

A G E N D A  
LIQUOR COMMISSION  
DEPARTMENT OF LIQUOR CONTROL  
COUNTY OF MAUI

DATE & TIME: AUGUST 9, 2017, AT 9:00 A.M.

PLACE: DEPARTMENT OF LIQUOR CONTROL CONFERENCE ROOM  
DAVID K. TRASK, JR. OFFICE BUILDING  
2145 KAOHU STREET, ROOM 108  
WAILUKU, MAUI, HAWAII 96793

**I. CALL TO ORDER**

**II. AGENDA:**

- A. Approval of Agenda for August 9, 2017

**III. MINUTES:**

- A. Approval of Liquor Commission minutes of July 12, 2017
- B. Approval of Executive Session summary I of July 12, 2017
- C. Approval of Executive Session summary II of July 12, 2017

**IV. PUBLIC TESTIMONY**

**V. GENERAL LICENSING MATTERS:** [For Confirmation of Transient Vessel Licenses, Special Licenses, Temporary Licenses, Cancellation of License, Change in Officers and Directors]

- A. **TV-03**, Princess Cruise Lines, Ltd. dba Golden Princess effective July 15, 2017 at Lahaina Off Port Anchorage, Lahaina, Maui, Hawaii.
- B. **TV-04**, Princess Cruise Lines, Ltd. dba Golden Princess effective August 16, 2017 at Lahaina Off Port Anchorage, Lahaina, Maui, Hawaii.
- C. **TV-05**, Princess Cruise Lines, Ltd. dba Emerald Princess effective October 15, 2017 at Lahaina Off Port Anchorage, Lahaina, Maui, Hawaii.
- D. **TV-06**, Princess Cruise Lines, Ltd. dba Grand Princess

effective November 6 & 21, 2017 at Lahaina Off Port Anchorage, Lahaina, Maui, Hawaii.

- E. **TV-07**, Princess Cruise Lines, Ltd. dba Grand Princess effective December 26, 2017 at Lahaina Off Port Anchorage, Lahaina, Maui, Hawaii.
- F. **TV-08**, Princess Cruise Lines, Ltd. dba Star Princess effective October 2, 2017 at Lahaina Off Port Anchorage, Lahaina, Maui, Hawaii.
- G. **TV-09**, Princess Cruise Lines, Ltd. dba Star Princess effective November 2 & 22, 2017 at Lahaina Off Port Anchorage, Lahaina, Maui, Hawaii.
- H. **TV-10**, Princess Cruise Lines, Ltd. dba Star Princess effective December 27, 2017 at Lahaina Off Port Anchorage, Lahaina, Maui, Hawaii.
- I. **TV-11**, Seabourn Cruise Line Limited dba Seabourn Sojourn effective November 6, 2017 at Manele Bay: Anchor, Lanai, Hawaii.
- J. **TV-12**, Seabourn Cruise Line Limited dba Seabourn Sojourn effective November 8, 2017 at Lahaina Off Port Anchorage, Lahaina, Maui, Hawaii.
- K. **TV-13**, Holland America Line N.V. dba ms Eurodam effective October 10, 2017 at Lahaina Off Port Anchorage, Lahaina, Maui, Hawaii.
- L. **TV-14**, Holland America Line N.V. dba ms Oosterdam effective December 9, 2017 at Lahaina Off Port Anchorage, Lahaina, Maui, Hawaii.
- M. **TV-15**, Holland America Line N.V. dba ms Amsterdam effective December 14, 2017 at Lahaina Off Port Anchorage, Lahaina, Maui, Hawaii.
- N. **SP-54**, Maui Roping Club dba 4<sup>th</sup> of July Rodeo effective June 30, 2017 at Oskie Rice Arena, Olinda Road, Makawao, Maui, Hawaii.

