

# Department of Commerce, Community, and Economic Development

Alcohol and Marijuana Control Office

550 West 7th Avenue, Suite 1600 Anchorage, AK 99501 Main: 907.269.0350

#### **MEMORANDUM**

To: Alcoholic Beverage Control Board Date: November 17, 2025

From: Sonya Irwin,

**Alcohol Licensing Supervisor** 

RE: Girdwood Brewing Company 16568 Sole Control of Sale and Service of Food and Alcoholic

Beverages

**AS 04.09.210** The board may issue or renew a license... only if the board determines that sales and service of food and alcoholic beverages and any other business conducted on the licensed premises of the restaurant or eating place is under the sole control of the licensee.

AS 04.21.030 The licensee has a duty to exercise that degree of care that a reasonable person would observe to ensure that a business under the person's control is lawfully conducted. This duty of the licensee includes, but is not limited to ensuring the compliance of the premises with public health, fire, and safety codes and ordinances of the state or municipality having jurisdiction.

**AS 04.21.080** (22) "Licensed premises" means any or all designated portions of a building or structure, rooms or enclosures in the building or structure, or real estate leased, used, controlled, or operated by a licensee in the conduct of business for which the licensee is licensed by the board at the specific address for which the license or an endorsement to the license is issued.

**AS 04.11.450** A person other than a licensee may not have a direct or indirect financial interest in the business for which a license is issued... A license may not be leased by a licensee to another person, partnership, limited liability organization, or corporation.

**3 AAC 305.600** A licensee shall personally or through employees and agents exercise actual authority and responsibility over the conduct of business upon the licensed premises. Until the licensee surrenders the license to the board, and so long as business is conducted under the license upon the licensed premises, the licensee is solely responsible and liable for the conduct of the business. A person not acting as an agent or employee of the licensee or operating under a

management agreement... may not exercise actual authority over the conduct of business upon the licensed premises without transfer of the license upon approval of the board.

**Attachment:** Application Summary, Menu for Izakaya food truck, MOA food permit for Izakaya food truck, Premises Diagram, Security Plan, and JDW Counsel Packet.



Document reference ID: 4003

# **Licensing Application Summary**

Application ID: 4003

Applicant Name: Girdwood Brewing Company, Llc

**License Type applied for:** Restaurant Eating Place License (REPL) (AS 04.09.210)

**Application Status:** In Review

**Application Submitted On:** 12/31/2024 02:58 PM AKST

**Entity Information** 

Business Structure: Limited liability company

Alaska Entity Number (CBPL): 10034868

**Entity Contact Information** 

Entity Address: PO Box 58, Girdwood, AK, 99587, USA

**Initial Application Information** 

Authority Type: I am authorized user by the designated licensee with

binding authority

Prefix: Mr

Legal First Name: Brett

Legal Last Name: Marenco

Email Address: brett@girdwoodbrewing.com

**Phone Number:** 907-351-0035

# Ownership / Principal Party Details

Principal Parent Entity	Principal Party	Role	%Ownership
Girdwood Brewing Company, Llc	Amy Shimek	Member	20
Girdwood Brewing Company, Llc	Josh Hegna	Member	20
Girdwood Brewing Company, Llc	Karl Mclaughlin	Member	20
Girdwood Brewing Company, Llc	Brett Marenco	Member	20
Girdwood Brewing Company, Llc	Rory Marenco	Member	20

# **Premises Address**

Address: 2700 Alyeska Hwy, Girdwood, AK, 99587, USA

Does the proposed site include a valid street address?

Yes

# **Basic Business information**

Business/Trade Name: Girdwood Brewing Company, LLC

What is your primary business at this

location?

Manufacturer

## **Premises Contact Details**

Contact Person Name Brett Marenco

Business Phone Number 907-351-0035

Email Address brett@girdwoodbrewing.com

# Local Government and Community Council Details

City/Municipality Anchorage (Municipality of)

Community Council Name Girdwood

# **Property Ownership**

Do you, the applicant, own the land, building, and/or warehouse at this proposed licensed

location?

Property Utilization Status An Existing Facility

No

Are you operating under?

Lease

Add Copy of Lease\Sublease document GBC Lease\_signed.pdf

# **Premises Diagram**

Will the license or permit embrace the entire Yes

#### **Premises Diagram**

premises address?

• GBC Licensed Premise.pdf

#### **Security Plan**

security plan.pdf

# Restaurant Detail

Dining after standard closing hours: AS 04.16.010(c) No

Dining by persons 16 – 20 years of age: AS 04.16.049(a)(2)

Dining by persons under the age of 16 years, accompanied by a person over the Yes

age of 21: AS 04.16.049(a)(3)

Employment for any persons under 21 years of age: AS 04.16.049(c) No

List where within the premises minors are anticipated to have access in the course of either dining or employment. (Example: Minors will only be allowed in the dining area. OR Minors will only be employed and present in the Kitchen.)

minors are only allowed in the taproom with a parent or legal guardian

Describe the policies, practices and procedures that will be in place to ensure that minors do not gain access to alcohol while dining or employed at your premises.

Is an owner, manager, or assistant manager who is 21 years of age or older always present on the premises during business hours?

# Food Service Permit

Is your license located in Municipality of Anchorage?

Yes

Yes

Do you have Approved food service permit for this premises?

