

**From:** [Dr Charlie Gray](#)  
**To:** [LaFrance, Suzanne](#); [Honest, Miranda L.](#); [Weddleton, John](#); [World Wide Web Municipal Clerk](#); [Kennedy, Crystal](#); [Zaletel, Meg](#); [Dunbar, Forrest](#); [Petersen, Pete](#); [Constant, Christopher](#)  
**Subject:** Marijuana License 10190 - Great Alaska Kush Company, Objections  
**Date:** Monday, May 6, 2019 4:49:39 PM  
**Attachments:** [Marijuana Objection Amy.pdf](#)  
[marijuana objection brandy.pdf](#)  
[Marijuana Objection James.pdf](#)  
[marijuana objection letter Miles Pruner.pdf](#)  
[Marijuana Objection Letter Nichole Cupp.pdf](#)  
[Marijuana Objection Letter Sandra Waldroup.pdf](#)  
[Marijuana Objection.pdf](#)

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Members of the Community and Economic Development Committee,

It has come to my attention that The Great Alaska Kush Company, Marijuana license number 10190 and Business License number 1033606, will be coming up for further approval at your meeting on May 16, 2019. I formally object to this business moving forward as it has already negatively impacted my business. My wife and I own Gray Chiropractic Health Clinic LLC. Almost 100% of my wife's patient base is pregnancy, post-pregnancy, pediatrics, newborns, toddlers and even children on the autism spectrum with odor sensitivities. I am a sports chiropractor and my patient base also includes child athletes from the beginning early stages as toddlers up to world class athletes. I have 1 who just signed to the University of Oregon with a NCAA scholarship. I have several more that are in their junior year of high school and are being scouted by several NCAA colleges. NCAA is a national organization and marijuana is one of the drugs they test for.

Our current location is in a strip mall at 360 E. Intl. Airport Rd. #4. We opened our family business in August 2009. I say family because it truly is. Both of our children work there after school and on school breaks. The proposed marijuana retail store, owned by Kim Kole - The Great Alaska Kush Company, is attempting to move forward with her business directly next door at 360 E. Intl. Airport Rd. #3. Currently we have a shared wall and both bays have drop ceilings with a shared ceiling space. I have been objecting to this business moving forward since March 2016. In February 2019, I was on the call during the Marijuana Control Board's meeting where she was approved at the state level by the Marijuana Control Board. One of my biggest concerns is they made this approval decision without completely knowing all of the facts of the objections. I say this because they had on hand only 2 objections to this business. They were missing 5 objections that were sent certified mail and signed for by Alaska Marijuana Control Office. I am including all the objection letters in this email.

I would like a chance to speak at your meeting on May 16. My first proposal is to deny Kim Kole her application for the Great Alaska Kush Company. My second proposal would be to request a code change. Marijuana establishments of any kind should not be next to or within 1000 ft of any health centered facility that provides services to children.

Thank you for your time. I look forward to discussing this topic in further detail with you at

the May 16 meeting.

Dr. Charlie Gray D.C, CCSP, CKTP  
Gray Chiropractic Health Clinic LLC  
360 E. Intl. Airport Rd. #4  
Anchorage, AK 99518  
907-563-7700  
[www.graychirohealth.com](http://www.graychirohealth.com)

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November 26, 2018

Alcohol & Marijuana Control Office  
Erika McConnell, Director

Reference: Great Alaskan Kush Company  
Owner: Kimberly Kole  
License #10190  
Business License #1033606  
Address for application: 360 E International Airport Rd, #3

To all parties concerned:

This letter is to object to this business moving into this complex next to Gray Chiropractic Health Clinic, LLC. This is a family owned business and they work with pregnant women, babies and kids of all ages as well as adults. My family has been under Chiropractic care for over 20 years and I can attest to the fact that we work very hard at staying healthy through sports and healthy activities. Raising three boys, it was always our goal to avoid any substances that would alter their performance in their chosen sports, soccer and football.

With the proposed location for this marijuana business, the proximity to this health care facility is bothersome. The inner wall would be shared between these two businesses and the smell and odor of marijuana is enough to make many people ill and choose a different chiropractic clinic. You need to consider the effects of what the marijuana shop would have on this wonderful established health business that serves families in our community.

