

March 15, 2017  
Office of the City Clerk

Mr. Steven Mierop  
445 N. Pittman Road, Ste. B  
Wasilla, Alaska 99623  
Email: [steve@threebearsalaska.com](mailto:steve@threebearsalaska.com)

Dear Mr. Mierop,

In accordance with the regulations established under AS 04.11.480, the City of Valdez governing body has issued a letter of protest regarding the renewal of package store license #4165 currently issued to Three Bears Alaska Inc. The protest is filed based on the fact that you do not operate an actual retail store which is open and accessible to the public for the purchase of package store products. I have enclosed the letter of protest and statement of reasons for the protest which has been submitted to the Alcohol & Marijuana Control Office.

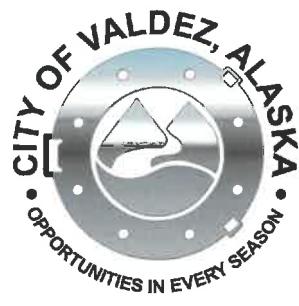
Our next regular meeting of the Valdez City Council will be held on April 4, 2017, at 7:00 p.m., at the Valdez City Council Chambers which is located at 212 Chenega Street. The deadline for placing an item on the April 4<sup>th</sup> agenda to appear before the city council to defend the issuance of your license is Monday, March 29<sup>th</sup>, at 5:00 pm. Please send your request to be placed on the April 4<sup>th</sup> agenda, or any correspondence related to this matter, by mail or email to: City of Valdez, Office of the City Clerk, PO Box 307, Valdez, AK 99686, email: [spierce@ci.valdez.ak.us](mailto:spierce@ci.valdez.ak.us).

Sincerely,

Sheri L. Pierce, MMC  
City Clerk  
City of Valdez, Alaska

cc:

Department of Commerce, Community, and Economic Development  
Alcohol & Marijuana Control Office  
550 West 7<sup>th</sup> Ave, Suite 1600  
Anchorage, AK 99501



March 13, 2017  
Office of the City Clerk

Department of Commerce, Community, and Economic Development  
Alcohol & Marijuana Control Office  
550 West 7<sup>th</sup> Ave, Suite 1600  
Anchorage, AK 99501

RE: Letter of Protest for Renewal of Package Store Liquor License #4165 – Three Bears Alaska, Inc.

To Whom It May Concern:

This letter serves as notification that the City of Valdez protests the renewal and issuance of liquor license #4165 – Three Bears Alaska, Inc. – Package Store for the following reasons:

- A package store liquor license is intended for a retail establishment open to the public during normal business hours for the purpose of selling prepackaged alcohol. The only package store currently open and operational in Valdez is associated with liquor license #2912 DBA Oaken Keg #1833, located adjacent to the Safeway Store.
- There is currently no operational or physical business in Valdez associated with liquor license #4165 (Three Bears Alaska, Inc.). Please note, while the Acres Beverage Center physical building remains in place, this package store establishment also has been closed for business for many years.
- The City has been advised that the number of liquor licenses classified as “Non-R.E” in Valdez currently exceeds the number allowed based on our population. If this is the case, both the licenses held unused by Three Bears and Acres Beverage Center would prevent any prospective investment or development of a new fully functional package store within the City.
- The City does not support the practice of holding an inactive liquor license long term for the purpose of preserving future financial gain or speculation of a future market. The renewal of license #4165 by the State of Alaska may prohibit the ability of an investor to obtain a new Non-R/E license to own and operate a fully functional business in the community.

City of Valdez Protest

Page 2

The City of Valdez has provided notification of this protest by certified mail to the Director of Three Bears Alaska, Inc, which was mailed to 445 N. Pittman Road, Ste. B, Wasilla, AK 99623, on March 14, 2017. The notification provided information on the next regular meeting of the city council, should they wish to comment on this letter of protest.

Sincerely,

A handwritten signature in blue ink that reads "Sheri L. Pierce". The signature is fluid and cursive, with "Sheri" on the first line and "L. Pierce" on the second line.

Sheri L. Pierce, MMC

City Clerk

City of Valdez, Alaska



THE STATE  
*of* **ALASKA**  
GOVERNOR BILL WALKER

January 17, 2017

**Department of Commerce, Community,  
and Economic Development**

ALCOHOL & MARIJUANA CONTROL OFFICE

550 West 7<sup>th</sup> Avenue, Suite 1600

Anchorage, AK 99501

Main: 907.269.0350

City of Valdez  
Attn: Sheri Pierce, MMC  
Via Email: [spierce@ci.valdez.ak.us](mailto:spierce@ci.valdez.ak.us)

**Re: Notice of 2017/2018 Liquor License Renewal Application**

<b>License Type:</b>	Package Store	<b>License Number:</b>	4165
<b>Licensee:</b>	Three Bears Alaska, Inc.		
<b>Doing Business As:</b>	Three Bears		

We have received a completed renewal application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under AS 04.11.480.

A local governing body may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the director and the applicant with a clear and concise written statement of reasons for the protest within 60 days of receipt of this notice, and by allowing the applicant a reasonable opportunity to defend the application before a meeting of the local governing body, as required by 3 AAC 304.145(d). If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable.

To protest the application referenced above, please submit your written protest within 60 days, and show proof of service upon the applicant and proof that the applicant has had a reasonable opportunity to defend the application before a meeting of the local governing body.

Sincerely,

Jedediah Smith, Local Government Specialist  
[amco.localgovernmentonly@alaska.gov](mailto:amco.localgovernmentonly@alaska.gov)