Yes

Copy of the current food service permit for this premises OR the plan review approval.

izakaya food permit.jp

girdwood

g

# **Entertainment & Service**

Are any forms of entertainment offered or available within the licensed business or No within the proposed licensed premises?

Food and beverage service offered or anticipated is:

Counter Service

# **Restaurant Declaration**

Please upload the finalized or expected Food and Alcohol Menu.

IMG 0726.jpg

There are tables or counters at my establishment for consuming food in a dining area on the premises. I have included with this form a menu, or an expected menu, listing the meals to be offered to patrons.

This menu includes entrées that are regularly sold and prepared by the licensee at the licensed premises.

I certify that the license for which I am requesting desigation is either a Beverage Dispensary, Beverage Dispensary Tourism, Club, Sporting Activity or Event License, Outdoor Recreation Lodge, Golf Course, Destination Resort, OR Restaurant or Eating Place, Seasonal REPL Tourism License.

# **Hours Of Operation**

Sunday	11:00 AM - 09:00 PM
Monday	11:00 AM - 09:00 PM
Tuesday	11:00 AM - 09:00 PM
Wednesday	11:00 AM - 09:00 PM
Thursday	11:00 AM - 09:00 PM
Friday	11:00 AM - 09:00 PM
Saturday	11:00 AM - 09:00 PM

# **Financial Interest**

I hereby certify that no person other than a proposed licensee listed on the liquor license application has a direct or indirect financial interest, as defined in AS 04.11.450(f) in the business for which a liquor license is being applied for.

I hereby certify that any ownership change shall be reported to the board as required under AS 04.11.040, AS 04.11.045, AS 04.11.050, and AS 04.11.055.

# Public Notice Posting Attestation and Publishers Affidavit

Have you posted your application at both required locations for ten consecutive days?	Yes
What was the other conspicuous location of your post? (Please Include the full address)	Girdwood Laundry & Showers, 158 Holmgren Pl, Girdwood, AK 99587
What was the first day you posted your application?	12/09/2024

I attest that I have met the public posting notice requirement set forth under AS 04.11.310 by posting a copy of my application for the 10-day period at the location of the proposed licensed premises and at another conspicuous location in the area of the proposed premises as listed in this application.

I hereby attest that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information

contained herein, and evidence or other documents submitted are true and correct. I understand that any falsification or misrepresentation of any item or response in this application, or any attachment, or documents to support this application, is sufficient grounds for denying or revoking a license/permit. I further understand that it is a Class A misdemeanor under Alaska Statute 11.56.210 to falsify an application and commit the crime of unsworn falsification.

# **Attestations**

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

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.

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 305.700.

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

I hereby certify that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information contained herein, and evidence or other documents submitted are true and correct. I understand that any falsification or misrepresentation of any item or response in this application, or any attachment, or documents to support this application, is sufficient grounds for denying or revoking a license/permit. I further understand that it is a Class A misdemeanor under Alaska Statute 11.56.210 to falsify an application and commit the crime of unsworn falsification.

I certify that all proposed licensees have been listed with Division of Corporation, Business, and Professional Licensing.

I certify that I and any individual identified in the business entity ownership section of this application, has or will read AS 04 and its implementing regulations.

I certify I have provided a menu of a variety of types of food appropriate for meals that are prepared on the licensed premises.

I certify that non-employees under 21 years of age will not enter and remain on the licensed premises except for the purposes of dining only.

I certify that the sale and service of food and alcoholic beverages and any other business on the licensed premises is under the sole control of the licensee.

I certify the licensed premises is a bona fide restaurant as defined in AS 04.21.080(b).

I certify there is supervision on the licensed premises adequate to reasonably ensure that a person under 21 years of age will not gain access to alcoholic beverages.

# Signature

This application was digitally signed by: Brett Marenco on 12/31/2024 02:55 PM AKST

# Payment Info

Payment Type: CC

Payment Id: 461fd7ea-87b5-46ba-a5cc-e1ed9e4b63d2

Receipt Number: 101006191

Payment Date: 12/31/2024 03:02 PM AKST

# **Documents**

#	File Name	Туре	Added On
1	GBC Lease_signed.pdf	License Lease\Sublease document	11/05/2024 09:31 AM AKST
2	GBC Licensed Premise.pdf	License Location Diagram Document	11/05/2024 09:36 AM AKST
3	security plan.pdf	License Location Diagram Security Plan Document	11/05/2024 09:36 AM AKST
4	girdwood izakaya food permit.jpg	LicenseRestaurantDetailFoodServicePermitDocumen t	12/05/2024 03:59 PM AKST
5	IMG_0726.jpg	LicenseRestaurantDeclarationFoodAlcoMenuDocume nt	12/05/2024 04:04 PM AKST

12/31/2024 03:01 PM

AKST

#### MISO RAMEN

\$17

noodles • pork belly • egg • shaved onion • chili oil

# GOLDEN CURRY

steamed rice • potato • carrot • onion • pickled ginger

with seared chicken without seared chicken (v) \$16 \$14

# RICE BOWLS

steamed rice • cabbage • pickled veggies • sweet chili tamari sauce

#### choice of:

pork belly (gf)
seared chicken (gf)
tofu (gf, v)
shrimp (gf)

\$17 \$17 \$17

(gf) gluten free (v) vegan Add Spicy Miso Save to any dish THIS PERMIT MUST BE CONSPICUOUSLY PROTED IN A PUBLIC PLACE IN THE ESTABLISHMENT

