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**WASILLA CITY COUNCIL INFORMATION MEMORANDUM**

**IM No. 08-08**

**TITLE: LIQUOR LICENSE RELOCATION UPDATE UNDER SB 128**

Agenda of: February 28, 2008

Date: February 15, 2008

Originator: Economic Development Planner

Route to:	Department	Signature/Date
x	Police Chief Youth Court, Dispatch, Code Compliance	<i>[Signature]</i> 2/15/08
	Culture and Recreation Services Director Library, Museum, Sports Complex	
	Public Works & Recreation Facility Maintenance Director	
	Finance, Risk Management & MIS Director Purchasing	
	Deputy Administrator Planning, Economic Development, Human Resources	
X	City Clerk	

**REVIEWED BY MAYOR DIANNE M. KELLER:** *[Signature: Dianne M. Keller]* 2/15/08

**FISCAL IMPACT:**  yes\$ or  no      Funds Available  yes  no  
 Account name/number: none  
 Attachments: none

**SUMMARY STATEMENT:**

On January 22, 2007, the Wasilla City Council held a joint meeting with the Wasilla Planning Commission to discuss economic development policy and program options with staff. During is meeting the subject of beverage dispensary liquor license transfers to be used as an economic development tool was discussed at length. Additionally, Council and Administration agreed to pursue and support an amendment to state law to allow for the transfer of beverage dispensary liquor licenses into cities. In the past Council accepted this initiative without objection and recently supported this concept with the adoption of the FY-09 and FY-10 Goals and Initiatives (numbers 15, 32, 46, & 50) at the February 11, 2007, Regular Meeting.

On May 16, 2007, the Alaska Legislature passed SB 128, "Relating to the sale, distribution, and purchase of alcoholic beverages; relating to a state database for records of certain purchases of alcoholic beverages; relating to the relocation of a license to sell alcoholic beverages; relating to procedures for local option elections for control alcoholic beverages; and providing for an effective date."

On June 25, 2007, Governor Palin signed SB 128 into law.

On September 24, 2007, the Wasilla City Council defeated Ordinance Serial No. 07-54(SUB1) by rejecting a process for allowing beverage dispensary license transfers into the City.

On November 14, 2007, the City Council held a special meeting on liquor license transfers. During this meeting, the City Council expressed an interest in speaking to officials from the Mat-Su Borough, other cities in the region, and the Alcoholic Beverage Control (ABC) Board before drafting regulations and processing any applications, however, the respective elected officials have yet to agree on a meeting date to discuss this matter. Additionally, at this meeting Mr. Evangelos Lambernakis notified the Council that he had applied to the ABC Board to transfer a license into the city for his restaurant under SB 128.

On December 10, 2007, the City Council held a special meeting with Mr. Doug Griffin from the ABC Board about liquor license transfers, under SB 128. During this meeting, the Council expressed that they wanted to draft questions for his review and response before moving forward. Mr. Griffin sent proposed regulations to the City Clerk on February 4, 2008.

On December 19, 2007, the City of Wasilla received notification from the ABC Board of an application requesting approval to transfer a beverage dispensary license from outside of city limits to Evangelos Restaurant, under SB 128. The Council has not created and adopted necessary code changes to allow for administrative action to process such requests.

On February 14, 2008, the ABC Board contacted city staff to reiterate the 60 day period to review Evangelos transfer request, at which point, the ABC Board would typically close the city and borough review period. Mr. Griffin informed staff that SB 128 did not mandate a time frame for municipal review so the ABC Board is not sure what their next action will be. However, the ABC Board did request an extension letter from staff so they would have a documented reason to extend their review period. Staff agreed to write such a letter and has provided it to the ABC Board per their request.

Administration respectfully requests that the City Council move forward with code development and adoption so staff may process transfers under SB 128. Additionally, we request a public notice period before processing any application requests. A public notice period will allow all businesses who have an interest in the process an equal opportunity for future transfers.