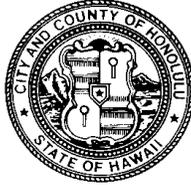


**LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU**

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PHONE (808) 768-7333 • FAX (808) 768-7311
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KIRK CALDWELL
MAYOR



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CO-VICE CHAIR

MALAMA MINN
CO-VICE CHAIR

DARREN Y.T. LEE
COMMISSIONER

DUANE R. MIYASHIRO
COMMISSIONER

FRANKLIN DON PACARRO, JR.
ADMINISTRATOR

ANNA C. HIRAI
ASSISTANT ADMINISTRATOR

HEARING SYNOPSIS

December 13, 2018 **Agenda (21st Meeting)**

Present: O'Donnell, Minn, Ganaban, Lee, Miyashiro

PUBLIC HEARINGS – LICENSES GRANTED

[Comm. Ganaban moved for approval; Comm. Minn seconded; Vote 5:0]

Lava Tube Waikiki Inc., dba Lava Tube Waikiki Inc.
Hotel General license
Transfer from Da Big Blue Enterprises Corp., dba Da Big Kahuna Waikiki
2280 Kuhio Avenue
(approved with condition: room service not part of this approval)

Misty Blue LLC, dba Misty Blue
Dispenser General license (Category No. 4 – Hostess)
Transfer from Silk Lady Lounge, Inc., dba Silk Lady Lounge
803 Kamehameha Highway, Unit 100, Pearl City

Hawaii Seafood House, Inc., dba Otoro Hawaii Fusion
3008 Waialae Avenue
Restaurant General license (Category No. 2 – Live Entertainment or Recorded Music and Dancing)

YHB Waikiki LLC, dba YHB Waikiki LLC
2131 Kalakaua Avenue
Hotel General license
[Comm. Ganaban moved for approval; Comm. Minn seconded; Vote 4:0:1; Comm. Miyashiro recused]

Craft Beer Company LLC, dba Off the Wall Craft Beer and Wine
1170 Auahi Street, Space 140 (Ward Village Shops)
Restaurant General license (Category No. 2 – Live Entertainment or Recorded Music and Dancing)

Maui Tacos H7, Inc., dba Maui Tacos
1000 Kamehameha Highway, Spaces 217 & 218, Pearl City
Restaurant General license (Category No. 2 – Live Entertainment or Recorded Music and Dancing)

Tamura Enterprises, Inc., dba Tamura's Fine Wine & Liquors
98-129 Kaonohi Street, Suite 6003, Aiea (Pearl Ridge Center- Uptown)
Retail General license

PUBLIC HEARING KEPT OPEN – CONTINUED TO JANUARY 3, 2019
[Comm. Ganaban moved for denial; Comm. Minn seconded; Vote 5:0]

Paisley Meadery Inc., dba Paisley Meadery Inc.
36 North King Street
Small Craft Producer Pub license (Category No. 2 – Live Entertainment or Recorded Music and Dancing)

APPROVED AT PRELIMINARY HEARING
[Comm. Ganaban moved for approval; Comm. Minn seconded; Vote 5:0]

Foodland Super Market, Limited, dba The Bar
108 Hekili Street, Kailua (Foodland-Kailua)
Dispenser General license (Category No. 3 – Live Entertainment or Recorded Music and Dancing)

Head To Toe Nails & Spa LLC, dba Head To Toe Nails & Spa
3613 Waiialae Avenue, #2
Dispenser Beer & Wine license (Category No. 1 – Standard Bar)
[Comm. Ganaban moved for approval; Comm. Minn seconded; Vote 4:0:1; Comm. Miyashiro recused]

World Of Aloha, Inc., dba World Of Aloha
47-509 Kamehameha Highway, Kaneohe
Change of kind from a Dispenser Beer & Wine license (Category No. 3 – Live Entertainment or Recorded Music and Dancing) to a Dispenser General license (Category No. 3 – Live Entertainment or Recorded Music and Dancing)

OTHER LICENSE/APPLICATION/REQUEST GRANTED
[Comm. Ganaban moved for approval; Comm. Minn seconded; Vote 5:0]

Waiialae Country Club, dba Waiialae Country Club
4997 Kahala Avenue (17th Green)
Special General license on the following dates: (total of 9 days)
1) *January 6, 7, and 8, 2019;*
2) *January 9, 10, and 11, 2019; and*
3) *January 12, 13, and 14, 2019*
(2019 Sony Open PGA Golf Tournament)

