

Submitted by: ASSEMBLY CHAIR HALL,
VICE-CHAIR JOHNSTON AND ASSEMBLY
PUBLIC SAFETY COMMITTEE CHAIR
HONEMAN

Prepared by: Municipal Clerk
For reading: May 22, 2012

CLERK'S OFFICE

APPROVED

Date: 5-22-12

ANCHORAGE, ALASKA
AR NO. 2012-135

A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY STATING ITS PROTEST REGARDING A TRANSFER OF LOCATION OF A PACKAGE STORE LIQUOR LICENSE #1198 FOR TESORO NORTHSORE COMPANY dba 2GO TESORO LOCATED AT 101 E. NORTHERN LIGHTS BLVD, AND AUTHORIZING THE MUNICIPAL CLERK TO TAKE CERTAIN ACTION.

WHEREAS, Tesoro Northstore Company has made an application with the Alcoholic Beverage Control (ABC) Board and has paid the required fee for a Transfer of Location of a Package Store Liquor License #1198, to be used for 2Go Tesoro, located at 101 E. Northern Lights Blvd, Anchorage, Alaska; and

WHEREAS, the Assembly must enter any protest to the ABC Board within 60 days following receipt of the application; and

WHEREAS, the Anchorage Municipal Clerk received a copy of this application on April 3, 2012 and has determined that the last day for the Assembly to file a protest is June 4, 2012 and

WHEREAS, the Assembly Meeting on May 22, 2012 is the last scheduled regular meeting of the Anchorage Assembly prior to the expiration of the protest period; and

WHEREAS, the Municipal Clerk reports the following status concerning this location:

1. No ABC Board violations and/or incidents that would lead to an ABC Board violation;
2. No taxes owing to the Municipality of Anchorage;
3. Anchorage Fire Department approval **has** been received;
4. Conditional Use Permit required by AMC 21.50.160; **has not** been approved;
5. Approvals from the Municipal Health & Human Services and Building Safety Departments **have been received**; and

1 WHEREAS, protest by the Assembly is in order pending Municipal Clerk confirmation
2 that outstanding items required for this location have been completed;
3

4 NOW, THEREFORE, THE ANCHORAGE ASSEMBLY RESOLVES:
5

6 Section 1. The Anchorage Assembly hereby enters its PROTEST for a Transfer of
7 Location of a Package Store Liquor License #1198 and until these
8 conditions are met:
9

- 10 • Successful completion of the Conditional Use Permit under
11 AMC 21.50.160 is confirmed by the Municipal Clerk.
12

13 Section 2. A copy of this Assembly Resolution may be presented to the Alcoholic
14 Beverage Control Board as proof that the Anchorage Assembly, as the
15 local governing body, has stated its protest in order to allow the Director
16 of the Alcoholic Beverage Control Board to hold processing of Package
17 Store Liquor License #1198 under local protest, until receipt by the
18 Director of confirmation from the Municipal Clerk that the conditions in
19 Section 1 have been met, and this protest is lifted as authorized by this
20 Assembly Resolution.
21

22 Section 3. The Anchorage Assembly hereby authorizes the Municipal Clerk, upon
23 Municipal Clerk confirmation that all conditions in Section 1 have been
24 met, to provide written notification to the Alcoholic Beverage Control
25 Board that this protest by the Anchorage Assembly is lifted, without
26 further action by the Assembly.
27

28 PASSED AND APPROVED by the Anchorage Assembly this 22nd day of
29 May, 2012.
30

31
32 Emel Ball
33 Chair
34

35 ATTEST:

36
37 Brian S. Burt
38 Municipal Clerk
39



State of Alaska

Department of Public Safety

Alcoholic Beverage Control Board

Sean Parnell, Governor
Joseph A. Masters, Commissioner

April 3, 2012

Municipality of Anchorage
Attn: Amanda Moser Lic. Clerk
VIA EMAIL: MuniLicenses@muni.org

2Go Tesoro – License #1198

- New Application Transfer of Ownership Transfer of Location
 Restaurant Designation Permit DBA Name Change

We have received an application for the above listed licenses (see attached application documents) 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.

