

**ASSEMBLY HUMAN RESOURCES COMMITTEE
THE CITY AND BOROUGH OF JUNEAU, ALASKA**

April 7, 2014 6:00 PM

City Hall Assembly Chambers

I. ROLL CALL

II. APPROVAL OF AGENDA

III. APPROVAL OF MINUTES

IV. PUBLIC PARTICIPATION

(Not to exceed a total of 10 minutes nor more than 2 minutes for any individual).

V. AGENDA TOPICS

A. Board Matters

1. Wetlands Review Board - Appointments
2. Board of Equalization - Appointments

B. Liquor Licenses

1. Liquor License #4192 Renewal - Seong's Sushi Bar & Chinese Takeout
2. Liquor License #673 Renewal - Peterson Pacific Holding Inc. d/b/a Louie's Douglas Inn

C. Other Business

1. Ordinance 2014-27 - An Ordinance Amending the Penal Code Relating to Harassment.

IV. STAFF REPORTS

V. COMMITTEE MEMBER COMMENTS AND QUESTIONS

VI. ADJOURNMENT

**ASSEMBLY AGENDA/MANAGER'S REPORT
THE CITY AND BOROUGH OF JUNEAU, ALASKA**

Wetlands Review Board - Appointments

ATTACHMENTS:

Description	Upload Date	Type
☐ Wetlands Review Board Committee Membership	4/3/2014	Cover Memo

Wetlands Review Board
Governing Legislation: CBJ Code 49.10.700-49.10.790
Total # of Seats: 9 total: 7 Public seats 2 Planning Commission seats

Active Member or Liaison	Title	First Name	Last Name	Type of Seat	Office Held	Current Term Begins	Term Expires	Appointment Date	Reappointed 1	Reapp. 2	Reapp. 3	Reapp. 4	Reapp. 5	Comments
Yes	Ms.	Amy	Sumner	Public		1/29/2013	12/31/2015	1/28/2013						Environmental Analyst, State of AK DOT/PF
Yes	Mr.	Andrew	Campbell	Public	Chair	2/28/2011	12/31/2013	1/1/2004	12/1/2004	1/28/2008	2/28/2011			General Contractor Admiralty Construction
Yes	Dr.	Harold "Hal"	Geiger	Public		1/29/2013	12/31/2015	1/25/2010	1/28/2013					St. Hubert Research Group: Biologist-Statistician
Yes	Ms.	Nina	Horne	Public		11/5/2012	12/31/2013	11/5/2012						
Yes	Mr.	Jerry	Medina	Public		1/27/2014	12/31/2015	1/27/2014						Formerly Planning Commission Liaison to the WRB, now serving as a Public member
Yes	Ms.	Brenda	Wright	Public		1/30/2012	12/31/2014	8/6/2007	1/12/2009	1/30/2012				Retired Fisheries Biologist
Yes	Dr.	Lisa	Hoferkamp	Public		2/28/2011	12/31/2013	2/28/2011	(previously served 1/2002-12/31/2009)					UAS Chemist, Member of American Chemical Society, Member Society of Wetland Scientists
Yes	Mr.	Dan	Miller	Planning Commission Rep.			n/a							Planning Commission Liaison
Yes	Mr.	Gordon L.	Jackson	Public			n/a							Planning Commission Liaison
Yes	Ms.	Teri	Camery	Staff Liaison	Staff Liaison		n/a							

ARTICLE VII.

WETLANDS REVIEW BOARD

49.10.700 Establishment and functions.

There is established the wetlands review board of the City and Borough, whose purpose is to implement the provisions of the Juneau Wetlands Management Plan.

- (a) The wetlands review board shall serve as the decision-making body for the issuance of wetlands development permits in Category C and D wetlands, and enhancement project permits in Category EP wetlands, in accordance with the Juneau Wetlands Management Plan and the General Permit for wetlands development issued by the U.S. Army Corps of Engineers and administered by the City and Borough. The wetlands review board will apply the permit review procedures and standards set forth in section 49.70.1000 et seq.
- (b) The wetlands review board shall administer the City and Borough's wetlands mitigation bank, as established in the Juneau Wetlands Management Plan and in subsection 49.70.1085(b). The wetlands review board shall develop and maintain a long-term mitigation strategy for Juneau wetlands as described in subsection 49.70.1085(a)

(c) The wetlands review board shall prepare an annual report on the status of the mitigation bank.
(Serial No. 95-35, § 2, 1995)

49.10.710 Membership.

The members of the wetlands review board shall be nine residents of the City and Borough who shall serve without pay. Two shall be members of the planning commission, and seven shall be members of the public.

(Serial No. 95-35, § 2, 1995)

49.10.720 Appointment.

Planning commission members shall be appointed by the commission. Public board members shall be appointed by the assembly. When public members are appointed, the assembly shall consider obtaining the broadest possible representation of members with knowledge of the values, functions and uses of wetlands, such as fish or wildlife biology, geology, hydrology, land use planning, and engineering. Appointments to fill vacancies shall be for the unexpired term only.

(Serial No. 95-35, § 2, 1995)

49.10.730 Term of office.

Members shall be appointed for staggered terms of three years.

(Serial No. 95-35, § 2, 1995)

49.10.740 Quorum.

The presence of five members constitutes a quorum. Except as authorized by Charter Section 3.16(e), any action of the board requires five or more affirmative votes to be approved.
(Serial No. 95-35, § 2, 1995; Serial No. 2002-40, § 2, 11-4-2002)

Charter References: Quorum, § 3.16(e).

49.10.750 Officers.

The wetlands review board shall elect a chair to conduct the meetings of the board and a vice chair to serve in the absence of the chair, provided the chair and vice chair shall not be members of the commission.
(Serial No. 95-35, § 2, 1995)

49.10.760 Unexcused absences.

If a member without first being excused for good cause by the wetlands review board misses three consecutive regular meetings, that member's position shall become vacant without action by the board. The wetlands review board or its chair shall immediately inform the assembly of the vacancy.
(Serial No. 95-35, § 2, 1995)

49.10.770 Meetings.

(a) *Regular meetings.* The wetlands review board shall hold one regular meeting each month and shall hold additional regular meetings as the board may prescribe by resolution.

(b) *Special meetings.* The wetlands review board may hold special meetings upon the call of the chair or any two members. At least 24 hours before the meeting, personal notice shall be given to each board member designating the time, place, and purpose of the special meeting, or written notice shall be left at each member's usual place of residence. At least 24 hours before the meeting, copies of the notice shall also be delivered to the newspapers of general circulation in the municipality and to the commercial radio and television stations operating in the municipality. No business may be transacted at any special meeting except as stated in the notice of the meeting. All meetings of the wetlands review board shall be publicly noticed in the same manner as other City and Borough boards and commissions, and shall be conducted in accordance with the Alaska Open Meetings Act.
(Serial No. 95-35, § 2, 1995)

49.10.780 Record of meetings.

Minutes all meetings shall be kept and shall be a public record. All records of the wetlands review board are public records and must be available to the public in the same manner as other City and Borough records, provided that upon request of a business, person or other entity working with the wetlands review board, proprietary information in any application or report of that business, person or entity presented to the wetlands review board shall be kept confidential by the wetlands review board to the extent allowed by AS 09.23.110 and AS 09.23.120, or other applicable law. Information to be maintained as confidential must be specified and marked as "confidential" by the business, person, or other entity.
(Serial No. 95-35, § 2, 1995)

49.10.790 Rules of procedure.

Meetings shall be conducted under Mason's Manual and such additions or amendments to the rules as may be adopted by the wetlands review board.
(Serial No. 95-35, § 2, 1995)

**ASSEMBLY AGENDA/MANAGER'S REPORT
THE CITY AND BOROUGH OF JUNEAU, ALASKA**

Board of Equalization - Appointments

ATTACHMENTS:

Description	Upload Date	Type
☐ Board of Equalization Committee Membership	4/3/2014	Cover Memo

BOARD OF EQUALIZATION

Governing Legislation: CBJ 15.05.010-.260 AS 29.10.200(41); AS 29.45.800

Total # of Seats: 9 making up 3 panels of 3 members each

Active Member or Liaison	Board Membership	Title	First Name	Last Name	Type of Seat	Office Held	Current Term Begins	Term Expires	Appointment Date	Reappointed 1	Reappointed 2	Comments
Yes	Board of Equalization	Mr.	Michael	Boyer	Public		3/5/2012	12/31/2014	3/5/2012			Previous member of BOE 4/2007-12/2009
Yes	Board of Equalization	Mr.	Bruce	Weyhrauch	Public		3/5/2012	12/31/2014	3/5/2012			Attorney
Yes	Board of Equalization	Ms.	Patricia "Pat"	Watt	Public		5/13/2013	12/31/2015	5/13/2013			Also serving on Sales Tax Board of Appeals
Yes	Board of Equalization	Mr.	John	Gaguine	Public		3/4/2013	12/31/2015	4/2/2007	3/15/2010	3/4/2013	Retired Attorney (also serving on Sales Tax Board of Appeals)
Yes	Board of Equalization	Mr.	Ed	Kalwara	Public	Chair	3/4/2013	12/31/2015	4/2/2007	3/15/2010	3/4/2013	
Yes	Board of Equalization		Open Seat	Open Seat	Public			12/31/2013				
Yes	Board of Equalization	Mr.	David	Epstein	Public		4/2/2012	12/31/2014	4/2/2012			Also serving on the Airport Board
Yes	Board of Equalization		Open Seat	Open Seat	Public			12/31/2013				
Yes	Board of Equalization	Mr.	Paul	Nowlin	Public		3/17/2014	12/31/2016	5/13/2013	3/17/2014		Also serving on Local Emergency Planning Committee
Yes	Board of Equalization	Ms.	Laurie	Sica	Staff Liaison	Staff liaison	n/a	n/a	n/a			Clerk's Office provides Staff Support to all appeal boards
Yes	Board of Equalization	Ms.	Beth	McEwen	Staff Liaison	Staff liaison	n/a	n/a	n/a			Clerk's Office provides Staff Support to all appeal boards

