MEMORANDUM TO COUNCIL

To:	Mayor and City Council Members
From:	Marjie Veeder, City Clerk
Through:	Erin Reinders, City Manager
Date:	December 14, 2021
Re:	Liquor License Renewal – Alaska Ship Supply (Package Store)

<u>SUMMARY</u>: 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 renewal. Alaska Ship Supply has applied to renew their package store liquor license. Staff recommends no protest.

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.

<u>BACKGROUND</u>: AS 04.11.400 defines the distribution of liquor licenses based on population and location:

- For every 1,500 or fraction thereof in population, one restaurant/eating place license is authorized. Such licenses allow the establishment to serve only beer and wine.
- For every 3,000 or fraction thereof of population, one beverage dispensary license is authorized and one package store license is authorized.
- Beverage dispensary and restaurant/eating place licenses that are designated as tourism, convenience or airport do not count as licenses based on population.

The City of Unalaska has the following breakdown of licer	ses authorized:
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Establishment	License Type	Explanation	
Alaska Ship Supply	Package Store	One of two package store licenses allowed by population	
Harbor View Liquor Store	Package Store	One of two package store licenses allowed by population	
Dutch Harbor Fast Food Restaurant/Eating Place		One of three restaurant/eating place licenses allowed by population	
Amelia's Restaurant	Restaurant/Eating Place – Public Convenience	Restaurant/Eating Place – Public Convenience is not counted in population per AS 04.11.400(g)	
Airport Restaurant and Lounge	Beverage Dispensary – Tourism	Beverage Dispensary – Tourism is not counted in population per AS 04.11.400(d)(2)	
Grand Aleutian Hotel	Beverage Dispensary – Tourism	Beverage Dispensary – Tourism is not counted in population per AS 04.11.400(d)	
Grand Aleutian Hotel Chart Room	Beverage Dispensary – Tourism Duplicate	Beverage Dispensary – Tourism is not counted in population per AS 04.11.400(d)	
Harbor View Bar & Grill	Beverage Dispensary – Tourism	Beverage Dispensary – Tourism is not counted in population per AS 04.11.400(d)	
Harbor Sushi	Beverage Dispensary	One of the two beverage dispensary licenses allowed by population	
Norwegian Rat Saloon	Beverage Dispensary	One of the two beverage dispensary licenses allowed by population	

DISCUSSION: Alaska Ship Supply submitted an application for renewal of their Package Store liquor license. This business is current in reporting and payment of sales tax; and current in property tax and utilities. Council also considers the number of public safety calls made to an establishment each year, which are summarized in the following chart:

CALL TYPE	Alaska Ship Supply 2020 - 2021
Ambulance Request	0
Animal	4
Assault	0
Assist Other Agency	1
Assistance Rendered	5
Disorderly Conduct	0
Domestic Disturbance	0
Drunk Disturbance	0
DUI	2
Fire Safety	1
Fire Response	5
Forgery	0
Found Property	1
Harassment	1
Liquor Law Violation	0
Marijuana Enforcement	0
MVA-Damage	4
PC-Alcohol	1
Public Safety	1
Release Conditions	2
Suspicious Person/Activity	6
Taxi Violation	0
Theft	4
Traffic Crime	18
Trespass	2
Unsecured Premise	0
Vehicle Theft	1
Warrant Arrest	2
Weapons	0
Welfare Check	3
Total Calls to Establishment	64
Calls initiated by officer	27
Calls initiated by staff/civilian	37

The Department of Public Safety has no concerns with the renewal of the package store liquor license for Alaska Ship Supply.

<u>ALTERNATIVES</u>: 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 January 14, 2022.

FINANCIAL IMPLICATIONS: Potential loss of sales tax revenue if a license is not renewed.

LEGAL: None

<u>STAFF RECOMMENDATION</u>: 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.

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

ATTACHMENT:

- Letter from State Alcohol & Marijuana Control Office
- Renewal application





Department of Commerce, Community, and Economic Development

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

November 16, 2021

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

Re: Notice of 2022/2023 Liquor License Renewal Application

License Type:	Package Store	License Number:	2721
Licensee:	Western Pioneer, Inc.		
Doing Business As:	Alaska Ship Supply		

