

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](mailto: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 9<sup>th</sup> (8/27/20), 10<sup>th</sup> (9/3/20), and 11<sup>th</sup> (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<br><br>(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<br><br>(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)
6. Longs Drugs #9228  
(LCV 20-0086)  
(D0235)
7. Whiskey Dix Saloon  
(LCV 20-0137)  
(E1513)

For adoption of Decision and Order

do.

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](mailto:liquor@honolulu.gov), at least five (5) business days prior to the meeting.

## LICENSING INVESTIGATIVE REPORT

DATE: October 6, 2020

SUBJECT: Miscellaneous Request No. 21-22332 from Ale Stake LLC, dba Village Bottle Shop and Tasting Room, Dispenser General (Category 3-Music/Dancing) license, 675 Auahi Street, Space #3-A 121/122A Honolulu, requesting Commission approval to extend the licensed premises temporarily on: Thursday, October 15, 2020, to Thursday, December 31, 2020, from 11:00 a.m. till 11:00 p.m. (daily) (E1567)

### DESCRIPTION OF THE CURRENTLY LICENSED PREMISES:

The current licensed area is irregularly shaped and is approximately 34 feet by 30 feet overall in size.

### TEMPORARY EXTENSION REQUESTED:

On HLC Form LIQ-LIC-127 (Request for Approval of Extensions/Deletions of Premises, dated September 28, 2020, and received by the Commission on October 2, 2020, Timothy Golden, authorized agent, requests prior approval for temporary extension of premises.

The extension will be from Thursday, October 15, 2020, to Thursday, December 31, 2020, from 11:00 a.m. till 11:00 p.m. (daily).

### REASON FOR REQUEST:

The licensee is requesting additional seating area due to COVID-19 spacing guidelines.

Alcoholic beverages will be served in the extended area.

Licensee will have barricades to delineate area and will ensure that all alcoholic beverages does not leave the area.

### LANDLORD'S CONSENT:

On HLC Form LIQ-LIC-128 (Landlord Authorization for Extension of Licensed Premises, dated October 1, 2020, and received by the Commission on October 2, 2020, Dixie Diga, authorized agent of Trustees of the Estate of Bernice Pauahi Bishop (Landlord) confirms approval of the licensee's request to use additional space in connection with its premises.

REDEFINED LICENSED PREMISES:

On the aforementioned date, the current licensed premises will remain licensed if this request is granted.

In addition to the licensed premises, the extended area will be out from the south side of the premises approximately 21 feet, west direction approximately 17.5 feet, west direction, and in the north direction approximately 14 feet. According to the licensee there will be gate to surround the extended area. See **Exhibit A**.

PREVIOUS APPROVAL FOR TEMPORARY EXTENSION OF PREMISES:

Applicant has had prior approvals and no violations within the past year related in connection of this request.

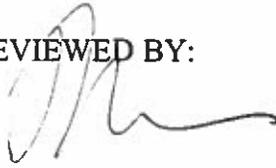
OPINION:

The licensee has met statutory requirements of filing this request.



Daniel Sato  
Supervising Investigator

REVIEWED BY:



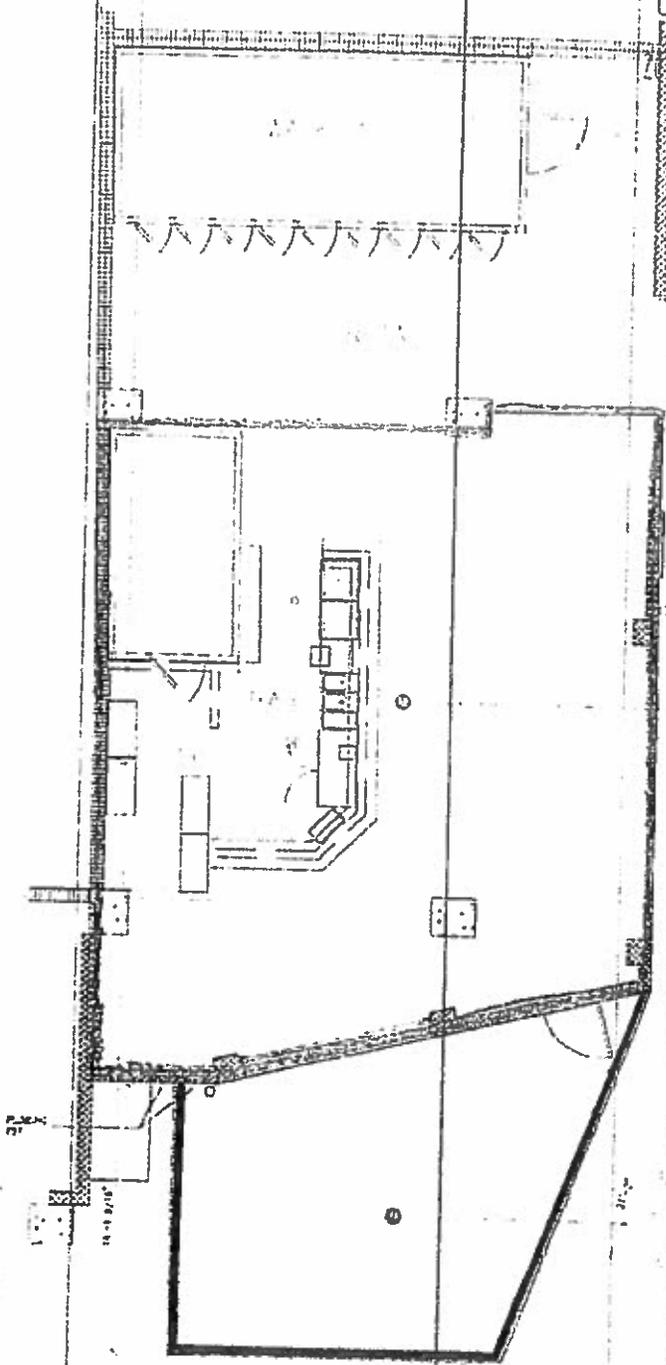
Peter Nakagawa  
Chief Investigator

10/6/2020

PN

RECEIVED  
LIQUOR COMMISSION  
C&O OF HONOLULU

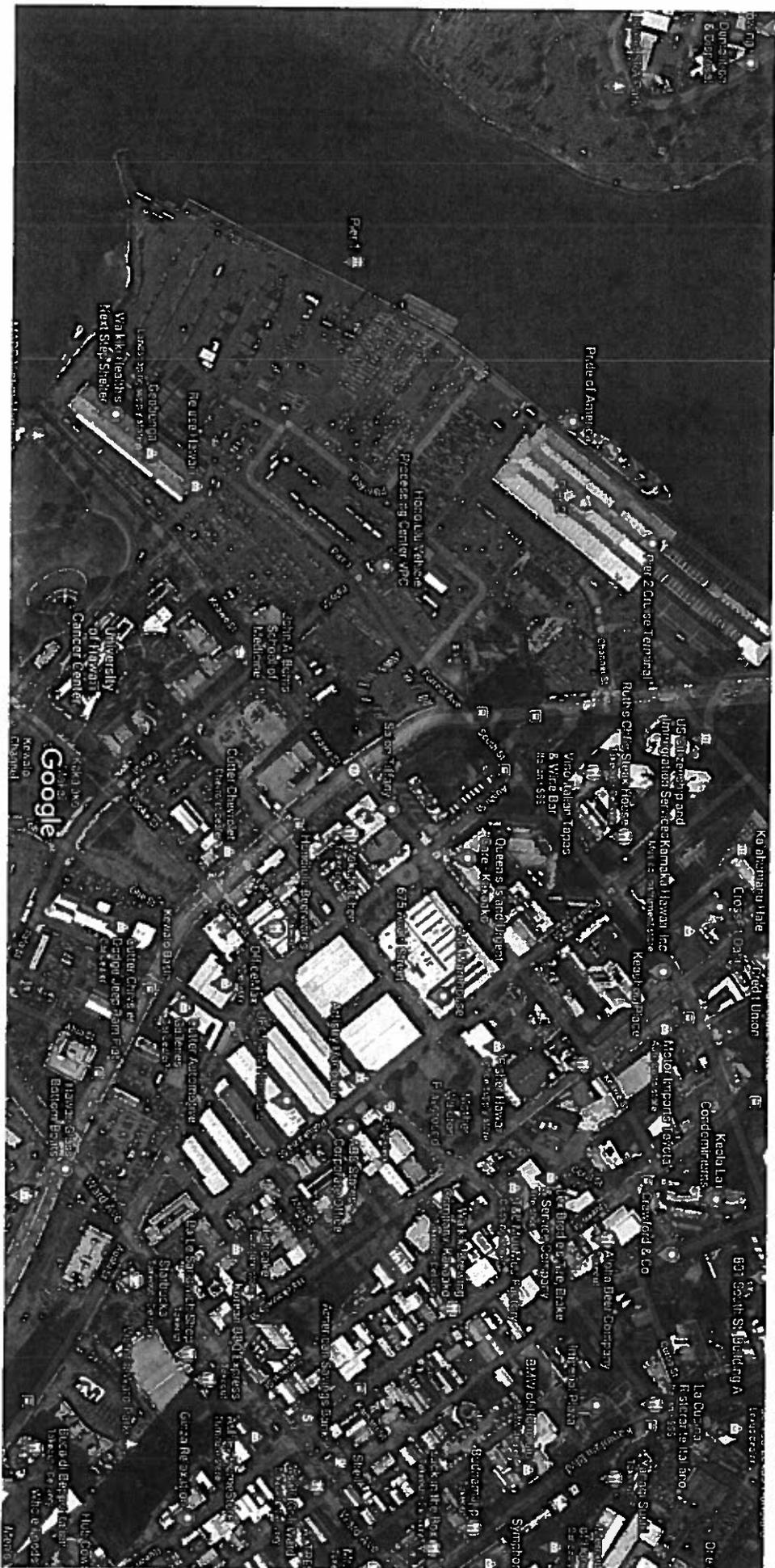
200 OCT -2 A 8:13



ALE STAKE L.L.C.  
551 ALAHI ST HONOLULU, HAWAII 96813

EXHIBIT A

# Go gle Maps 675 Auahi St



Imagery ©2020 CyberCity 3D, Inc. / 3D Travel Inc., Maxar Technologies, U.S. Geological Survey, USGS, Map data ©2020 200 ft