15.05.185 Board of equalization.

(a) *Membership; duties; term of office; term limits.*

- (1) *Membership.* The board of equalization shall comprise a pool of no less than six, and up to nine, members, not assembly members, appointed by the assembly. There shall be up to three panels established each year. Each panel hearing appeals shall consist of three members. The board chair shall assign members to a specific panel and schedule the panels for a calendar of hearing dates. The assignment of members to panels and the establishment of a hearing calendar shall be done in consultation with the individual members. Additionally, members may be asked to take the place of regular assigned panel members in the event an assigned panel member is unable to attend a scheduled meeting.
 - (2) *Qualifications of members.* Members shall be appointed on the basis of their general business expertise and their knowledge or experience with quasi-judicial proceedings. General business expertise may include, but is not limited to, real and personal property appraisal, the real estate market, the personal property market, and other similar fields.
 - (3) *Duties.* The board, acting in panels, shall only hear appeals for relief from an alleged error in valuation on properties brought before the board by an appellant. A panel hearing a case must first make a determination that an error in valuation has occurred. Following the determination of an error in valuation the panel may alter an assessment of property only if there is sufficient evidence of value in the record. Lacking sufficient evidence on the record the case shall be remanded to the assessor for reconsideration. A hearing by the board may be conducted only pursuant to an appeal filed by the owner of the property as to the particular property.
 - (4) *Term of office.* Terms of office shall be for three years and shall be staggered so that approximately one-third of the terms shall expire each year.
 - (5) *Term limits.* No member of the board of equalization who has served for three consecutive terms or nine years shall again be eligible for appointment until one full year has intervened, provided, however, that this restriction shall not apply if there are no other qualified applicants at the time reappointment is considered by the assembly human resources committee.
- (b) *Chair.* The board annually shall elect a member to serve as its chair. The chair shall coordinate all board activities with the assessor including assignment of panel members, scheduling of meetings, and other such board activities.
- (c) *Presiding officer.* Each panel shall elect its own presiding officer to act as the chair for the panel and shall exercise such control over meetings as to ensure the fair and orderly resolution of appeals. In the absence of the elected presiding officer the panel shall appoint a temporary presiding officer at the beginning of a regular meeting. The presiding officer shall make rulings on the admissibility of evidence and shall conduct the proceedings of the panel in conformity with this chapter and with other applicable federal, state and municipal law.
- (d) *Report to the assembly.* The board, through its chair, shall submit an independent report to the assembly each year by September 15 identifying, at a minimum, the number of cases appealed, the number of cases scheduled to be heard by the board, the number of cases actually heard, the percentage of cases where an error of valuation was determined to exist, the number of cases remanded to the assessor for reconsideration, the number of cases resulting in the board altering a property assessment, and the net change to taxable property caused by board action. The report shall also include any comments and recommendations the board wishes to offer concerning changes to property assessment and appeals processes.

(Serial No. 2005-51(c)(am), § 4, 1-30-2006)

15.05.190 Hearing of appeal.

- (a) At the hearing of the appeal, the board of equalization shall hear the appellant, the assessor, other parties to the appeal, and witnesses, and consider the testimony and evidence, and shall determine the matters in question on the merits.
- (b) If a party to whom notice was mailed as provided in this title fails to appear, the board of equalization may proceed with the hearing in the party's absence.
- (c) The burden of proof in all cases is upon the party appealing.
- (d) The board of equalization shall maintain a record of appeals brought before it, enter its decisions therein and certify to them. The minutes of the board of equalization shall be the record of appeals unless the board of equalization shall provide for a separate record.

(CBJ Code 1970, § 15.05.190; Serial No. 70-33, § 3, 1971)

State law reference— Hearing, AS 29.45.210.

15.05.200 Judicial review.

A person aggrieved by an order of the board of equalization may appeal to the superior court for review de novo after exhausting administrative remedy under this title.

(CBJ Code 1970, § 15.05.200; Serial No. 70-33, § 3, 1971)

State law reference— Appeal to superior court, AS 29.45.210(d).

15.05.210 Municipal clerk record keeping certification of changes.

The municipal clerk of the assembly is ex officio clerk of the board of equalization. The municipal clerk shall record in the minutes of each meeting or record of appeals all proceedings before the board of equalization, the names of persons protesting assessments, and all changes, revisions, corrections, and order relating to claims or adjustments. Within three days following the final hearings of the board of equalization the municipal clerk shall certify to the assessor corrections, revisions, and changes authorized and approved by the board of equalization.

(CBJ Code 1970, § 15.05.210; Serial No. 70-33, § 3, 1971)

State law reference— Hearing certification of action, AS 29.45.210(c).

**ASSEMBLY AGENDA/MANAGER'S REPORT
THE CITY AND BOROUGH OF JUNEAU, ALASKA**

Liquor License #4192 Renewal - Seong's Sushi Bar & Chinese Takeout

MANAGER'S REPORT:

Seong S. Kim d/b/a Seong's Sushi Bar & Chinese Takeout; Location: 740 W 9th Street
(Restaurant/Eating Place License #4192)

The above-listed liquor license is before the Assembly to either protest or waive its right to protest its renewal. The Finance, Police, Fire, and Community Development Departments have reviewed the above business and the Finance Departments is recommending the Assembly protest the license renewal based on outstanding sales tax returns and the corresponding penalties and interest for a total amount of \$28,982.60 owing through April 2014.

In the event the Assembly does protest the renewal of the above mentioned liquor license, CBJ Code 20.25 requires notice, with specificity regarding the nature and basis of the protest, to be sent to the licensee and provides the licensee an opportunity to exercise their right to an informal hearing before the Assembly. The letter in your packet meets that requirement and this would be the opportunity for the licensee to be afforded their informal hearing before the Assembly.

The Assembly Human Resources Committee considered this issue at its meeting immediately preceding this meeting and will forward its recommendation to the Assembly.

RECOMMENDATION:

The Manager recommends the Assembly proceed according to the recommendations of the Assembly Human Resources Committee in this matter.

ATTACHMENTS:

Description	Upload Date	Type
☐ Seong's Sushi Bar #4192 Renewal	4/3/2014	Cover Memo



THE STATE
of **ALASKA**
GOVERNOR SEAN PARNELL

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

2400 Viking Drive
Anchorage, Alaska 99501
Main: 907.269.0350
TDD: 907.465.5437
Fax: 907.334.2285

March 10, 2014

Renewal Application Notice

CITY CLERK
MAR 10 2014
RECEIVED

City of Juneau

Attn: City Clerk & Beth McEwen

VIA EMAIL: city_clerk@ci.juneau.ak.us; beth_mcewen@ci.juneau.ak.us

DBA	Lic Type	Lic #	Owner	Premise Address
Louies Douglas Inn	Beverage Dispensary	673	Peterson Pacific Holding Inc.	No Premises
Seong's Sushi Bar & Chinese Takeout	Restaurant/Eating Place	4192	Seong S. Kim	740 W 9th St
The Rookery Cafe	Restaurant/Eating Place	5153	Midnight Ninja Ventures Incorporated	111 Seward Street

We have received a renewal application for the above listed licenses within your jurisdiction. This is the notice as required under AS 04.11.520. Additional information concerning filing a "protest" by a local governing body under AS 04.11.480 is included in this letter.

A local governing body as defined under AS 04.21.080(11) may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the board **and** the applicant with a clear and concise written statement of reasons in support of a protest within 60 days of receipt of this notice. If a protest is filed, the board will not approve the application unless it finds that the protest is "arbitrary, capricious and unreasonable". Instead, in accordance with AS 04.11.510(b), the board will notify the applicant that the application is denied for reasons stated in the protest. The applicant is entitled to an informal conference with either the director or the board and, if not satisfied by the informal conference, is entitled to a formal hearing in accordance with AS 44.62.330-44.62-630. **IF THE APPLICANT REQUESTS A HEARING, THE LOCAL GOVERNING BODY MUST ASSIST IN OR UNDERTAKE THE DEFENSE OF ITS PROTEST.**

Under AS 04.11.420(a), the board may not issue a license or permit for premises in a municipality where a zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages, unless a variance of the regulation or ordinance has been approved. Under AS 04.11.420(b) municipalities must inform the board of zoning regulations or ordinances which prohibit the sale or consumption of alcoholic beverages. If a municipal zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages at the proposed

premises and no variance of the regulation or ordinance has been approved, please notify us and provide a certified copy of the regulation or ordinance if you have not previously done so.