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,

- Klit

Glen Klinkhart, Director amco.localgovernmentonly@alaska.gov

STATE OF ALASKA - ALCOHOLIC BE	EVERAGE CONTROL BOARD LICENSE NUMBER
FORM CONTROL	
XXXX IIC	LIOP LICENSE 2721
ICCLIED	UOR LICENSE
11/16/2021	2022 - 2023 LICENSE RENEWAL APPLICATION DUE DECEMBER 31, 2023 (AS 04.11.270(b))
ABC BOARD TE	CMPORARY THIS LICENSE EXPIRES MIDNIGHT FEBRUARY 28, 2024 UNLESS DATED BELOW
TYPE OF LICENSE: Package Store	
LICENSE FEE: \$1,500.00	
1150	CITY / BOROUGH: Unalaska Unorganized Borough
D/B/A: Alaska Ship Supply 487 Salmon Way	This license cannot be transferred without permission of the Alcoholic Beverage Control Board
Mail Address: Western Pioneer, Inc.	[] Special restriction - see reverse side
PO Box 70438 Seattle, WA 98127-0438	ISSUED BY ORDER OF THE ALCOHOLIC BEVERAGE CONTROL BOARD
	fe flitt
	DIRECTOR
04-900 (REV 7/21)	
STATE OF ALASKA - ALCOHOLIC BE	THIS LICENSE MUST BE POSTED IN A VISIBLE PLACE ON THE PREMISES
STATE OF ALASKA - ALCOHOLIC BE FORM CONTROL XXXX LIQ ISSUED 11/16/2021	EVERAGE CONTROL BOARD LICENSE NUMBER 2002 - 2023 LICENSE RENEWAL APPLICATION DUE DECEMBER 31, 2023 (AS 04.11.270(b))
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Alcohol and Marijuana Control Office 550 W 7th Avenue, Suite 1600 Anchorage, AK 99501 <u>alcohol.licensing@alaska.gov</u> <u>https://www.commerce.alaska.gov/web/amco</u> Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

2022-2023 Master Checklist: Renewal License Application

Doing Business As:	Alaska Ship Supply			License Number:	2721	
License Type:	Pack	Package Store				
Examiner:	Co	CollegnBitton			Transaction #:	100282833
Document		Received	Completed	Notes	,	
AB-17: Renewal Applic	ation	10/13	4/16/21			
App and License Fees		10/13	1.4/16/21			
Supplemental Docum	ent	Received	Completed	Notes		
Tourism/Rec Site State	ment	and an				
AB-25: Supplier Cert (V	VS)					
AB-29: Waiver of Oper	ation					
AB-30: Minimum Oper	ation					
AB-33: Restaurant Affi	davit					
COI / COC / 5 Star / FA	A Cert					
FP Cards & Fees / AB-08a						
Late Fee						
Names on FP Cards:						
			Yes No	N/A		
CBPL Entity Printout in	cluded?					
Business License Copy	Business License Copy included?					
Background(s) Completed & Date:						
Special Consideration: Board Meeting Date:						
LGB Sent Date: 1/16/21 LGB Deadline Date: 1/15/22						
LGB 1 Name: <u>Uhal</u>	aska		LGB 2 Nan	ne:		
Waive	Protest	Lapse	d Wai	ve Pro	test 🔲 Lapsed	

[Master Checklist: Renewal] (rev 09/22/2021)



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

Alaska Alcoholic Beverage Control Board Form AB-17b: 2022/2023 Package Store Renewal Application

- This form and any required supplemental forms must be completed, signed by the licensee, and postmarked no later than 12/31/2021 per AS 04.11.270, 3 AAC 304.160, with all required fees paid in full, or a non-refundable \$500.00 late fee applies.
- Any complete application for renewal or any fees for renewal that have not been postmarked by 02/28/2022will be expired per AS 04.11.540,3 AAC 304.160(e).
- All fields of this application must be deemed complete by AMCO staff and must be accompanied by the required fees and all documents
 required, or the application will be returned without being processed, per AS 04.11.270, 3 AAC 304.105
- Receipt and/or processing of renewal payments by AMCO staff neither indicates nor guarantees in any way that an application will
 be deemed complete, renewed, or that it will be scheduled for the next ABC Board meeting.

Licensee (Owner):	Western Pioneer, Inc	License #:	2721
License Type:	Package Store	, , , , , , , , , , , , , , , , , , ,	
Doing Business As:	Alaska Ship Supply		
Premises Address:	487 Salmon Way	an a	
Local Governing Body:	City of Unalaska		
Community Council:	None	annan an a	

If your mailing address has changed, write the NEW address below:

Mailing Address:	P.O. Box 70438		
City:	Seattle	State: WA	ZIP: 98127

Section 1 – Licensee Contact Information

Contact Licensee: The individual listed below must be listed in Section 2 or 3 as an Official/Owner/Shareholder of your entity and must be listed on CBPL with the same name and title.

