
MEMORANDUM TO COUNCIL

To: Mayor and City Council Members
From: Marjie Veeder, City Clerk
Through: William Homka, City Manager
Date: April 25, 2023
Re: Liquor License Renewal - Airport Restaurant

SUMMARY: Liquor licenses must be renewed with the State of Alaska every two years. Council reviews the renewal applications and determines whether or not the City will protest the request for renewal. The Airport Restaurant & Lounge has applied to renew their liquor license. Staff recommends no protest of this renewal application.

PREVIOUS COUNCIL ACTION: Council reviews liquor license renewals as they are submitted to us by the state. Council discussed protesting specific license renewals in the past due to delinquent utility bills but did not file any protests. In 2010 Council protested the renewal of a liquor license due to delinquent sales tax, property tax and utility bills, and because the business had no physical location due to fire.

This license is in the process of being transferred. Council recently reviewed, and had no protest, to an application to transfer this liquor license to the new owners of the Airport Restaurant. The liquor license transfer has not been completed by the State of Alaska because the tenant's lease for the space in the airport terminal is not yet complete. The license came up for renewal. The State of Alaska AMCO office indicated the renewal needs to be completed; and the transfer to the new owner will be taken care of in due time.

DISCUSSION: Airport Restaurant & Lounge (Tran) submitted an application for renewal of their Beverage Dispensary – Tourism liquor license. As stated above, this license is in the process of being transferred to the new owners of Airport Restaurant. The renewal of the license must be completed; and the transfer to the new owner will commence.

ALTERNATIVES: Council may choose to protest the license renewal, but must provide the applicant an opportunity to present a defense to the protest at a future council meeting. This must be accomplished and communicated to the state no later than June 5, 2023.

FINANCIAL IMPLICATIONS: Potential loss of sales tax revenue if a license is not renewed. Not renewing this license also places the transfer to the new owner in jeopardy.

LEGAL: None

STAFF RECOMMENDATION: Staff recommends that Council not protest the renewal of this liquor license.

PROPOSED MOTION: No action is necessary unless Council wishes to protest renewal of the liquor license.

CITY MANAGER'S COMMENTS: I support staff's recommendation not to protest the renewal of the liquor license.

ATTACHMENT: Letter from State Alcohol & Marijuana Control Office



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

**Department of Commerce, Community,
and Economic Development**

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

April 6, 2023

City of Unalaska

Via Email: mveeder@ci.unalaska.ak.us

Re: Notice of 2023/2024 Liquor License Renewal Application

License Type:	Beverage Dispensary – Tourism	License Number:	1832
Licensee:	Tuyen & Tran Thuy Dinh		
Doing Business As:	Airport Restaurant & Lounge		

We have received a completed renewal application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under AS 04.11.480.

A local governing body may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of receipt of this notice, and by allowing the applicant a reasonable opportunity to defend the application before a meeting of the local governing body, as required by 3 AAC 304.145(d). If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable.

To protest the application referenced above, please submit your written protest within 60 days, and show proof of service upon the applicant and proof that the applicant has had a reasonable opportunity to defend the application before a meeting of the local governing body.

Sincerely,

A handwritten signature in cursive script that reads "Joan M. Wilson".

Joan Wilson, Director

amco.localgovernmentonly@alaska.gov