Allowing this cannabis business in this local should be against regulations based on the following:

3 AAC 306 was voted on in February of 2016 and expected to be officially published in Lexis Nexis April, 2016.

3 AAC 306.360 Restrictions on advertising of marijuana and marijuana products, under (c) it states that a retail marijuana store may not place an advertisement for marijuana or a marijuana product, except as provided in (a) of this section, (1) within 1,000 feet of the perimeter of any child-centered facility, including a school, a child care facility or **other facility providing services to children**... Since the name of this new business according to the public notice will be, The Great Alaskan Kush Company LLC, even signage will violate this law as Kush by definition is another word for marijuana. I have included a definition from Wikipedia for your review. See Attachment.

The next point I would like to bring to your attention is 3 AAC 306.345. Packaging and labeling.

(a) a retail marijuana store shall assure that

(3) (b) In addition to labeling requirements provided in (a) of this section, a retail marijuana store shall affix a label to each package of marijuana product that

(1) identifies the retail marijuana store selling the marijuana product by name or distinctive logo and marijuana establishment license number; and

(3) contains each of the following statements:

(A) Marijuana has intoxicating effects and may be habit forming and addictive."

Anytime a business hands out their product, logo, address, etc., is a form of marketing and advertising of your business and the product that you sell. Just following the regulations set forth in the sections listed above, having the word marijuana, a marijuana business logo and marijuana location on the packaging, would make it illegal for this business to open up within 1000 feet of any facility that provides "other services to children".

This office provides "other services to children" in the form of chiropractic care on a daily basis.

In regard to a Marijuana Cultivation facility, in 3 AAC 306.475. Labeling of Marijuana.

(a) When a marijuana cultivation facility packages Marijuana for a retail marijuana store to sell to a consumer without repackaging, the marijuana cultivation facility shall affix a label to each package of marijuana or marijuana product that contains each of the following statements:

(1) "Marijuana has intoxicating effects and may be habit forming and addictive.";

This statement is a warning label for Marijuana packaging, but it is also advertising what the product is which violates 3 AAC 306.360 if within 1000 feet of a facility providing "other services to children."

In regard to a Marijuana Product Manufacturing Facilities, in 3 AAC 306.570. Labeling of Marijuana products.

(c)(1) the name and license number of the marijuana product manufacturing facility where the marijuana product was prepared;...

(c)(4) each of the following statements:

(A) "Marijuana has intoxicating effects and may be habit forming and addictive.";

This statement is a warning label for Marijuana packaging, but it is also advertising what the product is which violates 3 AAC 306.360 if within 1000 feet of a facility providing "other services to children."

These guidelines and regulations were developed and approved for obvious reasons. The safety of the public that chooses not to consume cannabis or for those of us that choose not to be 'exposed' to the smell and odors of it should continue to be protected. Let's move this new industry in the right direction.

The location of the Great Alaska Kush Company needs to be reconsidered based not simply on the advertising element of that business but the overall effect of the surrounding established businesses. Because Gray Chiropractic business has been at this office for several years and has established families and clients, it seems that a marijuana business moving in next door is counter productive to this health provider. The location of her future business needs to be reconsidered. There are many vacant commercial lease spaces available on the market that would not be in conflict with a health provider. Whether it be a dental, naturopathic, chiropractic, physical therapy or traditional medical provider, this needs to be thought through at a different level. Children are provided health care at this office on a daily basis.

Staying healthy every day!

Amy Mackey-Hornak

To whom it may concern,

I am writing for the second time to express my concern for a marijuana dispensary, license number 10190, which is attempting to open its doors at 360 East International Airport Road Suite 3. This is located immediately next to the doctor's office to which I take my family, Gray Chiropractic Health Clinic, which is located at 360 East International Airport Road Suite 4.

I do not believe it is appropriate to mix good health with recreational drug use. I understand there are strict codes regarding the dispensary and ventilation. I understand that these dispensaries may comply with the regulations, but the people who frequent them do not.