This person will be the designated point of contact regarding this license, unless the Optional contact is completed.

Contact Licensee:	Lawrence J. Soriano	Contact Phone:	206-781-4777
Contact Email:	larrys@wpioneer.com	x	

Optional: If you wish for AMCO staff to communicate with anyone other than the Contact Licensee about your license, list them below:

Name of Contact:	Contact Phone:
Contact Email:	

Name of Contact:	Contact Phone:	
Contact Email:		

Section 2 - Written Order Information

Do you intend to sell alcoholic beverages and ship them to another location in response to written solicitation in calendar years 2022 and/or 2023?

YES	NC
	X

[Form AB-17] (rev09/21/2021)

AMCO Received 10/13/21 1 of4



Alaska Alcoholic Beverage Control Board Form AB-17b: 2022/2023 License Renewal Application

Section 3 – Entity or Community Ownership Information

Sole Proprietors should skip this Section.

Use the link from Corporations, Business and Professional Licensing (CBPL) below to assist you in finding the Entity #. <u>https://www.commerce.alaska.gov/cbp/main/search/entities</u>

Alaska CBPL Entity #: 33317F	
------------------------------	--

READ BEFORE PROCEEDING: Any new or changes to Shareholders (10% or more), Managers, Corporate Officers, Board of Directors, Partners, Controlling Interest or Ownership of the business license must be reported to the ABC Board within <u>10 days</u> of the change and <u>must be accompanied by</u> a full set of fingerprints on FBI-approved card stock, AB-08a's, payment of \$48.25 for <u>each new officer</u> with a date-stamped copy of the CBPL change per AS 04.11.045, 50 & 55, or a Notice of Violation will be issued to your establishment and your application will be returned.

The only exception to this is a Corporation who can meet the requirements set forth in AS 04.11.050(c).

DO NOT LIST OFFICERS OR TITLES THAT ARE NOT REQUIRED FOR YOUR ENTITY TYPE.

- Corporations of <u>any</u> type including non-profit must list ONLY the following:
 - o ³ All shareholders who own 10% or more stock in the corporation
 - o Each President, Vice-President, Secretary, and Managing Officer regardless of percentage owned
- Limited Liability Corporations, of <u>any</u> type must list ONLY the following:
 - o All Members with an ownership interest of 10% or more
 - o All Managers (of the LLC, not the DBA) regardless of percentageowned
 - Partnerships of any type, including Limited Partnerships must list ONLY the following:
 - o Each Partner with an interest of 10% or more
 - o All General Partners regardless of percentage owned

Important Note: All entries below must match our records, or your application will be returned per AS 04.11.270, 3 AAC 304.105. You must list full legal names, all required titles, phone number, percentage of shares owned (if applicable) and a full mailing address for each official of your entity whose information we require. If more space is needed: attach additional completed copies of this page. Additional information not on this page will be rejected.

Name of Official:	Western Pioneer, Inc		
Title(s):	See attached	Phone:	% Owned:
Mailing Address:			
City:		State:	ZIP:

Name of Official:		
Title(s):	Phone:	% Owned:
Mailing Address:		•
City:	State:	ZIP:

Name of Official:			
Title(s): % Owned:			
Mailing Address:			
City:	State:	ZIP:	



WESTERN PIONEER, INC.

Post Office Box 70438 Seattle, Washington 98127-0438 (206) 789-1930

Officers of the Corporation

OFFICERS	ADDRESS	WORK PHONE
Lawrence J. Soriano, President	2201 W. Commodore Way PO Box 70438 Seattle WA 98127	206/789-1930
James D. Soriano, Secretary/Treasurer	2201 W. Commodore Way PO Box 70438 Seattle WA 98127	206/789-1930

DIRECTORS AND STOCKHOLDERS

The stock of Western Pioneer, Inc. is wholly owned by: Soriano 1998 Family Trust - 100% of the stock Lawrence J. Soriano, Trustee, for the benefit of:

Sharon A. Soriano Malia	3511 NE 158 th Place Shoreline WA 98155 206/368-7873	25%
Lawrence J. Soriano	3200 Magnolia Blvd. W. Seattle WA 98199 206/619-3324	25%
Elizabeth L. Soriano	2825 – 27 th Ave. W. Seattle WA 98199 206/283-1198	25%
James D. Soriano	17825 Westside Highway Vashon Island WA 98070 206/769-9637	25%



Alaska Alcoholic Beverage Control Board Form AB-17b: 2022/2023 License Renewal Application

Section 4 – Sole Proprietor Ownership Information

Corporations, LLC's and Partnerships of ALL kinds should skip this section.