DEPARTMENT OF HEALTH & HUMAN SERVICES PERMIT

PERMIT NO. FA0016704

FACILITY NAME

ORANGE TRUCK FOODS DBA GIRDWOOD IZAKAYA - MOBILE

OWNER'S NAME:

TOBY JAMES ENGLERT

LOCATION:

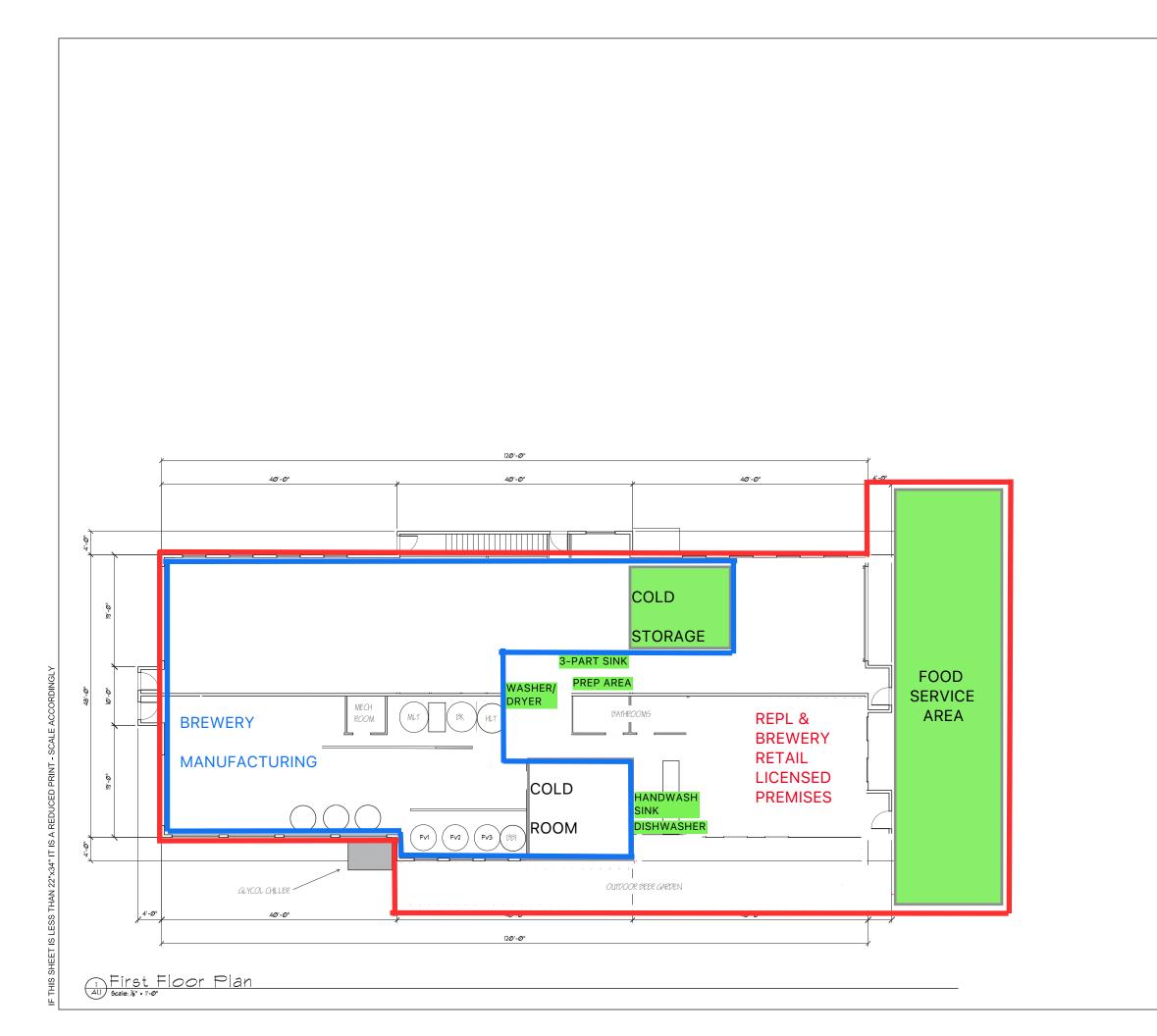
825 L ST

ISSUED BY THE DEPARTMENT OF HEALTH & HUMAN SERVICES AND SUBJECT TO THE ANCHORAGE MUNICIPAL CODE OF ORDINANCES TITLES 15 AND 16. UNLESS THE OWNERSHIP CHANGES, THIS PERMIT IS VALID FROM 1/1/2024 To12/31/2024

ORANGE TRUCK FOODS DBA GIRDWOOD IZAKAY PO BOX 1503 GIRDWOOD, AK 99587

70-031 Ver 9\_02 \*

THIS CERTIFICATE AND PERMIT IS NOT TRANSFERABLE AND IS THE PROPERTY OF THE MUNICIPALITY OF ANCHORAGE





Girdwood Brewery
Girdwood, Alaeka

NO.	REVISION	DATE
100	NO	(20(0

 JOB NO.
 63069

 DATE
 6/9/16

 DRAWN
 RRJ

 REVIEWED
 BCO

SHEET TITLE: FIRST FLOOR PLAN

SHEET NO.