Waiialae Country Club, dba Waiialae Country Club
4997 Kahala Avenue (18th Green and Fairway)
Special General license on the following dates: (total of 9 days)
1) *January 6, 7, and 8, 2019;*
2) *January 9, 10, and 11, 2019; and*
3) *January 12, 13, and 14, 2019*
(2019 Sony Open PGA Golf Tournament)

Waiialae Country Club, dba Waiialae Country Club
4997 Kahala Avenue (9th Green)
Special General license on the following dates: (total of 9 days)
1) *January 6, 7, and 8, 2019;*
2) *January 9, 10, and 11, 2019; and*
3) *January 12, 13, and 14, 2019*
(2019 Sony Open PGA Golf Tournament)

Events International, Inc., dba Events International, Inc.
4997 Kahala Avenue (Waiialae Country Club)
Special General license on the following dates: (total of 8 days)

- 1) *January 6, 7, and 8, 2019;*
 - 2) *January 9, 10, and 11, 2019; and*
 - 3) *January 12 and 13, 2019*
- (2019 Sony Open PGA Golf Tournament)*

Kawailoa Tavern LLC, dba Kawailoa Tavern
66-197 Kamehameha Highway, Haleiwa
Renewal of its Temporary Restaurant General license (Category No. 1 – Standard Bar)
(For 120 days)

Shizen808 Corp, dba Tane Vegan Izakaya
2065 South Beretainia Street, Suite 103 (the former site of Sushi Izakaya Shin)
[Stand-Alone] Temporary Restaurant General license (Category No. 1 – Standard Bar)

Rock Island LLC, dba Rock Island Café
1911 Kalakaua Avenue, Unit B (the former site of Café Grand Harue)
[Stand-Alone] Temporary Restaurant General license (Category No. 1 – Standard Bar)
(Effective January 28, 2019)

2885DH Management LLC, dba Lotus Honolulu at Diamond Head
2885 Kalakaua Avenue (the current site of Lotus Honolulu at Diamond Head)
Temporary Hotel general license
(Effective December 31, 2018)

FSMB LLC, dba Pitch Sports Bar
Restaurant General license (Category No. 2 – Live Entertainment or Recorded Music and Dancing)
685 Auahi Street, Space #2-216/217
Caterer's license to cater off the licensed premises to 1020 Auahi Street from 5:00 p.m. to 10:00 p.m. on
December 14, 15, 16, 20, 21, 22, 27, 28, and 29, 2018 (total of 9 days)
("Ward Holiday Light Garden" event)

Mr. Robert Ueoka, Esq., on behalf of petitioner, Maplebear Inc., dba Instacart
Petition for Declaratory Ruling for Retail Licensee To Pay A Third-Party Delivery Service a Flat Fee or
Fee Based on Percentage of Gross Sales Pursuant to Rules of The Commission, Rule 3-82-36.4
COMMISSION TOOK UNDER ADVISEMENT

Mr. Robert Ueoka, Esq., on behalf of petitioner Maplebear Inc., dba Instacart
Petition for Declaratory Ruling for Delivery of Liquor to Hotels, Motels, Condominium Hotels, and
Short-Term Lodging Rentals/Homestays, Pursuant to Rules of The Commission, Rule 3-82-36.4
COMMISSION TOOK UNDER ADVISEMENT

Wayne Luke, Esq. on behalf of Liliha Bakery II, Inc.
Requesting waiver of Rule 3-82-32.1 requiring a temporary license application be filed within five working
days of the surrender of the previous license or closing of the business
(For premises at 1450 Ala Moana Boulevard, #2074)
[Comm. Minn moved for approval; Comm. Lee seconded; Vote 4:0; Comm. Ganaban departed]

ADJUDICATION HEARINGS

[Comm. Minn moved to accept or amend recommended penalty; Comm. Lee seconded;
Vote 4:0; Comm. Ganaban departed]

IES Retail, LLC, dba IES Retail, LLC (nka Food Mart)

Retail Beer & Wine

565 Farrington Highway, Kapolei

Violation: Rule 3-81-17.59 [Used a trade name without the prior approval of the Commission]

Plea: No contest (written)

Disposition: \$350 penalty

Triple H Enterprise, Inc. dba Chicken Factory

Restaurant General (Category No. 1 – Standard Bar)

835 Keeaumoku Street, #I-101B

Violation: Rule 3-82-38.5(a) [Improper registration of employee]