Alcoholic Beverage Control Board
5848 E Tudor Rd - Anchorage, AK 99507 - Voice (907) 269-0350 - Fax (907) 272-9412

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. GIFFORD
Director



Maxine Andrews
Business Registration Examiner
Direct line: 907-269-0358
Email: maxine.andrews@alaska.gov

State of Alaska
Alcoholic Beverage Control Board

Date of Notice: April 3, 2012

Application Type: **NEW** _____ X **TRANSFER***
 _____ Ownership
 X Location
 X Name Change

Governing Body: **Municipality of Anchorage**
 Community Councils: Midtown Community Council

License #: 1198
 License Type: Package Store
 D.B.A.: 2Go Tesoro
 Licensee/Applicant: Tesoro Northstore Company
 Physical Location: 101 E Northern Lights Blvd. Anchorage, AK 99503
 Mail Address: 1211 E Huffman Anchorage, AK 99515-3522
 Telephone #: 907-261-7266
 EIN: 92-0098209

Corp/LLC Agent:	Address	Phone	Date and State of Incorporation	Good standing?
Tesoro Northstore Company	1211 E Huffman Anchorage, AK 99515-3522	907-261-7266	6/29/1981 Alaska	yes

Please note: the Members/Officers/Directors/Shareholders (principals) listed below are the principal members. There may be additional members that we are not aware of because they are not primary members. We have listed all principal members and those who hold at least 10% shares.

Member/Officer/Director:	DOB	Address	Phone	Title/Shares (%)
Tesoro Corporation	n/a	19100 Ridgewood Parkway, San Antonio, TX 78259	210-626-6593	A Delaware publicly traded corporation (100%)
James H Sturley	08/07/1961	1211 E Huffman Anchorage, AK 99515	907-261-7266	Regional Manager (0%)

**Transfer of location only: from no premises to 101 E. Northern Lights Blvd.*

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

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Note: Applications applied for under AS 04.11.400(g), 15 AAC 104.335(a)(3), AS 04.11.090(e), and 15 AAC 104.660(e) must be approved by the governing body.

Sincerely,

SHIRLEY A. GIFFORD
Director



Maxine Andrews
Business Registration Examiner
Direct line: 907-269-0358
Email: maxine.andrews@alaska.gov

This application is for:

- Seasonal** – Two 6-month periods in each year of the biennial period beginning _____ and ending _____
 Full 2-year period _____ Mo/Day _____ Mo/Day

SECTION A - LICENSE INFORMATION. Must be completed for all types of applications.			FEES
License Year: 2012	License Type: Package Store	Statute Reference Sec. 04.11.080(7); and Sec. 04.11.150	License Fee: \$
License #: 1198			Filing Fee: \$100.00
Local Governing Body: (City, Borough or Unorganized) Municipality of Anchorage		Community Council Name(s) & Mailing Address: Midtown Community Council 3800 W.43rd Avenue Anchorage, AK 99517	Fingerprint: <i>(\$54.25 per person)</i>
Name of Applicant (Corp/LLC/LP/LLP/Individual/Partnership): TESORO NORTHSTORE COMPANY		Doing Business As (Business Name): 2Go Tesoro	Total Submitted: \$100.00
Mailing Address: 1211 E. Huffman		Street Address or Location of Premise: 101 E. Northern Lights Boulevard Anchorage, Alaska 99503	Business Telephone Number: 907-261-7266
City, State, Zip: Anchorage, Alaska 99515			Fax Number: 866-421-8297
			Email Address: James.H.Sturley@tsocorp.com

SECTION B - TRANSFER INFORMATION.

<input checked="" type="checkbox"/> Regular Transfer <input type="checkbox"/> Transfer with security interest: Any instrument executed under AS 04.11.670 for purposes of applying AS 04.11.360(4)(b) in a later involuntary transfer, must be filed with this Application (15 AAC 104.107). Real or personal property conveyed with this transfer must be described. Provide security interest documents. <input type="checkbox"/> Involuntary Transfer. Attach documents which evidence default under AS 04.11.670.	Name and Mailing Address of CURRENT Licensee: Tesoro Northstore Company 1211 E. Huffman, Suite 100 Anchorage, Alaska 99515 Business Name (dba) BEFORE transfer: 2Go Tesoro Street Address or Location BEFORE transfer: No Premises
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SECTION C - PREMISES TO BE LICENSED. Must be completed for **RELOCATION** applications