A1.1

#### **Security Plan**

We have security cameras at all entries & exits. The cameras are also strategically located to allow complete visibility of the facility and licensed consumption areas. Taproom staff roam the outside area regularly to pick up empty glasses and ensure that patrons are adhering to the beer garden rules which are posted in plain view. The beer garden is fenced off completely to only allow entry & exit to the premises through the front door of the building. The fence is 3' tall and the wood posts are set in concrete.

AMCO FEB. 2 2 2020



Jana D. Weltzin
Licensed in Alaska & Arizona
901 Photo Ave, Second Floor
Anchorage, Alaska 99503
Phone 907-231-3750
JDW, LLC
jana@jdwcounsel.com

November 3, 2025

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

Re: Girdwood Brewing Company – Restaurant or Eating Place License Application—Compliance with Bona Fide Restaurant Requirements under AS 04.09.210

Dear Honorable Members of the ABC Board:

This correspondence is submitted on behalf of Girdwood Brewing Company, LLC ("Brewery" or "GBC"), holder of a Brewery Manufacturer and Brewery Retail License and applicant for a Restaurant or Eating Place License. I submit this letter to demonstrate that GBC's proposed food service structure fully complies with the requirements of AS 04.09.210. This application is unique in form, but not in substance: the framework ensures that GBC maintains sole control over food service, thereby satisfying both the **letter and the spirit of the law**. The Department's current position misapplies the statutory framework of AS 04.09.210 and AS 04.21.080(b), which focus on operational control not ownership of the physical food service facility.

Pursuant to AS 04.09.210, a licensee qualifies for an REPL when it maintains control and responsibility over the sale and service of food on the licensed premises. The attached Master Food Service Agreement (Attachment A) expressly provides that all food service activities conducted at GBC are performed under Brewery oversight, including menu approval, sanitation standards, hours of operation, and pricing structure. Thees provisions demonstrate that GBC – not its vendors – exercises the requisite control contemplated by statute.

The Department's characterization of GBC as a 'landlord' is factually inaccurate. Food vendors do not lease space nor operate as independent tenants. They are integrated into GBC's customer service structure, and all food revenues are processed through GBC's point-of-sale system. Vendors receive compensation as service providers under contract, not as separate businesses making direct sales to patrons. This arrangement satisfies the legal test for Brewery control under AS 04.21.080(b) and 3 AAC 305.700.

Additionally, GBC shall function as the designated commissary of record under the Anchorage Department of Health and Human Services' standards. The integrated food preparation, washing, and storage areas – depicted in the attached Flattened REPL diagram (Attachment C) – are managed by GBC staff and maintained under the Brewery's operational authority. This structure demonstrates functional unity of food and beverage service.

The 2022-2023 Title 4 rewrite recognized Alaska's evolving hospitality model, which includes breweries providing on-site meal service through controlled partnerships. Legislative intent makes it clear that the REPL designation was designed to encompass precisely this type of arrangement – one in which a licensee supervises and controls food service without necessarily owning the kitchen infrastructure. Denying this application would contravene both the statutory text and legislative purpose.

Accordingly, GBC respectfully requests that the ABC Board find that its operations, detailed below, meet the criteria for a Restaurant or Eating Place License under AS 04.09.210 and AS 04.21.080(b). The Brewery retains exclusive authority over all food service activities on its licensed premises and compliance with all controlling provisions of Title 4 and 3 AAC 305.

GBC is already recognized as a bona fide eating place and community gathering space for the Girdwood community, serving full meals to an average of 650 customers on a weekly basis—many of whom come for lunch or dinner without ordering beer at all.

By approving this application and recognizing GBC's compliance framework, the Board would ensure that GBC is treated on equal footing with similarly situated licensees—breweries that provide their customers with <u>regular</u>, <u>reliable meal service</u> consistent with the Legislature's intent behind the Title 4 rewrite.

#### STATUTORY AND REGULATORY FRAMEWORK

- AS 04.09.210 requires that a restaurant or eating place license be issued only where the licensee maintains a bona fide restaurant operation, serving food for consumption on the premises and ensuring that the sale and service of food and alcoholic beverages is under the **sole control** of the licensee.
- AS 04.21.080(b) defines "restaurant" and "bona fide restaurant" for purposes of Title 4.
- AS 04.21.025 and 3AAC 305.700 require alcohol server education certification (TAPS/TIPS or equivalent) for individuals engaged in service on licensed premises.

#### GIRDWOOD BREWERY'S FOOD SERVICE STRUCTURE

To satisfy these requirements, GBC has implemented a comprehensive compliance framework centered on a Master Food Service Agreement with independent mobile food vendors ("Contractors"), reinforced by detailed Standard Operating Procedures (Attachment A) and a Compliance Addendum (Attachment B). This structure expressly establishes that all food service conducted on the licensed premises is <u>Brewery-operated for regulatory purposes</u>, ensuring GBC's sole control over menu, pricing, hours, staffing, and revenue in accordance with AS 04.09.210. In addition, GBC will collaborate with the Anchorage Department of Health and Human Services (DHHS) to execute a commissary agreement that formally connects the Contractors' operations to GBC's licensed premises (see attached Commissary Agreement). This additional layer of oversight creates a direct regulatory and legal nexus between GBC and its Contractors, further demonstrating that food service is firmly under the Brewery's control.