Protest under AS 04.11.480 and the prohibition of sale or consumption of alcoholic beverages as required by zoning regulation or ordinance under AS 04.11.420(a) are two separate and distinct subjects. Please bear that in mind in responding to this notice.

AS 04.21.010(d), if applicable, requires the municipality to provide written notice to the appropriate community council(s).

If you wish to protest the application referenced above, please do so in the prescribed manner and within the prescribed time. Please show proof of service upon the applicant. For additional information please refer to 13 AAC 104.145, Local Governing Body Protest.

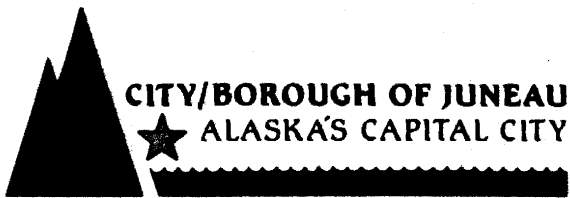
Note: Applications applied for under AS 04.11.400(g), 13 AAC 104.335(a)(3), AS 04.11.090(e), and 13 AAC 104.660(e) must be approved by the governing body.

Sincerely,

SHIRLEY A. COTÉ
Director

/s/ *Christine C. Lambert*

Christine C. Lambert
Licensing & Records Supervisor
Christine.lambert@alaska.gov



OFFICE OF THE MUNICIPAL CLERK
Ph: (907)586-5278 Fax: (907)586-4552
e-mail: Beth_McEwen@ci.juneau.ak.us

March 28, 2014

Via certified & regular mail

Seong S. Kim
d/b/a Seong's Sushi Bar & Chinese Takeout
740 W. 9th Street, Juneau, AK 99801

And via regular mail to:

Seong S. Kim
d/b/a Seong's Sushi Bar & Chinese Takeout
615 5th Street, Douglas, AK 99824

Re: Restaurant Eating Place Liquor License #4192 Renewal for 2013-2014

Dear Mr. Kim,

The State of Alaska Alcohol Beverage Control staff has notified the City and Borough of Juneau of your liquor license renewal for 2013-2014 and submitted the renewal for comment before the local governing body.

As is our practice in these matters, the staff from the Fire, Finance, Police, Public Works, and Community Development Departments reviewed your establishment to insure compliance with city code. As you are aware from your discussions with Sales Tax Administrator Clinton Singletary, the outstanding balance owing on your sales tax for the periods May 2013 through January 2014 including penalties and interest is \$28,324.04. **Since April is just around the corner, the total amount owing, which would include penalties and interest through April 2014, would be \$28,982.60.** Finance staff will be recommending the Assembly protest this license renewal based on these outstanding sales tax and the associate penalties and interest.

Please note that while payment plans are available and encouraged if you are unable to pay the full amount due, entering into a payment plan, ie: Confession of Judgment and Stipulation, will not put the business in good standing with the CBJ Finance department for purposes of liquor license renewal. Only when the full payment of the outstanding balance, interest, and penalties are received, will the Finance Department withdraw its recommendation to protest the license renewal.

CBJ Code 20.25.025 provides you with the right to an informal hearing before the Assembly to defend your liquor license application. This matter will initially be considered at the Monday, April 7, 2014 Assembly Human Resources Committee (HRC) meeting at 6:00p.m. in the Assembly Chambers and the HRC will then forward a recommendation to the Assembly for action at its regular meeting that same evening at 7:00p.m. in the Assembly Chambers. At that meeting will be your opportunity to participate in an informal hearing before the Assembly if you should choose to do so.

March 28, 2014

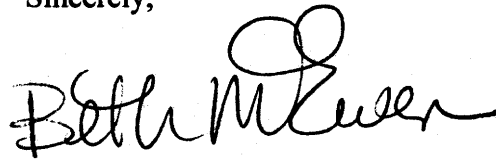
Page 2 of 2

Liquor License Renewal Letter to Seong S. Kim d/b/a Seong's Sushi Bar & Chinese Takeout

Copies of the ABC notice, your application, and the CBJ Code and Alaska Statutes and pertaining to the renewal and protest process are enclosed for your reference.

In the meantime, I would urge you to work with CBJ Sales Tax and Collections staff to try to resolve the outstanding balances owing on your account. Sales Tax Administrator Clinton Singletary can be reached at 586-5265 and Revenue Collector Nicole Traxis can be reached by calling 586-5268.

Sincerely,

A handwritten signature in black ink, appearing to read "Beth McEwen". The signature is fluid and cursive, with a large loop at the end of the last name.

Beth McEwen
Deputy Clerk

Enclosures

cc via email:

Assembly Human Resources Committee & Assembly
Liquor License Staff Reviewers



THE STATE
of **ALASKA**

GOVERNOR SEAN PARNELL

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

2400 Viking Drive
Anchorage, Alaska 99501
Main: 907.269.0350
TDD: 907.465.5437
Fax: 907.334.2285

March 10, 2014

Renewal Application Notice

CITY CLERK
MAR 10 2014
RECEIVED

City of Juneau

Attn: City Clerk & Beth McEwen

VIA EMAIL: city_clerk@ci.juneau.ak.us; beth_mcewen@ci.juneau.ak.us

DBA	Lic Type	Lic #	Owner	Premise Address
Louies Douglas Inn	Beverage Dispensary	673	Peterson Pacific Holding Inc.	No Premises
Seong's Sushi Bar & Chinese Takeout	Restaurant/Eating Place	4192	Seong S. Kim	740 W 9th St
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A local governing body as defined under AS 04.21.080(11) may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the board and the applicant with a clear and concise written statement of reasons in support of a protest within 60 days of receipt of this notice. If a protest is filed, the board will not approve the application unless it finds that the protest is "arbitrary, capricious and unreasonable". Instead, in accordance with AS 04.11.510(b), the board will notify the applicant that the application is denied for reasons stated in the protest. The applicant is entitled to an informal conference with either the director or the board and, if not satisfied by the informal conference, is entitled to a formal hearing in accordance with AS 44.62.330-44.62-630. **IF THE APPLICANT REQUESTS A HEARING, THE LOCAL GOVERNING BODY MUST ASSIST IN OR UNDERTAKE THE DEFENSE OF ITS PROTEST.**

Under AS 04.11.420(a), the board may not issue a license or permit for premises in a municipality where a zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages, unless a variance of the regulation or ordinance has been approved. Under AS 04.11.420(b) municipalities must inform the board of zoning regulations or ordinances which prohibit the sale or consumption of alcoholic beverages. If a municipal zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages at the proposed

premises and no variance of the regulation or ordinance has been approved, please notify us and provide a certified copy of the regulation or ordinance if you have not previously done so.

Protest under AS 04.11.480 and the prohibition of sale or consumption of alcoholic beverages as required by zoning regulation or ordinance under AS 04.11.420(a) are two separate and distinct subjects. Please bear that in mind in responding to this notice.

AS 04.21.010(d), if applicable, requires the municipality to provide written notice to the appropriate community council(s).

If you wish to protest the application referenced above, please do so in the prescribed manner and within the prescribed time. Please show proof of service upon the applicant. For additional information please refer to 13 AAC 104.145, Local Governing Body Protest.

Note: Applications applied for under AS 04.11.400(g), 13 AAC 104.335(a)(3), AS 04.11.090(e), and 13 AAC 104.660(e) must be approved by the governing body.

Sincerely,

SHIRLEY A. COTÉ
Director

/s/ *Christine C. Lambert*

Christine C. Lambert
Licensing & Records Supervisor
Christine.lambert@alaska.gov

2014/2015 Liquor License Renewal - Restaurant Eating Place

License Number	License Type	Establishment Name
4192	Restaurant/Eating Place	Seong's Sushi Bar & Chinese Takeout
If Seasonal Lic.	Seasonal Date From:	Seasonal Date To:
Mailing Address		Premises Address
Seong S. Kim		740 W 9th St
615 5th St		City: Juneau, City & Bor
Douglas, AK 99824		Borough: Other
Community Council/s (Anchorage & Mat-Su only)		

Please mark the correct box to answer:

- Was your business open at least 30 days for 8 hours each day in 2012? ☒ Yes ☐ No
- Was your business open at least 30 days for 8 hours each day in 2013? ☒ Yes ☐ No
- Has the licensed premises changed from the last diagram submitted? ☐ Yes ☒ No
- Has any person named in this application been convicted of a felony or Title 4 violation? ☐ Yes ☒ No
- Gross receipts from sale of food were at least 50% of total gross receipts for 2012 and 2013? ☒ Yes ☐ No

Please answer the following questions:

- What is a good contact phone number for us to use? 907-209-4020
- Please give us a fax number if available or write N/A 907-789-1010
- Give us an email address to use in contacting you SSK8422@yahoo.com
- Please write your Employer Identification Number (EIN) here 92-0150251

List all corporation/LLC members, managers and shareholders below:

Name & Mailing Address	Title	Share %	Phone
Seong S Kim	OWNER	100	209-4020

If not a corporation - List all individuals, spouses, or partners that own business below:

Name & Mailing Address	Title	Phone
Seong S. Kim	OWNER	907-209-4020
IN S. Kim	wife	907-364-2107

By affixing my signature below:

I declare under penalty of perjury that I have examined this application and to the best of my knowledge and belief state it is true, correct and complete.

