



LIQUOR CONTROL COMMISSION

WILLIAM GIBSON, CHAIR
DEE CROWELL, VICE CHAIR

LELAND KAHAWAI, MEMBER
RANDALL NISHIMURA, MEMBER
GARY PACHECO, MEMBER

REGULAR MONTHLY TELECONFERENCE MEETING NOTICE AND AGENDA

Thursday, April 15, 2021
10:00 a.m. or shortly thereafter

Microsoft Teams Audio: + 1 469-848-0234, Conference ID: 688 075 952#

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, May 6, 2021 – 10:00 a.m. via Tele-Conference.

APPROVAL OF AGENDA

APPROVAL OF MINUTES:

- a. Open Session Minutes of February 4, 2021
- b. Executive Session Minutes of February 4, 2021

1. PUBLIC HEARING

SONESTA INTERNATIONAL HOTELS CORP dba ROYAL SONESTA KAUAI RESORT:

Application 2021-019 filed on February 9, 2021 for a transfer of Hotel License No. (Lic #12G-013) from ESSEX HOUSE CONDIMINIUM CORPORATION dba KAUAI MARRIOTT RESORT to SONESTA INTERNATIONAL HOTELS CORP dba ROYAL SONESTA KAUAI RESORT located at 3610 Rice Street, Lihue, Kauai, Hawaii.

2. DIRECTOR'S REPORTS:

- a) INVESTIGATORS' REPORTS:
- b) INCOMING COMMUNICATIONS:

- 1) From Milbrandt Family Wines Re: Annual Direct Shipment Report.
- 2) From: Layne Silva-Department of Liquor Control, County of Maui Re: Structure and positions in Kauai Liquor Office.

c) OUTGOING COMMUNICATIONS:

- 1) All Wholesalers Re. Temporary License for Sonesta International Hotels Corp. dba Royal Sonesta Kauai Resort.
- 2) All Wholesalers Re. Approved Transfer of License for Sonesta International Hotels Corp. dba Royal Sonesta Kauai Resort.
- 3) From: Layne Silva-Department of Liquor Control, County of Maui Re: Structure and positions in Kauai Liquor Office.

d) EMPLOYEES IN LICENSED PREMISES:

Managers and Assistant Managers – See Attachment “A”

e) ACTIONS OF THE DIRECTOR:

- 1) THE DOLPHIN POIPU: Approval of Temporary Increase of Premise to include their lanai area as a Beer Garden and Wine Bar, per diagram submitted for a Culinary Market. Dates of temporary increase are Wednesday's, April 7, 14, 21, & 28, 2021, 3:30pm - 6:30pm.
- 2) THE DOLPHIN POIPU: Approval of Temporary Increase of Premise to include their lanai area as a Beer Garden and Wine Bar, per diagram submitted for a Culinary Market. Dates of temporary increase are Wednesday's, May 5, 12, 19, & 26, 2021, 3:30pm - 6:30pm.
- 3) THE DOLPHIN POIPU: Approval of Temporary Increase of Premise to include their lanai area as a Beer Garden and Wine Bar, per diagram submitted for a Culinary Market. Dates of temporary increase are Wednesday's, June 2, 9, 16, 23, 2021, 3:30pm – 6:30pm.
- 4) WRANGLER'S STEAKHOUSE: Approval of Temporary Increase of Premise fronting the restaurant as shown on the diagram. Dates of increase are from April 1, 2021 through June 30, 2021, 10:00am – 11:00pm.
- 5) ISLAND SCHOOL: Approval of a Retail General Special 1-day License No. 2021-09. Event to be held online on April 10, 2021 from 4:00pm to 7:00pm. Purpose of event is to raise funds for the school's financial aid and general programs.
- 6) ISLAND SCHOOL: Approval of a Retail General Special 1-day License No. 2021-10. Event to be held online on April 16, 2021 from 7:00am to 6:00pm. Purpose of event is to pick up auction items conducted on fundraising event on April 10, 2021.
- 7) KEOKI'S PARADISE: Approval of Temporary Increase of Premise to include 200 sq ft of their front area of the restaurant, per diagram submitted. Dates of increase are from April 5, 2021 to July 5, 2021. 11:00am – 10:pm.

- 8) 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 Sunday, May 2, 2021 from 4:00pm – 7:00pm.
- 9) 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 May 5, 6, 7, 2021, from 5:00pm – 10:00pm.
- 10) 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 Monday, May 10, 2021, from 5:30pm – 10:00pm.
- 11) 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 May 11, 12, 2021, from 5:00pm – 10:00pm.
- 12) 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 May 13, 2021, from 5:30pm – 10:00pm.
- 13) 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 May 14 & 17, 2021, from 5:00pm – 10:00pm.
- 14) 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 Tuesday, May 18, 2021, from 5:00pm – 7:00pm.
- 15) 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 May 19, 22, 23, 25, 26, & 28, 2021, from 5:00pm – 10:00pm.

f) INFORMATIONAL MATTERS

3. VIOLATION REPORT:

- a) KALAMA BEACH CORPORATION dba MARKET AT KILAUEA: Violation of Rule 7.8 Manager on duty, qualifications.

4. CHANGE IN AUTHORIZED AGENT/OFFICERS:

- a) SAFEWAY INC.: Designation of Gary R. Morton, the VP/T/AS/D as the primary decision maker for the purchase and sale of liquor for Safeway Inc. dba Safeway Stores, License No. 4G-011 and License No. 4G-051.
- b) HOKUALA GOLF MANAGEMENT LLC: Addition of Ruth E. Engle as President, Jay M. McGrath as Vice President, Jeffrey L. Hansen as Secretary. Deletion of Joseph D. Livingood as President and Peter M. Hill as Secretary for Hokuala Golf Management LLC dba The Ocean Course at Hokuala.
- c) RESORT MANAGEMENT INTERNATIONAL, INC. A CALIFORNIA CORPORATION: Withdrawal of Jason Daniel Toste as President, Secretary, & Director. Withdrawal of Lisa Marie Gann as Treasurer & Chief Financial Officer. Withdrawal of Elizabeth Rue

Brennan as Vice President and Secretary. Withdrawal of David Lynn as Vice President. Withdrawal of Yanna T. Huang as Treasury. Appointment of Robert Calder Huntington as President, Secretary, Treasurer, and Director for Resort Management International, Inc., A California Corporation dba The Point at Poipu.

4. CONTINUANCE PERMANENT INCREASE OF PREMISES: (3-18-21, 4-1-21)

ZEPHYR FARMS LLC dba THE HANAIEI BREAD COMPANY:

Request for permanent increase of premises to include the space formally ran by “Shave Ice Paradise”.

5. NEW LIQUOR LICENSE:

CLOROSHKO LLC dba PACO’S TACOS CANTINA KAPAA: Application No. 2021-021 was filed on March 20, 2021 by CLOROSHKO LLC dba PACO’S TACOS CANTINA KAPAA for a New Restaurant General (Live entertainment with dancing) license located at 4-1292 Kuhio Highway, Kapaa, Kauai, Hawaii. Deposited \$450.00.

6. DISCUSSION AND DECISION-MAKING ON ESTABLISHING A PERMITTED INTERACTION GROUP. THE PURPOSE OF THE GROUP IS TO DRAFT THE 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 new Director of Liquor Control and other related items, 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:

7. UPDATE, DISCUSSION AND POSSIBLE DECISION-MAKING ON MATTERS RELATED TO THE HIRING OF THE DIRECTOR OR LIQUOR CONTROL

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.