

LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU
PACIFIC PARK PLAZA
711 KAPIOLANI BOULEVARD, SUITE 600
HONOLULU, HAWAII 96813

AGENDA – SIXTEENTH MEETING

THURSDAY, OCTOBER 15, 2020
4:00 P.M.

PUBLIC PARTICIPATION AND TESTIMONY

Pursuant to the Thirteenth Proclamation issued by Governor David Ige on September 22, 2020, relating to the COVID-19 pandemic (Proclamation), in order to allow public participation in a manner consistent with social distancing practices the following procedures are in effect for the meeting. *The procedures have been modified to comply with Mayor Caldwell's Emergency Order No. 2020-27, effective 12:00 am, September 24, 2020 (Emergency Order). In accordance with concern for public health and safety, in-person testimony in the hearings room has been cancelled until further notice. Please see the instructions below on how to submit oral testimony on any scheduled matter or how to make your appearance on a scheduled matter.*

VIEWING THE MEETING AND RESTRICTIONS ON ENTRY

No members of the public will be allowed into the hearings room, but may listen to the meeting on a live broadcast. The meeting may be heard by internet live streaming through <https://cchnl.webex.com/cchnl/j.php?MTID=m215b212e422812b5e0907332fe2efe07>; by dialing 14084189388, entering the access code: 1467492261#, and entering the passcode: 96813#; or, the preferred method, via the Liquor Commission website event calendar at <http://www.honolulu.gov/liq/event-calendar/>.

All Commissioners will be participating in the meeting by interactive conference technology from remote locations.

To provide the public with the best opportunity to observe the meeting, it is required to “mute” your device’s microphone to prevent technological difficulties.

All persons who are required to appear for the meeting must make your appearance by joining the meeting on the Webex platform as described above. Please be aware that joining the meeting will involve entering the meeting number and completing a registration process so please allow sufficient time for this task. For testifiers or required attendees who are not able to access the Webex platform, an equipment and internet access station will be available for use in Suite 111. While in Suite 111, all Social Distancing Requirements set forth in the Proclamation and the Emergency Order must be strictly observed.

Within forty (40) days after the meeting, the minutes will be posted to the Liquor Commission website at <http://www.honolulu.gov/liq/event-calendar/> for viewing. The minutes of prior meetings may also be viewed at said website.

ORAL TESTIMONY

Oral testimony will be permitted on all matters before the Commission subject to the following restrictions:

1. *All oral testimony must be submitted remotely through the Webex platform.*
2. Each speaker is limited to a three-minute presentation.

WRITTEN TESTIMONY

Written testimony is strongly encouraged and may be submitted to the Administrator of the Commission three (3) working days prior to the date of the meeting as follows: FAX (808) 768-7311 or E-MAIL liquor@honolulu.gov. Written testimony will not be accepted in person at the meeting.

MATERIALS AVAILABLE FOR INSPECTION

Meeting materials (“board packet”) will be available for viewing electronically, as soon as practicable, at the Liquor Commission website (<http://www.honolulu.gov/liq/event-calendar/>).

APPROVAL OF MINUTES:

The minutes of the 9th (8/27/20), 10th (9/3/20), and 11th (9/10/20) meetings, as previously circulated, to be approved by the Commission.

REQUEST:

1. Request No. 21-22332 from Ale Stake LLC, dba Village Bottle Shop and Tasting Room, Dispenser General license (Category No. 3 - Live entertainment or Recorded Music and Dancing), 675 Auahi Street, Space 3-A 121/122A (E1567) Requesting approval to temporarily increase its licensed premises from Thursday, October 15, 2020 to Thursday, December 31, 2020, from 11:00 a.m. to 11:00 p.m.

OTHER BUSINESS:

2. Request No. 21-22352 from Mr. Emmanuel Zibakalam on behalf of TBB Holdings, Inc., dba TEX 808 Requesting waiver of Rule 3-82-32.1(a) requiring a temporary license application be filed within five working days of the surrender of the previous license or the closing of the business

(Premises at 930 Valkenburgh Street #104)
3. Request No. 21-22354 from Robert A. Ueoka, Esq., on behalf of Foodland Super Market, Limited, dba The Bar Requesting withdrawal of Appl. No. 19-14719 for a Dispenser General license (Category No. 3 – Live Entertainment or Recorded Music and Dancing) at 108 Hekili Street, Kailua

(Application approved on February 7, 2019; license not yet issued)

OTHER BUSINESS: (CONT.)

