



LIQUOR CONTROL COMMISSION

DEE CROWELL, CHAIR
LELAND KAHAWAI, VICE CHAIR

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

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

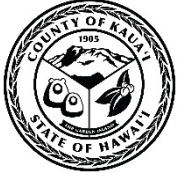
- Meetings will be publicly noticed pursuant to HRS Chapter 92.
- Minutes of meetings will be completed pursuant to HRS Chapter 92 and posted to the Liquor Control Commission's website upon completion and approval.

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, your 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 members after the meeting is concluded.
- **Oral testimony** will be taken during the public testimony portion of 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.



LIQUOR CONTROL COMMISSION

DEE CROWELL, CHAIR
LELAND KAHAWAI, VICE CHAIR

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

REGULAR MONTHLY MEETING NOTICE AND AGENDA

Thursday, June 23, 2022
4:00 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: Thursday, July 14, 2022 – 4:00 p.m. or shortly thereafter

D. APPROVAL OF AGENDA

E. CONSENT AGENDA

1. APPROVAL OF MINUTES: June 9, 2022
2. DIRECTORS REPORT: June 1, 2022 – June 14, 2022
3. EMPLOYEES IN LICENSED PREMISES:

Managers and Assistant Managers Red/Blue Card exam list - See Attachment "A"

4. ACTIONS OF THE DIRECTOR:

a. REQUEST FOR FREE-ONE DAY SPECIAL LICENSE:

1. NAWILIWILI YACHT CLUB dba NAWILIWILI YACHT CLUB: Approval of Application No. Free 2022-37 filed on June 7, 2022, by Nawiliwili Yacht Club for a Free One-day Special Dispenser license on June 24, 2022, at 2494 Niumalu Road, Lihue, Hawaii.

b. SPECIAL LICENSE APPLICATIONS:

1. NSPLL, LLC. dba North Shore Preserve: Approval of Application No. 2022-077 for Special License No. SG 2022-04, filed by NSPLL, dba North Shore Preserve for a Special Dispenser license on June 23, 2022, at Common Ground, 4900 Kuawa Road, Kilauea, Kauai, Hawaii.

5. PERMANANT DECREASE OF PREMISES:

- a. VAN WESCOMP HAWAII INC. dba Koa Kea Hotel & Resort: Request permanent decrease in premises approximately 650 square feet of space to include the front desk area and sundry area as diagramed to make space for a new retail general license that is proposed to utilize the space. Landlord clearance has been obtained and approved prior to the request.

6. AUTHORIZED AGENT:

- a. Pride of America Ship Holding, LLC.: Authorization for Dawn A. Esuga and Alex M. Chun as Counsel and Authorized agent for Pride of America Ship Holding, LLC.

7. CHANGE IN OFFICERS/DIRECTORS/MEMBERS:

- a. Kawailoa Development LLP, dba Grand Hyatt Kauai Resort & Spa and Poipu Bay Clubhouse (12G-002 & 5G-028) reports the deletion of Hidetaka Hashimoto as Auditor, Jun Fukuda as Vice President, Kunihiro Nowatari as Treasurer and Toshiaki Shindo as Treasurer. Addition of Kohei Aso as Auditor, Jun Fukada as Executive Vice President, Toshiro Shindo as Vice President/Secretary and Hiroki Matsuda as Vice President/Treasurer.

F. PUBLIC TESTIMONY:

G. PUBLIC HEARINGS:

1. CLOROSHKO LLC. dba PACO'S TACOS CANTINA KAPAA: Application No. 2022-035 was filed on July 20, 2021, by Cloroshko LLC. dba Paco's Tacos for a New Restaurant General (A) No live Entertainment and no dancing located at 4-1292 Kuhio Highway, Kapaa, Kauai, Hawaii. Deposited \$450.00
 - a. All legal requirements have been met for today's public hearing.
 - b. The applicant has sent out notices to property owners or lessees of records within 500 feet of the proposed premises and up until the time of the public hearing the department has not received any letters in support or opposition to this application.

