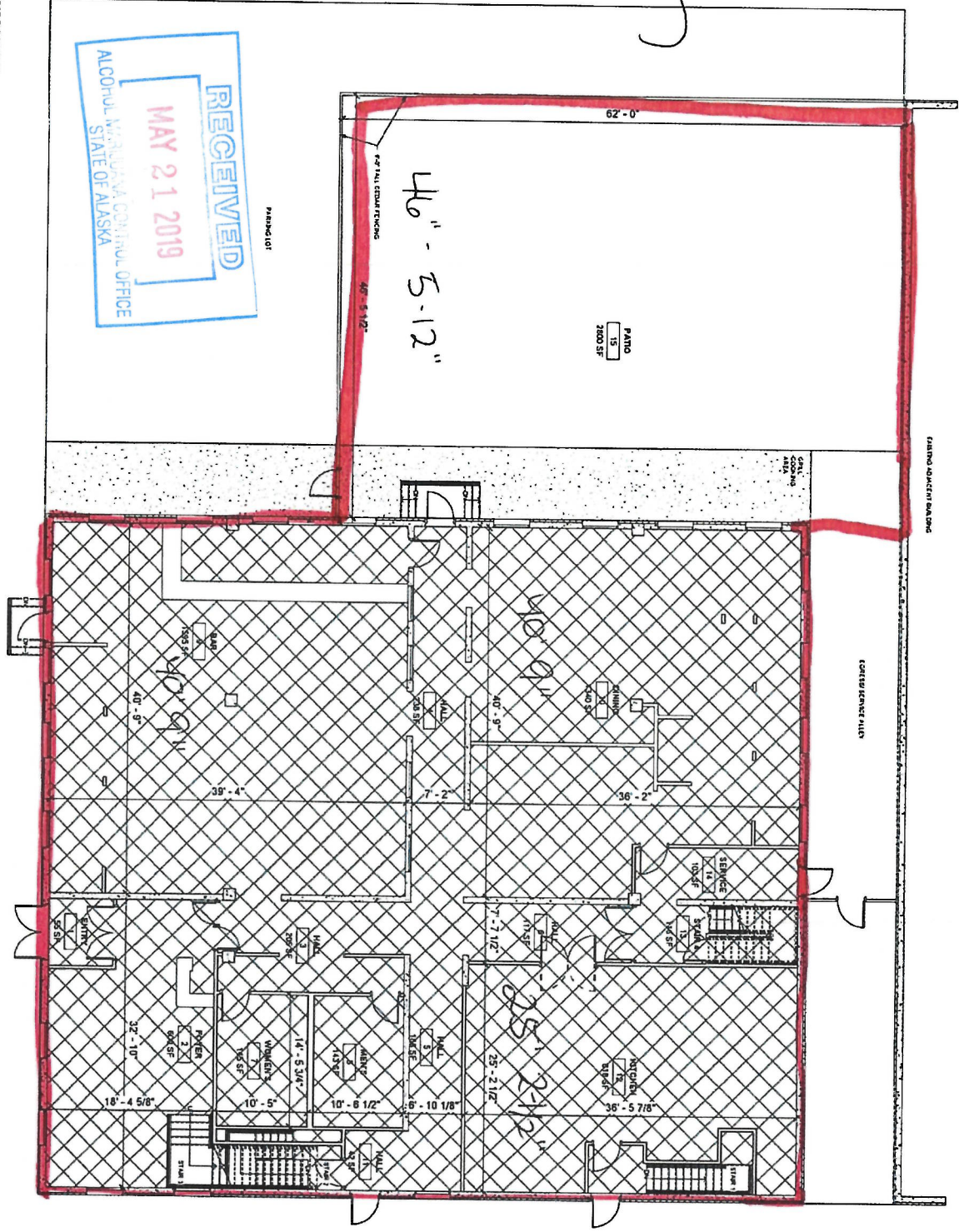
Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	Acapulco, Inc	License Number:	3572		
License Type:	Beverage Dispensary				
Doing Business As:	Gallo's Mexican Restaurant #2				
Premises Address:	8615 Old Seward Highway				
City:	Anchorage	State:	AK	ZIP:	99515



Old Seward Hwy

FIRST FLOOR PLAN



AS-BUILT RECORD DRAWINGS
 IF THIS SHEET IS LATER THAN SHEET 11.154 RECORD PLAN
 - DO NOT SCALE DIMENSIONS FROM THIS DRAWING -



