



Office of the Mayor and City Council

710 Mill Bay Road, Room 110, Kodiak, Alaska 99615

October 7, 2025

Sent electronically and via certified mail:

Alcoholic Beverage Control Board
C/O Alcohol and Marijuana Control Office
550 West 7th Avenue, Suite 1600
Anchorage, Alaska 99501

Re: Protest, subject to rescission, Beverage Dispensary License No. 3299 Renewal Application and Transfer Application

To: The Alcoholic Beverage Control Board,

The City Council of the City of Kodiak protests renewal of beverage dispensary license #3299, subject to rescission of the protest if the applicant meets the conditions set forth below. The City Council also protests the license #3299 transfer application, subject to rescission of the protest if the applicant meets the Council's conditions.

City of Kodiak Code 5.12.030(d)(6) provides that the City Council may protest an application for an alcoholic beverage license when business's premises do not comply with municipal fire, health, or safety codes.

The Deputy Fire Marshal determined that the premises described in the renewal application, 402 Marine Way, Suite 100, are not code compliant. The deficiencies are identified in the Deputy Fire Marshal's August 27, 2025 letter, a copy of which is submitted with this protest.

The Deputy Fire Marshal also determined that the transfer application premises, 202 Rezanof Drive, are not code compliant. The deficiencies are identified in the Deputy Fire Marshal's August 26, 2025 letter, a copy of which is submitted with this protest.

The Council protests renewal and transfer of license #3299 because a beverage dispensary business should not be operated from unsafe premises. The Council requests that the board uphold the Council's protests, pursuant to 3 AAC 305.085(h), until the applicant meets the conditions set by the Council.

Protest of the license #3299 transfer application will be withdrawn upon the Fire Marshal's report that the premises deficiencies identified in the Deputy Fire Marshal's August 26, 2025 letter have been satisfactorily corrected and that the 202 Rezanof Drive premises comply with the City's fire, health, and safety codes.

Protest of the license #3299 renewal application will be withdrawn upon the Fire Marshal's report that the premises deficiencies identified in the Deputy Fire Marshal's August 27, 2025 letter have been satisfactorily corrected and that the 402 Marine Way, Suite 100 premises comply with the City's fire, health, and safety codes.

However, the City understands that the applicant does not intend to operate the license from 402 West Marine Way. Rather, if the license is renewed, it would then be transferred to 202 Rezanof Drive. If the license will *not* be operated from 402 Marine Way, the City will *not* require correction of those premises as a condition of withdrawing its protest of the renewal application. Thus, the City will withdraw its protest of the renewal application on the alternative condition that license #3299 be surrendered until the application to transfer license #3299 to 202 Rezanof Drive is approved.

Fundamentally, the Council's condition for rescinding its protests is that license #3299 be operated from premises that comply with the City's fire, health, and safety codes. If license #3299 would be operated from the 202 Rezanof Drive premises *only*, the 402 West Marine Way code-compliance issues need not prevent transfer of the license #3299 to the 202 Rezanof Drive premises.

Sincerely,

A handwritten signature in cursive script, appearing to read "Pat Branson", written in dark ink.

Pat Branson
Mayor

Cc: El Chicano Mexican Restaurant

AMCO Liquor License Application Checklist

The City Clerk's office is in receipt of the application from the Alcohol and Marijuana Control office dated: August 20, 2025.

☐ New

☐ Transfer

☒ **Renewal**

This application is scheduled to go before the Council with a public hearing on September 25, 2025. In order the Clerk's office to recommend whether there is a non-objection, non-objection with conditions, or a protest we request your review of the application. Please complete the checklist for current code compliance, draft ordinance compliance, and state administrative code compliance. If you recommend a non-objection with conditions or a protest, please further indicate how the applicant can remedy the conditions or the protest. Please provide these recommendations in the section below.

Please answer only those questions which are relevant to your department. If a question is not relevant please mark N/A.