I own a business in Spenard. On a daily basis, I see people and customers smoking pot and cigarettes outside of the dispensaries and in the area around them. I do not want to bring my children to a doctor's office that has people smoking pot outside of it. My children have compromised immune systems, and cannot be subjected to the secondhand smoke. We will seek other physicians if a marijuana facility is allowed to operate next door. We do not want to do this as it will cost more money and time I do not have, but I see no other way to make it work. Therefore, I respectfully submit that marijuana facilities must not be allowed next door to healthcare facilities.

Respectfully,

**Brandy Pennington**  
Licensed REALTOR® at EXP Realty  
907-336-SOLD(7653)

26 November 2018

To Whom it May Concern,

I am writing to you regarding the marijuana retail facility known as “The Great Alaskan Kush Company, LLC,” located at 360 E. International Airport Rd. #3, in Anchorage. They operate under Alaska marijuana license number 10190, Alaska business license number 1033606, and Alaska entity number 10036278. I believe there is an error on the state’s records for the business, which show the building number to be 306, rather than 360.

I am writing as a concerned citizen. The practice of Gray Chiropractic Health Clinic is also located at 360 E. International Airport Rd. #4, in an adjacent suite, and I strongly oppose allowing a marijuana facility of any kind to operate adjacent to a healthcare facility. Allowing a marijuana retail facility to operate next door to a healthcare facility is a glaring conflict. Just as a liquor store would not be permitted to operate next door to a hospital, a marijuana facility should not be allowed to operate next door to a healthcare facility.

In this specific situation, I feel the concern is especially high, because both the healthcare and marijuana businesses would be enclosed within the same building, sharing a common wall. I realize that marijuana facilities are required to provide ventilation, to aid in the prevention of smells, odors, and fumes, from moving to other parts of the building, however it is usually impractical, if not impossible, to completely remove all fumes and odors from a space. Being that the marijuana retail outlet would share a common wall with the chiropractic office, I think there is a high likelihood of odors or fumes moving into the chiropractic facility at least occasionally, just because of the nature of the building in which both businesses are housed.

Additionally, I would like to bring your attention to 3AAC 306.360(c), as updated on July 9, 2018, which states in part,

“A retail marijuana store may not place an advertisement for marijuana or a marijuana product, except as provided in (a) of this section,

(1) within 1,000 feet of the perimeter of any child-centered facility, including a school, a child care facility or other facility providing services to children[...].”

Except in very rare circumstances, a healthcare or medical facility is an “other facility providing services to children,” and should be treated accordingly. Given that the name of the marijuana facility includes the word “kush,” any signage installed with the name of the business would be a violation of this article. “Kush” is a specific strain of cannabis, and business signage is a form of advertising. Furthermore, since all marijuana products are required to be distributed in packaging that bears the name of the retailer, and packaging and logos are also a form of advertising, every product sold at The Great Alaskan Kush Company would violate the above article by coming within 1,000 feet of Gray Chiropractic Health Clinic, a facility that routinely provides healthcare services to children.

I think that there is a right way to allow the marijuana industry to be successful in Alaska, but we must be careful in where we allow such business to grow. It is important that we keep such businesses in appropriate locations, and adjacent to a healthcare facility in simply not appropriate. We must consider healthcare facilities to be places that provide services to children.

We also must consider that those visiting healthcare facilities are often going to be less tolerant to any errant smells, odors, or fumes. We cannot allow what is primarily a recreational substance to irritate, aggravate, or injure others.

Sincerely,

James Ogden  
2805 West 29<sup>th</sup> Ave. #4  
Anchorage, AK 99517-1705



**New York Life Insurance Company**  
 188 W. Northern Lights Blvd.  
 Suite 1300  
 Anchorage, AK 99503  
 Tel. 907 257 5259 Fax 907 257 5209  
 mdpruner@ft.newyorklife.com

03/25/2016

To all parties concerned,

**Miles D Pruner, LUTCF**  
 Financial Services Professional  
 FL Ins. Lic. # L060179

I am writing this letter in objection to the Marijuana license, number 10190, Business License number 1033606, and Alaska Entity number 10036278 being granted to Kimberly Kole at 306 E. International Airport Rd.

This address is also occupied by Gray Chiropractic Health Clinic, LLC and the new Marijuana business would be their neighbors. As the financial advisor for the owners of this clinic, I felt it necessary to speak up regarding this issue.