- O. **SP-01**, Maui Roping Club dba 4<sup>th</sup> of July Rodeo effective July 1 & 2, 2017 at Oskie Rice Arena, Olinda Road, Makawao, Maui, Hawaii.
- P. **TEM-01**, Miko's Cuisine LLC dba Miko's Cuisine for a Dispenser General, Category C(ii) License, effective July 1, 2017 up to and including October 28, 2017 at 1764 Wili Pa Loop, Wailuku, Maui, Hawaii.
- Q. **TEM-02**, Maui Chan, Inc. dba Ichiban the Restaurant for a Restaurant Beer and Wine, Category B(ii) License, effective July 1, 2017 up to and including October 28, 2017 at 47 Kaahumanu Avenue, Unit 1, Kahului, Maui, Hawaii.
- R. **TEM-03**, Nabee Inc. dba Poni for a Dispenser General, Categories C(ii)/D License, effective July 1, 2017 up to and including October 28, 2017 at 1063 Lower Main Street, C-108 & C-109, Wailuku, Maui, Hawaii.
- S. **TEM-04**, Maui-Molokai Sea Cruises dba Pride of Maui for a Tour or Cruise Vessel, Category 2 License, effective July 1, 2017 up to and including October 28, 2017 at Maalaea Harbor, Berth Basin, Maalaea, Maui, Hawaii.
- T. **TEM-05**, Maui Exclusive Partners, LLC dba Ohana Seafood Bar & Grill for a Dispenser General, Category C(ii) License, effective July 1, 2017 up to and including October 28, 2017 at 1945 South Kihei Road, C & D, Kihei, Maui, Hawaii.
- U. **TEM-06**, Capu Maui Corp. dba Wow-wee Maui's Kava Bar & Grill for a Dispenser General, Category C(ii) License, effective July 1, 2017 up to and including October 28, 2017 at 333 Dairy Road, #101A, Kahului, Maui, Hawaii.
- V. **TEM-10**, Clark Enterprises, Inc. dba Paragon Sailing Charters Maui (Paragon) for a Tour or Cruise Vessel, Category 2 License, effective July 3, 2017 up to and including October 30, 2017 at Lahaina Offshore Area, LAH-0/S-012, Lahaina, Maui, Hawaii.
- W. **TEM-11**, Clark Enterprises, Inc. dba Paragon Sailing Charters

Maui (Paragon II) for a Tour or Cruise Vessel, Category 2 License, effective July 3, 2017 up to and including October 30, 2017 at Maalaea Small Boat Harbor, Berth 72, Maalaea, Maui, Hawaii.

- X. Kmart Corporation dba Big Kmart notifying the commission of the cancellation of liquor license.
- Y. Maui Chan, Inc. dba Ichiban the Restaurant notifying the commission of the cancellation of liquor license.
- Z. Maui Wine, Ltd. dba MauiWine notifying the commission of the cancellation of liquor license.
- AA. Maui Country Club, Ltd. dba Maui Country Club notifying the commission of change of officers and directors within the corporation.
- BB. Le Vecke Corporation dba Haliimaile Distilling Company notifying the commission of the change of title in the corporation.
- CC. Travel Traders Hotel Stores, Inc. dba Lobby Shop notifying the commission of a change of title within the corporation.
- DD. Maui Tacos H4, Inc. dba Maui Tacos notifying the commission of the change of title in the corporation.
- EE. Foods 4 Life Inc. dba Rodeo General Store notifying the commission of a change of titles within the corporation.
- FF. MMK Maui L.P. dba Kahili Golf Course (#365) and The King Kamehameha Golf Club (#356) notifying the commission of a change of corporate name of the limited partner and the member within the general partner.
- GG. MVW of Hawaii, Inc. dba Marriott's Maui Ocean Club notifying the commission of a change of officer, director, and title within the corporation.
- HH. Pleasant Travel Service dba Royal Lahaina Resort and Royal Trading Company notifying the commission of change of

officers, directors, and titles within the corporation.