READ BEFORE PROCEEDING: Any new or changes to the ownership of the business license must be reported to the ABC Board within <u>10 days</u> of the change and must be accompanied by a full set of fingerprints on FBI approved cardstock, AB-08a's, payment of \$48.25 for <u>each new owner or officer</u> and a date stamped copy of the CBPL change per AS 04.11.045, or a Notice of Violation will be issued to your establishment and your application will be returned.

<u>Important Note:</u> All entries below must match our records, or your application will be returned per AS 04.11.270, 3 AAC 304.105. You must list full legal names, phone number, and mailing address for each owner or partner whose information we require. If more space is needed, attach additional copies of this page. Additional owners not listed on this page will be rejected.

This individual isan:	Applicant	Affiliate			
Name:				Contact Phone:	
Mailing Address:			·····	n ferina antis fri antis finditi incondicipi incondicita da anti-	
City:			State:		ZIP:
Email:					- I in think is the I are an arrive in the
This individual isan:	Applicant	Affiliate	21 - 2021 - 2021 - 2021 - 2021 - 2021 - 2021 - 2021 - 2021 - 2021 - 2021 - 2021 - 2021 - 2021 - 2021 - 2021 - 2	an ini antona di Kabuta inana kata a	
Name:				Contact Phone:	
Mailing Address:					
City:			State:		ZIP:
Email:					
	<u> </u>	Section 5	- License O	peration	

Ch	eck ONEBOX for EACH CALENDAR YEAR that best describes how this liquor license was operated:	2020	202
1.	The license was regularly operated continuously throughout each year. (Year-round)	X	X
2.	The license was only operated during a specific season each year. (Seasonal)		
	If your operation dates have changed, list them below:		
	to		L

 The license was only operated to meet the minimum requirement of 240 total hours each calendar year. A complete AB-30: Proof of Minimum Operation Checklist, and all documentation must be provided with this form.

4. The license was not operated at all or was not operated for at least the minimum requirement of 240 total hours each year, during one or both calendaryears. <u>A complete Form AB-29</u>: <u>Waiver of Operation Application</u> <u>and corresponding fees must be submitted with this application for each calendar year during which the license was not operated.</u> <u>If you have not met the minimum number of hours of operation in 2020 and/or 2021, you are not required to pay the fees, however a complete AB-29 is required with Section 2 marked "OTHER" and COVID is listed as the reason.</u>

Section 6 – Violations and Convictions

Have ANY Notices of Violation been issued for this license OR has ANY person or entity in this application been convicted of a violation of Title 04, 3AAC 304 or a local ordinance adopted under AS 04.21.010 in 2020 or 2021?

If you checked YES, you MUST attach a list of all Notices of Violation and/or Convictions per AS 04.11.270(a)(2)

If you are unsure if you have received any Notices of Violation, contact the office before submitting this form.

Yes

No

Х



Alaska Alcoholic Beverage Control Board Form AB-17: 2022/2023 License Renewal Application

Section 7 - Certifications

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 304, 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 potentially expired if I do not comply with statutory or regulatory requirements.
- I certify that all current licensees (as defined in AS 04.11.260) and affiliates have been listed on this application, and that in
 accordance with AS 04.11.450, no one other than the licensee(s) 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 accurately listed, and I have provided AMCO with all required changes of
 Shareholders (10% or more), Managers, Corporate Officers/Board of Directors, Partners, Controlling Interest or Ownership of
 the business license, and have provided all required documents for any new or changes in 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, <u>if applicable for this license type</u> as set forth in AS 04.21.025 and 3 AAC 304.465.
- I certify that I have not altered the functional floor plan or reduced or expanded the area of the licensed premises, and I have not changed the business name from what is currently approved and on file with the Alcoholic Beverage Control Board.

I certify on behalf of myself or of the organized entity that in the providing a false statement on this form or any other form provided by AMCO is grounds for rejection or reversities apply cation or revocation of any license issued.

Signature of licensee rence

Printed name of licensee

Signature of Notary Public and for the State of: WASHINGTON My commission expires: _ 4 / 23/25

Subscribed and sworn to before me this <u>13</u> day of <u>OCTOBER</u> 2021

All renewal and supplemental forms are available online

Any application that is not complete or does not include ALL required completed forms and fees will not be processed and will be returned per AS 04.11.270, 3 AAC 304.105.