4. Request No, 21-22358 from Mr. Michael Simjian, on behalf of Broken Glass LLC
- Requesting waiver of Rule 3-82-32.1(a) requiring a temporary license application be filed within five working days of the surrender of the previous license or the closing of the business
- (Premises at 42 North Hotel Street)

ADOPTION OF DECISION AND ORDER:

5. Club Bonita (LCV 20-0163) (E1032) For adoption of Decision and Order
6. Longs Drugs #9228 (LCV 20-0086) (D0235) do.
7. Whiskey Dix Saloon (LCV 20-0137) (E1513) do.

ADJUDICATION HEARINGS:

8. Yaki Yaki Miwa LLC (LCV 19-0330) (R0977)
- Licensee purchased or acquired liquor from any person other than a licensed wholesaler for purposes of resale (Violation of Section 281-31(t), HRS) (Date of violation: On or about August 17, 2017)
- (Continued from October 1, 2020)

ADJUDICATION HEARINGS: (CONT.)

9. Aloha Steakhouse
(LCV 20-0174)
(R0995)

Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violation of the terms of the Office of the Mayor of the City and County of Honolulu Emergency Order No. 2020-24 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about August 25, 2020)
10. Underdogs Sports Bar & Grill
(LCV 20-0177)
(R1018)

Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violation of the terms of the Office of the Mayor of the City and County of Honolulu Emergency Order No. 2020-25 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about August 29, 2020)
11. Henry Loui's
(LCV 20-0179)
(E1164)

Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violation of the terms of the Office of the Mayor of the City and County of Honolulu Emergency Order No. 2020-25 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about September 7, 2020)

ADJUDICATION HEARINGS: (CONT.)

12. New Green Tee
(LCV 20-0180)
(E1258)
- Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violation of the terms of the Office of the Mayor of the City and County of Honolulu Emergency Order No. 2020-25 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about September 7, 2020)
13. Noi Hawaii LLC
(LCV 20-0175)
(R1127)
- (1) Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violation of the terms of the Office of the Mayor of the City and County of Honolulu Emergency Order No. 2020-25 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about August 27, 2020)
- (2) Licensee failed to keep the street or primary entrances to the licensed premises unlocked during all times that any person other than an on-duty employee is on the premises (Violation of Rule 3-84-72.2) (Date of violation: On or about August 27, 2020)

ADJUDICATION HEARINGS: (CONT.)

14. Brix-N-Bones
(LCV 20-0170)
(R0976)
- (1) Licensee failed to have the street and/or primary entrances to the licensed premises unlocked during the time customers were on the premises (Violation of Rule 3-84-72.2) (Date of violation: On or about August 14, 2020)
- (2) One or more Commission investigators were hindered, obstructed, or prevented from entering into Licensee's premises or were opposed, obstructed, or molested in the performance of their duties, whether by the Licensee, Licensee's employee, or any other person (Violation of Section 281-79, HRS) (Date of violation: On or about August 14, 2020)
- (3) Licensee failed to make time record entries at the time its employee(s) reported on duty and again when the employee(s) went off duty (Violation of Rule 3-82-38.4(b)) (Date of violation: On or about August 14, 2020)
15. Brix-N-Bones
(LCV 20-0176)
(R0976)
- (1) One or more Commission investigators were hindered, obstructed, or prevented from entering into Licensee's premises or were opposed, obstructed, or molested in the performance of their duties, whether by the Licensee, Licensee's employee, or any other person (Violation of Section 281-79, HRS) (Date of violation: On or about August 28, 2020)

ADJUDICATION HEARINGS: (CONT.)

Brix-N-Bones
(LCV 20-0176)
(R0976)
(Cont.)

- (2) Licensee possessed illicit or illegal drugs or narcotics on the licensed premises (Violation of Rule 3-84-78.05(a)) (Date of violation: On or about August 28, 2020)
- (3) Licensee failed to have a time card or other adequate record showing in English the month, day, year, and time, indicating a.m. or p.m. and the legal first name and surname of its employee(s) when that employee was on duty (Violation of Rule 3-82-38.4(a)) (Date of violation: On or about August 28, 2020)
- (4) Licensee failed to make time record entries at the time its employees reported on duty and again when the employees went off duty (Violation of Rule 3-82-38.4(b)) (Date of violation: On or about August 28, 2020)

OTHER BUSINESS: (CONT.)

16. Liquor Administrator

Administrative matters – Weekly report to the Commission, 90-day event schedule and work plan coordination

If you require special assistance, auxiliary aid and/or service to participate in this meeting (i.e., sign language interpreter; interpreter for language other than English, or wheelchair accessibility), please email your detailed request to liquor@honolulu.gov, at least five (5) business days prior to the meeting.