
MEMORANDUM TO COUNCIL

To: Mayor and City Council Members
From: Estkarlen Magdaong, City Clerk
Through: William Homka, City Manager
Date: January 23, 2024
Re: Application to Transfer Liquor License – Three Bears Alaska, Inc.

SUMMARY: On August 15, 2023 Western Pioneer, Inc. dba Alaska Ship Supply applied to the State of Alaska to transfer the ownership of the liquor license to Three Bears Alaska, Inc. The type of license is for a Package Store. On January 4, 2024 Alcohol and Marijuana Control Office informed the City of this application. The local governing body may protest approval of the application. Staff recommends no protest.

PREVIOUS COUNCIL ACTION: Council reviews liquor license applications and renewals as they are submitted to the City 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 a fire.

BACKGROUND: Pursuant to Alaska Statute 04.11.480, the Alcohol & Marijuana Control Office issued the attached notice to the City of Unalaska as the local governing body. A local governing body may protest the approval of an application 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 the 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.

DISCUSSION: Three Bears Alaska, Inc. officially took ownership of the liquor store on December 1, 2023 and has renamed it as Bear's Den Liquor.

The new business is compliant with their obligations to the City of Unalaska (business license, and utilities). Sales tax report and payment are not due until January 31, 2024.

Public Safety completed a licensed premises inspection on January 8, 2024. Council also considers the number of public safety calls made to an establishment each year, which is detailed below from the time the new owners were in business. Unalaska's Department of Public Safety has no concern about the transfer of this liquor license.

Call Type	12/01/2023 to 01/17/2024
Liquor Establishment Inspection	1
Total Calls to Establishment	1
Calls initiated by Officer	1
Calls Initiated by Staff / Civilian	0

ALTERNATIVES: Council may choose to protest the license, but must provide the applicant an opportunity to present a defense to the protest at a future council meeting. This must be accomplished no later than March 4, 2024.

FINANCIAL IMPLICATIONS: Probable loss of tax revenue if a license is not granted.

LEGAL: None

STAFF RECOMMENDATION: Staff recommends no protest.

PROPOSED MOTION: No action is necessary unless Council wishes to lodge a protest.

CITY MANAGER'S COMMENTS: I support the staff recommendation.

ATTACHMENTS:

- Notice to Local Governing Body
- Form AB-01: Transfer License Application
- Form AB-02: Premises Diagram



January 4, 2024

City of Unalaska, Dutch Harbor
Attn: emagdaong@ci.unalaska.ak.us

License Type:	Package Store	License #	2721
Licensee:	Three Bear's Alaska Inc.		
Doing Business As:	Bear's Den Liquor		
	Transfer from Western Pioneer Inc to Three Bear's Alaska Inc		

New Application

Transfer of Ownership Application
with Security Interest

Transfer

Transfer of Controlling Interest Application

We have received a completed 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 protest within 60 days and show proof of service upon the applicant.

AS 04.11.491 – AS 04.11.509 provides that the board will deny a license application if the board finds that the license is prohibited as a result of an election conducted under AS 04.11.507.

AS 04.11.420 provides that the board will not issue a license when a local governing body protests an application on the grounds that the applicant's proposed licensed premises are in a place within the local government where a local zoning ordinance prohibits the alcohol establishment unless the local government has approved a variance from the local ordinance.

Sincerely,
Joan Wilson Director
amco.localgovernmentonly@alaska.gov



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AUG 15 2023

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-01: Transfer License Application

Why is this form needed?

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 Anchorage 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:	Western Pioneer, Inc.	License #:	2721
License Type:	Package Store	Statutory Reference:	04.11.150
Doing Business As:	Alaska Ship Supply		
Premises Address:	487 Salmon Way		
City:	Dutch Harbor	State:	AK
		ZIP:	99692
Local Governing Body:	City of Unalaska		

Transfer Type:

- Regular transfer
- Transfer with security interest
- Involuntary retransfer

OFFICE USE ONLY

Complete Date:		Transaction #:	100596785
Board Meeting Date:		License Years:	22/23
Issue Date:		Examiner:	



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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:	Three Bears Alaska, Inc.				
Doing Business As:	Bear's Den Liquor				
Premises Address:	487 Salmon Way				
City:	Dutch Harbor	State:	AK	ZIP:	99705
Community Council:	None				

Mailing Address:	500 S. Triple B Street				
City:	Wasilla	State:	AK	ZIP:	99623

Designated Licensee:	Joan Travostino				
Contact Phone:	(907) 242-4322	Business Phone:	(907) 357-4311 x459		
Contact Email:	joan@threebears.store				

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.