I certify that I have read and am familiar with Title 4 of the Alaska statutes and its regulations.

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

As a licensee (a sole proprietor or partner), I certify that I have received alcohol server training and my certification is currently valid.

As a Corporate/LLC licensee, I certify that all agents and employees, who serve, sell or are otherwise responsible for the service/sale/storage of alcoholic beverages have received alcohol server training and their certification is currently valid. I further certify that certain shareholders/officers/directors/members of the entity that are *not directly or indirectly responsible* for the service/sale/storage of alcoholic beverages are not alcohol server training certified, and will not be required to be certified.

As a licensee, I certify that all my agents and employees tasked with patron identification verification have received alcohol server training and their certification is currently valid.

Licensee Signature

Seong S Kim / OWNER
Printed Name & Title

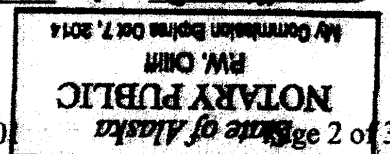
Notary Signature

Notary Public in and for the State of Alaska

My commission expires: 12/1/2014

Subscribed and sworn to before me this

30th day of December, 2013



License Fee	\$ 600.00
Filing Fee	\$ 200.00
TOTAL	\$
Late Fee of \$500.00 – If Received or Postmarked after 12/31/13	\$
Fingerprint Fee – \$51.50 per person (only for new owners/members)	\$
GRAND TOTAL	\$ 800.00

ALASKA STATUTES AND CBJ CODE SECTIONS
RE: ASSEMBLY LIQUOR LICENSE REVIEW AND PROTEST PROCESS

Alaska Statutes 04.11.480

Sec. 04.11.480. Protest.

(a) A local governing body may protest the issuance, renewal, relocation, or transfer to another person of a license by sending the board and the applicant a protest and the reasons for the protest within 60 days of receipt from the board of notice of filing of the application. A protest received after the 60-day period may not be accepted by the board, and in no event may a protest cause the board to reconsider an approved renewal, relocation, or transfer. The local governing body may protest the continued operation of a license during the second year of the biennial license period by sending the board and the licensee a protest and the reasons for the protest by January 31 of the second year of the license. The procedures for action on a protest of continued operation of a license are the same as the procedures for action on a protest of a renewal application. The board shall consider a protest and testimony received at a hearing conducted under AS 04.11.510(b)(2) or (4) when it considers the application or continued operation, and the protest and the record of the hearing conducted under AS 04.11.510 (b)(2) or (4) shall be kept as part of the board's permanent record of its review. If an application or continued operation is protested, the board shall deny the application or continued operation unless the board finds that the protest is arbitrary, capricious, and unreasonable.

(b) If the permanent residents residing outside of but within two miles of an incorporated city or an established village wish to protest the issuance, renewal, or transfer of a license within the city or village, they shall file with the board a petition meeting the requirements of AS 04.11.510 (b)(3) requesting a public hearing within 30 days of the posting of notice required under AS 04.11.310, or by December 31 of the year application is made for renewal of a license. The board shall consider testimony received at a hearing conducted under AS 04.11.510 (b)(3) when it considers the application, and the record of a hearing conducted under AS 04.11.510 (b)(3) shall be retained as part of the board's permanent record of its review of the application.

(c) A local governing body may recommend that a license be issued, renewed, relocated, or transferred with conditions. The board shall consider recommended conditions and testimony received at a hearing conducted under AS 04.11.510 (b)(2) or (4) when it considers the application or continued operation, and the recommended conditions and the record of the hearing conducted under AS 04.11.510 (b)(2) or (4) shall be kept as part of the board's permanent record of its review. If the local governing body recommends conditions, the board shall impose the recommended conditions unless the board finds that the recommended conditions are arbitrary, capricious, or unreasonable. If a condition recommended by a local governing body is imposed on a licensee, the local governing body shall assume responsibility for monitoring compliance with the condition, except as otherwise provided by the board.

(d) In addition to the right to protest under (a) of this section, a local governing body may notify the board that the local governing body has determined that a licensee has violated a provision of this title or a condition imposed on the licensee by the board. Unless the board finds that the local governing body's determination is arbitrary, capricious, or unreasonable, the board shall prepare the determination as an accusation against the licensee under AS 44.62.360 and conduct proceedings to resolve the matter as described under AS 04.11.510 (c).

CBJ Code 20.25.025

20.25.025 Assembly review of license issuance, renewal, transfer, relocation, or continued operation.

(a) The assembly may protest the issuance, renewal, transfer, relocation, or continued operation of an alcoholic beverage license as provided in state law. The protest shall cite any of the following criteria which the assembly determines to be pertinent:

- (1) The character and public interests of the surrounding neighborhood;
- (2) Actual and potential law enforcement problems, including the proximity of the premises to law enforcement stations and patrols;

- (3) The concentration of other licenses of the same and other types in the area;
 - (4) Whether the surrounding area experiences an unacceptable rate of alcohol abuse or of crime or accidents in which the abuse of alcohol is involved;
 - (5) The adequacy of parking facilities;
 - (6) The safety of ingress to and egress from the premises;
 - (7) Compliance with state and local fire, health and safety codes;
 - (8) The degree of control the licensee has or proposes to have over the conduct of the licensed business;
 - (9) The history of convictions of the applicants and affiliates of the applicants for:
 - (A) Any felony involving moral turpitude;
 - (B) Any violation of AS title 04; and
 - (C) Any violation of the alcoholic beverage control laws of another state as a licensee of that state;
 - (10) Whether the applicant or the applicant's affiliates are untrustworthy, unfit to conduct a licensed business or constitute a potential source of harm to the public;
 - (11) Any other factor the assembly determines is generally relevant or is relevant to a particular application.
- (b) The assembly may protest the issuance, transfer, renewal, relocation, or continued operation of a license as provided in state law if it determines any of the following conditions exist:
- (1) The business operated under the license is, on the date the assembly considers the license, delinquent in the payment of any sales tax or penalty or interest on sales tax arising out of the operation of the licensed premises;
 - (2) There are delinquent property taxes or local improvement district assessments or penalty or interest thereon arising out of real or personal property owned in whole or in part by any person named in the application as an applicant or on the permit which is to be continued where such property is used, or is to be used, in whole or in part in the business conducted or to be conducted under the license;
 - (3) There is a delinquent charge or assessment owing the City and Borough by the licensee for a municipal service provided for the benefit of the business conducted under the license or for a service or an activity provided or conducted by the municipality at the request of or arising out of an activity of the business conducted under the license;
 - (4) If the license requested is for a beverage dispensary and is requested under AS 04.11.400(d)(1), unless the tourist facility will contain 30 or more rooms;
 - (5) If the application is for the issuance or relocation of a license and, after the issuance or relocation, there would be:
 - (A) More than one restaurant or eating place license for each 1,500 population, or fraction thereof, residing within the City and Borough; or

- (B) More than one license of each other type for each 3,000 population or fraction thereof residing within the City and Borough.
- (6) The business operated or to be operated under the license is violating or would violate the zoning code of the City and Borough; or
- (7) The business operated under the license is, on the date the assembly considers the application, in violation of state or local fire, health, or safety codes. A criminal conviction of this violation is not a prerequisite for a protest under this section.
- (c) If the assembly or committee or a subcommittee thereof recommends protest of the issuance, renewal, transfer, relocation, or continued operation of a license it shall state the basis of the protest and the applicant shall be afforded notice and an opportunity to be heard at an abbreviated informal hearing before the assembly to defend the application. For the purposes of this subsection, notice shall be sufficient if sent at least ten days prior to the hearing by certified first class mail to the address last provided by the applicant to the municipal sales tax examiner. At the conclusion of the hearing, the assembly decision to protest the application shall stand unless the majority of the assembly votes to withdraw the protest.
(Serial No. 84-50, § 4, 1984; Serial No. 86-35, §§ 2, 3, 1986; Serial No. 93-25, § 2, 1993; Serial No. 2002-06, § 2, 2-25-2002; Serial No. 2002-44, § 2, 12-2-2002)
- State Law References:** Assembly protest, AS 04.11.480.

**ASSEMBLY AGENDA/MANAGER'S REPORT
THE CITY AND BOROUGH OF JUNEAU, ALASKA**

Liquor License #673 Renewal - Peterson Pacific Holding Inc. d/b/a Louie's Douglas Inn

MANAGER'S REPORT:

Peterson Pacific Holding, Inc. d/b/a Louie's Douglas Inn; Location: No Premises (Beverage Dispensary License #673)

The above-listed liquor license is before the Assembly to either protest or waive its right to protest its renewal. The Finance, Police, Fire, and Community Development Departments have reviewed the above business and the Finance Departments is recommending the Assembly protest the license renewal based on outstanding utility billing owing in the amount of \$652.31.