GBC's compliance framework is not theoretical — it is operationalized in daily practice and documented through agreements, SOPs, and recordkeeping. The following controls demonstrate that GBC, and not outside vendors, maintains exclusive authority over food service on the licensed premises, consistent with AS 04.09.210:

- 1. **Menu and Pricing Control** Only Brewery-approved menu items may be offered, and all pricing is set by Brewery management. Contractors cannot add or alter offerings without prior written approval.
- 2. **Hours of Operation** All food service hours are established and enforced by Brewery, with no independent discretion given to Contractors.
- 3. **Point-of-Sale and Revenue** Every food transaction is processed through Brewery's POS system. Gross receipts are retained in Brewery's business records, and Contractors are compensated through a service fee or revenue-share arrangement, ensuring that the Brewery—not the vendor—controls the customer transaction.
- 4. **Staffing and Training Oversight** Brewery approves all Contractor staff, who must maintain Municipality of Anchorage Food Worker Cards and alcohol server education certification as required by *AS 04.21.025* and *3 AAC 305.700*. Brewery retains authority to remove staff who do not meet its standards.
- 5. **Operational Policies** Contractors must follow Brewery-issued SOPs governing sanitation, customer service, complaint resolution, and emergency procedures, with noncompliance subject to suspension or termination.
- 6. **Health and Commissary Compliance** Brewery serves as the commissary of record under DHHS requirements, providing sinks, prep areas, water, waste disposal, and sanitation facilities to ensure health code compliance directly tied to Brewery oversight.
- 7. **Audit-Ready Recordkeeping** Brewery maintains menus, pricing approvals, sales reports, sanitation logs, and staff certifications in organized audit packets to ensure transparent compliance with AMCO and Health Department inspections.

Together, these controls demonstrate that food service at GBC is not incidental or peripheral, but firmly operated under the Brewery's sole authority — satisfying both the <u>letter and the spirit</u> of Alaska's Title 4 framework.

#### **INDEPENDENT CONTRACTOR STATUS**

Although vendors retain ownership of their trucks and operate as independent businesses inside the licensed premises, the Agreement expressly establishes that all food service to Brewery patrons is under Brewery's direct, absolute, and sole control. This balance satisfies Title 4's requirements while allowing small businesses to participate in food service under a larger brand and within a larger infrastructure.

#### **CONCLUSION**

The Brewery's contractual and operational framework ensures that food service at its premises fully complies with AS 04.09.210 and related provisions of Title 4. The arrangement demonstrates that the Brewery—not outside vendors—retains exclusive control over menu, pricing, hours, staffing, POS revenue, and compliance, thereby qualifying as a **bona fide restaurant** for purposes of Alaska law.

For these reasons, Girdwood Brewing Company respectfully requests that the Board approve its Restaurant or Eating Place License application. The proposed structure ensures that GBC maintains sole control over food service in full compliance with AS 04.09.210, while also advancing the legislative purpose of Title 4: to foster responsible alcohol service in the context of a bona fide eating place. Approval will not only confirm GBC's adherence to the letter of the law, but also recognize its longstanding role as a community-centered establishment providing consistent meal service. By granting this license, the Board would place GBC on equal footing with similarly situated breweries across Alaska, while continuing to support the economic vitality and quality of life in Girdwood.

We respectfully request the Board's confirmation that this arrangement meets the statutory requirements for a restaurant or eating place license at a licensed brewery.

Thank you for your thoughtful consideration.

Truly and Sincerely Yours,

#### APPENDIX A – STATUTORY AND REGULATORY CITATIONS

(Supporting Girdwood Brewing Company's Restaurant or Eating Place License Application and JDW Explanation Letter)

#### 1. AS 04.09.210 – Restaurant or Eating Place License

- Authorizes the operation of a restaurant or eating place under Title 4.
- Requires that the licensee maintain a bona fide restaurant operation serving food for consumption on the premises.
- Mandates that the sale and service of food and alcoholic beverages is under the sole control of the licensee.
- Establishes annual food-to-alcohol gross receipts ratio requirements and certification at renewal.

#### 2. AS 04.09.020 – Brewery Manufacturer License

- Authorizes a brewery to manufacture beer in Alaska.
- Establishes the baseline privileges of brewery licensees under Title 4.

#### 3. AS 04.09.320 – Brewery Retail License

- Authorizes a brewery to sell its product directly to consumers on licensed premises.
- Provides the retail framework under which GBC currently operates.

#### 4. AS 04.21.080(b) – Definitions: "Restaurant" and "Bona Fide Restaurant"

- Defines "restaurant" and "bona fide restaurant" for purposes of Title 4.
- A bona fide restaurant is one where meals are regularly prepared and served, seating is available, and service is not incidental to alcohol.

#### 5. AS 04.21.025 – Alcohol Server Education

- Requires alcohol server training and certification for individuals engaged in the service of alcoholic beverages.
- Ensures responsible service practices in all licensed premises.

#### 6. 3 AAC 305.700 – Alcohol Server Education Certification

- Implements **AS 04.21.025**.
- Requires all individuals serving or selling alcohol (or checking IDs) on licensed premises to hold a valid alcohol server education card (e.g., TAPS/TIPS).

