



LIQUOR CONTROL COMMISSION

WILLIAM GIBSON, CHAIR
DEE CROWELL, VICE CHAIR

LELAND KAHAWAI, MEMBER
RANDALL NISHIMURA, MEMBER
LORNA NISHIMITSU, MEMBER
GARY PACHECO, MEMBER
TESS SHIMABUKURO, MEMBER

REGULAR MONTHLY TELECONFERENCE MEETING NOTICE AND AGENDA

Thursday, June 17, 2021
10:00 a.m. or shortly thereafter

Microsoft Teams Audio: + 1 469-848-0234, Conference ID: 280 371 764#

This meeting will be held via Microsoft Teams conferencing only. Members of the public are invited to join this meeting by calling the number above with the conference ID information. You may testify during the video conference or submit written testimony in advance of the meeting via e-mail, fax, or mail. To avoid excessive noise/feedback, please mute your microphone except to testify.

CALL TO ORDER

ROLL CALL

ANNOUNCEMENTS:

Next Scheduled Meeting: Thursday, July 8, 2021 – 10:00 a.m. via Tele-Conference.

APPROVAL OF AGENDA

APPROVAL OF MINUTES:

1. PUBLIC HEARING:

CLOROSHO LLC dba PACO'S TACOS CANTINA KAPAA: Application No. 2021-021 was filed on March 20, 2021 by CLOROSHO LLC dba PACO'S TACOS CANTINA KAPAA for a New Class and Kind (Restaurant General with Live Entertainment and Dancing) at the former Ono Family Restaurant. The address is 4-1292 Kuhio Highway, Kapaa, Kauai, Hawaii. The Commission accepted Application No. 2021-021 for publication and public hearing on April 15, 2021 and ordered to print notice of public hearing in The Garden Island newspaper on Wednesdays, April 21 and April 28, 2021, scheduling the public hearing on June 17, 2021 at 10:00 a.m. or shortly thereafter via Microsoft Teams conferencing only.

2. VIOLATION HEARING:

VIVA KAI LLC dba KAI BAR COFEE ROASTERS.: Violation of Rule 7.8 Manager on duty, qualifications.

3. DIRECTOR'S REPORT:

a) INVESTIGATORS' REPORTS:

b) INCOMING COMMUNICATIONS:

- 1) Disturbance Report from Nawiliwili Tavern.
- 2) Constellation Brands, Inc. , Michelle Jensen, Legal Coordinator, Request for Approval - ATW-RMS22-150571 / ATW-WBR22-150578 – See Attachment
- 3) AIRTAB, Dennis Cunningham, Founder-CEO, RE: Social Media Restaurant App.

c) EMPLOYEES IN LICENSED PREMISES:

Managers and Assistant Managers – See Attachment “A”

d) ACTIONS OF THE DIRECTOR:

- 1) JO2: Approval of Temporary Increase of Premise to include the front exterior space of the leased spaced in the Waipouli Complex per diagram submitted. Dates of temporary increase for June 8, 2021 through September 8, 2021.
- 2) BANGKOK HAPPY BOWL KAUAI: Approval of Temporary Increase of Premise to include the covered area across from the restaurant as a waiting and dining area per diagram submitted. June 8, 2021 through September 8, 2021.
- 3) BEACH HOUSE RESTAURANT: Approval of Temporary increase of premises to include their patio lawn area, approximately thirty feet by eight feet, per diagram submitted. On July 3, 5, 6, 8, 10, 11, 13, 14, 15, 16, 17, 18, 23, 24, 25, 29, 30, 31, 2021, from 5:00pm – 10:00pm.
- 4) BEACH HOUSE RESTAURANT: Approval of Temporary increase of premises to include their patio lawn area, approximately thirty feet by eight feet, per diagram submitted. On July 2 & 28, 2021, from 6:30pm – 10:00pm.
- 5) BEACH HOUSE RESTAURANT: Approval of Temporary increase of premises to include their patio lawn area, approximately thirty feet by eight feet, per diagram submitted. On July 21, 2021, from 6:00pm – 10:00pm.
- 6) BEACH HOUSE RESTAURANT: Approval of Temporary increase of premises to include their patio lawn area, approximately thirty feet by eight feet, per diagram submitted. On July 26, 2021, from 11:00am – 1:00pm.