The clinic works with athletes and children, mostly, and having a business next door that is selling a substance this impedes their ability to perform, as well as be a hindrance to their good health, is a bad idea in the extreme. Not only for health concerns, but considering the clientele of the proposed Marijuana business in such close proximity to a health clinic that works with children and pregnant women, I believe that this is a recipe for disaster for Gray Chiropractic. I strongly believe that they will lose clients, as parents will not want to bring their children to a clinic that is next to a business that sells hallucinogenic drugs.

The clients that use Gray Chiropractic regularly, as well as future clients that will grow their practice and lead to a healthier Anchorage community will choose a different clinic, one that is not next door to a business that is a direct contradiction to what Gray Chiropractic is attempting to achieve.

My practice focuses on helping small business owners to achieve financial success and security and this proposed business is contrary to that mission for Gray Chiropractic.

In conclusion, I believe that this license request be denied for the reasons I have mentioned, as well as many other reasons not stated here that should be obvious. I wish Ms. Kole success in her new endeavor, just in a different location. On a personal note, I voted for this initiative, I simply believe that a retail, or other Marijuana business has no place sharing a wall with a health care facility, especially one that works with children.

Sincerely,

Miles Pruner, LUTCF



Member, NAIFA

Licensed Agent  
 New York Life Insurance Company  
 New York Life Insurance and Annuity Corporation  
 (A Delaware Corporation), New York, NY

Registered Representative offering securities through NYLIFE Securities LLC  
 Member FINRA/SIPC  
 A Licensed Insurance Agency

188 W. Northern Lights Blvd., Ste 1300  
 Anchorage, AK 99503  
 907 279 6471

February 15, 2019

Alcohol and Marijuana Control Office

550 W. 7th Ave. Ste. 1600

Anchorage, AK 99501

To whom it may concern:

Myself and my son have been patients at Gray Chiropractic located at 360 E. International Airport Road #4 for eight years. Recently on a visit to Gray Chiropractic, I noticed a building permit taped up in the window of the suite next door. I asked Dr. Charles Gray what kind of construction was going on, and he informed me that it was for a proposed marijuana retail business. The mentioned proposed business, with marijuana license number 10190, business license number 1033606, Alaska entity number 10036278 granted to Kimberly Kole, located at 306 E. International Airport Rd #3, is of concern to me. A shop that markets and sells marijuana and marijuana-related products in such close proximity to a business (Gray Chiropractic) that provides medical care to members of our community ranging from the ages of newborn to elderly is perturbing. Thoughts about the potential for smoke, smells, allergic reactions, and exposure of marijuana culture to children are my greatest concerns.

My son, Tiernan, is seven years old. He is a vibrant, happy little guy who happens to have allergies and is extremely sensitive to smells. At times when we have been driving in the car and the scent of marijuana is detected, he gets upset and wants to know what "that awful smell is". Due to his sensitivity, he tends to exaggerate quite a bit, sometimes to the point of having meltdowns. He has always had good times and experiences when he has been with me or when he has had his own appointments at Gray Chiropractic. Over the years, Tiernan has built a positive rapport with Drs. Charles and Jennifer Gray and their staff and he trusts himself in their care. If this proposed shop is allowed to open, I have no idea what kind of affect it will have on my son when he visits Gray Chiropractic. The smell of marijuana is emitted not only when it is smoked, but when it is still in its bud form. If the bud can be smelled, that means other particulates of the bud are in the air, which raises the potential for allergic reactions. The best way to avoid a marijuana allergy is to limit exposure. If there is a marijuana shop located next to Gray Chiropractic, how can I or any other patient that may have allergies, hope to limit their exposure?

I am not a user of marijuana and do not wish to expose my child to it, either. Most of the

marijuana businesses I have noticed in town are in stand-alone buildings and not next to medical treatment facilities that treat children. To grant Ms. Kole the right to have a retail marijuana business next to Gray Chiropractic could be detrimental to the health of vulnerable members of our community. As a concerned patient, mother, and community member, I ask that you do not grant Ms. Kole permission to open her retail marijuana business at 360 E. International Rd #3.

Thank you.

A handwritten signature in black ink, appearing to read 'Nicole Cupp', written in a cursive style.