# 7. Anchorage Department of Health and Human Services (DHHS) Requirements

- Requires licensed food vendors to operate from a commissary of record unless fully selfcontained.
- GBC's commissary agreement with Contractors provides access to required sanitation, prep, and waste facilities.
- Creates a **direct regulatory and legal nexus** between food vendors and GBC's premises for municipal health compliance.

# **Attachment A**

ľ	Master Food Service Agreement (including Attachments A – C of the Agreement)

# Master Food Service Agreement

(Brewery Restaurant or Eating Place License Compliance)

This Master Food Service Agreement ("Agreement") is made as of this day of, 20, by and between <b>Girdwood Brewing Company</b> , LLC, an Alaska limited liability company ("Brewery"), and, an Alaska limited liability company ("Contractor").
1. Purpose
Brewery holds a Brewery Manufacturer License (AS 04.09.020) and Brewery Retail License (AS 04.09.320) and seeks to operate with a Restaurant or Eating Place License under AS 04.09.210 administered by the Alcoholic Beverage Control Board and requires that the Brewery maintain <b>sole control over food service</b> provided to patrons at its licensed premises. Contractor is an independent mobile food service provider that desires to provide food preparation and service to Brewery patrons, subject at all times to Brewery's exclusive control for regulatory purposes.
2. Term
This Agreement commences on, 2025 and remains in effect until terminated in accordance with Section 12.
3. Food Service Operations
Contractor shall provide food service exclusively as directed by Brewery, following Brewery's policies, Standard Operating Procedures ("SOPs"), and health/safety requirements. Contractor acknowledges that, for purposes of compliance with <i>AS 04.09.210</i> , all food service at the Premises is deemed Brewery-operated.
4. Menu & Pricing
Only menu items approved in writing by Brewery may be prepared or served. Brewery retains sole discretion to add, modify, or remove menu items at any time. All food pricing shall be set exclusively by Brewery and reflected consistently across posted and digital menus.
5. Hours of Operation
Contractor shall operate only during hours designated by Brewery. Any change requires Brewery's prior written consent.

#### 6. Point-of-Sale & Revenue

All food orders shall be placed through Brewery's POS system. Contractor shall not make direct sales to patrons at the Premises. Brewery shall collect all food service revenue and remit payment to Contractor as follows: [flat fee, % of gross sales, or hybrid]. Payments shall be made weekly with detailed sales reports. Each party is responsible for its own applicable taxes.

#### 7. Staffing & Training

All Contractor personnel must meet Brewery's qualifications, including possession of valid Municipality of Anchorage Food Worker Cards and valid alcohol server education certification as required by AS 04.21.025 and 3 AAC 305.700, along with background checks and Brewery-mandated training. Brewery reserves the right to require removal of any Contractor personnel from the Premises. Contractor staff shall wear Brewery-approved branding and comply with sanitation attire requirements. All personnel must provide copies of their valid Anchorage Food Workers Cards and alcohol server education cards.

#### 8. Health, Safety & Sanitation Compliance

Contractor shall comply with all requirements of the Anchorage Health & Human Services Department and applicable food codes. Contractor shall maintain temperature and sanitation logs, subject to inspection by Brewery. Brewery may conduct random inspections and suspend operations for violations.

#### 9. Licenses & Permits

Contractor shall maintain all required health permits, licenses, and certifications, including approvals from the Anchorage Department of Health and vehicle permits. Current copies must be provided to Brewery.

#### 10. Insurance

Contractor shall maintain, at its own expense:

- Commercial General Liability Insurance (\$1,000,000 per occurrence, \$2,000,000 aggregate);
- Worker's Compensation Insurance (as required by AS 23.30);
- Automobile Liability Insurance (covering vehicles on site).

Brewery shall be named as an Additional Insured on applicable policies.

#### 11. Indemnification

Contractor shall indemnify, defend, and hold harmless Brewery, its owners, and employees against any claim, liability, or expense arising out of Contractor's operations, negligence, or noncompliance.

#### 12. Termination

Either party may terminate this Agreement upon thirty (30) days' written notice. Brewery may terminate immediately for cause, including violation of law, health/safety breach, failure to run sales though the Brewery's point of sale, or failure to follow any of the Brewery policies or any requirements in this Agreement.

#### 13. Independent Contractor Status

Notwithstanding Brewery's retained control for purposes of AS 04.09.210, Contractor remains an independent business, solely responsible for its employees, wages, taxes, equipment, and off-site operations.

#### 14. Standard Operating Procedures (SOPs) [Attachment A]

Contractor must comply with Brewery-issued SOPs covering food safety and sanitation; hours of service; menu/pricing updates; customer service standards; complaint resolution; and emergency health/safety protocols.

# 15. Compliance Addendum [Attachment B]

This Addendum incorporates specific requirements for compliance with AMCO and Anchorage Health Department, including menu/pricing approvals, POS records, sales reconciliation, staff training certifications, sanitation logs, and incident reports.

#### 16. Facilities & Commissary Services

Brewery shall serve as the commissary of record for Contractor, as required under Anchorage Health Department ordinances, providing access to: (a) a three-compartment sink; (b) laundry facilities; (c) designated prep area; (d) restrooms for staff; and (e) potable water, waste disposal, and refuse management. Contractor shall maintain sanitation standards. Brewery may suspend or revoke access for noncompliance.