	El Chicano Inc. DBA El Chicano Mexican Restaurant Beverage Dispensary License #3299	Please circle and initial
1	Is the applicant in compliance with all City permit or inspection requirements? (Building, Electrical, Plumbing permits in accordance with Kodiak City Code Title 14 Buildings and Construction) (Building Department)	Yes / No
2	Is the application in violation of any Fire Safety Inspections in accordance with Kodiak City Code Title 14 Buildings and Construction) (Fire Department)	<u>Yes</u> / No
3	Is the business operated under the license up to date on payment of sales tax? (Refer to Kodiak City Code 3.08 Revenue and Finance) (Finance Department)	Yes / No
4	Does the business operated in the license have a current City business license? (Refer to Kodiak City Code 5.02 Business Licenses and Regulations) (Finance Department)	Yes / No
5	Is the business operated under the license violating the Kodiak City Code 5.12? (Code attached) (Police Department)	Yes / No
6	Do you have any concerns that the business operated under the license is not compliance with 3 AAC 305.110? (Alaska Admin Code attached) (Police Department-Fire Department)	Yes / No
7	Is the business operated under the license in violation of any state or municipal safety code? (Refer to Kodiak City Code 8.44 Intoxicating Liquor) (Police Department)	Yes / No
8	Are there any other reasons for the protest of the liquor license application? (please list reasons below) (All Departments)	<u>Yes</u> / No
Recommendations: <u>Protest with Conditions</u> <u>See Attached letter</u>		

Kyle A. Papineau Deputy Fire Marshal
8-3

8-27-25
 Date



Office of the Fire Marshal

219 Lower Mill Bay Road Kodiak, AK 99615

Kyle Papineau, Deputy Fire Marshal
City of Kodiak
Kodiak, AK 99615

8/27/25

Clerk Office

El Chicano Mexican Restaurant AMCO Renewal Request

At this time, The Kodiak Fire Department, Office of the Fire Marshal is Protesting- With Conditions, the Renewal of Beverage Dispensary License #3299 for El Chicano Mexican Restaurant at 402 West Marine Way, due to fire and life safety conditions. Business and building owner have been made aware of the sprinkler system deficiencies. Sprinkler is currently Status 2, critical deficiencies, classification. This is from Taylor Fire Protection report of inspection completed 7/25/25. Fire inspection was completed on 8/27/25 with Filomeno Bravo present. He was advised of the sprinkler issues and report.

International Fire Code 2021

901.6 Inspection, Testing and Maintenance

"Fire protection and life safety systems shall be maintained in an operative condition at all times, and shall be replaced or repaired where defective."

Once corrections to sprinkler system are made and status repaired up to Status 4 with documentation from a service company stating such, and reviewed by this office, we will report satisfaction of repairs and code standard met, and change recommendation to Non-Protest.

Respectfully,

Kyle A. Papineau
Deputy Fire Marshal
Kodiak Fire Department



Document reference ID : 4664

Renewal Application Summary

Application ID:	4664
License No:	3299
License Type applied for Renewal:	Beverage Dispensary License(BDL)
Licensee Name:	El Chicano, Inc.
Application Status:	In Review
Application Submitted On:	12/14/2024 10:34 PM AKST

Entity Information

Business Structure:	Corporation
FEIN/SSN Number:	<div></div>
Alaska Entity number (CBPL):	59239D
Alaska Entity Formed Date:	
Home State:	

Entity Contact Information

Entity Address:	103 Center Street, Kodiak, AK, 99615
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Renewal Information

Are there any changes to your ownership structure that have not been reported to AMCO prior to this application?:

No

As set forth in AS 04.11.330, how many hours did you operate during the first calendar year for this renewal period?:

The license was not operated at all or was operated for less than the minimum of 240 hours in the first calendar year of the renewal period.

I have completed a Waiver of Operations self-service transaction.

As set forth in AS 04.11.330, how many hours did you operate during the second calendar year for this renewal period?:

The license was not operated at all or was operated for less than the minimum of 240 hours in the second calendar year of the renewal period.

I have completed a Waiver of Operations self-service transaction.

Please select the seasonality:

Year-round

Has any person or entity in this application been convicted or disciplined for a violation of Title 04, 3 AAC 304 or 305, or a local ordinance adopted under AS 04.21.010 in the preceding two calendar years?:

No

Have any notices of violation or citations been issued for this license during the preceding two years?:

No

Attestations

As an applicant for a liquor license renewal, I declare under penalty of perjury that I have read and am familiar with AS 04 and 3 AAC 305, and that this application, including all accompanying schedules and statements, are true, correct, and complete.

I agree to provide all information required by the Alcoholic Beverage Control Board or requested by AMCO staff in support of this application and understand that failure to do so by any deadline given to me by AMCO staff will result in this application being returned and the license being potentially expired if I do not comply with statutory or regulatory requirements.

I certify that in accordance with AS 04.11.450, no one other than the licensee(s), as defined in AS 04.11.260, has a direct or indirect financial interest in the licensed business.

I certify that this entity is in good standing with Corporations, Business and Professional Licensing (CBPL) and that all entity officials and stakeholders are current and I have provided AMCO with all required changes of the ownership structure of the business license and have provided all required documents for any new or changes of officers.

