

AGENDA
KAUAI LIQUOR CONTROL COMMISSION
THURSDAY, AUGUST 1, 2019, 4:00 P.M.
LIHUE CIVIC CENTER, MO'IKEHA BUILDING
MEETING ROOM #3
4444 RICE STREET
LIHUE, KAUAI, HAWAII

CALL TO ORDER

ROLL CALL

APPROVAL OF AGENDA

APPROVAL OF MEETING MINUTES:

Open Session minutes of June 27, 2019

1. PUBLIC HEARING:

- a) PINT SIZE HAWAII: Application No. 2019-086 was filed on May 15, 2019 by Pint Size Hawaii Manager, LLC dba Pint Size Hawaii for a New Wholesale Dealer General license at 4255 Hanahao Street, Lihue, Kauai, Hawaii. The Commission accepted Application No. 2019-086 for publication and public hearing on June 6, 2019 and ordered to print notices of public hearing in The Garden Island on Wednesdays, June 12 & 19, 2019, scheduling the public hearing on August 1, 2019 at 4:00 p.m. or shortly thereafter in Meeting Room #3 of the Līhu'e Civic Center, Mo'ikeha Building, 4444 Rice Street, Līhu'e, Kauai, Hawaii.
- b) SIP WINE AND BEER BAR: Application No. 2019-087 was filed on May 17, 2019 by QSI, Inc. dba Sip Wine and Beer Bar for a New Dispenser General (no live entertainment and dancing) license at 3-2600 Kaumualii Highway, Lihue, Kauai, Hawaii. The Commission accepted Application No. 2019-087 for publication and public hearing on June 6, 2019 and ordered to print notices of public hearing in The Garden Island on Wednesdays, June 12 & 19, 2019, scheduling the public hearing on August 1, 2019 at 4:00 p.m. or shortly thereafter in Meeting Room #3 of the Līhu'e Civic Center, Mo'ikeha Building, 4444 Rice Street, Līhu'e, Kauai, Hawaii.

2. VIOLATION HEARINGS:

- a) WALMART SUPERCENTER #2308: Violation of HRS 281-78(b)(1)(A) Prohibitions
- b) WHALERS GENERAL STORE #1158: Violation of HRS 281-78(b)(1)(A) Prohibitions
- c) AOAO OF HANALEI BAT RESORT: Violation of HRS 281-78(b)(1)(A) Prohibitions
- d) KOLOA LANDING AT POIPU BEACH: Violation of HRS 281-78(b)(1)(A) Prohibitions
- e) LONGS DRUGS #10474: Violation of HRS 281-78(b)(1)(A) Prohibitions
- f) MARKETPLACE EXPRESS: Violation of HRS 281-78(b)(1)(A) Prohibitions
- g) PONO MARKET: Violation of HRS 281-78(b)(1)(A) Prohibitions
- h) ISHIHARA MARKET: Violation of HRS 281-78(b)(1)(A) Prohibitions
- i) WAILUA COUNTRY STORE: Violation of HRS 281-78(b)(1)(A) Prohibitions

3. DIRECTOR'S REPORTS:

- a) INVESTIGATORS' REPORTS:

b) INCOMING COMMUNICATIONS:

- 1) From Resort Management International, Inc., Re: Notification of Movies at the Pool Events.
- 2) Disturbance Report from Nawiliwili Tavern.

c) OUTGOING COMMUNICATIONS:

- 1) To All Wholesale Licensees, Re: Sushi Bushido LLC and Kalama Beach Corporation, new liquor licenses.

d) EMPLOYEES IN LICENSED PREMISES:

Managers and Assistant Managers – See Attachment “A”

e) ACTIONS OF THE DIRECTOR:

- 1) TORTILLA REPUBLIC KITCHEN & MARGARITA BAR: Approval of special request for temporary increase of premises to include the area adjacent to the lanai per diagram submitted, on August 7, 14, 21, 28, 2019, September 4, 11, 18, 25, 2019, October 2, 9, 16, 23, 30, 2019 from 3:30 p.m. to 6:30 p.m. and August 30, 2019 September 20, 2019, October 18, 2019 from 5:30 p.m. to 9:30 p.m.
- 2) BEACH HOUSE RESTAURANT: Approval of special request for temporary increase of premises to include the patio lawn space per diagram submitted, on August 2, 10, 16, 17, 22, 23, 24, & 31, 2019 from 5:00 p.m. to 10:00 p.m.
- 3) MERRIMAN’S KAUAI: Approval of special request for temporary increase of premises to include the Palm Court area fronting the restaurant, per diagram submitted, on August 7, 14, 21, 28, 2019, September 4, 11, 18 & 25, 2019, October 2, 9, 16, 23 & 30, 2019 from 3:30 p.m. to 6:30 p.m. and August 30, 2019, September 20, 2019 and October 18, 2019 from 5:30 p.m. to 9:30 p.m.

f) INFORMATIONAL MATTERS

4. THE COMMISSION WILL BE EXERCISING ITS ADJUDICATORY FUNCTIONS PURSUANT TO HAWAII REVISED STATUTES (“HRS”) SECTIONS 92-6 AND 91-9 FOR THE FOLLOWING ITEMS AND THEREFORE, THIS PART OF THE MEETING IS EXEMPT FROM SUNSHINE LAW (HRS 92) UNDER 92-6 (a)(2) AND NO PUBLIC TESTIMONY WILL BE TAKEN:

Deliberation and Decision-Making on Application No. 2019-070 filed by LBD Coffee, LLC. Public Hearing held on May 16, 2019.

5. ANNUAL EVALUATION OF THE DIRECTOR:

Discussion and decision-making on finalizing the evaluation tool and evaluation process, and possibly beginning the evaluation process.

ANNOUNCEMENTS:

Next Scheduled Meeting: Thursday, August 15, 2019 – 4:00 pm, Mo‘ikeha Building, Meeting Room #3.

ADJOURNMENT:

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).

NOTE: If you need an auxiliary aid/service or other accommodation due to a disability, or an interpreter for non-English speaking persons, contact the Liquor Control Department at 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 alternate formats such as large print, Braille, or electronic copy.