<b>N WITNESS WHEREOF</b> , the parties execute this Agreement as of the date first written above.
Girdwood Brewing Company, LLC
By:
ts:
Contractor
Vendor Name:
By:
ts:

# Attachment A – Standard Operating Procedures (SOPs)

#### 1. Food Safety & Sanitation

- Contractor shall maintain food storage and preparation temperatures in compliance with Anchorage Health Department ordinances.
- Daily logs of refrigeration, hot holding, and dishwashing temperatures must be kept onsite and provided to Brewery upon request.
- All food-contact surfaces must be cleaned and sanitized before, during, and after service.
- Contractor staff must use single-use gloves and comply with proper handwashing procedures.

#### 2. Hours of Service

- Contractor shall operate only during hours designated by Brewery.
- Service outside of Brewery's licensed operating hours is prohibited under AS 04.09.210(c)(2).

#### 3. Menu & Pricing

- Only Brewery-approved menu items may be offered.
- All pricing must match Brewery's published menus.
- Specials or promotions require Brewery's prior written approval.

#### 4. Customer Service Standards

- Contractor staff must wear Brewery-approved uniforms/branding.
- No independent signage, advertising, or marketing without Brewery's written consent.
- Contractor staff must adhere to Brewery's customer service and professionalism standards.

#### 5. Complaint Resolution

- All customer complaints must be reported immediately to Brewery management.
- Contractor shall document the complaint and corrective actions and provide copies to Brewery for retention.

#### 6. Emergency Procedures

- Contractor staff must follow Brewery's Emergency Action Plan in the event of health, fire, or safety emergencies.
- Incidents must be reported immediately to Brewery management and full cooperation is required in any investigation.

# Attachment B – Compliance Addendum

#### 1. AMCO Compliance

- Brewery retains sole control of food service operations, including menu, pricing, hours, POS revenue flow, and staffing approvals, in accordance with AS 04.09.210.
- All food sales gross receipts, POS records, and payments from Brewery to Contractor shall be maintained by Brewery and included in audit packets for AMCO review.
- Contractor acknowledges that all food service at the Premises is deemed Breweryoperated for regulatory purposes.

#### 2. Anchorage Health Department Compliance

- Brewery shall serve as the commissary of record, providing:
  - o a three-compartment sink;
  - o designated prep/staging areas;
  - o staff restrooms;
  - o potable water, waste disposal, and refuse management systems.
- Contractor shall maintain current Municipality of Anchorage Food Worker Cards and alcohol server education certifications for all staff, and provide copies to Brewery for retention.
- Sanitation and temperature logs must be maintained daily and made available for Brewery or Health Department inspection.

#### 3. Documentation & Reporting

Contractor shall provide Brewery with the following:

- Copies of all permits, licenses, and insurance certificates;
- Staff training and certification records;
- Daily/weekly sanitation and temperature logs;
- Incident and inspection reports;
- Monthly sales reconciliation reports.

#### 4. Enforcement & Termination

- Failure to comply with this Addendum constitutes a material breach and grounds for immediate termination under Section 12 of the Agreement.
- Brewery may suspend Contractor operations pending investigation of violations.

## Attachment C – Citation Addendum

(Supporting Statutory and Regulatory Framework for Food Service Agreement)

This Addendum provides the statutory and regulatory context for the Master Food Service Agreement between Girdwood Brewing Company, LLC ("Brewery") and Contractor. The citations below demonstrate the legal basis for Brewery's retention of sole control over food service and related compliance requirements.

#### AS 04.09.210 – Restaurant or Eating Place License

- Requires that a restaurant or eating place licensee maintain a bona fide restaurant operation.
- Provides that the sale and service of food and alcoholic beverages must be under the sole control of the licensee.
- Establishes annual food-to-alcohol gross receipts ratio requirements and certification at renewal.

#### AS 04.09.020 – Brewery Manufacturer License

- Authorizes Brewery to manufacture beer in Alaska.
- Defines the scope of Brewery's production privileges under Title 4.

# AS 04.09.320 – Brewery Retail License

- Authorizes Brewery to sell its own beer directly to consumers on the licensed premises.
- Provides the retail framework under which Brewery operates, subject to Title 4 restrictions.

#### AS 04.21.080(b) – Definitions

- Defines "restaurant" and "bona fide restaurant" for purposes of Title 4.
- Clarifies that a bona fide restaurant regularly prepares and serves meals, provides seating, and offers service that is not merely incidental to alcohol sales. For Girdwood Brewing, seating is provided all throughout the licensed premises.

#### AS 04.21.025 – Alcohol Server Education

- Requires server training certification for individuals who sell, serve, or supervise the service of alcoholic beverages.
- Ensures responsible alcohol service practices on licensed premises.

#### <u>3 AAC 305.700 – Alcohol Server Education Certification</u>

- Implements AS 04.21.025.
- Requires that all individuals engaged in serving or selling alcohol (or checking IDs) maintain valid alcohol server education certification (e.g., TAPS/TIPS).

#### Anchorage Department of Health and Human Services (DHHS) Requirements

- Requires mobile food vendors to operate from a commissary of record unless fully self-contained.
- Brewery, as commissary of record, provides:
  - o Three-compartment sink for dishwashing and sanitation,
  - o Laundry facilities for linens/uniforms,
  - o Food prep and staging space,
  - Staff restrooms,
  - o Potable water, waste disposal, and refuse management.
- Creates a direct regulatory link between Brewery and Contractors for health code compliance.