Nicole Cupp

5311 Larkspur St.

Anchorage, AK 99507

Sandra Waldroup  
7041 East Tree Court  
Anchorage, AK 99507

November 26, 2018

Alcohol & Marijuana Control Office  
Erika McConnell, Director

Re: Great Alaskan Kush Company  
Owner: Kimberly Kole  
License #10190  
Business License #1033606  
Address: 360 E International Airport Rd #3, Anchorage, Ak 99518

To Whom It May Concern,

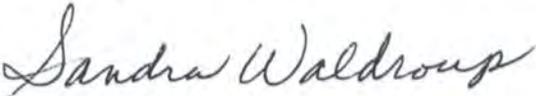
This is my official objection to your consideration of allowing the Great Alaskan Kush Company to operate their business next door to my work place. I have worked with the doctors of Gray Chiropractic Health Clinic, LLC, which is located at 360 East International Airport Rd Ste #4 Anchorage, AK 99518, since the day of their opening in August of 2009. Dr. Charles Gray and Dr. Jennifer Waldroup-Gray have a family based practice. This means that we have many patients that are ages from newborns to the very elderly.

There are several serious concerns that I have regarding a Marijuana facility going in next door.

1. I do not understand how proper ventilation could be accomplished in this building since the attic space is open for the entire complex. This would mean that our youngest to oldest patients would breathe the odors related to this kind of store, not to mention our employees and the employees of the other units that work all day.
2. There are many times that I work before and after opening hours, as well as weekends. Safety is very important during those off hours when we do not have our staff on hand. I have reviewed testimonials online regarding the safety issue of a business with a Marijuana store next door and the reviews are not good. The worst complaints posted seem to be of the character of customers that a Marijuana business brings and how uncomfortable the customers of other businesses are. Some neighboring businesses have been so affected that they have lost their business.
3. My other concern is if the cliental of the Marijuana business will abide by the laws that are put in place for smoking in public. We share entry doors that are side by side.

The families of our clinic who are aware of the possibility of a Marijuana shop going in next door have expressed that they would have to seek another clinic to take their family to. I respectfully request that you reject the issue of license for the Great Alaskan Kush Company.

Sincerely,

  
Sandra Waldroup



Dr. Jennifer Waldroup-Gray & Dr Charlie Gray  
360 E. International Airport Rd. #4, Anchorage, AK 99518  
PH: (907)563-7700 FAX: (907)563-7710 [www.graychirohealth.com](http://www.graychirohealth.com)

March 11, 2016

To all parties concerned,

This letter is an objection to the Marijuana license number 10190, Business License number 1033606 and Alaska Entity Number 10036278 being granted to Kimberly Kole at 306 E. International Airport Rd. I would like to clarify that the actual license application states that the address will be 306 E. Intl. Airport Rd, however it is posted at 360 E. Intl. Airport Rd. Since Miss Kole has stated that she will be a tenant in the same building that we are located in, I believe this to be a typo error on her application.

I am one of the business owners of Gray Chiropractic Health Clinic LLC located at 360 E. Intl. Airport Rd #4. My wife and I have been in business and serving Anchorage families since August 2009. The majority of my practice is working on athletes as I am a Certified Chiropractic Sports Physician. I am also a Team Chiropractor for several athletic teams in town. A large percentage of the athlete patients I work on are under the age of 18. I have all levels of athletes including an athletic team who recently obtained first place in the nation and received a full paid bid to World Championships. My patients try to avoid any substances that could impede his/her performance on and/or off the field. My wife is the other owner and doctor of our business. Dr. Jennifer Waldroup-Gray has many hours of extra training in pregnancy and pediatrics. The majority of her patient base is pregnant patients, infants and children. A population that could be extremely sensitive to smoke, smells and odors.

With the proposed location of this Marijuana business, I feel that it is too close in proximity to our health care facility. We would share an interior wall that is open in part of the ceiling and the main entrance doors are side by side. I have grave concerns that if Miss Kole's business were to move forward with the proposed location, it would severely impact our business forcing us to close or move to a new location. One of the main reasons for this concern is that smells and/or odors would come through the ceiling into our area. In addition to the patients mentioned above, we are concerned that the smells and/or odors could adversely affect all of our patients as well as the staff of this facility.

