

Submitted by: Assemblymembers MURDY and
Von Gemmingen

Prepared by: Assembly Office

For reading: January 27, 1998

ANCHORAGE, ALASKA
AR NO. 98-18(S)

**A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY PROTESTING THE
CONTINUED OPERATION OF A BEVERAGE DISPENSARY LIQUOR LICENSE AT 3001
SPENARD ROAD, ANCHORAGE, ALASKA DBA THE SOUTH SEAS LOUNGE**

The Anchorage Assembly finds that:

WHEREAS, the Anchorage Municipal Assembly has received documentary evidence pertaining to the proposed liquor license renewal; and

WHEREAS, the evidence presented to the Municipal Assembly has raised material, serious and substantial questions relating to the ability of the licensee to comply with local and state laws in the operation of the establishment; and

WHEREAS, the attached Anchorage Police Department report details repeated violations of liquor laws and other serious criminal activity which jeopardize the health and safety of Anchorage residents; and

WHEREAS, the documents provided prompted the Assembly to schedule this continued operation for public hearing on January 27, 1998; and

WHEREAS, the Assembly has found this documentary evidence to reflect major concerns and be neither arbitrary nor capricious; and

WHEREAS, the licensee has demonstrated a willingness to undertake certain remedial measures as a part of its business's operation to enhance its safety as a public establishment and comply with all applicable laws and regulations.

NOW, THEREFORE, BE IT RESOLVED by the Anchorage Municipal Assembly:

Section 1: That for the reasons set forth above, and subject to Section 2. of this resolution and provided the Alcoholic Beverage Control Board makes the following conditions permanent conditions of the subject beverage dispensary license, the Municipality of Anchorage does hereby waive protest of the renewal of the beverage dispensary liquor license application for Ms. Hyun Ju Song, 3001 Spenard Road, Anchorage, Alaska.

License Conditions. Licensee shall:

A. The South Seas Lounge will provide one security person during hours of operation

B. The South Seas Lounge shall install and maintain a video monitoring system to monitor the exterior entrance to the bar, and the interior of the bar, during all hours that the premises is open for business. The videotapes taken will be retained for 15 days prior to being recycled, and copies of the tapes will be made available to the Anchorage Police Department upon request.

C. The South Seas Lounge will purchase and display two conspicuous signs, one directly inside the entrance to the premises and one in another conspicuous location inside the premises, which state that "IT IS UNLAWFUL FOR THE PURPOSE OF PROSTITUTION OR SELLING DRUGS PERSONS TO ENTER OR TO REMAIN ON THE PREMISES."

D. The South Seas Lounge will purchase and display two conspicuous signs, one directly inside the entrance to the premises and one in another conspicuous location inside the premises, which state that "THE ACTIVITIES AND BEHAVIOR OF PATRONS ON THESE PREMISES ARE CONTINUOUSLY VIDEOTAPED. COPIES OF THESE TAPES ARE PROVIDED TO THE ANCHORAGE POLICE DEPARTMENT UPON REQUEST."

E. The South Seas Lounge will (1) install lighting on the building outside the bar sufficient to brightly illuminate the sidewalk outside the bar; (2) install additional lighting in the parking lot leading to and from the rear entrance to the bar, and (3) install additional interior lighting, if necessary.

F. The South Seas Lounge will cooperate with and submit to the Spenard Community Council review of and report on the licensee's operating six months after the ABC Board's renewal of the South Seas Lounge's license.

G. The management of the South Seas Lounge and its legal representatives will appear before the Anchorage Assembly on January 28, 1999 to review all police reports for the last quarter of 1998.

H. The management of the South Seas Lounge (i.e., the officers, directors, and shareholders) will substantially increase their personal presence on the premises of the South Seas Lounge every business day, and will review employee conduct and any police incidents, as well as view the video monitor tapes, as needed.

I. The management of the South Seas Lounge will schedule Techniques in Alcohol Management ("TAM") or similar training for each employee on an annual basis;

J. The management of the South Seas Lounge will meet and consult with Captain Katkus of the Anchorage Police Department or his designee on a monthly basis to resolve any police department concerns regarding the operation of the South Seas Lounge.

K. All patrons of the South Seas Lounge will be checked for identification and will be assessed as to age, manual dexterity, and apparent sobriety.

L. The South Seas Lounge will not allow non-patrons to loiter on the premises.

Section 2: If the Alcoholic Beverage Control Board declines or fails to impose the conditions set forth in Section 1 of this resolution as permanent conditions of the subject license, then in that event and for the reasons set forth above in the preamble of this resolution, the Municipality of Anchorage does hereby continue its unconditional protest of the renewal of the beverage dispensary liquor license application for Ms. Hyun Ju Song, 3001 Spenard Road, Anchorage, Alaska. [IF EVIDENCE OF MITIGATING CIRCUMSTANCES OR OTHER PUBLIC COMMENT IS PRESENTED TO THE ASSEMBLY DURING THE PUBLIC HEARING OF JANUARY 27, 1998, WHICH SHOWS THE PROTEST IS NOT WARRANTED, THE ASSEMBLY MAY WITHDRAW ITS PROTEST OF THIS THE RENEWAL.]

Section 3: The Municipal Attorney is requested to take appropriate steps to use any document or evidence necessary to effectively advance the position to the Municipality at any hearing before the State Alcoholic Beverage Control Board.

Section 4: The amendments to this Assembly Resolution 98-18(S) shall relate back and become effective retroactively as of _____ immediately upon passage and approval of said amendments by the Assembly and the effective date of this Resolution as amended shall continue to be _____.

PASSED AND APPROVED by the Anchorage Assembly this _____ day of _____, 1998.

Chair

ATTEST:

Municipal Clerk

EGJ/1998RESOLUTIONS/AR02