In the event the Assembly does protest the renewal of the above mentioned liquor license, CBJ Code 20.25 requires notice, with specificity regarding the nature and basis of the protest, to be sent to the licensee and provides the licensee an opportunity to exercise their right to an informal hearing before the Assembly. The letter in your packet meets that requirement and this would be the opportunity for the licensee to be afforded their informal hearing before the Assembly.

The Assembly Human Resources Committee considered this issue at its meeting immediately preceding this meeting and will forward its recommendation to the Assembly.

RECOMMENDATION:

The Manager recommends the Assembly proceed according to the recommendations of the Assembly Human Resources Committee in this matter.

ATTACHMENTS:

Description	Upload Date	Type
☐ Peterson Pacific Holding Inc. #673 Renewal	4/3/2014	Cover Memo
☐ Peterson Pacific Holding Inc. #673 - Background	4/3/2014	Exhibit



THE STATE
of **ALASKA**
GOVERNOR SEAN PARNELL

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

2400 Viking Drive
Anchorage, Alaska 99501
Main: 907.269.0350
TDD: 907.465.5437
Fax: 907.334.2285

March 10, 2014

Renewal Application Notice

CITY CLERK
MAR 10 2014
RECEIVED

City of Juneau

Attn: City Clerk & Beth McEwen

VIA EMAIL: city_clerk@ci.juneau.ak.us; beth_mcewen@ci.juneau.ak.us

DBA	Lic Type	Lic #	Owner	Premise Address
Louies Douglas Inn	Beverage Dispensary	673	Peterson Pacific Holding Inc.	No Premises
Seong's Sushi Bar & Chinese Takeout	Restaurant/Eating Place	4192	Seong S. Kim	740 W 9th St
The Rookery Cafe	Restaurant/Eating Place	5153	Midnight Ninja Ventures Incorporated	111 Seward Street

We have received a renewal application for the above listed licenses within your jurisdiction. This is the notice as required under AS 04.11.520. Additional information concerning filing a "protest" by a local governing body under AS 04.11.480 is included in this letter.

A local governing body as defined under AS 04.21.080(11) may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the board **and** the applicant with a clear and concise written statement of reasons in support of a protest within 60 days of receipt of this notice. If a protest is filed, the board will not approve the application unless it finds that the protest is "arbitrary, capricious and unreasonable". Instead, in accordance with AS 04.11.510(b), the board will notify the applicant that the application is denied for reasons stated in the protest. The applicant is entitled to an informal conference with either the director or the board and, if not satisfied by the informal conference, is entitled to a formal hearing in accordance with AS 44.62.330-44.62-630. **IF THE APPLICANT REQUESTS A HEARING, THE LOCAL GOVERNING BODY MUST ASSIST IN OR UNDERTAKE THE DEFENSE OF ITS PROTEST.**

Under AS 04.11.420(a), the board may not issue a license or permit for premises in a municipality where a zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages, unless a variance of the regulation or ordinance has been approved. Under AS 04.11.420(b) municipalities must inform the board of zoning regulations or ordinances which prohibit the sale or consumption of alcoholic beverages. If a municipal zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages at the proposed

premises and no variance of the regulation or ordinance has been approved, please notify us and provide a certified copy of the regulation or ordinance if you have not previously done so.

Protest under AS 04.11.480 and the prohibition of sale or consumption of alcoholic beverages as required by zoning regulation or ordinance under AS 04.11.420(a) are two separate and distinct subjects. Please bear that in mind in responding to this notice.

AS 04.21.010(d), if applicable, requires the municipality to provide written notice to the appropriate community council(s).

If you wish to protest the application referenced above, please do so in the prescribed manner and within the prescribed time. Please show proof of service upon the applicant. For additional information please refer to 13 AAC 104.145, Local Governing Body Protest.

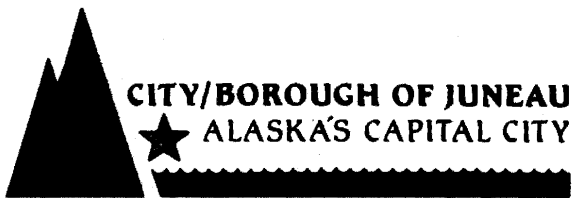
Note: Applications applied for under AS 04.11.400(g), 13 AAC 104.335(a)(3), AS 04.11.090(e), and 13 AAC 104.660(e) must be approved by the governing body.

Sincerely,

SHIRLEY A. COTÉ
Director

/s/ *Christine C. Lambert*

Christine C. Lambert
Licensing & Records Supervisor
Christine.lambert@alaska.gov



OFFICE OF THE MUNICIPAL CLERK
Ph: (907)586-5278 Fax: (907)586-4552
e-mail: Beth_McEwen@ci.juneau.ak.us

March 28, 2014

Via certified & regular mail
Patrick M. Peterson
Peterson Pacific Holding Inc.
P.O. Box 240416
Douglas, AK 99824

Via certified & regular mail to:
Patrick M. Peterson
PP's Douglas Inn
P.O. Box 240069
Douglas, AK 99824

Re: Beverage Dispensary Liquor License #673 Renewal for 2013-2014

Dear Mr. Peterson,

The State of Alaska Alcohol Beverage Control staff has notified the City and Borough of Juneau of your liquor license renewal for 2013-2014 and submitted the renewal for comment before the local governing body.

As you are aware, our practice in these matters is for staff from the Fire, Finance, Police, Public Works, and Community Development Departments to review your business to insure compliance with city code. The Finance Department is recommending the Assembly protest the license renewal based on an outstanding utility payment owing from 2013 in the amount of \$652.31. A copy of the letter mailed to you on September 4, 2013 notifying you of this outstanding amount is enclosed for your reference.

Please note that while payment plans are available and encouraged if you are unable to pay the full amount due, entering into a payment plan, ie: Confession of Judgment and Stipulation, will not put the business in good standing with the CBJ Finance department for purposes of liquor license renewal. Only when the full payment of the outstanding balance, interest, and penalties are received, will the Finance Department withdraw its recommendation to protest the license renewal.

CBJ Code 20.25.025 provides you with the right to an informal hearing before the Assembly to defend your liquor license application. This matter will initially be considered at the Monday, April 7, 2014 Assembly Human Resources Committee (HRC) meeting at 6:00p.m. in the Assembly Chambers and the HRC will then forward a recommendation to the Assembly for action at its regular meeting that same evening at 7:00p.m. in the Assembly Chambers. At that meeting will be your opportunity to participate in an informal hearing before the Assembly if you should choose to do so.

Copies of the ABC notice, your application, and the CBJ Code and Alaska Statutes and

March 28, 2014

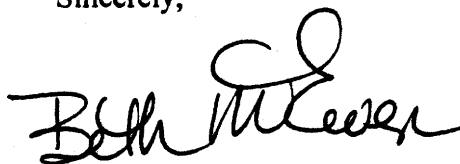
Page 2 of 2

Liquor License Renewal Letter to Patrick M. Peterson re: Peterson Pacific Holdings protest

pertaining to the renewal and protest process are enclosed for your reference.

In the meantime, I would urge you to pay the outstanding amount owing prior to the Assembly meeting and/or contact the CBJ Collections staff to make arrangements to resolve the outstanding balances owing on your account. Revenue Collector Nicole Tragis can be reached by calling 586-5268.

Sincerely,

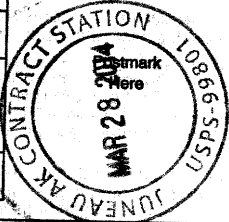


Beth McEwen
Deputy Clerk

Enclosures
cc via email:
Assembly Human Resources Committee & Assembly
Liquor License Staff Reviewers

7011 2970 0003 5844 4333

U.S. Postal Service TM	
CERTIFIED MAIL TM RECEIPT	
(Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at www.usps.com	
OFFICIAL USE	
Postage	\$.70
Certified Fee	3.30
Return Receipt Fee (Endorsement Required)	2.70
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.70

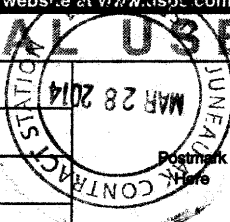


Sent To: Patrick M. Peterson	
Street, Apt. No., or PO Box No.: PP's Douglas INN	
City, State, ZIP+4: TOBOX 240069, Douglas AK 99824	

PS Form 3800, August 2006 See Reverse for Instructions

7011 2970 0003 5844 4333

U.S. Postal Service TM	
CERTIFIED MAIL TM RECEIPT	
(Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at www.usps.com	
OFFICIAL USE	
Postage	\$.70
Certified Fee	3.30
Return Receipt Fee (Endorsement Required)	2.70
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.70



Sent To: Patrick M. Peterson	
Street, Apt. No., or PO Box No.: Peterson Pacific Holdings Inc.	
City, State, ZIP+4: POBOX 240416, Douglas AK 99824	

PS Form 3800, August 2006 See Reverse for Instructions



THE STATE
of **ALASKA**
GOVERNOR SEAN PARNELL

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

2400 Viking Drive
Anchorage, Alaska 99501
Main: 907.269.0350
TDD: 907.465.5437
Fax: 907.334.2285

March 10, 2014

Renewal Application Notice

CITY CLERK
C B MAR 10 2014 **C B**
RECEIVED

City of Juneau

Attn: City Clerk & Beth McEwen

VIA EMAIL: city_clerk@ci.juneau.ak.us; beth_mcewen@ci.juneau.ak.us

DBA	Lic Type	Lic #	Owner	Premise Address
Louies Douglas Inn	Beverage Dispensary	673	Peterson Pacific Holding Inc.	No Premises
Seong's Sushi Bar & Chinese Takeout	Restaurant/Eating Place	4192	Seong S. Kim	740 W 9th St
The Rookery Cafe	Restaurant/Eating Place	5153	Midnight Ninja Ventures Incorporated	111 Seward Street

We have received a renewal application for the above listed licenses within your jurisdiction. This is the notice as required under AS 04.11.520. Additional information concerning filing a "protest" by a local governing body under AS 04.11.480 is included in this letter.

