Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 6/2/25 License #/Type: 133 Beverage Dispensary

Licensee: GMRI, Inc. Address: 1186 N. Muldoon Rd., Anchorage, AK

DBA: The Olive Garden Italian Restaurant #4412 AMCO Case #: 25-0733

This is a notice to you as licensee that an alleged violation has occurred. If the Alcoholic Beverage Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

On 5-30-25, an inspection was conducted at your establishment. One employee, Jeweleah Denelsbeck, a two month employee, did not have server education. Manager K. Castaneda, conducted Denelsbeck initial interview and may have asked her about having a server card; but does not have a written record. Denelsbeck, recalls about 6 weeks into her employment, overhearing two employees discussing server cards and until then was not aware she needed to have one. They provided her with a link and she attempted to get one but the web site was not operating correctly. Management did not check to see if she had current server education. Licensee GMRI, Inc. was issued a citation for Licensee Responsible for Violations.

Your attention is directed to AS 04.16.150: Licensee responsible for violations. (a) A licensee may neither knowingly allow agents or employees to violate this title or regulations adopted under this title nor recklessly or with criminal negligence fail to act in accordance with the duty prescribed under AS 04.21.030 with the result that an agent or employee of the licensee violates a law or regulation and AS 04.21.030: Responsibility of licensees, agents, and employees. 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 (1) to ensuring the compliance by agents or employees with this title and regulations adopted under this title, including acting with reasonable diligence to determine that agents or employees are advised of the provisions of this title and the regulations adopted under this title, either by securing the agent's or employee's written acknowledgment of posted instructions or otherwise; and (2) to ensuring the compliance of the premises with public health, fire, and safety codes and ordinances of the state or municipality having jurisdiction.

Prior disciplinary history within the past 5 years:

NOV 2-6-23, AS04.16.049, Access of persons under the age of 21 to licensed premises, AS23.10.100: Employer to keep records, AS04.21.030: Responsibility of licensee, agents, and employees, AS 04.16.150: Licensed premises, NOV 4-10-24, AS04.21.030: Responsibility of licensees, agents, and employees, and 3AAC305.700: Alcohol server education.

You are directed to respond in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a re-occurrence of this violation. FAILURE TO RESPOND TO THIS NOTICE OF VIOLATION WITHIN 10 DAYS MAY RESULT IN YOUR APPEARANCE, EITHER IN PERSON OR TELEPHONICALLY, BEFORE THE ABC BOARD AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.

***Please send your response to the address below and include your alcohol license number in your response.**

3 AAC 304.525 (B) provides that upon receipt of a Notice of Violation, a licensee may request to appear before the Director and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice and the Director must grant an appearance within ten days after receipt of a request. A Licensee shall respond, either orally or in writing, to the Notice.

Alcohol & Marijuana Control Office
ATTN: Enforcement
550 W. 7th Ave, Suite 1600
Anchorage, Alaska 99501
amco.enforcement@alaska.gov

Issuing Investigator: J. Hamilton Received by:

SIGNATURE: F.R. HAMILTON SIGNATURE:

Delivered VIA: Mail Date:

updated 04/07/2025

Tracking #: 7021 0950 0001 6766 9926

6/12/25

To:
Alcohol & Marijuana Control Office
Attn: Enforcement
550 W 7th Ave, Suite 1600
Anchorage, AK 99501
amco.enforcement@alaska.gov

From:
GMRI, INC
Olive Garden Italian Restaurant #4412
1186 N. Muldoon Rd
Anchorage, AK

License #133

In response to our Notice of Violation received on 6/2/25:

To prevent any future occurrences of a team member working without the proper server education, we will immediately institute the following practices:

- All team members who sell/serve alcohol will be required to provide a copy of their TAP card to management prior to completion of their training week.
- Management will conduct monthly audits of all TAP cards to prevent any team members from selling/serving alcohol without a valid TAP card.
- Management will ensure all team members who sell/serve alcohol know that it is their responsibility to have a valid TAP on them when they arrive to work each shift.
- Any team members who sell/serve alcohol will be removed from the schedule and not allowed to work if they fail to provide a valid TAP card.

Thank you,

Koraima Castaneda
Manager
Olive Garden 4412