When Miss Kole visited our office on Wednesday 03/09/2016, she introduced herself to our billing specialist as the new neighbor next door to us. When asked what kind of business she was opening, she stated that she was opening a cannabis retail store. We had a patient in the waiting room and others in the next room over in our therapy area. All patients that overheard Miss Kole announce her new business, informed us that they and

their families would be unable to continue their care at our office if a Marijuana shop moved in next door. They stated concerns of smoke, odors, and especially concerns of the types of people that would frequent this type of business. Before this business has even received state licensure and approval, it has already negatively affected my business.

Also, I would like to question the legality of this business opening up in this location. I would like to point your attention to 3 AAC 306 which was voted on in February of 2016 and expected to be officially published in Lexis Nexis April, 2016.

3 AAC 306.360 Restrictions on advertising of marijuana and marijuana products, under (c) it states that a retail marijuana store may not place an advertisement for marijuana or a marijuana product, except as provided in (a) of this section, (1) within 1,000 feet of the perimeter of any child-centered facility, including a school, a child care facility or ***other facility providing services to children...***

Since the name of this new business according to the public notice will be, The Great Alaskan Kush Company LLC, even signage will violate this law as Kush by definition is another word for marijuana. I have included a definition from Wikipedia for your review. See Attachment.

The next point I would like to bring to your attention is 3 AAC 306.345. Packaging and labeling.

(a) a retail marijuana store shall assure that

(3) (b) In addition to labeling requirements provided in (a) of this section, a retail marijuana store shall affix a label to each package of marijuana product that

(1) identifies the retail marijuana store selling the marijuana product by name or distinctive logo and marijuana establishment license number; and

(3) contains each of the following statements:

(A) Marijuana has intoxicating effects and may be habit forming and addictive."

Anytime a business hands out their product, logo, address, etc., is a form of marketing and advertising of your business and the product that you sell. Just following the regulations set forth in the sections listed above, having the word marijuana, a marijuana business logo and marijuana location on the packaging, would make it illegal for this business to open up within 1000 feet of any facility that provides "other services to children". Our office provides "other services to children" in the form of chiropractic care on a daily basis.

In regard to a Marijuana Cultivation facility, in 3 AAC 306.475. Labeling of Marijuana.

(a) When a marijuana cultivation facility packages Marijuana for a retail marijuana store to sell to a consumer without repackaging, the marijuana cultivation facility shall affix a label to each package of marijuana or marijuana product that contains each of the following statements:

(1) "Marijuana has intoxicating effects and may be habit forming and addictive.";

This statement is a warning label for Marijuana packaging, but it is also advertising what the product is which violates 3 AAC 306.360 if within 1000 feet of a facility providing "other services to children."

In regard to a Marijuana Product Manufacturing Facilities, in 3 AAC 306.570. Labeling of Marijuana products.

(c)(1) the name and license number of the marijuana product manufacturing facility where the marijuana product was prepared;...

(c)(4) each of the following statements:

(A) "Marijuana has intoxicating effects and may be habit forming and addictive.";

This statement is a warning label for Marijuana packaging, but it is also advertising what the product is which violates 3 AAC 306.360 if within 1000 feet of a facility providing "other services to children."

In Conclusion, regardless of the type of marijuana facility; Retail Marijuana Store, Marijuana Cultivation Facility, Marijuana Product Manufacturing Facility, Marijuana testing facility, any and all marijuana facilities require labeling and packaging. All of the labels by law must include what the product is as well as the address

and location of a facility which is also a form of advertising Marijuana. Since having any form of advertising of Marijuana or its products is illegal per 3 AAC 306, the approval of licensing for marijuana or any of its products within 1000 feet of the perimeter of Gray Chiropractic Health Clinic LLC currently at 360 E. International Airport Rd. #4 should be immediately denied. I wish Miss Kole well on her endeavor in this new industry. However, I feel discretion, legality and choice of business locations should be considered in order to grow this new industry in a positive way.

Yours In Health

Dr. Charles Gray D.C., CCSP, CKTP

CC:

Kim Kole  
12651 Schooner Dr  
Anchorage, AK 99515

Brian & Jennifer Watson  
360 E. Intl. Airport Rd. #1  
Anchorage, AK 99518

Alcohol & Marijuana Control Office  
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