



LIQUOR CONTROL COMMISSION

DEE CROWELL, CHAIR
LELAND KAHAWAI, VICE CHAIR

RANDALL NISHIMURA, MEMBER
LORNA NISHIMITSU, MEMBER
TESS SHIMABUKURO, MEMBER
GERALD S. MATSUNAGA, MEMBER
PAUL ENDO, MEMBER

Meetings of the Liquor Control Commission will be conducted as follows until further notice:

- Meetings will be publicly noticed pursuant to HRS Chapter 92.
- Minutes of meetings will be completed pursuant to HRS Chapter 92 and posted to the Liquor Control Commission's website upon completion and approval.

Public Comments and Testimony:

- **Written testimony:** The Liquor Control Commission will accept written testimony for any agenda item herein.
 - Written testimony indicating your 1) name, and if applicable, you position/title and organization you are representing, 2) the agenda item that you are providing comment on, and 3) contact information (telephone number and email address), may be submitted to liquor@kauai.gov or mailed to the Liquor Control Commission, c/o Department of Liquor Control, 4444 Rice Street, Suite 120, Lihue, Hawaii 96766.
 - Written testimony received by the Liquor Commission at least 24 hours prior to the meeting will be distributed to all Liquor Control Commissioners prior to the meeting.
 - Any testimony received after this time and up to the start of the meeting will be summarized by the Director of the Liquor Department during the meeting and added to the record thereafter.
 - Any late testimony received will be distributed to the to the members after the meeting is concluded.
- **Oral testimony** will be taken at any time during the meeting.
 - It is recommended that anyone interested in providing oral testimony register at least 24 hours prior to the meeting by emailing liquor@kauai.gov or calling (808) 241-4966. Any request to register shall include your 1) name, and if applicable, your position/title and organization you are representing, and 2) the agenda item that you are providing comment on, and 3) contact information (telephone number and email address).
 - Per the Liquor Control Commission's and Chairs practice, there is three-minute time limit per testifier.
 - Individuals who have not registered to provide testimony will be given an opportunity to speak on an agenda item following the registered speakers.

SPECIAL ASSISTANCE

IF YOU NEED AN AUXILIARY AID/SERVICE, OTHER ACCOMMODATION DUE TO A DISABILITY, OR AN INTERPRETER FOR NON-ENGLISH SPEAKING PERSONS PLEASE CONTACT THE DEPARTMENT OF LIQUOR CONTROL AT (808) 241-4966 OR LIQUOR@KAUAI.GOV AS SOON AS POSSIBLE. REQUESTS MADE AS EARLY AS POSSIBLE WILL ALLOW ADEQUATE TIME TO FULFILL YOUR REQUEST. UPON REQUEST, THIS NOTICE IS AVAILABLE IN ALTERNATIVE FORMATS SUCH AS LARGE PRINT, BRAILLE, OR ELECTRONIC COPY.



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REGULAR MEETING NOTICE AND AGENDA

Wednesday, January 11, 2023
1:00 p.m. or shortly thereafter
Līhu`e Civic Center
Pi`ikoi Building, Suite 300
4444 Rice Street, Līhu`e, HI 96766

A. CALL TO ORDER

B. ROLL CALL

C. ANNOUNCEMENTS:

Next Scheduled Meeting: January 25, 2023 – 1:00 p.m. or shortly thereafter.

D. APPROVAL OF AGENDA

E. CONSENT AGENDA:

1. APPROVAL OF MINUTES: December 14, 2022
2. APPROVAL OF EXECUTIVE MEETING MINUTES: December 14, 2022
3. DIRECTOR'S REPORT: December 22, 2022 – January 4, 2023
4. EMPLOYEES IN LICENSED PREMISES:
 - a. Managers and Assistant Managers Red/Blue Card exam list - See Attachment "A"
5. ACTIONS OF THE DIRECTOR:
 - a. Request for Temporary Reduction of Premise:
 1. Hokuala Golf Management, LLC. dba Ocean Course at Hokuala (5G-009): Approval of Temporary Reduction of Premises to include the licensed premises encompassing the entire 18 holes of golf, including the practice facility and Hale Kiele Snack Bar as indicated by diagram submitted for a

fund raising event to be held by Hawaii Hotel Industry Foundation to be held at 3351 Ho'olaulea Way, Lihue, Kauai, Hawaii on January 21, 2023, from 7:00 A.M. until 2:00 P.M.

b. Request for Free-One Day (Non-Profit) License:

1. Hawaii Lodging & Tourism Association dba Hawaii Lodging & Tourism Association: Approval of License No. Free 2023-19 filed on December 17, 2022. Event to be held on January 21, 2023, at the Ocean Course at Hokuala located at 3351 Ho'olaulea Way, Lihue, Kauai, Hawaii.

