

Submitted by: ASSEMBLY MEMBER HONEMAN  
ASSEMBLY MEMBER GUTIERREZ

Reviewed by: Assembly Counsel

For reading: January 18, 2011

CLERK'S OFFICE

**APPROVED**

Date: 1-18-11 **ANCHORAGE, ALASKA**  
**AR NO. 2011-26**

**A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY STATING ITS PROTEST REGARDING RENEWAL OF BEVERAGE DISPENSARY LICENSE # 4529 FOR JONG R. AND KENNY H. LEE, D.B.A. SAMURAI SUSHI GARDEN, LOCATED AT 1265 MULDOON ROAD, ANCHORAGE, ALASKA, AND AUTHORIZING THE MUNICIPAL CLERK TO TAKE CERTAIN ACTION.**

WHEREAS, Licensee Jong R. and Kenny H. Lee, D.B.A. Samurai Sushi Garden, has made application with the Alcoholic Beverage Control (ABC) Board and has paid the required fee for renewal of Beverage Dispensary Liquor License # **4529**; and

WHEREAS, the last day to protest is January 28, 2011; and

WHEREAS, preliminary review of licensee's application by the Municipal Clerk for this location indicates an item or incident during the prior licensing period appropriate for confirmation by the Municipal Clerk that licensee is in compliance for the current licensing period:

- One or more TAMS card violation(s) for failure to provide proof of server training (See AMC 2.30.125B.); and

WHEREAS, protest by the Assembly is in order pending Municipal Clerk confirmation that licensee is in compliance for this location in the current licensing period;

NOW, THEREFORE, THE ANCHORAGE ASSEMBLY RESOLVES:

Section 1. The Anchorage Assembly hereby enters its conditional PROTEST for renewal of Beverage Dispensary Liquor License # **4529** until this condition is met:

- Licensee shall provide the Municipal Clerk proof that Licensee shall be in continued and prospective compliance with AMC 2.30.125B, *Training* (T.A.M).

Section 2. At Licensee's option, Licensee may meet with the Public Safety Committee of the Anchorage Assembly and upon 21-day notice, as required by Anchorage Municipal Code 2.30.120, have the opportunity to

attend and be heard at public hearing on the exercise or waiver of this protest.

Section 3. A copy of this Assembly Resolution may be presented to the Alcoholic Beverage Control Board as proof that the Anchorage Assembly, as the local governing body, has stated its protest in order to allow the Director of the Alcoholic Beverage Control Board to hold processing of Beverage Dispensary Liquor License # **4529** under local protest, until receipt by the Director of confirmation from the Municipal Clerk that the conditions in Section 1 have been met, and this protest is lifted as authorized by this Assembly Resolution.

Section 4. The Anchorage Assembly hereby authorizes the Municipal Clerk, upon Municipal Clerk confirmation that all conditions in Section 1 have been met, to provide written notification to the Alcoholic Beverage Control Board that this protest by the Anchorage Assembly is lifted, without further action by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this 18<sup>th</sup> day of January, 2011.

  
Chair

ATTEST:

  
Municipal Clerk