# 21-22352



Pacific Business Advocates LLC  
P.O. Box 11351  
Honolulu, HI 96828  
Info@Pacifcadvocates.com

RECEIVED  
LIQUOR COMMISSION  
C&C OF HONOLULU

2020 OCT -8 A 8:00

Authorized Representatives on behalf of  
TBB Holdings, Inc. dba TEX 808

October 7, 2020  
City & County of Honolulu, Liquor Commission  
711 Kapiolani Blvd #600  
Honolulu, HI 96813

Please place on  
Agenda 10/15/20

Re: Request for Waiver of Rule §3-82-32.1(a)

This letter serves to request that the City & County of Honolulu Liquor Commission (Commission) waive Rule §3-82-32.1 (a), specifically “The license application must be filed within five (5) working days of the surrender of the previous license or the closing of the business.”, to allow TBB Holdings, Inc. dba TEX 808 to apply for a temporary & stand-alone transfer license at 930 Valkenburgh St #104, Honolulu, HI 96818.

TBB Holdings, Inc. dba TEX808 and Teddy’s Bigger Burgers is a locally owned corporation that operates restaurants with low volumes of alcohol sales. TBB Holdings, Inc. is in good standing with the Honolulu Liquor Commission and implements numerous safety protocols to ensure the proper consumption of alcohol.

We ask that the Commission consider the unique economic hardships that the Covid-19 pandemic has caused to our restaurant industry while reviewing this request. An approval will help provide the necessary revenue diversification to ensure the operation of said restaurant through the current pandemic and into the future. The previous license at this location was active until June 2012.

If you have any questions, please contact me at your convenience. Mahalo for your time and consideration.

Respectfully,

*Emmanuel Zibakalam*

Emmanuel Zibakalam

Authorized Agent, TBB Holdings, Inc.  
Principal, Pacific Business Advocates LLC  
(808) 741-8390

**BISHOP STREET**  
LAW GROUP  
A LAW CORPORATION

RECEIVED  
LIQUOR COMMISSION  
C&C OF HONOLULU

# 21-22354

2020 OCT -8 AM 9:22

October 8, 2020

Liquor Commission  
City and County of Honolulu  
711 Kapiolani Boulevard, Suite 600  
Honolulu, Hawaii 96813

Please place on  
Agenda 10/15/20 dh

Re: **FOODLAND SUPER MARKET, LIMITED dba The Bar**  
108 Hekili Street, Kailua, Hawaii 96734  
Dispenser General Liquor License Application No. 19-14719  
Request to Withdraw Application No. 19-14719

Liquor Commission:

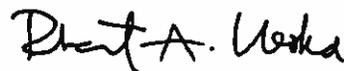
I am the attorney and Authorized Agent for **FOODLAND SUPER MARKET, LIMITED** dba The Bar for Dispenser General Liquor License Application No. 19-14719 for the proposed Liquor License Premises located at 108 Hekili Street, Kailua, Hawaii 96734.

As background, on February 7, 2019 the Liquor Commission approved **FOODLAND SUPER MARKET, LIMITED dba The Bar** Dispenser General Liquor License No. 19-14719.

On behalf of **FOODLAND SUPER MARKET, LIMITED**, we respectfully request for the withdrawal of the approved Dispenser General Liquor License Application No. 19-14719.

If you should have any questions or concerns, or need any additional information or materials regarding the Request to Withdraw Dispenser General Liquor License Application No. 19-14719 for The Bar, please let me know via email at [robert@bishopstreetlaw.com](mailto:robert@bishopstreetlaw.com), by telephone at (808) 384-6373 or (808) 537-3500, or by facsimile at (808) 537-3511.

Very truly yours,



ROBERT A. UEOKA

CORPORATE LAW | ADMINISTRATIVE LAW

T: (808) 537-3500 | F: (808) 537-3511 | E: [robert@bishopstreetlaw.com](mailto:robert@bishopstreetlaw.com) | [bishopstreetlaw.com](http://bishopstreetlaw.com)  
1000 Bishop Street, Suite 503, Honolulu, Hawaii 96813

# 21-22358

Please place on  
Agenda ~~OCT 15 2020~~

Dear Honolulu Liquor Commission,

RECEIVED  
LIQUOR COMMISSION  
C&C OF HONOLULU  
OCT 8 1:33

I am writing this letter on behalf of Broken Glass LLC to request a waiver of the 5 day window to apply for a temporary licence. On 10/07/2020 licence number R0753, Downbeat Diner and Lounge was vacated and surrendered to the Liquor Commission. We intend to file for a temporary licence and then a permanent licence as soon as possible. We are currently readying our application packet and intend to turn it in once it is completed.

Sincerely,

Michael Simjian, Broken Glass LLC



10/08/2020

(203)-671-8917      TETSU0348@gmail.com