I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check identification of patrons have completed an alcohol server education course approved by the ABC Board and keep current, valid copies of their course completion cards on the licensed premises during all working hours, if applicable for this license type as set forth in AS 04.21.025 and 3 AAC 305.700.

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.

Signature

This application was digitally signed by : Filomeno Bravo on 12/14/2024 10:35 PM AKST

Payment Info

Payment Type : CC

Payment Id: 1b5e23a1-2288-4ca2-9f7f-8ac9605cb16e

Receipt Number: 100989528

Payment Date: 12/14/2024 10:36 PM AKST



Document reference ID : 4664

Licensing Application Summary

Application ID: 4664

Applicant Name: El Chicano, Inc.

License Type applied for: Beverage Dispensary License(BDL) (AS 04.09.200)

Application Status: In Review

Application Submitted On: 12/14/2024 10:34 PM AKST

Entity Information

Business Structure: Corporation

FEIN/SSN Number: [REDACTED]

Alaska Entity Number (CBPL): 59239D

Entity Contact Information

Name	Phone	Email	Relation
Filomeno Bravo	907-942-0680	elchicanoak@hotmail.com	Designated Licensee

Entity Address: 103 Center Street, Kodiak, AK, 99615, USA

Ownership / Principal Party Details

Principal Parent Entity	Principal Party	Role	%Ownership
El Chicano, Inc.	Filomeno Bravo	President	50
El Chicano, Inc.	Ana M Bravo	Secretary, Treasurer	50

Premises Address

Address: 402 Marine Way Suite 100, Kodiak, AK, 99615, USA

Does the proposed site include a valid street address? Yes

Basic Business information

Business/Trade Name: El Chicano Mexican Restaurant

Local Government and Community Council Details

City/Municipality Kodiak (City of)

Borough Kodiak Island Borough

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.

Signature

This application was digitally signed by : Filomeno Bravo on 12/14/2024 10:35 PM AKST

Payment Info

Payment Type : CC

Payment Id: 1b5e23a1-2288-4ca2-9f7f-8ac9605cb16e

Receipt Number: 100989528

Payment Date: 12/14/2024 10:36 PM AKST



Alaska Alcoholic Beverage Control Board

Form AB-29: Waiver of Operation Application**Why is this form needed?**

This form is the means by which a licensee may request that the Alcoholic Beverage Control (ABC) Board waive the operating requirement of AS 04.11.330(a)(3) or (d). If a recreational site license has not been operated at least once in a calendar year, or if a license of any other type has not been operated for at least 240 hours in each calendar year, then a complete copy of this form and the corresponding fees must be submitted for that calendar year, per 3 AAC 304.170.

This application must be accompanied by a non-refundable waiver application fee of:

- for a 1st request, an amount equal to ½ the applicable biennial license fee; or
- for a 2nd or subsequent request, double the amount of the fee paid for the previous waiver application.

The ABC Board will determine whether, through no fault of the licensee or because the premises are under construction, the licensed premises count not be operated for the required time during the calendar year. The ABC Board may impose conditions along with the approval of an application for waiver, and it may deny a third or subsequent application for waiver. If an application for waiver is denied, an application for license renewal for the succeeding license period will be denied by the Board. In addition to the waiver application fee, the applicant must pay a late fee of \$1,000 for an application that is received too late for Board consideration at its meeting before November 30 of the year for which the waiver is requested. Please check AMCO's website for meeting agenda deadlines.

Please note that a licensee must submit a separate completed copy of this form and pay a separate corresponding fee for each license and for each calendar year during which a license was not operated in compliance with AS 04.11.330.

Section 1 – Establishment Information

Enter information for the license that has not been operated for the time required under AS 04.11.330.

Licensee:	El Chicano Inc	License Number:	3299
License Type:	Beverage Dispensary		
DBA:	El Chicano Mexican Restaurant		
Premises Address:	402 W marine way		
City:	Kodiak	State:	Alaska
		ZIP:	99615
Local Governing Body:	City of Kodiak		

Section 2 – Request Number and Calendar Year

☐ 1st Request
 ☐ 2nd Request
 ☒ 3rd Request
 ☐ Other _____

Request for Calendar Year 2023



Alcohol and Marijuana Control Office
 1000 West 1st Avenue, Suite 1600
 Anchorage, AK 99501
alcohol.licensing@alaska.gov
<http://www.commerce.alaska.gov/web/amco>
 Phone 907 269 0350

Alaska Alcoholic Beverage Control Board

Form AB-29: Waiver of Operation Application**Section 3 - Reason for Non-operation**

Provide an explanation as to why the licensed premises were not operated:

We are highly motivated to move forward. We are currently planning to start construction back up soon. It's in our best interest to keep moving forward so we can plan to use our license at our new location 402 W Marine Way.