Closest school grounds: 0.4 mile	<i>Distance measured under:</i> <input checked="" type="checkbox"/> AS 04.11.410 OR <input type="checkbox"/> Local ordinance No.	<input type="checkbox"/> Premises is GREATER than 50 miles from the boundaries of an incorporated city, borough, or unified municipality <input type="checkbox"/> Premises is LESS than 50 miles from the boundaries of an incorporated city, borough, or unified municipality. <input checked="" type="checkbox"/> Not applicable
Closest church: 272 feet	<i>Distance measured under:</i> <input checked="" type="checkbox"/> AS 04.11.410 OR <input type="checkbox"/> Local ordinance No.	<input type="checkbox"/> Plans submitted to Fire Marshall (required for new & proposed buildings) <input checked="" type="checkbox"/> Diagram of premises attached
Premises to be licensed is: <input type="checkbox"/> Proposed building <input checked="" type="checkbox"/> Existing facility <input type="checkbox"/> New building		

Does any individual, corporate officer, director, limited liability organization member, manager or partner named in this application have any direct or indirect interest in any other alcoholic beverage business licensed in Alaska or any other state?

Yes No If Yes, complete the following. Attach additional sheets if necessary.

Name	Name of Business	Type of License	Business Street Address	State
See attached list of Tesoro Northstore Company Package Liquor Store Licenses.				

Has any individual, corporate officer, director, limited liability organization member, manager or partner named in this application been convicted of a felony, a violation of AS 04, or been convicted as a licensee or manager of licensed premises in another state of the liquor laws of that state?

Yes No If Yes, attach written explanation.

Date Approved	Director's Signature
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Corporations, LLCs, LLPs and LPs must be registered with the Dept. of Community and Economic Development.

Name of Entity (Corporation/LLC/LLP/LP) (or N/A if an Individual ownership): Tesoro Northstore Company		Telephone Number: 907-261-7266	Fax Number: 866-421-8297
Corporate Mailing Address: 1211 E. Huffman	City: Anchorage	State: Alaska	Zip Code: 99515
Name, Mailing Address and Telephone Number of Registered Agent: Corporation Service Company, 9360 Glacier Highway, Suite 202, Juneau, Alaska 99801, 888-690-2882		Date of Incorporation OR Certification with DCED: 6/29/81	State of Incorporation: Alaska

Is the Entity in compliance with the reporting requirements of Title 10 of the Alaska Statutes? Yes No
 If no, attach written explanation. Your entity *must* be in compliance with Title 10 of the Alaska Statutes to be a valid liquor licensee.

Entity Members (Must include President, Secretary, Treasurer, Vice-President, Manager and Shareholder/Member with at least 10%)

Name	Title	%	Home Address & Telephone Number	Work Telephone Number	Date of Birth
See Exhibit A attached.					

NOTE: On a separate sheet provide information on ownership other organized entities that are shareholders of the licensee.

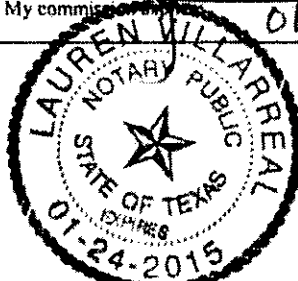
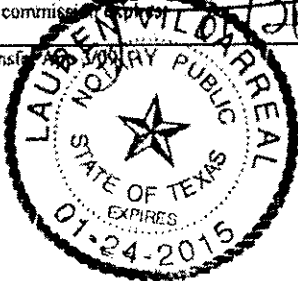
Individual Licensees/Affiliates (The ABC Board defines an "Affiliate" as the spouse or significant other of a licensee. Each Affiliate must be listed.)

Name: Address: Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:	Name: Address: Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:
Name: Address: Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:	Name: Address: Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:

Declaration

- I declare under penalty of perjury that I have examined this application, including the accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct and complete, and this application is not in violation of any security interest or other contracted obligations.
- I hereby certify that there have been no changes in officers or stockholders that have not been reported to the Alcoholic Beverage Control Board. The undersigned certifies on behalf of the organized entity, it is understood that a misrepresentation of fact is cause for rejection of this application or revocation of any license issued.
- I further certify that I have read and am familiar with Title 4 of the Alaska statutes and its regulations, and that in accordance with AS 04.11 450, no person other than the licensee(s) has any direct or indirect financial interest in the licensed business.
- I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.

