



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 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 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, September 28, 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: October 12, 2022 – 1:00 p.m. or shortly thereafter.

D. APPROVAL OF AGENDA:

E. CONSENT AGENDA:

1. APPROVAL OF MINUTES: August 10, 2022 (Deferred from 9/14/2022) and August 24, 2022.
2. DIRECTOR'S REPORT: September 9, 2022 – September 22, 2022
3. EMPLOYEES IN LICENSED PREMISES:
 - a. Managers and Assistant Managers Red/Blue Card exam list - See Attachment "A"
4. ACTIONS OF THE DIRECTOR:
 - a. Waiving of Rights to a Violation Hearing:
 1. Case No. 2023-002: WB's Exclusive Lounge LLC. dba WB's Exclusive Lounge - 2G-059

b. Transient Vessel License Issued for Ratification:

1. License No. TV-2023-20: Holland America Line N.V. dba MS Westerdam, for a Transient Vessel Liquor License, in Port at Nawiliwili Harbor, Pier 2, Kauai, Hawaii, on October 10, 2022.
2. License No. TV-2023-21: Holland America Line N.V. dba MS Zuiderdam, for a Transient Vessel Liquor License, in Port at Nawiliwili Harbor, Pier 2, Kauai, Hawaii, on October 12, 2022.
3. License No. TV-2023-22: Holland America Line N.V. dba MS Koningsdam, for a Transient Vessel Liquor License, in Port at Nawiliwili Harbor, Pier 2, Kauai, Hawaii, on October 18, 2022.
4. License No. TV-2023-23 and TV-2023-24: Intercruises Shoreside & Port Services dba Radiance of the Seas, for a Transient Vessel Liquor License, in Port at Nawiliwili Harbor, Pier 2, Kauai, Hawaii, on October 1 and 8, 2022.

c. Request for Permanent Reduction of Premises:

1. Kawailoa Development, LLP. dba Poipu Bay Clubhouse (5G-028): located at 2250 Ainako Street, Koloa, Kauai, Hawaii, requested a permanent reduction of premises to include the restaurant and kitchen space leased to a tenant in order to seek out a separate license to sell liquor.

d. Request for Temporary Increase:

1. Duke's Canoe Club, LLC. dba Duke's Canoe Club (2G-007): located at 3500 Rice Street, Lihue, Kauai, Hawaii, requested a temporary increase of premises to include the grass area fronting the restaurant for a consumption area during a special event to be held on October 15, 2022, from 9:00 a.m. to 10:00 p.m.

e. Request for Temporary Decrease:

1. Troy's LLC. dba Troy's (5G-002): located at 3-3100 Kuhio Hwy. C2 and C3, Lihue, Kauai, Hawaii, requested a temporary decrease of premise to include the dining room as indicated on the included diagram for an event on October 1, 2022, from 5:00 p.m. to 8:00 p.m.

f. Request for off-premise warehousing:

1. License No. 2G-004 / AG Avalon LLC. dba Avalon Gastropub: request for temporary off-premises warehousing, per diagram submitted, located at 1481 Haleukana Street, Lihue, Kauai, Hawaii within the Guardian Self Storage Puhi.

F. PUBLIC TESTIMONY ON ALL AGENDA ITEMS:

G. ADOPTION OF DECISION AND ORDER:

1. Case No. 2023-005: Red Rooster Restaurants, LLC. dba Fish Bar Deli.
2. Case No. 2023-003: Resort Management International, Inc. a California Corporation dba The Point at Poipu.
3. Case No. 2023-004: Shivalik Indian Cuisine, LLC. dba Shivalik Indian Cuisine.

H. PUBLIC HEARINGS:

1. SOF-XI Kauai PV Hotel, L.P., dba 1 Hotel Hanalei Bay: Application No. 2023-006 was filed on July 6, 2022, by SOF-XI Kauai PV Hotel, L.P., dba 1 Hotel Hanalei Bay for a Hotel License located at 5520 Ka Haku Road, Princeville, Kauai, Hawaii.

I. PRELIMINARY HEARING (NEW LICENSE):

1. Kauai Poke Co. LLC. dba Kauai Poke Co. at Poipu Bay: Application No. 2023-034 was filed on September 13, 2022, by Kauai Poke Co. LLC. dba Kauai Poke Co. at Poipu Bay for a New Restaurant General (B) Live Entertainment and Dancing license to be located at 2250 Ainako St. Koloa, Kauai, Hawaii.
2. Friendly Waves, LLC. dba Friendly Waves: Application No. 2023-0037 was filed on September 19, 2022, by Friendly Waves, LLC. dba Friendly Waves for New Restaurant General (A) No Live Entertainment and No Dancing license to be located at 5460 Koloa Road, Suite B102, Koloa, Kauai, Hawaii.

J. VIOLATION REPORT:

1. Case No. 2023-009: Koloa Pizza Kitchen + Bar, LLC. dba Koloa Pizza Kitchen + Bar located at 5408 Koloa Road, Unit 04-01, Koloa, Kauai, Hawaii, Violation of Rule 7.8.

K. ADJOURNMENT

L. 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 to request access.