



## LIQUOR CONTROL COMMISSION

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**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:**

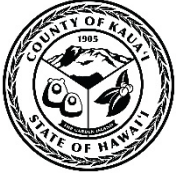
- Meetings will be publicly noticed pursuant to HRS Chapter 92.
- Minutes of meetings will be completed pursuant to HRS Chapter 92 and posted to the Liquor Control Commission's website upon completion and approval.

### **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](mailto: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 to the members after the meeting is concluded.
- **Oral testimony** will be taken at any time during 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](mailto: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.



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### REGULAR MONTHLY MEETING NOTICE AND AGENDA

Wednesday, August 24, 2022  
1:00 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: Wednesday, September 14, 2022 – 1:00 p.m. or shortly thereafter.

**D. APPROVAL OF AGENDA**

**E. CONSENT AGENDA:**

1. APPROVAL OF MINUTES:

2. DIRECTORS REPORT: August 3, 2022 - August 18, 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. KAUAI MUSEUM ASSOCIATION LIMITED dba KAUAI MUSEUM ASSOCIATION LIMITED: Approval of Application No. 2023-05 filed on August 11, 2022. Event to be held on September 15, 2022, at the Kauai Museum located at 4428 Rice Street, Lihue, Kauai, Hawaii.

2. HAWAII HOTEL INDUSTRY FOUNDATION dba HAWAII HOTEL INDUSTRY FOUNDATION: Approval of Application No. 2023-04 filed on August 10, 2022. Event to be held on August 20, 2022, at Vidinha Stadium, Hoolako Street, Kauai, Hawaii.
  3. NATIONAL TROPICAL BOTANICAL GARDEN dba NATIONAL TROPICAL BOTANICAL GARDEN: Approval of Application No. 2023-06 filed on July 20, 2022. Event to be held on August 20, 2022, at 4425 Lawai Road, Koloa, Kauai, Hawaii.
- b. APPLICATION FOR PRODUCT TASKING PERMIT:
1. Safeway, Inc. dba Safeway Store #2894 (4G-011) : Approval of product tasting permit to be conducted at 4454 Nuhou Street, Lihue, Kauai, Hawaii on August 19th, 2022 and August 26<sup>th</sup>, 2022.
- c. REQUEST FOR OFF-PREMISE WAREHOUSING:
1. DHC FOOD & BEVERAGE CORP. dba THE MARKET: Request for off-premise warehousing, per diagram submitted, located within the Sheraton Kauai Resort
5. REQUEST FOR APPROVAL OF PERMANENT REDUCTION OF PREMISES:
- a. DHC FOOD & BEVERAGE CORP dba SHERATON KAUAI COCONUT BEACH RESORT: Request for permanent reduction within the licensed premise in the basement of the hotel, per diagram submitted.
6. AUTHORIZED AGENT NOTIFICATION:
- a. MPK Management-IP2, LLC dba The Beach House (2G-045): Authorization for Laura Blaho, Controller; Sara Hill, CEO and Erica Dunn, General Manager, to act as authorized agents for MPK Management- IP2, LLC. dba The Beach House.
  - b. Kawailoa Development LLP dba Poipu Bay Clubhouse (5G-028): Authorization for Russell S. Kato, Attorney; Jennifer Chin, Attorney; Jill Nakagawa, Legal Assistant and Tanya David, Attorney to act as authorized agents for Kawailoa Development LLP dba Poipu Bay Clubhouse.
7. CHANGE IN OFFICERS/ DIRECTORS/MEMBERS:
- a. AOAO of Hanalei Bay Resort dba AOAO of Hanalei Bay Resort (4BW-002) & The Pool Bar (5G-003): reports the deletion of Deborah Fraga-Decker as Secretary; Joan Bettencourt as Director and the addition of Gene Stout and Andy Muxlow as Directors.
  - b. Light House Bistro LLC. dba The Bistro Kilauea (2G-008): reports the addition of John Gordon as a member.