A local governing body as defined under AS 04.21.080(11) may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the board and the applicant with a clear and concise written statement of reasons in support of a protest within 60 days of receipt of this notice. If a protest is filed, the board will not approve the application unless it finds that the protest is "arbitrary, capricious and unreasonable". Instead, in accordance with AS 04.11.510(b), the board will notify the applicant that the application is denied for reasons stated in the protest. The applicant is entitled to an informal conference with either the director or the board and, if not satisfied by the informal conference, is entitled to a formal hearing in accordance with AS 44.62.330-44.62-630. **IF THE APPLICANT REQUESTS A HEARING, THE LOCAL GOVERNING BODY MUST ASSIST IN OR UNDERTAKE THE DEFENSE OF ITS PROTEST.**

Under AS 04.11.420(a), the board may not issue a license or permit for premises in a municipality where a zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages, unless a variance of the regulation or ordinance has been approved. Under AS 04.11.420(b) municipalities must inform the board of zoning regulations or ordinances which prohibit the sale or consumption of alcoholic beverages. If a municipal zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages at the proposed

premises and no variance of the regulation or ordinance has been approved, please notify us and provide a certified copy of the regulation or ordinance if you have not previously done so.

Protest under AS 04.11.480 and the prohibition of sale or consumption of alcoholic beverages as required by zoning regulation or ordinance under AS 04.11.420(a) are two separate and distinct subjects. Please bear that in mind in responding to this notice.

AS 04.21.010(d), if applicable, requires the municipality to provide written notice to the appropriate community council(s).

If you wish to protest the application referenced above, please do so in the prescribed manner and within the prescribed time. Please show proof of service upon the applicant. For additional information please refer to 13 AAC 104.145, Local Governing Body Protest.

Note: Applications applied for under AS 04.11.400(g), 13 AAC 104.335(a)(3), AS 04.11.090(e), and 13 AAC 104.660(e) must be approved by the governing body.

Sincerely,

SHIRLEY A. COTÉ
Director

/s/ *Christine C. Lambert*

Christine C. Lambert
Licensing & Records Supervisor
Christine.lambert@alaska.gov

\$2500 - 10999

2014/2015 Liquor License Renewal

License Number	License Type	Establishment Name
673	Beverage Dispensary	Louies Douglas Inn
If Seasonal Lic.	Seasonal Date From:	Seasonal Date To:

Mailing Address	Premises Address
Peterson Pacific Holding Inc.	No Premises
PO Box 240416 Douglas, AK 99824	City: Juneau Borough: Other
Community Council/s (Anchorage & Mat-Su only)	

Please mark the correct box to answer:

- Was your business open at least 30 days for 8 hours each day in 2012? ☒ Yes ☐ No
Was your business open at least 30 days for 8 hours each day in 2013? ☒ Yes ☐ No
Has the licensed premises changed from the last diagram submitted? ☐ Yes ☒ No
Has any person named in this application been convicted of a felony or Title 4 violation? ☐ Yes ☒ No

Please answer the following questions:

What is a good contact phone number for us to use? 321-8090

Please give us a fax number if available or write N/A N/A

Give us an email address to use in contacting you ppeterson5@aol.com

Please write your Employer Identification Number (EIN) here SSN

List all corporation/LLC members, managers and shareholders below:

Name & Mailing Address	Title	Share %	Phone
Patrick M. Peterson	President	100	321-8090

If not a corporation - List all individuals, spouses, or partners that own business below:

Name & Mailing Address	Title	Phone

License Fee	\$
Filing Fee	\$
TOTAL	\$ 2,500.00
Late Fee of \$500.00 – If Received or Postmarked after 12/31/13	\$
Fingerprint Fee – \$51.50 per person (only for new owners/members)	\$
GRAND TOTAL	\$ 2,500.00

By affixing my signature below:

I declare under penalty of perjury that I have examined this application and to the best of my knowledge and belief state it is true, correct and complete.

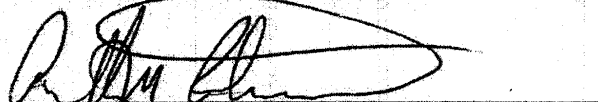
I certify that I have read and am familiar with Title 4 of the Alaska statutes and its regulations.

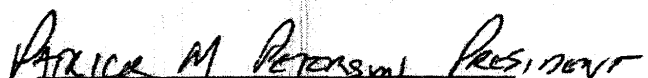
I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.

As a licensee (a sole proprietor or partner), I certify that I have received alcohol server training and my certification is currently valid.

As a Corporate/LLC licensee, I certify that all agents and employees who serve, sell or are otherwise responsible for the service/sale/storage of alcoholic beverages have received alcohol server training and their certification is currently valid. I further certify that certain shareholders/officers/directors/members of the entity that are not directly or indirectly responsible for the service/sale/storage of alcoholic beverages are not alcohol server training certified and will not be required to be certified.

As a licensee, I certify that all my agents and employees tasked with patron identification verification have received alcohol server training and their certification is currently valid.


Licensee Signature

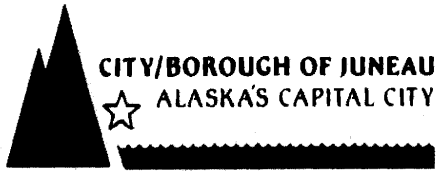

Printed Name & Title


Notary Signature
Notary Public in and for the State of Alaska

Subscribed and sworn to before me this

30th day of December, 20 13

My commission expires: April 20, 2016



**Finance Department
Revenue Collections Office**

155 S Seward Street
Juneau, Alaska 99801
PH : (907)586-5268 Fax: (907)586-4570

09/04/2013

Bar Code: 200037174
PATRICK M PETERSON
PP'S DOUGLAS INN
PO BOX 240069
DOUGLAS AK 99824

SUBJECT: CLOSED UTILITY ACCOUNT
ACCOUNT #: 00001264
LOCATION: 915 3RD ST

An unpaid balance of \$652.31 has been forwarded to our office for collection.

Your utility account is closed and the billing has been finalized. If you believe this billing to be in error, please notify us within ten (10) days of this letter.

If you cannot make full immediate payment within twenty (20) days, please contact our office at (907) 586-5268 to make a payment plan.

If you do not contact the Collections Office to confirm payment is being sent, one of the following actions will be taken:

- If a Small Claims action is filed, the filing and service costs will also become your responsibility.
- If your account is sent to Northern Credit Services you will be subject to all fees they charge; and your credit information will be supplied to TRW Credit Data Services and become part of your permanent credit history.

If you would like to pay by credit card; go to www.officialpayments.com use our Jurisdiction Code 1202. The reference number and payment amount must be provided to the Collections Office to ensure proper application.

Sincerely,

Yolanda Cordero

City and Borough of Juneau
Assistant Revenue Collector
yolanda_cordero@ci.juneau.ak.us

ALASKA STATUTES AND CBJ CODE SECTIONS
RE: ASSEMBLY LIQUOR LICENSE REVIEW AND PROTEST PROCESS

Alaska Statutes 04.11.480

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(b) If the permanent residents residing outside of but within two miles of an incorporated city or an established village wish to protest the issuance, renewal, or transfer of a license within the city or village, they shall file with the board a petition meeting the requirements of AS 04.11.510 (b)(3) requesting a public hearing within 30 days of the posting of notice required under AS 04.11.310 , or by December 31 of the year application is made for renewal of a license. The board shall consider testimony received at a hearing conducted under AS 04.11.510 (b)(3) when it considers the application, and the record of a hearing conducted under AS 04.11.510 (b)(3) shall be retained as part of the board's permanent record of its review of the application.