.7 miles - APIA Head Start

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.

.6 miles - Unalaska Reformed Church



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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:	David A. Weisz				
Title(s):	President; Director	Phone:	907-357-4311	% Owned:	0.00
Address:	500 South Triple B Street				
City:	Wasilla	State:	AK	ZIP:	99623



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Entity Official:	Paul D. Sonnenberg			
Title(s):	Vice President; Director	Phone:	907-357-4311	% Owned: 0.00
Address:	500 South Triple B Street			
City:	Wasilla	State:	AK	ZIP: 99623

Entity Official:	Stephen D. Mierop			
Title(s):	Vice President	Phone:	907-357-4311	% Owned: 0.00
Address:	500 South Triple B Street			
City:	Wasilla	State:	AK	ZIP: 99623

Entity Official:	Rachel A. Sanford			
Title(s):	Vice President	Phone:	907-357-4311	% Owned: 0.00
Address:	500 South Triple B Street			
City:	Wasilla	State:	AK	ZIP: 99623

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 #:	24136D	AK Formed Date:	05/19/1981	Home State:	Alaska
Registered Agent:	Registered Agent Solutions, Inc.	Agent's Phone:	(907) 358-3224		
Agent's Mailing Address:	1400 W. Benson Blvd. #370				
City:	Anchorage	State:	AK	ZIP:	99503

Residency of Agent: Yes No

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



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Alaska Alcoholic Beverage Control Board

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Entity Official:	Julie C. Morales				
Title(s):	Vice President; Secretary	Phone:	907-357-4311	% Owned:	0.00
Address:	500 South Triple B Street				
City:	Wasilla	State:	AK	ZIP:	99623

Entity Official:	Joan M. Travostino				
Title(s):	Vice President	Phone:	907-357-4311	% Owned:	0.00
Address:	500 South Triple B Street				
City:	Wasilla	State:	AK	ZIP:	99623

Entity Official:	Three Bears Investment Group, LLC				
Title(s):	Shareholder	Phone:	206-659-8953	% Owned:	100
Address:	2412 Westlake Ave. N. Ste. 4				
City:	Seattle	State:	WA	ZIP:	98109

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 #:		AK Formed Date:		Home State:	
Registered Agent:			Agent's Phone:		
Agent's Mailing Address:					
City:		State:		ZIP:	

Residency of Agent: Yes No

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



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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):

Please see attached.

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:

Bonnie Paskvan, Partner at Dorsey & Whitney, Three Bear's primary outside counsel
Michele Rupp, Senior Paralegal at Dorsey & Whitney, Three Bear's primary outside counsel



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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.

Lawrence J. Soriano
Signature of transferor

Lawrence J. Soriano President of Western Pioneer, Inc. and Trustee of the Soriano 1998 Family Trust
Printed name of transferor

Subscribed and sworn to before me this 13 day of June, 2023.



[Signature]
Signature of Notary Public

Notary Public in and for the State of Washington.

My commission expires: 4/23/25

Signature of transferor

Printed name of transferor

Subscribed and sworn to before me this _____ day of _____, 20_____.

Signature of Notary Public

Notary Public in and for the State of _____.

My commission expires: _____



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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.

JI

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

JI

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.

JI

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.

JI

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

JI

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.

JI

THREE BEARS ALASKA, INC.