- c. The Kalama Beach Corporation dba Kilauea Market+Café (2G-088), Kilauea+Café (4G-059) and Ishihara Market (4G-024): reports the deletion of Keoni Matthew Sun Tim Chang as Vice President, and the addition of Stacy Marie Kupio Waiau-Omori as Senior Vice President.
- d. The Food Pantry, LTD. dba Whalers General Store (4G-066), Whalers General Store (4G-064), Accents (4G-005), Accents(4G-004) and Lamonts Gifts & Sundry(4G-056): reports the addition of Stacy Marie Kuipo Waiau-Omori, and Jamie Kiyomi Tokunaga-Magno both as Senior Vice President.

**F. PUBLIC TESTIMONY ON ALL AGENDA ITEMS:**

**G. ADOPTION OF DECISION AND ORDER:**

1. TRU PROTECTION, INC. dba Japanese Grandma's Café (2G-098)
2. VIVA KAI, LLC. dba Kai Bar Coffee Roasters (2G-029)

**H. PUBLIC HEARINGS:**

1. 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 Bldg. J1, Kilauea, Kauai, Hawaii.
2. 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 Bldg. J1, Kilauea, Kauai, Hawaii.
3. VAN WESCOMP HAWAII INC., dba VAN WESCOMP HAWAII, INC.: Application No. 2022-073 was filed May 26, 2022, by Van Wescomp Hawaii Inc. dba Van Wescomp Hawaii Inc. for a new Retail Dealer General license located within the Koa Kea Hotel at 2251 Poipu Road, Koloa, Kauai, Hawaii.

**I. PRELIMINARY HEARING (NEW LICENSE)**

1. DRIFT KAUAI, LLC. dba DRIFT KAUAI: Application No. 2023-007 was filed on July 26, 2022, by Drift Kauai, LLC. dba Drift Kauai for a new Restaurant General (A) No Live Entertainment and No Dancing license to be located at 3540 Koloa Road (Food Truck Space #5), Kalaheo Kauai, Hawaii.

**J. ACTION REQUESTED ON SCHEDULED CONTESTED HEARING:**

1. BAMF, LLC. dba BATTERS UP: located at 1639 Haleukana St. Unit 1&2, Lihue, Kauai, Hawaii, Violation of Rule 7.8, Manager on Duty.

**K. VIOLATION REPORT:**

1. RESORT MANAGEMENT INTERNATIONAL INC. A CALIFORNIA CORPORATION dba THE POINT AT POIPU: located at 1613 Pee Road, Poipu, Kauai, Hawaii, Violation of Rule 7.8(a), Manager on Duty.
2. SHIVALIK INDIAN CUISINE LLC. dba SHIVALIK INDIAN CUISINE: located at 4-771 Kuhio Hwy. Kapaa, Kauai, Hawaii, Violation of Rule 4.7, Gross liquor Sales reports, percentage fee, and records.
3. RED ROOSTER RESTAURANTS, LLC. dba FISH BAR DELI: located at 4-1380 Kuhio Hwy, Kapaa, Kauai, Hawaii, Violation of Rule 4.7, Gross liquor Sales reports, percentage fee, and records.

**L. ADJUDICATION HEARINGS:**

1. TAHITI NUI ENTERPRISES INC. dba Tahiti Nui: located at 5-5134 Kuhio Hwy, Hanalei, Kauai, Hawaii, Violation of Rule 2.6, Renewal of license.
  - a. Tahiti Nui Enterprises Inc. is licensed as a restaurant permitted to sell liquor for on premises consumption.
  - b. Tahiti Nui Enterprises Inc. failed to submit application renewal of license no later than June 30<sup>th</sup> of each year. On July 7th, 2022, contrary to Rule 2.6 of the Rules and Regulations of the Liquor Control Commission of the County of Kauai, State of Hawaii.
  - c. Violation History within 24 months: None

**M. ADJOURNMENT**

**N. 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)

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](mailto:mkelekoma@kauai.gov) to request access.