Signature of Current Licensee(s) Signature	Signature of Transferee(s) Signature
Signature	Signature
Name & Title (Please Print) Claude P. Moreau, President	Name & Title (Please Print) Claude P. Moreau, President
Subscribed and sworn to before me this 11 day of JANUARY, 2012	Subscribed and sworn to before me this 11 day of JANUARY, 2012
Notary Public in and for the State of Alaska	Notary Public in and for the State of Alaska
My commission expires 01/24/2015	My commission expires 01/24/2015



**EXHIBIT A TO TRANSFER LIQUOR LICENSE APPLICATION
OF TESORO NORTHSTORE COMPANY**

Entity Members (Must include President, Secretary, Treasurer, Vice-President, Manager and Shareholder/Member with at least 10%)					
Name	Title	%	Home Address & Telephone Number	Work Telephone Number	Date of Birth
Claude P. Moreau	Director, President	0	19100 Ridgewood Parkway, San Antonio, Texas 78259 210-626-6593	210-626-6593	12/21/1954
Charles S. Parrish	Executive Vice President, General Counsel and Secretary	0	19100 Ridgewood Parkway, San Antonio, Texas 78259 210-626-6593	210-626-6593	1/9/1958
Daniel R. Romasko	Executive Vice President, Operations	0	19100 Ridgewood Parkway, San Antonio, Texas 78259 210-626-6593	210-626-6593	7/26/1963
G. Scott Spendlove	Senior Vice President and Chief Financial Officer	0	19100 Ridgewood Parkway, San Antonio, Texas 78259 210-626-6593	210-626-6593	6/6/1963
Arlen O. Glenewinkel	Vice President and Controller	0	19100 Ridgewood Parkway, San Antonio, Texas 78259 210-626-6593	210-626-6593	9/1/1956
Tracy D. Jackson	Vice President and Treasurer	0	19100 Ridgewood Parkway, San Antonio, Texas 78259 210-626-6593	210-626-6593	7/28/1969
John R. Ramsey	Vice President, Retail Marketing	0	19100 Ridgewood Parkway, San Antonio, Texas 78259 210-626-6593	210-626-6593	8/14/1946
Eric C. Schule	Vice President, Capital Projects and TAR Procurement	0	19100 Ridgewood Parkway, San Antonio, Texas 78259 210-626-6593	210-626-6593	10/10/1964
James H. Sturley	Regional Manager	0	1211 E. Huffman Anchorage, Alaska 99515 16953 907-261-7266	907-261-7266	08/07/1961
Tesoro Corporation, a Delaware publicly traded corporation		100%	19100 Ridgewood Parkway, San Antonio, Texas 78259	210-626-6593	

esoro Northstore Company
 211 E. Huffman, Anch., AK 99515
 ax: (907) 261-7283

Store #	Address	City	Zip	Liquor	Package	License #
60002	4608 Spenard Rd.	Anchorage	99517	✓	✓	2803
60003	6740 Lake Otis Pkwy.	Anchorage	99507	✓	✓	2278
60010	500 Hollywood Dr.	Anchorage	99501	✓	✓	2614
60015	1211 E. Huffman Rd.	Anchorage	99515	✓	✓	4054
60054	Mile 90, Seward Hwy.	Girdwood	99587	✓	✓	664
60055	545 Muldoon Rd.	Anchorage	99504	✓	✓	1596
60073	12139 Old Glenn Hwy.	Eagle River	99577	✓	✓	3991
60007	7550 Old Seward Hwy. (plus *30080 Pump Site)	Anchorage	99518	✓	✓	2553
60062	5121 Arctic Blvd.	Anchorage	99503	✓	✓	1568
60071	1940 Abbott Rd	Anchorage	99507	✓	✓	3732
60201	P.O. Box 1414 (45235 Kenai Spur Hwy.)	Kenai	99611	✓	✓	2225
60203	35482 Kenai Spur Hwy.	Soldotna	99669	✓	✓	3262
60206	11120 Kenai Spur Hwy.	Kenai	99611	✓	✓	4544