- II. QSI, Inc. dba Times Super Market (#345 and #367) notifying the commission of the change of officers and titles within the corporation.

## VI. LICENSING:

### Public Hearings:

- A. **APPL. NO. 27**, MPK3, LLC dba Monkeypod Kitchen by Merriman for a Dispenser General License, Category C(ii) - (premises in which live entertainment or recorded music is provided) at 2435 Kaanapali Parkway, Store No. 101, Kaanapali, Maui, Hawaii.
- B. **APPL. NO. 28**, Kahikolu, Ltd. dba Calypso for a Tour or Cruise Vessel License, Category 2, at Maalaea Boat Harbor, Berth 44 & 46, Maalaea, Maui, Hawaii.
- C. **APPL. NO. 31**, Maui-Molokai Sea Cruises dba Pride of Maui for a Tour or Cruise Vessel License, Category 2, at Maalaea Boat Harbor Berth Basin, Maalaea, Maui, Hawaii.

### Preliminary Hearings:

- D. **APPL. NO. TA-03**, Maui Chan, Inc. dba Ichiban the Restaurant for a transfer of a Restaurant Beer and Wine License, Category B(ii) - (premises in which live entertainment or recorded music is provided) from Maui Chan, Inc. dba Ichiban the Restaurant at 47 Kaahumanu Avenue, Unit 1, Kahului, Maui, Hawaii.
- E. **APPL. NO. 23**, Hawaiian Paradise Cocktails LLC dba Hawaiian Paradise Cocktails for a Manufacturer Other Specified Liquor License at 142 Kupuohi Street, Unit F6, Lahaina, Maui, Hawaii.
- F. **APPL. NO. 29**, Miko's Cuisine LLC dba Miko's Cuisine for a Dispenser General License, Category C(ii) - (premises in which live entertainment or recorded music is provided) at 1764 Wili Pa Loop, Wailuku, Maui, Hawaii.

- G. **APPL. NO. 30**, Nabee Inc. dba Poni for a Dispenser General License, Categories C(ii)/D - (premises in which live entertainment or recorded music is provided and premises in which employees or entertainers are compensated to sit with patrons, whether or not the employees or entertainers are consuming nonalcoholic beverages while in the company of the patrons) at 1063 Lower Main Street, C-108 & C-109A, Wailuku, Maui, Hawaii.

**VII. OTHER LICENSING MATTERS:**

- A. Mid Pac Petroleum, LLC dba Mako's Mart (#107 and #340) requesting commission approval for the transfer of the outstanding capital stock within the member, and notifying the commission of the change of name of the member and the change of officers, directors, and agent within the member of the limited liability company.
- B. HIE Retail, LLC dba 2 Go Tesoro (#022, #031, and #347) requesting commission approval of a stockholder owning 25% or more of the outstanding capital stock of a member of the manager-managed limited liability company, and notifying the commission of the change of managers and member within the limited liability company and a change of officer and director within the member (Par Hawaii, Inc.) of the limited liability company.
- C. Duke's Maui, LLC dba Duke's Beach House requesting commission approval for the transfer of the outstanding capital stock within the manager (T S Restaurants Management, Inc.) and member (T S Aloha, Inc.) and notifying the commission of the change of members within the limited liability company and changes to the officers, directors, and titles within the manager (T S Restaurants Management, Inc.) and members (T S Aloha, Inc., Big Fork Investments, LLC and T-Bo Family Partnership LLC).
- D. Loa'a, Inc. dba Minit Stop (#166) requesting commission approval for a change in stockholder within the corporation and notifying the commission of a change of officers, directors, and titles within the corporation.

- E. Sailing Shipps, Ltd. dba Gemini Charters (Gemini) requesting commission approval for a change of stockholder and notifying the commission of a change of officers and directors within the corporation.
- F. FOH Hospitality, LLC dba The Westin Nanea Ocean Villas requesting an extension of licensed premises and an increase in area of licensed premises. Licensee is requesting to include Buildings 6, 7 & 8 which is expected to be completed by September 2017.