c. Transient Vessel License for Ratification:

1. License No. TV-2023-49: Holland American Line N.V. dba Ms. Koningsdam, for a Transient Vessel Liquor License, in Port at Nawiliwili Harbor, Pier 2, Kauai, Hawaii, on January 21, 2023, arriving at 8:00 A.M. and departing at 6:00 P.M.
2. License No. TV-2023-50: Holland American Line N.V. dba Ms. Noordam, for a Transient Vessel Liquor License, in Port at Nawiliwili Harbor, Pier 2, Kauai, Hawaii, on April 25, 2023, arriving at 8:00 A.M. and departing at 6:00 P.M.
3. License No. TV-2023-51: Holland American Line N.V. dba Ms. Koningsdam, for a Transient Vessel Liquor License, in Port at Nawiliwili Harbor, Pier 2, Kauai, Hawaii, on February 6, 2023, arriving at 7:00 A.M. and departing at 11:00 P.M.
4. License No. TV-2023-52: Holland American Line N.V. dba Ms. Koningsdam, for a Transient Vessel Liquor License, in Port at Nawiliwili Harbor, Pier 2, Kauai, Hawaii, on February 28, 2023, arriving at 8:00 A.M. and departing at 5:00 P.M.
5. License No. TV-2023-53: Holland American Line N.V. dba Ms. Koningsdam, for a Transient Vessel Liquor License, in Port at Nawiliwili Harbor, Pier 2, Kauai, Hawaii, on April 19, 2023, arriving at 8:00 A.M. and departing at 6:00 P.M.

F. PUBLIC TESTIMONY ON ALL AGENDA ITEMS

G. PUBLIC HEARINGS:

1. Hapa Ramen & Whiskey LLC. dba Hapa Ramen & Whiskey: Application No. 2023-048 was filed on October 20, 2022, by Hapa Ramen & Whiskey LLC. dba Hapa Ramen & Whiskey for a New Restaurant General (A) No Live Entertainment and No Dancing, located at 2829 Ala Kalanikaumaka St. F205, Koloa, Kauai, Hawaii.
2. Kauai Wailua Bay Hotel Management, LLC. dba Mamahune’s Market Place: Application No. 2023-049 was filed on October 20, 2022, by Kauai Wailua Bay Hotel Management, LLC. dba Mamahune’s Market Place for a New Retail Dealer General license to be located at 3-5920 Kuhio Highway, Wailua, Kauai, Hawaii.

H. ADOPTION OF DECISION AND ORDER:

1. Longs Drug Stores California, LLC. dba Longs Drug (Lihue) 4G-039: Adjudication hearing held on November 9, 2022.
2. Lahaina Petroleum, LLC. dba Rainbow Gas & Mini Mart 4G-050: Adjudication hearing held on December 28, 2022.

I. VIOLATION REPORT:

1. Case No.2023-014: Mee & Son Corporation dba Taps & Hops Eatery located at 4-885 Kuhio Hwy., Kapaa, Kauai, Hawaii. Violation of Rule 4.7(b), Gross liquor sales report, percentage fee, and records.

J. PRESENTATION OF 2023 PROPOSED RULE AMENDMENTS FOR COMMISSION DISCUSSION (Continued)

1. Liquor Revenue Fee Rate Comparison to neighboring islands.

K. ELECTION OF CHAIR AND VICE CHAIR FOR 2023

L. EXECUTIVE SESSION:

Pursuant to HRS §92-4, §92-5(a)(4), §92-9(a)(1-4) and (b), the purpose of this Executive Session is for Commission to approve or amend the Executive Session Minutes of December 14, 2022 and to consult with its attorney on questions and issues pertaining to the Commission’s powers, duties, privileges, immunities, and liabilities as they may relate to this item.

1. Approval of Executive Minutes: December 14, 2022

M. RETURN TO OPEN SESSION

N. ROLL CALL FOR THE RETURN TO OPEN SESSION

O. RATIFY ACTIONS TAKEN IN THE EXECUTIVE SESSION

P. ADJOURNMENT

Q. EXECUTIVE SESSION:

Pursuant to HRS §92-7(a), the Commission may, when deemed necessary, hold an executive session on any agenda item without written public notice if the executive session was not anticipated in advance. Any such executive session shall be held pursuant to H.R.S. §92-4 and shall be limited to those items described in HRS §92-5(a)

Pursuant to HRS § 92-7.5, at the time the board packet is distributed to the Liquor Control Commission, the board packet will be available for inspection at the Liquor Control Commission's office (Pi'ikoi Building 4444 Rice Street, Suite 300, Līhu'e, Hawai'i 96766). Please contact at (808) 241-4966 or mkelekoma@kauai.gov to request access.