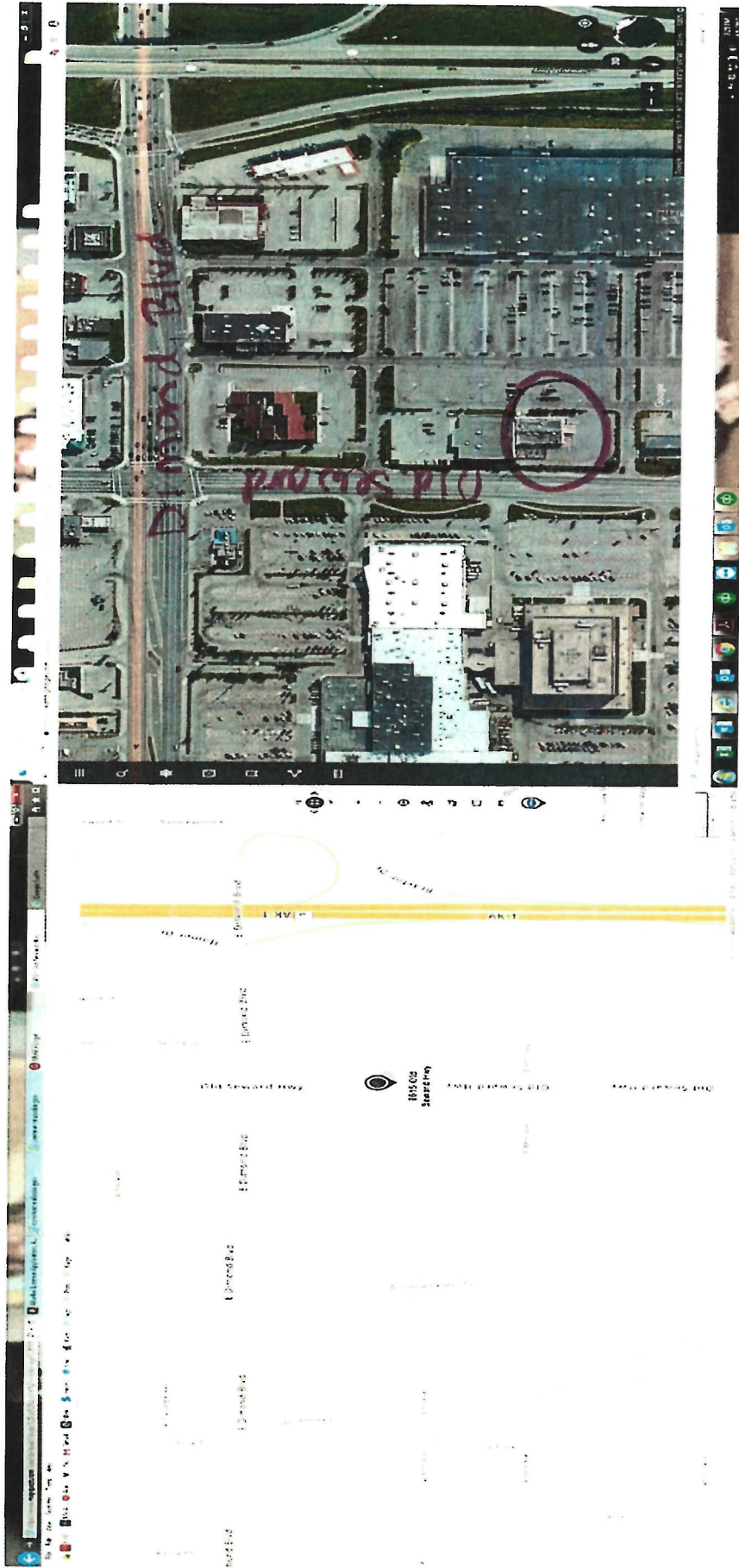
PROJECT NO. **A1.0**

DATE	BY	CHKD
11/11/11	MM	MM
11/11/11	MM	MM
11/11/11	MM	MM
11/11/11	MM	MM

GALLO'S
 8615 Old Seward Hwy, Anchorage, Alaska

ROHDE ARCHITECTS
 Architecture Planning (In-Lieu Fee)
 11825 Old Seward Hwy, Suite 201, Eagle River, AK 99577
 AK 007956-2663
 23846@rohdearchitects.com Corp. Auth #81002364





RECEIVED
APR 08 2019
ALCOHOL MARIJUANA CONTROL OFFICE
STATE OF ALASKA

Security for patio

There are always 1 -2 servers working the patio who card all customers consuming alcohol. Only way to patio is through the restaurant. No alcohol can leave the premises through the roughly 5 ft. fencing surrounding the patio.

For special events we hire security guards to make sure no alcohol leaves the premises.
Patio is only seasonal from May to end of August depending on weather.