**VIII. ADMINISTRATIVE AFFAIRS:**

- A. 1) Review and discussion of Department's proposed rule amendments to Sections 08-101-22(j) and 08-101-69(a) of the Rules Governing the Manufacture and Sale of Intoxicating Liquor of the County of Maui (the "Rules"), which amendments are summarized as follows:
  - Amends Section 08-101-22(j) of the Rules by adding a new subsection (5) to allow the Liquor Commission to streamline the application procedures for the issuance of Class 10 special licenses.
  - Amends Section 08-101-69(a) of the Rules by deleting provisions that limit the amount of liquor that can be offered, sold or served during a set period of time, or for a fixed price.
- 2) Review and discussion of the petition letter filed by Yuki Lei Sugimura dated July 19, 2017 proposing rule amendments to Sections 08-101-22(j) and 08-101-69(a)(2) of the Rules Governing the Manufacture and Sale of Intoxicating Liquor of the County of Maui (the "Rules"), which amendments are summarized as follows:
  - Amends Section 08-101-22(j) of the Rules by amending subsection (2) to provide that under certain conditions, no personal history statements, criminal history background checks, or other governmental clearances shall be required for Class 10 license applicants.

- Amends Section 08-101-69(a)(2) of the Rules to add Class 10 licensees to the exemption from provisions that limit the amount of liquor that can be offered, sold or served during a set period of time, or for a fixed price.

***The Commission may take action on these items, including initiating proceedings in accordance with Section 91-3, HRS, for the amendment of the subject rules.***

***The Commission anticipates that it may convene in executive session on the above items pursuant to Sections 92-4 and 92-5(a)(4), Hawaii Revised Statutes, to consult with its attorney on the Commission's powers, duties, privileges, immunities, and liabilities.***

- B. Review, discussion and approval of revisions to the Department's "Special License Application Checklist" and "Application for Special Liquor License" forms.

***The Commission anticipates that it may convene in executive session on the above item pursuant to Sections 92-4 and 92-5(a)(4), Hawaii Revised Statutes, to consult with its attorney on the Commission's powers, duties, privileges, immunities, and liabilities.***

- C. Corporation Counsel; status report; Committee for Responsible Liquor Control and Madge Schaefer (Plaintiffs) vs. Liquor Control Commission, Director of the Department of Liquor Control and County of Maui (Defendants). Civil No. 17-1-0185 (Other Civil Action), Second Circuit Court, State of Hawaii.

***The Commission anticipates that it may convene in executive session on the above item pursuant to Sections 92-4 and 92-5(a)(4), Hawaii Revised Statutes, to consult with its attorney on the Commission's powers, duties, privileges, immunities, and liabilities.***

- D. Director's Monthly Report:



1. Personnel
2. Minor Decoy
3. State Conference

E. Liquor Control Adjudication Board:

1. No August Meeting

**IX. ADJOURNMENT**

NEXT LIQUOR COMMISSION MEETING WILL BE HELD ON SEPTEMBER 13, 2017, AT 9:00 A.M. AT THE DEPARTMENT OF LIQUOR CONTROL CONFERENCE ROOM, DAVID K. TRASK, JR. OFFICE BUILDING, 2145 KAOHU STREET, ROOM 108, WAILUKU, MAUI, HAWAII.

Persons interested in presenting written testimony of any agenda item shall submit the signed written testimony to the Director, Department of Liquor Control, 2145 Kaohu Street, Room 105, Wailuku, Maui, Hawaii 96793, at or prior to the time of the hearing.

If you require an auxiliary aid or accommodation due to a disability, please contact the Director three working days prior to the scheduled hearing. The request may be made by writing to the Director at: Department of Liquor Control, 2145 Kaohu Street, Room 105, Wailuku, Maui, Hawaii 96793, or by calling 243-7753.