



## LIQUOR CONTROL COMMISSION

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**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, September 9, 2021  
10:00 a.m. or shortly thereafter

#### **Microsoft Teams Conferencing Information**

**Click on the link below to join on your computer or mobile app by VIDEO:**

<https://bit.ly/3DoQvm7>

Or

**Dial phone number and enter conference ID to call in and join by AUDIO:**

Phone: [+1 469-848-0234](tel:+14698480234) United States, Dallas

Phone Conference ID: 880 370 951#

**This meeting will be held via Microsoft Teams conferencing only. Members of the public are invited to join this meeting by using the link above or 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 or mail. To avoid excessive noise/feedback, please mute your microphone except to testify.**

**A. CALL TO ORDER**

**B. ROLL CALL**

**C. ANNOUNCEMENTS:**

Next Scheduled Meeting: Thursday, September 23, 2021 – 4:00 p.m. or shortly thereafter

**D. APPROVAL OF AGENDA**

**E. APPROVAL OF MINUTES:**

1. Open Session Minutes of July 8, 2021
2. Open Session Minutes of July 22, 2021

**F. PUBLIC HEARING:**

1. 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 Kaunuali'i Highway, Lawai, Kauai, Hawaii. The Commission accepted Application No. 2021-056 for publication and public hearing on July 8, 2021 and ordered to print notice of public hearing in The Garden Island newspaper on Wednesdays, July 14, and July 21, 2021, scheduling the public hearing on September 9, 2021 at 10:00 a.m. or shortly thereafter via Microsoft Teams conferencing only.
2. 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 A (No Live entertainment and no dancing) license located at 2829 Ala Kalanikaumaka Street, Suite D124, Koloa, Kauai, Hawaii. The Commission accepted Application No. 2022-001 for publication and public hearing on July 8, 2021 and ordered to print notice of public hearing in The Garden Island newspaper on Wednesdays, July 14, and July 21, 2021, scheduling the public hearing on September 9, 2021 at 10:00 a.m. or shortly thereafter via Microsoft Teams conferencing only.
3. 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 2829 Ala Kalanikaumaka Street, Suite D124, Koloa, Kauai, Hawaii. The Commission accepted Application No. 2022-002 for publication and public hearing on July 8, 2021 and ordered to print notice of public hearing in The Garden Island newspaper on Wednesdays, July 14, and July 21, 2021, scheduling the public hearing on September 9, 2021 at 10:00 a.m. or shortly thereafter via Microsoft Teams conferencing only.

**G. DIRECTOR'S REPORTS:**

1. DIRECTOR REPORT:

- a. August 26 – September 1, 2021

2. INVESTIGATORS ACTIVITY REPORTS:

3. EMPLOYEES IN LICENSED PREMISES:

- a. Managers and Assistant Managers - See Attachment "A"

**H. ACTIONS OF THE DIRECTOR:**

- 1. SUSHI BUSHIDO LLC dba SUSHI BUSHIDO: Approval of Temporary Extension of Premises to include the outside seating. The space is approximately twelve feet by eighty-three feet. Located at 4-484 Kuhio Highway J9-11, Kapaa Kauai, Hawaii on March 30, 2021 from 11:00 am through 1:00 am.

**I. INFORMATIONAL MATTERS:**

1. LICENSEE TRADE NAME CHANGE:

- a. RED ROOSTER RESTAURANTS, LLC: Red Rooster Restaurants, LLC submitted a request for change of dba from "The Local Kauai" to "Fish Bar Deli" License No. 2G-026. A certificate of Registration of Trade Name was submitted with the request of trade name change. Date Received by Department of Liquor Control, August 12, 2021

**J. TRANSFER LIQUOR LICENSE:**

- 1. THE ODOM CORPORATION dba THE ODOM CORPORATION: Application No. 2022-009 was filed on July 26, 2021, by The Odom Corporation dba The Odom Corporation for a transfer of Wholesale Dealer General No. 3G-007 from Anheuser-Busch Sales of Hawaii, Inc. dba Anheuser-Busch Sales of Hawaii. The Odom Corporation dba the Odom Corporation located at 2955 Waapa Road, Lihue, Kauai, Hawaii. Deposited \$335.00.

**K. TEMPORARY LIQUOR LICENSE:**

1. THE ODOM CORPORATION dba THE ODOM CORPORATION: Application No. 2022-010 was filed on August 19, 2021, by The Odom Corporation dba The Odom Corporation for a temporary liquor license to operate Wholesale Dealer General License No. 3G-007 located at 2955 Waapa Road, Lihue, Kauai, Hawaii. Deposited \$335.00.

**L. PERMANENT REDUCTION:**

1. DHC Food & Beverage Corporation dba Sheraton Kauai Beach Resort: Lic. No. 12G-006, Request for permanent reduction of premises area to accommodate new location of retail space within hotel. See diagram. Located at 650 Aleka Loop, Kapaa, Kauai, Hawaii.

**M. PERMANENT INCREASE:**

1. DHC Food & Beverage Corporation dba Sheraton Kauai Beach Resort: Lic. No. 12G-006, Request for permanent increase of premises for a new location retail space within hotel. See diagram. Located at 650 Aleka Loop, Kapaa, Kauai, Hawaii.

**N. DISCUSSION AND POSSIBLE ACTION ON THE DIRECTOR OF LIQUOR CONTROL 90 DAY STATUS REPORT (8-26-21)**

**O. DISCUSSION AND POSSIBLE ACTION ON THE RECOMMENDATIONS FROM THE PERMITTED INTERACTION GROUP ON THE DRAFT JOB PERFORMANCE EVALUATION TOOL FOR THE DIRECTOR OF LIQUOR CONTROL AND OTHER RELATED RECOMMENDATIONS**

**P. 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 of July 8, 2021, July 22, 2021, County Attorney's Report on the Liquor Control Commission's questions pertaining to reconsideration of previously rendered in-abeyance penalty 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 MINUTES:**

- a. Executive Session Minutes of July 8, 2021
- b. Executive Session Minutes of July 22, 2021
- c. County Attorney's Report on the Liquor Commission's questions pertaining to reconsideration of previously rendered in-abeyance penalty.

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. RETURN TO OPEN SESSION**

**R. ROLL CALL FOR THE RETURN TO OPEN SESSION**

**S. RATIFY THE ACTIONS TAKEN IN EXECUTIVE SESSION**

**T. 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](mailto: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](mailto: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.

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 Malialani Kelekoma at (808) 241-4918 or [mkelekoma@kauai.gov](mailto:mkelekoma@kauai.gov) to request access.

### 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](mailto: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.