Joan Travostino

Signature of transferee

Joan Travostino, Vice President

Printed name



Michele Rupp

Signature of Notary Public

Notary Public in and for the State of Alaska

My commission expires: 5/21/2024

Subscribed and sworn to before me this 13th day of July, 2023

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Three Bears Liquor Licenses (Updated 7/13/23)

LOCATION	LICENSE NAME	LICENSE NUMBER	LICENSE ADDRESS
Current Licenses			
#85 - KGB	Bear's Den Liquor	376	3950 South Knik Goose Bay Rd., Wasilla, AK 99654
#55 - NINILCHIK	Bear's Den Liquor	493	15945 Sterling Hwy, Ninilchik, AK 99639
#37 - HOUSTON	Bear's Den Liquor	534	17119 W Parks Hwy., Wasilla, AK 99654
#56 - STERLING	Bear's Den Liquor	976	33035 Sterling Hwy., Sterling, AK 99672
#100 - BIRCHWOOD	Bear's Den Liquor	1011	22211 Birchwood Loop Rd., Chugiak, AK 99567
#11 - TOK	Three Bears Minimart	1144	Mile 124 Glenn Hwy Tok Cutoff, Tok, AK 99780
#10 - TOK	Bear's Den Liquor	1270	Mile 1314 Alaska Hwy, Tok, AK 99780
#27 - BIG LAKE	Bear's Den Liquor	1388	14468 West Hollywood Rd., Wasilla, AK 99654
#47 - TRAPPER CREEK	Bear's Den Liquor	2362	23471 S. Parks Hwy., Trapper Creek 99683
#45 - HEALY	Bear's Den Liquor	3036	Mile 248.5 George Parks Hwy., healy, AK 99743
#50 - KENAI	Three Bears	4118	10575 Kenai Spur Hwy., Kenai, AK 99611
#60 - PALMER	Three Bears	4499	8151 E Palmer-Wasilla Hwy., Palmer, AK 99645
#80 - PITTMAN	Three Bears	4503	445 N Pittman Rd., Wasilla, AK 99654
#120 SAXMAN	Bear's Den Liquor	5868	2868 S. Tongass Hwy., Saxman, AK 99901
Pending License Transfer Applications			
FAIRBANKS	Bear's Den Liquor	456	3040 Parks Hwy., Fairbanks, AK 99706
North Pole	Bear's Den Liquor	2731	3330 Badger Rd., North Pole, AK 99705
Eagle River	Bear's Den Liquor	757	17320 Northgate Drive, Eagle River, AK 99567



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AUG 15 2023

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Alaska Alcoholic Beverage Control Board Form AB-02: Premises Diagram

Why is this form needed?

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 may not be 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 Anchorage 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:	Three Bears Alaska, Inc.	License Number:			
License Type:	Package Store				
Doing Business As:	Bear's Den Liquor				
Premises Address:	487 Salmon Way				
City:	Dutch Harbor	State:	AK	ZIP:	99705

STATE OF ALASKA
ALCOHOL BEVERAGE CONTROL BOARD
Licensed Premises Diagram

AMCO
AUG 15 2023

INSTRUCTIONS: Draw a detailed floor plan of your present or proposed licensed premises on the graph below; show all entrances and exits, and all fixtures such as tables, booths, games, counters, bars, coolers, stages, etc.