FOR OFFICE USE ONLY

License Fee:	\$	1500.00	Application Fee:	\$ 300.00	Misc. Fee:	\$
Total Fees Due:				\$ 1500.00		

[Form AB-17] (rev09/21/2021)

Details ENTITY DETAILS

Name(s)

Туре	N	ame
Legal Name	W	ESTERN PIONEER, INC.
	Entity Type:	Business Corporation
	Entity #:	33317F
	Status:	Good Standing
	AK Formed Date:	7/2/1984
	Duration/Expiration:	Perpetual
	Home State:	WASHINGTON
	Next Biennial Report Due:	1/2/2022 File Biennial Report
	Entity Mailing Address:	PO BOX 70438, SEATTLE, WA 98127
	Entity Physical Address:	2201 W COMMODORE WAY, SEATTLE, WA 98199

Registered Agent

Agent Name: ERIK HANSON

Registered Mailing Address: PO BOX 920408, DUTCH HARBOR, AK 99692 Registered Physical Address: 487 SALMON WAY, DUTCH HARBOR, AK 99692

Officials

			Show Former
AK Entity #	Name	Titles	Owned
	ELIZABETH L SORIANO	Director	
	JAMES D SORIANO	Director, Secretary, Treasurer	
	LAWRENCE J SORIANO	Director, President	
	SHARON A SORIANO MALIA	Director	
	SORIANO 1998 FAMILY TRUST	Shareholder	100.00

Filed Documents

Date Filed	Туре	Filing	Certificate
7/02/1984	Creation Filing		
1/20/1986	Biennial Report		
11/23/1987	Biennial Report		
6/11/1990	Biennial Report		
12/24/1991	Biennial Report	Click to View	
1/03/1994	Biennial Report	Click to View	
1/12/1996	Biennial Report	Click to View	
12/17/1997	Biennial Report	Click to View	
2/22/2000	Biennial Report	Click to View	
12/31/2001	Biennial Report	Click to View	

https://www.commerce.alaska.gov/cbp/main/search/entities

Division of Corporations, Business and Professional Licensing

Date Filed	Туре	Filing	Certificate
12/22/2003	Biennial Report	Click to View	
12/21/2005	Biennial Report	Click to View	
2/21/2006	Amendment	Click to View	Click to View
12/17/2007	Biennial Report	Click to View	
12/23/2009	Biennial Report	Click to View	
12/14/2011	Biennial Report	Click to View	
9/27/2013	Agent Change	Click to View	
12/05/2013 Biennial Report		Click to View	
12/15/2015 Biennial Report		Click to View	
12/12/2017 Biennial Report		Click to View	
3/05/2018 Change of Officials		Click to View	
12/16/2019 Biennial Report		Click to View	

Close Details

Print Friendly Version

Print Business License

License Detail

LICENSE DETAILS

License #: 119111

Business Name: ALASKA SHIP SUPPLY

Status: Active

Issue Date:

Expiration Date: 12/31/2021

Mailing Address: PO BOX 70438 SEATTLE, WA 98127-0438

Physical Address: 2201 W COMMODORE WAY SEATTLE, WA 98199

Owners

WESTERN PIONEER, INC.

Activities

Line of Business	NAICS	Professional License #
42 - Trade	445110 - SUPERMARKETS AND OTHER GROCERY (EXCEPT CONVENIENCE) STORES	
42 - Trade	452990 - ALL OTHER GENERAL MERCHANDISE STORES	

Endorsements

End #	Issue	Renew	Expiration	Action End	Action Note	Address
1	12/29/2008		12/31/2010			1362 BALLYHOO ROAD, DUTCH HARBOR, AK 99692
2	12/29/2008		12/31/2010			2029 AIRPORT BEACH ROAD, #2, DUTCH HARBOR, AK 99692
3	11/15/2018	12/16/2019	12/31/2021			MILE 4 CAPTAINS BAY, UNALASKA, AK 99685
4	11/15/2018	12/16/2019	12/31/2021			487 SALMON WAY- VARIETY STORE, DUTCH HARBOR, AK 99692
5	11/15/2018	12/16/2019	12/31/2021			487 SALMON WAY - LIQUOR STORE, DUTCH HARBOR, AK 99692

License Lapse(s)

If this business license lapsed within the last four years the lapsed periods will appear below. Lapsed periods are the unlicensed period between an expiration date and renewal date.

No Lapses on record for the last 4 years.

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