- 7) THE DOLPHIN POIPU: Approval of Temporary Increase of Premise to include the space adjacent to their lanai area as a Beer Garden and Wine Bar, per diagram submitted for their Flavors of Friday event. Friday, June 18, 2021, 5:00pm - 8:30pm.
- 8) SUSHI BUSHIDO: Approval of Temporary Increase of Premise to include area outside of restaurant, per diagram submitted for their Flavors of Friday event. May 31, 2021 through August 31, 2021, 11:00am - 1:00am.

4. CHANGE IN AUTHORIZED AGENT/OFFICERS:

- a) SAFEWAY INC. dba Safeway.: Removal of Robert Allen Gordon Jr. as Executive Vice President/General Counsel/Secretary for SAFEWAY INC. dba Safeway, No. 4G-044, 4G-051, addition of Juliette Prior as Executive Vice President/General Counsel/Secretary
- b) BLT, INC. dba Salt Pond Country Store.: Removal of Craig Hayashi and Lynn Hayashi as Stockholders for BLT, Inc dba Salt Pond Country Store, No. 4G-052. BLT, INC. dba Salt Pond Country Store.: Appointed Bryan Hayashi as President/CEO for BLT, Inc dba Salt Pond Country Store, No. 4G-052.
- c) RED ROOSTER RESTAURANT, LLC dba THE LOCAL KAUAI.: Removal of Jose Cortez as a member and 40% of Ownership for Red Rooster Restaurant, LLC dba Local Kauai, No. 2G-026.

5. DISCUSSION AND POSSIBLE DECISION-MAKING ON THE RECCOMENDATIONS OF THE PERMITTED INTERACTION GROUP ON THE DRAFT GOALS AND OBJECTIVES FOR THE DIRECTOR OF LIQUOR CONTROL

EXECUTIVE SESSION: Pursuant to Haw. Rev. Stat. ("H.R.S.") §92-4 and §92-5 (a) and (2) and (4), the purpose of this Executive Session is for the deliberation and decision-making by the Commission relating to the hiring of a consultant and other related items, to approve or amend the Executive Session Minutes of March 4, 2021 and March 18, 2021, 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 the following agenda items:

APPROVAL OF MINUTES:

- a. Executive Session Minutes of March 4, 2021
- b. Executive Session Minutes of March 18, 2021

6. PRESENTATION, DISCUSSION AND POSSIBLE ACTION ON THE HIRING OF A CONSULTANT TO ASSIST WITH THE ORIENTATION OF THE NEW DIRECTOR

RETURN TO OPEN SESSION

ROLL CALL FOR THE RETURN TO OPEN SESSION

RATIFY THE ACTIONS TAKEN IN EXECUTIVE SESSION

EXECUTIVE SESSION: Pursuant to Haw. Rev. Stat. ("H.R.S.") §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 H.R.S. §92-5(a).

ADJOURNMENT

WRITTEN TESTIMONY

Persons wishing to offer comments are encouraged to submit written testimony at least 24-hours prior to the meeting and must indicate:

1. Your name and if applicable, your position/title and organization you are representing
2. The agenda item that you are providing comments on; and

Send written testimony to:

Liquor Control Commission
C/o Office of Boards and Commissions
Pi'ikoi Building 4444 Rice Street, Suite 300
Līhu'e, Hawai'i 96766
E-Mail: mkelekoma@kauai.gov
Phone: (808) 241-4918

SPEAKER REGISTRATION

Prior to the Day of the Meeting: Persons wishing to testify are requested to register their name, phone number, and agenda item via email at mkelekoma@kauai.gov or by calling 808 241-4918.

On the Day of the Meeting: Persons who have not registered to testify by the time the Commission meeting begins will be given an opportunity to speak on an item following oral testimonies of registered speakers. The length of time allocated to person(s) wishing to present verbal testimony may be limited at the discretion of the chairperson or presiding member.

SPECIAL ASSISTANCE

If you need an auxiliary aid/service or other accommodation due to a disability, or an interpreter for non-English speaking persons, contact Malialani Kelekoma at (808) 241-4918 or mkelekoma@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 alternate formats such as large print, Braille, or electronic copy.