DBA: BEAR'S DEN LIQUOR

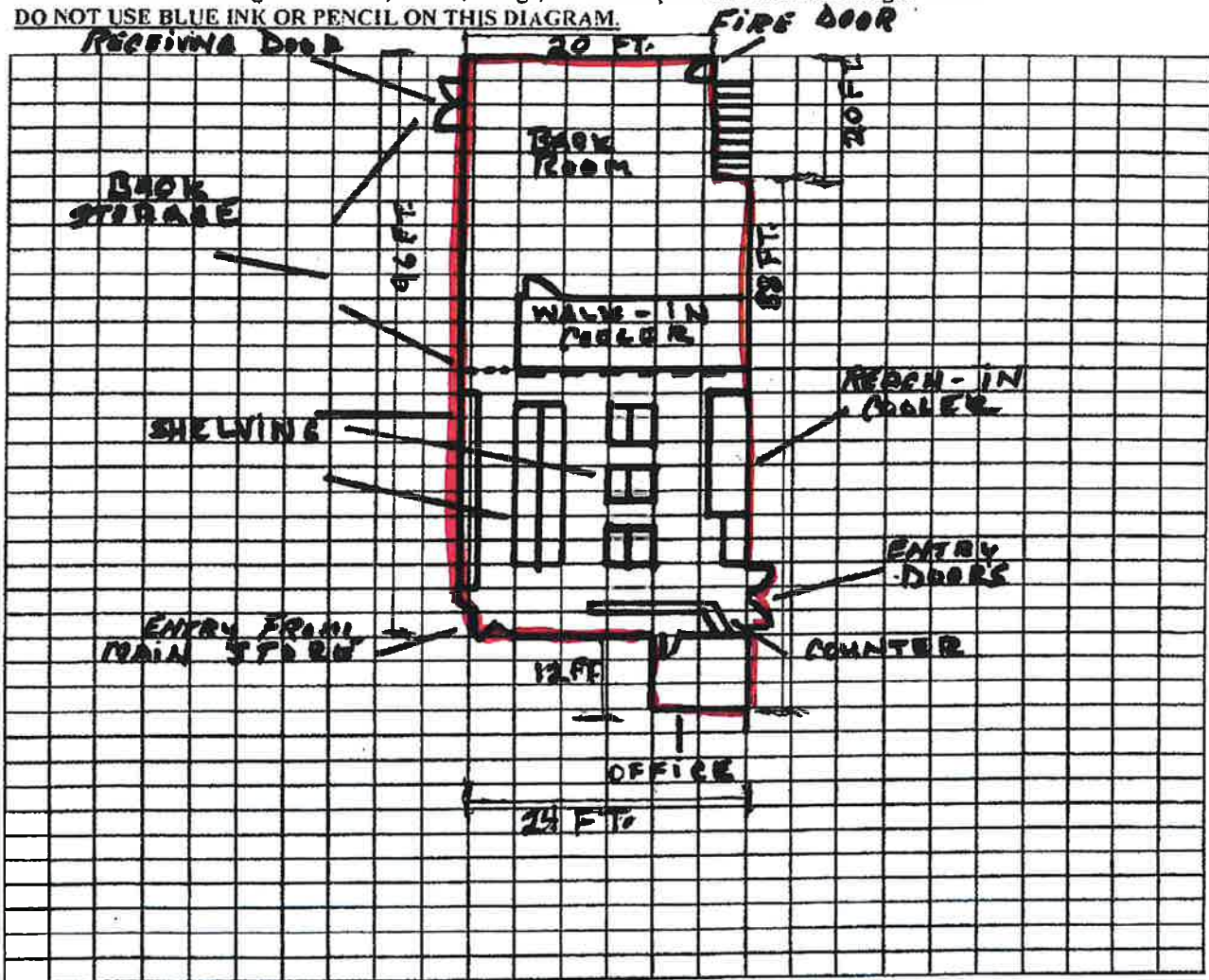
PREMISES LOCATION: 487 Salmon Way, Dutch Harbor AK 99692

Indicate scale by x after appropriate statement or show length and width of premises. X 1 SQ. = 4 FT. X 4 FT.

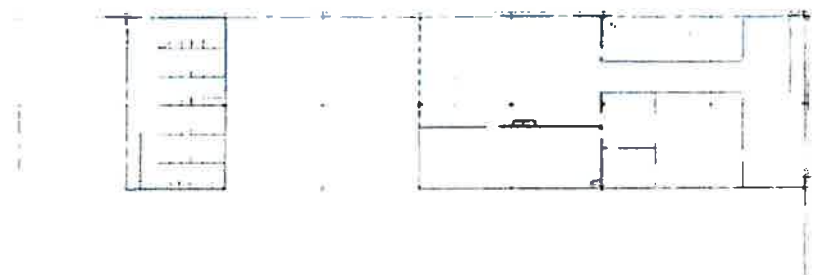
SCALE A: _____ 1 SQ. = 1 FT. SCALE B: _____

Length and width of premises in feet:

Outline the area to be designated for sale, service, storage, and consumption of alcoholic beverages in red.
DO NOT USE BLUE INK OR PENCIL ON THIS DIAGRAM.



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AUG 15 2023

487 Salmon Way



487 Salmon Way

- Directions
- Save
- Nearby
- Send to phone
- Share

487 Salmon Way, Unalaska, AK 99692

VCMW+7X Unalaska, Alaska