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CBJ Code 20.25.025

20.25.025 Assembly review of license issuance, renewal, transfer, relocation, or continued operation.

(a) The assembly may protest the issuance, renewal, transfer, relocation, or continued operation of an alcoholic beverage license as provided in state law. The protest shall cite any of the following criteria which the assembly determines to be pertinent:

- (1) The character and public interests of the surrounding neighborhood;
- (2) Actual and potential law enforcement problems, including the proximity of the premises to law enforcement stations and patrols;

- (3) The concentration of other licenses of the same and other types in the area;
 - (4) Whether the surrounding area experiences an unacceptable rate of alcohol abuse or of crime or accidents in which the abuse of alcohol is involved;
 - (5) The adequacy of parking facilities;
 - (6) The safety of ingress to and egress from the premises;
 - (7) Compliance with state and local fire, health and safety codes;
 - (8) The degree of control the licensee has or proposes to have over the conduct of the licensed business;
 - (9) The history of convictions of the applicants and affiliates of the applicants for:
 - (A) Any felony involving moral turpitude;
 - (B) Any violation of AS title 04; and
 - (C) Any violation of the alcoholic beverage control laws of another state as a licensee of that state;
 - (10) Whether the applicant or the applicant's affiliates are untrustworthy, unfit to conduct a licensed business or constitute a potential source of harm to the public;
 - (11) Any other factor the assembly determines is generally relevant or is relevant to a particular application.
- (b) The assembly may protest the issuance, transfer, renewal, relocation, or continued operation of a license as provided in state law if it determines any of the following conditions exist:
- (1) The business operated under the license is, on the date the assembly considers the license, delinquent in the payment of any sales tax or penalty or interest on sales tax arising out of the operation of the licensed premises;
 - (2) There are delinquent property taxes or local improvement district assessments or penalty or interest thereon arising out of real or personal property owned in whole or in part by any person named in the application as an applicant or on the permit which is to be continued where such property is used, or is to be used, in whole or in part in the business conducted or to be conducted under the license;
 - (3) There is a delinquent charge or assessment owing the City and Borough by the licensee for a municipal service provided for the benefit of the business conducted under the license or for a service or an activity provided or conducted by the municipality at the request of or arising out of an activity of the business conducted under the license;
 - (4) If the license requested is for a beverage dispensary and is requested under AS 04.11.400(d)(1), unless the tourist facility will contain 30 or more rooms;
 - (5) If the application is for the issuance or relocation of a license and, after the issuance or relocation, there would be:
 - (A) More than one restaurant or eating place license for each 1,500 population, or fraction thereof, residing within the City and Borough; or

- (B) More than one license of each other type for each 3,000 population or fraction thereof residing within the City and Borough.
- (6) The business operated or to be operated under the license is violating or would violate the zoning code of the City and Borough; or
- (7) The business operated under the license is, on the date the assembly considers the application, in violation of state or local fire, health, or safety codes. A criminal conviction of this violation is not a prerequisite for a protest under this section.
- (c) If the assembly or committee or a subcommittee thereof recommends protest of the issuance, renewal, transfer, relocation, or continued operation of a license it shall state the basis of the protest and the applicant shall be afforded notice and an opportunity to be heard at an abbreviated informal hearing before the assembly to defend the application. For the purposes of this subsection, notice shall be sufficient if sent at least ten days prior to the hearing by certified first class mail to the address last provided by the applicant to the municipal sales tax examiner. At the conclusion of the hearing, the assembly decision to protest the application shall stand unless the majority of the assembly votes to withdraw the protest.
(Serial No. 84-50, § 4, 1984; Serial No. 86-35, §§ 2, 3, 1986; Serial No. 93-25, § 2, 1993; Serial No. 2002-06, § 2, 2-25-2002; Serial No. 2002-44, § 2, 12-2-2002)

State Law References: Assembly protest, AS 04.11.480.



THE STATE
of **ALASKA**
GOVERNOR SEAN PARNELL

10122
Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

2400 Viking Drive
Anchorage, Alaska 99501
Main: 907.263.5900
TDD: 907.465.5437
Fax: 263-5930

March 19, 2013

Certified/Return Receipt Requested

Patrick M. Peterson
d/b/a Louies Douglas Inn
Peterson Pacific Holding Inc.
P.O. Box 240069
Douglas, Alaska 99824

RE: Processing Fee

Dear Mr. Peterson,

I am in receipt of the letter from Deputy Clerk Beth McEwen of the City and Borough of Juneau lifting their protest of renewal and continued operation. I understand as of March 14th you have paid all outstanding balances on your accounts with the city and borough. Alaska Administrative Code 3 AAC 304.147 (a)(4) states that if delinquent taxes are paid after an administrative hearing, but before the board adopts a hearing officer's recommendation to deny license renewal the licensee shall pay to the State of Alaska a fee in the amount of \$2,000.

Please remit this amount to the ABC Board before May 15, 2013. If you have any questions do not hesitate to contact me.

Sincerely,

Shirley A. Cote
Director

cc: Harriet Milks, Assistant Attorney General, Dept. of Law
Christine Lambert, Licensing Supervisor, ABC Board
Gilbert Nelson, Administrative Assistant, ABC Board

ALCOHOL BEVERAGE CNT
5848 EAST TUDOR RD
ANCHORAGE, AK, 99507
907-263-0356

Merchant ID: 2527521202
Term ID: 001734000252752120201

Phone Order

XXXXXXXXXXXX3704
VISA

Entry Method: Manual

Total: \$ 2,000.00

05/21/13

10:59:54

Inv #: 000002

Appr Code: 006600

Approved: Online

AVS Code: ZIP MATCH Z

CVV2 Code: MATCH M

Customer Copy

THANK YOU!



THE STATE
of **ALASKA**
GOVERNOR SEAN PARNELL

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

2400 Viking Drive
Anchorage, Alaska 99501
Main: 907.263.5900
TDD: 907.465.5437
Fax: 263-5930

June 4, 2013

Certified/Return Receipt Requested

The Honorable Mark T. Handley
Administrative Law Judge
Department of Administration
Administrative Hearings
P.O. Box 110231
Juneau, Alaska 99811-0231

RE: Administrative Hearing on Patrick Peterson, d/b/a Louie's Douglas Inn, Lic. #673

Dear Judge Handley,

Thank you for your letter of April 22, 2013 and the duplicate proposed decision document. At the Alcoholic Beverage Control Board meeting on May 30, 2013 the board of directors voted under #3 under AS 44.64.060 (e). The board decided that since the City and Borough of Juneau requested a lifting of their protest that it would be in the best interest to approve the renewal of the license.

Attached is the original non-adoption option form signed by the Chair of the Board of Directors for the ABC Board. If you have any questions do not hesitate to contact me.

Sincerely,

Shirley A. Coté
Shirley A. Coté
Director

cc: Patrick Peterson,
Harriet Milks, Assistant Attorney General, Dept. of Law
John Hartle, City & Borough of Juneau Attorney
Christine Lambert, Records & Licensing Supervisor, ABC Board

Internal Revenue Service

Department of the Treasury

Date: 03/13/2013

Alcoholic Beverage Control Board
2400 Viking Drive
Anchorage, AK 99501

Person to Contact:

TERENCE JOHNSON

Contact Identification Number:

1000277934

Contact Telephone Number:

(206)220-4847

Taxpayer Identification Number:

SSN - -

EIN 92-0157734

We filed a Notice(s) of Federal Tax Lien in Borough of Juneau on PETERSON PACIFIC HOLDINGS INC, PO BOX 240069, DOUGLAS, AK 99824-0069698 relating to the tax liabilities listed below.

Type of Tax	MFT	Tax Period	Identifying Number	Name Control	Balance computed through 03/31/2013 Total
941	01	3/31/1999	92-0157734	PETE	\$19,083.12
941	01	6/30/1999	92-0157734	PETE	\$5,155.25
941	01	9/30/1999	92-0157734	PETE	\$19,325.31
941	01	12/31/1999	92-0157734	PETE	\$18,993.24
941	01	3/31/2000	92-0157734	PETE	\$18,967.19
941	01	6/30/2000	92-0157734	PETE	\$18,593.09
941	01	9/30/2000	92-0157734	PETE	\$18,227.42
941	01	12/31/2000	92-0157734	PETE	\$18,050.87
941	01	3/31/2001	92-0157734	PETE	\$18,174.12
941	01	6/30/2001	92-0157734	PETE	\$17,880.05
941	01	9/30/2001	92-0157734	PETE	\$17,616.48
941	01	12/31/2001	92-0157734	PETE	\$17,369.71
941	01	03/31/2002	92-0157734	PETE	\$17,589.36
941	01	06/30/2002	92-0157734	PETE	\$17,366.32
941	01	09/30/2002	92-0157734	PETE	\$17,148.82
941	01	12/31/2002	92-0157734	PETE	\$16,946.52
941	01	03/31/2003	92-0157734	PETE	\$17,197.56
941	01	06/30/2003	92-0157734	PETE	\$17,019.15
941	01	09/30/2003	92-0157734	PETE	\$16,854.75
941	01	12/31/2003	92-0157734	PETE	\$15,571.89
941	01	03/31/2004	92-0157734	PETE	\$8,495.52
941	01	06/30/2004	92-0157734	PETE	\$8,290.25
941	01	09/30/2004	92-0157734	PETE	\$8,550.18
941	01	12/31/2004	92-0157734	PETE	\$8,894.95
941	01	03/31/2005	92-0157734	PETE	\$16,734.53
941	01	06/30/2005	92-0157734	PETE	\$8,278.63
941	01	09/30/2005	92-0157734	PETE	\$9,162.01
941	01	12/31/2005	92-0157734	PETE	\$8,623.22
941	01	03/31/2006	92-0157734	PETE	\$16,262.61
941	01	06/30/2006	92-0157734	PETE	\$16,022.82
941	01	09/30/2006	92-0157734	PETE	\$15,766.39
941	01	12/31/2006	92-0157734	PETE	\$15,515.03
941	01	03/31/2007	92-0157734	PETE	\$15,658.67
941	01	06/30/2007	92-0157734	PETE	\$15,409.55
941	01	09/30/2007	92-0157734	PETE	\$15,162.51