Plea: Accept allegations with explanation

Disposition: \$350 penalty

PNI Investments Corporation, dba Tiger Market Maile

Retail General

87-108 Farrington Highway, Waianae

Violation: Rule 3-82-38.9(a)(2) [Failure to have a duly registered manager or assistant manager assigned to the licensed premises]

Plea: No contest with explanation

Disposition: \$500 penalty

Hauole Hoia, Inc., dba Porky's Sports Pub & Grill

Dispenser General (Categories No. 2 and 4 – Nudity; and Hostess)

32 Maluniu Avenue, Kailua

Charge 1

Violation: Rule 3-84-78.02(a) [Employee, who was not employed as an exotic dancer was unclothed or in such attire, costume or clothing as to expose to view any portion of the pubic hair, anus, cleft of the buttocks, genitalia, or any portion of the breast below the top of the areola]

Plea: No contest with explanation

Disposition: \$500 penalty

Charge 2

Violation: Rule 3-84-78.04(a) [Permitted a person on the licensed premises to perform acts of or acts which simulate sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation or any sexual acts which are prohibited by law]

Plea: No contest with explanation

Disposition: \$1,000 penalty

Charge 3

Violation: Rule 3-84-78.042 [Encouraged and/or permitted a person on the licensed premises to touch, caress or fondle the breasts, buttocks, anus or genitalia of herself or any other person, either directly or through the clothing or any other material]

Plea: No contest with explanation

Disposition: \$1,000 penalty

ATN, Inc., dba Surrender Bar & Grill

Restaurant General (Category No. 2 – Live Entertainment or Recorded Music and Dancing)

1108 Keeaumoku Street

Violation: Rule 3-85-91.11 [Failure to immediately surrender its license to the Commission upon suspension or revocation thereof, or within five (5) days after permanent closing of the business or loss of lease or bona fide premises]

Disposition: Default judgment; \$500 penalty

JB Kajun Inc., dba Kickin Kajun Keeaumoku
Restaurant General (Category No. 1 – Standard Bar)
655 Keeaumoku Street, Suite 101A

Violation: Section 281-41(h), HRS [Licensee, without Commission approval, transferred its business to another person, either openly or under undisclosed arrangement, whereby such other person came into possession or control of the business, or took in any partner or associate]
Disposition: Default judgment; \$500 penalty

The Pacific Club, dba The Pacific Club
Club General (Category No. 2 – Live Entertainment or Recorded Music and Dancing)
1451 Queen Emma Street

Violation: Section 281-41(i), HRS [Failure to timely notify of name, age, and residence of its officers or directors]
Plea: No contest with explanation
Disposition: Letter of reprimand

Walmart Inc., dba Walmart
Retail General
700 Keeaumoku Street

Violation: Section 281-41(i), HRS [Failure to timely notify of name, age, and residence of its officers or directors]
Plea: No contest with explanation
Disposition: \$500 penalty

Sam's West, Inc., dba Sam's Club #4755
Retail General
750 Keeaumoku Street

Violation: Section 281-41(i), HRS [Failure to timely notify of name, age, and residence of its officers or directors]
Plea: No contest with explanation
Disposition: \$500 penalty

ADJUDICATION HEARINGS – CONTINUED TO NEXT AVAILABLE DATE

[Comm. Minn moved to continue; Comm. Lee seconded;
Vote 4:0; Comm. Ganaban departed]

Malibu Inn, Inc., dba Arisu
Dispenser General (Categories No. 3 and 4 – Live Entertainment or Recorded Music and Dancing; and Hostess)
1344 Mookaula Street

Charge 1

Violation: Rule 3-82-38.9(a) [Failure to have a duly registered manager in active charge during the time the establishment is licensed to sell or serve liquor]

Charge 2

Violation: Rule 3-84-78.01(b) [Employee consumed liquor while on duty on the licensed premises]

Lim Garden, Inc., dba Cho Ga Jip
Restaurant General (Category No. 1 – Standard Bar)
825 Keaaumoku Street, #111

Violation: Rule 3-82-38.20(a) [Permitted the sale, service or consumption of liquor on or within the licensed premises before or after the hours established by the Commission.]

Lim Garden, Inc., dba Cho Ga Jip
Restaurant General (Category No. 1 – Standard Bar)
825 Keaaumoku Street, #111

Violation: Rule 3-82-38-20(a) [Permitted the sale, service or consumption of liquor on or within the licensed premises before or after the hours established by the Commission.]