2. CG HOSPITALITY, LLC. dba FARMSHOP COMMON GROUND: Application No. 2022-058 was filed on April 1, 2022, for a New Restaurant General (B) Live Entertainment and Dancing located at 4900 Kuawa Rd. Kilauea, Kauai, Hawaii. Deposited \$450.00
 - a. All legal requirements have been met for today's public hearing.
 - b. The applicant has sent out notices to property owners or lessees of records within 500 feet of the proposed premises and up until the time of the public hearing the department has not received any letters in support or opposition to this application.
3. GORDON LLC. dba TABLE AT POIPU: Application No. 2022-051 was filed on February 4, 2022, by Gordon LLC. dba Table at Poipu for a New Restaurant (B) Live Entertainment, No Dancing License located at 2829 Ala Kalanikaumaka Street, Koloa, Kauai, Hawaii. Deposited \$450.00
 - a. All legal requirements have been met for today's public hearing.
 - b. The applicant has sent out notices to property owners or lessees of records within 500 feet of the proposed premises and up until the time of the public hearing the department has not received any letters in support or opposition to this application.

H. PRELIMINARY HEARINGS (NEW LICENSE):

1. VAN WESCOMP HAWAII INC. dba VAN WESCOMP HAWAII INC.: Application No. 2022-073 was filed on May 26, 2022, by Van Wescomp Hawaii Inc. dba Van Wescomp Hawaii Inc. For a Retail Dealer General license located at 2251 Poipu Road, Koloa, Kauai, Hawaii. Deposited \$450.00
2. AG AVALON, LLC. dba AVALON GASTROPUB: Application No. 2022-074 was filed on June 7, 2022, by AG AVALON, LLC. dba AVALON GASTROPUB for a New Restaurant General (B) with Live Entertainment and Dancing located at 2555 Ala Namahana Parkway, Kilauea, Kauai, Hawaii Deposited \$450.00
3. AG AVALON, LLC. dba AVALON WHISKEY SHOP: Application No. 2022-075 was filed on June 7, 2022, by AG AVALON, LLC. dba AVALON WHISKEY SHOP for a New Retail Dealer General license located at 2555 Ala Namahana Parkway, Kilauea, Kauai, Hawaii, Deposited \$ 450.00

I. VIOLATION REPORT:

1. KENJI BURGER KAPAA dba Kenji Burger Kapaa: Violation of rule 3.12 Commission Orders.
2. NAWILIWILI TAVERN dba Nawiliwili Tavern: Violation of rule 7.13 Fight and Disturbance Reports.

J. ADJUDICATION HEARINGS:

1. CLOROSHKO LLC. dba Paco's Tacos (Kalaheo) 2G-073: Violation of rule 7.8(a) Manager on duty, Qualifications.
 - a. Cloroshko LLC. Is licensed as a restaurant permitted to sell liquor for on-premises consumption.
 - b. On April 5, 2022, at 3:45PM, Investigator Berry entered the location to conduct a routine inspection. At the time of the inspection the location did not have a blue card holder on duty.
 - c. Violation History within 24 months: No prior violation at this location or the others under the same DBA.

K. DISCUSSION AND POSSIBLE DECISION MAKING ON DIRECTORS PHYSICAL RESIDENCY REQUIREMENTS AND SCHEDULE (Human Resources Representative has been requested to be present)

1. Discussion of physical residency requirements of the Director of Liquor Control.
2. Discussion about a possible hybrid physical/teleworking work schedule for the Director of Liquor Control.

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, 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 SESSION MINUTES: June 9, 2022

M. RETURN TO OPEN SESSION

N. ROLL CALL FOR THE RETURN TO OPEN SESSION

O. RATIFY ACTIONS TAKEN IN EXECUTIVE SESSION

P. 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)

Q. ADJOURNMENT

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.