Section 4 - Certifications

The following must be completed for establishments located within the boundaries of a local governing body:

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

Initials

I certify that I will provide a true copy of this application to the local governing body listed on Page 1 of this form prior to ABC Board consideration 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.

Ana M Braw

Printed name of licensee

Signature of licensee

Office Use Only

Waiver Application Fee:	\$5,000.00	Late Fee:	\$1,000.00	Transaction #:	100776354
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02/19/24

To Whom It May Concern,

Our business has been in Kodiak for over 40 years. We are working very hard to keep things going. After Covid our Island took a big hit. Cost of living has gone up more than double. We are currently paying rent for two locations. You can imagine how that has been affecting things. It's in our best interest to finish construction in the new location at 402 W Marine way. We are about 85 % finished. The financial burden of two locations was not our original plan, life happened and things changed. Our main goal is to get our project off the ground here soon move forward with our license. We have been working very hard and everything that has been thrown our way and meant to break us has not. We are a strong family who believes in hard work. Not many are willing to put in the work and dedication like we have. We will continue to do what it takes to move forward. We appreciate all the help your office has provided us.

Sincerely the Bravo Family



Alcohol and Marijuana Control Office
 550 W 7th Avenue, Suite 1600
 Anchorage, AK 99501
alcohol.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
 Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

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This application must be accompanied by a non-refundable waiver application fee of:

- for a 1st request, an amount equal to $\frac{1}{2}$ the applicable biennial license fee; or
- for a 2nd or subsequent request, double the amount of the fee paid for the previous waiver application.

The ABC Board will determine whether, through no fault of the licensee or because the premises are under construction, the licensed premises count not be operated for the required time during the calendar year. The ABC Board may impose conditions along with the approval of an application for waiver, and it may deny a third or subsequent application for waiver. If an application for waiver is denied, an application for license renewal for the succeeding license period will be denied by the Board. In addition to the waiver application fee, the applicant must pay a late fee of \$1,000 for an application that is received too late for Board consideration at its meeting before November 30 of the year for which the waiver is requested. Please check AMCO's website for meeting agenda deadlines.

Please note that a licensee must submit a separate completed copy of this form and pay a separate corresponding fee for each license and for each calendar year during which a license was not operated in compliance with AS 04.11.330.

Section 1 – Establishment Information

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Licensee:	El Chicano Inc		License Number:	3299	
License Type:	Beverage dispensary				
DBA:	El Chicano Mexican Restaurant				
Premises Address:	402 Marineway Suite #100				
City:	Kodiak, AK	State:	Alaska	ZIP:	99615
Local Governing Body:	City of Kodiak				

Section 2 – Request Number and Calendar Year

☐ 1st Request
 ☐ 2nd Request
 ☐ 3rd Request
 ☒ Other 4th Request

Request for Calendar Year 2024



Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
alcohol.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Form AB-29: Waiver of Operation Application

Section 3 – Reason for Non-operation

Provide an explanation as to why the licensed premises were not operated:

We have been trying to figure out what is best for our family. Our intention was never to expect not using our license. Our plan is to transfer license name to our oldest daughter, change location to where we are currently operating food out of. We want to use license to help us advance & make more income.

Section 4 – Certifications

The following must be completed for establishments located within the boundaries of a local governing body:

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

Initials

I certify that I will provide a true copy of this application to the local governing body listed on Page 1 of this form prior to ABC Board consideration of this application.

FB

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.

FB

FILOMENO-BRAVO
Printed name of licensee

Filomeno Bravo
Signature of licensee

Office Use Only

Waiver Application Fee:	\$10,000.00	Late Fee:	None	Transaction #:	100943766
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Continued AB-29 form

We do plan to start a transfer application once we do all the required steps to do so. We also plan on renewing our License before 12/31/24. Our family has been through a lot with medical and other tragedies. We have been trying to heal and keep pushing forward. Our license means everything to our family; we cherish it with the highest standards. Our oldest daughter has been thrown in and doing her best to keep on top of things and managing many things for the family. We want to make sure our customers are happy and provide them with options to serve liquor to them. The community has been asking. We do have a huge community support who wants to see us succeed. We have been trying hard to make a comeback to succeed.

Thank you

Sincerely,

Bravo Family