# **Attachment B**

Commissary/Health Documentation



# Anchorage Health Department Environmental Health Services Food Safety & Sanitation Program 825 "L" Street



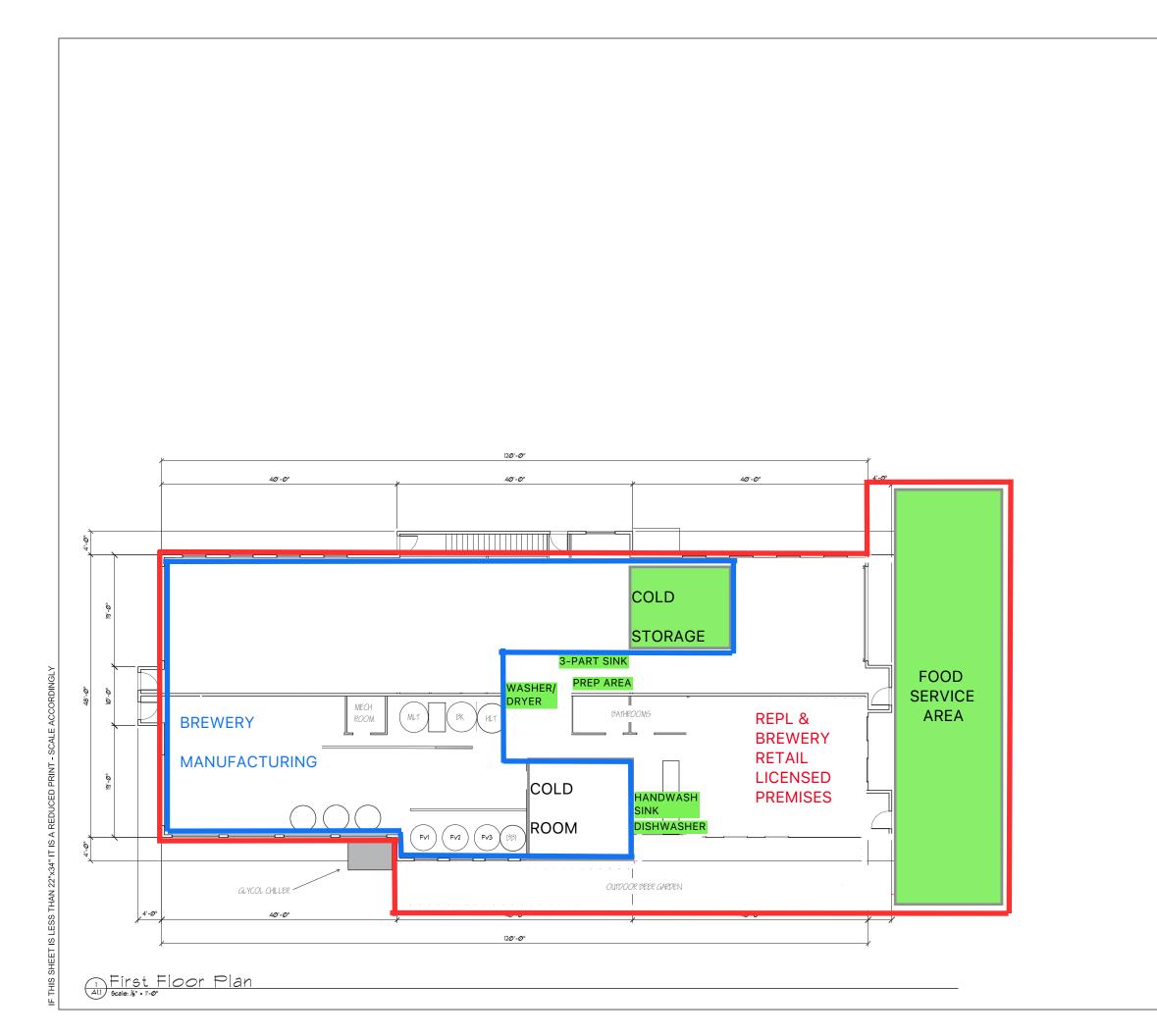
# Approved Facility/Commissary Application A commissary is a food establishment where support services are provided to one or more caterers,

A commissary is a food establishment where support services are provided to one or more caterers, vending machines, mobile food units, limited food services, kiosk, or temporary food services. If a commissary is used to support a facility or function, it is subject to inspection and regulation under the Anchorage Food Code.

Facility Name:	FA #	
Approved Facility /Commissary Name & Address:		
Foods that will be stored and/or	prepared at approved facility or commissary:	
Dates and times of food storage (Expect an inspection during these times)	and/or preparation:	
Commissary Owner/Manager Phone #'s Name:	I agree to allow food storage and/or preparation at this facility	
Temporary Event Vendor Phone #'s Name:	Signature of Temporary Event Vendor:  I agree to do all food preparation and storage at this facility or on site.	

# **Attachment C**

Flattened REPL Diagram





Girdwood Brewery
Girdwood, Alaeka

NO.	REVISION	DATE
100	NO	(20(0

 JOB NO.
 63069

 DATE
 6/9/16

 DRAWN
 RRJ

 REVIEWED
 BCO

SHEET TITLE: FIRST FLOOR PLAN

SHEET NO.

A1.1

# **Attachment D**

Photo Exhibits









