



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, July 8, 2021
10:00 a.m. or shortly thereafter

Microsoft Teams Audio: + 1 469-848-0234, Conference ID: 740 614 177#

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 22, 2021 – 10:00 a.m. via Tele-Conference.

APPROVAL OF AGENDA

1. PUBLIC HEARING:

AINA KAUAI RESTAURANT LLC: Application No. 2021-023 was filed on April 7, 2021 by AINA KAUAI RESTAURANT LLC dba AINA KAUAI RESTAURANT for a New Restaurant General (No Live entertainment and No dancing) license located at 4-985 Kuhio Highway, Kapaa, Kauai, Hawaii. The Commission accepted Application No. 2021-023 for publication and public hearing on May 6, 2021 and ordered to print notice of public hearing in The Garden Island newspaper on Wednesdays, May 12 and May 19, 2021, scheduling the public hearing on July 8, 2021 at 10:00 a.m. or shortly thereafter via Microsoft Teams conferencing only.

2. DIRECTOR'S REPORTS:

a) INVESTIGATORS' REPORTS:

b) OUTGOING COMMUNICATIONS:

- 1) To All Wholesalers, Re: Renewal and Non-Renewal of Liquor Licenses for Fiscal Year 2022.

c) EMPLOYEES IN LICENSED PREMISES:

Managers and Assistant Managers – See Attachment “A”

d) ACTIONS OF THE DIRECTOR:

1) DUKE’S CANOE CLUB: Approval of Temporary Increase of Premise to include the grass area fronting the restaurant for a consumption area, per diagram submitted. Dates of temporary increase effective July 6, 2021, through August 9, 2021 from 10:30am - 10:30pm.

3. RENEWAL OF LIQUOR LICENES: See Attachment “B”

4. NON-RENEWAL OF LIQUOR LICENES: See Attachment “C”

5. CHANGE IN OFFICERS:

a) KAUAI KOOKIE LLC: Removal of Jason H. Hino as Chief Financial Officer for Kauai Kookie LLC dba Kauai Kookie Bakery & Kitchen License No. 4G-035.

b) POIPU BEACH VILLAS LLC: Removal of Bruce Kent England as President, Jeffrey Chlarson Flamm, David Snelgrove Flamm, Ryan J Richie as Directors for Poipu Beach Villas LLC dba Koloa Landing at Poipu License No. 4G-004.

2. NEW LIQUOR LICENSE:

a) THE SUGAR MILL LLC dba KIAWE ROOTS: Application No. 2021-056 was filed on May 20, 2021 by THE SUGAR MILL LLC dba KIAWE ROOTS for a New Restaurant General A (No Live entertainment and no dancing) license located at 2-3687 Kaumuali’i Highway, Lawai, Kauai, Hawaii. Deposited \$450.00.

b) KAUAI LIVING FOODS, LLC dba LIVING FOODS RESTAURANT: Application No.2022-001 was filed on June 29, 2021 by KAUAI LIVING FOODS, LLC dba LIVING FOODS RESTAURANT for a New Restaurant General license located at 2629 Ala Kalanikaumaka Street D124, Koloa, Kauai, Hawaii. Deposited \$450.00.

c) KAUAI LIVING FOODS, LLC dba LIVING FOODS MARKET: Application No.2022-002 was filed on June 29, 2021 by KAUAI LIVING FOODS, LLC dba LIVING FOODS MARKET for a New Retail General license located at 2629 Ala Kalanikaumaka Street D124, Koloa, Kauai, Hawaii. Deposited \$450.00.

3. VIOLATION REPORT:

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

b) MPK Management Co. LLC dba BEACH HOUSE RESTAURANT: Violation of HRS Sec 281-3 (c) (1) Licenses, classes.

4. DISCUSSION AND POSSIBLE ACTION ON THE FORMATION OF A PERMITTED INTERACTION GROUP ON DRAFTING AN JOB PERFORMANCE EVALUATION TOOL FOR THE DIRECTOR OF LIQUOR CONTROL AND ANY RELATED RECOMMENDATIONS

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 April 1, 2021 and April 15, 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 April 1, 2021
- b. Executive Session Minutes of April 15, 2021

5. DISCUSSION AND POSSIBLE ACTION ON THE ANNUAL EVALUATION OF THE ACTING DIRECTOR

6. DISCUSISON AND POSSIBLE ACTION REGARDING THE APPOINTMENT OF THE DIRECTOR AND THE EXPANSION OF OTHER JOB DUTIES

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.