Letter 3641 (02-2010)

Catalog Number: 35217J

941	01	12/31/2007	92-0157734	PETE	\$14,930.38
941	01	03/31/2008	92-0157734	PETE	\$15,104.35
941	01	06/30/2008	92-0157734	PETE	\$14,933.26
941	01	09/30/2008	92-0157734	PETE	\$14,773.96
941	01	12/31/2008	92-0157734	PETE	\$14,607.28
941	01	03/31/2009	92-0157734	PETE	\$14,055.58
941	01	06/30/2009	92-0157734	PETE	\$14,717.37
941	01	09/30/2009	92-0157734	PETE	\$14,598.46
941	01	12/31/2009	92-0157734	PETE	\$14,479.62
941	01	03/31/2010	92-0157734	PETE	\$5,173.19
941	01	06/30/2010	92-0157734	PETE	\$6,045.67
941	01	09/30/2010	92-0157734	PETE	\$6,118.01
941	01	12/31/2010	92-0157734	PETE	\$6,062.67
941	01	03/30/2011	92-0157734	PETE	\$4,559.14
941	01	06/30/2011	92-0157734	PETE	\$4,629.65
941	01	09/30/2011	92-0157734	PETE	\$4,807.33
941	01	12/31/2011	92-0157734	PETE	\$3,944.83

\$ 703,497.85

This letter may include a second page listing additional tax liabilities.

The amount needed to release the lien(s) is \$ 703,497.85. We will issue a Certificate of Release of Federal Tax Lien immediately only if this amount is paid by 03/31/2013 using one of the following methods of payment:

1. Cash (presented at a local IRS office only)
2. Certified or cashier's check
3. Treasurer's check drawn on a national / state bank or trust company
4. Postal or Bank money order.

A copy of this letter must accompany the payment in order to get an immediate release. If the payment is made in any other form or this letter is not included, the release will be issued within 30 days after we receive the payment or we receive notification that the funds have been transferred to the United States Treasury. For more information regarding the different forms of payment, please visit our website at www.irs.gov.

Make your check or money order payable to the United States Treasury. To properly apply the payment, write the full taxpayer identification number on this letter (in the upper right corner under Taxpayer Identification Number) and on the payment check or money order. Mail the payment and a copy of this letter to the address provided below. It is not necessary to send the payment by express or certified mail; it will not affect the processing of the payment. Keep a copy of this letter for your records.

Please send the payment and a copy of this letter to:

Internal Revenue Service
915 SECOND AVENUE, M/S W215
SEATTLE, WA 98174-1009000

If you have any questions, please contact the person whose name and telephone number appear at the top of this letter.

Sincerely,


TERENCE JOHNSON
REVENUE OFFICER

Letter 3641 (02-2010)
Catalog Number: 35217J

**CITY AND BOROUGH OF JUNEAU
UTILITY BILLING ACCOUNT HISTORY-GOVERN**

ACCOUNT: {1264} - 00001264
BARCODE: 200037174

NAME: PATRICK M PETERSON
PP'S DOUGLAS INN
LOC: 915 3RD ST

BALANCE: 0.00
AS OF 03/27/2014

DATE	CODE	TYPE	DESCRIPTION	TENDER TYPE	BATCH ID	CHARGES	CREDITS	BALANCE
10/03/13	417	adj	Water-Uncollectible		12370		130.08	0.00
10/03/13	418	adj	Sewer-Uncollectible		12370		460.73	130.08
10/03/13	701BD	adj	Sales Tax-Uncollectibl		12370		29.57	590.81
10/03/13	702BD	adj	Fin Chg-Uncollectible		12370		37.36	620.38
09/26/13	702	int	Finance Charge UB		12272	5.43		657.74
08/26/13	702	int	Finance Charge UB		11684	5.43		652.31
07/26/13	702	int	Finance Charge UB		11092	5.43		646.88
06/26/13	702	int	Finance Charge UB		10526	4.98		641.45
06/21/13	231	inv	Com Water Meter		10197	10.62		636.47
06/21/13	321	inv	Com Sewer Meter		10197	37.72		625.85
06/21/13	701	inv	Sales Tax UB		10197	2.42		588.13
05/26/13	702	int	Finance Charge UB		9827	2.01		585.71
05/25/13	231	inv	Com Water Meter		9830	22.92		583.70
05/25/13	321	inv	Com Sewer Meter		9830	81.19		560.78
05/25/13	701	inv	Sales Tax UB		9830	5.21		479.59
05/08/13	231	adj	Com Water Meter		9441	48.27		474.38
05/08/13	321	adj	Com Sewer Meter		9441	170.91		426.11
05/08/13	701	adj	Sales Tax UB		9441	10.97		255.20
05/08/13	702	int	Finance Charge UB		9441	13.12		244.23
04/26/13	702	int	Finance Charge UB		9263	0.96		231.11
04/25/13	231	inv	Com Water Meter		9273	25.35		230.15
04/25/13	321	inv	Com Sewer Meter		9273	89.72		204.80
04/25/13	701	inv	Sales Tax UB		9273	5.76		115.08
03/25/13	231	inv	Com Water Meter		8788	22.92		109.32
03/25/13	321	inv	Com Sewer Meter		8788	81.19		86.40
03/25/13	701	inv	Sales Tax UB		8788	5.21		5.21
03/20/13		pmt	Utility Payment	Check	8675		454.32	0.00
02/26/13	702	int	Finance Charge UB		8289	2.87		454.32
02/25/13	231	inv	Com Water Meter		8292	25.35		451.45
02/25/13	321	inv	Com Sewer Meter		8292	89.72		426.10
02/25/13	701	inv	Sales Tax UB		8292	5.76		336.38
01/26/13	702	int	Finance Charge UB		7921	1.81		330.62
01/25/13	231	inv	Com Water Meter		7924	25.35		328.81
01/25/13	321	inv	Com Sewer Meter		7924	89.72		303.46
01/25/13	701	inv	Sales Tax UB		7924	5.76		213.74
12/26/12	702	int	Finance Charge UB		7573	0.86		207.98
12/25/12	231	inv	Com Water Meter		7577	22.92		207.12
12/25/12	321	inv	Com Sewer Meter		7577	81.19		184.20
12/25/12	701	inv	Sales Tax UB		7577	5.21		103.01
11/25/12	231	inv	Com Water Meter		7225	20.49		97.80
11/25/12	321	inv	Com Sewer Meter		7225	72.66		77.31
11/25/12	701	inv	Sales Tax UB		7225	4.65		4.65

Transaction Starting 11/01/2012

**ASSEMBLY AGENDA/MANAGER'S REPORT
THE CITY AND BOROUGH OF JUNEAU, ALASKA**

Ordinance 2014-27 - An Ordinance Amending the Penal Code Relating to Harassment.

ATTACHMENTS:

Description	Upload Date	Type
☐ Ordinance 2014-27	4/3/2014	Ordinance

Presented by: The Manager
Introduced:
Drafted by: A. G. Mead

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2014-27

An Ordinance Amending the Penal Code Relating to Harassment.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City and Borough of Juneau Municipal Code.

Section 2. Amendment to Section. CBJ 42.20.110, Harassment, is amended to read:

42.20.110 Harassment.

(a) A person commits the crime of harassment if, with intent to harass or annoy another person, that person:

- (1) Insults, taunts, or challenges another person in a manner likely to provoke an immediate violent response;
- (2) Telephones another or fails to terminate the connection with intent or impair the ability of that person to place or receive telephone calls;
- (3) Makes repeated telephone calls at extremely inconvenient hours;

1
2 (4) Makes an anonymous or obscene telephone call, an obscene electronic
3 communication, or a telephone call or electronic communication that threatens
4 physical injury or sexual contact;

5 (5) Subjects another person to an offensive physical contact.

6
7 (b) Harassment is a Class B misdemeanor.

8
9 **Section 3. Effective Date.** This ordinance shall be effective 30 days after its
10 adoption.

11
12 Adopted this _____ day of _____, 2014.

13
14 _____
Merrill Sanford, Mayor

15 Attest:

16
17 _____
Laurie J. Sica, Municipal Clerk